

**Schools' Forum
AGENDA PACK
20 May 2020**

Venue: Virtual Meeting via Teams.

Time: 4:00pm to 6:00pm

Agenda

1. Apologies
2. Nominate Chair and Vice Chair for the next year.
3. Declarations of Interest.
4. Minutes from the previous meeting.
5. Update from the High Needs Sub Group
6. School Forum Governance Review
7. Verbal Report – Outturn position pending final report in June 2020.
8. Schools 2019-20 Outturn and Reserves Report.
9. Schools Forum Policy Review
 - a. Medway Schools For Financing Schools
 - b. Growth Fund
 - c. Schools in financial Difficulty due to class sizes.
10. Funding Support Business Cases – None planned.
11. The Forward Plan 2020-21.
12. Date, time and venue of the next meeting.

WIFI Password:

Schools Forum 20 May 2020

Agenda Item 6: School Forum Governance Review

1. Back ground

- 1.1 The Schools Forum operational and good practice guide 2018 is a guide is designed to provide local authority officers and it Schools Forum elected members with advice and information on good practice in relation to the operation of Schools Forums.

2. School Forum Powers

- 2.1 Schools Forums generally have a consultative role. However, there are key situations in which they have decision making powers, which are:
- De-delegation from mainstream maintained schools for services provided centrally.
 - To create a fund for pupil growth to support the local authority's duty for place planning and agree the criteria for accessing this fund – Growth Fund.
 - To create a fund for falling rolls for good or outstanding schools if the schools' surplus capacity is likely to be needed within the next three years to meet rising pupil numbers and agree the criteria for accessing this fund.
 - Authorize a reduction in school budgets to fund a deficit arising in central expenditure, or from de-delegated services, that is to be carried forward from a previous funding period.
 - Agreeing other centrally retained budgets.
 - Funding for central early years expenditure, which may include funding for checking eligibility of pupils for an early years place, the early years pupil premium and/or free school meals
- 2.2 Local authorities require Schools Forum approval in order to move up to 0.5% from the schools block to other blocks such as the high needs block. This continues in 2020-21.

- 2.3 In all cases, the local authority can appeal to the Secretary of State if the Schools Forum rejects its proposals. Local authorities must have discussed with the Schools Forum any proposals that they intend to put to the Secretary of State.
- 2.4 Regulations state that the local authority must consult with the Schools Forum annually in connection with the following:
- Amendments to the school funding formula.
 - Arrangements for the education of pupils with special educational needs. In particular the places to be commissioned by the local authority and the arrangements for paying top-up funding.
 - Arrangements for the use of pupil referral units and the education of children other than at school. In particular the places to be commissioned by the local authority and schools and the arrangements for paying top-up funding.
 - Arrangements for early year's provision.
 - Administrative arrangements for the allocation of central government grants paid to schools via the local authority.
- 2.5 There is no specific definition of these consultation requirements and each local authority will decide on the appropriate level of detail it needs to generate a sufficiently informed response from Schools Forum.
- 2.6 The Schools Forum has the responsibility of informing the governing bodies of all schools maintained by the local authority of the results of any consultations carried out by the local authority relating to the issues in paragraphs 2.4 and 2.5 above.
- 2.7 Schools Forums have an important role to play in approving certain proposals from their local authority and are therefore involved in the decision making process. As a result, Schools Forums are required to be open to the public. Furthermore, papers, agendas and minutes must be publicly available well in advance of each meeting. It's good practice that notification that the Schools Forum is a public meeting is included on the website and papers are published at least a week in advance. Local authorities should ensure that the websites are accessible and easy to find.

3. Membership

- 3.1 The Schools Forums Regulations provides a framework for the appointment of members, but allows a considerable degree of discretion to accommodate local priorities and practice.
- 3.2 There is no maximum or minimum size of a Schools Forum but the ESFA advise local authorities to have full representation for various types of schools within its boundaries. However, care should be taken to keep the Schools Forum to a reasonable and workable size.
- 3.3 There are four types of members: schools members, academies members, non-school members and LA members. Schools and academies members together must number at least two-thirds (Medway 11 School / 7 non-school) of the total membership.
- 3.4 The balance between maintained primary, maintained secondary and academies must be broadly proportionate to the pupil numbers in each category.
- 3.5 The structure of forum should be regularly reviewed at least once a year, and the ESFA suggest good practice is to review the membership as a standing agenda item at each meeting.
- 3.6 Academies members must represent mainstream academies, special academies and alternative provision academies. There is no requirement for academy members to represent specific primary and secondary phases, but it may be encouraged to ensure representation remains broadly proportionate to pupil numbers.
- 3.7 The term of office (Medway 3 years) for each schools member and academies member should be stipulated by the local authority at the time of appointment. At the end of September the schools and academies governor members are due for re-election.
- 3.8 All schools and academies must be informed, within a month of the appointment of any new member including their name and the area they represent.
- 3.9 A member ceases to be a member when their term of office (3 years) comes to an end, if they resign, or no longer occupy the office they became eligible for election in. **Do we have any members who need to resign?** For example;
 - a secondary schools member must stand down if their school converts to an academy.
 - a schools member representing community primary school governors who is no longer a governor of a community primary school.

3.10 As both the C of E diocese and RC diocese representatives are head teachers as well as maintained schools, for the purposes of voting on de-delegations, reserves and the funding formula they are treated as schools members.

4. Procedures

4.1 **Quorum:** a meeting is only quorate if 40% (7 for Medway) of the current membership excluding vacancies and observers is present. If a meeting is inquorate it can proceed but it cannot legally take decisions but can give views to the local authority.

4.2 **Election of a chair:** if the position of chair falls vacant the Schools Forum must decide how long the term of office of the next chair will be. This can be for any period, but the Schools Forum should consider carefully whether a period exceeding two years is sensible. The Schools Forum must elect a chair from amongst its own members but it can't be an elected member or officer of the local authority.

4.3 It's not legal for the chair to take a decision on behalf of the Schools Forum, no matter how urgent. However, a Schools Forum may wish to put in place a procedure for the chair to give the local authority a view on an urgent issue.

4.4 Schools Forums can also appoint to a position of vice chair to provide cover if the chair is absent or the post vacant and again appoint a term of office.

4.5 **Voting procedures:** A Schools Forum may determine its own voting procedures save that voting on:

- the funding formula is limited to schools members, academies members and PVI representatives.
- de-delegation is limited to the specific primary and secondary phase of maintained schools members.
- retaining funding for statutory duties relating to maintained schools only is limited to maintained primary, secondary, special and PRU members
- decisions are made on a simple majority or the threshold to be set if higher.

4.6 **Substitutes:** the local authority may make arrangements to enable substitutes to attend and vote (where appropriate) at Schools Forum meetings. This applies to

schools members, academies members and non-schools members as well if agreed in advance.

4.7 **Timing:** Schools Forums must meet at least four times a year.

4.8 Where the regulations make no provision on a procedural matter, local discretion should be exercised. It's for the local authority to decide how far it wishes to establish rules for the Schools Forum to follow, in the form of standing orders. While it's entitled to do so, it's of course good practice to allow the Schools Forum to set its own rules so far as possible.

5. Responsibilities of schools and their representatives

5.1 Schools can expect to have their views canvassed and to receive feedback from their representatives.

5.2 Schools Forum members have a responsibility to represent the interests of their peer groups rather than the interests of their own individual school or trust.

5.3 Schools staff and governors should make sure that the representatives they choose are competent to act as their advocates. They should also ensure that they are aware of schools Forum business and make their views known about decisions affecting schools' finance.

6. Nominate Chair and Vice Chair

6.1 Nominations and appointments for the Chair and Vice Chair to be tabled for the meeting held on 20th May 2020 and will be the first item on the agenda.

7. Proposals Schools Forum Governor Membership

7.1 The Governor membership was last reviewed in October 2019 and new representatives for both governors and school members to the forum.

8. Schools Forum Website.

9.1 The Schools Forum website address is:
https://www.medway.gov.uk/info/200164/school_information/631/schools_forum
and needs to be updated as per the schools forum self-assessment toolkit shown in appendix 1.

9.2 By the end of May 2019 the following information will be update:

9. Virtual online meetings

9.1 Due to Coivid-19, the schools forum meetings will be held online until further notice. Members of the public who wish to view these meetings will be asked to email the clerk requesting access to this site at least two working days before the meeting.

10. Action for the Schools Forum

10.1 The Schools' Forum are asked to:

- A. **NOTE** and **COMMENT** on this report.
 - B. **NOMINATIONS** for Chair and Vice Chair.
- All members are eligible to vote.**

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Background Papers:

Schools Forums operational and good practice guide - <https://www.gov.uk/government/publications/schools-forums-operational-and-good-practice-guide-2015>

Schools forum self-assessment toolkit

This toolkit provides local authority officers and elected members with a framework for assessing the strengths and weaknesses of their schools forum. The toolkit is designed as a set of questions which can be considered by individuals or the forum as a whole.

Question	Yes / No	Notes
1. Are meeting dates set in well advance and details (including time and venue) published in an accessible manner to enable interested parties to plan their attendance?	Partly	Set in advance but not all papers are sent out a week in advance or are published in the same timeframe.
2. Are meetings timed to coincide with key dates? (e.g. reporting of funding formula)	Yes	
3. Are meetings held in an accessible venue to enable observers to attend easily?	Yes	All held at Strood Academy – No will be virtually
4. Is there a dedicated website link for schools forum, is it current and regularly updated?	Yes	
5. Are the agenda and papers publicly available on the authority's website at least 6 working days in advance of the meeting?	Mostly.	Still need to improve in this area.
6. Are the papers published as a single document, so that users can download easily?	Yes	
7. If papers are tabled at the meeting, are they published on the website promptly after the meeting?	Yes	.
8. Are draft minutes published a reasonable time (e.g. within 2-3 weeks) after the meeting, rather than waiting until the following meeting?	Mostly	Improving on last year and papers for now uploaded no more than 4 weeks after the event.
9. Are the minutes clear and unambiguous,	Yes	There have been problems in the past.

