



Delegated Decisions by Cabinet Member for Education & Cultural Services

***Wednesday, 16 January 2019 at 10.00 am
County Hall, New Road, Oxford***

Items for Decision

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on 24 January 2019 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

These proceedings are open to the public

A handwritten signature in blue ink, appearing to read 'Yvonne Rees'.

Yvonne Rees
Chief Executive

January 2019

Committee Officer: **Deborah Miller**
Tel: 07920 084239; E-Mail: deborah.miller@oxfordshire.gov.uk

Note: Date of next meeting: 13 February 2019

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

Items for Decision

1. **Declarations of Interest**
2. **Petitions and Public Address**
3. **Questions from County Councillors**

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

4. **Formal Approval of Schools Funding Formula 2019-20** (Pages 1 - 6)

Forward Plan Ref: 2018/133

Contact: Sarah Fogden, Finance Business Partner Tel: 07557 082613

Report by Director for Children's Services (**CMDECS4**).

The final funding formula for schools and academies for 2019/20 needs to be formally approved politically before submission to the DfE by 21 January 2019. Schools Forum has been consulted in development of the funding formula for 2019/20 as a statutory consultee, but the decision on the final formula is made by the local authority.

The Cabinet Member for Education & Cultural Services is RECOMMENDED to approve the final funding formula for 2019/20 subject to the decision by the Secretary of State for Education.

5. **Oxfordshire County Council's Recommended Sponsor for the New Primary School Located in NE Wantage (Kingsgrove)** (Pages 7 - 10)

Forward Plan Ref: 2018/137

Contact: Lucy Mills, Schools Organisation Officer Tel: 07586 478794

Report by Director for Children's Services (**CMDECS5**).

The Cabinet meeting of 4 September 2012 approved a process for the identification of sponsors for new academies to meet the needs of population growth such as this which requires a new secondary school for 2020. It was subsequently agreed in the meeting of 15th July 2014 that the final recommendation should be a decision delegated to the cabinet member responsible for Education.

This process has been followed and has now reached the point where a preferred provider has been identified from a group of 4 short-listed bidders which were assessed against criteria.

The Cabinet Member is asked to agree the recommended provider which will be submitted to the Secretary of State for Education for a final decision. However, the Department for Education has directed that the recommendation must not be made public, therefore this has to be kept confidential.

The Cabinet Member is RECOMMENDED to approve the preferred provider to be submitted to the Secretary of State for Education for final agreement.

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Division(s): All

CABINET MEMBER FOR EDUCATION & CULTURAL SERVICES - 16 JANUARY 2019

Formal Approval of School Funding Formula 2019/20

Report by Director for Children's Services

RECOMMENDATION

1. **The Cabinet Member for Education & Cultural Services is RECOMMENDED to approve the final funding formula for 2019/20 subject to the decision by the Secretary of State for Education.**

Executive Summary

2. The final funding formula for schools and academies for 2019/20 needs to be formally approved politically before submission to the DfE by 21 January 2019. Schools Forum has been consulted in development of the funding formula for 2019/20 as a statutory consultee, but the decision on the final formula is made by the local authority.
3. The decision this year includes the request made to the Secretary of State for permission to transfer 0.5% (£1.8m) from the Schools block to support High Needs expenditure. The deadline for the Local Authority to confirm that it wishes to continue with that request is 15 January 2019, and there is no indication of how quickly the DfE will respond to the disapplication request. The decision on Schools Funding will therefore be made subject to the approval of the Secretary of State. The deadline to confirm school budget shares to maintained schools is 28 February 2019.

Introduction

4. The local authority is required to set the pre-16 funding formula for each financial year, for all maintained schools and academies (including free schools, studio schools and university technical colleges), after consultation with Schools and Schools Forum about any proposed changes.
5. The local authority is responsible for making the final decisions on the formula but must gain political approval before the final formula for the 2019/20 financial year is submitted to the Department for Education (DfE) on 21 January 2019.

