

**Policy Committee**

**Date:** **Wednesday, 14 November 2012**  
**Time:** **10:30**  
**Venue:** **County Hall**  
**Address:** **County Hall, West Bridgford, Nottingham NG2 7QP**

**AGENDA**

<b>1</b>	<b><u>Minutes of last meeting held on 17.10.12</u></b> Details	<b>3 - 8</b>
<b>2</b>	<b><u>Apologies for Absence</u></b> Details	<b>1-2</b>
<b>3</b>	<b><u>Declarations of Interests by Members and Officers:- (see note below)</u></b> (a) Disclosable Pecuniary Interests (b) Private Interests (pecuniary and non-pecuniary)	<b>1-2</b>
<b>4</b>	<b><u>School Funding Reform: Schools Block - Local Funding Formula for 2013/14</u></b> Details	<b>9 - 86</b>
<b>5</b>	<b><u>Staffing Proposals to Support Economic Growth and Develop the Tourism Potential in the County</u></b> Details	<b>87 - 92</b>
<b>6</b>	<b><u>Outcome from the Complaints Process - April 2011 to March 2012</u></b> Details	<b>93 - 102</b>
<b>7</b>	<b><u>Substance Misuse Services in HMP Whatton and HMP Ranby</u></b> Details	<b>103 - 110</b>
<b>8</b>	<b><u>A Joint Public Health Function for Nottinghamshire County and Nottingham City - Proposal for Impleme</u></b> Details	<b>111 - 118</b>
<b>9</b>	<b><u>Work Programme</u></b> Details	<b>119 - 124</b>

(1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting. A meeting of the Conservative Group will be held at 9.45 am on the day of the meeting

(2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 08449 80 80 80

(3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules.

(4) Members or Officers requiring clarification on whether to make a declaration of interest are invited to contact Chris Holmes (Tel. 0115 9773714) or a colleague in the Democratic Services prior to the meeting.

(5) Members are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.

Meeting POLICY COMMITTEE

Date Wednesday, 17<sup>th</sup> October 2012 at 10:30am

## membership

Persons absent are marked with 'A'

## COUNCILLORS

Mrs Kay Cutts (Chairman)  
Martin Suthers OBE (Vice-Chairman)

Reg Adair	Philip Owen
Joyce Bosnjak	Alan Rhodes
Richard Butler	June Stendall
Steve Carroll	Andy Stewart
John Clarke	Stuart Wallace
John Cottey	Brian Wombwell
Richard Jackson	Martin Wright
Stan Heptinstall MBE	A Jason Zadrozny
Mick Murphy	

## ALSO IN ATTENDANCE

Councillor Mel Shepherd MBE  
Councillor Stella Smedley MBE JP  
Councillor Chris Winterton

## OFFICERS IN ATTENDANCE

Mick Burrows	(Chief Executive)
Steve Bradley	(Children, Family & Cultural Services)
Patrick Chandler	(Policy, Planning & Corporate Services)
Claire Dixon	(Policy, Planning & Corporate Services)
Martin Done	(Policy, Planning & Corporate Services)
Derek Higton	(Children, Family & Cultural Services)
Deborah Hinde	(Policy, Planning & Corporate Services)
Chris Holmes	(Policy, Planning & Corporate Services)
Jayne Francis-Ward	(Policy, Planning & Corporate Services)
Marge Toward	(Environment & Resources)
Anna Vincent	(Policy, Planning & Corporate Services)
Michelle Welsh	(Policy, Planning & Corporate Services)

## MINUTES

The Minutes of the last meeting held on 12<sup>th</sup> September 2012 having been previously circulated were confirmed and signed by the Chairman.

### **MEMBERSHIP**

It was reported that Councillor Stuart Wallace had been appointed a member of the Committee in place of Councillor Kevin Rostance.

### **RESOLVED 2012/036**

That the report be noted.

### **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Jason Zadrozny.

### **DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS**

Councillor Mrs K. Cutts declared a private interest in Agenda Item 6 Investing in Nottinghamshire County Cricket Club to secure economic benefits for Nottinghamshire as her husband was a member of the Cricket Club.

Councillor Reg Adair declared a private interest in Agenda Item 6 Investing in Nottinghamshire County Cricket Club to secure economic benefits for Nottinghamshire as he was a member of the Cricket Club.

Councillor John Cottey declared a private interest in Agenda Item 4 Sherwood Forest Visitor Centre Attraction – Procurement of Operator as he was a member of the Sherwood Forest Trust.

### **SHERWOOD FOREST VISITOR CENTRE ATTRACTION – PROCUREMENT OF OPERATOR**

### **RESOLVED 2012/037**

- 1) That approval be given to the award to Bidder A of a works concession to be the operating partner for a new visitor centre/attraction at Sherwood Forest, subject to successful clarification/fine tuning of the legal agreements described in the report
- 2) That approval be given to entering into the necessary legal agreements to give effect to the project within the financial parameters set out in the Exempt Appendix 2 of the report
- 3) That delegated authority be given to the Corporate Director, Children, Families & Cultural Services in consultation with the Group Manager, Legal & Democratic Services, to approve any additions or amendments to any

agreements which in their judgement are necessary to give effect to the project and which are within the financial parameters set out in the report

- 4) That it be agreed that the Culture Committee will receive further reports regarding the design, development and longer term operation of the new visitor centre/attraction.

### **£1 MILLION OLYMPIC & PARALYMPIC LEGACY FUND**

Copies of an additional recommendation to the report were circulated.

#### **RESOLVED 2012/038**

- 1) That a £1 million sports grant fund for Nottinghamshire's community sports clubs be established for distribution in the 2012/13 financial year
- 2) That grants below £2,500 be considered on a rolling basis and reported to the next available Culture Committee for approval

### **INVESTING IN NOTTINGHAMSHIRE COUNTY CRICKET CLUB TO SECURE ECONOMIC BENEFITS FOR NOTTINGHAMSHIRE**

A motion was moved and duly seconded in terms of resolution 2012/039 below.

Following a debate the motion was put to the meeting and after a show of hands the Chairman indicated that it was carried. The requisite number of members requested a recorded vote and it was ascertained that the following ten members voted for the motion:-

Councillors Reg Adair	Mick Murphy
Richard Butler	Philip Owen
John Cottee	Andy Stewart
Mrs Kay Cutts	Martin Suthers OBE
Richard Jackson	Stuart Wallace

The following six members voted against the motion:-

Councillors Joyce Bosnjak	Stan Heptinstall MBE
Steve Carroll	Alan Rhodes
John Clarke	Brian Wombwell

The following two members abstained;

Councillors June Stendall, Martin Wright

The Chairman declared that the motion was carried and it was

#### **RESOLVED 2012/039**

- 1) That the Council provide financial support of £900,000 to Nottinghamshire County Cricket Club in consideration of the community package and advertising and promotional opportunities set out in the heads of terms summarised in the report
- 2) That approval be given to the extension to October 2015 of the period in which Nottinghamshire County Cricket Club is not required to begin to repay a capital loan of £1.23 million awarded by the Council in October 2007
- 3) That the Council enter into the necessary legal agreements to give effect to the revised capital loan arrangement and the heads of terms within the financial parameters set out in the report.

### **IMPROVEMENT PROGRAMME PHASE II**

#### **RESOLVED 2012/040**

That approval be given to the approach and content of Phase II of the Improvement Programme as set out in the report.

### **COUNTY COUNCIL WORKFORCE STRATEGY**

#### **RESOLVED 2012/041**

- 1) That the County Council Workforce Strategy be approved as set out in Appendix A to the report
- 2) That Policy Committee be updated as to progress on the wider implications of the strategy on a 6 monthly basis

### **COMMUNICATIONS AND MARKETING STRUCTURE**

#### **RESOLVED 2012/042**

That the revised Communications and Marketing team structure be approved.

### **HEALTH SCRUTINY CONSULTATION RESPONSE**

#### **RESOLVED 2012/043**

That the consultation response to the Department of Health be noted.

### **UPDATE ON THE CUSTOMER SERVICE CENTRE**

#### **RESOLVED 2012/044**

That the report be noted.

### **WORK PROGRAMME**

#### **RESOLVED 2012/045**

That the work programme be noted.

#### **EXCLUSION OF THE PUBLIC**

#### **RESOLVED 2012/046**

That the public be excluded for the remainder of the meeting on the grounds that the discussions are likely to involve disclosure of exempt information described in paragraphs 3 and 5 of the Local Government (Access to Information) (Variation) Order 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### **EXEMPT INFORMATION ITEMS**

#### **SHERWOOD VISITOR CENTRE- PROCUREMENT OF OPERATOR - EXEMPT APPENDIX**

#### **RESOLVED 2012/047**

That the information in the exempt appendix to the report be noted.

#### **INVESTING IN NOTTINGHAMSHIRE COUNTY CRICKET CLUB TO SECURE ECONOMIC DEVELOPMENTS FOR NOTTINGHAMSHIRE**

#### **RESOLVED 2012/048**

That the information in the exempt appendix be noted.

The meeting closed at 12.25pm.

CHAIRMAN

M\_17Oct2012



**REPORT OF THE CORPORATE DIRECTOR FOR CHILDREN, FAMILIES AND  
CULTURAL SERVICES****SCHOOL FUNDING REFORM: SCHOOLS BLOCK – LOCAL FUNDING  
FORMULA FOR 2013/14****Purpose of the Report**

1. This report seeks approval for the adoption of the Nottinghamshire schools budget funding formula, as recommended by the Schools Forum, for the financial year 2013/14.

**Information and Advice****The National Context**

2. All local authorities are required to implement a new simplified local funding formula to distribute the Dedicated Schools Grant (DSG) notional Schools Block of funding to all mainstream primary and secondary maintained schools and academies from April 2013. Funding for special schools will be distributed through a separate formula. A consultation on this will take place later in the Autumn term.
3. In accordance with the School Finance (England) Regulations 2012 (chapter 2, paragraph 9), the responsibility for determining the local funding formula for schools lies with the local authority. Prior to agreeing the formula, the local authority must first consult with the Schools Forum and all schools on the proposed changes. The Schools Forum is a representative body from the Nottinghamshire schools and early years community which is constituted to make decisions and give guidance to the Council about the schools budget.
4. Government has given detailed guidance and put in place fixed requirements for how this has to be done. In particular, they have insisted that the number of factors upon which the distribution of available funding can be made must be significantly reduced in order that more funding follows the pupil. In the case of Nottinghamshire this has resulted in a reduction from 23 to 9 factors. There are consequences for this for the schools budget in Nottinghamshire schools. For example, there can no longer be factors for premises, other than for arrangements for the Local Authority to pay the rates on behalf of schools and to make allowance for split sites and official joint use arrangements. Additionally, it is no longer allowed to replicate the funding which has been distributed through a range of historic grants. The upshot of this is that there is unavoidable change in

individual school budget shares. The Council (working with Nottinghamshire's Schools Forum) has sought to limit the impact of this turbulence through a range of measures designed to mitigate and postpone the impact of the changes. As part of these changes, the Council has been required to reconstitute the Schools Forum to reflect changes in schools governance. The constitution and membership of Nottinghamshire's Schools Forum is attached as **Appendix 1**.

5. Members will be aware that the implementation of a new funding formula has caused difficulty within various local authorities. A number of Councils have written to the Secretary of State with their concerns. The Chairman of the Children and Young People's Committee wrote to the Secretary of State in July to outline the concerns felt in Nottinghamshire regarding the inflexibility of the new regulations which fail to recognise the inequity in funding levels across the country and pointed out that the prescription of the factors gives less recognition to local need than should be the case. The letter requested the delay of the reformulation of the funding formula at a local level and urged the introduction of a national funding formula.

### **The Process Followed in Nottinghamshire**

6. Following the announcement of the changes to the school revenue funding system in March 2012, the Schools Forum established a working group to develop a proposed local funding formula for consultation with all parties affected by the changes. The model and consultation document were agreed by the Schools Forum on 6 September 2012, and a formal consultation on the proposals took place between 10 September and 12 October. The consultation was accompanied by a series of nine briefing sessions which Headteachers and Governors of all schools and academies in Nottinghamshire were invited to attend. A copy of the consultation document is attached as **Appendix 2**. As part of the consultation, schools were provided with an estimate of the impact of the proposed changes, modelled using 2011/12 pupil data and not including the proposed protection package, which is described later in this report. The modelling also did not include other significant factors outside of the formula such as the Pupil Premium (£900 per eligible pupil from April 2013). The separation of the funding formula from these other factors followed the modelling methodology required by Government.
7. A full analysis of the consultation responses is attached as **Appendix 3**. This was reported to members of the Forum along with a presentation providing a summary of the consultation feedback at their meeting on 16 October 2012. A copy of the presentation is attached as **Appendix 4**. In the majority of cases, the consultation responses showed a clear indication of if and how individual formula factors should be applied in the local funding formula for 2013/14.

### **Key Issues Arising from the Consultation**

8. There were two key issues that were identified where further consideration was required prior to the Schools Forum reaching a final agreement on the local funding formula to be recommended to Policy Committee.

9. The first issue was raised predominantly by the Headteachers of the secondary sector, who wished to maintain the existing 2012/13 levels of overall funding within the primary and secondary sectors. This could be achieved by altering the primary to secondary funding ratio of the basic per pupil entitlement factor. Currently the ratio stands at 1:1.39, meaning that for every £1,000 received for a primary aged pupil through the basic per pupil entitlement, £1,390 is received for a secondary aged pupil. The second issue was raised predominantly by the primary sector and related to the value of the lump sum applied within the formula. The formula requires that all schools receive a lump sum, ostensibly designed to protect small schools. The responses to the consultation indicated that consideration should be given to increasing the lump sum from £89,000 to £100,000. The application of a lump sum of the same value to all schools makes the setting of this figure critically important, as the larger the lump sum the less funding there is available to distribute through the pupil led element of the formula. When all factors are taken into account (pupil led and other factors) the overall ratio between primary and secondary sectors currently stands at 1:1.27.

### **Further Modelling**

10. To enable Forum members to consider how best to respond to these concerns and ultimately to make an informed recommendation, Forum members requested that further modelling take place. This further modelling demonstrated the impact of increasing the ratio between the primary and secondary sectors above 1:1.39 and increasing the lump sum from the original proposed £89,000 to £100,000. This resulted in there being a total of six models for Forum members to consider. The models showed the impact on individual schools and phases of altering the primary to secondary ratio and lump sum value, as set out below:-

- Model 1 - Per pupil ratio 1:1.39 and lump sum at £89,000 (original consultation model)
- Model 2 - Per pupil ratio 1:1.45 and lump sum at £89,000
- Model 3 - Per pupil ratio 1:1.52 and lump sum at £89,000
- Model 4 - Per pupil ratio 1:1.39 and lump sum at £100,000
- Model 5 - Per pupil ratio 1:1.45 and lump sum at £100,000
- Model 6 - Per pupil ratio 1:1.52 and lump sum at £100,000

11. Between meetings on 16 and 30 October 2012, Forum members agreed to take soundings from the colleagues whose interests they had been elected to represent. Based on these soundings, members would return to the meeting on 30 October 2012, where those eligible to do so would vote for their preferred model.

### **The Complexity of the Task and the Application of a Package of Protection**

12. The application of a limited number of allowable factors, the options on the primary and secondary ratio and the lump sum produces significantly different outcomes between the primary and secondary sectors. Broadly, a greater lump sum protects the interests of smaller primary schools at the expense of larger primary and secondary schools. Owing to the effect caused by the loss of historic grants and current premises factors, the application of the current 1:1.39 primary

to secondary ratio would result in a shift of funding from the secondary to primary sector of approximately £7.5m. If the lump sum were raised to £100,000 and the 1:1.39 ratio maintained, the movement of funding from secondary to primary schools would amount to approx £8m. One of the original underlying principles agreed at the outset by the Schools Forum had been the desirability of minimising significant turbulence.

13. In order to minimise the impact of the transition from the current formula to the new, a range of measures has been agreed by the Schools Forum. These are in addition to the Minimum Funding Guarantee (MFG), which the Government has put in place and which will limit the loss of the pupil led element of funding to 1.5% of a school's budget between financial years. The effect of these measures is to provide a package which will postpone the full impact of both gains and losses over a period of three financial years. The measures include:

- a gains cap that will limit the gain of any school on 2013/14 to 5% of the pupil led element, with the funding generated by the savings being redistributed through the new funding formula. The gains cap will rise to approximately 7.5% in 2014/15 and 10% in 2015/16 to allow the changes to be phased in gradually; and
- utilising any one-off savings in the overall schools budget.

14. However, these mechanisms in themselves would be insufficient to prevent there being a loss of funding for some schools in the first year. Therefore, to supplement these measures, the County Council budget proposals for 2013/14 include a provisional sum of £2m to contribute to this transition package.

15. **The overall impact of this package is that no school will lose on the pupil led element of its budget in 2013/14.** The package will then taper over the following two financial years (2014/15 and 2015/16), at which point the Government has given a commitment to the introduction of a national formula.

### **The Recommendation of the Schools Forum**

16. At its meeting on 30 October 2012, the Schools Forum agreed a recommended model for the Policy Committee to consider. In respect of the key issues arising from the consultation, i.e. the ratio and the lump sum, the Forum agreed to recommend Model 6, as set out in paragraph 10 above. This provides for a ratio of 1:1.52 and a lump sum of £100,000.

17. The effect of the model proposed is to move approximately £1m from the secondary to the primary phase. This results in a new overall ratio between the primary and secondary sector of 1:1.26. The proposed formula fulfils all of the detailed requirements of Government and gives some protection to small primary schools. The full set of recommendations is set out in Table 1 below:-

**Table 1**

<b><u>Description of formula factor</u></b>	<b>(for further information about these factors, please see <b>Appendix 2</b>)</b>	<b><u>% total funding</u></b>
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<b>1. Basic per pupil entitlement (mandatory factor)</b> <ul style="list-style-type: none"> <li>• Separate rates will be applied between KS3 and KS4, although this will not alter the agreed primary to secondary ratio</li> <li>• The primary to secondary ratio of 1:1.52 (model 6) will be applied</li> </ul>	82.16%
<b>2. Deprivation (mandatory factor)</b> <ul style="list-style-type: none"> <li>• Ever6 Free School Meals (FSM) and Income Deprivation Affecting Children Index (IDACI) will be used to distribute funding</li> <li>• Total funding will be split on a 50/50 basis between the two indicators</li> <li>• The same rate of funding per pupil will be applied for both the primary and secondary sectors</li> </ul>	3.24%
<b>3. Looked after children (optional factor)</b> <ul style="list-style-type: none"> <li>• This factor will be applied in the formula for 2013/14</li> <li>• The rate per eligible pupil will be £3,000</li> </ul>	0.25%
<b>4. Low cost, high incidence SEN (optional factor)</b> <ul style="list-style-type: none"> <li>• This factor will be applied in the formula for 2013/14</li> <li>• The same rate of funding per pupil will be applied for both the primary and secondary sectors</li> </ul>	4.36%
<b>5. English as an additional language (optional factor)</b> <ul style="list-style-type: none"> <li>• This factor will be applied in the formula for 2013/14</li> <li>• The same rate of funding per pupil will be applied for both the primary and secondary sectors</li> </ul>	0.25%
<b>6. Pupil mobility (optional factor)</b> <ul style="list-style-type: none"> <li>• This factor will be applied in the formula for 2013/14</li> <li>• The same rate of funding per pupil will be applied for both the primary and secondary sectors</li> </ul>	0.04%
<b>7. Lump sum (optional factor)</b> <ul style="list-style-type: none"> <li>• This factor will be applied in the formula for 2013/14</li> <li>• The value of the lump sum will be £100,000 per school (Model 6)</li> </ul>	7.80%
<b>8. Split site (optional factor)</b> <ul style="list-style-type: none"> <li>• This factor will be applied in the formula for 2013/14</li> <li>• The existing qualifying criteria and rates payable will be maintained in line with the current funding formula for 2012/13</li> </ul>	0.19%
<b>9. Rates (optional factor)</b>	1.55%

<ul style="list-style-type: none"> <li>• This factor will be applied in the formula for 2013/14</li> <li>• The current arrangement of paying rates centrally for maintained schools will continue. For academies, the Education Funding Agency (EFA) will pay the academy once the actual rates paid are known</li> </ul>	
<b>10. Joint use (exceptional factor)</b> <ul style="list-style-type: none"> <li>• The use of this factor has been approved by the EFA and will be applied in the formula for 2013/14 for all schools and academies which have official joint use agreements</li> <li>• The existing qualifying criteria and rates payable will be maintained in line with the current funding formula for 2012/13</li> </ul>	0.15%
<b>11. Rental of school accommodation (exceptional factor)</b> <ul style="list-style-type: none"> <li>• The use of this factor has been approved by the EFA and will be applied in the formula for 2013/14 for all schools which pay rental costs that exceed more than 1% of their total budget share</li> <li>• The existing qualifying criteria and amounts payable will be maintained in line with the current funding formula for 2012/13</li> </ul>	0.01%
<b><u>De-delegation of funding for maintained primary and secondary schools</u></b> <ul style="list-style-type: none"> <li>• There is a limited list of services that the local authority can continue to retain centrally for maintained schools only through de-delegation</li> <li>• Funding for the following services will be de-delegated for <b>both</b> the maintained primary and secondary sectors: <ul style="list-style-type: none"> <li><i>a. Support for minority ethnic and underachieving pupils</i></li> <li><i>b. Administration of free school meals eligibility</i></li> <li><i>c. Licences and subscriptions</i></li> <li><i>d. Staff costs / supply cover (trade union facility time)</i></li> </ul> </li> <li>• The funding for these services cannot be de-delegated for academies and will be included as part of their budget calculation</li> <li>• For the primary sector only, a contingency will be retained for previously agreed transitional protection for amalgamating primary schools</li> </ul>	
<b><u>Pupil growth fund</u></b> <ul style="list-style-type: none"> <li>• A pupil growth fund of £0.500m will be established for the primary sector to support the maintenance of infant class sizes (maximum 30) within current regulations. The criteria for allocating funds from this fund will be agreed by the Schools Forum</li> </ul>	
<b><u>Application of a gains cap</u></b> <ul style="list-style-type: none"> <li>• It has been agreed that a gains cap of a minimum of 5% per pupil will be applied to the local funding formula for 2013/14</li> </ul>	

## **Other Options Considered**

18. Five other options (Models 1-5 inclusive) were considered as outlined in the report. The majority view of the Schools Forum was that the recommended option has the benefit of giving protection to small primary schools whilst minimising the shift in funding from the secondary to the primary phase.
19. The only other model that was subject to a vote at the Schools Forum Meeting was Model 4, but this was not supported. There was no support to consider any other models, including the potential compromise option, Model 5.
20. However, because of the significance of the longer term impact of these changes upon some schools, it is recommended that the Forum should continue to review the position in the light of the emerging national picture and its responsibilities to consult about Nottinghamshire's schools budget formula annually.

## **Reason/s for Recommendation/s**

21. Council is required to decide upon the redistribution of the schools budget through a new funding formula which complies with current regulations and must have regard to the consultation with schools and the recommendations of the Schools Forum.

## **Statutory and Policy Implications**

22. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Financial Implications**

23. The quantum of funding distributed to schools overall is unaffected by changes in the formula. However, there are financial implications for individual schools and the effect of these has been minimised and postponed by the protection package outlined in the report,

## **RECOMMENDATION/S**

That the Committee:

- 1) approves the recommendations of the Schools Forum, as described in paragraph 17 (Table 1), to distribute available funding between Nottinghamshire schools and academies in 2013/14.
- 2) requests the Schools Forum to keep options concerning the size of the lump sum and the primary to secondary ratio under review over the coming months so that

further adjustments may be made, if necessary, for the financial year 2014-15 in the light of national developments in the funding of schools.

- 3) notes the transitional funding package set out in paragraphs 13 to 15, the impact of which means that no school will lose on the pupil led element of its budget in 2013/14.

**Anthony May**

**Corporate Director, Children, Families and Cultural Services**

**For any enquiries about this report please contact:**

Zoe Maxey  
Accountant (Schools)  
Children, Families and Cultural Services Finance  
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E: zoe.maxey@nottsc.gov.uk

**Constitutional Comments (LM 03/11/12)**

24. The Policy Committee has delegated authority within the Constitution to approve the recommendations in the report.

**Financial Comments (NDR 02/11/12)**

25. The financial implications of adopting the proposed formula for the 2013/14 financial year are set out in paragraph 23 and throughout the report.

**Background Papers**

None.

**Electoral Division(s) and Member(s) Affected**

All.

C0124

### **Nottinghamshire Schools Forum**

The Government requires that each local authority maintain a Schools Forum to represent its school's views on matters relating to the total Schools' Budget. There are national regulations which govern the composition, constitution and procedures of Schools Forums. Although they operate in a mainly consultative and advisory role, Schools Forums also have some decision making powers in relation to the balance between the delegated and centrally retained funds within the Schools' Budget.

The Government have announced plans to reform the system for school revenue funding from April 2013, and improved Schools Forum arrangements are being put into place to support the decision making process in regard to the implementation of the funding reforms. The legislation relating to Schools Forums has been reviewed in light of this, and the new regulations came into force on 1 October 2012.

As part of the improved arrangements, the membership of the Schools Forum must be broadly proportionate to the pupil population in the maintained and academy sectors as at September 2012. Following elections held in September 2012, the membership of the Schools Forum has now been updated to reflect this requirement.

### **School & Academy membership**

#### **Maintained primary schools**

Ashfield: Headteacher, Hillocks Primary School  
Bassetlaw: Headteacher, St Anne's C of E Primary School  
Broxtowe: Headteacher, Wadsworth Fields Primary School  
Gedling: Headteacher, Haddon Primary School  
Mansfield: Headteacher, Leas Park Junior School  
Newark: Headteacher, Chuter Ede Primary School  
Rushcliffe: Headteacher, Greythorn Drive Primary School

#### **Maintained secondary schools**

Headteacher, The Minster School

#### **Academy**

Principal, Ashfield School  
Principal, Tuxford Academy  
Principal, Carlton-le-Willows Academy  
Principal, Toot Hill School  
Principal, Meden School – A Torch Academy

#### **Special schools**

Headteacher, Derrymount School  
Headteacher, Bracken Hill School

**Pupil Referral Unit**

Head of Pupil Referral Unit

**Governors**

Maintained Primary

Governor, Westdale Infant School  
Governor, Wadsworth Fields Primary

Maintained secondary

Vacancy

Academy

Governor, Retford Oaks Academy

**Non-school membership**

**Private, voluntary & independent nursery providers**

Chair, Early Years Consultation Group  
Member, Early Years Consultation Group

**Diocesan representatives**

Church of England: Director of Education, Diocese of Southwell & Nottingham

Roman Catholic: Principal, Christ the King Catholic School

**14-19 Partnership representative**

Principal, The Brunts Academy

**Trade union representatives**

Teacher trade unions: NASUWT representative

Non-teaching trade union: UNISON representative



# ***SCHOOL FUNDING REFORM:***

## **CONSULTATION ON THE LOCAL FUNDING FORMULA FOR 2013/14**

**Consultation period:  
10 September to 12 October 2012**

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**Appendix 1: 2012/13 local funding formula factors**

**Appendix 2: Mapping of 2013/14 formula factors**

**Appendix 3: Financial modelling of the new local funding formula**

**Appendix 3a: Notes to accompany the financial modelling of the new local funding formula**

**Appendix 4: Consultation response form**

## **Foreword**

The County Council and the Nottinghamshire Schools Forum have worked hard in recent years to protect the budgets of our schools. We believe it is critical that the funding climate for Nottinghamshire Schools remains as stable as possible, despite the reductions and uncertainty in all other areas of the public sector.

We agree with the Government's long term vision of a *'fairer system in which funding follows pupils, schools have more control over their budgets and children are funded on a more equitable basis no matter where they live'*. Whilst there is clearly more to do to remove the variation in the levels of funding for schools, we are committed to ensuring that the current reforms for April 2013 result in a more simple, more transparent and fairer local funding formula to distribute funding to schools.

