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**Children, Schools and Families**

**Consultation Document**

**For the 2023/24 Schools and Early Years Funding**

**Formulae**

9th November 2022 ***(draft subject to Schools’ Forum approval)***

**Children, Schools and Families**

Director: Jane McSherry



**CONSULTATION ON 2023/24 BUDGET**

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# 1. Introduction and Background

## 1.1 Introduction

1.1.1 School funding forms part of the Education Division of the Children, Schools and Families Department at Merton Council. The department is headed by the Director, Jane McSherry, and it comprises three divisions which are led by Assistant Directors (AD):

* AD for Education and Early Help – Elizabeth Fitzpatrick
* AD for Social Care and Youth Inclusion – Dheeraj Chibber
* AD (interim) Strategy Commissioning & Transformation – Richard Ellis

1.1.2 The local authority is required under regulation 9 of The School and Early Years Finance (England) Regulations 2018 to consult their Schools’ Forum, maintained schools and academies about any proposed changes to the schools’ formula in relation to the factors and criteria taken into account, and the methods, principles and rules adopted.

1.1.3 The main aim of this consultation is to inform Schools’ Forum members of the views held by their constituents in order to aid decision making on de-delegation and recommendations in relation to Merton’s 2023/24 schools’ funding formula.

1.1.4 This consultation document is structured into six main sections:

* Section 1 Background
* Section 2 Schools’ Block funding
* Section 3 Central School Services Block
* Section 4 Early Years’ Block funding
* Section 5 High Needs’ Block funding
* Section 6 The Feedback Questionnaire to facilitate schools’ comments

## 1.2 Background

1.2.1 The Dedicated Schools Grant (DSG) funds a variety of educational establishments and services. This includes mainstream primary, secondary, and special schools, academies, early years, alternative provision and other high need provision such as Pupil Referral Units (PRUs).

1.2.2 While it remains the Government’s intention that a school’s budget should be set on the basis of a single national formula or referred to National Funding Formula (NFF), in 2023/24 local authorities will continue to be allowed to use either the NFF formula values or locally agreed values to determine funding allocations for schools. The National Funding Formula sets notional allocations for each school. These allocations are then aggregated and used to calculate the total Schools Block received by each local authority with the autumn school census as the main driver for school funding allocations.

1.2.3 As part of the transitions to the NFF or tightening and mirroring local authorities are required to bring their local formula factors 10% closer to the NFF (as adjusted for area cost adjustments (ACA) where relevant). Local factors within 2.5% of the ACA-adjusted NFF values are deemed to be mirroring the NFF.

.2.3 The following are the key elements and changes of the schools NFF in 2023/24. These are changes to how Merton’s schools block DSG funding will be calculated:

* The minimum per-pupil levels (MPPL) will be set at £4,405 for primary schools and £5,715 (£5,503 for KS3 and £6,033 for KS4) for secondary schools. Local authorities can request to disapply the use of the full NFF MPPLs, by exception and on affordability grounds only.
* The funding floor through NFF is increasing by 1.9% overall in 23/24 and 1.9% per pupil compared to 2022-23.
* The schools’ supplementary grant which was introduced in 2022-23 to meet the cost of the Health and Social Care Levy will now be rolled into the schools’ NFF from 2023-24.
* The additional needs factors should all be brought 10% closer to the NFF, subject to the 2.5% mirroring threshold. All are compulsory.
* Additional needs factors allocate funding based on the additional needs of the specific child. The factors are:
* Deprivation factors, including free school meals (FSM), FSM6 and the income deprivation affecting children index (IDACI).
* Low prior attainment (LPA)
* English as an additional language (EAL)
* Mobility
* Deprivation are compulsory factors and each of the deprivation factors must be used. Values must be brought 10% closer to NFF values, subject to the 2.5% mirroring threshold

These factors allocate funding based on measures of economic disadvantage. The factors are:

* + Free school meals (FSM)
  + Free School Meals, ever 6 (FSM6)
  + Income deprivation affecting children index (IDACI
  + The low prior attainment factor acts as a proxy indicator for low level, high incidence, special educational needs:
    - primary pupils identified as not achieving the expected level of development in the early years foundation stage profile (EYFSP)
    - secondary pupils not reaching the expected standard in KS2 at either reading or writing or maths
    - As there is no 2020 or 2021 assessment data due to Covid, the 2019 data will be used as a proxy for the missing 2020 and 2021 data.
    - English as an additional language (EAL). Pupils identified in the October census with a first language other than English attract funding for three years after they enter the statutory school system. 3 years must now be used as an indicator, in line with the DfE department’s methodology for the NFF.

▪ Separate values for primary and secondary

* Mobility, the mobility factor allocates funding to schools with a high proportion of pupils who first joined on a non-standard date in the last three years.

To be eligible for mobility funding, the proportion of mobile pupils a school has must be above the threshold of 6%.

Funding is then allocated on a per-pupil amount to all mobile pupils above that threshold.

* School led funding and these factors include:
* Sparsity
* Lump sum
* Split sites
* Rates
* PFI
* Exceptional circumstances, related to premises.
* Sparsity factor, schools that are eligible for sparsity funding must meet two criteria:

▪ they are in areas where pupils would have to travel a significant distance to an alternative school, should the school close; and

▪ they are small schools

* The maximum sparsity values in the 2023 to 2024 NFF are £56,300 for primary schools and £81,900 for secondary, middle, and all-through schools.
* Lump sum is a compulsory factor, and in 2023 to 2024, the rolled-in lump sum element of the supplementary amounts will be added to the local formula lump sum.

Local authorities can set a flat lump sum for all phases, or differentiate the sums for primary and secondary

All-through schools will receive the secondary lump sum value and middle schools will receive an average based on the number of primary and secondary year groups.

* Split site funding is an optional factor to support schools that have unavoidable extra costs because the school buildings are on separate sites.
* Allocations must be based on objective criteria for the definition of a split site, and for how much is paid.
* Amounts may be different for primary and secondary schools.
* This is not available values for schools sharing facilities, federated schools, or those with remote sixth form, special schools, PRU’s or early years provision.
* For April 2023, it remains optional for billing authorities to implement the revised payment process of National Non-Domestic Rates (NNDR). Local authorities whose billing authority remains under the current arrangements will not see any changes, as in 2022 to 2023, rates will be paid directly by ESFA to those billing authorities adopting the revised NNDR payment process on behalf of their maintained schools and academies.
* Billing authorities implementing the new payment process for April 2023, will submit rates data via the online portal. Adjustments will be submitted via this service too.
* PFI is an optional factor, and the purpose of this factor is to support schools that have unavoidable extra premises costs, because they are a PFI school, and to cover situations where the PFI ‘affordability gap’ is delegated and paid back to the local authority.

There is no change to the PFI factor for 2023 to 2024.

* Minimum Funding Guarantee (MFG) 2023/24 can be set between +0.0% and +0.5% per pupil.
* Schools supplementary grant (SSG) for reception to year 11 pupils will be included in the baseline. The post-16 and early years element of the SSG will continue as a separate grant 2023/24.

1.2.4 As we are moving towards a hard NFF, de-delegation will continue. We will consult with head teachers around setting up SLAs for previously de-delegated items once we have received more clarity from the ESFA on how this will work in future within the NFF.

1.2.5 The Early Years Block of the DSG funds a variety of early years educational establishments that deliver the funded entitlement as well as core support. This includes mainstream and special schools (including academies and free schools), private and voluntary providers, independent schools, and childminders. This funding is provided in two stages: first Government provides the grant to local authorities, and then the authorities distribute the grant to the local educational establishments through an Early Years formula.

1.2.6 The Early Years Block - the normal process for determining funding allocations for early years entitlements is to take an annual census count of the number of hours taken up by children on the basis of the January census. The impact of the coronavirus (COVID-19) on childcare attendance levels means that the January 2022 census data was lower than normal. Therefore, local authorities were being funded on the basis of termly actual attendance counts in 2021 to 2022. In 2022/23, funding will revert to the spring census.

1.2.7 Merton Council will continue to monitor the supply and take up of 2-, 3- and 4-year-old places to ensure that its sufficiency duties are met, and that there is a good choice of high quality, flexible and accessible funded early education provision for children aged 2 to 4 years. The ongoing pandemic of coronavirus (COVID-19) has resulted in reduced take up of 2-, 3- and 4-year-old places, but the local authority is continuing to work with providers to ensure its sufficiency duties is being met.

# 2. Schools Block funding

## 2.1. Overall school funding

2.1.1 The funding to schools comes mainly through four grants as per Table 1 below. The DSG is the largest grant and is the focus of this consultation. The allocation of Pupil Premium, 6th form, and universal infant free school meals grants are based on central government calculations. Please note that the starred figures are indicative allocations – the final figure will not be known until December 2022 and will vary from what is published here.

Table 1: Main school grants *(\* indicative allocations)*

|  |  |  |
| --- | --- | --- |
| **Grant** | **\*2023/24**  **Amount**  **£000** | **2022/23**  **Amount**  **£000** |
| Dedicated Schools Grant (DSG) | \*210,627 | 199,186 |
| *School Supplementary Grant (rolled into DSG 23/24)* | *6,240* |
| Pupil Premium | 5,996 | 5,996 |
| Post 16 mainstream funding (6th form) | 5,165 | 5,165 |
| Universal infant free school meals | 1.981 | 1,981 |

2.1.2 Table 2 below shows how the total DSG is split between the four funding blocks.

Table 2: Split of DSG over the four blocks *(\* indicative allocations)*

|  |  |  |
| --- | --- | --- |
| **Block** | **\*2023/24**  **Amount**  **£000** | **2022/23**  **Amount**  **£000** |
| Schools Block | \*147,391 | 144,037 |
| Central Schools Services Block | \*1,051 | 1,051 |
| Early Years Block | \*15,485 | 15,485 |
| High Needs Block | \*46,700 | 44,853 |
| **Total DSG** | **\*210,627** | **205,426** |

2.1.3 As part of the transition to the NFF, or ‘tightening and mirroring’, we are required to bring the local formula factors 10% closer to the NFF (as adjusted for area cost adjustments (ACA) where relevant). Local factors within 2.5% of the ACA-adjusted NFF values are deemed to be mirroring the NFF.

