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Date: 13 October 2011

Dear Member

CABINET - MONDAY, 17 OCTOBER 2011

I am now able to enclose, for consideration at next Monday, 17 October 2011 meeting of the Cabinet, the following report(s) that were unavailable when the agenda was printed.

Agenda No Item

Further Delegation of Funding to Schools (To follow) (Pages 1 - 30)

Yours sincerely

Peter Sass

Head of Democratic Services



By: Mike Whiting, Cabinet Member for Education, Learning and Skills

Andy Roberts, Interim Corporate Director

Keith Abbott, Director of School Resources

To: Cabinet -17 October 2011

Subject: FURTHER DELEGATION OF DEDICATED SCHOOLS GRANT TO

SCHOOLS

Classification: Unrestricted

Summary: The purpose of this report is to provide the Cabinet with an update on

the strategy to delegate funding that is currently retained centrally to schools in 2012/13. The report sets out some of the rationale for delegation and the outcome of the consultation with schools which took place between 20th June and 31st July 2011and subsequent

discussion with the Schools' Funding Forum.

Introduction

1. (1) The Dedicated Schools Grant (DSG) is set by central government. It was introduced in 2006-07 and is the principal source of funding for schools and activities supporting the education of children. The grant is ring-fenced ie it must be used to support schools. In 2011-12 the DSG for Kent is £824.7m. It is the expectation of the Department for Education that as much of the DSG as possible is delegated to schools.

- (2) The principle of increasing funding to schools to facilitate greater autonomy and to make local decisions to meet locally agreed priorities is well established in Kent. The decision to pursue maximum delegation of funds to school is driven by the belief that those leading, managing and working in schools are best placed to assess the needs of their children and to put the appropriate provision in place to meet those needs. This demand driven model ensures that resources are applied according to need rather than historic patterns of availability determined by central local authority teams, thereby securing the ability to focus on priorities year on year and to be more effective.
- (3) Schools have been recipients of delegated budgets for 20 years and in the main have responded well to the approach that ensures that all financial resources are as close to the child and their family as possible. Currently just less than 8% of the DSG is not delegated to schools; the consultation proposed that out of the £79.6m available, £20.8m is delegated, £18.1m is devolved and £32.4m is retained. The balance of £8.3m represents costs charged to the DSG in respect of support costs for a range of largely statutory and fixed functions funded from the DSG and a share of the costs of supporting the corporate and democratic core of KCC.
- (4) The main reasons for proposing to delegate more responsibilities and funding to schools are:

- (a) To give schools more freedom to target funding at a local level as set out in "Bold Steps for Kent", allowing them to make local decisions about resource allocation and have the ability to forward plan, intervene and develop provision to meet identified priorities.
- (b) To reduce the gap in funding between Academies and Local Authority (LA) maintained schools through further delegation. We cannot close the gap as Academies receive some funds via DfE from a topslice of the national local government settlement.
- (c) For some services delegation will provide a degree of protection from the impact of the current Academy funding methodology and the unintended consequences that is currently producing in terms of funding and services.
- (d) Further delegation is also in line with the developing national policy and our proposals are largely consistent with the proposals set out in the DfE paper "Consultation on School Funding Forum Reform: Proposals for a Fairer System" that was issued on 19 July 2011.
- (5) The impact of the proposals will also mean that a number of functions carried out on behalf of schools by KCC will move to a full or partial traded basis, and this aspect of the proposals is being dealt with as part of the work currently taking place to develop EduKent.

Analysis of the Consultation

- 2. (1) There were 147 response forms completed on-line and a collective response from Special Schools and the Aspen Unit, which equates in total to 30% of LA maintained schools and Academies in Kent responding to the consultation. The level of response from schools is usually around this level. There was also feedback from Headteacher and Governors at a series of meetings held over the summer term to discuss delegation, academies and EduKent. In addition to this, there were a number written responses from LA officers whose services are affected.
- (2) On 9 September the outcome of the consultation was discussed in detail with the Schools Funding Forum and they have made a number of recommendations.
- (3) We consulted schools about 43 separate functions/responsibilities currently funded via the retained DSG and proposed to delegate, devolve (potentially as a pre-cursor to further delegation) or retain these functions.
- (4) Schools broadly agreed, though were more positive about delegation of some functions than others. The Schools Funding Forum has also broadly agreed with the proposals as well. However, the collective response from the Kent Association of Special Schools (excluding the one school moving to Academy status who have submitted their own views) did make some alternative proposals which are being explored by ELS with Members and which were discussed with the Funding Forum.
- (5) Appendix 1 sets out a summary of final recommendations and Appendix 2 provides a summary of each of the functions the authority consulted on and sets out the original proposals, together with the responses of schools, the Schools Funding Forum and the final proposals recommended in this report.

Specific Issues from the Consultation

3. (1) As indicated in the recommendations at the end of this report there are twelve functions in the proposals where the final recommendation in this report is either not in line with the views of schools/the Schools Funding Forum or has changed from our original proposal put forward in June. The reasons for the revised recommendations are set out below:

(2) Family Liaison Officers £2,142k

The budgets for School and District based Family Liaison Officers is now held within FSC. The money is used to part fund (with schools) staff based in 224 schools in our most deprived communities and to directly employ 44 FLO's managed by District Preventative Managers to work with families. Over 80% of schools who responded to the consultation wanted the funding for all of this delegated as did the Schools' Funding Forum. However, there are significant concerns about delegation of this funding at this point in time and the potential risks posed to "Putting Children First: - The Kent Safeguarding and Looked After Children Improvement Plan". Given these concerns the revised recommendation is that the funding should be retained but with a view to seeing if in the future this could be moved to more of a District based model with schools having more involvement over the running of the service and deployment of resources.

(3) Management Information Data £222k

During consultation it became clear that all this funding is underpinning the delivery of statutory data and is therefore not suitable to delegate. The new recommendation is to retain this funding.

