

Agenda

SCHOOLS FORUM

Date: Tuesday 21 June 2016
Time: 2.00 pm
Venue: Knight Hall (Main Room 2), The Coach House,
Green Park, Aston Clinton

Reminder - If you are unable to attend a meeting, please send a substitute from the sector you represent.

Agenda Item	Time	Page No
1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP	14.00	
2 DECLARATIONS OF INTEREST To disclose any Personal or Disclosable Pecuniary Interests		
3 MINUTES To confirm the minutes of the meeting held on the 3 May 2016		5 - 10
4 MATTERS ARISING		
5 BUSINESS CASE FOR CHILDREN'S THERAPIES RECOMMISSIONING Report from Kerri Byrne, Children and Young People's Commissioner	14.15	11 - 22
6 SEND REVIEW UPDATE Update from Gill Shurrock, Head of SEND and Penny Richardson, SEN consultant	14.35	
7 CHANGES TO THE SCHEME FOR FINANCING SCHOOLS Update from Emma Wilding, Senior Accountant	14.50	23 - 94
8 SURPLUSES AND DEFICITS AT 31ST MARCH 2016 Report from Emma Wilding, Senior Accountant, setting out the schools balances (Special schools, maintained primary and secondary and Pupil Referral Units) for consideration of the Schools Forum in line with the agreed policy	15.10	95 - 102

9	CONTINGENCY GROUP UPDATE	15.25
10	F40 UPDATE Update from Councillor Zahir Mohammed	15.35
11	NATIONAL EDUCATION POLICY DISCUSSION Update from Nick Wilson, Service Director Education	15.45
12	ANY OTHER URGENT BUSINESS	16.00
13	DATE OF NEXT AND FUTURE MEETINGS The next meeting will take place on Tuesday 27 September 2016, 2.00pm, Green Park, Aston Clinton.	

Future meeting dates
29 November

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Sharon Griffin on 01296 383691, email: sgriffin@buckscc.gov.uk

MEMBERSHIP:

Headteachers

Pete Rowe, Princes Risborough School (Vice-Chairman)
Roger Burman, The Aylesbury Vale Academy
Karen Collett, Haddenham St Mary's Church of England School
Olwyn Davison-Oakley, Seer Green Church of England School
Katherine Douglas, Brookmead School
Karen Duckworth, Padbury CE School
Janice Freeman, King's Wood School & Nursery
Andy Gillespie, Burnham Grammar School
David Hood, Cressex Community School
Krys Kuzminska, Newton Longville CofE School
Owen Lloyd, Iver Heath Junior School
Kevin Patrick, Chiltern Hills Academy
Rebecca Richardson, Haddenham St Marys School
Alan Rosen, Aylesbury High School
Debra Rutley, Wycombe Grange PRU
Sue Skinner, Bowerdean School
Steven Sneesby, Kite Ridge House PRU
Kathyrn Tamlyn, Cheddington Combined School

Governors

John Bajina, Parent Governor, Secondary Sector
Gaynor Bull, Haddenham St Mary's Church of England School
Angela Coneron, The Vale Federation of Special Schools
Simon Kearey, Great Kingshill Church of England School
Andrew Nobbs, Ashmead School
Katy Simmons, Cressex Community School
Peter Ward, Chilternway Academy

Representatives

Fiona Brooks, St Mary's Pre-School
Claudia Glasgow, NASUWT
Michael Moore, Catholic Diocese of Northampton
Annette Pryce, NUT
Wendy Terry, Manor Farm Pre-School

Minutes

SCHOOLS FORUM

MINUTES OF THE MEETING OF THE SCHOOLS FORUM HELD ON TUESDAY 3 MAY 2016 IN KNIGHT HALL (MAIN ROOM 2), THE COACH HOUSE, GREEN PARK, ASTON CLINTON, COMMENCING AT 2.00 PM AND CONCLUDING AT 3.15 PM

PRESENT

Headteachers	Mr P Rowe (Vice-Chairman)	Princes Risborough School
	Mrs D Rutley	Wycombe Grange PRU
	Karen Collett	Haddenham St Mary's Church of England School
	Susan Hartley	Spinfield School
	Ms O Davison-Oakley	Seer Green Church of England School
	Ms S Stamp	Long Crendon School
	Mr A Rosen	Aylesbury High School
	Mr S Sneesby	Kite Ridge House PRU
	Mr K Patrick	Chiltern Hills Academy
	Mr A Gillespie	Burnham Grammar School
Miss K Douglas	Brookmead School	
Mr O Lloyd	Iver Heath Junior School	
Governors	Mr D Letheren	Wycombe High School
	Mr A Ogden	Chesham Grammar School
	Dr K Simmons	Cressex Community School
	Mrs G Bull	Haddenham St Mary's Church of England School
Representative	Fiona Brooks	St Mary's Pre-School
	Mr M Moore	Catholic Diocese of Northampton
	Ms W Terry	Manor Farm Pre-School
Officers	Mr J Huskinson, Ms E Wilding, Ms A Sayani and Ms S Griffin	



INVESTOR IN PEOPLE



1 ELECTION OF INTERIM CHAIRMAN

RESOLVED

That Mr P Rowe (Headteacher at Princes Risborough School) be appointed Interim Chairman of Schools Forum until the formal elections for Chairman and Vice Chairman at the meeting on the 27 September 2016.

It was agreed that nominations for the permanent positions of Chairman and Vice Chairman would be sought and agreed prior to, rather than during the meeting in September.

2 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP

Apologies for absence were received from Mr D Hood, Mr S Kearey, Mrs A Coneron, Mr A Nobbs, Mrs C Glasgow, Mrs J Nicholls, Cllr Z Mohammed and Mr N Wilson.

3 DECLARATIONS OF INTEREST

There were no declarations of interest

4 MINUTES

The minutes of the meeting held on the 15 March 2016 were confirmed as a correct record subsequent to the following minor amendments:

Page 7

The deletion of the following duplicate paragraph:

Concern was expressed about the impact of the £70k reduction for School Meals and Participation Worker. Mrs Wilding reported that funding was not required as schools meals were no longer an in-house provision and that the funding source for the Participation Worker had changed, although this work was still taking place.

Page 8

Amendment to the national average percentage as follows:

Members were advised that apart from 2 Greater London Authorities, the percentage of pupils with a Statement of SEN or Education Health Care Plan was never less than 1% and that this figure was 3.28% in Bucks compared to the national average of **2.8%**.

Page 11

The following paragraph moved from page 11 and inserted after the point b) on page 10 'that insufficient free reserves and balances are able to cover these costs'.

Members of Schools Forum were asked for guidance on dealing with applications for additional schools numbers etc.

Page 12 – 6th bullet point

The correction of the spelling of the word difficulty

What the best way of addressing the issue of schools in **difficulty** would be

Page 16

The insertion of the paragraph:

The following four members of Schools Forum agreed to act as an Appeal Panel to discuss any applications that had been declined by the Contingency Panel: Mr N Wilson, Mrs T Haddon, Mr A Nobbs, Mrs G Bull.

Deletion of the Action: An appeal process would be discussed and an update given at the next meeting of Schools Forum.

Addition of the Actions:

The appeal process used by other local authorities would be looked into – Director of Education.

The Terms of Reference for the Contingency Panel would be updated accordingly to reflect any changes to the appeal process – Member Services Officer.

5 MATTERS ARISING

Electronic Election Process for Schools Forum representatives

Members discussed the document included in the agenda pack which gave details of the election process for Schools Forum representatives.

Members of Schools Forum AGREED with the use of an electronic election process subsequent to the following amendments:

- The officer name should to be amended to Clerk to Schools Forum.
- The inclusion of the clarification of the maximum number of words for the personal statement.
- Legal clarification of whether the election process needed to be carried out by post as well as electronically to take into account the possibility that a candidate did not have internet access.
- Point 2 (a) Nominations to be amended to – ‘any governor or **head** may nominate himself/herself as a candidate for election’.
- Point 3 (a) Voting - to be amended to ‘if **only** one nomination is received, the candidate will be automatically elected’.

6 SCHOOLS FORUM FUNDING GROUP UPDATE

Mr P Rowe gave an update on items discussed at the Schools Forum Funding Group meeting which took place on the 22 April 2016. The draft minutes are attached for information.

ACTIONS:

- **The current and revised versions of the Financial Scheme of Delegation and an overview of the major changes would be presented to Members of Schools Forum- Mrs E Wilding.**
- **The f40 group would be contacted to clarify their response to the next stage of the Fair Funding consultation – Mrs E Wilding**
- **Further legal advice would be sought on the clarification of the terminology used in the Terms of Reference–Service Director Education.**
- **A timeline for consultations and recommendations to be undertaken by Schools Forum would be compiled – Mr J Huskinson**
- **Legal clarification would be obtained of the proposed changes to the Constitution – Member Services Officer.**

7 NATIONAL EDUCATION POLICY DISCUSSION

This item was deferred to the next meeting.

8 HISTORIC COMMITMENTS RETURN

Mrs E Wilding explained that Central Government wanted to create a new central schools block which would bring together two existing funding streams through which local authorities receive funding for their responsibilities:

- centrally retained Dedicated Schools Grant
- retained duties Education Services Grant

Members were advised that the proposal was to distribute funding using a simple per pupil formula. Local authorities had been asked to submit a return detailing their historic commitments by 27 May 2016.

Members heard that there were historic commitments still in place in some areas such as:

- the 5 year contract with Bucks Learning Trust as funding had been agreed prior to April 2013
- Schools PRC which was an ongoing national issue.
- The capital bid to expand Bierton School was committed to in 2012 but had been put on hold due to land issues and currently parking/council issues due to local opposition.
- The agreement by Schools Forum that 2016-17 was the last year that the £3.3m contribution to capital would be made which would be spread over two years £1.65m in 2016-17 and £1.65m in 2017-18

Members were advised that Mr A Johnson, 14-19 Commissioner, had presented a report at the last meeting of Schools Forum Funding Group explaining that the funding for Practical Learning Opportunities and 14-19 Commissioning dated back to April 2010

when the following two statutory duties transferred from the Learning and Skills Council to Local Authorities:

- To secure enough suitable education and training to meet the reasonable needs of young people who are over compulsory school age but under 19, and those aged 19-25 and are subject to learning difficulty assessment (LLDD).
- To encourage, enable or assist young people's participation in education or training.

Mr Johnson had also advised SFFG members that there were the historic commitments of the School Engagement Programme: Increasing Flexibility Programme: Parents and Carers Events to promote post-16 options: and the Raising of the Participation Age and Work Related Learning and that with the exception of the Work Related Learning, all of the above commitments were committed prior to 2013. Mr Johnson said it was felt that these budgets needed to be retained as without this funding many learners from disadvantaged backgrounds would be disadvantaged even further.

ACTION:

Clarification of the services provided by Bucks Learning Trust would be given at the September meeting of Schools Forum – Mr Huskinson

Members of Schools Forum AGREED with the retention of the budget for Historical Commitments.

9 F40 UPDATE

Members were advised that there had not been a meeting of the f40 group since the March meeting of Schools Forum.

10 ANY OTHER URGENT BUSINESS

No items of urgent business were raised.

11 DATE OF NEXT AND FUTURE MEETINGS

The next meeting will take place on Tuesday 21 June 2016, 2pm, The Knight Room, The Coach House, Green Park, Aston Clinton.

Future meeting dates for 2016:

27 September

29 December

CHAIRMAN



Project Management Toolkit

Full Business Case

Project Title	Children's Therapies Recommissioning		
Project No. or Ref	n/a	Document Version	3.0
Project Manager	Kerri Byrne	Tel. No.	07767 005588
Project Sponsor	Debbie Richards	Tel. No.	07919 013346

1. Executive Summary

In autumn 2015 an outline business case recommending the recommissioning of Children and Young People's (CYP) speech and language therapy (SALT), occupational therapy (OT) and physiotherapy (PT), as a single, integrated service, was accepted by the CYP Joint Executive Team (JET). The scope and procurement options for the service were then explored and public engagement undertaken. In May 2016 the CYP JET recommended that the full business case was progressed to decision through the Buckinghamshire County Council (BCC) and Clinical Commissioning Group (CCG) governance processes. This paper presents the full business case for the recommissioning, incorporating a triangulation of needs assessment, budget considerations, national policy, best practice, procurement regulations, and known risks, and proposes a commissioning plan for approval as follows: Tender for an integrated service, which will provide a better quality service for CYP for no additional investment. Maintain existing funding levels because a reduction in preventative services (universal and targeted) will increase statutory assessments and put additional pressure on High Needs Block funding that is already over-heating.

2. Background and Reasons

2.1 **Current Commissioning Arrangements**

Appendix 1 outlines the commissioning and funding arrangements for each therapy service.

The CYP therapy services are delivered according to tiers of intervention – the Balanced System® model. The 2014 Code of Practice for Special Educational Needs and Disability (SEND) 0-25 sets out a responsibility for services to be jointly commissioned to meet SEND both through the Local Offer and for children and young people with Education, Health and Care Plans (EHCPs); children with SEND can be with and without an EHCP. The Code of Practice recognises the benefits of a tiered offer across universal, targeted and specialist provisions and is observed to be effective nationally through Department for Education (DfE) commissioned reviews such as the Bercow Review (2008) and the Better Communication Research programme (2012). CYP with EHCPs may have specified interventions at a universal, targeted and specialist level; 'statutory' provision is not limited to 'specialist' provision.



Project Management Toolkit

Since individual therapy services were jointly commissioned (SALT 2011/12, OT 2013), BCC and the Buckinghamshire CCGs have been able to effect significant positive changes in terms of both outputs and outcomes. To illustrate, joint commissioning and service redesign has:

- Achieved cumulative savings of over £2m (CCGs £789k and BCC £1.45m [£1.4m High Needs Block [HNB] and £50k core])
- Increased reach and activity by 30%
- Reduced Statements/EHCPs with SALT or OT as an educational need by 65%
- Reduced access times to average of 6-10 weeks (prior to recommissioning, wait times were 40 weeks for SALT and 104 weeks for OT)

This recommissioning takes service transformation to the next stage through proposing that therapy services are provided through a single, integrated service which will further increase efficiencies and effectiveness. An OCB feasibility study also concluded that integration was the preferred option.

2.2 Project aims

The aim of the project is to recommission CYP services in a more integrated way in order to:

- Streamline services for the 21% CYP accessing a combination of two or more therapy services e.g. through reducing duplication, and improving coordination, communication, and shared decisions that consider the whole child holistically.
- Explore scope for cost avoidance through absorbing growth within a flat cash budget; adopting a more fluid and cross-therapy workforce model; continuing to invest in universal and targeted services which through early intervention, prevention and inclusion reduce requirement for specialist services; and incentivising providers to adopt innovative ways of delivering services.
- Enhance the Balanced System® model that has achieved good outcomes so far and focuses on early intervention and secondary prevention to ensure CYP are seen at the most appropriate tier of provision and ensure BCC and CCG statutory requirements are delivered alongside best practice and maximum value for money.

2.3 Service User Engagement

A comprehensive communications plan was implemented and public engagement undertaken in January 2016 to gather feedback on the current services and float the idea of a single service. Over 300 people (approx. two thirds parents) took part in the engagement activities, either through an online survey or face to face meetings. 61% thought joining up the services was a good idea in principle and a further 28% wanted more information before being able to decide. The newly established BCC Youth SEND forum has advised how to engage and involve CYP using therapy services in the recommissioning process, and these initiatives will be employed as part of the next stage of public consultation, which will be available at www.bucksfamilyinfo.org.



Project Management Toolkit

3. Needs analysis and future scenarios

3.1. Current need and provision

The needs assessment has taken account of national data (e.g. IMD, child poverty and population data), prevalence and predictive tools for particular conditions, local schools data (e.g. pupil numbers and attainment), local SEN data, and therapy-service specific data (e.g. caseload, workforce, activity).

Buckinghamshire is generally affluent whilst also having pockets of deprivation, notably in Aylesbury where 8% Lower Super Output Areas (LSOAs) are ranked as relatively deprived¹ and 25% children are in low-income households². The needs analysis compared expected levels of need with current service activity per geographic area. Key points:

- Referrals to all three therapies from Wycombe are above what would be expected.
- Referrals and caseloads in Aylesbury for OT and SALT are below that expected. PT waiting lists and caseload in Aylesbury are considerably higher than expected.
- The demand in Chiltern and South Bucks for SALT for CYP with EHCPs is higher than would be expected.

3.2. Assessment of current budget against demand

In 2013 the CCGs commissioned an independent review of PT services and through this it was identified that **the PT service has significantly lower staffing levels than the other therapy services for the level of demand**, however the staffing shortfall has not been funded since the report was finalised.

The current funding for SALT and OT is providing an adequate level of service provision however pressure on these services is arising from the increasing demands of the SEND process, and the challenge of balancing the development of a sound Local Offer through targeted services, with the rising levels of EHCP need being identified:

- Buckinghamshire has higher than average EHCPs and lower than average SEN support, and CYP are more likely to attend special schools³.
- Between 2014/15 and 2015/16 there was a 43% increase in assessments undertaken and 31% increase in EHCPs issued⁴.
- Between 2009 and 2015 the rate of growth in demand for statutory services increased 5½ times faster than the rate of population increase.
- Between 2009 and 2013 the number of CYP with multiple disabilities increased 63%.
- OT statutory assessments Jan-Feb 2016 shows an increase of 68% compared with the same period 2015.

¹ Indices of Multiple Deprivation (IMD) published 2015

² HMRC Child Poverty Statistics published 2015

³ Indicative findings from SEND review (in draft), author Penny Richardson

⁴ Ibid



Project Management Toolkit

At present, SALT specialist tier interventions represent 77% of SALT HNB funding. The remainder of SALT HNB funding and most of the CCG contribution funds targeted tier interventions which not only fulfil the statutory duty to provide services for CYP with SEND but without an EHCP, but have been critical in changing the shape of the SALT service from predominantly statutory work to only 16% of caseload with EHCP. Similarly, significant redesign of the OT service now means that 30% of OT HNB contribution funds specialist tier interventions⁵ and the remainder of HNB funds targeted interventions. Through implementing the link therapist model in schools the OT service has enabled a 94% increase in school advice referrals and reduced the number of OT hours on Statements/EHCPs by 51% since 2013. A system-wide response to the steep and steady increase in EHCPs over the last few years should include building capacity, confidence and competence in mainstream education settings to support and enable them to meet the needs of CYP before the point of statutory assessment. An integrated therapies service would contribute towards achieving this through continuation and extension of the universal and targeted provision offer.

