CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE 11 July 2017

REPORT AUTHOR: County Councillor M Alexander

Portfolio Holder for Education County Councillor A Davies Portfolio Holder for Finance

SUBJECT: School Budgets 2017/2018

REPORT FOR: Decision

1. Summary

- 1.1 Governing Bodies of maintained schools are required, under the authority's scheme for financing schools, to set and submit an annual budget for their school together with initial budget plans for a minimum of the following two financial years. Where a school is planning to set a deficit budget in the current 2017/18 financial year, this budget must be approved and licensed by the Authority.
- 1.2 As at the 31st March 2017 there were thirty four (34) schools with cumulative deficit balances totalling £2.48m, this compares with eighteen (18) as at the 31st March 2016 with deficits of £0.94m.
- 1.3 The outturn financial position in 2016/17 for schools has seen a significant decrease in the level of reserves held to £0.5m. The reserves held at the 1st April 2016 totalled £2.9m, a reduction in the overall balance held by schools between the financial years of £2.4m. The forecast position approved by cabinet in July 2016, for 2016/17 was for a balance of £0.3m at the end of 2016/17. School balances have increased on forecast by £0.2m from the budgeted position in July 2016. Those schools whose balances are greater than that allowed as per the scheme for financing schools will be subject to consideration for claw back. Seventeen (17) schools have been identified as being liable to claw back based on the outturn position.
- 1.4 Officers of the authority continue to work with schools to ensure that Governing Bodies work within the financial constraints of the funding allocated to them and in compliance with the Scheme for Financing Schools and class size requirements, where applicable. Thirty four (34) schools are proposing to set a cumulative deficit balance in 2017/18. Twenty seven (27) schools set a cumulative deficit balance in 2016/17. Seventeen (17) of the thirty four (34) schools do not meet the criteria to be licensed and are considered to be unlicensed. Eight (8)

schools set unlicensed budgets in 2016/17. Welshpool High School has only submitted a one year budget and is breach of the scheme for financing schools, it is included in the thirty four schools quoted above. Llangors C in W School has not submitted an approved budget plan and is in breach of the scheme for financing schools, the schools budget position is therefore not included in the overall position contained within this report.

2. <u>Deficit Budgets</u>

- 2.1 The scheme for the financing of schools outlines the parameters within which a deficit budget may be licensed.
 - The maximum length of time over which a school may repay a deficit is three years, except where a longer period, not exceeding five years, has been agreed in exceptional circumstances and with the support of the Head of Schools and the Section 151 Officer. In practice the timescale will depend on the extent of the deficit and the school's planning and ability to take early action.
 - In the primary sector the maximum licensed deficit which may be approved will be up to 10% of the school's budget share but with a ceiling of £50,000. In the secondary and special sectors the maximum licensed deficit which may be approved will be up to 7½% of the school's budget share but with a ceiling of £100,000 for special schools and £150,000 for secondary schools.
 - A school with a planned deficit of less than £500 and a planned underspend in the following financial year will not have to apply to have the deficit licensed.
- 2.2 In July 2016 8 schools were highlighted as having unlicensed budgets. Throughout 2016/17 officers within the authority continued to work with schools to reduce deficit positions, of the 8, Llanrhaeadr Ym Mochnant, Brecon High School, Llanidloes High School, Ysgol Maesydderwen and Ysgol Cedewain Special School remained unlicensed. Churchstoke, Clyro and Ysgol Dolafon submitted revised budget plans which met the requirements of the Scheme for Financing Schools. The direction of travel must be to continue to remove deficits as a matter of urgency.
- 2.3 During the 2015/16 financial year Crickhowell High School took on the management and running of the Community Sports facilities, at the end of the first financial year the Sports Facilities provision ended with a deficit position of £60k, this deficit has increased to £75k at the end of 2016/17. This does not form part of the schools delegated budget and the deficit is held separately, a recovery plan has been submitted by the School bringing the deficit back into a surplus position in 2019/20 The School position at the 31st March 2017 was a deficit of £253k, the schools budget is in an unlicensed position.
- 2.4 Cabinet licensed Welshpool High Schools deficit budget in July 2015 with the provision the school came within their forecast financial targets

in each of the following 5 years. The school have only submitted a one year budget plan for 2017-18 showing a deficit of £505k. Recent correspondence with the school has requested the submission of a recovery plan.

