

Public Document Pack

North Yorkshire County Council Children and Young Peoples Service - Executive Members & Corporate Director Meetings

Tuesday, 1 February 2022 / 1.00 pm

A G E N D A

1 **Apologies for Absence**

2 **Declarations of Interest**

Items for Executive Member decision

- 3 Disapplication request - School Improvement Funding (Pages 3 - 14) (Pages 3 - 14) Presenting Officer: Howard Emmett

To seek approval for the submission of a disapplication request to the Secretary of State for Education to de-delegate funding for core school improvement activities in 2022-23.

Items for Corporate Director decision

- 4 Post 16 contribution charge for the 2022/23 academic year (Pages 15 - 22) (Pages 15 - 22) Presenting Officer: Chris Reynolds

To consider and approve proposals for the contribution rate for post 16 home to school transport and spare seats for the 2022/23 academic year

- 5 Music Service Fees 2022/23 (Pages 23 - 28) (Pages 23 - 28) Presenting Officer: Ian Bangay

To seek approval for the scale of fees for parents and schools for financial year 2022/23.

- 6 Outdoor Learning Service fees 2022/23 (Pages 29 - 30) (Pages 29 - 30) Presenting Officer: Amanda Newbold

To seek approval for an increase in all fees in line with inflation and financial procedures for September 2022 to August 2023

Any Other Business

- 7 Date of future formal meetings

8 February
8 March
5 April
3 May
24 May
7 June
5 July
2 August
6 September
4 October
1 November
6 December

Circulation:

Executive Members

Janet Sanderson
Patrick Mulligan

Officer attendees

Stuart Carlton
Howard Emmett
M Sadler

Presenting Officers

Chris Reynolds
Ian Bangay
Amanda Newbold

NORTH YORKSHIRE COUNTY COUNCIL

CHILDREN AND YOUNG PEOPLE'S SERVICE

CORPORATE DIRECTOR'S MEETING WITH EXECUTIVE MEMBERS

1ST FEBRUARY 2022

REPORT ON SCHOOL IMPROVEMENT FUNDING AND SUBMISSION OF A DISAPPLICATION REQUEST TO THE SECRETARY OF STATE FOR EDUCATION

1.0 PURPOSE OF THE REPORT

- 1.1 This report provides information on the outcome of a recent DfE consultation on the School Improvement Monitoring and Brokering Grant and outlines the funding implications for the local authority. It proposes that the local authority submits a disapplication request to the Secretary of State for Education to de-delegate funding from LA maintained schools in 2022-23 for core school improvement activities.

2.0 BACKGROUND

- 2.1 In November 2021, the Department for Education (DfE) outlined proposals in the "Reforming how local authorities' school improvement functions are funded" consultation document. The proposals outlined that the existing School Improvement Monitoring and Brokering Grant would be reduced by 50% from April 2022 and would be reduced by 100% by April 2023. The consultation also proposed that finance regulations would be amended to enable local authorities to seek the de-delegation of funding from LA maintained schools to continue to fund core statutory school improvement functions.
- 2.2 The LA responded to the consultation, advising the DfE that there was insufficient time for the consultation proposals to be properly implemented, with the consequences felt by schools and local authorities.
- 2.3 On 16th December 2021, the North Yorkshire Schools Forum considered the LA proposal for the de-delegation of funding from maintained school budgets for the provision of statutory core school improvement intervention for the 2022-23 financial year. The Schools Forum considered an 'in principle' decision for 2022-23 given that the DfE had not confirmed at that time whether the proposals would be implemented for April 2022. However, Schools Forum did not reach a consensus on the proposal and, therefore, de-delegation was not approved.
- 2.4 On 11th January 2022, the DfE confirmed their intention to implement the consultation proposals. The DfE acknowledged that many responses to the consultation had raised concerns with the proposals including: (i) whether schools and councils would be able to absorb further funding pressures, (ii) what would happen if schools forums did not agree to de-delegation for core school improvement activity, and (iii) the desire for further clarity on what is considered core school improvement. Despite these concerns, the DfE claim that the proposals to remove funding from local

authorities for core statutory functions will provide greater parity between how school improvement functions are funded in the maintained and academies sector.

- 2.5 There is insufficient time to respond to the decision to implement a funding reduction with only two months' notice. Reforming the LA's school improvement core offer and/or undertaking steps to reduce the costs in the team would not be possible in the available timescale. As a consequence, the local authority is seeking to submit a disapplication request to the Secretary of State for Education to set aside the Schools Forum decision and allow the local authority to de-delegate funding, equivalent to the anticipated 50% reduction in the School Improvement Monitoring and Brokering Grant, in 2022-23.
- 2.6 If the disapplication request is successful, the amount to be de-delegated will be £1,712 per school and would enable the local authority to continue to meet its statutory duty in delivering core school improvement monitoring, challenge and support to LA maintained schools in North Yorkshire. In addition, the LA has committed to working with schools and the local Schools Forum to explore alternative de-delegation models to a lump sum de-delegation for 2023-24 when the full grant will be reduced. If the disapplication request is not supported by the Secretary of State, the LA will need to explore options to either use LA funds to sustain the existing service or explore cost reductions. In this event, school improvement monitoring, challenge and support to LA maintained schools would likely be reduced.

