



Dudley Schools Forum

**Tuesday 16th December, 2014 at 6.00pm
at Saltwells Education Development Centre,
Bowling Green Road, Netherton, Dudley**

Agenda - Public Session (Meeting open to the public and press)

1. Introductions by the Chair
2. Apologies for absence.
3. To report the appointment of any substitutes for this meeting of the Forum.
4. To approve as a correct record and sign the minutes of the meeting of the Forum held on 25th November, 2014 (attached).
5. Any other matters arising from the Minutes of the meeting of the Forum held on 25th November, 2014 not included on the agenda for this meeting.
6. Schools with Licensed Deficit Arrangements (Pages 1 - 28)
7. De-delegated Service Options: 2014/15 Projected Outturn and 2015/16 Proposals (Pages 29 - 54)
8. Schools Forum Constitution – Update (Pages 55 - 70)
9. Universal Infant Free School Meals (Pages 71 - 86)
10. Budget Fact Sheet - December 2014 (Pages 87 - 89)
11. Schools Forum Membership – Update (Pages 90 - 94)

12. Dates of Future Meetings

27 th January, 2015	Saltwells Education Development Centre, Bowling Green Road, Netherton, DY2 9LY.
24 th February, 2015	Saltwells Education Development Centre, Bowling Green Road, Netherton, DY2 9LY.
24 th March, 2015	Saltwells Education Development Centre, Bowling Green Road, Netherton, DY2 9LY.
2 nd June, 2015	Saltwells Education Development Centre, Bowling Green Road, Netherton, DY2 9LY.
7 th July, 2015	Saltwells Education Development Centre, Bowling Green Road, Netherton, DY2 9LY.



Director of Corporate Resources
Dated 8th December, 2014

Distribution:

Members of Dudley Schools Forum

Mr Bate; Mrs Belcher; Mr Conway; Mr Derham; Mrs Garratt; Mrs Hannaway; Mrs N Jones; Mr Kelleher; Mr Kilbride; Mrs Kings; Mr Nesbitt; Mr Oakley; Mr Patterson; Mrs Quigley; Mr Ridley; Ms Rogers; Mrs Ruffles; Mr Shaw; Mrs Stowe; Mr Ward; Mrs Withers; Mrs Wylie

Non-Voting Attendees

Councillor T Crumpton - Cabinet Member for Integrated Children's Services;
Councillor M Mottram - Chair of the Children's Services Scrutiny Committee;
P Sharratt – Interim Director of Children's Services;
H Powell/T Brittain – Acting Assistant Director of Children's Services;
I McGuff – Assistant Director of Children's Services;
K Cocker – Children's Services Finance Manager, Directorate of Corporate Resources;
S Coates – Principal Accountant, Directorate of Corporate Resources.

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- The Democratic Services contact officer for this meeting is Helen Shepherd, Telephone 01384 815271 or E-mail helen.shepherd@dudley.gov.uk

MINUTES OF DUDLEY SCHOOLS FORUM

Tuesday, 25th November, 2014 at 6.00 pm
at Saltwells Education Development Centre,
Bowling Green Road, Netherton, Dudley

PRESENT:-

Mr L Ridney - Chair

Mrs R Wylie - Vice Chair

Mrs J Belcher, Mr J Conway, Mr C Derham, Mrs A Garratt, Mrs A Hannaway, Mrs N Jones, Mr J Kelleher, Mrs J Kings, Mr B Oakley, Mrs J Quigley, Mrs H Ruffles, Mrs E Taylor, Mr N Shaw, Ms M Stowe, Mr D Ward and Mrs G Withers.

Person(s) not a member of the Forum but having an entitlement to attend meetings and speak

Officers

Mr H Powell (Acting Assistant Director of Children's Services - Education Services); Mrs K Cocker (Children's Services Finance Manager), Mrs S Coates (Senior Principal Accountant) and Miss H Shepherd (Democratic Services Officer), Directorate of Corporate Resources

40 Introductions by the Chair

The Chair welcomed everyone to the meeting, in particular the new Members in attendance.

41 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Mr P Kilbride, Mr P Nesbitt, Mr B Patterson and Ms P Rogers.

42 Substitute Member

It was noted that Mrs E Taylor was serving as a substitute member on behalf of Mr B Patterson for this meeting of the Forum only.

43 Minutes

Resolved

That the minutes of the meeting of the Schools Forum held on 21st October, 2014, be approved as a correct record and signed.

44 Matters Arising from the Minutes

No issues were raised under this agenda item.

45 Family Support Workers working in Early Years settings

A verbal presentation was made by the Acting Assistant Director of Children's Services – Education Services in relation to Family Support Workers working in Early Years settings.

He stated that a report in relation to this issue had been considered and reviewed by the Head Teachers Consultative Forum – Budget Working Group, which had provided reassurance of the role of the Family Support Worker. It had been recommended at that meeting that a future report be submitted to Schools Forum addressing the aspect of the provisions funded, including Family Support Workers; the service provided; the effects these services had on the children and how they impacted upon the situation. It was considered that an overview of the services would be beneficial to Schools Forum and would help in the determination of the funding to the service approved by the Forum.

A Primary School Head Teacher welcomed the report and requested that Primary and Secondary Head Teachers and Nursery colleagues be consulted in relation to their experiences of the service and that the outcome of the consultation also be included in the report.

In response to a request for the PVI providers to also be included in the consultation, the Acting Assistant Director of Children's Services – Education Services confirmed that this would not be a problem but indicated that the larger the scale of the consultation the less personal interaction there would be.

Resolved

- (i) That the verbal information presented in relation to Family Support Workers working in Early Years settings be noted.

- (ii) That a further report on Family Support Workers and the provisions and services provided; the outcomes and effects that the service had on the children concerned and the outcomes of a consultation completed by Primary and Secondary Headteachers, Nursery and PVI providers on their experiences of the service, be submitted to a future meeting of the Forum for consideration.

46 Dedicated Schools Grant Projected Outturn Update 2014/15

A report of the Interim Director of Children's Services was submitted with the latest financial forecast in respect of the Schools Budget for the 2014/15 financial year ending 31st March 2015.

Arising from the presentation of the report, the Early Years and Nursery representative raised concern in relation to the significant under spend of the time for two early years funding for disadvantaged children and it was considered that this was as a result of the lack of vacant spaces within the borough to accommodate the take up.

In response to a question raised as to whether additional spaces would be available if the amount of funding allocated per child was to be increased, it was considered that this could have some impact but the main obstacle was capacity.

The Children's Services Finance Manager stated that there had been a low take-up on the initiative nationally and all Authorities were experiencing a significant under spend in this area. She stated that she would compare the £4.50 funding currently allocated per child with other authorities allocations and report back to a future meeting of the forum.

In response to a further question, the Children's Services Finance Manager confirmed that the funding under spend would be carried forward as part of the central DSG budget and that the figures referred to in the report related to the Summer term take up and that this under spend was projected to continue to increase.

Members continued to raise their concerns that eligible two year olds were being disadvantaged due to the lack of spaces available.

Arising from questions raised in relation to the percentage of two year olds that required a place but had been refused due to the lack of capacity and which areas in the borough were particularly struggling to accommodate children, it was stated that the Acting Assistant Director of Children's Services - Education Services would establish these figures and would report back to a future meeting, but it was considered that Dudley was in-line with the national average.

Resolved

- (i) That the information contained in the report submitted, on the 2014/15 forecast outturn position in respect of the Schools Budget, funded by the Dedicated School Grant, be noted.
- (ii) That a report on the time for twos initiative including comparative figures of the funding allocated by other authorities and the number of additional places required to accommodate the number of children requesting to take-up the initiative be submitted to a future meeting of the Forum.

47 Early Years Pupil Premium and Funding for Disadvantaged Two Year Olds – DfE Consultation Outcomes

A report of the Interim Director of Children's Services was submitted on the DfE consultation outcomes in respect of the Early Years Pupil Premium and funding for disadvantaged two year olds proposals.

Arising from the presentation and in response to a question raised, the Nursery School Head Teacher and the Early Years Provider representative confirmed that they had both responded to the consultation although had not been referred to in Appendix A of the report submitted.

Resolved

That the information contained in the report submitted in relation to the funding for the early years pupil premium and funding for disadvantaged two year olds for 2015/16 with a further report being presented in the Spring 2015 term in respect of the 2015/16 funding requirements, be noted.

48 Local Authority Provisional Funding Pro-Forma for 2015/16

A report of the Interim Director of Children's Services was submitted on Dudley's submission of the provisional Authority Proforma Tool for 2015/16 to the Education Funding Agency.

Resolved

That the information contained in the report, on the successful submission and subsequent validation by the Education Funding Agency of Dudley's Local Authority Proforma Tool for the 2015/16 financial year, be noted.

49 Schools Forum Membership Update

A report of the Interim Director of Children's Services was submitted to provide the forum with a membership update.

Following the presentation of the report and in response to a question raised by the Chair, the Children's Services Finance Manager confirmed that an election process of nominations for the two vacant Primary School Governor posts in Halesowen and Dudley North would take place in January 2015.

Resolved

That the information contained in the report and appendix to the report submitted, in respect of the Schools Forum Membership Update, be noted.

50 Schools Forum Meeting Schedule – Provisional Agenda Items for December

The Chair referred to the next meeting of the forum and appreciated that Forum Members had alternative commitments due to the festive season but encouraged Members to attend to ensure that the meeting was quorate as the agenda item in relation to De-delegations update 2014/15 and the 2015/16 consultation outcomes would require Members approval and voting procedure.

Resolved

That the proposed agenda items for the forum meeting on 16th December, 2014 and the comments made by the Chair be noted.

51 Dates of Future Meetings

Resolved

That the dates of future meetings be noted.

The meeting ended at 6.40 pm.

CHAIR

Dudley Schools Forum - 16th December 2014

Report of the Interim Director of Children's Services

Schools With Licensed Deficit Arrangements

Purpose of Report

1. To inform Schools Forum of the latest financial monitoring position for the Coseley School.

Budget Working Group Discussed

2. Yes – 10th December 2014.

Schools Forum Role and Responsibilities

3. From 1st April 2006, the Schools Budget has been funded by a direct Department for Education (DfE) grant: the Dedicated School Grant (DSG).
4. Schools Forum is the 'guardian' of the local Schools Budget, and its distribution among schools and other bodies, and therefore must be closely involved throughout the development process.
5. Schools Forum approved the latest Dudley's Scheme for Financing Schools on 23rd September 2014. This document includes Planning for Deficit Budgets at paragraph 4.5 and the process to be followed by a Dudley school when applying for a Licensed Deficit is detailed at paragraph 4.9.2.

Action for Schools Forum

6. To note the latest financial position in respect of the Coseley School who have a licensed deficit arrangement in place for the 2014/15 financial year.

Attachments to Report

7. Appendix A - Schools causing concern. DfE Statutory guidance for local authorities issued May 2014

Karen Cocker
Children's Services Finance Manager
2nd December 2014

Dudley Schools Forum - 16th December 2014

Report of the Interim Director of Children's Services

Schools With Licensed Deficit Arrangements

Purpose of Report

1. To inform Schools Forum of the latest financial monitoring position for the Coseley School.

Background

2. The Coseley secondary school has foundation school status and is part of the Coseley Co-operative Learning Trust. In 2012 the School was placed into a "special measures" Ofsted category at which time the local authority put in place an Interim Executive Board to replace the existing Governing Body. The School were moved from a "special measures" category to "requiring improvement" in the spring term 2014.
3. From September 2014, the School's Interim Executive Board has been replaced by a Governing Body.

Coseley School Licensed Deficit Approval

4. At the meeting on 23rd September 2014, Schools Forum was advised of the latest position regarding the School's licensed deficit application which had been approved in July 2014 for the current financial year.
5. Approval of the licensed deficit was required by the local authority (Director of Children's Services and the Treasurer), the Cabinet Member for Children's Services and Lifelong Learning and the Chair of Schools Forum.
6. A licensed deficit is funded against the collective surplus of school balances held by the local authority on behalf of all maintained schools and therefore Schools Forum must be advised and updated on behalf of all schools in the local authority.
7. The licensed deficit application for 2014/15 is for £283,480 to include £59,064 brought forward from 2013/14. This is repayable over a five year period.
8. Following the approval of the licensed deficit, the School set a balanced budget for 2014/15 in July 2014.
9. The School have recently undertaken a staffing restructure in order to address the current budget issues and this is now in place for January 2015.

10. It was agreed that regular monitoring updates would be presented to Schools Forum to provide reassurances that the School are proceeding according to their financial plan.

2014/15 Financial Monitoring

11. In line with the licensed deficit application, the School are providing monthly income and expenditure budget monitoring information to the local authority in addition to the standard quarterly financial monitoring returns which must be signed by the Acting Headteacher and the Chair of the Governing Body. At September 2014, the School were forecasting the 2014/15 budget position to be on target.

12. However, at 31st October the School is now projecting an overspending position of £42,000; this is in addition to the licensed deficit of £283,480.

13. The school have subsequently confirmed that it is the intention of the Governing Body to recover this projected overspend during 2014/15 from additional savings to be made within school during the remaining five months of the current financial year. However a revised quarterly financial monitoring return signed by both the Headteacher and Chair of Governors containing specific detail confirming how the planned savings will be achieved is still awaited.

14. The options available to a local authority in respect of a school who is unable to maintain a balanced in year budget despite already having an approved licensed deficit in place are as follows:

a. DfE Schools Causing Concern statutory guidance for maintained schools. The guidance, attached at Appendix A, covers “schools causing concern” (within the meaning of section 44 of the Education Act 2005) that are “eligible for intervention” (within the meaning of Part 4 of the 2006 Act), but also other maintained schools about which the local authority and/or the Secretary of State have serious concerns which need tackling.

Under this guidance a local authority may:

- Issue a warning notice.
For the purpose of the DfE guidance Section 3 advises that a “warning notice” is one that is issued to the governing body of a maintained school by the local authority where one or more of the grounds in section 60(2)(a-c) are satisfied:
 - unacceptably low standards of performance of pupils;
 - serious breakdown in the way the school is managed or governed that is prejudicing (or likely to prejudice) standards of performance (this could include where there is evidence of very poor financial management); and/or
 - safety of pupils or staff of the school is threatened.
- Withdraw the delegated budget facility from the Governing Body in line with Dudley’s Scheme of Financing Schools.
Section 4 of the DfE guidance outlines the local authority’s powers of intervention. Section 66 of the 2006 Act enables a local authority to suspend the governing body’s right to a delegated budget by giving the governing body of the school notice in writing. This applies where a maintained school is

eligible for intervention and the school has a delegated budget within the meaning of Part 2 of the School Standards and Framework Act 1998.

- b. Increase the licensed deficit arrangement, if appropriate and approved by all relevant parties, including the Chair of Schools Forum.
- c. Fund the deficit from the de-delegated specific contingency, if funds are available.

15. Huw Powell, the Acting Assistant Director for Education Services, is working with the School to support leadership and management and the Interim Director of Children's Services is considering options for the School in the longer term.

Finance

16. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2013.

17. Schools Forums are regulated by the regulated by the Schools Forums (England) Regulations 2012.

18. From 1st April 2006, the Schools Budget has been funded by a direct grant; Dedicated School Grant (DSG).

Law


19. Councils' LMS Schemes are made under Section 48 of the School Standards and Framework Act 1998. The Education Acts 1996 and 2002 also have provisions relating to school funding.

Equality Impact

20. The Council's Equal Opportunities Policy is taken into account when considering the allocation of resources.

Recommendation

21. Schools Forum to note the current financial position in respect of The Coseley School and the options available to the Local authority.



Pauline Sharratt
Interim Director of Children's Services

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Schools causing concern

Statutory guidance for local authorities

May 2014

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Summary

About this guidance

This is statutory guidance given by the Department for Education, on behalf of the Secretary of State, relating to maintained schools causing concern.

Section 72 of the Education and Inspections Act 2006 places a statutory duty on all local authorities in England, in exercising their functions in respect of schools causing concern as set out in Part 4 of the 2006 Act, to have regard to any guidance given from time to time by the Secretary of State. Local authorities must have regard to this guidance.

Expiry or review date

This guidance will be kept under review and updated as necessary.

What legislation does this guidance refer to?

- Education and Inspections Act 2006 (“the 2006 Act”)
- Apprenticeships, Skills, Children and Learning Act, 2009 (ASCL Act) (amended the 2006 Act)
- Education Act 2011 (amended the 2006 Act, and Schedule 14)
- Education Act 2002, including Schedule 2
- Education Act 2005
- School Standards and Framework Act 1998
- The School Governance (Transition from an Interim Executive Board)(England) Regulations 2010 (Transition Regulations)
- Academies Act 2010

Who is this guidance for?

- Local authorities, who must have regard to it.
- Dioceses, School Foundations and Governing Bodies of maintained schools.
- Other persons or bodies, such as maintained schools, who may find it useful.

Key points

- This guidance provides information on the legislative requirements for intervening in maintained¹ “schools causing concern”. Those using this guidance, particularly local authorities, who must have regard to it should also be familiar with the actual wording of the legislation to which this guidance relates, as listed above, in particular Part 4 of, and Schedule 6 to, the 2006 Act, but also the Academies Act 2010.
- This guidance covers “schools causing concern” (within the meaning of section 44 of the Education Act 2005) that are “eligible for intervention” (within the meaning of Part 4 of the 2006 Act), but also other maintained schools about which the local authority and/or the Secretary of State have serious concerns which need tackling.
- For the purpose of this guidance, a “warning notice” is one that is issued to the governing body of a maintained school by the local authority where one or more of the grounds in section 60(2)(a-c) are satisfied: unacceptably low standards of performance of pupils, serious breakdown in the way the school is managed or governed that is prejudicing (or likely to prejudice) standards of performance (this could include where there is evidence of very poor financial management), and/or safety of pupils or staff of the school is threatened.
- For the purpose of this guidance, “unacceptably low standards of performance” includes: standards below the floor, on either attainment or progress of pupils; low standards achieved by disadvantage pupils; a sudden drop in performance; sustained historical underperformance; performance of pupils (including disadvantaged pupils) unacceptably low in relation to expected achievement or prior attainment; or performance of a school not meeting the expected standards of comparable schools.;
- In these situations, the local authority should issue a warning notice unless there is a particular reason not to do so. In cases of sustained underperformance, the warning notice should make clear that an academy solution is expected.
- The local authority should also consider issuing a warning notice in cases where schools have not responded robustly or rapidly enough to a recommendation by Ofsted to commission an external review of the use and impact of the Pupil Premium and/or an external review of their governance arrangements.
- A maintained school will be “eligible for intervention” under the 2006 Act if it has not complied with a warning notice and the local authority have also given the school written notice of their intention to exercise their intervention powers under Part 4 of the 2006 Act, or where the school has been judged by Ofsted to require

¹ Note that a maintained school means (a) a community, foundation or voluntary school, (b) a community or foundation special school, or (c) a maintained nursery school.

