

DERBY CITY COUNCIL

SCHOOLS FORUM TECHNICAL NOTE 2

Section 251 Statement and De- delegation

Introduction

Local authorities are required under Section 251 of the Apprenticeships, Skills, Children and Learning Act 2009 to prepare and submit an education and children and young people's services budget statement not later than 31st March for the prescribed period to the Secretary of State for Education. This statement was formally known as the Section 52 Statement.

Regulatory provisions directly affecting the education content of these budget statements are also made in the School and Early Years Finance (England) Regulations 2013. A copy of the SI statutory instrument is available online at: <http://www.legislation.gov.uk/ukxi/2013/3104/introduction/made>

Purpose of financial statements

LAs have a statutory duty to publish their budget statements as and when prescribed in the Administrative Direction issued by the Secretary of State for Education.

The copy of the statement is intended to provide a clear picture of the LA's planned spending:

- how much the LA intends to spend on their schools budget, de-delegated items, high needs budget, early years budget, central provision within the schools budget and children and young people's services.

It is important that schools forums and others can compare funding between different LAs, so as to have an informed debate about budget levels and use of funds. It is therefore essential that all statements are prepared to a common format.

The S251 Statement is available on Derby City Council's website and can be found at:

<http://www.derby.gov.uk/education-and-learning/schools-and-colleges/schools-financial-information>

De Delegation

The Department for Education requires that the funding that was centrally retained in 2012/13 that will fall within the Schools Block in 2013/14 should be delegated to all schools; there are three exceptions to this.

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

Exception 2 – Historic commitments

Exception 3 – Statutory functions of the local authority

Members of Schools Forum (excluding academies, early years and special schools) voted to re-pool areas under exception 1. This means that the amounts are delegated to all schools including academies and then re-pooled from the maintained sector only.

The delegated values included in the funding formula are derived from identified spend on the S251 Statement in the following areas:

- contingencies
- behaviour support services
- support to UPEG and bilingual learners
- free school meal eligibility
- staff supply costs
- museums and library services
- insurance
- licenses and subscriptions