3.0 Financial Implications

- 3.1 North Yorkshire County Council is expected to receive funding of £843.4k in 2021-22 through the School Improvement Monitoring and Brokering Grant. The projection for 2022-23 is estimated to be £777k, based on 2021-22 funding levels and after taking into consideration actual and planned maintained school academy conversions during the 2021-22 financial year. The DfE proposals reduce the grant funding level by 50% in the 2022-23 financial year and totally removes the grant funding for the 2023-24 financial year. The potential reduction in grant funding in 2022-23 as a result of the DfE implementation of the proposals is c. £389k. The grant forms a significant part of the income associated with managing the service.
- 3.2 The DfE will include provision in Part 7 of Schedule 2 to the School and Early Years Finance (England) Regulations for 2022-23 to allow councils to de-delegate funding for statutory core school improvement activities.
- 3.3 If the disapplication request is approved by the Secretary of State for Education, the LA will recover funding for statutory functions from individual LA maintained school budget shares. Each LA maintained school would, therefore, see their funding reduced by £1,712 in 2022-23.

4.0 Legal Implications

The disapplication request only applies to 2022-23 as all de-delegation requires a vote, on an annual basis, by the relevant phase of LA maintained school members on Schools Forum.

5.0 Equalities Implications

- 5.1 An equalities impact assessment has been undertaken and can be found at **Appendix 1**. This identifies that the proposal may potentially disadvantage pupils in primary schools, as the proposed flat rate methodology may be regarded to have a greater cost impact on primary schools. However, this methodology is considered to reflect the current model of delivery for core school improvement services where each school receives monitoring, challenge and support irrespective of phase or size. The cost impact for small rural primary schools is considered to be partially mitigated in the 2022-23 financial year by the large increase in sparsity funding which will be received by the majority of these schools.
- 5.2 The proposal will allow NYCC to review its statutory core school improvement service delivery model for 2023-24 in response to the outcome of the DfE consultation. As part of this review, work will be undertaken with the Schools Forum and maintained schools to consider service provision requirements and developments, and associated funding options for 2023-24 when the grant funding will be fully removed.

6.0 Communications Implications

- 6.1 The local authority has notified the North Yorkshire Schools Forum of the intention to submit a disapplication request to the Secretary of State for Education. School Budget Shares must be submitted to the DfE by 21st January 2022 and this has been done on the basis that the disapplication request has not been approved. If the disapplication request is approved, school budget shares will need to be re-submitted to the DfE.
- 6.2 The local authority normally notifies schools of their funding allocations by mid-February. If the Secretary of State decision on the disapplication request is received prior to this date, schools will automatically be updated on the outcome and school funding allocations will be adjusted accordingly. However, if the Secretary of State decision on the disapplication request is not received prior to this date, the local authority will notify schools of their funding allocations without an adjustment for school improvement de-delegated amounts. Letters to schools will make clear that a decision has not been reached on school improvement de-delegation and schools will be advised that subsequent adjustments may need to be made.
- 6.3 The DfE have not published a clear timeline for local authorities to submit a disapplication request nor for the Secretary of State for Education to respond to any disapplication requests.

7.0 Recommendations

- 7.1 The Executive Member for Education and Skills is asked to approve the submission of a disapplication request to the Secretary of State for Education to de-delegate funding for core school improvement activities in 2022-23.

STUART CARLTON

Corporate Director – Children & Young People’s Service

Report Prepared by Howard Emmett (Assistant Director – Strategic Resources)

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated April 2019)

School Funding 2022/23 – School Improvement De- Delegation

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	North Yorkshire County Council: Central Services
Lead Officer and contact details	Howard Emmett - Assistant Director – Strategic Services
Names and roles of other people involved in carrying out the EIA	Sally Dunn – Head of Finance (Schools, Early Years & High Needs)
How will you pay due regard? e.g. working group, individual officer	The DfE undertook a national consultation on the reduction and removal of the LA School Improvement Monitoring & Brokering Grant between 29 th October 2021 and 26 th

	November 2021. The LA discussed an ‘in principle’ decision, in response to the proposed grant reduction for 2022/23, pending the outcome of the DfE consultation, with the North Yorkshire Schools Forum on the 16 th December 2021.
When did the due regard process start?	<p>Consideration of the impact on finance and service provision of the DfE proposals commenced on the 26th October 2021 in response to the launch of the DfE consultation, presenting proposals on the reduction and removal of the LA School Improvement Monitoring & Brokering Grant.</p> <p>This EIA considers this issue in respect of 2022-23 School Funding.</p>

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

The EIA considers the de-delegation of funding from school budgets for the 2022/23 financial year in order to fund the 50% reduction in the LA School Improvement Monitoring & Brokering Grant. The level of funding proposed to be de-delegated from schools is estimated to be £375k (flat rate of £1,712 per LA maintained school)

On the 29th October 2021, the DfE launched a consultation “Reforming how local authorities’ school improvement functions are funded”. The consultation proposed a 50% reduction to the LA School Improvement Monitoring & Brokering Grant for the 2022/23 financial year, followed by full removal of the Grant in the 2023/24 financial year. The consultation also proposed making provisions within the School and Early Years Finance (England) Regulations for the 2022/23 financial year to allow local authorities to fund all of their school improvement activity (including all core school improvement activities) via de-delegation from schools’ budget shares. Within NYCC, this Grant is used to fund statutory service provision for core school improvement activities for maintained secondary, primary, and special schools and PRS. On the 11th January 2022, the DfE provided confirmation that the proposals detailed in their consultation would be implemented for the 2022/23 financial year.