3. Loan Scheme

- 3.1 In 2013/14 the Authority approved the implementation of a loan scheme, funded by the collective balances held by schools, which does not operate by way of a licensed deficit in respect of a particular school on condition that a corresponding sum is repaid from the budget share over the agreed period of the loan.
- 3.2 The following four schools with projected deficit balances requested and received loans in 2013/14:-

School		Amount (£)	Term	Balance 31 st March 2017
Brecon High School		432,000	10 Years	£302,400
Caersws CP School		25,000	10 Years	£17,500
Talgarth School	СР	25,000	5 Years	£10,000
Ysgol Dy Trannon	/ffryn	45,000	10 Years	£31,500

- 3.3 The loan scheme was withdrawn during 2015/16 and no further loans have been approved. Schools who have already had loans authorised will continue to have the loans in place subject to meeting the loan repayments and the terms of the loan as per the agreement made at the time.
- 3.4 Each of the schools have made their first, second and third payments on the loan, Caersws C P School and Ysgol Dyffryn Trannon have submitted approved/ licensed budgets for 2017/18.

Brecon High School and Talgarth C P School have submitted a budget plan which does not comply with the scheme for the financing of schools and would therefore not be licensed. It is noted that Talgarth C P School is closing in August 2017 with the pupils moving to the new school Ysgol Y Mynydd Du.

4. Surplus Balances

4.1 Governing Bodies holding planned cumulative surplus balances in excess of that detailed in the scheme for financing schools are liable for claw back.

- 4.2 The final outturn figures for 2016/17 shows seventeen (17) schools that have surpluses in excess of the limits set within the scheme for financing of schools.
- 4.3 The Schools subject to clawback will be written to and asked to provide an explanation as to the reasons for the surplus being in excess of the position submitted to cabinet in July 2016. The schools that fall under potential clawback are:

Builth Wells C P School Buttington/Trewern C P School Cradoc C P School Hafren C P Junior School Knighton C in W School Ladywell Green N & I School Llanfair Caereinion C P School Montgomery C in W School Mount St Infants School Priory C in W (A) School Ysgol Dafydd Llwyd Ysgol Pennant C P School Ysgol Y Cribbarth Ysgol Penmaes Special School Gwernyfed High School Newtown High School Llanfyllin High School

- 4.4 Planned budgets that are in excess of the surplus allowed as included in the scheme for financing schools for 2017/18 will be subject to clawback. 8 schools have planned surpluses in excess of these limits, 6 Primary, 1 Special School and 1 High School.
- 4.5 In line with the scheme for financing of schools, these schools will be requested to submit a spending plan of how they intend on using this surplus by the 29th September 2017. A further report will be brought back to Cabinet during the Autumn term 2017 to advise of the outcome of the review of these plans and to provide members with an update on all school budget plans.
- 4.6 Under the School Funding (Wales) Regulations 2010, the Authority has the power to direct spending or claw back monies where planned surplus budgets held by schools exceed £50,000 for primary and £100,000 for special and secondary schools.

5. Proposal

5.1 Sixty two (62) Schools have planned surplus budgets with thirty four (34) schools proposing a deficit budget in 2017/18, Llangors C in W School has not submitted a budget and is therefore not included. Welshpool High School has submitted a budget for one year only 2017-

18, this is included in the thirty four schools noted above. The table below summarises the position for each sector:

2017/18 Budget Position

The table below shows the budget position excluding loans to schools.