Since the reforms were announced in March 2012, we have been working together to create a framework and some basic principles for the new system. Many of you will have had the opportunity to attend a presentation outlining the details of the school funding reforms at your district Headteacher meetings in the summer term, so will already be familiar with some of the details and key aims. A key part of the work with the Schools Forum has been to prepare detailed models and options for a new local funding formula for Nottinghamshire. This work has progressed well and we are now in a position to consult with all schools and academies on the proposals. This consultation document will be supported by a series of district briefing events.

We recognise that any level of change in funding arrangements causes anxiety. In response, we are working to put together a transition plan. The purpose of our plan is to reduce the level of turbulence in individual schools, whilst recognising that the new system brings benefits for some schools which they will want to accrue as soon as possible.

In this consultation, we propose that there should be a cap on gains, which will have the effect of reducing the financial impact to schools and academies which would lose under the new formula. Our proposal is to limit gains on a sliding scale over three years. For 2013/14, the County Council is minded to use additional funding outside of the Dedicated Schools Grant to ensure that no school or academy loses funding on a per pupil basis.

We hope that as many of you as possible respond to this important consultation in order to determine the best funding arrangements for the pupils of Nottinghamshire.



**COUNCILLOR PHILIP OWEN**  
Chairman of the  
Children and Young People's Committee



**SALLY BATES**  
Chair of the  
Nottinghamshire Schools Forum

## Introduction

1. In March 2012, the Department for Education (DfE) published its latest paper, *School funding reform: Next steps towards a fairer system*, outlining proposed changes to the current school funding system from April 2013. Following a short consultation on some of the proposals contained within this paper, the final arrangements for the 2013/14 financial year were published on 28 June 2012.
2. The reforms clearly set out the key aims of the DfE to have a school funding system that is fair, simple, consistent, and transparent and where funding is more directly linked to the needs and numbers of pupils, and focus on:
  - delegating as many services and as much funding as possible to schools
  - simplifying the local formula used to distribute funding to schools
  - funding maintained schools and academies on the same equitable basis
  - improving the arrangements for funding pupils and students with high needs
  - improving the arrangements for the funding of early years provision
3. The introduction of a national funding formula - where pupils attract the same level of funding no matter where they go to school in the country, is not being addressed at this stage of the reforms. This is being delayed until the next comprehensive spending review period in 2015/16. The guaranteed unit of funding received per pupil in Nottinghamshire for 2013/14, therefore, will not increase over 2012/13. The changes to local funding arrangements from 2013/14 can, therefore, be viewed as a period of transition - to support the move from the current system to a new national formula.
4. Our approach to the reforms in Nottinghamshire has been to engage the Schools Forum, Elected Members and relevant officers of the Council from the outset, to work in partnership to implement the reforms and to deliver a system which both complies with Government regulations and delivers funding in the most effective and efficient way to meet the local needs of Nottinghamshire pupils.
5. As outlined in the foreword, the Council is also determined to minimise the impact of the redistribution of funding through a transition package, so that schools and academies are able to plan ahead for the changes.
6. This document sets out a summary of all of the proposed changes to the school funding system, a consultation on the proposals for changes to the local funding formula for Nottinghamshire for 2013/14 and further information on the changes that will be consulted on later in the autumn term in relation to the funding for both High Needs and Early Years funding.
7. **Responses to the proposals in this consultation should be submitted by no later than Friday 12 October 2012.** Details of how to respond are included in Appendix 4 – Consultation response form at the end of this document.
8. The responses to the consultation will then be considered at an extraordinary meeting of the Schools Forum on 16 October 2012, and used to finalise the local funding formula for 2013/14 for submission to the Education Funding Agency (EFA) by 31 October 2012.

## **Summary of the proposed changes**

9. This section of the document provides a brief summary of the reforms to the school funding system from 2013/14 to provide some context to the consultation questions. Full details of the reforms and the associated DfE papers can be accessed through the Schools Forum website - [www.nottinghamhire.gov.uk/schoolsforum](http://www.nottinghamhire.gov.uk/schoolsforum).

10. Schools funding will continue to be received by the local authority through the Dedicated Schools Grant (DSG), from 2013/14, however, this will be split into three blocks for distribution:

- Schools
- High Needs
- Early Years

The composition of these blocks for 2013/14 will be based on planned spend reflected on the section 251 budget statement for 2012/13, and adjusted for pupil numbers. The EFA will confirm the funding levels for each of these blocks in December 2012.

11. Local authorities will be required to distribute the Schools block of funding using a new simplified local funding formula, using a maximum of 12 new allowable factors. These factors are predominantly pupil led to support the objective of raising pupil attainment. Furthermore, in the majority of cases, funding can only be distributed via these factors using permitted indicators and datasets supplied by the DfE.

12. Of the new 12 factors, one relates to London fringe areas, one relates to the funding gap for PFI contracts (which is paid from outside of the DSG in Nottinghamshire) and one relates to funding post 16 provision from the DSG (only allowable if this is currently used in the local formula), so these three factors can thus be discounted.

13. The factors that are applicable to Nottinghamshire for 2013/14 and the indicators that can be used to distribute them are:

<b>Allowable factor</b>	<b>Indicator used</b>
1. Basic per pupil entitlement	October pupil census
2. Deprivation	Free School Meals (FSM) – single year or Ever 6; and/or Income Deprivation Affecting Children Index (IDACI)
3. Looked after children	Looked after children %
4. Low cost, high incidence SEN	Low attainment % indicator: Primary – Early Years Foundation Stage Profile (<73 or < 78 points); and Secondary – KS2 SATS (L3 or below in English and Maths)
5. English as an additional language (EAL)	EAL %s for first 3 years in the system
6. Pupil mobility	Number of pupils entering at non-standard entry points
7. Lump sum	Single fixed rate for all phases (<£200,000)

8. Split sites	Local determination of factor
9. Rates	Actual costs

14. Exceptional factors relating to premises can also be applied for as part of the local funding formula. These must be applied to less than 5% of the schools in the authority and account for more than 1% of the budget of the school(s) affected.
15. The DfE has recognised that the development of a new local formula under these arrangements is highly likely to result in changes to each school's budget share. In order to limit the impact of these changes and to provide stability and protection for schools, a minimum funding guarantee (MFG) will operate at minus 1.5% per pupil in 2013/14 and 2014/15. In addition, local authorities will also be able to limit gains as a result of the formula simplification.
16. The services and funding that constitute the Schools block of funding will operate on the principle that they should be delegated to schools in the first instance. There will be 3 exceptions to this delegation:
- 1) Where maintained schools agree that a service should be provided centrally (for limited services only)
  - 2) Historic commitments
  - 3) Statutory functions of the local authority
17. Local authorities will be required to submit their local funding formula for 2013/14 to the EFA no later than 31 October 2012, following consultation with all bodies affected by the changes. The EFA will ensure that the formula is compliant with regulations and distributes funding in a fair and equitable way.
18. To support the implementation of the reforms, improved Schools Forum arrangements are also being put in place to ensure that the school and academy membership of the Forum is broadly proportionate to the pupil population of these sectors.
19. Funding for High Needs pupils (defined as those who require provision in excess of £10,000 per year) is being reformed in support of the recent Green paper on SEN and disability '*Support and aspiration: A new approach to special educational needs and disability*'. The new approach to funding is aimed to be more responsive to pupil needs, fund all providers on an equivalent basis and bring together pre and post 16 high needs funding. The 'Place Plus' approach will be based on a fixed base level of place led funding to provide stability for providers, combined with top up funding based on actual pupil numbers and need.
20. The new High Needs funding arrangements will be introduced in the schools sector from April 2013 for all types of maintained schools, and special and alternative provision academies, phased in for mainstream academies by September 2013 and for further education providers from the start of the academic year.
21. Funding of all providers delivering the entitlement of 15 hours per week of free early education for three and four year olds will be distributed through the local authority from April 2013 and simplified and made more transparent as part of the reforms. In line with the changes to the funding formula for schools, the factors that can be used in the early years single funding formula (EYSFF) will be rationalised, and local authorities will be required to submit their EYSFF to the EFA for approval.

22. A specific, free early education MFG for all providers will be introduced for 2013/14 to recognise the importance of funding stability to the early years sector. This will be set at the same level as the school MFG, meaning that the EYSFF per hour base rate cannot be reduced by more than 1.5%.
23. Funding for early education for two year olds will transfer to the DSG from 2013/14 to enable local integration of free early education for two, three and four year olds. The DfE will seek views on how this funding could be allocated to local authorities and whether it will form part of the EYSFF through a separate consultation.
24. The DfE papers identify that Schools Forums have a significant role to play in supporting the implementation of the reformed funding system. Schools Forums were put in place to both support and challenge local authorities on matters relating to the Schools Budget, and members of the Forum have a responsibility to represent the views of their constituent groups in the wider schools community. From the outset in Nottinghamshire, we have worked in partnership with the Schools Forum on the reforms, and a working group of the Forum was established to consider three main strands of work:-
- the reconstitution of the Schools Forum
  - a review of the local funding formula (schools and early years)
  - the funding arrangements for high needs (SEN) pupils

### **Review of the local funding formula**

25. As outlined in paragraph 10, the funding reforms require all local authorities to implement a new simplified local funding formula from April 2013, and this will apply to all maintained primary and secondary schools and academies in Nottinghamshire. In accordance with the School Finance (England) Regulations 2012, the responsibility for determining the local funding formula lies with the local authority. However, local authorities also have a responsibility to ensure that they consult with their Schools Forum and all schools and academies on any changes to the formula.
26. The proposals and financial models for the new local funding formula contained within this consultation document have been compiled following discussions between the Schools Forum working group, Elected Members and relevant Officers of the Council.
27. The proposals on the local funding formula have been approved in principle by the Schools Forum, and are now issued for wider consultation with all schools and academies affected by the changes.
28. In the process of establishing a new local funding formula for Nottinghamshire, the following have been considered:-
- the current formula factors used in Nottinghamshire
  - the new allowable factors to include in the local funding formula
  - how to allocate funding through the allowable factors
  - the amount and balance of funding between the new factors
  - the financial impact of the new formula on individual school budgets.
29. The rationalisation of factors that can be used to distribute funding from April 2013 inevitably means that a number of current factors (and criteria used to calculate these) can no longer be used. For 2012/13, a total of 23 factors are used in the local funding formula for Nottinghamshire to distribute the DSG. **Appendix 1** shows a summary of the current factors, the indicators /

methodology used to distribute them, the purpose of each factor and the total amount distributed through each factor in 2012/13.

30. To minimise any shift in funding as far as possible under the new arrangements, after consultation with the Schools Forum, each of the current factors has then been mapped to the most appropriate and comparable new factor. This has resulted in an indicative amount and percentage of funding to distribute through each new factor. This is shown in **Appendix 2**.
31. It is proposed that the percentages calculated for each of the new formula factors are used to distribute the total funding available in the Schools block for 2013/14.

#### **Question 1**

***Do you agree with the principles adopted in the mapping of current to new formula factors as outlined in appendices 1 and 2?***

32. Funding in the Schools block can only be distributed through each of the 12 new allowable factors in line with the criteria outlined by the DfE, of which, only 9 of these are applicable in Nottinghamshire. It is proposed that the percentages calculated for each of the new formula factors in Appendix 2 are used to distribute the total funding available in the Schools block for 2013/14.

#### **Question 2**

***Do you agree with the principle of adopting the percentages of funding calculated for each of the new formula factors to distribute the Schools block of funding for 2013/14?***

33. The detailed proposals for how each formula factor will operate and distribute the funding available for 2013/14 are outlined below.

#### **Basic per pupil entitlement (mandatory factor)**

34. At this stage of the reforms, the DfE is not setting a minimum threshold of total funding that should be distributed through this factor or defining what the primary to secondary ratio should be. It has indicated, however, that this will be reviewed following the 2013/14 financial year. Of the total budget distributed to schools, currently 83% is allocated based on per pupil factors. Dependent on the cost of funding the Minimum Funding Guarantee in the new formula, in principle it is proposed that the same percentage of total funding should be distributed through the basic per pupil entitlement for 2013/14.
35. The School Finance (England) Regulations will be amended to allow only a single Key Stage (KS) funding unit for all primary phase pupils i.e. Reception, KS1 and KS2. Following the outcome of the DfE consultation on its initial proposals, separate rates will be allowed for KS3 and KS4 pupils<sup>1</sup>. In Nottinghamshire, it is proposed that a differential rate is applied for KS3 and KS4. This would protect schools and academies affected by possible future changes in cohort sizes in the different key stages. For example, the opening of a free school or university technical college could significantly impact on the intake in a particular year.
36. The current primary to secondary ratio of the age weighted pupil unit funding is 1: 1.39 and it is not proposed that this ratio should be altered in the new funding formula.

#### **Question 3**

***Should separate rates be used to fund the basic per pupil entitlement at KS3 and KS4?***

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<sup>1</sup> The DfE have defined Key Stage 3 as Year 7, 8 & 9 and Key Stage 4 as Year 10 & 11.

#### Question 4

***Should the current primary to secondary ratio of funding the basic per pupil entitlement remain at 1: 1.39?***

#### **Deprivation (mandatory factor) and the treatment of the Pupil Premium**

37. The DfE is clear that deprived pupils should attract additional funding, and as such local authorities are required to have a mandatory deprivation factor within their formula to do this. **There will continue to be an investment in support for deprived pupils over and above the amounts distributed through local formulae in the form of the Pupil Premium.** For 2012/13, the funding allocated nationally to the pupil premium totals £1.25 billion, with a pledge that this will increase to £2.5 billion by 2014/15. Per pupil amounts that can be expected for the pupil premium for 2013/14 and 2014/15 have not been announced by the DfE, although with the overall amount invested in this expected to double over the next two years, it could be anticipated that the per pupil rate would follow this pattern.
38. In order to ensure that deprivation funding is targeted more consistently by local authorities, a maximum of two national indicators will now be permissible to distribute funding for deprivation. Local authorities will be able to select either one of the following indicators or a combination of both. The first indicator is based on FSM data, with a choice of selecting either a straight year or Ever 6<sup>2</sup> methodology.
39. The second indicator that can be used to distribute deprivation funding is IDACI data. IDACI is calculated at Lower Super Output Area level (using individual postcode information), and an IDACI score is the measure of probability that a child living in that area would be deprived. For example, a child with an IDACI score of 0.2 has a 20% chance of coming from a deprived family. If IDACI data is chosen as an indicator to distribute funding on, then a national tiered banding system must be adopted. Local authorities will still be able to set the unit values for distribution through either FSM or IDACI, and this can vary between primary and secondary phases.
40. Current funding for deprivation in the Nottinghamshire formula is predominantly based on free school meals data and accounts for just over 3% of the total funding distributed and it is proposed that the total amount of funding available targeted for deprivation remains at this level. As neither FSM nor IDACI is a perfect measure for targeting funding for deprivation, it is proposed that the Ever 6 FSM and IDACI indicators are used, and the total funding to be distributed split on an equal 50% basis. As the criteria for determining FSM entitlement are being phased out with the introduction of Universal Credit, the move to funding deprivation on 50/50 split at this stage would minimise further disruption.
41. Within the total funding available for distribution by IDACI data, the national banding system should be weighted so that bands 1 to 4 attract a third of the funding, and bands 5 & 6 the remaining two thirds, as shown in the table below. The actual rates paid will depend on the total number of pupils in each band as per the DfE dataset provided.

Band	IDACI score lower limit	IDACI score Upper limit	Weighting
1	0.2	0.25	1.0
2	0.25	0.3	1.0
3	0.3	0.4	1.0
4	0.4	0.5	1.0
5	0.5	0.6	2.0
6	0.6	1.0	2.0

<sup>2</sup> The Ever 6 measure includes any pupil who has been eligible for free school meals at any point in the past six years.

42. Although differential rates for each sector are permitted, it is proposed that rates applied to the Ever 6 FSM and IDACI funding should be the same for both the primary and secondary sectors.

**Question 5**

***Do you agree that both Ever 6 and IDACI data should be used to distribute deprivation funding?***

**Question 6**

***If so, should the funding available be split on an equal basis between the two indicators?***

**Question 7**

***Do you agree with the weightings attached to the IDACI bands?***

**Question 8**

***Should the rates paid per pupil be the same for both the primary and secondary sectors?***

**Looked after children (optional factor)**

43. The current local funding formula for Nottinghamshire does not include a factor to recognise any additional costs associated with looked after children (LAC). The Schools Forum working group considered that a factor for LAC should be used, and that a fixed rate of £5,000 per pupil should be applied. The cost of this factor would be funded from the previous mainstream grant funding for one to one tuition included in the deprivation factor.
44. Based on the LAC dataset provided by the DfE, the total cost of funding this factor for 351 children was £1.755m (0.42% of the total distributed budget for 2012/13). If this funding remained in the deprivation factor, this would provide an additional £0.877m to distribute through both Ever6 FSM and IDACI data. This would equate to an additional £39 per Ever6 FSM eligible pupil, £9 per IDACI band 1-4 pupil and £147 per IDACI band 5-6 pupil. The latest figures provided by the Virtual School indicate that the number of LAC in Nottinghamshire schools and academies has increased to 491 for September 2012, which would increase the cost of this factor to £2.455m in 2013/14.
45. Regulations require that if a LAC factor is used, the rates applied should be the same for both the primary and secondary sector.

**Question 9**

***It is proposed that a LAC factor is adopted in the new formula, do you agree with this proposal?***

**Question 10**

***If so, do you agree that the LAC factor should be set at £5,000 per pupil?***

**Low cost, high incidence SEN (optional factor)**

46. Pupils with SEN need additional support and different approaches to help them achieve. The funding arrangements for pupils defined as having high needs are changing significantly from April 2013 and these are outlined in paragraphs 90 to 94. For those pupils who are identified as having low cost SEN, local authorities will still be able to target funding through the local formula, although this is not a compulsory factor. However, the DfE will still require local authorities to give mainstream schools a defined notional SEN budget from the Schools Block to meet the needs of pupils with low cost, high incidence SEN and to contribute up to a locally defined level towards the cost of provision for pupils with high needs.

47. It is proposed that the total percentage of funding currently distributed through the current Additional School Needs (ASN) formula factor<sup>3</sup> is distributed through a low cost, high incidence SEN factor for 2013/14 based on the permitted indicators.
48. It is acknowledged by the DfE that, because SEN is sometimes hard to pin point, the indicators used to distribute funding can often be wide ranging, variable and complex across local authorities, and require simplification in the new formula. In Nottinghamshire, a combination of FSM, IDACI and prior attainment measures are used to distribute this funding.
49. The new regulations will require that prior attainment data will be the new proxy indicator for distributing funding to recognise the need to provide additional low cost support to pupils with SEN. The data sets that can be used will be:
- Primary schools: pupils achieving either below 73 or 78 points in the Early Years Foundation Stage profile<sup>4</sup>;
  - Secondary schools: pupils achieving level 3 or below in both English and Maths at KS2.
50. The funding rate per pupil for this factor can be different for each sector, however, it is proposed that the same rate should apply to both the primary and secondary sectors.

**Question 11**

***It is proposed that a low cost, high incidence SEN factor is adopted in the new formula, do you agree?***

**Question 12**

***Should the threshold level applied to the EYSFP score be at 73 or 78 points?***

**Question 13**

***Do you agree that the same rate of funding per pupil should be applied to both the primary and secondary sectors?***

**English as an additional language (optional factor)**

51. Pupils with English as an additional language (EAL) often require additional support in order to learn the English language and be able to access the school curriculum. The DfE has considered the evidence on how much support is needed, and has decided that a fixed period of 3 years from the point that the pupil enters compulsory education in England is sufficient.
52. Funding for EAL is currently allocated as part of the existing ethnicity factor, with different indicators used for primary and secondary pupils. It is proposed that the total funding distributed for ethnicity for 2012/13 is used to fund the EAL factor for 2013/14 and that, although differential rates can be applied, these are kept the same for both the primary and secondary sectors.

**Question 14**

***It is proposed that an EAL factor should be adopted in the new formula, do you agree?***

**Question 15**

***If so, do you agree that the same rate of funding per pupil should be applied to both the primary and secondary sectors?***

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<sup>3</sup> The ASN formula factor exists to provide funding for low level SEN up to the equivalent of 7.5 hours support and is distributed on combination of FSM, prior attainment and IDACI data.

<sup>4</sup> This will be a temporary measure until the review of the Early Years Foundation Stage Profile has concluded.

### **Pupil mobility (optional factor)**

53. Following the consultation on the initial proposals, the DfE announced in June that an additional factor to recognise pupil mobility was to be added to the list of allowable factors. This factor is to recognise the additional staffing costs and administrative burden that some schools may face due to high levels of pupil mobility. Pupil mobility will be based on the number of pupils entering schools at non-standard entry points.
54. A High Pupil Turnover factor exists in the current formula based on a block allocation plus a per pupil amount for average 'casual' leavers and admissions over the past two academic years, with a requirement to have a minimum 10% to qualify for the factor. This threshold would not apply in the new factor. The total percentage of funding distributed through this factor in 2012/13 was 0.04%. Using the dataset provided by the DfE, if this amount of funding was distributed through a pupil mobility factor it would equate to £28 per pupil.
55. Differential rates can be applied to the primary and secondary phase for this factor. It is proposed, however, that the same rate is used for both the primary and secondary phase.

#### **Question 16**

***It is proposed that a pupil mobility factor should be adopted in the new formula, do you agree?***

#### **Question 17**

***If so, do you agree that the same rate of funding per pupil should be applied to both the primary and secondary sectors?***

### **Lump sum (optional factor)**

56. The DfE has been clear from the outset that the underlying aim of the funding reforms is to ensure that as much funding as possible is allocated through the basic per pupil entitlement or other pupil led factors e.g. deprivation, SEN, LAC or EAL, so that funding can genuinely follow the pupil. However, it is recognised that there are some costs that all schools incur irrespective of the size of their pupil population and a funding formula based purely on pupil driven factors would not account for these.
57. Local authorities will, therefore, be able to apply a lump sum factor in their new local funding formula, but to simplify current arrangements they will only be able to set a single lump sum value across all phases and size of school in the area. The predominant rationale for this is to provide sufficient funding for those small schools, particularly in rural areas, which may not be able to operate on the basis of their per-pupil funding alone. The DfE is clear, however, that these schools should represent an efficient use of local funding and the lump sum should not be set at a level that promotes inefficiency.
58. The DfE initially proposed setting an upper limit on the lump sum between £100,000 and £150,000. However, following the consultation on their proposals, this upper limit has been set at £200,000 for 2013/14 and will be reviewed for 2014/15.
59. The value of the lump sum has been modelled at levels from £25,000 to £200,000 and the impact of these considered in detail by the Schools Forum working group. The consensus was that ultimately it should be set at a level that ensures funding is driven out through the pupil led factors. However, there needs to be an adequate balance between this, ensuring that it is set at a level high enough to support small schools and there is a balance of fairness within the new system between the primary and secondary phases.

60. There is a clear relationship between the lump sum and the basic per pupil entitlement - as the lump sum increases, the basic per pupil entitlement decreases. Therefore as a general rule, smaller schools benefit from a higher lump sum and larger schools benefit from a lower lump sum.
61. The DfE is clear that the lump sum is intended to cover the minimum average cost of running a school e.g. the cost of a Headteacher, a caretaker and some administrative support. As the lump sum factor is primarily aimed at supporting small schools, these average costs have been calculated for small schools on Nottinghamshire<sup>5</sup> and these equate to £89,000. It is therefore proposed that the lump sum value should be set at this value for 2013/14 for all schools.

**Question 18**

***It is proposed that a lump sum factor is adopted in the new formula, do you agree?***

**Question 19**

***If so, do you agree that the lump sum is set at £89,000?***

**Split Sites (optional factor)**

62. The current local funding formula allocates funding to schools which operate on a split site. To qualify for a split site allocation a school must be separated by a public road or a qualifying distance (currently 175m door to door), that means the school incurs additional costs. These additional costs must be related to site factors, not management decisions.
63. If the school meets the qualifying criteria, then they currently receive a block allocation and an allocation for travel costs and non-contact time. The rates applied differ for the primary and secondary phase.
64. Currently a total of 11 primary schools and 10 secondary schools receive a split site allocation, at a total cost of £801,635, which represents 0.19% of the total amount distributed.
65. Local authorities will be able to continue to apply a split site factor in the new formula. It is proposed that the existing split site factor, qualifying criteria and funding distributed through this remains unchanged for 2013/14.

**Question 20**

***It is proposed that the existing split site factor and qualifying criteria to recognise the costs of operating a split site school are adopted in the new formula, do you agree?***

**Rates (optional factor)**

66. Funding for rates is currently delegated to schools and shown in the schools annual budget statement. By mutual agreement, these charges are paid centrally and are therefore deducted prior to schools' budgets being distributed. In the case of academies, the EFA pays the academy when the actual rates sum paid are known.
67. The new funding arrangements do not require any changes to this current arrangement and it is proposed that this arrangement will continue for 2013/14.

<sup>5</sup> Small schools are defined in Nottinghamshire in the 2002 'Size Matters' report as those with fewer than 100 pupils on roll.

### **Question 21**

***It is proposed that the current arrangement to pay rates centrally are adopted in the new formula, do you agree?***

### **Exceptional factors**

68. In addition to the nine factors identified, there is the ability to apply for exceptional factors related to premises to be included as part of the local funding formula. To qualify, these factors should apply to less than 5% of the schools in the authority and account for more than 1% of the budget of the school(s) affected.
69. The DfE has published a summary of the types of factors that have already been approved. In Nottinghamshire, it is proposed that exceptional factors are applied for schools which have official joint use arrangements for shared leisure facilities and schools where costs are incurred through the rental of school accommodation. If approved, these factors would operate on the same basis and qualifying criteria as for 2012/13.

### **Question 22**

***Subject to DfE approval, it is proposed that the factors for joint use and rental of school accommodation on the same basis as 2012/13 are adopted in the new formula, do you agree?***

### **Protections and limiting gains**

70. The simplification and rationalisation of the local funding formula will undoubtedly result in changes to school budgets. To minimise the impact of this, and allow schools time to plan for any changes in the level of funding they receive, a national minimum funding guarantee (MFG) will operate at minus 1.5% per pupil for 2013/14 and 2014/15. This is to ensure that no school loses more than 1.5% per pupil in delegated funding in comparison to the previous financial year's baseline position.
71. Certain items will be automatically excluded from the calculation of the MFG, as including them could result in excessive or insufficient protection for schools. The automatic exclusions are:-
- Post-16 funding
  - Allocations for named pupils with SEN i.e. High Level Needs (HLN) funding
  - Lump sum (set at the 2013/14 value)
  - Early years funding
  - Rates
  - New delegated funds for 2013/14
72. The total DSG allocated to the authority will take into account all pupils in maintained schools and academies. Therefore in order to calculate the MFG for maintained schools, the local authority has to treat all recoupment academies as though they were maintained schools. For the purposes of modelling the new local funding formula, academies and maintained schools have been treated on the same basis.
73. The Education Funding Agency will separately calculate and pay MFG protections to academies. This will include the full Schools Block Local Authority Central Spend Equivalent Grant paid in the funding year 2012/13. The additional cost of these protections will not be funded from the DSG and will, therefore not have an impact on the funding allocated to maintained schools.

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74. The cost of the MFG protection has to be funded from the overall funding available within the Schools block. As there could be significant amounts of protection required in some areas as a

result of the formula simplification, local authorities will be able to apply a gains cap so that schools cannot gain more than a certain amount per pupil as a result of the new formula. The amount generated by a gains cap is then redistributed through the basic per pupil entitlement of the local funding formula.