“significant improvement” (a “serious weaknesses” judgment under the September 2012 Ofsted framework) or “special measures”².

- Where maintained schools are eligible for intervention local authorities have powers under the 2006 Act to: suspend the delegated budget of the school; appoint an Interim Executive Board (IEB); appoint additional governors; or require the governing body to enter into specified arrangements with a view to improving the performance of the school. Local authorities should also consider contacting the Department for Education to discuss academy sponsorship as soon as they are being made aware that a maintained school is likely to be rated as inadequate by Ofsted.
- Where maintained schools are eligible for intervention, the Secretary of State has the power to appoint additional governors, appoint an IEB, or direct the local authority to close a school. The Secretary of State also has the power under the Academies Act 2010 to make an academy order, subject in certain cases to consultation³.
- Academies are accountable to the Secretary of State for Education. Therefore, local authorities should focus their school improvement activity on the schools they maintain. Local authorities should raise any concerns they have about an academy’s performance directly with the Department for Education.
- Local authority responsibilities for Special Educational Needs and Safeguarding of pupils continue to apply in respect of academies.

² School Causing Concerns are defined in section 44 of the Education Act 2005

³ see further detail in Section 5 of this guidance

Section 1: Introduction

This statutory guidance sets out the local authority's role in relation to maintained schools that are causing concern. It sets out the importance of early intervention and of swift and robust action to tackle failure, including the use of Warning Notices and Interim Executive Boards (IEB) in maintained schools. The guidance is clear about the Government's expectation that academy status, with the support of a strong sponsor, is the best way of securing lasting improvement in these circumstances.

Local authorities' statutory responsibilities for educational excellence are set out in section 13a of the Education Act 1996. That duty states that a local authority must exercise its education functions with a view to promoting high standards. Local authorities are discharging this duty within the context of increasing autonomy and changing accountability for schools, alongside an expectation that improvement should be led by schools themselves.

Local authorities should raise any concerns they have about academy performance directly with the Department for Education.

Beyond this statutory guidance, local authorities have considerable freedom as to how they deliver their statutory responsibilities. The 2010 White Paper, *The Importance of Teaching*, set out the role of local authorities as champions of educational excellence.

Local authorities that champion educational excellence:

1. Understand the performance of maintained schools in their area, using data to identify those schools that require improvement and intervention.
2. Take swift and effective action when failure occurs in a maintained school, using Warning Notices and IEBs whenever necessary to get leadership and standards back up to at least "good".
3. Intervene early where the performance of a maintained school is declining, ensuring that schools secure the support needed to improve to at least "good".
4. Encourage good and outstanding maintained schools to take responsibility for their own improvement and to support other schools.
5. Build strong working relationships with education leaders in their area and encourage high calibre school leaders to support and challenge others.
6. Delegate funding to the frontline, so that as much as possible reaches pupils.
7. Enable maintained schools to purchase from a diverse market of excellent providers.
8. Signpost where schools can access appropriate support.

9. Secure strong leadership and governance for maintained schools that are not providing a good enough education, by identifying and supporting successful sponsors.
10. Seek to work constructively with academies and alert the Department for Education when they have concerns about standards or leadership in an academy.

Section 2: Schools causing concern

Part 4 of, and Schedule 6 to, the 2006 Act set out that a (maintained) school is “eligible for intervention” where:

1. a warning notice has been given (section 60) with which the school has failed to comply or has failed to comply to the satisfaction of the local authority and the local authority have also given the governing body a written notice that they propose to exercise one or more of their powers under Part 4 of the 2006 Act;
2. teachers' pay and conditions warning notice has been given (section 60A)⁴ with which the school has failed to comply and the local authority have also given written notice to the governing body that they propose to exercise one or more of their powers under Part 4 of the 2006 Act;
3. a school requires significant improvement (section 61); and,
4. a school requires special measures (section 62).

Schools eligible for intervention as a result of a warning notice

Warning notices should be used as an early form of intervention, particularly where standards are unacceptably low and other tools and strategies have not secured improvement.

A warning notice may be given by a local authority in one of three circumstances:

1. the standards of performance of pupils at the school are unacceptably low and are likely to remain so unless the authority exercise their powers under Part 4 of the 2006 Act; or,
2. there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, such standards of performance; or,
3. the safety of pupils or staff at the school is threatened (whether by a breakdown of discipline or otherwise).

The definition of what constitutes “low standards of performance” is set out in section 60(3) of the 2006 Act. This is where they are low by reference to any one or more of the following:

⁴ This guidance is not concerned with warning notices given under section 60A of the Education and Inspections Act 2006 but only those given under section 60 of the 2006 Act

- I. the standards that the pupils might in all the circumstances reasonably be expected to attain; or,
- II. where relevant, the standards previously attained by them; or,
- III. the standards attained by pupils at comparable schools.

For the purpose of this guidance, “unacceptably low standards of performance” includes: standards below the floor, on either attainment or progress of pupils; low standards achieved by disadvantaged pupils; a sudden drop in performance; sustained historical underperformance, performance of pupils (including disadvantaged pupils) unacceptably low in relation to expected achievement or prior attainment, or performance of a school not meeting the expected standards of comparable schools.

In these situations the local authority should issue a warning notice unless there is a particular reason not to do so. Local authorities are not limited to giving a warning notice only to those schools which are persistently below the floor.

There is a clear expectation that where the school has a history of sustained underperformance, conversion to an academy with a strong sponsor will be the normal route to secure improvement. The warning notice for such schools should make that expectation clear.

Local authorities should consider issuing a warning notice to schools that have not responded robustly or rapidly enough to a recommendation by Ofsted to commission an external review of the use and impact of the Pupil Premium. Such recommendations are normally made as part of Section 5 inspections in schools ‘requiring improvement’ where the standard of performance of disadvantaged pupils is judged to be unacceptably low.

Local authorities should also consider issuing a warning notice to schools that have not responded robustly or rapidly enough to a recommendation by Ofsted to commission an external review of their governance arrangements. Such recommendations are normally made as part of Section 5 inspections in schools ‘requiring improvement’ where governance is judged to be weak. In some cases, Ofsted will recommend an external review of both the Pupil Premium and their governance arrangements.

Since it is a core function of governing bodies to create robust accountability for the educational performance of the school, failure to address such recommendations by Ofsted should be seen as an indication that the school is causing sufficient concern for the local authority to consider issuing a warning notice. Following the inspection, where no significant improvement is realised by the school within reasonable timeframes, local authorities should consider using their powers of intervention to stimulate and drive change.

Schools do not need to wait for an Ofsted inspection recommendation to seek an external review of the Pupil Premium or their governance arrangements. Local authorities

may themselves consider issuing such recommendations where they have concerns about the quality of a school's performance and governance, before considering more formal intervention. Guidance is available from the National College for Teaching and Leadership on commissioning and conducting such external reviews.

A school is "eligible for intervention" and intervention powers may be exercised in the case where a warning notice has been given and the school has failed to comply or has not complied with the notice to the satisfaction of the local authority and where the local authority have also given the school written notice that they propose to exercise one or more of their powers under Part 4 of the 2006 Act.

Schools eligible for intervention as a result of having been judged as "requiring significant improvement" or "special measures"

If, following an inspection under section 5 of the Education Act 2005, Ofsted judges a school to be inadequate for overall effectiveness (Grade 4), it will give a judgement that the school requires either "significant improvement" (described as a school with "serious weaknesses") or "special measures". Where a school is eligible for intervention by virtue of this judgement, it is not necessary for the local authority to give a warning notice to the school. If the school has already been given a warning notice by a local authority, a Grade 4 Ofsted judgement means the school is eligible for intervention whether or not the period of compliance in the warning notice has expired or the governing body has made representations or intend to make representations to Ofsted.

There is a clear expectation that in these cases, where the school has been judged by Ofsted to have "serious weaknesses" or require "special measures", conversion to an academy with a strong sponsor will be the normal route to secure improvement and that this is set out clearly in the local authority statement of action⁵.

Inspectors make a judgement on the fitness for purpose of local authorities' statements of action. From September 2012, this judgement is made at the first monitoring inspection of all schools judged to require "special measures" and those that have been judged to have "serious weaknesses". If, the statement of action is judged to be not fit for purpose at the first monitoring inspection, a revised version must be made available to Her Majesty's Inspector (HMI) at the second monitoring inspection. HMI will judge whether the revised statement is fit for purpose and report accordingly.

⁵ See section 15 of the Education Act 2005 and Schedule 7 of the Education and Inspections Act 2006

Section 3: Warning notices

Section 60 of the 2006 Act sets out the provisions relating to warning notices. A warning notice should be used where there is evidence to justify both the local authority's concerns and the school's reluctance or inability to address those concerns successfully within a reasonable time frame. Before deciding to give such a warning notice, local authorities must draw on a suitable range of quantitative and qualitative information to form a complete picture of a school's performance.

1. Giving a warning notice

When used effectively many local authorities have found that giving warning notices has had a positive impact on schools causing concern, often providing a catalyst for more focused and appropriate action from both the leadership team and the governing body. It is expected that local authorities will use these powers more frequently as part of their wider plans to accelerate improvements in standards.

A warning notice must be given in writing to the governing body of the school and must set out:

1. the matters on which the local authority's concerns are based. These should be set out in some detail and explain the facts that exist in that particular school and the circumstances which are giving the local authority cause for concern;
2. the action which the governing body is required to take in order to address the concerns raised;
3. the initial compliance period beginning with the day when the warning notice is given and ending 15 working days following that day, during which time the governing body is to address the concerns set out in the warning notice, or make representations to Ofsted against the warning notice; and,
4. the action which the local authority is minded to take (under one or more of sections 63 to 66 of the 2006 Act or otherwise) if the governing body does not take the required action.

In addition to giving the governing body a warning notice, the local authority must also give a copy to the head teacher; and in the case of a Church of England Church school or a Roman Catholic Church school, the appropriate diocesan authority; and in the case of a foundation or voluntary school, the person who appoints the foundation governors.

All warning notices must be copied to Ofsted at the same time using the email address: warningnotices@ofsted.gov.uk

Where a warning notice has been given which has not been complied with to the satisfaction of the local authority within the compliance period, the local authority must also give the school reasonable notice in writing. Whilst what is reasonable will vary depending upon the circumstances, the expectation is that the local authority will notify the school that they propose to exercise one or more of their powers under Part 4 of the 2006 Act within two months from the end of the compliance period. When a school has failed to comply with a warning notice and the local authority have also given a further written notice, a school is eligible for intervention.⁶

2. Making representations against the warning notice

The warning notice must state that the governing body of a school can make representations in writing to Ofsted. The 2006 Act does not specify the grounds for making representations, but it could be that the school believes that the local authority have:

1. Given the warning notice without sufficient objective evidence
2. Proposed action that is disproportionate to the scale of the issues facing the school

The representations must be made in writing within 15 working days⁷ of receipt of the warning notice. For the representations to be valid, they must be sent to warningnotices@ofsted.gov.uk and *must* also be copied to the local authority.

Ofsted must consider any representations and may confirm the warning notice or not. This will usually be within a period of 10 working days after receipt of the representations, although this is not set out in legislation. Ofsted may ask either party to submit further evidence where this is felt to be insubstantial, prior to deciding on the representations.

If Ofsted confirms the warning notice, the school is eligible for intervention after 15 working days beginning with the day on which Ofsted confirms the warning notice.

Irrespective of whether the governing body have made representations to Ofsted, the Secretary of State may make a direction under section 496 and/or 497 of the Education Act 1996 pursuant to a complaint or otherwise. This enables the Secretary of State to make a direction, if expedient to do so, where he is satisfied that a local authority have acted, or are proposing to act, unreasonably with respect to the exercising of a power or performance of a duty under the 1996 Act, or certain other Acts which are read together with the 1996 Act (including the 2006 Act), or where the local authority have failed to discharge a duty.

⁶ See section 60(1)(e) of the Education and Inspections Act 2006

⁷ Working day does include the school holidays. See the definition in section 60(10) of the Education and Inspections Act 2006.

3. Power of the Secretary of State to direct the local authority to consider giving and to give a warning notice

The Secretary of State has the power to direct a local authority to first consider giving a warning notice in specified terms and then, to direct the local authority to give a warning notice in those terms where a local authority have decided not to do so.

A direction to give a warning notice in specified terms may be given if the Secretary of State thinks there are reasonable grounds for the local authority to do so and:

1. the local authority have not given a warning notice to the governing body; or
2. the local authority have given a warning notice, but in inadequate terms; or
3. the local authority have given a warning notice to the governing body but Ofsted have failed or declined to confirm it; or
4. the school has become eligible for intervention, but the period of two months following the end of the compliance period has ended⁸.

The local authority may then decide to give the warning notice to the governing body in the specified terms and must give the Secretary of State a written response to the direction confirming this within 10 working days beginning with the day on which the direction was given. They must then give a warning notice to the governing body within 5 working days from the day on which a response is given to the Secretary of State and, on the same day, give the Secretary of State a copy of the warning notice and send it to warningnotices@ofsted.gov.uk.

If the local authority decides not to comply with the direction, then they must respond to the Secretary of State within 10 working days⁹ beginning with the day on which the direction was given setting out the reasons for that decision. If, having considered these reasons, the Secretary of State believes that a warning notice is still necessary then the local authority will be directed to give a warning notice in those specified terms. The local authority must then give this warning notice to the governing body within 5 working days beginning with the date when the direction is given.

Once this warning notice has been given, the school has 15 working days to comply with the terms of the warning notice or make representations to Ofsted as with any other warning notice given.

The local authority must judge whether the school has complied with the terms of the warning notice. If the local authority concludes that the school has failed to comply with

⁸ Note that the time period does not apply where the school is eligible for intervention by virtue of being judged to require special measures or significant improvement.

⁹ The 2006 Act states that "working day" means a day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 (c.80) in England

the warning notice and has also given written notice to the governing body that they propose to exercise one or more of their intervention powers, then it is “eligible for intervention” as set out in Part 4 of, and Schedule 6 to, the 2006 Act, and the intervention powers of the Secretary of State and the local authority may be exercised.

The Secretary of State may also request Ofsted to inspect and report on a school where there are serious concerns under provisions in the Education Act 2005.

Section 4: Local authorities' powers of intervention

Where a school is eligible for intervention there are a number of powers the local authority or the Secretary of State may use to drive school improvement. These interventions are set out in sections 63-66 of the 2006 Act in respect of local authorities.

1. Power to suspend the delegated authority for the governing body to manage a school's budget

Section 66 of the 2006 Act enables a local authority to suspend the governing body's right to a delegated budget by giving the governing body of the school notice in writing. This applies where a maintained school is eligible for intervention and the school has a delegated budget within the meaning of Part 2 of the School Standards and Framework Act 1998.

Local authorities are strongly recommended to withdraw delegation from all schools eligible for intervention at the time the intervention position is confirmed since doing so can secure local authority control over staffing and spending decisions in order to secure improvements. It may be best used, for example, where the governing body is providing insufficient challenge and support to the headteacher or senior management team of the school, or where management of the budget is providing a distraction from improvement priorities for governors.

A copy of the notice to suspend the right to a delegated budget must be given to the head teacher of the school and the governing body. If the local authority has appointed an IEB, during the period when the governing body is constituted as an IEB (the interim period) the local authority cannot suspend the school's right to a delegated budget.

Timeframe

Where a school is eligible for intervention as a result of being given a warning notice, this power must be exercised within a period of two months following the end of the compliance period. If the local authority fails to exercise this power within this time, it can no longer be exercised and a new warning notice must be given in order to do so. There is no requirement for the local authority to consult before exercising this power.

2. Power to appoint an Interim Executive Board (IEB)

Section 65 of the 2006 Act enables the local authority to apply to the Secretary of State for consent to constitute the governing body as an IEB in accordance with Schedule 6 to the 2006 Act. An IEB can be used to accelerate improvement in standards and attainment and provide challenge to the leadership of the school to secure rapid

improvement or where there has been a serious breakdown of working relationships within the governing body of the school.

Timeframe

This power may be exercised at any time a school is eligible for intervention and is not subject to the time limitation set out above in respect of other intervention powers.

Consultation

Before the local authority can exercise this intervention power they must consult:

1. the governing body of the school;
2. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
3. in the case of any other foundation or voluntary school, the person or body by whom the foundation governors are appointed.

A fair consultation must be undertaken when proposals are at a formative stage and include sufficient detail to allow those consulted to give a considered response. The local authority may offer a meeting with the governing body as part of this consultation. A final decision should only be taken after consideration of any representations received. There is no statutory time scale in which the consultation process is to be completed and it is likely that this will vary depending on the circumstances in which the IEB is required. We would expect a normal consultation process to take about 10 (ten) days.

IEB applications should be made using the form on the DfE website¹⁰ and should follow the guidance for the completion of an IEB application form.

After obtaining consent in writing from the Secretary of State, the local authority must write to the governing body to give them notice that the IEB will be established. This notice should specify a date when the IEB will commence and will usually also give a date when the IEB will cease but may not always.

Delegated budget

An IEB has a right to a delegated budget. If the school's budget has previously been withdrawn from the governing body, then the local authority must restore the budget from the date when the IEB commences its work. If a notice has been given to the normally constituted governing body specifying a date when it is proposed to withdraw the right to a delegated budget, the notice will cease to be valid from the date of commencement of the IEB.

¹⁰ See the 'Further sources of information' section

The role and duties of the IEB

The IEB's main function is to secure a sound basis for future improvement in the school and this should include the promotion of high standards of educational achievement.

The IEB is the governing body of the school and any reference in the Education Acts to a governor or foundation governor has effect as a reference to an interim executive member. During the interim period, when the governing body is constituted as an IEB, the requirements concerning the governing bodies constitution set out in the School Governance (Constitution) (England) Regulations 2012 do not apply.

The IEB will take on the responsibilities of a normally constituted governing body, including the management of the budget, the curriculum, staffing, pay and performance management and the appointment of the headteacher and deputy headteacher. An IEB may recommend to a local authority, or recommend that the Secretary of State give a direction to a local authority, that a school should be closed. However, the IEB cannot itself publish proposals for closure. If, following the statutory consultation and other procedures, it is agreed that the school will be closed, the IEB should continue to hold office until the implementation date of the proposal. The IEB may also seek an academy order from the Secretary of State which enables the school to convert to an academy.