The National Funding Formula

6. In 2018/19 the government implemented national funding formulae for the Schools, High Needs and the Central Services Schools Block (CSSB) with local discretion on implementation for 2018/19 and 2019/20.
7. 2018/19 saw the introduction of the national funding formula (NFF). This reform means that for the first time, school funding was distributed to Local Authorities according to a formula based on the individual needs and characteristics of every school in the country. Local Authorities continue to be responsible for distributing money between schools in 2018/19 and 2019/20, and this has been extended to 2020/21 by the DfE.
8. Oxfordshire consulted with all schools and academies and Schools Forum about the 2018/19 funding formula last year. It was agreed to implement the transitional NFF as closely as possible and this was achieved within the overall envelope of funding for 2018/19. 2019/20 will be the second year of the journey to implement the NFF as closely as possible, subject to affordability. The DfE required Local Authorities to consult on the funding formula each year, even where the principles for future years have been previously agreed.
9. The key changes from the 2018/19 formula are:
 - Funding floor 1% per pupil increase over 2017/18 baselines (planned increase from 0.5% in 2018/19)
 - Optional Funding Floor Factor to deliver the 1% per pupil increase over 2017/18 baseline
 - Minimum per pupil levels increased to £3,500 for primary; £4,800 to Secondary.
 - Gains Cap (ceiling) now 6.09% (i.e. 3% + on 3%)
 - Growth allocated on formulaic basis (not historic)
 - KS3 minimum level for K3 only schools @ £4,600 (Not applicable in Oxfordshire)
 - KS4 minimum level for KS4 only schools @ £5,100
 - Prior Attainment factor reduced to £1,022

Outcome of Consultation with Schools and Schools Forum

10. Consultation with schools was carried out from 15 October 2018 to 5 November 2018. The results of the consultation were discussed at the School Forum meeting on 7 November 2018.
11. Schools were consulted on whether to continue to implement the NFF as closely as possible. 95% agreed to continue this approach.

12. Schools were consulted on the use of the Minimum Funding Guarantee to be set as 0.5% and the use of the MFG/related capping as the mechanism to adjust allocations to an affordable level if required. 73% agreed to this approach.

Consultation on Transfer to High Need Block

13. Dedicated Schools Grant (DSG) to Local Authorities is allocated in blocks. There are blocks of funding for Early Years, Schools, High Needs and Central School Services. The blocks are ringfenced for 2019/20 (meaning funding can only be spent on the services/provisions covered by the blocks).
14. However, the DfE guidance allows for some transfer between blocks as stated below:
 - The Schools Block will be ring-fenced in 2019 to 2020, but local authorities will retain limited flexibility to transfer up to 0.5% of their Schools Block funding into another block, with the approval of their schools forum.
 - To make such a transfer, local authorities should consult with all local maintained schools and academies and the schools forum should take into account the views of the schools responding before giving their approval.
15. Spend on High Needs is expected to exceed the grant funding available by between £7m and £8m in 2018/19 and continue to increase over the medium term.
16. The consultation asked Schools whether they wished to support a transfer to the High Needs Block. 91% did not support this. The draft Minutes from Schools Forum record the following:

“Forum’s response to the Consultation concurred with that of the schools overall: to continue to implement the NFF as agreed, but not to support the transfer of funds from Schools Block to the High Needs Block”

High Needs Block: Disapplication request

17. As Schools Forum did not support the transfer from the Schools block and given the forecast overspend within the High Needs block, Oxfordshire have appealed the decision with the Secretary of State. A disapplication request was submitted to transfer 0.5% or £1.8m from the Schools Block to meet the DfE deadline of 30 November 2018.
18. On 16 December 2018, the Education Secretary announced an additional £125m for High Needs in both 2018/19 and 2019/20. Oxfordshire’s share is £1.5m.
19. Given this additional funding, the ESFA have asked local authorities whether they wish to reconsider disapplication requests. Oxfordshire must inform the

ESFA by 15 January of its intentions and if the disapplication request remains, reasons why the transfer at the original level is still required must be provided.

20. The forecast overspend position on the High Needs block means that the Local Authority will continue with the disapplication request in line with the original reasons for doing so.
21. The timescale for the Secretary of State to respond to the disapplication request is unknown.

Oxfordshire Funding Formula

22. The School Funding Formula for 2019/20 taking into account the views of the consultation has been modelled to replicate the NFF as closely as possible.
23. In line with timescales in previous years, the DSG settlement was announced on 17 December 2018. This has not given much time to assess the impact of the funding announcement and consult with Schools Forum on the final funding formula.
24. As recommended by the ESFA, the authority has modelled the formula using both the MFG at 0.5% and the Optional Funding Floor factor, to determine the methodology which most closely reflects the 1% per pupil increase over the 2017/18 baselines.
25. At the meeting of Schools Forum on 14 January 2019, Forum will be consulted on 2 schools funding formulae:
 - a) One that continues the move towards the National Funding Formula
 - b) As above but including the transfer to High Needs.
26. A summary of the formula factors in both versions will be circulated as Annex A to this report.
27. The outcome of the Schools Forum meeting on 14 January 2019 will be presented to this meeting.

