



CUMBERLAND SCHOOLS FORUM

13 June 2023, Microsoft Teams Meeting, 9.30am

AGENDA

PART 1: ITEMS LIKELY TO BE CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC

1. **Appointment of Chair**
2. **Appointment of Vice-Chair**
3. **Apologies for Absence**
4. **Exclusion of Press and Public**
To consider whether the press and public should be excluded from the meeting during consideration of any item on the agenda.
5. **Declarations of Interest**
6. **The Schools Forum Constitution and Working Groups** (copy enclosed)
7. **Revised LA Scheme for Financing Schools - Amendment** (copy enclosed)
8. **Provisional Cumbria Dedicated Schools Grant Earmarked Reserves Outturn 2022-23** (copy enclosed)
9. **Provisional Cumbria De-Delegated Contingency Budget Outturn 2022-23** (copy enclosed)
10. **Maintained School Balances Outturn 2022-23** (copy enclosed)
11. **Delivering Better Value for SEND – Verbal Update**

12. Dates of Future Meetings

- i) The next meeting of the Schools Forum will be held on Monday, 18 September 2023. The meeting will begin at 9.30am and is likely to be held via Microsoft Teams. Final arrangements will be circulated prior to the meeting.
- ii) Updated Meeting Schedule 2023 (copy enclosed)

13. Any Other Business

PART 2: ITEMS LIKELY TO BE CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC

CUMBERLAND COUNCIL SCHOOLS FORUM
Report Title: Schools Forum Constitution and Working Groups
Meeting date: 13 June 2023
Report of: Dan Barton, Assistant Director, SEND, Education & Inclusion

1.0 Executive Summary

- 1.1 This report updates the Schools Forum members on the constitution for the Cumberland Schools Forum.
- 1.2 The Schools Forum is asked to consider whether working groups should be set up and if so agree the frequency of meetings and terms of reference for the group(s).

2.0 Link to Council Plan Priorities

- 2.1 Ensuring that schools are appropriately represented at Schools Forum is supportive of the Council Plan “to improve the health and wellbeing of its residents” and the priority to “address inequalities and enable its residents to access opportunities that will empower them to achieve their goals.”

3.0 Recommendation

- 3.1 The Schools Forum are asked to note the constitution and are asked to decide whether to set up any working groups.

4.0 Rationale & Evidence for the Recommendation

- 4.1 Each local authority is required by law to establish a Schools Forum as set out in the Schools Forums (England) regulations 2012.
- 4.2 As part of the preparation for the Local Government Review whereby Cumbria County Council ceased to exist on 1 April 2023 and was replaced by two new unitary authorities, the shadow executive members for Cumberland Council agreed the constitution for the new Cumberland Schools Forum effective from 1 April 2023 at their meeting on 16 February 2023.

- 4.3 It was agreed that the Schools Forum should be made of 16 school and 6 non-school members. The constitution is attached at Appendix 1 for reference.
- 4.4 The Schools Forum are allowed to set up working groups to discuss specific issues and can make recommendations to the full Schools Forum. Under the former Cumbria Schools Forum arrangements there was a Budget and a SEN working group. The Budget group considered the impact of any proposals relating to the schools funding formula and the SEN group considered the financial arrangements for supporting children with SEN ahead of full Schools Forum. Most members of the Schools Forum were either a member of the Budget and/or SEN group. There were 3 meetings of each group per year, however, more recently the meetings have been joint and many of the papers reviewed at the working group meetings have also gone to full Schools Forum for consideration.
- 4.5 Provisional meetings dates for working groups have been set out in the attached updated Meeting Schedule and Microsoft Teams meeting invitations sent to Schools Forum members. The Schools Forum members are asked to consider whether working groups are required or whether these dates should be held in diaries for any potential task and finish group work that may arise during the year, if the dates are not required the meetings can be withdrawn. Potentially the October date could be used as a training/refresher session for new Westmorland & Furness Schools Forum members and former Cumbria Schools Forum members.
- 4.6 If Schools Forum decide that working group(s) are required frequency of meetings, membership of the group(s) including chair, and terms of reference will need to be agreed.

5.0 Options

- 5.1 Schools Forum can:

Option 1

- Establish a working group(s) and:
 - agree membership(s) and chair(s);
 - decide on frequency of meetings (no more than 3 per year);
 - agree the terms of reference.

Or

Option 2

- Hold the provisional working group meeting dates for any potential task and finish groups that may arise during the year.