Membership of the IEB

As set out in Schedule 6 to the 2006 Act the number of interim executive members must not be less than two. Once the IEB has been established, further interim executive members can be appointed at any time. An IEB should be a small, focused group appointed for the full period which it is expected to take to turn the school around. Members of an IEB should be chosen on a case by case basis, depending on the needs of the school and existing governors may be appointed to the IEB. We expect members of an IEB to bring a fresh outlook to the governance arrangements of the school, marking a clear break from the previous management of the school. In most cases, therefore, we would not expect existing governors who are vacating office to be nominated as IEB members (although this is not prohibited by the law). Local authorities who are considering doing this should contact the DfE to discuss the particular circumstances of the school.

The IEB may arrange for the discharge of their functions to other people as they see fit (under paragraph 11(2) of Schedule 6 to the of the 2006 Act). In this way the IEB could continue to benefit from the experience of existing governors and help engage future governors.

The local authority is able to nominate one of the members of the IEB to act as Chair.

Interim executive members may be removed in limited circumstances. This can be for incapacity or misbehaviour or where their written notice of appointment provides for

termination by the appropriate authority on notice. The appropriate authority may be the local authority or the Secretary of State depending on who made the original appointment.

The local authority should produce a written notice of appointment for each member of the IEB. Copies of this notice should be sent to all other members of the IEB; the school's existing governing body; the Secretary of State; and, in the case of foundation or voluntary schools, the diocesan or other appropriate appointing authority. A local authority or the Secretary of State may choose to pay interim executive members such remuneration and allowances as is considered appropriate.

3. Power to appoint additional governors

Section 64 enables a local authority to appoint additional governors where a school is eligible for intervention. The local authority is likely to appoint additional governors when they would like a school to be provided with additional expertise and may appoint as many additional governors as they think fit. In the case of a voluntary aided school where the local authority have exercised the power to appoint additional governors, the appropriate appointing authority in relation to that school may appoint an equal number of foundation governors to those appointed by the local authority, in order to preserve their majority.

Timeframe

Where the school is eligible for intervention as a result of being given a warning notice, this power must be exercised within a period of two months following the end of the compliance period. If the local authority fails to exercise this power within this time, it can no longer be exercised and a new warning notice must be given in order to do so. Where the local authority appoints additional governors there is no requirement to consult.

4. Power to require the governing body to enter into arrangements

Section 63 enables a local authority to require a school which is eligible for intervention to enter into arrangements with a view to improving the performance of the school. The local authority may give the governing body a notice requiring them:

1. to enter into a contract or other arrangement for specified services of an advisory nature with a specified person (who may be the governing body of another school);
2. to make arrangements to collaborate with the governing body of another school;
3. to make arrangements to collaborate with a further education body; or,

4. to take specified steps for the purpose of creating or joining a federation.

Timeframe

Where the school is eligible for intervention as a result of being given a warning notice, this power must be exercised within a period of two months following the end of the compliance period. If the local authority fails to exercise this power within this time, it can no longer be exercised and a new warning notice must be given in order to do so.

Consultation

Before the local authority can exercise this intervention power they must consult:

1. the governing body of the school;
2. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
3. in the case of any other foundation or voluntary school, the person or body by whom the foundation governors are appointed.

A consultation must be undertaken when proposals are at a formative stage and include sufficient detail to allow those consulted to give a considered response. A final decision can only be taken after consideration has been given to any representations received. There is no statutory time scale in which the consultation process is to be completed. We would expect a normal consultation process to take about 10 (ten) days but this may vary depending on the circumstances of the case.

Section 5: Secretary of State's powers of intervention

Where a school is eligible for intervention there are a number of powers the local authority or the Secretary of State may use to drive school improvement. These interventions are set out in sections 67 to 69 in respect of the Secretary of State.

1. Power to appoint additional governors

Section 67 of the 2006 Act allows the Secretary of State to appoint additional governors at any time a maintained school is eligible for intervention; the Secretary of State may appoint any such number of additional governors as he sees fit.

Before making any appointment, the Secretary of State must consult:

1. the local authority;
2. the governing body of the school;
3. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
4. in the case of any other foundation or voluntary school, the person or body by whom the foundation governors are appointed.

The Secretary of State may pay any governor appointed such remuneration and allowances as is considered appropriate. Where the Secretary of State has exercised this power, the local authority may not exercise their power to suspend the governing body's right to a delegated budget. The legislation provides that a voluntary aided school is not authorised to appoint foundation governors for the purpose of outnumbering the other governors appointed by the Secretary of State.

2. Power to direct the closure of a school

The Secretary of State may direct a local authority to cease to maintain a school where that school is eligible for intervention other than by virtue of section 60A of the 2006 Act. (non-compliance with teachers pay and conditions).

This will usually be done where there is no prospect of the school making sufficient improvements. Before this power can be exercised the Secretary of State must consult¹¹

1. the local authority and the governing body of the school;
2. in the case of a Church of England school or a Roman Catholic Church school the appropriate diocesan authority;

¹¹ See Section 68 of the Education and Inspections Act 2006

3. in the case of any other foundation or voluntary school the person or body by whom the foundation governors are appointed; and
4. such other persons as the Secretary of State considers appropriate.

If the direction to close a school has been given, the local authority will be expected to meet any costs of terminating staff contracts and make appropriate arrangements for the pupils' continuing education, whether in a replacement school, or through transition to an alternative school.

3. Power to provide for the governing body to consist of interim executive members

Under Section 69 of the 2006 Act the Secretary of State may require the governing body of a school to be constituted as an IEB in accordance with Schedule 6 to the 2006 Act where the school is eligible for intervention.

Before this power can be exercised the Secretary of State must consult¹²:

1. the local authority;
2. the governing body of the school;
3. in the case of a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority; and,
4. in the case of any other foundation or voluntary school the person or body by whom the foundation governors are appointed.

This requirement to consult the bodies in 2, 3 and 4 above does not apply if the local authority has already done so in respect of their own proposal to appoint an IEB or if an academy order has effect in respect of the school.

4. Power to make an academy order

Section 4 of the Academies Act 2010 permits the Secretary of State to make an academy order in two circumstances: firstly, on the application of a school's governing body; or secondly, if the school is eligible for intervention within the meaning of Part 4 of the 2006 Act.

Before making an academy order in respect of a foundation or voluntary school with a foundation that is eligible for intervention, the Secretary of State must consult:

¹² See Section 69(2) of the Education and Inspections Act 2006

1. the trustees of the school;
2. the person and persons by whom the foundation governors are appointed; and,
3. in the case of a school which has a religious character, the appropriate religious body.

If an academy order is made in respect of a school, the Secretary of State must give a copy of the order to:

1. the governing body of the school;
2. the headteacher;
3. the local authority; and,
4. in the case of a foundation or voluntary school that has a foundation:
 - (I) the trustees of the school;
 - (II) the person and persons by whom the foundation governors are appointed; and,
 - (III) in the case of a school which has a religious character, the appropriate religious body.

If an academy order is made in respect of a school which has a Foundation holding the freehold or leasehold of publically funded land, the Secretary of State may direct the Foundation to transfer the relevant land and buildings to the academy provider¹³.

Under section 5 of the Academies Act 2010 before a maintained school can convert into an academy, the governing body must consult on the question of whether conversion should take place.

In the case of a school eligible for intervention under Part 4 of the 2006 Act, the consultation may be carried out by the governing body of the school (or an IEB where appointed) or the person with whom the Secretary of State proposes to enter into academy arrangements in respect of the school or an educational institution that replaces it.

The expectation is that a persistently underperforming school or a school that is in Ofsted category will become an academy. Any such academy would be a “sponsored” academy, meaning that the school would adopt governance arrangements, involving a strong external body (such as an organisation or a sponsoring school)., that will ensure that the school is supported in turning its performance around.

The expectation would be that any strong school which was proposing to act as a sponsor would themselves also be an academy or willing to become an academy in order to take on the sponsorship role. Being an academy will allow the sponsoring school to use its academy freedoms to secure rapid improvement in both the school it is sponsoring, as well as its own school.

¹³ Education Act 2011 Schedule 14

Further sources of information

Associated resources (external links)

- [The Academies Act 2010](#)
- [The Apprenticeships, Skills, Children and Learning Act 2009](#) (amended the 2006 Act) - makes provision for apprenticeships, education, training and children's services.
- [The Education and Inspections Act 2006](#)
- [The Education Act 2011](#) (amended the 2006 Act and also the 2010 Academies Act in respect of land transfers to academies. Schedule 14 applies)
- Education Act 2002 Schedule 2 Effect on Staffing on suspension of delegated budget
- [School Governance \(Transition from an Interim Executive Board\) \(England\) Regulations 2010](#) – you can download the School Governance Regulations 2010 from the Opsi website
- [The School Standards and Framework Act 1998](#) - contains provisions for schools and nursery education. This covers further education for young people at school, and in FE institutions across the UK.
- [Ofsted: monitoring inspections for maintained schools and academies - information about the types of monitoring inspections carried out under section 8 of the Education Act 2005.](#)
- [The framework for the inspection of local authority arrangements for supporting school improvement](#)

Other departmental resources

- [Interim Executive Board application form](#) and guidance
- [Performance tables – user guide and resources \(includes progress measures\)](#)



Department
for Education

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Dudley Schools Forum - 16th December 2014

Report of the Interim Director of Children's Services

De-delegated Service Options: 2014/15 Projected Outturn and 2015/16 Proposals

Purpose of Report

1. To provide Schools Forum with a financial update in respect of the provisional outturn for the 2014/15 financial year de-delegated services and to agree the de-delegation service options for Dudley maintained mainstream schools for 2015/16.

Budget Working Group Discussed

2. Yes - 20th November 2014 and 10th December 2014.
The response from 20th November meeting at Appendix E.
The response from 10th December meeting will be advised at the Schools Forum meeting on 16th December.

Schools Forum Role and Responsibilities

3. In accordance with the Schools Forums (England) Regulations 2012, Schools Forum must authorise the deduction of budgets from Maintained Schools Budget shares in respect of certain central expenditure. (Under regulation 8(5)).

Where this central expenditure is to be 'de-delegated' to the local authority then the Schools Forums (England) Regulations 2012 state that:

- a. **Regulation 8 paragraph 9A** - Only the Schools members of the schools forum who are representatives of primary schools (other than nursery schools) may vote to decide whether or not to authorise the matters referred to as de-delegation where they relate to primary schools (other than nursery schools); and
- b. **Regulation 8 paragraph 9B** - Only the Schools members of the schools forum who are representatives of maintained secondary schools may vote to decide on whether or not to authorise the matters referred to as de-delegation where they relate to secondary schools.

Action for Schools Forum

4. To note the 2014/15 projected outturn in respect of the de-delegated service budgets.
5. To approve the de-delegated service budgets for maintained mainstream schools for 2015/16.

Attachments

6. Appendix A – 2014/15 De-delegations Projected Outturn at 31st October 2014.
7. Appendix B – Summary of Consultation responses received for 2015/16.
8. Appendix C – Financial details included within the consultation.
9. Appendix D – Service provider information for 2015/16 De-delegation options.
10. Appendix E – Headteachers Consultative Forum- Budget Working Group
Recommendations for 2015/16.
11. Appendix F – Section 251 Benchmarking data for 2014/15 budget.

Rebecca Yates
Senior Principal Accountant
25th November 2014

Dudley Schools Forum - 16th December 2014

Report of the Interim Director of Children's Services

De-delegated Service Options: 2014/15 Projected Outturn and 2015/16 Proposals

Purpose of Report

1. To provide Schools Forum with a financial update in respect of the provisional outturn for the 2014/15 financial year de-delegated services and to agree the de-delegation service options for Dudley maintained mainstream schools for 2015/16.

Background

2. De-delegation refers to a process whereby a school is entitled to funding via their delegated budget through the local funding formula, but collectively, maintained mainstream schools' through a phase chose to return the funding to the Directorate of Children's Services where the management and co-ordination of that service will continue to be provided centrally on behalf of those schools.
3. The DfE's School Funding Reforms implemented on 1 April 2013 prescribed which centrally maintained service budgets must be delegated to schools from 2013/14.
4. However, recognising that authorities had centrally retained these services for the greater good of all schools, the DfE allow for any of the newly delegated services to be 'de-delegated' but only by maintained mainstream schools. This action requires the maintained mainstream schools within a phase, via Schools Forum, to agree that a service should be provided centrally on the grounds of economies of scale or pooled risk.
5. The Schools Forum Regulations 2012 (amendment) determine that any budgets de-delegated must be approved by Schools Forum in the relevant phase (primary or secondary) to decide whether that service should be retained centrally.
6. De-delegation is not an option for academies, special schools, nurseries or PRUs (Pupil Referral Units). Where de-delegation has been agreed for maintained primary and secondary schools, there is a presumption that the local authority will offer the service on a buy-back basis to those schools and academies in their area which are not covered by the de-delegation. In the case of special schools and PRUs, the funding to buy such services will be included in any top-up payments.
7. Any decisions made to de-delegate in 2014/15 related to that year only, so new decisions will be required for any service to be de-delegated in 2015/16. Schools Forum members for primary maintained schools and secondary maintained schools must

decide separately for each phase whether the service should be provided centrally and the decision will apply to all maintained mainstream schools in that phase. Funding for these services will then be removed from the formula before school budgets are issued. There may be different decisions for each sector.

8. Any surplus funds or overspending at the end of the financial year will be carried forward into the next financial year and schools' budgets adjusted accordingly.

2014/15 Approved De-delegations

9. For 2014/15, Schools Forum approved the following services for de-delegation totalling £1.4m; this related to 88 maintained schools with 10 Dudley schools being Academy Schools at that time.

Table 1 – De-delegated Services for the 2014/15 Financial Year

De-delegation for Mainstream Maintained Schools	Budget for 2014/15
Contingencies - closed schools and rental payments	£181,362
Staff costs - supply cover – Union Facilities time	£209,584
Staff costs - supply cover – NQT (Newly Qualified Teachers)	£283,133
Support for minority ethnic pupils/underachieving groups. Family Support Workers	£247,690
LACES (Looked After Children Education Services)	£26,002
School Library Service	£218,010
Behavioural Pupil Referral Unit – Primary Outreach Service	£234,285
Total De-delegations	£1,400,066

10. Upon conversion to Academy School status a former maintained school's de-delegated budget is pro-rated in year and returned to the school for allocation at their discretion. However, if a school converts to an Academy School on or after 1st September, up to and including 31st March, the authority can retain any de-delegated funding for the remainder of the financial year; this is aimed to help central services to plan their workload. Therefore the two Dudley school conversions to Academy status from 1st October 2014 will continue to access the de-delegated services during the remainder of the 2014/15 financial year, given that the authority will retain that element of funding until 31st March 2015. For this reason the budgets quoted in Table 2 remain unchanged for the 2014/15 financial year.
11. Table 2 summarises the projected outturn for 2014/15 de-delegated services. Appendix A provides the full details.
12. The final outturn position will be reported to Forum at the summer term meeting. There is an expectation that all de-delegated service providers will produce an annual

statement to appraise Schools and Schools Forum of the work undertaken during the previous financial year. This will also be used to support the annual consultation process in respect of de-delegation options.

Table 2 – 2014/15 Projected Outturn for De-delegated Services

De-delegation Services for Mainstream Maintained Schools 2014/15	Latest Budget for 2014/15	Projected Outturn 2014/15	Expected Under () spending or over spending
	£	£	£
Contingencies - closed schools and rental payments	£181,362	£181,362	£0
Staff costs - supply cover – Union Facilities time	£209,584	£198,584	(£11,000)
Staff costs - supply cover – NQT (Newly Qualified Teachers)	£283,133	£263,133	(£20,000)
Support for minority ethnic pupils/underachieving groups. Family Support Workers	£247,690	£245,690	(£2,000)
LACES (Looked After Children Education Services)	£26,002	£26,002	£0
School Library Service	£218,010	£218,010	£0
Behavioural Pupil Referral Unit – Primary Outreach Service	£234,285	£234,285	£0
Total De-delegations	£1,400,066	£1,367,066	(£33,000)

2015/16 Proposed Service De-delegations

13. In line with the DfE requirements and in readiness for 2015/16, Dudley recently issued a local consultation in respect of the School Funding Arrangements for De-delegation Options for 2015/16. The consultation ran from 24th September 2014 to 4th November 2014.
14. The outcomes of the consultation are available to inform School Forum as part of their decision making process for 2015/16. The responses are summarised in Appendix B with a copy of the financial data and service details presented in the consultation at Appendix C and D, respectively.
15. Budget Working Group recommendations from the meeting on 20th November 2014 are included at Appendix E.

16. The service options for 2015/16 de-delegations are outlined in Table 3. The budgets to be de-delegated to the current 86 maintained mainstream schools, subject to further Academy School conversions before 31st March 2015, would be as outlined in Table 3.

Table 3 – De-delegated Services Proposed for the 2015/16 Financial Year

De-delegation Services for Mainstream Maintained Schools 2015/16	Budgets for De-delegation 2015/16 Primary Sector £	Budgets for De-delegation 2015/16 Secondary Sector £	Budgets for De-delegation 2015/16 Total Funding £
Contingencies - closed schools and rental payments	114,308	68,501	182,809
Staff costs - supply cover – Union Facilities time			
Staff costs - supply cover:			
a. Union Facilities Time			
- Currently 4.11fte	84,000	50,338	134,338
- Proposal to retain at 4.11 fte	84,000	50,338	134,338
b. Teacher Union Learning Representatives			
- <i>Currently 1fte</i>	23,037	13,806	36,843
- Proposal to reduce to 0.6fte	13,822	8,283	22,105
c. National Executive Support			
- <i>Currently 0.6fte</i>	16,327	9,784	26,111
- Proposal to reduce to 0fte	0	0	0
d. Scrutiny Committee Representatives			
- <i>Currently 0.4fte</i>	8,732	5,232	13,964
- Proposal to reduce to 0fte	0	0	0
Staff costs - supply cover – NQT (Newly Qualified Teachers)	178,452	106,940	285,392
Support for minority ethnic pupils/underachieving groups. Family Support Workers	237,017	11,693	248,710
LACES (Looked After Children Education Services)	16,388	9,821	26,209
School Library Service	218,385	0	218,385
Behavioural Pupil Referral Unit – Primary Outreach Service	232,279	0	232,279
Total Funding Proposed for De-delegation- (<i>non italics</i>)	1,094,651	255,576	1,350,227
Total Funding Proposed for Return to Schools	34,274	20,539	54,813
Total Funding for Delegation 2015/16	1,128,925	276,115	1,405,040

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Schools Forum Voting Requirements for De-delegations

17. Taking into consideration the consultation feedback received in Appendix B, the service providers information in Appendix D and Budget Working Groups recommendations in Appendix E, those Schools Forum members eligible will be asked to vote at the meeting.
18. Members of the Schools Forum who are representatives of primary schools (other than nursery schools) can vote in respect of the primary sector de-delegations in Table 3. This relates to Mrs M Stowe, Mr D Ward, M/s P Rogers, Mrs J Quigley, Mrs R Wylie, Mr L Ridley, Mrs J Belcher and Mr B Oakley.
19. Members of the Schools Forum who are representatives of secondary schools can vote in respect of the secondary sector de-delegations in Table 3. This relates to Mr P Kilbride, Mrs A Garratt, Mr N Shaw, Mr B Patterson, Mrs G Withers and Mr J Conway.