Type of School	Number of Schools Projected to be in Deficit	Number of Schools Projected to be in Surplus	Actual Deficit	Actual surpluses	Total
			£000	£000	£000
Primary	23	58	(340)	1,445	1,105
Special	2	1	(367)	150	(217)
Secondary	9	3	(2,673)	288	(2,385)
Total	34	62	(3,380)	1,883	(1,497)

- 5.2 Appendix A shows the outturn position for all schools as at 31 March 2017 together with the planned projected budget position and planned cumulative balance for each school for the years ending 31 March 2018, 31 March 2019 and 31 March 2020.
- 5.3 The reserves collectively held by schools at 31 March 2017 were £0.5m. The budget proposals submitted for the 2017-18 financial year project a draw on these reserves of £2.0m which will reduce the projected reserves held at 31 March 2018 to a deficit of £1.5m. The schools ring-fenced reserve is standalone and surplus balances held by some schools support the deficit of others. If the reserve moves into an overall deficit position, as currently projected, the risk falls on the Council's General Fund. It is therefore essential that schools take corrective action to balance their budgets and recover the deficits.
- 5.4 Of the thirty four (34) schools submitting deficit budgets for 2017/18, seventeen (17) of these school budgets are projected to return to surplus over the following two years and are in compliance with the scheme for financing schools, therefore it is proposed that these budgets be licensed:

Primary Schools

Abermule CP School
Berriew C P School
Clyro C in W Controlled School
Franksbridge C P School
Leighton C P School
Llanbister C P School
Llandrindod Wells C P School Cefnllys
Llanfechain C in W School

Llanfyllin C P School
Llangedwyn C in W Voluntary Controlled School
Llanrhaeadr Ym Mochnant C P School
Llansantffraid C in W Aided School
Ysgol Dolafon
Ysgol Dyffryn Trannon
Ysgol Gymaeg Dyffryn Y Glowyr
Ysgol Meifod

Secondary Schools

Ysgol Bro Hyddgen

5.5 Seventeen (17) schools do not meet the requirements to have their budgets licensed as their projected deficit balance at 31 March 2018 is not brought back into balance within three years, or the deficit in 2017/18 is above the threshold to license:

Primary Schools

Bronllys C P School
Brynhafren C P School
Irfon Valley C P School
Llanfihangel Rhydithon C P School
Llangynidr C P School
Talgarth C P School
Ysgol Maesydre

High Schools

Brecon High School Builth Wells High School Ysgol Maesydderwen Crickhowell High School Llanfyllin High School Llanidloes High School Welshpool High School Llandrindod High School

Special Schools

Brynllywarch Hall Residential School Ysgol Cedewain Special School

5.6 A number of reports have been considered by Cabinet with regard to the financial position of Brecon High School. The Governing Body were required to submit a recovery plan which as a minimum, brought the school's budget into a balanced inyear position in 2017-18. The school submitted a recovery plan which did not meet the criteria set. Further support has been offered by the Authority and a report has been provided to the school which details the minimum and maximum savings that can be implemented. Officers have met with the school to discuss the

- report, a follow up meeting will take place to discuss the outcomes and agree the savings that are required to be made.
- 5.7 Ysgol Maesydderwen remains in an unlicensed position, the school was subject to a second independent review during the spring term, the conclusions and recommendations of the review were as follows;

Conclusions

- The school has made a significant effort to reduce expenditure across all budget headings and this has had a positive impact upon costings.
- Curriculum planning and management of staff is strong.
- The financial management of Maesydderwen is very strong

Overall recommendations

- The Local Authority, with the approval of its schools, should provide benchmarking information to all schools. The benchmarking of information across two Powys schools and one Swansea school showed marked differences in expenditure. Sharing of ideas and good practice would bring benefits.
- Our perception is that underfunding of secondary schools in Powys is a significant contributory factor to the school's deficit. Further consideration could be given to different models of school organisation, including federation, 3-16 and 3-19 collaborations and the potential impact on both short and long term financial implications.
- An analysis of STATS Wales figures should be provided to cabinet.
 This would provide a comprehensive overview across counties for politicians. Benchmarking across counties / regions would be another worthwhile financial exercise to consider.
- Although it is difficult to compare like with like, it is worth noting that the smallest secondary school in Swansea, with fewer pupils than Maesydderwen, has at least £500K more in its budget
- Powys funds teacher salaries at UPS1 and most staff in Maesydderwen are on UPS 3. The difference is approximately £3,000 and contributes significantly to the underfunding issue. The school will not be able to reduce its deficit unless it has a more generous delegated budget share. Unless this is done, there is a real danger that the deficit could spiral out of control.
- Schools and the local authority need to work together on the funding issue, not against each other. Learners will gain most from a positive attitude from all and a real desire to support pupils across Powys. The current funding levels are just not good enough for stakeholders and schools deserve better. A tenacious approach, meeting the needs of all stakeholders, needs to be applied to fair funding levels in schools.
- The quantum needs to be reviewed as a matter of urgency.