(4) Community Youth Tutors £255k

£205k of this budget relates to part of the funding for Project Salus, formerly Kent Safe Schools and this is tied into a three year contract. This information only emerged during the consultation process. Given that this contract is in place a decision to delegate at this stage would simply result in a budget pressure. For the reason above the new recommendation is to retain this funding. It should also be noted that the work that Project Salus delivers enables school to meet their general equality duty under Section 149 of the Equality 2010. The other £50k of this budget is a small part of the funding of 15 Community Youth Tutors which are funded 60% by the Youth Service and 40% by schools and whilst it is recommended that this £50k should be retained, further consideration could be given to moving this funding to more of a District based model where schools can have more involvement in the service and deployment of resources.

(5) Skills Force £100k

Contractual arrangements mean that delegating this from 1 April is not possible so the proposal is to retain the funding for a period and discuss the most appropriate way forward with those schools that use Skills Force.

(6) Specialist Teaching Services £5,691k and Health Needs Education Service £2.017k.

We sought views on delegating £3563k of resource used to employ teachers and teaching assistants to work with schools and individual pupils. We proposed to retain £2128k of resources providing support to early years settings and highly specialist placements. 67% of schools supported the former, but only 24% supported the latter.

In their collective response to the consultation the Special schools asked that the whole resource is delegated to them, in order that they can provide specialist outreach services to all schools. This approach does not have wide support from schools that have expressed the view that the funding for supporting children in mainstream settings is very different from supporting children in special schools and should be allocated to the mainstream schools directly. The Schools' Funding Forum came to the view that the service should not be split as we had originally proposed. They were also concerned about the fragmentation and loss of specialist services that delegation could cause. On this basis they proposed that we either retain the whole service or devolve it to Special schools in line with their proposals. The advantage of delegating the resource to some, but not necessarily all, of the special schools is that it makes resource available at a local level, with a small number of staff available in each district, and provides those staff with an opportunity to be more closely linked to classroom practice.

The revised recommendation is that the whole resource should be devolved to special schools with Smile Centres in order that those centres can then provide a "free at the point of delivery" outreach service to mainstream schools, and aligned with this, to devolve any specialist resource to be managed by those special schools established to deliver that specialism, for example outreach for physical impairment services could be provided from the Valance School. Given the concerns of mainstream schools, particularly Primary, the detail of this proposal will need to be further developed by a group of mainstream, special schools and specialist unit headteachers by the end of November in order to fit in with both the delegation timetable and that of the planned ELS restructure. This group will also assess whether this is also an appropriate model for the Health Needs Education Service.

(7) Schools Personnel Recruitment and Retention £564k

The original proposal has been to delegate all of this but some of the funding pays for work carried out by Schools Personnel Services for ELS, mainly in respect of work in failing schools where leadership changes are required. Given the support that Kent Challenge will require from SPS over the coming years it is felt that £100k should be retained to support that.

(8) Collective Licences £955k

Our original proposal had been to delegate this and offer a service via EduKent. The licenses cover a range of schools activities/responsibilities such as Performing Rights, Photocopying, Date Protection Registration and SIMS. The revised proposal is still to do that but with the exception of the SIMS licence (£591k of the £955k budget) which should be retained because contractual/procurement issues mean we cannot be completely sure that delegation at this time would not result in a new liability for KCC. Once this issue – a national one – is resolved we can revisit the proposal to delegate.

(9) Admissions appeals £350k

Our original proposal was to delegate this with the aim of creating a more level playing field between schools and academies as well as making them accountable for the costs they are creating. Whilst the view of schools was (marginally) against delegation, the Funding Forum supported the proposal but further investigation has identified a number of concerns that could potentially leave the authority with a conflict of interest given its statutory role as an admissions authority and because of this our view is that the funding should be retained at this time.

(10) Primary & Secondary Forums £20k

The original proposal had been to delegate this but with the development of the Kent Association of Headteachers it seems prudent to continue to support the existing Primary and Secondary Forums until headteachers have agreed a way forward for the new association. Delegation of this funding can be reviewed again once headteachers have made their decisions on the future arrangements they would like to implement.

(11) Pupil Referral Units (PRU's) and Alternative Learning Services £16,540k

The Council sought views on the delegation or devolution of over £16m of resource currently spent on Pupil referral units, the Alternative Curriculum, Extended Learning, the Health Needs Education Service, and related activities. Support for delegation of these activities was low (between 11% and 55% of respondents). A combined response from the Special Schools proposed that they could take over the running of these activities.

Since the consultation was carried out, a new option has emerged which has considerable merits. We are currently in the process of rationalising the 10 KS3 and KS4 PRU's to create 6 PRU's each covering two districts and with greater local involvement of schools in their operation. We believe we should retain three other specialist PRU's, providing statutory services to children with health needs. From 2013 the Government has indicated that it would wish these PRU's to be established as schools, with delegated budgets and governing bodies, rather than being run as part of the local authority. We support this approach, and indeed would seek to approach the DfE offering to pilot a scheme under which our reconfigured PRU's would have delegated budgets from September 2012. If this is not possible, we will seek to devolve the budgets in 2012 with a view to delegation in 2013. Linked to this proposal, we are already of the view that Warmstone PRU should be established as a school.

Our revised recommendation therefore is to reconfigure the existing provision over the next two terms to establish 9 new PRU's, perhaps brought together under some executive governance arrangement, with a view to proceeding to formal delegation as soon as legislation permits.

(12) Maternity leave and public duties £2,310k

These are a group of functions which schools have asked us not to delegate as they are concerned that the individual amounts received will be insufficient for them to meet their actual costs should they need to provide maternity cover or cover during an extended period of Jury service. However, if these budgets are not delegated they will be continually eroded as schools convert to academy status. We are of the view that it is appropriate to delegate these funds and the revised recommendation is to delegate with a pooled

scheme from April 2012 which would not change the current arrangements with schools and look to develop an insurance option for the future. We believe that such a scheme is likely to be bought into by schools and that it is an example of how we wish to work with schools going forward, offering services through EduKent and working with the Kent Association of Head teachers to ensure those services are relevant, of high quality and appropriately priced. It should also be noted that maternity and pregnancy is a protected characteristic under the Equality Act 2010 as such it is important that those who fall under this protected are not disadvantaged by the delegation of budgets. To ensure that public duties belonging to KCC and to schools are expedited, any future insurance scheme will also be fully equality impact assessed to ensure that duties are met.

