



# NOTICE OF MEETING

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## SCHOOLS FORUM

WEDNESDAY, 22 MAY 2024 AT 4.30 PM

## VIRTUAL REMOTE MEETING

Telephone enquiries to Jane Di Dino 023 9283 4060

Email: jane.didino@portsmouthcc.gov.uk

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### Membership

#### Schools Members

Dave Jones, (Chair) head teacher representative - primary phase

Vacancy, head teacher representative - primary phase

Vacancy, head teacher representative - secondary phase

Vacancy, governor - primary phase

Vacancy, governor - secondary phase

Jo Cooper, academies representative - primary phase

Sally Hodgson, academies representative - primary phase

Jack Jones, academies representative - primary phase

Sean Preston, academies representative - primary phase

Ruth Worswick, academies representative - primary phase

Nathan Waites (Vice Chair), academies representative - secondary phase

Nys Hardingham, academies representative - secondary phase

Vacancy, academies representative - secondary phase

Vacancy, academies representative - secondary phase

Vacancy, academies representative - secondary phase

Sharon Burt, academies representative - special schools.

#### Non School Members

Councillor Chris Dike, Portsmouth Independents Party

Councillor Tom Coles, Labour Party.

Vacancy, Conservative Party

Vacancy, Liberal Democrats Party.

Chris Caddamy, 16-19 Education Providers representative

Kara Jewell, Early Years Providers representative

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(NB This agenda should be retained for future reference with the minutes of this meeting).

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## **A G E N D A**

- 1 Apologies**
- 2 Declarations of Interest**
- 3 Minutes of the previous meeting held on 7 February 2024. (Pages 5 - 10)**
- 4 Matters Arising.**
- 5 Membership Update.**

- 6 Schools Forum Constitution 2024-25 (Pages 11 - 28)**

Purpose.

The purpose of this report is to seek Schools Forum approval to retain the existing constitution attached at Appendix A. The report seeks to update the Schools Forum on the current composition which continues to provide for the appropriate representation between maintained schools and academies within the city.

**RECOMMENDED that the Schools Forum retains the current constitution attached at Appendix A which took effect from 25 May 2023.**

- 7 Scheme for Financing Schools (Pages 29 - 32)**

Purpose.

This report outlines the proposed changes to the Scheme for Financing Schools which reflects the revisions to the scheme as outlined in the guidance issued by the Department for Education (DfE).

**RECOMMENDED that Schools Forum members representing maintained schools, approve the revised 'Scheme for Financing Schools', attached at Appendix 1, to come into force on 23 May 2024.**

- 8 Dedicated Schools Grant Outturn 2023-24**

Report to follow

- 9 Addressing the pressure on the High Needs Block**

Report to follow

**10 Dates of future meetings.**

Members of the public are permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

Whilst every effort will be made to webcast this meeting, should technical or other difficulties occur, the meeting will continue without being webcast via the Council's website.

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# Agenda Item 3

## SCHOOLS FORUM

MINUTES OF THE MEETING of the Schools Forum held on Wednesday, 7 February 2024 at 4.30pm at the Guildhall, Portsmouth

### Present

Dave Jones, Chair	LA Maintained	Primary Phase
Jackie Collins	LA Maintained	Primary Phase
Jack Jones	Academies	Primary Phase
Nys Hardingham	Academies	Secondary Phase
Nathan Waites	Academies	Secondary Phase
Kara Jewell	Early Years	
Chris Caddamy	Post 16 Provision	
Suzy Horton	Councillor	Observer

### 90. Apologies

Apologies were received from:

- Sharon Burt
- Jo Cooper
- Councillor Chris Dike
- Simon Graham
- Sally Hodgson
- Sean Preston
- Ruth Worswick

### 91. Declarations of Interest

Declarations of interest are outstanding from Councillors Tom Coles and Chis Dike.

### 92. Minutes of the previous meeting held on 11 January 2024.

#### DECISION

The minutes of the meeting held on 11 January 2024 were approved as a correct record.

### 93. Matters arising

There were no matters arising.

### 94. Membership Update

The following three tenures will come to an end:

- Jackie Collins - Head Teacher Primary Maintained Schools.
- Simon Graham - Head Teacher, Secondary Maintained School
- Nys Hardingham - Secondary Academy representative - Ms Hardingham has indicated that she would be happy to stand again, secondary academy trusts will be notified and asked to confirm if they are happy with the proposal.