3.3. Assessment of impact of disaggregation of education provision from health provision

The impact of disaggregation would be in reduced quality of services to CYP, families and schools; a child requiring therapy might need to be seen by two therapists for the same specialism (e.g. one OT for education and one OT for health). Disaggregation would make the service disjointed and fragmented and would require an enormous of work for no gain. CCGs may feel the need to consider this option however extreme caution is advised and this cannot be a recommended step.

3.4. Impact of Department for Education (DfE) consultations

In March 2016 the DfE launched two consultations proposing changes to schools funding. Implications for the therapies recommissioning project arise because the majority of BCC contribution to pooled budgets for jointly commissioned therapy services comes from the HNB funding, which the government proposes will be re-calculated based largely on deprivation indicators. Current predictions are up to a **£20m reduction which represents c27% of HNB funding**. Risks are:

- The funding formula and allocations will not be released until later in the year. The OT contract currently in place does not allow for further extension under EU procurement regulations so the service must be recommissioned 16/17.
- It has not been decided how the impact of a reduction would be absorbed. Therapy services are already extremely lean and if reductions to HNB for therapies are made the services may not be viable and access for CYP will be affected (see section 3.5).
- Proposed changes will prevent Local Authorities from being able to transfer funding from one funding element to another, therefore, if reductions to HNB cannot be met or pressure on HNB continues to increase, there would be pressure on BCC core funding.

⁵ Hours on Statements/EHCPs only; figure excludes other work such as statutory assessments etc.



Project Management Toolkit

3.5. Assessment of impact of a reduction in HNB funding

This section models the effect on therapies services if the predicted HNB funding reduction was to be met through all SEND provision absorbing a percentage reduction. Appendix 2 shows how different percentage reductions would affect staffing.

The impact of a 5-10% reduction in HNB funding would be seen in the volume of services delivered and waiting times, and at the higher end would have a significant impact. In the medium term this would reduce the ability of the service to offer consistent high level targeted interventions in schools, which would be counter-productive, and a potential increase in requests for statutory assessment in an already over heated area is a strong possibility. Mitigating factors are that an integrated model will buffer at a universal and targeted level to some degree and there is potential for schools to commission additional services although this is not a certainty.

A 20% or greater reduction in HNB funding represents a reduction that would only be met through cutting areas of service delivery, if the impact of reduced volume is not going to make the whole service delivery level unacceptable. The options for ceasing elements of service provision at this level will have an impact on the delivery of a Balanced System® model and the likelihood of reverting to the service models of 10 years ago which were generating increasing and uncontrolled demands on the BCC budgets. Increased demand for statutory assessment and tribunals are highly likely. Furthermore this option is likely to be deeply unpopular with families and stakeholders and risks creating lack of public confidence in the service and reputational damage to commissioning organisations.

The scenarios described above consider the impact of a reduction based on current levels of SEND demand however, as highlighted in section 3.2, SEND demand is increasing steeply. If targeted tier services are reduced, in the short term it would appear to be a saving but it would quickly cost more because statutory assessment would become the only access route for therapies. Therefore, maintenance of current HNB funding levels is strongly recommended.

3.6. In scope for recommissioned therapy services

- Devolved CYP equipment budget (c£350k pa) to give greater control over spend and visibility on decision making. This has been agreed in principle with budget holders.
- Tribunals work (c£60k pa) that is currently paid separately to providers.
- Resolution of border and boundary issues and alignment across therapies to improve consistency and reduce access complexities; the current provision represents a disjointed and confusing offer for CYP and families.

3.7. Out of scope for recommissioned therapy services

- Social care housing adaptations OTs, who will remain in BCC Social Care team.



Project Management Toolkit

- Special schools, which have a devolved budget (the new contract will allow scope for special schools to contract directly with the new integrated service if they choose to).
- Provision for 19-25 year olds during year one of the contract, which will provide a baselining period after which commissioners can make an informed assessment and decision about how to most appropriately commission therapy services for this cohort. This would be achieved through review of numbers and needs of the young people coming up through the service and discussion with providers regarding appropriate therapy provision, which may not be a natural extension to the CYP therapies service due to differences in requirements of clinical competencies.

4. Business Options

4.1. The commercial strategic options appraisal has been based on:

- Advice from BCC and CCG procurement leads and BCC legal department;
- Market engagement exercise with existing and potential providers in January 2016 to assess potential interest in an integrated, jointly commissioned contract and market testing with current providers in April 2016 to respond to alternative commissioning approaches in light of the DfE consultation;
- Consideration of current austere and uncertain financial climate generally and recalculations of schools funding specifically;
- Consideration of implications of changes in procurement legislation governing CCGs with effect from 18th April 2016;
- Outcomes for and impact on CYP;
- Compliance with legislation;
- Best practice;
- Strategic fit (national and local);
- Assessment of need;
- Risks;
- Financial viability (to commissioners and providers).

4.2. Market View

Soft market testing suggested that there is limited interest in providing county-wide integrated therapies services (only three responses were received to the invitation for expressions of interest). The providers that were interested said their preferred commercial strategy would be competitive tender because they felt it was easier to achieve full integration with a single provider. Later conversations with existing providers highlighted that providers are reluctant or unwilling to bid for a disaggregated service on principle because it does not support the best approach for CYP (this also indicates a maturity in the market understanding of service delivery best practice). Providers indicated they would be unlikely to bid for a service they considered unviable.



Project Management Toolkit

4.3. Table of business options

Option	Option 1	Option 2	Option 3	Option 4	Option 5
Description	Do nothing	Tender for specialist-tier only	Tender separately for education provision and health and social care provision	Extend current services with possibility of integrating OT and PT	Tender for single, integrated service comprising SALT, OT and PT with flat cash envelope
Benefits	None	<ul style="list-style-type: none"> Short term savings through decommissioning lower tiers of provision. 	None	<ul style="list-style-type: none"> Achieve a degree of integration as there are areas where OT and PT can share some workforce and these services are currently with the same provider. OT and PT combined would still be an improved service for CYP. Services remain in place for 2017/18. 	<ul style="list-style-type: none"> Achieve best possible outcome and service effectiveness for CYP. Achieve full efficiencies of integrated workforce model. Cost avoidance through absorbing new growth/ complexity of need and increased staffing for PT without needing additional investment. Providers very likely to bid.
Risks	<ul style="list-style-type: none"> Breaches EU procurement legislation. Costly spot purchasing when contracts expire. Service delivery stops for BCC-funded OT. 	<ul style="list-style-type: none"> Effective service delivery needs all three tiers to work effectively. Medium-term increase in demand on specialist provision and increased cost at higher rate. Stakeholders view early intervention as essential for effective provision. Providers unlikely to bid. 	<ul style="list-style-type: none"> Does not meet legislative requirements of joint commissioning. Long term consequences of undoing benefits of jointly commissioned services to date. Increased complexity for CYP. Increased admin/management time and reduced clinical time. Reduced economies of scale as two separate contracts. 	<ul style="list-style-type: none"> Does not achieve full benefits of integrating all 3 therapies. Step backwards for joint commissioning in Bucks. Breach procurement regulations requiring tender to take place. Risk of challenge from other providers. Potential higher cost of services from 2017/18. 	<ul style="list-style-type: none"> BCC would need to commit now to a funding envelope for the contract term, in order for a competitive tender to take place. Funding partners would need to agree to co-commission services when BCC is facing financial uncertainty around HNB funding.

17



Project Management Toolkit

4.4. Recommendations

1. Progress business option 5 to tender for a jointly commissioned integrated therapies service with existing funding envelope.
2. Delegated authority is given to an officer at the point of contract award and at the point of contract extension.
3. BCC and CCGs to act on taking forward the strategic leadership and ownership of identification, assessment, co-ordination and outcome monitoring of SEND across the whole system.

4.5. Benefits

- Cost avoidance through 1) absorbing new growth and increased complexity of need without requiring additional investment 2) raise PT staffing to adequate levels without requiring additional investment.
- Improved efficiency and quality through streamlined processes and systems and enabling clinicians to work seamlessly to provide services.
- Inclusion and prevention through enabling mainstream schools to support CYP with SEND needs.

4.6. Dis-Benefits

- BCC would have to commit to a funding envelope before the outcome of the HNB allocation is known. However, the risk of committing to a long term (recommended 5 year) funding envelope in the face of financial uncertainty must be balanced against risks arising through delaying a decision and being forced to extend current contracts with existing providers, thereby breaching EU procurement regulations and having to commission services at potentially higher cost.
- CCGs would need to consider their response to a partnership approach to commissioning where BCC faces particular financial challenges. However this needs to be balanced against the benefits of jointly commissioning services which complies with legislation, and maximises cost effectiveness and quality of provision for CYP.

4.7. Risks (see Appendix 3)

4.8. Dependencies

This FBC assumes that the DfE proposals will be implemented as set out in the two consultations.

4.9. Costs

- Project management and clinical expertise (agreed).
- Potential costs arising from TUPE, equipment/IT audit, and pump-priming assistive technology development.



Project Management Toolkit

4.10. Contract particulars and developments

- A long contract term (5 years plus option to extend) is recommended to allow time for the service to settle and start delivering outcomes before the next re-tendering process, and incentivise providers to put effort and investment into the service. Learning from other areas suggests it takes min. 18 months to achieve complete service transformation of this scale.
- Incentivise the provider to continuously improve processes to improve efficiency, and invest in technology-enabled care to increase cost-effectiveness of services. The service is unlikely to be able to achieve new ways of working from year one while integrating three previously separate services but should be expected to see visible results from year three onwards.
- Contract year one would enable a baselining period for assessment of 19-25 need as per section 3.7 to facilitate informed commissioning decisions for the remainder of the contract term. This year would also enable the development of unit costs in preparation for being able to deliver personal budgets through the EHCP process.
- Encourage current and future education commissioners (e.g. schools, academies and multi-academy trusts [MATs]) to commission further therapy provision as part of their delivery of the Local Offer for CYP with SEN who may not have EHCPs and to raise overall attainment.

4.11. Timescale

Milestone	Timescale
Commissioning approach agreed and approved	April – June 2016
Tender documentation produced	June – July 2016
Final public consultation before tender	June – July 2016
Combined PQQ and ITT	August – September 2016
<i>DfE allocations made available</i>	<i>Autumn 2016</i>
Tender evaluation and decision	October 2016
Approval and contract award	October – November 2016
Transition/mobilisation plan developed	November – December 2016
Contract worked up	January – March 2017
Contract start date	1 st April 2017
Phased mobilisation	April – September 2017
Service go-live	September 2017



Project Management Toolkit

Appendix 2: Financial modelling for possible reductions in High Needs Block Funding

Reduction from DSG High Needs Block element only	Speech and Language Therapy		Occupational Therapy		Total
	£	Possible staffing reduction	£	Possible staffing reduction	
5%	40,075	0.8x Band 6 Or 1.2x Band 5	33,806	1x Band 5	73,881
10%	80,149	1x Band 6 + 1x Band 5	67,611	2x Band 5 Or 0.5x Band 6 + 1x Band 5	147,760
20%*	160,298	2x Band 6 + 2x Band 5	135,222	3x Band 6 Or 2x Band 6 + 1x Band 5	295,520

*A reduction of 7 therapists across both therapy specialisms is equivalent to an entire geographic team



Project Management Toolkit

Appendix 3: Summary Project Risk Assessment as at June 2016

Description of Risk	Impact	Likelihood	RAG
If there is either too much detail or lack of robustness in the specification there is a risk the contract will not deliver the required outcomes.	2	1	L
Any potential reductions for funding risks generating negative response from public and stakeholders.	1	1	L
If few tenders are received then a competitive price may not be achieved.	3	1	M
Contract Standing Orders have already been breached in order for the current OT contract to be extended during 2016/17 for the purpose of recommissioning; if a decision was taken to extend current contracts past March 2017 there is a risk that a second breach would not be acceptable to S151 officers.	3	2	M
Loss of key project personnel or delays in decision making due to BCC restructure and CCGs' federation risks project milestones being missed.	3	2	M
Mechanisms to fund and deliver Personal Budgets must be considered in the design of new services however a high uptake risks financial instability for the provider and pressure on commissioners, reduced ability to maintain service provision and less efficient use of resources.	5	1	H
If statutory assessments and EHCPs continue to rise at the present rate without system-wide leadership and intervention, there is a risk that even an integrated service with flat funding may not be able to match demand and provision and targeted provision will be reduced, leading to increase in specialist provision and hours on EHCPs.	5	4	E

Impact x Likelihood = numerical risk score Impact x Likelihood RAG rating is established using matrix below

		Impact				
		1	2	3	4	5
Likelihood	1	L	L	M	H	H
	2	L	L	M	H	E
	3	L	M	H	E	E
	4	M	M	H	E	E
	5	M	M	E	E	E

Schools Forum

Title:	Changes to the Scheme for Financing Schools
Date:	10 th June 2016
Author:	Emma Wilding
Contact officer:	Emma Wilding 01296 382012
Local members affected:	Maintained School members only

Summary

This paper details changes to the Scheme for Financing Schools to bring it into line with the latest guidance from the Department for Education. The scheme sets out the financial relationship between the authority and the maintained schools which it funds. It contains requirements relating to financial management and associated issues, binding on both the authority and on schools.

Recommendation

At this stage, this paper is for information only. The new scheme and changes to the scheme, as summarised below, have been sent to all schools and all governors via Schools Bulletin for consultation in line with part 1.4 of the scheme. The closing date for the consultation is 21st July 2016. Once comments have been received from schools and governors these will be summarised and submitted to the next Schools Forum meeting. Final changes to the document will be agreed, and the new document published on the Buckinghamshire County Council website.

Background

The current “Scheme for Financing Schools and Defining Working Relationships between Governing Bodies, Headteachers and the Local Authority” is found on SchoolsWeb.

<https://schoolsweb.buckscc.gov.uk/finance-zone/scheme-of-financial-delegation/>

This has not been updated for a number of years and there are many aspects of it that are out of date. Therefore the proposed new scheme is based on the DfE Statutory guidance for having a Scheme for Financing Schools found at the following link.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/486440/Scheme_for_Financing_Schools_Dec_2015.pdf

The proposed new scheme is attached. This paper aims to set out the main changes between the proposed new scheme and the original scheme.

Changes to the Scheme

1. The format has changed. The new scheme format is now in line with the DfE scheme.
2. The new scheme is only finance related. The old scheme also included the working relationship with schools. In order to keep in line with the DfE scheme, it was felt the scheme should stick to the topics in the DfE scheme. The other topics have been removed and compiled as a separate document to be reviewed in due course.
3. It has now been clarified that Community Facilities are treated as if they were amounts spent for the purposes of the school
4. Copies of the scheme will be available on the BCC website. Hard copies will now not be sent to schools.
5. **2.1.6 Writing off of debt:** This section has changed to be in line with financial regulations of the authority.
6. **2.3 Submission of budget plans:** It has been decided that only the governing body can approve the formal annual budget plan, previously it could be a committee of the governing body.
7. **2.3.1 Submission of Financial Forecasts:** Clarified from multiyear to at least 3 years and removed the notification of budget shares beyond the current year.
8. **2.4 Efficiency and Value for Money:** a new point has been added requiring benchmarking required by the latest DfE scheme.
9. **2.6 Audit:** General: wording changed from Audit Commission to External Audit.
10. **2.9 Register of business interests:** added relationships between staff and governors and the fact that the register has to be published required by the latest DfE scheme.
11. **2.10 Purchasing, tendering and contracting requirements:** taken out the detail and said must abide by the authority's financial rules and standing orders in purchasing, tendering and contracting matters (These will be contained within the LMS Handbook).
12. **2.11 Application of contracts to schools:** Updated for Ed act 2002
13. **2.12 Central funds and earmarking:** now includes examples of earmarked funds required by the latest DfE scheme.
14. **2.13 Spending for the purposes of the school:** Updated for Ed Act 2002 and updates in 2011.
15. **2.14 Capital spending from budget shares:** clarification of when notification to the authority must be made regarding capital spend.
16. **2.16 Schools Financial Value Standard (SFVS):** referred to Schoolsweb for submission timetable.
17. Sections **3.1 to 3.3** have been clarified

18. **4.2 Controls on surplus balances** – Excessive surpluses are now defined as 15% or more (on all the school's income) for the last 5 years and at least £10,000 each year.
19. **4.8 Balances of closing and replacement schools:** The fact that academies can take their surpluses with them has been added
20. **4.9 Licensed deficits:** The part about School Standards fund has been removed and information about external bank accounts being taken into account has been added
21. **4.10 Loan schemes and 4.10.1 Credit union approach** are new sections added to the scheme required by the latest DfE scheme.
22. **5.2 Income from fees and charges:** Clarification and an addition about boarding required by the latest DfE scheme.
23. **Section 6** now contains all the circumstances in which charges may be made as required by the latest DfE scheme.
24. **7.2 CIS (Construction Industry Taxation Scheme)** is a new section added to the scheme required by the latest DfE scheme.
25. **10.2 Indemnity for School Governors and Governing Bodies** and **10.3 Information to the authority** have been removed as they are outside the scope of the scheme required by the latest DfE scheme.
26. **11.2 Liability of governors:** removal of Annex I about the Indemnity of Governors as it is outside the scope of the scheme required by the latest DfE scheme.
27. **11.5 Early Warning Protocol and 11.6 Contingency for Legal Expenses and 11.7 Disputes between schools and authority, or governing bodies and Headteachers** have been removed as they are outside the scope of the scheme required by the latest DfE scheme.
28. **11.8 Health and Safety:** Removed the detail from the scheme and signposted to the authorities policy on Schoolweb
29. **11.11 Optional Delegated funding** has been removed as it is outside the scope of the scheme required by the latest DfE scheme.
30. **11.8 Interest on late payments** is a new section added to the scheme required by the latest DfE scheme.
31. **11.14 School Vehicles** has been removed as it is outside the scope of the scheme required by the latest DfE scheme.
32. **11.17 Staff Disciplinary matters and 11.18 School Meals and 11.19 Intervention by local authority where school causing concern and 11.20 Notification to Children's Services re school attendance of looked after children** have been removed as they are outside the scope of the scheme required by the latest DfE scheme.
33. **13.4 Employment of Community staff** has been removed as it is outside the scope of the scheme required by the latest DfE scheme.