2.1.4 The ESFA have made a number of smaller changes. While we are able to set a local funding formula, we can continue to de-delegate any items permitted within the guidance.

2.1.5 As in previous years, this consultation cannot inform schools what their budgets will be for 2023/24 as the final DSG allocation from the DfE is not yet known. Therefore, the figures used in this consultation are based on 2021/22 grant data to reflect any proposed formula changes demonstrating how funding will change from 2022/23 to 2023/24.

2.1.6 Based on the initial grant estimate for 2023/24, we are expecting that we would be able to allocate an additional c£3.354m (estimate) through the schools’ funding formula. This is an initial estimate and could increase or decrease once the final allocation is made in December 2022. The options we ask schools to consider includes this anticipated increase.

2.1.7 Merton will consult schools and academies on two schools funding formula options this year. **Option A** replicates the NFF using capping and scaling to balance within the grant envelope. This is Merton’s preferred option because:

* the ESFA will make the minimum per-pupil funding (MPPF) levels a mandatory factor in local formulae ensuring a national basic minimum level of funding per pupil
* due to the estimated funding, we are able to apply a 0.5% MFG which will guarantee a minimum level of funding that will protect schools against turbulence which was the original idea behind phasing in the NFF.

2.1.8 **Option B** is Merton’s local funding formula but mirroring the rates closer to NFF. This has been used over the last few years to phase in the movement to a national funding formula and reduce the funding turbulence in individual schools.

2.1.9 There will still be a requirement to cap growth due to the following factors:

* Premises factors such as rates are funded at historic costs (2021/22 values). While Merton will include the indicative allocation within the school budget, the ESFA will be processing these payments from 2023/24 if the NNDR payment process is adopted.
* The growth fund allocation is based on a formula. Any difference between the growth fund grant and the growth fund expenditure budget will impact on the school growth cap.
* Authorities are required to fund growing schools on estimated numbers while funding is provided through the DSG on a lagged basis.
* The NFF assumes no transfer from the Schools Block to the High Needs Block. Merton has assumed that we will transfer the allowable 0.5% £737000, which again reduces the amount available to then pay to schools.
* A disapplication request will be submitted to the Safety Valve Team/Secretary of State to transfer above the 0.5% for an additional £500,000 transfer from the Schools’ Block to the High Needs Block in support of the Safety Valve Plan.
* The NFF permits a +0.0% and +0.5% per pupil whilst local formulae can set this between the ranges based upon affordability.

2.1.10 Appendix A provides an illustration of the differences between the two funding options. If you do not agree with Merton’s preferred option A, please provide your reasons why you think option B would be better for all Merton schools in section 2.1.7 of the feedback questionnaire.

## 2.2 Minimum Funding Guarantee (MFG)

2.2.1 Local authorities will continue to be able set a pre-16 MFG in their local formulae, to protect schools from excessive year on year changes and to allow changes in pupil characteristics (for example reducing levels of deprivation in a school) to flow through. This can also be used to reduce the turbulence of introducing the NFF through curbing reductions in schools losing funding by capping increases in gaining schools.

2.2.2 Merton consulted on what level of MFG to use in the funding formula last year. Based on schools’ responses, Schools Forum agreed to apply the maximum allowable MFG, which for 2019/20 was 0.5%, 2020/21 1.84%, 2021/22 1.91% and 2% in 2022/23. Merton will again apply the maximum MFG, which for 2023/24 will be 0.5%. This is to ensure that a minimum level of funding increase to support all schools with their funding pressures. If you do not think that Merton should apply the maximum MFG, please state your reasons in section 2.2 of the feedback questionnaire.

2.2.3 It is important to note that when more money is used to fund the MFG, it means less is available to allocate through the other formula factors for Option A and schools that should be gaining will need to be capped at a lower percentage for Option B. This will be considered when the final formula is set in January 2023 in order to balance the funding available for distribution.

2.2.4 The indicative figures provided in Appendix A for Options A and B both assume 0.5% MFG. The MFG applies to pupils in reception to year 11. Early years pupils and ESFA funded post-16 pupils are excluded from the calculation.

## 2.3 The allowable formula factors

2.3.1 There are three compulsory factors that must be used in the formula:

* Basic per pupil entitlement: Age-Weighted Pupil Units (AWPUs)
* Deprivation: either based on Free School Meals (FSM) data or Income Deprivation Affecting Children Index (IDACI) bands, or both.
* Minimum level of per pupil funding for primary and secondary schools

2.3.2 There are also optional factors as detailed below:

Table 3 – optional factors

|  |  |
| --- | --- |
| **Optional Factors** | |
| Prior attainment | NNDR *(depends upon LA switch)* |
| English as an additional language (EAL) | Pupil mobility |
| Sparsity | Lump sum |
| Split sites | Rates |
| Private Finance Initiative (PFI) contracts | London Fringe |
| Exceptional premises factors |  |

2.3.3 Local authorities must allocate at least 80% of the delegated Schools Block funding through pupil-led factors; that is, the two compulsory and the ones highlighted in the table above, with the London fringe uplift where relevant. In Merton this was 93.61% in 2022/23.

2.3.4 Values quoted in this document are based on the draft new formula for 2023/24 but using the 2022/23 funding settlement baseline and the October 2020 census data as provided by the ESFA. These are for **illustrative purposes only** to support the decision-making process and will be updated once the 2022/32 funding settlement and the October 2022 census data are available.

2.3.5 Any changes to the unit values would necessitate reapportioning of unit values between factors and therefore allocations between schools, to balance to the overall Schools Block funding.

2.3.6 As in previous years prior to the NFF being applied at school level, Merton is not proposing any changes to the factors used in the funding formula other than any imposed by the ESFA. The only changes made will be to the unit values of the factors in order to keep the overall funding allocation to schools within the available funding envelope.

2.3.7 The main differences between Merton’s NFF and local formula (paragraph 2.1.7 Option A) and Merton’s local formulae (paragraph 2.1.8 Option B) are:

* The unit value assigned to each of the factors
* The published NFF factors for ACA of school block are 1.15111
* The local formula uses published funding rates and AWPU is used to distribute final estimated funding.

## 2.4 Optional de-delegation for maintained schools

2.4.1 To give school leaders greater choice over how to spend their budgets, the schools’ funding formula is based on the principle that services in the Schools’ Block and the funding for these services is delegated to schools in the first instance.

2.4.2 Centrally retained services are split into two groups based on different DSG funding streams:

* De-delegated Services. These have to be allocated through the formula but can be de delegated for maintained primary and secondary schools with Schools’ Forum approval.
* Central school services block (CSSB). Centrally retained budgets transferred from the Schools Block and funding for duties retained for both maintained schools and academies. The latter was previously funded through the Education Services Grant (ESG). More details on these services can be found in section 3 of this report.

2.4.3 De-delegation is not an option for academies, special schools, nurseries or PRUs. Where de-delegation has been agreed for maintained primary and secondary schools, Merton will offer the service on a buy-back basis to those maintained schools in their area which are not covered by the de-delegation. In the case of special schools and PRUs, the funding for such services is included in the top-up.

2.4.4 The table below details the requests for de-delegation for 2023/24 compared to 2022/23.

Table 4: Request for de-delegation of funding

The options for de-delegating these budgets are set out below. For each of these, it will be for the Schools Forum members in the relevant phase (primary or secondary) to decide taking account of the result of the consultation, whether that budget should be retained centrally. The decision will apply to all maintained schools in that phase and will mean that the funding for these services is removed from the formula before school budgets are issued.

|  |  |  |
| --- | --- | --- |
| **Service** | **2023/24 £000** | **2022/23 £000** |
| Contingencies | 565 | 565 |
| Primary school meals management | 40 | 40 |
| Licences and subscriptions | 124 | 119 |
| Supply staff cost for parenting cover and public duties | 770 | 755 |
| Support to underperforming ethnic minority groups and bilingual learners | 70 | 70 |
| Behaviour support services | 207 | 207 |
| School improvement | 254 | 149 |
| Attendance (new 2023/24) | 183 | 0 |
| **Total** | 2,213 | 1,905 |

**Please note that unit values are estimated based on the 2022/23 formula and will change following the October 2022 census. Values are indicative to support schools in their decision making**.

For all the services detailed below, please state in the feedback questionnaire whether you would prefer these services to be delegated (stay with school) or de-delegated (centrally managed by Merton council).

2.4.5 ***Contingencies- Schools in Challenging Circumstances (SCC):*** This budget is used to support schools experiencing specific challenges where there is no school budget available to meet the agreed need. It is used proactively to prevent problems and to secure rapid progress when necessary. In particular it is used to support schools at risk of being judged as less than ‘good’ when they are next inspected; and when a school has a deficit budget, especially in the context of falling rolls. It is applied at the discretion of the AD for Education (Elizabeth Fitzpatrick) in discussion with the Head of School Improvement Services and the Headteacher of the relevant school. It is used to respond to specific school level issues and as these change each year, there are no historic spending patterns by phase or school.

Schools contribute towards this fund based on numbers on roll through the AWPU factor. The cost to each school, both primary and secondary, is estimated at £20.95 per pupil on roll to provide an overall de-delegated budget of £400,000 (the same as in 2022/23).

2.4.6 ***Contingencies-* Attain (formerly *Merton Strategic School Effectiveness Partnership)****:* The use of this funding will be agreed through the governance arrangements of the Attain board. The fund is used to deliver partnership work with clearly demonstrable education benefits.