It is acknowledged that the school has worked closely and fully co-operated with the independent review team and the authority. The budget submitted remains in an unlicensed position, it is proposed that the school continues to work with the Authority to further review the budget.

5.8 Llanidloes High School remains unlicensed, the school was subject to a second independent review during the spring term, the conclusions and recommendations of the review were as follows:

Conclusions

- The school has made a significant effort to reduce expenditure across all budget headings and this has had a positive impact upon costings.
- Curriculum planning and management of staff is strong.
- The financial management of Llanidloes is very strong

Overall recommendations

- The Local Authority, with the approval of its schools, should provide benchmarking information to all schools. The benchmarking of information across two Powys schools and one Swansea school showed marked differences in expenditure. Sharing of ideas and good practice would bring benefits.
- Our perception is that underfunding of secondary schools in Powys is a significant contributory factor to the school's deficit. Further consideration could be given to different models of school organisation, including federation, 3-16 and 3-19 collaborations and the potential impact on both short and long term financial implications.
- An analysis of STATS Wales figures should be provided to cabinet.
 This would provide a comprehensive overview across counties for politicians. Benchmarking across counties / regions would be another worthwhile financial exercise to consider.
- Although it is difficult to compare like with like, it is worth noting that the smallest secondary school in Swansea, with fewer pupils than Llanidloes, has at least £500K more in its budget
- Powys funds teacher salaries at UPS1 and most staff in Llanidloes are on UPS 3. The difference is approximately £3,000 and contributes significantly to the underfunding issue.
- The school will not be able to reduce its deficit unless it has a more generous delegated budget share.
- Schools and the local authority need to work together on the funding issue, not against each other. Learners will gain most from a positive attitude from all and a real desire to support pupils across Powys. The current funding levels are just not good enough for stakeholders and schools deserve better. A tenacious approach, meeting the needs of all stakeholders, needs to be applied to fair funding levels in schools.
- The quantum needs to be reviewed as a matter of urgency.

It is acknowledged that the school has worked closely with the independent review team and the authority and have submitted a budget which shows significant improvement. The 2017/18 and 2018/19 in year budget submitted shows a surplus position and stems the rising cumulative deficit. The budget will remain unlicensed as the cumulative position is a deficit. It is proposed that the authority and the school continue to work collaboratively to reduce the cumulative deficit but no further intervention is proposed at this time.

- 5.9 Bronllys C P School, Talgarth C P School and Ysgol Maesydre are subject to closure at the end of the Autumn term 2017, upon closure any existing deficits (or surplus) are written off by the Authority. It is essential that finance work with these schools to reduce and limit the level of deficit incurred. The overall position of the three schools in the approved budget plans they have submitted is a deficit of £70k.
- 5.10 Ysgol Cedewain's budget remains in an unlicensed position, as the deficit projected to the 31st March 2018 is £341k and is greater than the maximum deficit allowable to be licensed under the scheme for financing schools. It is acknowledged that the school has worked with the Authority and that the budget proposal submitted projects a surplus of £123k by 31st March 2020. It is proposed that the school continues to work with the Authority to improve the 2017-18 and 2018-19 in year positions but that no further intervention is proposed at this time.
- 5.11 Brynhafren C P School and Llanfihangel Rhydithon C P School both have budgets that are in an unlicensed position as the deficit is greater than the maximum deficit allowable under the scheme for financing schools in 2017-18. It is recognised that these schools have produced recovery plans that brings their budget into a surplus position in 2019-20. It is essential that the schools works with the Authority to reduce the deficits in 2017-18 as far as possible, it is proposed that no further intervention is taken at this time.
- 5.12 For the remaining eight schools it is proposed that the Governing Bodies be issued with a Notice of Concern in accordance with 2.15 of the Scheme, stating that the budget plan is not in compliance with the scheme, and requiring them to take urgent action to remedy the financial position and produce a recovery plan by the 29th September 2017. Each of these schools are subject to being called in to scrutiny and they will be advised accordingly. Members need to note that this is the first step in terms of the potential withdrawal of delegation from a school (Section 2.16 of the Scheme).