Question	Yes / No	Notes
with sufficient detail to illustrate the discussions, without reporting verbatim every point made?		
<p>10. Is the constitution clear and appropriate? Including eg</p> <ul style="list-style-type: none"> - a clear process for ensuring proportional representation - the process for electing members and their tenure - the timescale for review is clearly set out - the process for dealing with repetitive non attenders 	Yes	
11. Is there an induction pack or training programme available for new members?	Yes	
12. Is the election process clear and transparent? i.e. representatives are elected only by the group they are representing, whether phase-specific for maintained schools, or by the proprietors of academies for academy members.	Yes	We used survey monkey to hold the Headteacher elections in 2019.
13. Do the papers contain clear recommendations and indicate in a consistent manner whether the item is for information, consultation or decision?	Yes	
14. Is it clear to observers who attendees at the forum are representing? (eg by use of name plates, indicating sector)	No	Name plate will be generated for future meetings.
15. Does the chair manage the meeting well, ensuring that all are able to contribute to the agenda items, that no bias towards any sector is evident and that no single person or organisation is able to dominate the discussion?	Yes	

Question	Yes / No	Notes
16. Is there inclusive participation in discussions for all phases and types of members?	Partly.	Good phases of discussion but some members only attend occasionally.
17. Do members actively canvass views and objectively represent their whole peer group at the forum and provide feedback after meetings?	?	?
18. Where votes are required, is it clear who is eligible to vote for different items?	Mostly.	This has become stronger over the past year but still needs to be improved.
19. Where votes are required, are the arrangements for recording the votes clear and unambiguous?	Yes.	
20. Is there a system in place for a decision if votes are tied?	Yes	
21. Is the operational & good practice guide used to regularly review the forum's adherence to good practice?	Yes	Will now be reviewed at the beginning of each year.

Schools Forum – 20th May 2020

Agenda Item 8: 2019-20 School Outturn Position and Reserves

1 Introduction

1.1 The Medway Scheme for Financing Schools outlines the maximum carry forward reserves for any maintained schools as follows:

- Revenue - 8% of their total yearly grant income (I01, I02, I03, I05 and I08)
- Capital – a school must spend their annual Devolved Formula Capital Funding (DFC) and any brought forward balances within three years.

1.2 At their annual May meeting the maintained schools, Schools Forum members will vote on whether to clawback any funding from a maintained school whose reserves are above the maximum allowable limits outlined in point 1.1 above.

2. 2019-20 Year End Schools' Revenue and Capital Reserve Balances

2.1 As at 31st March 2020, there were 29 maintained schools with revenue reserve balances totalling £2.246m; which is a reduction of £0.380m or 14% from the previous year. Appendix A shows the level of school reserves for the last three years.

2.2 As at 31st March 2020, the capital reserve balances at the end of the 2019-20 financial year were £0.583; which is a reduction of £0.572m from the previous year. Again appendix A shows the level of school reserves for the last three years.

2.3 2 schools converted to academy status during the year, Halling Primary and Wainscott Primary.

2.4 There are 2 schools currently shown as in deficit. Crest Primary and St John Fisher, however both deficits as at 31 March 2020, have been caused by mispostings into the school or LA accounts. Once corrected these cash deficits should be resolved and back into surplus. 5 schools will be/ are working closely with the Schools Finance Team to address potential deficits which may arise in 2020-21 or are already in an agreed deficit recovery plan.

2.5 There are 8 schools who had higher than permitted revenue reserves totalling £0.173m. These are highlighted in green and each school will be provided a brief explanation of why they are above the maximum limit in section 3.

2.6 The Schools Forum is asked to note the position on schools' balances for 2019-20 and vote on whether to clawback funding on the 11 schools that were over the maximum carry forward limits.

3. School Explanations and commentary.

3.1 See confidential appendix tabled for the meeting.

4. Action for the Schools Forum

4.1 The Schools Forum are asked to:

a) **note** the position on schools' balances for 2019-20 as per section 2.6 above?

b) **vote** on whether to enact the revenue clawback for those schools who were over the maximum carry forward limits as per section 2.6 and 3 above?

c) **vote** on whether to enact the capital clawback for those schools who were over the maximum carry forward limits as per section 2.6 and 3 above?

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Appendix A

2019-20 School Reserve Balances

School	Revenue			Capital		
	2017/18	2018/19	2019/20	2017/18	2018/19	2019/20
Abbey Court	246,769	227,024	379,756	504,441	493,040	112,342
Balfour Infant School	70,961	49,379	69,045	10,022	11,575	647
Burnt Oak Primary School	134,757	189,002	188,101	56,980	51,524	25,018
Crest Infant School	73,335	89,619	(87,220)	8,779	17,723	10,349
English Martyrs'	65,936	76,883	65,259	0	0	0
Fairview Community Primary	202,524	202,393	148,253	20,398	161,473	55,219
Greenvale Infant School	11,555	41,438	56,295	20,733	22,898	14,119
Hempstead Infant School	35,101	31,047	112,144	7,782	14,336	1,260
Hempstead Junior School	100,800	69,204	3,767	61,461	15,445	58,921
Horsted School (Federation)	161,526	186,164	171,903	46,757	55,767	38,542
Luton Infant & Nursery School	(25,643)	44,111	67,367	34,305	19,927	13,434
Luton Junior School	30,038	80,444	142,280	0	37,541	45,523
New Road Primary School	48,725	114,353	150,022	25,923	26,726	19,216
Oaklands School	30,901	132,646	150,579	16,522	19,062	20,394
Park Wood Schools Federation	110,484	88,939	28,981	59,672	64,065	27,014
St Augustine of Canterbury	90,839	56,968	50,647	0	0	0
St Benedict's	34,163	51,689	47,595	0	0	0
St Helen's CofE	65,362	111,909	90,430	25,078	18,739	69,948
St John Fisher	(113,900)	(75,604)	(250,397)	0	0	0
St Mary's Catholic Primary School	141,079	144,587	41,210	0	0	0
St Mary's Island	29,724	60,193	39,919	0	0	0
St Michael's RC Primary School	35,382	21,862	36,128	0	0	0
St Nicholas CofE	71,081	85,643	60,522	78,089	28,462	44,058
St Peter's Infant School	64,945	51,731	59,721	7,205	19,147	20,965
St Thomas More	97,124	140,861	132,253	0	0	0
St Thomas of Canterbury	63,012	85,695	66,912	0	0	0
St William of Perth	49,432	48,161	41,808	0	0	0
Swingate Primary School	140,854	152,013	96,940	302,242	29,101	3,911
Will Adams Centre	113,125	67,723	86,282	53,927	48,376	1,865
Total Reserves	2,179,987	2,626,080	2,246,501	1,340,316	1,154,927	582,746

School above the maximum revenue rollover cap.

School	Revenue 2019/20 Outturn	Maximum Revenue Rollover	Variance
Abbey Court	379,756	331,002	(48,754)
Burnt Oak Primary School	188,101	177,232	(10,869)
Hempstead Infant School	112,144	85,648	(26,496)
Horsted School (Federation)	171,903	141,526	(30,377)
New Road Primary School	150,022	145,494	(4,528)
St Helen's CofE	90,430	76,197	(14,233)
St Nicholas CofE	60,522	47,016	(13,506)
St Peter's Infant School	59,721	45,326	(14,395)

The schools Forum 20 May 2020

Agenda Item 9: Schools Forum Policy Review

1 Background

- 1.1 Each year, as part of the funding formula, The Schools' Forum set and approves the local authority centrally retained growth fund budget and are required to approve the key funding policies designed to support the funding formula for the next financial year.

2 The Medway Scheme for Financing Schools.

- 2.1 The Medway Scheme for Financing Schools policy is a statutory require and needs to be approved every year. Changes to the policy can only be approved with the Schools Forum approval after consultation with Medway maintained schools.

- 2.2 There are no planed changes to the scheme and the Schools Forum is asked to ratify the scheme for the next financial year as per appendix 1. Only maintained school members are eligible to vote.

3 The Growth Fund Policy.

- 3.1 The growth fund policy was first introduced in 2012 and was last reviewed in 2019 and must be reviewed and approved each year.

- 3.2 Medway's policy effectively offers schools three protections for each new class opened, it:

- 1) Guarantees pupil numbers.
- 2) Offers a yearly lump sum of £6,000 for each year a new class is opened if the new class is funded through the funding formula.
- 3) Offers a yearly lump sum of £61,000 (£55,000 plus point 2 above) for each year a new class is opened if the new class is not funded through the funding formula.

- 3.3 **The Schools Forum is asked to approve the Schools Growth Fund Policy as per appendix 2.** Changes are highlighted in yellow and all mainstream members are eligible to vote.

- 3.4 The changes are cosmetic and therefore haven't been discussed with Schools or academies.

4 **The Schools In Financial Difficulty due to Pan Class Sizes Policy.**

4.1 At the Schools Forum meeting of 15 January 2020, 6 schools applied for funding support under the Schools in Financial Difficulty policy, of which 2 were approved and 4 were rejected. Members felt there was some confusion around the policy and agreed to review the policy. In February 2020, the remaining 4 schools funding claims were approved.

4.2 The Schools in Financial Difficulty policy was first introduced in 2018 after a year of discussion and amendments to the policy by members. The policy was reviewed and updated in May 2019 before the change in School Forum membership.

4.3 The policy offers temporary protection (up to three years) to those schools who are required to open more than one class but with low pupils numbers and are unable to increase the remaining class sizes because of the maximum class size of 30 required by law in key stage 1.

4.4 The policy criteria states:

- Those schools who can't reduce their published admissions numbers due to statutory school class sizes in key stage 1 i.e. years R, 1 and 2.
- Where the place planning team determine there is a requirement for a minimum percentage of the surplus places within the next three years and can't enter into a local area amendment arrangement? Especially where the school has requested to reduce their PAN or enter into a local agreement which has been denied by the LA.
- Schools must submit a business case for approval by the Schools Forum in November so it can be discussed at the January Schools Forum meeting with funding starting from in September. I.e. submit business case in November 2020, Schools Forum approval in January 2021 with funding to start from September 2021. Where business cases are rejected, schools will be told why.
- The school does not receive pupil growth funding support for new classes.
- This funding is not intended to support schools who fall into financial difficulties through budget mismanagement.
- A school will not be eligible or will stop being eligible for funding if the class is more than 2 thirds full. I.e. 21 for a PAN of 30, 41 for a PAN of 60, 75 for a PAN of 90.

4.5 Membership of the Schools Forum has changed since the introduction of the policy and most of the history behind this policy and the changes have been lost. Previous Schools Forum minutes state:

“Sept 2018 Minutes note 6. Ratify the schools in financial difficulty policy note:

MB gave a summary of the policy including the requested changes to the policy following the last meeting.

The cut-off point was discussed and noted to be a max of 80 pupils or 2/3. It was felt this should be made clear in the policy.

Members felt that the policy should show all form entry numbers and maximum pupils for each form. (This is based on the October census day figures.)

It was discussed whether this policy could negate the LA place PAN planning ongoing issues. It was felt that in the future there should be better transparency regarding where the hotspots are and where there is a need to keep capacity.

The LA stated they have agreed the reduced Sept 2020 PAN numbers to go through at school places level.

