SCHOOLS FORUM AGENDA ITEM

For Action		For Information			
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Brief Description of Item (including the purpose / reason for presenting this for consideration by the Forum)

This report updates Forum members on the forecasted spending positions of each of the DSG Blocks in 2023/24. This document gives members a view of the estimated values of balances to be carried forward into 2024/25 and a view of the uses of these balances.

Date (s) of any Previous Discussion at the Forum

The allocation / retention of balances estimated to be carried forward into 2023/24 was agreed by the Schools Forum as part of its recommendations on the allocation of the DSG that were made on 11 January 2023. Final confirmation of balances brought forward from 2022/23 was presented on 13 September 2023.

Background / Context

The Local Authority finalises its forecast of the DSG planned budget for the following financial year for presentation to the School Forum's annual January meeting. This planned budget is constructed on known factors and known data, but also incorporates a number of estimates, especially of expenditure, that firm up during the year. The balances to be carried forward at the end of each financial year, which are initially presented to the Forum in December, are based on estimates pulled together mid-November.

After our DSG planned budget is agreed by the Forum in January, and by Council in February, the Schools and the Central Schools Services Blocks have a relatively small number of 'moving parts'. The Early Years and High Needs Blocks, however, are subject to a significant amount of movement. A normal part of the annual DSG management process is the reconciliation of planned vs. actual spending and estimated vs. actual carry forward balances. The Authority, with the Schools Forum, has always taken a prudent approach in its forecasting, seeking to ensure that the DSG does not have the additional burden of needing to compensate for a deficit resulting from an over-estimation of income or from an under-estimation of expenditure in the previous year. The Authority, with the Schools Forum, has also always sought to hold a reasonable value of un-committed 'resilience' reserve, so that unexpected or higher than expected costs can be managed.

Surplus balances brought forward are available to be spent on a one-off basis only. When previously considering such balances, the Forum has sought to avoid allocating these in support of on-going expenditure.

In closing the 2017/18 financial year, we began to separate balances according the four block DSG structure. Balances can be used across all blocks. In practical terms however, in the National Funding Formula context, it is now useful for the DSG's balances to be presented on a block-specific basis. The starting assumption is that the balance attributed to each block is spent on pressures within that block unless a specific decision is taken to transfer balances between blocks. To stress, the DSG Regulations permit balances to be used across all the blocks. What we have established is a locally determined informal block ring-fencing policy. However, in the context of the forecasted deficit within the High Needs Block, we now need to more closely consider how reserves can be 'pooled'.

Balances transferred across financial year-end that are associated with de-delegated funds in the Schools and Early Years Blocks are 'ring-fenced' to maintained schools. This is because only maintained schools contribute to these funds. Surplus balances carried forward can be released back to maintained schools through adjustments in the values of the contributions taken for access to de-delegated funds in the next financial year. The DSG Regulations require Forum approval for the writing off of any deficits related to dedelegated funds from the Schools Budget. To date we have not ever asked the Forum to do this.

The Growth Fund and Falling Rolls Fund are treated as ring-fenced funds within the Schools Block. It is our current practice to carry forward any unspent balances to be retained to be used for their purposes, rather than these being recycled generally back into the Schools Block. The DSG Regulations require that the balances held within the Growth Fund and the Falling Rolls Fund, and in de-delegated funds, are specifically presented to the Schools Forum. The Disability Access Fund (DAF) monies within the Early Years Block are expected by the DfE to be earmarked and identified separately.

The DfE changed, within the February 2020 Finance Regulations, the provisions that relate to the addition of non-DSG income into the Schools Budget and to the treatment of DSG account deficits. Whilst not immediately relevant to us, as we currently hold a surplus DSG account, it is important for the Forum to be