- 5.13 An approved budget plan has not been submitted by the Governing Body of Llangors C in W School, it is proposed that the school be issued with a Notice of Concern in accordance with 2.15 of the Scheme, stating that a budget plan has not been received and the school is therefore not in compliance with the scheme for financing schools, and requiring them to take urgent action to submit an approved budget plan by the 21st July 2017.
- 5.14 The overall financial position within schools for the last, current and future two years are shown below, this does not include the balances for Llangors C in W School and includes only the 2017/18 budget for Welshpool High School.

Overall Position

School	Actual Position 2016/17	2017/18	2018/19	2019/20
	£'m	£'m	£'m	£'m
Total Deficit	(2.5)	(3.4)	(4.1)	(6.3)
Total Surplus	3.0	1.9	1.2	0.9
Total				
Balance	0.5	(1.5)	(2.9)	(5.4)

5.15 Schools are forecasting cumulative deficit balances increasing through to 2019/20. Continual monitoring will be required by officers and governing bodies to ensure deficit balances forecast in future years are reduced.

Deficit	Actual Position 2016/17	2017/18	2018/19	2019/20
Secondary	8	9	8	9
Primary	24	23	26	28
Special	2	2	2	2
Total	34	34	36	39

- 5.16 School financial surgeries will continue to take place twice a year, in the autumn and spring terms with current budgets and forecast budgets considered.
- 5.17 The financial position of the Secondary Schools is of particular concern, 9 of the 12 High Schools have submitted unlicensed budget proposals and the level of deficit is projected to significantly increase over the 3 year period unless further action is taken. It is essential that High Schools continue to work with the authority to improve this position. A fundamental review of the fair funding formula and a review of the scheme for financing schools is being carried out, it is essential in these times of austerity that the formula is effective in distribution of

funding. A more fundamental change is required if secondary education is going to continue to be provided within the current funding envelope.

6. Powys 2020

6.1 Ensuring that Governing Bodies effectively and efficiently manage their budgets within the resources made available to them by the Council is a key contributor to ensure our schools are financially viable and fit for purpose, and the overarching council's objective that the People in Powys benefit from a financially balanced and fit for purpose council.

7. Options Considered / Available

- 7.1 Budgets were required to be submitted by 1st May, 2017, where schools submitted deficit budgets, officers have worked with Governing bodies to address the deficit balance. Continual work by Governing bodies and officers of the council will be required to ensure balanced budgets.
- 7.2 If following advice from officers the Governing Body do not make appropriate changes to effectively manage their budget within the requirements of the Scheme for Financing Schools, the deficit budget will not be licensed. The Headteacher and Governors can be requested to meet with portfolio holders, Heads of Service and Executive Directors to discuss their budget management.
- 7.3 The Authority also has the option to withdraw delegation from the Governing Body and manage the budget from within the Authority. This can only be done following the issuing of a formal warning notice and non-compliance within a set timeframe

8. Impact Assessment

8.1 Is an impact assessment required?

8.2 If yes is it attached? Yes/No

9. Corporate Improvement Plan

9.1 One of the objectives within the corporate improvement plan states 'To contribute to a more cost effective delivery of educational provision within available resources' 'Deliver school budgets within the schools funding formula and Statement of Intent principles'

10. Local Member(s)

10.1 All schools across the council are included in this report therefore all local members have an interest.

11. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council?

If so please provide their comments

12. Communications

Have Communications seen a copy of this report? Yes

Communications Comment: The report is of public interest and requires the use of news release and appropriate social media to publicise the decision.

13. <u>Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)</u>

- 13.1 Legal: The recommendations can be supported from a legal point of view
- 13.2 Finance Deficit and surplus balances must continue to be carefully monitored to ensure schools are in compliance with the Scheme for Financing Schools and that schools take the appropriate action to ensure they meet the requirements.

It is essential that officers from Finance, HR and Schools service continue to work with the Headteachers and Governing Bodies to address school balances.

Work is being carried out to benchmark the funding and the expenditure of Powys Schools to allow comparison across Wales.