De-delegation applies only to LA-maintained schools. Where services are able to be de-delegated, the budget is, technically initially delegated to all schools and academies. Services for de-delegation then have to be approved by Schools Forum and, if approved, the funding will be removed from maintained schools’ budgets before final school budgets are issued.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

The timescale of the DfE consultation was extremely short, resulting in a very limited time period for the implementation of arrangements required in response to the reduction in the grant funding level from April 2022 (decision confirmed by DfE in mid-January). The de-delegation proposal is made in order to avoid reducing the level of school improvement support provided to LA maintained schools in the 2022/23 financial year and ensure that the LA is able to meet its statutory duty in continuing to deliver core school improvement support to LA maintained schools in North Yorkshire.

The proposal will allow NYCC to review its statutory core school improvement service delivery model for 2023/24 in response to the outcome of the DfE consultation. As part of this review, work will be undertaken with the Schools Forum and maintained schools to consider service provision requirements and developments, and associated funding de-delegation methodologies for 2023/24 when the grant funding will be fully removed.

NYCC has considered options for the de-delegation of funding for school improvement core interventions and considers that, initially for 2022/23, a flat rate lump sum (£1,712 per school) is the methodology that best reflects the delivery of core school improvement services where each school receives support irrespective of phase or size.

Section 3. What will change? What will be different for customers and/or staff?

The impact on individual schools may vary in relation to their budget position and the funding increase they receive for the 2022/23 financial year. Within North Yorkshire, additional sparsity funding of £3.5m is being received for small, rural schools in the 2022/23 financial year. This additional funding is considered helpful in supporting the smallest schools, and particularly those in the primary sector, within the LA in meeting the additional cost pressure of de-delegation related to core school improvement services.

The reduction, and ultimate removal, of the school LA School Improvement Monitoring & Brokering Grant by the DfE results in the cost of core statutory school improvement support to LA maintained schools being required to be met from school budgets rather than DfE grant. Service provision will remain unchanged in the first instance, pending the outcome of the planned review of the model of school improvement service delivery to be undertaken within 2022/23

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

The DfE undertook a national consultation on the reduction and removal of the LA School Improvement Monitoring & Brokering Grant between 29th October 2021 and 26th November 2021. The results of the national consultation can be found at:

<https://www.gov.uk/government/consultations/reforming-how-local-authority-school-improvement-functions-are-funded>

NYCC considered it prudent, pending the outcome of the DfE consultation, to seek an “in principle” decision from the Schools Forum on 16th December 2021 for the de-delegation of funding from school budgets in the 2022/23 financial year to fund statutory services related to the provision of core school improvement interventions.

The Schools Forum did not reach a consensus on the proposal.

In order to ensure that LA is able to meet its statutory duty in continuing to deliver core school improvement support to LA maintained schools in North Yorkshire, NYCC is seeking approval from the Secretary of State for Education to de-delegate funding from maintained school budgets for the provision of statutory core school improvement interventions for the 2022/23 academic year.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

The specific proposal in the EIA is cost neutral to the council budget, as all costs will be contained within the ring-fence of the 2022/23 Schools Block DSG.

Individual school budgets will face an increased cost of £1,712 to fund the de-delegation proposal.

In the event of the Secretary of State rejecting the de-delegation proposal, the council will need to meet costs associated with any potential staffing restructure of the School Improvement Service and / or it will need to subsidise the service in respect of the 50% grant reduction in the 2022/23 financial year.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age	✓		✓	A flat rate of de-delegation is proposed to be applied to both primary and secondary schools. A flat rate lump sum methodology best reflects the current delivery of core school improvement services where each school receives support irrespective of phase or size. This methodology may be deemed to have a greater cost impact on primary schools. However, this is partially mitigated for the smallest rural primary schools by the significant increase in sparsity funding for the 2022/23 financial year. Small secondary schools within North Yorkshire already face significant budget deficits, and a de-delegation model based on a per pupil amount would further increase the financial pressures on these schools.
Disability	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic.
Sex	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic.
Race	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic
Gender reassignment	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic
Sexual orientation	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic
Religion or belief	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic
Pregnancy or maternity	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic

Marriage or civil partnership	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic
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Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
..live in a rural area?	✓		✓	A flat rate of de-delegation is proposed to be applied to both primary and secondary schools. A flat rate lump sum methodology best reflects the current delivery of core school improvement services where each school receives support irrespective of phase or size. This methodology may be deemed to have a greater cost impact on small rural primary schools. However, this is partially mitigated for the smallest rural primary schools by the significant increase in sparsity funding for the 2022/23 financial year. Small secondary schools within North Yorkshire already face significant budget deficits, and a de-delegation model based on a per pupil amount would further increase the financial pressures on these schools.
...have a low income?	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic
...are carers (unpaid family or friend)?	✓			It is anticipated there would be no identifiable impact as a result of this proposal for this characteristic

Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)	
North Yorkshire wide	✓
Craven district	
Hambleton district	
Harrogate district	
Richmondshire district	
Ryedale district	
Scarborough district	
Selby district	
If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	

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Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) **State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.**

None identified

Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	✓
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	
The LA is required to meet its statutory duty in continuing to deliver core school improvement support to LA maintained schools in North Yorkshire.	

Section 11. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

The school financial governance processes operating within the LA monitor the position of school budgets and the associated impact on the operations of schools.