6.0 Financial & Other Relevant Implications

- 6.1 The establishment of working groups or task and finish groups to discuss specific issues relating to finance arrangements for education providers provides challenge and support to the local authority when making changes to financial arrangements that may impact the provision of education.

7 June 2023

Appendices:

1. Cumberland Schools Forum Constitution
2. Updated Meeting Schedule

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Westmorland
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Working for **Cumberland Council** and
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Cumberland Schools Forum – Constitution

1. Membership

The Schools Forum will consist of the following members:

- 1.1 School Members (**must** include at least one governor and at least one headteacher/senior member of school staff)
 - 6 maintained primary school headteachers/senior members of school staff or governors
 - 1 maintained secondary school headteacher/senior member of school staff or governor
 - 5 academy (primary and secondary) headteachers/senior members of school staff or governors
 - 1 academy special school headteacher/senior member of school staff or governor)
 - 1 maintained special school headteacher/senior member of school staff or governor
 - 1 maintained nursery school headteacher/senior member of school staff or governor
 - 1 PRU representative
- 1.2 Non School Members
 - 1 teachers' professional associations
 - 1 non-teaching staff associations
 - 1 CE Diocese
 - 1 RC Diocese
 - 1 representative 16 – 19 providers
 - 1 private voluntary and independent (PVI) early years provider
- 1.3 Observer Members

Lead Member for Education, Skills and Training, Childrens' Services or Financial Planning and Assets, Education and Skills Funding Agency (ESFA).
- 1.4 Local Authority Representatives

Officers of the Local Authority can attend Schools Forum meetings but this is restricted to:

 - Director of Children and Family Wellbeing or their representative
 - Director of Resources or their representative
 - Any person invited by Schools Forum to provide financial or technical advice
 - Any person presenting a paper to Schools Forum but their ability to speak is limited to the paper they are presenting
- 1.5 Clerking

Clerking of the Schools Forum is often provided by a local authority employee or Schools Fora can consider the appointment of an independent clerk.

2. Working Groups

The Schools Forum may establish working groups. Each member of the Schools Forum will be expected to contribute to at least one of these groups but groups can also include wider representation to enable the group to give a considered view on the local authority's proposals to the School Forum.

3. Election of Members and Terms of Office

- 3.1 For any vacancy that arises, each group or constituency will determine its own procedures for nomination, which may include elections.
- 3.2 Each constituency or group is responsible for the method by which they elect and nominate their representatives.
- 3.3 Appropriate support to each group or sub-group to manage their election processes will be offered by the clerk of the Schools Forum. This may be the provision of advice, but may also consist of providing administrative support in running the elections themselves. Support will be provided in line with the Schools Forum Operational Good Practice Guide – March 2021.
- 3.4 In the event of a tie between two or more candidates, then the LA will appoint the member instead.
- 3.5 There may be occasions where a constituency is unable to nominate a representative. The local authority can set a date by which the election/nomination should take place by and must appoint the member if the election has not taken place by that date. The person appointed should be a member of the relevant group.
- 3.6 The term of office is attached to the office and not the person. The usual term of office will be for a period of up to 2 years (to be reviewed).
- 3.7 A member's appointment will end before the expiry of his/her term of membership if that member resigns or no longer holds the office by which they became eligible for election, selection or appointment to the forum. If a member moves to a school within the same constituency, he/she will remain a member of the forum. However, if the member moves to a school in a different constituency, or no longer works in the LA area, that member will cease to be a member of the forum. Vacancies will be filled in line with the nomination and election process for the relevant constituency.
- 3.8 The LA will appoint non-school members who will be nominated by the relevant body. The LA will inform all represented bodies of the details of any non-schools member appointed to the forum within one month of such an appointment. This should be done when initially constituting the forum, and after the appointment of any new or replacement member.
- 3.9 There will be no maximum number of consecutive periods of membership.

4. Appointment of Chair and Vice Chair

- 4.1 The Chair and Vice Chair of the Schools Forum will be elected from among the members by a majority vote, but may not be an elected member or officer of the LA.
- 4.2 The Chair and Vice Chair will be elected annually at the first meeting of the financial year.
- 4.3 A Chair or Vice Chair may stand for re-election in successive years.

5. Quorum

- 5.1 The quorum shall be 40% of the current membership of the forum, excluding vacancies but including substitutes.
- 5.2 Being inquorate will not prevent a meeting from taking place however, the Schools Forum will not legally be able to take decisions. An inquorate meeting can respond to consultation and give views to the LA.