Buckinghamshire County Council

Scheme for Financing Schools

Maintained in accordance with Section 48 of the School Standards
and Framework Act 1998, and Schedule 14 to the Act

Contents

The outline scheme	3
Section 1: Introduction	5
Section 2: Financial controls	7
Section 3: Instalments of the budget share; banking arrangements	15
Section 4: The treatment of surplus and deficit balances arising in relation to budget shares	17
Section 5: Income	20
Section 6: The charging of school budget shares	22
Section 7: Taxation	24
Section 8: The provision of services and facilities by the authority	24
Section 9: PFI/PPP	27
Section 10: Insurance	27
Section 11: Miscellaneous	28
Section 12: Responsibility for repairs and maintenance	31
Section 13: Community facilities	32
Annex A: The list of schools to which this scheme applies	37
Annex B: Responsibility for redundancy and early retirement costs	42
Annex C: Categories of work which governing bodies must finance from their budget	45

Purpose of the Scheme

Buckinghamshire County Council is required to have Scheme for Financing Schools, which defines the financial relationship between the authority and the schools in its area (School Standards and Framework Act 1998, sections 45-53). The scheme covers such matters as banking, accounting and audit arrangements.

Expiry or review date

This guidance will be reviewed annually and updated when necessary.

What legislation does this guidance refer to?

- Section 48 of the [School Standards and Framework Act 1998](#), and Schedule 14 to the Act
- [School and Early Years Finance \(England\) Regulations 2014](#)

Who is this guidance for?

This guidance is for Buckinghamshire County Council and all the schools it maintains.

The outline scheme

References throughout this statutory guidance to:

“the Act” are to the School Standards and Framework Act 1998;

“the authority” means Buckinghamshire County Council, and

“the Regulations” are to the School and Early Years Finance (England) Regulations 2014 made under the Act.

The scheme deals with the following matters:

1. The carrying forward from one funding period to another of surpluses and deficits arising in relation to schools’ budget shares.
2. Amounts which may be charged against schools’ budget shares.
3. Amounts received by schools which may be retained by their governing bodies and the purposes for which such amounts may be used.
4. The imposition, by or under the scheme, of conditions which must be complied with by schools in relation to the management of their delegated budgets and of sums made available to governing bodies by the authority which do not form part of delegated budgets, including conditions prescribing financial controls and procedures.
5. Terms on which services and facilities are provided by the authority for schools maintained by them.
6. The payment of interest by or to the authority.
7. The times at which amounts equal in total to the school’s budget share are to be made available to governing bodies and the proportion of the budget share to be made available at each such time.
8. The virement between budget heads within the delegated budget.

9. Circumstances in which the authority may delegate to the governing body the power to spend any part of the authority's non-schools education budget or schools budget in addition to those set out in section 49(4)(a) to (c) of the 1998 Act.
10. The use of delegated budgets and of sums made available to a governing body by the authority which do not form part of delegated budgets.
11. Borrowing by governing bodies.
12. The banking arrangements that may be made by governing bodies.
13. A statement as to the personal liability of governors in respect of schools' budget shares having regard to section 50(7) of the 1998 Act.
14. A statement as to the allowances payable to governors of a school which does not have a delegated budget in accordance with the scheme made by the authority for the purposes of section 519 of the 1996 Act.
15. The keeping of a register of any business interests of the governors and the head teacher.
16. The provision of information by and to the governing body.
17. The maintenance of inventories of assets.
18. Plans of a governing body's expenditure.
19. A statement as to the taxation of sums paid or received by a governing body.
20. Insurance.
21. The use of delegated budgets by governing bodies so as to satisfy the authority's duties imposed by or under the Health and Safety at Work etc. Act 1974.
22. The provision of legal advice to a governing body.
23. Funding for child protection issues.
24. How complaints by persons working at a school or by school governors about financial management or financial propriety at the school will be dealt with and to whom such complaints should be made.
25. Expenditure incurred by a governing body in the exercise of the power conferred by section 27 of the 2002 Act.

Section 1: Introduction

1.1 The Funding Framework

The funding framework which replaces Local Management of Schools is set out in the legislative provisions in sections 45-53 of the School Standards and Framework Act 1998.

Under this legislation, the authority determine for themselves the size of its schools budget and its non-schools education budget – although at a minimum the authority must appropriate its entire Dedicated Schools Grant to their schools budget. The categories of expenditure which fall within the two budgets are prescribed under regulations made by the Secretary of State, but included within the two, taken together, is all expenditure, direct and indirect, on the authority's maintained schools except for capital and certain miscellaneous items. The authority may deduct funds from their schools budget for purposes specified in regulations made by the Secretary of State under s.45A of the Act (the centrally retained expenditure). The amounts to be deducted for these purposes are decided by the authority, subject to any limits or conditions (including gaining the approval of the Schools Forum or the Secretary of State in certain instances) as prescribed by the Secretary of State. The balance of the schools budget left after deduction of the centrally retained expenditure is termed the Individual Schools Budget (ISB). Expenditure items in the non-schools education budget must be retained centrally (although earmarked allocations may be made to schools).

The authority must distribute the ISB amongst its maintained schools using a formula which accords with regulations made by the Secretary of State, and enables the calculation of a budget share for each maintained school. This budget share is then delegated to the governing body of the school concerned, unless the school is a new school which has not yet received a delegated budget, or the right to a delegated budget has been suspended in accordance with s.51 of the Act. The financial controls within which delegation works are set out in this scheme made by the authority in accordance with s.48 of the Act and regulations made under that section. All proposals to revise this scheme must be approved by the Schools Forum, though the authority may apply to the Secretary of State for approval in the event of the forum rejecting a proposal or approving it subject to modifications that are not acceptable to the authority.

Subject to any provision made by or under the scheme, governing bodies of schools may spend such amounts of their budget shares as they think fit for any purposes of their school and for any additional purposes prescribed by the Secretary of State in regulations made under s.50 of the Act. This includes amounts spent by a governing body on providing community facilities or services under section 27 of the Education Act 2002 are treated as if they were amounts spent for the purposes of the school (s50(3A) of the Act.)

The authority may suspend a school's right to a delegated budget if the provisions of this scheme (or rules applied by the scheme) have been substantially or persistently breached, or if the budget share has not been managed satisfactorily. A school's right to a delegated budget share may also be suspended for other reasons (schedule 17 to the Act).

The authority is obliged to publish each year a statement setting out details of its planned Schools Budget and other expenditure on children's services, showing the amounts to be centrally retained and funding delegated to schools. After each financial year the authority must publish a statement showing out-turn expenditure at both central level and for each school, and the balances held in respect of each school.

The detailed publication requirements for financial statements are set out in directions issued by the Secretary of State, but each school must receive a copy of each year's budget and out-turn statements so far as they relate to that school or central expenditure.

Regulations also require the authority to publish its scheme and any revisions to it on a website accessible to the general public, by the date that any revisions come into force, together with a statement that the revised scheme comes into force on that date.

1.2 The role of the scheme

The scheme sets out the financial relationship between the authority and the maintained schools which it funds. It contains requirements relating to financial management and associated issues, binding on both the authority and on schools.

1.2.1 Application of the scheme to the authority and maintained schools

The scheme applies in respect of all community, nursery, voluntary, foundation, community special or foundation special schools and pupil referral units (PRUs) maintained by the authority. It does not apply to schools situated in the authority's area which are maintained by another authority. Nor does it apply to academies.

The schools which the authority will be maintaining are listed in Annex A.

1.3 Publication of the scheme

The scheme will be published on the authority's website which is accessible to the general public and any revised version will be published by the date the revisions come into force, together with a statement that the revised scheme comes into force on that date.

1.4 Revision of the scheme

Any proposed revisions to the scheme will be the subject of consultation with the governing body and the head teacher of every school maintained by the authority before they are submitted to the schools forum for their approval.

All proposed revisions must be submitted to the schools forum for approval by members of the forum representing maintained schools. Where the schools forum does not approve them or approves them subject to modifications which are not acceptable to the authority, the authority may apply to the Secretary of State for approval.

1.5 Delegation of powers to the head teacher

The governing body of each school must consider the extent to which it wishes to delegate its financial powers to the headteacher, and record its decision (and any revisions) in the minutes of the governing body.

The governing body is responsible for setting the school's annual financial plan. The first formal plan of each financial year and subsequent revisions must be approved by the governing body. The headteacher is responsible for managing the school's finances on a day to day basis within the approved plan and may have delegated authority to vary the plan up to an agreed limit. This limit needs to be set at a level which allows the headteacher sufficient flexibility to deal with the practical problems which may arise in the running of the school and the level will vary according to the size of individual schools. The headteacher must inform the governing body or the relevant committee of the governing body when any such variation has been made.

1.6 Maintenance of schools

The authority is responsible for maintaining the schools covered by the scheme, and this includes the duty of defraying all the expenses of maintaining them (except in the case of a voluntary school where some of the expenses are, by statute, payable by the governing body). This includes the funding system put in place under sections 45 to 53 of the School Standards and Framework Act 1998.

Section 2: Financial controls

2.1 General procedures

2.1.1 Application of financial controls to schools

All Schools covered by this scheme are required to abide by the authority's requirements on financial controls and monitoring, not only those in the scheme but also those requirements contained in the Local Management Handbook.

2.1.2 Provision of financial information and reports

Schools are required to provide the authority with details of anticipated and actual expenditure and income, in a form and at times determined by the authority in order that schools' financial positions can be taken into account as part of the authority's overall monitoring. Monitoring information will not be required more often than once every three months, unless the authority has notified the school in writing that in its view the school's financial position requires more frequent submission or the school is in its first year of operation. Reports for this purpose are required to be submitted in a format compatible with the Consistent Financial Reporting framework. Detailed guidance is set out in the Local Management Handbook. Reports connected with tax (including VAT), or banking reconciliation, may be required more frequently.

The details of these requirements are set out in Financial Regulations F1 - available to schools as part of the existing Local Management Handbook.

2.1.3 Payment of salaries; payment of bills

Procedures for the payment of salaries and bills will vary according to the choices schools make about the holding of bank accounts and the supplier of payroll or other services.

The procedures appropriate to these choices are set out in the following documents available to schools as part of the existing Local Management Handbook.

- Financial Regulations F1
- Guidance on coding of expenditure and income F6

2.1.4 Control of assets

Each school is required to maintain an inventory of its moveable non-capital assets with a value in excess of £1,000. Guidance on the form of such inventories and the arrangements for disposing of assets is set out in the Local Management Handbook. Schools are free to determine their own arrangements for keeping a register of assets worth less than £1,000. They should keep a register in some form. .

2.1.5 Accounting Policies (including year-end procedures)

Schools must abide by the accounting policies and procedures issued by the authority from time to time. For year-end procedures, instructions will be communicated annually on Schools Web. In all cases, detailed instructions will be published and schools will be notified of any amendments or revisions.

2.1.6 Writing off of debts

Governing bodies are authorised to write off debts up to £1,000. If a school wishes a debt to be written off between £1,000 and £10,000 the Finance Director of Children's Social Care and Learning must be contacted. Above this level, the Director of Assurance must be contacted (see the Local Management Handbook).

2.2 Basis of accounting

The authority requires that reports and accounts sent to the authority must be on an accruals basis. However, schools internal systems may be either on a cash or an accruals basis.

2.3 Submission of budget plans

Each school is required to submit a plan to the authority by dates published on Schoolsweb, showing its intentions for expenditure in the current financial year and the assumptions underpinning the budget plan. The plan should take account of any estimated surplus or deficit balance accumulated by the school as at the previous 31 March. Schools must notify the authority of any revision to their financial plans agreed by the governing body during the course of the financial year.

Plans must be submitted in a form notified by the authority and in accordance with the Consistent Financial Reporting Framework. Guidance is available in the Local Management Handbook.

The school's formal annual budget plan must be approved by the governing body.

Financial Forecasts for the current year are required at specified points throughout the year, but will not be required more often than once every 3 months.

2.3.1 Submission of Financial Forecasts

The authority requires schools to submit a financial plan covering a 3 year period.

These will be used as evidence to support the authority's assessment of Schools Financial Value Standards and in support of the authority's balance control mechanism.

2.4 Efficiency and Value for Money

Schools must seek to achieve efficiencies and value for money, to optimise their resources and invest in teaching and learning, taking into account the purchasing, tendering and contracting requirements outlined in section 2.10.

It is for heads and governors to determine at school level how to secure better value for money.

There are significant variations in efficiency between similar schools, and so it is important for schools to review their current expenditure, compare it to other schools and think about how to make improvements.

2.5 Virement

Schools are free to vire between budget headings in the expenditure of their budget shares, but governors are advised to establish criteria for virements and financial limits above which the approval of the governing body is required. School federations are free to vire between school budget heads.

2.6 Audit: General

Schools are required to cooperate both with auditors employed by the authority (internal audit) and with external auditors.

With regard to internal audit, all schools come within the audit regime determined by the authority, details of which are set out in the Local Management Handbook.

With regard to external audit, all schools come within the authority's external regime as determined by the external auditors.

2.7 Separate external audits

A governing body is permitted if it chooses to spend funds from its budget share to obtain external audit certification of its accounts, separate from any authority internal or external audit process.

There is no expectation by the Secretary of State that routine annual external audit at school level of budget share expenditure should be a usual feature of the funding system; merely that schools should not be prevented from seeking an additional source of assurance at their own expense.

The authority's audit regime may include sample visits to schools by the authority's external auditors.

2.8 Audit of voluntary and private funds

Schools must provide audit certificates in respect of voluntary and private funds held by schools and of the accounts of any permissible trading organisations controlled by the school.

The purpose of this provision is to allow the authority to satisfy itself that public funds are not being misused and to ensure that private funds under the control of the governing body can be included within the school's return under the Consistent Financial Reporting Framework.

Guidance on the form in which these should be reported is set out in the Local Management Handbook.

2.9 Register of business interests

The governing body of each school is required to have a register which lists for each member of the governing body and the head teacher:

Any business interests they or any member of their immediate family have;

Details of any other educational establishments that they govern;

Any relationships between school staff and members of the governing body;

Governing bodies are also required to keep the register up to date with notification of changes and through annual review of entries, to make the register available for inspection by governors, staff and parents, and the authority and to publish the register, for example on a publicly accessible website.

2.10 Purchasing, tendering and contracting requirements

All Schools covered by this scheme must abide by the authority's financial rules and standing orders in purchasing, tendering and contracting matters. This includes a requirement to assess in advance, where relevant, the health and safety competence of contractors, taking account of the authority's policies and procedures. Further details of the requirements can be found in the Local Management Handbook.

2.11 Application of contracts to schools

Schools have the right to opt out of authority arranged contracts.

Although governing bodies are empowered under paragraph 3 of schedule 1 to the Education Act 2002 to enter into contracts, in most cases they do so on behalf of the authority as maintainer of the school and the owner of the funds in the budget share. Other contracts may be made solely on behalf of the governing body, when the governing body has clear statutory obligations – for example, contracts made by aided or foundation schools for the employment of staff.

2.12 Central funds and earmarking

The authority can make sums available to schools from central funds, in the form of allocations which are additional to and separate from the schools' budget shares. Such

allocations are subject to conditions setting out the purpose or purposes for which the funds may be used: and while these conditions need not preclude virement (except, of course, where the funding is supported by a specific grant which the authority itself is not permitted to vire), this should not be accounted for as part of the school's budget share.

Schools should account for any allocations of this nature in such a way as to be able to demonstrate that this requirement has been complied with.

Such allocations might, for example, be sums for SEN or other initiatives funded from the central expenditure of the authority's Schools Budget or other authority budget.

Earmarked funds must be returned to the authority if not spent within any period stipulated by the authority over which schools are allowed to use the funding.

The authority will not make any deduction in respect of interest costs to the authority, from payments to schools of devolved specific or special grant.

2.13 Spending for the purposes of the school

Under s.50(3) governing bodies are allowed to spend budget shares for the purposes of the school, although this is subject to regulations made by the Secretary of State and any provisions of this scheme. By virtue of section 50(3A) (which came into force on 1st April 2011), amounts spent by governing bodies on community facilities or services under section 27 of the Education Act 2002 will be treated as if spent for any purposes of the school.

Under s.50(3)(b) the Secretary of State may prescribe additional purposes for which expenditure of the budget share may occur. The School Budget Shares (Prescribed Purposes)(England) Regulations 2002 (SI 2002/378), have been amended by the School Budget Shares (Prescribed Purposes)(England)(Amendment) Regulations 2010 (SI 2010/190), allowing schools to spend their budgets on pupils who are on the roll of other maintained schools or academies.

2.14 Capital spending from budget shares

Governing bodies are permitted to use their budget shares to meet the cost of capital expenditure on the school premises. This includes expenditure by the governing body of a voluntary aided school on work which is their responsibility under paragraph 3 of Schedule 3 of the Act. If the expected capital expenditure from the budget share is greater than £20,000 the governing body must notify the authority; and that it must take into account any advice from the Director - Children's Social care and Learning as to the merits of the proposed expenditure. If the premises are owned by the authority, or the school has voluntary controlled status, then the governing body should seek the consent of the authority to the proposed works, but such consent can be withheld only on health and safety grounds.

The reason for these provisions is to help ensure compliance with the current School Premises Regulations and DfE Construction Standards, and health and safety legislation.

These provisions would not affect expenditure from any capital allocation made available by the authority outside the delegated budget share.

2.15 Notice of concern

The authority may issue a notice of concern to the governing body of any school it maintains where, in the opinion of the Director of Assurance and the Director - Children's Social care and Learning, the school has failed to comply with any provisions of the scheme, or where actions need to be taken to safeguard the financial position of the authority or the school.

Such a notice will set out the reasons and evidence for it being made and may place on the governing body restrictions, limitations or prohibitions in relation to the management of funds delegated to it.

These may include:

- insisting that relevant staff undertake appropriate training to address any identified weaknesses in the financial management of the school
- insisting that an appropriately trained/qualified person chairs the finance committee of the governing body
- placing more stringent restrictions or conditions on the day to day financial management of a school than the scheme requires for all schools – such as the provision of monthly accounts to the authority
- insisting on regular financial monitoring meetings at the school attended by authority officers
- requiring a governing body to buy into an authority's financial management systems
- imposing restrictions or limitations on the manner in which a school manages extended school activity funded from within its delegated budget share – for example by requiring a school to submit income projections and/or financial monitoring reports on such activities

The notice will clearly state what these requirements are and the way in which and the time by which such requirements must be complied with in order for the notice to be withdrawn. It will also state the actions that the authority may take where the governing body does not comply with the notice.

The purpose of this provision is to enable the authority to set out formally any concerns it has regarding the financial management of a school it maintains and require a governing body to comply with any requirements it deems necessary. The principal criterion for issuing a notice, and determining the requirements included within it, is to safeguard the financial position of the authority or school.

The notice of concern will be withdrawn once the governing body has complied with the requirements the authority has imposed.