Schools contribute towards this fund based on numbers on roll through the AWPU factor. The cost to each school, both primary and secondary phases, is estimated at £5.24 per pupil on roll to provide an overall de-delegated budget of £100,000 (the same as in 2022/23).

2.4.7 ***Contingencies- Tree maintenance:*** This budget is used for emergency tree work and also supports the provision of advice about the maintenance and safety of trees. This work can be quite costly and is commissioned by Merton’s Environment and Regeneration department.

Schools contribute towards this fund based on numbers on roll through the AWPU factor. The cost to each school, both primary and secondary, is estimated at £3.40 per pupil on roll to provide an overall de-delegated of budget £65,000 (the same as in 2022/23).

2.4.8 ***Primary school meals management:*** This budget only applies to primary and special schools that buy into the council’s contract, as secondary schools manage their own meal arrangements or are part of the PFI (Private Finance Initiative) project.

All free school meal funding is delegated to primary and secondary schools and managed by them locally. The current meals contract for primary is Caterlink since September 2021 and secondary schools manage their own contract with Harrisons (with the exception of 3 schools).

Schools will continue to be invoiced directly for all meals including free school meals. In order to treat all residents in the borough the same but also support schools with their budget pressures, Schools’ Forum agreed as part of the consultation in 2016 to remove the meal subsidy. This enables schools to charge residents the rate for meals they get charged by the provider.

To date the council has retained £40,000 through de-delegation to meet the cost of replacing any kitchen equipment which is beyond economic repair. The catering provider pays for day-to-day maintenance. Primary schools contributed towards this fund based on the numbers on roll through the AWPU factor. The cost to each school is estimated at £2.90 per pupil on roll (the same as in 2022/23) even though this overspent in 2021/22.

*2.4.9* ***Licences and subscriptions:*** This budget is estimated to be £124,000 for Schools Information Management System licences (£123,554 for 2022/23). The Education & Skills Funding Agency (ESFA) now arrange all subscription costs and deduct them from the DSG. This is detailed under centrally retained items in section 3.2.1 of this report.

Schools contribute towards this fund based on numbers on roll through the AWPU factor. The cost to both primary and secondary schools is estimated at £6.46 per pupil on roll to provide the overall de-delegated budget (the same as last year).

2.4.10 ***Supply staff cost for parenting cover and public duties:*** This budget includes £700,000 for parenting cover (£816,000 for 2022/23) and £56,000 for public duties (£66,000 in 2021/22). If the parenting cover budget was delegated, schools would have to take individual responsibility for that pay. The public duties’ budget provides cover for duties such as jury service and trade union cover which is proposed to increase in 2023/24 to support pay awards and inflationary increases, to £70,000. If delegated, schools would need to cover these additional costs themselves.

Schools contribute towards this fund based on numbers on roll through the AWPU factor.

The cost to both primary and secondary schools is estimated at per pupil on roll £40.32 (£39.59 in 2022/23) to provide an overall de-delegated budget of £770,000 for 2023/24. (£756,000 2021/22)

2.4.11 ***Support to under-performing ethnic minority groups and bilingual learners:*** This budget is £70,000 for equalities support for schools; through this budget newly arrived pupils and their families are also supported. The team appoints, trains, and manages a large team of bilingual assistants used extensively by Merton schools.

Due to budget pressures on schools, this budget was previously reduced. Two posts have been made redundant which means there is reduced capacity to liaise with local refugee associations, and to provide advice to some refugee families. Other functions affected by the redundancies (including the collection of racist and homophobic incidents, and the deployment of bilingual assistants) are managed in other ways.

Schools contribute towards this fund based on the English as an Additional Language (EAL) factor. The cost to both primary and secondary schools is estimated at £15.21 per EAL pupil percentage point (£16.32 in 2022/23) to provide an overall de-delegated budget of £70,000.

2.4.12 ***Behaviour support:*** This budget currently funds a range of support to schools to improve behaviour. The DSG budget funds the support for and liaison with CAMHS and support for vulnerable pupils in primary and secondary schools; anti bullying; support for emotional well-being initiatives such as nurture groups; mental health support initiatives; all exclusion advice and support; and prevention of exclusion case work support from the team including the work of the Behaviour Support Assistants. This latter provision supports some of our most vulnerable pupils in primary schools. Currently different schools use different services from within the Virtual Behaviour Service (VBS) based on need.

The team is also part of the Language Behaviour and Learning buy back service. This service is widely bought in for a range of support, assessment, and training needs by schools. Thus, the team is already part funded by delegated funds. If the team was fully delegated, all services would need to be considered as full buy back which would significantly increase the costs to schools to access services. The consequence would be that support would be targeted based on schools funding rather than pupil needs. If the primary behaviour service was delegated there is a potential to require more expensive primary provision at greater cost to schools.

Schools contribute towards this fund based on the low attainment factor. The cost to both primary and secondary schools is estimated at £44.98 per low attainment pupil percentage point to provide an overall de-delegated budget of £207,000 (£33.98 for 2022/23).

2.4.13 **Insurance:** This service is currently delivered through the Service Level Agreement (SLA). Although this budget can be de-delegated, Schools Forum decided that this should not be an option as this would transfer the decision-making process from individual schools to primary and secondary school phases.

2.4.14 **School Improvement:** Since September 2017 School Improvement has been funded through the Local Authority School Improvement Monitoring and Brokering Grant (covering statutory intervention functions and services such as monitoring and commissioning of school improvement support), de-delegation (for additional school improvement provision for maintained schools) and some funding from the local authority to fund the balance.

Funding for non-statutory duties for maintained schools through SLAs provide a budgeted income of £133,770. The shortfall of £149,000 in 2021/2022 was funded through de-delegation (£146,000 in 2020/21). This budget is used to fund the traveller service, inspectors, advisory teachers, some SEND posts as well as the analysis of local authority level pupil outcome statistics.

2.4.15 From 2023/24, the Local Authority School Improvement Monitoring and Brokering Grant from the DfE will be ceased. In doing so the DfE made it clear that councils were to ‘de delegate funds via their schools’ formula to ensure they are sufficiently funded to exercise all of their improvement activities, including all core improvement activities’. This grant provided £105,000 to support school improvement functions. In order to continue with existing school improvement support to schools, a request is made to de-delegate this funding in addition to the £149,000 de-delegated in previous years. In removing this grant, the DfE made it clear that local authorities should

Schools contribute towards this fund based on numbers on roll through the AWPU factor. The cost in 2022/2023 to primary and secondary schools was £7.16 per pupil on roll to provide an overall de-delegated budget of £149,000. With the requested increase this will rise to £13.30 per pupil.

2.4.16 **School Attendance**: The government has issued new guidance with regards to improving pupil attendance, including clear definitions of DSG funded services and local authority funding (statutory duties). The local authority is restructuring in support of schools and settings to fulfil these new duties to improve attendance, and schools are now expected to resolve all case work up to legal work in court to improve attendance.

The Schools’ Bill outlines changes to local authority and schools’ functions with regards to school attendance. For the local authority an extended EWS role (including termly meetings, and some casework for pupils with attendance below 50%) will be required to expand to cover all schools (including independent and academies). For maintained non academy schools many functions which traditionally were covered by the school’s EWO become the school’s responsibility.

The current EWS service is funded in part by the Council’s General Fund; in part from the DSG High Needs Block; and in part by income from a Service Level Agreement. To meet our Schools’ Bill duties the local authority will look to grow the central service funded by the Council’s General Fund, which will cover our new statutory functions.

The EWS service functions that are supporting most case work in schools is now schools’ responsibility, therefore it is not appropriate for it to continue to be funded from the High Needs Block.

We therefore propose that the service is funded by DSG de-delegated by schools so that an EWS team is retained.  This will allow schools to continue to be supported by their EWO particularly during this time of change. Current funding of this service is £182,500 (£9.56 per pupil).

2.4.17 Schools can buy into any service with funding from their delegated budget. The authority will continue to deliver services to schools through the SLA on a buyback basis.

2.4.18 Using the 2021/22 formula data to model the new 2023/24 values, the **ESTIMATED** cost of de-delegating the above funding to each school is shown in Appendix B. These figures are not final as they will change once the October 2022 census and other data is provided from the ESFA. The aim of providing these details is to aid schools in their decision-making process.

## 2.5 Education services for mainstream maintained schools

2.5.1 Local authorities are able to fund services previously funded from the general funding rate of the Education Services Grant (ESG) (for maintained schools only) from maintained school budget shares with the agreement of maintained school members of the schools’ forum.

2.5.2 The amount to be retained by the local authority should be agreed by the relevant maintained schools members of the Schools Forum (primary, secondary, special and pupil referral units). If the local authority and Schools Forum are unable to reach a consensus on the amount to be retained by the local authority, the matter can be referred to the Secretary of State.

2.5.3 Local authorities should set a single rate per 5- to 16-year-old pupil for all mainstream maintained schools, both primary and secondary. In the interests of simplicity, this is deducted from basic entitlement funding. Adjustments to other factors are not allowed and the rate will not include early years or post-16 pupils, who are in any case funded through different formulae. Local authorities may choose to establish differential rates for special schools and PRUs if the cost of fulfilling the duty is substantially different for these schools. The rate is expressed per place rather than per pupil for special schools and PRUs.

2.5.4 The multipliers used in ESG previously were 3.75 for PRUs and 4.25 for special schools. Merton decided to be consistent and use the same rate for all schools and not have a higher rate for special schools or the PRU.

2.5.5 As with de-delegation, the amount to be held by the local authority is determined after the MFG has been applied. Funding will also be recouped if a school becomes academy.

2.5.6 Until 2017/18, ESG was made up of two rates that funded two different groups of services:

* The **retained duties rate** has gone to local authorities to fund services they provide to all schools, including academies
* The **general duties rate** has gone to both local authorities and academies to fund services authorities provide to maintained schools, but which academies must provide themselves

2.5.7 The retained duties rate of the ESG which has previously gone to local authorities to fund services they provide to all schools, including academies, is now allocated through the DSG and is included in the Central Schools Service Block. See section 3.6 for more details.