S251 Benchmarking Tables – 2014/15 Budget

20. Extracts of the Section 251 benchmarking tables for statistical and regional authorities are included in Appendix F. The tables reflect spend per capita for each of the de-delegated services, the information is based on the 2014/15 budget. Dudley is highlighted to give a comparison against the other authorities and the national average.

Finance

21. The funding of schools is prescribed by the Department for Education (DfE) through the School Finance and Early Years (England) Regulations 2013.
22. Schools Forums are regulated by the Schools Forums (England) Regulations 2012.
23. From 1 April 2006, the Schools Budget has been funded by a direct grant: Dedicated School Grant (DSG).

Law

24. Councils' LMS Schemes are made under Section 48 of the School Standards and Framework Act 1998. The Education Acts 1996 and 2002 also have provisions relating to school funding.

Equality Impact

25. The Council's Equal Opportunities Policy is taken into account when considering the allocation of resources.

Recommendation

26. Schools Forum to note the report in respect of de-delegated services for 2014/15 and after consideration of the information outlined within the report, Schools Forum **School**

Members who are representatives of:

- a. primary schools, are asked to vote on the recommendations outlined in Table 3 in respect of de-delegated budgets for maintained primary schools for 2015/16 financial year; paragraph 18 refers and
- b. secondary schools are asked to vote on the recommendations outlined in Table 3 in respect of de-delegated budgets for maintained secondary schools for 2015/16 financial year; paragraph 19 refers.

27. Schools Forum to approve the proposal in paragraph 12 for de-delegated service providers to produce an annual statement to appraise Schools and Schools Forum of the work undertaken during the previous financial year. This statement will also be used to support the annual consultation process in respect of de-delegation options.



Pauline Sharratt
Interim Director of Children's Services

Contact Officer: Karen Cocker, Children's Services Finance Manager

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2014/15 De-delegations Projected Outturn at 31st October 2014

Details	Latest De-delegated 2014/15 Budget £*	Other Funding 2014/15 £**	Total Funding 2014/15 £	Projected spend to 31/3/15 £	Variance to budget (£) = under-spending £	Comments
Contingencies - closed schools and rental payments	181,362	5,548	186,910	186,910	0	
Staff costs – supply cover – Union Facilities time	209,584	47,513	257,097	246,097	(11,000)	Reduced hours claimed for Select Committee Reps
Staff costs - supply cover – NQT	283,133	14,986	298,119	278,119	(20,000)	Reduced activity with Regional Staff College
Support for minority ethnic pupils/underachieving groups. Family Support Workers	247,690	34,355	282,045	280,045	(2,000)	£2k saving relates to supplies and services
LACES (Looked After Children Education Services)	26,002	794	26,796	26,796	0	
School Library Service	218,010	10,031	228,041	228,041	0	
Behavioural Pupil Referral Unit – Primary Outreach Service	234,285	0	234,285	234,285	0	
Total	1,400,066	113,227	1,513,293	1,480,293	(33,000)	

* Following 2014/15 academy transfers . ** Early Years, special schools buy back, academies buy back

De-delegated Service Options and Responses from Consultation for the 2015/16 Financial Year

De-delegation Service Options for Mainstream Maintained Schools 2015/16	Budget for delegation 2015/16 Primary Sector £	Budget for delegation 2015/16 Secondary Sector £	Number of Agreed Responses	Number of Negative Responses	Comments	Respondents
Contingencies - closed schools and rental payments	114,308	68,501	4	0		Agreed <ul style="list-style-type: none"> • Greenfield Primary • Amblecote Primary • Mount Pleasant Primary • Belle Vue Primary
Staff costs - supply cover: Union Facilities Time General Union Duties 4.11fte	84,000	50,338	5	0		Agreed <ul style="list-style-type: none"> • Greenfield Primary • Amblecote Primary • Mount Pleasant Primary • Belle Vue Primary • NASUWT
Staff Costs - supply cover – Union Facilities time Teacher Union Learning Representatives 1fte current with proposed reduction to 0.6fte (0.2fte for each Union)	23,037	13,806	4	0		Agreed <ul style="list-style-type: none"> • Amblecote Primary • Mount Pleasant Primary • Belle Vue Primary • NASUWT
Staff Costs - supply cover – Union Facilities time National Executive Support 0.6fte current with proposed reduction to 0fte	16,327	9,784	2	3	See comment 1 & 2 on behalf of NASUWT Dudley Association	Agreed <ul style="list-style-type: none"> • Mount Pleasant Primary • Belle Vue Primary Disagreed <ul style="list-style-type: none"> • Amblecote Primary • Greenfield • NASUWT

Staff Costs - supply cover – Union Facilities time Scrutiny Committee Representatives 0.4fte with proposed reduction to 0fte	8,732	5,232	2	0	See comment 1 & 3 on behalf of NASUWT Dudley Association	Agreed <ul style="list-style-type: none"> • Mount Pleasant Primary • Belle Vue Primary
Staff costs - supply cover – NQT (Newly Qualified Teachers)	178,452	106,940	4	0		Agreed <ul style="list-style-type: none"> • Greenfield Primary • Amblecote Primary • Mount Pleasant Primary • Belle Vue Primary
Support for Minority Ethnic Pupils/Underachieving Groups - Family Support Workers With a proposal that the Directorate of Children's Services review the service offered to schools and ensure that the service is: - fit for purpose; - Schools are made aware of the service available; - Schools are advised how to access the service	237,017	11,693	4	0		Agreed <ul style="list-style-type: none"> • Greenfield Primary • Amblecote Primary • Mount Pleasant Primary • Belle Vue Primary
LACES (Looked After Children Education Services)	16,388	9,821	4	0		Agreed <ul style="list-style-type: none"> • Greenfield Primary • Amblecote Primary • Mount Pleasant Primary • Belle Vue Primary
School Library Service	218,385	0	4	0		Agreed <ul style="list-style-type: none"> • Greenfield Primary • Amblecote Primary • Mount Pleasant Primary • Belle Vue Primary
Behavioural Pupil Referral Unit – Primary Outreach Service	232,279	0	4	0		Agreed <ul style="list-style-type: none"> • Greenfield Primary • Amblecote Primary • Mount Pleasant Primary • Belle Vue Primary
Total De-delegation Budgets at November 2014 for 2015/16 <i>(This will reduce as Academy Schools increase)</i>	1,128,925	276,115				

Comments from Respondents

On behalf of NASUWT Dudley Association

1. I would like to raise my concerns with the proposal that has been put forward by the HTCF-BWG for the allocation of Facility funding for 2015/16 and therefore we would not be in a position to support.

You should be aware that a Freedom of Information request relating to the funding of both HR and Facility time for Trade Unions has been sent to DMBC but as yet we are still awaiting a response. When we receive this information it is our intention to put a comparative report together for the members of the School Forum highlighting our concerns with the reduction that has been suggested.

2. I am also awaiting minutes of the HTCF-BWG meeting where these discussions have taken place and a detailed report on why they have decided to remove the funding for National Executive and reduce the ULR allocation of funding. In line with the model agreement of the school forum I would expect a written report to be put forward to forum support the suggested figures. This will then allow NASUWT to put in a formal response for consideration by the members of the School Forum before a final decision is made.
3. I would also like to raise our concerns over the removal of the associated facility time linked to the Scrutiny Committee where Trade Unions have always held a valued place. I would therefore ask for suggestions on how the cost of attending future meetings by invitation only will be refunded to the trade unions.

On behalf of National Union of Teachers (NUT)

4. Repeated studies have shown that trained lay union representation is cost effective and efficient in helping to resolve many employment issues that may arise in schools.

Union representatives have a statutory right to time off to fulfil union duties. This is most efficiently organised through the de-delegation of appropriate funds by Schools Forum to avoid the disruption and additional costs of school reps taking often unpredictable time out of school. It is interesting to note that some of the very few areas that did not originally de-delegate have now reconsidered as a result of experience. We hope that Dudley will continue with an arrangement that has generally served schools well.

Appendix C

Delegated and De-delegated Services for 2014/15 to Form the Basis for 2015/16 De-delegation Options – shown as Table 2 in the September 2014 consultation documentation on School Funding Arrangements for De-delegation Options

Further Details Annex A	De-delegation Services Mainstream Maintained schools	Value for 2014/15	Unit of Resource Primary	Unit of Resource Secondary	Comments	Service Details
1	Contingencies	£181,362	£4.62	£6.58	The “expenditure on the schools specific contingency” is central expenditure deducted for the purpose of ensuring that monies are available to enable increases in a school’s budget share after it has been allocated where it subsequently becomes apparent that a governing body has incurred expenditure which it would be unreasonable to expect them to meet from the school’s budget share. <i>Funding allocated on a per pupil basis.</i>	Closed schools contingency - £134,852 Assigned rents - £37,949 General contingency - £8,561
2	Staff costs - supply cover – Union Facilities time	£209,584	£5.34	£7.61	Expenditure in making payments to, or in providing a temporary replacement - taking part in trade union activities. <i>Funding allocated on a per pupil basis.</i>	<u>Union Facilities Time</u> NASUWT 1 fte NUT 1fte ASCL 0.2fte ATL 0.6fte NAHT 0.2fte GMB 1.11fte <u>Teacher Union Learning Reps *</u> NASUWT 0.4fte NUT 0.4fte ATL 0.2fte <u>Scrutiny Committee Reps**</u> All 0.4fte <u>National Executive</u> NASUWT 14/15 0.6fte
3	Staff costs – NQT	£283,133	£7.21	£10.28	Expenditure in respect of newly qualified	Support for NQTs -£26,000.

	(Newly Qualified Teacher)				teacher initiatives. <i>Funding allocated on a per pupil basis.</i>	Payment to schools with NQTs -£257,133.
4	Support for minority ethnic pupils/underachieving groups. Family Support Workers	£247,690	£136.87	£136.87	Expenditure for the purposes of improving the performance of under-performing pupils from ethnic minority groups; and meeting the specific needs of bilingual pupils <i>Funding allocated on EAL numbers.</i>	7.91 FTE: 1 HOS 5.91 Family Support 1 Admin
5	LACES Looked After Children Education Service	£26,002	£0.66	£0.94	Cost of providing or purchasing specialist behaviour support services, both advisory and teaching <i>Funding allocated on a per pupil basis.</i>	1 member of staff supporting schools
6	School Library Service	£218,010	£8.99	-	Expenditure on services to schools provided by libraries. <i>Funding allocated on a per pupil basis.</i>	Library service to Primary schools 5.88 fte
7	Pupil Referral Unit – Primary Outreach Support	£234,285	£3,123.80	--	Expenditure in respect of the primary behavioural PRU. <i>Funding allocated on a lump sum per school</i>	Staffed as part of the primary PRU provision.
	Total De-delegations	£1,400,066				

De-delegated Service Options for 2015/16 – Service Provider Information

1. Contingencies - closed schools, rental payments and general contingency

Contingencies are retained centrally for maintained schools but only for a limited range of circumstances to cover:

- i. Exceptional unforeseen costs which it would be unreasonable to expect governing bodies to meet including assigned rents for Castle High playing fields, Rufford School methane gas monitoring.
- ii. Additional costs relating to new, reorganised or closing schools. Until such times that all closed school sites are disposed there are short term ongoing liabilities to cover the ongoing costs at Pensnett and Holt Farm.
- iii. A small budget is held for a contingency to be allocated to schools at the discretion of the Director of Children's Services.

2. Staff costs - supply cover – Union Facilities time

The budget currently funds union facilities time required in all Dudley schools to represent: National Association of Schoolmasters Union of Women Teachers (NASUWT); National Union of Teachers (NUT); Association of Teachers and Lecturers (ATL); Association of School and College Leaders (ASCL); National Association of Head Teachers (NAHT); Teacher representatives at Scrutiny Committees, General, Municipal; Boilermakers and Allied Trade Union (GMB).

The funding of union facility time enables trade unions representatives to undertake their duties, training and activities which includes work with schools and the local authority on the development of employment policies and procedures, and other matters, which require a consistent and collaborative approach across the borough as a whole. This helps to foster a climate in which the conduct of business between employers and the workforce is efficient and less likely to be hindered by local disputes. It also helps to manage the workload of managers and governors in schools who would otherwise have to deal individually with a number of different unions on a wide range of employment and educational issues.

In addition it enables trade unions to represent the interests of their members, both individually and collectively on matters such as:

- i. Terms and conditions of employment;
- ii. Health, safety, welfare, and other issues relating to the working environment;

- iii. Policies and procedures on matters affecting employment including matters of discipline;
- iv. Changes to services, functions and structures that have direct or indirect implications for working arrangements for employees;
- v. Any other matters which either side may reasonably wish to bring.

Union roles in Dudley

- i. The majority of the liaison with unions is through Branch Secretaries. In addition, Dudley has funding earmarked for the statutory role of Teacher Union Learning Representative (1 full time equivalent across 3 teacher unions). There is no separate funding earmarked for Health and Safety representatives in Dudley, although some activity is undertaken by a NUT representative funded using Union Learning Representative facilities time, through historical agreement.
- ii. In addition to the above, Dudley has provided facilities time for the NASUWT for National Executive Membership, equivalent to 0.6 FTE.
- iii. The Union work supporting the Scrutiny Committee will cease from 1.9.2014. Therefore the 0.4fte representative funding will be returned to schools for 2015/16 and this element no longer features as an option within the de-delegation proposals.

3. Staff costs - supply cover – NQT (Newly Qualified Teachers)

It is proposed that the funding to provide the NQT service supports the following during 2015/16:

- Payment to schools with NQTs
 - Payment to the Local Authority for support for NQTs
- i. Payment to schools with NQTs for 2015/16
It is proposed that the payment to schools to support Newly Qualified Teachers continues during 2015/16. The payment covers the professional development and training of the NQT for one day per week throughout their first year in role.
 - ii. Primary NQT pool for 2015/16

The Primary NQT pool has not been as successful as anticipated. It is proposed that the funding previously available to Wolverhampton University for the arrangement is used to support the payment to schools with NQTs during 2015/16. Therefore, the total funding available to schools with increase by £17,000 overall.

iii. LA role for support for NQTs in previous years and Proposal for 2015/16

It is proposed that Dudley LA continue to act as the provider of NQT and induction tutor support, the role of appropriate body and HR support for NQTs during 2015-16.

In previous years the LA has provided the full range of support to individual NQTs, their respective schools and induction tutors. The support falls into three broad categories –

- Role of the appropriate body, including a dedicated officer and admin support
- Support and development package
- Support / administration / advice from HR

The LA has enabled this support by providing a dedicated officer to act as a representative for the Appropriate Body and, in so doing, offers advice and support to induction tutors and NQTs with regard to the induction process. In addition to acting in this capacity, the dedicated officer, together with two admin personnel, organises and takes part in the delivery of a core training package for primary colleagues and a secondary programme consisting of a range of workshops throughout the academic year.

iv. NQT Induction tutor support / training

The named officer for the appropriate body provides annual training for induction tutors. This provides tutors with:

- an update on statutory guidance;
- an overview of the role of the induction tutor;
- advice on how and when to liaise with the appropriate body;
- an opportunity to explore the Teaching Standards in relation to NQTs;
- an opportunity to network and share experiences.

The named officer is available to provide follow-up advice/support and guidance to induction tutors throughout the induction period.

v. Statutory role of appropriate body

The appropriate body provides a quality assurance role within the induction process and, in so doing, offers guidance to schools in meeting their responsibilities for monitoring, support and assessment of NQTs. It also provides an officer as a named contact with whom schools and NQTs, in particular, can raise concerns.

vi. Training provision

The core training programme provided by the LA in conjunction with other providers aims to provide broad and balanced content linked to the Teacher Standards and themes that are important to understand in those crucial first terms for example managing behaviour, effective pedagogy and practice. There is a blend of knowledge and skill development within each session. There are also some key workshops that are imperative to Dudley teachers e.g. Child Protection and Health and Safety.

The training programme aims to compliment the support and development that is taking place within the NQT's own school. There are elements available at reduced cost for teachers in their second year.

Evaluations have shown that participants have consistently found the sessions to be excellent or good.

Other workshop topics include –

- Numeracy
- Raising writing standards
- CAF and integrated working

vii. Proposal for Support for NQTs budget

As a department becoming increasingly traded we have conducted a review of the actual costs for the NQT budget, this review includes the costs for training provided by other LA personnel. Following this review we propose in future the NQT budget be managed as follows:

JS support for 144 Dudley NQTs (£80 per NQT)	11,547	
EIA In School Support 5 days @ £510/day	2,550	
Early Years	3,048	Saltwells Training
Literacy	827	Saltwells Training
Numeracy	2,207	Saltwells Training
Behaviour	414	Saltwells Training
Secondary T&L	363	Saltwells Training
Secondary Behaviour	363	Saltwells Training
Half Day Induction Tutor Briefing Primary	325	Saltwells Training
Half Day Induction Tutor Briefing Primary	243	Saltwells Training
Course Organisation, website, bookings & NQT CD's	690	Saltwells Training
Teacher and the Law	827	Ward House Training
Health & Safety	827	Ward House Training
CAF & Integrated Working	827	Ward House Training
Child Protection	827	Ward House Training
Course organisation, bookings & website	115	Ward House Training
Total	26,000	

viii. The Statutory aspects of having an appropriate body will include the following:

- Acting as the ‘ appropriate body’ for the induction of NQTs in line with national statutory guidance.
- Registering and monitoring the progress of NQTs and reporting to the GTCE and/or DfE
- Provide online guidance and resources to support NQTs and NQT induction tutor.
- Dudley Primary NQT Training offer for 2014/15, including free support and additional chargeable training at reduced rates.
- Provide telephone and email support to all schools and their NQTs.
- Documentation for NQT CD’s and NQT Induction Tutor CD’s.
- Dudley LA Induction Questionnaires to NQT’s distribution and data analysis.
- Administrative support to include record keeping, production and distribution of NQT and Induction Tutor.

4. Support for minority ethnic pupils/underachieving groups. Family Support Workers Family support and liaison work

The Multicultural support service works in partnership with schools with minority ethnic and new arrival children and families to promote education and social opportunities and develop their engagement and participation in the local and wider society.