75. The application and modelling of a gains cap has been considered by the Schools Forum and it is proposed that a scaled gains cap should be applied over a period of 3 years as a method of transitional support to allow schools that would lose funding under the new formula arrangements sufficient time to plan for this reduction. It also provides assurance to those schools that would gain funding that these would eventually be fully realised. It is proposed that a gains cap is applied for 2013/14. The financial effect of applying a cap will impact differently on individual schools and academies as pupil numbers alter, and therefore cannot be modelled in detail at this point. The level of the gains cap is estimated at 5%, however this cannot be finalised until after the October pupil census has taken place. The Schools Forum has agreed, in principle, that the gains cap should be increased to an estimated 7.5% in 2014/15, and an estimated 10% in 2015/16 (subject to a national funding formula). However, this would be subject to further consultation with all schools and academies.

76. The Council wishes to ensure in 2013/14, no school or academy will lose funding on a per pupil basis as a result of the application of the new funding formula and will use funding from outside the DSG to ensure that this is the case.

### **Question 23**

***Do you agree that a gains cap should be set at 5% for 2013/14?***

### **Financial modelling**

75. As part of the consultation on the changes proposed to the local funding formula for 2013/14, the local authority is required to include a demonstration of the financial effect that these changes would have on individual schools and academies.

76. For the purposes of this modelling exercise, all schools and academies are treated as though they are maintained schools, and show the impact of the proposed new formula both including and excluding the MFG.

77. On this basis, for each school and academy in Nottinghamshire, the overall effect of the proposed new local funding formula compared to the current 2012/13 formula has been modelled based on the proposals made in this consultation. This is shown in **Appendix 3**:

78. **Appendix 3a** provides notes to accompany the financial models shown in Appendix 3.

79. The proposed new formula has been calculated using the 2012/13 DSG quantum of funding, January 2012 census data and datasets issued by the DfE. **The figures included in the modelling are therefore illustrative, and must not be taken as final allocations for 2013/14.**

### **New delegation of funding streams**

80. To provide greater choice to school leaders over how to spend their budgets, local authorities are required to work on the principle that all services included as part of the Schools block, and the funding for them, should be delegated to schools in the first instance. The new arrangements mean that there will be some funding and by definition some services associated with these that will be delegated to schools.

81. As outlined in the initial proposals, there will however be three exceptions to the requirement to delegate all funding in the Schools block. The exceptions are:

- 1) Where maintained schools agree a service should be provided centrally
- 2) Historic commitments
- 3) Statutory functions of the local authority

82. For exceptions 2 and 3, the amounts budgeted for in 2012/13 will automatically be centrally retained and will not be delegated to school or academy budgets. The list of budget lines covered by these exceptions and the amounts to be retained are:

<b>Description of service (based on section 251 budget statement)</b>	<b>2012/13 total</b>
<u>Exception 2 – Historic commitments</u>	
1.2.8 Contribution to combined budgets	£2.475m
1.8.8 Termination of employment costs	£1.000m
1.8.2 Prudential borrowing costs	-
<u>Exception 3 – Statutory functions of the local authority</u>	
1.6.3 School admissions	£0.886m
1.6.6 Servicing of the schools forum	£0.011m
1.6.9 Purchase of carbon reduction commitment allowances	£0.700m
1.8.1 Capital expenditure from revenue	£0.312m

#### Exception 1 – where maintained schools agree that a service should be provided centrally

83. There will be a limited list of services that the local authority can continue to provide centrally if the Schools Forum agrees to this on behalf of the maintained primary and secondary schools it represents. The funding for these services will have to be delegated to schools and academies in the first instance. Then if the Schools Forum decides that one or more should be provided centrally, funding from the maintained schools will be de-delegated i.e. returned to the local authority. Academies are not able to de-delegate funding in this way, but could choose to buy into such services by local agreement.

84. In Nottinghamshire we currently already delegate the majority of the budget items covered by this exception. There remains, however, a number of services that are currently retained centrally, which will now form part of the de-delegation option for maintained primary and secondary schools. The full list of services covered by this exception and the amount retained centrally in Nottinghamshire for 2012/13 in the equivalent Schools block is shown in the table below. To give some further context, based on January 2012 census data<sup>6</sup>, this would equate to the following amounts per pupil as shown in the table below:

<b>Description of service (based on section 251 budget statement)</b>	<b>2012/13 total</b>	<b>Equivalent amount per pupil</b>
1.1.2 Allocation of Contingencies (subject to permissible criteria)	£5.129m	£51.51
1.3.2 Behaviour support services	-	-
1.4.1 Support for minority ethnic pupils or underachieving pupils	£0.653m	£6.56
1.5.2 Administration of free school meals eligibility	£0.088m	£0.89
1.6.1 Insurance	-	-
1.6.2 Library and museum services	-	-
1.6.4 Licences or subscriptions (copyright licence)	£0.176m	£1.77
1.6.7 Staff costs / supply cover (trade union facility time)	£0.329m	£3.31

<sup>6</sup> Total pupil population of 99,571 based on January 2012 census data for pupils aged 5 to 16 only (Primary total 57,247 and Secondary total 42,324)

85. The Schools Forum working group considered each of these budgets, the services that are provided by them and the benefits to schools of retaining these centrally by opting to de-delegate the funding associated with them. With the exception of the allocation of contingencies where there are only permissible criteria for which these could be de-delegated, it was unanimously agreed to propose that the budgets associated with the remaining services should be de-delegated for both maintained primary and secondary schools.
86. In respect of the contingency allocations, there are restrictions on the purposes for which these can de-delegated by maintained schools. These are:
- Exceptional unforeseen costs which it would be unreasonable to expect governing bodies to meet
  - Schools in financial difficulties
  - Additional costs relating to new, reorganised or closing schools
87. In the original paper, issued in March, it was also proposed that contingency funding could be retained centrally for significant pupil number growth, of which one eligible criterion would have included a contingency retained for the primary phase to maintain infant class sizes within the current class size regulations.
88. However, in order to support the local authority duty in place planning, alternative arrangements to support schools with significant growth in pupil numbers will now operate. Local authorities will now be able to create a growth fund in advance of allocating school budget shares. This growth fund would be ring fenced so that it can only be used for the purposes of supporting growth in pupil numbers to meet basic need. The growth fund would be for the benefit of both maintained schools and academies.
89. If a growth fund were to be created in Nottinghamshire, the local authority would be required to agree with the Schools Forum the total sum to be top-sliced from each phase and the criteria on which growth funding should be allocated and gain approval before growth funding is allocated. Any funds remaining at the end of the financial year would be added to the following year's DSG and reallocated through the local funding formula.
90. Based on the January 2012 census data, each £100,000 that is de-delegated as a contingency or top-sliced for a pupil growth fund would equate to approximately £1.75 per primary pupil and £2.36 per secondary pupil.
91. The proposal of the Schools Forum is that funding should be top sliced for the primary sector to create a growth fund for an infant class size contingency. A total of £500,000 is currently retained for this purpose.
92. Transitional funding arrangements currently exist for amalgamating schools through the local funding formula which are applied over a period of four years after amalgamation on a phased basis. The new funding arrangements do not allow a formula factor for this. However, as highlighted in paragraph 80, a contingency can be retained for this purpose. The cost of previously agreed transitional protection for amalgamated schools for 2013/14 is £0.146m, which is equivalent to £1.47 per pupil based on January 2012 census data. A further £0.275m is committed to 2017/18. Guidance from the DfE states that there is an expectation that previous commitments made in respect of these allocations should be respected. The criteria for any transitional funding arrangements for 'new' amalgamating schools would need to be agreed by the local authority with the Schools Forum.
93. In addition, there will be some services that have previously been retained centrally that are not covered by the de-delegation option and must therefore be delegated to schools. For these services, schools and academies will have the option to pool funding. Whilst similar to the

principle of de-delegation, the decision on whether this funding should be returned to the local authority to continue to provide a service will be the decision of individual schools rather than the Schools Forum. Within Nottinghamshire, as the majority of services within this category are already delegated, this only concerns the funding retained for school milk in the primary sector. The total retained for 2012/13 is £142,111, which would be distributed to primary schools based on FSM entitlement data for children aged 5 to 7. Views are sought from the primary sector as to whether there is a consensus that this funding should be pooled to provide this service centrally.

#### **Question 24**

***Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for the following services:***

- a) Support for minority ethnic pupils or underachieving pupils***
- b) Administration of free school meals eligibility***
- c) Licences and subscriptions (copyright licence)***
- d) Staff costs/supply cover (trade union facility time)***

#### **Question 25**

***It is proposed that a pupil number growth fund should be created for an infant class size contingency by top-slicing the DSG in the primary sector, do you agree?***

#### **Question 26**

***Do you agree with the proposal to retain a contingency for previously agreed transitional support for amalgamating primary schools?***

#### **Question 27**

***Do you wish to pool funds to continue the provision of school milk centrally?***

### **High Needs**

94. Funding for pupils and students who have complex special educational needs and who require additional support in order to access education will in future be funded through a specific High Needs block of funding contained within the overall DSG. The High Needs block will provide funds for three SEN components: SEN support services, additional support needs of learners and specialist placements.

95. The local authority will be responsible for the distribution of these funds for children and young people from birth to 25, across a range of settings - private nurseries, mainstream schools, special schools, academies, free schools, local colleges and specialist colleges. The basic principle of the new arrangements is that schools, settings and colleges will receive allocations based on a 'place-plus' approach. Under this approach, high needs funding for all types of provision will comprise three elements.

- Element 1: Core education funding - this is the mainstream unit of per-pupil or student funding which all providers receive
- Element 2: Additional support funding –funding through a clearly identified budget for providers to provide additional support for high needs pupils up to an agreed level.
- Element 3: Top-up funding – funding above elements 1 and 2 to meet the total cost of education provision required, to be based on the assessed needs of the pupil or student.

96. The following table provides a summary of how different settings will be funded under the new arrangements.

<b>Setting</b>	<b>Element 1 - core education funding</b>	<b>Element 2 - additional support funding</b>	<b>Element 3 - top- up funding</b>
<b>Mainstream school</b>	£4,000 notional (AWPU)	£6,000 notional (delegated SEN )	Additional Family Needs / High Level Needs
<b>Special school pre 16</b>	£10,000	*	£5-15,000 top up using LMSS formula
<b>PRU</b>	£8,000	*	£17,000 top up in year one
<b>Early Years – Private, voluntary &amp; independent (PVI) and schools</b>	Entitlement funding 10 or 15 hour entitlement	*	DCATCH for PVI AFN, HLN for school settings
<b>Independent non maintained school</b>	£10,000	*	Top up funding will be negotiated between provider and commissioner
<b>Post 16 school Post 16 special school Post 16 local college Specialist college</b>	Programme costs (national funding formula)	£6,000 Additional learner support (ALS) from EFA	Top up funding will be negotiated between provider(college) and commissioner (LA)

97. The reform proposals are closely aligned to Nottinghamshire's current arrangements and it is therefore intended that minimal change will be experienced by all providers. Support services funded from the High Needs block will continue to be provided and managed by the local authority and maintained schools and academies will access these as they currently do at present.

98. A separate consultation on the detailed proposals for implementing the High Needs reforms will be issued later in the autumn term. However, we would welcome any initial comments regarding the proposals to maintain the current arrangements for the provision of high needs funding.

## **Early Years**

99. The funding for the 15 hours free education entitlement for all three and four year olds is distributed through the local Early Years Single Funding Formula (EYSFF) as part of the overall DSG. From April 2013, this funding will form a separate Early Years block within the DSG, which will fund all providers in Nottinghamshire including academies. As providers are funded on actual numbers throughout the year, establishing a separate Early Years block will ensure that the funding is more responsive to the changes in pupil numbers.

100. For 2013/14 the Early Years block will be based on the initial planned spend on early years for 2012/13 and on the January 2012 count. This will then be updated for the January 2013 and January 2014 count.

101. The reforms do not propose major changes to the main elements of the EYSFF, although in line with the main formula, there will be a restriction on the factors that can be used within this. Following the initial proposals announced in March, the final arrangements published, in June 2012, identified that a new specific MFG for the EYSFF will be introduced.

102. Whilst the planned reforms do not require any change to the current EYSFF formula in Nottinghamshire, the operational aspects of having a separate Early Years block of funding will require the local authority to issue indicative budgets to all providers prior to the start of the financial year. Consideration will need to be given to the basis and pupil numbers on which this indicative budget calculation should be based upon. A separate consultation on these

arrangements will be undertaken with all early years providers in Nottinghamshire later in the autumn term.

## **School Funding Reform: Consultation on the local funding formula (2013/14)**

Total of 67 individual responses, broken down by school phase as:

- 62 Primary schools (including infant / junior)
- 4 Secondary schools
- Nottingham Diocesan Education Service

Some schools have submitted multiple responses by different people. Where this is the case these have been included in the analysis. Where the same person has submitted multiple responses, duplicates have been removed.

Some respondents replied representing multiple schools, these are listed once based on the number of response forms received, not the number of organisations they represent.

For the purposes of the analysis, Nottingham Diocesan Education Service is listed twice (once in the primary and once in the secondary) as they represent cross phase schools.

## Summary of responses

### Primary Schools

Based on 63 respondents

	Coverage %	Yes %	No %	Not Sure %
Q1	98.4	58.1	38.7	3.2
Q2	98.4	54.8	8.1	37.1
Q3	95.2	16.7	11.7	71.7
Q4	95.2	61.7	10.0	28.3
Q5	96.8	83.6	3.3	13.1
Q6	96.8	68.9	13.1	18.0
Q7	98.4	71.0	9.7	19.4
Q8	96.8	82.0	8.2	9.8
Q9	98.4	82.3	12.9	4.8
Q10	96.8	65.6	18.0	16.4
Q11	98.4	83.9	6.5	9.7
Q12	See below			
Q13	96.8	83.6	8.2	8.2
Q14	98.4	87.1	6.5	6.5
Q15	95.2	86.7	10.0	3.3
Q16	98.4	80.6	9.7	9.7
Q17	93.7	89.8	6.8	3.4
Q18	95.2	95.0	1.7	3.3
Q19	96.8	41.0	45.9	13.1
Q20	96.8	73.8	14.8	11.5
Q21	98.4	100.0	0.0	0.0
Q22	98.4	85.5	0.0	14.5
Q23	98.4	82.3	9.7	8.1
Q24a	95.2	75.0	10.0	15.0
Q24b	95.2	76.7	10.0	13.3
Q24c	95.2	76.7	6.7	16.7
Q24d	95.2	45.0	10.0	45.0
Q25	98.4	75.8	3.2	21.0
Q26	95.2	78.3	5.0	16.7
Q27	95.2	73.3	16.7	10.0

	Coverage %	73%	78%
Q12	87.3	38.2	61.8

## Summary of responses

### Secondary Schools

Based on 5 respondents

	Coverage %	Yes %	No %	Not Sure %
Q1	100.0	20.0	80.0	0.0
Q2	100.0	40.0	40.0	20.0
Q3	100.0	80.0	0.0	20.0
Q4	100.0	0.0	60.0	40.0
Q5	100.0	80.0	20.0	0.0
Q6	100.0	60.0	20.0	20.0
Q7	100.0	40.0	40.0	20.0
Q8	100.0	20.0	60.0	20.0
Q9	100.0	80.0	20.0	0.0
Q10	80.0	25.0	50.0	25.0
Q11	100.0	100.0	0.0	0.0
Q12	See below			
Q13	100.0	40.0	40.0	20.0
Q14	100.0	60.0	20.0	20.0
Q15	80.0	75.0	25.0	0.0
Q16	100.0	100.0	0.0	0.0
Q17	100.0	80.0	20.0	0.0
Q18	100.0	60.0	20.0	20.0
Q19	100.0	20.0	40.0	40.0
Q20	100.0	100.0	0.0	0.0
Q21	100.0	80.0	20.0	0.0
Q22	100.0	60.0	20.0	20.0
Q23	100.0	80.0	20.0	0.0
Q24a	60.0	66.7	33.3	0.0
Q24b	60.0	66.7	33.3	0.0
Q24c	60.0	100.0	0.0	0.0
Q24d	60.0	66.7	33.3	0.0
Q25	60.0	33.3	33.3	33.3
Q26	60.0	66.7	0.0	33.3
Q27	60.0	33.3	33.3	33.3

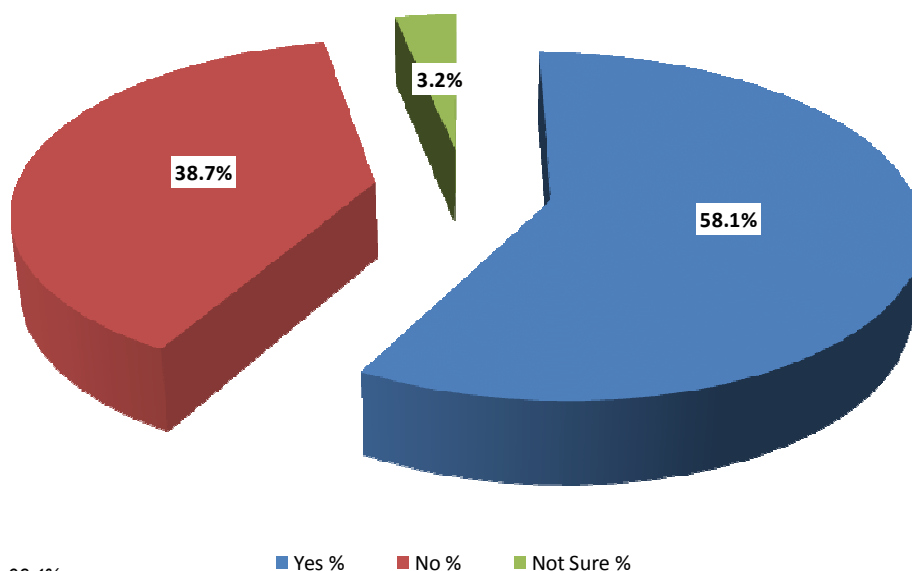
	Coverage %	73%	78%
Q12	20.0	0.0	100.0

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q1 Do you agree with the principles adopted in the mapping of current to new formula factors?

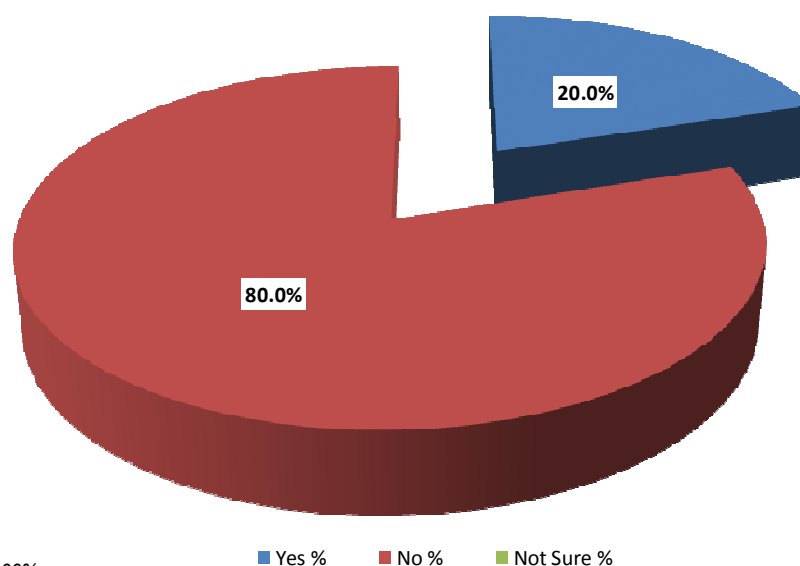
### Primary school responses

Do you agree with the principles adopted in the mapping of current to new formula factors?



### Secondary school responses

Do you agree with the principles adopted in the mapping of current to new formula factors?

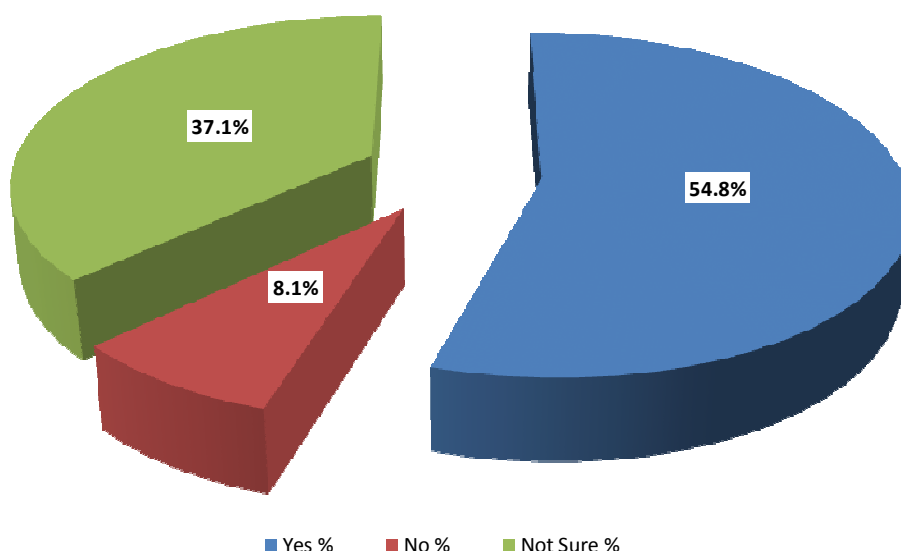


## School Funding Reform: Consultation on the local funding formula (2013/14)

Q2 Do you agree with the principle of adopting the percentages of funding calculated for each of the new formula factors to distribute the Schools block of funding for 2013/14?

### Primary school responses

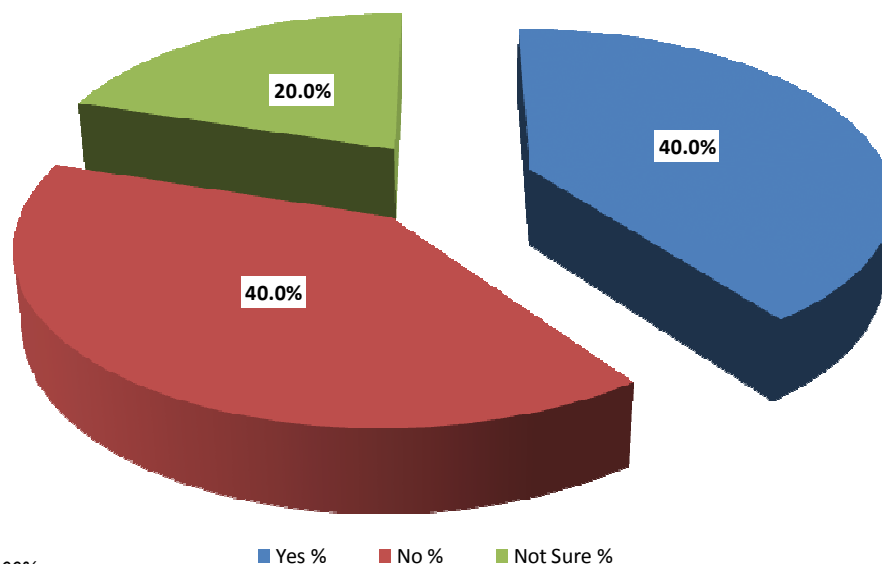
Do you agree with the principle of adopting the percentages of funding calculated for each of the new formula factors to distribute the Schools block of funding for 2013/14?



Response rate 98.4%

### Secondary school responses

Do you agree with the principle of adopting the percentages of funding calculated for each of the new formula factors to distribute the Schools block of funding for 2013/14?



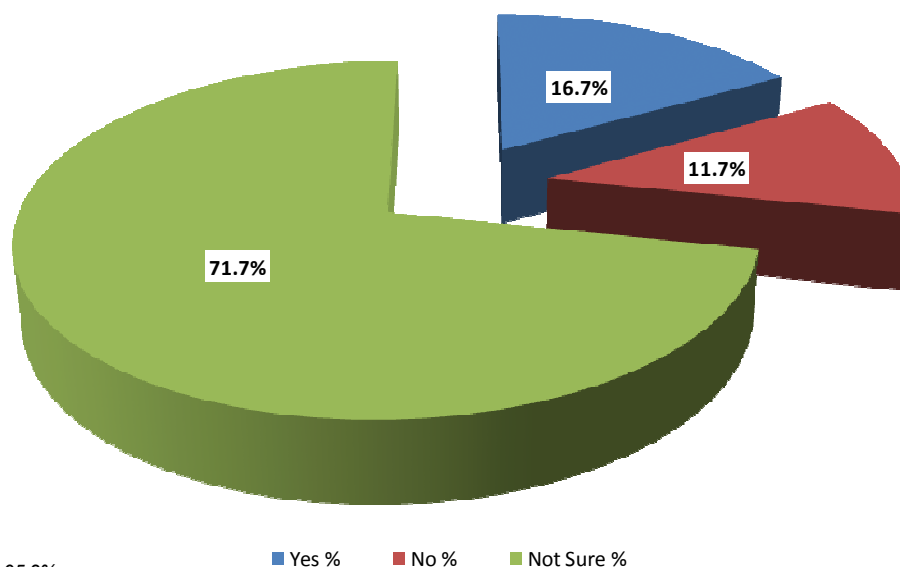
Response rate 100%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q3 Should separate rates be used to fund the basic per pupil entitlement at KS3 and KS4?

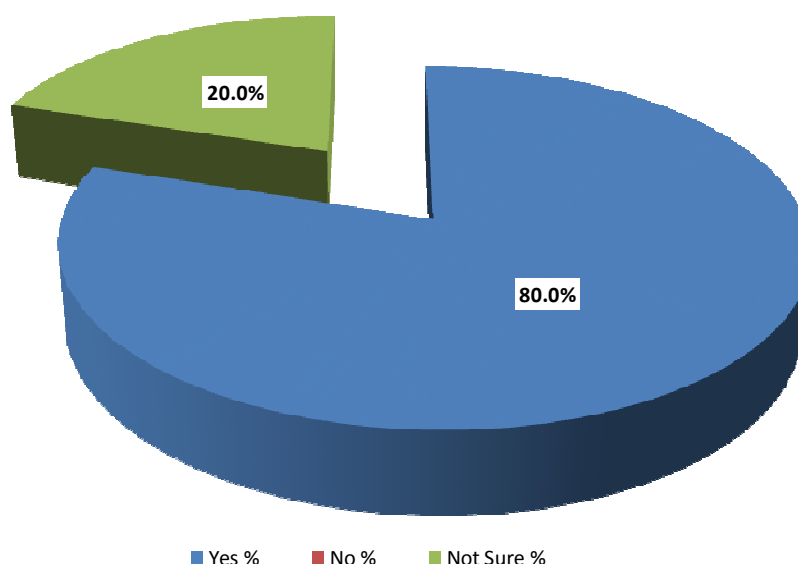
### Primary school responses

Should separate rates be used to fund the basic per pupil entitlement at KS3 and KS4?



### Secondary school responses

Should separate rates be used to fund the basic per pupil entitlement at KS3 and KS4?

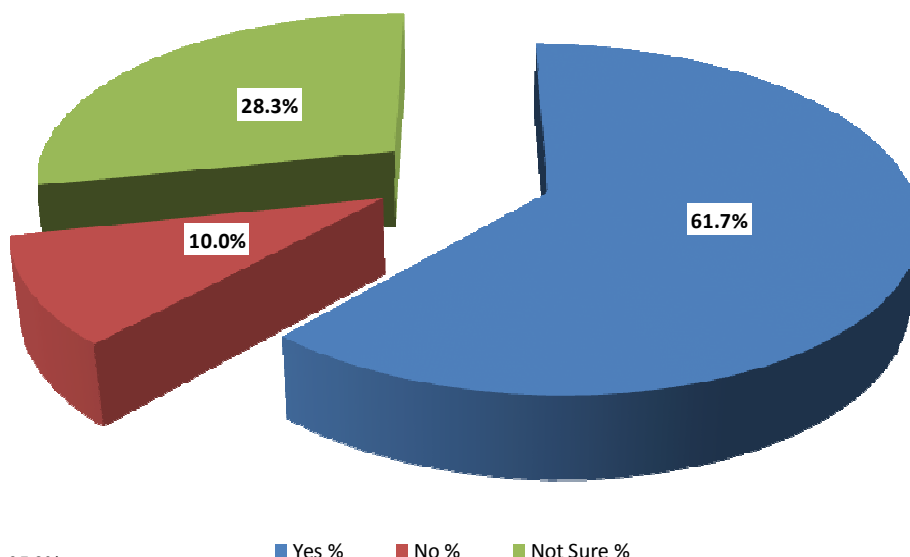


## School Funding Reform: Consultation on the local funding formula (2013/14)

Q4 Should the current primary to secondary ratio of funding the basic per pupil entitlement remain at 1: 1.39?