The Notice of Concern will also inform the governing body of their right to appeal to the Secretary of State against the suspension, or a decision by the authority not to restore delegation when the withdrawal is formally reviewed and the time limit within which such an appeal can be brought. The Secretary of State may uphold or reject any such appeal.

2.16 Schools Financial Value Standard (SFVS)

All Buckinghamshire maintained schools (including nursery schools and pupil referral units (PRUs) that have a delegated budget) must demonstrate compliance with the Schools Financial Value Standard (SFVS) and complete the assessment form on an annual basis. This should be completed in accordance with the timetable published on Schoolsweb.

Governors must demonstrate compliance through the submission of the SFVS assessment form signed by the Chair of Governors. The form must include a summary of remedial actions with a clear timetable, ensuring that each action has a specified deadline and an agreed owner. Governors must monitor the progress of these actions to ensure that all actions are cleared within specified deadlines.

2.17 Fraud

All schools must have a robust system of controls to safeguard themselves against fraudulent or improper use of public money and assets.

The governing body and head teacher must inform all staff of school policies and procedures related to fraud and theft, the controls in place to prevent them and the consequences of breaching those controls. This information must also be included in the induction for new school staff and governors.

Section 3: Instalments of the budget share; banking arrangements

The authority has adopted the CIPFA Code of Practice for Treasury Management. For the purposes of this section, Budget Share includes any place-led funding for special schools or pupil referral units.

3.1 Frequency of instalments

For non-cheque book schools the authority will make entire budget share available from the end of month 3. For cheque book schools budget share instalments are made to schools on a monthly basis. Top up payments for pupils with high needs are made on a monthly basis.

3.2 Proportion of budget share payable at each instalment

For non-cheque book schools the authority will make entire budget share available from the end of month 3. For cheque book schools the budget share is made available in twelve equal monthly instalments. Funds allocated will be gross of salary costs.

3.3 Interest clawback

The authority may deduct from budget share instalments an amount equal to the estimated interest lost by the authority in making available the budget share in advance. Any advances will accrue interest charges at the rate of the Bank of England Base rate minus 1%. Therefore charges will only apply if the Bank of England Base rate is above 1%.

3.3.1 Interest on late budget share payments

Where the payments of budget share instalments are the result of an authority error, interest will be paid at the rate of the Bank of England Base rate minus 1%. Therefore payments will only apply if the Bank of England Base rate is above 1%.

3.4 Budget shares for closing schools

For schools for which approval for discontinuation has been secured, the authority reserves the right to make budget shares will available until closure on a monthly basis net of estimated pay costs.

3.5 Bank and building society accounts

All maintained schools may have external bank accounts into which their budget share instalments (as determined by other provisions) are paid. Schools that have such accounts shall be allowed to retain all interest payable on the account unless they choose to have an account within an authority contract which makes other provision.

Schools without bank accounts cannot have one until any deficit balance is cleared.

If a school opens an external bank account the authority must, if the school desires, transfer immediately to the account an amount agreed by both school and authority as the estimated surplus balance held by the authority in respect of the school's budget share, on the basis that there is then a subsequent correction when accounts for the relevant year are closed.

Bank accounts as referred to here do not include imprest accounts.

3.5.1 Restrictions on accounts

A list of which banks or building societies accounts may be held with for the purpose of receiving budget share payments is available in the Local Management Handbook.

Schools may have accounts for budget share purposes which are in the name of the school rather than the authority. However, if a school has such an account the account mandate must provide that the authority is the owner of the funds in the account; that it is entitled to receive statements; and that it can take control of the account if the school's right to a delegated budget is suspended by the authority.

However, schools wishing to take advantage of the authority's group scheme with Lloyds must have their account set up by the authority and BCC will be the first part of the account name.

Budget share funds paid by the authority and held in school accounts remain authority property until spent (s.49(5) of the Act)

Further guidance about restricting signatories for bank accounts is given in the Local Management Handbook.

3.6 Borrowing by schools

Governing bodies may borrow money (which includes the use of finance leases) only with the written permission of the Secretary of State. The Secretary of State's general position is that schools will only be granted permission for borrowing in exceptional circumstances. Schools can use any scheme that the Secretary of State has said is available to schools without specific approval, for example the [Salix](#) scheme, which is designed to support energy saving.

Schools may not use credit cards and overdrafts, which are regarded as borrowing. However, they can use procurement cards, as these cards can be a useful means of facilitating electronic purchase.

The restrictions do not apply to Trustees and Foundations, whose borrowing, as private bodies, makes no impact on Government accounts. These debts may not be serviced

directly from the delegated budget, but schools are free to agree a charge for a service which the Trustees or Foundation are able to provide as a consequence of their own borrowing. Governing bodies do not act as agents of the authority when repaying loans.

This provision does not apply to loan schemes run by the authority (see section 4.10).

Further advice about borrowing is available in the Local Management Handbook.

Section 4: The treatment of surplus and deficit balances arising in relation to budget shares

4.1 Right to carry forward surplus balances

Schools will carry forward from one financial year to the next any shortfall in expenditure relative to the school's budget share for the year plus/minus any balance brought forward from the previous year. If a school becomes a cheque book school it must do so on 1st April and 50% of the provisional balance will transferred 4 weeks previously, pending a later reconciliation.

4.2 Controls on surplus balances

Schools that have excessive surplus balances will be required to report to Schools forum on an annual basis. Excessive surpluses are defined as 15% or more (on all the school's income) for the last 5 years and at least £10,000 each year. The authority reserves the right to clawback excessive surpluses following consultation with Schools Forum. Further information can be found in the policy for supporting good financial management.

4.3 Interest on surplus balances

Balances held by the Authority on behalf of schools will attract interest of Base Rate minus 1%. Therefore interest will only be applied if the Base Rate is above 1%. Further guidance is available on monitoring income and expenditure set out in the Local Management Handbook F5

4.4 Obligation to carry forward deficit balances

Deficit balances will be carried forward, by deduction of the relevant amount from the following year's budget share.

4.5 Planning for deficit budgets

No school may plan for a deficit balance without the consent of the authority (see para 4.9).

4.6 Charging of interest on deficit balances

The authority does not currently charge interest on deficit balances, but reserves the right to do so following consultation with Schools Forum.

4.7 Writing off deficits

The authority cannot write off the deficit balance of any school.

The authority may give assistance towards elimination of a deficit balance through the allocation of a cash sum, from the authority's schools budget (from a centrally held budget specified for the purpose of expenditure on special schools and pupil referral units in financial difficulty or, in respect of mainstream maintained schools, from a de-delegated contingency budget where this has been agreed by Schools Forum). Information about contingency is available on Schoolsweb.

4.8 Balances of closing and replacement schools

When a school closes any balance (whether surplus or deficit) reverts to the authority; it cannot be transferred as a balance to any other school, even where the school is a successor to the closing school, except that a surplus transfers to an academy where a school converts to academy status under section 4(1)(a) of the Academies Act 2010.

4.9 Licensed deficits

A licensed deficit is the arrangement whereby the authority may allow a school to plan for a deficit budget. Details of the scheme are set out in the Policy for Supporting Good Financial Management in Buckinghamshire Schools.

The authority reserves the right to invite schools holding balances in external bank accounts to use some or all of those balances to back the arrangement.

Balances held by a school in an external bank account remain the property of the authority (if made available by the authority initially) and therefore may legally be taken into account by the authority in assessing the total level of loans which it might wish to make to schools. Prior to any such arrangement being put in place, schools will be asked to give a view as to whether the authority should take them into account in this way.

4.10 Loan schemes

The authority operates a loan arrangement for schools which does not operate by way of a licensed deficit but rather by way of actual payments to schools or expenditure by the authority in respect of a particular school on condition that a corresponding sum is repaid from the budget share. The parameters of the arrangement are available on Schoolsweb under Finance guidance and forms / Emergency cash advance.

4.10.1 Credit union approach

In some areas, as an alternative if no other scheme is available, schools may wish to group together to utilise externally held balances for a credit union approach to loans. If

so the authority would require audit certification, if the authority does not itself act as administrator of the arrangement.

Section 5: Income

Schools may retain income except in certain specified circumstances.

5.1 Income from lettings

Schools are allowed to retain income from lettings of the school premises which would otherwise accrue to the authority, subject to alternative provisions arising from any joint use or PFI/PPP agreements. Schools are allowed to cross-subsidise lettings for community and voluntary use with income from other lettings, provided the governing body is satisfied that this will not interfere to a significant extent with the performance of any duties imposed on them by the Education Acts, including the requirement to conduct the school with a view to promoting high standards of educational achievement. However, schools should be required to have regard to directions issued by the authority as to the use of school premises, as permitted under the Act for various categories of schools.

Income from lettings of school premises should not normally be payable into voluntary or private funds held by the school.

For the avoidance of doubt, the term “lettings” in this sub-paragraph does not include any residential letting or lease of premises.

5.2 Income from fees and charges

Schools are allowed to retain income from fees and charges except where a service is provided by the authority from centrally retained funds. Schools are required to follow the policy statements on charging produced by the authority. This can be found in F7 Charges for Educational Activities in the Local Management Handbook. Income from boarding charges is collected on behalf of the authority and should not exceed that needed to provide board and lodging for the pupils concerned.

5.3 Income from fund-raising activities

Schools are allowed to retain income from fund-raising activities.

5.4 Income from the sale of assets

Schools are allowed to retain the proceeds of sale of assets except in cases where the asset was purchased with non-delegated funds (in which case it should be for the authority to decide whether the school should retain the proceeds), or the asset

concerned is land or buildings forming part of the school premises and is owned by the authority.

The retention of sale proceeds for premises not owned by the authority will not be a matter for the scheme.

5.5 Administrative procedures for the collection of income

Where schools collect income which accrues to the authority (e.g. where a school has contracted with the council meals service), separate guidance will be issued.

Because of the potential VAT implications of providing services for which fees and charges may be made, schools should ensure that they follow the appropriate administrative procedures for the collection of and accounting for income.

Guidance is set out in the Financial Instructions in the Local Management Handbook.

5.6 Purposes for which income may be used

Income from sale of assets purchased with delegated funds may only be spent for the purposes of the school.

Section 6: The charging of school budget shares

6.1 General provision

The budget share of a school is allowed to be charged by the authority without the consent of the governing body **only** in circumstances expressly permitted by the scheme, and requires authorities to consult schools as to the intention to so charge, and notify schools when it has been done.

In case of any dispute over such charges, schools should contact the Finance Director (Children's Social Care and Learning).

For each of the circumstances below the authority would have to be able to demonstrate that it had necessarily incurred the expenditure now charged to the budget share. This means that where the authority cannot incur a liability because the statutory responsibility rests elsewhere, no charging is possible. Therefore the position on charging will vary between categories of school.

In some cases the ability to charge budget shares depends on the authority having given prior notice to the governing body.

The authority may de-delegate funding for permitted services without the express permission of the governing body, provided this has been approved by the appropriate phase representatives of the Schools Forum.

6.1.1 Charging of salaries at actual cost

The authority will charge salaries of school-based staff to school budget shares at actual cost.

6.2 Circumstances in which charges may be made

6.2.1 Where premature retirement costs have been incurred without the prior written agreement of the authority to bear such costs the full amount will be charged.

Where prior written agreement has been obtained the amount charged will be only the excess over any amount agreed by the authority;

6.2.2 Other expenditure incurred to secure resignations where the school had not followed authority advice;

6.2.3 Awards by courts and industrial tribunals against the authority, or out of court settlements, arising from action or inaction by the governing body contrary to the authority's advice

Awards may sometimes be against the governing body directly and would fall to be met from the budget share. Where the authority is joined with the governing body in the action and has expenditure as a result of the governing body not

taking authority advice, the charging of the budget share with the authority expenditure protects the authority's position.

- 6.2.4 Expenditure by the authority in carrying out health and safety work or capital expenditure for which the authority is liable where funds have been delegated to the governing body for such work, but the governing body has failed to carry out the required work;
- 6.2.5 Expenditure by the authority incurred in making good defects in building work funded by capital spending from budget shares, where the premises are owned by the authority or the school has voluntary controlled status;
- 6.2.6 Expenditure incurred by the authority in insuring its own interests in a school where funding has been delegated but the school has failed to demonstrate that it has arranged cover at least as good as that which would be arranged by the authority;
- 6.2.7 Recovery of monies due from a school for services provided to the school, where a dispute over the monies due has been referred to a disputes procedure set out in a service level agreement, and the result is that monies are owed by the school to the authority;
- 6.2.8 Recovery of penalties imposed on the authority by the Board of Inland Revenue, the Contributions Agency, HM Revenue and Customs, Teachers' Pensions, the Environment Agency or other regulatory authorities as a result of school negligence.
- 6.2.9 Correction of authority errors in calculating charges to a budget share (eg pension deductions)
- 6.2.10 Additional transport costs incurred by the authority arising from decisions by the governing body on the length of the school day, or failure to notify the authority of non-pupil days resulting in unnecessary transport costs.
- 6.2.11 Legal costs which are incurred by the authority because the governing body did not accept the advice of the authority.
- 6.2.12 Costs of necessary health and safety training for staff employed by the authority, where funding for training had been delegated but the necessary training not carried out.
- 6.2.13 Compensation paid to a lender where a school enters into a contract for borrowing beyond its legal powers, and the contract is of no effect.
- 6.2.14 Cost of work done in respect of teacher pension remittance and records for schools using non-authority payroll contractors, the charge to be the minimum needed to meet the cost of the authority's compliance with its statutory obligations;
- 6.2.15 Costs incurred by the authority in securing provision specified in a statement of SEN where the governing body of a school fails to secure such provision despite

the delegation of funds in respect of low cost high incidence SEN and/or specific funding for a pupil with High Needs;

6.2.16 Costs incurred by the authority due to submission by the school of incorrect data;

6.2.17 Recovery of amounts spent from specific grants on ineligible purposes;

6.2.18 Costs incurred by the authority as a result of the governing body being in breach of the terms of a contract.

6.2.19 Costs incurred by the authority or another school as a result of a school withdrawing from a cluster arrangement, for example where this has funded staff providing services across the cluster.

Section 7: Taxation

7.1 Value Added Tax

The authority has established procedures to enable schools to utilise its ability to reclaim VAT on expenditure relating to non-business activity. Schools should follow the procedures laid down from time to time in the Local Management Handbook. Amounts so reclaimed will be passed back to the school.

7.2 CIS (Construction Industry Taxation Scheme)

Schools should abide by procedures issued by the authority in connection with CIS. The procedures are set out in the Local Management Handbook.

Section 8: The provision of services and facilities by the authority

8.1 Provision of services from centrally retained budgets

It is for the authority to determine on what basis services from centrally retained funds will be provided to schools. This includes both traded services and non- traded support (e.g. Premature Retirement Compensation [PRC] and redundancy costs).

Services will be provided on an equal basis to all categories of schools, except where (a) funding has been delegated to some schools only, or (b) such discrimination is justified by differences in statutory duties.

8.2 Provision of services bought back from the authority using delegated budgets

The term of any arrangement with a school to buy services or facilities from the authority is limited to a maximum of three years from the date of the agreement, and periods not exceeding five years for any subsequent agreement relating to the same services.

There is no minimum period, although arrangements lasting less than two years may well be uneconomic.

When a service is provided for which expenditure is not retainable centrally by the authority under the Regulations made under section 45A of the Act, it should be offered at prices which are intended to generate income which is no less than the cost of providing those services. The total cost of the service should be met by the total income, even if schools are charged differentially.

This provision complements the implied requirements of the regulations on central retention of funds. It is recognised that absolute break-even or profit is not always achievable over fixed financial years: it is for the authority to show during audit tests that the charging policy can reasonably be expected to avoid central subsidy of services.

8.2.1 Packaging

The Authority may provide on a buyback basis, any service for which funding has been delegated. However these must be offered in a way which does not unreasonably restrict schools' freedom of choice among the services available, and where practicable, this will include provision on a service-by-service basis as well as in packages of services.

8.3 Service level agreements

The scheme should provide that service level agreements must be in place by a certain date to be effective for the following financial year, and that schools must have at least a month to consider the terms of agreements.

The scheme should contain a provision which stipulates that if services or facilities are provided under a service level agreement - whether free or on a buyback basis - the terms of any such agreement starting on or after the inception of the scheme will be reviewed at least every three years if the agreement lasts longer than that.

Services, if offered at all by the authority, will be available on a basis which is not related to an extended agreement, as well as on the basis of such agreements.

Where services are provided on an ad hoc basis they may be charged for at a different rate than if provided on the basis of an extended agreement.

Centrally arranged premises and liability insurance are excluded from these requirements as to service supply, as the limitations envisaged may be impracticable for insurance purposes.

8.4 Teachers' Pensions

In order to ensure that the performance of the duty on the authority to supply Teachers Pensions with information under the Teachers' Pensions Regulations 1997, the following conditions are imposed on the authority and governing bodies of all maintained schools covered by this Scheme in relation to their budget shares.

The conditions only apply to governing bodies of maintained schools that have not entered into an arrangement with the authority to provide payroll services.

A governing body of any maintained school, whether or not the employer of the teachers at such a school, which has entered into any arrangement or agreement with a person other than the authority to provide payroll services, shall ensure that any such arrangement or agreement is varied to require that person to supply salary, service and pensions data to the authority which the authority requires to submit its annual return of salary and service to Teachers' Pensions and to produce its audited contributions certificate. The authority will advise schools each year of the timing, format and specification of the information required. A governing body shall also ensure that any such arrangement or agreement is varied to require that Additional Voluntary Contributions (AVCs) are passed to the authority within the time limit specified in the AVC scheme. The governing body shall meet any consequential costs from the school's budget share

Section 9: PFI/PPP

9.1 Insurance cover

The authority shall have the power to issue regulations from time to time in respect of Private Finance Initiative and Private Public Partnership projects. Amongst other issues these might deal with the reaching of agreements with the governing bodies of schools as to the basis of such charges; and the treatment of monies withheld from contractors due to poor performance.

Section 10: Insurance

10.1 Insurance cover

If a school proposes to arrange its own insurance under delegated funds, rather than purchasing the core insurance package offered by the authority, the governing body shall be responsible for securing that the headteacher (or another member of staff who has been nominated by the headteacher) demonstrates to the satisfaction of the authority that cover sufficient to protect the authority's financial interest will be provided under those proposed arrangements. The headteacher (or nominated member of staff) shall provide that information to the authority not less than six weeks before the date on which the insurance is due to commence, unless the authority has agreed a shorter period in a particular case. The Authority may, where a school proposes to make its own insurance arrangements, also stipulate minimum levels of cover.