The service provides:

- i. Linguistic support to new arrival pupils.
- ii. Support and advice to schools in order to raise the achievement of ethnic minority pupils.
- iii. Intercultural understanding and citizenship.
- iv. Support to integrate new arrival pupils into their schools.
- v. Assessment of new arrival pupils of their prior knowledge and experience as well as their language proficiency.
- vi. Links with individual parents to enable their understanding of the educational system so that they can more easily support their children's learning and social development.
- vii. Help to resolve social and educational difficulties.
- viii. Support to pupils to promote self confidence, self esteem and motivation so that all can achieve their full potential.
- ix. Support to local minority community organisations to promote safeguarding in faith centres guidelines

5. LACES (Looked After Children Education Services)

Inclusion, Welfare and Education Officer.

The remit for this post is to work with social workers, carers, residential placements and pupils to ensure that all Dudley LAC are receiving, full time, appropriate education provision in accordance with their needs.

This service includes:

- i. Monitoring and supporting school attendance of all LAC in Dudley
- ii. Monitoring exclusions of all LAC and providing support and advice on early help and intervention strategies to prevent an exclusion.
- iii. Support and advise social workers when a change of placement becomes necessary. Membership of the Placement Provision Group to advise on education matters

- iv. Participate in Personal Education Plan meetings, LAC reviews and other relevant meetings to advise on appropriate education provision for Dudley LAC.
- v. Mentor LAC who are experiencing difficulties in their education setting in order to address issues in conjunction with social worker, parent/carer and education colleagues.
- vi. The post holder works across all schools, dependent on circumstances and issues as well carrying a caseload of LAC for whom they provide ongoing support.

6. School Library Service -Support to Primary Schools

Dudley Schools Library Service (SLS) exists to assist schools to raise standards by providing high quality, well targeted resources and specialist expertise. The SLS experienced staff offer a quality service with a flexible approach to meet schools' individual needs.

With the retirement of the head of service at the end of August, the management of the service has been undertaken by Dudley Library Service, through the Children and Young People Principle Librarian.

The service includes:

- To help support achievement in schools the SLS offers for loan resources such as – topic boxes, class reading sets, guided reading sets, Big Books, artefacts, photo-packs and DVDs. Also SLS offers advice and support including the re-organisation of school libraries.
- There is excellent buyback from primary and special schools. Topic boxes usage has increased to an average of 2,000 boxes per term.
- Annual Book quizzes continue to be successful. 57 primary schools regularly take part in the Primary Literacy Quiz and 27 - 30 primary schools also take part in the Year 2 Book Quiz.
- Secondary quizzes continue to be successful with four secondary schools taking part, of which three are academies. The Secondary School Book Award, now in its third year, saw eight schools attending the ceremony. One or two more schools not able to attend the ceremony also voted. Also, Secondary Schools Librarians Support meetings are held 2-3 times a year.
- Advice and support to schools has increased. Annually, SLS receive more phone calls and emails requesting help. Adding guided reading sets and artefacts to stock has provided added value. The Service regularly responds to requests to add to the variety of resources already held.
- SLS remaining a centrally provided service is more cost effective for schools - to borrow resources regularly, rather than purchase individually when resources need to be replaced. Also, resources need to be replaced regularly due to

poor condition, being out of date etc. In addition, it is time-saving for teaching staff as resource boxes are tailor-made and are selected by professionally qualified staff using expert knowledge.

- The service supports schools to improve reading and enquiry skills and as such one measurable outcome is improvement in literacy. The impact of the service is continually reviewed and initiatives are developed and improved as appropriate.

7. Behavioural Pupil Referral Unit Primary Outreach

Primary Head teachers agreed to support the need to maintain the primary outreach services of the behavioural pupil referral unit at The Mere during 2014/15 through the de-delegation of funding. It was agreed that the charge for each school would be the equivalent to the primary basic pupil led funding of £3,124.

This funding provides for a minimum core offer to all schools that includes both emergency support for serious behaviour issues and a wide menu of behaviour management support that builds capacity in schools. This menu of support is tailored to meet the needs of all schools and specific issues/trends as they arise.

Headteachers Consultative Forum - Budget Working Group Recommendations at 20th November 2014

Service for De-Delegation 2015/16	HTCF-BWG Recommendations - Yes – supported - No – not supported	HTCF-BWG Comments 20 th November 2014
Contingencies	Yes	Supported on the understanding that any available budget is returned to schools once the current closed school sites are disposed.
Staff costs - supply cover: – <ul style="list-style-type: none"> • Union Facilities Time • Teacher Union Learning Representatives • National Executive Support • Scrutiny Committee Representatives 	Yes Yes reduction from 1fte to 0.6fte. Yes reduction from 0.6fte to 0fte Yes reduction from 0.4fte to 0fte	<ul style="list-style-type: none"> - General facilities time including health and safety of 4.11fte. - Proposed reduction to a total of 0.6fte from 1fte so that each of the three unions NASUWT, NUT & ATL has 0.2fte support. - 0.6fte support ceased from NASUWT on grounds that the representative has been unable to provide HTCF – BWG with an evaluation of the National Executive role in relation to Dudley supporting the funding of the post. - Unions had already reached an agreement prior to the issue of the consultation that from 1.9.2014 the support at Scrutiny Committees will cease. Therefore funding will automatically be returned to schools.
Staff costs - supply cover – NQT (Newly Qualified Teacher)	Yes	
Support for minority ethnic pupils/underachieving groups. Family Support Workers	To be discussed on 10 th December with an update and recommendation at Schools Forum on 16 th December	The service is under a review to ensure that the service offered to schools is: <ul style="list-style-type: none"> - fit for purpose; - Schools are made aware of the service available; - Schools are advised how to access the service.

		HTCF- BWG will receive service options on 10th December from which recommendations will be provided to Schools Forum on 16th December.
LACES Looked After Children Education Service	Yes	
School Library Service	Yes	
Pupil Referral Unit –Primary Outreach Support	Yes	

2014/15 Budget LA Table (Net) £ per capita

Statistical Neighbours

		1.1.1 Contingencies	1.1.2 Behaviour support services	1.1.3 Support to UPEG and bilingual learners	1.1.4 Free school meals eligibility	1.1.5 Insurance	1.1.6 Museum and Library services	1.1.7 Licences/subscriptions	1.1.8 Staff costs - supply cover excluding cover for facility time	1.1.9 Staff costs - supply cover for facility time	DE-DELEGATED ITEMS
ENGLAND -Average (mean)		£9	£6	£6	£1	£3	£0	£2	£6	£2	£34
ENGLAND - Average (median)		£5	£2	£2	£1	£0	£0	£0	£1	£2	£28
ENGLAND - Minimum		£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
ENGLAND - Maximum		£76	£57	£125	£10	£40	£11	£29	£26	£8	£200
Average (median)		£5	£2	£0	£1	£0	£0	£0	£2	£2	£27
Minimum		£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Maximum		£10	£22	£12	£3	£15	£6	£3	£23	£5	£54
Dudley	332	£5	£7	£6	£0	£0	£6	£0	£8	£5	£36
Wigan	359	£8	£17	£12	£0	£0	£0	£2	£2	£5	£46
Doncaster	371	£6	£0	£12	£3	£1	£4	£0	£13	£2	£41
Nottinghamshire	891	£1	£0	£4	£1	£0	£0	£0	£3	£0	£9
Thurrock	883	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Rotherham	372	£3	£6	£0	£1	£0	£0	£0	£0	£2	£12
Lancashire	888	£8	£0	£0	£0	£0	£1	£1	£2	£2	£14
Derbyshire	830	£10	£0	£0	£0	£15	£2	£0	£10	£3	£40
Telford & Wrekin	894	£0	£2	£0	£1	£0	£0	£0	£0	£0	£3
Stckton-on-Tees	808	£7	£9	£4	£2	£0	£0	£3	£0	£1	£27
Bolton	350	£0	£22	£0	£1	£0	£6	£0	£23	£2	£54

2014/15 Budget LA Table (Net) £ per capita
Regional

		1.1.1 Contingencies	1.1.2 Behaviour support services	1.1.3 Support to UPEG and bilingual learners	1.1.4 Free school meals eligibility	1.1.5 Insurance	1.1.6 Museum and Library services	1.1.7 Licences/subscriptions	1.1.8 Staff costs - supply cover excluding cover for facility time	1.1.9 Staff costs - supply cover for facility time	DE-DELEGATED ITEMS
ENGLAND -Average (mean)		£9	£6	£6	£1	£3	£0	£2	£6	£2	£34
ENGLAND - Average (median)		£5	£2	£2	£1	£0	£0	£0	£1	£2	£28
ENGLAND - Minimum		£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
ENGLAND - Maximum		£76	£57	£125	£10	£40	£11	£29	£26	£8	£200
Average (median)		£5	£3	£0	£1	£0	£0	£0	£4	£2	£20
Minimum		£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Maximum		£17	£15	£12	£4	£32	£11	£7	£17	£5	£78
Birmingham	330	£8	£3	£0	£0	£0	£0	£0	£3	£0	£13
Coventry	331	£0	£7	£12	£1	£0	£0	£2	£11	£5	£37
Dudley	332	£5	£7	£6	£0	£0	£6	£0	£8	£5	£36
Herefordshire	884	£0	£0	£3	£1	£0	£0	£0	£0	£3	£7
Sandwell	333	£17	£15	£0	£2	£0	£1	£1	£6	£0	£42
Shropshire	893	£3	£0	£0	£0	£1	£0	£0	£15	£2	£21
Solihull	334	£6	£0	£0	£0	£0	£0	£0	£0	£5	£11
Staffordshire	860	£6	£5	£10	£0	£32	£0	£7	£17	£2	£78
Stoke-on-Trent	861	£12	£11	£0	£1	£6	£0	£5	£14	£2	£50
Telford & Wrekin	894	£0	£2	£0	£1	£0	£0	£0	£0	£0	£3
Walsall	335	£5	£9	£0	£4	£15	£11	£3	£5	£5	£56
Warwickshire	937	£5	£1	£8	£1	£0	£0	£0	£1	£3	£18
Wolverhampton	336	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Worcestershire	885	£4	£0	£11	£0	£0	£0	£0	£2	£2	£18

Dudley Schools Forum - 16th December 2014

Report of the Interim Director of Children's Services

Schools Forum Constitution

Purpose of Report

1. To present to Schools Forum a revised Schools Forum Constitution for approval from 1st January 2015.

Discussed at HTCF – BWG

2. No.

Schools Forum Role and Responsibilities

3. Schools Forum is responsible for ensuring that the Constitution and membership meet the legislative requirements detailed in the School Forum (England) Regulations 2012, which were effective on 1st October 2012.
4. The Schools and Early Years Finance (England) Regulations 2014 were issued in draft on 8th August 2014. These draft Regulations are expected to be effective on 1st January 2015 and apply to the 2015/16 financial year. Regulation 3 includes an amendment to the Schools Forums (England) Regulations 2012. The principal changes to membership of the forum are:
 - That if there are any special academies in the local authority's area, there must be at least one member representing them;
 - That if there are any alternative provision (AP) academies in the local authority's area, there must be at least one member representing them.

The purpose of these changes is to strengthen the representation on the forum of special school provision and AP respectively.

- In addition, more specificity is added to the provisions for the Forum to discuss SEN (Special Education Needs) and AP matters. In both cases, the forum must discuss places to be commissioned by the local authority, and in the case of AP also by schools, and the arrangements for paying top-up funding.

The purpose of these changes is to ensure that the forum discusses the detail of local SEN and AP arrangements.

Actions for Schools Forum

5. To consider and agree the revisions to the Schools Forum Constitution, this will be effective by the statutory deadline of 1st January 2015.

Attachments to Report

6. Appendix A - Revised Schools Forum Constitution. Changes have been highlighted and underlined.

Karen Cocker
Children's Services Finance Manager
2nd December 2014

Dudley Schools Forum - 16th December 2014

Report of the Interim Director of Children's Services

Schools Forum Constitution

Purpose of Report

1. To present to Schools Forum a revised Schools Forum Constitution for approval from 1st January 2015.

Background

2. The current Schools Forum Constitution was updated in line with the Schools Forum (England) Regulations 2012, agreed at the meeting on 17th September 2013 and was effective from 1st January 2014.
3. The Schools Forum Constitution now requires updating:
 - a. The Schools and Early Years Finance (England) Regulations 2014 were issued in draft on 8th August 2014. Regulation 3 includes an amendment to the Schools Forums (England) Regulations 2012 to regulate that if there are any special academies or alternative provision academies in the local authority's area there must be at least one member from each SEN and AP academy in order to strengthen the representation of the forum.
 - b. The draft Regulations also enhance the Local Authority consultation requirement with Schools Forum to include the provision for the Forum to discuss SEN (Special Education Needs) and AP (Alternative Provision) matters. In both cases, the Forum must discuss places to be commissioned by the Local Authority, in the case of AP also by schools, and the arrangements for paying top-up funding. The purpose of these changes is to ensure that the Forum discusses the detail of local SEN and AP arrangements.
4. The revisions outlined in 3a and 3b above have been incorporated into the Schools Forum Constitution which is attached at Appendix A for Forum to consider and approve. The changes have been highlighted and underlined.

5. It is recommended that the Constitution is effective from 1st January 2015, which will comply with the DfE changes.
6. The Constitution will need to be formalised through Dudley's democratic process by a decision sheet to be signed by the Cabinet Member for Children's Services and Lifelong Learning together with the Interim Director of Children's Services. This will be actioned when Schools Forum has agreed the revised Constitution.

Finance

7. The funding of schools is prescribed by the Department for Education (DfE) through the Schools and Early Years Finance (England) Regulations 2013 to be replaced by the draft Schools and Early Years Finance (England) Regulations 2014.
8. Schools Forums are regulated by Schools Forums (England) Regulations 2012.
9. From 1st April 2006, the Schools Budget has been funded by a direct grant; Dedicated School Grant (DSG).

Law

10. Councils' LMS Schemes are made under Section 48 of the School Standards and Framework Act 1998. The Education Acts 1996 and 2002 also have provisions relating to school funding.

Equality Impact

11. The Council's Equal Opportunities Policy is taken into account when considering the allocation of resources.

Recommendation

12. Schools Forum to consider and approve the revised Schools Forum Constitution at Appendix A, this will be effective by the statutory deadline of 1st January 2015.



Pauline Sharratt
Interim Director of Children's Services

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Schools Forum: Constitution 1st January **2015**

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Introduction

What is the Schools' Forum?

1. It is a partnership body linking the Local Authority and the school community in making decisions about school funding and roles and responsibilities. It is a statutory consultative body established by the Education Act 2002, and comprises stakeholders of the school community, including head teachers and governors or their nominated representatives.

The Legal Basis:

2. School Forums were established to give schools greater involvement in the distribution of funding within their Local Authority. Each Local Authority must consult its Schools Forum on the school funding formula, as well as other issues in connection with schools budgets.

3. The Dudley Schools Forum is constituted by Dudley Metropolitan Borough Council. This Constitution has been produced in accordance with the legal requirements referred to and contained within The Schools Forums (England) Regulations 2012, came into force on 1st October 2012 and revoked The Schools Forums (England) Regulations 2010. The Schools and Early Years Finance (England) Regulations 2014 at Regulation 3 includes an amendment to the Schools Forums (England) Regulations 2012. The principal changes to membership of the Forum are:

- That if there are any special academies in the local authority's area, there must be at least one member representing them;
- That if there are any alternative provision (AP) academies in the local authority's area, there must be at least one member representing them.

The purpose of these changes is to strengthen the representation on the forum of special provision and AP respectively.

In addition, more specificity is added to the provisions for the Forum to discuss SEN (Special Education Needs) and AP matters. In both cases, the Forum must discuss places to be commissioned by the local authority, in the case of AP also by schools and the arrangements for paying top-up funding. The purpose of these changes is to ensure that the forum discusses the detail of local SEN and AP arrangements.

4. This Constitution has been revised to ensure compliance with the School and Early Years Finance (England) Regulations 2014 issued in draft form on 8th August 2014 and expected to be in place by 1st January 2015 in preparation for 2015/16 financial year.

Effective Date of the Revised Constitution

5. Dudley's revised Schools Forum Constitution will be effective on 1st January 2015 after approval by the Cabinet Member for Children's Services, with advice from the Director of Children's Services on request of the Schools Forum.

The Role of the Forum

6. The Schools' Forum has both a decision making and a consultative role as shown in the table which identifies current powers and responsibilities. Schools Forums. Powers and responsibilities are detailed at Appendix 1 and are subject to DfE periodic amendment.

Membership of the Forum

7. The total membership of the Forum will be 29 comprising:
 - **20** school members (covering nursery, primary, secondary, special and pupil referral units);
 - **4** academies members; and
 - **5** non school members.

School members and Academy members must constitute at least **two thirds** of the total membership with voting rights.

Representation of the Forum

8. Primary schools, secondary schools and Academies must be broadly proportionately represented on the forum in relation to pupil numbers.
9. Where the Authority maintains one or more special schools, at least one special schools member must be a representative of a special school.
10. Where the Authority maintains one or more nursery schools, at least one nursery school member must be a representative of a nursery school.
11. Where the Authority maintains one or more pupil referral unit, at least one pupil referral unit member must be a representative of a pupil referral unit.
12. Where the authority maintain one or more secondary schools, at least one schools member must be a representative of a secondary school
13. At least one member must be a representative of the governing bodies of maintained schools and at least one member must be a representative of the head teachers of such schools.
14. Academy members must be elected to the Schools Forum by the governing bodies or proprietors of the Academies in the authority's area; there must be at least one Academy member representing mainstream academies, one Academy member representing special Academies and one Academy member representing alternative provision Academies.
15. The Authority may determine that the number of members representing schools in a particular school category must be broadly proportionate to the total number of schools in that category when compared with the total number of schools maintained by the authority.
16. Non School Members must include:
 - Representation of the providers of 16-19 education in the area; where eligible institutions should be those in the FE sector (FE and sixth form colleges) and other institutions that specialise in SEN and LDD (Learning Disabilities and Difficulties) provision (ISPs -Independent Specialist Provision), where 20% or more of their students reside in the authority's area;
 - Representation of early year's providers.

Non Voting Attendees

17. The Education Funding Agency (EFA) will have observer status at all meetings of the Forum with a non voting position.
18. The following persons may speak at meetings of the forum, even though they are not members of the forum (non voting):
 - The Director of Children's Services at the Authority or their representative;
 - The Chief Finance Officer at the Authority or their representative;
 - Any elected member of the authority who has primary responsibility for Children's Services or education in the Authority;
 - Any elected member of the authority who has primary responsibility for the resources of the Authority;
 - Any person invited by the forum to attend in order to provide technical or financial advice to the Forum;
 - Any person presenting a paper or other item to the Forum that is on the meeting's agenda but that persons right to speak shall be limited to matters related to the item that the person is presenting.