2.5.8 The general duties rate of the ESG has been cut by central government and is what we review in this section. The split of services between the two groups is shown at Appendix C.

2.5.9 The table below shows how the ESG funding was reduced prior to its removal and how this was replaced. It also shows the cost of the statutory duties that were funded. This comes from the S251 return which is the statutory financial return local authorities complete annually to the DfE.

Table 5: Funding of statutory duties previously funded through the ESG

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Description** | **2014/15 £000** | **2015/16 £000** | **2016/17 £000** | **2017/18 £000** | **2018/19 £000** | **2019/20 £000** | **2020/21**  **£’000** | **2021/22 £’000** | **2022/23 £’000** | **2023/24 £’000** | |
| ESG | 3,203 | 2,594 | 2,350 | 693 | 0 | 0 | 0 | 0 |  | 0 | |
| ESG to DSG (retained duties) | 0 | 0 | 0 | 399 | 411 | 411 | 411 | 411 | 411 | | 411 |
| **Grant funding** | **3,203** | **2,594** | **2,350** | **1,092** | **411** | **411** | **411** | **411** | 411 | | **411** |
| School funding required | 0 | 0 | 0 | 500 | 650 | 650 | 650 | 650 | 650 | | 650 |
| LA funding required | (32) | 322 | (197) | 810 | 879 | 1,611 | 1,611 | 1,611 | 1,611 | | 1,611 |
| **Total funding** | **3,171** | **2,916** | **2,153** | **2,402** | **1,940** | **2,672** | **2,672** | **2,672** | **2,672** | | **2,672** |
| Statutory and Regulatory duties | 1,490 | 1,391 | 980 | 1,069 | 952 | 1,332 | 1,334 | 1,334 | 1,334 | | 1.334 |
| Education Welfare | 340 | 342 | 334 | 364 | 393 | 251 | 251 | 251 | 251 | | 251 |
| Asset management | 315 | 285 | 364 | 340 | 385 | 412 | 412 | 412 | 412 | | 412 |
| Central support services | 133 | 152 | 37 | 72 | 62 | 49 | 49 | 49 | 49 | | 49 |
| Premature retirement and redundancy | 347 | 248 | 216 | 431 | 148 | 626 | 626 | 626 | 626 | | 626 |
| Monitoring national curriculum assessment | 75 | 78 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | 0 |
| School improvement | 471 | 420 | 222 | 126 | 0 | 0 | 0 | 0 | 0 | | 0 |
| **Total cost of duties** | **3,171** | **2,916** | **2,153** | **2,402** | **1,940** | **2,672** | **2,672** | **2,672** | **2,672** | | **2,672** |

2.5.10 School improvement has been excluded from the above arrangements since September 2017. Since 2017/18 Schools Forums have also been able to agree to de-delegate further funding for additional school improvement provision for maintained schools. For more details, please see 2.3.14.

2.5.11 The school contribution for 2023/24 is proposed to remain at £650,000. Based on 2018/19 actuals, this equates to schools funding 43% of the costs while the LA will fund 57%.

2.5.12 The individual school’s contribution is calculated based on numbers on roll through the AWPU factor. The cost to primary, secondary and special schools is estimated to be £31.25 per pupil on roll in 2022/23 to provide an overall de-delegated budget of £650,000 (the same since 2018/19). The unit cost will be updated once we have the October 2022 census data.

2.5.13 Maintaining local authority and school contributions at the current agreed levels ensures that central services supporting schools such as finance, education welfare, education planning etc. continues to be provided as part of the general fund grant.

**2.6 Growth/Falling Rolls Fund**

2.6.1 This funding is allocated to schools to support the extra costs involved in setting up and providing additional classes in September where they are requested by the local authority to expand above their existing published admission number (PAN) to meet a shortage of pupil places in the overall area. This is required as there is a time lag before the increased pupil numbers are recognised in any factors of the school’s formula.

2.6.2 The funds are provided on the same basis for maintained schools, academies, and free schools. However, as academies and free schools are funded on the basis of an academic year, the time lag is a full academic year, while for maintained schools it is only 7/12 of the academic year (1 September to 31 March).

2.6.3 The funds are allocated at £60,000 per additional primary class and £80,000 per additional secondary class to cover the 7/12 of the academic year time lag for maintained schools. Academies/free schools providing additional classes agreed by the council will receive the further 5/12; so, a secondary academy, for example, will receive an additional £137,140 in total (£80,000 plus £57,140). It should be noted that the additional 5/12 to cover the period 1 April to 31 August is provided as a specific sum by the EFA and then passported by the council to the academy/ free school

2.6.4 Following agreement by Schools Forum in June 2019, in the case of secondary schools the above is used more flexibly to commission smaller quantities of places to ensure sufficient in-year places can be provided in the context of keeping surplus places as low as possible to protect school budget, and therefore avoiding setting up additional classes wherever possible. This works on the same basis as above under the formula of £80,000/30 X number of places commissioned.

2.6.5 We propose the growth/falling rolls fund at £300,000, a reduction since 2022/23 of £420,000, to cater for both primary and secondary expansion classes and decline in commissioned places, although growth and planned places will be distributed via the local formulae, and this earmarked funding may not be used due to census numbers declining, especially within the primary sector. Therefore, it is proposed to distribute the unused funding at year end to schools as a Falling Rolls fund, as in 2022/2023. Once details of the reduced census and financial implications for schools’ is known the criteria for distribution will be reported to Schools’ Forum in January.

2.6.6 The growth funding is within local authorities’ Schools Block NFF allocations. As in previous years growth funding will be allocated to local authorities using a formulaic method based upon lagged growth data.

2.6.7 As it is within the Schools’ Block, a movement of funding from the schools’ formula into the growth fund would not be treated as a transfer between blocks, but the Schools’ Forum would still need to agree the total growth/falling rolls fund.

2.6.8 With the move to a formulaic method of calculating growth funding since 2019/20, the ESFA will apply protection so that no local authority’s growth allocation will fall by more than minus 0.5% of their overall 2021/22 Schools’ Block funding baseline.

2.6.9 The DSG top slice is used to allocate revenue funding for additional classes. Capital costs are funded through the devolved capital budgets. A total of £65,000 is available over the 7-year period with a pro-rata cap applying if an additional class is not added to each year group.

2.6.10 This fund should also be used to fund start-up cost and diseconomy of scale costs of new schools where they are created with the involvement of the local authority to meet basic need. Due to the expected reduction in funding, the amount set aside for this purpose is £100,000 within growth.

## 2.7 Transfer between blocks

2.7.1 The Schools’ Block has been ring-fenced since 2018/19, but local authorities are able to transfer up to 0.5% of their Schools’ Block funding without the agreement of their schools’ forum. Local authorities wishing to make a transfer should consult with all local maintained schools and academies, and the Schools’ Forum should take into account the views of the schools responding before giving their approval.

2.7.2 There is an exceptions process, which will require Secretary of State Approval, for considering transfers above the 0.5% limit and/or where the Schools’ Forum is opposed to the transfer. Whilst the other blocks are not subject to limits on transfers, local authorities are strongly encouraged to consult their schools and agree with their schools’ forum any other proposal to move funding between blocks.

2.7.3 These transfers are **not permanent** in nature and will be subject to consultation and agreement by the Schools’ Forum in 2023/24 should this be required. Since 2019/20, all the schools and academies that responded to the consultation supported a transfer due to pressures within the high needs block.

2.7.4 For 2023/24 Merton propose to transfer 0.5% from the Schools’ Block to the High Needs Block again. This is **estimated** to be c£737,000 of the indicative 2023/24 Schools’ Block allocation and will be used to continue to fund the pressures of the growth in EHCPs and increase in numbers at special schools.

2.7.5 Due to the overall cost pressure of the High Needs Block, it is expected that the full transfer of 0.5% from the Schools Block to the High Needs Block will continue to be required in future years as a minimum but each year will be consulted upon.

2.7.6 Based on the total number on roll October 21 of 24,424, this transfer equates to about £30.17 per pupil.

2.7.7 The 0.5% transfer is required as the HNB funding growth has not been sufficient to cover the growth in cost associated with EHCPs as detailed in section 5.1.4, and as part of the DSG Safety Valve recovery plan an additional £500,000 transfer (total £1,237m) will be consulted upon in support of demands within the high needs block and current deficit. A disapplication request will be submitted to the Safety Valve team/Secretary of State for the amount above the 0.5% permitted transfer. The additional £500,000 equates to an additional £20.47 per pupil based upon October 21 census 24,424.

2.7.8 Section 5.3 provides more detail on Merton’s strategic financial plan for addressing the High Needs Block cost pressures.