Section 12. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements

1. To request 'in principle' approval from the Schools Forum de-delegate funding	Howard Emmett – Asst. Director	16 th December 2021	No consensus reached; de-delegation not approved.	Schools Forum decision outcome
2. To submit a request to the Secretary of State for the approval to de-delegate funding in the event of Schools Forum approval not being provided	Howard Emmett – Asst. Director	January 2022		

Section 13. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The Equality Impact Assessment has assessed the impact of the proposal namely

- To de-delegate funding from school budgets for the 2022/23 financial year in order to fund the 50% reduction in the LA School Improvement Monitoring & Brokering Grant. The level of funding proposed to be de-delegated from schools is estimated to be £375k (flat rate of £1,712 per LA maintained school)
- To request approval for the de-delegation of funding from the Schools Forum
- To submit a request to the Secretary of State for the approval to de-delegate funding in the event of Schools Forum approval not being provided

At this stage of the EIA, it has been identified that the proposal may potentially disadvantage pupils in primary schools, as the proposed flat rate methodology may be deemed to have a greater cost impact on primary schools. However, this methodology is considered to best reflect the delivery of core school improvement services where each school receives support irrespective of phase or size. The cost impact for small rural primary school is considered to be partially mitigated in the 2022/23 financial year by the large increase in sparsity funding which will be received by the majority of these schools.

The proposal will allow NYCC to review its statutory core school improvement service delivery model for 2023/24 in response to the outcome of the DfE consultation. As part of this review, work will be undertaken with the Schools Forum and maintained schools to consider service provision requirements and developments, and associated funding options for 2023/24 when the grant funding will be fully removed

Section 14. Sign off section

This full EIA was completed by:

Name: Sally Dunn

Job title: Head of Finance – Schools, Early Years & High Needs

Directorate: Central Services

Signature: *Sally Dunn*

Completion date: 8th December 2021

Authorised by relevant Assistant Director (signature):

Date: Howard Emmett

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NORTH YORKSHIRE COUNTY COUNCIL

CHILDREN AND YOUNG PEOPLE'S SERVICE

CORPORATE DIRECTOR'S MEETING WITH EXECUTIVE MEMBERS

Post 16 Policy Statement – Home to school transport. Contribution Rate for 2022/2023 academic year.

1. PURPOSE

- 1.1 This paper details proposals for the contribution rate for post 16 home to school transport and spare seats for the 2022/23 academic year.
- 1.2 The policy statement and transport provision ensures the Council provides travel assistance to those who require this the most, and is in line with the Department of Education Statutory Guidance, published January 2019.
- 1.3 This paper is to highlight the current contribution charge and recommend options for the 2022/2023 academic year, which requires publication no later than 31st May 2022.
- 1.4 The ability to charge for seats is still subject to the outcome of the Government position on the Public Service Vehicle Accessibility Regulations.

2. STATUTORY RESPONSIBILITY

- 2.1 Local Authorities have a responsibility under Section 508B of the Education Act 2014 to make such travel arrangements as they consider necessary to facilitate attendance at school for 'eligible' children.
- 2.2 Schedule 35B of the Education Act defines eligible children as those categories of children of compulsory school age (5-16).
- 2.3 For Students over the statutory school age (end of Year 11.) The local authority can use discretionary powers to provide travel assistance. These arrangements do not have to be provided free of charge as is the case with eligible statutory pupils.
- 2.4 Whilst Post 16 provision is beyond the statutory school age, local authorities have a duty to publish a Transport statement outlining what the authority will offer in terms of assistance.
- 2.5 Local authorities may ask learners and their parents for a contribution to transport costs when exercising their discretion to assist, however they should:
 - ensure that any contribution is affordable for learners and their parents;
 - ensure that there are arrangements in place to support those families on low income;
 - Take into account the likely duration of learning and ensure that transport policies do not adversely affect particular groups.

3. RATIONALE FOR CHANGE

3.1 In 2019, following 4 years of no increases, the Corporate Director of CYPS and Elected Members, agreed to increase the contribution rate from £495 to £600 in line with other county councils at that time. This increase was endorsed by Overview and Scrutiny in June 2019, and was implemented for the 2020-2021 academic year, with recommendation that yearly gradual increases are adopted. This brought the contribution charge in line with the authority Corporate Fees and Charges policy of reviewing fees and charges yearly.

3.2 Following the home to school transport policy review in 2018 – it was consulted upon and agreed, that the spare seat charging rate, for non-entitled statutory aged pupils, would also increase gradually to the same rate as the post 16-contribution charge. This has been increasing for 3 years with the expectation that a single rate would be achieved for the 2022/23 academic year. The amounts that have been charged since 2017/18 are:

	2018/19	2019/20	2020/21	2021/2022
Post 16	£495	£495(PSVAR Suspended)	£600	£618
Spare seat	£390	£390(PSVAR Suspended)	£490	£550

3.3 In 2019, fees were suspended for the majority of applicants due to the Public Sector Vehicle Accessibility Regulations, under direction given from the Department for Transport to local authorities regarding charging.

3.4 Data sets in Appendix 1 and 2 have been used to compare North Yorkshire County Council against a) All other county councils (Appendix 1) and b) councils that have similar characteristics to North Yorkshire (Appendix 2) such as similar population sparsity and excluding those authorities in the South East of England.

3.5 Both data sets confirm that the proposed fees of NYCC are within the median range.

4. FINANCIAL IMPLICATIONS.

4.1 The charging arrangements are not intended to fully cover the cost of service delivery for the eligible young people, but rather to make a contribution towards the overall cost of transport. If the authority chose to change this arrangement, it would require a full public consultation.