Membership of Dudley's Schools Forum shall be:-

19. School members:

- **10** representatives of maintained **Primary** Schools: **5** head teachers and **5** governors;
- **6** representatives of maintained **Secondary** Schools: 3 head teachers and 3 governors;
- **2** representatives of **Special Education** Schools: **1** head teacher and **1** governor;
- **1** head teacher representative of the **Nursery** School;
- **1** head teacher representative of the **Pupil Referral Units**.

20. Academy Members:

- **4** representatives of the **Academy** schools, nominated by the governing bodies or **the proprietors** of the Academies in Dudley's area.

21. Non School Members:

- **1** representative of the **Diocesan** schools Worcester Diocesan Board of Education, nominated by the Board;
- **1** representative of the **Catholic** Schools Commission, nominated by the Commission;
- **1** representative of **Early Years** Provider Reference Group, nominated by the Group (**Private, Voluntary and Independent**) (PVI Sector);
- **1** Representation of the providers of **16-19 education**, elected by representatives of 16 to 19 providers in the area;

- 1 representative of the recognised **Unions and Professional Associations**, nominated by the staff side of the Directorate Joint Consultative Committee.

22. **Observer status**

(Available to contribute to discussions but with no voting rights):

- 1 x Councillor with cabinet responsibility for Children's Services;
- 1x Councillor with Select Committee responsibility for Children's Services;
- 1 x Director of Children's Services ;
- 1 x Assistant Director for Education Services;
- 1 x Children's Finance Manager;
- 1 x Children's Services School Funding Accountant;
- 1 x Democratic Services Office (Clerk);
- Any person presenting a paper or other items to the forum that is on the agenda;
- 1 x Education Funding Agency (EFA) representative.

Election Process for School Members

23. Schools members are not subdivided by type of school (Community, Voluntary Controlled, Voluntary Aided, or Foundation), as this would be impracticable. With the exception of Special, Nursery school and Pupil Referral Unit representatives, Schools members are appointed by virtue of their connection, whether as Headteacher or Governor, with a school in the Dudley Borough.
24. All schools members are expected to consider the needs of the education service of the whole Borough, including all types and phases of school, when discharging their duties.
25. To be eligible to stand for election the headteacher must be a headteacher in one of the authority's schools and the governor must be a member of a governing body at one of the authority's schools.

Governors

26. School Member governor nominations are to be democratically elected from the constituent bodies via an annual election process, as outlined below, and administered by the Council. The election process will be managed by the Director of Children's Services.
27. All currently serving governors may vote in the election, which will be carried out by postal ballot.
28. If there are no successful nominations then the vacancy will be held until the next opportunity to carry out the election process.
29. All primary school governors will be eligible to vote for one candidate representing the township in which they are a school governor.
30. All secondary school governors will be eligible to vote for one candidate representing the area where a vacancy exists by township **and** in which they are a school governor.

31. All special school governors will be eligible to vote for one special school governor.
32. The successful candidates for primary school governors will be those in each of the five townships with a simple majority of votes if the seat is contested.
33. The successful candidate for special school governors will be by a simple majority of votes if the seat is contested.
34. The successful candidates for secondary school governors will be determined on the basis of a ballot to be held in the townships that do not have a current representative. This is to reflect the position that there are five townships and three secondary governor positions available. The successful candidates for secondary school governors will be selected on the basis of the highest number of combined votes in the townships not currently represented, limited to a maximum of three separate township seats based on a simple majority of votes if the seat is contested.
35. The Director of Children's Services will act as Returning Officer.
36. Candidates should complete and return a nomination form by the return date indicated.
37. The nomination must be supported by a proposer and a seconder, both of whom must also be a currently serving Dudley school governor.
38. The nomination must include in no more than 100 words, a biographical submission from the candidate to support their application.
39. Unless the seat is contested, there will be no requirement to undertake a voting process.
40. The appointment will be effective from the commencement of the municipal year (1st May) unless filling a vacant position in which case the commencement will be in line with the previous member's appointment.

Head Teachers

41. The representation of primary school, secondary school and special school head teachers for Schools Forum are appointed through the respective constituent group meetings held in the Autumn of the new academic year.
42. The single nursery school in Dudley will be represented on Schools Forum by the head teacher of that school.
43. The pupil referral units will be represented on Schools Forum by the Pupil Referral Manager.
44. All head teacher representatives as Schools Member appointments to Schools Forum will be effective from 1st November. This allows the constituent groups sufficient time during the Autumn term to hold their group meetings and agree representations for collaborative working with the Local Authority.

Election Process for Academy Members

45. It is the responsibility of the governing bodies or proprietors of the Academies in the authority's area to elect the Academy representative to be the Schools Forum

members.

46. The four Academy representatives appointed to Schools Forum will be effective from 1st May unless filling a vacant position in which case the commencement will be in line with the previous member's appointment.

Election Process for Non School Members

47. The representatives in respect of the five non school members for Schools Forum will be appointed through their representative constituent group.
48. The appointments will be effective from the 1st May unless filling a vacant position in which case the commencement will be in line with the previous member's appointment.

Appointments to the Forum

49. All appointments to the Forum shall be for a period of **3 years**, at which point nomination or re-nomination to continue on the Forum will be required from the constituent group.
50. Whenever a vacancy occurs during the three year period under the terms of the Regulations, it will be filled as soon as possible, by election or nomination according to the type of representative, for a period running to the end of the three-year period then underway.
51. Any Forum member may nominate a substitute to attend a meeting if he or she is unable to do so provided the substitute is from the same section of membership and the same phase of education as the member substituted. Members wishing to nominate a substitute to attend a meeting on their behalf should do so by contacting the Clerk in advance of the meeting. These substitute arrangements also apply to those with observer status where applicable.
52. The Local Authority will maintain a record of Forum Membership.
53. The Local Authority will, within one month of appointment of any non –schools member, inform the governing bodies of schools maintained by them and Academies within their area of the name of the member and the name of the body that member represents.
54. Election of Chair and Vice Chair will take place at the Forum's first meeting commencing the Municipal year. The Chair cannot be an elected member or officer of the authority. Election shall be for the period of one year.
55. A member appointment will be terminated by disqualification if he or she fails to attend meetings of the Forum for six months without having apologies for absence accepted by the Forum.
56. Any member of the Forum may resign their office by giving written notice to the Clerk of the Forum. A member must resign if they cease to hold the position through which they became eligible for appointment to the Forum. In addition, a non-school member must resign, if the member is replaced by the authority, at the request of the body which the member represents, by another person nominated by that body or if

the Local Authority terminates their appointment because it has been instructed to do so by the Secretary of State.

57. Membership of Schools' Forum may need to be reconstituted from time to time resulting from changes to legislation or statutory regulation as directed by the Secretary of State.

Conduct of Meetings

58. The Forum will normally meet on six occasions each year; in May, July, October, December, February and March. The dates of the meetings for the forthcoming year will be decided by the Forum at the first meeting in the municipal year.
59. The date(s) and venue(s) of meetings will be given to the Clerk by the forum at its meeting before the start of the academic year. Variation to the dates or venue will require approval of the Chair or Vice Chair.
60. Meetings of the Forum will normally take place at 18:00
61. Additional / urgent meetings may be called by the Chair or Vice Chair giving a minimum of 7 working days notice.
62. The Chair or Vice Chair to agree the proposed Agenda no later than 2 weeks prior to the meeting date.
63. No later than 1 week prior to the meeting, the Chair or Vice Chair to agree a list of officers who may attend. The number of other Local Authority attendees participating in meetings will be limited unless they are as set out in the constitution or are providing specific financial or technical advice (including presenting a paper to the Forum).
64. The Chair or Vice Chair may also invite others to attend who may have particular knowledge or expertise.
65. Agendas and all reports to be received by Forum Members at least 1 week prior to the meeting. Submission of late / urgent items may be considered – subject to the Chair or Vice Chair agreeing.
66. Meetings require 40% of the elected membership (with voting rights excluding vacancies) to be in attendance in order to be quorate.
67. It should be noted that only School members, Academy members and the PVI member shall be able to vote on matters concerning the funding formulae.
68. Decisions in respect of de-delegation of central budgets and returning funding to the local authority must be agreed via maintained schools in a phase, collectively through the Schools Forum.
69. Substitute members will have voting rights as identified for their constituent group. Decisions and recommendations of the Forum will be undertaken by majority voting, by show of hands, and declared by the Chair or Vice Chair. If required, the Chair or Vice Chair will have a casting vote with no restriction on how this is used. Non School Members, other than those who represent early years providers, must not

vote on matters relating to the funding formulae to be used by the local authority in determining the amounts to be allocated to schools and early years providers.

70. The Clerk to the Forum will keep a record of each meeting of the Forum.

Consultations

71. The Local Authority must consult the schools forum on:

- The terms of any proposed contracts for supplies and services (being a contract paid or to be paid out of the Schools Budget);
- Arrangement for education of pupils with special education needs, to include the places to be commissioned by the local authority in different schools and other institutions and the arrangements for paying top-up funding to schools and other institutions;
- Arrangements for the use of pupil referral units and education of children otherwise at school, to include the places to be commissioned by the authority and by schools in pupil referral units and other providers of alternative provision, and the arrangements for paying top-up funding to pupil referral units and other providers of alternative provision;
- Arrangements for early years provision;
- Administrative arrangements for the allocation of central government grants paid to schools via the Authority;

The Local Authority may consult the Forum on such other matters concerning the funding of schools as they see fit.

The Forum shall inform the governing bodies of schools maintained in the authority of all consultations carried out under these Regulations.

The Validity of Proceedings

72. The proceedings of the Forum shall not be invalidated by any:

- Vacancy
- Defect in the election or appointment of any member, or
- Defect in the election of the Chair.

Working Groups Supporting the Schools Forum

73. The Forum is currently supported by the Head Teachers Consultative Forum - Budget Working Group. Any additional groups may be established or amended as required by the Forum. Each of these groups will have clearly defined terms of reference.

These terms will also identify whether the working group will:

- Report and make recommendations to the Forum, or
- Report and make recommendations directly to the Authority.

Forum Budget and Expenses

74. An annual budget will be made available for reasonable expenses incurred by the Forum. Specifically, expenses may be included for:-

- Travel and subsistence payments for members;
- The costs of specialist advice that may be required from time to time;
- Cost of hire of premises;
- The costs of arranging and servicing meetings of the Forum;
- The costs of arranging elections and nominations for the Forum.

School Forum costs will be charged to the Schools Budget – Dedicated Schools Grant funded.

Policies and Procedures of the Local Authority

75. In conducting its affairs, the Forum must have regard to the policies and guidelines of the Local Authority.

Interests

76. Members of the Forum must declare general interest arising from their being a teacher or governor of a school or one which their children attend. In addition, they must declare any personal or specific service contracts or similar issues in which they have personal involvement. If the personal interest is pecuniary or could be viewed as prejudicial, the member should withdraw from the discussion and take no part in the decision.

Access and Communication

77. Meetings of the Forum will be open to the press and public but certain information and discussion may need to be restricted in line with relevant legislation such as the Data Protection Act, 1998 or if the information was provided by the government with restrictions on publication.

78. The duties of the Forum may involve having access to and sharing information of a confidential nature which may be covered by the Data Protection Act. In such circumstances confidentiality must be maintained at all times.

79. Agendas, Reports and Minutes, along with forum membership and calendar of forthcoming meetings will be published promptly on the Councils website CMIS (Committee Management Information Systems).

80. For health and safety reasons, any member of the press or public intending to attend a meeting of the Forum will be invited to notify the clerk in advance of the meeting.

The Clerk to the Forum

81. The Clerk to the Forum will be nominated by the Local Authority with appointment subject to approval of the Forum.

Revisions to the Constitution

82. Revisions to this Constitution will be agreed by the Forum in consultation with the Local Authority.

Pauline Sharratt
Interim Director of Children's Services

Version dated 2 December 2014/KC

Appendix 1 - Schools Forums: Powers and Responsibilities

	Function	Local Authority	Forum	DfE Role
1	Formula Change (including redistributions)	Proposes and decides	Must be consulted. Note: Only Schools members, Academy members and PVI members shall be able to vote on matters concerning the funding formulae	None
2	Contracts	Propose prior to invitation to tender, the terms of any proposed contract	Gives a view.	None
3	Financial issues relating to:- <ul style="list-style-type: none"> ▪ arrangements for pupils with special educational needs including places to be commissioned by the LA in different schools and other institutions and the top-up funding arrangements to schools and other institutions; ▪ arrangements for use of pupil referral units and the education of children otherwise than at school including places to be commissioned by the LA and schools in pupil referral units and other providers of AP and the top-up funding arrangements to PRUs and other providers of AP; ▪ arrangements for early years provision; ▪ arrangements for insurance; ▪ administration arrangements for the allocation of central government grants; ▪ arrangements for free school meals 	Consult annually	Gives a view and informs the governing bodies of all consultations carried out in lines 1, 2 & 3	None
4	Minimum funding guarantee	Proposes any variations and can decide to set the MFG at a higher level than -1.5%	Agrees any variation relating to the early years single funding formula; must be consulted on other proposals	Approves any other variations and adjudicates if Forum does not agree LA proposal on early years

5	Breaches of central expenditure limit	Proposes	Decides	Adjudicates where Forum does not agree LA proposal
6	Increases on central spend on <ul style="list-style-type: none"> ▪ prudential borrowing; ▪ termination of employment costs; ▪ combined services; ▪ schools' specific contingency and special educational needs transport 	Proposes	Decides Note: Increases in budget not permitted after 2012/13. A number of central budgets are subject to delegation. De- delegation to be agreed by maintained schools collectively within a phase through Schools Forum. Combined budgets can be retained but no additional spend as <u>cash limited.</u>	Adjudicates where Forum does not agree LA proposal
7	Scheme of financial management changes	Proposes and consults GB and Head of every School	Approves	Adjudicates where Forum does not agree LA proposal
8	Membership : length of office of members	Decides	None (but good practice would suggest that they gave a view)	None
9	Membership: appointment of Schools and Academies Members	Appoints those elected by members of the relevant sub groups. Facilitates election where required and appoints member if there is a tie or the election does not take place by a date set by the LA	None	None
10	Membership: Non Schools Members	Seeks nominations from the relevant bodies then appoints	None (but good practice would suggest that they gave a view)	None
11	Voting Procedures	None	Determine voting procedures	None
12	Chair of Forum	Facilitates	Elects (<i>may not be an elected member of the LA or officer</i>)	None

Dudley Schools Forum - 16th December 2014

Report of the Interim Director of Children's Services

Universal Infant Free School Meals

Purpose of Report

1. To provide Schools Forum with information in respect of the universal infant free school meals grants, both revenue and capital, for 2014/15.

Discussed at HTCF – BWG

2. Yes – 10th December 2014.

Schools Forum Role and Responsibilities

3. From 1 April 2006, the Schools Budget has been funded by a direct Department for Education (DfE) grant: the Dedicated School Grant (DSG).
4. The Schools Forum Regulations state that with regard to:
 - Financial issues relating to: arrangements for pupils with special educational needs;
 - Arrangements for use of pupil referral units and the education of children otherwise than at school;
 - Arrangements for early years provision;
 - Administration arrangements for the allocation of central government grants;

then the Local Authority must consult annually with Schools Forum in order that Forum can give a view and inform the governing bodies of all consultations.

Actions for Schools Forum

5. For Schools Forum to note the contents of the report.

Attachments to Report

6. Appendix A – School Food Plan.
7. Appendix B – Initial Capital Allocations to Schools.
8. Appendix C – DfE letter 16th October 2014.
9. Appendix D – DfE October 2014 additional capital bidding guidance and Application.

Karen Cocker
Children's Services Finance Manager
2nd December 2014

Schools Forum 16th December 2014

Report of the Interim Director of Children's Services

Universal Infant Free School Meals

Purpose of Report

1. To provide Schools Forum with information in respect of the universal infant free school meals grants, both revenue and capital, for 2014/15.

Background

2. The Government announced in the Spring 2014 that from September 2014, they would provide funding to enable schools to offer a free lunch to every primary school child in reception classes, year 1 and year 2. It is now a legal duty for primary schools to deliver this Government commitment.
3. In addition to making over £1 billion in revenue funding available over the next two years, the Chancellor announced in his Autumn Statement that the Government would be making capital funding of £150 million available in 2014/15 to support schools in providing free school meals to all children in reception, year 1 and year 2 from September 2014. The details of the capital allocations for universal infant free school meals for each local authority were announced on 18th December 2013.

Revenue Funding

4. The Government's revenue grant funding for the Universal Infants Free School Meal (UIFSM) is £2.30 per eligible pupil.
5. Initial 2014/15 academic year indicative revenue funding allocations have been received from Central Government and have been based on the total pupils in reception classes, years 1 and 2 at January 2014 census less pupils known to be eligible for free school meals in reception classes, year groups 1 and 2 at the meal rate of £2.30 by 190 days and then abated to 87% (the estimated average national take up).
6. Final allocations will be based on the average of pupils eligible for free school meals in reception classes, year groups 1 and year 2 at October 2014 and January 2015 census at a meal rate of £2.30 based on 190 meal days; the relevant census dates for final allocations will be based on are Thursday 2nd October 2014 and Thursday 15th January 2015.

7. Dudley catering services provide catering for most maintained Dudley schools and had initially worked on a target take up of 75%. Evidence from the previous three months trading indicates that the take up of the universal infant free school meal is averaging at 82% with some schools recording a maximum of 100% and minimum take up of others 70%.
8. Those Schools using Dudley catering services will be issued with their Autumn term trading statement in respect of this new requirement from January 2015. However, at this stage Catering Services remain confident that schools will see some headroom within the grant receivable of £2.30 per pupil; the amount will vary with the degree of take up.

School Funding Plan

9. The School Food Plan – West Midlands are advising local authorities of a new support package for schools worth £2,000. This is DfE funded to kick start school meal take up in junior, middle and secondary schools. The package includes training, action plans and expert regional support and is open to schools with take up below the national average.
10. The criteria for eligibility relates to all junior, middle, secondary, PRUs and special schools, including academies and free schools, who meet one or more of the following criteria:
 - an overall take up of school meals lower than 43% of pupils and/or
 - less than 76% of pupils eligible for free school meals are taking up their meal entitlements and/or
 - less than 35% of non-free school meal pupils are purchasing school meals.
11. Appendix A provides information supplied by the School Food Plan. Dudley catering services are already providing a similar support to those schools taking up that traded service, however, the information will be circulated to schools within the next Budget Fact Sheet for their further consideration.