(see also 6.2.6)

Section 11: Miscellaneous

11.1 Right of access to information

Governing bodies must supply all financial and other information which might reasonably be required to enable the authority to satisfy itself as to the school's management of its delegated budget share, or the use made of any central expenditure by the authority (eg earmarked funds) on the school.

11.2 Liability of governors

As the governing body is a corporate body, and because of the terms of s.50(7) of the Act, governors of maintained schools will not incur personal liability in the exercise of their power to spend the delegated budget share provided they act in good faith.

An example of behaviour which is not in good faith is the carrying out of fraudulent acts. Breaches of the scheme are not in themselves failures to act in good faith; neither is rejection of authority advice as to financial management.

11.3 Governors' expenses and training

The authority may delegate to the governing body of a school yet to receive a delegated budget, funds to meet governors' expenses.

The amounts of such allowances would be set by the authority.

Under section 50(5) of the Act, only allowances in respect of purposes specified in regulations made under section 19 of the Education Act 2002 may be paid to governors from a school's delegated budget share. Details of allowable expenditure can be found in the LMS Handbook

The authority offers training to all governors. It is understood that training is required to enable governors to perform their role effectively. This is particularly the case in respect of newly-appointed governors, those who chair their governing body or one of its committees (e.g. finance, or staff discipline), or those who have specific responsibilities (e.g. safeguarding). A Model Code of Conduct for Governors, approved by the Buckinghamshire Governor Consultative Board and the Buckinghamshire Association of School Governors for adoption by governing bodies, includes a commitment to attend training and for individual members to take responsibility for their own learning and development as a governor. Expectations as to governor training also arise from the School Financial Value Standard (SFVS).

11.4 Responsibility for legal costs

Separate advice will be issued on the procedure schools should follow in obtaining legal advice where there is a conflict between the Authority and the governing body. Governing bodies may be permitted to use their delegated budgets to seek independent legal advice if there is a conflict of interest between the school and the LA.

11.5 Health and Safety

Governing bodies should, in expending the school's budget share, to have due regard to duties placed on the authority in relation to health and safety, and the authority's policy (found on Schoolsweb) on health and safety matters in the management of the budget share.

11.6 Right of attendance for Chief Finance Officer

Governing bodies must permit the Chief Finance Officer of the authority, or any officer of the authority nominated by the Chief Finance Officer, to attend meetings of the governing body at which any agenda items are relevant to the exercise of her or his responsibilities.

The Chief Finance Officer's attendance should normally be limited to items which relate to issues of probity or overall financial management; such attendance should not be regarded as routine. The authority should give prior notice of such attendance unless this is impracticable.

11.7 Special educational needs

Schools are required to use their best endeavours in spending the budget share, to secure appropriate provision for pupils with or without statements of special educational needs. Failure to do so may result in the authority invoking Section 6.2.16 of this scheme.

11.8 Interest on late payments

Schools should be aware there is a statutory requirement to pay interest on late payments. More details can be found on the website Gov.uk

11.9 'Whistleblowing'

Schools are required to ensure that staff are aware of the procedure to be followed by persons working at a school or school governors who wish to complain about financial management or financial propriety at the school, and how such complaints will be dealt with. These are set out in the "Whistleblowing" policy document which has been circulated to all schools and which is available on the County Council's website.

11.10 Child protection

All schools are required to follow the local authority's policy and guidance on Child Protection found on Schools Web. The authority does not make any payments to support this.

11.11 Redundancy / early retirement costs

The Authority's policy on redundancy, premature retirement cost and severance payments in schools is attached as Annex B.

11.12 Interests in Land

Governors of Community and Voluntary Controlled schools shall not dispose of any freehold, leasehold or other legal interest in land and buildings used for the purposes of the school and owned by the Authority.

The above condition applies to such matters as selling land, taking or granting leases and tenancies, or granting rights of way.

The condition follows from the fact that the site and buildings of the school are normally owned by the Authority.

The condition does not preclude the ordinary lettings of parts of the school premises on a purely temporary basis.

11.13 Delegation to new schools

The Authority has the power to delegate selectively and optionally to the governing bodies of schools which have yet to receive delegated budgets.

Section 12: Responsibility for repairs and maintenance

- 12.1 Annex C shows the categories of work which governing bodies must expect to finance from their budget.
- 12.2 The Authority will delegate funding for repairs and maintenance to maintained and voluntary aided schools. Only capital expenditure is retained by Authority. For these purposes, expenditure may be treated as capital only if it fits the definition of capital used by the local authority for financial accounting purposes in line with the CIPFA Code of Practice on local authority accounting. The de minimis limit for capital expenditure is £4,000.
- 12.3. Eligibility for capital grant from the Secretary of State for capital works at voluntary aided schools is dependent on the de minimis limit applied by DfE to categorise such work, not the de minimis limit used by the authority.

Section 13: Community facilities

13.1 Introduction

Schools which choose to exercise the power conferred by s.27 (1) of the Education Act 2002 to provide community facilities will be subject to a range of controls. Firstly, regulations made under s.28 (2), if made, may specify activities which may not be undertaken at all under the main enabling power. Secondly, the school is obliged to consult the authority and have regard to any advice from it. Thirdly, the Secretary of State issues guidance to governing bodies about a range of issues connected with exercise of the power, and a school must have regard to that guidance.

However, under s.28(1), the main limitations and restrictions on the power will be those contained in this Scheme. Paragraph 2 of Schedule 3 to the Education Act 2002 extends the coverage of delegation schemes to the powers of governing bodies to provide community facilities.

Schools providing community facilities are therefore subject to prohibitions, restrictions and limitations in the scheme for financing schools.

This section of the scheme does not extend to: joint-use agreements; transfer of control agreements; or, agreements between the Authority and schools to secure the provision of adult and community learning.

The budget share of a school may not be used to fund community facilities – either start-up costs or ongoing expenditure - or to meet deficits arising from such activities.

Mismanagement of community facilities funds can be grounds for suspension of the right to a delegated budget as allowed for in the Policy for Good Financial Management

13.2 Consultation with the authority – financial aspects

Section 28(4) of the Education Act 2002 requires that before exercising the community facilities power, governing bodies must consult the authority, and have regard to advice given to them by their authority. The procedure for such consultation is set out in the Local Management Handbook.

13.3 Funding agreements – local authority powers

The provision of community facilities in a school may be dependent on the conclusion of a funding agreement with a third party, either to supply funding, or both to supply funding and to take part in the provision. A very wide range of bodies and organisations may be involved.

Any such proposed agreement should be submitted to the authority for its comments. The authority has no right of veto on such agreements, either directly or through requiring a right to countersign the agreement; but schools should be aware that if an agreement has been, or is to be, concluded against the wishes of the Authority, or has been concluded without informing the Authority, and in the view of the Authority it is seriously prejudicial to the interests of the school or the Authority, that may constitute grounds for suspension of the right to a delegated budget.

13.5 Other prohibitions, restrictions and limitations

The authority may require, in a specific instance of use of the community facilities power by a governing body where the authority has good reason to believe that the proposed project carries significant financial risks, that the governing body concerned makes arrangements to protect the financial interests of the authority by either carrying out the activity concerned through the vehicle of a limited company formed for the purpose, or by obtaining indemnity insurance for risks associated with the project in question, as specified by the authority.

13.6 Supply of financial information

The authority may require schools which exercise the community facilities power to provide the authority every six months with a summary statement, in a form determined by the authority, showing the income and expenditure for the school arising from the facilities in question for the previous six months and on an estimated basis, for the next six months.

The authority, on giving notice to the school that it believes there to be cause for concern as to the school's management of the financial consequences of the exercise of the community facilities power, may require such financial statements as are specified in paragraph 13.8 to be supplied every three months; and, if it sees fit, to require the submission to it of a recovery plan for the activity in question.

Financial information relating to community facilities will be included in returns made by schools under the Consistent Financial Reporting (CFR) Framework, and these will be relied

upon by the authority as the main source of information for the financial aspects of community facilities.

13.7 Audit

Schools must grant access to the school's records connected with their exercise of the community facilities power, in order to facilitate internal and external audit of relevant income and expenditure.

Schools, in concluding funding agreements with other persons pursuant to the exercise of the community facilities power, are required to ensure that such agreements contain adequate provision for access by the authority to the records and other property of those persons held on the school premises, or held elsewhere insofar as they relate to the activity in question, in order for the authority to satisfy itself as to the propriety of expenditure on the facilities in question.

13.8 Treatment of income and surpluses

Schools are allowed to retain all net income derived from community facilities except where otherwise agreed with a funding provider, whether that be the authority or some other person. Schools should ensure that costs have been correctly apportioned between the school budget share and the community facilities.

Schools are allowed to carry over such retained net income from one financial year to the next as a separate community facilities surplus; or, subject to the agreement of the authority at the end of each financial year, to transfer all or part of it to the budget share balance.

If the school is a community or community special school, and the authority ceases to maintain the school, any accumulated retained income obtained from the exercise of the community facilities power shall revert to the authority, unless otherwise agreed with a funding provider.

13.9 Health and safety matters

The general provisions of this scheme in respect of health and safety extend to the community facilities power.

The governing body is responsible for the costs of securing Disclosure and Barring Service (was Criminal Records Bureau) clearance for all adults involved in community activities taking place during the school day. A governing body is free to pass on such costs to a funding partner as part of an agreement with that partner.

13.10 Insurance

It is the responsibility of the governing body to ensure adequate arrangements are made for insurance against risks arising from the exercise of the community facilities power, taking professional advice as necessary. Such insurance should not be funded from the school budget share. The school should seek the authority's advice before finalising any insurance arrangement for community facilities.

The authority is empowered to undertake its own assessment of the insurance arrangements made by a school in respect of community facilities, and if it judges those arrangements to be inadequate, to make arrangements itself and to charge the resultant cost to the school. Such costs could not be charged to the school's budget share.

Taxation

Schools should seek the advice of the authority and the local VAT office on any issues relating to the possible imposition of Value Added Tax on expenditure in connection with community facilities, including the use of the local authority VAT reclaim facility.

If any member of staff employed by the school or authority in connection with community facilities at the school is paid from funds held in a school's own bank account (whether a separate account is used for community facilities or not) the school is likely to be held liable for payment of income tax and National Insurance, in line with HM Revenue and Customs rules.

Schools must follow authority advice in relation to the Construction Industry Scheme where this is relevant to the exercise of the community facilities power.

13.12 Banking

Schools must ensure that they make appropriate arrangements for the banking and accounting of funds for community facilities, either through the maintenance of separate bank accounts, or by means of adequate internal accounting controls to maintain

separation of funds. Schools without local bank accounts may use the authority's banking arrangements, subject to appropriate accounting within their local finance system.

Schools may not borrow money without the written consent of the Secretary of State. This requirement does not extend to monies lent to schools by the authority.

Annex A: The list of schools to which this scheme applies

(revised June 2016)

DfE No. School Name

Nursery Schools

1005 BOWERDEAN
1000 HENRY ALLEN

Primary Schools

2132 ASH HILL PRIMARY SCHOOL
2286 ASHMEAD COMBINED SCHOOL
2250 ASTON CLINTON COMBINED SCHOOL
2225 BEARBROOK COMBINED SCHOOL
2175 BEDGROVE INFANT SCHOOL
2169 BEDGROVE JUNIOR SCHOOL
5203 BEECHVIEW SCHOOL
3022 BIERTON CHURCH OF ENGLAND COMBINED SCHOOL
2008 BLEDLOW RIDGE SCHOOL
2126 BOOKER HILL SCHOOL
5200 BROOKMEAD SCHOOL
2179 BROUGHTON INFANT SCHOOL
2152 BROUGHTON JUNIOR SCHOOL
5205 BRUSHWOOD JUNIOR SCHOOL
2002 BUCKINGHAM PARK CE PRIMARY SCHOOL
2245 BUCKINGHAM PRIMARY SCHOOL
2220 BURFORD SCHOOL
2186 BUTLERS COURT COMBINED SCHOOL
3329 CADMORE END CHURCH OF ENGLAND SCHOOL
2176 CARRINGTON INFANT SCHOOL
2157 CARRINGTON JUNIOR SCHOOL
5204 CASTLEFIELD SCHOOL
2005 CEDAR PARK SCHOOL
2016 CHALFONT ST GILES INFANT SCHOOL AND NURSERY
2182 CHALFONT ST GILES JUNIOR SCHOOL
2151 CHALFONT ST PETER INFANT SCHOOL
2197 CHARTRIDGE COMBINED SCHOOL
2019 CHEDDINGTON COMBINED SCHOOL
2020 CHENIES SCHOOL
3034 CHESHAM BOIS CHURCH OF ENGLAND COMBINED SCHOOL
2191 CHESTNUT LANE SCHOOL
2235 CLAYTONS PRIMARY SCHOOL
3035 COLESHILL CHURCH OF ENGLAND INFANT SCHOOL
3309 CUDDINGTON & DINTON C OF E SCHOOL
3038 CURZON CHURCH OF ENGLAND COMBINED SCHOOL

2026 DAGNALL SCHOOL
5208 DANESFIELD SCHOOL
2027 DENHAM VILLAGE INFANT SCHOOL
2000 DISRAELI COMBINED SCHOOL - THE
2028 DORNEY SCHOOL
2009 DOWNLEY SCHOOL
2030 DRAYTON PARSLOW VILLAGE SCHOOL
2031 DROPMORE INFANT SCHOOL
2032 EAST CLAYDON SCHOOL
2033 EDLESBOROUGH SCHOOL
2282 ELANGENI SCHOOL
2181 ELMHURST SCHOOL
2213 ELMTREE SCHOOL
2271 FARNHAM COMMON INFANT SCHOOL
2142 FARNHAM COMMON JUNIOR SCHOOL
2507 FOXES PIECE SCHOOL
3330 FRIETH CHURCH OF ENGLAND COMBINED SCHOOL
2037 FULMER INFANT SCHOOL
3063 GREAT HORWOOD CHURCH OF ENGLAND COMBINED SCHOOL
3039 GREAT KIMBLE CHURCH OF ENGLAND SCHOOL
3040 GREAT KINGSHILL CHURCH OF ENGLAND COMBINED SCHOOL
2167 GRENDON UNDERWOOD COMBINED SCHOOL
2040 HADDENHAM INFANT SCHOOL
2276 HADDENHAM JUNIOR SCHOOL
3073 HADDENHAM ST MARY'S CHURCH OF ENGLAND SCHOOL
2333 HALTON COMBINED SCHOOL
2233 HANNAH BALL INFANT SCHOOL
3072 HAWRIDGE & CHOLESBURY CHURCH OF ENGLAND SCHOOL
2162 HAYDON ABBEY SCHOOL
3333 HAZLEMERE CHURCH OF ENGLAND COMBINED SCHOOL
3025 HIGH ASH CHURCH OF ENGLAND COMBINED SCHOOL
3334 HIGH WYCOMBE CHURCH OF ENGLAND COMBINED SCHOOL
2352 HIGHWORTH COMBINED SCHOOL AND NURSERY
2150 HOLMER GREEN INFANT SCHOOL
2200 HOLMER GREEN JUNIOR SCHOOL
2345 HOLTSPUR SCHOOL
3347 HOLY TRINITY CHURCH OF ENGLAND SCHOOL
2242 HUGHENDEN PRIMARY SCHOOL
2059 HYDE HEATH INFANT SCHOOL
3335 IBSTONE CHURCH OF ENGLAND INFANT SCHOOL
2270 IVER HEATH INFANT SCHOOL AND NURSERY
2168 IVER HEATH JUNIOR SCHOOL
2315 IVER VILLAGE INFANT SCHOOL
2061 IVER VILLAGE JUNIOR SCHOOL
2189 JOHN HAMPDEN SCHOOL WENDOVER
2065 JORDANS SCHOOL
2199 JUNIPER HILL SCHOOL
3377 KINGSWOOD PRIMARY SCHOOL

2228 LANE END PRIMARY SCHOOL
 3037 LEE COMMON CHURCH OF ENGLAND SCHOOL
 2226 LENT RISE COMBINED SCHOOL
 2068 LEY HILL SCHOOL
 2153 LITTLE CHALFONT PRIMARY SCHOOL
 2071 LITTLE KINGSHILL COMBINED SCHOOL
 3337 LITTLE MARLOW CHURCH OF ENGLAND INFANT SCHOOL
 3325 LITTLE MISSENDEN CHURCH OF ENGLAND SCHOOL
 2261 LONG CRENDON SCHOOL
 3043 LONGWICK CHURCH OF ENGLAND COMBINED SCHOOL
 5206 LOUDWATER COMBINED SCHOOL
 3057 MAIDS MORETON CHURCH OF ENGLAND SCHOOL
 2196 MANOR FARM COMMUNITY INFANT SCHOOL
 2263 MANOR FARM COMMUNITY JUNIOR SCHOOL
 3044 MARLOW CHURCH OF ENGLAND INFANT SCHOOL
 3012 MARSH GIBBON CHURCH OF ENGLAND SCHOOL
 2049 MARSH SCHOOL
 3315 MARSWORTH CHURCH OF ENGLAND INFANT SCHOOL
 2007 MARY TOWERTON SCHOOL - THE
 2123 MEADOWS SCHOOL - THE
 2006 MILLBROOK COMBINED
 3046 MONKS RISBOROUGH CHURCH OF ENGLAND COMBINED SCHOOL
 3068 MURSLEY CHURCH OF ENGLAND SCHOOL
 2335 NAPHILL & WALTERS ASH SCHOOL
 3061 NEWTON LONGVILLE CHURCH OF ENGLAND COMBINED SCHOOL
 2021 NEWTOWN INFANT SCHOOL AND NURSERY
 3014 NORTH MARSTON CHURCH OF ENGLAND SCHOOL
 2001 OAK GREEN SCHOOL
 3100 OAKLEY CHURCH OF ENGLAND COMBINED SCHOOL
 2184 OAKRIDGE SCHOOL
 3375 OUR LADY'S CATHOLIC PRIMARY SCHOOL
 5201 OVERSTONE COMBINED SCHOOL
 3015 PADBURY CHURCH OF ENGLAND SCHOOL
 2084 PRESTWOOD INFANT SCHOOL
 2204 PRESTWOOD JUNIOR SCHOOL
 2011 PRINCES RISBOROUGH PRIMARY SCHOOL
 3074 QUINTON CHURCH OF ENGLAND COMBINED SCHOOL
 3339 RADNAGE CHURCH OF ENGLAND INFANT SCHOOL
 2292 ROBERTSWOOD COMBINED AND NURSERY SCHOOL
 2038 ROUNDWOOD SCHOOL
 3340 SPEEN CHURCH OF ENGLAND SCHOOL
 2255 SPINFIELD SCHOOL
 3367 ST EDWARD'S CATHOLIC JUNIOR SCHOOL
 3033 ST GEORGE'S CHURCH OF ENGLAND INFANT SCHOOL
 3008 ST JAMES & ST JOHN C OF E PRIMARY SCHOOL
 3336 ST JOHN'S CHURCH OF ENGLAND COMBINED SCHOOL
 3371 ST JOSEPH'S CATHOLIC COMBINED SCHOOL
 3372 ST JOSEPH'S CATHOLIC INFANT SCHOOL