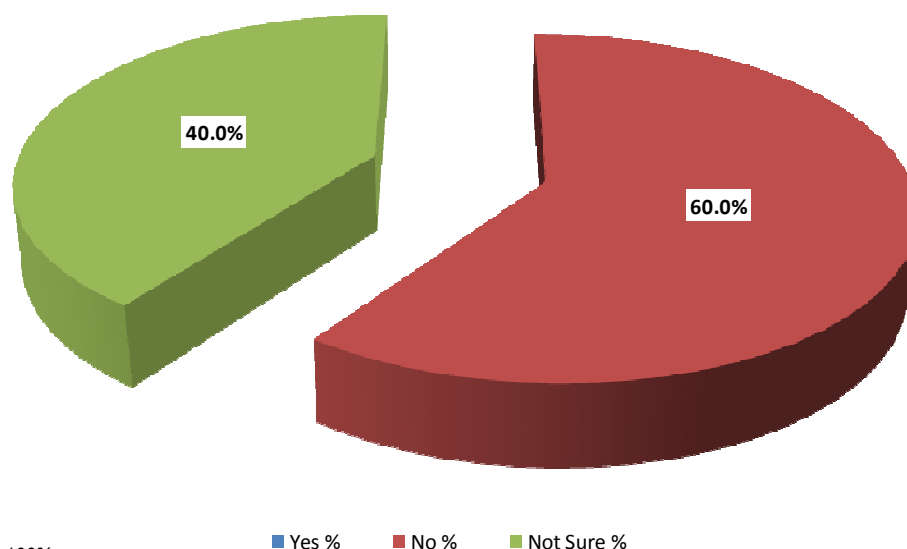
### Primary school responses

Should the current primary to secondary ratio of funding the basic per pupil entitlement remain at 1: 1.39?



### Secondary school responses

Should the current primary to secondary ratio of funding the basic per pupil entitlement remain at 1: 1.39?

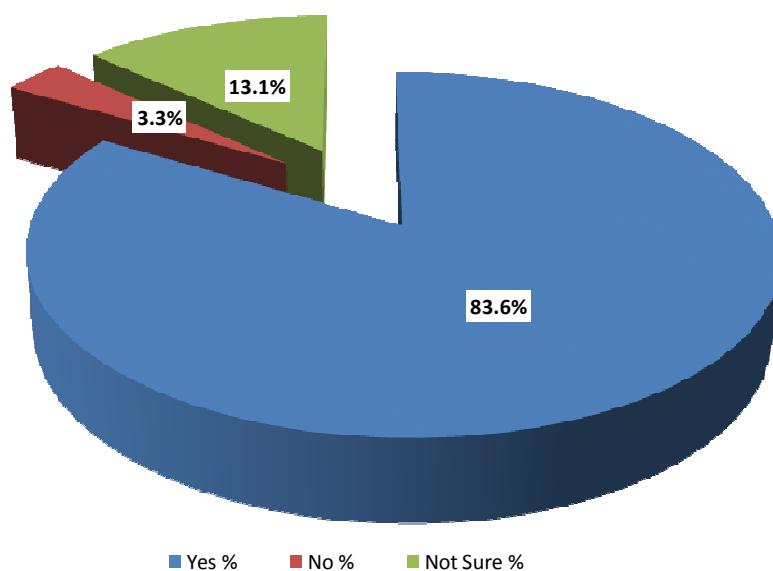


## School Funding Reform: Consultation on the local funding formula (2013/14)

Q5 Do you agree that both Ever 6 and IDACI data should be used to distribute deprivation funding?

### Primary school responses

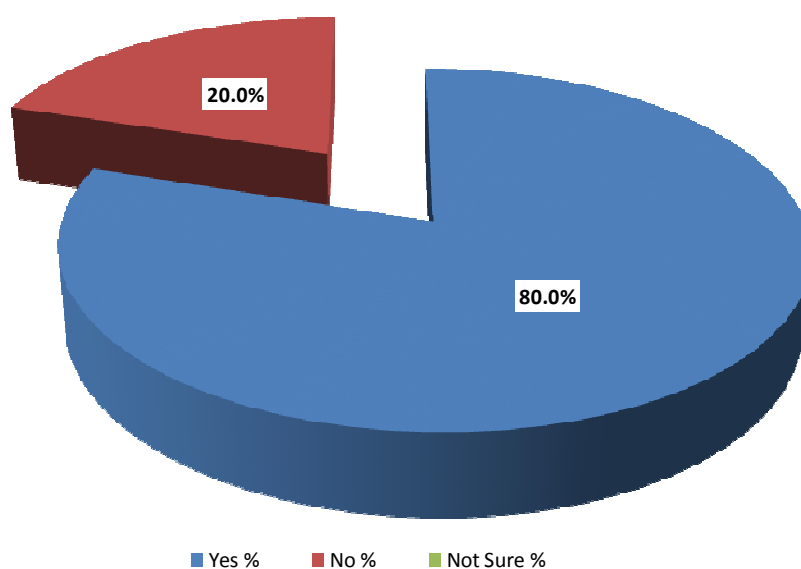
Do you agree that both Ever 6 and IDACI data should be used to distribute deprivation funding?



Response rate 96.8%

### Secondary school responses

Do you agree that both Ever 6 and IDACI data should be used to distribute deprivation funding?



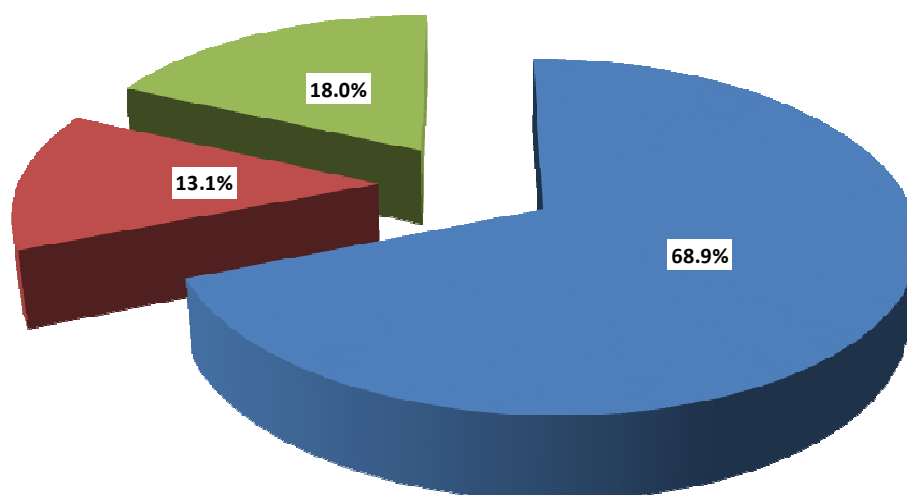
Response rate 100%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q6 If so, should the funding available be split on an equal basis between the two indicators?

### Primary school responses

If so, should the funding available be split on an equal basis between the two indicators?

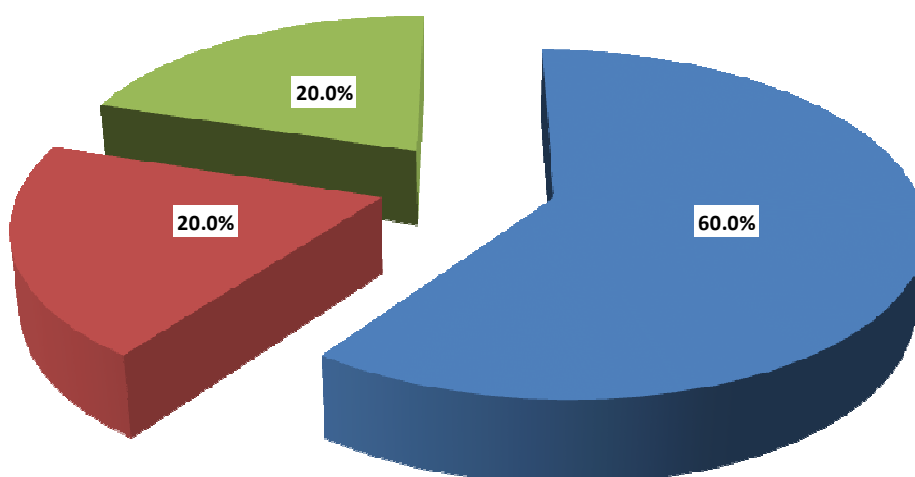


Response rate 96.8%

■ Yes % ■ No % ■ Not Sure %

### Secondary school responses

If so, should the funding available be split on an equal basis between the two indicators?



Response rate 100%

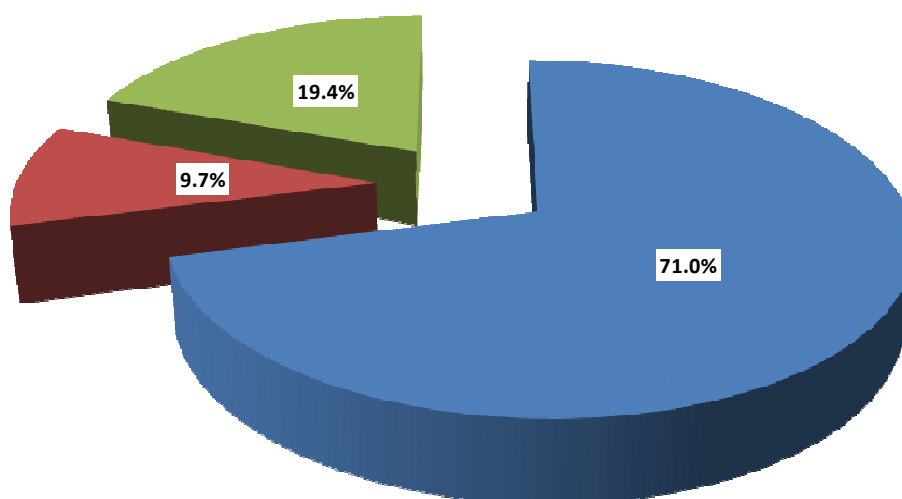
■ Yes % ■ No % ■ Not Sure %

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q7 Do you agree with the weightings attached to the IDACI bands?

### Primary school responses

Do you agree with the weightings attached to the IDACI bands?

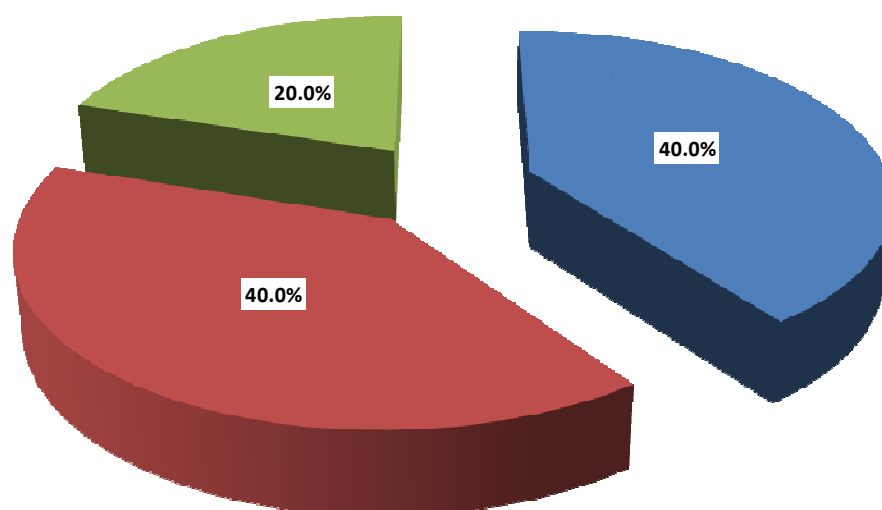


Response rate 98.4%

■ Yes % ■ No % ■ Not Sure %

### Secondary school responses

Do you agree with the weightings attached to the IDACI bands?



Response rate 100%

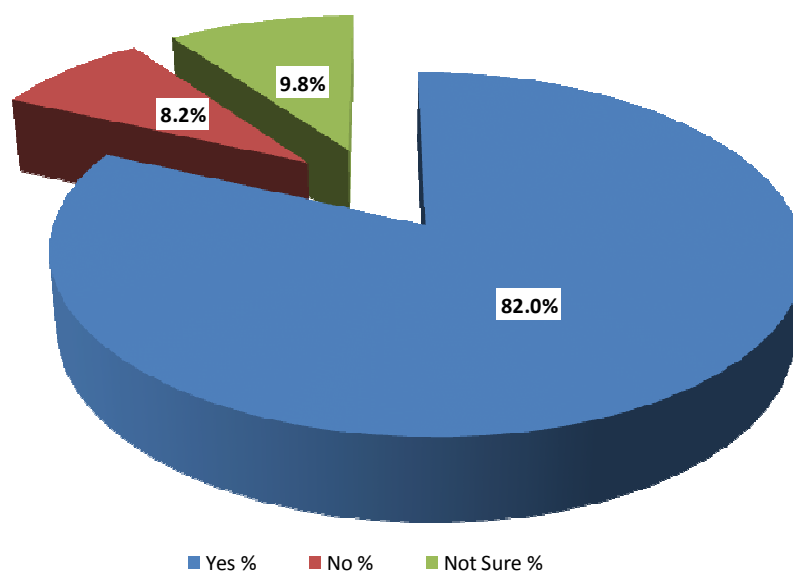
■ Yes % ■ No % ■ Not Sure %

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q8 Should the rates paid per pupil be the same for both the primary and secondary sectors?

### Primary school responses

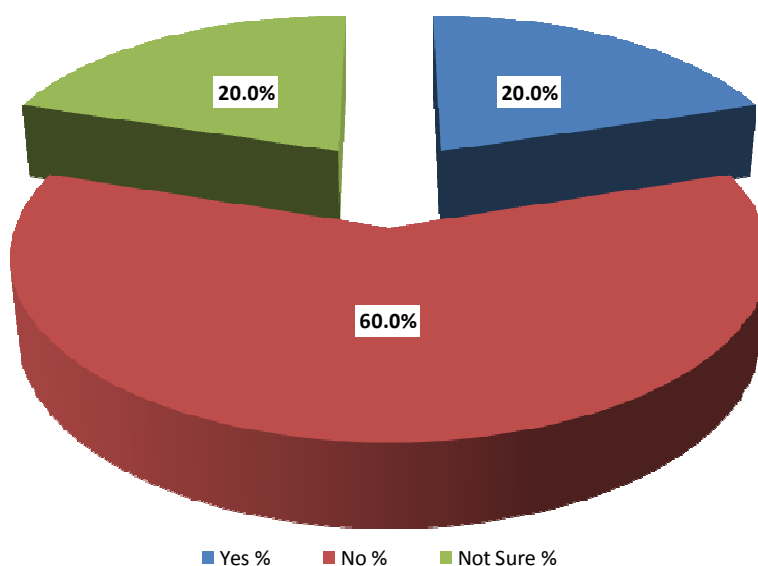
Should the rates paid per pupil be the same for both the primary and secondary sectors?



Response rate 96.8%

### Secondary school responses

Should the rates paid per pupil be the same for both the primary and secondary sectors?



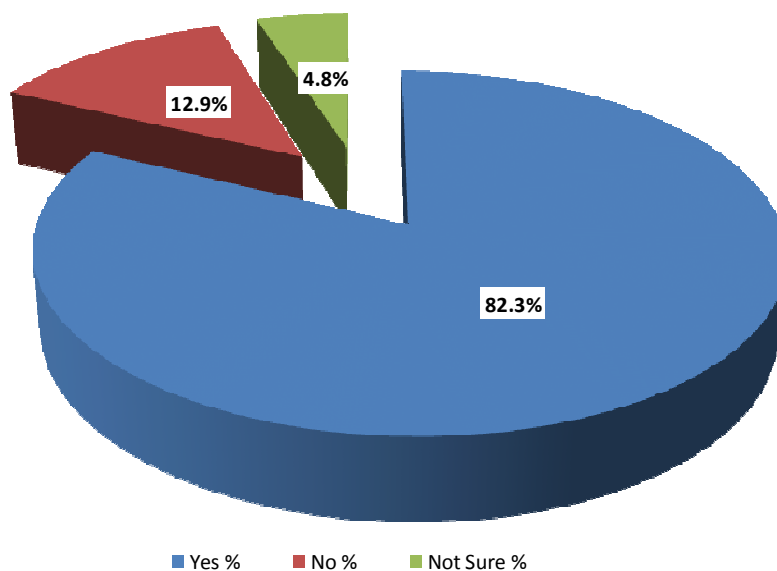
Response rate 100%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q9 It is proposed that a LAC factor is adopted in the new formula, do you agree with this proposal?

### Primary school responses

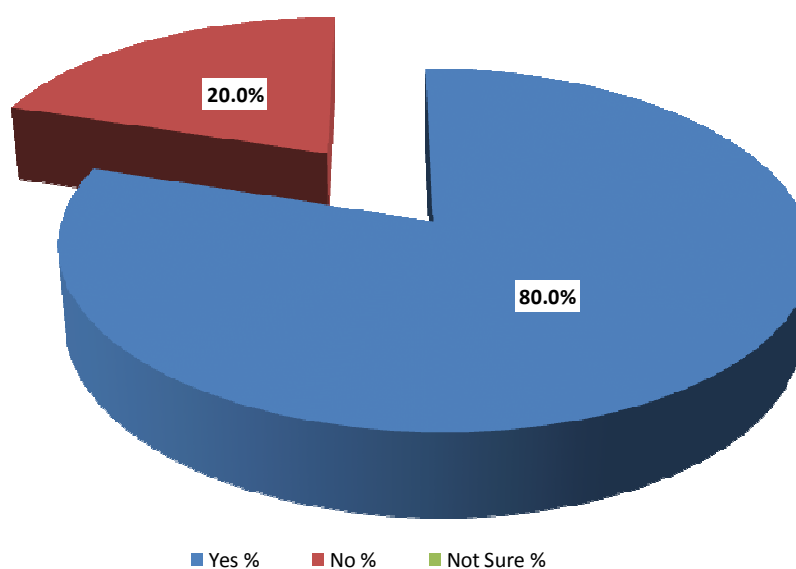
It is proposed that a LAC factor is adopted in the new formula, do you agree with this proposal?



Response rate 98.4%

### Secondary school responses

It is proposed that a LAC factor is adopted in the new formula, do you agree with this proposal?



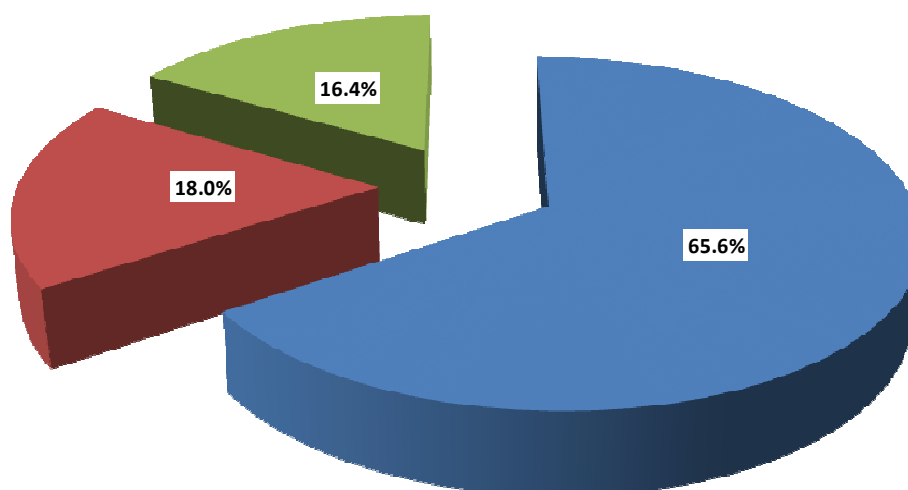
Response rate 100%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q10 If so, do you agree that the LAC factor should be set at £5,000 per pupil?

### Primary school responses

If so, do you agree that the LAC factor should be set at £5,000 per pupil?

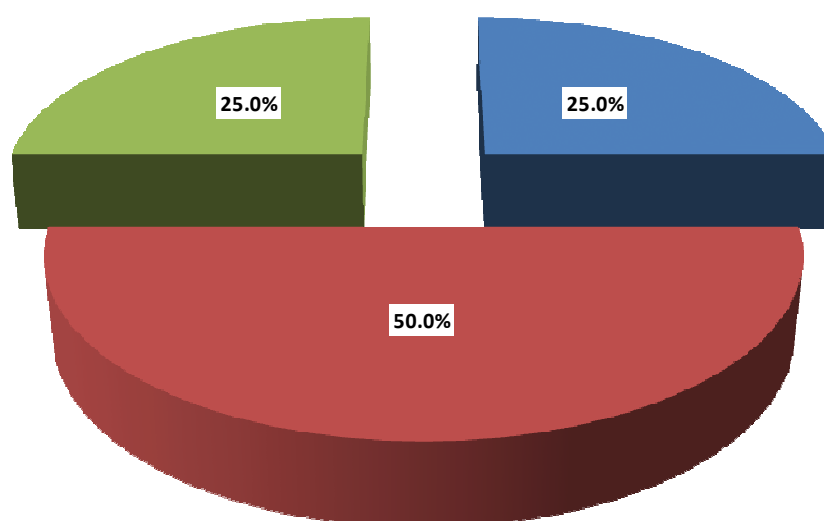


Response rate 96.8%

■ Yes % ■ No % ■ Not Sure %

### Secondary school responses

If so, do you agree that the LAC factor should be set at £5,000 per pupil?



Response rate 80%

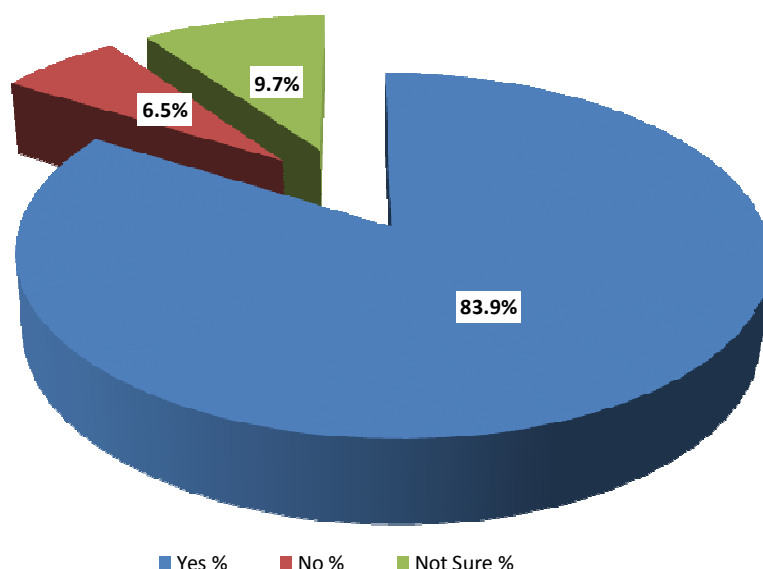
■ Yes % ■ No % ■ Not Sure %

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q11 It is proposed that a low cost, high incidence SEN factor is adopted in the new formula, do you agree?

### Primary school responses

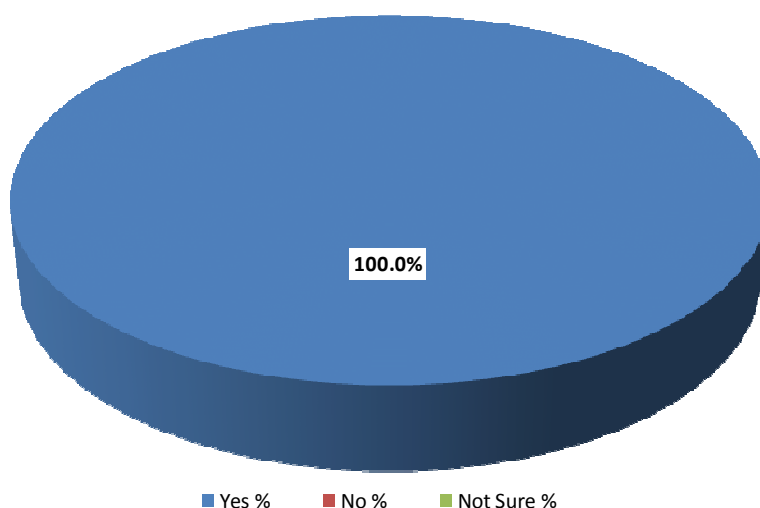
It is proposed that a low cost, high incidence SEN factor is adopted in the new formula, do you agree?



Response rate 98.4%

### Secondary school responses

It is proposed that a low cost, high incidence SEN factor is adopted in the new formula, do you agree?



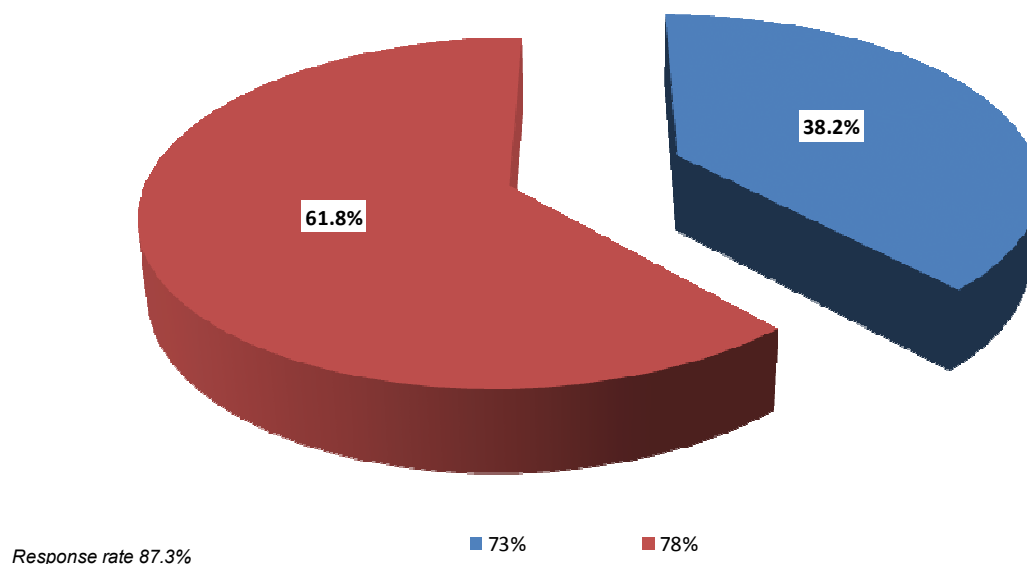
Response rate 100%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q12 Should the threshold level applied to the EYSFP score be at 73 or 78 points?

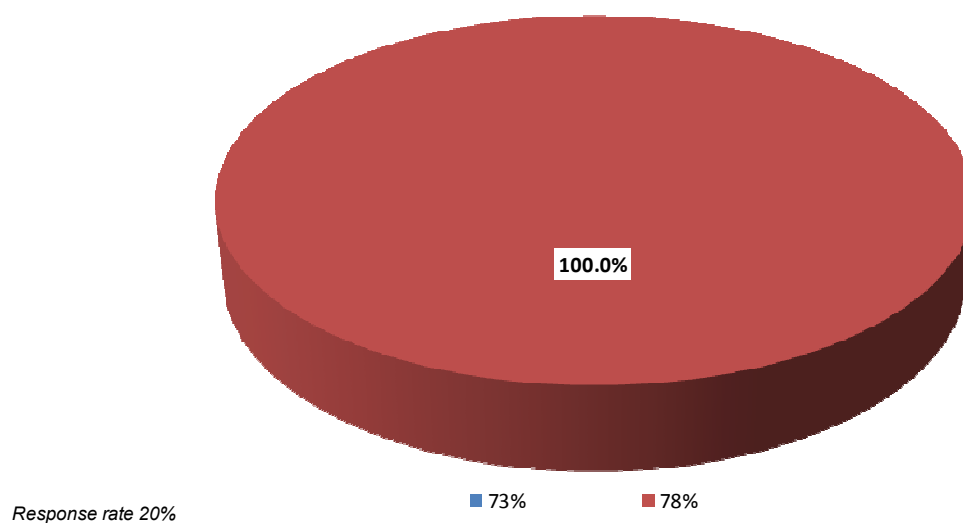
### Primary school responses

Should the threshold level applied to the EYSFP score be at 73 or 78 points?