Capital Funding for Universal Infant Free School Meals

12. The Secretary of State announced capital funding grants on 18th December 2013. In respect of the universal infant free school meals capital for financial year 2014/15, Dudley's allocation is £855,308 which includes £81,388 for the voluntary aided schools. A separate grant is payable direct to Academy schools.
13. The DfE set out that it is for the Local Authority to prioritise capital expenditure according to local circumstances and expect that all local authorities will identify ways to use this funding to help schools secure the benefits of universal infant free school meals for their pupils by using the funding to improve school kitchen and dining facilities, and to support creative approaches to meeting the increase in demand for school food, such as through the expansion of hub kitchens.
14. A review of Dudley schools catering arrangements was undertaken whereby a representative from Dudley Catering Services visited all primary maintained schools to assess each school's requirements to comply with the provision of universal infant free school meals. Academy Schools were expected to apply directly to the Education Funding Agency for funding.

15. This review indicated that the capital funding of £855,308 would not be sufficient to address all areas of need therefore priorities for the funding were agreed at the Universal Free School Meals Working Group which included Headteacher and officer representation to ensure that each pupil in key stage 1 would be able to access a free school meal should they wish to take it up. The outcomes of the review are detailed in Appendix B.
16. On 16th October 2014, Mr David Laws the Secretary of State for Schools issued a communication in respect of an additional bidding round for capital funding. This is attached at Appendix C. The funding is to ensure that in all instances the meals being provided are of as high a quality as possible. To help in this, the Department is making an additional £20million of capital funding available for new projects aimed at enhancing kitchen and dining facilities
17. The DfE invited local authorities to submit prioritised bids for funding to support the delivery of UIFSM in particular schools, including voluntary aided schools by Thursday 20th November. Local authorities that wished to bid were asked to confirm that they have allocated the entire amount of UIFSM capital funding they have received from the Department to date in support of UIFSM implementation. Bidding guidance and the criteria by which the bids will be assessed was provided with the application form; attached at Appendix D
18. The criteria for submitting a bid on behalf of Dudley schools is as follows:
- Capital funding is required in order to provide hot meals, or in order to continue providing hot meals. As a minimum to be assessed against this criterion, Local Authorities will need to confirm that schools are not currently able to offer a hot meal option to infant pupils, or that schools have put a hot meal solution in place that is not viable in the longer term. Bids may include funding for capital works outside the school (e.g. expansion of a kitchen at a nearby school), if this is the best way to provide a hot meal solution.
 - Schools are currently delivering UIFSM in a way that has a significant adverse impact on other areas of school life. As a minimum to be assessed under this criterion, Local Authorities will need to show that one of both of the following applies:
 - There is an adverse impact on the delivery of areas of the school curriculum.
 - There is an adverse impact on provision of meals to other groups of pupils.
 - Schools are bringing in 250 meals or more per day (for pupils of all ages) and present strong evidence that the proposed solution will improve the quality of food/increase take up.
19. Bids needed to detail the scope of works and costs and be a minimum of £2,500 and a maximum of £250,000 per school however, bids over £150,000 needed to be supported with exceptionally strong evidence to be successful.
20. Each individual project bid must be made against one criterion, not more, even if the individual issue at the school has some overlap. The allocations from this

bidding round will be announced in January 2015 and works must be completed by August 2015. Local Authorities were also as far as possible asked to take into account the need to future proof bids against the possibility that future governments may decide to extend the universal provision to other groups of pupils.

21. Contextually for Dudley all primary schools are able to provide hot meals for the UIFSM take up, however, for Netherton Cof E primary school their arrangements are not viable in the longer term and for Lutley primary school they are delivering UIFSM with a significant adverse impact on other areas of school life. Whilst there are a number of schools who deliver more than 250 meals per day it would be difficult to evidence a new kitchen or new equipment would increase take up so this option was not a consideration in the bidding opportunity.
22. A summary of the Dudley is summarised below. Forum will be advised of the outcomes in due course.

Additional Capital Funding Bid November 2014 - UIFSM

School	Reason for submission of bid	Value
Lutley Primary School	To create an extension enabling the creation of a new dining hall and internal reorganisation of accommodation and services to ensure the existing hall and new hall can be used simultaneously to deliver meals at this three form entry school. The school currently only has one hall and this hall is being used to deliver meals, the sports curriculum and assemblies. The rollout of the UIFSM initiative is therefore causing disruption and conflict with delivering the curriculum.	£240,000
Netherton C of E Primary School	To install a new kitchen in the existing main school hall. Currently meals are being transported through a teaching area causing disruption of the school day. The dishwasher facilities can also only be accessed through internal steps through a teaching area or via external steps which poses as health and safety risk of transporting plates and equipment etc.	£230,000

Finance

23. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2013.
24. Schools Forums are regulated by the regulated by the Schools Forums (England) Regulations 2012.

25. From 1st April 2006, the Schools Budget has been funded by a direct grant; Dedicated School Grant (DSG).

Law

26. Councils' LMS Schemes are made under Section 48 of the School Standards and Framework Act 1998. The Education Acts 1996 and 2002 also have provisions relating to school funding.

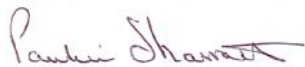
Equality Impact

27. The Council's Equal Opportunities Policy is taken into account when considering the allocation of resources.

Recommendation

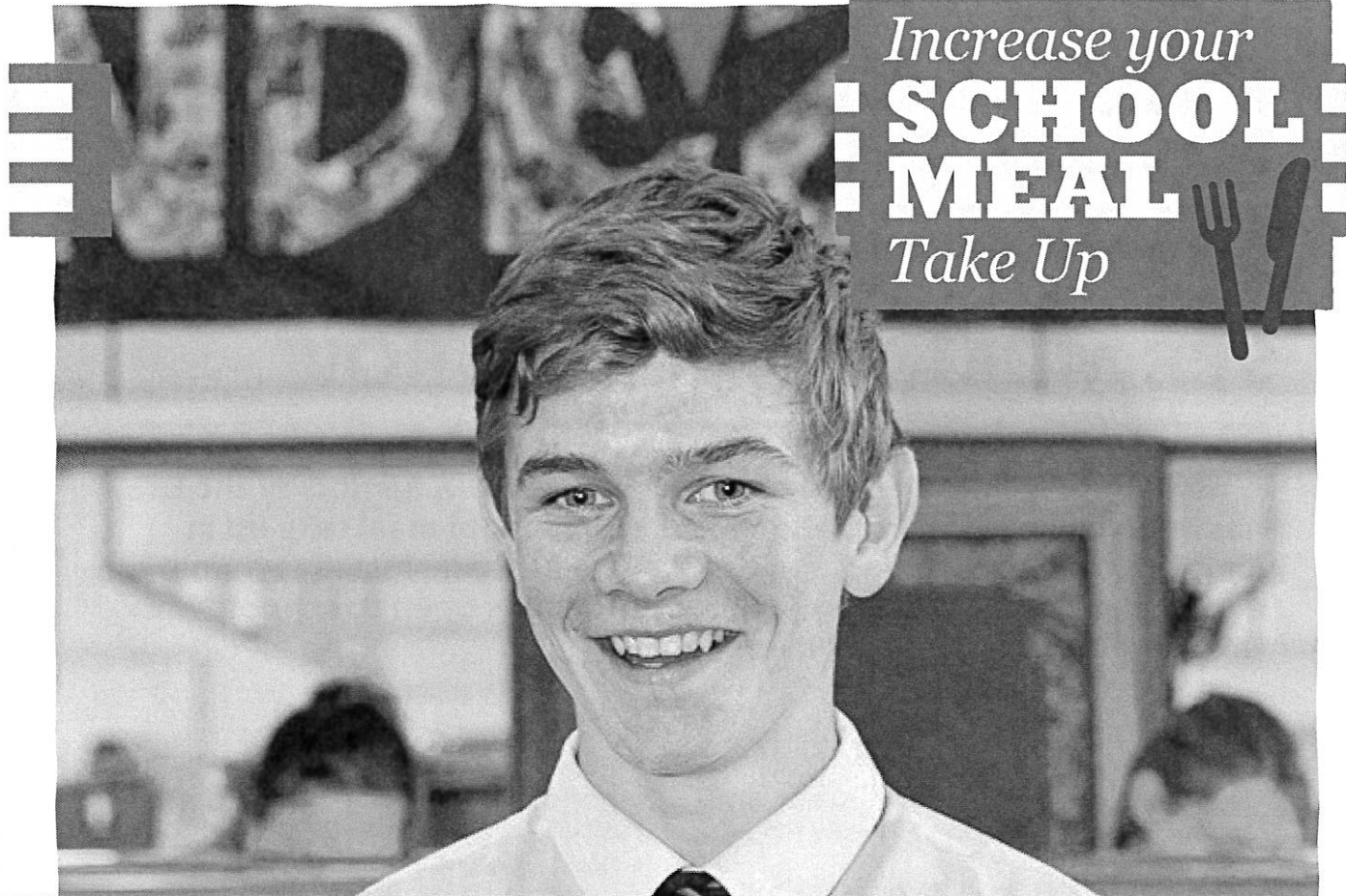
28. In respect of the Government's new initiative "Universal Infants Free School Meals" grant, Schools Forum to note:

- The estimated take up of the free school meal based on Dudley Catering Services latest information;
- The allocation of the initial £855,308 capital grant made available to Dudley maintained schools, as detailed in Appendix B
- The recent capital bid submitted in respect of two Dudley maintained schools.



Pauline Sharratt
Interim Director of Children's Services

Contact Officer: Karen Cocker, Children's Services Finance Manager
Karen.cocker@dudley.gov.uk Tel: 01384 815382



Increase your

**SCHOOL
MEAL**

Take Up



FREE SCHOOL FOOD SUPPORT PACKAGE

SEE YOUR MEAL NUMBERS GROW



FREE SCHOOL FOOD SUPPORT PACKAGE



SEE MEAL NUMBERS GROW

A new support package for schools worth £2,000, funded by the DfE, has been launched in England to kick start school meal take up in junior, middle and secondary schools. The package includes training, action plans and expert regional support and is open to schools with take up below the national average.

With changes to school food standards and the School Food Plan actions being implemented it is the perfect time to sign up for this FREE tailored support for your school..

One of the actions set out by the School Food Plan is to improve the viability of the school meal service by increasing take up in junior, middle, secondary, SEN and PRN schools.

As a direct result of this, you can sign up now for a package of support worth over £2,000 to increase your school meal take up. Not only will this help ensure the long-term viability of your school meal service and increase access to good school food but it has the potential to kick start a process of improving behaviour, attainment and attendance at the same time.

"Eating school dinners is better for children. It is also better for a school's finances. In order for the school food service to break even, average take up needs to get above 50%."

Henry Dimbleby & John Vincent, School Food Plan

CRITERIA

All junior, middle, secondary, PRUs and special schools – including academies and free schools - who meet one or more of the criteria below will qualify for support:

- an overall take up of school meals lower than 43% of pupils and/or
- less than 76% of pupils eligible for free school meals are taking up their meal entitlements and/or
- less than 35% of non-free school meal pupils are purchasing school meals

SIGN UP TODAY

Email: sfpmail@foodforlife.org.uk

Call: 0117 314 5180

Web: www.foodforlife.org.uk/takeup

food
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PARTNERSHIP

Appendix B

Initial Universal Infant Free School Meals Grant Capital Allocations to Maintained Schools

Total grant £855k. £859k allocated, the over allocation of the grant will be funded from the major kitchen equipment code. Other equipment is defined as – small equipment/mixer.

School Name	Purpose for which grant was allocated	Budget Allocated
Primary Schools		£000
Alder Coppice	White goods/other equipment	£5.0
Amblecote	White goods/other equipment	£4.5
Ashwood Park	Oven/other equipment	£3.3
Belle Vue	Other equipment	£2.2
Blanford Mere	Dining/kitchen extension including combi oven	£57.4
Blowers Green	Other equipment	£0.2
Brierley Hill	Other equipment	£1.9
Brockmoor	Other equipment	£2.3
Bromley Hills	Combi oven	£7.1
Bromley Pensnett	Other equipment	£1.9
Brook	White goods/other equipment	£5.8
Caslon	Other equipment	£2.0
Ce St Edmund and St John	Installation new kitchen	£180.0
Christchurch	Convection oven/hot trolley/other equipment	£7.7
Church of the Ascension	Other equipment	£2.1
Cotwall End	White goods/hot trolley/other equipment	£6.6
Cradley Ce	Hot trolley/other equipment	£1.6
Crestwood Park	Other equipment	£2.0
Dawley Brook	White goods/Other equipment	£3.2
Dudley Wood	White goods/other equipment	£4.5
Fairhaven	Other equipment	£2.6
Foxyards	Combi oven/burner oven/other equipment	£16.9
Gigmill	Combi oven/installation oven/dining tables	£21.1
Glynne	White goods/other equipment	£2.9
Greenfield	Other equipment	£1.6
Halesowen	Other equipment	£1.7
Ham Dingle	Convection oven/white goods/hot trolley/other equipment	£11.9
St Margarets of Hasbury	Convection oven/white goods/other equipment	£7.0
Hawbush	Other equipment	£2.1
Hob Green	Other equipment	£1.9
Howley Grange	Convection oven/white goods/other equipment	£5.8
Huntingtree	Combi oven/other equipment	£11.2
Hurst Green	Convection oven/white goods/other equipment	£5.5
Hurst Hill	Other equipment	£2.3
Jessons CE	Other equipment	£2.8
Kates Hill	Combi oven/installation oven/other equipment	£13.0
Lapal	White goods/other equipment	£7.0
Lutley	Combi oven/installation oven/dining extension/other	£18.9

	equipment/dining tables	
Maidensbridge	Dining tables/other equipment	£2.9
Manor Way	White goods/other equipment	£3.4
Milking Bank	Other equipment	£2.4
Mount Pleasant	Combi oven/installation oven/roller shutters/other equipment	£14.7
Netherton CE	Hot trolley/roller shutters/other equipment	£5.7
Netherbrook	Convection oven/white goods/other equipment	£6.1
Newfield Park	Convection oven/white goods/other equipment	£9.3
Northfield Road	White goods/dining tables/other equipment	£11.3
Oldswinford Ce	Other equipment	£2.3
Olive Hill	Convection oven/hot trolley/roller shutters/other equipment	£11.5
Our Lady & St Kenelm	Other equipment	£0.2
Pedmore Ce	Other equipment	£0.1
Peters Hill	Combi oven/hot trolley/white goods/installation kitchen/roller shutters/other equipment	£29.9
Priory	White goods/other equipment	£5.0
Quarry Bank	Hot Trolley/other equipment	£3.4
Queen Victoria	Combi oven/installation oven/other equipment	£12.1
Redhall	Other equipment	£2.1
Ridge	Combi oven/kitchen or dining extension/white goods/hot trolley/other equipment	£23.2
Roberts	Combi oven/other equipment	£11.3
Rufford	Other equipment	£3.3
Russells Hall	Combi oven/other equipment	£9.2
Sledmere	White goods/other equipment	£8.7
St James CE	Convection oven/hot trolley/other equipment	£5.3
St Josephs Stourbridge	Other equipment	£2.2
Straits	Other equipment	£2.1
St Marks CE	Combi oven/installation oven/other equipment	£12.2
St Marys CE	Other equipment	£1.2
Tenterfields	Installation kitchen including burner oven	£181.4
Thorns	White goods/other equipment	£4.7
Wallbrook	Other equipment	£1.7
Withymoor	Convection oven/white goods/other equipment	£5.7
Wollescote	Convection oven/white goods/roller shutters/dining tables/other equipment	£14.0
Woodside	Hot trolley/other equipment	£4.9
Wrens Nest	Other equipment	£1.7
<u>PRU's</u>		
Mere	Other equipment	£0.4
<u>Special Schools</u>		
Halesbury	Dining/kitchen extension	£0.5
Old Park	Other equipment	£1.9
Woodsetton	Combi oven	£3.0
TOTAL ALLOCATED		£859.0



Rt Hon David Laws MP
Minister of State for Schools

Sanctuary Buildings 20 Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/help/contactus

16 October 2014

UNIVERSAL INFANT FREE SCHOOL MEALS: LOCAL AUTHORITY CAPITAL BIDDING ROUND

Dear colleague,

As you are aware, from the beginning of the current term, state-funded schools have been required in law to offer free meals to all their infant pupils. As I noted, when I wrote to you on 25 September, over 98% of eligible schools were serving hot meals to their infant pupils at the beginning of term and other schools were serving cold meals. This is a remarkable achievement, and I am grateful to all the school staff, caterers and local authority officers who have made it possible.

As I also said in my earlier letter to you, I want as many pupils as possible to benefit from this policy, and to ensure that in all instances the meals being provided are of as high a quality as possible. To help in this, the Department is now making an additional £20million of capital funding available for new projects aimed at enhancing kitchen and dining facilities. This is possible from funds available within the existing UIFSM budget. We are inviting local authorities to submit prioritised bids for funding to support the delivery of UIFSM in particular schools, including voluntary aided schools. Local authorities that wish to bid are asked to confirm that they have allocated the entire amount of UIFSM capital funding they have received from the Department to date in support of UIFSM implementation. Bidding guidance, including the criteria by which we will assess bids and an application form, is attached separately. The closing date for applications is Thursday 20 November.

Academies will be able to bid for funding separately through the Condition Improvement Fund (which replaces the ACMF) when that opens later this year.

Thank you once again for all your hard work to date in helping to provide infant pupils with free nutritious meals.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'David Laws', with a long horizontal line underneath it.

David Laws MP



Department
for Education

Universal infant free school meals: capital funding bidding guidance

About this document

1. From this September, every pupil in reception, year 1 and 2 attending a state-funded school has been entitled to a nutritious, healthy free school lunch. The guidance and funding details for this policy can be found here:

[Universal infant free school meals - Departmental advice for local authorities, maintained schools, academies and free schools: updated September 2014.](#)

2. The Department recognised that delivering this policy would create challenges for some schools and has provided significant financial support. Schools, local authorities and caterers have successfully implemented this policy, with evidence that there is just a small handful of schools unable to offer free meals to all their infants from the beginning of term. The Department's survey of local authorities and large multi-academy trusts suggested that 98.5% of schools would be offering a hot meal option to their infants from the start of the autumn term.
3. The evidence is that there is a very small number of schools which have ongoing implementation challenges that they have been unable to address. The Department has provided targeted support to schools and local authorities through the UIFSM Support Service, and the service is advising a number of these schools on solutions. Building on the successful implementation of UIFSM policy to date, the Department has decided to allocate limited additional capital funding, from the UIFSM budget, to support schools which most need it to support the effective implementation of UIFSM. This document contains guidance for local authorities on the bidding process.