6. Voting

- 6.1 Decisions will be taken after full discussion and by a simple majority by a show of hands unless any one member requires a secret ballot. Decisions of the Schools Forum may only be rescinded at a subsequent quorate meeting.
- 6.2 School members will vote, by sector, on the level of delegation to schools.
- 6.3 Maintained primary school members will vote on levels of delegation for primary schools which will then be binding on all maintained schools within that sector.
- 6.4 Maintained secondary schools will vote on levels of delegation for secondary schools which will then be binding on all maintained schools within that sector.
- 6.5 Academies and special schools are not able to de-delegate in this way.
- 6.6 In the event of a tied vote the Chair will have a second or casting vote except for when voting, by sector, on the level of delegation to schools. In the event of a tied vote on the level of delegation to schools – action will need to be decided.

7. Substitutes

If elected, members should, wherever possible, attend all meetings. If a member is unable to attend, he/she should seek to secure an appropriate substitute to attend the meeting on their behalf. Appropriate being a headteacher/senior member of school staff or a governor from the same constituency. Substitute members will count as part of the quorum. Substitutes attending in place of members should not become the norm.

8. Clerk

To be provided by the Local Authority, or appointed externally.

9. Frequency and Pattern of Meetings

- 9.1 There will be a minimum of 4 meetings each year. The forum may wish to arrange additional meetings eg. to discuss budget issues in the autumn term; or it may wish to set up committees or sub-groups to consider specific issues.
- 9.2 Meetings can be held remotely; this includes telephone conferencing, video conferencing, live webcast and live interactive streaming.
- 9.3 Unscheduled or extraordinary meetings may be called to consider urgent business.
- 9.4 Alternatively, if it is not possible to schedule an additional meeting, a process such as clearance by email correspondence, allowing all Forum members to have an opportunity to participate, can be used.
- 9.5 The Chair cannot take a decision on behalf of the Schools Forum however, should an urgent issue arise which needs an immediate decision, the Chair will have the power to give the LA a view on the issue.
- 9.6 There is a requirement that meetings of the Schools Forum will be public meetings.

10. Exclusion of Access by the Public to Meetings

- 10.1 Schools Forum meetings will be open to the public. Papers, agendas and minutes will be publicly available on the LA website in advance of each meeting (add link to page here).
- 10.2 The public must be excluded from meetings whenever it is likely, in the view of the nature of the proceedings, that confidential or exempt information would be disclosed.
- 10.3 Confidential information means information given to the LA by a government department on terms which forbid its public disclosure or information which cannot be publicly disclosed by court order.
- 10.4 Exempt information means information falling within (*number to be added in line with Cumberland Council constitution*) categories as set out in the LA constitution.

11. Expenses

- 11.1 School members and non-school members will be entitled to claim reasonable travelling expenses.
- 11.2 Members of the Schools Forum will also be eligible to claim reasonable reimbursement for additional costs such as childcare costs, loss of earnings or

costs incurred at school due to absence. Should the need arise, the definition of reasonable will be determined by the Chair on the advice of the Director of Children and Family Wellbeing.

11.3 Such costs will not be paid to LA Councillors who have a separate expenses system.

12. Declarations of Interest

Members of the Schools Forum will declare an interest in any individual proposal which directly affects a school at which they are employed, or at which they are a governor. In these circumstances members may participate fully in the discussion and any subsequent decision. However, where a member might have a pecuniary interest in any decision made they shall withdraw from the meeting, taking no part in the discussion and any subsequent decision.

13. Schools Forum Powers and Responsibilities

The schools forum powers and responsibilities are set out in a separate document, published by the Education and Skills Funding Agency.

[2021 Schools forums powers and responsibilities.pdf](#)



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E&S/NS
November 2022

CUMBERLAND SCHOOLS FORUM MEETING SCHEDULE 2023

Meetings likely to be held via Microsoft Teams. Start times are shown as 9.30am but these may be adjusted slightly from meeting to meeting.

Cumberland Schools Forum

Tuesday, 13 June 2023, 9.30am (Appointment of Chair & Vice Chair)

Monday, 18 September 2023, 9.30am

Thursday, 2 November 2023, 9.30am

Tuesday, 16 January 2024, 9.30am

Working Group Meetings

The new Schools Forums will determine if any working groups are needed. Provisional dates for potential working group meetings have been identified but these dates may change.

17 October 2023, 9.30am – PROVISIONAL – Date to be confirmed

If either or both working groups need to meet at any other points during the year, an appropriate date will be arranged.