4.2 The following table sets out the income that has been, and forecast to be, achieved since the policy was introduced.

Academic year	2018/19	2019/20*	2020/21	2021/22**
Contribution income	£414,233.18	£96,972.96	£416,039.88	£346,133.28

* Significantly reduced due to PSVAR and 1st Lockdown

** estimated subject to PSVAR exemptions and Covid

- 4.3 As part of the contribution charge, consideration should be given to the level of discount applied to parents from low-income families. The Department for Education extended rights policy already establishes criteria for eligibility which NYCC follows.
- 4.4 The low-income reduction rate varies across England. A small number of authorities apply no discount. However, the majority are set at 50%, with a small cluster offering up to 100% reduction. We are proposing to continue to offer a 50% discount.
- 4.5 The appropriate inflationary uplift for the 2022-23 financial year is 5.24%, which reflects the specific expected rate of inflation for public transport expenditure for next year.
- 4.6 Given that the inflationary uplift is in excess of the rates applied in recent years, and the need to harmonise the two charges, consideration has not been given to applying a higher rate of increase
- 4.7 In order that the charge for spare seats can be brought into line for the 2022/23 academic year, an increase of 18% will need to be applied. In monetary terms this will be an increase of £100 to the cost of a spare seat contribution.
- 4.8 An alternative, to reduce the financial impact on service users, would be to increase the spare seat by £50, which is similar to the 2021/22 increase, and phase the policy change over an additional year. This will then mean bringing spare seat costs in line with post 16 in 2023/2024 academic year.

5 Public Service Vehicles Accessibility Regulations

- 5.1 Following a legal challenge in July 2019 under the Public Service Vehicles Accessibility Regulations 2000, the Council's Executive agreed to suspend taking payment for seats for the 2019/20 academic year, where it was not lawful to do so.
- 5.2 On the 6 July 2021 Baroness Vere issued a letter to the bus industry regarding new arrangements that the Department for Transport have put in place in relation to exemptions from the PSVAR from 1 August 2021. The letter set out an offer to bus operators to apply for a further exemptions up to 31 March 2022
- 5.3 At a meeting on 20th August 2021, BES Executive Members agreed to ask bus operators to apply for the "Short Term" Exemption system, which allows us to charge up until 31 March 2022. After that time, we will have to allow free travel for the summer term (unless something else changes before then or some of our providers qualify for the "medium term" exemption mentioned in the letter).
- 5.4 In December 2021, we received notification that the current exemptions to March 2022 have been extended to the end of the Summer Term 2022. However, as there is still no definite plan as to what will happen beyond that it is still uncertain as to what the position will be in relation to the ongoing sale of passes on non-PSVAR vehicles for September 2022 academic year

- 5.5 In addition to PSVAR, the Department for Education are reviewing the Statutory Guidance for Home to School Transport. Any revisions to this were expected to be published in April 2020, following a public consultation. However, due to the Covid 19 pandemic this has also been delayed.
- 5.6 The Department for Education last published statutory guidance for Post 16 Transport in January 2019. Our current policy is compliant with the current guidance.

6. **TIMESCALE FOR IMPLEMENTATION**

- 6.1 The legal duty is for this process to be completed and the statement published by 31st May each year.
- 6.2 To achieve this legal requirement and manage capacity to deliver for September 2022, the timeframe below is recommended for implementation.

PROCESS	DATE	ACTION
Home to School Transport Board	December 8th 2021	Completed
CYPLT	December 16 th 2021	Completed
Director and elected member	February 1 st 2022	Recommendation agreed and declared
Call in	February 9 th call in end	Subject to call in – fees for 2022 finalised
Publish document	March 31 st 2022	
Open application online	April 1 st 2022	Allowing 3 months to process applications, and time for IPT to commission

- 6.3 Whilst we need to adhere to this timeframe to meet our legal duty, the implementation of Charging for seats on school transport continues to be subject to the decision of the Department for Transport in regards to PSVAR. The outcome of which will require further direction.

7.0 **RECOMMENDATIONS -**

- 7.1 The following recommendations are being made for consideration and approval:
1. Increase the post -16 charge by 5.24% in line with inflation to £650
 2. To continue to implement the previously agreed policy change of incrementally increasing spare seat charges to that of post 16 by either:
 - a. Applying a £50 increase for 2022/23, and extend the policy change implementation by one year to 2023/2024, or,

- b. Apply a £100 increase for 2022/23 and maintain the previously agreed full policy implementation date of 2022/23
3. To continue to support the 50% reduction for families with a low income.