## 2.8 Proforma

2.8.1 Appendix D is a draft of the proforma that will be submitted to the ESFA for agreement 20th

January 2023. *This is just an example and is based on Option A of the consultation.*

**2.9** Timetable

2.9.1 The timetable for setting the 2023/24 Schools’ Budget is set out in the table below.

Table 6: Timetable

|  |  |  |
| --- | --- | --- |
| **Date** |  | **Action** |
| November | 9th | Meeting of Schools Forum to discuss and agree the school’s draft consultation document prior to distribution. |
| November | 11th | Email electronic copy of consultation document to all Head Teachers. |
| December | 9th | Closing Date for the Schools Consultation 2023/24 |
| Mid- December | tba | Publication of DSG Schools Block and High Needs Block allocations for 2023/24 (prior to academy recoupment and HNB adjustments). |
| January | 19th | Outcome of the consultation considered by School Forum for Budget setting 22/23 and draft models |
| January | 20th | Submit final data for Schools Budget Proforma to ESFA |
| February | 28th | Final budgets are distributed to schools *(subject to ESFA approval of Local Authority Proforma Tool (APT) Model)* |

# 3 Central School Services Block (CSSB)

## 3.1 Introduction

3.1.1 The CSSB was introduced in 2018/19 to fund local authorities for the statutory duties that

they hold for both maintained schools and academies. The CSSB brings together:

* Funding for ongoing central functions, such as admissions, previously top-sliced from the Schools Block
* Residual funding for historic commitments, previously top-sliced from the Schools Block
* Funding previously allocated through the retained duties element of the (ESG)

3.1.2 The table below details the value of items applicable in Merton.

Table 7: Centrally retained funding

|  |  |  |
| --- | --- | --- |
| **Description** | **2023/24**  **£000** | **2022/23**  **£’000** |
| Central licences negotiated by the Secretary of State | 130 | 130 |
| School admissions | 290 | 290 |
| Servicing of school forums | 12 | 12 |
| Prudential borrowing | 207 | 207 |
| Statutory and regulatory duties LAs hold for all schools (including academies & free schools) | 412 | 412 |
| **Total Centrally retained funding** | **1,051** | **1,051** |

3.1.3 With the exception of the central licences negotiated by the Secretary of State, Schools’ Forum approval is required for these services every year on a line-by-line basis. The prudential borrowing budget is also not allowed to exceed the value agreed in the previous funding period.

## 3.2 Central licences negotiated by the Secretary of State

3.2.1 These agreements are administered and paid for by the ESFA and deducted directly from the DSG. The DfE pays subscriptions on behalf of schools to the following agencies:

* Christian Copyright Licencing International
* Copyright Licencing Agency (CLA)
* Educational Recording Agency (ERA)
* Filmbank Distributors Ltd (for the PVSL)
* Mechanical Copyright Protection Society (MCPS)
* Motion Picture Licencing Company (MPLC)
* Newspaper Licencing Authority (NLA)
* Performing Rights Society (PRS)
* Phonographic Performance Limited (PPL)
* School Printed Music Licence (SPML)

## 3.3 School admissions

3.3.1 This service covers the cost of the school admissions team. The funding will increase with inflation in support of salary costs.

## 3.4 Servicing of Schools Forum

3.4.1 This budget covers the administration cost of the Schools’ Forum, including officer and running costs. The funding will continue at £12,200 for 2022/23.

## 3.5 Prudential Borrowing

3.5.1 The prudential borrowing was agreed on 15th October 2007 by the Schools Forum to increase the special school places available in the borough. This was agreed as a “spend to saving” initiative due to the high cost of independent provision.

3.5.2 This historic cost of £207,240 was agreed for 25 years and repayment started in 2012/13. The ESFA have reduced the funding for historic commitments by 20% from 2020/21 onwards.

3.5.3 The published Area Cost Adjustment for 2023/24 of the Central School Services Block (CSSB) are 1.16706.

## 3.6 Statutory and regulatory duties LAs hold for all schools

3.6.1 The duties included within the CSSB are included in the left-hand column of Appendix C.

3.6.2 Where local authorities hold duties in relation to all schools (as set out in Schedule 2, Parts 1 to 5 of the School and Early Years Finance Regulations 2021), all schools must be treated on an equivalent basis. Merton does not treat voluntary aided schools, foundation schools or academies differently from other maintained schools in the services they provide to them and do not charge for services that are provided free of charge to community and voluntary controlled schools and paid for out of the centrally held DSG. This does not include funding that has been retained centrally from maintained school budgets only (as set out in Schedule 2, Parts 6 and 7), see section 2.4.

3.6.3 The amount of the CSSB that is allocated to these statutory education services for 2022/23 is £410,880, the same as in 2021/22, 2020/21 and 2019/20, and will be transferred to Merton’s general fund to execute these duties, as last year.

# 4 Early Years Block funding – 2023/2024

# 4.1 Current overview

4.1.1 This block includes some centrally retained items, but the majority (95%) is paid directly by LAs through the Early Years Single Funding Formula (EYSFF) to all Early Years providers, including childminders, private, voluntary and independent nurseries and preschools, academies and maintained schools, Funding via the local formula is calculated by multiplying a base rate and the formula elements, by the number of hours of provision by child counted on a termly basis (a minimum of 3 times a year). Early Years formula funding is based on actual hours of take up, using a headcount for each funding period.

4.1.2 In Merton, for 3- and 4-year-olds, there is a single base rate applicable across the whole sector, a mandatory supplement for deprivation and a discretionary supplement for sparsity (applies to childminders only). The Early Years Pupil Premium (EYPP) sits outside the formula as a separate grant stream and outside the 95% pass through rate and is paid through the termly headcount process based on actual take up. The Disability Access Fund (DAF) is paid as a lump sum to settings based on a child’s eligibility, outside the formula as a separate grant stream and outside the 95% pass through rate, as a lump sum. A Special Education and Disabilities Inclusion Fund (SENDIF) is paid outside of the formula, and this is included in the 95% passthrough rate, currently using headcount data and agreed criteria that informs the level of funding provided. As the SENDIF is not an element in the formula, any proposed changes to the criteria or way the fund is distributed, would be subject to a separate consultation process. This consultation includes the methodology for determining the value of the SENDIF, not the method for distribution i.e., the way we may allocate funds to different bands, criteria, and process for distribution/monitoring. This would be a separate consultation process.

4.1.3 Funding for eligible 2-year-olds is provided at a fixed hourly rate and is also calculated by multiplying a base rate by the number of hours of provision counted on a termly basis (a minimum of 3 times a year). There are no formula elements for distribution of the 2-year-old funding. Funding is distributed based on actual hours of take up; using a headcount for each funding period based on actual numbers during the current year, as for 3- and 4-year-olds.

**4.2** **Overview**

4.2.1 The funding to settings comes through three grants: the Early Years DSG for funding places. This is the largest grant and is the focus of this consultation. The allocation of EYPP and the DAF are based on Central Government calculations and are child (pupil) led, and are separate budget streams within the EY DSG, with separate reporting and claw back arrangements. [Early years entitlements: local authority funding of providers operational guide 2022 to 2023 - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/early-years-funding-2022-to-2023/early-years-entitlements-local-authority-funding-of-providers-operational-guide-2022-to-2023), (this link is for 22/23 as the 23/24 is not yet published)

4.2.2 Local authorities set their own local Early Years Funding Formulae, within parameters set down by Government in the guidance. 3- and 4-year-old funding has different “rules” from 2-year-old place funding, as well as different requirements for the local formula.

4.2.3 For 3- and 4-year-olds, there are two compulsory factors that must be used in the formula:

• Basic rate per child/pupil based on an hourly rate

• Deprivation

4.2.4 There are also 4 optional supplementary factors as detailed below:

• Rurality/sparsity

• Flexibility

• Quality

• English as an Additional Language (EAL)

4.2.5 The total sum of supplements must not be greater than 10% of the high pass-through rate to settings, resulting in a “cap” on the total amount within the formula that can be allocated to supplements.

4.2.6 Local authorities must allocate at least 95% of the delegated Early Years block funding through child/pupil-led factors; that is, the two compulsory factors, any optional supplements and the SEN Inclusion Fund (SENDIF). The high pass-through rate also includes any contingency funding that has been held back This is distributed to settings at the end of the year, once the final budget has been confirmed by DFE.

4.2.7 There is a process for disapplication within the regulations, for the 95% passthrough rate. Where a LA does not apply the 95% passthrough rate, the DFE must agree to this.

4.2.8 The 2-year-old budget is received as a separate allocation within the DSG, and there is the requirement to have a single base rate only, with no requirement for compulsory or discretionary elements. There are no SENDIF, high pass-through requirements, or EYPP and DAF grants.

**4.3 Formula Factors for 3- and 4-year-old places**

4.3.1 Appendix E details the factors Merton Council currently uses, and proposes to use, to allocate the Early Years block funding through the Funding Formula to arrive at individual provider budgets and centrally retained items.

4.3.2 Base rate: The Government has stated that there must be a single base rate across the sector.

4.3.3 Supplements in the formula: Following consultation in previous years, decisions have been taken to keep the formula supplements as simple as possible to minimise turbulence (changes to pupil profiles affects overall funding to providers) and bureaucracy (auditing/compliance).

4.3.4 Proposals for this year are to continue to maintain a simple formula with minimal supplements.

4.3.5 Additional elements that make up the high pass-through rate: There are two extra elements that make up the 95% high pass through rate in addition to the formula, these are the Special Educational Needs Inclusion Fund (SENDIF) and contingency.

4.3.6 LAs are required to have SEND Inclusion Funds for all three- and four-year-olds with special educational needs and disabilities (SEND) who are taking up the free entitlements. These funds are intended to support local authorities to work with providers to address the needs of individual children with SEND. This fund supports local authorities to undertake their responsibilities to strategically commission SEND services as required under the Children and Families Act 2014. LAs should target SENDIF at children with lower level or emerging SEN. The value of the fund must consider the number of children with SEND in the local area, their level of need, and the overall capacity of the local childcare market to support these children. Local authorities must consult with early years providers to set the value of their local SENDIF.

4.3.7 The SENDIF, whilst not an allowable supplement within the formula, is included within the 95% high pass through rate. There is a requirement to publish the value of the fund each year. The proposed value of the mandatory SENDIF for 2023/24 will be based on headcount returns and value of 1b and 1c SENDIF in each funding period:

* Spring 2022
* Summer 2022
* Autumn 2022

4.3.8 Contingencies form part of the 95% high pass through rate and are held centrally to ensure a minimal amount of resource is held back to accommodate any possible growth in SENDIF or the deprivation supplement due to an increase in take-up within these cohorts of children. It is proposed that any funds remaining in the contingency are distributed across the sector at the end of the year.

4.3.9 To date, the Government has retained the current funding formula for 2-year-olds, which is a single hourly rate. Local authorities can move funds between allocation blocks for 2-year-old funding and 3- and 4-year-old funding. However, Merton Council currently has no intention of moving funds between blocks.

