

AGENDA FOR
BURY SCHOOLS' FORUM



Contact: Andrea Tomlinson
Direct Line: 01612535133
E-mail: a.j.tomlinson@bury.gov.uk
Web Site: www.bury.gov.uk

To: All Members of Bury Schools' Forum

Councillors :

Dear Member/Colleague

Bury Schools' Forum

You are invited to attend a meeting of the Bury Schools' Forum which will be held as follows:-

Date:	Tuesday, 18 June 2024
Place:	Microsoft Teams Meeting
Time:	4.00 pm
Briefing Facilities:	If Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	

AGENDA

- 1 APOLOGIES FOR ABSENCE**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTES OF THE LAST MEETING** *(Pages 3 - 10)*
- 4 DEDICATED SCHOOLS GRANT (DSG) DEFICIT POSITION 2023-2024**
(Pages 11 - 16)

DSG Deficit position 2023-2024 – Report attached
Schools balances update – Report attached
Schools balances – Appendix
- 5 SCHOOLS FORUM REPRESENTATION** *(Pages 17 - 20)*

Report attached
- 6 DSG DEFECIT RECOVERY - PROJECT SAFETY VALVE** *(Pages 21 - 58)*

Presentation attached – Stephen Holden to give an update at the meeting
Pupil Place Planning – Report attached
- 7 SCHEME FOR FINANCING SCHOOLS** *(Pages 59 - 126)*

Proposed revisions to the scheme attached
Draft Scheme attached

**Bury Schools Forum
Monday 15 January 2024
Microsoft Teams**

Attendance**Early Years**

None in Attendance

Maintained PrimaryAlyson Malach,
Simon Waddington,Governor (Plus Governors Forum) (S)
Headteacher – Hollins Grundy Primary**Maintained Secondary**

None in Attendance

Academy PrimaryRachel Pars
Kristie BloomfieldBury College Education Trust – Elton Primary
Oak Partnership**Academy Secondary**

None in Attendance

Special

Katherine Ashworth

Millwood Special School (S)

Pupil Referral Unit

None in Attendance

Non-Schools SectorJoanne Burns
Helena ThomNASUWT
NEU**16 – 19 Education Representative**

Carina Vitti

Principal – Holy Cross College

Children's Services DepartmentPaul Cooke
Victoria Lambert
Alison Vidler
Clare Williams

Head of Schools & Academies

Principal Finance Officer (Schools & Systems Finance)

Observer(s)

None in Attendance

1. APOLOGIES FOR ABSENCERichard Ainsworth
James Bradley
Joanne Hurst
Orienne Langley-Sadler (headteacher)
Tina Owen
Martin Van Hecke**2 MINUTES OF THE LAST MEETING**

It was agreed:

That the Minutes of the meeting held on 2 November 2023 be approved as a correct record of the meeting.

3 MATTERS ARISING

There were no matters arising from the Minutes of the last meeting.

5 NATIONAL FUNDING & BURY'S FORMULA

Alison Vidler presented the Schools & Academies Funding update 2024-2025.

1. Dedicated Schools Grant (DSG) 2024-25

Following the publication of the Dedicated Schools Grant (DSG) allocations on 19 December 2023, which takes into account the fully validated October 2023 pupil census, the 2024-25 DSG for Bury was summarised in the table set out in the report.

It was explained that the 2023-24 baseline shown includes the Mainstream Additional Grant in the Schools Block and the Early Years supplementary Grant in the Early Years Block. This is for the purpose of demonstrating the actual variance as these have been incorporated into the 2024-25 DSG.

2. Schools Block

The application of the NFF unit values, agreed at Schools Forum in November 2023, across the above factors results in the allocations shown in the table set out in the report. The amount of funding distributed to schools, including the centralised Rates payments, equates to almost 100% of the Schools Block Funding. The effect of pupil number variances between the October funding census collections for 2022 and 2023 needs to be noted in respect to the impact on the figures included in the table below.

Primary schools have seen an overall net reduction of 190.5 pupils.
Secondary schools have seen an overall net increase of 66 pupils.

It was stated that for both sectors there will be individual schools with reductions, and others with gains to pupil numbers. They will all need to financially plan for pupil number changes, in order to sustain their balanced budget positions.

£621,511 transfer to the High Needs Block is 0.39% of the total Schools Block. This is within the permitted 0.5% which was approved at the November 2023 meeting.

3. Central Schools Services Block

It was explained that Schools' Forum is required to approve the allocation of budgets included under the CSSB, which was created several years ago in place of the former Education Services Grant (ESG) retained functions funding for Local Authorities. The former ESG funding was added to the DSG in April 2018 in order to help sustain the services that it is intended to support.

The overall amount of grant in the 2024-25 CSSB has increased by 3.8%.

The following should be noted:

- funding for historic commitments within the CSSB has been reduced annually with a move towards total removal. Funding for the historic commitment for the Safeguarding in Schools Officer has therefore been built into the CYP Departmental budget;
- The centralised National Copyright Licences cost increases are not yet known but they have increased by more than the standard funding increase in recent years. Therefore provision is made for this in the figures below;
- there is a reduced requirement for the former Teachers' Pay and Pension Grant funding for teachers employed in central services due to the cessation of the Curriculum Language Access Service;
- the other services funded via the CSSB have been increased in line with the overall funding increase.

This leaves an unallocated balance of £100,300.

Decision:

Bury's Schools' Forum recommend the allocation of CSSB budgets as outlined to the applicable services for 2024-25 and to transfer the remaining balance to the High Needs Block in support of the DSG Management Plan.

The report set out the National Funding Formula for 2024- 25 and the variation 2024 -25 to 2023-24 as:

4. High Needs Block

It was explained that high needs funding is provided to local authorities through the high needs block of the DSG, enabling them to meet their statutory duties under the Children and Families Act 2014. The overall amount of grant in the 2024-25 High Needs Block has increased by 3.8%. The final allocations include adjustments for:

- October 2023 Special Schools census data;
- the new Brookhaven School (academy);
- hospital education funding – the 2024-25 allocation is lower than the final 2023-24 allocation which included additional funding in relation to September to March 2022-23.

Further updates on the High Needs position will be brought to future Schools' Forum meetings, including monitoring reports on the delivery of the Safety Valve agreement.

5. Early Years Block

It was reported that the Early Years Block would be adjusted in-year 2024 -2025 in respect of to fluctuations in Early Years Participation. The final funding allocation is based on two sets of data:-

January 2024 accounts for April 2024 to August 2024 (5/12ths)

January 2025 accounts for September 2024 to March 2025 (7/12ths)

Therefore the funding received from the DfE is based on take up of places as at the two census dates. The Authority funds Early Years providers on actual take up of places, as notified by providers through the Early Years Portal which means that there is inevitably a variance in the funding allocated and the actual costs each year. The free childcare offer will

be extended so that eligible working parents in England will be able to access 30 hours of free childcare per week for 38 weeks per year from the term after their child turns 9 months to when they start school. The initial indicative funding for 2024-25 is therefore significantly higher than in 2023- 24.

A table setting out the figures and variation was included in the report.

Included with the papers was the Early Years Funding Consultation paper.

For 2024-25 Local authorities are required to pass-through at least 95% of funding for each of the following funding entitlement streams individually:

- 3 & 4YO entitlements (no change)
- Under 2s
- 2YO disadvantaged offer
- 2YO working parents

This pass-through requirement ensures that most of the government funding reaches providers so that they can deliver the government's free entitlements. Bury has historically passported more than the minimum requirement for 2, 3 and 4 year-olds.

It should be noted that the DfE has indicated that the minimum 95% pass-through requirement is likely to be increased in future years, following the increase in Early Years funding.

The percentage retained by Local Authorities is used to contribute to Early Years SEN inclusion costs, central support services covering advisory support, sufficiency requirements, free entitlement eligibility checking, and management and administration of the complex Early Years Single Funding Formula determinations, allocations, systems, and statutory reporting requirements.

A table showing the proposed Central Early Years budget was included in the report.

Decision:

Bury's Schools' Forum approve the allocation of the Early Years Block as set out in the report.

6. Pupil Premium Grant

School PPG allocations are now aligned to the annual October census used for main school funding purposes.

LAC PPG is still determined using the Local Authority Looked After Children return (SSDA903) as at 31 March each year. This element of the PPG is managed by the Virtual School.

This means that schools may see an in-year reduction in their 2024-25 FSM PPG allocation if a pupil is subsequently identified as LAC on the March 2024 data return. Revised allocations are issued at the end of December each year.

7. Teachers' Pay Additional Grant

It was explained that the government had announced £525 million in 2023 -24 to support schools with the September 2023 teachers' pay award with a further £900 million in 2024-2025. This is in addition to schools' allocation through the schools national funding formula.

The 2024-25 indicative allocation for Bury was reported as £2.6 million. School-level allocations will be published in May 2024.

The funding rates consist of the following 3 elements, which are based on factors already in the schools national funding formula:

- a basic per-pupil rate (with different rates for primary, key stage 3 and key stage 4);
- a lump sum paid to all schools, regardless of pupil numbers;
- a per-pupil rate for pupils who are recorded as having been eligible for free school meals at any point in the last six years (FSM6), with different rates for primary and secondary pupils.

Grant will be calculated by multiplying the relevant funding rates using data from the October 2023 census. The Area Cost Adjustment (ACA) will then be applied.

Maintained mainstream school budget statements issued in February will include an indicative allocation for this grant.

Mainstream academies will receive a further allocation for the period April to August 2025.

Special schools will receive funding at £466 per place plus ACA. The indicative 2024- 25 allocation for Bury is £297k. School-level allocations will be published in May 2024.

The TPAG will not continue as a separate grant in 2024-25 for early years as that funding has been rolled into the core Early Years DSG funding.

8. Teachers Pensions Increase from April 2024

The outcome of the valuation of the Teachers' Pension Scheme confirmed a need to increase the employer contribution rate. The rate has increased by 5% to 28.6% from 1st April 2024, to ensure that the Scheme continues to meet present and future obligations.

DfE has secured additional funding, to cover the increase in the employer contribution rate for directly funded scheme employers for the financial year 2024-25 to be distributed via a separate grant.

6. REVIEW OF DE-DELEGATION OF THE DEDICATED SCHOOLS GRANT

It was explained that for maintained mainstream schools the formula mechanism contains options for schools to choose to de-delegate an amount from their formula allocation to contribute to Local Authority services that work to support them. Academies can buy back any of these services.

At the last meeting of the Schools' Forum held in November 2023 it was requested that more information be provided in relation to each of the areas included.

Free School Meals Benefits Checking.

This service is carried out by the Revenue and Benefits Team within the LA. The number of children who are entitled to free school meals has a direct correlation with the amount of Pupil Premium Grant and school budget deprivation funding that a school can be allocated with a reduction in numbers meaning a reduction in grant and school budget received.

Joanne Burns representing NASUWT explained that this could be a mammoth tasks to some schools if they had a large number of pupils who are entitled to free school meals.

Decision:

The Schools Forum agreed option 1: to continue to provide de-delegation funding for this service at £5.51 per FSM6.

Trade Union Facilities Time

The de-delegated funding for Trade Union Facilities funds the entitlement to time off for teacher trade union duties and activities.

It was explained that in LAs where this funding was not de-delegated individual schools manage their own facility time arrangements, buy into services or pool funding with other schools.

Without de-delegation, or a high level of buy-back from maintained schools and academies it is possible that there would not be sufficient funds for locally co-ordinated arrangement and schools may need to arrange their own facility time arrangements.

Helena Thom representing NEU explained that the present system gives employers the ability to allow union employees reasonable time to carry out their union duties in line with the Trade Union Act 2016. Helena also referred to the Greater Manchester Good Employers Charter which Bury was a part of.

Decision:

The Schools' Forum agrees option1: continue to provide de-delegation funding for this service at £4.41 per pupil.

Local Authority School Improvement

The way in which the Local Authority School Improvement service is funded has changed with the School Improvement Monitoring and Brokerage grant received from government removed, and the ability for de-delegation of funding to be used when approved by Schools' Forum. This funding was agreed by Schools' Forum in 2023/24 and it is proposed to continue with this funding at a value of £15.75 per pupil for 2024/25 (£15.00 in 2023/24).

Academies do not benefit and are charged separately apart from the universal QA visit, however not all academies take this up.

There were discussions around the need to look at how this would be funded in the future with more schools becoming academies and Paul Cook stated that it would be reviewed going forward.

Decision:

The Schools' Forum agrees option1: Continue to provide de-delegation funding for this service at £15.75 per pupil for 2024/25.

Schools Causing Concern

As a local authority, the service works within the "Schools Causing Concern" guidance (updated Jan 2024). This details schools that are eligible for intervention. In addition to this the Schools' Assurance Team use information from quality assurance visits to analyse where there is need. Funds are then allocated to maintained schools to address specific needs.

Early intervention is a key use of this fund for maintained schools.

Decision:

The Schools' Forum agree option 1 – continue to provide de-delegation funding for this service at £6.62 per pupil for 2024/25.

Rachel Parrs
Chair

Note: The meeting started at 4pm and ended at 5.05pm

This page is intentionally left blank

Bury Council

Department for Children and Young People

For information

Dedicated Schools Grant (DSG) Deficit Position 2023-24

The Council had a deficit position of £18.601m at the beginning of the 2023-24 financial year. During the financial year, finance have continued to review the charges made against the DSG, whilst the service has worked on making savings where possible.

Due to the ongoing significant demand for high needs funding, the Council has agreed a revised DSG deficit recovery plan with the Department for Education (DfE), which extends the period for deficit recovery until 2028-29.

The Council's financial accounts have now been prepared with the DSG deficit position at the end of the 2023-24 financial year (pre audit) standing at £18.459m, an improved position of £0.141m

The work on the PSV workstreams, and reducing expenditure, is paramount in ensuring a balanced position in the High Needs Block and a continued reduction in the carried forward DSG deficit position.

Prepared by
Alison Vidler – A.Vidler@bury.gov.uk

This page is intentionally left blank

Bury Council

Department for Children and Young People

For information

Schools Balances

Schools Balances brought forward from 2022-23 totalled £4.681m. At the end of the 2023-24 financial year, the Schools Balances totalled £2.555m, a total reduction of £2.125m. These numbers do not include academies that the Local Authority does not report on.

The outturn position is split as follows:

2023-24 Closing School Balances £	
Nursery	110,143
Primary	220,808
Secondary	1,374,206
Special	849,941
Total	2,555,098

Included at Appendix 1 is the School Balances detail per Bury School.

It should be noted that, as shown at Appendix 1, the number of schools which are in a deficit position has increased from 13 at the end of 2022-23, to 17 at the end of the 2023-24 financial year.

Other areas to note

All schools are facing increasing cost pressures, particularly in relation to staff and energy costs. Energy costs for 2024-25 are expected to be lower than in 2023-24. Many Primary schools are facing additional pressures due to a reduction in pupil numbers. Academy schools, that have recently converted, are still included if the balance at conversion has not yet been finalised. However, academies funding is not included in the Council's figures once the balances at conversion are finalised. The surplus balances, for schools that converted in the 2023-24 financial year, were transferred to the academy trusts after finalisation of the accounts in accordance with Department for Education (DfE) guidelines. These were:

Park View Primary;
St. Joseph's & St. Bede RC Primary;
St. Stephen's CE Primary (balance transferred after 31st March)

St. Michael's RC Primary had a deficit balance remaining at conversion and, as this was a sponsored conversion, the deficit was transferred to the Local Authority.

There are 7 schools with a surplus above the recommended maximum percentage of 8% for Nursery, Primary and Special Schools and 5% for High Schools. These schools are shaded blue.

17 schools ended the year with a deficit and these schools are shaded red. Schools are required to adhere to their budget limits but, in the event of an unplanned deficit occurring, this will be deducted from the following year's budget share. Schools that aren't able to produce a balanced budget for 2023-24 can request approval to set a deficit budget by submitting a deficit recovery management plan to the Executive Director of Children and Young People. The deficit should normally be recovered within two years.

There are 10 schools that cannot currently set a balanced budget for 2023-24. Deficit recovery management plans for 9 of these schools are currently being reviewed by Finance staff before submission for approval. The tenth school has converted to academy status since 1st April and, as this was not a sponsored conversion, the final deficit balance will transfer to the Academy Trust.

SCHOOL BALANCES 2023-24

School Name	Revised Budget	Net Spend	2023-24 Balance	%	2022-23 Balance	%
Manchester Mesivta	1,385,376	1,339,008	46,367.44	3.3%	145,581.24	10.2%
Parrenthorn High	6,571,139	6,287,432	283,707.07	4.3%	293,095.66	4.8%
Philips High	5,897,519	5,512,292	385,227.31	6.5%	409,998.23	7.4%
The Derby High	6,450,258	5,725,570	724,688.12	11.2%	976,161.83	16.3%
The Elton High	6,374,793	6,440,578	-65,784.22	-1.0%	26,252.76	0.4%
Hoyle Nursery School	727,178	617,035	110,143.45	15.1%	122,872.19	16.7%
All Saints C of E Primary Stand	1,130,717	1,050,023	80,693.31	7.1%	91,285.41	8.5%
Bury and Whitefield Jewish Primary	636,568	963,570	-327,002.15	-51.4%	-203,276.45	-35.3%
Butterstile Primary	2,045,750	1,988,058	57,692.59	2.8%	74,274.24	4.0%
Cams Lane Primary	1,068,050	1,050,729	17,321.28	1.6%	89,136.73	8.9%
Chantlers Primary	1,465,191	1,430,706	34,484.68	2.4%	175,131.87	13.2%
Chapelfield Primary	1,466,024	1,474,580	-8,556.43	-0.6%	-18,939.63	-1.3%
Chesham Primary	1,479,760	1,453,099	26,661.32	1.8%	-38,327.40	-2.5%
Christ Church Ainsworth C of E Primary	1,237,510	1,261,860	-24,349.56	-2.0%	-783.60	-0.1%
Emmanuel Holcombe C of E Primary	583,335	709,108	-125,772.50	-21.6%	9,465.57	1.6%
Fairfield Community Primary	1,314,897	1,213,404	101,493.65	7.7%	108,558.94	8.7%
Greenmount Primary	1,060,832	1,062,036	-1,204.09	-0.1%	69,938.84	6.5%
Guardian Angels RC Primary Bury	1,157,377	1,148,978	8,398.69	0.7%	13,139.06	1.2%
Hazlehurst Community Primary	957,684	870,841	86,842.94	9.1%	73,985.96	7.8%
Heaton Park Primary	2,129,118	1,976,247	152,870.28	7.2%	119,156.56	6.1%
Holcombe Brook Primary	1,299,622	1,254,732	44,890.02	3.5%	67,632.62	5.5%
Hollins Grundy Primary	1,027,763	1,027,446	316.94	0.0%	5,443.63	0.6%
Holly Mount RC Primary Bury	1,330,606	1,271,250	59,355.99	4.5%	96,106.63	7.5%
Lowercroft Primary	1,114,532	1,351,263	-236,730.63	-21.2%	-157,608.73	-14.5%
Mersey Drive Community Primary	1,371,150	1,342,705	28,444.23	2.1%	67,004.60	5.3%
Old Hall Primary	1,030,433	1,054,445	-24,011.98	-2.3%	-8,227.03	-0.9%
Our Lady of Grace RC Primary	1,458,525	1,505,209	-46,684.77	-3.2%	43,763.30	2.9%
Our Lady of Lourdes RC Primary	1,123,534	1,216,145	-92,610.40	-8.2%	-28,962.36	-2.8%
Ribble Drive Community Primary	1,012,074	1,001,173	10,900.76	1.1%	94,825.51	9.2%
Sedgley Park Community Primary	1,545,832	1,490,887	54,945.43	3.6%	47,736.16	3.2%
St Andrew's C of E Primary Radcliffe	1,267,875	1,312,259	-44,383.88	-3.5%	5,473.96	0.5%
St Andrew's C of E Primary Ramsbottom	1,118,455	1,114,529	3,925.20	0.4%	110,998.41	9.3%
St Bernadette's RC Primary Whitefield	1,584,656	1,560,047	24,608.19	1.6%	87,421.77	5.8%
St Hilda's C of E Primary	999,508	1,002,837	-3,328.85	-0.3%	-14,322.97	-1.5%
St John with St Mark C of E Primary	1,782,119	1,701,216	80,902.92	4.5%	-2,781.01	-0.2%
St Joseph's RC Primary Ramsbottom	946,489	1,058,007	-111,517.78	-11.8%	-33,431.87	-3.7%
St Luke C of E Primary	2,241,897	2,243,240	-1,342.89	-0.1%	46,051.67	2.2%
St Margaret's C of E Primary	1,126,237	1,239,155	-112,917.78	-10.0%	-24,649.29	-2.2%
St Marie's RC Primary Bury	1,257,242	1,219,072	38,170.34	3.0%	81,604.89	6.8%
St Mary's C of E Primary Hawkshaw	505,741	526,692	-20,950.38	-4.1%	11,944.09	2.3%
St Mary's C of Primary Prestwich	1,142,870	1,090,045	52,825.58	4.6%	41,511.24	3.9%

School Name	Revised Budget	Net Spend	2023-24 Balance	%
St Mary's RC Primary Radcliffe	1,878,911	1,878,953	-42.44	0.0%
St Paul's C of E Primary Bury	1,397,380	1,212,233	185,147.76	13.2%
St Peter's C of E Primary	1,299,055	1,270,690	28,364.26	2.2%
St Stephen's C of E Primary	789,449	744,470	44,978.27	5.7%
Whitefield Community Primary	1,041,286	949,795	91,490.79	8.8%
Woodbank Primary	1,544,547	1,458,058	86,488.63	5.6%
Secondary Pupil Referral Unit	2,772,585	2,583,988	188,597.46	6.8%
Cloughside	1,586,622	1,266,294	320,328.25	20.2%
Millwood Primary Special	4,661,711	4,320,695	341,015.72	7.3%
Total Balances	88,397,781	85,842,683	2,555,098.14	2.9%

2022-23 Balance	%
-71,916.84	-3.9%
144,697.12	10.8%
33,562.92	2.8%
38,796.60	3.2%
70,501.46	7.8%
47,194.03	3.3%
365,522.62	15.0%
215,037.50	17.2%
556,985.18	12.7%
4,730,527.61	5.3%

Deficit
Deficit £
Surplus
Surplus £
Net Variance

17
-1,247,191
33
3,802,289
2,555,098

12
-603,227
38
5,077,851
4,474,625

Nursery	727,178	617,035	110,143
Primary	51,970,600	51,749,792	220,808
Secondary	26,679,085	25,304,879	1,374,206
Special	9,020,918	8,170,977	849,941
Total	88,397,781	85,842,683	2,555,098

122,872
1,363,117
1,851,090
1,137,545
4,474,625

Bury Council

Department for Children and Young People

Bury Schools' Forum Representation – January 2024 Census

For information.

Membership of Schools forum should be proportionate to the number of pupils in maintained schools and academies.

Pupil numbers from the January 2024 census confirm Bury has 62% of its Primary and Secondary pupils in Academies and 38% in Maintained Schools. Forum representation also reflects the proportion of Secondary and Primary age children within each category, which confirms Academies with 43% Secondary and 57% Primary, and Maintained Schools with 40% Secondary and 60% Primary.

Despite the number of academy conversions during the current academic year, the current representation of Forum is as closely proportionate in percentage terms as it possibly can be. The current representation is summarised below.

Academies have 9 representatives; 4 Secondary (of which 2 are currently vacant), 5 Primary (of which 1 is currently vacant)

Maintained Schools have 5 representatives; 2 Secondary (of which 1 is currently vacant) and 3 Primary (of which 1 is currently vacant).

Member Type	Current Vacancies		Total
Academy High	2	2	4
Academy Primary	4	1	5
Academy Special	1	0	1
Pupil Referral Unit	1	0	1
Maintained Secondary	1	1	2
Maintained Primary	2	1	3
Maintained Special	1	0	1
16-19	1	0	1
Teachers Professional Assoc.	3	0	3
Early Years PVI	0	1	1
Governor	1	0	1
TOTAL	17	6	23

Future representation will continue to be updated to reflect pupil number proportions.

The table below shows the number of pupils per school and sector representation.

Prepared by

Alison Vidler – A.Vidler@bury.gov.uk

DfE School	Jan-24 Status June 2024			
4000 Unsworth ACADEMY	965 Academy High			
4001 Hazel Wood High School ACADEMY	732 Academy High			
4002 The Heys School ACADEMY	556 Academy High			
4003 St. Gabriel's R.C. High School	1046 Academy High			
4006 St. Monica's RC High School	1080 Academy High			
4020 Tottington High School ACADEMY	934 Academy High			
4026 Woodhey High School	1113 Academy High			
4603 Bury Church of England High School	843 Academy High			
Total Academy High	7269	8	18%	of Academies
2001 Radcliffe Primary ACADEMY	211 Academy Primary			
2002 Elton Primary ACADEMY	291 Academy Primary			
2003 Gorsefield Primary ACADEMY	279 Academy Primary			
2008 St. John's C.E. Primary ACADEMY	193 Academy Primary			
2009 Sunny Bank Primary ACADEMY	218 Academy Primary			
2010 Holy Trinity C.E. Primary ACADEMY	208 Academy Primary			
2011 Radcliffe Hall C.E./Methodist ACADEMY	263 Academy Primary			
2012 Greenhill Primary ACADEMY	242 Academy Primary			
2014 Woodbank Primary ACADEMY	269 Academy Primary	Converted 1 April 2024		
2016 Yesoiday HaTorah Girls ACADEMY	397 Academy Primary			
2017 Summerseat Methodist Primary ACADEMY	79 Academy Primary			
2018 St. Michael's R.C. Primary ACADEMY	166 Academy Primary			
2021 St. Stephen's C.E. Primary	181 Academy Primary	Converted 1 December 2023		
2022 Chesham Primary ACADEMY	305 Academy Primary	Converted 1 March 2024		
2023 Hazlehurst Primary ACADEMY	197 Academy Primary	Converted 1 March 2024		
2024 St. Paul's C.E. Primary ACADEMY	217 Academy Primary	Converted 1 May 2024		
2027 Butterstile Primary ACADEMY	376 Academy Primary	Converted 1 April 2024		
2030 Ribble Drive Community Primary ACADEMY	181 Academy Primary	Converted 1 April 2024		
2033 Higher Lane Primary ACADEMY	458 Academy Primary			
2035 Tottington Primary ACADEMY	305 Academy Primary			
2036 Cams Lane Primary ACADEMY	204 Academy Primary	Converted 1 April 2024		
2037 Heaton Park Primary ACADEMY	378 Academy Primary	Converted 1 April 2024		
2038 Park View Primary ACADEMY	412 Academy Primary	Converted 1 September 2023		
2041 Whitefield Community Primary ACADEMY	184 Academy Primary	Converted 1 April 2024		
2047 East Ward Community ACADEMY	428 Academy Primary			
2048 Springside Primary ACADEMY	226 Academy Primary			
2050 Unsworth Primary ACADEMY	216 Academy Primary			
3009 St. Thomas's C.E. Primary ACADEMY	393 Academy Primary			
3022 Wesley Methodist Primary ACADEMY	303 Academy Primary			
3326 St. Joseph & St. Bede R.C. Primary ACADEMY	309 Academy Primary	Converted 1 November 2023		
3333 Christ Church C.E. Primary ACADEMY	220 Academy Primary			
3335 St. Joseph's R.C. Primary ACADEMY	175 Academy Primary	Converted 1 May 2024		
3341 St. Bernadette's R.C. Primary ACADEMY	311 Maintained Primary	Converted 1 June 2024		
3350 St. Mary's R.C. Primary, Radcliffe ACADEMY	352 Maintained Primary	Converted 1 June 2024		
5200 Peel Brow Primary ACADEMY	118 Academy Primary			
5201 Yesoiday HaTorah Boys ACADEMY	385 Academy Primary			
Total Academy Primary	9650	36	82%	of Academies
Total Academies	16919	44	57%	of all Schools

DfE School	Jan-24	Status	June 2024			
4004 The Elton High School	1045	Maintained	High			
4005 Manchester Mesivta	220	Maintained	High			
4007 The Derby High School	949	Maintained	High			
4022 Parrenthorn High School	1031	Maintained	High			
4025 Philips High School	883	Maintained	High			
Total Maintained Secondary	4128	5	15%	of Maintained Schools		

2006 Fairfield Community Primary	211	Maintained	Primary			
2013 Chantlers Primary	268	Maintained	Primary			
2019 Old Hall Primary	189	Maintained	Primary			
2020 Lowercroft Primary	238	Maintained	Primary			
2029 Mersey Drive Community Primary	170	Maintained	Primary			
2032 Greenmount Primary	240	Maintained	Primary			
2039 Sedgley Park Community Primary	253	Maintained	Primary			
2042 Holcombe Brook Primary	261	Maintained	Primary			
2045 Chapelfield Primary	259	Maintained	Primary			
2046 Hollins Grundy Primary	209	Maintained	Primary			
3006 St. Peter's C.E. Primary	219	Maintained	Primary			
3015 St. Margaret's C.E. Primary	236	Maintained	Primary			
3016 Christ Church Ainsworth C.E. Primary	224	Maintained	Primary			
3017 All Saints C.E. Primary	208	Maintained	Primary			
3018 St. Andrew's C.E. Primary, Rams.	220	Maintained	Primary			
3320 Guardian Angels' R.C. Primary	205	Maintained	Primary			
3324 St. Marie's R.C. Primary	212	Maintained	Primary			
3328 Our Lady of Lourdes R.C. Primary	196	Maintained	Primary			
3330 Emmanuel Holcombe C.E. Primary	97	Maintained	Primary			
3332 St. Mary's C.E. Primary, Hawkshaw	94	Maintained	Primary			
3334 St. Mary's C.E. Primary, Prestwich	209	Maintained	Primary			
3336 Holly Mount R.C. Primary	271	Maintained	Primary			
3337 Our Lady of Grace R.C. Primary	286	Maintained	Primary			
3346 St. Andrew's C.E. Primary, Radcliffe	207	Maintained	Primary			
3348 St. Hilda's C.E. Primary	194	Maintained	Primary			
3349 Bury and Whitefield Jewish Primary	102	Maintained	Primary			
3352 St. John with St. Mark C.E. Primary	312	Maintained	Primary			
3353 St. Luke's C.E. Primary	423	Maintained	Primary			
Total Maintained Primary	6213	28	85%	of Maintained Schools		

Total Maintained	10341	33	43%	of all Schools		
-------------------------	--------------	-----------	------------	-----------------------	--	--

Total All Maintained + Academies	27260	77				
---	--------------	-----------	--	--	--	--

Proportionate Representation by Pupil Numbers				Forum Members	
January 2024 Pupil Census					
	Jan-24	%	% Pupils		% Forum
Total Academy High	7269	43%	27%	4	29%
Total Academy Primary	9650	57%	35%	5	36%
Total Academies	16919		62%	9	64%
Total Maintained Secondary	4128	40%	15%	2	14%
Total Maintained Primary	6213	60%	23%	3	21%
Total Maintained	10341		38%	5	36%
Total All Maintained + Academies	27260			14	

This page is intentionally left blank

PSV Update for schools

Jeanette Richards – Executive Director Children Services

Stephen Holden – Interim Director Education and Skills

A reminder of the context

Since 2020, Bury Council has participated in the Department for Education's (DfE's) Safety Valve programme (PSV).

The Safety Valve programme targets the Local Authorities with a high deficit in their Dedicated Schools Grant (DSG), providing targeted support and challenge to ensure their budget is sustainable in the future. Local authorities also receive additional funding as part of their agreed plan with the DfE.





Participation in the programme

An original agreement was entered into with DfE and published in March 2021, at which point the cumulative DSG deficit in Bury was £25.5m. We undertook to eliminate this deficit by the end of 2024/25 and committed to an associated management plan.

Pressures on the DSG were identified as primarily falling within the High Needs Block which is used for supporting children and young people from 0-25 who have Special Educational Needs and/or Disabilities (SEND). As such, the agreed action plan centred around strengthening the SEND offer to more sustainably meet the needs of children and young people.



Progress in delivery but ongoing challenges in tackling demand and cost

In early 2023, regular monitoring undertaken with DfE found that despite significant progress being made to meet the agreements outlined in the 2021 PSV plan there continued to be an increase in EHCPs in mainstream schools, an increase in out of borough placements and an increase in per head costs.

Updated modelling forecast that a cumulative deficit of £12m would remain by the original timeline to eliminate the deficit at the end of 2024/25 and as a result the terms of the agreement with DfE would not be met.

Our new plans

Over the subsequent months, Bury Council worked with DfE to produce an **updated management plan** which would allow for continued participation within the Safety Valve programme and an extension to the original timeline within which to eliminate the deficit.

An updated plan was submitted in October 2023 and is now with DfE awaiting final approval. In the meantime, Bury Council is fully committed to delivering against this updated plan which will **see the DSG deficit eliminated in the 2028/29 financial year.**

At present, the DSG deficit at the end of the current financial year (2023/24) is forecast to be £18.5m, which is **on track against the updated management plan**, but with significant pressures and risks in the system. To deliver on the plan we will need to be ambitious and make some tough decisions.

We can't do this alone and need the support of our schools – we are committed to working in true partnership with you.



OUR LIVE PROJECTS

Reduce EHCP demand by delivering on our Early Help strategy, including increased capacity, increased reviews, and strengthening of provision.

Early Years



Co-production of a Graduated Approach Toolkit, and support to schools to utilise and implement the toolkits.

Graduated Approach



Increase of Resourced Provision places, working with an estimated 13 schools to provide additional places.

Resourced provision



Strengthening the Alternative provision offer and the processes related to this, ensuring better outcomes and value for Money.

Alternative provision



Ensuring a timely effective review of EHCP cases to ensure that we are providing the right care and in a sustainable way.

EHCP reviews



Publish an up to date Local Offer and establish networks and engagement to strengthen communication of the local offer.

Local Offer



Increase of specialist school places through the delivery of two new schools and expansion of existing provision in Milwood.

Specialist schools



Reducing the number of children within EOTAS through reviews of cases and support and training to council and partner staff.

EOTAS



Ensuring that the decision making process is effective and efficient, and supports the right care to be put in place in-line with our new strategy and offer.

Process panels



Working together to create a shift to early identification and intervention through a programme of engagement and support.

Culture






Key developments to highlight

- Establishment of a Schools Inclusion team, including SEND and Inclusion Champions.
- Development of the Graduated Approach Toolkit and the comprehensive support to schools to implement the toolkit.
- Development of the Multi-agency inclusion panel, providing schools with one point for support
- Expansion of the EHCP team so each school has a named case worker and schools' involvement in the EHCP panel.
- Expansion of Special School provision and Resourced provision.
- Extension of the Autism in School project
- Further training and support for schools delivered through the SENCO network

Get in touch



If you have any
questions please
get in touch with
Stephen Holden

s.holden@bury.gov.uk

Pupil Place Planning Strategy 2023/24-2028/29 - Primary Schools

Introduction

Effective pupil place planning is a **fundamental element of the local authority's role as strategic commissioner of good school places**. It is under-pinned by the use of local area knowledge and data to identify any early warning signs of insufficient numbers of school places in specific parts of the authority, or where there may be too many places that impacts on the efficient use of resources. In the context of an increasing number of schools working within Trusts, the local authority must work with system partners including Trusts and Diocesan Boards to develop a strategic approach in response to the sufficiency of school places.

The DfE has recently published updated guidance for [making significant changes to an academy](#), which includes non-statutory guidance on collaborative school place planning and making organisational changes to academies.

The guidance sets out the sufficiency framework with clear expectations and clarification of the roles and responsibilities of local authorities, academy trusts, diocesan boards and other partners in the context of strategic place planning. These expectations are centred around collaboration, transparency, and early engagement on pupil place planning. The framework seeks to systemise the place planning process whilst recognising there cannot be a strict 'one size fits all' approach. The guidance states:

"It is for local authorities, academy trusts and local partners to balance the supply and demand of school places, in line with changing demographics locally. The number of places available should be increased in response to need and reduced/repurposed where they are no longer required. Local factors need to be carefully weighed up, along with considerations of the quality, diversity and accessibility of local provision – and the longer-term forecast demand for places – to determine the most appropriate approach in each area. All partners should be mindful of the need to strike the right balance between protecting parental choice and recognising financial pressures facing individual schools."

The DfE has also published trust quality descriptions which define their expectations of what academy trusts will deliver¹. These include an expectation that trusts work collaboratively with schools, trusts, local authorities, dioceses, parents and other partners to ensure the delivery of statutory functions and working collaboratively with local authorities to support them in the delivery of their place planning responsibilities, which apply both to mainstream and to specialist provision.

Assessment of potential impact in Bury

This paper is produced in the context of the sustained decline in the birth rate, and the impact that this is likely to have on the demand for school places. It sets out the updated position with regards to the supply of school places across the borough, looking at forecast demand for the next five years across the primary phase.

Current and forecast demand for places

School Year	Pupil Capacity	Demand	Surplus capacity
2023/24	16280	15845	2.7%
2024/25	16280	15388	5.5%
2025/26	16280	14881	8.6%
2026/27	16280	14383	11.6%
2027/28	16280	13846	14.9%
2028/29	16280	13480	17.2%

Forecast Position by Planning areas

The impact of falling rolls is not felt consistently across the borough, with forecast surplus capacity by 2028/29 for each of the six planning areas showing significantly different impact:

Planning Area	2023/24	2028/29
• Ramsbottom, Tottington and North Manor	11.9%	30.5%
• Bury West	1.1%	18.3%
• Bury East	0.2%	9.2%
• Radcliffe	16.3%	35.1%
• Whitefield	6.8%	16.8%
• Prestwich	7.8%	15.9%

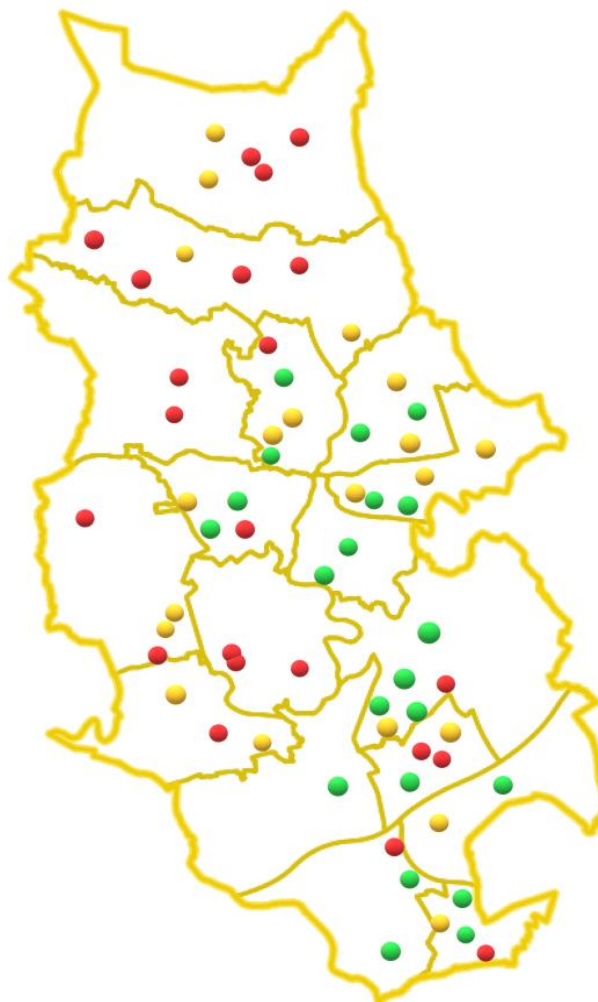
¹ Trust quality descriptions: <https://www.gov.uk/government/publications/commissioning-high-quality-trusts>

The map below shows the level of forecast surplus capacity in Primary Schools at 2028/2029

Red denotes over 25 % surplus capacity ●

Amber denotes between 11 and 25 % surplus capacity ●

Green denotes 10% and under surplus capacity ●



Draft Sufficiency Strategy

The draft strategy proposes a number of high-level ambitions/outcomes:

- That surplus capacity should not exceed 10% at LA level
- No school with forecast surplus capacity in excess of 25%
- No school with a deficit budget (or credible three-year recovery plan) through the life of the strategy (5 years)

Next Steps

Action	Who	Indicative Timescale
Confidential draft Strategy shared with Education Strategic Leadership Team for comment/input	ESLT	March 2024
Report to Executive	Stephen Holden/Paul Cooke	March 2024
Project Team established to collate additional relevant data	The team to comprise representatives from: • School Assurance • Place Planning/Sufficiency • Early Years • HR • Finance • SEND, Access & Inclusion • Asset Management • Strategy, Planning & Development • Early Help	April 2024
Programme of engagement with Key Partners Summary paper produced for wider circulation	• Academy Trusts – MAT CEOs • Salford Diocese • Manchester Diocese • Professional Associations • DfE	April/May 2024
Development of potential options in collaboration with partners that respond to the data	• Project Team • Key Partners	Summer Term 2024

Consultation on proposals		Autumn Term 2024
Further development of options		Spring Term 2025
Measures to work toward implementation		From Summer Term 2025 - Dependent upon individual solutions (see Statutory Processes section)

Factors for Consideration in the development of options

Published Admission Numbers

Throughout the borough, there are a number of schools that have irregular Published Admission Numbers (PANs) of 35/40 that can present challenges particularly when a school is not recruiting to that number. Primary schools have to comply with Infant Class Size legislation requiring classes of no more than 30 pupils in Key Stage 1 and so, whilst a school recruiting 30 pupils would require 3 classes with a commensurate teaching establishment, a school with a higher PAN recruiting 31 pupils would be required to have 4 classes. Reducing PANs is a means to reduce capacity and ensure more effective use of resources at school level in some circumstances.

Faith provision

Bury has a high proportion of faith schools serving the Anglican, Catholic and Jewish communities. When considering any reduction in the number of school places, there is an expectation that LAs maintain the proportion of faith school places across the borough.

Residential Development

Officers within the Department are working closely with colleagues in Strategy, Planning & Development to ascertain the impact of falling pupil rolls on the need for new provision linked to planned residential development, and are also working together on the Planning Policy Statement in respect of developer contributions to school places. Given the lengthy timescales for the proposed developments to be fulfilled, a wider long-term strategy (10-15 years) for the overall education estate will also be required.

Places for Everyone

A separate paper has been produced to look in detail at the cumulative effect of the development sites identified in the Places for Everyone Strategy on the supply and demand for school places. The forecasts shown in this paper do not include demand generated from these sites, because none of those sites have planning permission, and it is likely that a significant proportion of the demand generated from those sites will impact significantly beyond the five year planning window of this paper. Nevertheless, when developing a strategy in response to the forecast decline in pupil demand, consideration will be given to the likelihood and timing of future

development on these sites. It should also be noted that the scale of some of the proposed developments is such that they will need to be served by new schools appropriately located, and cannot rely on existing schools on the periphery of the development site.

The DfE has worked with the Office for National Statistics (ONS) to produce pupil yield data for all local authorities in England and this data has been used to model the impact of proposed housing development, taking into account existing demand pressures and forecast pupil numbers. The DfE pupil yield dashboard has then been used to produce the pupil yield for each of the proposed housing developments.

The tables below show the trajectory of the proposed housing developments and resulting pupil yield over the next five years:

Places for Everyone (PFE) housing supply - next 5 years															
Development name	Planning area	Homes 2023/ 24	Primary yield	Homes 2024/25	Primary yield	Homes 2025/26	Primary yield	Homes 2026/27	Primary yield	Homes 2027/28	Primary yield	Homes 2028/29	Primary yield	Total Homes	Total Primary yield
Northern Gateway - Heywood/Pilsworth	Whitefield & Unsworth	0	n/a	0	n/a	25	6	35	9	35	9	35	9	130	33
Northern Gateway - Simister	Prestwich	0	n/a	0	n/a	30	8	80	20	130	32	150	37	390	97
Elton Reservoir	Bury West	0	n/a	0	n/a	100	25	140	35	170	42	170	42	580	144
Walshaw/Elton Brook	Bury West	0	n/a	0	n/a	45	11	120	30	135	34	150	37	450	112
Total PFE homes/yield		0	n/a	0	n/a	200	50	375	94	470	117	505	125	1550	386

Other residential development

Housing supply (excluding PFE) - next 5 years														
Planning area	Homes - 2023/24	Primary yield	Homes - 2024/25	Primary yield	Homes - 2025/26	Primary yield	Homes - 2026/27	Primary yield	Homes - 2027/28	Primary yield	Homes - 2028/29	Primary yield	Total Homes	Total Primary Yield
Ramsbottom, Tottington & North Manor	63	16	53	13	76	19	58	14	76	19	27	7	353	88
Bury West	35	9	41	10	30	7	15	4	20	5	2	0.5	143	35.5
Bury East	83	21	89	22	123	31	237	59	63	16	144	36	739	185
Radcliffe	36	9	102	25	147	37	184	46	162	40	136	34	767	191
Whitefield & Unsworth	5	1	24	6	12	3	4	1	5	1	32	8	82	20
Prestwich	57	14	30	7	23	6	14	3	17	4	54	13	195	47
Total housing supply (excluding PFE)	279	70	339	83	411	103	512	127	343	85	395	98.5	2279	566.5
Total including PFE allocation	279		339		611		887		813		900		3829	

Development of Specialist Provision

Whilst the pupil population continues to fall, the proportion of those children and young people with Special Educational Needs and Disabilities (SEND), and those that go on to be assessed as requiring an Education, Health and Care Plan (EHCP) has increased significantly.

It is evident nationally that the proportion of children and young people presenting with additional learning needs is increasing, in Bury this growth against an already high baseline in the numbers of EHCP's is creating significant demand for specialist places.

This demand is set against an historically low capacity comprising a small number of Specialist Resourced Provision Units linked to mainstream schools, and two special schools. Consequently, the local authority is reliant on the use of independent non maintained special schools to meet the needs of a large number of children and young people requiring a special school place.

The Council has developed a specialist place sufficiency strategy that seeks to ensure access to a high quality continuum of provision, enabling the majority of children and young people with additional needs to access local provision, with appropriate capacity and resources to meet need. This includes the establishment of two new special schools through the DfE Special Free School Programme, expansion of Millwood Primary Special School, and an increase in the number of Specialist Resourced Provisions

in mainstream schools. With surplus capacity in mainstream provision, this provides an opportunity to further develop the specialist offer by utilising surplus accommodation.

Development of Early Years Provision

In the spring budget of 2023, the Chancellor announced that funded childcare hours would be extended to children of eligible working parents in England from nine months old to support increased parental engagement in the labour market. The measures announced will expand the existing system by offering up to 30 funded hours of childcare per week over 38 weeks of the year to children aged nine months and over whose parents meet the same income eligibility criteria as applied to the existing 30 hours entitlement for three and four-year-olds. The policy will have a phased rollout, with 15 hours per week for 38 weeks a year offered to eligible two-year-olds from April 2024 and to eligible children under two from September 2024. The new entitlement will be offered in full with effect from September 2025.

This suggests that there is an opportunity to respond to any requirement for growth in Early Years provision resulting from national changes to early years eligibility, utilising surplus accommodation. The demand for additional provision would need to be tested against early years sufficiency more widely, including that provided by private, voluntary and independent providers.

Wraparound Childcare Programme

In March 2023, the Chancellor announced a new national wraparound childcare programme to support families to access wraparound childcare from 8am to 6pm, providing local authorities with funding to set up and expand wraparound provision for primary school aged children from September 2024.

Wraparound childcare is childcare that ‘wraps around’ the conventional school day. It can also refer to provision in the school holidays. Provision can be offered by schools and private, voluntary and independent (PVI) providers (including childminders and early years settings) and can be run on a school site or at another setting in the area. The demand for potential additional provision would need to be tested against early years sufficiency more widely, including that provided by private, voluntary and independent providers.

The Changing Educational Landscape in Bury

A separate paper has been produced providing an update on the changing school landscape across Bury. It is written in the context of anticipated shift in proportion of schools operating within Trusts, with currently approximately 30% of Bury schools being Academies, but expected to rise to in excess of 50% by the end of the 2023/24 academic year, and the trajectory of conversions will continue into 2024/25, potentially rising to 80%.

In setting out its agenda for strong leadership and governance of schools, the Government believes that the consolidation of existing MATs, growing in size to provide sustainability, rather than supporting the establishment of new MATs is the way forward. More recently, the DfE has published guidance on commissioning high quality trusts which builds on this.

In addition, the Diocesan Education Authorities have determined their own frameworks, placing stipulations on the basis by which CE & Catholic schools can join Trusts. This will influence the trajectory for faith schools. From Salford Diocese, the stipulation is that all Catholic schools in Bury will join the St Teresa of Calcutta Catholic Academy Trust, alongside Catholic schools in Bolton and Rochdale. The Diocese has set out an indicative programme of conversion for Bury schools between now and 2026. Manchester Diocese academy strategy is less prescriptive in that CE schools should join one of the approved faith Trusts for which it has responsibility.

Crucially, the LA is the one organisation that has responsibility for place, both understanding the local context of communities and the schools that serve those communities, and being able to represent the wider interests of Bury and its residents

Included within the statutory duties of the local authority is the sufficiency duty to ensure the supply of sufficient high quality school places to meet the needs of the resident population. This potentially means provision of additional capacity where it is needed, in the form of extension to existing schools or academies or through the Free School programme, or the removal of places where there are too many places and falling school rolls. This latter aspect will become more critical given the current trajectory of falling rolls in primary schools. Furthermore, considering the longer term financial viability of individual schools will be a significant factor in Trusts' due diligence within the conversion process. There is a risk that without intervention in response to falling rolls, some schools will be perceived as being unsustainable and, as a consequence may be 'left behind' as schools join Trusts.

Pupil Forecast Planning Areas

For the purpose of analysis and planning for primary provision, the borough is divided into a number of planning areas which are agreed annually with the DfE for the purpose of the Annual School Capacity Survey (SCAP) return. This approach is consistent with other LA's, with 2,553 primary planning areas across 152 local authorities, each with typically between six and ten schools.

Guidance from the DfE states that effective pupil place planning is a fundamental element of the local authority's role as strategic commissioner of good school places. It is underpinned by the use of local area knowledge and data to identify any early warning signs of insufficient numbers of school places in specific parts of the authority. The basic unit of this local knowledge is the 'pupil planning area': a group of schools within the local authority which is used for the purpose of assessing current and future pupil demand for school place provision.

The DfE understands that the aggregated planning area data does not provide full visibility of place pressures if pressure is being masked by surplus capacity in other areas of the authority. Data at a lower granular level is thus recommended to provide a more accurate picture of place pressure, hence the requirement for planning areas.

The LA methodology enables forecasting to individual school level. With each level of forecasting from overall primary, to planning area, and then to individual school, there is an increasing risk to the accuracy of those forecasts because of the impact of parental preference, with the popularity of a school potentially changing over time. As a result, whilst the overall forecast demand may remain accurate, the distribution of that demand across geographical areas and individual schools may change.

Furthermore, the individual planning areas should not be considered in isolation because when choosing a school, parents generally have little regard to those notional boundaries.

Therefore, whilst the following area-based analysis illustrates the impact on each area, if we were to propose maintaining no more than 10% surplus capacity at area level, this is purely a guide. Any proposals will need to have regard to impact across neighbouring planning areas.

Forecast Position by Planning areas

Ramsbottom, Tottington and North Manor

SCHOOL NAME	SCHOOL CATEGORY (COMMUNITY/VC/VA, ACADEMY, UPCOMING ACADEMY)	ADMISSION NUMBER	ADMISSION CAPACITY
RAMSBOTTOM, TOTTINGTON AND NORTH MANOR PLANNING AREA			
EMMANUEL HOLCOMBE	VA	15	105
HAZLEHURST	NORTHERN EDUCATION TRUST	30	210
ST. JOSEPH'S R.C.	VA	30	210
ST. ANDREW'S C.E.	VC	35	245
PEEL BROW	VISION MAT	30	210
SPRINGSIDE	PRESTOLEE ACADEMY TRUST	35	245
SUMMERSEAT	EPWORTH EDUCATION TRUST	15	105
GREENMOUNT	COMMUNITY	35	245
HOLCOMBE BROOK	COMMUNITY	40	280
HOLLYMOUNT	VA	45	315
ST. MARY'S C.E. HAWKSHAW	VA	15	105
CHRIST CHURCH C.E. WALSHAW	SYCAMORE CE TRUST	35	245
TOTTINGTON PRIMARY	PRESTOLEE ACADEMY TRUST	45	315
TOTAL PAN/ADMISSION CAPACITY		405	2835

	AGREED CURRENT ADMISSION NUMBER	CURRENT ADMISSION CAPACITY	RECEPTION INTAKE 4+	5+ YR 1	6+ YR 2	7+ YR 3	8+ YR 4	9+ YR 5	10+ YR 6	NO. ON ROLL
RAMSBOTTOM, TOTTINGTON & NORTH MANOR PLANNING AREA										
2023/24	405	2835	336	338	323	337	377	397	391	2499
2024/25	405	2835	264	336	338	323	337	377	397	2372
2025/26	405	2835	267	264	336	338	323	337	377	2242
2026/27	405	2835	261	267	264	336	338	323	337	2126
2027/28	405	2835	252	261	267	264	336	338	323	2041
2028/29	405	2835	252	252	261	267	264	336	338	1970

If the principle of no more than 10% surplus capacity is applied to the planning area, this suggests the need to reduce capacity from 2835 places to 2188 places by 2028/9, an overall reduction of 647 places.

Applying the proposed target outcome of no school with greater than 25% surplus capacity, current forecasts indicate that by 2026 the majority of schools within the planning area would be impacted without intervention.

There is limited scope for residential development within the planning area that would be sufficient to impact on the forecast fall in pupil numbers, with the exception of those schools on the southerly boundary, particularly Christ Church, Walshaw and Tottington Primary, that will experience some increase in demand from the Places for Everyone development site in Walshaw. That site is expected to deliver 1,250 new homes, yielding up to 313 additional primary age pupils when fully developed over a ten year period. Assuming a start on site in 2025, the development will yield up to 112 primary age pupils by 2028/29. This has the potential to mitigate impact on those two schools, but some of the pupil yield arising from the development will also impact on Bury West.

The impact of this residential site will be considered when developing specific proposals, however it is unlikely to mitigate falling rolls for the majority of schools in this planning area.

Specialist provision (Resourced Provision) is being developed at Summerseat Methodist Primary School, responding to the school's strengths in SEN and inclusion, and utilising surplus accommodation.

By regularising Admission Numbers, reducing those schools with a PAN of 35/40 to a PAN of 30 would remove 210 places within the planning area once rolled out across all year groups.

Christ Church Walshaw have already formally consulted to reduce their PAN from 35 to 30 from their September 2025 intake.

Six of the thirteen schools in the area have maintained nursery classes delivering early years provision, although a number are operating significantly below capacity. This suggests that there is already capacity to respond to any requirement for growth in Early Years provision resulting from national changes to early years eligibility, but there may be an opportunity to develop new maintained nursery provision, utilising surplus accommodation, in the seven schools that don't currently have provision. The demand for additional provision would need to be tested against early years sufficiency more widely, including that provided by private, voluntary and independent providers.

Summerseat Methodist Primary School has also facilitated the establishment of private nursery provision located within its building, utilising surplus accommodation. This could not be established as a maintained nursery at the time given the schools Ofsted rating, but following an improved inspection outcome, the Trust now propose to re-establish the provision as a maintained nursery.

Six of the thirteen schools in the area are already operating within a Trust, with a number of other schools anticipated to convert within the next two years.

Bury West

SCHOOL NAME	SCHOOL CATEGORY (COMMUNITY/VC/VA, ACADEMY, UPCOMING ACADEMY)	ADMISSION NUMBER	ADMISSION CAPACITY
BURY WEST PLANNING AREA			
ELTON PRIMARY	BURY COLLEGE EDUCATION TRUST	45	315
WOODBANK	COLLECTIVE COMMUNITY TRUST	40	280
OUR LADY OF LOURDES	VA	20	140
OLD HALL	COMMUNITY	30	210
CHANTLERS	COMMUNITY	35	245
GREENHILL	FORWARD AS ONE ACADEMY TRUST	35	245
GUARDIAN ANGELS	VA	30	210
LOWERCROFT	COMMUNITY	35	245
ST.STEPHEN'S	SYCAMORE CE TRUST	30	210
TOTAL PAN/ADMISSION CAPACITY		300	2100

	AGREED CURRENT ADMISSION NUMBER	CURRENT ADMISSION CAPACITY	RECEPTION INTAKE 4+	5+ YR 1	6+ YR 2	7+ YR 3	8+ YR 4	9+ YR 5	10+ YR 6	NO. ON ROLL
BURY WEST PLANNING AREA										
2023/24	300	2100	271	290	277	303	299	309	327	2076
2024/25	295	2100	261	271	290	277	303	299	309	2010
2025/26	290	2100	234	261	271	290	277	303	299	1935
2026/27	290	2100	222	234	261	271	290	277	303	1858
2027/28	290	2100	219	222	234	261	271	290	277	1774
2028/29	290	2100	219	219	222	234	261	271	290	1716

If the principle of no more than 10% surplus capacity is applied to the planning area, this suggests the need to reduce capacity from 2100 places to 1906 places by 2028/29, an overall reduction of 194 places.

Applying the proposed target outcome of no school with greater than 25% surplus capacity, current forecasts indicate that by 2026 a minimum of two schools within the planning area would be impacted without intervention.

There is scope for residential development within this planning area. It is anticipated that Elton Primary and Lowercroft Primary will experience some increase in demand from the Places for Everyone development site in Walshaw. That site is expected to deliver 1,250 new homes, yielding up to 313 additional primary age pupils when fully developed over a ten-year period. Assuming a start on site in 2025, the development will yield up to 112 primary age pupils by 2028/29. Some of the pupil yield will also impact on Ramsbottom, Tottington & North Manor planning area.

Chantlers, Greenhill, Lowercroft and St Stephen's will experience some increase in demand from the Places for Everyone development site at Elton Reservoir. That site is expected to deliver 3,500 new homes, yielding up to 875 additional primary age pupils when fully developed. Assuming a start date in 2025, the development will yield up to 144 primary age pupils by 2028/29. Some of the pupil yield will also impact on Radcliffe planning area. The size of that development is such that it will also require additional capacity more appropriately located within the development.

Elton Primary School has a 10 place specialist unit for hearing impaired pupils. A 10 place Resourced Provision for Key Stage 2 pupils has been established at Our Lady of Lourdes, with a further 10 places planned for Key Stage 1 pupils. Specialist Resourced Provision is also being developed at Chantlers and Woodbank Primary Schools. This helps the financial sustainability of these schools but does not remove surplus capacity.

By regularising Admission Numbers, reducing those schools with a PAN of 35/40 to a PAN of 30 would remove 175 places within the planning area once rolled out across all year groups. Both Greenhill and Lowercroft have already formally consulted to reduce their PANs from 35 to 30, Greenhill will reduce to 30 for the September 2024 intake and Lowercroft will reduce to 30 from their September 2025 intake.

Six of the nine schools in the area have maintained nursery classes delivering early years provision and there is a private nursery on site at Old Hall.

Four of the nine schools in the area are already operating within a Trust, with a number of other schools anticipated to convert within the next two years.

Bury East

SCHOOL NAME	SCHOOL CATEGORY (COMMUNITY/VC/VA, ACADEMY, UPCOMING ACADEMY)	ADMISSION NUMBER	ADMISSION CAPACITY
BURY EAST PLANNING AREA			
CHESHAM	NORTHERN EDUCATION TRUST	45	315
ST.JOHN WITH ST.MARK	VC	45	315
ST.JOSEPH AND ST.BEDE	ST TERESA OF CALCUTTA CAT	45	315
ST.PAUL'S	VA	30	230
EAST WARD	VISION MAT	60	420
FAIRFIELD	COMMUNITY	30	235
HOLY TRINITY	SYCAMORE CE TRUST	30	210
ST.THOMAS'	SYCAMORE CE TRUST	60	360
ST.MARIE'S	VA	30	210
ST.LUKE'S	VC	60	420
ST.PETER'S	VC	30	210
TOTAL PAN/ADMISSION CAPACITY		465	3240

	AGREED CURRENT ADMISSION NUMBER	CURRENT ADMISSION CAPACITY	RECEPTION INTAKE 4+	5+ YR 1	6+ YR 2	7+ YR 3	8+ YR 4	9+ YR 5	10+ YR 6	NO. ON ROLL
BURY EAST PLANNING AREA										
2023/24	465	3240	453	466	436	468	466	474	471	3234
2024/25	465	3240	436	453	466	436	468	466	474	3199
2025/26	465	3240	385	436	453	466	436	468	466	3111
2026/27	465	3240	403	385	436	453	466	436	468	3047
2027/28	465	3240	398	403	385	436	453	466	436	2978
2028/29	465	3240	398	398	403	385	436	453	466	2940

Over the years Bury East has seen steady inward migration and it is an area where pupil demand remains consistently high. Bury East has been a particular ‘hot spot’ due to the extremely high demand for places mainly from international new arrivals due to low residential rental values in the area.

At school level, no individual school will have forecast surplus places in excess of 25%.

There is scope for some residential development within this planning area, with a potential cumulative yield of around 185 primary aged pupils over the next five years.

Five of the eleven schools in the area are already operating within a Trust, and it is anticipated that a number of others will convert within the next two years.

Nine of the eleven schools in the area have maintained nursery classes delivering early years provision, with places available. This suggests that there is already capacity to respond to any requirement for growth in Early Years provision resulting from national changes to early years eligibility. The need for additional provision would need to be tested against early years sufficiency more widely, including that provided by private, voluntary and independent providers.

All schools in this planning area have already regularised their Admission Numbers.

Radcliffe

SCHOOL NAME	SCHOOL CATEGORY (COMMUNITY/VC/VA, ACADEMY, UPCOMING ACADEMY)	ADMISSION NUMBER	ADMISSION CAPACITY
RADCLIFFE PLANNING AREA			
RADCLIFFE PRIMARY	BURY COLLEGE EDUCATION TRUST	50	350
ST. ANDREW'S CE RADCLIFFE	VA	30	210
WESLEY METHODIST	EPWORTH EDUCATION TRUST	45	315
CHRIST CHURCH AINSWORTH	VC	35	245
GORSEFIELD	FORWARD AS ONE ACADEMY TRUST	60	420
RADCLIFFE HALL	SYCAMORE CE TRUST	45	315
ST. MARY'S R.C. RADCLIFFE	VA	60	420
CHAPELFIELD	COMMUNITY	45	280
CAMS LANE	COLLECTIVE COMMUNITY TRUST	30	210
ST. JOHN'S CE RADCLIFFE	SYCAMORE CE TRUST	30	210
TOTAL PAN/ADMISSION CAPACITY		430	2975

	AGREED CURRENT ADMISSION NUMBER	CURRENT ADMISSION CAPACITY	RECEPTIO N INTAKE 4+	5+ YR 1	6+ YR 2	7+ YR 3	8+ YR 4	9+ YR 5	10+ YR 6	NO. ON ROLL
RADCLIFFE PLANNING AREA										
2023/24	430	2975	302	344	361	369	355	381	377	2489
2024/25	430	2975	262	302	344	361	369	355	381	2374
2025/26	430	2975	278	262	302	344	361	369	355	2270
2026/27	430	2975	266	278	262	302	344	361	369	2181
2027/28	430	2975	241	266	278	262	302	344	361	2053
2028/29	430	2975	241	241	266	278	262	302	344	1933

If the principle of no more than 10% surplus capacity is applied to the planning area, this suggests the need to reduce capacity from 2975 places to 2147 places by 2028/29, a reduction of 828 places.

Applying the proposed target outcome of no school with greater than 25% surplus capacity, current forecasts indicate that by 2025 a minimum of four schools within the planning area, rising to six schools by 2028, would be impacted without intervention.

There is scope for residential development within the planning area that may impact on the forecast fall in pupil numbers. St Andrew's, Wesley, Gorsefield and St Mary's will experience some increase in demand from the Places for Everyone development site at Elton Reservoir. That site is expected to deliver 3,500 new homes spanning a largely undeveloped area, yielding up to 875 additional primary age pupils when fully developed. Assuming a start date in 2025, the development will yield up to 144 primary age pupils by 2028/29. It is anticipated that some of the pupil yield will also impact on Bury West planning area. The size of that development is such that it will also require additional capacity more appropriately located within the development.

The impact of this residential site will be considered when developing specific proposals.

In addition to the PfE development, there is further scope for residential development within this planning area, with a potential cumulative yield of around 191 primary aged pupils over the next five years.

By regularising Admission Numbers, reducing those schools with a PAN of 35/50 to a PAN of 30/45 would remove 70 places within the planning area once rolled out across all year groups.

Eight of the ten schools in the area have maintained nursery classes delivering early years provision with places available. This suggests that there is already capacity to respond to any requirement for growth in Early Years provision resulting from national changes to early years eligibility. The need for additional provision would need to be tested against early years sufficiency more widely, including that provided by private, voluntary and independent providers.

Six of the ten schools in the area are already operating within Trusts, with a number of other schools anticipated to convert within the next two years.

Whitefield & Unsworth

SCHOOL NAME	SCHOOL CATEGORY (COMMUNITY/VC/VA, ACADEMY, UPCOMING ACADEMY)	ADMISSION NUMBER	ADMISSION CAPACITY
WHITEFIELD & UNSWORTH PLANNING AREA			
ST. BERNADETTE'S	VA	45	315
ALL SAINTS	VC	30	210
BURY & WHITEFIELD JEWISH	VA	30	210
HOLLINS GRUNDY	COMMUNITY	30	210
SUNNYBANK	VISION TRUST	30	210
UNSWORTH	OAK LEARNING PARTNERSHIP	30	210
RIBBLE DRIVE	COLLECTIVE COMMUNITY TRUST	30	210
ST. MICHAEL'S	ST TERESA OF CALCUTTA CAT	30	210
WHITEFIELD	COLLECTIVE COMMUNITY TRUST	30	168
MERSEY DRIVE	COMMUNITY	30	175
HIGHER LANE	VISION TRUST	66	462
TOTAL PAN/ADMISSION CAPACITY		381	2590

	AGREED CURRENT ADMISSION NUMBER	CURRENT ADMISSION CAPACITY	RECEPTION INTAKE 4+	5+ YR 1	6+ YR 2	7+ YR 3	8+ YR 4	9+ YR 5	10+ YR 6	NO. ON ROLL
WHITEFIELD & UNSWORTH PLANNING AREA										
2023/24	381	2590	342	344	327	351	345	340	366	2415
2024/25	381	2590	332	342	344	327	351	345	340	2381
2025/26	381	2590	298	332	342	344	327	351	345	2339
2026/27	381	2590	290	298	332	342	344	327	351	2283
2027/28	381	2590	275	290	298	332	342	344	327	2207
2028/29	381	2590	275	275	290	298	332	342	344	2155

If the principle of no more than 10% surplus capacity is applied to the planning area, this suggests the need to reduce capacity from 2590 places to 2394 places by 2028/29, a reduction of 196 places.

Applying the proposed target outcome of no school with greater than 25% surplus capacity, current forecasts indicate that by 2026 a minimum of three schools within the planning area would be impacted without intervention.

By regularising Admission Numbers, reducing those schools with a PAN of 35/40 to a PAN of 30 would remove 42 places within the planning area once rolled out across all year groups.

Six of the eleven schools in the area have maintained nursery classes delivering early years provision. This suggests that there is capacity to respond to any requirement for growth in Early Years provision resulting from national changes to early years eligibility, but there may be an opportunity to develop new maintained nursery provision in the five schools that don't currently have provision. This could utilize surplus accommodation. The need for additional provision would need to be tested against early years sufficiency more widely, including that provided by private, voluntary and independent providers.

Six of the eleven schools in the area are already operating within a Trust, with number of other schools anticipated to convert within the next two years.

Prestwich

SCHOOL NAME	SCHOOL CATEGORY (COMMUNITY/VC/VA, ACADEMY, UPCOMING ACADEMY)	ADMISSION NUMBER	ADMISSION CAPACITY
PRESTWICH PLANNING AREA			
HEATON PARK	COLLECTIVE COMMUNITY TRUST	60	420
ST. MARGARET'S	VC	35	245
BUTTERSTILE	COLLECTIVE COMMUNITY TRUST	60	410
OUR LADY OF GRACE	VA	60	345
ST. MARY'S C.E. PRESTWICH	VA	30	210
PARK VIEW	BURY COLLEGE EDUCATION TRUST	60	420
ST. HILDAS	VA	30	210
SEDGLEY PARK	COMMUNITY	40	280
TOTAL PAN/ADMISSION CAPACITY		375	2540

	AGREED CURRENT ADMISSION NUMBER	CURRENT ADMISSION CAPACITY	RECEPTION INTAKE 4+	5+ YR 1	6+ YR 2	7+ YR 3	8+ YR 4	9+ YR 5	10+ YR 6	NO. ON ROLL
PRESTWICH PLANNING AREA										
2023/24	375	2540	329	321	328	351	335	331	347	2342
2024/25	375	2540	301	329	321	328	351	335	331	2296
2025/26	375	2540	310	301	329	321	328	351	335	2275
2026/27	375	2540	276	310	301	329	321	328	351	2216
2027/28	375	2540	299	276	310	301	329	321	328	2163
2028/29	375	2540	299	299	276	310	301	329	321	2134

If the principle of no more than 10% surplus capacity is applied to the planning area, this suggests the need to reduce capacity from 2540 places to 2371 places by 2028/29, a reduction of 169 places.

Applying the proposed target outcome of no school with greater than 25% surplus capacity, current forecasts indicate that by 2027 a minimum of two schools in the planning area would be impacted without intervention.

By regularising Admission Numbers, reducing those schools with a PAN of 35/40 to a PAN of 30 would remove 105 places within the planning area once rolled out across all year groups. St. Margarets have already formally consulted to reduce their PAN from 35 to 30, they will reduce to 30 for the September 2024 intake.

Six of the eight schools in the area have maintained nursery classes delivering early years provision with places available. This suggests that there is already capacity to respond to any requirement for growth in Early Years provision resulting from national changes to early years eligibility, but there may be an opportunity to develop new maintained nursery provision in the two schools that don't currently have provision. This could utilise surplus accommodation. The need for additional provision would need to be tested against early years sufficiency more widely, including that provided by private, voluntary and independent providers.

Three schools in the area currently operate within a Trust with a number of other schools anticipated to convert within the next two years.

Sufficiency Strategy - Development of Proposals

Proposals will be developed in collaboration with key partners. In developing proposals that respond to the high-level ambitions/outcomes within the strategy, the following factors will be considered for each school:

- Pupil number demand and forecast, and surplus capacity at individual school level
- Financial analysis, including three/five year budgets based on forecast pupil numbers.
- Impact of individual school budget recovery plans – are the plans deliverable, sustainable, and what is the impact (ie teaching staff reductions)
- Performance, given the focus on sustainable high quality provision
- Location, and the proximity of other schools
- Condition of buildings, and implication of maintaining aging poor condition buildings
- Accessibility, and the importance of ensuring that access to buildings by those with disabilities is maintained.
- Faith, recognising the need to maintain the proportion of faith schools
- Trusts, recognising that Trusts with schools located in Bury will have a view on sustainability that may differ from the LA place based approach
- Likely impact of major residential growth (within reasonable timescales)

From this, a number of scenarios can be considered in order to develop proposals in conjunction with partners. This might include:

- Rationalisation of admission numbers – where this can enable more cost-effective use of resources
- Redesignation/re-use of accommodation for other purposes – eg. development of specialist provision/early years provision/early help/family hub
- Opportunities for revised governance/leadership models across groups of schools. eg executive Head/Head of school; hard federations; Trust Development
- School closure (amalgamation/merger)
- School closure (outright closure)

Consultation with key stakeholders:

- Executive
- Cabinet Member/ Elected Members
- Heads Reference Group/Strategic Education Board
- Diocesan Boards of Education
- School Leaders/Governing Bodies
- MAT CEO's
- DfE
- Professional Associations

Statutory Processes

Rationalisation of admission numbers

As the admission authority for community and voluntary controlled schools in Bury, the LA is responsible for determining their admission arrangements. Academies and voluntary aided schools are their own admissions authorities and as such are responsible for determining their own admission arrangements.

In accordance with the School Admissions Code (the Code), when changes are proposed to admission arrangements all admission authorities must consult on their admission arrangements that will apply for admission applications the following school year. [The Code](#) sets out the process to be followed by admission authorities when proposing a decrease in Published Admission Number. Academies are required by their funding agreements to comply with the Code and the law relating to admissions.

Consultation must last for a minimum of 6 weeks and must take place between 1 October and 31 January in the determination year. ***Therefore any further proposed reductions in PAN could take effect for admissions to Reception in 2026 at the earliest.***

Making significant changes to schools and academies

The statutory processes regarding making significant changes (such as change of age range or establishment of specialist resourced provision) differ for LA maintained schools and Academies. [The School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013 \('the Prescribed Alterations Regulations'\)](#) set out the process to be followed for LA maintained schools, whilst academies are required to follow statutory guidance on [making significant changes issued by the Department for Education](#).

The statutory process for making prescribed alterations to maintained schools has four stages comprising the publication of a statutory notice followed by a representation period of formal consultation during term time, statutorily lasting four weeks. Ordinarily the LA will be the decision maker on such proposals, and proposals must be determined within two months following publication. If a decision has been made, any referral to the adjudicator must be made within 4 weeks of the decision, or if the local authority has not decided a proposal within 2 months, it must refer the proposal to the Schools Adjudicator. There is no prescribed timescale for implementation of proposals, however this must be as specified in the published statutory notice, subject to any modifications decided by the decision maker. Although there is no longer a statutory 'pre-publication' consultation period for prescribed alteration changes, there is a strong expectation that governing bodies and local authorities will consult interested parties in developing their proposal prior to publication, to take into account all relevant considerations.

The DfE has recently updated its guidance on the processes to be followed by Academy Trusts proposing to make a significant change. Where the place planning process identifies a need to make 'significant' organisational changes to academies, the guidance sets out the process for academy trusts to make significant changes to the number, type or location of school places they offer.

'Significant changes' are those which may impact on the local school environment by creating, changing or removing the number and/or type of school places and/or where they are offered. Academy trusts must follow the required significant change process in advance of the change being made. Failure to do so will constitute a breach of the academy trust's funding agreement, which could result in further action taken by the department to address the breach. Applications should be submitted in good time, to allow for processing, to ensure that a decision can be made well in advance of when the change is planned to take effect. Local authorities may ask trusts to make changes to support them to fulfil their sufficiency duty. Where an academy trust has agreed to make a change that has been requested by the local authority, the trust must still follow the significant change process.

From April 2024 there will be three categories (or 'tiers') for the application and assessment process. Most significant changes are categorised as tier 1 (including removal of physical capacity, change of age range or adding a SEN unit or resourced provision). The application form requests core information about the change and asks key questions to determine the appropriate level of scrutiny required. Broadly speaking, where departmental checks confirm that the change is proposed by a strong school in a strong trust, has local support, there are no valid objections from the local authority, and (where applicable) evidence supports the need to increase/rationalise places, applications will move swiftly to approval. ***All changes requiring an application to the department also require a public consultation, which should be conducted ahead of the application being submitted.***

Reducing capacity includes taking space out of use, repurposing teaching space into non-teaching space, and closing additional sites. Local authorities and academy trusts are expected to work collaboratively to ensure the local school estate is managed efficiently and high levels of spare capacity are reduced or re-purposed where it would otherwise undermine the quality and financial viability of schools. Parental choice and other local factors should be carefully weighed up to determine the most appropriate approach in each area. The department will continue to support local authorities and trusts to work together to find appropriate local solutions, including repurposing existing accommodation.

In all cases, when applying to DfE trusts will be required to submit a written response from their local authority. Applications will be considered by the Department and determined by Regions Group and both the trust and the local authority will be informed that the change has been approved.

Closure

Given the scale of the challenges faced by the level of surplus capacity, it must be recognized that the need to bring forward proposals to close schools cannot be ruled out if this is considered to be the most appropriate solution.

The statutory processes regarding closure differ for LA maintained schools and Academies. Under s15 of the Education & Inspections Act 2006, a local authority can propose the closure of a community or voluntary school; and the governing body of a voluntary school may publish proposals to close its own school. The statutory process to be followed is set out in the [DfE Opening and closing maintained schools guidance](#). Alternatively, the governing body of a voluntary school may, subject to specified provisions, give the Secretary of State and the local authority at least 2 years' notice of their intention to close the school.

It is a statutory requirement to consult any parties the proposer thinks appropriate before publishing proposals to close a maintained school. The proposer may use the consultation to consider a range of options for the future of a school (e.g. amalgamation, academy conversion, federation or closure). However, the proposer must then

publish specific proposals. It is these specific proposals setting out details the school to be closed which can be commented on or objected to during the statutory representation period. It is for the proposer to determine the nature and length of the pre-publication consultation. It is best practice for consultations to be carried out in term time to allow the maximum number of people to respond. Proposers should have regard to the Cabinet Office guidance on consultation principles² when deciding how to carry out the consultation period.

A statutory proposal should be published within 12 months of the initial consultation period being completed. This will be followed by a statutory four week representation period of formal consultation. Ordinarily the LA will be the decision maker on a school closure proposal, unless the closure proposal is 'related' to another proposal that is to be decided by the Schools Adjudicator. There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation. However, decision makers should be confident the proposers have good justification (for example an authority-wide reorganisation) if they propose a timescale longer than 3 years.

DfE guidance sets out the process to be followed for [closure of an academy by mutual agreement](#). The guidance supports academy trusts to understand when the closure of an academy might be an appropriate solution to address standards and/or viability issues, including in areas where there are surplus places and there is no predicted increase in the need for places in the medium to long term.

Before deciding to close an academy, the academy trust and the DfE Regional Director (RD) should consider whether other types of changes, such as an academy transfer, amalgamation, or reduction in the Published Admission Number (PAN) and/or reorganisation of the school estate more broadly, could provide a realistic alternative to academy closure.

Managing surplus capacity is about considering a range of options for the reutilisation and reconfiguration of space, and in some circumstances, closure. Mutually agreed closure can curtail prolonged decline in standards and viability, and as such, support better educational outcomes for pupils. Where there are low pupil numbers with limited prospect of increasing numbers through recruitment, academies should consider area-based solutions for removing surplus capacity, including: amalgamations with other local schools, reduction of PAN, the reutilisation of part of the academy premises for other purposes (such as nursery or special educational needs and disability (SEND) provision), or, where appropriate, academy closure. Local authorities have overall responsibility for local place planning and academy trusts play an important role in supporting local authorities to manage the school estate effectively. In the case of church schools, the diocese will work in partnership with the local authorities in place planning. If an academy trust is considering the future viability of its school, it will need to work collaboratively with RDs, local authorities, other academy trusts and academies, dioceses and the governing bodies of other schools in the area to ensure that decisions are made in the best interests of pupils.

The guidance sets out an expectation that academy trusts will work collaboratively with the DfE's Regional Directors (RDs) and local authorities, and – where applicable – trustees of the school and the appropriate religious authority. Just as it is important that academy trusts and (where relevant) dioceses support local authorities in providing additional places where they are needed, it is equally important that they support the removal of surplus capacity in the system, where there is no forecast increase in the need for school places in the medium to long term.

² <https://www.gov.uk/government/publications/consultation-principles-guidance>

This page is intentionally left blank

Bury Council

Department for Children and Young People

For Approval

Proposed revisions to the Scheme for Financing Schools

Any references to the Management Handbook have been removed, as this is no longer in use. Links to online guidance have been added where relevant.

The following sections have been updated to reflect changes in Government guidance, or to reflect current practices.

- 5.2 Proportion of Budget Share Payable at Each Instalment
- 5.8 Borrowing by Schools
- 6.8 Balances of Closing and Replacement Schools
- 7.4 Income from the Sale of Assets
- 10.5 Teachers' Pensions (only the date of the current Regulations)
- 12.1 Insurance Cover
- 13.2 Liability of Governors
- 14.1 Responsibility for Repairs and Maintenance (only the de-minimis)
- 15.1 Community Facilities: Consultation with the Authority – Financial Aspects
- 15.8.2 Community Facilities: Insurance

Prepared by
Alison Vidler – A.Vidler@bury.gov.uk

This page is intentionally left blank

SCHEME FOR FINANCING SCHOOLS

Effective April 2024

Contents

1. SUMMARY.....	6
1.1 About this guidance	6
1.2 Directed revisions.....	6
1.3 Other important changes to the guidance	6
2. THE OUTLINE SCHEME	7
3. INTRODUCTION.....	9
3.1 The Funding Framework	9
3.2 The Role of the Scheme	10
3.3 Application of the Scheme to the Authority and Maintained Schools	10
4. FINANCIAL CONTROLS	12
4.1 General Procedures.....	12
4.1.1 Application of Financial Controls to Schools.....	12
4.1.2 Provision of Financial Information and Reports	12
4.1.3 Payment of Salaries; Payment of Bills.....	12
4.1.4 Control of Assets	13
4.1.5 Accounting Policies (including year-end procedures).....	13
4.1.6 Writing Off Debts	13
4.2 Basis of Accounting	13
4.3 Submission of Budget Plans	14
4.3.1 Submission of Financial Forecasts.....	14
4.4 School Resource Management	14
4.5 Virement	15
4.6 Audit: General	15
4.7 Separate External Audits.....	15
4.8 Audit of Voluntary and Private Funds	15
4.9 Register of Business Interests	15
4.10 Purchasing, Tendering and Contracting Requirements	16
4.11 Application of Contracts to Schools	16
4.12 Central Funds and Earmarking.....	17
4.13 Spending for the Purpose of the School	17
4.14 Capital Spending from Budget Shares.....	18
4.15 Notice of Concern	18
4.16 Schools Financial Value Standard (SFVS).....	19
4.17 Fraud	20

5.	INSTALMENTS OF THE BUDGET SHARE; BANKING ARRANGEMENTS	21
5.1	Frequency of Instalments.....	21
5.2	Proportion of Budget Share Payable at Each Instalment	21
5.3	Interest Clawback.....	22
5.4	Interest on late budget share payments	22
5.5	Budget Share for Closing Schools.....	22
5.6	Bank and Building Society Accounts	22
5.7	Restrictions on Accounts.....	22
5.8	Borrowing by Schools.....	23
5.9	Retention of Records.....	23
5.10	VAT	24
6.	THE TREATMENT OF SURPLUSES AND DEFICIT BALANCES ARISING IN RELATION TO BUDGET SHARES	25
6.1	The Right to Carry Forward Surplus Balances.....	25
6.2	Controls on Surplus Balances.....	25
6.3	Interest on Surplus Balances.....	27
6.4	Obligation to Carry Forward Deficit Balances	27
6.5	Planning for Deficit Budgets.....	27
6.6	Charging of Interest on Deficit Balances	27
6.7	Writing Off Deficits.....	27
6.8	Balances of Closing and Replacement Schools	27
6.9	Licensed Deficits.....	28
6.10	Loan Schemes	28
6.10.1	Credit Union Approach	28
7.	INCOME.....	29
7.1	Income from Lettings	29
7.2	Income from Fees and Charges.....	29
7.3	Income from Fund Raising Activities.....	29
7.4	Income from the Sale of Assets	29
7.5	Administrative Procedures for the Collection of Income.....	29
7.6	Purposes for which income may be used	30
8.	THE CHARGING OF SCHOOL BUDGET SHARES.....	31
8.2	Charging of Salaries at Actual Cost	31
8.3	Circumstances in which Charges may be made	31
9.	TAXATION	34
9.1	Value Added Tax.....	34

9.2	CIS (Construction Industry Taxation Scheme)	34
10.	PROVISION OF SERVICES AND FACILITIES BY THE AUTHORITY	35
10.1	Provision of Services from Centrally Retained Budgets	35
10.2	Provision of Services Bought Back from the Authority using Delegated Budgets ...	35
10.3	Packaging	35
10.4	Service Level Agreements	35
10.5	Teachers' Pensions	36
11.	PFI/PEP	37
12.	INSURANCE	38
12.1	Insurance Cover	38
13.	MISCELLANEOUS	39
13.1	Right of Access to Information	39
13.2	Liability of Governors	39
13.3	Governors' Expenses	39
13.4	Responsibility for Legal Costs	39
13.5	Health and Safety	39
13.6	Right of Attendance for Executive Director of Children's Services	40
13.7	Special Educational Needs	40
13.8	Interest on Late Payments	40
13.9	Whistleblowing	40
13.10	Child Protection	40
13.11	Redundancy / Early Retirement costs	40
14.	RESPONSIBILITY FOR REPAIRS AND MAINTENANCE	41
15	COMMUNITY FACILITIES	42
15.1	CONSULTATION WITH THE AUTHORITY – FINANCIAL ASPECTS	42
15.2	FUNDING AGREEMENTS – AUTHORITY POWERS	43
15.3	OTHER PROHIBITIONS, RESTRICTIONS and LIMITATIONS	43
15.4	SUPPLY OF FINANCIAL INFORMATION	43
15.5	AUDIT	44
15.6	TREATMENT OF INCOME AND SURPLUSES	44
15.7	HEALTH AND SAFETY MATTERS	45
15.8	INSURANCE	45
15.9	TAXATION	45
15.10	BANKING	46
	ANNEX A: MAINTAINED SCHOOLS COVERED BY THIS SCHEME – at 1 April 2024	47

ANNEX B: RESPONSIBILITY FOR REDUNDANCY AND EARLY RETIREMENT COSTS.....	48
ANNEX C: APPLICATION OF SCHEMES FOR FINANCING SCHOOLS TO THE COMMUNITY FACILITIES POWER.....	51
ANNEX D: EARLIER DIRECTED REVISIONS	52
ANNEX E: PRINCIPLES OF BEST VALUE	55
ANNEX F: CAPITAL / REVENUE SPLIT	57
ANNEX G: CONTACTS	65

1. SUMMARY

1.1 About this guidance

This statutory guidance is given by the Secretary of State pursuant to s.48(4) and paragraph 2A (2) of Schedule 14 to the School Standards and Framework Act 1998, School Standards and Framework Act 1998

Local authorities are required to publish schemes for financing schools, setting out the financial relationship between them and the schools they maintain.

1.2 Directed revisions

The Secretary of State may by a direction revise the whole or any part of the scheme as from such date as may be specified in the direction. In order to make a directed revision to schemes, the Secretary of State is required, by provisions in the School Standards and Framework Act 1998, to consult the relevant local authorities and other interested parties

There are no new directed revisions.

1.3 Other important changes to the guidance

The following updates have been made to reflect current policy positions and changes in legislation:

section 5.8: Borrowing by schools - updated guidance on borrowing to reflect the introduction of International Financial Reporting Standard 16 (IFRS16) and the Secretary of State providing blanket consent to certain categories of finance lease.

section 5.8: Borrowing by schools, first paragraph - the introduction of IFRS16 for local authorities from 1 April 2024 ends the distinction between operating and finance leases at maintained schools and in effect, all leases will be classified as finance leases for accounting purposes.

2. THE OUTLINE SCHEME

References throughout this statutory guidance to:

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

“the authority” means the local authority;

“maintained school” means Nursery, Primary, Secondary, Special including Pupil Referral Units, with delegated budgets as maintained by the Local Authority; and

“the Regulations” are to the School and Early Years Finance (England) Regulations 2024 made under the Act.

The Regulations state that schemes must deal with the following matters:

1. The carrying forward from one funding period to another of surpluses and deficits arising in relation to schools’ budget shares.
2. Amounts which may be charged against schools’ budget shares.
3. Amounts received by schools which may be retained by their governing bodies and the purposes for which such amounts may be used.
4. The imposition, by or under the scheme, of conditions which must be complied with by schools in relation to the management of their delegated budgets and of sums made available to governing bodies by the authority which do not form part of delegated budgets, including conditions prescribing financial controls and procedures.
5. Terms on which services and facilities are provided by the authority for schools maintained by them.
6. The payment of interest by or to the authority.
7. The times at which amounts equal in total to the school’s budget share are to be made available to governing bodies and the proportion of the budget share to be made available at each such time.
8. The virement between budget heads within the delegated budget.
9. Circumstances in which a local authority may delegate to the governing body the power to spend any part of the authority’s non-school’s education budget or schools budget in addition to those set out in section 49(4)(a) to (c) of the 1998 Act.
10. The use of delegated budgets and of sums made available to a governing body by the local authority which do not form part of delegated budgets.
11. Borrowing by governing bodies.
12. The banking arrangements that may be made by governing bodies.

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

3. INTRODUCTION

3.1 The Funding Framework

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

Under this legislation, local authorities determine for themselves the size of their schools' budget and their non-schools education budget, although at a minimum a local authority must appropriate its entire dedicated schools grant to its schools budget.

The categories of expenditure which fall within the 2 budgets are prescribed under regulations made by the Secretary of State, but included within the 2, taken together, is all expenditure, direct and indirect, on the local authority's maintained schools except for capital and certain miscellaneous items.

Local authorities may deduct funds from their schools' budget for purposes specified in regulations made by the Secretary of State under section 45A of the act (the centrally retained expenditure).

The amounts to be deducted for these purposes are decided by the local authority concerned, subject to any limits or conditions, including gaining the approval of their schools' forum or the Secretary of State in certain instances, as prescribed by the Secretary of State.

The balance of the schools' budget left after deduction of the centrally retained expenditure is termed the individual school's budget (ISB). Expenditure items in the non-schools' education budget must be retained centrally, although earmarked allocations may be made to schools.

Local authorities must distribute the ISB amongst their maintained schools using a formula which accords with regulations made by the Secretary of State and enables the calculation of a budget share for each maintained school.

This budget share is then delegated to the governing body of the school concerned, unless the school is a new school which has not yet received a delegated budget, or the right to a delegated budget has been suspended in accordance with section 51 of the Act.

The financial controls within which delegation works are set out in a scheme made by the local authority in accordance with section 48 of the act and regulations made under that section.

All proposals to revise the scheme must be approved by the schools' forum, though the local authority may apply to the Secretary of State for

approval in the event of the forum rejecting a proposal or approving it subject to modifications that are not acceptable to the authority.

Subject to any provision made by or under the scheme, governing bodies of schools may spend such amounts of their budget shares as they think fit for any purposes of their school and for any additional purposes prescribed by the Secretary of State in regulations made under section 50 of the Act.

Section 50 has been amended to provide that amounts spent by a governing body on providing community facilities or services under section 27 of the Education Act 2002 are treated as if they were amounts spent for the purposes of the school (section 50(3A) of the act).

A local authority may suspend a school's right to a delegated budget if the provisions of the authority's financial 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, under schedule 17 to the act.

Each local authority is obliged to publish each year a statement setting out details of its planned schools' budget and other expenditure on children's services, showing the amounts to be centrally retained and funding delegated to schools; after each financial year the authority must publish a statement showing outturn expenditure.

The detailed publication requirements for financial statements are set out in directions issued by the Secretary of State.

A copy of each year's budget and outturn statement should be made easily accessible to all schools.

3.2 The Role of the Scheme

This Scheme sets out the financial relationship between the maintained schools in Bury and the Authority. It contains requirements relating to financial management and associated issues which, once approved, are binding on both the Authority and on schools.

3.3 Application of the Scheme to the Authority and Maintained Schools

The arrangements as detailed in this Scheme apply to all community, voluntary, community special, Pupil Referral Units (PRU's) and foundation (including trust) schools in the area of, and maintained by, the Authority.

For information, the schools covered by the Scheme are listed in **ANNEX A**.

Although academies are outside the remit of this Scheme, they have a presence on the Schools' Forum, which is in accordance with the number of pupils in each category.

It should be noted that academies are funded in exactly the same way as a maintained Authority school through the schools' funding formula which is agreed annually by the Schools' Forum. This arrangement means that there is no financial advantage or disadvantage in a school converting to become an academy.

The school funding formula does not include the financial impact of the Authority's responsibilities that a school will inherit should they convert to be an academy.

3.4 Publication of the Scheme

The approved Scheme will be supplied to the Head Teacher and the Governing Body of each school covered by the Scheme. Any subsequent amendments will be notified to Head Teachers and Governing Bodies as and when they are approved by the Schools' Forum.

The approved Scheme will also be made available to a wider audience in accordance with the prescribed regulations. As a minimum the Scheme will be published on a website which is accessible to the general public. Any revised versions will be published by the date the revisions come into force and will include a statement to confirm the revised scheme comes into force on that date.

3.5 Revision of the Scheme

The approved Scheme will not be amended until any amendments have been the subject of a full consultation with schools and have been approved at Schools' Forum by members of the Forum representing maintained schools.

3.6 Delegation of Powers to the Head Teacher

It will be necessary for each Governing Body to determine the level of financial delegation to the Head Teacher and to clearly record such a decision within the minutes of the Governing Body. The level of delegation and any cash values should be considered annually by the Governing Body.

3.7 Maintenance of Schools

The Local Authority is responsible for maintaining the schools covered by the Scheme, and this includes the duty of defraying all the expenses of maintaining them (except in the case of a voluntary school where some of the expenses are, by statute, payable by the Governing Body). Part of the way an Authority maintains schools is through the funding system put in place under Sections 45 to 53 of the School Standards and Framework Act 1998.

4. FINANCIAL CONTROLS

4.1 General Procedures

4.1.1 Application of Financial Controls to Schools

Each Governing Body within the Scheme will be accountable to the Authority, through the Executive Director of Children's Services, for the financial management of its establishment and the Executive Director of Children's Services will be accountable to the Chief Finance Officer for the overall Education Budget. The Governors and Executive Director of Children's Services will observe all timetables for the purposes of closure of accounts, budget preparation and other financial matters as determined by the Chief Finance Officer and the Executive Director of Children's Services. All accounting policies required by the Authority will be observed by the Governing Body. The Council's officers shall have access to all financial and management records for the purpose of audit, inspection, and advice.

4.1.2 Provision of Financial Information and Reports

Governors will be required to manage the affairs of their establishment within the budget share allocated to them. As an aid to this objective the Governors will submit to the Executive Director of Children's Services their approved financial plan for the year within two months of receipt of their budget share statement and shall inform the Executive Director of Children's Services of all subsequent changes at least once per term.

Where electronic data exchange is in operation, officers of the Authority will have access to it in the same way as with paper records.

The form determined by the Authority for submission of information will so far as possible take account of the Consistent Financial Reporting framework and the desirability of compatibility with that framework.

4.1.3 Payment of Salaries; Payment of Bills

Payment of salaries, wages, compensation, and other emoluments will be made by the Chief Finance Officer or under arrangements approved by him. Each Head Teacher shall notify the Executive Director of Children's Services as soon as possible of all matters affecting the payment of such emoluments and in particular: -

- (a) appointments, resignations, dismissals, suspensions, secondments, and transfers;
- (b) absences from duty for sickness, maternity, or other reasons, apart from approved leave with pay;
- (c) changes in remuneration, other than normal increments and pay awards and agreement of general application;
- (d) information necessary to maintain records of service for superannuation, income tax, national insurance, and the like.

All time records or other pay documents shall be certified in manuscript by or on behalf of the Head Teacher.

Payment of invoices will be made against official orders where the work, goods or services have been received, carried out, examined, and approved, where the relevant expenditure has been properly incurred in line with the approved estimate set by Governors, where the invoice has been checked for accuracy, and has been checked to ensure it does not form a duplicate payment.

Payment of undisputed bills should be made promptly in accordance with the Authority's stated aim of complying with a three week deadline.

Procedures for payment may be through a school bank account or through the Authority's payment procedures if schools so wish.

4.1.4 Control of Assets

Inventories shall be maintained by all establishments in a form approved by the Executive Director of Children's Services. Records will be maintained of all moveable non-capital assets.

Each Head Teacher will be responsible for carrying out an annual check of all items on the inventory, for taking action where surpluses or deficiencies occur and for notifying Governors that the annual check has been carried out.

Items for disposal shall be notified to Governors for their approval, except where the Scheme of delegation allows this to be determined by the Head Teacher. Schools are free to determine their own arrangements for keeping a register of assets worth less than £1,000; however, they must keep a register in some form.

4.1.5 Accounting Policies (including year-end procedures)

The Authority will issue guidance from time to time relating to accounting procedures. Schools must adhere to the procedures or to guidance as issued.

4.1.6 Writing Off Debts

No debt shall be written off by Governors without permission from the Executive Director of Children's Services or the Chief Finance Officer. Requests for permission for write-offs will be in the Authority's prescribed format.

4.2 Basis of Accounting

To comply with the Authority financial requirements all accounting records shall be maintained on an accruals basis.

Schools are able to use what financial software they wish, provided they meet any costs of modification to provide output in the format required by the Authority.

4.3 Submission of Budget Plans

Unless otherwise stated Governing Bodies are required to submit their formal spending plans within two months of receiving their budget share, together with any assumptions taken into account in devising the plan. The Authority will provide schools with all income and expenditure data which it holds which is necessary to efficient planning by schools.

The budget plan must take full account of any estimated deficits / surpluses from the previous financial year.

Where changes occur during the year, Governing Bodies shall notify these changes to the Executive Director of Children's Services at least once per term.

The format of the spending plan will be determined by the Authority and will build upon the model which has been in use since the inception of Local Management. Information on the format and the levels of inflation applicable in any year will be made known to Governing Bodies at least annually. The form determined by the Authority for submission of information will so far as possible take account of the Consistent Financial Reporting framework and the desirability of compatibility with that framework.

4.3.1 Submission of Financial Forecasts

Schools are required to submit to the Authority a financial forecast covering each year of a multi-year period for which schools have been notified of budget shares beyond the current financial year. These forecasts may be used as evidence to support the Authority's responsibility for declaring their schools' adherence to the Schools Financial Value Standard and in support of the Authority's balance control mechanism.

4.4 School Resource Management

Schools must seek to achieve efficiencies and value for money, to optimise the effective use of their resources and to invest in teaching and learning, taking into account the Authority's purchasing, tendering and contracting requirements outlined in section 4.10

It is for Heads and Governors to determine at school level how to secure better value for money and to regularly review income and expenditure forecasts and seek to make improvements where necessary, using comparative analysis to other schools with similar characteristics.

In order to assist Heads and Governors in the exercise of their duty, **ANNEX E**, of this Scheme provides the principles of Best Value to be adhered to.

Schools should also refer to DfE guidance at: [School Resource Management](#)

4.5 Virement

Governing Bodies may wish to vire money between budget headings during the course of the financial year, and will be required to notify the Executive Director of Children's Services of any virements at least once per term. This should be done in accordance with the pre-agreed levels as identified in the schools' scheme of delegation.

4.6 Audit: General

Schools will be required to co-operate with the Authority's auditors where internal audits are carried out on behalf of the Chief Finance Officer. Schools will also be required to co-operate with the external auditors of the Authority. Schools are required to provide access to schools' records for both internal and external auditors.

4.7 Separate External Audits

Governing Bodies may use their school's budget share for the purposes of obtaining an external audit certificate where they feel this is warranted. Any such expenditure would be required to be clearly identified for the purposes of informing parents.

4.8 Audit of Voluntary and Private Funds

Where an employee controls unofficial or voluntary funds, by virtue of their office, the Governing Body must ensure that adequate arrangements exist for the regular audit of these funds. Audit certificates in respect of such funds shall be provided to the Executive Director of Children's Services on a regular basis.

In the event that such audit certificates are not provided, the Chief Finance Officer and the Executive Director of Children's Services shall have access to such records for inspection purposes.

4.9 Register of Business Interests

In line with the Standing Orders of the Council relating to schools with delegated powers, each Governing Body shall arrange to maintain a register to record the interests of Governors, employees and their immediate family in contracts and other matters.

The interests to be recorded for all identified above include:

- Any business interests;
- Details of any other educational establishment that they govern;
- Any Relationships between school staff and members of the Governing Body.

In all cases the register must be updated on a regular basis with notification of changes and through annual review of entries. The register must be made available for inspection by Governors, staff, parents and to the Executive Director of Children's Services and their officers on request.

The register must also be published, for example on a publicly accessible website.

4.10 Purchasing, Tendering and Contracting Requirements

In line with the requirements at 4.1.3, orders for goods, work and services must be made on an official order.

In line with Standing Orders of the Council relating to schools with delegated powers, each Governing Body should, wherever practicable, require the Head Teacher to obtain three estimates in writing for any contract for the execution of work or the supply of goods and services where the estimated value exceeds any pre-approved limits according to a school's scheme of delegation.

Every contract shall be in writing. Where the estimated value of any work is in excess of £15,000, Governing Bodies shall follow the procedures for advertising, tendering, and accepting tenders as laid down in the Standing Orders of the Council for schools with delegated powers.

From time to time the Authority will provide details of recommended suppliers and contractors which schools may wish to use. Where any work to be ordered may involve areas relating to health and safety, schools may wish to seek advice from the Authority on any insurance aspect of the work.

Where Governing Bodies use a contractor other than one recommended by the Authority, they should ensure that contractor has adequate cover in relation to health and safety issues as well as the level of insurance and advice may be sought from the Authority.

4.11 Application of Contracts to Schools

A central purchasing service will be available to schools which will aim to provide value for money to the Authority. Governing Bodies may wish to use this service to take advantage of bulk purchase facilities, but will be free to determine their own suppliers.

Where Governing Bodies have entered individually into contracts for premises cleaning or grounds maintenance, those contracts will stand until the agreed expiry date.

Governing bodies are empowered under paragraph 3 of schedule 1 to the Education Act 2002 to enter into contracts, however in most cases this is on behalf of the Authority as maintainer of the school and owner of the

funds in the budget share. Contracts may be made solely on behalf of the Governing Body when the Governing Body has clear statutory obligations e.g. contracts made by aided or foundation schools for the employment of staff.

4.12 Central Funds and Earmarking

The Authority may make available to schools further sums of money beyond the budget share. This may take the form of specific Government grant devolved to schools for clearly defined purposes or earmarked sums devolved by the Authority for specific initiatives. Such sums would not be able to be subject to virement for alternative use, except where the guidelines permit and should be treated at all times as separate from the school's budget share. Any earmarked funds, from whatever source, will be returnable to the Authority if not spent in-year.

The Authority cannot make any deductions, in respect of interest costs to the Authority, from payments to schools of devolved specific or special grant.

4.13 Spending for the Purpose of the School

Governing Bodies will be free to spend the school's budget share for any reasonable purpose which can be shown to help to educate the pupils in line with the National Curriculum and any specific targets which may be set.

In determining what may be termed "reasonable", Governing Bodies must have regard to the statutory requirements relating to the curriculum as a whole, including religious education and worship and with the statutory requirements relating to the special needs of statemented children.

Where the money to support a child with an EHCP forms part of the school's budget share Governors will be required to show that they are meeting the needs specified on that statement.

Governors will be required to comply with legislation relating to employment, health and safety and any further legislative requirements. In all areas of expenditure, Governors should seek to obtain value for money.

By virtue of Section 50(3A) (which came into force on 1st April 2011), amounts spent by Governing Bodies on community facilities under Section 27 of the Education Act 2002 will be treated as if spent for any purposes of the school.

Under s.50(3)(b) the Secretary of State may prescribe additional purposes for which expenditure of the budget share may occur. He has done so in the School Budget Shares (Prescribed Purposes) (England) Regulations 2002 (SI 2002/378), which have been amended by the School Budget Shares (Prescribed Purposes) (England) (Amendment) Regulations 2010

(SI 2010/190). These allow schools to spend their budgets on pupils who are on the roll of other maintained schools.

4.14 Capital Spending from Budget Shares

Where there is sufficient funding, Governing Bodies may use part of their budget share to fund works of a “capital” nature.

Where the school premises are in the ownership of the Authority, all proposals for building adaptations should be discussed with the Executive Director of Children’s Services to ensure that building regulations are adhered to and to enable the Council to be asked for the additional revenue resources to fund the additional area in future years.

Consent from the Authority to the proposed works can only be withheld on health and safety grounds.

Where the school premises are not in the ownership of the Authority, additional revenue funding will not be made available unless prior approval has been granted.

4.15 Notice of Concern

The Authority may issue a notice of concern to the Governing Body of any maintained school where, in the opinion of the Chief Finance Officer and the Executive 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 Local Authority or the school.

The notice will set out any reasons and evidence for it being made.

The Authority may impose requirements on a Governing Body in relation to the management of funds, including actions, restrictions, limitations, or prohibitions it must comply with. These requirements 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/experienced 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 Local Authority;
- insisting on regular financial monitoring meetings at the school attended by Local Authority officers;
- requiring a Governing Body to buy into a Local Authority’s financial management systems; and

- imposing restrictions or limitations on the manner in which a school manages extended school activity funded from within its delegated budget share – for example by requiring a school to submit income projections and/or financial monitoring reports on such activities.

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

The Authority may use the notice as a way of making a Governing Body aware of the Authority's concerns short of withdrawing delegation and identifying the actions a Governing Body should take in order to improve their financial management to avoid withdrawal.

The Authority will withdraw any notice issued once the Governing Body has complied with the requirements it imposes.

4.16 Schools Financial Value Standard (SFVS)

This Standard replaced the Financial Management Standard in Schools (FMSiS) which was withdrawn by the Secretary of State with effect from 15 November 2010.

All local authority maintained schools (including nursery schools and Pupil Referral Units (PRUs) that have a delegated budget) must demonstrate compliance with the Schools Financial Value Standard (SFVS) and complete the assessment form on an annual basis. It is for the school to determine at what time in the year they wish to complete the form.

Governors must demonstrate compliance through the submission of the SFVS assessment form signed by the Chair of Governors. The form must include a summary of remedial actions with a clear timetable, ensuring that each action has a specified deadline and an agreed owner.

Governors must monitor the progress of these actions to ensure that all actions are cleared within specified deadlines.

Unless otherwise notified, all maintained schools with a delegated budget must submit the form to the local authority before 31 March annually.

The Authority can issue a notice of concern where schools fail to complete SFVS as required. The Authority may also consider publishing a list of schools that have not completed SFVS on time.

Further details and guidance can be obtained from the DfE website at:

<http://www.education.gov.uk/schools/adminandfinance/financialmanagement/Schools%20Financial%20Value%20Standard/a00192114/schools-financial-value-standard-sfvs>

4.17 Fraud

All schools must have a robust system of controls to safeguard themselves against fraudulent or improper use of public money and assets. The governing body and head teacher must inform all staff of school policies and procedures related to fraud and theft, the controls in place to prevent them; and the consequences of breaching these controls. This information must also be included in induction for new school staff and governors.

5. INSTALMENTS OF THE BUDGET SHARE; BANKING ARRANGEMENTS

The guidelines for the operation of a school bank account should be read in conjunction to the Scheme.

For the purposes of this section, Budget Share includes any place-led funding for special schools or pupil referral units

5.1 Frequency of Instalments

Bank accounts may be made available where schools wish, subject to approval by the Authority. Schools will not be required to open bank accounts and the Authority will facilitate all payments on their behalf. Schools going into deficit after the opening of their bank account shall have an approved action plan that puts them back into a balanced position within an agreed timescale with the Authority so that their eligibility for a bank account can continue. Failure to adhere to the action plan will result in the removal of the bank account facility of the school.

Where schools wish to have bank accounts (other than imprest accounts), that part of the budget share to be operated through the bank account will be allocated either in equal monthly instalments, with an addition in April to enable the payment of rates in April, or termly. Top up payments for pupils with high needs should be made on a monthly basis unless alternative arrangements have been agreed with the provider.

All schools will be able to opt for the whole budget share to be transferred to a bank account, but will be required to have payroll systems in place that guarantee compliance with the need to pay staff accurately and promptly and which are approved by the Chief Finance Officer. Schools might wish to operate a bank account for non-staffing costs only, or to continue to use the central facility.

In order to arrive at the appropriate instalments for April and/or May and June in any year, the Authority will make an assessment of the budget distribution, pending receipt of the finalised statement at the end of May.

5.2 Proportion of Budget Share Payable at Each Instalment

Where the budget share is allocated monthly, 5% of the School Budget Share will be paid in April, with equal allocations paid monthly thereafter, and will be made by the 15th of each month or as determined by the Chief Finance Officer. This allocation will be based on, and take account of, whether a school wishes to receive its full budget share or the non-staff elements only.

Where the budget share is allocated termly the proportions of the relevant portion of the budget share payable will be as follows:- April advance to equal 40% plus the value of rates; September advance to equal 32.5% and January advance to equal 27.5%.

5.3 Interest Clawback

Where instalments are made termly, an amount will be deducted to offset the loss of revenue to the Authority, as determined by the Chief Finance Officer.

Where instalments are made monthly, there will be no deduction for loss of interest.

5.4 Interest on late budget share payments

The Authority is required to add interest to late payments of budget share instalments, where such late payment is the result of Authority error. The interest rate used will be the current Bank of England base rate.

5.5 Budget Share for Closing Schools

Where a school has been approved for closure and, where that school has been operating a bank account, the maximum advance to be made for non-staffing costs will be no higher than one-twelfth per month of the remaining available monies.

5.6 Bank and Building Society Accounts

All schools may request an external bank account as in 5.1 above. Interest accruing to that account will be retained by schools.

Where schools wish to operate a petty cash imprest account for defraying petty expenses and the purchase of small quantities of goods instead of a full or part costs bank account, the Authority will make one available. Each advance account will be accompanied by proper records and further replenishment advances will be made against a statement supported fully by vouchers and receipts. No account shall be overdrawn.

5.7 Restrictions on Accounts

In accordance to Authority policy, bank accounts may be held at any legitimate banking institutions which are United Kingdom (UK) registered as Banks or Building Societies:

School bank accounts shall bear the name of the Authority and the school as in examples "Bury Council Fairfield Primary School", or "Fairfield Primary School (Bury Council)". Money paid by the Authority and held in such accounts will remain Authority property until spent.

All account mandates should provide that the Authority is the owner of the funds in the account; that it is entitled to receive statements; and that it can take control of the account if the school's right to a delegated budget is suspended by the Authority.

5.8 Borrowing by Schools

Governing Bodies may not borrow money (which includes the use of Finance Leases) without the written permission of the Secretary of State. This includes any use of credit cards and overdrafts which are regarded as borrowing. The introduction of IFRS16 for local authorities from 1 April 2024 ends the distinction between operating and finance leases at maintained schools for accounting purposes. Under the Education Act 2002, all leases will be classed as borrowing and will require the Secretary of State for Education's consent.

The Secretary of State has, however, agreed to provide blanket consent to a range of the most common leasing activities, as set out in the [IFRS16 Maintained Schools Finance Lease Class Consent 2024](#). Leases not included in this Order will still require the written consent of the Secretary of State, and it remains the general position that schools will only be granted permission for other types of borrowing in exceptional circumstances. From time to time, however, the Secretary of State may introduce limited schemes to meet broader policy objectives.

Schools may achieve procurement efficiencies by using a purchasing card which can be made available to them by the Authority. Further details and an application form may be obtained at:

<http://intranet/index.aspx?articleid=12706>

or:

[Corporate Procurement: 0161 253 5583](#)

5.9 Retention of Records

The following records **MUST** be kept for the current financial year and the previous six financial years:

- Copy orders
- Signed delivery notes
- Certified paid invoices
- Copy remittance advices
- Paying-in slip stubs/records
- Copy receipts for all income
- Computerised detailed accounts
- Bank statements
- Bank reconciliation statements

Cheque counterfoils should be kept in one file in cheque number order, with paid cheques if returned by the Bank. Cancelled cheques should also be kept in this file, clearly marked "CANCELLED", together with their counterfoils.

Copy orders should be kept in another file in numerical order with supporting invoices and delivery notes attached. When payments are made, the relevant copy orders should be annotated with the cheque

number, payment date and amount paid. Invoices must be clearly marked "PAID".

There MUST be a trail from the cheque counterfoil to the order and invoice and from the monthly returns sent to the Chief Finance Officer back to the individual invoice through the accounting records held at the school.

5.10 VAT

Any penalties imposed by Customs and Excise due to errors on the part of the school, will be chargeable to the school budget.

6. THE TREATMENT OF SURPLUSES AND DEFICIT BALANCES ARISING IN RELATION TO BUDGET SHARES

6.1 The Right to Carry Forward Surplus Balances

Schools will be required to adhere to their budget limits, but in the event of an unplanned deficit occurring this will be deducted from the following year's budget share. Any surplus will be retained by the school in full and will be carried forward into the subsequent year. In certain circumstances and by prior arrangement with the Executive Director of Children's Services, it may be possible for schools to anticipate a future budget in order to undertake major works.

The balance as at 31st March determined at the year end, shall be the figure carried forward into the next financial year.

6.2 Controls on Surplus Balances

In accordance with the provision permitted by the Secretary of State, with effect from 1 April 2011, the Authority to assist schools in making early efficiencies to strengthen their medium-term budgeting will thereby operate a more relaxed approach to controls on surplus balances.

All school balances will continue to be monitored and reported. However, the Authority will focus the following mechanism on only those schools which have accumulated surplus balances above the maximum permitted thresholds. This will include balances recorded with effect from each completed financial year.

Where a school is anticipating that it will carry forward a balance in excess of 8% for Nursery, Primary and Special Schools and 5% for Secondary Schools of its current year budget share, (or £40,000 for Nursery, Primary and Special Schools or £100,000 for Secondary Schools, where that is greater than the relevant percentage threshold per sector), the Governing Body will be required to report to the Executive Director of Children's Services on the reasons for retaining such a balance.

Only the Executive Director of Children's Services is empowered to remove excess surplus balances above the maximum thresholds listed above.

This decision will be taken following full consideration to all relevant information provided by Financial Services and the individual school concerned.

Where the Executive Director of Children's Services may not agree to the reasons provided for any school for retaining balances above the maximum thresholds the Executive Director will be minded to instigate controls on surplus balances measures and will inform individual schools directly of this intention. Schools will have an opportunity to liaise directly with the Executive Director in respect to the matter prior to any balances being affected.

Surplus balances held by schools as permitted under this Scheme are subject to the following restrictions:

- a. the Authority shall calculate by 31 May each year the surplus balance, if any, held by each school as at the preceding 31 March. For this purpose the balance will be the recurrent balance as defined in the Consistent Financial Reporting (CFR) Framework;
- b. the Authority shall deduct from the calculated balance any amounts for which the school has a prior year commitment to pay from the surplus balance.
- c. the Authority shall then deduct from the resulting sum any amounts which the Governing Body of the school has declared to be assigned for specific purposes permitted by the Authority, and which the Authority is satisfied are properly assigned. To count as properly assigned, amounts must not be retained beyond the period stipulated for the purpose in question, without the consent of the Authority. In considering whether any sums are properly assigned the Authority may also take into account any previously declared assignment of such sums but may not take any change in planned assignments to be the sole reason for considering that a sum is not properly assigned.
- d. if the result of steps a-c is a sum greater than 5% of the current year's budget share for secondary schools, 8% for primary and special schools, or £40,000 (where that is greater than either percentage threshold), then the Authority shall deduct from the current year's budget share an amount equal to the excess.

Funds deriving from sources other than the Authority will be taken into account in this calculation if paid into the budget share account of the school, whether under provisions in this Scheme or otherwise.

The Authority will involve its Schools' Forum in this process and confirm to all schools affected where balance control measures are highlighted.

Schools should be aware this provision allows for the deduction of amounts where applicable on 1 September in any financial year with no subsequent appeal or repayment.

The total of any amounts deducted from schools' budget shares by the Authority under this provision are to be applied to the Schools Budget of the Authority, as outlined in the DSG criteria. Any redistribution of amounts realised under this provision will focus on supporting improved provision across Bury's schools and will be determined by the Executive Director of Children's Services.

Under this provision, in full support of Schools' Forum, the Authority may also invoke its right to professional dialogue and challenge to individual schools that persistently year on year carry forward substantial surplus

balances, albeit below the maximum thresholds contained within this Scheme.

6.3 Interest on Surplus Balances

Interest will neither be charged on deficits nor added to savings where the balances are held by the Authority. Where the balance is held in a separate bank account the interest accrued will remain with the school.

6.4 Obligation to Carry Forward Deficit Balances

As detailed at 6.1 above, deficit balances will be deducted from the following year's budget share.

6.5 Planning for Deficit Budgets

As detailed in 6.1 above, schools may, with prior written permission, anticipate a future year's budget.

6.6 Charging of Interest on Deficit Balances

As detailed in 6.3 above, interest will not be charged on deficit budgets where the funds continue to be held by the Authority. Where a school operates its own bank account, the account may not be overdrawn and, thus, the charging of interest or overdraft charges will not occur. Where an account is overdrawn in error, all charges will rest with the school. Charges incurred as a result of a school's mismanagement of funds, including in any other accounts held by the school and where authority intervention is required, will rest with the school.

6.7 Writing Off Deficits

There will be no writing-off deficits under any circumstances or at any time.

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

6.8 Balances of Closing and Replacement Schools

At the point of closure of a school, any remaining balances (whether surplus or deficit) will revert to the Authority. Where in the funding period, a school has been established or is subject to a prescribed alteration as a result of the closure of a school, a local authority may add an amount to the budget share of the new or enlarged school to reflect all or part of the unspent budget share, including any surplus carried over from previous funding periods, of the closing school for the funding period in which it closes.

A surplus or deficit transfers to an academy or their funding agency where a school converts to academy status under section 4(1)(a) of the Academies Act 2010.

6.9 Licensed Deficits

The arrangements for anticipating a future year's funding detailed at 6.1 above, will apply to the financial year starting on 1st April, but no school with an agreed deficit shall operate its own bank account.

The written agreement will detail the anticipated pay-back timetable which can be no greater than three years and this will be adhered to unless a further agreement, not simply an extension, has been authorised by the Executive Director of Children's Services in writing.

The written agreement will also include the reason and purpose for which a deficit may be agreed and will specify the maximum size of deficit which may be agreed.

6.10 Loan Schemes

The Authority will not operate a "loan scheme".

6.10.1 Credit Union Approach

Schools may wish to group together to utilise externally held balances for a credit union approach to loans. Where schools choose to borrow money through such a scheme the Authority will require audit certification of the running of the scheme unless the Authority itself acts as administrator of the arrangement.

7. INCOME

7.1 Income from Lettings

The Governors of Community or Voluntary Controlled Schools will be required to adhere to the Authority's policy on non-school use and be required to accommodate adult education, playschemes and Authority maintained youth groups and to give sympathetic consideration to use by Authority approved youth and community use. All income from lettings will accrue to the school budget and no group may use the premises without compensating the school budget to at least the level of cost.

Private lettings can be used to cross-subsidise community and voluntary use to encourage community usage, provided the governing body is satisfied that this will not interfere to a significant extent with the performance of any duties imposed on them by the Education Acts, including the requirement to conduct the school with a view to promoting high standards of educational achievement.

The Governors of Voluntary Aided and Foundation Schools will be able to make their own arrangements for lettings, but must ensure that the school budget is recompensed in full for any additional cost.

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

7.2 Income from Fees and Charges

Schools will retain all income from fees and charges, except where a service has been provided by the Authority from centrally retained funds. In developing a charging policy, Governors should have regard to the Authority's charging policy.

7.3 Income from Fund Raising Activities

All income raised by fund raising events by or on behalf of the school will be retained by the school.

7.4 Income from the Sale of Assets

Assets purchased through a school's delegated budget may be sold by the school and the proceeds remain with the school. Land and buildings owned by the Authority may only be sold by agreement with the Authority and the proceeds of any such sale would be for the Authority to determine. Any retention of funds from the sale of land assets is subject to the consent of the Secretary of State, and any conditions the Secretary of State may attach to that consent relating to use of proceeds.

7.5 Administrative Procedures for the Collection of Income

The collection of money due to the Council shall be in accordance with arrangements approved by the Executive Director of Children's Services.

Schools should follow the Authority's procedures in relation to VAT on income.

All money received by a school shall be banked without delay, either in the school's own bank account, where this is appropriate, or in the Authority's bank for income which accrues to the Authority, e.g. for meals income where a school has contracted with the Authority's Catering Service.

All receipt forms, books, tickets, and invoices shall be in a form approved by the Chief Finance Officer, who will be able to ensure that there are appropriate mechanisms in place to ensure the safe keeping of these documents.

7.6 Purposes for which income may be used

All income received by the school from lettings, fees, charges, fundraising or the sale of assets will be used for the benefit of the pupils of the school.

8. THE CHARGING OF SCHOOL BUDGET SHARES

8.1 **General Provision**

The Authority shall charge a maintained school budget share without the consent of the Governing Body only in certain circumstances and having given advance notice of the intention to charge.

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

8.2 **Charging of Salaries at Actual Cost**

The Authority shall charge the salaries of school-based staff to school budget shares at actual cost.

8.3 **Circumstances in which Charges may be made**

8.3.1 The Authority may charge a school budget share without the consent of the Governing Body where premature retirement costs have been incurred without the prior written agreement of the Authority to bear such costs and where the costs are in excess of any agreement which the Authority would have made.

8.3.2 The Authority may charge a school budget share without the consent of the Governing Body to recover any expenditure incurred to secure resignations where the Governors have acted contrary to any advice from the Authority.

8.3.3 The Authority may charge a school budget share without the consent of the Governing Body in the matter of awards by courts and industrial tribunals against the Authority, or out of court settlements where the Governors have acted contrary to any advice from the Authority.

8.3.4 The Authority may charge a school budget share without the consent of the Governing Body where the Governors have neglected to carry out a health and safety repair which might lead to the Authority being deemed liable. Where a health and safety responsibility might rest with the Governing Body of an aided school, and a dispute exists as to the extent of such responsibility, the Authority may charge the school budget share, pending the outcome of any dispute.

8.3.5 The Authority may charge a school budget share where Governors have received delegated funds for carrying out health and safety repairs or improvements and for "capital" works, but have failed to carry out these jobs and the Authority is required to fund the work.

- 8.3.6 The Authority may charge a school budget share without the consent of the Governing Body for insuring its own interest 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. See also 12.1
- 8.3.7 The Authority may charge a school budget without the consent of the Governing Body where money is owed by the school to the Authority for services provided and the process of resolving any dispute has been followed and the process has resolved that the monies are owed to the Authority.
- 8.3.8 The Authority may charge a school budget share without the consent of the Governing Body where penalties have been imposed on the Authority by the Board of Inland Revenue, the Contributions Agency, HM Revenues and Customs, Teachers Pensions, the Environment Agency, or any other regulatory authority as a result of school negligence.
- 8.3.9 The Authority may charge a school budget share without the consent of the Governing Body where the Authority has incorrectly computed charges to a budget share, e.g. pension deductions. No such deduction would take place without discussions between the Authority and the Head Teacher or the Governing Body.
- 8.3.10 The Authority may charge a school budget share without the consent of the Governing Body where a Governing Body has determined changes to the length of the school day without notifying the Authority in good time and transport costs are incurred.
- 8.3.11 The Authority may charge a school budget share without the consent of the Governing Body where legal costs are incurred by the Authority through actions of the Governing Body which were in contravention of any advice from the Authority.
- 8.3.12 The Authority may charge a school budget share without the consent of the Governing Body where funds have been delegated to the Governing Body for the essential training of employees in health and safety issues and the training has not been carried out.
- 8.3.13 The Authority may charge a school budget share without the consent of the Governing Body where the school has borrowed against the regulation at 5.8 above the compensation becomes due to a lender. Section 5.8 stipulates schools may not enter into any borrowing agreements without the written permission of the Secretary of State.

- 8.3.14 The Authority may charge a school budget share without the consent of the Governing Body for costs of work done in respect of teacher pension remittance and records for schools using non-Authority payroll contractors, the charge to be the minimum needed to meet the costs of the Authority's compliance with its statutory obligations.
- 8.3.15 The Authority may charge a school budget share without the consent of the Governing Body for costs incurred by the Authority in securing provision specified in an Education Health & Care Plan (EHCP) where the Governing Body of a school fails to secure such provision despite the delegation of funds in respect of low cost high incidence SEN and/or specific funding for a pupil with High Needs.
- 8.3.16 The Authority may charge a school budget share without the consent of the Governing Body for costs incurred by the Authority due to the submission by the school of incorrect data.
- 8.3.17 The Authority may charge a school budget share without the consent of the Governing Body for the recovery of amounts spent from specific grants on ineligible purposes
- 8.3.18 The Authority may charge a school budget share without the consent of the Governing Body for costs incurred by the Authority as a result of the Governing Body being in breach of the terms of a contract.
- 8.3.19 The Authority may charge a school budget share without the consent of the Governing Body for costs incurred by the Authority or another school as a result of a school withdrawing from a cluster arrangement which may include where this has funded staff providing services across the cluster.

9. TAXATION

9.1 Value Added Tax

Schools that wish to have bank accounts will be required to maintain records and documents in line with the requirements placed upon the Authority by HM Customs and Excise. The method of reimbursing schools for VAT will be in line with the existing bank account scheme.

9.2 CIS (Construction Industry Taxation Scheme)

Schools will be required to follow the Authority's procedures for payment of buildings work invoices which might involve CIS.

10. PROVISION OF SERVICES AND FACILITIES BY THE AUTHORITY

10.1 Provision of Services from Centrally Retained Budgets

The Authority will determine the deployment and operational details of services funded by centrally held budgets. The Authority will manage issues in relation to existing premature retirement costs and redundancy where there is no dispute with the Governing Body as to the level of such payments. All schools will have equal access to that central service where need applies equally and the school budget does not contain delegated funds for the services.

10.2 Provision of Services Bought Back from the Authority using Delegated Budgets

Any service level agreement for buy-back of services delegated to schools and payable from a school's delegated budget will be subject to an annual or up to three year agreement. At the end of each period of time, further agreements relating to the same services will be subject to no more than a five year agreement. Contracts for the supply of catering services may be extended to a maximum of 7 years.

This is to enable the Authority to plan a realistic delivery of services requested by schools.

For services provided for which expenditure is not retainable centrally by the Authority under the Regulations made under section 45A of the Act, they must be offered at prices that 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.

The Authority must show during audit tests that the charging policy can reasonably be expected to avoid central subsidy of services.

10.3 Packaging

The Authority will undertake to package services in a co-ordinated way, which will leave schools free to purchase some services rather than all. Where it is financially viable to do so, the Authority will offer a small discount in the cost of buy-back where all services are bought by a school. The full details of these costs and the details of packages will form part of the consultation with schools to enable schools to make informed choices in time for 1st April each year.

10.4 Service Level Agreements

Where services or facilities are provided to schools on a buy-back basis under a service level agreement, the terms of any such agreement will be subject to review within a period not exceeding three years from the inception of the agreement.

Where services or facilities are provided to schools on a buy back basis, the service level agreement will include charges applicable for a full buy-back and any ad hoc charges that would apply in the event that a school did not wish to opt for a full buy-back, and these ad hoc facilities would continue during the period that the operation of such a service continues to be financially viable for the Authority to provide.

10.5 Teachers' Pensions

In order to ensure that the performance of the duty on the Authority to supply Teachers Pensions with information under the Teachers' Pension Scheme Regulations 2014, the following conditions are imposed on the Authority and governing bodies of all maintained schools covered by this Scheme in relation to their budget shares.

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

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

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. PFI/PEP

Where public finance initiatives develop within the Authority further guidance will be provided.

12. INSURANCE

12.1 Insurance Cover

Where schools require the delegation of monies for insurance in addition to the monies delegated for theft cover, and they do not wish to be included in the Authority's insurance arrangements, Governing Bodies will be required to demonstrate that the cover provided by an external insurer is at least as good as that which would be provided by the Authority. Where Governing Bodies in future wish to make separate arrangements to cover the school for theft, then they will be required to demonstrate that the cover is at least as good as that provided through the Authority. (See also 8.3.6). Schools should contact the Authority's Insurance Team for details of the current cover requirements. See Annex G for contact details.

Instead of taking out insurance, a school may join the Secretary of State's Risk Protection Arrangement (RPA) for risks that are covered by the RPA. Schools may do this individually when any insurance contract of which they are part expires.

13. MISCELLANEOUS

13.1 Right of Access to Information

The Authority will require Governing Bodies to provide all reasonable financial information and records to enable the Authority to assure itself that the delegated budget is being used in accordance with the delivery of education to the pupils of the school and that any earmarked funds are being used only for the purpose for which the earmarked funds have been provided.

13.2 Liability of Governors

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

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

13.3 Governors' Expenses

Governors may be paid from the delegated budget, expenses in relation to travel and subsistence when carrying out duties in connection with the work of the Governing Body insofar as the regulations of each Governing Body permit and in accordance with the level of payments recommended by the Authority. No payments may be made that do not fall within the above definitions. Where a school falls into special measures and additional Governors are appointed by the Secretary of State, expenses will be paid by the Secretary of State and no expenses should be paid from the school budget.

13.4 Responsibility for Legal Costs

Where the Authority is responsible for the maintenance of a school and legal costs are incurred by the Governing Body as a result of rejecting the Authority's advice, the school budget may be charged. Governors of voluntary aided schools acting in connection with their responsibility for the school buildings would not incur such charges. Where schools require independent legal advice to resolve a potential conflict of interest with the Authority, the school's budget share may be used to purchase such advice.

13.5 Health and Safety

Governors of schools must have regard to the Authority's Health and Safety Policy. Governing Bodies are required to act in accordance with the policy and operate within the requirements placed upon Authorities in the matter of health and safety.

13.6 Right of Attendance for Executive Director of Children's Services and Chief Finance Officer

Governing Bodies should permit the attendance, provided prior notice is given and agreed, of either the Executive Director of Children's Services or the Chief Finance Officer, or their representatives, at any meeting of the Governing Body where any particular agenda items are relevant to the exercise of their responsibilities.

13.7 Special Educational Needs

Governing Bodies covered by the Scheme must use their best endeavours in spending their budget share to secure appropriate provision and support for those pupils with Special Education Needs.

13.8 Interest on Late Payments

Schools are reminded that the Authority is required to add interest to late payments of budget share instalments, where such late payment is the result of Authority error. The interest rate used will be the current Bank of England base rate.

13.9 Whistleblowing

Information & advice on the procedure for school governors/employees or any other person working at the school who may have a complaint in respect of financial management or financial propriety at the school is available from the Financial Services Team on a strictly confidential basis.

In the first instance, complaints should be in writing and addressed to the Executive Director of Children's Services.

13.10 Child Protection

Schools should be aware that from time to time there is a need to release staff to attend child protection case conferences and other related events. Any associated costs will be met by the school.

13.11 Redundancy / Early Retirement costs

The 2002 Education Act sets out how premature retirement and redundancy costs should normally be funded. Further guidance is provided at **ANNEX B**.

14. RESPONSIBILITY FOR REPAIRS AND MAINTENANCE

- 14.1 Schools must expect to finance from their budget all repairs and maintenance and capital works where alternative funding is not available.

The Council has a £15,000 de-minimis limit for the recognition of Capital Expenditure.

- 14.2 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, and no separate list of responsibilities is necessary for such schools. However, eligibility for capital grant, which includes an allowance for Value Added Tax (VAT), from the Secretary of State for capital works at voluntary aided schools, depends on the *de minimis* limit applied by DfE to categorise such work, not the *de minimis* limit used by the authority.

- 14.3 Attached for information at **ANNEX F** are the categories of work defined within CIPFA Code of Practice which identifies what works may be deemed Capital and Revenue. This list does not identify Authority responsibility.

15 COMMUNITY FACILITIES

APPLICATION OF SCHEMES FOR FINANCING SCHOOLS TO THE COMMUNITY FACILITIES POWER

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

However, under s.28(1), the main limitations and restrictions on the power will be those contained in the maintaining Authority's Scheme for Financing Schools made under section 48 of the School Standards and Framework Act 1998. Paragraph 2 of Schedule 3 to the Education Act 2002 extends the coverage of Schemes to the powers of governing bodies to provide community facilities.

Schools are therefore subject to prohibitions, restrictions, and limitations in the Scheme for Financing Schools.

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

The control and management of community facilities funds operates under the Authority's financial regulations. Any mismanagement of community facilities funds can be grounds for suspension of the right to a delegated budget.

15.1 CONSULTATION WITH THE AUTHORITY – FINANCIAL ASPECTS

Changes made by the Children and Families Act 2014 mean that schools no longer need to consult the local authority when establishing community facilities under Section 27 of the Education Act 2002. Nor do they have to have regard to advice given to them by their local authority.

However, as public bodies, they are expected to act reasonably, and this includes consulting those affected by decisions that they make.

15.2 FUNDING AGREEMENTS – AUTHORITY POWERS

- 15.2.1 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 part on the provision. A very wide range of bodies and organisations are potentially involved.
- 15.2.2 Where any third party agreement is to be entered into, the Authority requires that any such proposed agreement should be submitted to the Authority for its comments, with adequate notice for the Authority to review the agreement prior to it being signed. If the third party requires Authority consent to the agreement for it to proceed, such a requirement and the method by which Authority consent is to be signified is a matter for that third party, not for the Scheme.

The Secretary of State does not consider that it is appropriate for LAs to have a general power of veto for these agreements. However, 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, which in the view of the Authority is seriously prejudicial to the interests of the school or the Authority, that may constitute grounds for suspension of the right to a delegated budget.

15.3 OTHER PROHIBITIONS, RESTRICTIONS and LIMITATIONS

- 15.3.1 The Authority may require that in a specific instance of utilising the community facilities power by a Governing Body, the Governing Body concerned shall 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 Authority.
- 15.3.2 Section 28 provides that the exercise of the community facilities power is subject to prohibitions, restrictions, and limitations in the Scheme for Financing Schools. The Authority may, if it wishes, propose other Scheme provisions of that nature which they believe necessary. In considering whether to approve any such provisions for inclusion in the Authority's Scheme, the Secretary of State will adopt as her principal criterion that restrictions should only be in existence if they are necessary to safeguard the financial position of the Authority or school, or to protect pupil welfare or education.

15.4 SUPPLY OF FINANCIAL INFORMATION

- 15.4.1 Schools which exercise the community facilities power should provide, as a minimum, the Authority with a summary statement every six months, in a form determined by the Authority, showing the income and

expenditure for the school arising from the facilities in question for the previous six months and on an estimated basis, for the next six months.

- 15.4.2 The Authority, on giving notice to the school that it believes there to be cause for concern as to the school's management of the financial consequences of the exercise of the community facilities power, can require such financial statements to be supplied every three months.
- 15.4.3 Financial information relating to community facilities will be included in returns made by Bury schools under the Consistent Financial Reporting Framework, and these will be relied upon by the Authority as the main source of information for the financial aspects of community facilities. However, the CFR timetable is such that the Authority is likely to want supplementary information in order to ensure that schools are not at financial risk. (Schedule 3 of the Education Act 2002 inserts a new provision into Schedule 15 of the Act to make mismanagement of funds received for community facilities a basis for suspension of the right to delegation of the budget share).
- 15.4.4 These provisions do not preclude the insertion of other provisions in specific funding agreements between schools and the Authority as to the financial reporting requirements arising from the funding in question.
- 15.4.5 Schools producing monthly cheque book management reports will include the income and expenditure details required by the Authority.

15.5 AUDIT

- 15.5.1 Schools are required to grant access to the school's records connected with exercise of the community facilities power, in order to facilitate internal and external audit of relevant income and expenditure.
- 15.5.2 Schools, in concluding funding agreements with other persons pursuant to the exercise of the community facilities power, are asked to ensure that such agreements contain adequate provision for access by the Authority to the records and other property of those persons held on the school premises in order for the Authority to satisfy itself as to the propriety of expenditure on the facilities in question.

15.6 TREATMENT OF INCOME AND SURPLUSES

- 15.6.1 The Authority allows schools to retain all income derived from community facilities except where otherwise agreed with a funding provider, whether that be the Authority or some other person.
- 15.6.2 Schools are able to 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.

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

15.7 HEALTH AND SAFETY MATTERS

- 15.7.1 In expending any community facilities funds the Governing Bodies of schools covered by the Scheme are required to have due regard to the duties placed on the Authority in relation to health and safety and the Authority's policies on health and safety in the management of the budget share.
- 15.7.2 The Governing Body has the responsibility for the costs of securing Disclosure and Barring Service 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.

15.8 INSURANCE

- 15.8.1 It is the responsibility of the Governing Body to make adequate arrangements for insurance against risks arising from the exercise of the community facilities power. Such insurance should not be funded from the school budget share. Schools should seek the advice of the Authority before finalising any insurance arrangement for community facilities.

In principle, the insurance issues arising from use of the community facilities power are the same as those which already arise from non-school use of school premises. However, a school proposing to provide community facilities should, as an integral part of its plans, undertake an assessment of the insurance implications and costs, seeking professional advice if necessary.

- 15.8.2 The Scheme empowers the Authority to undertake its own assessment of the insurance arrangements made by a school in respect of community facilities, and if it judges those arrangements to be inadequate, make arrangements itself and charge the resultant cost to the school.

Such a provision is necessary in order for the Authority to protect itself against possible third party claims.

Instead of taking out insurance, a school may join the RPA for risks that are covered by the RPA.

15.9 TAXATION

- 15.9.1 Schools should seek the advice of the Authority and the local VAT office

on any issues relating to the possible imposition of Value Added Tax on expenditure in connection with community facilities, including the use of the Local Authority VAT reclaim facility.

15.9.2 Schools are reminded that if any member of staff employed by the school or Authority in connection with community facilities at the school is paid from funds held in the school's own bank account, the school is likely to be held liable for payment of income tax and National Insurance, in line with Inland Revenue rules.

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

15.10 BANKING

15.10.1 All schools utilising community facilities powers must comply with the banking arrangements within the Authority's Financial Regulations. The school can either maintain separate bank accounts for budget share and community facilities, or have one account but adequate internal accounting controls to maintain separation of funds.

The Authority Financial Services Team are available to advise any school covered by the Scheme as to the most appropriate way of ensuring that adequate separation of funds is maintained.

15.10.2 Advice in relation to the signing of cheques, the titles of bank accounts, the contents of bank account mandates, and similar matters can be obtained from the Financial Services Team and from the Financial Regulations.

15.10.3 Schools are reminded that they may not borrow money without the written consent of the Secretary of State. This requirement does not extend to monies lent to schools by Bury Council.

ANNEX A: MAINTAINED SCHOOLS COVERED BY THIS SCHEME – at 1 April 2024

Primary & Nursery Schools	Secondary Schools
All Saints C.E. Primary, Stand	Manchester Mesivta High
Bury and Whitefield Jewish Primary	The Derby High
Chantlers Primary	The Elton High
Chapelfield Primary	Parrenthorn High
Christ Church C.E. Primary, Ainsworth	Philips High
Emmanuel Holcombe C.E. Primary	Special Schools
Fairfield Community Primary	Cloughside School
Greenmount Primary	Millwood Primary School
Guardian Angels R.C. Primary	Spring Lane School (Secondary PRU)
Holcombe Brook Primary	
Hollins Grundy Primary	
Holly Mount R.C. Primary	
Hoyle Nursery School	
Lowercroft Primary	
Mersey Drive Community Primary	
Old Hall Primary	
Our Lady of Grace R.C. Primary	
Our Lady of Lourdes R.C. Primary	
St. Andrew's C.E. Primary (Radcliffe)	
St. Andrew's C.E. Primary (Ramsbottom)	
St. Bernadette's R.C. Primary**	
St. Hilda's C.E. Primary	
St. John with St. Mark C.E. Primary	
St. Joseph's R.C. Primary (Ramsbottom)*	
St. Luke's C.E. Primary	
St. Margaret's C.E. Primary	
St. Marie's R.C. Primary	
St. Mary's C.E. Primary, Prestwich	
St. Mary's R.C. Primary, Radcliffe**	
St. Mary's C.E. Primary, Hawkshaw	
St. Paul's C.E. Primary, Bury*	
St. Peter's C.E. Primary	*Academy status 1 st May 2024
Sedgley Park Community Primary	**Academy status 1 st June 2024

ANNEX B: RESPONSIBILITY FOR REDUNDANCY AND EARLY RETIREMENT COSTS

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

Section 37 of the 2002 Education Act says:

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

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

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

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

Charge of dismissal/resignation costs to delegated school budget

- If a school has decided to offer more generous terms than the authority's policy, then it would be reasonable to charge the excess to the school
- If a school is otherwise acting outside the local authority's policy
- Where the school is making staffing reductions which the local authority does not believe are necessary to either set a balanced budget or meet the conditions of a licensed deficit
- Where staffing reductions arise from a deficit caused by factors within the school's control
- Where the school has excess surplus balances and no agreed plan to use these

- Where a school has refused to engage with the local authority's redeployment policy

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

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

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

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

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

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

(7) Where a local education authority incurs costs—

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

(b) in respect of the dismissal, or for the purpose of securing the resignation, of any member of the staff of a maintained school who is employed for those purposes, they shall recover those costs from the governing body except in so far as the authority agree with the governing body in writing (whether before or after the retirement, dismissal or resignation occurs) that they shall not be so recoverable.

- (7A) Any amount payable by virtue of subsection (7) by the governing body of a maintained school in England to the local authority may be met by the governing body out of the school's budget share for any funding period if and to the extent that the condition in subsection (7B) is met.
- (7B) The condition is that the governing body are satisfied that meeting the amount out of the school's budget share will not to a significant extent interfere with the performance of any duty imposed on them by section 21(2) or by any other provision of the Education Acts.
- (8) Where a person is employed partly for community purposes and partly for other purposes, any payment or costs in respect of that person is to be apportioned between the two purposes; and the preceding provisions of this section shall apply separately to each part of the payment or costs.

ANNEX C: APPLICATION OF SCHEMES FOR FINANCING SCHOOLS TO THE COMMUNITY FACILITIES POWER

Schools which choose to exercise the power conferred by section 27 (1) of the Education Act 2002 to provide community facilities will be subject to controls. Regulations made under section 28 (2), if made, can specify activities which may not be undertaken at all under the main enabling power.

Section 88 of the Children and Families Act 2014, has removed the requirements in section 28(4) and section 28(5) of the Education Act 2002 for maintained schools in England.

Under section 28(4) a school was obliged to consult its local authority and under section 28 (5) a school must have regard to advice or guidance from the Secretary of State or their local authority when offering this type of provision.

Under section 28(1), the main limitations and restrictions on the power will be those contained in the maintaining local authority's scheme for financing schools made under section 48 of the School Standards and Framework Act 1998 as amended by paragraph 2 of Schedule 3 to the Education Act 2002.

This amendment extended the coverage of schemes to include the exercise of the powers of governing bodies to provide community facilities.

Schools are therefore subject to prohibitions, restrictions, and limitations in the scheme for financing schools. This part of the scheme does not extend to joint-use agreements, transfer of control agreements, or agreements between the local authority and schools to secure the provision of adult and community learning.

See Section 15 of this Scheme for all provisions relating to Community Facilities Power

ANNEX D: EARLIER DIRECTED REVISIONS

Following consultation that closed on 19 March 2012, the Secretary of State directs that from 1 April 2012 the text below should be incorporated into the schemes of all local authorities in England. The revised text was included in the 26 March 2013 version of the guidance.

Efficiency and value for money

The scheme must include the following provision, which imposes a requirement on schools to achieve efficiencies and value for money, to optimise their resources and invest in teaching and learning, taking into account the purchasing, tendering and contracting requirements.

Schools must seek to achieve efficiencies and value for money, to optimize the use of their resources and to invest in teaching and learning, taking into account the local authority's purchasing, tendering and contracting requirements.

It is for heads and governors to determine at school level how to secure better value for money. There are significant variations in efficiency between similar schools, and so it is important for schools to review their current expenditure, compare it to other schools and think about how to make improvements

Schools financial value standard (SFVS)

All local authority maintained schools, including nursery schools and PRUs that have a delegated budget) must demonstrate compliance with the SFVS and complete the assessment form on an annual basis. It is for the school to determine at which time of the year they wish to complete the form.

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

Fraud

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

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

Following consultation, the Secretary of State directs that from 19 August 2015 the text below shall be incorporated into the schemes of all local authorities in England.

Register of business interests

The scheme must contain a provision which requires the governing body of each maintained school to have a register which lists for each member of the governing body and the head teacher:

- any business interests that they or any member of their immediate family have
- details of any other educational establishments that they govern
- any relationships between school staff and members of the governing body

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

Borrowing by schools

The scheme should contain a provision reminding schools that governing bodies may borrow money (which includes the use of finance leases) only with the written permission of the Secretary of State. The Secretary of State's general position is that schools will only be granted permission for borrowing in exceptional circumstances.

From time to time, however, the Secretary of State may introduce limited schemes in order to meet broader policy objectives. The scheme must contain a provision that allows schools to use any scheme that the Secretary of State has said is available to schools without specific approval.

Following consultation, the Secretary of State directs that from 22 March 2018 the text below shall be incorporated into the schemes of all local authorities in England.

Loan schemes

Loans will only be used to assist schools in spreading the cost over more than one year of large one-off individual items of a capital nature that have a benefit to the school lasting more than one financial or academic year.

Loans will not be used as a means of funding a deficit that has arisen because a school's recurrent costs exceed its current income.

If loans are made to fund a deficit and a school subsequently converts to academy status, the Secretary of State will consider using the power under paragraph 13(4)(d) of Schedule 1 to the Academies Act 2010 to make a direction to the effect that such a loan does not transfer, either in full or part, to the new academy school.

Submission of financial forecasts

Following consultation that closed on 30 September 2019, from the 2021 to 2022 funding year each school must submit a 3-year budget forecast each year, at a date determined by the local authority between 1 May and 30 June.

Following consultation that closed on 30 September 2019, the Secretary of State directs that the text below shall be incorporated into the schemes of all local authorities in England, however due to coronavirus (COVID-19) the directed revision to follow will only be expected to be enforced from the 2021 to 2022 funding year.

Planning for deficit budgets

Schools must submit a recovery plan to the local authority when their revenue deficit rises above 5% at 31 March of any year. Local authorities may set a lower threshold than 5% for the submission of a recovery plan if they wish. The 5% deficit threshold will apply when deficits are measured as at 31 March 2024.

Bury's threshold for deficits is 0% whereby all deficits are subject to recovery planning.

ANNEX E: PRINCIPLES OF BEST VALUE

1. This statement is intended to assist schools in considering the relevance of best value principles to the expenditure of funds from their delegated budget share.
2. Best value is a statutory duty to deliver services to clear standards, covering both cost and quality, the most effective, economic, and efficient means available. Legislation is to place a duty on local authorities to secure best value in respect of the way in which they exercise their functions. The new duty is not intended to apply to those functions which are exercised by the governing bodies of authority maintained schools. However, schools will be encouraged to adopt the best value performance management framework.
3. In relation to schools and expenditure from delegated budgets, the main features of best value can be summarised as a need for the governing body of a school to ensure:
 - a. the existence of a programme of performance review which will aim for continual improvement. Existing mechanisms such as school development plans and post-OFSTED inspection plans can be developed to satisfy the requirements for review. The reviews should include:
 - challenging how and why a service is provided (including consideration of alternative providers);
 - comparison of performance against other schools taking into account the views of parents and pupils;
 - mechanisms to consult stakeholders, especially parents and pupils;
 - embracing competition as a means of securing efficient and effective services;
 - b. the development of a framework of performance indicators and targets which will provide a clear practical expression of a school's performance, taking national requirements into account;
 - c. that the following are included in school development plans -
 - a summary of objectives and strategy for the future;
 - forward targets on an annual and longer term basis;
 - description of the means by which performance targets will be achieved;
 - a report on current performance

- d. that internal and external audit takes place ensuring that performance information is scrutinised. Authority oversight of school finances provides external review.
4. The independent inspection and intervention elements of the best value framework will be the responsibility of other bodies and therefore not relevant to demonstration by a governing body of adherence to best value principles.

The following five key features represent the government's expectations for the Best Value Framework.

Key Features	Main Points
Authorities must establish a corporate view of what they wish to achieve and how they perform against both objective indicators where they exist and the more subjective views of the local community and those that do business with them.	➤ Corporate ➤ Overall Vision ➤ Objective measures ➤ Stakeholder perceptions/ subjective measures
Authorities must review a proportion of their service activity each year.	➤ All areas every 4-5 years ➤ Highlight poor performers for priority action
There must be a review mechanism to establish improvement targets and efficiency targets, and how the targets will be achieved using open competition unless authorities are able to demonstrate why this is inappropriate in the circumstances.	➤ Targets for standards and efficiency ➤ Open competition ➤ Performance management techniques
Authorities must publish and report back on their performance against their targets, they must also participate with other authorities in sharing information and experience.	➤ Driving continuous improvement ➤ Share performance information ➤ Share good practice
There is a key role for the audit process in ensuring the integrity of reviews and in certifying monitoring information.	➤ Transparent and rigorous to create credibility ➤ Intervention where failure not tackled

ANNEX F: CAPITAL / REVENUE SPLIT

ILLUSTRATIVE EXAMPLES IN LINE WITH INTERPRETATION OF THE CIPFA CODE OF PRACTICE

ELEMENT	CAPITAL: AS CIPFA CODE OF PRACTICE	REVENUE: REPAIRS & MAINTENANCE
Roofs		
<u>Flat</u>	Structure. New (not replacement) structure	Repair/replacement of small parts of an existing structure
	Structure. Replacement of all or substantial part of an existing structure to prevent imminent or correct actual major failure of the structure	Replace small areas of rotten or defective timber, make good minor areas of spalling concrete where reinforcing bars exposed
	Screed / insulation in a new building/extension	Repair/replacement of screed/insulation where defective.
	Screed / insulation. Replacement/repair of substantially all. Improve effectiveness of insulation	Work to improve insulation standards, during work to repair/ replace small areas of roof.
	Finish on new build. Replacement of all/substantially all on existing roof	Replacement of roof finish on existing building. Re-coating chippings to improve life expectancy
	Edge Trim/ Fascia on new build	Repairs/ replacement. (uPVC) Repainting.
	Edge Trim/ Fascia, Replacement of all/substantially all on existing roof	Repairs/ replacement. (uPVC) Repainting.
	Drainage on new build	Clearing out gutters and downpipes. Replacement/repair/ repainting of/ individual gutters/pipes
	Other e.g. Flashings, Rooflights on new build Replacement of all/substantially all on existing roof	Repair/ Replacement/ cleaning of individual items

ELEMENT	CAPITAL: AS CIPFA CODE OF PRACTICE	REVENUE: REPAIRS & MAINTENANCE
Roofs <u>Pitched</u>	Structure. New (not replacement) structure	Repair/replacement of small parts of an existing structure
	Structure. Replacement of all or substantial part of an existing structure to prevent imminent or correct actual major failure of the structure	Replace/ repair small areas of rotten/ defective joists, rafters, purlins etc. Not complete trusses
	Insulation in a new building/extension	Repair/replacement/ increasing thickness of insulation in an existing roof
	Insulation. Replacement /repair of substantially all. Improve insulation to current standards	
	Roof finish in a new building/extension, replacement of all/substantially all on existing roof	Replace missing/ damaged small parts
	Bargeboards/ Fascias in a new building/ extension, replacement of all/ substantially all on existing roof	Repairs/ replacement/ Repainting
	Drainage in a new building/extension	Clearing out gutters and downpipes. Replacement/ repairs of individual pipes/ gutters
	Drainage. Replacement of all/substantially all on existing roof	
	Other e.g. Flashings, Roof windows in a new building/ extension, replacement of all/ substantially all on existing roof	Repair/ Replacement /cleaning
Roofs <u>Other</u>	Provide new covered link etc. between existing buildings	Minor repairs, maintenance to existing covered link
	Rebuild or substantially repair structure of existing covered link/existing porch	
	Add porch etc. to existing building	Minor repairs, maintenance to existing structure

ELEMENT	CAPITAL: AS CIPFA CODE OF PRACTICE	REVENUE: REPAIRS & MAINTENANCE
Floors		
<u>Ground Floor</u>	Structure and damp proof course in new building	Repair/replacement of small parts of an existing structure
	Structure and damp proof course - Replacement of all or substantial part of an existing structure to prevent imminent or correct actual major failure of the structure	
	Screed and finish in new build, replacement of all/substantially all on existing floor - e.g. replacement of most carpets/ tiles in a room	Replacement and repair of screed and finishes/ Replacement of mats/ matwells. Maintenance e.g. revarnishing wooden floors.
<u>Upper Floor</u>	Structure - as ground floor	As ground floor
	Screed and Finish - as ground floor	Repairs of finishes/ Replacement - as ground floor
Ceilings		
<u>Top/ only storey</u>	Suspension	Repair/ replacement incl. From water damage, & necessary decoration
	Membrane	
	Fixed	Repair/ replacement inc. from water damage
	Access panels	Repair/ replacement
<u>Lower storeys</u>	Suspension	Repair/ replacement
	Membrane	
	Fixed	Repair/ replacement
<u>All</u>	Specialist removal/ replacement of damaged/ disturbed Asbestos based materials, planned or emergency	Inspection/ air testing Applying sealant coats to asbestos surfaces for protection

ELEMENT	CAPITAL: AS CIPFA CODE OF PRACTICE	REVENUE: REPAIRS & MAINTENANCE
<u>Lower storeys</u>	Suspension	Repair/ replacement
	Membrane	
	Fixed	Repair/ replacement
<u>All</u>	Specialist removal/ replacement of damaged/ disturbed Asbestos based materials, planned or emergency	Inspection/ air testing Applying sealant coats to asbestos surfaces for protection
External walls		
<u>Masonry/ cladding</u>	Structure Underpinning/ propping for new build	Repairs Preventive measures e.g. tree removal
	External Finish on new build	Repair/replacement of small parts of an existing structure. e.g. repointing/ recladding a proportion of a wall where failure has occurred.
	External Finish on existing build where needed to prevent imminent or correct actual major failure of the structure. e.g. repointing/ recladding work affecting most of a building /replacement build	
<u>Windows and Doors</u>	Framing - new build	Repair/ replacement of individual frames. Repainting frames
	Framing - structural replacement programme	Repair/ replacement of individual windows. Repainting frames
	Glazing - new build / upgrading existing glazing	Replacing broken glass
	Ironmongery Improved security	Repair/ replacement, upgrading locks etc.
	Jointing including mastic joints	
	Internal and external decorations to new build	Internal and external decoration to include cleaning down and preparation.

ELEMENT	CAPITAL: AS CIPFA CODE OF PRACTICE	REVENUE: REPAIRS & MAINTENANCE
<u>Masonry chimneys</u>	Structure	
	Jointing including expansion and mortar joints/ pointing/ DPC	Repair/ re-pointing
Internal walls		
<u>Solid</u>	Complete including various internal finishes, linings, and decorations	Repairs and redecoration to internal plaster/ linings tiles, pin boards etc.
	Refurbishment and alterations	Minor alterations
<u>Partitions</u>	Complete structure including linings, framing, glazing, decoration etc.	Repairs and redecoration.
	Refurbishment and alterations	Minor alterations
<u>Doors & Screens</u>	Framing/ Screens/ Doors to new buildings including glazing, ironmongery, jointing and internal decorations	Internal maintenance and redecoration. Repair/ replacement of defective doors and screens
<u>All</u>	Glazing to meet statutory Health & Safety requirements	Replacement of broken glass
Sanitary Services		
<u>Lavatories</u>	In new buildings provision of all toilet fittings, waste plumbing and internal drainage.	Repair/ replacement of damaged sanitary ware, fittings, waste plumbing etc.
	Large scale toilet refurbishment	Small areas of refurbishment
	Provision of disabled facilities, and specialist facilities related to pupils with statements	Repair/ replacement of damaged fittings, waste plumbing etc.
<u>Kitchens</u>	Kitchens in new buildings, complete with fittings, equipment, waste plumbing and internal drainage. Internal finishes and decorations.	Maintain kitchen to requirements of Authority Cleaning out drainage systems Redecoration

ELEMENT	CAPITAL: AS CIPFA CODE OF PRACTICE	REVENUE: REPAIRS & MAINTENANCE
<u>Kitchens</u>	General refurbishment	Repairs
	Large and costly items of equipment	Repairs/ replacement parts
Mechanical services		
<u>Heating/ hot water</u>	Complete heating and hot water systems to new projects, including fuel, storage, controls, distribution, flues etc.	General maintenance of all boiler house plant including replacement of defective parts. Regular cleaning. Energy saving projects
	Safe removal of old/ damaged asbestos boiler and pipework insulation, where risk to Health & Safety.	Monitoring systems Health & safety issues
	Planned replacement of old boiler/ controls systems past the end of their useful life	Replacement of defective parts
	Emergency replacement of boiler plant/ systems	
<u>Cold water</u>	Provision of cold water services, storage tanks, distribution, boosters, hose reels etc. in major projects	Maintenance and repair/ replacement of defective parts such as servicing pipes. Annual servicing of cold water tanks.
<u>Gas</u>	Distribution on new and major refurbishment's, terminal units	Repairs, maintenance, and gas safety All servicing
<u>Ventilation</u>	Mechanical ventilation/ air conditioning to major projects	Provision of local ventilation. Repair/ replacement of defective systems and units
<u>Other</u>	Swimming pool plant and its complete installation, including heat recovery systems	Repair/ replacement of parts to plant, pumps, and controls. Water treatment equipment and all distribution pipework. Simple heat recovery systems. Solar heating plant and equipment.

ELEMENT	CAPITAL: AS CIPFA CODE OF PRACTICE	REVENUE: REPAIRS & MAINTENANCE
Electrical services		
<u>General</u>	Main switchgear and distribution in major projects.	Testing/ replacement of distribution boards. The repair and maintenance of all switchgear and interconnecting cables including that in temporary buildings.
	Replacement of obsolete and dangerous wiring systems, including distribution boards	All testing, earthing, and bonding to meet Health & Safety. All servicing.
<u>Power</u>	Control gear, distribution, fixed equipment, protection etc.	All testing, repair, and replacement of small items of equipment
<u>Lighting</u>	Provision of luminaires and emergency	Replacement of luminaires, all testing, adjustments, and improvements to emergency
<u>Other</u>	Lightning protection in new build	Repair/ replacement
	Alarm systems, CCTV, lifts/ hoists etc.,	Repair and maintenance
	New installation of communication systems, radio/ TV, call, telephone, data transmission, IT etc. and provision in new build.	Repair/ replacement/ maintenance, including all door access systems
External Works		
<u>Pavings</u>	Provision of new roads, car parks, paths, court, terraces, play pitches, steps, and handrails, as part of major project, including disabled access	Maintenance and repair Car park and playground markings.
<u>Miscellaneous</u>	Provision of walls, fencing, gates, and ancillary buildings as part of major project	Maintenance and repair of all perimeter/ boundary/ retaining walls, fencing and gates.

ELEMENT	CAPITAL: AS CIPFA CODE OF PRACTICE	REVENUE: REPAIRS & MAINTENANCE
<u>Drainage</u>	Drains, soakaways, inspection chambers and sewage plant as part of new projects	Maintenance and repair of drains, gullies, grease traps and manholes between buildings and main sewers. Cleaning of the above and unblocking as necessary.
<u>Open air pools</u>	Structure, Hygiene/ safety in new build	Hygiene, cleaning, maintenance, and repairs, including replacement parts. Simple energy saving systems.
<u>Services distribution</u>	Heating mains Gas mains Water mains Electricity mains, renewal of any above.	Annual servicing

Notes

This illustrative list is the interpretation of the CIPFA Code of Practice and schools should refer to the Code when defining capital and revenue.

ANNEX G: CONTACTS

For any enquiries regarding the content of this Scheme please contact the following

Name	Position	Telephone	E-mail
Vacant	CYP Finance Business Partner		CYPFinance@bury.gov.uk
Alison Vidler	Senior Schools Finance Officer	0161 253 5620	A.Vidler@bury.gov.uk

For any enquiries regarding Insurance Cover

Name	Position	Telephone	E-mail
Insurance Team		0161 253 7787	Insurance@bury.gov.uk

Published Scheme

In accordance with the provision at 3.4 this Scheme is available for open public view at the following weblink:

Bury Council Internet <https://www.bury.gov.uk/index.aspx?articleid=11237>

Alternatively this Scheme may be found by following the Internet route:

www.bury.gov.uk

then from the headings follow:

- > Education
- > Schools and learning
- > Section 251 financial statements and scheme for financing schools