Nicola Shiels
May 2023

CUMBERLAND COUNCIL SCHOOLS FORUM
Report Title: Revised LA Scheme for Financing Schools
Meeting date: 13 June 2023
Report of: Dan Barton, Assistant Director, SEND, Education & Inclusion

1.0 Executive Summary

- 1.1 This report informs the Schools Forum of an amendment to the Cumberland LA Scheme for Financing Schools and Pupil Referral Units (Scheme) relating to the retention of funds from the sale of land assets.
- 1.2 The revised Scheme will come into effect from June 2023.

2.0 Link to Council Plan Priorities

- 2.1 Improving the financial processes for schools is supportive of the Council Plan “to improve the health and wellbeing of its residents” and the priority to “address inequalities and enable its residents to access opportunities that will empower them to achieve their goals.”

3.0 Recommendation

- 3.1 The Schools Forum is recommended to note the amendment to the Scheme which applies to all maintained schools and pupil referral units.

4.0 Rationale & Evidence for the Recommendation

- 4.1 The School Standards and Framework Act 1998 (SSFA 1998) requires that local authorities maintain a Scheme setting out the financial relationship between them and the schools that it maintains.
- 4.2 The DfE updated their guidance for local authorities on Schemes on 31 March 2023, available [here](#). As a consequence an amendment (highlighted in yellow in the below table) has been made to the Scheme as follows:

Section	Current	Revised
5.4 Sales of Assets (page 28 of the Scheme)	<p>Schools may 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.</p> <p>Proceeds of sale of premises not owned by the authority is not a matter for this scheme.</p>	<p>Schools may 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.</p> <p>Any retention of funds from the sale of land assets is subject to the consent of the Secretary of State, and any conditions the Secretary of State may attach to that consent relating to the use of proceeds.</p> <p>Proceeds of sale of premises not owned by the authority is not a matter for this scheme</p>

4.3 The Regulations relating to the disposal of land for maintained schools are in Section 77 of the SSFA 1998 and DfE guidance is available [here](#). The amendment confirms that Secretary of State consent is required.

4.4 As the amendment has been led by the DfE, consultation with maintained schools and approval of the Scheme by their Schools Forum representatives is not required.

4.5 The revised Scheme will be published on the School Portal shortly after this meeting.

5.0 Options

5.1 There are no options, the maintained schools' Schools Forum representative members are asked to note the amendment and the revised Scheme.

6.0 Financial & Other Relevant Implications

6.1 Financial implications are considered throughout this report. No other implications have been identified.

7 June 2023

Appendices

1. Cumberland LA Scheme for Financing Schools June 2023

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Westmorland & Furness Council

CUMBERLAND COUNCIL SCHOOLS FORUM
Report Title: Provisional Cumbria Dedicated Schools Grant Earmarked Reserves Outturn for 2022/23
Meeting date: 13 June 2023
Report of: Dan Barton, Assistant Director, SEND, Education & Inclusion

1.0 Executive Summary

- 1.1 This report presents the provisional outturn position on the Cumbria Dedicated Schools Grant (DSG) Earmarked Reserves (EMRs) Outturn for financial year 2022/23. The balance is a deficit of £21.031m.
- 1.2 The Cumbria DSG EMRs have been disaggregated between the two new authorities and the provisional split is £12.290m for Westmorland & Furness and £8.741m for Cumberland.
- 1.3 The actual split will be confirmed once the 2022/23 year-end accounts for Cumbria have been finalised.

2.0 Link to Council Plan Priorities

- 2.1 The value of the reserves is supportive of the Council Plan “to improve the health and wellbeing of its residents” and the priority to “address inequalities and enable its residents to access opportunities that will empower them to achieve their goals.”

3.0 Recommendation

- 3.1 The Schools Forum is asked to note the provisional 2022/23 outturn position on the Cumbria DSG EMRs and the split of the reserves between the 2 new authorities.

4.0 Rationale & Evidence for the Recommendation

- 4.1 Each year, in accordance with the conditions of the DSG, any under or overspend relating to the centrally retained element of the DSG must be transferred to the earmarked DSG reserve to be carried forward for future years.