3376 ST LOUIS CATHOLIC COMBINED SCHOOL
 3328 ST MARY & ALL SAINTS CHURCH OF ENGLAND PRIMARY SCHOOL
 3320 ST MARY'S C OF E PRIMARY SCHOOL
 3020 ST MARY'S CHURCH OF ENGLAND SCHOOL
 3053 ST MARY'S FARNHAM ROYAL C OF E PRIMARY SCHOOL
 3017 ST MICHAEL'S CHURCH OF ENGLAND COMBINED SCHOOL
 3342 ST PAUL'S CHURCH OF ENGLAND COMBINED SCHOOL
 3361 ST PETER'S CATHOLIC PRIMARY SCHOOL
 3102 ST PETER'S CHURCH OF ENGLAND COMBINED SCHOOL
 2107 STEEPLE CLAYDON SCHOOL
 2108 STOKE MANDEVILLE COMBINED SCHOOL
 2354 STOKE POGES SCHOOL
 2269 STOKENCHURCH PRIMARY SCHOOL
 3028 STONE CHURCH OF ENGLAND COMBINED SCHOOL
 3305 SWANBOURNE CHURCH OF ENGLAND SCHOOL
 2205 THOMAS HARDING JUNIOR SCHOOL
 2219 THOMAS HICKMAN SCHOOL
 2113 THORNBOROUGH INFANT SCHOOL
 2180 TILEHOUSE COMBINED SCHOOL
 2289 TURNFURLONG INFANT SCHOOL
 2280 TURNFURLONG JUNIOR SCHOOL
 3056 TWYFORD CHURCH OF ENGLAND SCHOOL
 2115 TYLERS GREEN INFANT SCHOOL
 2203 TYLERS GREEN MIDDLE SCHOOL
 2317 WADDESDON VILLAGE PRIMARY SCHOOL
 2258 WATERSIDE COMBINED SCHOOL
 3029 WENDOVER CHURCH OF ENGLAND JUNIOR SCHOOL
 2055 WEST WYCOMBE COMBINED SCHOOL
 3065 WESTCOTT CHURCH OF ENGLAND SCHOOL
 3030 WESTON TURVILLE CHURCH OF ENGLAND SCHOOL
 3018 WHADDON CHURCH OF ENGLAND SCHOOL
 2251 WHITCHURCH COMBINED SCHOOL
 2254 WIDMER END COMBINED SCHOOL
 2288 WILLIAM HARDING COMBINED SCHOOL
 3031 WINGRAVE CHURCH OF ENGLAND COMBINED SCHOOL
 3101 WINSLOW CHURCH OF ENGLAND COMBINED SCHOOL
 2143 WOODSIDE JUNIOR SCHOOL

Secondary Schools

4004 BUCKINGHAM SCHOOL
 5407 COTTESLOE SCHOOL - THE
 4072 CRESSEX COMMUNITY SCHOOL
 4034 GRANGE SCHOOL - THE
 4067 MANDEVILLE SCHOOL
 4042 MISBOURNE SCHOOL - THE
 4701 ST MICHAEL'S CATHOLIC SCHOOL

Special Schools

7028	BOOKER PARK
7013	CHILTERN GATE SCHOOL
7023	FURZE DOWN SCHOOL
7018	HERITAGE HOUSE SCHOOL
7000	MAPLEWOOD SCHOOL
7010	PEBBLE BROOK SCHOOL
7016	STOCKLAKE PARK SCHOOL
7014	STONY DEAN SCHOOL
7035	WESTFIELD SCHOOL

Pupil Referral Units

1100	AYLESBURY VALE PRIMARY P.R.U.
1101	BLUEPRINT
1112	BUCKINGHAMSHIRE PRIMARY P.R.U.
1105	KITE RIDGE
1106	WYCOMBE GRANGE P.R.U

Annex B: Responsibility for redundancy and early retirement costs

This guidance note summarises the position relating to the charging of voluntary early retirement and redundancy costs. It sets out what is specified in legislation and provides some examples of when it might be appropriate to charge an individual school's budget, the central Schools Budget or the local authority's non-schools budget.

Section 37 of the 2002 Education Act says:

(4) costs incurred by the local education authority in respect of any premature retirement of a member of the staff of a maintained school shall be met from the school's budget share for one or more financial years except in so far as the authority agree with the governing body in writing (whether before or after the retirement occurs) that they shall not be so met.

(5) costs incurred by the local education authority in respect of the dismissal, or for the purpose of securing the resignation, of any member of the staff of a maintained school shall not be met from the school's budget share for any financial year except in so far as the authority have good reason for deducting those costs, or any part of those costs, from that share.

(6) The fact that the authority have a policy precluding dismissal of their employees by reason of redundancy is not to be regarded as a good reason for the purposes of subsection (5); and in this subsection the reference to dismissal by reason of redundancy shall be read in accordance with section 139 of the Employment Rights Act 1996 (c. 18).

The default position, therefore, is that premature retirement costs must be charged to the school's delegated budget, while redundancy costs must be charged to the local authority's budget. In the former case, the local authority has to agree otherwise for costs to be centrally funded, while in the latter case, there has to be a good reason for it not to be centrally funded, and that cannot include having a no redundancy policy. Ultimately, it would be for the courts to decide what was a good reason, but the examples set out below indicate the situations in which exceptions to the default position might be taken.

Charge of dismissal/resignation costs to delegated school budget:

- If a school has decided to offer more generous terms than the authority's policy, then it would be reasonable to charge the excess to the school
- If a school is otherwise acting outside the local authority's policy
- Where the school is making staffing reductions which the local authority does not believe are necessary to either set a balanced budget or meet the conditions of a licensed deficit

- Where staffing reductions arise from a deficit caused by factors within the school's control
- Where the school has excess surplus balances and no agreed plan to use these
- Where a school has refused to engage with the local authority's redeployment policy

Charge of premature retirement costs to local authority non-schools budget:

- Where a school has a long-term reduction in pupil numbers and charging such costs to their budget would impact on standards
- Where a school is closing, does not have sufficient balances to cover the costs and where the central Schools Budget does not have capacity to absorb the deficit
- Where charging such costs to the school's budget would prevent the school from complying with a requirement to recover a licensed deficit within the agreed timescale
- Where a school is in special measures, does not have excess balances and employment of the relevant staff is being/has been terminated as a result of local authority or government intervention to improve standards

Costs of early retirements or redundancies may only be charged to the central part of the Schools Budget where the expenditure is to be incurred as a result of decisions made before 1st April 2013. Costs may not exceed the amount budgeted in the previous financial year.

It is important that the local authority discusses its policy with its Schools Forum. Although each case should be considered on its merits, this should be within an agreed framework. It may be reasonable to share costs in some cases, and some authorities operate a panel to adjudicate on applications.

A de-delegated contingency could be provided, if Schools Forum agree, to support individual schools where "a governing body has incurred expenditure which it would be unreasonable to expect them to meet from the school's budget share".

For staff employed under the community facilities power, the default position is that any costs must be met by the governing body, and can be funded from the school's delegated budget if the governing body is satisfied that this will not interfere to a significant extent with the performance of any duties imposed on them by the Education Acts, including the requirement to conduct the school with a view to promoting high standards of educational achievement. Section 37 now states:

(7) Where a local education authority incur costs—

(a) in respect of any premature retirement of any member of the staff of a maintained school who is employed for community purposes, or

(b) in respect of the dismissal, or for the purpose of securing the resignation, of any member of the staff of a maintained school who is employed for those purposes,

they shall recover those costs from the governing body except in so far as the authority agree with the governing body in writing (whether before or after the retirement, dismissal or resignation occurs) that they shall not be so recoverable.

(7A) Any amount payable by virtue of subsection (7) by the governing body of a maintained school in England to the local authority may be met by the governing body out of the school's budget share for any funding period if and to the extent that the condition in subsection 7(B) is met.

(7B) The condition is that the governing body are satisfied that meeting the amount out of the school's budget share will not to a significant extent interfere with the performance of any duty imposed on them by section 21(2) or by any other provision of the education Acts.

(8) Where a person is employed partly for community purposes and partly for other purposes, any payment or costs in respect of that person is to be apportioned between the two purposes; and the preceding provisions of this section shall apply separately to each part of the payment or costs.

Annex C: Categories of work which governing bodies must finance from their budget

REVENUE

("Repair" = Revenue)

Building Element	School Responsibilities	Shared Responsibilities *(but subject to a School's financial threshold)	Authority Responsibilities (BCC Property Services)
Foundations			
Structure			Repairs to all structural work to walls or wall support below ground including underpinning piles, ground beams, pier bases, footings.
Frames			
Structure	Repairs to painting/ decoration and fire protective cladding.		Repairs to all structural members in steel, concrete or timber frames including ties, bracings (including wind bracing), bolts, base plates and wedgings.
External Walls			
Structure, Masonry, Cladding	Preventative measures to prevent cracking etc, e.g. tree removal.	Minor repairs to non-structural cracks and pointing.	Minor repairs to structural walls, below de minimis value.

CAPITAL

(Above de minimis of £4000 only. Below de minimis = Revenue)

Building Element	School Responsibilities	Shared Responsibilities *(but subject to a School's financial threshold)	Authority Responsibilities (BCC Property Services)
Foundations			
Structure			Replacement or initial provision of structural work to walls or wall support below ground including underpinning piles, ground beams, pier bases, footings.
Frames			
Structure			Replacement or initial provision of structural members in steel, concrete or timber frames including ties, bracings (including wind bracing), bolts, base plates and wedgings.
External Walls			
Structure, Masonry, Cladding			All structural work to walls involving underpinning/ propping and major repairs resulting from structural failure or

External Finish		Repair/ replacement/ repointing of small parts of an existing structure, eg recladding isolated areas of a wall or applied surface finishes, renderings, tile hanging, boarding, where failure has occurred.	Work required to prevent imminent, or correct, actual major failure of the structure, e.g. repointing/ recladding/ dpc / expansion and mortar joints.
Masonry Chimneys			
Structure		Repair/ replacement of small parts of the existing structure, eg repointing/ recladding/ pots/ cowls/ flashings in isolated areas where failure has occurred.	Work required to prevent imminent, or correct, actual major failure of the structure, e.g. repointing/ recladding/ dpc / expansion and mortar joints.
Flat Roofs - Felt, Asphalt, Metal and Other Finishes			
Flat Roof Structure		Replace small areas of rotten or defective timber; make good minor areas of spalling concrete where reinforcing bars exposed.	Repairs to existing structure to prevent imminent or correct actual failure of the structure

			movement, above diminimis value.
External Finish			Work required to prevent imminent, or correct, actual major failure of the structure or replacement build to all or substantial parts of a building.
Masonry Chimneys			
Structure			Work required to prevent imminent, or correct, actual major failure of the structure or replacement build to all or substantial parts of a building.
Flat Roofs - Felt, Asphalt, Metal and Other Finishes			
Flat Roof Structure			Replacement of all or substantial part of an existing structure to prevent imminent or correct actual major failure of the structure

Flat Roof Screed/ Insulation	Repairing minor roof leaks.	Work to repair/ replace small areas of screed.	Replacement/ repair of all/ substantially all. Improvement to insulation standards would be part of the replacement work.
Flat Roof Finishes		Repair/ replacement of small areas of defective roof finish on an existing building to prevent immediate water penetration. (covered by BuyBack)	
Flat Roof Edge Trim/ Fascia	Cleaning and repainting.	Isolated/ individual repairs/ replacement.	
Flat Roof Drainage	Clearing out gutters and downpipes. Replacement/ repair/ repainting of individual gutters/ pipes/ hoppers etc.		
Flat Roof Other (e.g. flashings, rooflights)	Cleaning of individual items.	Repair/ replacement of individual items.	
Pitched Roofs - Slates, Tiles and Other Finishes			
Pitched Roof Structure		Replace/ repair small areas of rotten/ defective joists, rafters, purlins etc	Repairs to an existing structure to prevent imminent or correct actual major failure of the structure.

Flat Roof Screed/ Insulation			Replacement/ repair of all/ substantially all. Improvement to insulation standards would be part of the replacement work.
Flat Roof Finishes			Replacement of all/ substantially all of an existing roof finish which has life expired.
Flat Roof Edge Trim/ Fascia			Replacement of all/ substantially all on existing roof.
Flat Roof Drainage			Replacement of all/ substantially all of existing roof drainage system.
Flat Roof Other (e.g. flashings, rooflights)			Replacement of all/ substantially all on existing roof.
Pitched Roofs - Slates, Tiles and Other Finishes			
Pitched Roof Structure			Replacement of all or substantial part of an existing structure to prevent imminent or correct actual major failure of the structure.

Pitched Roof Insulation	Providing insulation where none exists or is below current standards.	Repair of insulation to original standard where damaged as a result of maintenance work and below threshold limit.	Repair of insulation to original standard where damaged as a result of maintenance work and above threshold limit.
Pitched Roof Finishes	Repairing minor roof leaks.	Replace missing/damaged tiles. (covered by BuyBack) (NB any asbestos materials must be removed by specialists organised by BCC).	
Pitched Roof Bargeboards/ Fascias	Cleaning and repainting.	Repairs/ replacement areas of rotten/ defective boards. (NB any asbestos materials must be removed by specialists organised by BCC).	
Pitched Roof Drainage	Clearing out gutters and downpipes. Replacement/ repair/ repainting of individual gutters/ pipes/ hoppers etc.	Replacement of all/ substantially all on existing roof, below threshold and de minimis limits.	
Pitched Roof Other (eg Flashing/ Roof Windows)	Cleaning of individual items.	Replacement of individual items.	
Other Roof Finishes			
Other Roof Finishes i.e. Steel, Copper, Lead	Repairing minor roof leaks.	Repair/ replacement of small areas. (as for other roof finishes)	

Pitched Roof Insulation			Replacement of all or substantially all insulation to current standard as part of roof replacement work.
Pitched Roof Finishes			Replacement of all/ substantially all on existing roof.
Pitched Roof Bargeboards/ Fascias			Replacement of all/ substantially all on existing roof.
Pitched Roof Drainage			Replacement of all/ substantially all on existing roof, above threshold and de minimis limits.
Pitched Roof Other (eg Flashing/ Roof Windows)			Replacement of all/ substantially all on existing roof.
Other Roof Finishes			
Other Roof Finishes i.e. Steel, Copper, Lead			Replacement of all/ substantially all. (as for other roof finishes)

Thatched Roof		Repair/ replacement of small areas by specialists.	
Other External & Ancillary Structures			
Other outbuildings i.e.: garages, greenhouses, outside stores, sheds, shelters, cycle racks, signs, canopies, flagpoles, etc	Generally all repair/ maintenance and renewal of outbuildings.	Repair/ replace small areas of masonry structures where built as an integral/ permanent part of the original school	Repairs to a masonry structure where built as an integral/ permanent part of the original school.
Demolition			All work associated with the demolition of buildings. (Excludes those buildings where School has accepted full responsibility)
Transportable Buildings (inc Pre-Engineered)	Repair and maintenance of small areas and individual items as described elsewhere.	Repair/ maintenance of all/ substantially all as described elsewhere.	
Timber Preservation Treatment	Treatment of all/ substantially all of a building.	Remedial and active measures against wet rot and dry rot (by specialists).	
Pest Control/Disinfection	All works associated including preventative measures.	Remedial and active measures against insect attack (by specialists).	
Covered Links	All repairs and maintenance of covered links installed by school.	General repairs and maintenance.	
Porches	All repairs and maintenance of porches installed by	General repairs and maintenance.	