There also vacancies for:

- Three secondary phase academy representatives.
- One primary and one secondary governor representatives.

#### **95. Dedicated Schools Grant Budget 2024-25**

Angela Mann, Finance Manager introduced the report.

The responses to questions from the forum are as follows:

Alison Egerton, Group Accountant explained that the High Needs Block funding formula is very different to the Schools Block. The formula provides specific funding for the number of pupils in Special Schools at the October census, a lump sum based on historic spend (based on 2017-18) and the rest is based on the characteristics of the Portsmouth population including the number of children that are in ill-health and the income deprivation affecting children index (IDACI).

The funding for places at special schools is the only funding that is directly related to the number of pupils with Education, Health & Care Plans (EHCPs).

Local Authorities (LAs) have not been given additional government funding related to the increase in the number of pupils with EHCPs in mainstream schools.

The £3.4m increase for the element 3 top up covers special schools, maintained schools, inclusion centres and alternative provision. There has been a considerable increase in the level of need this year, particularly in special schools. It also reflects the full year effect of the 66 places at the Wymering School from September 2023.

The number of EHC assessment requests that the SEND team has received have been reviewed. There has been a considerable increase in the number of assessment requests which is resulting in a rise in the number of EHCPs including a 30% increase in the number of EHCPs in 2022/23 with significant increases forecast for 2023/24 and 2024/25.

Within the £3.4m, £350,000 relates to the 1.84% increase on the banding levels. £0.8m relates to the increased numbers in mainstream schools. £2.3m relates to the element 3 for the special schools. Approximately £0.05m relates to the inclusion centres.

The impact of Wymering school is about £0.7m.

The increase in the budget for Mainstream Element 3 is based on forecasts which suggest that there be of 196 full time equivalent pupils.

The budget for Special schools builds in an additional 2 at Solent Academies Trust.

Mike Stoneman, Deputy Director of Education added that there is a backlog of EHC assessments which is impacting on the forecast for 2024-25. If the

backlog did not exist we would have seen a significant pressure on the High Needs Block in 2023/24. Additional resources to support the EHC assessment recovery plan have been put in place to address the backlog.

Alison Egerton explained that Schools Forum could request a transfer from the Schools Block to the High Needs Block but has not done that for a number of years, and is not necessary for 2024/25 due to the DSG carry forward. The plan is to work with the Education Service to review the DSG services and produce a five year DSG management plan.

It is projected that 70% pupils with EHCPs will go to mainstream schools. This and other figures in the council were used for financial modelling.

A lot of the pressure and EHC assessment requests are coming through Early Years. This is being reviewed as part of the DSG management plan to understand better what is driving this and what interventions can be put in place to support the children and their families.

The DSG carry forward is ringfenced until March 2026. From April 2027, the LA will be responsible for managing any deficit on the budget. The current balance will allow time to set up and implement appropriate interventions. The LA will work with everyone involved to ensure that needs are met. It is seen as needing a whole partnership response.

In response to a question, Mike Stoneman explained that it is a very challenging situation. Discussions will start next week regarding the DSG management plan and he would welcome wider support.

As requested by Schools Forum, a working group of headteachers and LA officers recently developed proposals to carry out some measures/interventions which could support inclusion in mainstream schools and reduce the demand for EHC assessments - to be funded from a portion of the DSG carry forward. It was paused because of the pressure and forecast overspend on the High Needs Block in 2024-25 and 2025-26, and the proposals will be reviewed as part of that process and will ensure value for money

Alison Egerton explained that the DSG management plan has to come back to Schools Forum for endorsement. It is therefore important for Schools Forum members to be involved in its development. Mike Stoneman confirmed that he will shortly be inviting School Forum Members to be involved.

The Speech and Language Service has the potential to make a difference and we are fortunate to have some additional funding through the SENDAP Change Programme that we hope will have a positive impact.

The DSG management plan is a forecasting tool. It will be used to look at all the different pieces of work that could be done to change the forecast.

The current number of EHCP applications is known and the budget assumes the same proportion receive an EHCP as before which will create a £2.5m pressure for 2024-25 and a further £1.1m for 2025-26.

There are plans to increase special places in inclusion centres at a cost of £300,000 for 2025-26.

Angela Mann explained that officers have voiced their concerns with about funding levels with the DfE at various groups including South East Officer Groups.