### Secondary school responses

Should the threshold level applied to the EYSFP score be at 73 or 78 points?

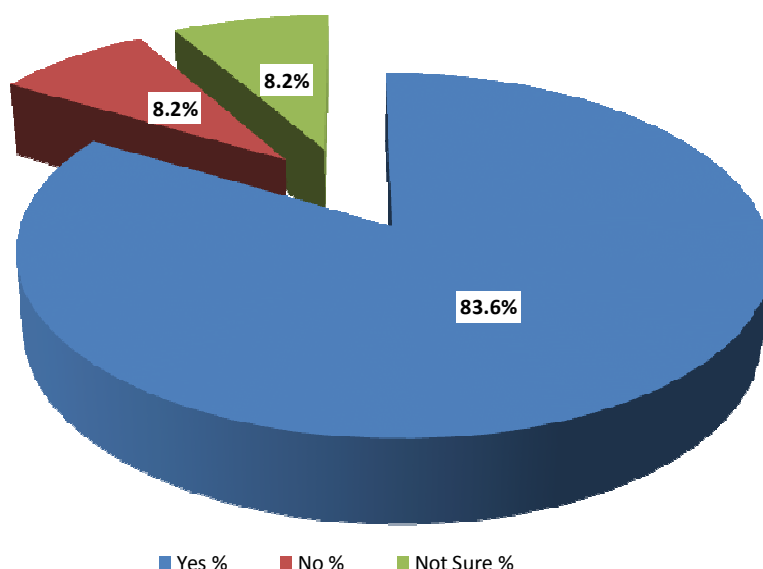


## School Funding Reform: Consultation on the local funding formula (2013/14)

Q13 Do you agree that the same rate of funding per pupil should be applied to both the primary and secondary sectors?

### Primary school responses

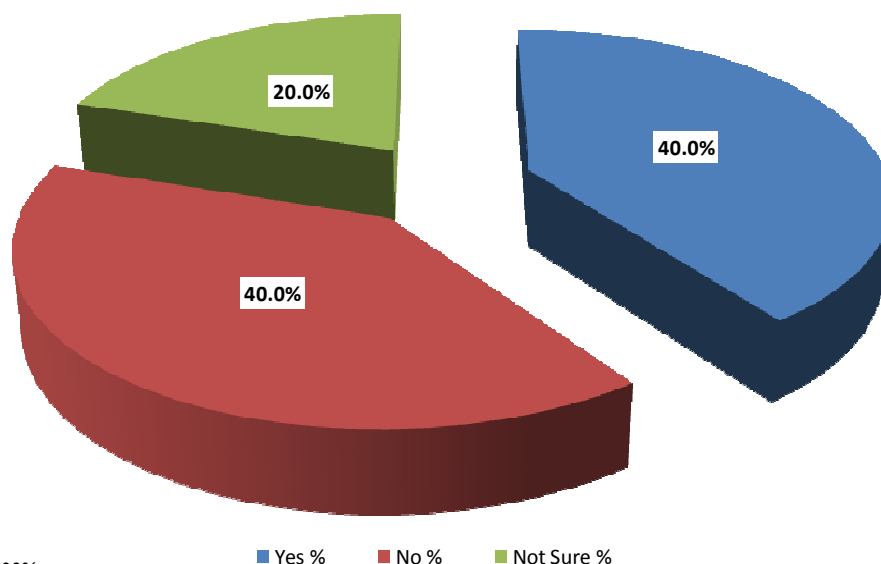
Do you agree that the same rate of funding per pupil should be applied to both the primary and secondary sectors?



Response rate 96.8%

### Secondary school responses

Do you agree that the same rate of funding per pupil should be applied to both the primary and secondary sectors?



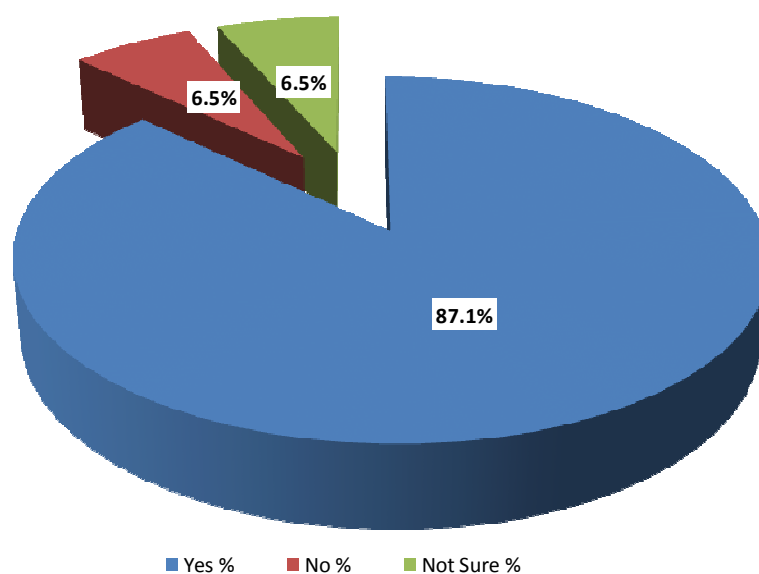
Response rate 100%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q14 It is proposed that an EAL factor should be adopted in the new formula, do you agree?

### Primary school responses

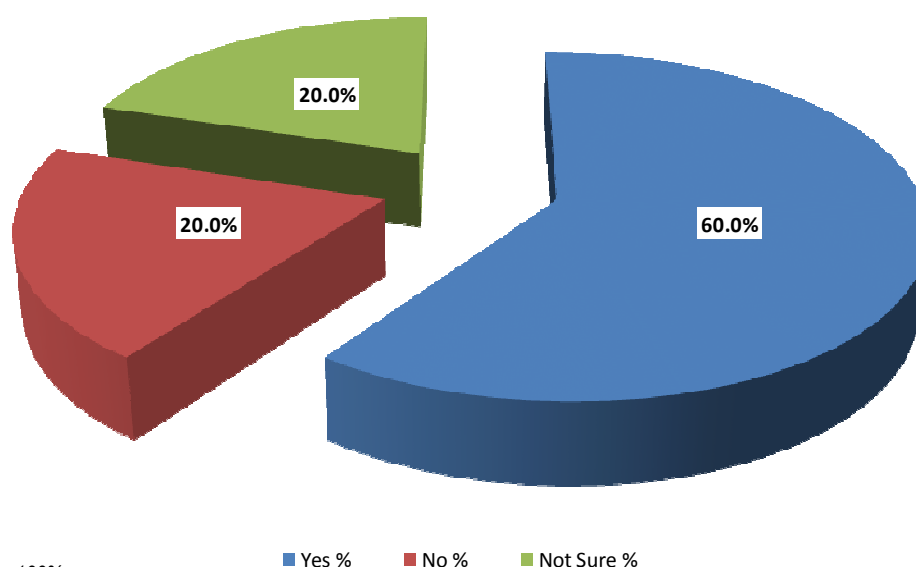
It is proposed that an EAL factor should be adopted in the new formula, do you agree?



Response rate 98.4%

### Secondary school responses

It is proposed that an EAL factor should be adopted in the new formula, do you agree?



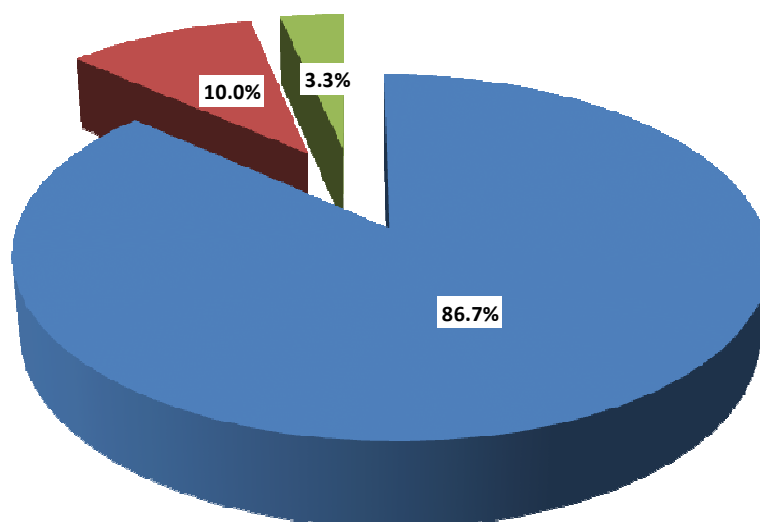
Response rate 100%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q15 If so, do you agree that the same rate of funding per pupil should be applied to both the primary and secondary sectors?

### Primary school responses

If so, do you agree that the same rate of funding per pupil should be applied to both the primary and secondary sectors?

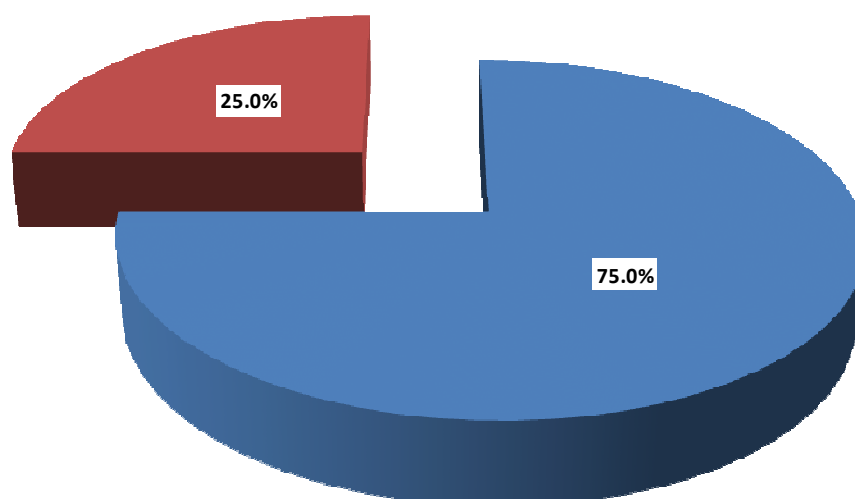


Response rate 95.2%

■ Yes % ■ No % ■ Not Sure %

### Secondary school responses

If so, do you agree that the same rate of funding per pupil should be applied to both the primary and secondary sectors?



Response rate 80%

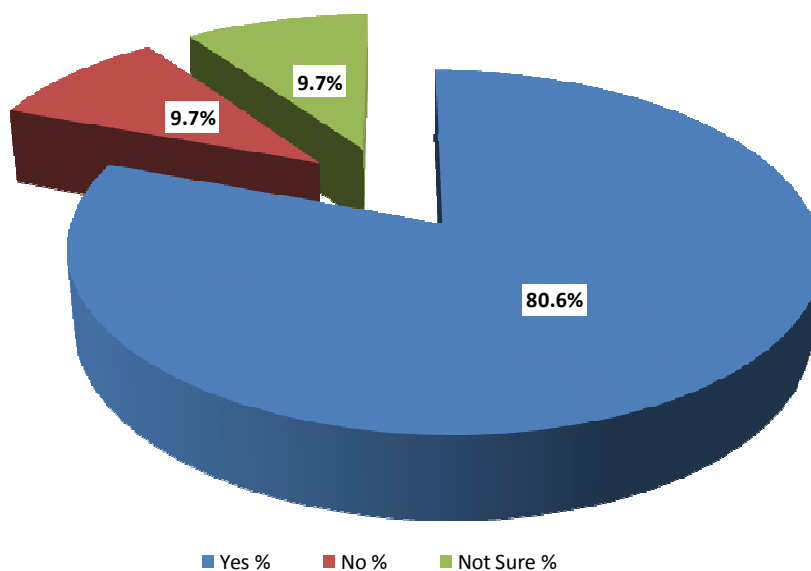
■ Yes % ■ No % ■ Not Sure %

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q16 It is proposed that a pupil mobility factor should be adopted in the new formula, do you agree?

### Primary school responses

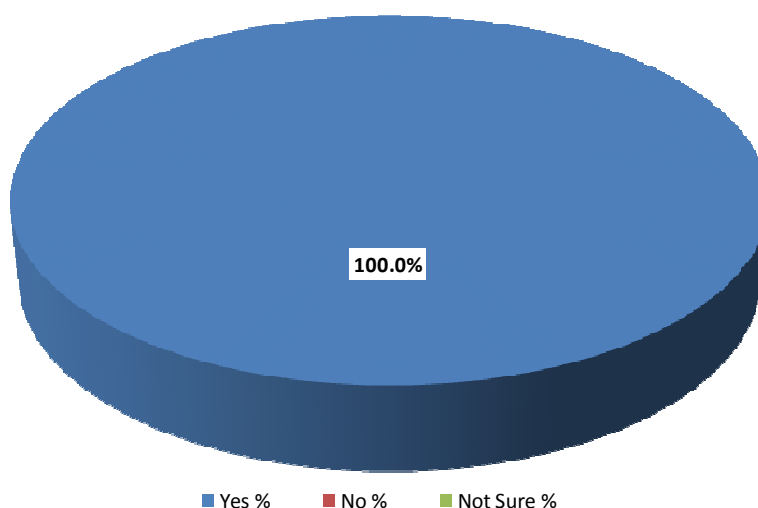
It is proposed that a pupil mobility factor should be adopted in the new formula, do you agree?



Response rate 98.4%

### Secondary school responses

It is proposed that a pupil mobility factor should be adopted in the new formula, do you agree?



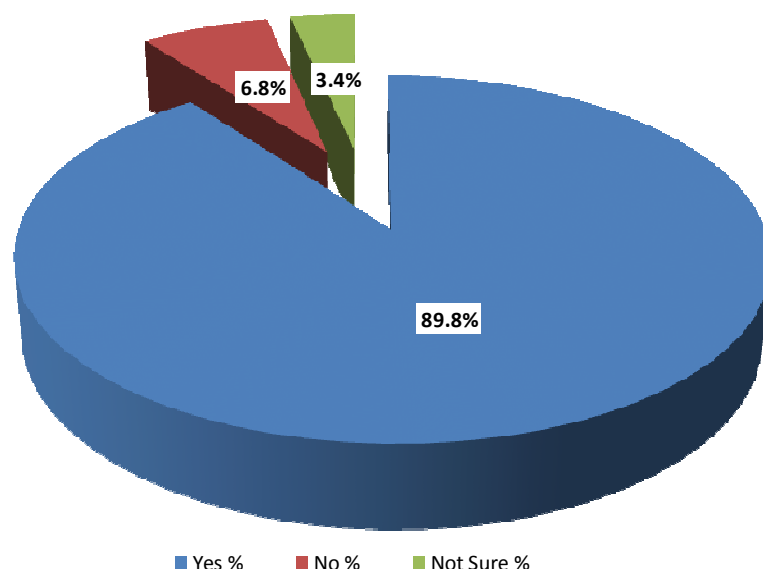
Response rate 100%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q17 If so, do you agree that the same rate of funding per pupil should be applied to both the primary and secondary sectors?

### Primary school responses

If so, do you agree that the same rate of funding per pupil should be applied to both the primary and secondary sectors?

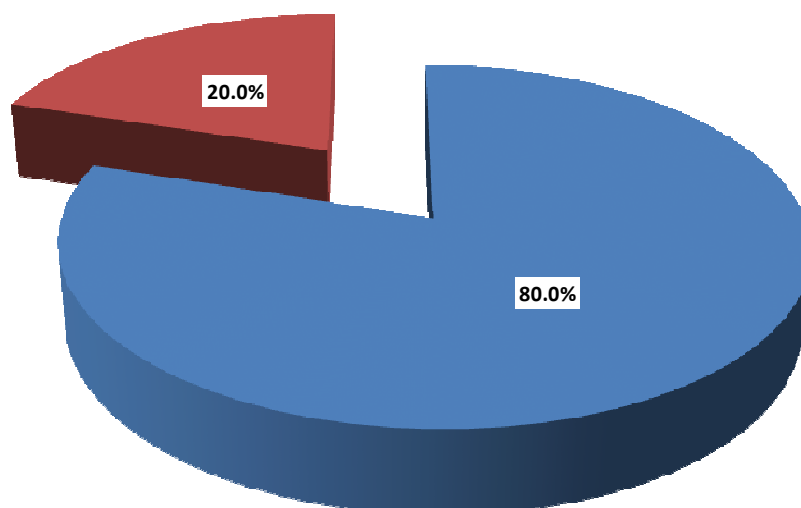


Response rate 93.7%

■ Yes % ■ No % ■ Not Sure %

### Secondary school responses

If so, do you agree that the same rate of funding per pupil should be applied to both the primary and secondary sectors?



Response rate 100%

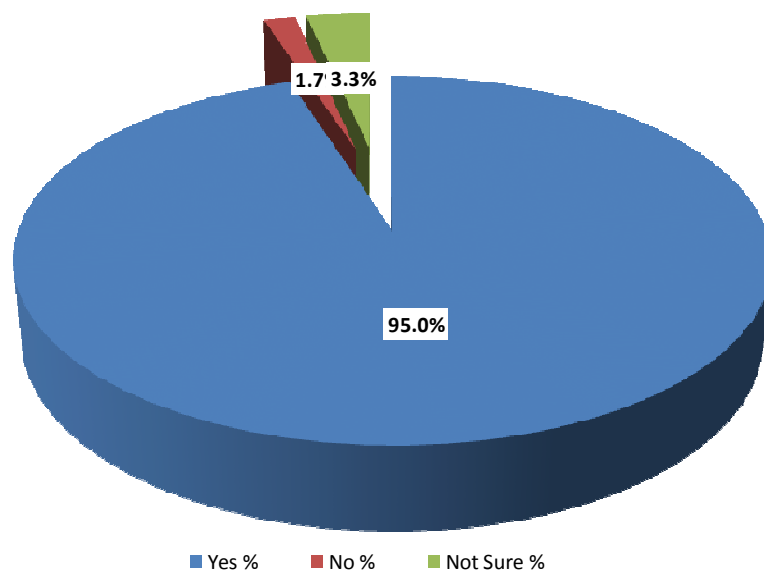
■ Yes % ■ No % ■ Not Sure %

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q18 It is proposed that a lump sum factor is adopted in the new formula, do you agree?

### Primary school responses

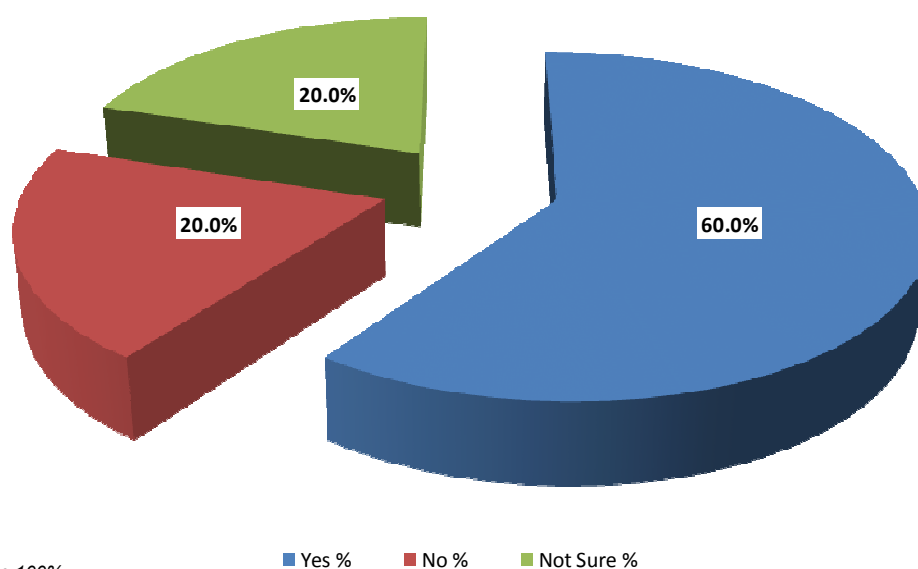
It is proposed that a lump sum factor is adopted in the new formula, do you agree?



Response rate 95.2%

### Secondary school responses

It is proposed that a lump sum factor is adopted in the new formula, do you agree?



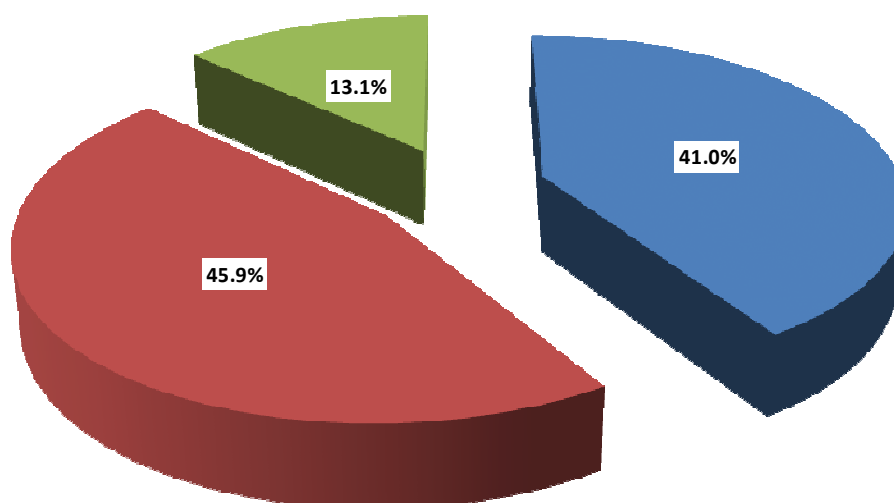
Response rate 100%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q19 If so, do you agree that the lump sum is set at £89,000?

### Primary school responses

If so, do you agree that the lump sum is set at £89,000?

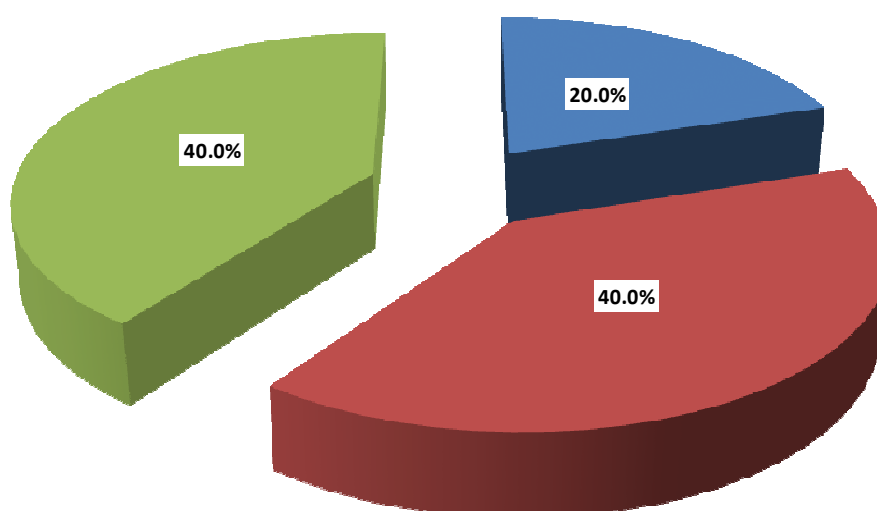


Response rate 96.8%

■ Yes % ■ No % ■ Not Sure %

### Secondary school responses

If so, do you agree that the lump sum is set at £89,000?



Response rate 100%

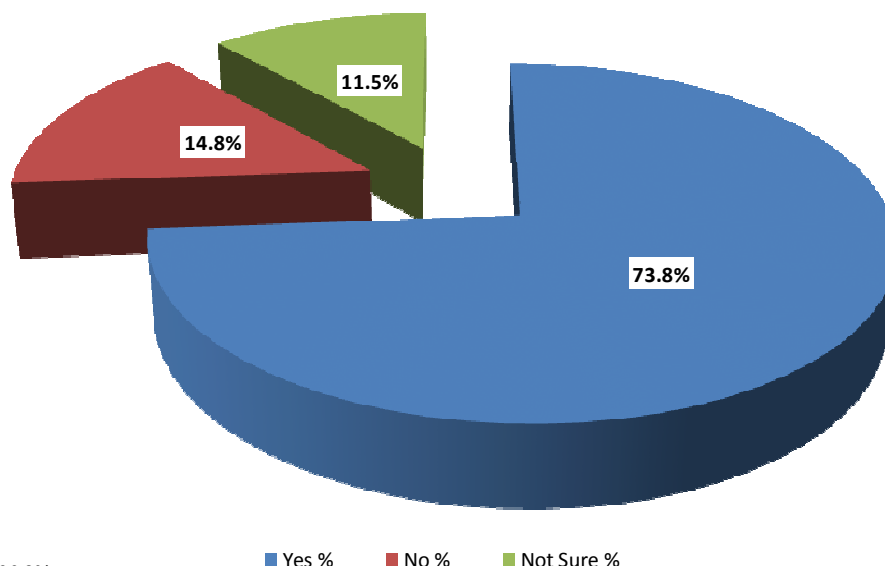
■ Yes % ■ No % ■ Not Sure %

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q20 It is proposed that the exiting split site factor and qualifying criteria to recognise the costs of operating a split site school are adopted in the new formula, do you agree?

### Primary school responses

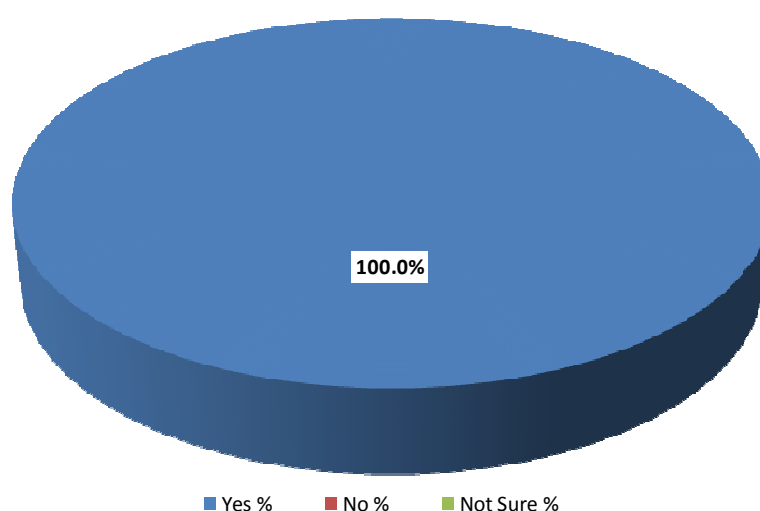
It is proposed that the exiting split site factor and qualifying criteria to recognise the costs of operating a split site school are adopted in the new formula, do you agree?



Response rate 96.8%

### Secondary school responses

It is proposed that the exiting split site factor and qualifying criteria to recognise the costs of operating a split site school are adopted in the new formula, do you agree?



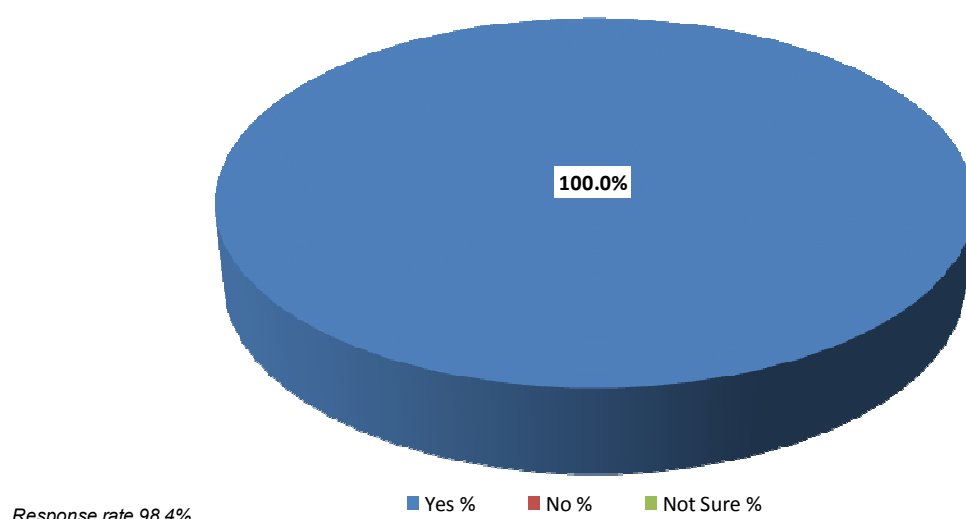
Response rate 100%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q21 It is proposed that the current arrangement to pay rates centrally are adopted in the new formula, do you agree?