STUART CARLTON
Corporate Director – Children and Young People’s Service

Report prepared by Chris Reynolds, Head of SEND Strategic Planning Resources

Appendix 1 – Full County Council review

County Council	2017/18	#	2018/19	#	2019/20	#	2020/21	#	2021/2022	#	notes
Buckinghamshire	not published any figures		charging but not publish figure		706-1179.55	3	suspended this year due to covid	4	£900 £600 low income	5	consultation in currently open - to increase by 3% next year fee must be paid within 28 days of transport starting
Cambridgeshire	510	16	£690	8	750	8	750	11	£780 £645-EHCP £390 low	9	created new plans to include low income and a discount for SEND
Cumbria	FREE		No charge but consulting		£410 - low income free	23	£422 - low income free	25	free £422 SS*	23	Free is restricted to low income and SEND only - if not in the above spare seat at £422
Derbyshire	374	19	£390	22	£400 £270 low income rate	24	£408 £275 low income	26		24	not published (still has last year) person in charge is off sick
Devon	580	12	£600	15	£600	16	£600	16	£600	17	
East Sussex	604	10	£646	12	£665 £332.50 - low income	12	£684 £342 - low income	13	£684 £342 - low income	12	
Essex	900	3	£900	3	£900 £450 low income	4	£900 £450 low income	5	£900 £450 low income	6	
Gloucestershire	750	5	£750	6	790	7	790	9	£800	8	
Hampshire*	600-1330	2	£600 - £1330	2	£600 - £1330	2	£600 - £1330	2	£600 - £1330	2	distance based lowest fee for under 5 miles - top fee for over 10 miles
Hertfordshire	1141.5	1	Up to £1411.50	1	up to £1500	1	£354 - £1554	1	£354 - £1554	1	depending on number of days and distance - £354 is for 2 days under 3 miles - 1554 - 5 days over 7 miles figure was based on 20 % average cost of provision
Kent	NOT PUBLISHED		In consultation at £600	16	£400 for a bus pass and £600 for a seat	17	£400 for a bus pass and £600 for a seat	17	£400	25	limited the number of people who can apply and evidence that no other means are available to the family policy is poor and had to call for the figure
Lancashire	NOT PUBLISHED		Unclear with policy of offer		unclear of policy offer		£570-£988 dependant on distance	3	£589-£1007 dependant on distance	3	policy not clear as just a webpage, had to go through lots of links to find costings
Leicestershire*	660	8	Moved to fixed financial grant £660*	11	£660 £330 low income	13	£660 £330 low income	14	£660 £330 LOW INCOME	13	*lost the JR case in 2018
Lincolnshire	570	14	£570 (£9 more p/a if paying in instalments)	18	£570 (£9 more p/a if paying in instalments)	20	£570 (£9 more p/a if paying in instalments)	20	£570	19	
Norfolk	NOT PUBLISHED		£525	20	£552 £414 low income	21	£552 £414 low income	22	£564	20	25% for low income reduction
North Yorkshire	495 - Mainstream only	17	495 - introduced EHCP into charging	21	PSVAR - SUPENDED Should have been £600 but called in	18	£600 £300 low income	18	£618 £309 Low Income	16	3% increase
Northamptonshire	600	11	£600	17	£600 £300 low income	19	£600 £300 low income	19	600 £300 low income	18	free low income WITH an EHCP - only if no other means are available to family or will offer a PTA
Nottinghamshire	free		Free		free		free- £555 depending on circumstances	21	£563	21	fee is not in policy but on separate webpage
Oxfordshire	NOT PUBLISHED		£690 with a 2%inflation for next 3 years	9	690*	10	£705	12	£719	11	Spare seat only policy for non - ehcp holders will provide to EHCP where no other transprot is available
Somerset	675	7	£795	4	£830	5	suspended due to covid	7*	suspended due to covid	26	
Staffordshire	575	13	£625	14	£625	15	£494.00 low income/EHCP	24*	£625 or £494 low income	15	
Suffolk	630	9	£660	10	£690 but consulting to increase over next 3 years	11	£720-EHCP £840 - everyone else	6	£930 £750 sen	4	plan to increase to £1110 by 2023/2024
Surrey	699	6	£699	7	£699	9	£756.20 £547.20 low income	10	£760 £551 low income	10	
Warwickshire	765	4	£780	5	£795	6	£810 £405 low income	8	£826 £413 low income	7	only available to EHCP holders
West Sussex	427	18	£630	13	£630	14	£651 free - low income	15	£658	14	
Worcestershire	547	15	£547 for zone 3	19	£547 for zone 3	22	£547 for zone 3	23	£547	22	

Appendix 2

Comparable Authorities to North Yorkshire based on Rural demographics and Transport infrastructure			
Authority	Post 16 charges 2021/22	Ranking on charging fee (highest to lowest)	Notes, including reduction offer
Cambridgeshire	£780	6	Reduced rates for low income and EHCP – up to 50%
Cornwall	£515	12	No reduction for low income
Cumbria	£422	13	Spare seat policy only, EHCP currently free. Only started charging for spare seats 2 years ago, and was the last authority to start charging
Devon	£600	8	No reduction for low income declared
Durham	£296.40	14	No fee declared on policy only spare seat similar to Cumbria
East Riding	£540	11	Reduced by 50% for low income
Herefordshire	£837	4	No mention of a reduction in the policy
Lancashire	£589 -£1007	1	Dependant on distance but over 10 miles is the full amount 50% low income reduction
Lincolnshire	£570	9	No change in fees for 5 years 50% low income reduction
Norfolk	£564	10	25% low income reduction
Northumberland	£50	15	Free if approved but £50 admin fee
North Yorkshire	£618	7	50% low income reduction
Shropshire	£875	3	70% reduction for low income
Suffolk	£930	2	25% off for EHCP – scale is published increase to £1110 by 2023/24
Wiltshire	£821	5	70% reduction for low income

Appendix 3 – Low- income indicator

Pupils who are accessing free school meals, or whose parent/carer are on low income and can provide evidence of a means tested benefit.

These include:

- universal credit(with a net annual earnings threshold of £7400)
- income support;
- income-based Jobseekers' allowance;
- income-related employment and support allowance;
- income-based and contributions-based JSA or ESA on an equal basis;
- child tax credit, provided you are not entitled to working tax credit, and have an annual household income (as assessed by HM Revenue and Customs) that does not exceed £16,190;
- support under part VI of the Immigration and Asylum Act 1999;
- guarantee element of state pension credit;

NORTH YORKSHIRE COUNTY COUNCIL

CORPORATE DIRECTOR – CHILDREN AND YOUNG PEOPLE’S SERVICE MEETING WITH EXECUTIVE MEMBERS

1 FEBRUARY 2022

COUNTY MUSIC SERVICE FEES 2022/23

1.0 PURPOSE OF REPORT

1.1 To seek approval for the scale of fees for parents and schools for financial year 2022/23.

2.0 MUSIC CENTRE FEES

2.1 The Music Service runs six Music Centres across the county and as part of the National Plan for Music Education, they fulfil a core role for the service. Music Centres provide opportunities for pupils to perform in ensembles out of school time. Our Music Centres have started to recover from pupil reductions due to Covid but most are at 50/60% of pre-pandemic cohorts. Music Centres were unable to fully restart, without significant restrictions, until September 2021.