Thatched Roof			Replacement of all/ substantially all by specialists.
Other External & Ancillary Structures			
Other outbuildings i.e.: garages, greenhouses, outside stores, sheds, shelters, cycle racks, signs, canopies, flagpoles, etc			Replacement of all/ substantially all of a masonry structure where built as an integral/ permanent part of the original school.
Demolition			
Transportable Buildings (inc Pre-Engineered)			
Timber Preservation Treatment			
Pest Control/Disinfection			
Covered Links			Rebuild all or substantially all of structure and finish of existing covered link.
Porches			Rebuild all or sustantially all of structure and finish of

	school.		
Floors			
Ground Floor		Repair/ replacement of small parts of an existing structure/ dpm.	
Structure and Damp Proof Membranes (dpm)			
Ground Floor	Minor repairs and maintenance of screed and finishes. Replacement of mats/ matwells. Maintenance eg revarnishing wooden floors, replacement of carpets/ tiles in a room.	Replacement of all/ substantially all of existing floor – eg replacement of wood block or granwood flooring.	
Screed and Finishes, including Raised Access Floors			
Floor Ducts	Minor repairs to finishes.		
Staircases	Minor repairs and maintenance to finishes, coverings, applied nosings, soffits, levelling screeds.	Replacement of all/ substantial part of staircase/ landings, balustrades, hand- rails, (other than external metal fire escape).	
Metal Fire Escape Staircases	Regular cleaning and redecoration.	Regular maintenance and minor repairs to	Renewal/ replacement of all/ substantially all of the structure.

			existing porch.
Floors			
Ground Floor			Replacement of all or substantial part of an existing structure to prevent imminent or correct actual major failure of the structure/ dpm.
Structure and Damp Proof Membranes (dpm)			
Ground Floor		Replacement of all/ substantially all of existing floor – eg replacement of wood block or granwood flooring.	
Screed and Finishes, including Raised Access Floors			
Floor Ducts			Replacement of all or sustantially all of existing floor ducts.
Staircases		Replacement of all/ substantial part of staircase/ landings, balustrades, hand- rails, (other than external metal fire escape).	
Metal Fire Escape Staircases			Renewal/ replacement of all/ substantially all of the

		ensure the escape is always useable.	
Upper Floor Structure		As ground floor – minor repairs and maintenance to structure, joists, etc.	
Upper Floor Screed and Finishes	As ground floor.	As ground floor.	
Accesses (other than stairs)	Regular cleaning and redecoration.	Regular maintenance and minor repairs to ensure the access is always useable.	Renewal/ replacement of all/ substantially all of the structure.
Ceilings - (Plaster Linings, Tiling Boards, Access Hatches, Panels, Coves)			
Top/ Only Storey	Repair/ replacement, inc suspension and all decoration, inc resulting from water damage.		
Suspended Ceilings			
Plasterboard/ Fixed Other	Repair/ replacement, inc decoration, inc resulting from water damage.		
Access Panels	Repair/ replacement.		
Lower Storeys	Repair/ replacement, inc suspension and all decoration.		
Suspended Ceilings			

			structure.
Upper Floor Structure			As ground floor – replacement of all/ substantially all of an existing floor.
Upper Floor Screed and Finishes		As ground floor.	
Accesses (other than stairs)			Renewal/ replacement of all/ substantially all of the structure.
Ceilings - (Plaster Linings, Tiling Boards, Access Hatches, Panels, Coves)			
Top/ Only Storey			
Suspended Ceilings			
Plasterboard/ Fixed Other			
Access Panels			
Lower Storeys			
Suspended Ceilings			

All Ceilings (Asbestos materials)	Specialist removal/ replacement of damaged/ disturbed Asbestos based materials (including Artex ceiling coatings) <u>as part of a Self-Help project</u> , applying sealant coats to exposed asbestos surfaces for protection, inspection/ air testing. Specialist has to be organised by BCC.	Specialist removal/ replacement of damaged/ disturbed Asbestos based materials (including Artex ceiling coatings), applying sealant coats to exposed asbestos surfaces for protection and inspection/ air testing. Specialist has to be organised by BCC.	
Windows & Doors - Wood, Metal, PVCU			
External Windows and Doors	Repair/ replacement of individual windows and doors including framing, including sashes, cills, moulds, storey height frames, window boards, linings, architraves, mastic joints to brickwork. All decoration and repainting.		
Curtain Walling	Repair/ replacement of individual elements as for external windows and doors.		
General			

All Ceilings (Asbestos materials)		Specialist removal/ replacement of damaged/ disturbed Asbestos based materials (including Artex ceiling coatings), applying sealant coats to exposed asbestos surfaces for protection and inspection/ air testing. Specialist has to be organised by BCC.	Specialist removal/ replacement of damaged/ disturbed Asbestos based materials as part of a planned replacement programme, applying sealant coats to exposed asbestos surfaces for protection, inspection/ air testing. Specialist has to be organised by BCC.
Windows & Doors - Wood, Metal, PVCU			
External Windows and Doors			Replace all or substantially all external windows and doors as part of a phased structural replacement programme.
Curtain Walling			Replace all or substantially all curtain walling, as part of a phased replacement programme. Includes replacement of all structural elements.
General			

Glazing (inc safety film)	Replacing broken glass, safety film, gaskets, silicones, mastics/ other sealants and decoration of any beading/ putty. Temporary boarding for security.	Upgrading existing external glazing to meet statutory safety requirements.	Replacement of all/ substantially all safety filming to glass as part of a replacement programme.
Ironmongery	Repair/ replacement, upgrading locks etc, including winding gear, stays, fasteners, opening cords, pulls etc.		
Jointing	Replacement including mastic joints.		
Painting & Decorating	All external and internal decoration including cleaning down and preparation.		
Internal Joinery, Fixtures and Fittings etc	General repair and maintenance of skirtings, architraves, dado rails, curtain battens/ tracks, curtains, blinds, shelving, battens, bearers, hooks, rails, racks, cupboards, benches, fittings, lockers, display boards, signs, seating, bleachers, furniture etc.		
Gymnasium Equipment	All fixed (and loose) sports and gymnasium		

Glazing (inc safety film)		Upgrading existing external glazing to meet statutory safety requirements.	Replacement of all/ substantially all safety filming to glass as part of a replacement programme.
Ironmongery			
Jointing			
Painting & Decorating			
Internal Joinery, Fixtures and Fittings etc			
Gymnasium Equipment			

	equipment, court markings etc.		
Internal Walls - Loadbearing or Non-Loadbearing			
Solid Walls	Repairs and redecoration to internal plaster/ linings, tiles, pinboards etc, including applied finishes.		
Partitions (non load-bearing)	Repairs and redecoration.	Complete/ replacement of all/ substantially all of the defective non load-bearing wall structure including linings, framing, glazing, decoration etc.	
Ducts	Repairs and redecoration.	Complete repair/ replacement of all, as for non load-bearing partitions.	
Doors and Screens (inc toilet and shower cubicles)	Internal maintenance and redecoration. Repair/ replacement of individual defective doors and screens.	Complete replacement of all/ substantially all of the structure including glazing, ironmongery and jointing.	
All Internal Glazing	Replacement of broken glass.	Glazing to meet statutory Health & Safety requirements.	
Roller Shutters		Maintenance, repair and	

Internal Walls - Loadbearing or Non-Loadbearing			
Solid Walls			Replacement of all/ substantially all of the entire defective wall structure including various internal finishes and linings.
Partitions (non load-bearing)		Replacement of all/ substantially all of the defective non load-bearing wall structure including linings, framing, glazing, decoration etc.	
Ducts		Complete repair/ replacement of all, as for non load-bearing partitions.	
Doors and Screens (inc toilet and shower cubicles)	Internal maintenance and redecoration. Repair/ replacement of individual defective doors and screens.	Complete replacement of all/ substantially all of the structure including glazing, ironmongery and jointing.	
All Internal Glazing		Glazing work to meet statutory Health & Safety requirements.	
Roller Shutters		Replacement of shutters	

		replacement.	
Sliding/Folding Partitions	Maintenance, repair and replacement where installed by the school.	Maintenance, repair and replacement where not installed by the school.	
Sanitary Services			
Changing Rooms/Lavatories	<p>Repair/ replacement of damaged or worn fittings (inc automatic fittings), waste plumbing etc.</p> <p>Repair/ replacement of damaged or worn sanitaryware, sinks, baths, showers, basins, wc suites, urinals, drinking fountains, fittings, including waste plumbing etc.</p> <p>Large scale Changing Room and toilet refurbishments.</p>	Replacement of all/ substantially all of the individual banks of sanitaryware, basins, including all fittings, cubicles, plumbing and drainage.	
Kitchens	General refurbishment. Drain & gulley cleaning. Redecoration & repairs. Equipment repairs & replacement.		
Mechanical Services			

Sliding/Folding Partitions		Replacement where not installed by the school.	
Sanitary Services			
Changing Rooms/Lavatories		Replacement of all/ substantially all of the individual banks of sanitaryware, basins, including all fittings, cubicles, plumbing and drainage.	
Kitchens			
Mechanical Services			

Heating/ Hot Water	Regular cleaning of mechanical plant.	General maintenance of all mechanical plant including replacement of minor defective parts.	Planned replacement of old boilers (LPG, Oil & Gas)/ controls/ systems past the end of their useful life, including:	Heating/ Hot Water			Planned replacement of old boilers (LPG, Oil & Gas)/ controls/ systems past the end of their useful life, including:
Boilers and Burners	NB Energy saving projects are now part of BCC Energy Team's remit.	Regular cleaning/ servicing.	Heating and HWS boilers and burners and associated flues, fittings and components	Boilers and Burners			Heating and HWS boilers and burners and associated flues, fittings and components
		Monitoring systems.					
		Health and Safety issues.	Heating, HWS and sump pumps, calorifiers, pressurisation units and expansion vessels, cylinders, valves, gauges. Oil storage tanks, pipes, valves, gauges and associated equipment				Heating, HWS and sump pumps, calorifiers, pressurisation units and expansion vessels, cylinders, valves, gauges. Oil storage tanks, pipes, valves, gauges and associated equipment
		Regular servicing.	Control equipment and associated components, wiring and control panels for heating and HWS systems including zone, optimum start and energy management controls and sub metering.				Control equipment and associated components, wiring and control panels for heating and HWS systems including zone, optimum start and energy management controls and sub metering.
		(all covered by BuyBack)	Steel chimney structures with associated				Steel chimney structures with associated

Boiler Room Ancillary Equipment			components, insulation and external finishes.
		NB Energy saving projects are now part of BCC Energy Team's remit.	Fan convector heating casings, heating batteries, valves and fittings.
			Room heaters, including guards, flues, thermostats, controls, associated pipework, tanks and cylinders.
Automatic Controls			
Steel Chimneys			
Fan Convectors	External cleaning.		
Oil and Gas Fired			

Boiler Room Ancillary Equipment			components, insulation and external finishes.
			Fan convector heating casings, heating batteries, valves and fittings.
			Room heaters, including guards, flues, thermostats, controls, associated pipework, tanks and cylinders.
Automatic Controls			
Steel Chimneys			
Fan Convectors			
Oil and Gas Fired			

Room Heaters			
Mixing Valves	(see legionella testing)	Servicing etc as above. (covered by BuyBack)	Replacement of manual and thermostatically controlled mixing valves and blenders and associated components.
Asbestos Materials in Mechanical Services Installations	Specialist removal/ replacement of damaged/ disturbed Asbestos based materials (including Artex ceiling coatings) <u>as part of a Self-Help project</u> , applying sealant coats to exposed asbestos surfaces for protection, inspection/ air testing. Specialist has to be organised by BCC.	Specialist removal/ replacement of damaged/ disturbed Asbestos based materials (including Artex ceiling coatings), applying sealant coats to exposed asbestos surfaces for protection, inspection/ air testing. Specialist has to be organised by BCC.	Specialist removal/ replacement of damaged/ disturbed Asbestos based materials (including Artex ceiling coatings), as part of a planned replacement programme or during emergency replacement of boiler plant/ systems/ equipment/ controls, applying sealant coats to exposed asbestos surfaces for protection, inspection/ air testing. Specialist has to be organised by BCC.
Cold Water		Minor maintenance and repair/ replacement of defective parts such as servicing pipes. Annual servicing of cold water tanks. (covered by BuyBack)	

Room Heaters			
Mixing Valves			
Asbestos Materials in Mechanical Services Installations	Specialist removal/ replacement of damaged/ disturbed Asbestos based materials (including Artex ceiling coatings) <u>as part of a Self-Help project</u> , applying sealant coats to exposed asbestos surfaces for protection, inspection/ air testing. Specialist has to be organised by BCC.	Specialist removal/ replacement of damaged/ disturbed Asbestos based materials (including Artex ceiling coatings), applying sealant coats to exposed asbestos surfaces for protection, inspection/ air testing. Specialist has to be organised by BCC.	Specialist removal/ replacement of damaged/ disturbed Asbestos based materials (including Artex ceiling coatings), as part of a planned replacement programme or during emergency replacement of boiler plant/ systems/ equipment/ controls, applying sealant coats to exposed asbestos surfaces for protection, inspection/ air testing. Specialist has to be organised by BCC.
Cold Water			Planned replacement of cold water services, storage tanks, distribution, pipework boosters, hose reels etc.

Legionella Testing	Regular testing of water quality and temperature in line with BCC guidance.	Annual inspections/ testing and carrying out of any remedial works required in line with BCC guidance. (covered by BuyBack)	
Gas		Day to day repairs, maintenance and gas safety. All servicing. (covered by BuyBack)	
Ventilation (Mechanical, Comfort Cooling, Heat Pumps and Air Conditioning Systems)	Cleaning accessible surfaces and local fans, including associated hoods and canopies. Resetting time clocks. Maintenance, repairs, servicing and replacement of all air handling units and duct mounted fans, wiring, mountings, supports, controls, isolators, time clocks, etc <u>where installed by School.</u>	Repair/ replacement of defective systems and cleaning of units where not installed by school. (covered by BuyBack)	

Legionella Testing			Planned compliance remedial works
Gas			Planned replacement/ major refurbishment of distribution pipework and control equipment.
Ventilation (Mechanical, Comfort Cooling, Heat Pumps and Air Conditioning Systems)			Renewal/ replacement of all/ substantially all extract fans, wall and roof mounted including wiring, mountings, controls and isolators. Renewal/ replacement of all/ substantially all air handling units and duct mounted fans, wiring, mountings, supports, controls, isolators, time clocks, heating coils, dampers, ductwork, insulation, filters, and louvres, where not provided by school.

Biomass Boilers (inc all associated plant and pellet storage)	Day to day maintenance and operating regime as set down by installer. Maintenance of storage area to the required atmospheric conditions.	Minor repair/ replacement of defective parts and servicing (covered by BuyBack if not subject to terms of an installation contract)	Planned replacement/ major refurbishment of boiler and associated fittings, including storage facilities, and flues.
Building Energy Management Systems (BEMS)	General day to day maintenance and setting (in conjunction with BCC Energy Team)	Repairs to system. Annual servicing. (covered by BuyBack)	Planned replacement of system.
Swimming Pool Plant	Summerisation and winterisation of pools. (subject to Buy-Back supplement)	Repair/ replacement of parts to plant, pumps and controls. Water treatment equipment and all distribution pipework. Simple heat recovery systems. Solar heating plant and equipment. (subject to BuyBack supplement)	
Science Equipment inc Fume Cupboards and Gas Taps	General repair and servicing.	Replacement of extract fans, ductwork, controls, gas/ water/ electrical services.	
Electrical Services			

Biomass Boilers (inc all associated plant and pellet storage)				Planned replacement/ major refurbishment of boiler and associated fittings, including storage facilities, and flues.
Building Energy Management Systems (BEMS)				Planned replacement of system.
Swimming Pool Plant				Swimming pool plant planned maintenance.
Science Equipment inc Fume Cupboards and Gas Taps				
Electrical Services				

General	Resetting of tripped circuit breakers.	Testing/ replacement of individual distribution boards. The repair and maintenance of all switchgear and interconnecting cables including that in temporary buildings. (covered by BuyBack)	Renewal/ replacement of main switchgear and distribution in major projects.
Health & Safety			All testing, earthing and bonding to meet Health and Safety. Renewal/ replacement of obsolete and dangerous wiring systems, including distribution boards.
Power	All testing, repair and replacement of small items of equipment. (PAT testing)		Renewal/ replacement of control gear, distribution, fixed equipment, protection, etc.
Lighting	Replacement of tubes, bulbs, diffusers etc.	Replacement of individual luminaires.	Renewal/ replacement of all/ substantial part of luminaires.
Intruder Alarm Systems/ CCTV / Panic Alarms	Renewal/ replacement of any intruder alarm, CCTV systems and panic alarms.	Repair and servicing for DDA toilet alarm systems.	
Door Access Systems	Day to day minor repairs and servicing, including all door access systems (other than DDA).	Day to day minor repairs and servicing for DDA door access systems.	

General			Planned renewal/ replacement of main switchgear and distribution.
Health & Safety			
Power			Planned renewal/ replacement of control gear, distribution, fixed equipment, protection, etc.
Lighting			Planned renewal/ replacement of all/ substantial all luminaires.
Intruder Alarm Systems/ CCTV / Panic Alarms			
Door Access Systems			

		(covered by BuyBack)	
IT Cabling, TV Aerials & Satellite Dishes	All maintenance and repair of IT cabling, IT distribution, IT equipment, aerials and dishes.		
Lightning Protection		Maintenance and inspection. (covered by BuyBack)	Renewal/ replacement of all/ substantially all lightning protection and external earthing systems.
Lifts, Hoists and other DDA Lifting Equipment	Servicing/ renewal/ replacement of lifting aids.		Servicing/ renewal/ replacement of lifts/ hoists including wiring controls and isolators.
Fire Alarm Systems, Emergency Lighting and Time Controls	Resetting of fire alarms, fire detection, time controls and clocks.	Servicing of fire alarms, fire detection, time controls and clocks. Minor maintenance and repair/ replacement of defective parts. (covered by BuyBack except closed protocol systems which would be subject to	

IT Cabling, TV Aerials & Satellite Dishes			
Lightning Protection			Renewal/ replacement of all/ substantially all lightning protection and external earthing systems.
Lifts, Hoists and other DDA Lifting Equipment			Renewal/ replacement of lifts/ hoists including wiring controls and isolators.
Fire Alarm Systems, Emergency Lighting and Time Controls			Renewal/ replacement of all/ substantially all emergency lighting, fire detection and alarm systems, call bell system and master clock systems. All wiring and components associated with these systems including electro-magnetic door holders (but excluding door closers).

		a separate agreement)	
Fan Convectors	Cleaning grilles and filters. Resetting of thermostats and time switches.	Servicing of fans, motors, batteries, minor maintenance and repair/ replacement of defective parts. (covered by BuyBack)	
Electrical Space and Water Heating Equipment	Portable electrical heating equipment and associated flexes and plugs.	Servicing and minor maintenance and repair/ replacement of defective parts. (covered by BuyBack)	Electric incinerators and macerators including wiring, elements, linings, controls, isolators.
Ventilation Equipment inc Dust Extraction	Cleaning accessible surfaces including associated hoods, wall fans, canopies etc. Resetting time clocks. Emptying of extraction collectors.	General day-to-day maintenance, repairs and servicing where <u>not</u> installed by school.	

Fan Convectors			Renewal/ replacement of all/ substantially all units, including internal and external wiring, switches, controls, remote thermostats and time switches.
Electrical Space and Water Heating Equipment			Renewal/ replacement of all/ substantially all electric water heating equipment and associated equipment/ devices, wiring and controls. Underfloor heating and ceiling heating systems including elements, wiring, controls and isolators.
Ventilation Equipment inc Dust Extraction			Renewal/ replacement of all/ substantially all extract fans, wall and roof mounted including wiring, mountings, controls and isolators.

	Maintenance, repairs and servicing of all air handling units and duct mounted fans, wiring, mountings, supports, controls, isolators, time clocks, etc <u>where installed by School.</u>	(covered by BuyBack)	
Catering kitchen extract systems	Maintenance, repairs and servicing of catering kitchen extract systems.		
Specialist Equipment	Stage lighting including associated dimmers, controls and wiring. Maintenance and servicing of electric hand and hair dryers.	General day-to-day maintenance, repairs and servicing of all items in right-hand column.	Renewal/ replacement of all/ substantially all sewage plant, water boosters, pumps, and standby generators.
Radon Monitoring			Installation and maintenance of all radon detection and monitoring equipment.
Services: General			
All Mains Services Intakes/ Distribution	Main services upgrade resulting from self-financed project.		

			Renewal/ replacement of all/ substantially all air handling units and duct mounted fans, wiring, mountings, supports, controls, isolators, time clocks, where not installed by school.
Catering kitchen extract systems			
Specialist Equipment			Renewal/ replacement of all/ substantially all sewage plant, water boosters, pumps, and standby generators.
Radon Monitoring			Installation of all radon detection and monitoring equipment.
Services: General			
All Mains Services Intakes/ Distribution			All repairs/ renewals of heating mains, gas mains, water mains, electricity mains. Supply companies responsible for mains meters.