It was made clear that this policy gives schools the opportunity to present a business case to the Schools Forum.

Decision: All members voted and agreed on the policy based on the changes above “
Note the 80 pupils were changed to 74 at another meeting.

And

“15th May 2019 minutes The Schools in Financial Difficulty due to Pan Class Sizes
Policy note:

MB explained that The Schools in Financial Difficulty policy was first introduced in 2018 after a year of discussion. The policy offers temporary protection to schools who must open a new class with very few pupils because of the maximum class sizes in key stage 3.

In 2018, a £300,000 budget allocated to the policy and has been fully spent. A similar amount was allocated for 2019-20 and is expected to be fully spent as well.

The ESFA has reviewed this policy and would like the Schools Forum to consider adding the highlighted section at the bottom of the policy and other cosmetic changes are highlighted in yellow in section 3.3. (See pre-read paperwork appendix 3.) Attached above

Decision – All members voted and agreed to approve the policy amendment section 3.3 “A school or academy will receive £55,000 per class per year. The £55,000 will be pro-rated against the maximum PAN. “

Example: A school has 21 pupils on roll from a PAN of 30 = $£55,000 / 30 * (30-21) = £16,500$.

A school has 42 pupils on roll from a PAN of 60 = £0.

A school has 74 pupils on roll from a PAN of 90 = $£55,000 / 30 * (90 -74) = £29,300$.”

4.6 All 4 of the business cases the Schools Forum members rejected were for schools who have a PAN of 90 based on the two thirds full criteria. However if you apply the two thirds criteria rather than the 74 pupils (67%) these schools would never met the criteria which goes against the aim of the policy which was to help support schools who have to open one or more classes because of the maximum key stage 1 class size.

4.7 Therefore the LA would like to propose the following changes are made to the policy and are highlighted in blue in appendix 3:

- A school will not be eligible or will stop being eligible for funding if the class is more than 2 thirds full with schools who have a PAN of 60 or less across key stage 1. I.e. 21 for a PAN of 30, 41 for a PAN of 60
- A school will not be eligible or will stop being eligible for funding if the class is more than 67% full with schools who have a PAN of 90 across key stage 1 . I.e. 75 for a PAN of 90.
- Medway Council's director of education will determine if a school meets the eligibility criteria set by the policy.
- A school or academy will receive £3,750 per pupil up to a maximum of £55,000 to match the government's minimum funding guarantee.

4.8 The 4 schools whose business cases who were rejected, resubmitted in February and have now been approved.

4.9 Please see appendix 3 for the revised policy and appendix 4 which show the impact of this policy. **The Schools Forum is asked to approve the Policy as per appendix 3**

5 The Schools Forum

5.9 The Schools forum is asked to **COMMENT, NOTE,** and **VOTE** on

5.9.1 Schools Forum is asked to ratify the scheme for the next financial year as per appendix 1 and section 2.2 above.

5.9.2 The Schools Forum is asked to approve the Schools Growth Fund Policy as per appendix 2 and section 3.3 above.

5.9.3 The Schools Forum is asked to approve the SIFD Policy as per appendix 3 and section 4.9 above.

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MEDWAY SCHEME FOR FINANCING SCHOOLS

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13.12 Banking

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SECTION 1 INTRODUCTION

1.1 The Funding Framework

- 1.1.1 The funding framework, which replaces Local Management of Schools, is based on the legislative provisions in sections 45-53 of the School Standards and Framework (SSAF) Act 1998.
- 1.1.2 Medway Council determines the size of its schools budget and non-schools education budget under this legislation - although at a minimum it must appropriate its entire Dedicated Schools Grant to the 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 maintained schools in Medway except for capital and certain miscellaneous items.
- 1.1.3 The Authority can retain funding centrally in the Schools Budget for purposes defined in regulations made by the Secretary of State under section 45A of the Act. The Authority decides the amounts to be retained centrally, subject to any limits or conditions prescribed by the Secretary of State. The balance of the Schools Budget left after deduction of centrally retained funds 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).
- 1.1.4 The Authority must distribute the ISB amongst maintained schools using a formula which accords with regulations made by the Secretary of State and which enables the calculation of a budget share for each maintained school.
- 1.1.5 The budget share for each school is delegated to the governing body, 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 section 51 of the Act. The financial controls within which delegation works are set out in the Medway Scheme for Financing Schools.
- 1.1.6 The Medway Scheme for Financing Schools is in accordance with section 48 of the Act and regulations made under that section. All proposals to revise the Scheme are subject to consultation with all local schools and approval by the representatives of LA maintained schools on the Schools Forum. However, the authority can 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.
- 1.1.7 Subject to provisions of the Scheme, governing bodies of schools may spend budget shares for the purposes of their school. They may also spend budget shares on any additional purposes prescribed by the Secretary of State in regulations made under section 50 of the Act.

- 1.1.8 The Authority can suspend a school's right to a delegated budget if the provisions of the 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 (section 17 of the SSAF Act 1998).
- 1.1.9 The Authority publishes a statement annually setting out details of its planned schools budget and other expenditure on children's services showing the amounts to be centrally retained, the budget share for each school, the formula used to calculate these budget shares, and the detailed calculation for each school. After each financial year the Authority publishes a statement showing out-turn expenditure at both central level and for each school, and the balances held in respect of each school.
- 1.1.10 The Medway Scheme for Financing Schools and financial statements adhere to the detailed publication requirements in accordance with regulations. Every school is to receive a copy of the annual budget and out-turn statements so far as they relate to the school or central expenditure. The Scheme, and any revisions to it, is published on a website accessible to the general public.

1.2 **The Role of the Scheme**

The Scheme sets out the financial relationship between the Authority and the maintained schools that it funds. It contains requirements relating to financial management and associated issues, which are binding on both the Authority and on schools. It also requires schools to comply with rules and requirements set out in separate documents: these rules and requirements are, however, binding on schools only to the extent that they are compatible with the terms of this Scheme

1.2.1 **Application of the Scheme to the Authority and maintained schools**

The scheme applies to all community, voluntary, foundation, community special and foundation special schools maintained by the Authority.

1.3 **Publication of the Scheme**

A copy of the Scheme is available on a website that is accessible to the general public. Any revised versions will be published by the date that 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 headteacher of all the authority's maintained schools before they are submitted to the Schools Forum for its approval.

1.5 **Delegation of powers to the headteacher**

The governing body of each school is required to consider the extent to which it wishes to delegate its financial powers to the headteacher, and to record its

decision (and any revisions) in the minutes of the governing body. The Medway Schools' Finance Manual gives a possible model for this. The first formal budget plan of each financial year must be approved by the governing body or a committee of the governing body. The arrangements made by governing bodies for delegation must in any event be consistent with regulations made by the Secretary of State under section 38 and Schedule 11 of the SSAF Act 1998.

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 aided school where some of the expenses are, by statute, payable by the governing body). Part of the way the Authority maintains schools is through the funding system in place under Sections 45 to 53 of the SSAF Act 1998.

SECTION 2 FINANCIAL CONTROLS

2.1 **Financial requirements**

2.1.1 **Application of financial controls to schools**

Schools must abide in the management of their delegated budgets by the Authority's requirements on financial controls and monitoring. This applies not only to those in the Scheme but also to those requirements contained in more detailed publications referred to in the Scheme but outside and compatible with it.

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 accordance with the financial timetable, in a form and at times determined by the Authority as set out in the Medway Schools Finance Manual. Submissions relating to tax and bank reconciliation may be required on a more frequent basis. More frequent submissions may also be required where 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.

2.1.3 **Payment of salaries; payment of bills**

Schools must exercise strict control over payment of salaries and invoices and must comply with the administrative procedures issued by the Authority as set out in the Medway Schools' Finance Manual.

2.1.4 **Control of assets**

All schools must maintain an asset register, which contains details of significant equipment and other moveable assets. For items worth less than £1,000 schools

can determine their own arrangements. All assets above the £1,000 threshold must be entered in the asset register. The disposal of assets must be appropriately authorised and where significant should be sold at the highest price available.

2.1.5 **Accounting Policies (including year-end procedures)**

Schools are required to abide by procedures both in relation to general accounting policies, as set out in the Medway Schools' Finance Manual, and also to the annual closing of accounts process, as set out by the Authority

2.1.6 **Writing off of debts**

Governing bodies are authorised to write off debts up to the level stipulated in the Medway Schools' Finance Manual. Above this level schools must comply with the financial regulations of the Authority.

2.2 **Basis of accounting**

All reports and accounts that are required by the Authority from schools must be on an accruals basis.

2.3 **Submission of budget plans**

Each school is required to submit a budget plan each year in the Consistent Financial Reporting format to the Authority by the third Friday in May. The plan should show the intentions for the expenditure in the current financial year and the assumptions underpinning the budget plan. Schools are also required to submit revised plans throughout the year if requested by the Authority. Schools are permitted to take full account of estimated deficits/surpluses at the previous 31 March in their budget plan.

The Authority undertakes to supply schools with all income and expenditure data that it holds in order to assist the efficient planning by schools and an annual statement showing when this information will be available at times through the year.

2.4 **Best value**

Schools should seek to achieve value for money and efficiencies taking into account the purchasing, tendering and contracting requirements outlined in section 2.10.

2.5 **Virement**

Schools can vire freely between budget heads in the expenditure of their budget shares in accordance with parameters set by governing bodies.

2.6 **Audit: General**

All schools are subject to audit both from the Authority's internal audit section and the Authority's external auditors. Schools must co-operate and provide access to

their records for both internal and external auditors. The Authority, however, will not seek access to examine accounts for schools' voluntary and private funds.

2.7 **Separate external audits**

A governing body is allowed to spend funds from its budget share specifically to obtain external audit certification of its accounts, separate from the Authority's internal or external audit process.

2.8 **Audit of voluntary and private funds**

Schools are required to provide audit certificates in respect of voluntary and private funds held by them and of the accounts of any trading organisations that they control.

2.9 **Register of business interests**

The governing body of each school is required to maintain a register which lists for each member of the governing body and the headteacher, any business interests they, or any member of their immediate family, have. The governing body must keep the register up to date with notification of changes and through annual review of entries, and must make the register available for inspection by governors, staff, parents and the Authority.

2.10 **Purchasing, tendering and contracting requirements**

Schools are required to abide by the Authority's financial regulations and standing orders in purchasing, tendering and contracting matters. Schools are required to assess in advance, where relevant, the health and safety competence of contractors, taking account of the Authority's policies and procedures. However, schools cannot be required to comply with any section of the financial regulations or standing orders that would contravene any of the four following points:

- a) schools cannot be required to do anything that would be incompatible with any of the provisions of the Scheme, or any statutory provision, or any EU Procurement Directive;
- b) schools cannot be required to seek Authority officer countersignature for any contracts for goods or services for a value below £60,000 in any one year;
- c) schools cannot be required to select suppliers only from an approved list;
- d) schools cannot be required to seek fewer than three quotes in respect of any contract with a value exceeding £10K in any one year.