Mike Stoneman added that this has also been discussed with the DfE and across the South East network of LAs at DSC and Assistant Director level.

Angela Mann explained that the following have also been considered when setting the budget:

- Children in Early Years and how these may change with the new entitlements which are for working parents. Some of whom may already be using the Early Years settings.
- Children in Early Years settings who will transfer to Year R in September.
- Pupils leaving Y11 and where they might be going.
- Children likely to get EHCPs this year.

If the numbers are lower, what will be used from the DSG reserve will be less. However, there are some risks including the increase in pupils with complex needs at special schools in 2023-24. For the forecasting, it has been assumed that this complexity of need will stay the same.

The numbers of children can be brought to a future meeting.

Mike Stoneman stated that he would be happy to bring benchmarking data to a future meeting.

The surplus in Year R and KS1 varies across the city, but overall the number of surplus places is increasing due to the lower birth rate. This is partly offset for the rise in in-year transfers that we have seen in recent years. .

Alison Egerton explained that the decision lies with the Cabinet Member. The Schools Forum simply decides whether or not to endorse the recommendations.

During the discussion, School Forum members raised the following:

- The scarcity of special school places is having an impact on schools.
- In-year transfers tend happen after Christmas which impacts on the census and therefore funding.



- That Early Years providers didn't always make the link between the valued support that they receive from the authority and 5% retention which funds it.
- The increase in number of pupils with high needs in mainstream schools who previously would have been in special schools.
- Members have not had sufficient time to digest the report and share it with colleagues. They would welcome a more open and transparent approach regarding the DSG management plan.
- It is important to invest in order to prevent rising costs. Education practitioners should be involved in the discussions and decision-making.
- The difficulty that the High Needs Block presents the LA was acknowledged along with the huge amount of pressure that is on many public services, particularly as other agencies who would have previously been involved no longer have the resources.
- More information was requested about schools and inclusion centres

## **DECISIONS**

### **The Schools Forum:**

- 1. Approved the proposal to de-delegation of the Education functions related to the Monitoring and Brokering grant for 2024-25 at £10.42 per pupil for primary and secondary pupils.**
- 2. Endorsed the determination of the Schools Budget for 2024-25 as set out in Appendix Endorsed the proposal to use carry forward balances to fund the shortfall in 2024-25 and manage any potential financial pressures during the financial year.**
- 3. Endorsed the 2024-25 Element 3 Top-up values for Special Schools, Inclusion Centres, Alternative Provision Settings and Mainstream Schools as set out in Appendix 2. 2 [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)**
- 4. Endorsed the Early Years Funding Formula for under twos, two, three and four year-olds as set out in section 7, and Appendix 1.**

The next meeting will be held on 22 May.

The meeting concluded at 5:45pm

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# Agenda Item 6



**Portsmouth**  
CITY COUNCIL

**Title of meeting:** Schools Forum

**Date of meeting:** 22 May 2024

**Subject:** Schools Forum Constitution 2024-25

**Report by:** Sarah Daly, Director of Children, Families and Education

**Wards affected:** All

**Key decision:** Yes/No

**Full Council decision:** Yes/No

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## **1 Purpose of report**

1.1 The purpose of this report is to seek Schools Forum approval to retain the existing constitution attached at Appendix A. The report seeks to update the Schools Forum on the current composition which continues to provide for the appropriate representation between maintained schools and academies within the city.

## **2 Recommendations**

2.1 It is recommended that Schools Forum retains the current constitution attached at Appendix A which took effect from 25 May 2023.

## **3 Background**

3.1 The Schools Forums (England) Regulations 2012 (as amended), together with the 'Schools Forum: operational and good practice guide' published by the Education and Skills Funding Agency<sup>1</sup>, set out how the membership of Schools Forums should be constituted, the requirements relating to the meetings of the Schools Forum and their proceedings, as well as the financial issues on which forums must be consulted.

Schools Forum approved the current constitution in May 2023. Following a review of the current pupil numbers, as set out in section 4 of this report, it is proposed to retain the current constitution.

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<sup>1</sup>[Schools forum operational and good practice guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674422/schools_forum_operational_and_good_practice_guide.pdf)

#### 4 Membership

- 4.1 The membership structure is required to be reviewed regularly to ensure appropriate representation is maintained, particularly where there is a change in the number of academies in the city.
- 4.2 Whilst there is no specified maximum or minimum size required for a Schools Forum, it is recommended that the membership should be kept to a reasonable size. The proposals below seek to retain the overall membership at 22.