- 4.2 As at 31 March 2022 the DSG EMR position was a deficit of £14.692m. The DSG had an overall in-year pressure of £6.339m as at 31 March 2023, comprising of a £8.171m pressure on High Needs offset by an underspend of (£1.832m) on Central DSG. The overall cumulative deficit is therefore £21.031m split as a deficit balance on High Needs of £28.612m offset by a surplus balance on Central DSG of (£7.581m).
- 4.3 The provisional outturn represents a decrease in pressure of (£0.183m) compared to the Q3 forecast due to a reduced pressure on the High Needs Block of (£0.505m) and an increased pressure of £0.322m Central DSG.
- 4.4 The table below shows the deficit position on both the Central DSG and High Needs Block (this excludes individual school balances):

	Central DSG	High Needs Block	Total
DSG Balance as at 31 March 2022	(£5.750m)	£20.442m	£14.692m
Actual over/ (under) spends on DSG in 2022-23	(£1.832m)	£8.171m	£6.339m
DSG Balance as at 31 March 2023	(£7.581m)	£28.612m	£21.031m
Q3 Forecast DSG Balance as at March 2023	(£7.903m)	£29.117m	£21.214m
Movement	£0.322m	(£0.505m)	(£0.183m)

Central DSG

- 4.5 Central DSG reserve has increased by (£1.832m). The key variances were:
- (£1.508m) underspend on the Early Years Block comprising of net underspends against 2,3, and 4 year olds takes up of free entitlement of provision of (£1.487m), underspend against the Sustainability Fund of (£0.066m) an underspend of (£0.006m) against centrally retained budgets offset by an overspend against the SEN Inclusion Fund of £0.051m.
 - (£0.262m) De-delegated Contingency Fund. This balance is explained in a separate paper to this meeting.
 - (£0.062m) individually non-material variances.

High Needs Block

- 4.6 The deficit on the High Needs Block has increased by £8.171m:

Description	Budget	Outturn	Variance	Previous Qtr	Change in
	£m	£m	£m	Variance	Variance
				£m	£m
Special Schools - High Needs	14.430	16.763	2.333	2.342	(0.009)
Schools -Resourced Provision	0.710	0.740	0.029	0.029	0.000
Independent & Other Placements	8.000	10.769	2.769	3.173	(0.404)
Central SEN (Equipment, BVI, Audio etc)	0.095	(0.034)	(0.129)	(0.085)	(0.044)
SEND Residential Placements	4.267	3.589	(0.678)	(0.808)	0.130
High Needs - Invest to Save	0.000	0.370	0.370	0.370	0.000
High Needs - Post 16 ISPs	2.426	2.248	(0.178)	(0.105)	(0.073)
High Needs - Post 16 FE	1.694	1.903	0.209	0.128	0.081
High Needs - Top Up	15.950	19.412	3.462	3.641	(0.179)
Virtual School (CLA Inclusion)	0.337	0.337	(0.001)	0.004	(0.005)
Inclusion Teams	2.650	2.620	(0.029)	(0.028)	(0.002)
PRU Budgets	6.958	6.973	0.015	0.015	0.000
Mobility and Independence Contract	0.020	0.020	0.000	0.000	0.000
Share of de-delegated (special schools)	0.050	0.050	0.000	0.000	0.000
Total DSG to transfer to DSG HNB reserve	57.586	65.757	8.171	8.676	(0.505)

The key variances were:

- 4.7 Special Schools £2.333m. This represents movement of (£0.009m) compared to Q3. The outturn includes a £1.783m pressure relating to new and amended EHCP top-ups following the revised positioning of children on the new banding system, £0.309m for 20 new places at James Rennie and 33 new places at Mayfield special schools effective from September 2022, £0.507m relating to the associated start-up and diseconomy costs including temporary accommodation for the newly created provision on external sites, £0.066m relating to pre-existing budget pressures offset by an increase in High Needs Block funding of (£0.332m) relating to additional funding for special free school places.
- 4.8 Independent specialist day placements (ISPs) £2.769m. The overall number of children and young people in day placements as at 31 March 2023 was 140, a decrease of 2 placements since Q3. There have been 4 new placements, 6 ended placements, one transfer to and one transfer from residential placements representing a net reduced pressure of (£0.147m) since Q3. Education Otherwise numbers have reduced from 56 to 55 since Q3, there have been 17 new and 18 ended placements representing movement of (£0.181m). The overall number Extra District placements has increased from 24 to 26 since Q3 representing movement of (£0.076m) compared to Q3.
- 4.9 Residential placements (£0.678m). The overall number of placements as at 31 March 2023 was 39. Since Q3 there have been 2 new placements, 3 ended placements, one transfer from and one transfer to independent day placements representing movement of £0.130m compared to Q3.
- 4.10 Post-16 High Needs ISPs (£0.178m). The overall number of ISPs as at 31 March 2023 is 59. There has been new and one ended placement since Q3 representing movement of (£0.073m).
- 4.11 Post-16 High Needs Further Education £0.209m. The expenditure, which comprises of high needs top-ups in FE colleges, sixth form schools and other bespoke packages, has increased by £0.081m compared to Q3 due to an increase in FE Colleges top-ups of £0.047m, additional sixth form school top-ups of £0.007m and £0.027m relating to other bespoke packages.