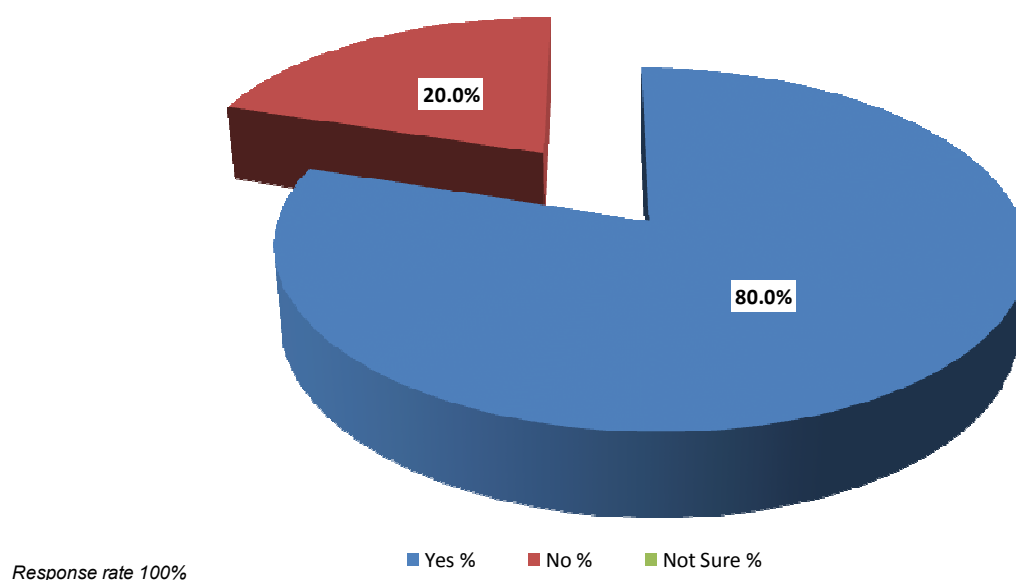
### Primary school responses

It is proposed that the current arrangement to pay rates centrally are adopted in the new formula, do you agree?



### Secondary school responses

It is proposed that the current arrangement to pay rates centrally are adopted in the new formula, do you agree?

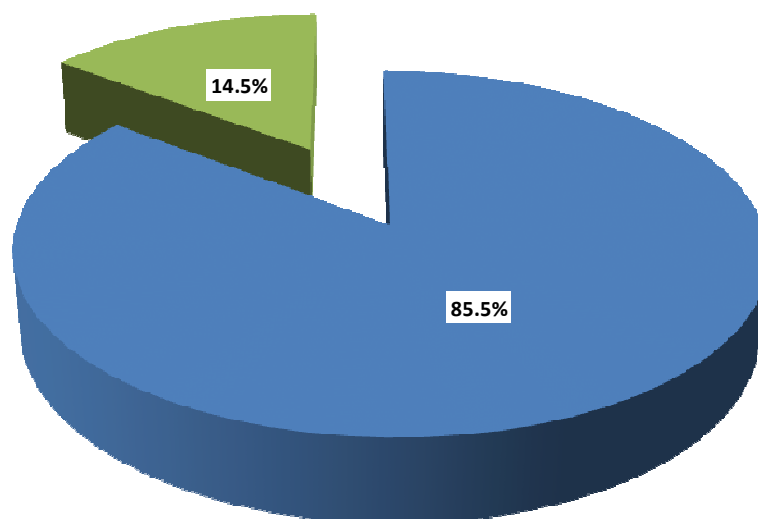


## School Funding Reform: Consultation on the local funding formula (2013/14)

Q22 Subject to DfE approval, it is proposed that the factors for joint use and rental of school accommodation on the same basis as 2012/13 are adopted in the new formula, do you agree?

### Primary school responses

Subject to DfE approval, it is proposed that the factors for joint use and rental of school accommodation on the same basis as 2012/13 are adopted in the new formula, do you agree?

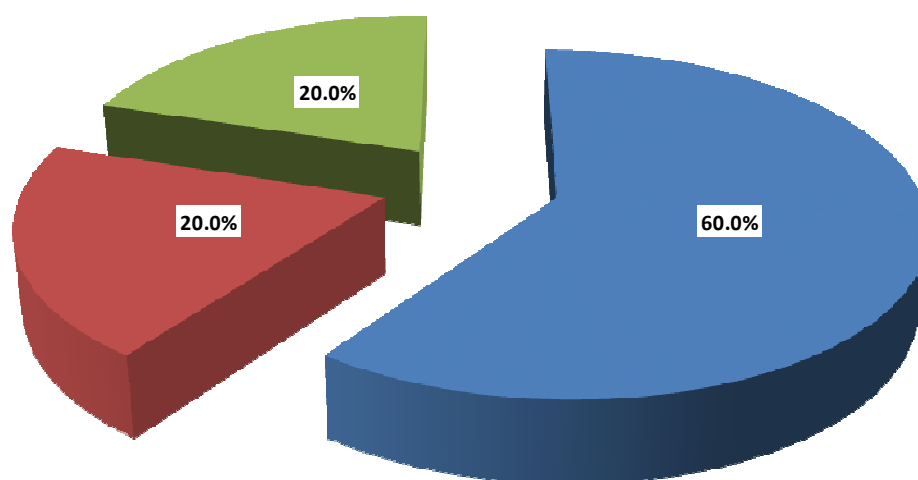


Response rate 98.4%

■ Yes % ■ No % ■ Not Sure %

### Secondary school responses

Subject to DfE approval, it is proposed that the factors for joint use and rental of school accommodation on the same basis as 2012/13 are adopted in the new formula, do you agree?



Response rate 100%

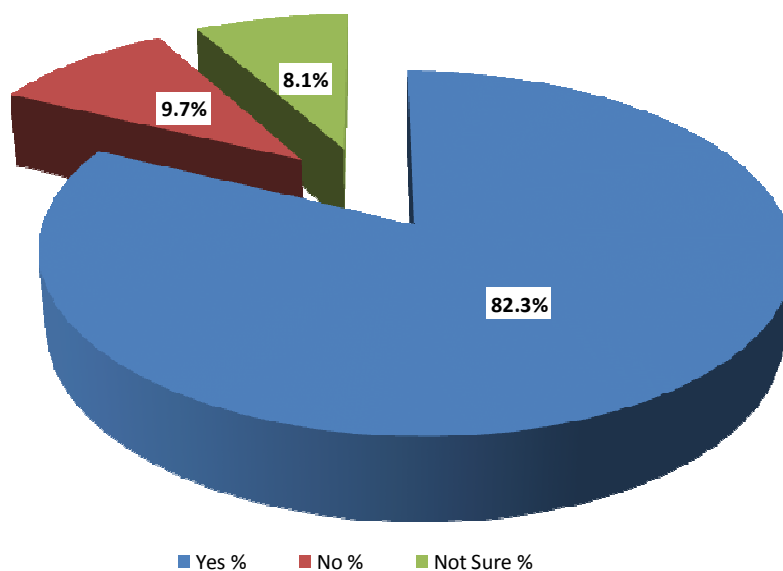
■ Yes % ■ No % ■ Not Sure %

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q23 Do you agree that a gains cap should be set at 5% for 2013/14?

### Primary school responses

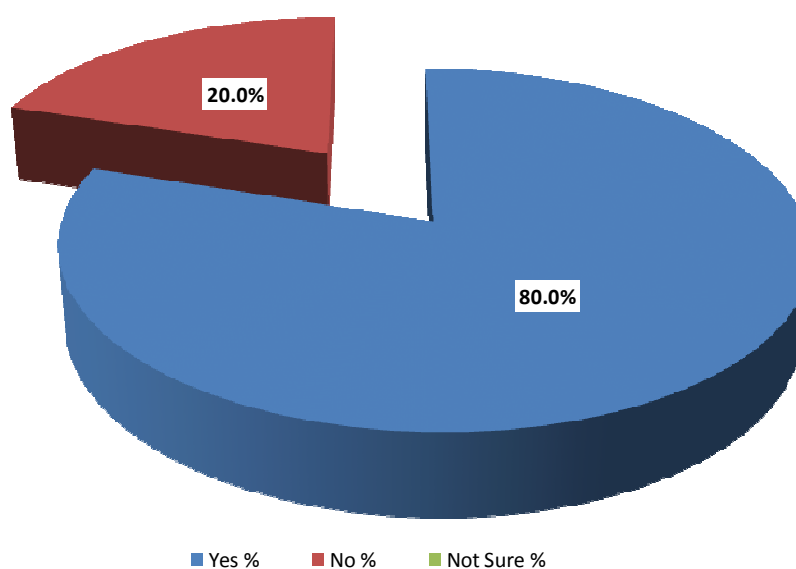
Do you agree that a gains cap should be set at 5% for 2013/14?



Response rate 98.4%

### Secondary school responses

Do you agree that a gains cap should be set at 5% for 2013/14?



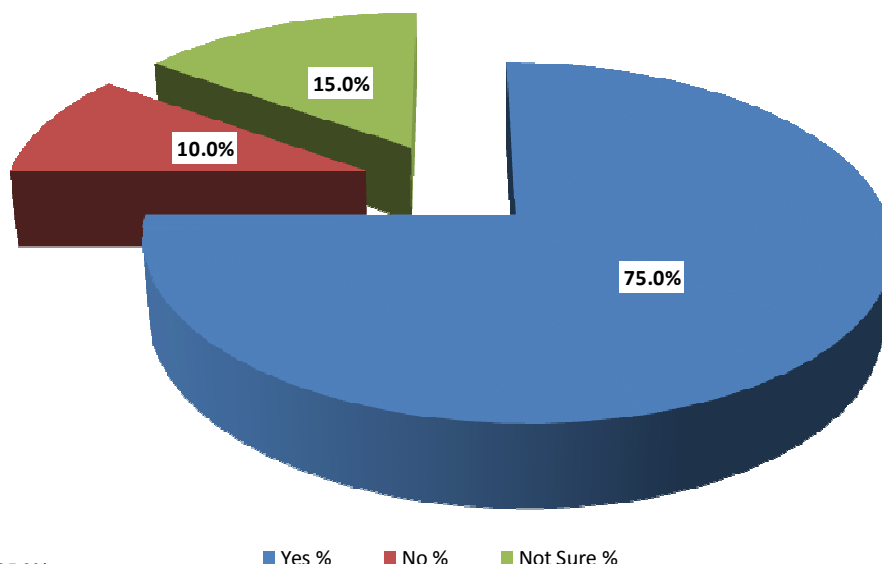
Response rate 100%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q24 (a) Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for support for minority ethnic pupils or underachieving pupils?

### Primary school responses

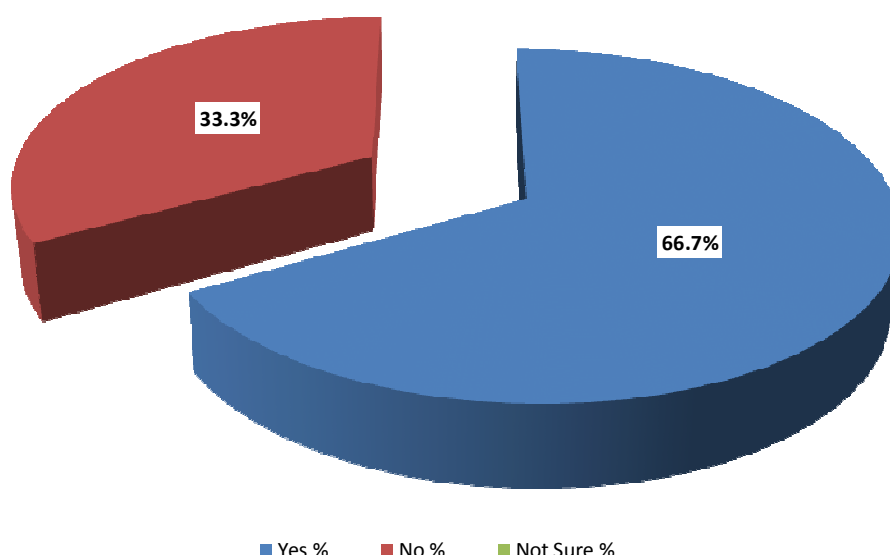
Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for support for minority ethnic pupils or underachieving pupils?



Response rate 95.2%

### Secondary school responses

Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for support for minority ethnic pupils or underachieving pupils?



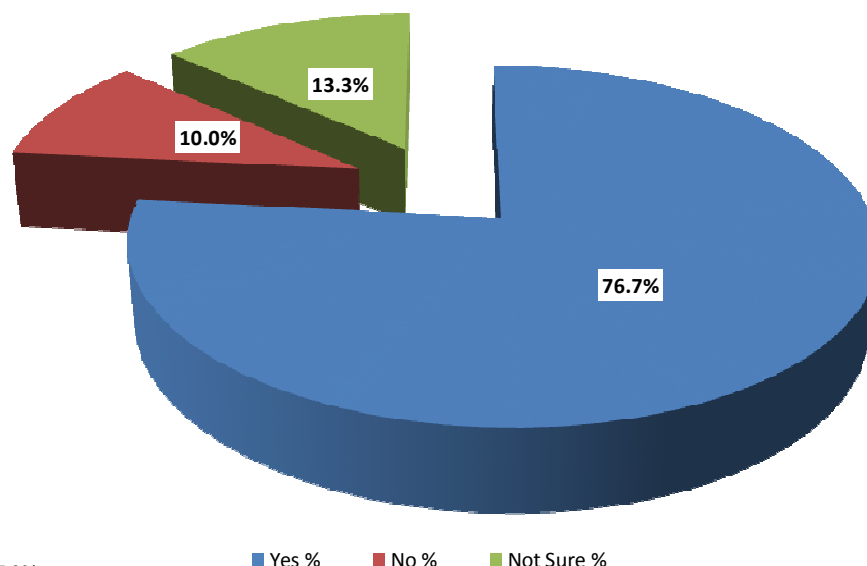
Response rate 60%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q24 (b) Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for administration of free school meals eligibility?

### Primary school responses

Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for administration of free school meals eligibility?

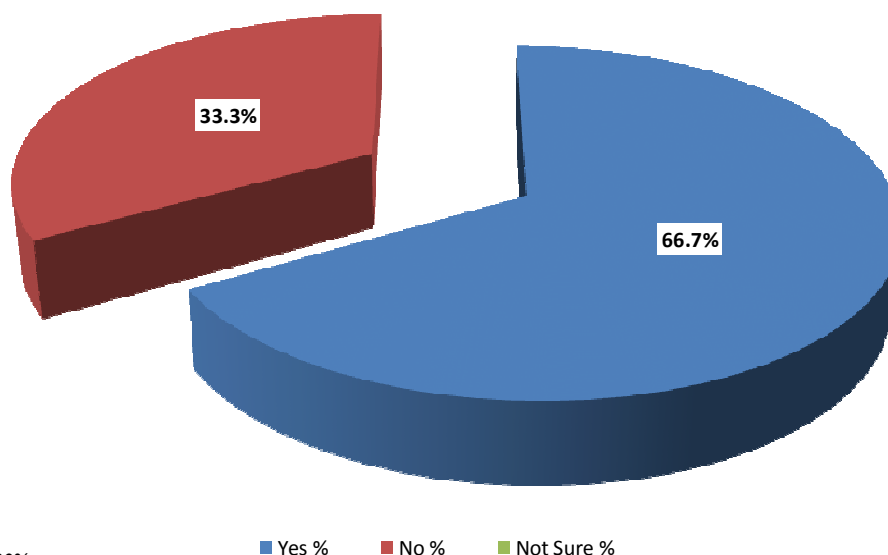


Response rate 95.2%

■ Yes % ■ No % ■ Not Sure %

### Secondary school responses

Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for administration of free school meals eligibility?



Response rate 60%

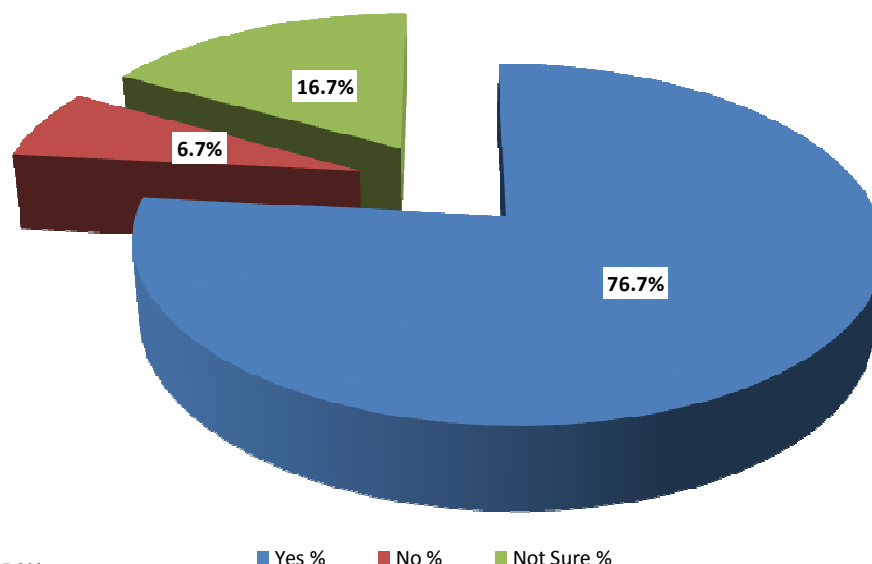
■ Yes % ■ No % ■ Not Sure %

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q24 (c) Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for licences and subscriptions (copyright licence)?

### Primary school responses

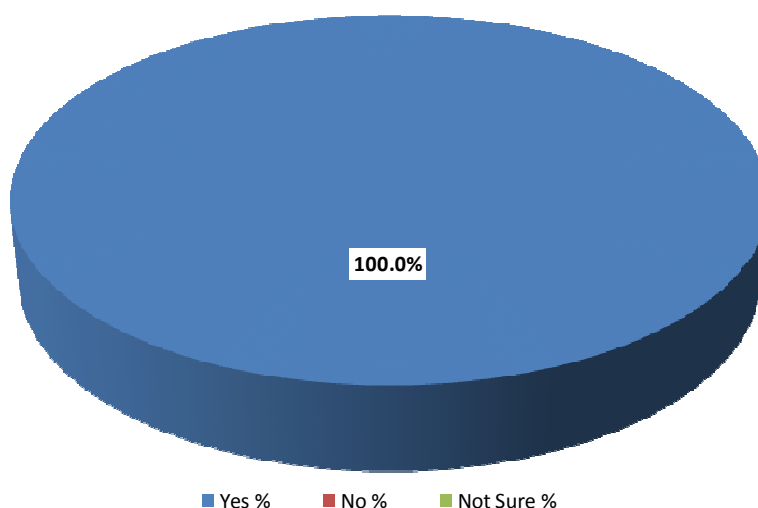
Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for licences and subscriptions (copyright licence)?



Response rate 95.2%

### Secondary school responses

Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for licences and subscriptions (copyright licence)?



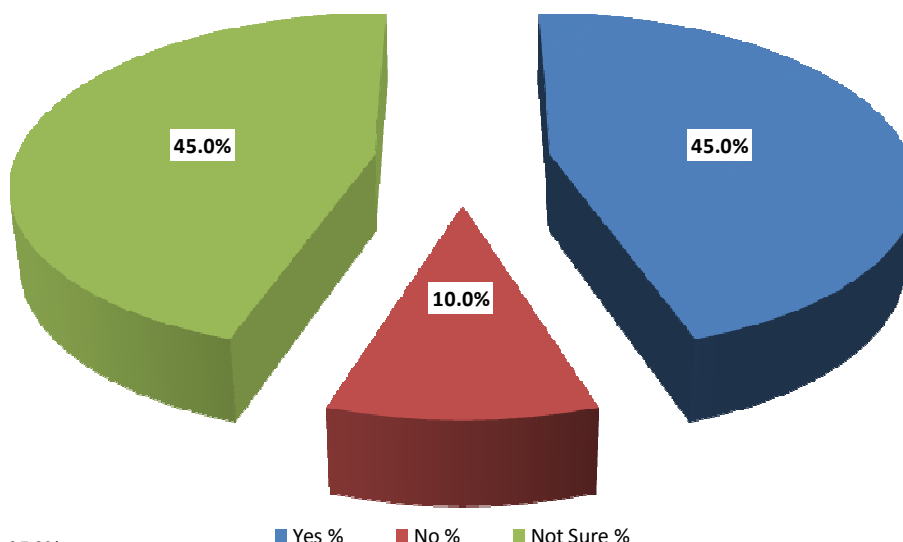
Response rate 60%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q24 (d) Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for staff costs/supply cover (trade union facility time)?

### Primary school responses

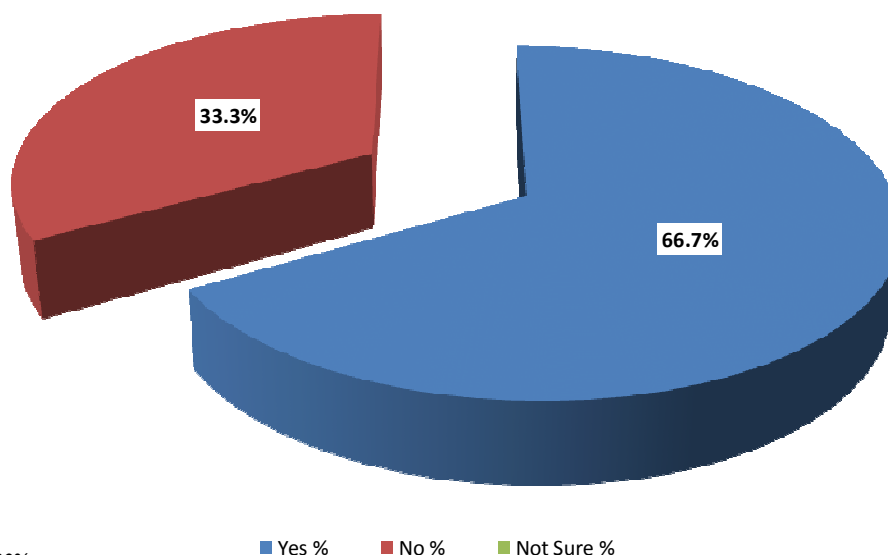
Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for staff costs/supply cover (trade union facility time)?



Response rate 95.2%

### Secondary school responses

Do you agree with the proposal to de-delegate funding for maintained primary and secondary schools for staff costs/supply cover (trade union facility time)?



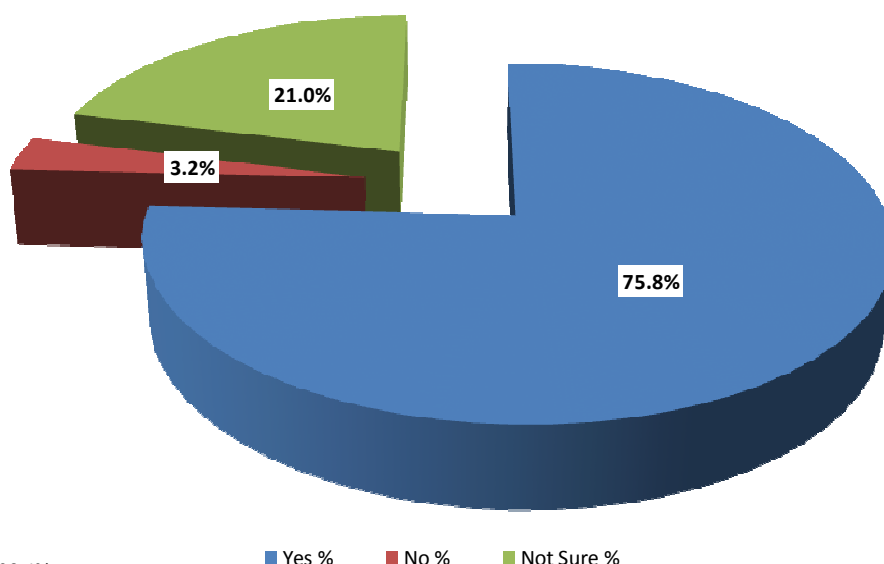
Response rate 60%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q25 It is proposed that a pupil number growth fund should be created for an infant class size contingency by top-slicing the DSG in the primary sector, do you agree?

### Primary school responses

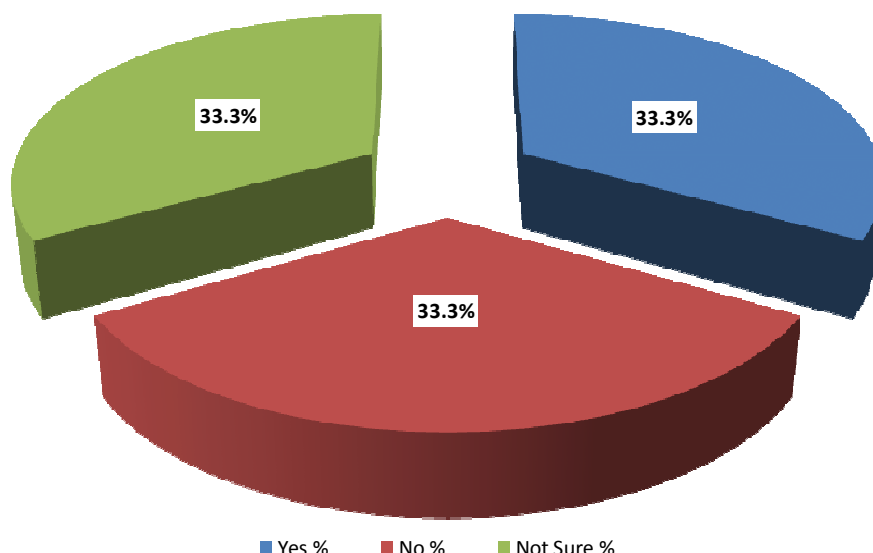
It is proposed that a pupil number growth fund should be created for an infant class size contingency by top-slicing the DSG in the primary sector, do you agree?



Response rate 98.4%

### Secondary school responses

It is proposed that a pupil number growth fund should be created for an infant class size contingency by top-slicing the DSG in the primary sector, do you agree?



Response rate 60%

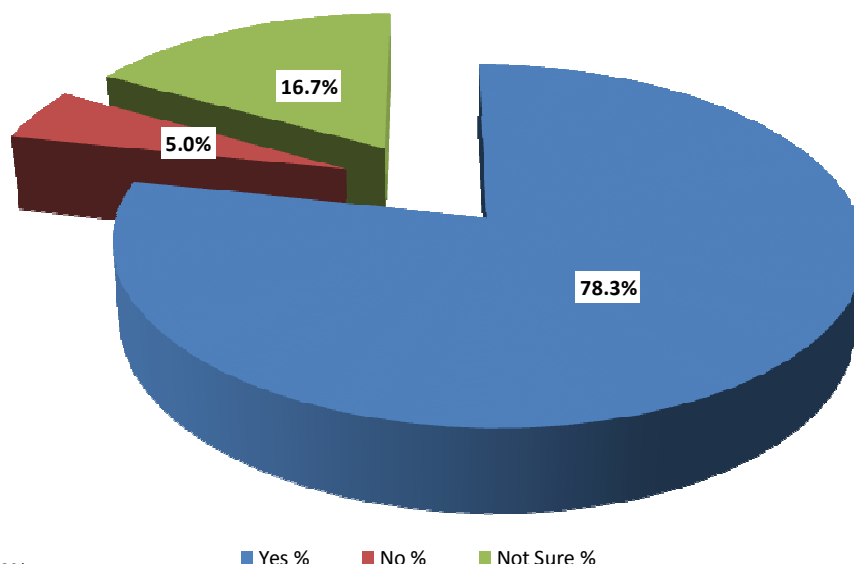


## School Funding Reform: Consultation on the local funding formula (2013/14)

Q26 Do you agree with the proposal to retain a contingency for previously agreed transitional support for amalgamating primary schools?