#### School & Academy Members

- 4.3 The School and Academy members together must number at least two-thirds of the total membership of the Schools Forum and the balance between maintained primary, maintained secondary and academies must be broadly proportionate to the pupil numbers in each category.
- 4.4 Since the constitution was approved last year by Schools Forum, there have been no further Academy conversions within the city and currently there are 18 maintained schools and 43 academies.
- 4.5 The table below summarises the pupil numbers across the categories, (based on the October 2023 census) and shows that Academies account for 72% of the pupil population in the city.

Percentage of pupil numbers in each school category as at October 2023						
Category	NOR Maintained Schools	%	NOR Academy Schools	%	NOR Total	%
Primary	5,625	73%	10,240	52%	15,865	58%
Secondary	2,078	27%	8,512	43%	10,590	39%
Special / AP	0	0%	828	4%	828	3%
<b>TOTAL</b>	<b>7,703</b>	<b>100%</b>	<b>19,580</b>	<b>100%</b>	<b>27,283</b>	<b>100%</b>
%	28%		72%		100%	

- 4.6 Whilst Academies account for 72% of the total pupil population in the city, this differs by phase as shown below.

Percentage of pupil population by Phase as at October 2022			
Category	% Pupils in Maintained Schools	% Pupils in Academy Schools	Total
Primary	35%	65%	100%
Secondary	20%	80%	100%
Special / AP	0%	100%	100%

4.7 As there have been no further academy conversions, the proportions of pupils have not changed significantly. It is therefore proposed to maintain the structure of Schools Forum membership in respect of the "School Members" and "Academy Members" as shown below.

School Members:	Current Structure
Head teacher representative - primary phase	2
Head teacher representative - secondary phase	1
Head teacher representative - special phase	0
Governor representative - primary phase	1
Governor representative - secondary phase	1
<b>Total School Members</b>	<b>5</b>
Academy Members:	
Primary Academy Proprietor	5
Secondary Academy Proprietor	5
Special Academy Proprietor	1
<b>Total Academy Members</b>	<b>11</b>
<b>Total School &amp; Academy Members</b>	<b>16</b>

4.8 The summary below shows how the schools will be represented in total by phase (both maintained and Academy).

Primary Members	8
Secondary Members	7
Special Members	1
<b>Total School Members</b>	<b>16</b>

4.9 A maintained school member must stand down from membership of Schools Forum if their school converts to Academy status, as the member will no longer occupy the office by which he or she became eligible for election.

4.10 There are also no proposed amendments to the remaining membership which is as follows:



Councillors	4
Post-16 representative	1
Early Years representative	1
<b>Total Other Members</b>	<b>6</b>

**5 Reasons for recommendations**

- 5.1 The proposals within this paper are required to ensure that the operation of the Schools Forum in Portsmouth is compliant with the relevant regulations and good practice guidance issued by the Department for Education.
- 5.2 In particular it is necessary to regularly review the Schools Forum membership to ensure that appropriate representation is made, particularly where there is a change in the number of Academy Schools in the city.

**6 Integrated impact assessment**

- 6.1 An integrated impact assessment is not required as the recommendations do not have a positive or negative impact on communities and safety, regeneration and culture, environment and public space or equality and diversity.

**7 Legal implications**

- 7.1 Regulation 8 of the Schools Forums (England) Regulations 2012 (as amended) permits, on a permanent basis, public meetings of the Schools Forum to be held by remote means.
- 7.2 The form of constitution attached at Appendix A continues to reflect the requirements of the Schools Forums (England) Regulations 2012 (as amended).

**8 Director of Finance's comments**

- 8.1 There are no financial implications contained within this report.

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Signed by: Sarah Daly, Director Children Families and Education

**Appendices:**

Appendix 1: Schools Forum Constitution (including the powers and responsibilities)

**Background list of documents: Section 100D of the Local Government Act 1972**



The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
The Schools Forums (England) Regulations 2012 (as amended)	<a href="#">The Schools Forums (England) Regulations 2012 (legislation.gov.uk)</a>
Schools Forums: operational and good practice guide	<a href="#">Schools forum operational and good practice guide amended March 2021.pdf</a>
School and Early Years Finance and Childcare (Provision of Information About Young Children) (Amendment) (England) Regulations 2024	<a href="#">The School and Early Years Finance and Childcare (Provision of Information About Young Children) (Amendment) (England) Regulations 2024 (legislation.gov.uk)</a>