(13) Extended Learning £178k

The original proposal was to delegate all of this budget but it is clear that in order to support the work taking place in schools and help to encourage and spread best practice funding of £50k should be retained to support one post in continuing that work for the council.

Financial Implications

- 4. (1) The proposals, if agreed, will result in a significant shift of funding to schools. The revised recommendations would result in the changes as to where responsibilities and budgets would sit and these are summarised in Appendix 1. There are also a number of other financial implications for KCC.
 - (a) For the services delegated that are to be offered on a traded basis those units will have an income budget set. If there is not 100% buy-back from schools then there will be a shortfall in income for that unit/directorate. If this cannot be managed by selling services to non-Kent schools or other providers their compensating savings will have to be found in that unit/directorate.
 - (b) If the level of buy-back is below 100% to the extent that alternative savings require staff reductions then there will be redundancy costs for the authority to meet.
 - (c) An appropriate share of overheads will have to be delegated along with the budgets meaning a level of buy-back below 100% will also impact on a range of KCC support functions and corporate costs. We are proposing that only those overheads which can be reduced in line with schools buy-back decisions should be delegated, in order to ensure there is no impact on the rest of KCC as a result of delegation to schools.

Legal Implications

5. (1) None.

Equality Impact Assessments (EIA)

The initial screening has highlighted a number of issues which have been mitigated through the planning and implementation of the delegation and devolution of budgets. The delegation and devolution process does not involve any reduction in funding and all policies, responsibilities, duties and functions remain unchanged albeit with responsibility for this moved across to schools. The effect of delegation or devolution and the move to local decision making by schools for a new range of functions mean that there may be some impact on some services and a degree of risk in the future that policies etc are not adhered to. The Equality 2010 is clear that public authorities remain accountable for the implementation of duties even where services are devolved, delivered or commissioned externally. As such it is proposed that the ELS will retain a monitoring function in order to mitigate against that risk and to ensure that its statutory duties are met. That function will be important and will maintain a review as to whether an EIA is needed in respect of any service in the future. Schools will are also bound by duties under the Equality Act and must ensure that in managing those delegated or devolved budgets, those belonging to groups under protected characteristic are not disadvantaged in any way.

Sustainability Implications

7. (1) Not applicable.

Alternatives and Options

8. (1) The only general alternative to further delegation and/or devolution would be to retain all the funding as now but this would not meet the requirements of "Bold Steps for Kent" nor would it prevent some of the financial consequences of the current methodology of funding academies. It would not be consistent with all the discussions with schools since February 2011 and runs counter to the direction being set nationally by the DfE.

Conclusion

- 9. (1) Although the timescale for this work has been much tighter than normal for such a major set of delegation proposals we have been talking to schools and the Schools Funding Forum and managers about further delegation and devolution since late February.
- (2) Primary schools in particular had concerns about some aspects of further delegation but there is now a general acceptance that given the national agenda and the impact of Academy conversions in Kent this is the right way forward. The fact that we have seen broad agreement on most of the proposals shows how far schools have moved since the early round of Headteacher and Governor meetings back in February and March where there was considerable concern about some aspects of further delegation.
- (3) There is still a lot of work to be completed to ensure that the delegation and devolution process (and the EduKent work that runs alongside it) through to next April is as smooth as possible. The major issues to be resolved have been set out in this paper and Members are asked to consider them.

Recommendations:

Members are requested to AGREE/ENDORSE the recommendations detailed in Appendix 1. These accept the views arising from the consultation with schools/ the Schools' Funding Forum except in the cases listed below. The numbering cross-refers to Appendices 1 and 2.

- Lines 5 & 6 -Family Liaison Officers (£2,142 k) retain
- Line 7 -Management Information (£222k) retain
- Line 8 -Community Youth Tutors (£255k) retain
- Line 9 Skills Force (£100k) retain
- Lines 11,21,28 & 34 Specialist Teaching Services (STS) (£7,710k) includes STS £5,691k and Health Needs £2,019k - devolve to specific Special Schools subject to a further report to the Cabinet Member of Education, Learning and Skills within 6 weeks setting out the detailed proposals for devolution which will include proposals in respect of monitoring and quality assurance by ELS.
- Line 15 Schools Personnel and Recruitment (£564) retain £100k and delegate £464k.
- Line 16 Collective Licences (£955k) delegate all except SIMS licence which should be retained.
- Line 17- Admissions Appeals (£350k) retain
- Line 18 Primary and Secondary Forum (20k) retain
- Lines 19 & 20 Pupil referral units and associated activities (£16,540k) –
 devolve to the newly established PRU's in 2012 with a view to delegation in
 2013.
- Lines 13 & 14 Maternity, public duty and related funds (£2,310) delegate initially as a pooled scheme with a view to the future establishment of an insurance scheme.
- Line 33 Extending Learning team (£178k) retain £50k and delegate £128k.

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Background Documents:

Consultation document and school responses on further delegation

Bold Steps for Kent

Summary of Final Recommendation

Appendix 1

Line	Line Consulatation proposals	Original proposal in consultation	Current DSG mounts	Delegate to individual schools	Retained	Devolve to groups of Schools	Devolve STS services to	Review option District base
							Special Schools	
			(s,000)	(s,000)	(s,000)	(s,000)	(s,000)	(s,000)
_	Specialist Mainstream Provision Units	Delegate	1,033	1,033				
7		Delegate	862	862				
3		Delegate	174	174				
4 1		Delegate	060'9	6,090				İ
S (Delegate Delegate	872					872
9 1	_	Delegate Delegate	0/7/1		200			1,270
- α	Mariagement momentation data management and statistical services. The Youth Service - Community Youth Tutors	Delegate	255		252			
റ		Delegate	100		100			
9	_	Delegate	218	218				
7	The Specialist Teaching Service (STS) Training, support, advice, etc.	Delegate	3,563				3,563	
12		Delegate	1,983	1,983				
13		Delegate	2,160	2,160				
<u>7</u> ,		Delegate	150	150	7			
ე ე		Delegate Delegate	564 066	464 264	100			
2 7		Delegate Delegate	822	304	96			
- 4	Aditasions Appeals Primary and secondary Forms	Delegate	2000		000			
2 0		Devolve	4 025		04	4 025		
2 5		Devolve	12.515			12.515		
2 5	-	Devolve	1.565			<u>)</u>	1.565	
22		Retain	1,056		1,056			
23	ш.	Retain	9,432		9,432			
24		Retain	5,709		5,709			
25		Retain	100		100			
26		Retain	623		623			
27	_	Retain	1,194				0	1,194
78	Specialist Teaching Service - supporting the early years, and highly specialist placements, etc.	Ketain Dotois	2,128		000		2,128	
30		Refail	2 405		2 405			
3 5		Retain	385		385			
32		Retain	204		204			
33		Retain	178	128	20			
34		Retain	454				454	
35		Retain	1,364		1,364			
36	-	Retain	300		300			
37		Retain	477		477			
38		Retain	107		107			
39		Retain	3,232		3,232			
4 5		Retain	231		231			
4 4	School Admissions	Ketain	1,339		1,339			
4 43	Schools Fullallig Folding Carbon Reduction Tax	Retain	1 000		1 000			
			71,297	13,626	30,085	16,540	7,710	3,336

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Delegation

1. Specialist Mainstream Provision Units

£1,033,000

Background

There are seven specialist mainstream provision units that are not delegated to the schools where they are based, unlike all other specialist units which are part of the school's delegated responsibility. It is proposed that funding for these provisions will be delegated to the specific schools involved, on the same basis as all other units. Staff will be employed and managed by the schools. The schools are: Meopham School, Archbishop's School, TheSt Gregory's Catholic Comprehensive School, Charles Dickens School, Simon Langton Grammar School for Boys, TheDane Court Grammar School and Dartford Grammar School

Original recommendation:

Schools view:

Delegate

Forums view:

Delegate

Delegate

Delegate

Delegate

2. Specific costs relating to individual pupils with statements

£862,000

Background

A range of specific costs relating to individual pupils with statements, whose needs could not previously have been met by schools and academies from the resources already delegated to them, are currently allocated in-year to schools on an ad-hoc basis. The new criteria established for headteacher panels to agree Individually Assigned Resources (IAR) funding will result in these funds being included in delegated budgets as part of the IAR allocations.

Original recommendation:

Schools view:

Porums view:

Delegate

Delegate

Delegate

Delegate

Delegate

3. Funding to provide support / advice for mainstream placements

£174,000

Background

The proposal is to give the five Special Schools that do not receive Outreach funding an equal share of the funding (£34,800). Funding currently held centrally to provide support/advice for mainstream placements to be delegated to those Special Schools to increase their capacity to provide an outreach service (10 currently have outreach/smile centre funding – this new delegation will lead to all 24 special schools having similar provision)

Original recommendation:

Schools view:

Delegate

Forums view:

Delegate

Final recommendation Delegate (5 EBD schools)

4. Primary and special school Catering

£6,090,000

Background

£3.864k of the £6.090k relates to Free School Meals. Secondary schools and some Primary schools already have this delegated so this is simply moving all schools onto the same basis. There is also £895k which relates to the school lunch grant which does go out to schools and we are simply proposing to delegate it through the formula. There is then a remaining budget of £1.331m for the 317 Primary Schools and 15 Special Schools that do not have delegation of meals. For a number of years primary schools have been able to opt for delegation. For those that have not, a centrally managed external contract has been let and is in force until July 2012. For primary schools currently in the County let contract it is proposed to delegate:-

- The procurement and management of external contracts to provide a school meals service for all pupils entitled to free meals and any pupil who wishes to purchase a meal
- Maintenance of kitchen equipment to a standard adequate for the service.
- · Ensuring food safety and hygiene standards are maintained
- Monitoring the meal quality to meet the needs of the pupils and Government standards for nutrition

For day special schools with centrally held catering budgets it is proposed to delegate:

- The management of the day to day running of the catering service
- Carrying out all staffing related tasks including recruitment, CRB, training, allocation of hours and cover for sickness.
- Designing menu's suitable for the needs of the pupils, nutritionally analysed and inline with Government standards
- Ensuring food safety and compliance with KCC food hygiene policy
- Maintenance of kitchen equipment to a standard adequate for the service.

Original recommendation:

Schools view:

Delegate

Forums view:

Delegate

Final recommendation Delegate(through the £ 1.331 m for centrally managed contract cannot be

delegated until July 2012 when the current catering contractes expire)

5. Families and Social Care Family Liaison Officers and Parent Support Advisers

£872,000

Background

Families and Social Care Family Liaison Officers and Parent Support Advisers (the majority of these take on Lead professional roles for children who have had a CAF assessment and need a Team around the child/family)

Original recommendation:

Schools view:

Delegate

Forums view:

Delegate

Final recommendation Retain - but review options to move to a District basis.

6. School based family liaison officers

£1,270,000

Background

School based family liaison officers Schools already contribute to the funding of many of these posts, but contributions are inconsistent and not related to level of deprivation, and do not take account of the availability of deprivation funding available already to the school

Original recommendation:

Schools view:

Delegate

Forums view:

Delegate

Final recommendation Retain - but review options to move to a District basis.

7. Management Information data management and statistical services

£221,500

Background

Further information has come to light that this service is in the main internal management and statutory reporting and therefore delegation would not be appropriate. Also we have a data sharing agreement with academies that we need to retain the service provider pupil level data and analysis (FFT, Raise online, Making figure Speak for Themselves) and offering guidance, support and information to help schools manage their data and use school improvement information

Original recommendation:

Schools view:

Forums view:

Final recommendation

Delegate
Retain
Retain

8. The Youth Service - Community Youth Tutors

£255,000

Background

Of the £255k budget, £205k is funding part of the Safe Schools contract with Project Salus which is coming to the end of the first year of a three year contract. This was not known at the time the consultation was launched and means delegation can not be done for next year. The other £50k of the budget part funds schools community Youth Tutors. There are 15 Community Youth Tutors in post. The role of Community Youth Tutors is to ensure partnership working between the Youth Service and specific schools around the county. The SLA in operation provides for the Youth Service to pay 60% of the CYT's salary costs and a school contributes 40% towards their costs.