Catering Kitchens	Maintenance and repair of all kitchen catering equipment inc cookers, ovens, ban marries, fridges, chillers, freezers and server units etc.		
Solar and Photovoltaic Systems, Wind Turbines	All maintenance and repair of solar and photovoltaic systems, and wind turbines.		
External Works & Miscellaneous			
Paved Areas, etc.	General day to day maintenance and repair (including patch repairs), sweeping and cleaning of play, and paved areas, paths, car parks, courts, playgrounds and playground markings.	Renewal and replacement of all/ substantially all roads, car parks, paths, courts, terraces, play pitches, playgrounds, steps and handrails.	
Multi-Use Game Areas (MUGAs) & Synthetic Pitches	All maintenance and repairs, including to surfaces, markings, goals, nets, fencing, drainage, and floodlighting.		
Walls, Fencing, Gates etc.	General day to day maintenance and repair of all perimeter walls, boundary walls, fencing, gates and bollards.	Replacement of all/ substantially all walls, fencing, gates and ancillary buildings. Repair of retaining walls.	

Catering Kitchens			
Solar and Photovoltaic Systems, Wind Turbines			
External Works & Miscellaneous			
Paved Areas, etc.		Renewal and replacement of all/ substantially all roads, car parks, paths, courts, terraces, play pitches, playgrounds, steps and handrails.	Provision of disabled access requirements via the Schools Access Initiative (SAI) fund. (Funded by Service Area)
Multi-Use Game Areas (MUGAs) & Synthetic Pitches			
Walls, Fencing, Gates etc.		Replacement of all/ substantially all walls, fencing, gates and ancillary buildings. Repair of retaining walls.	

Drainage	Cleaning and general day-to-day maintenance of drains, gullies, grease traps, macerators, dosing systems, clay traps, soakaways, manholes, and connections to main sewers, including unblocking and descaling as necessary. Emptying of septic tanks	Maintenance/ repair of pumps within drainage systems.	
Internal and External			
Swimming Pools	Hygiene, cleaning, maintenance and repairs, including replacement of minor parts. Simple energy saving systems.		
(excluding plant)			
Telecommunication masts	Repair and maintenance of masts and all associated equipment as agreed with the provider.		
Play Equipment	The maintenance and repair of all play equipment, including supporting structure and associated safety surfaces, fixed and moveable goal posts, jumping pits		

Drainage			Replacement/ reconstruction of drains, manholes, soakaways, inspection chambers and sewage plant, incl. septic tanks.
Internal and External			
Swimming Pools			Renewal/ replacement of all/ substantially all of the structure including linings, hygiene/ safety and electrical servicing, SUBJECT TO Service Director approval.
(excluding plant)			
Telecommunication masts			
Play Equipment			

	and run-up areas.		
Grounds Maintenance	The regular maintenance and inspection of the grounds (soft landscaping) such as all trees, shrubs, grass, plant beds. Line markings for team games.		
Fire Fighting Equipment	Servicing repair and replacement of fire extinguishers, blankets, hose reels and winding mechanism.	General servicing and repair of sprinkler and other fire suppression systems.	
Vandalism/Malicious Damage/Pest Control	All repairs etc due to vandalism/ malicious damage together with all forms of pest control.	Repairs associated with minor fire or flood damage.	Repairs only associated with major fire or significant flood damage.

Grounds Maintenance			
Fire Fighting Equipment			Renewal/ replacement of all/ substantially all of the sprinkler or other fire suppression systems.
Vandalism/Malicious Damage/Pest Control			Repairs only associated with major fire or significant flood damage, SUBJECT TO Loss Adjuster approval.

Schools Forum

Title: Surpluses and Deficits at 31st March 2016

Date: 10th June 2016

Author: Emma Wilding / Melanie Coyne

Contact officer: Emma Wilding 01296 382012

Local members affected: Maintained School members only

Summary

This paper shows the state of the schools maintained by the Local Authority in terms of their balances as at 31st March 2016

Recommendation

That Schools Forum note the state of maintained school balances and agree that further investigation be brought to Schools forum funding group (SFFG) on 8th July.

Background

In order to calculate Schools Balances percentages, just the School Budget Share income was used and just the revenue balance (i.e community, capital or DFCG balances are not part of this report). For Special Schools and PRUs both the place funding and top-up was used.

Summary of Findings

Surpluses

Broadly speaking, surpluses have increased.

The total number of schools in surplus was 174 compared to 166 in 2014-15. The total amount of surplus was £16,303,827 compared to £13,290,825 in 2014-15.

62 primary schools, 2 (out of 7 maintained) secondary schools, 3 (out of 9 maintained) Special schools and no PRUs increased their surplus by 30% or more from 2014-15 to 2015-16.

15 primary schools 1 secondary school, no Special Schools and 1 PRU reduced their surpluses by 30% or more from 2014-15 to 2015-16.

Further analysis by characteristic of school will be brought to SFFG.

9 Schools have had a budget surplus in excess of 15% (of School Budget Share only – not all income) for 5 years or more. These schools are being contacted and explanations will be brought to SFFG.

Deficits

The number of schools in deficit has reduced, but the overall value of the deficit has risen.

There were 12 Schools in deficit compared to 20 in 2014-15. The total amount of deficit was £1,442,203 compared to £1,388,136 in 2014-15.

14 Schools who were in deficit in 2014-15 were in surplus in 2015-16. 2 schools reduced their deficit by 50% or more.

5 Schools who were previously in surplus in 2014-15 went into deficit in 2015-16.

4 Schools in deficits in 2014-15 increased their deficits in 2015-16.

Surplus over 15% for 5 years	2015-16			2014-15		2013-14			2012-13			2011-12		
	School Budget Share Income £	Surplus £	% of Budget Share c/fwd	School Budget Share Income £	Surplus £	School Budget Share Income £	Surplus £	% of Budget Share c/fwd	School Budget Share Income £	Surplus £	% of Budget Share c/fwd	School Budget Share Income £	Surplus £	% of Budget Share c/fwd
Maintained Primary Schools														
School A	- 595,889	278,904	47%	- 578,388	308,748	- 503,771	190,451	38%	- 495,036	148,819	30%	- 438,547	134,359	31%
School B	- 251,377	77,976	31%	- 235,627	97,475	- 252,503	90,668	36%	- 229,840	55,362	24%	- 233,974	35,675	15%
School C	- 246,501	73,196	30%	- 239,404	62,716	- 235,480	67,030	28%	- 217,829	45,036	21%	- 209,070	45,923	22%
School D	- 238,813	58,981	25%	- 255,341	45,363	- 246,452	58,440	24%	- 219,712	49,869	23%	- 209,019	59,351	28%
School E	- 890,911	213,603	24%	- 883,983	275,206	- 638,588	230,262	36%	- 698,015	192,135	28%	- 647,607	137,888	21%
School F	- 1,151,725	262,291	23%	- 1,041,125	318,343	- 927,493	327,322	35%	- 853,356	234,981	28%	- 745,001	175,541	24%
School G	- 905,286	186,883	21%	- 921,118	158,675	- 724,129	125,851	17%	- 811,770	137,359	17%	- 768,426	140,002	18%
School H	- 181,730	34,587	19%	- 190,902	46,605	- 185,455	60,411	33%	- 174,968	32,913	19%	- 160,712	27,982	17%
School I	- 747,786	119,648	16%	- 712,734	150,931	- 630,112	145,841	23%	- 644,571	168,920	26%	- 623,961	139,303	22%

97

Surplus over 15% as at 31/03/2016	School Budget Share Income £	Surplus £	% of Budget Share c/fwd
Maintained Primary Schools			
School A	- 242,216	215,997	89%
School B	- 595,889	278,904	47%
School C	- 760,215	316,015	42%
School D	- 272,960	87,186	32%
School E	- 251,377	77,976	31%
School F	- 246,501	73,196	30%
School G	- 1,557,511	411,110	26%
School H	- 238,813	58,981	25%
School I	- 890,911	213,603	24%
School J	- 1,151,725	262,291	23%
School K	- 626,727	139,768	22%
School L	- 941,201	198,394	21%
School M	- 755,406	158,073	21%
School N	- 324,309	67,023	21%
School O	- 905,286	186,883	21%
School P	- 256,906	52,241	20%
School Q	- 650,774	128,179	20%
School R	- 181,730	34,587	19%
School S	- 1,040,572	193,109	19%
School T	- 1,982,958	363,128	18%
School U	- 404,002	71,439	18%
School V	- 824,024	141,375	17%
School W	- 361,364	60,151	17%
School X	- 1,565,552	259,441	17%
School Y	- 773,370	126,005	16%
School Z	- 907,422	145,702	16%
School AA	- 747,786	119,648	16%
School AB	- 1,483,699	232,500	16%
School AC	- 622,790	93,722	15%
School AD	- 357,207	53,646	15%

Maintained Secondary Schools			
School A	- 3,896,414	586,629	15%
Maintained Special Schools			
School A	- 1,135,440	392,651	15%
School B	- 1,531,563	258,041	17%
PRUs			
School A	- 1,949,771	502,780	26%

Schools with a Deficit as at 31/03/2016	School Budget Share Income	Deficit Balance	% of Budget Share c/fwd (deficit)
Maintained Primary Schools			
School A	- 699,800	- 67,801	-10%
School B	- 1,750,659	- 134,008	-8%
School C	- 993,589	- 45,060	-5%
School D	- 970,332	- 21,514	-2%
School E	- 1,308,438	- 22,000	-2%
School F	- 765,196	- 9,060	-1%
School G	- 218,514	- 2,364	-1%
School H	- 810,467	- 6,207	-1%
School I	- 1,316,706	- 1,823	0%
Maintained Secondary Schools			
School A	- 3,949,552	- 1,047,645	-27%
School B	- 3,989,367	- 44,639	-1%

Maintained Schools with increasing surpluses over 10% or £10k	2015-16 Surplus	2014-15 Surplus	% Change in Surplus	£ Change in Surplus
Maintained Primary Schools				
School A	31,861	115	27653%	31,746
School B	103,418	2,147	4716%	101,271
School C	77,182	7,467	934%	69,715
School D	37,268	4,573	715%	32,695
School E	37,778	5,513	585%	32,265
School F	83,839	12,376	577%	71,464
School G	98,732	16,596	495%	82,136
School H	31,287	5,474	472%	25,812
School I	50,820	10,046	406%	40,773
School J	79,553	16,155	392%	63,398
School K	215,997	45,916	370%	170,081
School L	124,814	29,800	319%	95,013
School M	60,897	18,988	221%	41,909
School N	110,041	35,458	210%	74,583
School O	22,454	7,536	198%	14,917
School P	81,945	27,537	198%	54,409
School Q	61,615	21,337	189%	40,278
School R	119,907	51,204	134%	68,704
School S	78,321	34,176	129%	44,145
School T	95,154	43,373	119%	51,781
School U	26,342	12,563	110%	13,778
School V	126,467	61,149	107%	65,318
School W	53,646	26,159	105%	27,488
School X	93,722	46,525	101%	47,196
School Y	71,439	36,234	97%	35,206
School Z	99,869	50,664	97%	49,205
School AA	60,768	32,241	88%	28,527
School AB	57,658	30,813	87%	26,845
School AC	128,179	69,667	84%	58,512
School AD	29,337	16,098	82%	13,239
School AE	172,856	95,042	82%	77,813
School AF	25,700	14,166	81%	11,534
School AG	91,703	51,011	80%	40,691
School AH	43,407	24,206	79%	19,201
School AI	95,578	55,443	72%	40,135
School AJ	118,116	70,261	68%	47,855
School AK	61,802	36,810	68%	24,993
School AL	61,357	36,641	67%	24,715
School AM	141,375	85,125	66%	56,250
School AN	316,015	191,919	65%	124,096
School AO	56,596	34,440	64%	22,156
School AP	97,510	59,394	64%	38,117
School AQ	66,422	40,934	62%	25,488
School AR	47,419	29,426	61%	17,993
School AS	43,746	27,192	61%	16,554
School AT	142,329	90,611	57%	51,717
School AU	126,157	80,336	57%	45,822
School AV	40,507	26,301	54%	14,207
School AW	198,394	128,930	54%	69,464
School AX	411,110	271,734	51%	139,376
School AY	174,625	117,121	49%	57,503
School AZ	64,219	43,400	48%	20,819

School BA	34,678	23,614	47%	11,065
School BB	193,109	133,199	45%	59,910
School BC	158,073	109,542	44%	48,531
School BD	91,245	65,023	40%	26,223
School BE	87,186	62,844	39%	24,342
School BF	53,605	39,100	37%	14,504
School BG	71,526	53,506	34%	18,020
School BH	138,005	104,728	32%	33,278
School BI	58,981	45,363	30%	13,618
School BJ	55,790	43,132	29%	12,658
School BK	52,241	40,998	27%	11,243
School BL	97,767	76,951	27%	20,816
School BM	66,881	53,906	24%	12,976
School BN	64,823	52,591	23%	12,233
School BO	88,836	72,635	22%	16,201
School BP	232,500	190,768	22%	41,733
School BQ	363,128	298,319	22%	64,809
School BR	129,632	106,624	22%	23,008
School BS	89,633	75,230	19%	14,403
School BT	67,023	56,333	19%	10,690
School BU	186,883	158,675	18%	28,208
School BV	73,196	62,716	17%	10,480
School BW	157,651	138,118	14%	19,533
School BX	259,441	230,543	13%	28,897
School BY	107,194	97,134	10%	10,059
Maintained Secondary Schools				
School A	289,343	6,187	4576%	283,156
School B	184,998	95,206	94%	89,791
Maintained Special Schools				
School A	333,705	54,887	508%	278,817
School B	258,041	141,882	82%	116,159
School C	392,651	252,615	55%	140,036

Maintained Schools with reducing surpluses	2015-16 Surplus	2014-15 Surplus	% Change in Surplus	£ Change in Surplus
Maintained Primary Schools				
School A	29,744	30,129	-1%	384
School B	14,436	15,195	-5%	759
School C	113,236	119,314	-5%	6,078
School D	139,768	150,496	-7%	10,728
School E	37,832	40,960	-8%	3,128
School F	110,718	120,362	-8%	9,644
School G	95,832	105,973	-10%	10,140
School H	278,904	308,748	-10%	29,844
School I	26,856	29,885	-10%	3,029
School J	28,327	31,562	-10%	3,235
School K	46,828	52,515	-11%	5,687
School L	109,627	126,694	-13%	17,067
School M	72,823	85,437	-15%	12,615
School N	145,702	172,327	-15%	26,625
School O	27,225	32,922	-17%	5,697
School P	262,291	318,343	-18%	56,052
School Q	41,557	51,571	-19%	10,014
School R	77,976	97,475	-20%	19,499
School S	125,222	157,070	-20%	31,847

School T	119,648	150,931	-21%	-	31,283
School U	33,052	42,265	-22%	-	9,213
School V	213,603	275,206	-22%	-	61,603
School W	60,151	77,793	-23%	-	17,642
School X	37,293	48,575	-23%	-	11,282
School Y	42,678	56,416	-24%	-	13,737
School Z	82,162	109,413	-25%	-	27,250
School AA	34,587	46,605	-26%	-	12,018
School AB	61,099	82,387	-26%	-	21,288
School AC	12,954	17,589	-26%	-	4,634
School AD	65,923	91,380	-28%	-	25,457
School AE	16,229	22,558	-28%	-	6,330
School AF	25,143	37,619	-33%	-	12,476
School AG	58,105	90,605	-36%	-	32,500
School AH	41,207	64,665	-36%	-	23,457
School AI	27,412	46,343	-41%	-	18,931
School AJ	20,652	37,484	-45%	-	16,832
School AK	22,240	40,917	-46%	-	18,677
School AL	29,126	56,659	-49%	-	27,533
School AM	9,337	19,101	-51%	-	9,764
School AN	25,581	55,130	-54%	-	29,549
School AO	17,406	43,682	-60%	-	26,276
School AP	13,357	36,060	-63%	-	22,703
School AQ	7,277	25,829	-72%	-	18,552
School AR	19,978	71,822	-72%	-	51,844
School AS	5,045	20,188	-75%	-	15,142
School AT	6,197	35,698	-83%	-	29,501
Maintained Secondary Schools					
School A	586,629	691,025	-15%	-	104,396
School B	170,182	263,103	-35%	-	92,920
Maintained Special Schools					
School A	576,215	593,791	-3%	-	17,576
School B	76,757	79,739	-4%	-	2,982
PRUs					
School A	502,780	791,210	-36%	-	288,430

Maintained Schools with reducing deficits		2015-16 Deficit	2014-15 Deficit	% Change in Deficit	£ Change in Deficit	
Maintained Primary Schools						
School A	-	22,000	-	44,015	-50%	22,015
School B	-	1,823	-	26,336	-93%	24,513

Maintained Schools with recovered from deficits		2015-16 Surplus	2014-15 Deficit	% Change in Balance	£ Change in Balance	
Maintained Primary Schools						
School A		19,828	-	1,674	-1284%	21,502
School B		53,558	-	8,001	-769%	61,559
School C		19,313	-	4,351	-544%	23,663
School D		15,954	-	4,513	-454%	20,468
School E		32,775	-	9,683	-438%	42,457
School F		51,164	-	26,708	-292%	77,872
School G		38,443	-	39,723	-197%	78,166
School H		24,279	-	38,914	-162%	63,193

School I	30,335	-	51,797	-159%	82,132
School J	8,015	-	16,483	-149%	24,498
School K	8,509	-	17,838	-148%	26,346
School L	3,089	-	29,751	-110%	32,841
Maintained Secondary Schools					
School A	111,719	-	38,113	-393%	149,832
Maintained Special Schools					
School A	126,141	-	21,565	-685%	147,706

Schools previously carrying a surplus now in deficit	2015-16 Deficit	2014-15 Surplus	% Change in Balance	£ Change in Balance
Maintained Primary Schools				
School A	- 134,008	42,288	-417%	- 176,296
School B	- 45,060	70,820	-164%	- 115,880
School C	- 9,060	16,459	-155%	- 25,519
School D	- 2,364	18,451	-113%	- 20,815
School E	- 6,207	4,694	-232%	- 10,901

Schools with increasing deficits	2015-16 Deficit	2014-15 Deficit	% Change in Deficit	£ Change in Deficit
Maintained Primary Schools				
School A	- 67,801	- 60,441	12%	- 7,360
School B	- 21,514	- 5,482	292%	- 16,032
Maintained Secondary Schools				
School A	- 44,639	- 33,855	32%	- 10,784
School B	- 1,047,645	- 865,135	21%	- 182,510