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Portsmouth  
CITY COUNCIL

## SCHOOLS FORUM CONSTITUTION with effect from 25<sup>th</sup> May 2023

### 1. Composition

Membership of the Schools Forum should be as follows:

#### Membership:

##### School Members:

Head teacher representative - primary phase	2
Head teacher representative - secondary phase	1
Governors - primary phase	1
Governors - secondary phase	1
	<b>5</b>

##### Academy Members:

Academy representative - primary proprietor	5
Academy representative - secondary proprietor	5
Academy representative - special proprietor	1
	<b>11</b>

#### **Total School & Academy Members** **16**

##### Non School Members:

Councillors – a non-executive representative from the four political groups that have the highest number of elected members	4
16-19 Representative	1
Early Years providers (from PVI sector)	1

#### **Total Non School Members** **6**

#### **Total Membership** **22**

Named substitutes may be nominated for each representative in case of unavailability. Substitutes will be named by the appropriate electing body and will have full voting rights.

The membership structure of the schools forum will be reviewed regularly to ensure appropriate representation is maintained; particularly where there is a change in the number of Academies in the city.

### **School & Academy Members:**

Maintained school head teacher representatives should be elected by the appropriate **Phase Conference**.

Maintained school Governor representatives should be elected by Governors. If it is not possible to appoint sufficient numbers of Governor representatives, then additional maintained school head teachers from the relevant phase can be appointed in their place.

Academy Members will be elected by the **Proprietor bodies** of the academies in the area, through their election processes:

- Academies members representing mainstream Academies must be elected to the Schools Forum by the Proprietors of mainstream Academies in the Authorities area by phase.
- Academies members representing Special Academies must be elected to the Schools Forum by the Proprietors of special Academies in the Authorities area.

The Proprietor bodies (or governing bodies) of the Academies must determine the nomination process by which Academy representatives are nominated and elected to the Portsmouth Schools Forum.

Academy members represent the Proprietor bodies of Academies and therefore members are not restricted to Head Teacher or Governors.

If for any reason the Proprietor bodies are unable to select Academy representatives through their election process by the date notified, the Authority will seek representatives via the appropriate phase conferences.

### **Non-Schools Members:**

The local authority will be responsible for seeking nominations from relevant bodies.

The Authority may not appoint any executive member or relevant officer of the authority to their forum as a non-schools member.

“executive member” means— any elected member of the authority appointed to the executive of that authority.

“relevant officer” means—

- (a) the director of children’s services of the authority,

- (b) any officer employed or engaged to work under the management of the director of children's services, other than one who directly provides education to children or who manages such a person, or
- (c) any officer whose work involves management of, or advice on, school funding.

**Observers:**

The following additional members will have observer status, but participate fully in the debates of the Forum:

- Lead Cabinet Member for Children & Education
- Director of Children's Services
- Education Funding Agency representative (EFA)

**2. Term of Membership**

The term of membership for **any** member, the Chair and Vice Chair shall be **two** years, but members may hold office continuously if nominated by their appropriate forum.

A Forum member remains in office until—

- (a) the member's term of office expires;
- (b) the member ceases to hold the office by virtue of which the member became eligible for election, selection or appointment to the forum;
- (c) the member resigns from the forum by giving notice in writing to the authority; or
- (d) in the case of a non-schools member, the member is replaced by the authority, at the request of the body which the member represents, by another person nominated by that body
- (e) whichever comes first.

If a member of the Forum has not attended for three consecutive meetings the clerk shall contact those members. If the reason for non-attendance is deemed inadequate by the Forum, then their appointment will be reconsidered by the phase that they represent.

**3. Powers and Responsibilities**

The powers and responsibilities of the Schools Forum are set out in appendix 1 attached.

#### 4. Sub groups

Two sub groups shall meet as necessary to discuss in detail the key responsibilities of the Schools Forum and to report back:

- (1) Service Level Agreements / contracts
- (2) Revenue funding formula matters

Membership of sub groups will be agreed by Schools Forum and may include non-Schools Forum members.

