

Schools Forum 14 November 2023

Report of the Director of Children's Services

De-delegated Service Options for 2024/25

Purpose of Report

1. To seek approval from Schools Forum for the proposed de-delegated services for 2024/25.

Schools Forum Role and Responsibilities

2. In accordance with the School and Early Years Finance (England) Regulations 2023, Schools Forum must authorise the deduction of budgets from Maintained Schools Budget shares in respect of certain central expenditure. (Under regulations 8(5) in respect of centrally retained expenditure and Regulation 11(5) in respect of de-delegation).
3. Where this central expenditure is to be 'de-delegated' to the local authority then the Schools Forums (England) Regulations 2012 state that:
 - **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);
 - **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.

Recommendations

4. Schools Forum is requested to:
 - Note the report in respect of the proposals for de-delegated services for 2024/25. Schools Forum decided on 21 January 2020 that an agreement to de-delegation and buy back for an extended period of up to 3 years, subject to an annual vote, be supported in principle. The period of this extended agreement in principle has now ended and in any case does not remove the requirement for annual approval.
 - Those members of Schools Forum eligible to vote as outlined in paragraph 10 of this report are requested to do so in order to determine a final decision in respect of de-delegated services for 2024/25.

Background

5. De-delegation is 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 choose to return the funding to the Children's Services Directorate, where the management and co-ordination of that service will continue to be provided centrally on behalf of those schools.
6. 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.
7. De-delegation is not an option for academies, special schools, nurseries or Pupil Referral Units (PRU's). 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 de-delegation. In the case of special schools and PRUs, the funding to purchase such services will be included in any top-up payments.
8. Any decisions made to de-delegate in 2023/24 related to that year only, so new decisions will be required for any service to be de-delegated in 2024/25. 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 funding before school budgets are issued. There may be different decisions for each sector.

9. 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, the Regulations state if a school converts to an Academy School on or after 2 September, up to and including 31 March, the authority will retain any de-delegated funding for the remainder of the financial year and the academy will continue to access the de-delegated service. This is aimed to help central services to plan their workload.
10. Schools Forum members representing maintained mainstream schools that are eligible to vote are as follows:
Primary school members – Mrs Harris, Mrs Hannaway, Ms Maskell, Ms Parkes, Mrs Belcher, Mrs Morgan, and Mr Roe.
Secondary school members – Mr Harris and Mrs Watson.
11. For 2023/24 the De-delegated budgets are as per Table 1 below:

Table 1 – De-delegated Services for the 2023/24 Financial Year

De-delegation Services for Mainstream Maintained Schools	Budgets for De-delegation 2023/24 Primary Sector £	Budgets for De-delegation 2023/24 Secondary Sector £	Budgets for De-delegation 2023/24 Total Funding £
Union Facilities time	69,255	14,788	84,043
Behavioural Pupil Referral Unit – Primary Outreach Service	163,488	0	163,488
Total Funding for 2023/24 De-delegations	232,743	14,788	247,531

2024/25 Proposed Service De-delegations

12. In line with DfE requirements and in readiness for 2024/25, a local authority is required to consult annually on the proposal to de-delegate services.
13. This was discussed at a Primary Head Teacher's Forum on 24 September 2019 and at HTCF-BWG on 19 November 2019, both supporting the delegation of both Union Facilities time, and Behavioural Pupil Referral Unit and recommended to townships that they buy into both of these services for the next two years at least.
14. This was subsequently discussed and approved at Schools Forum on the 21 January 2020 that an agreement to de-delegation and buy back for an extended period of up to 3 years, subject to an annual vote, be supported in principle. This extended agreement does not remove the requirement for annual approvals by Schools Forum.
15. It is proposed to continue the de-delegation for union facilities time in 2024/25. Schools Forum received a report at its meeting on 3 October 2023 which described the service provided and outlined the proposal to continue this de-delegation.
16. It is proposed that the de-delegation for the Behavioural Pupil Referral Unit – Primary Outreach Service continue for 2024/25. Work is in progress to move this service from a de-delegated to a traded service and one further year of de-delegation is requested in order to complete this work, in the context of the overall Directorate Redesign, the Delivering Better Value Programme work and the Alternative Provision (AP) Review. Discussions have previously taken place with Headteachers, who have agreed that this service is a vital one for schools, particularly in the context of the growing need for support as the diversity of children's needs in mainstream schools continues to increase. The line management of the team has recently transferred during 2023/34 to Education Outcomes and it is recognised that funding from de-delegation cannot continue indefinitely, but given the significant changes and pressures experienced during 2023/24, a further year's funding from de-delegation is requested.

Budget Working Group Discussed - Yes - 7 November 2023.

Finance

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

Law

18. The Schools Forum is a statutory decision making and consultative body constituted in line with the School Standards and Framework Act 1998, and its associated regulations, including the Schools Forum (England) (Coronavirus) (Amendment) Regulations 2020, to enable members of the local school community to work in partnership with Dudley Metropolitan Borough Council when making decisions about school funding and finances.
19. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2023.

Risk Management

20. There are no material risks to the Council's Risk Management Framework resulting from the contents of this report.

Equality Impact

21. This report has no direct implications for the Council's commitment to equality and diversity.

Human Resources/Organisational Development

22. This report has no direct implications for human resources, organisational development or service transformation.

Commercial/Procurement

23. There is no impact on the potential to commercially trade and no impact on our customer base.

Environment/Climate Change

24. This report has no direct implications on the environment or the Council's work in addressing Climate and achieving Net Zero target by 2041.

Council Priorities and Projects

25. The 2022/2025 Council Plan is clear in its ambitions for educational outcomes including raising skills, educational and work potential, increasing good or better schools and closing the gap for disadvantaged pupils. This report relates to the use of the Dedicated Schools Grant funding to support the educational outcomes of children and young people in the borough.



Catherine Driscoll
Director of Children's Services
Contact Officer:

Catherine Ludwig – Finance Manager
Telephone: 01384 815075
Email: catherine.ludwig@dudley.gov.uk

List of Background Documents

None