4.3.10 There is no requirement for LAs to have a SENDIF for 2-year-olds, however, in Merton there is a discretionary 2-year-old SENDIF. The value of the discretionary 2-year old SENDIF in 2023 to 2024 will be determined using the methodology for 3 and 4 year old SENDIF funding..

**4.4 Funding outside of the formula for 3- and 4-year-olds**

4.4.1 Additional funding continues to be provided to LAs to support disadvantaged pupils through the EYPP and to support access for children with disabilities via the Disability Access Fund (DAF).

4.4.2 The EYPP and DAF are distinct from the EYSFF and are separate funding streams. Funding is based on actual take up, via grants from DFE, as part of EYDSG.

**4.5 Centrally retained items**

4.5.1 A limit for centrally retained items of 5% has been set by the DfE. The items below in 4.5.2 will continue to be funded via the retained element, based on the anticipated percentage of the total budget.

4.5.2 Centrally retained items are used to fund continuous improvement with a focus on settings requiring improvement, training and workforce development, inclusion and early intervention work with settings supporting children with SEND and/or other additional needs, plus management and administration.

4.5.3 LAs can charge for applicable services. Merton Council is not proposing at this stage to charge for support and guidance and inclusion work in settings.

4.5.4 Schools Forum approval is required for the overall centrally retained items of the Early Years block.

**4.6 Minimum Funding Guarantee (MFG)**

4.6.1 MFG is a prescribed per-pupil formula which protects the reduction in an individual budget on a per-pupil basis. There is no MFG for Early Years due to the introduction of the high pass-through rate.

**4.7 Administration, data collection and payments**

4.7.1 It is the government’s expectation that local authorities can distribute funding to providers on a monthly basis. Usually schools are paid monthly, with an adjustment following headcount. PVI providers continue to be paid with an 80% upfront payment, followed by a mid-point headcount, and then finally a payment that includes children who have commenced after the headcount.

**4.8 Indicative Budgets**

4.8.1 By March, in line with existing government advice, providers receive an indication of their annual income based on the previous year’s headcounts/claims. Early years providers then confirm the number of expected children for that term. Providers are usually allocated an indicative budget based on the previous year’s headcounts/claims i.e., May 2022, October 2022 and January 2022. PVI settings will be asked to confirm their anticipated/realistic numbers for all 3 terms to reflect any changes to more accurately reflect the level of funding that is paid up front, schools are allocated funding based on the centrally held data

**4.9 Responding to the proposals**

4.9.1 If you would like to make comments on any of the proposals relating to the Early Years funding, please do so in the appropriate section of the Feedback Questionnaire.

# 5. High Needs Block (HNB) funding

## 5.1 Background

5.1.1 The High Needs Block supports provision for pupils and students with special educational needs (SEN) and disabilities (SEND), from their early years to age 25, and alternative provision (AP) for pupils who cannot receive their education in schools.

5.1.2 High needs funding is intended to support the most appropriate provision for each individual, taking account of parental and student choice, providing appropriate provision in a range of settings, and to avoid perverse incentives. It is intended to support good quality alternative provision for pupils who, because of exclusion, illness or other reasons, cannot receive their education in mainstream schools.

5.1.3 For 2023/24, the following aspects of the high needs NFF have been confirmed:

* The funding floor has been set at 5% so each local authority will receive an increase of at least that percentage, taking into account changes in their 2 to 18 population (as estimated by the ONS).
* The gains cap has been set at 7%, allowing local authorities to see gains up to that percentage, also based on their 2 to 18 population as above.
* The ACA for the High Needs Block are 1.15432.

5.1.4 As Merton has been a loser rather than a gainer under the HNB NFF due to the starting position or baseline funding, we will only see an 5% increase in funding which is not sufficient to fund the historic underfunding of our increases in EHCPs. Our 10% increase in EHCP caseload from 2021 to 2022 as shown below. The table below shows Merton’s increase in EHCPs over the past seven years. *(As per SEN2 return)*

Table 8: Merton’s EHCPs



5.1.5 The table above includes a category at the bottom called “No placement (including NEET)”. Children and young people Not in Education, Employment or Training (NEET) were recently added to this description. As we are now responsible for young people up to the age of 25, we would expect this cohort to increase over the coming years. Although we incur staffing costs resulting from the requirement to track these individuals, there should be no associated education placement costs.

5.1.6 The table below shows how Merton’s High Needs Block funding is distributed. Details of items can be found in section 5.2 of this report.

Table 9: High Needs Block funding

|  |  |  |
| --- | --- | --- |
| **Description** | **\*Amount**  **2023/24**  **£000** | **Amount**  **2022/23**  **£000** |
| Mainstream settings (Individual SEN statements) | 7,091 | 6,952 |
| Specialist SEN and LDD settings (Including ARP and special schools) | 13,179 | 12,626 |
| Pupil Referral Unit (PRU) | 2,013 | 1,974 |
| Centrally retained High Needs funding for all phases | 22,482 | 19,645 |
| Post 16 | 2,672 | 2,620 |
| One-off transfer from Schools Block | (737) | (656) |
| School Supplementary Grant Funding (High Needs Block) | 0 | 1,692 |
| **Total Centrally retained funding** | **\*46,700** | **44,853** |

* *\* Estimate and final allocation to be published December 2022*

## 5.2 High Needs Block details

5.2.1 **Mainstream settings:** Schools contribute the first £6,000 of additional educational support for High Needs pupils and students. This additional support is for provision over and above the standard offer of teaching and learning for all pupils or students in a setting. Pre 16, schools and academies continue to receive a clearly identified notional SEN budget from which to make this contribution.

Top-up funding above this level is agreed between Merton and the school when the individual EHCP is processed. Merton manages top-up funding through a banding model.

Following an increase and budget pressures, Merton will keep its band funding for 2023/24 at the same level. If the £737,000 transfer from the Schools Block to the HNB is not agreed, these banding values will need to be reviewed.

Merton will continue to provide additional funding outside the main funding formula for mainstream schools and academies. During 2022/23 this methodology allocated an additional £550k (included in table 10 below) where more than 3.4% of a school’s overall pupils had EHCP’s. on census. Within the National Funding Formula, there is no scope to allocate such additional funding. In keeping with moving more closely towards the NFF it is therefore proposed to cap this fund at £350,000, 2023/24 and for the percentage proportion of a school’s pupil cohort with an EHCPs to be adjusted to fit this budget allocation.

5.2.2 **Specialist SEN and LDD settings:** Specialist SEN, Learning Difficulties and Disabilities (LDD) schools and Additional Resource Provision (ARP) settings receive a base level of funding on the basis of an agreed number of places at £10,000 per place. Top-up funding above this level was agreed between Merton and the schools.

The total for specialist SEN and LDD settings includes the school budgets for Cricket Green, Perseid, and Melrose special schools. The total budget for 2022/23 is £12.9m, 2021/22 is £9.978m and for 2020/21was £9.501m. The total ARP budget for 2022/23 is £2.865m, 2021/22 is £2.648m and for 2020/21 was £2.369m.

There is a need to meet the forecast increase in SEN pupils including those with n autism spectrum condition (ASC) need coming through from primary schools, and there is provision in the council’s capital programme for expansion of existing SEN schools and a new secondary school ASD ARP. The additional revenue funding requirement will be built into the High Needs Block.

The budget also includes the centrally retained service funding portion for the special schools, similar to that held for the maintained primary and secondary schools. The total for centrally retained High Needs funding for special schools includes £63,920 as in previous years in support for schools in challenging circumstances; school meal management; licences and subscriptions; maternity/paternity supply cover, marketing, public duties, ethnic minority support, behaviour support and tree maintenance.

5.2.3 **Pupil Referral Unit (PRU):** Merton’s PRU, Canterbury/Lavender Campus, provides education to pupils out of school by exclusion, medical or otherwise. It takes pupils by permanent exclusion as residents of Merton; by referral based on medical need if residents of Merton, or by referral from schools or the local authority to prevent exclusion or meet need. It has a throughput of approximately 118 pupils per year. This varies based on need. It provides for secondary aged pupils by referral for prevention and exclusion and medical, however it can also support primary aged medical referrals in small numbers.

The exclusion process currently involves a deduction of AWPU against a national criteria and a local agreement to pay £3,000 per excluded pupil and receive £3,000 for a reintegrated pupil. This agreement is between all maintained secondary schools and academies in Merton and is calculated every term.

In addition, Canterbury Campus educates pupils in year 11 as an alternative to placement on secondary school rolls where this placement is deemed by secondary fair access as a more suitable placement than to have not been able to be reintegrated back into mainstream schools. The secondary schools have agreed to pay £10,200 per placement and this cost is divided equally between schools.

Any underspend from the exclusion pot does not go back into the DSG reserve. Instead, the collective cost of year 11 placements at Canterbury are reduced by any amount unspent from the pot. This funding is from the secondary schools and is related to the excluded pupils. In this way it will be used to continue to fund these pupils’ education.

5.2.4 **Centrally retained High Needs funding for all phases:** These services are retained centrally by the local authority to deliver direct services or procure services from external providers to ensure the most economic use of resources.

Table 10: Centrally retained High Needs funding

|  |  |  |
| --- | --- | --- |
| **Description** | **2023/24 £000** | **2022/23 £000** |
| Independent provider placements | 18,057 | 15.142 |
| Cost of Merton pupils in other LA maintained schools | 1,990 | 1,865 |
| Cost of other LA children in Merton maintained schools | (1,382) | (1,359) |
| Academy placements | 795 | 795 |
| Virtual School | 265 | 265 |
| Sensory Team | 417 | 409 |
| School Improvement | 346 | 339 |
| Language and Learning | 662 | 662 |
| Targeted support to schools with high SEN pupil numbers | 350 | 550 |
| Behaviour Support | 254 | 254 |
| SEN referral & Early help 0-25 team | 157 | 157 |
| Social Inclusion | 110 | 108 |
| Vulnerable Children's Education | 128 | 128 |
| Merton Autism Outreach Service (MAOS) | 104 | 104 |
| SEN support | 84 | 82 |
| Therapy in Special schools | 58 | 57 |
| Independent hospital provision | 50 | 50 |
| Portage | 37 | 37 |
| **Total Cost** | **22,482** | **19,645** |

5.2.5 **Post 16 SEN and LDD:** Young people aged 16-25 with high-level SEN or LDD are educated in a range of settings, including special and mainstream school sixth forms, Further Education (FE) colleges and Independent Specialist Providers (ISPs).