Background / Context

aware of the 'statutory override' within the Regulations, which is in place to the end of the 2025/26 financial year. This override concerns the treatment of deficit balances, that are held within the DSG, and cumulative deficit DSG accounts. Through the statutory override, cumulative deficit DSG accounts are ring-fenced and are 'set aside' from local authority general fund reserves, meaning that deficits are carried forward to be managed only by using DSG funds in future years and that authorities do not need to make provision for these from their general reserves. The impact of this override not being in place would be that DSG deficits would be added to local authority general fund reserve balances, which would have implications for the wider financial positions of local authorities and for how DSG deficits would need to be managed, using authority general fund reserves alongside / in addition to / rather than DSG funding. We must continue to consider the position of the override (and that it is currently set to cease at the end of the 2025/26 financial year) within our medium term DSG financial planning and especially within our High Needs Block deficit mitigation planning. Bradford's DSG account is not in deficit at the end of 2023/24 and there are no additional contributions from non-DSG income sources into the Schools Budget in 2023/24 or proposed for 2024/25. Through the DSG's Conditions of Grant, the DfE requires local authorities that have an overall cumulative DSG deficit of 1% or more at the end of the financial year to submit a report to the ESFA on how this deficit will be recovered. We have previously reported that the DfE has introduced this challenge in the light of the growing number of local authorities setting deficit DSG accounts, largely due to overspending within their High Needs Blocks. 1% of our DSG is roughly £7m. The DfE also now expects all local authorities to regularly present to their School Forums a DSG Management Plan, which sets out the expected future year DSG position and explains the pressures on spending and mitigating actions that are to be taken, especially with reference to high needs provision. We expect to present a latest update of DSG Management Plan to the Forum on 10 January.

Details of the Item for Consideration

2023/24 Forecasted DSG Spending Position vs. Planned Budget

Appendix 1 provides a detailed spending forecast as well as an updated view of the values of balances that are estimated to the held at the end of the 2023/24 financial year. These figures exclude balances held by maintained schools. The table below summarises the estimated positions by block and gives a comparison against the values of balances that were estimated would be held at the end of 2023/24 within the planned budget that was presented to the Schools Forum on 11 January 2023. (£m)

	Schools Block	High Needs	Early Years	Central Schools	Total
		Block	Block	Services	
				Block	
Estimate of Balances carried from 22/23*	+£5.343	+£25.830	+£4.211	£0.281	+£35.665
Net Value of Balances allocated in 23/24 *	-£1.787	-£4.200	-£0.957	-£0.054	-£6.998
Estimate of Balances to be held at 31/3/24 *	+£3.556	+£21.630	+£3.254	£0.227	+£28.667
Additional Balances carried from 22/23 **	+£0.048	+£0.764	+£0.428	-£0.049	+£1.191
Net Spend Variance on Planned Budget 23/24	-£0.347	+£1.018	+£0.173	£0.000	+£0.844
Revised Estimate of Balances at 31/3/24 ***	+£3.257	+£23.412	+£3.855	+£0.178	+£30.702
Diff Between Original and Current Estimate	-£0.299	+£1.782	+£0.601	-£0.049	+£2.035

^{* 2023/24} Planned Budget presented to the Schools Forum on 11 January 2023. Document PQ.

Please note that the £30.702m figure is estimated. In particular, we highlight that the balance to be held in the Early Years Block is calculated on estimates of spring term 2024 EYSFF allocations and the additional cost of Early Years Supplementary Grant allocations, and the High Needs Block balance is based on a series of assumptions about the cost of high needs provision between December and March. An updated estimate will be presented on 10 January. The reconciliation of funds, which takes place as part of the Authority's year-end closedown and which will be presented to the Forum in July 2024, will confirm the final values of balances that have been carried forward at 31 March 2024.

We forecast that the 2023/24 planned budget for the **Schools Block** will be overspent by £0.347m (0.07%):

- £244,440 estimated net overspend within de-delegated funds, from the deliberate use of balance brought forward to support the cost of the primary phase maternity / paternity insurance scheme, the allocations from the staff suspensions fund and from the exceptional circumstances / schools in financial difficulty fund, and the use of the School Improvement balance.
- £208,929 estimated overspend from the 2023/24 Growth Fund provision, met deliberately by the Growth Fund reserve. Please see Document QM for more information on Growth Fund spending.
- + £106,217 estimated saving in NNDR (business rates).

^{**} Confirmation of final balances held 31 March 2023 was presented to the Schools Forum on 13 Sept 2023.