Option

- A 4% increase in Music Centre fees, in line with inflation, is suggested. This will mitigate against the possible teachers pay award in September.

3.0 TUITION FEES

3.1 Recovery to pre-pandemic levels is beginning but it will take several years to reach the levels we had in 2018/19. We are now seeing the benefits of our middle management restructure and the focus we are putting on school demonstrations. From September we have had a steady stream of applications. However, we are also experiencing issues with some primary schools refusing music lessons in the mornings. This severely impacts our ability to offer lessons to all those that want them and particularly to meet one of our KPIs for the Arts Council, namely whole class instrumental lessons for primary schools.

Table showing pupil numbers since 2018 and respective tuition fees per term

Year	Fee paying pupils	Cost for a group lesson	Individual 20 minute lesson
2018	3386	£68.50	£134
2020 (levels receiving online lessons due to lockdowns)	1134	£71.20	£139.20
2021/22 (Current numbers*)	1687	£72.60	£142.00

* Figures accurate up to December 2021. Approximately 30 pupils to register on waiting list over Christmas Holiday period.

3.2 The breakdown of individual to group lessons is as follows:

Activity	Count	Potential Income per term (before remissions applied)
Group Of 2 For 30 Minutes	2	£284
Individual 30 Minute	105	£20,926
Individual 20 Minute	696	£98,832
Standard Group	884	£64.033
Total Tuitions = 1687		Total for academic year = £550,335

It should be noted that remissions currently cost the service £26K per year, which comes off the income detailed above.

4.0 PROPOSED OPTION

A 4% rise across the board, in line with inflation. This is in line with NYCC Corporate Fees and Charges Policy. This will mitigate against the teachers pay award and the 1.25% rise in NI contributions.

5.0 REMISSIONS

5.1 It is proposed that for all options, remissions for those on working tax credit and Free School Meals remain unchanged. However, it should be noted that we had 116 pupils qualify for free lessons through FSM or LAC in 2021. This costs the service 26K per year. The LA contributes 2K towards this. If numbers on FSM increase significantly we will need to review its affordability by potentially setting an upper percentage limit on the remission, in line with the working tax credit remission.

6.0 CURRENT FINANCIAL AND ARTS COUNCIL POSITION

6.1 The Q3 figures for the service indicate a small surplus of between 18K and 20K at end of financial year. However, the Spring term will determine the final position. If schools close due to staff shortages and we switch to a prolonged period of online teaching, we may lose income (judging by previous lockdowns) without the furlough support for staff.

6.2 Funding from the DfE for Music Hubs, based on current levels, has been agreed for the 2022/23 financial year and this will include funding to cover increased pension costs. Our funding allocation for next financial year will be announced shortly. The updated National Plan for Music Education is expected to be released January/February.

6.3 As lead organisation for the Music Hub we also seek to support other organisations and secure alternative funding streams. We provide 10K of the Arts Council grant to NYMAZ to run projects for special schools and those pupils in rural isolation. We also received 4K from NYMAZ to run digital projects. We are producing a series of video demonstrations for schools to use with their pupils. We also provide curriculum support to schools and have run CPD for over 60 primary schools on the new Model Music Curriculum. We have also run similar CPD for secondary schools.

6.4 At the time of writing, we have not yet received our annual feedback from the Arts Council. Whole class activity for primary schools was highlighted last year as a KPI to develop and we have made good progress on this target. We have increased activity by 33%. However, we will still fall below the National Average purely because we have more primary schools than most other Music Hubs. We were above the National Average in many of the other KPIs last year.

Table 1 – Comparison fees 2021/22 with some of our neighbours

Local Authority or Trust	Tuition rates for group lessons	School Charges
Leeds	£69 per term (no new data)	£45 to £48 p/h
East Riding (Still receives LA funding)	£53 per term (2022/23)	£35 p/h
Kirklees (Charitable Trust)	£80 per term (2020 no new data)	No info.
Lancashire	£75 per term (no new data)	£35 p/h
Teeside	£69 per term (no new data)	£60 - £70 p/h
North Yorkshire	Currently £72.60 per term	£48 to £50 p/h

*It should be noted that there are 153 music hubs across the country, all operating under different circumstances and with different funding levels. Therefore, comparisons in fees do not necessarily show like for like delivery models.

The table below shows the proposed increases in fees of 4% from April 2022

COUNTY MUSIC SERVICE FEES AND CHARGES - TERMLY

Service	2021/22	April 2022	% Increase
			%
Tuition in a group	72.60	75.50	4%
Individual tuition – 20 min	142.00	147.50	4%
Group of two – 30 min	142.00	147.50	4%
Individual tuition – 30 min	199.30	207.20	4%
Instrument Hire	No change		Variable in line with value of instrument
Music Centre – 2 sessions (full morning)	62.20	64.60	4%
Music Centre – 1 session (part morning)	49.80	51.80	4%

Remissions

Category	Remission Award	Proposed Change
FSM/LAC	Free group lessons	No change
Working Tax Credit	30% on standard group lesson	No change