Mainstream FE providers and school and academy sixth forms, like mainstream school’s pre-16, are expected to contribute the first £6,000 to the cost of additional support provision required by a High Needs pupil or student (element 2), in addition to the mainstream per-student funding (element 1) received for each high need student. This funding is provided by the ESFA.

Above this level (elements 1 and 2), top-up funding (element 3) for students placed in either mainstream or specialist settings are provided by Merton from within the High Needs Block. This is paid directly to the provider on a per-pupil or per-student basis.

## 5.3 Strategic financial plan to address the High Needs Block cost pressures

5.3.1 Merton Council is now part of the DfE Safety Valve programme and must deliver the DSG cumulative balance into a balanced position over the next five years. There are strategies around the high needs including ARP expansions and a new special school to support SEN children within the borough. As part of the Safety Valve programme, we must submit regular quarterly reports to ensure we are on target within the DSG Management Plan that was submitted as part of the DfE review.

5.3.2 The cost pressure on Merton’s high needs block at the end of September 2022 was forecast at £10.2m with a cumulative £26.9m from the previous years since 2021/22. Although government has announced additional funding for 2023/24, this is set to be in the region of an extra c£3.9m. It is therefore clear that the cost pressure is expected to continue even though we are part of the Safety Valve programme.

5.3.3 Over the past several years Merton has increased its Additional Resourced Provision through: the expansion of the ASD Unit at Hatfeild (and commissioned 24 places for 2022/23); a new ARP at Cranmer (24 places in total but phased placements of pupils each year from 2022/23); and the expansion of West Wimbledon ARP to 48 places (but phased approach until September 2024 towards accommodating full capacity).

5.3.4 The council is working on the expansion of further SEND provision, including providing substantial further ASD provision to reduce reliance on more expensive Independent School Placements. However, these projects are still at an early stage so there will be a time lag in receiving the financial benefits to the High Needs Block. In any case, while increasing specialist provision to reduce further independent school placement will assist the High Needs Block expenditure, it will not offset the costs of the significant rise in EHCPs. The High Needs subgroup of the Schools’ Forum works with the LA on the Safety Valve programme and further strategies discussed to ensure the DSG is brought back to a balanced position.

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**6. Feedback Questionnaire to Merton’s Schools Funding Formula 2023/24** this questionnaire must be filled in and emailed/returned by **Friday** **9th December 2022** to:

Jayne Ward

London Borough of Merton

7th Floor, Merton Civic Centre,

London Road,

Morden, SM4 5DX

e-mail to jayne.ward@merton.gov.uk

**NAME OF SCHOOL**

**Signature (Headteacher / Chair of Governors)**

**Date**

# Options from Section 2 relating to the formula factors

## 2.1.7 Schools Funding Formula options

Please indicate below which schools funding formula option you would prefer Merton to use for the 2023/24 allocation. If your preferred option is B, please provide your reasons why you think this option would be better for all Merton schools

|  |  |
| --- | --- |
| Option A- Replicating the NFF |  |
| Option B- Local Formula with additional funding through AWPU factors |  |

# Comments

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## 2.2 MFG percentage

Merton intends to apply MFG at 0.5%. This is in line with last year’s Schools Forum decision where it was agreed that the maximum MFG should be used. If you do not think that Merton should apply the maximum MFG, please state your reasons for this in the section below.

Please select below which level of protection you think should be applied to schools.

|  |  |
| --- | --- |
| **Option A –** Set MFG at maximum of 0.5% |  |
| **Option B –** Set MFG at a different percentage (Please state reason and percentage below) |  |

# Comments

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# Options from Section 2.4 relating to de-delegation

For all of the services below, please state either Yes or No to indicate whether or not you would prefer the services to be de-delegated to the authority to be managed centrally rather than by each individual school. Last year Schools Forum agreed to de-delegate all services.

|  |  |  |
| --- | --- | --- |
| **Paragraph** | **Service** | **De-delegate Yes/ No** |
| 2.4.5 | Contingencies- Schools in challenging circumstances |  |
| 2.4.6 | Contingencies- Attain |  |
| 2.4.7 | Contingencies- Tree maintenance |  |
| 2.4.8 | Primary school meals management |  |
| 2.4.9 | Licences and subscriptions |  |
| 2.4.10 | Supply staff cost for parenting cover and public duties (including TU duties) |  |
| 2.4.11 | Support to under-performing ethnic minority groups and bilingual learners |  |
| 2.4.12 | Behaviour support |  |
| 2.4.14 | School Improvement |  |
| 2.4.16 | School Attendance *(proposed new 23/24)* |  |

# Other de-delegation comments

Please provide any comments you would like to be considered by the Schools Forum on the de-delegation of budgets for 2022/23.

# Comments

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## 2.7 Transfer between blocks

For 2023/24 Merton proposes to maintain the transfer from the Schools Block to the High Needs Block. This is estimated to be about £737,000 (0.5%) based on indicative grant allocations and will be used to continue to fund the increase in place numbers at special schools, the growth in top-up (banding) fees and maintaining the prudential borrowing agreed by Schools Forum in 2007.

In support of the DSG Recovery Plan Merton proposes to transfer an additional £500,000 (one year) from the Schools Block to the High Needs Block in support of the deficit recovery plan and working in conjunction with the DfE on the Safety Valve Programme. This would be subject to Safety Valve Team and Secretary State (SOS) approval.

|  |  |
| --- | --- |
|  | **Yes/No** |
| Please state whether you would support this (0.5%) £737,000 transfer from the schools to the High Needs Block. |  |
| Please state whether you would support the additional transfer of £500,000 in support of the Merton DSG Recovery Plan *(a Dis-application request would have to be approved by the Safety Valve Team/Secretary of State)* |  |

# Comments

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**5.2.1 High Needs Block - Targeted support to schools with high SEN pupil numbers**

Merton will continue to provide additional funding outside the main funding formula for mainstream schools and academies. During 2022/23 this methodology allocated an additional £550k where more than 3.4% of a school’s overall pupils had EHCP’s recorded on census. Moving in line with the National Funding Formula, it is therefore proposed to cap this fund at £350,000 for 2023/24 and for the percentage proportion to be adjusted in support.

|  |  |
| --- | --- |
|  | **Yes/No** |
| Please state whether you support this adjustment moving in line with the National Funding Formula for 2023/24. *(Please state reasons below)* |  |

# Comments

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Any other comments with regards to DSG budget setting for 2023/24**

# Comments

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**Thank you for taking the time to provide your feedback.**

**2023/2024**

**Options from Section 4 relating to the Early Years Single Funding Formula (EYSFF)**

***Questions about the Formula Factors***

# Funding formula for 3 and 4-year-olds

Merton Council is proposing no change to the existing EYSFF. Do you agree with this proposal?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | No |  | Don’t know |  |

Yes

Please provide any comments about this proposal that you would like to be considered by Merton Council and Schools Forum when setting the 2023/24 formula. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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# Funding formula for 2-year-olds

Merton Council intends to continue to use the funding allocation for 2-year-olds solely for this purpose and not move any funding between 2-year-old and 3 and 4-year-old allocations.

Please provide any comments about this that you would like to be considered by Merton Council and Schools Forum when setting the 2023/24 formula

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***Questions about funding outside the formula and within the 95% high pass through rate***

# SEN Inclusion Fund (SENDIF)

It is proposed that the value of the SENDIF continue to be based on the as descriptors in the document on paragraph 4.3.7. Do you agree with this proposal?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | No |  | Don’t know |  |

Yes

Please provide any comments about this proposal that you would like to be considered by Merton Council and Schools Forum when setting the 2023/24formula.

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# Contingency

Merton Council continues to propose a contingency as part of the 95% high pass through rate, to cover possible fluctuations throughout the year at headcount, for deprivation and SENDIF, which are distributed at the end of the year. Do you agree with this proposal?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | No |  | Don’t know |  |

Yes

Please provide any comments about this proposal that you would like to be considered by Merton

Council and Schools Forum when setting the 2023/24 formula

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# Early Years retained items

Merton Council intends to retain 5% of the total budget to fund key statutory duties (administration, information, securing training for staff in the sector) support and advice to the sector, focussing on support to weaker settings and settings working with children with additional needs/SEND.

Please provide any comments about this that you would like to be considered by Merton Council and Schools Forum when setting the 2023/24 formula

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**Other comments**

Please provide any comments you would like to be considered by Merton Council and Schools Forum when setting the 2023/24 formula.