Original recommendation: Delegate Schools view: Delegate Retain Forums view:

Final recommendation Retain - and review current arrangements with a view to moving to a

District based model.

9. Skills Force subsidy £100,000

Background

Skills Force subsidy. Secondary schools already contribute to the costs of this scheme. This sum represents the residual subsidy held centrally.

Original recommendation: Delegate Schools view: Delegate Forums view: Delegate

Final recommendation Retain for 1 year to assess implications of delegation

£218,000 10. School Library services

Background

This contribution from DSG supports services offered to schools, and the summer reading challenge programme.

Library work is currently targeted at the 76 reading recovery schools.

Original recommendation: Delegate Schools view: Delegate Forums view: Delegate Final recommendation Delegate

11. The Specialist Teaching Service (STS) Training, support, advice, etc.

£3,563,000

Background

Grouped under these headings are the budgets of a number of teams that support schools, families and pupils in a number of ways. Central retention has been seen as the means of ensuring the continuity of access to specialist staff as the needs of individual schools and pupils change. The risk of delegation is the loss of specialist staff if individual schools do not employ them directly or buy into a KCC provided service. In order to offer schools greater choice partial delegation is suggested, with partial retention to safeguard some elements. Devolution to specialist schools/centres or groups could also be considered.

The Specialist Teaching Service (STS) The following elements of the service could be delegated:

- Training through bespoke or standard packages on general Special Education Needs (SEN) issues;
- Specialist training for parents, teachers, other school staff and governors-from awareness raising to specialist level on Behavioural, Emotional and Social Difficulty (BESD), Specific learning Difficulties (SpLD), Autistic Spectrum Disorders (ASD), Speech, Language, Communication, Needs (SLCN), Downs Syndrome, Dyspraxia, HI, VI, PD;
- Individual and group interventions, assessments and programmes, 1:1 teaching, individual specialist tuition;
- Advice and support on writing and implementing single equality schemes and systems and interventions to support disability duties under the Equality Act;
- · Effective preventative provision
- Systemic support to build capacity within the school;
- Consultation and support for SEN issues pre or post OfSTED;
- · One off consultancy/whole school training events;
- · SEN Coordinator (SENCO) training;
- Teaching Assistant training;
- · SEN updates;
- Supporting transition.
- Assessments for exam dispensations
- Assessments and advice for specialist equipment
- Generic paediatric moving and handling training
- Training for positive behaviour management through Team Teach programme
- · SEN and disability counselling

Original recommendation: Delegate

Schools view: Delegate

Forums view: Retain or devolve (Schools Funding Forum voted unanamously not to

delegate this funding. SFF did not want this service split up and

recommended that it should either be retained or devolved as per Special

School Proposal).

Final recommendation Devolve to Special Schools with Smile Centres, subject to work to be done

over next 6 weeks to develop proposals further.

12. Minority Communities Achievement Service (MCAS)

£1,983,000

Background

Minority Communities Achievement Service (MCAS) provides

- Specialist support to raise attainment of vulnerable groups through developing school systems and providing appropriate teaching and learning strategies for minority ethnic and EAL learners
- Bespoke professional development for senior leadership including those with designated responsibilities and all other staff groups including, teaching assistants, lunch time supervisors, governors, mentors.
- Strategies for accelerating and tracking learning for New Arrivals/beginners of English
- Assessment strategies to demonstrate progress for new arrivals and advanced EAL learners
- Advice and support on admission and induction procedures for minority ethnic pupils including accurate ethnicity and language data collection impacting on school funding
- · A local and national context and specialist knowledge to support the analysis of school data
- Tools and advice to support assessment to distinguish between English as an additional language and special educational needs
- Advice on responding to and preventing racial incidents,
- Enhancing race equality through the curriculum.
- Support with Equality Impact Assessment and the development of Single Equality Schemes
- Home/school liaison to develop engagement with vulnerable groups

A separate budget of £1.250m, formerly a devolved standards fund grant is included in the delegated total

Original recommendation:

Schools view:

Porums view:

Delegate

Delegate

Delegate

Delegate

Delegate

13. Cover for maternity leave

£2,160,000

Background

School staffing costs

The staffing costs relating to providing cover for maternity leave have not previously been delegated because of their highly variable, uncontrollable and usually unpredictable incidence. There is no reason, however, why the financial liability should not fall on schools in the same way as many other variable staffing costs do. These costs in total represent less than half of one percent of school staffing budgets. That said, the incidence in one year on very small schools in particular can be significant.

Original recommendation: Delegate

Schools view: Retain centrally

Forums view: Delegate
Final recommendation Delegate

14. Cover costs for public duties, including Jury service, and to cover staff suspensions

£150,000

Background

The staffing costs relating to providing cover for public duties have not previously been delegated because of their highly variable, uncontrollable and usually unpredictable incidence. There is no reason, however, why the financial liability should not fall on schools in the same way as many other variable staffing costs do. These costs in total represent a small fraction of less than half of one percent of school staffing budgets. That said, the incidence in one year on very small schools in particular can be significant.

Original recommendation: Delegate

Schools view: Retain centrally

Forums view: Delegate
Final recommendation Delegate

15. Schools Personnel and Recruitment and retention services

ention services £564,000

Background

Schools personnel and recruitment and retention services

The service provides:-

- Access to kent-teach.com,both to place school adverts and to also to search for applicants(teaching and non-teaching)
- The pool of newly qualified teachers that we attract through marketing at colleges etc
- Access to overseas recruitment eg in Ireland at the moment
- The Wellbeing programme which is currently partially supported by KCC, including the Packtypes school leadership tool
- The exit Interview process and the results of it
- Support and advice on Headteacher/teacher recruitment recruitment
- Employee relations support for statutory issues such as child protection cases, and support for intervention in schools
- claims handling for current centrally reimbursed staffing costs

Original recommendation:

Schools view:

Delegate

Porums view:

Delegate

Final recommendation Delegate £464k, but retain £100k to support Kent Challenge work in

schools.