^{*** £30.702}m is 4.7% of the 2023/24 DSG allocation (£2.035m is 0.30% of the 2023/24 planned budget)

We forecast that the 2023/24 planned budget for the **Early Years Block** will be underspent by £0.173m (0.4%). Including the additional £0.428m of balance brought forward from 2022/23, we estimate that the value of balance to be held at 31 March 2024 within the Early Years Block will be £0.601m greater than the value originally estimated and presented to the Schools Forum on 11 January 2023. It must be stressed that this updated position is still significantly estimated. With this warning, the main reasons for the changes against the original estimates are listed below. It is important to highlight that the overall improvement in surplus balance does mask some significant spending pressures, especially within SEND and the Early Years Inclusion Fund (EYIF), which will affect 2024/25 DSG budget planning:

- The value of balance brought forward from 2022/23 was £0.428m higher than the estimates presented to the Schools Forum on 11 January 2023. In context of the total size of the Early Years Block (£44m) and that, for the planned budget that is presented to the Forum at the beginning of January each year, we are fully estimating the cost of allocations to providers delivering the entitlements in the spring term, prior to the collection of the January Census, this value of variance is not assessed to be materially substantial (and the potential for movement it is a reason that we hold reserve within the Early Years Block).
- We continue to see underspending (estimated at £55,000) in the resources allocated to providers via the Disability Access Fund (DAF). For 3 years now we have increased the value of DAF allocation per child above the DfE's minimum.
- Historically we have been funded at Early Years Block level for a greater number of 3&4-year-old entitlement hours than providers have actually delivered. Due to the way the system works, and our profile of numbers, the net of the loss in summer term vs. the gain in autumn term has historically been to our advantage. This has been one of the contributing factors in our ability to set higher universal base rates at the same time as higher deprivation and SEND supplement rates for providers in our 3&4-year-old Early Years Single Funding Formula. Following the impact of the COVID-19 pandemic, as well as the impact of the reduction in early years numbers from demographic trends, we have been cautious in the assumptions that we have made in the calculation of the planned budgets about the extent to which this 'advantage' is still present. For the 2023/24 planned budget, we assumed that there would be some advantage but that the scale of this would be reduced. We have now collected May 2023 and October 2023 entitlement delivery numbers. Using this data, we estimate that the advantage is still present. The £0.742m estimated underspending in 3&4-year-old entitlement allocations principally is the result of this. In setting the 2023/24 planned budget, we took an equally cautious approach to estimating the cost of funding the delivery of 2vear-old entitlement. Again, we have now collected May 2023 and October 2023 entitlement delivery numbers. Using this data, we estimate that we will underspend this budget by £0.411m. The estimated underspends in the 2-year-old and 3&4-year-old entitlement budgets total £1.153m. These two underspends, however, mask overspends in other elements of the Early Years Block, which it is now important to highlight.
- We currently forecast an overspending of £0.148m in the Early Years Block's contribution to early years SEND activities as a result of pressures on EYIF and SEND. The Authority will propose to adjust (increase) 2024/25 budgets in response, Please see Document QU.
- As we reported to the Forum on 13 September, in our approach to the allocation of the Early Years Supplementary Grant (EYSG) for the period September 2023 to March 2024, and in passing through to providers this Grant at the rates that are set by the DfE, we estimate that we will overspend the EYSG allocation by £0.300m. We stated that we estimate that this overspend will be contained within the boundaries of the original planned budget that was agreed for 2023/24. This overspend is 'one-off' and does not repeat after the 2023/24 financial year.
- We estimate that the cost of Early Years Inclusion Fund (EYIF) allocations will exceed the planned budget by £0.250m. This is due to continuing increase in the number of claims from early years providers. EYIF is a significant source of on-going budget pressure within the Early Years Block, which must be appropriately managed within planned budget decision making going forward. Information on EYIF will be presented to the Forum on 10 January as part of the EYSFF consultation and the 2024/25 DSG planned budget.
- We estimate that the cost of Early Years Pupil Premium (EYPP) allocations will exceed the planned budget by £0.226m. We typically expect to see EYPP costs closely match the discrete EYPP allocation that we receive via the Early Years Block. However, this funding is based on provider DfE census information. Following the transition to the Portal, it has become clear that schools have been under recording EYPP eligible pupils within their DfE census returns. The information, which has been collected via the Portal and which is now used to fund schools, is more accurate. The Authority has responded to this, to improve schools' census reporting processes, but it will take time for the Early Years Block EYPP funding to catch up in 2024/25. However, this overspend should be temporary in nature.