When determining if a contract value is higher than the financial limits mentioned above, Schools must account for aggregated spend for contracts longer than one year; and the full cost for contracts where the school is jointly responsible for the contract cost.

2.11 **Applications of contracts to schools**

Schools have the right to opt out of contracts arranged by the Authority except in respect of:

- a) contracts which schools have agreed to be covered by in respect of services for which funding was delegated by the LEA prior to 1 April 1999;
- b) contracts which schools agree to be covered by in respect of services for which funding is or was delegated by the LEA after 1 April 1999; and
- c) any contracts listed in the scheme as approved by the Secretary of State for services for which funding has been delegated after 1 April 1999, irrespective of the agreement of schools.

Although governing bodies are empowered under paragraph 3 of schedule 10 to the SSAF Act 1998 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 may make sums available to schools from central funds in the form of allocations, which are additional to, and separate from, the schools' budget shares. The sums are subject to the conditions setting out the purpose, or purposes, for which the funds may be used. Whereas virement is not necessarily precluded these sums cannot be added to the school's budget share. Schools will be required to demonstrate that these requirements have been complied with.

Earmarked funds must be returned to the Authority if not spent in-year, or within the period, which schools are allowed to use the funding if different.

The Authority is not permitted to 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**

Section 50 paragraph 3 of the SSAF Act 1998 allows governing bodies to spend budget shares for the purposes of the school, subject to any provisions of the Scheme. The Secretary of State has power to prescribe additional purposes for which expenditure of the budget share may occur and has done so to allow schools to spend their budgets on pupils who are on the roll of other maintained schools. By virtue of section 50 (3A) 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

2.14 **Capital spending from budget shares**

Governing bodies are specifically allowed 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 SSAF Act 1998. If the capital expenditure from the budget share in any one year is expected to exceed

£15,000, the governing body must notify the Authority and take into account any advice from the Director of Children's Services 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 must seek the Authority's consent to the proposed works, but such consent can be withheld only on health and safety grounds.

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 Chief Finance Officer and the Director of Children's Services, 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, limitation 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; and
- imposing restrictions or limitations on the manner in which a school manages extended school activity funded from its delegated budget share – for example by requiring 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.

SECTION 3 LOCAL BANK ACCOUNT SCHEME

3.1 **Frequency of instalments**

3.1.1 Budget shares are made available to governing bodies monthly.

3.2 **Proportion of budget share payable at each instalment**

3.2.1 Budget share advances paid on a monthly basis are in equal instalments of the total budget share.

3.3 **Interest clawback**

There is no clawback of interest from schools.

3.3.1 **Interest on late budget share payments**

The Authority will add interest to late payments of budget share instalments, where such late payment is the result of LA error. In the absence of an interest rate for clawback purposes the rate of interest to be applied will be at least the current Bank of England base rate. No payment will be made where the sum of interest involved in any one case is less than £25.

3.4 **Budget shares for closing schools**

Budget shares for schools for which approval for discontinuation has been secured will be made available until closure on a monthly basis net of estimated pay costs, even where some different basis was previously used.

3.5 **Bank and building society accounts**

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

3.5.1 **Restrictions on accounts**

Accounts for the purpose of receiving budget share payments, may only be held in the banks or building societies specified below.

LIST OF PERMITTED BANKS AND BUILDING SOCIETIES	
RBS/Nat West Barclays Santander Lloyds	TSB HBOS Nationwide

Schools are allowed to have accounts for budget share purposes that are in the name of the school rather than the Authority. However, if a school has such an

account the account mandate should provide that the Authority is the owner of the funds in the account; that it is entitled to receive statements; and that the Authority can take control of the account if the school's right to a delegated budget is suspended by the Authority. However, schools may wish to take advantage of arrangements negotiated by Medway Council with banks whereby the accounts are in the name of the Authority but specific to each school.

Signatories on school bank accounts must be LA employees or, in the case of aided and foundation schools, employees of the governing body. Governors are not permitted to be signatories on school bank accounts.

3.6 **Borrowing by schools**

Governing bodies may borrow money only with the written permission of the Secretary of State.

Schools may hold credit cards, debit cards and procurement cards but they must be cleared in full at the end of each month i.e. no interest is charged as they can be a useful means of facilitating electronic purchases.

Schools will seek advice from the authority or the authorities appointed representative before entering into any lease arrangement. There are two types of lease, an operation lease and a finance lease. Finance lease are a form of borrowing and schools are not permitted to enter into a finance lease.

3.7 **Other provisions**

Separate detailed rules and guidance in respect of other aspects of banking arrangements to be applied are given in the Medway Schools' Finance Manual. In the event of conflict between the Manual and the Scheme, however, the Scheme provisions take precedence.

3.8 BACS Payments.

From April 2016 Medway schools will be allowed to start making payments using BACS. This form of payment must be approved by the governing body and be included in the schools finance policy. Schools **MUST** follow the rules, regulations and best practice guidance supplied in the Medway Schools Finance Manual.

Schools which do not wish to use BACS can continue to use online banking to view bank statements online

SECTION 4 THE TREATMENT OF SURPLUS AND DEFICIT BALANCES ARISING IN RELATION TO BUDGET SHARES

4.1 **The right to carry forward surplus balances**

Schools are allowed to carry forward from one financial year to the next any shortfall in expenditure relative to the school's budget share for the year plus or minus any balance brought forward from the previous year.

4.2 **Three-Year Budgets and Controls on School Reserves**

4.2.1 **Three-Year Budgets**

Prior to the start of the financial year, the LA will issue schools with final budget allocations for that financial year and will also issue indicative budget allocations for each of the following two financial years.

4.2.2 **Control on School Reserves**

The LA will calculate by 31 May each year the school balances as at the previous 31 March.

The LA will deduct from the calculated balance any amounts for which the school has a prior year commitment to pay from the surplus balance, including funds held on behalf of other schools. **For this purpose the balance will be the recurrent balance as defined in the Consistent Financial Reporting Framework.**

The LA will then deduct sums that the governing body of the school declares it is holding in anticipation of falling rolls, where this is consistent with the data available. This amount must not be retained beyond the period stipulated without the consent of the LA.

If the amount of the reserve is greater than 8% of the school's total revenue income for that year (after the above-mentioned deductions), then the LA will deduct from the school's current year budget an amount equal to the excess.

Any sum deducted from school budgets will be re-cycled within the total Schools Budget.

4.3 **Interest on surplus balances**

Surplus balances held by the Authority on behalf of schools will attract interest at a rate as set out in the Medway Schools' Finance Manual.

4.4 **Obligation to carry forward deficit balances**

Deficit balances are carried forward and the amount of the deficit treated as a first charge against the following year's budget share.

The repayments of deficits that exist on 31 March at schools maintained by the Authority continue as in the deficit plan schedule agreed by the Director of Children's and Adult Services

4.5 **Planning for deficit balances**

Schools are not ordinarily allowed to plan for a deficit that extends beyond the end of the current financial year. However a school can seek the Authority's approval for an authorised deficit that may extend beyond the end of the financial year under the following circumstances:

- The school is planning to incur major expenditure on equipment or building maintenance.
- The school is in a rising roll situation and, because of the lag in funding, needs to spend some of the next year's budget in advance.
- The school has suffered a temporary fall in roll and needs to protect its staffing in the short term.

A school can apply for an authorised deficit in other exceptional circumstances but must first seek the approval of both the Director of Children's & Adult Services and the Chief Finance Officer.

In all cases the school must submit a deficit plan to the Director of Children's & Adult Services for approval (see paragraphs 4.6 and 4.9).

4.6 **Charging of interest on deficit balances**

The Authority will charge interest on additional cash advances to support deficit balances, at a rate of 0.5% above the Bank of England base rate. The rate will be calculated on a daily basis and charged to the school at the end of the financial year.

4.7 **Writing off deficits**

The Authority cannot write off the deficit balance of any school except where the school has been closed.

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 when 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 **Authorised deficits**

Schools can apply to the Authority for an authorised deficit as in paragraph 4.5 by completing, in advance, a deficit application form. Where an authorised deficit is approved the following conditions apply:

- The purpose(s) of the deficit arrangement must be agreed with the Authority;
- The maximum size of a deficit that will be agreed is £500,000;

- No more than 40% of the collective balances held by the Authority is to be used to support such arrangements;
- The period over which the school is to bring itself back into balance must be agreed, normally the maximum period being 3 years. In exceptional circumstances a period of 5 years would be considered;
- Interest will be charged at the rate set out in paragraph 4.6 above;
- The deficit plan must be agreed by the Director of Children's & Adult Services.

4.10 **Unauthorised deficits**

In the event that a school incurs a deficit for reasons other than as set out in paragraph 4.5 above or without the prior approval of the Director of Children's and Adult Services, the Authority will regard such a deficit as being unauthorised. A deficit plan will need to be submitted and agreed immediately. A rate of interest at 2% above the rate referred to in paragraph 4.6 may be charged on the deficit balance.

SECTION 5 INCOME

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 private finance initiative agreements. Schools can cross-subsidise lettings for community and voluntary use with income from other lettings, provided there is no net cost to the budget share. However, schools are required to have regard to directions issued by the Authority as to the use of school premises as permitted under the SSAF Act 1998 for various categories of schools.

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. However, schools are required to have regard to any policy statements on charging produced by the Authority.

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. However where the asset was purchased with non-delegated funds it is for the Authority to decide

whether the school should retain the proceeds. When the asset is land or buildings forming part of the school premises and is owned by the Authority, the income belongs to the Authority.

5.5 **Administrative procedures for the collection of income**

The administrative procedures for the collection of income are set out in the Medway Schools' Finance Manual including advice on collecting and accounting for VAT.

5.6 **Purposes for which income may be used**

Income from the 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**

6.1.1 The Authority is permitted to charge the budget share of a school without the consent of the governing body only in circumstances set out in paragraph 6.2 below. In such cases, the Authority is required to consult the school as to the intention to so charge and to notify the school when it has done so.

6.1.2 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 amount chargeable being 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 the Authority's 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;

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 & Customs, Teachers Pensions, the Environment Agency or regulatory authorities as a result of school negligence;
- 6.2.9 Correction of Authority errors in calculating charges to a budget share (e.g. 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, and 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 (see also section 11);
- 6.2.12 Costs of necessary health and safety training for staff employed by the Authority, where funding for training has 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-LA 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 that statement;
- 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

6.3 General Teaching Council

Fees to be deducted from teachers' salaries and remitted to the General Teaching Council for England

The General Teaching Council for England (Deduction of Fees) Regulations 2001 ("the Regulations", S.I. 2001 No. 3993) came into force on 10 January 2002. The Regulations apply to teachers at maintained schools registered with the General Teaching Council for England ("the GTC") or required to be so registered by the Teachers (Compulsory Registration) (England) Regulations 2001 (S.I. 2001 No.1266). The Regulations place a duty on the employer of such teachers to deduct and remit the GTC fee in respect of a teacher who has not already paid the fee to the GTC where the GTC has notified the employer to deduct and remit the fee of that teacher. This includes teachers who have indicated to the GTC that they wish to pay the fee by a salary deduction as well as teachers who have not indicated how they wish to pay the fee.

In order to ensure the performance of the duties to deduct and remit the fee imposed on employers by the Regulations 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.

28 (1) The costs of payroll administration for teachers in the authority's maintained schools fall to be met from the budget shares which are allocated to governing bodies pursuant to section 47 of the Act, and which are delegated to them pursuant to sections 49-50. Accordingly, by virtue of Chapter IV of Part II of that Act and this Scheme, governing bodies of maintained schools are responsible for making suitable arrangements (or ensuring that such arrangements are made) for the administration of payroll services in respect of their teachers.

(2) A governing body of a community school, community special school or a voluntary controlled school, though not the employer of the teachers at such a school, shall:-

(a) where the governing body has entered into any arrangement or agreement with the authority to provide payroll services, ensure that any such arrangement or agreement is amended to allow for the deduction and remittance of fees by the authority to the GTC. The governing body shall meet any consequential costs from the school's budget share;

(b) where the governing body has entered into any arrangement or agreement with a person other than the authority to provide payroll services, ensure that any such arrangement or agreement is amended to allow for the deduction and remittance of fees by that person to the authority or directly to the GTC where this has been agreed between the GTC and the authority. The governing body shall meet any consequential costs from the school's budget share; and

(c) where the governing body directly administers the payroll, deduct and remit the fees to the authority or directly to the GTC where this has been agreed between the GTC and the authority. The governing body shall meet any consequential costs from the school's budget share.

(3) A governing body of a foundation school, a foundation special school or a voluntary aided school, as the employer of its teachers, is by virtue of the Regulations under a duty to deduct (or arrange for the deduction of) the fee and to remit the fee to the GTC. Accordingly, a governing body shall:-

(a) where the governing body has entered into any arrangement or agreement with the authority to provide payroll services, ensure that any such arrangement or agreement is amended to allow for the deduction and remittance of the fees by the authority to the GTC on the governing body's behalf. The authority shall agree to any such amendment. The governing body shall meet any consequential costs from the school's budget share;

(b) where the governing body has entered into any arrangement or agreement with a person other than the authority to provide payroll

29 services, ensure that any such arrangement or agreement is amended to allow for the deduction and remittance of the fees by that person to the GTC or to the governing body for onward transmission to GTC. The governing body shall meet any consequential costs from the school's budget share; and

(c) where the governing body directly administers the payroll, deduct and remit the fees to the GTC. The governing body shall meet any consequential costs from the school's budget share.

(4) All this shall be done whether the funding for the salary payments is paid to the authority by the school from budget share instalments which have been held by the school in an independent bank account, or the salary costs are directly charged by the authority to the school's budget share account.

SECTION 7 TAXATION

7.1 Value added tax

The procedure schools should follow in order to be able to utilise the Authority's ability to reclaim VAT on expenditure relating to non-business activity is given in the Medway Schools' Finance Manual.

The net amount of VAT incurred will be reimbursed into schools bank accounts on a monthly basis on submission of the appropriate claim forms to the Authority.

7.2 Construction Industry Taxation Scheme

School are required to abide by procedures issued by the Authority in connection with the Construction Industry Taxation Scheme.

SECTION 8 THE PROVISION OF SERVICES AND FACILITIES BY THE AUTHORITY

8.1 Provision of services from centrally retained budgets

The Authority determines on what basis services will be provided to schools from centrally retained funds, including funding for premature retirement compensation and redundancy payments. In determining whether funding for premature retirement costs, redundancy or dismissal costs should be funded centrally, the Authority must, however, comply with section 57 of the SSAF Act 1998.

The Authority cannot discriminate in its provision of services on the basis of 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 **Time-scales for the provision of services bought back from the Authority using delegated budgets**

The term of any arrangement with a school starting on or after 1 April 1999 to buy services or facilities from the Authority is limited. This limit is 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.

When a service is provided for which expenditure is not retainable centrally by the Authority under the Regulations made under Section 46 of the SSAF Act 1998, it must 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 must be met by the total income, even if schools are charged differentially.

8.2.1 **Packaging**

Any service that the Authority is providing on a buy-back basis must be offered in a way that does not unreasonably restrict schools' freedom of choice among the services available. Where practicable, this will include provision on a service-by-service basis as well as in packages of services.

8.3 **Service level agreements**

Service level agreements must be in place by 31 March to be effective for the next financial year and schools must have at least a month to consider the terms of the agreements.

8.3.1 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.

8.3.2 Services available from the Authority, which are offered on the basis of an extended agreement (e.g. 3 years), will also be available to schools to buy as and when required.

SECTION 9 PRIVATE FINANCE INITIATIVE / PUBLIC PRIVATE PARTNERSHIP

9.1 The Authority has not entered into any Private Finance Initiative and Public Private Partnership schemes affecting schools.

SECTION 10 INSURANCE

10.1 Insurance cover

Medway has delegated funding in respect of insurance and schools will be required by the Authority to demonstrate that cover under the policy arranged by the governing body is at least as good as the relevant minimum cover arranged by the Authority, where relevant to the Authority's insurable interests.

The Authority will have regard to the actual risks, which might reasonably be expected to arise at the school in question in operating such a requirement, rather than applying an arbitrary minimum level of cover for all schools.

SECTION 11 MISCELLANEOUS

11.1 Right to access to information

In addition to specific requirements listed above, governing bodies are required to 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, and the use made of any central expenditure by the Authority (e.g. earmarked funds) on the school.

11.2 Supply of information to Teachers Pensions

- 11.2.1 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.

- 11.2.2 A governing body of any maintained school which directly administers its payroll shall 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 from each school.

A governing body shall also ensure 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.

11.3 **Liability of governors**

Since the governing body is a corporate body and because of the terms of section 50 paragraph 7 of the SSAF Act 1998, 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, under the terms of section 50 paragraph 7 of the SSAF Act 1998.

11.4 **Governors' expenses**

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

Under schedule 11 of the SSAF Act 1998, only allowances in respect of purposes specified in regulations may be paid to governors from a school's delegated budget share. Payment of any other allowances is forbidden. Schools are also barred from payment of expenses duplicating those paid by the Secretary of State to additional governors appointed by him to schools under special measures.

11.5 **Responsibility for legal costs**

Legal costs incurred by the governing body, although the responsibility of the Authority as part of the cost of maintaining the school (unless they relate to the statutory responsibility of aided school governors for buildings), may be charged to the school's budget share unless the governing body acts in accordance with the advice of the Authority.

Where there is a conflict of interest between the Authority and a governing body, the governing body is advised to seek independent legal advice outside of Medway Council's Legal Department.

11.6 **Health and Safety**

Governing bodies, in expending the school's budget share, must have due regard to duties placed on the Authority in relation to health and safety, and the Authority's policy on health and safety matters in the management of the budget share. In foundation and voluntary aided schools, governing bodies must have due regard to duties placed on them in relation to health and safety in expending the school's budget share.

11.7 **Right of attendance for the Chief Finance Officer**

Governing bodies are required to permit the Authority's Chief Finance Officer (CFO), or any officer of the Authority nominated by the CFO, to attend meetings

of the governing body at which any agenda items are relevant to the exercise of his/her responsibilities. The CFO's attendance would be limited to items that relate to issues of probity or overall financial management.

11.8 **Delegation to new schools**

The Authority can delegate selectively and optionally to the governing bodies of schools that have yet to receive delegated budgets and can delegate spending powers to new schools without delegated budgets. It is for the Authority to decide whether and to what extent to exercise the power in each individual case.

11.9 **Optional delegated funding**

Where a school exercises an option to receive delegated funding for an item, that option must be exercised by 31 December for funding in the next financial year.

11.10 **Special Educational Needs**

Schools should use their best endeavours in spending the budget share, to secure the special educational needs of their pupils

11.11 **Interest on late payments**

Schools are reminded that interest may be charged regarding late payment to suppliers and every effort should be made to ensure that invoices are paid by the due date. Further details are set out in Medway Schools' Finance Manual.

11.12 **"Whistleblowing"**

School staff and school governors who wish to complain about financial management or financial propriety at the school, are required to comply with the Authority's "whistleblowing" procedure

11.13 **Child Protection**

Schools need to make arrangements to release staff to attend child protection case conferences and other related events. However, the Authority has no centrally retained funds to make any payments to schools to help meet the costs incurred.

11.14 **Redundancy & Early Retirement Costs**

The Education Act 2002 sets out how premature retirement and redundancy costs should normally be funded. The Act states that costs incurred by the local 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 unless the authority agrees with the governing body in writing that they shall not be so met.

Costs incurred by the local 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 except in so far as the authority

has good reason for deducting those costs from that share. This means that the authority will normally meet the redundancy costs of school staff but there are some exceptions. Redundancy costs will be charged to the school's delegated budget in following circumstances:

- Where the school is making staffing reductions which the authority does not believe are necessary to either set a balanced budget or meet the conditions of a licensed deficit
- Where a school has refused to engage with the authority's redeployment policy
- Where a school has decided to offer more generous terms than the authority's policy then the excess will be charged to the school
- Where a school is otherwise acting outside the local authority's policy

For staff employed under the community facilities power, the default position is that any premature retirement or redundancy costs must be met by the governing body, but not from the school's delegated budget.

SECTION 12 RESPONSIBILITY FOR REPAIRS AND MAINTENANCE

12.1 Responsibility of governing bodies

The categories of work which governing bodies of all Medway schools have responsibility for financing from their budgets are given in Annex A.

All funding for repairs and maintenance is delegated to schools. Only capital expenditure is retained by the Authority.

12.2 Definition of capital expenditure

Expenditure is treated as capital if it is for work which would enhance the value, life or use (or range of use) of a building as opposed to merely maintaining it. The exception to this is where the cost of the enhancement is less than the *de minimis* limit of £2,000 in which case, in accordance with the Authority's financial regulations, it is treated as revenue.

12.3 Responsibility of governing bodies of Voluntary Aided schools

For voluntary aided schools, the liability of the Authority for repairs and maintenance (albeit met by delegation of funds through the budget share) is the same as for other maintained schools. However, eligibility for capital grant from the Secretary of State for capital works at voluntary aided schools depends on the *de minimis* limit applied by DfES to categorise such work, not the *de minimis* limit used by the Authority.

SECTION 13 PROVISION OF COMMUNITY FACILITIES

13.1 Introduction

13.1.1 Community facilities are defined in the Education Act 2002 as “any facilities or services whose provision furthers any charitable purpose for the benefit of (a) pupils at the school or their families, or (b) people who live or work in the locality in which the school is situated”.

13.1.2 Under Section 28(1) of the Education Act 2002, the main limitations and restrictions on the power are those contained in:

- schools’ own instruments of government, if any; and
- Medway’s Scheme for Financing Schools made under section 48 of the School Standards and Framework Act 1998. The Education Act 2002 (paragraph 2 of schedule 3) extends the coverage of schemes to the powers of governing bodies to provide community facilities.

Regulations made under Section 28(2) of the Act may specify activities that cannot be undertaken at all under the main enabling power.

13.1.3 Schools wishing to develop services or facilities for the community are encouraged to discuss proposals with the Authority in the first instance. Indeed Section 28(4) of the Act requires that before exercising the community facilities power, governing bodies must consult the LEA and have regard to any advice given to them by the Authority.

13.1.4 Schools that choose to exercise the power conferred by Section 27(1) of the Act to provide community facilities or services will be subject to a range of controls. These are set out in the following paragraphs. Schools must also have regard to guidance issued by the Secretary of State to governing bodies about a range of issues connected with exercise of the power.

13.1.5 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.

13.1.6 The budget share (or any accumulated surplus on 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.

13.2 Consultation with the LA

13.2.1 Schools should give notice to the LA of their intent to exercise the power well in advance of the formal consultation and are likely to benefit from informal contacts and advice from officers with the relevant professional expertise at this stage.

13.2.2 Formal consultation with Medway Council will commence when the full consultation material has been submitted in writing and the response period will

begin from receipt of the full material. Major uses of the power (i.e. where services have an annual turnover in excess of £100K or capital schemes costing more than £100K are involved) will lead to the LA providing formal advice in writing within eight weeks. For more minor uses, advice will be provided within six weeks. Subsequently the governing body should inform the council of the action taken in response to this advice.

13.2.3 The school should provide the following information in the formal consultation document:

- a full business plan for the provision of the proposed community facilities or services covering the first three years of operation;
- in the case of capital projects affecting the existing buildings on the school site and/or the construction of new buildings, then the full plans and costing of the works proposed;
- details of any planning and environmental considerations and evidence of discussions with relevant regulatory agencies;
- expressions of support from potential user groups, parish councils, local community groups, neighbouring schools, business representatives, as appropriate;
- details as to how the facility will be managed and how this relates to the management of the school;
- a statement that the proposed activities will not interfere with the overriding purpose of the school in achieving higher standards for pupils (section 26(3) of the Act);
- details of any proposed funding agreements with third parties;
- the insurance arrangements proposed.

13.2.4 The consultation document should be sent to the School Organisation & Student Services Manager, Medway Council

13.3 **Consultation with other bodies**

13.3.1 Governing bodies should consult all relevant planning and service provision bodies in their neighbourhoods. These bodies could have plans that affect the activities proposed and may be interested in becoming a partner in the particular project.

13.3.2 All bodies that may have plans covering the community to be served by the facility or services should also be consulted, and the degree of fit with the relevant planning frameworks and policies assessed. In particular the following should be consulted if their work could be affected: the Early Years and Child Care Partnership, parish councils, agencies such as Sport England, and the Arts Council, the Learning and Skills Council and all neighbouring schools.

13.4 **Funding agreements**

13.4.1 Where a school is already carrying out any of the activities covered by this power under the terms of an existing funding or management agreement with the Authority then the terms of that agreement continue to apply.

13.4.2 The provision of community facilities in many schools may be dependent on the conclusion of a funding agreement with a third party which will either be supplying

funding or supplying funding and taking on part of the provision.

13.4.3 Any funding agreements with third parties (as opposed to funding agreements with Medway Council) should be submitted to the LA for its comments and advice and schools must have regard to that advice. The Authority may wish to set conditions upon access, egress and use of other facilities on the site.

13.4.4 Funding agreements with third parties should contain adequate provision for access by the Authority to the records and other property of those parties which are held on the school premises in order for the LEA to satisfy itself as to the propriety of expenditure on the facilities in question.

13.4.5 Schools are reminded 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 is judged to be seriously prejudicial to the interests of the school or the LA, that may constitute grounds for suspension of the right to a delegated budget.

13.5 **Other prohibitions, restrictions and limitations**

13.5.1 If the Authority believes in a specific instance of use of the community facilities power by a governing body, that the proposed project carries significant financial risks, it may require that, the governing body make 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 LA.

13.6 **Supply of financial information**

13.6.1 Best practice in respect of these community facilities, is to use the same accounting and reporting systems as are used for the school's main budget share but with the activities separately identified on a full cost basis. However where this is not practical then schools that exercise the community facilities power must provide a summary statement every six months, 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 form of these statements will be notified to schools and the forms will be returned to the LA finance team.

13.6.2 If the Authority 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 then it may, after giving notice to the school, require financial statements to be supplied every three months. The Authority may also require the submission of a recovery plan for the activity in question.

13.6.3 Financial information relating to community facilities also has to be included in returns made by schools under the Consistent Financial Reporting Framework.

13.7 **Audit**

- 13.7.1 Schools are required to grant access to their records connected with exercise of the community facilities power, in order to facilitate internal and external audit of relevant income and expenditure.
- 13.7.2 In concluding funding agreements with other persons pursuant to the exercise of the community facilities power, schools must 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**
- 13.8.1 Schools may retain all net income derived from community facilities except where otherwise agreed with a funding provider.
- 13.8.2 Schools may carry such retained net income over 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, transfer all or part of it to the budget share balance. In the latter case it would need to be separately identified in case it is required to offset any subsequent deficit in the operation of the community facility.
- 13.8.3 If a community or community special school ceases to be maintained by the Authority, any accumulated retained income obtained from exercise of the community facilities power reverts to the Authority unless otherwise agreed with a funding provider.
- 13.8.4 Liabilities to third parties incurred in the exercise of this power are a charge on all the income retained by the school from these activities.
- 13.9 **Health and safety matters**
- 13.9.1 The health and safety provisions of the main scheme apply also to the community facilities power (see paragraph 11.5 of the Scheme).
- 13.9.2 Governing bodies are responsible for the costs of securing Criminal Records Bureau clearance for all adults involved in community activities taking place during the school day. Governing bodies would be free to pass on such costs to a funding partner as part of an agreement with that partner.
- 13.10 **Insurance**
- 13.10.1 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. Schools are required to seek the Authority's advice before finalising any insurance arrangement for community facilities.
- 13.10.2 The LA may 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, make arrangements itself and charge the resultant cost to the school. Such costs cannot be charged to the school's budget share.

13.11 **Taxation**

13.11.1 As with existing community activities schools may only reclaim VAT for expenditure on community facilities where this is funded from local authority funds. Expenditure from funds obtained direct by schools from private (or indeed, central government) sources is not covered by the VAT reclaim procedures.

13.11.2 Schools are advised to seek the advice of the LA 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.

13.11.3 If any member of staff employed by the school or LA 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 – see 14.12 below), the school is likely to be held liable for payment of income tax and National Insurance, in line with Inland Revenue rules.

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

13.12 **Banking**

13.12.1 A school must either maintain separate bank accounts for budget share and community facilities, or have one account but with adequate internal accounting controls to maintain separation of funds.

13.12.2 The provisions set out in Section 3 of Medway's Scheme for Financing Schools also apply to the use of the community facilities power. However in the case of a bank account which is used by the school in connection with community facilities (whether or not the account also contains funds from the school's budget share), the account mandate should not show the LA as the owner of the community facilities funds in the account except insofar as these funds have been provided by the LEA itself.

13.12.3 Schools may not borrow money without the written consent of the Secretary of State, except where this has been lent to a school by Medway Council.

RESPONSIBILITY FOR BUILDING MAINTENANCE

This statement shows the category of work for which governing bodies of all Medway schools have responsibility for financing from their budgets.

A. BUILDING ELEMENTS

Foundations - All structural work to walls or wall supports below and including damp proof courses, underpinning, propping, piles, ground beams, piers, bases and brick or concrete footings.

Frames - All structural members in steel, timber, or concrete frame including tiles, bracings, bolts, base plates and wedgings.

Floors - Floor structures and ducting together with their screeds, clay and ceramic finishes, wood block and quarry tiles.

Floor Coverings and Finishes (including skirtings) - carpets, lino, PVC sheeting or tiles, cover and expansion strips.

Roofs - Roof structures, finishes and including top floor ceiling timbers, eaves and verge finishings and catwalks, chimneys. Roof trusses, insulation, and access hatches.

Skylights and Roof Lights and Verandas - Roof lights, skylights, laylights with frames, casings, kerbs. Minor repairs, ironmongery and glazing

Rainwater Goods - including rainwater tanks, butts, parapet outlets, perimeter gutters, and downpipes. Repair and replacement of mains drainage including traps, gullies and manholes. Cleaning out gutters, downpipes and drainage systems, including unblocking and individual section replacement associated with cleaning out or repair.

Drainage Systems - to school playing fields

Staircases - and landing structures and their screeds including balustrades, handrails and including all domestic communal fire escapes internal and external. Repair of finishes and coverings including stair nosings.

External Walls - Load bearing, structural, framed, panelled and curtain wall, chimney stacks and flues, including refractories in boiler house masonry stonework, heads, cills, strings, steps, insulation. Repair of exposed internal finishes.

External Surfaces - Applied surface finishes, i.e., renderings, tile pointing, balcony rails or fronts.

Internal Wall Finishes - Plaster, tiles or sheet wall finishes including welding or grouting of joints and glazing.

Windows and Fittings - Windows (complete renewal of frame), borrowed lights with frame castings, architraves. Ease and adjust windows, replace sash cords and fittings, glazing, ironmongery and minor timber repairs.

Doors - New/replacement doors. Minor repairs, adjustments to door closers, locks, furniture and key cutting.

Ceilings - Including suspended ceiling framework. Ceiling tiles/finishes and minor repairs.