Key points about bidding process

4. This additional capital funding will be co-ordinated through local authorities, but covers all maintained schools, including those in the voluntary aided sector. Local authorities will therefore need to consult with local partners who would usually receive capital funding through the Local Authority Co-ordinated Voluntary Aided Programme (LCVAP). Governing bodies of voluntary-aided schools are required to make a 10% contribution to the cost of capital works at their schools unless the Secretary of State determines that exceptional circumstances apply. In the case of this limited and

targeted pot of funding, the Secretary of State has made such a determination, and voluntary-aided schools will not be required to make a 10% contribution.

5. Local authorities are invited to bid for additional UIFSM capital funding on behalf of their maintained schools. All bids must:
 - i. Request funding for a specific list of school projects
 - ii. Prioritise these projects;
 - iii. Cost them; and
 - iv. Outline how each project meets the criteria as set out below at paragraph 9.

An application form is attached separately and must be completed for each project.

6. The government will be making an additional £20million UIFSM capital funding available. Because bids may exceed available funding, it is essential that local authorities provide strong evidence in support of their bids.
7. Academies will be able to bid for the funding through the forthcoming Condition Improvement Fund (CIF), which replaces the ACMF. Local authorities should not therefore bid on behalf of academies.
8. We will announce the allocations made through this bidding round in January 2015 and works must be completed by the end of August 2015. A timetable for the bidding process is set out below at Annex A. The funding is intended to address schools which have immediate UIFSM delivery concerns. We appreciate that some local authorities will also be working with schools on longer term projects which will be carried out beyond 2015 and which sit outside this funding. Local authorities should also, as far as is possible, take into account the need to future-proof bids against the possibility that future governments may decide to extend universal provision to other groups of pupils.

Assessment Criteria

9. In assessing bids, the Department will give priority, in the following order, to applications which demonstrate that schools:
 - i. Require capital funding in order to provide hot meals, or in order to continue providing hot meals.
 - As a minimum to be assessed against this criterion, local authorities will need to confirm that schools are not currently able to offer a hot meal option to infant pupils, or that schools have put a hot meal solution in place which is not viable in the longer term.
 - Bids may include funding for capital works outside the school (for example, expansion of a kitchen at a nearby school), if this is the best way to provide a hot meal solution.

- ii. Are currently delivering UIFSM in a way that has a significant adverse impact on other areas of school life.

As a minimum to be assessed under this criterion, local authorities will need to show that one or both of the following applies:

- There is an adverse impact on the delivery of areas of the school curriculum.
 - There is an adverse impact on provision of meals to other groups of pupils.
- iii. Are bringing in 250 meals or more per day (for pupils of all ages) and present strong evidence that the proposed solution will improve the quality of food/increase take up.
 - Under this criterion, local authorities will need to include evidence of how the proposed solution will increase take up of meals against current levels.

10. Each individual project bid must be made against one criterion, not more, even if the individual issue at the school has some overlap.

11. As part of its assessment of bids, the Department will look at the degree to which proposals represent value for money. Therefore, to support their proposals, local authorities should consider including the following evidence:

- Construction costs per m² (for projects which include building works).
- Benefits of the project, including longer term savings.
- Any other sources of funding which will be brought in to support delivery.

We will also consider the cost per meal (e.g. the total capital costs requested, less any other sources of funding, divided by the average number of all meals produced each day).

Applications

12. Local authorities must provide a detailed summary of the scope of works and costs. Costs should exclude VAT, except for voluntary aided schools which should include VAT.

13. Bids must be made for a minimum of £2,500 and a maximum of £250,000 per school. Local authorities or VA school trustees may top up projects over £250,000 at their own cost. They may propose solutions which affect more than one school, scaling up accordingly. The Department wishes to allocate funds as evenly as possible across the schools which need it, so local authorities will need to provide exceptionally strong evidence for bids in excess of £150,000, given that we are expecting to approve very limited numbers of these.

14. The application form asks local authorities to confirm that the projects in question have

not already received funds from DfE and that the plans have not already been agreed. Local authorities must confirm this in order for project bids to be assessed.

15. Local authorities are also asked to confirm that they have allocated the entire amount of UIFSM capital funding already provided to them by the Department. Unless very exceptional circumstances apply, bids from local authorities that are unable to confirm this will not be prioritised for funding.
16. The UIFSM support service will carry out site visits to a sample of schools to check that delivery is on track and that projects are achieving the outputs as set out in bids.
17. Bids must be submitted to the Department to the following email address Freeschoolmeals.MAILBOX@education.gsi.gov.uk by close of play 20 November 2014. An application form is attached separately.

Annex A: Timescale

Action	Date
Bidding round opens	16 October 2014
Local authorities prepare bids	By 20 November
DfE assesses bids	From 20 November
DfE announces allocations	By 20 January 2015

Deadline

Bids must be submitted to the Department to the following email address Freeschoolmeals.MAILBOX@education.gsi.gov.uk by close of play 20 November 2014.

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Reference: DFE-00619-2014



Directorate of Children's Services

Budget Fact Sheet

No. 5 –December 2014

Consultation Outcomes –Allocation of £4m from DSG Reserve 2015/15 and 2016/17

The additional one off funding to be allocated to schools through the Local Funding formula via the Lump Sum factor for mainstream schools will be allocated: primary, special, nursery schools and Pupil Referral Units £14,000 and secondary schools £38,500 in both 2015/16 and 2016/17.

The Directorate's priority for schools is to improve the attainment of vulnerable groups in order to narrow the achievement gap between vulnerable children and their peers. Schools are recommended to consider using their allocation from the reserve to help achieve this, for example using those interventions that have been highlighted in Ofsted guidance as being effective in narrowing the gap, namely:

- effective use of learning mentors; appropriate literacy and/or numeracy targeted support; ensuring good attendance; and providing strong careers information, advice and guidance.

Growth Fund 2015/16

Schools Forum in October approved the creation of a centrally retained Growth Fund Contingency for 2015/16. The purpose of this contingency will be to make funding available to those schools eligible based on the criteria and methodology approved.

Criteria:

Additional funding will be made available to Dudley schools in any of the circumstances:

- The local authority carries out a formal consultation and approves an increase in the capacity of a school in accordance with School Organisation legislation.
- The local authority requests schools to increase their published admission numbers (PAN) as necessary and publishes on behalf of maintained schools an increased PAN in accordance with the Schools Admissions Code.
- The local authority requests schools to admit significant additional pupils as a consequence of a school closure.
- The local authority requests a school to admit pupils above its PAN to meet localised demand.
- No allocation will be made to a school where the school admits over PAN at their own choice.

Methodology:

- Additional funding will be made available in relation to the actual increase in overall pupils (Reception to Year 6) at September 2015.
- The allocation will be based upon the AWPU (Age Weighted Pupil Unit) and will be relevant to the key stage for the pupils admitted to school. This will reflect the period September to March for maintained schools and from September to August for academy schools.

Proposals for 2015/16 De-delegated Services and Responses from the recent School Funding Arrangements for De-delegation Options Consultation

Five responses were received in respect of the recent local consultation. The responses have been discussed at Headteachers Consultative Forum – Budget Working Group (HTCF-BWG) at their meeting on 20th November 2014 and a final decision will be made on behalf of maintained primary and secondary schools at the Schools Forum meeting on 16th December 2014.

Universal Infant Free School Meals (UIFSM)

Schools have received Initial allocations which will be updated during the Spring term to reflect pupil numbers included in the School Census at October 2014 and January 2015.

During January 2015 schools that purchase a service from Dudley Catering Services will be provided with a statement showing detail of the actual charges for provision of UIFSM in respect of the autumn term thereafter a statement will be provided to schools on a monthly basis in arrears.

The School Food Plan – (West Midlands)

Are advising local authorities of a new support package for schools worth £2,000. This is DfE funded to kick start school meal take up in junior, middle and secondary schools. The package includes training, action plans and expert regional support and is open to schools with take up below the national average. For further information contact:

Catrina Fenton, Regional Manager, School Food Plan - West Midlands

www.foodforlife.org.uk/school-food-plan Tel. 02476 217 729 Mob. 07463 999342

Pupil Premium 2014/15

2014/15 final allocation data is available on iDudley.

http://insidedudley/education/library/childrensservic_1/budgets_/schoolsbudgets_/201415budgets_/sept2014_/default.htm

2015/16

The government announcement in November 2014 confirmed that for 2015/16 the Pupil Premium will be £1,320 for each primary pupil and £935 for each secondary pupil which will continue to be based on Ever6 FSM. Schools will continue to receive £1,900 for pupils who are looked after or have left care through adoption or other circumstances.

Literacy and Numeracy Catch Up Premium for Year 7 pupils

This will be continued into 2015/16. The premium, for pupils from all backgrounds who do not reach the expected level 4 in reading or mathematics at key stage 2, enables schools to provide additional support to help them catch up with their classmates. Schools will receive £500 per eligible pupil.

<https://www.gov.uk/government/news/disadvantaged-primary-pupils-to-benefit-from-extra-225-million>

Early Years Pupil Premium.

A Pupil Premium of approximately £300 per year (£0.53 per hour) will be introduced for three and four year olds from low income families effective from April 2015. A child will be eligible if they are receiving 15 hours of Government funded early education, **and** meet one of the following criteria:

- Those families meeting the criteria for free school meals;
- Children that have been looked after for at least one day;
- Children that have been adopted from care;
- Children that have left care through special guardianship; and
- Children subject to a child arrangement order.

Funding will be allocated from April 2015 and will be based on pupils recorded on January 2015 School Census.

Redundancy in Schools – Standard Operating Procedure

The Standard Operating Procedure in respect of “The Funding and Responsibility for Redundancy and Related Early Retirement Costs Arising in Maintained Schools” has been reviewed and is effective from 1st September 2014. The document is available on iDudley:

[Education Services Electronic Library/Plans Policies and Guidance/ SOP/SOP –Redundancies in schools September 2014.](#)

VAT Treatment

A general reminder to schools regarding the treatment of items for VAT purposes:

- Contribution/Donation and grants should be a VAT code 8 (outside the scope) and not VAT code 7(exempt from VAT);
- When raising invoices to other Local Authority schools who do not use the Dudley Agresso system VAT code 8 should be used.
- The latest VAT Key Factsheet dated September 2014 is available on iDudley at :
[Directorates / Finance, ICT and Procurement / Financial Services / Tax and VAT / Advice and Guidance / VAT Factsheet Sept 2014.](#)

Pauline Sharratt, Interim Director of Children's Services

Further Details sue.coates@dudley.gov.uk or telephone 01384 814217.

Dudley Schools Forum - 16th December 2014

Report of the Interim Director of Children's Services

Schools Forum Membership - Update

Purpose of Report

1. The purpose of this report is to inform Schools Forum of the appointment of an Academy School representative to Schools Forum.

Discussed at HTCF – BWG

2. No.

Schools Forum Role and Responsibilities

3. Schools Forum is responsible for ensuring that the Constitution and membership meet the legislative requirements detailed in the School Forum (England) Regulations 2012, which were effective on 1st October 2012.

Actions for Schools Forum

4. To note the membership update to include Mr. M Moody as an Academy School representative effective from 1st January 2015.

Attachments to Report

5. Appendix A – Schools Forum Membership list effective from 1st January 2015.

Karen Cocker
Children's Services Finance Manager
2nd December 2014

Dudley Schools Forum - 16th December 2014

Report of the Interim Director of Children's Services

Schools Forum Membership - Update

Purpose of Report

1. The purpose of this report is to inform Schools Forum of the appointment of an Academy School representative to Schools Forum.

Background

2. In accordance with the Schools Forum (England) Regulations 2012, the Schools Forum constitution details the membership of the Forum to include four Academy members. This ensures that Academies within Dudley are proportionally reflected on Schools Forum.
3. With only one member currently representing Academies on School Forum, elections were held during November 2014 in respect of the three Academy School vacancies.
4. Only one nomination was received therefore Mr. M Moody (Windsor High School and Sixth Form) was elected to the position of Academy School representative for Dudley's School Forum. This post is effective from 1st January 2015 until 30th April 2017.
5. The appointment is subject to the Cabinet Member for Children's Services and Lifelong Learning formalising the appointment through the Council's democratic decision making process.

Finance

6. The funding of schools is prescribed by the Department for Education (DfE) through the Schools and Early Years Finance (England) Regulations 2013 to be replaced by the draft Schools and Early Years Finance (England) Regulations 2014.
7. Schools Forums are regulated by the Schools Forums (England) Regulations 2012.
8. From 1 April 2006, the Schools Budget has been funded by a direct grant: Dedicated School Grant (DSG).

Law

9. Councils' LMS Schemes are made under Section 48 of the School Standards and Framework Act 1998. The Education Acts 1996 and 2002 also have provisions relating to school funding.

Equality Impact

10. The Council's Equal Opportunities Policy is taken into account when considering the allocation of resources.

Recommendation

11. To note the membership update to include Mr. M Moody as an Academy School representative from 1st January 2015. The appointment is subject to the Cabinet Member formalising the appointment through the Council's democratic decision making process.



Pauline Sharratt
Interim Director of Children's Services

Contact Officer: Karen Cocker, Children's Services Finance Manager
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SCHOOLS FORUM MEMBERSHIP at 1.1.2015

SCHOOL MEMBERS	DUDLEY SCHOOLS FORUM CONSTITUTION	GOVERNORS - 3 year term of office				HEADTEACHERS - 3 Year Term of Office		
		1 May 2012 to 30 April 2015	1 May 2013 to 30 April 2016	1 May 2014 to 30 April 2017	Date of Appointment	1 November 2012 to 31 October 2015	1 November 2013 to 31 October 2016	1 November 2014 to 31 October 2017
<u>Nursery School Headteachers</u>	<u>One nursery headteacher</u>							
<u>Netherton Park Nursery</u>	Mrs Helen Ruffles, Netherton Park Children's Centre, Netherton, Dudley DY2 9QF				Nov-13		√	
<u>Primary School Headteachers</u>	<u>One primary school headteacher for each of the five townships</u>							
Brierley Hill	Mrs M Stowe, Crestwood Park, Lapwood Avenue, Crestwood Park Estate, Kingswinford, DY6 8RP				Nov-13		√	
Central Dudley	Mr Damien Ward, Sledmere Primary, The School Drive, Buffery Road, Dudley, DY2 8EH				Oct-12	√		
Halesowen	M/s Pauline Rogers, St Margaret's at Hasbury Church of England Primary School, Hagley Road, Hasbury, Halesowen, B63 4QD				Oct-12	√		
North Dudley	Mrs Ruth Wylie, Wrens Nest Primary School, Marigold Crescent, Dudley, DY1 3NX				Jan-14		√	
Stourbridge	Mrs J Quigley, Wollescote Primary School, Drummond Road, Wollescote, Stourbridge, DY9 8YA				Nov-14			√
<u>Primary School Governors</u>	<u>One primary school governor for each of the five townships</u>							
Brierley Hill	Mr Len Ridney, The Dingle Primary School		√		May-13			
Central Dudley	Mr Brendan Oakley, Sledmere Primary School, Buffery Road, Dudley, West Midlands, DY2 8EH			√	May-14			
Halesowen	Vacant post Halesowen (ex M Weaver resigned Sept 2014).	√			May-12			
North Dudley	Vacant post Dudley North (ex P Harris). No nominations March 2014							
Stourbridge	Mrs Jill Belcher, Peters Hill Primary School, Peters Hill Road, Amblecote, Brierley Hill, West Midlands, DY5 2QH			√	May-14			
<u>Secondary School Headteachers</u>	<u>One secondary school headteacher for each of the five townships - up to a maximum of three</u>							
Brierley Hill	Dormant township until next elections (ex B Warren)							
Central Dudley	Mrs April Garratt, Hillcrest School and Community College, Simms Lane, Dudley, DY2 0PB				Nov-13		√	
Halesowen	Mr Neil Shaw, Leasowes Community College, Kent Road, Halesowen, B62 8PJ				Oct-12	√		
North Dudley	Dormant township until next elections (ex M Elwiss)							
Stourbridge	Paul Kilbride, Oldswinford Hospital School, Heath Lane, Oldswinford, Stourbridge, DY8 1QX.				Oct-14			√
<u>Secondary School Governors</u>	<u>One secondary school governor for each of the five townships up to a maximum of three</u>							
Brierley Hill	Dormant township							

SCHOOL MEMBERS	DUDLEY SCHOOLS FORUM CONSTITUTION	1 May 2012 to 30 April 2015	1 May 2013 to 30 April 2016	1 May 2014 to 30 April 2017	Date of Appointment	1 November 2012 to 31 October 2015	1 November 2013 to 31 October 2016	1 November 2014 to 31 October 2017
Central Dudley	Mr Brian Patterson , Hillcrest Secondary School		√		May-13			
Halesowen	Mrs Gill Withers, Leasowes Secondary School			√	May-14			
North Dudley	Dormant township							
Stourbridge	Mr Jim Conway, Ridgewood High School			√	May-14			
Special School Headteacher	One special school headteacher for all townships							
All townships	Mrs J Kings, Halesbury, Feldon Lane, Halesowen, B62 9DR				Oct-14	√		
Special School Governor	One special school governor for all townships							
All townships	Vacancy from 30.5.14 (Ex I Dallaway). To remain vacant until next elections May 2015.	√			Mar-12			
ACADEMY MEMBER								
1 Representative	Mr Mark Moody			√	Jan-15			
1 Representative	Mr Joe Kelleher, (Parent Governor The Earls High School)	√			Nov-12			
1 Representative	Vacancy from 1.1.2014. No nominations March 2014 elections		√					
1 Representative	Vacancy from 1.1.2014. No nominations March 2014 elections		√					
Pupil Referral Units								
All PRUs	Chris Derham - PRU Manager				Oct-12	√		
NON SCHOOL MEMBERS	Representatives from Bodies Approved By Schools Forum							
Unions and Professional Associations, nominated by the staff side of the Directorate Joint Consultative Committee	Mr P Nesbitt, National Association of Schoolmasters Union of Women Teachers, The Kahan Centre, High Street, Kingswinford, DY6 8AP		√		May-13			
Worcester Diocesan Board of Education, nominated by the Board	Mrs Angela Hannaway , Headteacher, Halesowen CE Primary, High Street, Halesowen, B63 3BB	√			Nov-12			
Catholic Schools Commission, nominated by the Commission	Vacancy EX Mrs Brenda Beale , (ex headteacher St Josephs Primary School, Stourbridge)				May-10			
Early Years Provider Reference Group, nominated by the Group	Mrs N Jones, Hasbury Pre-school, - Hagley Road, Halesowen B62 4QD	√			Mar-14			
Dudley 16-19 FE Providers	Mr Keith Bate, Principal of Halesowen College, Whittingham Road, Halesowen, B63 3NA			√	Jan-14			