- 13.3 Corporate Property: Not required
- 13.4 HR: The Schools HR Team will continue to work with Headteachers, Governors, Trades Unions and Staff to provide advice so that any changes affecting staff that need to be made can be implemented in line with the relevant Powys County Council and School policies.
- 13.5 ICT: Not required if appropriate

14. Scrutiny

Has this report been scrutinised? No

15. Statutory Officers

15.1 The Strategic Director Resources (S151 Officer) comments:-

The report covers a significantly worsening position for schools' finances. The table in paragraph 5.1 shows an overall deficit of £1.497m that is ultimately a potential draw on the Council's general fund balance.

In particular the deficit on secondary school balances is evidence of a need to ensure budgets are effectively managed. The Section 151 officer has asked for evidence that schools have made the agreed reductions to meet the requirement to operate within a three year balanced budget.

Cabinet's attention is drawn to the significant financial risk the schools sector now presents to the authority.

15.2 The Solicitor to the Council (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

16. Members' Interests

(To be completed by the Monitoring Officer)

The Monitoring Officer advises that Members may have an interest in this item if

or

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

17. Future Status of the Report

(This section must be completed if the report is a confidential/exempt report)

Members are invited to consider the future status of this report and whether it can be made available to the press and public either immediately following the meeting or at some specified point in the future.

The view of the Monitoring Officer is that:

Recommendation:	Reason for recommendation
1. That all planned budgets with a	To comply with the Authority's
cumulative surplus at 31 March	scheme for the financing of schools
2018 are approved	
2. That the Portfolio Holder for	To comply with the Authority's
Education has the delegated	scheme for the financing of schools
decision on whether to apply	
clawback to the schools named	
in paragraph 4.3 of the report,	
pending reasons for the surplus	
being in excess of the position	
submitted to cabinet in July	
2016.	
3. That all schools that are	To comply with the Authority's
potentially subject to clawback	scheme for the financing of schools
for 2017/18 as set out in	
paragraph 4.4 have their	
budgets re-assessed after	
spending plans have been	
submitted by the 29th	
September 2017 and a further	
report brought back to Cabinet	
during the Autumn Term 2017.	To comply with the Authority's
4. That the proposed budgets for the following schools who have	To comply with the Authority's
planned cumulative deficit	scheme for the financing of schools
balances in 2017/18 are	
licensed:	
Primary Schools	
Abermule CP School	
Berriew C P School	
Clyro C in W Controlled School	
Franksbridge C P School	
Leighton C P School	
Llanbister C P School	
Llandrindod Wells C P School	
Cefnllys	
Llanfechain C in W School	
Llanfyllin C P School	
Llangedwyn C in W Voluntary	
Controlled School	
Llanrhaeadr Ym Mochnant C P School	
Llansantffraid C in W Aided School	
Ysgol Dolafon	
Ysgol Dyffryn Trannon	
Ysgol Gymaeg Dyffryn Y Glowyr	
Ysgol Meifod	
Secondary Schools	
Ysgol Bro Hyddgen	

To comply with the Authority's scheme for the financing of schools
To comply with the Authority's scheme for the financing of schools
To comply with the Authority's scheme for the financing of schools
To comply with the Authority's scheme for the financing of schools
To comply with the Authority's scheme for the financing of schools

Brynllywarch Hall Residential School	
10. That the budget for Llangors C in W School is not licensed and a notice of concern be issued to the Governing Body to submit an approved budget plan by 21st July 2017.	To comply with the Authority's scheme for the financing of schools
11.Financial surgeries continue in the autumn and spring terms and schools are reminded of the possibility of claw back.	To comply with the Authority's scheme for the financing of schools
12. Existing Loans are monitored.	To comply with the Authority's scheme for the financing of schools

Relevant Policy (id	es):		
Within Policy:	Υ	Within Budget:	Υ

Relevant Local Member(s):	All
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Person(s) To Implement Decision:	School F Senior S	inance Manager & Schools Service taff
Date By When Decision To Be Implemented:		11 th July 2016

Contact Officer: Marie James

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Background Papers used to prepare Report:

CABINET REPORT TEMPLATE VERSION 5