#### 4. Meetings

The Schools Forum shall meet at least 4 times a year and are quorate if at least 40% of the total membership is present. *(This excludes any observers, and it is 40% of the current membership excluding vacancies).*

If a meeting is inquorate, it can proceed but it cannot legally take decisions *(e.g. election of a Chair, or a decision relating to funding conferred by the funding regulations).*

All meetings of the schools forum must be public meetings. Meetings can be face to face or held remotely, this includes (but is not limited to) telephone conferencing, video conferencing, live webcast and live interactive streaming. All papers considered by the forum and the minutes of their meetings will be published on the Council website.

The Forum shall elect every two years a chair and vice-chair from among their number. The vice-chair has the authority to act on behalf of the chair in their absence. The chair can convene additional meetings as required.

The following persons may speak at meetings of the forum, even though they are not members of the forum-

- (a) the director of children's services at the authority or their representative;
- (b) the chief finance officer at the authority or their representative;
- (c) any elected member of the authority who has primary responsibility for children's services or education in the authority;
- (d) any elected member of the authority who has primary responsibility for the resources of the authority;
- (e) any person who is invited by the forum to attend in order to provide financial or technical advice to the forum;
- (f) an observer appointed by the Secretary of State; and
- (g) any person presenting a paper or other item to the forum that is on the meeting's agenda, but that person's right to speak shall be limited to matters related to the item that the person is presenting.

The Authority will be responsible for preparing agendas, papers and minutes of the Forum's meetings, in consultation with the chair and for their publication of such papers on the Authority's website.

## 5. Voting procedures

All Members are entitled to vote on all matters put to a vote, except that non-schools members, other than those who represent early years providers, must not vote on matters relating to the formulae to be used by the local authority to determine the amounts to be allocated to schools and early years providers in accordance with regulations made under sections 47 and 47ZA of the Schools Standards and Framework Act 1998.

Only the schools members of the schools forum who are representatives of primary schools may vote to decide whether or not to authorise items to be removed from maintained schools budget shares (i.e. items that can be de-delegated) where they relate to primary schools.

Only the schools members of the schools forum who are representatives of secondary schools may vote to decide whether or not to authorise items to be removed from maintained schools budget shares (i.e. items that can be de-delegated) where they relate to secondary schools.

Only the school members of the schools forum who are representatives of primary schools, secondary schools, special schools (including pupil referral units) may vote to decide whether or not to authorise the redetermination of the schools budget shares by removal of the expenditure referred to in Part 7 Schedule 2 (items to be removed from maintained schools budget shares) of The School and Early Years Finance Regulations.

Voting will be based on the majority vote of those present (subject to quorate rules) with the Chair holding the casting vote if voting is equal.

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## Schools forum powers and responsibilities

A summary of the powers and responsibilities of schools forums.

Function	Local authority	Schools forum	DfE role
Formula change (including redistributions)	Proposes and decides	Must be consulted [voting restrictions apply - see schools forum structure document] and informs the governing bodies of all consultations	Checks for compliance with regulations
Movement of up to 0.5% from the schools block to other blocks	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal
Contracts (where the LA is entering a contract to be funded from the schools budget)	Proposes at least one month prior to invitation to tender, the terms of any proposed contract	Gives a view and informs the governing bodies of all consultations	None

Function	Local authority	Schools forum	DfE role
Financial issues relating to: <ul style="list-style-type: none"> <li>• arrangements for pupils with special educational needs, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding</li> <li>• arrangements for use of pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding</li> <li>• arrangements for early years provision</li> <li>• administration arrangements for the allocation of central government grants</li> </ul>	Consults annually	Gives a view and informs the governing bodies of all consultations	None
Minimum funding guarantee (MFG)	Proposes any exclusions from MFG for application to DfE	Gives a view	Approval to application for exclusions



Function	Local authority	Schools forum	DfE role
De-delegation for mainstream maintained schools for: <ul style="list-style-type: none"> <li>contingencies</li> <li>administration of free school meals</li> <li>insurance</li> <li>licences/subscriptions</li> <li>staff costs – supply cover</li> <li>support for minority ethnic pupils/underachieving groups</li> <li>behaviour support services</li> <li>library and museum services</li> <li>School improvement</li> </ul>	Proposes	Maintained primary and secondary school member representatives will decide for their phase. Middle schools are treated according to their deemed status	Will adjudicate where schools forum does not agree LA proposal
General Duties for maintained schools <ul style="list-style-type: none"> <li>Contribution to responsibilities that local authorities hold for maintained schools <b>(please see <a href="#">operational guide</a> for more information)</b></li> </ul>	Proposes	Would be decided by the relevant maintained school members (primary, secondary, special and PRU).	Adjudicates where schools forum does not agree LA proposal
Central spend on and the criteria for allocating funding from: <ul style="list-style-type: none"> <li>funding for significant pre-16 <a href="#">pupil growth</a>, including new schools set up to meet basic need, whether maintained or academy</li> </ul>	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal

Function	Local authority	Schools forum	DfE role
<ul style="list-style-type: none"> <li>• funding for good or outstanding schools with <a href="#">falling rolls</a> where growth in pupil numbers is expected within three years</li> </ul>			
<p>Central spend on:</p> <ul style="list-style-type: none"> <li>• early years block provision</li> <li>• funding to enable all schools to meet the infant class size requirement</li> <li>• back-pay for equal pay claims</li> <li>• remission of boarding fees at maintained schools and academies</li> <li>• places in independent schools for non-SEN pupils</li> <li>• admissions</li> <li>• servicing of schools forum</li> <li>• Contribution to responsibilities that local authorities hold for all schools</li> </ul>	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal
<p>Central spend on:</p> <ul style="list-style-type: none"> <li>• capital expenditure funded from revenue – projects must have been planned and decided on prior to April 2013 so no new projects can be charged</li> <li>• contribution to combined budgets – this is where the schools forum agreed prior to April 2013 a</li> </ul>	Proposes up to the value committed in the previous financial year and where expenditure has already been committed.	Decides for each line	Adjudicates where schools forum does not agree LA proposal

Function	Local authority	Schools forum	DfE role
<p>contribution from the schools budget to services which would otherwise be funded from other sources</p> <ul style="list-style-type: none"> <li>existing termination of employment costs (costs for specific individuals must have been approved prior to April 2013 so no new redundancy costs can be charged)</li> <li>prudential borrowing costs – the commitment must have been approved prior to April 2013</li> </ul>	<p>Read <a href="#">establishing local authority DSG baselines</a> for more information.</p>		
<p>Central spend on:</p> <ul style="list-style-type: none"> <li>high needs block provision</li> <li>central licences negotiated by the Secretary of State</li> </ul>	<p>Decides</p>	<p>None, but good practice to inform forum</p>	<p>None</p>
<p>Scheme of financial management changes</p>	<p>Proposes and consults the governing body and Head of every school</p>	<p>Approves (schools members only)</p>	<p>Adjudicates where schools forum does not agree LA proposal</p>
<p>Membership: length of office of members</p>	<p>Decides</p>	<p>None (but good practice would suggest that they gave a view)</p>	<p>None</p>
<p>Voting procedures</p>	<p>None</p>	<p>Determine voting procedures</p>	<p>None</p>

Function	Local authority	Schools forum	DfE role
Chair of schools forum	Facilitates	Elects (may not be an elected member of the Council or officer)	None

# Agenda Item 7



Portsmouth  
CITY COUNCIL

<b>Title of meeting:</b>	Schools Forum
<b>Date of meeting:</b>	22 May 2024
<b>Subject:</b>	Scheme for Financing Schools
<b>Report from:</b>	Sarah Daly, Director of Children, Families and Education
<b>Report by:</b>	Angela Mann, Finance Manager
<b>Wards affected:</b>	All Wards
<b>Key decision:</b>	No
<b>Full Council decision:</b>	No

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## 1. Purpose of report

- 1.1. This report outlines the proposed changes to the Scheme for Financing Schools which reflects the revisions to the scheme as outlined in the guidance issued by the Department for Education (DfE).

## 2. Recommendations

- 2.1. It is recommended that Schools Forum members representing maintained schools, approve the revised 'Scheme for Financing Schools', attached at Appendix 1, to come into force on 23 May 2024.

## 3. Background

- 3.1. The latest statutory guidance for Local Authorities issued by the DfE in respect of the Scheme for Financing Schools reflects the recent changes to legislation as set out in The School and Early Years Finance and Childcare (Provision of Information About Young Children) (Amendment) (England) Regulations 2024. The proposed Portsmouth City Council Scheme for Financing Schools attached at Appendix 1, incorporates the requirements of the statutory guidance issued by the DfE.
- 3.2. There were no directed revisions to the Scheme in the guidance issued by the DfE for 2024 to 2025. The guidance included a number of changes across the whole of the document, and these have been reflected in the Scheme for Financing Schools issued by Portsmouth City Council where appropriate. The proposed scheme will become effective on 23 May 2024 once approved by Schools Forum.