We forecast that the 2023/24 planned budget for the **High Needs Block** will be underspent by £1.02m (0.9%). Including the additional £0.764m of balance brought forward from 2022/23, we estimate that the value of balance to be held at 31 March 2024 within the High Needs Block will be £1.782m greater than the value originally estimated and presented to the Schools Forum on 11 January 2023. Members will identify from Appendix 1 that there are a number of movements, both over and under spends, against the planned budget that was presented to the Schools Forum in January 2023. Many of these movements are relatively minor in the context of the size of budgets that are set and are not further discussed.

Forum members are asked to note that the figures in Appendix 1 for the High Needs Block are based on estimates of spending between December 2023 and March 2024. There continues to be a significant amount of structural change, which is taking place on a backdrop of continued significant growth in the numbers of EHCPs and places creation. These changes combine to mean that it is challenging to forecast with certainty what the profile of spend will be for the rest of this financial year. This uncertainty knocks into the setting of the planned budget for 2024/25, where the 2023/24 financial year spending base will be used in certain areas e.g. mainstream EHCPs and Other Local Authority, Non-Maintained Special School and Independent placements, as a starting point to estimate the budget required going forward. Variances in actual vs. estimated spending growth in the period December 2022 to March 2023, have contributed to the movements in spending now reported in Appendix 1 against the 2023/24 budget.

To highlight some specific points from Appendix 1:

- The forecast incorporates £0.980m of additional spending that is based on the Authority's 'inclusion investment support plan', which was presented to the Forum in July 2022.
- The budget provision for additional specialist places creation is estimated to underspend in the short term (this is budget for on-going capacity growth). Places creation is presented in more detail in Document QT (Annual SEND Sufficiency Statement).
- Appendix 1 gives sight of continuing spending pressure in certain areas. The Authority has seen continued significant growth in the number of EHCPs over the last 12 months.
 - We forecast that the cost of mainstream EHCPs, including the cost of the SEND Funding Floor, will exceed the planned budget by £0.984m (spend +36% on 2022/23).
 - We forecast that the cost of independent, out of authority and non-maintained special school placements will exceed the budget by £1.05m (spend +22% on 2022/23). This is a very estimated figure at this time. This budget typically is volatile and can change significantly, depending on high-cost placements.
 - Against this, we currently estimate the cost of placements in Further Education will be £0.708m lower than planned budget. However, again this budget is typically difficult to predict and can change significantly.
 - Due to the significantly increased number of permanent exclusions, we currently estimate that the PRU / AP budget will be exceeded by £0.770m. This is net of the Regulatory adjustments made to formula funding and Pupil Premium Grant allocations follow exclusion.

We forecast a £0.178m surplus balance within the **Central Schools Services Block** (CSSB) at 31 March 2024. This is currently based on estimates of services spending. A reconciliation will take place within the Council's year end closedown process, and we will present to the Forum in July 2024 the final position.

The 2023/24 planned budget, that was presented to the Forum on 10 January 2023, estimated that we would overspend the 2023/24 DSG allocation by £6.998m in total. We now estimate that we will overspend the 2023/24 DSG allocation by £6.154m. So the planned budget is estimated to underspend by £0.844m, with our total spending still exceeding our DSG in-year income within the parameters that we expected when we set the budget back in January / February 2023.

Allocation and Retention of Balances to be Brought Forward from 2023/24

Appendix 2:

- a) Shows (repeats from Appendix 1) the values of balances that are currently estimated to be carried into 2024/25. It then shows any values that are already committed as a result of previous decisions, and
- b) Puts forward indicative proposals / considerations for the allocation and / or retention of the remaining balances. The Forum will be asked to make final recommendations on this on 10 January.

An important point to make at the start of considerations is that, due to the forecasted deficit position of the High Needs Block and that currently, estimating that existing spending growth rates will continue in 2024/25 and 2025/26 and prior to further mitigation, we forecast that our DSG account will cumulatively be in deficit at the end of the 2025/26 financial year, one of the mitigating actions that we can take is to assert that general reserves that are held within the DSG at the end of the 2023/24 financial year, where possible, are retained and are 'pooled' to offset / to support the management of the High Needs Block deficit. As we've stated in the introduction of this report, the DSG Regulations permit balances to be used across all the blocks. What we have established up to now is a locally determined informal block ring-fencing policy. Against this, there are certain pressures that we anticipate that we will need to meet in 2024/25, which may require the use of balances, and some balances are ring-fenced for specific purposes. But, the Authority's general position leans towards the retention of balances, where possible, meaning that we would not seek to allocate balances for the purposes of increasing levels of spending in 2024/25 above what they would 'naturally' be.

At this stage, we are not actively deciding on the spending of balances, other than indicating strongly that available balances, where possible and where permitted, would be retained and pooled in support of managing and reducing the size of the cumulative deficit in our DSG account, which is currently forecasted for the end of the 2025/26 financial year.

Schools Block (£3.257m)

- A ring-fenced balance of £0.625m held in de-delegated funds for maintained schools is estimated to be retained. This balance would be excluded from any pooling of reserves agreed in support of the High Needs Block deficit. A breakdown of this estimated balance by individual fund is provided in the report (Document QU Appendix 2). The Authority proposes to release a proportion (£0.100m) to support the cost of the primary phase maternity / paternity insurance scheme in 2024/25, as was done in 2023/24. The balance will also be used to support, as a priority, staff suspension and exceptional circumstances requests, as well as any costs arising from new deficits held by sponsored primary academy converters. The rest of the balance is ring-fenced and retained. Please note that the value of £0.625m is prior to any addition that comes from the carry-over of the balance of the additional £0.934m 'Schools in Financial Difficulty' DSG funds that the Local Authority has recently been allocated for maintained schools in 2023/24. At this time, pending decisions about how a proportion of these funds are allocated to maintained schools before 31 March 2024, the Authority cannot confirm the value of funds that will be carried forward. However, the intention is that any remaining funds will be added to the balance of the Exceptional Costs and Schools in Financial Difficulty de-delegated fund to be allocated to continue to support maintained schools from April 2024.
- £1.111m of balance relating to the Growth Fund, which is ring-fenced and has been proposed to be retained to support Growth Fund costs on an on-going basis, including to be available to support schools and academies via the flexibilities (for the management of falling rolls and 'surplus places') that are expected to be brought into Schools Block arrangements. This balance could also be used to support a future Schools Block to High Needs Block contribution as part of deficit mitigation activity.
- £0.500m of balance relating to the Falling Rolls Fund (FRF) for the primary phase. We will present a final position statement for 2023/24 to the Forum in March 2024. Based on current modelling, we anticipate that no primary phase schools or academies will be eligible. The £0.500m has been proposed to be retained to support FRF costs in 2024/25, but also to be available to support schools and academies via the flexibilities (for the management of falling rolls) that are expected to be brought into Schools Block arrangements. This balance could also be used to support a future Schools Block to High Needs Block contribution as part of deficit mitigation activity.
- The Appendix 2 balance figure currently assumes that the cost of our Schools Block arrangements in 2024/25 will be £1.200m lower than our 2024/25 DSG Schools Block allocation. This is the position, prior to calculating final formula funding allocations for schools and academies using the October 2023 Census dataset. Members, therefore, should treat this as an estimate at this stage, but this position is shown for planning purposes, on the basis that we would anticipate that £1.200m of 2024/25 Schools Block funding would be returned to Schools Block reserve. £0.400m will reimburse reserves for covering the cost of the increase in NNDR (business rates) within our 2023/24 planned budget and £0.800m will reimburse reserves for the cost in the first year of implicit growth related to two new academies (where in the first year of establishment the reserve covered their 7/12ths formula funding allocations, which were unfunded by the DSG settlement). We will highlight, discuss and confirm proposals for these movements to reserve on 10 January 'in the round' after we have re-calculated the final cost of formula funding. This balance could be used to support deficit mitigation activity.
- On this basis, a balance of £1.021m of reserve carried forward from 2023/24 is estimated to be retained, subject to discussions with the Forum on 10 January regarding the affordability of our formula funding proposals and the other matters that are highlighted above. £1.021m is 0.2% of the Schools Block. This balance could be used to support deficit mitigation activity.

Early Years Block (£3.855m)

- A balance of £0.072m in de-delegated funds is estimated to be retained across the financial year-end.
 This balance is ring-fenced, as it is in the Schools Block. As such, this balance would be excluded from any pooling of reserves that may be agreed in support of the High Needs Block deficit.
- A ring-fenced balance of £0.545m in the Disability Access Fund (DAF) is estimated to be carried forward into 2024/25. We will continue to keep this balance, and action to spend it, under review. Further information in regard to 2024/25 will be set out in the Authority's consultation on Early Years Single Funding Formula arrangements, which is anticipated will be presented to the Forum on 10 January. As DAF is closely related to SEND support, this balance could be included in any pooling of reserves agreed in support of the management of the High Needs Block deficit.
- The DfE still has to confirm (at the time of writing this report) how the new extended entitlements will be funded at Early Years Block level and whether we will receive 26 weeks or 22 weeks of funding for the new 9-month-old entitlement. Appendix 2 currently assumes that we will only receive funding for 22 weeks, meaning that we may need to use up to £1.134m of surplus balance in 2024/25 to meet the cost of the additional 4 weeks without reducing rates of funding for providers to offset this. However, this is a matter that we will need to consider more closely and present proposals to the Forum on 10 January. We are concerned that this issue will completely drain all Early Years Block reserves across 2024/25 and 2025/26 and therefore, we may look to find additional ways to manage this problem. Alternatively, Early Years Block reserves may be available to help support the management of the High Needs Block deficit.
- Subject to confirmations and further discussions on this matter, on current calculations and using available data, we estimate that an unallocated balance of £2.104m (3% of the Early Years Block) would be retained to support the pressures that will need to be managed going forward from April 2025. This may include the 'second stage' of the 26 weeks vs. 22 weeks issue that will be present for the period September 2025 to September 2026 within the Early Years Block. This may also include the pooling of reserves in support of the management of the High Needs Block deficit.

High Needs Block (£23.412m)

- We currently estimate that we may need to earmark £17.593m of the estimated 31 March 2024 balance to
 establish a planned budget for the High Needs Block for 2024/25 that balances back to zero. This figure
 will be updated / confirmed within the information that will be presented to the Forum on 10 January. The
 £17.593m includes the continuation of £0.980m of inclusion investment spending and £3.869m revenue
 budget for additional specialist places.
- On this basis, we currently estimate that 75% of the forecasted surplus balance may be deployed during 2024/25 and only £5.819m of balance would remain at 31 March 2025. We currently forecast that the High Needs Block will then overspend in year by £26m in 2025/26, estimating that existing spending growth rates will continue in 2024/25 and 2025/26 and prior to further mitigation.
- The Authority and the Schools Forum have been talking about deficit mitigation since the presentation of the DSG Management Plan on 11 January 2023. The Authority met with a small group of members on 14 November and will continue to meet. We will present to the Forum on 10 January an updated DSG Management Plan, which will include a future year estimate of the High Needs Block and an update on deficit mitigation options and activity.
- In this context, the Authority at this time does not plan any use of the High Needs Block surplus other than to offset the overspending that is forecasted for 2024/25. As members are aware, the planned budget is constructed on a series of estimates, and we try to take a prudent approach to these estimates. A first call on the £23.412m will be meeting in year the cost of change, as well as supporting any unexpected costs that may arise across 2023 and 2024 after the planned budget for 2024/25 has been agreed. The second call on the £23.412m balance will be supporting the avoidance of / seeking to reduce the value of cumulative deficit in the High Needs Block.

Central Schools Services Block (£0.178m)

On current estimates, £0.058m of surplus balance will be allocated into the 2024/25 planned budget, to
continue existing commitments uplifted for pay award and inflation, and to meet the increased cost of
copyright licences for mainstream primary and secondary schools and academies, in combination with the
2024/25 CSSB allocation received from the DfE. This leaves an estimated £0.120m, which would be
retained.

Implications for the Dedicated Schools Grant (DSG) (if any)

These balances must be spent on DSG functions and in accordance with the Regulations.

Recommendations

Members are asked to consider whether sufficient information has been provided to enable final recommendations to be made on 10 January on the allocation and / or retention of estimated DSG balances.

<u>List of Supporting Appendices / Papers</u> (where applicable)

Appendix 1 – 2023/24 DSG Spending Forecast Report

Appendix 2 – Statement of uses & retention of balances forecasted to be carried forward into 2024/25

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