7.0 SCHOOL CHARGES

- 7.1 The Music Service, as part of its core delivery for the National Plan for Music, trades directly with schools.
- 7.2 Whole Class instrumental lessons have to be subsidised by a third, ensuring our commitment for one term worth of free tuition.
- 7.3 Whole Class Tuition and continuation are key statistics when reporting back to Arts Council.
- 7.4 The other packages we offer to schools are to support the National Plan for Music but are not necessarily core roles of the service, so fees are set accordingly and cover the current costs.
- 7.5 The table below shows this year's proposals for fee changes. These range from no change to 4% according to where our greatest cost increases have been e.g. instrument repair. Also based on what our core roles should cover. The fees where we are opting for no change are services that we do very little of. We have not done any cluster group work this year and no class GCSE cover. We do a small amount of curriculum cover and the charge already covers the cost of this work.
- 7.6 Income from schools normally totals approximately 187K with a 50/50 split between Whole Class Instrumental programmes and the rest of the offers. However, due to Covid, buy back for some areas other than whole class tuition has decreased.

Package	Pricing	2021/22 Price Primary and Secondary	2022 Proposed Price Primary and Secondary	% Increase
Cluster Group	Per hour	50.00	50.00	No change
Instrumental Teaching Block	Per hour	48.00	49.90	4%
Instruments Only	Per term	148	154	4%
Large Group Instrumental Ensemble Sessions	Per hour	48.00	49.90	4%
Whole Class Music Curriculum Sessions	Per hour	50.00	50.00	No change
Whole Class Instrumental NPME GCSE Tuition	Per Academic Year	1060	1102	4%
	Per Hour	50.00	50.00	No change

8.0 RECOMMENDATION

It is recommended that for the financial year 2022

- The proposal of a 4% for Music Centre fees and tuition be carried forward for implementation.
- The effective date of the fees change should be April 2022

STUART CARLTON
CORPORATE DIRECTOR – CHILDREN AND YOUNG PEOPLE'S SERVICE

Report prepared by Ian Bangay, Head of County Music Service

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NORTH YORKSHIRE COUNTY COUNCIL

CHILDREN AND YOUNG PEOPLE'S SERVICE

CORPORATE DIRECTOR'S MEETING WITH EXECUTIVE MEMBERS

1st February 2022

OUTDOOR LEARNING SERVICE CHARGES AND FEES SEPTEMBER 2022 – AUGUST 2023

1.0 PURPOSE OF REPORT

- 1.1 To approve an increase in all fees in line with inflation and financial procedures for September 2022 to August 2023.

2.0 ISSUES

- 2.1 The charges and fees for the school year September 2021 – August 2022 were put forward for approval in June 2021 due to the coronavirus pandemic and the restrictions placed on the service by DfE guidance.
- 2.2 Following the Executive decision to reopen the service, there is a requirement to now open to bookings for the school year September 2022 to August 2023. Opening for bookings at this time will allow schools and other groups' sufficient time to launch their visits with parents and guardians and plan their school year.
- 2.3 Following the strategic review, further work is being undertaken to consider pricing so that a future charges and fees structure will ensure that the service can meet financial KPIs. This charges and fees structure for future years will be brought to CYPLT for approval in the summer term in line with the time frame for an Executive decision on the final business case.

3.0 PERFORMANCE IMPLICATIONS

- 3.1 It is acknowledged that this particular round of price increase considerations come at an exceptional point in time as (a) the services look to recover from the impact of Covid and (b) pricing needs to stimulate usage of the service during the 22-23 academic year at a point in time when the service is expecting a period of change in line with the recommendations of the review.
- 3.2 Under normal circumstances the prices for any individual academic year would be set in the summer term of the previous academic year (i.e. summer 2021 consideration for 2022-23 academic year) to facilitate communication of prices in advance of inviting bookings.
- 3.3 The proposal from the service is that the annual year of operation should continue to be split into three zones, with a focus on setting prices to stimulate additional usage in the latter two zones. This will allow additional collection of data to evaluate the impact of a zonal charging structure.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The strategic review work undertaken has taken into account an estimate of 4.2% inflation across the service - and the average rates of increase do comply with the requirement to at least increase the charges in line with inflation.
- 4.2 Following the mandated closure, it is not currently possible to provide a comprehensive outturn of a whole year of the new fees structure as the impact of the pandemic and resultant demand for outdoor learning residential visits is not yet fully understood.
- 4.3 Whilst a detailed exercise to review the break- even position in the service has not been undertaken as part of this review exercise (given the intense work being undertaken in the strategic review), and given that the service does operate at close to break even, it is considered that the pricing proposals under discussion in this paper would not jeopardise that position.
- 4.4 It does however need to be acknowledged that no work has been undertaken to assess the benchmarking position in 2021-2022. Detailed work was undertaken in 2021-2022 and it is proposed that this is reviewed again more fully in any consideration of charges for the 2023-24 academic year

LEGAL IMPLICATIONS

- 4.5 Proposals are in line with the constitution and financial procedures.

5.0 REASONS FOR RECOMMENDATIONS

- 5.1 To continue a trial period of seasonal pricing to provide supporting evidence for the strategic review.
- 5.2 To propose an increase of at least inflation for the forthcoming school year 2022-2023 in line with financial procedures.

6.0 RECOMMENDATION

To approve the continuation of a seasonal fees structure for residential school groups and increase other fees in line with financial procedures and increasing by 4.2%.

STUART CARLTON
CORPORATE DIRECTOR – CHILDREN AND YOUNG PEOPLE’S SERVICE

Report prepared by Amanda Newbold, Assistant Director, Education & Skills