- 3.3. Consultation on the changes to the Scheme with Headteachers, Governors and Finance Managers, took place between 15 April and 26 April 2024. No responses were received. The final document is attached at Appendix 1.

#### 4. Proposed revisions

- 4.1. The proposed Scheme has been revised to ensure consistency of language, the correct use of titles for responsible officers together with updated hyperlinks to further information, and any changes to relevant legislation. The main revisions to the scheme are listed below and reflect both the changes to the statutory guidance issued by the DfE, together with the general revisions for changes to Portsmouth City Council policies and procedures.

<b>Paragraph</b>	<b>Update</b>
1.1	This section has been updated in line with the guidance issued by the Department for Education.
1.2	Updated date scheme will come into effect.
1.4	Updated to reflect that no directed revisions were required by DfE to the 2024 scheme.
2.2	Updated the link for the Consistent Financial Reporting Framework to the latest 2024-2025 version.
2.10	Updated guidance to remove the phrase "regulations" and replace with "Contract Procedure Rules". Added " Schools are also legally bound to abide by the wider procurement regulations for all in-scope contracts which are valued above the relevant statutory thresholds. The exemptions set out in the above bullet points do not apply to contracts caught by the wider regulations. To aid compliance Schools are encouraged to engage with the Authority's Procurement Service for any contracts with a lifetime value in excess of £150,000 inclusive of VAT."
2.16	Updated guidance to amend the year that schools should submit their SFVS to their local authority, by no later than 31 March 2025 and updated the date local authorities should submit their assurance statement to the DfE by no later than 31 May 2025.

**Paragraph      Update**

3.6                      The introduction of IFRS16 for local authorities from 1 April 2024 ends the distinction between operating leases and finance leases at maintained schools for accounting purposes. Under the Education Act 2002, all leases will be classed as borrowing and will require the Secretary of State for Education's consent.

The Secretary of State has agreed to provide blanket consent to a range of the most common leasing activities, as set out in the IFRS16 Maintained Schools Finance Lease Class Consent 2024. Leases not included in this Order will still require the written consent of the Secretary of State.

4.5                      Updated the year 2024.

4.8                      Legislation amended to "The School and Early Years Finance and Childcare (Provision of Information About Young Children) (Amendment) (England) Regulations 2024".

Annex 1                Special unit places numbers amended to reflect places agreed by Schools Forum and Cabinet Member for 2024-25.

4.3      The revised version of the Scheme for Financing Schools, once approved, will be issued to schools (including Head Teachers, Governors and Finance Managers) and made available on the intranet and the external website.

**5.                      Reasons for recommendations**

5.1      Part 4 of The School and Early Years Finance and Childcare (Provision of Information About Young Children) (Amendment) (England) Regulations 2024 sets out the responsibilities in respect of the scheme for Financing Schools, including the required content which the scheme must contain (Regulation 42) and the requirement for members of Schools Forum who represent schools maintained by the authority, to approve revisions to the Scheme (Regulation 43). The recommendations contained within this report, seek approval from the relevant Schools Forum members to the proposed changes to Portsmouth City Council's Scheme for Financing Schools in line with those Regulations.

**6. Equality impact assessment (EIA)**

6.1 The Scheme for Financing Schools sets out the financial relationship, procedural arrangements and the statutory duties between maintained schools and the City Council. There is no direct impact on any particular equalities group and therefore does not require an equities impact assessment.

**7. Legal comments**

7.1 Approval of the recommendations in this report will enable the Council to meet its statutory duties in respect of the maintenance and publication of a scheme for financing the schools which it maintains. (Section 48 and paragraph 2A of Schedule 14 of the School Standards and Framework Act 1998 and Part 4 and Schedule 4 of The School and Early Years Finance and Childcare (Provision of Information About Young Children) (Amendment) (England) Regulations 2024.

**8. Finance comments**

8.1 There are no financial implications arising directly from the recommendations contained within this report.

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 Signed by: Sarah Daly, Director of Children, Families and Education

**Appendices:**  
 Appendix 1 - Scheme for Financing Schools 2024-25 (Proposed)

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Statutory Guidance - Schemes for Financing Schools	<a href="https://www.gov.uk/government/publications/schemes-for-financing-schools">https://www.gov.uk/government/publications/schemes-for-financing-schools</a>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
 Signed by: