



Policy Statement: Academies and Services to Academies in Kingston

This policy statement considers Academy funding, core LA services and traded services that RBK is able to offer to Academies.

Because school and academy funding are subject to review and academy funding arrangements have been and continue to be fluid, this statement is short term; lasting in the first instance between September 2011 and end of March 2012. By then the outcome of the second DfE funding consultation (see link below) will be available and the Council will have finalised decisions about the transformation of Learning and Children's Services in Kingston.

<http://education.gov.uk/consultations/index.cfm?action=consultationDetails&consultationId=1765&external=no&menu=1>

Principles

There are very few authorities in the country where education has successively been judged outstanding and this is a tribute to Kingston's individual schools and academies and the effective partnership working across all schools and the Local Authority. We pride ourselves on the support we have given to schools in Kingston over the years, supporting them to become so popular and successful and when they have faced difficult times. As some schools across Kingston convert to Academy status relationships will change but we hope that the spirit of partnership which so benefits children and young people in Kingston will continue.

The LA is firmly committed to:

- Supporting and maintaining strong working relationship with and between all schools and academies
- Continuing to provide high quality services to schools and academies
- Using this opportunity to improve services and meet needs and we want to continue to work in partnership for the benefit of all young people resident and educated in Kingston.
- Working with all schools and academies through headteachers and governor partnership meetings
- Including representation from all schools and academies in the Children and Young People's Trust and all other formal forums where
- Working to ensure that academies wishing to use LA services helped to do so with assurance that legal, financial and health and safety requirements are secure
- Recognising that academies are autonomous non maintained organisations with entitlement to statutory services

Academy Funding

The Government is clear that becoming an academy should not bring about a financial advantage or disadvantage to a school. However, academies have greater freedom on how they use their budgets, alongside the other freedoms that they enjoy. The principle of academies' funding is that academies should receive the same level of per-pupil funding as they would receive from the local authority (LA) as a maintained school. In addition, they receive top-up funding to meet additional responsibilities that are no longer provided for them by the LA.

The funding for academies comes in the form of a grant, known as the General Annual Grant (GAG), paid by the Young People's Learning Agency (YPLA to become the Education Funding Agency in April 2012). The GAG is made up of different elements as indicated below

By far the largest element of GAG is the school's core funding, known as its delegated budget share. This will be based on the school's current budget share received from the LA. The DfE make a small adjustments to reflect any reduced business rates, paid by an academy as a charitable trust, and for insurance, which is paid separately in GAG.

The Local Authority Central Spend Equivalent Grant (LACSEG) is the additional money paid to academies in recognition of the fact that as independent schools they no longer receive a number of services from local authorities and must make appropriate provision for themselves. This is not a uniform figure across the country. It varies between LAs and will reflect the amount the LA already holds back to pay for central services. This element of grant is calculated by the YPLA (not the local authority), using a formula, based on the academy's pupil numbers and the amount that the local authority spends on the services and costs. **It is therefore not based on the actual costs of the services supplied to the individual school.**

Monies have been removed from the LA in two different ways. Firstly, all LAs have had funds top sliced from each Council's Communities & Local Government Formula Grant for 2011/12. This amounted to £303,000 for Kingston. Secondly, monies have been recouped from the Dedicated Schools Grant during the current financial year (2011/12) and further recoupment will take place as schools continue to convert to academy. Recoupment from the DSG is divided into two parts: the budget share element; and an amount in respect of LA central expenditure in the Schools Budget. The latter is based on relevant lines on the Authority's Section 251 Statement, calculated as a per pupil amount and a deduction made pro rata to when a school becomes academy within the financial year. EG if a school became academy on the 1st August, 8 months of the budget share and LACSEG calculated would be recouped. The authority determines the amount to be recouped using the guidance notes and calculator issued by the Department.

The amount that an academy receives both in terms of budget share and LACSEG is calculated by the Young People's Learning Agency using the Authority's 2010/11 Section 251 with certain adjustments. The process of recoupment and the DfE grant payable to academies via the YPLA should be seen as distinct. In 2011/12 the top slice to the Council of £300,000 has had no direct impact on schools but this will not be sustainable in future years. It is unclear whether the top slice method will continue next year and in subsequent years, or whether it will revert to relevant lines on the Section 251, or even a national formula. However which ever methodology is used, the amount is likely to be significantly higher than £303,000 not only because it will be based on full year converters, but also

because it will assume more schools will be converting. The process of conversion for schools with deficit budgets involves further negotiation between LA and YPLA.

As schools transfer to academy status is necessary to make sure that:

- LA services clarify the difference between their statutory and non statutory role
- LA services which academies receive, for which they are funded , are charged appropriately (as the authority no longer receives funding)
- LA services affected by direct funding of academies can continue to operate with potentially less funding
- Academies are encouraged to consider LA services as the provider of first consideration and encouraged to discuss new needs with the LA
- Short term arrangements are in place and can be extended/altered to reflect changes in government policy and the transformation of RBK's Learning and Children's Services

Services which Academies are Funded to provide via YPLA (See Table 1)

Services which were previously provided by the LA and which Academies are now given money to provide are included in the list below. Academies are aware that they will need to consider how they will provide these services, as appropriate, either directly from within or by buying them in from providers, including where appropriate the LA.

Table 1: Academy Funding	
Academies are funded to provide these services (previously funded via DSG or central budget)	LA Responsibility for providing services to Academies remains as follows
<ul style="list-style-type: none"> • School Improvement • Provision for pupils with SEN without a statement • Behaviour support provision not including pupils excluded for more than 6 days • Admissions (primary, secondary) • 14-19 practical learning options • Support for underperforming ethnic minority groups and bilingual learners – non statutory • Free school meals eligibility testing • Therapies for non statemented children including FASS, CAMHS and other health related services • Attendance • School improvement except prevention of school failure • Insurance • Asset management • Music Services • Statutory/regulatory duties including insurance/finance/HR/Legal • Monitoring national curriculum assessment • Schools meals (Nursery, primary, special) • Milk (primary, primary special) • School Kitchens repair and maintenance (primary, special) • Health and Safety • Premature retirement and redundancy costs 	<ul style="list-style-type: none"> • Statutory School improvement • Statutory Educational Psychology Services • Statutory Speech Therapy • Administration of SEN Statutory Assessment Process • Issuing and amendment of statements of SEN and Statement Monitoring • SEN transport • Statutory Early Years Advisers • Statutory provision for EAL and Traveller and Refugee Advice and Support • Sensory Impairment Service • Education Welfare Service for prosecution of parents, child employment, education at home and children missing education • Pupil Support Service for excluded pupils and those in hospital • Pupil Referral Unit (except 'time out') • Statutory/regulatory duties of School Admissions. • Place and Space Planning • Commissioning School Places • Recruitment and appointment of Local Authority governors where required
NB These lists are subject to revision and aspects are subject to consultation by the DFE	

Academy Legal Status, Insurance, Commissioning, Finance

In all business with academies, they and the LA must remember that academies are separate legal entities; different from maintained schools and other academies. Therefore:

- If providing services to an academy RBK personnel need to be covered by Professional Indemnity Insurance.
- Contracts/SLAs with academies will need to be renegotiated with legal advice e.g. payroll.
- When commissioning/procuring services from an Academy, e.g. SEN Resourced Based Provision, RBK will need to take legal advice and have a separate agreement with the Academy.
- Each academy must have Insurance cover to meet its needs as a non maintained school.
- The Council is currently seeking advice on how to support schools with Insurance as legal advice in this area is changing.
- Each Academy must ensure it continues to have access to the legally required competent health and safety advice.
- Academies must make their own individual arrangements to meet legal and financial regulations and obtain advice in these areas

LA Provision of Traded Services to Academies (See Table 2)

RBK has successfully provided Services to Schools on a buy back basis for many years. It is hoped that Academies will want to continue to obtain services from the LA and trade with the LA for those services where the best interest of vulnerable children in Kingston can be best served by a critical mass of investment.

Within the context of financial restraint and change, RBK service managers have been asked to:

- Identify any aspects of their service which would require a new or different buy back service to provide for Academies
- Recognise that a critical mass of users is important to the success of many of our services
- Make charges transparent and not for profit
- Ensure that academies receiving services are charged for the time and resources required to deliver the service and wherever appropriate only charged the same as a school
- Each service to decide which services it can provide for academies research the demand and publish information for Academies and, via the RBK Services to Schools and Academies web link.

In the meantime, Academies should not hesitate to contact service managers to discuss their needs.

An example of services that have traditionally been provided without charge to Governing bodies but would now need a contract include: providing governors and clerks with the advice, support, training and information they need to carry out their role; and facilitating

networking opportunities, bench marking exercises to validate and ensure good practice; facilitating communication through intranet Clerks email facility.

Similarly, the LA could advise academies on admission arrangements and carry out the administration of in year admissions; provide advice on appeals and information to be included in appeal statements; conduct address verification checks and home to academy distance measurements and support subscription to secure data transfer for data protection and publish statutory notices/adverts.

Table 2: RBK services which could provide to Academies by negotiation
<ul style="list-style-type: none"> • Advice for pupils with SEN without a statement • Tuition for primary pupils with learning difficulties* • Behaviour support* • Advice for supporting underperforming ethnic minority groups and bilingual learners • Free school meals eligibility testing • Therapies for non stated children including FASS, CAMHS, and other health related services • Education Welfare Service • Governance • Admissions • Music Services • Health and Safety* • Human resources and Payroll • Insurance • Finance • Monitoring national curriculum assessment • School Improvement **
<p>NB *Services with an asterix are already subject to a traded offer to schools on the Services to Schools web link</p> <p>** see section School Improvement Services below</p>

School Improvement Services

Academies are no longer expected to receive any school improvement services from the LA. In Kingston we are developing a school improvement partnership EducationKingston, which is jointly owned by schools and academies. It is hoped that all academies will join the partnership:

- to receive a school improvement service for all schools and academies
- to support the provision of school improvement services across Kingston s
- to support any underperforming and failing schools and academies

Prior to the outcome of this new development academies and schools will have access to a school improvement service, which is largely grant funded, until April 2011.

Data Exchange

The LA has a statutory duty to promote excellence, prevent failure, support the vulnerable and commission schools places. The fulfilment of this role is not possible without access to data and data exchange across schools and academies. While national exchange systems

between the YPLA and LAs are not yet clear or established the LA asks that academies continue to:

- Share data with the LA to allow the La to fulfil its statutory duties
- By agreement, allow data to be shared with other schools and academies
- Benefit from data which allows for comparison with other local schools and areas

Combined Offer

The LA is aware that schools and Academies may wish to purchase a combined package of services from the LA. This possibility has been considered but will not be concluded prior to agreements about transforming children's services in the Autumn and early Spring.