- 4.12 EHCP top-ups for pupils in mainstream schools and Early Years Providers £3.462m. This represents a decrease in pressure of (£0.179m) compared to Q3. Since the start of the year there have been amendments to existing EHCPs of £0.264m, payments to PVIs of £0.480m, and new EHCPs of £1.737m. The outturn also includes the additional net cost of restoring the notional SEN to £6,000 after removing the Targeted SEN funding with effect from September 2021 of £0.777m and pre-existing budget pressures of £0.204m.
- 4.13 High Needs Invest to Save Initiatives £0.370m. The expenditure here relates to the Sandgate Early Intervention Programme including the roll out to two hub schools of £0.248m and the Greengate Junior School Alternative Provision in Schools Programme of £0.122m.
- 4.14 The remaining balance relates to individually non-material variances totalling a net underspend of (£0.116m), representing a decrease in expenditure of (£0.051m) compared to Q3.
- 4.15 As previously reported the growing deficit on the High Needs deficit is not sustainable and Council officers have been working with the Department for Education's (DfE) Delivering Better Value (DBV) for SEND programme the aim of which is to reach a balance in-year position going forward. Grants of £1m for each new authority have been applied for and approval has now been received. The grants are ring-fenced in support of each authority's DBV improvement plan the impact of which will be incorporated in their respective DSG management plans.

Disaggregation of DSG EMRs

- 4.16 Regular meetings have taken place between Cumbria County Council and the Department for Education and Education & Skills Funding Agency who have provide advice and support in planning for disaggregation.
- 4.17 The methodology for disaggregating the DSG EMRs between the two new authorities was agreed by the Local Government Reorganisation Management Implementation Board on 23 September 2022.
- 4.18 It was agreed that the deficit balance on the High Needs reserve should be disaggregated using the percentage split for each authority based on the formula allocation of High Needs Block (HNB) funding.
- 4.19 For the surplus balance on the Central DSG reserve, comprising Early Years Block (EYB) and Central School Services Block (CSSB), it was agreed that this should be disaggregated using the percentage splits for each authority based on the formula allocations for each of the EYB and CSSB allocations as follows:

	CSSB/EYB		HNB		Total	
	£m		£m		£m	
Cumberland	(4.305)	57%	16.595	58%	12.290	58%
W&F	(3.276)	43%	12.017	42%	8.741	42%
	(7.581)		28.612		21.031	

These figures are provisional as the Cumbria County Council accounts for 2022/23 have not yet been finalised.

5.0 Options

- 5.1 There are no options, the Schools Forum is asked to note the provisional outturn on the Cumbria DSG EMRs for 2022/23 and the split of the balance between Westmorland & Furness and Cumberland Councils.

6.0 Financial & Other Relevant Implications

- 6.1 Financial implications are considered throughout this report. The successful application for the DBV grant of £1m will support the implementation of the improvement plan which is expected to improve the financial position on the HN budget as well as improving the effectiveness and delivery of SEND services which will have a positive impact for children with SEND.

7 June 2023

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Working for **Cumberland Council** and
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CUMBERLAND COUNCIL SCHOOLS FORUM

Report Title: Provisional Cumbria De-delegated Contingency Budget Outturn 2022-23

Meeting date: 13 June 2023

Report of: Dan Barton, Assistant Director, SEND, Education & Inclusion

1.0 Executive Summary

- 1.1 This report presents the provisional outturn position on the Cumbria de-delegated contingency budget for the 2022/23 financial year as at 31 March 2023. The budget underspent by £0.262m.
- 1.2 In accordance with the Dedicated Schools Grant (DSG) conditions, the underspend will be carried forward into the Central DSG earmarked reserve which will be disaggregated between Cumberland and Westmorland & Furness Councils.

2.0 Link to Council Plan Priorities

- 2.1 Ensuring that schools are funded appropriately is supportive of the Council Plan “to improve the health and wellbeing of its residents” and the priority to “address inequalities and enable its residents to access opportunities that will empower them to achieve their goals.”