16. School licences and subscriptions

£955,200

Background

School licences and subscriptions

Licences and subscriptions are only managed centrally because KCC is able to access lower rates than if schools made their own individual arrangements. It is proposed that a buy-back service is offered so schools can still access the lower rates if they wish but have the funding delegated and are able to exercise choice. On all the collective licences which total 364k there is an issue that if all schools do not buy back we will lose from some of the licences the collective discount so overall costs in Kent could increase. On the SIMS license of £591k there is a national procurement issue which has to be resolved before we can delegate

Original recommendation:

Schools view:

Delegate

Porums view:

Delegate

Final recommendation Delegate- with the exception of SIMS Licence (£591k) in total should be

retained and the picture reviewed at a later date.

Appendix 2

17. Admissions Appeals

£350,000

Background

Three elements:

- 1. Democratic services arranging appeals panels for all types of schooLs, estimated 250k
- 2. Soott Bagshaw providing representative at panel meetings for community and vol controlled schools 100k
- 3. Statutory obligation for LA to provide Appeal panels and process included in 1. above therefore if schools will not pay then will we still have the responsibility Appeals While the main admissions process is a statutory KCC responsibility, the subsequent appeals process could be delegated. Schools would be free to make their own arrangements or buyback a county service. Some aided and foundation schools already do this and recharge KCC their costs.

Original recommendation:

Schools view:

Forums view:

Delegate

Delegate

Retain

Retain

18. Primary and secondary Forums

£20,000

Background

This budget supports the non statutory primary and secondary Forums. The funding could be delegated and individual schools contribute to the continued running of their respective groups. The groups could be run on the basis that schools that did not contribute would not be able to attend, receive feedback nor have their views considered. Funding by direct school contribution could contribute to improved participation

Original recommendation:

Schools view:

Delegate

Forums view:

Delegate

Final recommendation Retain and discuss Schools Funding Forum and Kent Association of

Headteachers.

Devolved

19. Highly specialised services for pupils not in mainstream

£4,025,000

Background

A range of highly specialised services for pupils not in mainstream schools could be considered initially for devolution – they are not suited to full delegation by formula – but could be considered for management by groups of schools, districts, or specific specialist centres. These services include individual therapies and equipment and pre-school SEN support. There is also funding for purchasing additional specialist placements at Warm Stone PRU.

Original recommendation:

Schools view:

Devolve

Forums view:

Devolve

Final recommendation Devolve from September 2012

20. Alternative Curriculum and Behaviour PRUs

£12,515,000

Background

Alternative Curriculum and Behaviour PRUs

This service comprises all aspects of alternative provision for pupils who are excluded or at risk of exclusion from mainstream schools, or who are otherwise out of school, for reasons other than illness or elective home education. The service includes current provision of KS2/3/4 Behaviour PRUs, KS4 Alternative Curriculum PRUs, and a small (and decreasing) amount of Individual Tuition. There would be significant inequity issues if this funding were to be delegated to schools due to the highly variable use of the provisions by different schools at different times, and the unpredictable use of the provisions by an individual school year on year. Given the above, a reasonable alternative to full delegation would be a return to a form of devolved funding to mainstream schools, in order to give them the greatest degree of autonomy in devising and implementing an appropriate range of alternative provision. This was successfully implemented to LCSPs from 2008 to 2010. A measurable outcome was a reduction in both permanent and fixed term exclusions across the LA.

Original recommendation:

Schools view:

Devolve

Delegate

Devolve (Disagreed with schools response to delegate-SFF agreed with

Forums view: intial LA recommendation to Devolve- Also needs to be looked at as part

of the overall Special School proposal)

Final recommendation Devolve from September 2012

21. Health Needs Education Service (HNES)

£1,565,000

Background

Health Needs Education Service ((HNES)

It is a statutory duty of KCC to provide continuity of education to minimise the negative impact of serious illness on the life chances of very ill or injured pupils and those with clinically defined mental health illness. It is a requirement that there is written evidence from consultants/paediatricians/psychiatrists that a pupil is too unwell to attend their home school to access this alternative provision. It will therefore be essential for KCC to retain the capacity to monitor provision that is being made for pupils defined above, and to retain the financial capacity to meet the needs of any pupils for whom schools no longer retain final accountability for their outcomes.

This budget is not therefore suitable for delegation. There would be significant inequity issues if it were delegated as the use of the provisions by different schools at different times is highly variable, uncontrollable and unpredictable from year to year.

It is not possible to predict the frequency and location of the incidence of illness even in larger geographical areas; for example there is currently a cluster of childhood cancer cases amongst pupils in East Kent. Given the small numbers of pupils involved from very wide geographical areas, it is not possible to devise an equitable formula either for delegated or devolved funding to mainstream schools.

Original recommendation:	Devolve
Schools view:	Delegate
Forums view:	Devolve
Final recommendation	Devolve

Retained

22.Staffing costs to support Kent County Council's duty to monitor SEN provision, etc.

£1,056,000

Background

Provision for pupils with SEN and SEN support services

Staffing costs to support KCC's duty to monitor provision, undertake statutory assessments, and represent KCC at tribunals. This cannot be delegated.

Original recommendation: Retain
Schools view: Retain
Forums view: Retain
Final recommendation Retain

23.Fees for independent special schools and recoupment

£9,432,000

Background

Fees for independent special schools and recoupment

A small number of Kent pupils are placed in private or independent specialist schools as their needs cannot be met in Kent. These places are generally very costly and could not be delegated unless every Kent pupil could be assigned to a school for the purposes of financial liability. This is not possible and would be neither workable nor acceptable to schools given the sums involved and highly variable and unpredictable incidence.

Recoupment expenditure – the payment to other local authorities for the costs of Kent pupils in other local authority schools and hospitals - is not feasible for similar reasons. Recoupment income (which is higher than expenditure as Kent is a net importer of pupils) is retained centrally as it contributes to the pool of funding that goes into the Kent formula to pay for the delegated SEN/AEN factors that all schools receive based on their pupil population.

24. Early Years support Services

£5,709,000

Background

Early years support services

This budget supports the monitoring of quality and outcomes service undertaken by the early years and childcare team. Much of this activity is in fulfilment of the Local authority's statutory duty and is unsuitable for delegation to providers. Support for the PVI sector could not be delegated to maintained schools, but could be devolved in part for groups/districts to manage

Original recommendation:

Schools view:

Retain

Retain

Retain

Retain

Retain

Retain

Retain

25. Integrated Looked After Support Service

£100,000

<u>Background</u>

Integrated Looked After Support Service (LAC):

This funding has most recently been used to provide direct support to children in care to Kent. Should the funding be delegated directly to schools/colleges there are no guarantees that education providers will be able to differentiate between Kent looked after children and those looked after children placed here by other local authorities. This could result in Kent LAC being significantly disadvantaged with regard support funding schemes. The looked after child population is extremely mobile and therefore it would be impossible under delegated funding to adequately target the support where and when it was required.

Original recommendation:

Schools view:

Retain

Forums view:

Retain

Retain

Retain

Retain

26. Support for various SEN projects

£623,000

Background

Support for various SEN projects eg ICAN,RLSB, SIPI, Communication Aids and Assistive Technology and communication therapy

Contribute to joint services with Health; special schools review projects

27. Families and Social Care Team Support

£1,194,000

Background

Families and Social Care Team Support

Risks to Prevention and Early Intervention Services: Includes a range of roles, budgets and services that are currently vital to the delivery and management of Prevention and Early Intervention in Kent. Most of these deliver services or carry out roles that are more focused on KCC's responsibilities for children rather than services for individual or groups of schools.

The Early Intervention Co-ordinator and administrator posts. These are vital in handling the CAF process, liaising with the duty teams, tracking the progress of TACs, outcomes etc This area of work is growing as CAFs increase in number and as Children in Need cases are reviewed and many passed down to El Co-ordinators to be managed in Preventative and Early Intervention services).

The central Integrated Processes team (responsible for driving forward and embedding CAF, TAC and Lead professional – work reflected in the current Ofsted Improvement Plan);

A proportion of the staffing funding for Preventative Services Managers (who directly manage the El Co-ordinators, have overall responsibility for management of Prevention and Early Intervention services and have been tasked with managing down referrals to social care teams, as well as having overall responsibility for the children's centres and the FLOs and PSAs in their respective districts).

Original recommendation: Retain Schools view: Retain Forums view: Retain

Final recommendation Retain -with a view to moving to a more District based model.

28. Specialist Teaching Service - supporting the early years, and highly specialist placements, etc.

£2,128,000

Background

Specialist Teaching Service

A further range of services provided by STS are not considered to be suitable for delegation or devolution. Principally these are supporting the early years, (in addition to the services in item 11 below) as follows:

- · Early years inclusion and equalities
- · Portage services;
- Specialist teaching for children with HI [especially to support the requirements of the New Born Hearing Screening Programme];
- Specialist teaching and non teaching interventions for children with VI [including the work of the Early Years Visual Impairment Play Specialists who enable parents to support their child to learn without the use of vision];
- The provision of specialist teaching input to multi agency teams for supporting children with complex needs in clinics and as identified through the Early Support Process
- Support for 3 and 4 year olds with SEN

Original recommendation: Retain Schools view: Retain Forums view: Retain

Devolve as part of proposals to move whole service across to Special

Final recommendation

Schools

£398,000

29. Minority Communities Achievement Services - Services which relate to Children Missing Education

Background

Minority Communities Achievement Service

Services which relate to Children Missing Education (CME) including unaccompanied asylum seekers are not suitable for delegation. KCC has a statutory duty to ensure that numbers of Children Missing Education are reduced. There have been disproportionate numbers of minority ethnic children on this register. MCAS actively works to support access to education.

As a retained service vital inter-agency links are made to highlight the needs of minority ethnic families e.g. accommodation, health, social care which impact on education issues such as attendance and therefore attainment. This work contributes to KCC safeguarding agenda.

Original recommendation: Retain
Schools view: Retain
Forums view: Retain
Final recommendation Retain

30.Attendance & Behaviour Service District Teams (Education Welfare) - KCC statutory functions

£2,405,000

Background

Attendance & Behaviour Service District Teams (Education Welfare)

There are a number of KCC statutory functions which the team delivers. Education Welfare Officers (EWOs) and Children Missing Education Officers (CME), using a range of statutory powers defined in the 1996 Education Act and the 1998 Crime and Disorder Act carry out KCC duties to:-

ensure that parents secure education for children of compulsory schools age; Identify children not receiving a suitable education; Serve school attendance orders; Issue penalty notices; Apply for education supervision orders; Instigate legal proceedings for continued non-compliance; Conduct 'attendance and exclusion sweeps' with the police; Carry out KCC duty to ensure that every school complies with the pupil admission and attendance registration requirements stipulated in the 2006 Education Regulations.

Child Employment and Entertainment Officers (CEEO) enforce KCC duties concerning; Children at work (1993 Children and Young Persons Act); Children in entertainment (1968 Children [Performance] Regulations).

The issuing of the 'Warrant Card' that empowers an EWO/CEEO to carry out legal duties on behalf of KCC is a direct function of that person being a KCC officer.

Inclusion/Exclusion Officers ensure, through rigorous external monitoring on behalf of KCC, that schools are in compliance with the statutory guidance when making decisions and administering exclusion proceeding against individual pupils.

31. Youth Offending Service Education Liaison

£385,000

Team

Background

Youth Offending Service Education Liaison Team (YOSELT)

To meet the requirements of the Crime and Disorder Act 1998, the YOSELT represents Education, Learning and Skills as one of the statutory partners in the multi agency Youth Offending Teams (Kent YOS) established by the Act, by taking collaborative action in accordance with the statutory framework with partners, to prevent and manage offending behaviour by children and young people aged 10-18 years. The role of the Team is to establish and support the education provision for CYP who are within the Youth Justice framework.

Original recommendation: Retain
Schools view: Retain
Forums view: Retain
Final recommendation Retain

32. Education Assessment Service

£204,100

Background

Education Assessment Service

EAS provides a service to Unaccompanied Asylum Seeking Children (UASC) who arrive in Kent and become 'looked after' if they are assessed as being under 18 years old. When they arrive they are not assigned to a school/college immediately but are assessed by EAS to identify their initial educational needs prior to planning and subsequent education placement. This funding could not be viably delegated to schools/colleges because there is no knowing which school/college would be appropriate prior to assessment.

Apart from the Education Assessment Service there is no other service currently equipped to perform the assessment that is required.

Without the EAS, schools/colleges would be asked to accept young people without any prior knowledge of their education or social needs and they would then need to carry out an assessment themselves. If the funding currently available for this central service is delegated to schools/colleges it will become so dissipated as to be inoperable.

The majority of UASC arriving in Kent are aged 16 Plus and so if they arrive after term three, schools are reluctant to offer year 11 places and colleges would not offer further Education places until the following September. Consequently, there would be a significant number of Kent looked after children out of school for indefinite periods of time with KCC being the Corporate Parent and therefore needing to challenge and potentially direct with regard to admissions practice.

33. Extended learning Team

£178,000

Background

Extended learning Team.

Original recommendation: Retain
Schools view: Retain
Forums view: Retain

Propose EduKent Service - Delegate money. (£50k to get salesperson -

Extended schools facilitation. Sean Carter).

Final recommendation

34. Health Needs Education Service (HNES)

£454,000

Background

For two years (2008-10) a partial delegation approach was adopted with schools contributing the AWPU value from their budgets when HNES was accessed. This was seen as overly bureaucratic and unfair and was dropped. On the other hand, requiring a school contribution may be considered a valuable means of suppressing demand and/or securing active school engagement.

It is possible however to consider a devolved funding approach, similar to the PRU and other alternative curriculum arrangements and it is suggested that this be explored for implementation from April, with the exception of the specific provision at Oakland (formerly Gatland house) - £454k.

Original recommendation: Retain
Schools view: Delegate
Forums view: Retain
Final recommendation Retain

35. Warm Stone £1,364,000

Background

Warm Stone is a highly specialised provision for pupils with Statements of SEN that have been excluded from special schools. It is operates out of bases in Ashford, Maidstone and Canterbury and currently supports 80 pupils. It also offers a virtual learning opportunity via a specialised ICT platform for house-bound pupils.

It provides a county-wide service and it would be difficult to see this being managed via district groups. In the future this provision could be designated as a special school and have a fully delegated budget.

Original recommendation: Retain
Schools view: Retain
Forums view: Retain

Final recommendation Retain (To become special school)

36. Alternative Provision Monitoring Team

£300,000

Background

Alternative Provision Monitoring Team

The final accountability for provision of suitable education for pupils who cannot receive their education in a mainstream school, for reasons of illness, exclusion or otherwise, remains as a duty of KCC (1996 education Act; 2010 Children Schools and Families Act). It will therefore be essential for KCC to retain the capacity to monitor provision that is being made for pupils defined above, and to retain the financial capacity to meet the needs of any pupils for whom schools no

Original recommendation: Retain
Schools view: Retain
Forums view: Retain
Final recommendation Retain

37. 14-19 Innovation Team £477,000

Background

14-19 Innovation Team

There are a number of KCC statutory functions which the team delivers including the duty to encourage participation of learners ages 16 to 19 and to 24 for Learners with Learning Difficulties or Disability (LLDD); duty to provide sufficient suitable provision up to 19 and 24 for LLDD; duty to provide a post-16 transport policy under the new Education Bill, implementation of the new all age careers service by September 2012; tracking all young people up to the age of 19, and registering unemployed under 19 year olds. The team also continues to develop the vocational programme, responding to the Wolf report and supports the ongoing development of the skills centres.

Original recommendation:

Schools view:

Forums view:

Retain

Retain

Retain

Retain

Retain

38. Free school meals eligibility

£107,000

Background

Free school meals eligibility

This process cannot be undertaken independently by individual schools since there are significant financial implication/costs for the public purse if the number of entitlements were to be over-stated or incorrectly assessed. The KCC service has access to government data that enables a cost-effective, independent system to be operated that would not be available to individual schools and academies.

39. Termination of Employment costs

£3,232,000

Background

Termination of employment costs

The majority of current commitments relate to previous staff redundancies and delegation is not therefore appropriate. The uncommitted portion could be delegated. This meets the agreed redundancy costs of school staff and pension costs of school support staff over the age of 55. Payments relate to staff made redundant when unavoidable school staffing reductions are required, eg because of falling rolls or other funding reductions. Delegation could create real difficulties for small schools.

If retained, the arrangements will be tightened to resist cases of restructures that are not necessitated by funding constraints.

Original recommendation: Retain
Schools view: Retain
Forums view: Retain
Final recommendation Retain

40. Trade union representation

£231,000

<u>Background</u>

Trade union representation requires a considerable time commitment from a small number of nominated or elected school staff who need to be released from normal duties. Without a central contribution to the costs of covering their absence individual schools are unlikely to agree to such release and representation would not be possible.

41. School Admissions £1,339,000

Background

School admissions

This budget supports the county-wide admissions process. The statutory requirement is to manage a system according to regulations, to allocate places in all Kent schools, taking account also of academies, aided and foundation schools that have their own admissions policies. This responsibility could not function on a fully delegated basis.

Original recommendation: Retain
Schools view: Retain
Forums view: Retain
Final recommendation Retain

42. Schools Funding Forum

£35,000

Background

Servicing of forums

This part of the budget supports the running costs of the schools Funding Forum, the operation of which is a statutory requirement. This cannot be delegated.

Original recommendation:

Schools view:

Forums view:

Retain

Retain

Retain

Retain

Retain

43. Carbon Reduction Tax

£1,000,000

Background

Carbon Reduction Tax

This levy is new from April 2011. KCC is required to purchase credits from the government based on the carbon emissions of its schools and academies. It would be pointless delegating this funding as schools would simply be required to pay it back again to KCC.