Financial and Staff Implications

28. The report deals with the funding formula for schools and academies for 2019/20 and there are no further financial or staffing implications discussed in this report. Schools and academies are responsible for managing the deployment of the delegated funding they receive.

Equalities Implications

29. Where the local authority continues to have discretion in funding decisions made, priority will be given to the needs of vulnerable pupils and the Council's

aims of raising attainment, narrowing the attainment gap and safeguarding children.

LUCY BUTLER

Director for Children's Services

Contact Officer: Sarah Fogden, Finance Business Partner 07557 082613

January 2019

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Division(s): Grove and Wantage

CABINET MEMBER – 16 JANUARY 2019

NEW PRIMARY SCHOOL FOR NE WANTAGE (CRAB HILL / KINGSGROVE): REPORT ON SELECTION PROCESS FOR APPROVED PROVIDERS AND APPROVAL OF PREFERRED OPTION

Report by Director for Children's Services

RECOMMENDATION

1. **The Cabinet Member is RECOMMENDED to approve the preferred provider to be submitted to the Secretary of State for Education for final agreement.**

Executive Summary

2. The Cabinet meeting of 4 September 2012 approved a process for the identification of sponsors for new academies to meet the needs of population growth such as the one at NE Wantage. This was amended in the Cabinet meeting of 15th July 2014 to give the decision to the Cabinet member unless there are special circumstances. There are no special circumstances in this case.
3. The approved specification for NE Wantage sought providers for a new primary school. The school will be a 2-form entry, 2-11 age range primary school, with an Admission Number of 60.
4. The specification did not impose restrictions on the nature of provider – e.g. faith organisations, or existing providers – given that the local consultation was inconclusive on these issues.

Confidential Information

5. The Department for Education has instructed that any recommendation should not be made public until the Secretary of State has made a final decision on this matter.

Background

6. The agreed process has now completed the following stages:
 - a. Assess expressions of interest and then invite detailed bids from short-listed providers to show clear plans of how they will contribute to the

raising of education standards, add diversity of choice and which best fits the local requirements and meets the needs of those within groups offered specific protection under s149 Equality Act 2010.

- b. Assess bids against criteria and rank in order of preference. Agree a preferred option to be approved by Lead Member responsible for Education.
7. Four expressions of interest were received. A scoring system was used to assess the applications. These were assessed and scored according to criteria derived from the Department for Education (DfE) Free School Presumption advice February 2016 and from the council's specification document for the new school at NE Wantage previously agreed by the Cabinet Member.
8. The applicants were:
 - a. CfBT Schools Trust: CfBT consists of 16 schools across the UK; in Oxfordshire they currently operate Oxford Spires Academy (a secondary academy) and Abbey Woods Academy in Berinsfield (a primary academy).
 - b. GEMS Learning Trust: GEMS Learning Trust was established in September 2015 with the opening of their first primary academy in Twickenham. There is one Oxfordshire school run by GEMS which opened in Didcot in September 2016. Their third school is due to open at Kingston, in 2019.
 - c. GLF Schools: GLF consists of 30 schools across several local authorities; in Oxfordshire they currently operate in Didcot and Banbury, including William Morris Primary School and the recently opened Longford Park Primary School in Banbury, and The Aureus (secondary) School in Didcot, and Aureus Primary School which opened in September 2018.
 - d. Vale Academy Trust: The Vale Academy Trust (VAT) was formed on 1st October 2013 when three local schools (King Alfred's Academy, Charlton Primary School and Wantage CE Primary School) came together to work in partnership. There are now eight academies; the three founding schools, four other primary academies that have since joined the Trust and Larkmead School in Abingdon that joined in January 2017.
9. The county council's standard practice is to short-list up to three providers, however in this case all four applicants were invited to submit detailed bids, given the close scores following the initial assessment. All providers were also asked to make a presentation to a panel consisting of officers and the Cabinet member for Education & Cultural Services. Both parts of the detailed application were then scored against specified criteria, considering information provided by the DfE about each's trust's current performance.

10. Based on the applications and presentations, a preferred sponsor has been identified. As the Department for Education requires that this be confidential until the Secretary of State has confirmed the approved sponsor, the preferred sponsor will be reported verbally at the meeting.

Financial and Staff Implications

11. There are none arising directly from this report. However, once an approved sponsor has been confirmed by the Secretary of State there will be a need for significant and on-going liaison with council officers.

LUCY BUTLER

Director for Children's Services

Contact Officer: Barbara Chillman, Pupil Place Planning Manager (07554103418)

January 2019

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