3.0 Recommendation

- 3.1 The maintained schools’ Schools Forum representatives members are asked to note the provisional 2022/23 outturn position for the contingency budget.

4.0 Rationale & Evidence for the Recommendation

- 4.1 The de-delegated contingency budget for Cumbria in 2022/23 was £0.666m. The Department for Education (DfE) guidance states that the contingency budget can be used for three purposes:
- Circumstances which were unforeseen when the school’s budget share was initially determined;
 - Schools in financial difficulty;

- Additional costs relating to new, reorganised or closing schools.

4.2 In line with the School and Early years Finance Regulations 2023 de-delegation only applies to maintained schools and not academies.

Provisional Outturn

4.3 The below table shows the provision outturn for 2022/23:

	Provisional Outturn 2022/23
	£
Budget 2022/23	665,527
Net Expenditure 2022/23:	
Ill health retirements	16,914
Settlement Agreements and Staff Termination costs	-
St Bridget's Parton temporary site costs	301,829
Temporary accommodation Gillford Centre	17,025
Administration costs Teachers Annual Pension Return	23,932
Other miscellaneous costs	66,481
Total - Unforeseen Circumstances	426,181
	-
Total - Schools in Financial Difficulty	-
Closed Schools	(22,975)
Total - Additional Costs relating to New, Closing or Amalgamated Schools	(22,975)
Total Net Expenditure 2022/23	403,206
Underspend 2022/23	(262,321)

The expenditure against unforeseen circumstances mainly comprises of St Bridget's Parton temporary site costs due to landslip investigations of £0.302m.

4.4 The balance of (£0.023m) against New, Closing or Amalgamated Schools mainly relates to the surplus balance on closure of St Joseph's Catholic Primary School of (£0.034m) offset by costs relating to maintained schools on conversion to academy status.

4.5 The figures are provisional as the Cumbria County Council accounts for 2022/23 have not yet been finalised.

5.0 Options

5.1 There are no options, the maintained schools' Schools Forum representative members are asked to note the provisional outturn on the contingencies budget for 2022/23.

6.0 Financial & Other Relevant Implications

- 6.1 Financial implications are considered throughout this report. The underspend against the budget has been transferred to the Central DSG reserve which will be disaggregated between Westmorland & Furness and Cumberland authorities using the percentage splits for each authority based on the formula allocations for each of the Early Years and Central Schools Services Blocks.

7 June 2023

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Westmorland
& Furness
Council

Working for **Cumberland Council** and
Westmorland & Furness Council

CUMBERLAND COUNCIL SCHOOLS FORUM
Report Title: Maintained School Balances Outturn 2022-23
Meeting date: 13 June 2023
Report of: Dan Barton, Assistant Director, SEND, Education & Inclusion

1.0 Executive Summary

- 1.1 This report presents the Cumberland maintained schools balances outturn position for financial year 2022/23. The balance is a net surplus of (£4.806m).
- 1.2 As agreed by the Cumbria Schools Forum on 8 June 2022 the excess surplus balances policy will be applied against maintained school balances. There were 36 maintained schools with an excess surplus balance as at 31 March 2023 totalling a combined balance of £1.544m above the allowable thresholds.
- 1.3 These schools have been asked to justify their excess surplus balances and the outcome will be reported at the next full Schools Forum meeting on 18 September 2023.

2.0 Link to Council Plan Priorities

- 2.1 Managing the level of school balances is supportive of the Council Plan “to improve the health and wellbeing of its residents” and the priority to “address inequalities and enable its residents to access opportunities that will empower them to achieve their goals.”

3.0 Recommendation

- 3.1 The maintained schools’ Schools Forum representative members are asked to note the maintained schools’ balances outturn position for 2022/23 and the application of the excess surplus balances policy.

4.0 Rationale & Evidence for the Recommendation

- 4.1 In accordance with The Chartered Institute of Public Finance and Accountancy (CIPFA) guidance the DSG allocated to the Individual Schools Budget (ISB) is taken to have been spent as soon as it is deployed i.e. passed to schools’ budget shares. There is no requirement to track DSG through the ISB to its use by individual schools.