# Comments

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**Thank you for taking the time to provide your feedback.**

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# Appendix C Former ESG duties may be funded from centrally retained Schools Block funding with agreement of schools’ forum

Local authorities are able to fund central services previously funded within the retained duties rate (for all schools), with the agreement of schools’ forum. They are also able to fund services previously funded within the general duties rate (for maintained schools only) from maintained school budgets shares with the agreement of maintained school members of the schools’ forum. The split of services between the two groups is shown in the table below. References are to the schedules in the current “Schools and Early Years Finance (England) Regulations”.

|  |  |
| --- | --- |
| **Central Services** | |
| Responsibilities local authorities hold for all schools (funded by the central school services block with the agreement of Schools Forums) | Responsibilities local authorities hold for maintained schools (funded from maintained schools’ budgets only with agreement of the  maintained school members of the Schools Forum) |
| **Statutory and Regulatory duties**    Director of children’s services and personal staff for director (Sch 2, 15a)    Planning for the education service as a whole (Sch 2, 15b)    Revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education (Sch 2, 22)    Authorisation and monitoring of expenditure not met from schools’ budget shares (Sch 2,  15c)    Formulation and review of local authority schools funding formula (Sch 2, 15d)    Internal audit and other tasks related to the authority’s chief finance officer’s responsibilities under Section 151 of LGA 1972 except duties specifically related to  maintained schools (Sch 2, 15e)    Consultation costs relating to non-staffing issues (Sch 2, 19)    Plans involving collaboration with other LA services or public/voluntary bodies (Sch 2,  15f)    Standing Advisory Committees for Religious  Education (SACREs) (Sch 2, 17)    Provision of information to or at the request of the Crown other than relating specifically to maintained schools (Sch 2, 21) | **Statutory and Regulatory duties**    Functions of LA related to best value and provision of advice to governing bodies in procuring goods and services (Sch 2, 57)    Budgeting and accounting functions relating to maintained schools (Sch 2, 74)    Authorisation and monitoring of expenditure in respect of schools which do not have delegated budgets, and related financial administration (Sch 2,58)    Monitoring of compliance with requirements in relation to the scheme for financing schools and the provision of community facilities by governing bodies (Sch 2, 59)    Internal audit and other tasks related to the authority’s chief finance officer’s responsibilities under Section 151 of LGA  1972 for maintained schools (Sch 2, 60)    Functions made under Section 44 of the  2002 Act (Consistent Financial Reporting)  (Sch 2, 61)    Investigations of employees or potential employees, with or without remuneration to work at or for schools under the direct management of the Headteacher or  governing body (Sch 2, 62)    Functions related to local government pensions and administration of teachers’ pensions in relation to staff working at maintained schools under the direct management of the Headteacher or governing body (Sch 2, 73) |

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| --- | --- |
|  |  |
| Responsibilities local authorities hold for all schools (funded by the central school  services block with the agreement of Schools Forums) | Responsibilities local authorities hold for maintained schools (funded from maintained schools’ budgets only with agreement of the  maintained school members of the Schools Forum) |
|  | Retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (Sch 2,  76)    HR duties, including: advice to schools on the management of staff, pay alterations, conditions of service and  composition/organisation of staff (Sch 2, 64); determination of conditions of service for non-teaching staff (Sch 2, 65); appointment or dismissal of employee functions (Sch 2,  66)    Consultation costs relating to staffing (Sch 2,  67)    Compliance with duties under Health and  Safety at Work Act (Sch 2, 68)    Provision of information to or at the request of the Crown relating to schools (Sch 2, 69)    School companies (Sch 2, 70)    Functions under the Equality Act 2010 (Sch  2, 71)    Establish and maintaining computer systems, including data storage(Sch2,72)    Appointment of governors and payment of governor expenses (Sch 2, 73) |
| **Education Welfare**    Functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils (Sch 2, 20)    School attendance (Sch 2, 16)    Responsibilities regarding the employment of children (Sch 2, 18) | **Education Welfare**    Inspection of attendance registers (Sch2, 79) |
| **Asset management**    Management of the LA’s capital programme including preparation and review of an asset management plan, and negotiation and management of private finance transactions (Sch 2, 14a) | **Asset management**    General landlord duties for all maintained schools (Sch 2, 77a & b (section 542(2)) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have: |

|  |  |
| --- | --- |
|  |  |
| Responsibilities local authorities hold for all schools (funded by the central school services block with the agreement of Schools Forums) | Responsibilities local authorities hold for maintained schools (funded from maintained schools’ budgets only with agreement of the  maintained school members of the Schools Forum) |
| General landlord duties for all buildings owned by the local authority, including those leased to academies (Sch 2, 14b) | * appropriate facilities for pupils and staff (including medical and accommodation) * the ability to sustain appropriate loads * reasonable weather resistance * safe escape routes * appropriate acoustic levels • lighting, heating and ventilation which meets the required standards * adequate water supplies and drainage * playing fields of the appropriate standards     General health and safety duty as an employer for employees and others who may be affected (Health and Safety at Work etc.  Act 1974).    Management of the risk from asbestos in community school buildings (Control of Asbestos Regulations 2012). |
| **Central support services**    No functions | **Central support services**    Clothing grants (Sch 2, 53)    Provision of tuition in music, or on other music-related activities (Sch 2, 54)    Visual, creative and performing arts (Sch 2,  55)    Outdoor education centres (but not centres mainly for the provision of organised games, swimming or athletics) (Sch 2, 56) |
| **Premature retirement and redundancy**    No functions | **Premature retirement and redundancy**    Dismissal or premature retirement when costs cannot be charged to maintained schools (Sch 2, 78) |
| **Monitoring national curriculum**  **assessment**    No functions | **Monitoring national curriculum**  **assessment**    Monitoring of National Curriculum assessments (Sch 2, 75) |
| **Therapies**    No functions | **Therapies** |
|  | This is now covered in the high needs section of the regulations and does not require Schools Forum approval |
| Responsibilities local authorities hold for all schools (funded by the central school  services block with the agreement of Schools Forums) | Responsibilities local authorities hold for maintained schools (funded from maintained schools’ budgets only with agreement of the  maintained school members of the Schools Forum) |
| **Other ongoing duties**    Licences negotiated centrally by the Secretary of State for all publicly funded schools (Sch 2, 8) – this does not require schools’ forum approval  Admissions (Sch 2, 9)  Places in independent schools for non-SEN pupils (Sch 2, 10)  Remission of boarding fees at maintained schools and academies (Sch 2, 11) Servicing of schools forums (Sch 2, 12)  Back-pay for equal pay claims (Sch 2, 13)  Writing to parents of year 9 pupils about schools with an atypical age of admission, such as UTCs and studio schools, within a reasonable travelling distance (Sch 2, 23). | **Other ongoing duties**    No functions |
| **Historic commitments**    Capital expenditure funded from revenue (Sch 2, 1)  Prudential borrowing costs (Sch 2, 2(a))  Termination of employment costs (Sch 2, 2(b))  Contribution to combined budgets (Sch 2, 2(c)) | **Historic commitments**    No functions |
| Additional note | |
| Services set out in the table above will also include administrative costs and overheads relating to these services (regulation 1(4)) for:     * expenditure related to functions imposed by or under Chapter 4 of Part 2 of the 1998   Act (financing of maintained schools), the administration of grants to the authority (including preparation of applications) and, where it’s the authority’s duty to do so, ensuring payments are made in respect of taxation, national insurance and superannuation contributions   * expenditure on recruitment, training, continuing professional development, performance management and personnel management of staff who are funded by expenditure not met from schools’ budget shares and who are paid for services * expenditure in relation to the investigation and resolution of complaints * expenditure on legal services | |

ESFA draft Proforma (APT) OPTION A Appendix D





**Early Years Formula Factors**  **Appendix E**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Factor** | **Current Formula** | | **Proposed Formula** | | **Mandatory/Discretionary** | | **Proposed change** |
| **Base Rate 3 and**  **4 year olds**  Rationale | 1 x base rate applicable across the whole sector | | No change | | Mandatory | | No |
| A single base rate enables equity of funding and supports stabilisation of universal entitlement (15 hours) places and growth in provision of the extended entitlement (additional 15 hours). | | | | | | |
| **Deprivation**  Rationale | FSM eligibility | No change | | Mandatory; 3- and 4-year-olds only – discretionary on measure used | | No | |
| Using EYPP eligibility for the deprivation supplement enables an increased unit rate for children living in workless households. In addition it aims to encourage greater take up of EYPP across the sector EYPP eligibility enables an increased unit rate for children living in workless households and aims to encourage take up of EYPP. | | | | | | |
| **EAL**  Rationale | No – is allowable | | No change | | Discretionary | | No |
| This is a discretionary supplement. The existing formula, arrived at after previous consultation, does not include an EAL supplement. Targeting resource via the deprivation supplement, the EYPP, and the SENDIF is intended to support children who are at risk of poor outcomes. To note: any supplement within a formula must be funded through either a reduction in the base rate, a reduction of the other supplements or from contingency. | | | | | | |
| **Rurality/sparsity**  (LAs to frame as  they see fit) Rationale | Yes | | No change | | Discretionary | | No |
| Due to the mandatory change to a single base rate, childminders experience a drop in their base rate. This supplement is for childminders only, supporting take-up of both the universal and extended entitlement. Applicable to 3 and 4- year-old places only. | | | | | | |
| **Flexibility**  Rationale | No – is allowable | | No change | | Discretionary | | No |
| This is a discretionary supplement. The existing formula, arrived at after previous consultation, does not include a flexibility supplement. Merton Council does not propose a flexibility supplement in the new local formula as there is sufficient flexible provision across a mixed market. This will be reviewed each year in accordance with the Childcare Sufficiency Assessment. To note: any supplement within a formula must be funded through either a reduction in the base rate, a reduction of the other supplements or from contingency. | | | | | | |
| **Quality**  Qualification and  systems leadership Rationale | No – is allowable No change  Discretionary  No | | | | | | |
| This is a discretionary supplement. The existing formula, arrived at after previous consultation, does not include a quality supplement. Merton Council does not propose an additional quality supplement in the new formula. Monitoring of the quality premium in relation to qualifications/workforce cannot be audited in a way that is cost-effective or shows evidence for how it improves outcomes. However, a systems leadership approach, utilising outstanding settings, could be considered in the future. To note: any supplement within a formula must be funded through either a reduction in the base rate, a reduction of the other supplements or from contingency | | | | | | |
| **Base rate 2year-olds** Rationale | 1 x base rate | | No change | | Mandatory | | No |
| No change proposed in base rate as Merton meets regulations. No intentions to move funding between age groups. | | | | | | |