### Primary school responses

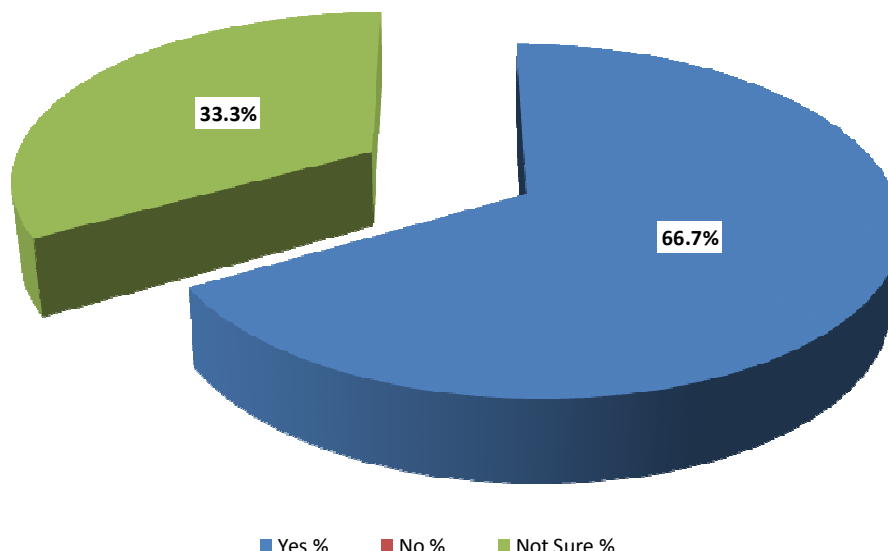
Do you agree with the proposal to retain a contingency for previously agreed transitional support for amalgamating primary schools?



Response rate 95.2%

### Secondary school responses

Do you agree with the proposal to retain a contingency for previously agreed transitional support for amalgamating primary schools?



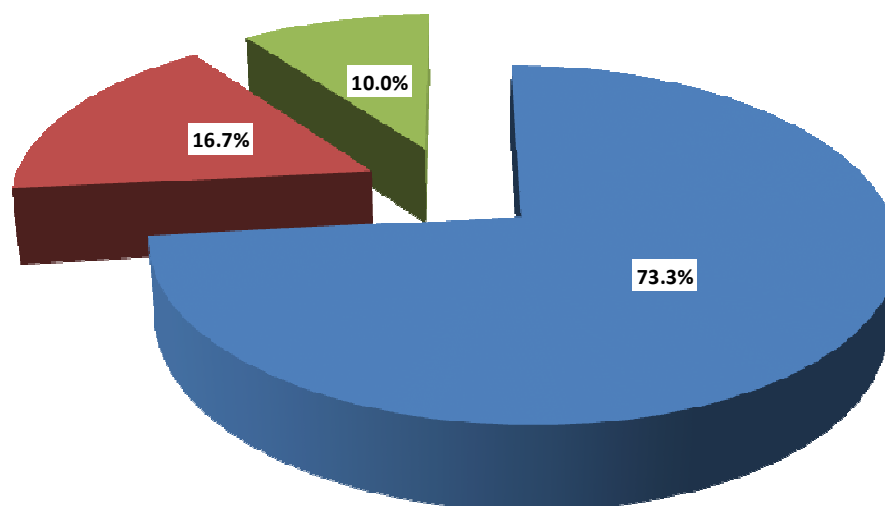
Response rate 60%

## School Funding Reform: Consultation on the local funding formula (2013/14)

Q27 Do you wish to pool funds to continue the provision of school milk centrally?

### Primary school responses

Do you wish to pool funds to continue the provision of school milk centrally?

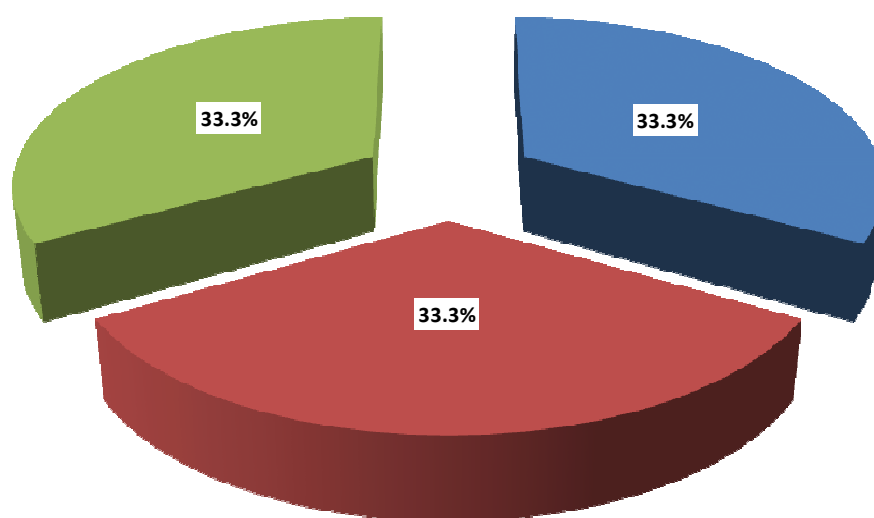


Response rate 95.2%

■ Yes % ■ No % ■ Not Sure %

### Secondary school responses

Do you wish to pool funds to continue the provision of school milk centrally?



Response rate 60%

■ Yes % ■ No % ■ Not Sure %

# **School Funding Reform:**

## **Local funding formula – consultation analysis**

Schools Forum

16 October 2012



**Nottinghamshire  
County Council**

# **Consultation feedback**

- 62 Primary schools (including infant/Junior school)
- 4 Secondary schools
- Nottingham Diocesan Education Service letter
- Resolution from Primary Trust Board
- Resolution from Governors' Trust Board
- Statement by Secondary Heads (endorsed by 28)

# Mapping of current new formula factors

- Primary – Yes 58%
- Secondary – No 80%

# **Should the current Primary to Secondary ratio of funding the basic pupil entitlement remain at 1:1.39?**

- Primary – Yes 62%
- Secondary – No 60%

# **Should the rates paid per pupil on FSM IDACI be the same for both the Primary and Secondary sectors?**

- Primary – Yes 82%
- Secondary – Yes 60%

# **It is proposed that a LAC factor is adopted in the new formula**

- Primary – Yes 82%
- Secondary – Yes 80%

# **Should the LAC factor be set at £5k per pupil?**

- Primary – Yes 56%
- Secondary – Yes 50%

# **Should there be a lump sum?**

- Primary – Yes 95%
- Secondary – Yes 60%

## **If so, is £89k right?**

- Primary – No 46%
- Secondary – No/ Not sure 40%

## **Gains cap – Should there be a gains cap set at 5% for 2013/14?**

- Primary – Yes 82%
- Secondary – Yes 80%

- **De-Delegation – Do you agree with a proposal to de-delegate** funds for maintained Primary and Secondary schools for:

**a) Minority, ethnic and under performing pupils**

Primary – Yes 75%

Secondary – Yes 67%

**b) The administration of FSM**

Primary – Yes 77%

Secondary – Yes 67%

- **c) Licences and subscriptions**

Primary – Yes 77%

Secondary- Yes 100%

- **d) Trade Unions**

Primary – Yes 45%, No 45%, Unsure 10%

Secondary – Yes 67%

**Primary growth fund-  
Do you agree that a Primary  
Growth fund should be top slice  
from the DSG in the Primary  
sector?**

- Primary – Yes 76%





**Agenda Item: 5**

**REPORT OF THE CORPORATE DIRECTOR POLICY, PLANNING AND  
CORPORATE SERVICES**

**STAFFING PROPOSALS TO SUPPORT ECONOMIC GROWTH AND  
DEVELOP THE TOURISM POTENTIAL IN THE COUNTY**

**Purpose of the Report**

1. This report seeks approval for additional staffing resources in the council's Economic Development and Conservation Services to support the Council's ambitions to promote economic growth and develop tourism potential in the county.

**Information and Advice**

2. In the context of a difficult economic climate both nationally and globally and a period of austerity which is likely to continue for some time many of the issues facing the County's economy appear challenging. However there are also many opportunities which if exploited, may drive positive economic change.
3. The Council has a broad role to play in relation to supporting economic growth in the county including being a champion, campaigner, facilitator, enabler and coordinator as well as directly providing and commissioning services.
4. The recent LGA Peer Challenge Review recommends that the council should "Ensure sufficient focus and capacity in order to deliver the stated priority of 'economic development and growth' and take advantage of all opportunities to promote economic development".
5. The current Economic Development Service is primarily a strategic service working with businesses, business organisations and public sector partners to promote economic growth in the county however it also directly manages a number of economic development projects including the Broadband Project, Innovation Centres and Work Clubs. The service currently comprises 5.5 (fte) members of staff with a total budget of £800,000.
6. The Economic Development service work programme was considered by Economic Development Committee in June 2012 and provides details of the three areas Business and Prosperity; Employment and Skills; and Leadership the service focuses upon.

7. Additional resource is required to deliver on both this work programme and other emerging priorities around the Growth Plan, external funding and tourism which are outlined below.
8. **Growth Plan** - A key priority for the service is to lead and facilitate with partners the development and implementation of a Growth Plan for Nottinghamshire. Both businesses and public sector partners have requested that a collective, long-term and aspirational response and priorities for economic growth in the county is developed. The County Council has been asked by partners to give strategic leadership and direction to this work and a Nottinghamshire Growth Plan has now been produced and is out for consultation with businesses and stakeholders. The Growth Plan will enable Nottinghamshire's economic priorities to be articulated at a national level with Government; at a sub-regional level with the D2N2 Local Enterprise Partnership; enable strategic interventions at a County level and provide a context for activity at more local levels. The County Council will subsequently develop its own corporate Economic Development Strategy which will effectively be the Council's response to the Growth Plan. Additional capacity will be required to drive forward this work.
9. **External Funding** – the need to secure external funding to support the council's and partners aspirations for economic growth has become even more important in recent years. External funding is now more limited for economic development and therefore the quality of the proposals/bids submitted to attract this funding are key to success. In addition, informing services within the council of sources of external funding and providing expertise in drafting funding bids is a service Economic Development has the expertise to provide if additional resources were available to support other existing work.
10. **Heritage Tourism** - A priority for the council is the development of the county's tourism offer. Tourism and the visitor economy is an important sector of the Nottinghamshire economy worth an estimated £0.91 billion to the County (source: Nottinghamshire STEAM Report 2010). Nottinghamshire has huge potential for developing heritage based tourism working with partners, and focussing on a number of key themes as outlined below. Proposals for this work will be developed with Experience Nottinghamshire to ensure economies of scale and sharing of expertise:
  - **Wartime Heritage** incorporating War of the Roses, Civil War, war memorials, airfields, munitions etc but in particular the county's role in the **Civil Wars** of the 17<sup>th</sup> century. This would involve working in partnership with Newark and Sherwood District Council and Experience Nottinghamshire to develop a national Civil War Centre in the Magnus Buildings in Newark and a wider heritage trail in Newark and other parts of the county showing unique artefacts and collections that relate to civil war. Our emphasis would be on ensuring that a tourism offer is developed that provides a strong visitor experience attracting a national as well as local market and that has tourism attractions that are viable.
  - **Social Heritage** tourism in particular relating to the **Pilgrim Fathers** who started their epic journey to the new world from Nottinghamshire in the early

1600's. However there is currently a limited Pilgrim Fathers offer in North Nottinghamshire and work is required with partners to improve this. The conservation service would have an important role to play in identifying the heritage artefacts and collections within the county (and wider) relating to this and working with partners to identify how the tourism potential of these could be developed.

- **Sherwood Forest Regional Park** – there are currently aspirations to develop a Landscape Partnership project with a central theme of sustainable tourism in the wider Forest (beyond the Visitor Centre). It is anticipated that an application will be submitted to the Heritage Lottery Fund early in 2013. There is also the potential for a Landscape Partnership project in the Idle Valley, which would provide an opportunity for developing connections to the Pilgrim Fathers.

## **Resource Proposals**

11. It is proposed that the following posts are established to enable the Economic Development and Conservation Services to address the priorities outlined above.

- a. A Senior Economic Development Officer to support the development of the Growth Plan, in particular the Business Competitiveness theme, and positive senior-level engagement with the business community
- b. An additional Economic Development Officer post to provide project development and project management capacity to economic development and tourism projects
- c. A specialist heritage officer, on a two year fixed term contract, to identify the tourism heritage opportunities offered by Pilgrim Fathers and Civil War. (The current conservation and heritage service team is focused entirely on an internal specialist advisory role meaning that any proactive work can only happen on an ad hoc basis or where additional funding is provided).

12. The cost of these additional posts, including on-costs would be £137,327 per annum for the next two years reducing to £96,327 per annum after this.

## **Reason/s for Recommendation/s**

13. Economic growth and the development of the county's tourism offer are key priorities of the council and the additional staffing resources proposed will enable these priorities to be more effectively supported.

## **Statutory and Policy Implications**

14. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

15. There are no material implications in respect of finance, equal opportunities, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service.
16. The posts have been evaluated, established and will be appointed to in line with the County Council's agreed policies and procedures. The recognised Trades Union have been consulted on the establishment of this post.

## **RECOMMENDATION/S**

17. It is recommended that:
- a. The posts of Senior Economic Development Officer at Band D (£35,430 - £39,855) and Economic Development Officer at Band C (£32,800 - £37,206) are established on a permanent basis from 1<sup>st</sup> January 2013.
  - b. The post of Heritage Officer at Band B (£28,636 – £32,800) is established on a two year fixed term contract with effect from 1<sup>st</sup> January 2013.

**Jayne Francis-Ward**  
**Corporate Director Policy Planning and Corporate Services**

**For any enquiries about this report please contact: Celia Morris, Group Manager – Corporate Strategy, Tel: 0115 9772043**

### **Constitutional Comments ([KK 24/10/12])**

18. The proposals in this report are within the remit of the Policy Committee.

### **Financial Comments (MA 24/10/12)**

19. The costs in the current financial year, assuming a start date of 1<sup>st</sup> January 2013, are estimated at £34,000, and will be subject to a contingency allocation. The full year costs, £138,000 at top of grade including oncosts, will be considered as part of the 2013/14 budget process.

### **HR Comments (MS 5/11/12)**

20. The HR implications are contained within the body of the report. The posts will be recruited to in line with the County Council's agreed policies and procedures.

## **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

The Economic Development service work programme 2011/12  
Nottinghamshire STEAM Report 2010

**Electoral Division(s) and Member(s) Affected**

All



**REPORT OF THE LEADER OF THE COUNCIL****OUTCOMES FROM THE COMPLAINTS PROCESS - APRIL 2011 TO MARCH 2012****Purpose of the Report**

1. The purpose of this report is to present a summary of complaints made to the County Council and resulting outcomes between 1 April 2011 and 31 March 2012. The report also gives information about the complaints made to the Local Government Ombudsman (LGO) in the same period.

**Background**

2. Complaints are an excellent way for customer concerns to be brought to the attention of the council. They are a way of examining the processes and procedures employed by the council and a mechanism by which the council can learn from any mistakes that have been made and make changes to improve the services it provides.
3. The Council has three complaints processes – two are statutory processes – namely children's and adults social care and one is a voluntary process which covers those services not covered by the statutory processes referred to as corporate complaints.
4. All 3 complaints processes categorise and record complaints under four broad areas; assessment, communication, service provision and staffing. It is intended to review the categorisation of complaints over the next few months to ensure the categorisation definition is appropriate. Current categorisations are defined as:
  - **Assessment/Decision:** this category covers issues regarding application of eligibility and assessment criteria; assessment/case management review; failure to respond to requests; an unwelcome or disputed decision
  - **Communication:** this category relates to issues to do with confidentiality; failure to communicate; inaccurate advice; misleading communication or poor/unsatisfactory response
  - **Service Provision:** this relates to non delivery or delay; quality or appropriateness; quantity/frequency/change/cost and withdrawal of service

- **Staffing:** this relates to issues specifically regarding staff attitude, behaviour or conduct

## Children's Social Care

5. It is important to get complaints in context around the whole service provision. Children's Social Care deal with over 7000 children social care referrals per annum, 800 children are looked after by the Authority and a further 720 children have a child protection plan.
6. Two hundred and fifty-two complaints were received in 2011/12 this is an increase from 2010/11 when 191 complaints were received. The increase is mainly in the Fieldwork Social Work Team South who previously recorded complaints in a different way from the Fieldwork Social Work Team North. There is now a consistent approach to recording which has led to greater parity in the number of complaints received from the north and south of the county. It should also be noted that one complainant in the south made 12 separate complaints.

Complaints Received by Service Area	2010/11	2011/12
Fieldwork Social Work Team North	100	105
Fieldwork Social Work Team South	64	115
Regulated Corporate Parenting Services	8	10
Disabled Children's Services	18	18
Safeguarding & Independent Review	1	4
<b>Total</b>	<b>191</b>	<b>252</b>

7. A break down of the last two years categories of complaints in Children's Social Care are detailed in the table below.

Category of Complaint	2010/11	2011/12
Assessment / Decision	33	69
Communication	46	77
Service Provision	62	42
Staffing	50	64
<b>Total</b>	<b>191</b>	<b>252</b>

8. The children's social care complaints process contains three stages and it is encouraging to note that 215 complaints were concluded at Stage 1 for 2011/12 as against 145 in the previous year. Clearly the earlier a complaint can be resolved the better the outcome and the more cost effective the process.

9. The nature of the work in children's social care means that complaints are often specific to an individual family's circumstances however issues arising from complaints have been regularly discussed at both management and team meetings. Common themes identified have included communication and the quality and timeliness of case record information provided under the Data Protection Act.
10. In addition to actions taken to resolve specific issues highlighted in individual cases staff have been reminded of the importance of recording decisions on the electronic case record and the way in which requests for access to children's social care records are dealt with has been reviewed and changed. In response to a number of complaints where communication featured as an issue the importance of social workers working actively with parents and speaking with them face to face was included in their assessment skills training.

## Adult Social Care

11. Adult Social Care dealt with over 35,000 referrals in 2011/12 and provided services to 14,000 older adults (65+) and to 4,900 younger adults. The support services to older adults include: help with mental health problems (2,600); help to people with physical disabilities (11,000); and support to other vulnerable adults (400). The support for younger adults includes: learning disability (2,100); physical disability (2,000) and remainder support to younger adults with mental health and other vulnerabilities (800).
12. Overall, the number of complaints relating to Adult social care decreased in 2011/12 particularly in relation to 'personal care and support for older adults'. The increase in numbers relating to promoting independence is linked to the process of re-assessing service users for personal budgets and reflects an increase in the number of re-assessments undertaken.

Complaints by Service Area	2010/11	2011/12
Joint Commissioning quality & Business Change	50	62
Personal Care & Support Older Adults	145	105
Personal Care & Support Younger Adults	58	51
Promoting Independence	2	31
<b>Total</b>	<b>255</b>	<b>249</b>

13. Complaints are categorised as outlined in paragraph 3 of this report – the breakdown of those received for Adult Social Care are detailed below:

Category of Complaint	2010/11	2011/12
Assessment / Decision	64	88
Communication	59	45

Service Provision	97	84
Staffing / Personnel Issues	35	32
<b>Total</b>	<b>255</b>	<b>249</b>

14. As a result of complaints Adult Care Financial Services have made changes to the way invoices are sent out, and have reviewed and amended the wording of some their standard letters to make them clearer and easier for service users to understand. Changes have also been made to the literature relating to the reablement service to improve the clarity of information.

## Corporate Complaints

15. The number of corporate complaints dealt with in the last year has increased and this is largely due to an increase in complaints relating to Highways.

<b>Complaints received by Department</b>	<b>2010/11</b>	<b>2011/12</b>
Environment & Resources	207	280
Children Families & Cultural Services (excluding Children's Social Care)	50	54
Policy Planning & Corporate Services	21	18
Adult Social Care, Health and Public Protection (excluding Adult Social Care)	4	15
<b>Total</b>	<b>282</b>	<b>367</b>

16. The table below details the categories of corporate complaints received.

<b>Category of Complaint</b>	<b>2010/11</b>	<b>2011/12</b>
Assessment / Decisions	86	87
Communication	34	72
Service Provision	96	133
Staffing / Personnel Issues	66	75
<b>Total</b>	<b>282</b>	<b>367</b>

17. Despite the overall increase in the number of corporate complaints from 282 in 2010/11 to 367 in 2011/12 as with children's social care it is encouraging that the numbers of complaints resolved at Stage 1 has increased.
18. In order to address issues complained about in 2012/13 the Highways Service will be reviewing a number of resident's parking schemes; putting in place improved customer information about highways environmental maintenance for

2013, and ensuring improved approaches to managing roads, footway and street lighting conditions are constantly under review.

19. The Customer Service Centre golden number has recently been changed to improve value for money for customers. The cost of calls has been the subject of a small number of complaints from members of the public.

## **Local Government Ombudsman**

20. The Local Government Ombudsman (LGO) provides a free, independent and impartial service to members of the public it looks at complaints about councils and some other authorities and organisations. It only looks at complaints when they have first been considered by the council and the complainant remains dissatisfied.
21. The LGO cannot question a Council's decision or action solely on the basis that someone does not agree with it. However, if the LGO finds that something has gone wrong, such as poor service, service failure, delay or bad advice and that a person has suffered as a result, the LGO aims to get the Council to put it right by recommending a suitable remedy.
22. The LGO's Annual Review, appended to this report, provides a summary of the complaints that the Ombudsman has considered. The LGO has commented that:

**"I am pleased to say that I have no concerns about your authority's response times, and there are no issues arising from complaints that I wished to bring to your attention."**

23. The LGO's Advice team, which deals with initial contacts from the public, recorded 80 enquiries relating to this Authority, and 45 of those were subsequently passed to the investigative team. They comprised 11 cases relating to Adult Social Care, 24 relating to Education and Children's Services, 5 to Highways and Transport, 1 to Planning and Development and 1 to Corporate and other services. Forty-two have been concluded, 18 were not investigated and only 6 were upheld, all of which were remedied during the LGO's enquiries.

## **Statutory and Policy Implications**

24. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

25. It is recommended that Policy Committee note the numbers of complaints received and that a further report will be brought in 6 months updating the Committee and outlining new criteria for recording and analysing complaints received and lessons learnt.

**Councillor Kay Cutts**  
**Leader of the Council**

**For any enquiries about this report please contact:** Jo Kirkby, Team Manager  
Complaints and Information Team

**Constitutional Comments (SB 31.10.12)**

Policy Committee is the appropriate body to consider the content of this report.

**Financial Comments (DK 31.10.12)**

The contents of this report are duly noted; there are no financial implications.

**Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

**Electoral Division(s) and Member(s) Affected**

All

22 June 2012

## Local Government OMBUDSMAN

Mr M Burrows  
Chief Executive  
Nottinghamshire County Council  
County Hall  
West Bridgford  
NOTTINGHAM NG2 7QP

Dear Mr Burrows

### **Annual Review Letter**

I am writing with our annual summary of statistics on the complaints made to me about your authority for the year ended 31 March 2012. I hope the information set out in the enclosed tables will be useful to you.

The statistics include the number of enquiries and complaints received by our Advice Team, the number forwarded by the Advice Team to my office, and decisions made on complaints about your authority. The decision descriptions have been changed to more closely follow the wording in our legislation and to give greater precision. Our guidance on statistics provides further explanation ([see our website](#)).

The statistics also show the time taken by your authority to respond to written enquiries.

I am pleased to say that I have no concerns about your authority's response times and there are no issues arising from the complaints that I want to bring to your attention.

### ***Changes to our role***

I am also pleased to have this opportunity to update you on changes to our role. Since April 2010 we have been exercising jurisdiction over the internal management of schools on a pilot basis in 14 local authority areas. This was repealed in the Education Act 2011 and the power restored to the Secretary of State for Education. During the short period of the pilot we believe we have had a positive impact on the way in which schools handle complaints. This was endorsed by independent research commissioned by the Department for Education which is available [on their website](#).

Our jurisdiction will end in July 2012 and all complaints about internal school matters will be completed by 31 January 2013.

From April 2013, as a result of the Localism Act 2011, local authority tenants will take complaints about their landlord to the Independent Housing Ombudsman (IHO). We are working with the IHO to ensure a smooth transition that will include information for local authority officers and members.

*L...*

Page 2  
Mr M Burrows

### ***Supporting good local public administration***

We launched a new series of Focus reports during 2011/12 to develop our role in supporting good local public administration and service improvement. They draw on the learning arising from our casework in specific service areas. Subjects have included school admissions, children out of school, homelessness and use of bankruptcy powers. The reports describe good practice and highlight what can go wrong and the injustice caused. They also make recommendations on priority areas for improvement.

We were pleased that a survey of local government revenue officers provided positive feedback on the bankruptcy focus report. Some 85% said they found it useful.

In July 2011, we also published a report with the Centre for Public Scrutiny about how complaints can feed into local authority scrutiny and business planning arrangements.

We support local complaint resolution as the most speedy route to remedy. Our training programme on effective complaint handling is an important part of our work in this area. In 2011/12 we delivered 76 courses to councils, reaching 1,230 individual learners.

We have developed our course evaluation to measure the impact of our training more effectively. It has shown that 87% of learners gained new skills and knowledge to help them improve complaint-handling practice, 83% made changes to complaint-handling practice after training, and 73% said the improvements they made resulted in greater efficiency.

Further details of publications and training opportunities are on [our website](#).

### ***Publishing decisions***

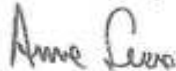
Following consultation with councils, we are planning to launch an open publication scheme during the next year where we will be publishing on our website the final decision statements on all complaints. Making more information publicly available will increase our openness and transparency, and enhance our accountability.

Our aim is to provide a comprehensive picture of complaint decisions and reasons for councils and the public. This will help inform citizens about local services and create a new source of information on maladministration, service failure and injustice.

We will publish a copy of this annual review with those of all other English local authorities on our website on 12 July 2012. This will be the same day as publication of our Annual Report 2011/12 where you will find further information about our work.

We always welcome feedback from councils and would be pleased to receive your views. If it would be helpful, I should be pleased to arrange a meeting for myself or a senior manager to discuss our work in more detail.

Yours sincerely



Anne Seex  
Local Government Ombudsman

LGO advice team

Enquiries and complaints received	Adult Care Services	Corporate & Other Services	Education & Children's Services	Highways & Transport	Planning & Development	Total
Advice given	5	0	12	3	1	21
Premature complaints	5	1	5	3	0	14
Forwarded to Investigative team (resubmitted)	1	0	0	2	0	3
Forwarded to Investigative team (new)	11	1	24	5	1	42
Total	22	2	41	13	2	80

Investigative team - Decisions

Not Investigated		Investigated			Report	Total
No power to investigate	No reason to use exceptional power to investigate	Investigation not justified & Other	Not enough evidence of fault	No or minor injustice & Other	Injustice remedied during enquiries	
3	2	13	11	7	0	42

Response times to first enquiries	No of first enquiries	Avg no of days to respond
	11	12.5



**REPORT OF THE DEPUTY LEADER, AND CHAIR OF THE  
NOTTINGHAMSHIRE HEALTH AND WELLBEING BOARD****SUBSTANCE MISUSE SERVICES IN HMP WHATTON & HMP RANBY****Purpose of the Report**

1. Advise the Policy Committee of plans for Nottinghamshire County Council to secure Substance Misuse Services for HMP Whatton and HMP Ranby from April 2013 and to agree to ring fence the resources to support this.