- 4.2 As the DSG is considered to be spent as soon as it is deployed to schools, and as schools have delegated budgets, any balances on individual schools are transferred to earmarked reserves and passported to these individual schools to form their opening balance for the 2023/24 financial year.
- 4.3 As at 31 March 2023 the net surplus balance on the maintained schools was (£4.806m), a decrease in net balances of £2.484m since 2021/22 and an increase of (£1.190m) compared to schools' own forecasts as at their October budget submissions which predicted a net surplus of (£3.616m).
- 4.4 The table below shows a breakdown of these figures separately by surpluses and deficits:

	2021/22 Actual		2022/23 Actual		Change in value £m
	Number of Schools	Total Value £m	Number of Schools	Total Value £m	
Maintained Schools with Surpluses	115	(9.717)	108	(8.010)	1.707
Maintained Schools with Deficits	16	2.427	19	3.204	0.777
Total	131	(7.290)	127	(4.806)	2.484

Deficit Balances

- 4.5 The number of maintained schools in deficit has increased by 3 and the total value of deficit balances has increased by £0.777m. During the year 1 school closed with a net deficit balance of £0.001m as at 31 March 2022, therefore in terms of the maintained schools both at 31 March 2022 and 31 March 2023 the number of schools in deficit has increased from 15 to 19 with the total deficit for these schools increasing by £0.778m.
- 4.6 In their three-year budget plans for 2022/23, 19 schools proposed a deficit budget plan totalling £3.272m. Of these schools, 15 ended the financial year in deficit with the year-end deficit balances for these schools totalling £3.107m and 4 schools that had proposed a surplus budget ended the year in deficit totalling £0.097m.
- 4.7 As shown in the table below maintained secondary schools face the most significant financial challenges with 71% of schools in these sectors in deficit. The number of secondary schools in deficit has increased from 4 to 5 between 31 March 2022 and 2023. The net deficit of these 5 secondary schools has increased by £0.548m from £1.989m to £2.566m as at 31 March 2023.

Phase	No of Schools in Sector	No in Deficit	Proportion of Sector	2022/23 Net Deficit £m	No in Surplus	Proportion of Sector	2022/23 Net Surplus £m
Nursery	3	1	33%	0.000	2	67%	(0.062)
Primary	114	13	11%	0.638	101	89%	(6.241)
Secondary	7	5	71%	2.566	2	29%	(0.506)
Special	1	0	0%	0.000	1	100%	(0.245)
PRU	2	0	0%	0.000	2	100%	(0.956)
Total	127	19		3.204	108		(8.010)

- 4.8 Each year, the local authority is required to report to the DfE where the number or proportion of maintained schools with revenue deficits is above a certain level in the form of a high level action plan explaining the reasons why schools are in deficit and the action that is being taken by the schools and LA to return to the schools to a balance position.

Surplus Balances

- 4.9 The number of maintained schools in surplus has decreased from 115 to 108 and the total value of surplus balances has reduced by £1.707m. During the year 3 schools joined academy trusts with a net surplus balance of £0.464m as at 31 March 2022, therefore in terms of the maintained schools both at 31 March 2022 and 31 March 2023 the number of schools in surplus has reduced from 112 to 108 with the total surplus for these schools reducing by £1.243m.
- 4.10 Although schools received additional funding in 2022/23 the main reason for the overall reduction in net school balances between years was due to due to increased staff costs including the impact of the teacher and non-teaching staff pay awards, increased energy costs due to the energy crisis as well as rising inflation on food and other supplies and services which more than offset the additional funding available in 2022/23.

Excess Surplus Balances

- 4.11 An excess surplus balance is defined within the LA Scheme of Financing for Schools as being greater than 5% (primary) and 8% (secondary) of a school's budget share. Despite the financial pressures described above 36 maintained schools ended the financial year with an excess surplus balance over the allowable threshold. The total value of the excess balance amount for these schools is £1.544m. As agreed by the Cumbria Schools Forum the excess surplus balance policy will be applied and schools have been asked to provide justifications for their excess balance amounts. It is expected that schools will be notified of the outcome of this exercise by the end of the Summer term and a summary report will be available at the next Schools Forum meeting in September when the maintained schools' Schools Forum representatives will be asked to consider whether or not the policy should apply against school balances at the end of 2023/24 financial year.

5.0 Options

- 5.1 There are no options, the maintained schools' Schools Forum representative members are asked to note the maintained schools balances and the application of the excess surplus balance policy.

6.0 Financial & Other Relevant Implications

- 6.1 Financial implications are considered throughout this report. Managing the level of excess surplus balances in maintained schools ensures that school funding is spend for the benefit of pupils in school in the year that is it allocated.

7 June 2023

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