Glazing - To include all glazing throughout (i.e., windows, doors, borrowed lights, rooflights, verandas, window walls etc.).

Insulation - Structural insulation to roofs, walls etc.

Timber Preservation - All work associated with the prevention or eradication of wood rot or beetle.

B. DECORATION

External Decoration - Cleaning down, preparing and decorating including stopping and filling.

Internal Decoration - Cleaning down, preparing and decorating to walls, ceiling and all internal wood and metal work usually painted including stopping and filling done by the decorator.

C. WATER SERVICES AND DRAINAGE

Internal Water Supply, Distribution, Taps and valves - Cold water service piping and cocks, booster pumps. Hot water secondary service piping and cocks (i.e., between hot water storage and taps). Hot and cold water storage cocks, cylinders and cisterns (including WC cisterns) and overflows to same. Insulation to the foregoing items and duct casings.

Replacement of Water Supply (internal) - including sanitary equipment and major refurbishment and repair:

Replacement of Water Supply (external) - Minor repair and adjustments to above.

Drinking Fountains - replacement, repair

Waste Pipework - Cleansing of traps, waste pipes, soil and termination pipes, anti-siphonage pipes, wire balloon guards, sleeves and flashings to pipes. Renewal of these.

D. GENERAL ELECTRICAL INSTALLATION

Servicing, repair and replacement of all switchgear and interconnecting cables, protective conduits and trunking and fixings, including labels and circuit lists. Fixed sub-circuit wiring and conduit, trunking or other means of mechanical protection including fixings, wiring accessories and conduit boxes, luminaries including those inaccessible to caretakers.

External services cables, all external lighting including columns, floodlights, road lighting, interconnecting wiring and control equipment, time switches, photo-electric cells.

Replacing lamps, tubes and plugs.

Alarm, Emergency and Time Systems

All battery units including batteries, interconnections, cabinets and control equipment used for emergency lighting, fire detection and alarm systems, intruder alarm systems (except resulting after activating), master clock systems and call bell systems. All wiring systems associated with these systems including low voltage types. All emergency lighting luminaries including self-contained types, operating relays and associated controls. All fire detection and alarm system automatic detectors, (heat or smoke), break glass pushes, sounders, control and indicator panels, electromagnetic door holders (but excluding door

closers). All clocks and connectors connected to a master clock system including controllers and master clocks. All lesson change sounders and programmers. All call bell systems including pushes, reset units, meter and indicator boards, sounders, relays, hand sets. All intruder alarm systems detectors, sounders, alarm lights, control panels, electric over-ride switches and wiring, including closed circuit television installations, cameras, monitors. All door access systems including pushes, card readers, power supply, electric door releases and wiring.

Reset of intruder alarms, fire detection or other similar systems including time controls and time clocks. Maintenance of systems purchased at school cost.

Fan Convectors and Other Fixed Space and Water Heating/Ventilating Units

All internal wiring, external flexes and connections, isolators and switches, and controls, filter elements, fans and motors and cleaning of heat emitting batteries and casing of heater units.

Fixed wiring supplying heaters including wall mounted remote thermostats and external controls, isolators and time switches (excluding resetting).

Electric storage and instantaneous water heating units and shower units, wall or floor mounted including immersion heaters in cylinders. Elements, thermostats, controls, time switches, isolators and final flexible connection to heater.

Off-peak heating units, including Electricaire type units, elements, thermostats, cut-out controls, internal fans, wiring, refractory blocks, internal thermal insulation, grilles, casings, external controls, thermostats, time-switches, and final connection to heater units. Fixed wire guards protecting heaters.

Electric on-peak heating equipment - wall fixed convector heaters, infra-red heaters, blower heaters, panel heaters, tubular heaters including isolators, control switches, thermostats and final connections.

Underfloor heating cables, ceiling heating systems including all elements, wiring, controls, isolators, and thermostats. External ducts on covers for heating.

Electric incinerators and macerators, including elements, combustion lining, controls, casing switches and isolator.

Extract fans wall and roof mounted including impellers, motors, capacitors, mountings, covers, controllers, isolators, wiring, flexible connections (excluding cleaning surfaces of canopies and fan apertures).

Portable heating equipment. Cleaning of equipment generally. Maintenance and replacement of fittings on all items.

Kitchen Equipment

Repair and replacement of fixed cooking equipment, ovens, ranges, fryers, boilers, boiling pans, steamers, roasting ovens, grilles and mixers.

Portable heated trolleys, complete. refrigerators, freezers, walk-in cold rooms complete. Fixed water boilers, sterilising sink heaters and controls.

The above equipment in teaching kitchens.

Laundry Equipment

Repair and replacement of fixed washing machines, tumble driers, spin driers, hydro extractors, rotary irons, (excluding drainage systems).

Above items in special schools used for the hygiene/care of pupils.

Lifts. Hoists. Barriers. Lifting Aids

The whole of the passenger or goods lift installation including wiring, controls, doors, guides, motor, gearbox, pulleys, cables, safety equipment, and lift car finishes. Electrically operated doors including motors, controls, wiring. Window cleaning cradles, beams, cables and winches.

Glazing to doors, floor coverings, and track clearing

Specialist External Equipment

Structure, earthing and lightning protection of aerial masts for communication aerials (excluding aerial array and coaxial cabling). Lightning conductors and external earthing systems complete.

Specialist Internal Equipment

Internal computer cabling.

Standby Generators

Complete installation including wiring, control panel, motor, batteries, alternator, exhaust system, acoustic enclosures.

Temporary Accommodation

The whole of the installation within the temporary building including switchgear, wiring, lighting, power, heating.

The supply cable including catenary and poles from the permanent building to the classroom.

E. ENGINEERING AND MECHANICAL SERVICES

Installation and maintenance of external ducts and covers on all external gas services.

Servicing - all work of testing, adjustment and repair including cyclical maintenance service contracts of all mechanical plant and equipment as defined below:

Forced Draught and Atmospheric Gas Fired Burners/Boilers

Forced draught and Atmospheric Gas Fired heating and hot water system burners including burner train, flame failure controls, thermostats, gas booster sets and refractories.

Pressure Jet Oil Fired Burners

Pressure jet oil fired heating and HWS burners including burner train, flame failure controls, thermostats and refractories.

Automatic Coal Fired Stoking Equipment

Automatic coal fired heating and HWS stoking plant.

Automatic Controls and Boiler House Electrics

Heating and HWS heating controls, including zone controls, optimum start controls, energy management controls, control panels, detectors, motorised valves and actuators.

Smoke density alarms, including sensors and control panels. Gas detectors, including sensors, control panels, thermal safety devices, thermal links, emergency stop switches and solenoid valves. Mains signalling systems controlling heating and HWS systems. General mains power, low voltage and lighting in boiler house.

Boiler House Ancillary Equipment

Heating circulating pumps, HWS primary and secondary pumps and sump pumps. HWS storage cylinders and calorifiers, isolating valves, pipework and fittings, thermal insulation, temperature/altitude and oil tank contents gauges. Oil storage tanks, including emergency shut-off devices and associated electrical wiring, heating elements, control panel, thermostats and detectors. (Include oil storage tanks for electrical generators.)

Boilers

Boilers including cleaning access doors, door seals, hinges, fasteners, boiler casing and flue clean brushes. Boiler house steel flues including dampers, explosion relief doors, draught diverters, flue stabilisers and annual cleaning.

Steel Chimneys

Main steel chimney structure, including bases, guy ropes, holding down bolts, flanges, webbs and gussets, cladding and insulation, trims and cowls, cleaning access doors and condense drain points and external protective finishes.

Heating, HWS and General Service Distribution Systems

Heating, hot and cold water and gas distribution services, pipework, stop valves and fittings at appliance or service point. Feed expansion tanks, cold water storage tanks, remote HWS storage cylinders and calorifiers, thermal insulation, cylinders, natural convector emitters, pipe heated towel rails. All external main distribution services (gas, water, etc.). Minor repairs to radiators and radiator valves.

Shower Mixing Valves

Manual and thermostatically controlled shower mixing valves and blenders including strainers, check valves, shower heads and their isolating valves. Cleansing and descaling of these.

Direct Gas Fired Hot Water Units

Direct gas fired hot water heating units including flues where appropriate.

Special Pump Sets

Including water booster pump sets, fixed pump lifting gear. Sewage pumps and cleaning or emptying of sewage chambers.

Air Conditioning and Ventilation Equipment

Air handling units including cabinets heating/cooling coils, heat recovery units, fans, motors, filters, dampers, quadrants, damper motors and linkages, ductwork and thermal insulation and acoustic materials. Condensing units, compressors, pipework and fittings. Control panels and associated automatic controls. Ventilation fans, controllers, controls, grilles, louvres, dampers, and ductwork, grease filters.

Cleaning of ventilation fans, grilles, louvres and grease filters

Direct Oil and Gas Fired Room Heaters

Direct oil fired heater units including guards, flues, controls, thermostats, dedicated oil storage tanks, oil contents gauges, oil pipework services and fittings

Fan Convector Heaters (fixed)

Casings, grilles, heat exchangers, isolating valves and fittings, remote thermostats.

Dry Risers

Kitchen Equipment

Dishwashers - repair and replacement of equipment including shelving, racks, ventilation equipment and ductwork where appropriate, all associated internal controls, heating elements, pumps and motors etc. (other than equipment installed in Domestic Science, etc. teaching areas).

The above equipment in teaching kitchens.

Water Softeners including automatic controls, storage and regeneration vessels, inline filters, strainers, check valves, water pressure regulators (other than equipment installed in Domestic Science, etc., teaching areas).

Regeneration salts and other water treatment chemicals.

Maintenance, cleaning and minor repairs to sinks and ancillary equipment.

Gas Cooking Equipment

Including controls, burners, thermostats and all fittings, motors, fans, ignition systems, water level control devices.

The above equipment in teaching kitchens

Swimming and Hydrotherapy Pools

Maintenance only of filtration plant, circulation pumps and controls, water treatment chemical dosing equipment, all distribution pipework including vacuum lines and skimmers pots.

Maintenance only of dedicated heating boilers and burners including their fuel storage tanks and associated fittings heat exchangers, all dedicated heating, humidity and ventilation controls, ventilation fans, heat recovery units and their associated controls. Solar heating plant and equipment.

Replacement of above items provided from voluntary funds.

Chemical dosing, cleaning and minor maintenance.

Filling and emptying of pools

Fire Fighting Equipment

Portable gas, water and foam extinguishers, fire blankets and their containers

Fixed hose reels, auto rewind mechanisms and nozzles.