**Information and Advice**

2. In the context of this report, the term 'Substance Misuse' is used to refer to alcohol and/or drug misuse. The term 'drugs' extends beyond illegal drugs such as heroin, cocaine, amphetamines, to the misuse of other drugs, prescription only medicines such as anabolic steroids and benzodiazepines, over the counter medicines such as preparations containing codeine.
3. Many of the prisoners within the Nottinghamshire prison setting suffer from substance misuse. In order to improve the health and wellbeing of prisoners and reduce the risk of reoffending it is important that this group is able to access cost effective recovery orientated substance misuse services.
4. Currently the responsibility for commissioning these prison services resides with the Public Health team. As a result of the Health and Social Care Act from April 2013 Nottinghamshire County Council will become the responsible commissioner for community-based substance misuse services. The NHS Commissioning Board will have responsibility for all offender-related health activity, including substance misuse. However, recommendation 3 from the Patel Report<sup>1</sup> (see **Appendix 1** for further detail) placed a strong emphasis on commissioning integrated prison and community services and so it is considered good practice for Public Health to take this responsibility with them into the Local Authority. This approach is supported locally by the Nottinghamshire prisons, the two NHS Commissioning Board Local Areas Teams and the local substance misuse partnership.
5. Nottinghamshire has three Prisons; HMP Whatton, HMP Ranby and HMP Lowdham Grange. In 2011 a needs assessment for each prison was completed. These resulted in the development of commissioning intentions (further detail in **Appendix 2**).

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<sup>1</sup> [http://www.dh.gov.uk/en/Publicationsandstatistics/DH\\_119851](http://www.dh.gov.uk/en/Publicationsandstatistics/DH_119851)

6. HMP Lowdham is a private prison. This results in some particular contractual complexities, so it is not possible to proceed with new procurement at this time. Instead a procurement exercise has begun for the other two prisons, HMP Ranby and HMP Whatton, with the intention of new services being in place for April 2013, and the current service providers have had their notice served. With regard to HMP Lowdham the proposal is that the NHS Commissioning Board takes on commissioning of substance misuse services until such time as the current contractual arrangements can be unravelled. At this point, it is the intention of Public Health to bring the service delivery for HMP Lowdham in line with HMP Ranby and HMP Whatton. This would also provide an opportunity to harmonise service delivery across community and prison-based substance misuse services. This will achieve Local Authority/Public Health objectives as well as providing a value for money service model.

### **Other Options Considered**

7. Two other options have been considered.
  - a. Both PCTs (i.e. County and Bassetlaw) procure the services and these contracts then transfer to the two separate NHS Commissioning Body Local Area Teams in April 2013. This would fail to achieve integration with community substance misuse services as Public Health in Local Authority setting.
  - b. Both PCTs (i.e. County and Bassetlaw) procure the services and these contracts then transfer to Nottinghamshire County Council in April 2013. Nottinghamshire County Council would then inherit newly commissioned services having had no involvement in the procurement process.

### **Reason for Recommendations**

8. The proposed solution has been agreed by the NHS Commissioning Board and the Public Health Substance Misuse teams as the most effective model of delivery for Substance Misuse services which will enable and support prisoners to achieve a full recovery. Public Health in the Local Authority setting have full responsibility for delivering the Substance Misuse Services in the Community Setting, hence this proposed model can only enhance and improve on current arrangements and successful outcomes of full recovery.

### **Statutory and Policy Implications**

9. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Implications for Service Users**

10. Improved access to Substance Misuse treatment and recovery services by prisoners transferred from other prisons or entering the environment from the community as well as a continuity of service treatment and recovery in the community setting upon release.

### **Financial Implications**

11. It is proposed that the funding for the prison-based substance misuse services will come directly through the NHS Commissioning Board to Nottinghamshire County Council on an annual basis. The NHS Commissioning Board have committed to this transfer to Public Health and the money will be 'ring fenced' and easily identifiable for this purpose. This funding will be in addition to the Public Health grant that the LA will receive from April 2013 onwards. The 2012/13 allocation for this purpose is shown in the table below. It is expected that the allocation for prison substance misuse services for 2013/14 will be announced at the same time as the Public Health grant, and is expected to be at least at the current level of funding. Options (including the use of a Section 7A agreement) are currently being explored regarding the most appropriate way to secure the transfer of money from the NHS Commissioning Board to the Local Authority.

Prison	Substance misuse allocation in 2012/13
HMP Whatton	£246,757
HMP Ranby	£1,154,948
<b>Total</b>	<b>£1,401,705</b>

12. The Procurement process has begun, with professional procurement advice coming from officers within the Council. In the first instance the focus is on securing new clinical treatment and recovery services and these are currently being advertised. The preferred provider will be identified early in December 2012 to enable service delivery to commence in April 2013.

### **Crime and Disorder Implications**

13. Effective substance misuse services will support a reduction in reoffending

## **RECOMMENDATION/S**

- 1) The Policy committee is asked to ENDORSE the plans for HMP Whatton and HMP Ranby outlined above.
- 2) The Policy committee is asked to AGREE the ring fencing of the substance misuse budget for HMP Whatton and HMP Lowdham.

### **COUNCILLOR M SUTHERS**

**Deputy Leader**

**and**

**Chair of The Nottinghamshire Health And Wellbeing Board**

**For any enquiries about this report please contact:**

Barbara Brady

Public Health

### **Constitutional Comments (NAB 02/11/2012)**

14. Policy Committee has authority to approve the recommendations sets out in this report.

### **Financial Comments (NR 02/11/2012)**

15. The financial implications are set out in paragraphs 11 and 12 of the report

### **Background Papers**

None.

### **Electoral Division(s) and Member(s) Affected**

All.

PC9

## Appendix 1

Extract from The Petal Report, Prison Drug Treatment Strategy Review Group.

### **RECOMMENDATION 3: STREAMLINED COMMISSIONING SYSTEMS**

*Shift focus and resources to develop a streamlined, autonomous and accountable commissioning system that is coherent, cost-effective and enables more effective decision-making by local commissioners and partnerships*

We recommend moving away from the current complex commissioning systems, characterised by a multitude of funding streams and process targets, which have resulted in a fragmented system with the risk of a 'one-size-fits-all' approach, with limited choices in the type of treatment and broader social support available.

We recommend moving to a streamlined effective and efficient commissioning system that is reflective of consensus on evidence and good practice and clearly aligned with outcomes. It is proposed that for the first time in England, the majority of drug funds be jointly commissioned at a local level - this includes NOMS CARATs funding. This would mean that local health commissioners, potentially within new consortia of GP practices, and local drug partnerships including local authorities, local Directors of Public Health, prison governors, etc. would share the responsibility for commissioning drug treatment both in prisons and on release and would have a collective responsibility to ensure effective joint commissioning and to align/pool budgets to obtain the best outcomes, efficiencies and value for money. Some commissioning at a national level may still be needed, for example, to ensure the needs of the women estate and under 21-year-old offenders are addressed and, under this proposed system, services can be commissioned based on needs, at whichever level (national, regional or local) is appropriate for the intervention.

We are aware that even as our work programme and recommendations were being completed major changes to commissioning systems within the NHS were being announced. Our proposed model, however, is aligned with the Coalition's programme approach for a more autonomous and accountable system and with the NHS White Paper, *Equity and excellence: Liberating the NHS*, around GP commissioning consortia, which focuses on the patient's needs – i.e. ensuring that patients get the right treatment, at the right place, at the right time.

There is no detail yet about what will happen to local drugs partnerships and where the commissioning of drug treatment will fit. However, these changes to local commissioning systems reinforce the need for collaboration and joint commission to ensure that the needs of drug user in prison and on release are met against a clear strategy that is reflective of consensus on evidence and good practice, and clearly aligned with outcomes.

Therefore, we recommend that the Government consider putting in place this revised commissioning system by 2011/12.

## Appendix 2 Commissioning intentions for Prison based Substance Misuse Services, paper from the Joint Commissioning Group - Adult Substance Misuse Treatment



### Commissioning intentions for Prison based Substance Misuse Services

#### 1. Introduction

This document sets out a partnership commissioner perspective for Prison based Substance Misuse Services for 2012/13 onwards, for Bassetlaw and Nottinghamshire County Primary Care Trusts (PCT's) and specifically in relation to services that are commissioned from a variety of providers.

#### 2. Background

A number of policy documents have been published over the last year about the changes in the way prison based substance misuse services are funded and delivered, driving forward change in services. Key documents are:

- Building Recovery in Communities (BRiC) (National Treatment Agency (NTA) 2010) where dependence on all drugs including severe alcohol dependence is considered, whilst supporting the development of a range of recovery focussed pathways inclusive of abstinence and medically assisted recovery.
- The Patel Report (Prison Drug Treatment Strategy Review Group) (2010)
- Ministry of Justice (MOJ), NTA and Department of Health (DoH) dictate (31 March 2011; Gateway no: 15827) confirming funding for prison based substance misuse services is to transfer responsibility from MoJ to the DoH, requiring local commissioning partnerships to assume responsibility.

#### 3. Local context

Over recent years there have been innovative changes in the delivery of treatment for substance misusers, with significant developments in local service provision for adults with current/previous addictions entering the Prison system, including:

- Counselling Assessment Referral Advice Throughcare (CARAT) workers
- Alcohol treatment workers
- Integrated Drug Treatment
- More effective use of medication to support recovery
- GP based clinics to support treatment delivery
- Delivery of accredited/drug intervention programmes

There are plans now to remove the silo commissioning of the above services to allow for greater flexibility for treatment delivery, allowing for innovation and removal of aspects of service delivery that have not proved to be beneficial, in order to meet the specific and individual needs of each establishment.

Partnership monitoring and governance will be developed to ensure that new models of delivery are delivering the anticipated level of outcomes.

Currently substance misuse services are commissioned from a mixture of local NHS, independent and private providers.

#### **4. Commissioning Priorities**

The commissioning intent focuses on four main areas:-

##### **4.1 Strengthen services at reception into the prison system locally**

Over recent years commissioners have not been instrumental in the reception processes within local establishments but now feel that the drive to get the early parts of the pathway right will set the right culture and ethos for the entire recovery oriented pathway within and external to the prison system.

A broad service model and pathway has been suggested by the partnership commissioning group based on the needs assessments recently undertaken within the three prisons (HMP's Whatton, Lowdham Grange and Ranby).

It is likely that this will be specific to removing barriers to treatment, and a move to a more recovery orientated pathway. This work will identify a refocusing/ reengineering of existing resources. It is likely that any service change will be implemented within the next calendar year.

##### **4. 2 Improve access and reduce waiting times**

Commissioners are keen to ensure that people presenting with a substance misuse issue or wishing to seek recovery support prior to release for historical issues, receive prompt access to the most appropriate interventions.

Commissioners are committed to ensure that all people referred to the service (at every step) are offered treatment in a timely manner within current recommended guidelines.

Commissioners recognise that this requires providers to have in place robust information and tracking systems and service flexibility to respond to service pressures across teams as and when they arise.

##### **4.3 Recovery Care Pathways**

Commissioners would like to see the development of clear care pathways for substance misuse and care pathways for associated dual diagnosis and blood borne viruses. Recovery and care pathways need to reflect best practice and where applicable, adhere to NICE guidelines.

Commissioners are as keen to ensure robust care pathways are in place to support continuity of care both into and across the prison estate as well as upon prisoners release back into the community.

Equally, treatment and recovery options, including family involvement, which are available in a custodial environment should work in parallel and mirror those available within a community setting, as appropriate.

Historically commissioning has been driven by activity and target measures. Commissioners would like to see the development of outcome measures linked to individual episodes of care. Initially commissioners would be prepared to explore existing outcome measures recommended nationally.

#### **4.4 Reducing Re-offending**

The robust links between substance misuse and reducing re-offending interventions and programmes are an integral priority.

### **5. Resources**

Commissioners are committed to ensure services provided are of high quality, cost effective and joined up. Commissioners will use the finance mapping data to confirm and challenge areas of over and under investment. It is likely new models of delivery will need to realise cost efficiencies of between 10-20%.

### **6. Summary**

This paper offers a number of commissioning priorities across the full range of services for substance misuse within the prison setting. The detail and outcomes expected against these priorities will form the content of future service level agreements/contracts.

*Susan March – Senior Public Health Manager – NHS Bassetlaw*

*Marie Crowley – Mental Health Contract Manager – Procurement - NHS Nottinghamshire*

*Jade Poyser – Public Health Manager – NHS Nottinghamshire*

**September 2011**

**REPORT OF THE DIRECTOR OF PUBLIC HEALTH****A JOINT PUBLIC HEALTH FUNCTION FOR NOTTINGHAMSHIRE COUNTY  
AND NOTTINGHAM CITY - PROPOSAL FOR IMPLEMENTATION****Purpose of the Report**

1. To describe a proposal for implementing a joint public health function across Nottinghamshire County and Nottingham City.

**Information and Advice**

2. Following the decision by Nottingham City Council not to appoint a Director of Public Health on 3<sup>rd</sup> October 2012, it has been suggested by both Nottinghamshire County Council and Nottingham City Council that it would be desirable to develop a joint PH function across both organisations in order to make most efficient use of the local PH resource and expertise. This paper is intended to be a proposal as to how this new system could operate in practice.
3. This would enable 3 crucial objectives to be met which are the most important aspects of the PH functions in the County and City over the next year or so:
  - Develop the PH staff into a cohesive force to help drive forward the PH agenda within both local authorities for the benefit of both Nottinghamshire and Nottingham residents. This includes a clear focus on health improvement, health protection and access to high quality health services through the commissioning roles of both the local authorities and Clinical Commissioning Groups. Targeting populations most in need and a focus on reducing health inequalities is fundamental to this approach.
  - Ensure there are robust plans to effectively spend the £30m (county) and £21m (City) PH budgets which will be allocated to the councils from April 2013. (These figures are estimates. Definitive allocations to be announced in December 2012.)
  - Ensure there are strong Health and Wellbeing Boards and Strategies which are based on an assessment of population health need, evidence of effectiveness of interventions and supported by stakeholders and elected members.
4. There are a number of potential **advantages** to a joint PH function:

- Efficient use of PH capacity, doing things just once when this makes sense eg commissioning sexual health services
- Coherent capable PH teams with the ability to have expertise in all relevant areas
- Ability to manage the PH function as a discrete entity but ensure all staff are fully integrated into LA systems
- Breakdown cross border problems as they relate to major PH programmes eg drug misuse
- Public sector cooperation will be seen positively by both politicians and the electorate
- Better contractual levers with providers when commissioning services from them eg alcohol services
- In the vanguard of how to provide a modern 21<sup>st</sup> Century PH function.

5. However, there are some potential **disadvantages**:

- *Lack of agreement on the model*; there will be no right answer as to how to manage such a new system; the DPH will need to be accountable to both LA Chief Executives to ensure both organisations are happy with the process of implementation as it progresses
- *Too much time taken up by one organisation at the expense of the other*; the DPH will strive to ensure this does not happen
- *Difficult to maintain focus on locality needs where these are different across 2 organisations*; part of the fundamental principle is to target areas of high need whether in the county or city; both organisations have a good track record for this way of working, so there is no reason in principle why this cannot continue
- *Possible impact on the DPH*. Ongoing support required from all colleagues in both councils to ensure the job is doable.

## Risks

- Impact of political change in either LA; currently this proposal is not a political issue and the political leaders of both organisations are supportive in principle; the impact of political processes over the coming year (eg election for Police and Crime Commissioner Nov 2012 and county council elections May 2013) remain unknown
- Impact of new substantive CE in the city; likely to be small as there is already clear organisational commitment to the proposal

- CCGs views; currently there is support in principle and the DPH will work hard to ensure the MOU between the LAs and the CCGs is implemented as fully as possible
- Support from Public Health England / Regional DPH; OK in principle but keen to ensure full buy in from both councils.

## Options

6. The options are as follows:

1. Appoint county DPH to the City DPH post and he runs the City PH function as a separate entity, simultaneously running the county PH system. This is not likely to generate any of the benefits outlined above, and is probably not do-able as a job.
2. Appoint county DPH to the City DPH post, and he fully merges the 2 PH directorates into one managerial entity, jointly accountable to the two local authorities. This would generate many of the benefits outlined above but is likely not to be sufficiently sensitive to the needs of each individual organisation.
3. Appoint county DPH to the City DPH post but maintain 2 PH directorates. However, the senior PH staff of each organisation would be directly managed by the DPH and would meet together as a virtual team to ensure the most effective deployment of PH resource. Although the staff would be managed centrally, they would functionally integrate into the council systems as necessary to ensure the council benefits from the transfer of PH staff. This is likely to generate many of the benefits outlined above and would sustain sufficient focus on the needs of each organisation.

## Proposal for implementation

7. Option 3 would seem a practical way forward. There are no HR implications as each member of staff remains as an employee of whichever organisation employs them as at 1 April 2013. No need for any staff to move from their current base. It is acknowledged that currently the Nottinghamshire County / Nottingham City PCT Cluster is still technically the responsible employing authority and this will continue to be so until the end of March 2013. However these proposals are made in the light of the transfer of PH responsibilities to the local authorities from April 2013.

8. However, there are a few important implications:

- a. Nottinghamshire County needs to understand the needs of Nottingham City and be sensitive to those needs and complexities. The City has significant health needs, and in particular its ethnic and cultural diversity is very different to the county. Also its decision making processes are different eg there is only one local authority and one PCT/CCG; part of one Local Area Team (LAT) of the new NHS Commissioning Board (ie Nottinghamshire and Derbyshire); there are providers on the H+WB Board.
- b. At the same time Nottingham City needs to understand the needs of Nottinghamshire County. The PH function has developed at a different pace over the last year and any combined function with the City needs to ensure this development continues. Also the decision making processes are very different eg one county council, seven district councils, two PCTs, six CCGs,

part of two LATs of the NHS Commissioning Board (Bassetlaw is part of the South Yorkshire and Bassetlaw LAT).

- c. The system will only work if the DPH is given full managerial responsibility for the PH staff under his wing (current PH staff within the county, plus PH consultants and their teams within the City), and fully supported by both LA Chief Executives.

## **Details of Implementation**

9. This is considered under the following headings:

1. PH departments
2. Role of DPH
3. PH staff
4. Finance

### **PH Departments**

10. These would remain separate managerial entities as they are at the moment, accountable to the relevant local authority. No merger of the departments is planned as part of this process, although the DPH will be managerially accountable for both. Each department would continue to provide a full PH function to all relevant stakeholders. This includes a focus on health improvement, health protection and commissioning health services. This latter function will continue to be a combination of directly commissioned services by the LA (from April 2013) using the PH ring fenced grant (eg sexual health services, drug and alcohol services, school nursing, health checks, smoking cessation services etc) and also a support function for the Clinical Commissioning Groups. These groups will continue to commission the majority of local health services and be supported by PH staff via a Memorandum of Understanding, which is currently in place but is in the process of being strengthened to be more CCG specific from April 2013. It is anticipated that around 40-50% of PH staff time will be spent on CCG support.

### **Role of DPH**

11. Under this proposal the Nottinghamshire County DPH will be formally appointed as the Nottingham City DPH, and given all the relevant authority which comes with this post. He will be formally accountable to the Nottinghamshire County / Nottingham City PCT Cluster Chief Executive until March 2013, then to the Chief Executives of Nottinghamshire County Council and Nottingham City Council from 1 April 2013. However in practice the 2 LA Chief Executives will oversee this new system with immediate effect, in keeping with other aspects of the PH transition process. The DPH will be a member of the corporate leadership teams of both councils, accountable directly to each chief executive, and will be a member of both Health and Wellbeing Boards. He will also be a member of the Clinical Executive Forum (county) and Professional Executive Committee (City) to ensure the PH support function for CCGs is implemented as planned. He will also be an Executive Director on the PCT Cluster Board until March 2013. Details of how the new role will interface with other health policy or management groups (NHS or

LA) will be determined after discussions with the senior PH staff of both organisations.

## **Public Health Staff**

12. The DPH will directly manage all the senior PH staff, including PH Consultants, Associate Directors of PH and any other staff at Band 8d or above. He will put in place a management structure to ensure all other staff are in a position to be effectively managed to allow maximum empowerment with maximum accountability. There are no plans to mix the managerial arrangements between city and county staff, but in exceptional circumstances it may be appropriate for a County Consultant to manage a City member of staff (or vice versa), although the DPH will only do this after consultation with the LA Chief Executives. The DPH will ensure that each senior PH member of staff has an appropriate balance of health policy responsibilities, and responsibilities to support one of the 7 CCGs. He will also ensure a functional integration with LA structures, so that all senior PH staff work closely with relevant LA staff, particularly in the areas of adult or children's social care, schools, community safety/substance misuse, health protection, emergency planning and environmental health. This balance between being managed separately but functionally integrated is likely to be the best way of ensuring the LA gains most benefit from the knowledge skills and experience of PH staff. This is also likely to be the best way of avoiding duplication between PH and LA staff.
13. In addition the DPH will ensure the senior PH staff meet regularly as a virtual team. This process will coordinate the allocation of work among senior staff to ensure the most efficient and effective deployment of expertise. Currently there is some duplication between senior PH staff between the city and county, and this mechanism will ensure that duplication is minimised.

## **Finance**

14. Each local authority will retain responsibility for the ring-fenced grant funding allocated to it by the Department of Health. The 2 authorities will need to agree the funding proportions for each authority for shared costs and a mechanism for reviewing these arrangements to reflect future changes in any jointly shared activity.

## **Next Steps**

15. Develop appropriate governance arrangements and funding arrangements for shared activity.
16. Develop joint business plan to include greater emphasis on influencing the wider determinants of health
17. Communication plan for all staff
18. Clarify deputy DPH arrangements

19. Issue press release

20. Ensure review of new system at 3 6 and 9 months.

**Reason/s for Recommendation/s**

21. This paper summarises some of the advantages and disadvantages of a combined PH function across Nottingham City and Nottinghamshire County, and makes a proposal about how this may happen in practice.

## **Statutory and Policy Implications**

22. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

1) The policy committee is asked to approve the development of a joint public health function across Nottinghamshire County and Nottingham City.

**DR CHRIS KENNY**  
**Director for Public Health**

**For any enquiries about this report please contact:**  
Dr C Kenny

## **Constitutional Comments (LMc 05/11/2012)**

23. The Policy Committee has responsibility for the discharge of all functions and exercise of all powers of the County Council not expressly reserved to the Full Council or to any other part of the County Council by statute or by the Constitution. The Policy Committee may therefore approve the recommendations in this report.

## **Financial Comments (RWK 05/11/2012)**

24. The financial implications are set out in paragraph 14 of the report.

## **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

## **Electoral Division(s) and Member(s) Affected**

All.

PC10

**REPORT OF CORPORATE DIRECTOR, POLICY, PLANNING AND  
CORPORATE SERVICES****WORK PROGRAMME****Purpose of the Report**

1. To review the Committee's work programme for 2012/13.

**Information and Advice**

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme was drafted in consultation with the Chairman and Vice-Chairman and reported to the first meeting of the Policy Committee in May 2012. It has been reviewed at each subsequent meeting and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the new committee arrangements, committees are expected to review day to day operational decisions made by officers using their delegated powers. Such decisions will be included in the work programme on an annual basis and as specific decisions of interest arise.
5. The Policy Committee will be asked to determine policies, strategies and statutory plans developed or reviewed by other Committees of the Council. Committee Chairmen are invited to advise the Policy Committee of any additional policy reviews that are being considered.

**Other Options Considered**

6. None.

**Reason/s for Recommendation/s**

7. To assist the committee in preparing and managing its work programme.

## **Statutory and Policy Implications**

8. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

- 1) That the committee's work programme be noted, and consideration be given to any changes which the committee wishes to make;

**Jayne Francis-Ward**

**Corporate Director, Policy, Planning and Corporate Services**

**For any enquiries about this report please contact:** Matthew Garrard, Team Manager, Policy, Performance and Research T: (0115) 9772892 E: [matthew.garrard@nottsc.gov.uk](mailto:matthew.garrard@nottsc.gov.uk)

## **Constitutional Comments (SLB 30/04/2012)**

9. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

## **Financial Comments (PS 2/5/12)**

10. There are no financial implications arising directly from this report.

## **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

## **Electoral Division(s) and Member(s) Affected**

All

## **POLICY COMMITTEE - WORK PROGRAMME**

<b><u>Report Title</u></b>	<b><u>Brief summary of agenda item</u></b>	<b><u>For Decision or Information</u></b>	<b><u>Lead Officer</u></b>	<b><u>Report Author</u></b>
<b>December 2012 12th</b>				
Nottinghamshire Growth Plan	To consider proposals from the Economic Development Committee on 3 July for a Nottinghamshire Growth Plan	Decision	Celia Morris	Matt Lockley
Strategic Performance Report	Report on the overall progress of the County Council towards its strategic priorities over the second quarter of the year.	Information	Celia Morris	Matthew Garr
Improvement Programme – Performance	Quarterly report on the progress of the Council's Improvement Programme.	Information	Deborah Hinde	
Substance Misuse Services in HMP Whatton & HMP Ranby	To determine the provider of substance misuse services to these prisons following the procurement process	Decision	Chris Kenny	Barbara Brady
Framework for devolving services to parish/town councils	To consider the development of the framework as part of the implementation of the Council's Localism Policy	Decision	Celia Morris	Matthew Garr
Single Access Fund	This report is about providing information on the opportunities which may be present from the Single Access Fund Housing for Homes Real Estate Investment Trust initiative. And to determine the County Council's future interest in this scheme.	Decision	Jon Wilson	Jon Wilson
Review of Health and Safety	To consider the annual review of health and safety work in the County Council	Information	Marje Toward	Peter Roddis
<b>January 2013 16th</b>				
Communications & Marketing Campaigns	Report on the reach of communication and marketing campaigns 2012-13.	Information	Martin Done	Clare Yau
Economic Development	To consider proposals from the Economic Development	Decision	Celia Morris	Matt Lockley

<b><u>Report Title</u></b>	<b><u>Brief summary of agenda item</u></b>	<b><u>For Decision or Information</u></b>	<b><u>Lead Officer</u></b>	<b><u>Report Author</u></b>
Strategy	Committee on 3 July for an economic development strategy for Nottinghamshire			
<b>February 2013 13th</b>				
Budget 2013-14 - Proposals	To receive the budget recommendations of the Finance and Property Committee.	Refer to Council	Paul Simpson	
Pay Policy Statement	To receive the recommendations of the Personnel Committee on the Pay Policy Statement.	Refer to Council	Marje Toward	
<b>March 2013 13th</b>				
Strategic Performance Report – Q3	Report on the overall progress of the County Council towards its strategic priorities over the third quarter of the year.	Information	Celia Morris	Matthew Garr
Improvement Programme – Performance	Quarterly report on the progress of the Council's Improvement Programme.	Information	Deborah Hinde	
Review of Complaints	Bi-annual overview of complaints received by the County Council.	Information	Celia Morris	Jo Kirkby
Equalities Plan	To consider the annual equalities plan in accordance with statutory duties arising from equalities legislation.	Decision	Celia Morris	Matthew Garr
<b>April 2013 17th</b>				
Legal Settlements	Bi-annual overview of legal settlements reached in the preceding 6 months	Information	Heather Dickinson	
Freedom of Information and Data Protection	Annual report and review of freedom of information and data protection performance and processes	Information	Celia Morris	Jo Kirkby
<b>May 2013 22nd</b>				
Community Safety Agreement	To consider proposals from the Community Safety Committee on 23 April for the new community safety agreement	Decision	Jayne Francis-Ward	Chris Walker

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information</u>	<u>Lead Officer</u>	<u>Report Author</u>
<b>June 2013 13th</b>				
Annual Performance Report 2012/13	Report on the overall progress of the County Council on its strategic priorities over the final quarter of the year and across the whole year.	Information	Celia Morris	Matthew Garr
Improvement Programme – Annual Report	Annual report of achievements for 2012-13.	Information	Deborah Hinde	