Fume Cupboards – fixed and portable

Dust Extractors – fixed and portable

F. FURNITURE AND FITTINGS

Internal Joinery Fixtures - Kitchen units, cupboards, shelving, picture rails, coat rails, notice or display board, fixed benches.

Fixed Seating - All permanent internal fixed seating together with its coverings.

Gymnasium Equipment - Maintenance and repair of all fixed sports and gym equipment including court markings in Sports Halls etc.

Blinds, Nameplates, Curtains, etc. - Supply and the fixing of all internal signs, blinds, curtain track, etc.

Cleaning and maintenance of blinds, curtains and nameplates, including fire-proofing of curtains.

Solid Fuel Enclosed Fires and Fireplaces - Includes fire grating, cheeks and hearth.

G. EXTERNAL WORKS

Demolition - Taking down, removal and clearance of sites or buildings, including sealing off all drains and engineering services.

Roads, Playgrounds, Car parks and Paths - Access paths, courts, patios, drying areas, steps, fire appliance hard standings, car standings, playgrounds, garage approaches, roads.

Minor repairs. Sweeping of loose surfaces.

External Perimeter Walls, Piers, Gates and Retaining Walls - Major repairs to perimeter or boundary walls, piers, gates, retaining walls, and other external features, including mature trees.

Minor repairs.

Fencing - All fencings and their gates including perimeter fences and those enclosing gardens and private areas etc., or as screens to bin or kitchen areas etc.

Minor repairs to above.

External Joinery Fixtures - Sign boards, notices, nameplates, flag poles and other external joinery fixtures.

Ancillary Buildings

Existing Plantings - major refurbishment works.

Grounds. Maintenance of grounds, playing fields, amenities land, landscaped areas and boundary hedges (except mature trees).

Refuse Containers and Bins

H. MISCELLANEOUS

Asbestos Removal and Treatment

Pest Control (all animals)

Removal and Disposal of Rainwater and Debris from Oil Tank Bunds

Medway Council Growth Funding Policy

Version Update: May 2020

1. Overview

- 1.1 This funding policy is for revenue associated reorganisations only and does not relate to capital items.
- 1.2 Schools (the term schools used throughout this document includes academies) can access the funding and eligibility where there is a basic need requirement. The DfE define Basic Need as new pupil places which are requested by the local authority because there are insufficient places available for pupils in the area.
- 1.3 Medway Council's place planning team will determine if a school meets the eligibility criteria.
- 1.4 Reorganisation funding and rising roll funding will be paid on an academic year basis and will be calculated on the growth in numbers from September less the preceding October's school census count.

2. Reorganisation Funding – Protected Pupil Funding

- 2.1 Funding paid to schools for protected pupil funding includes:

- a) Permanent expansion –an increase over time to all year groups in the school
- b) Bulge year/ bulge classes (i.e. not a permanent expansion)
- c) A new opening school

- 2.2 Reorganisation protection in primary and secondary schools can be split into two different types. One, where the increase in pupils triggers sufficient funding to meet the cost of the resource needed to support the additional pupil intake and two, where the increase in PAN will take a longer period of time to fill up and therefore provide the necessary level of resources needed to cover the costs of the additional pupil intake.

Example: Where the PAN increase is 30, the extra pupils will fully fund the cost of the additional class. In this instance protection will be provided in the year of admission only.

- 2.3 Growth funding will only be triggered where the increase to the PAN is over a certain threshold, for a primary school it will be 20% and for a secondary school it will be 10%. The rationale for applying a threshold is that the additional number of pupils would not constitute an increase in additional resources.

Example: if a primary school was increasing its PAN from 30 to 45 this would trigger funding as it is an increase of 50%.

Example: if a primary school was increasing its PAN from 28 to 30 this would not trigger funding as it is an increase of 7% and below the 20% threshold.

- 2.4 For a new school protection will be applied in the same way as 2.2 above, however all of the other factors including in the delegated formula budget (including any Minimum Funding Guarantee (MFG)) will be included in the calculation.

2.5 Schools can be asked to increase/reduce their PAN permanently or for a defined period i.e. one year, two years etc. In relation to where a school is requested to increase/decrease their PAN permanently, protection will be paid for a maximum period (see below), and this will only include protection for the individual year group in the year the expansion takes place.

Infant	3 years maximum support.
Junior	4 years maximum support.
Primary	7 years maximum support.
Secondary	5 years maximum support.

2.6 Support would cease as soon as capacity is reached or if a change is made back to the original PAN or PAN reduction.

2.7 Permanent PAN increases/reductions will be paid through the funding formula, whilst temporary funding will be paid from the growth fund.

2.8 In both cases increases and reductions to PAN must be with the agreement of both the Local Authority and the Schools Forum to qualify for this funding.

3. Reorganisation Funding – Set-up lump sum funding

3.1 A one off lump sum of £55,000 will be payable to cover costs incurred prior to opening of a new school and is provided to set up costs. This payment is opening payable to opening a new school.

3.2 A one off lump sum of £6,000 will be payable to any school opening a new form of entry at the request of the local authority to meet the basic need pupil requirements. This £6,000 will be paid upon receipt of an invoice in the first year for one class only -unless the school is opening more than one form of entry -and is provided to cover set up costs such as equipment of the new class.

3.3 Where a school changes the PAN and moves from an infant or Junior school to a primary school; and there is an overall drop in pupil numbers in years one or two; a one off lump sum of £55,000 will be payable to help retain staff to cover the shortfall in funding capped at two years.

4. Amalgamations

4.1 In the year of amalgamation the two predecessor schools will retain their individual lump sums (As part of the funding formula) until the end of the financial year (March for a maintained school and August for an academy.)

4.2 In the financial year following the amalgamation the newly amalgamated school will receive 85% of the collective lump sums for the two predecessor schools. The school will receive **2 X £90k = £160k X 85% = £153k.**

4.3 From the second financial year after the amalgamation took place the new amalgamated school will receive one **lump of £90k.**

4.4 The protected lump sum will automatically be funded from the Schools Block DSG and will not be a charged against the LAs growth fund as this is a national funding arrangement.

5. Budget

5.1 The growth funding budget will be set annually to support this policy.

School forum Approval: 20.05.20

Review Date: June 2021.

Schools in Financial Difficulty due to statutory class sizes management Policy Version: **May 2020**

1. Overview

- 1.1 This funding policy is for revenue associated reorganisations only and does not relate to capital items.
- 1.2 Schools (the term schools used throughout this document includes academies) can access the funding and eligibility where there is a basic need requirement due to small statutory maximum class sizes of 30 in years R, 1 and 2. The DfE define Basic Need as new pupil places which are requested by the local authority because there are insufficient places available for pupils in the area.
- 1.3 Medway Council's director of education will determine if a school meets the eligibility criteria set by the policy.
- 1.4 Funding will be allocated for one year only and will be paid on an academic year basis. Schools will need to reapply and submit a business case in November for funding each year if additional years funding is required.

2. Criteria to access funding

- 2.1 Schools can request funding support if schools meet the following criteria:
 - Those schools who can't reduce their published admissions numbers due to statutory school class sizes in key stage 1 i.e. years R, 1 and 2.
 - Where the place planning team determine there is a requirement for a minimum percentage of the surplus places within the next three years and can't enter into a local area amendment arrangement? Especially where the school has requested to reduce their PAN or enter into a local agreement which has been denied by the LA.
 - Schools must submit a business case for approval by the Schools Forum in November so it can be discussed at the January Schools Forum meeting with funding starting from in September. I.e. submit business case in November 2017, Schools Forum approval in January 2018 with funding to start from September 2018. Where business cases are rejected, schools will be told why.
 - The school does not receive pupil growth funding support for new classes.
 - This funding is not intended to support schools who fall into financial difficulties through budget mismanagement.
 - A school will not be eligible or will stop being eligible for funding if the class is more than 2 thirds full with schools who have a PAN of 60 or less across key stage 1. I.e. 21 for a PAN of 30, 41 for a PAN of 60
 - A school will not be eligible or will stop being eligible for funding if the class is more than 67% full with schools who have a PAN of 90 across key stage 1 . I.e. 75 for a PAN of 90.

3. Methodologies for distributing funding

- 3.1 Funding will be for one year only and schools will need to reapply every year if additional funding is required. The funding is to help contribute towards the costs of a class teacher.
- 3.2 Schools must invoice the LA for this funding before 31 March of that financial year.
- 3.3 A school or academy will receive £3,750 per pupil up to a maximum of £55,000 per class per year. The £55,000 will be pro-rated against the maximum PAN.

Example: A school has 21 pupils on roll from a PAN of 30 = $£3,750 * (30-21) = £33,750$
A school has 42 pupils on roll from a PAN of 60 = £0.

A school has 74 pupils on roll from a PAN of 90 = $£3,750 (90 -74) = £60,000$ capped to £55,000.

- 3.4 A school will not be eligible for funding if the school receives growth funding.

4. Budget

- 4.1 The budget will be set annually to support this policy.

School forum Approval: 20.05.2020

Review Date: May 2020.

The Schools Forum - Forward Plan

08 July 2020	1	Arrangements for Early Years Provisions	Chris Kiernan
	2	Traded Union 2019-20 Outturn Report	Nikki Smith
	3	DSG 2019 - 20 Outturn	Maria Beaney
	4	2020-21 DSG Budget Allocation	Maria Beaney
	5	Funding Support Business Cases - Standard Item	Various
	6	KS2 School Improvement - Linked to School Forum Funding	Chris Kiernan
23 September 2020	1	2020-21 Round 1 Monitoring SB Centrally Retained Services	Maria Beaney
	2	2021-22 Budget Setting Timetable	Maria Beaney
	3	Provisional 2021-22 Centrally Retained & De-delegated Budgets	Maria Beaney
	4	Funding Support Business Cases - Standard Item	Various
	5	Review of the Medway Test	Chris Kiernan
	6		
04 November 2020	1	Place Planning & Growth Funding	Paul Clarke
	2	Funding Support Business Cases - Standard Item	Various
	3	2020-21 Round 2 Monitoring SB Centrally Retained Services	Maria Beaney
	4	2021-22 Budget Setting Process	Maria Beaney
	5	Provisional School / Academy Funding Formula 2021-22	Maria Beaney
	6	Arrangements for the education of pupils with SEN	Wendy Vincent
	7		
13 January 2021	1	2020- 21 Revised Dedicated Schools Grant Allocation	Maria Beaney
	2	2021-22 Initial Dedicated Schools Grant Allocation	Maria Beaney
	3	Final 2021-22 Centrally Retained & De-delegated Budgets	Maria Beaney
	4	2021-22 Final Schools and Academy Funding Formula	Maria Beaney
	5		
	6		
	7		