

Fair Funding Consultation 2021/22

DOCUMENTS ENCLOSED: Consultation on Proposed Changes to the Fair Funding Formula and Scheme of Delegation (including a Response Form)

Consultation on Proposed Changes to the Coventry Fair Funding Formula and Fair Funding Scheme of Delegation

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1 Purpose of Consultation

- 1.1 Under Section 48 of the School Standards and Framework Act 1998, Local Authorities (LAs) are required to have schemes of delegation which set the financial controls and arrangements that will operate between schools, nursery providers, and the LA.
- 1.2 Any proposed revisions to these schemes and/or the Fair Funding Formula¹ must be the subject of consultation and require approval by the Schools Forum.
- 1.3 **The purpose of this document is to seek your views on proposed changes to the Fair Funding Scheme of Delegation and the fair funding formula from April 2021. It also provides information in relation to funding changes and/or issues affecting funding in 2021/22.**
- 1.4 After the consultation period, the Director of Finance & Corporate Services and the Director of Education & Skills will make recommendations to Cabinet in early January 2021 and the LA will submit the Authority Pro-forma Tool to the ESFA later that month.
- 1.5 It is important that you respond to the Consultation, as responses are taken into consideration in the report to Cabinet and Schools Forum.
- 1.6 A summary of responses will be made available to Cabinet Members, and all relevant stakeholders.
- 1.7 **The closing date for responses to the consultation is Sunday 22nd November 2020.** It will not be possible to take account of responses after this date. Please send responses to lisa.thomas@coventry.gov.uk
- 1.8 If you have any queries regarding the proposals, please contact Christopher Whiteley (Finance Manager) on 024 7697 2191 or email christoper.whiteley@coventry.gov.uk.

¹ The Fair Funding Formula is used to fund maintained schools, and calculate DSG recoupment from LA for academies. The ESFA mirror the LA Funding formula to fund academies.

2 Executive Summary

2.1 Background

- 2.1.1 During the summer and in October the Department for Education (DFE) published a series of operational guides and technical notes for schools and high needs funding. The “Schools Revenue Funding Operational Guide²” and “High Needs Revenue Funding Operational Guide³” set out the funding arrangements for 2021/22.
- 2.1.2 The DFE has also published a further National Funding Formula (NFF) policy document⁴ for the Schools Block, High Needs Block and Central Schools Services Block. These policies set out the composition of the formulas, including timings, transition arrangements and next steps.
- 2.1.3 There are a few, mostly minor, changes set out in the various guidance documents that relate to the 2021/22 funding formula. The main change is the increase to the NFF Funding Floor protection levels, which determine the level of additional DSG resource that the Local Authority will receive. These changes are set out within [section 4](#) of this consultation.
- 2.1.4 The table below identifies which proposals within this consultation could potentially have a direct effect on each sector from the start of the 2020/21 financial year.

Proposal	Nursery	Primary	Secondary	Special	FE
1	No	Yes	Yes	No	No
2	No	Yes	Yes	No	No
3	No	Yes	Yes	No	No
4	No	Yes	Yes	Yes	No

2.2 Brief Description of Proposals

2.2.1 Proposal 1: Fair Funding Formula options

- 2.2.2 This proposal recommends that Coventry continues to use the local funding formula in 2021/22 to mirror the National Funding Formula protection levels as closely as possible.

This proposal in [section 5](#) requests that schools feedback general comments.

² <https://www.gov.uk/government/publications/pre-16-schools-funding-local-authority-guidance-for-2021-to-2022>

³ <https://www.gov.uk/government/publications/high-needs-funding-arrangements-2021-to-2022>

⁴ <https://www.gov.uk/government/publications/national-funding-formula-tables-for-schools-and-high-needs-2021-to-2022>

2.2.3 Proposal 2: De-Delegated services

De-delegated services must be approved annually. We will be seeking approval at School Forum in autumn 2019 in relation to 2021-22 de-delegated services. This proposal in [section 6](#) sets out the information we will be sharing with the Schools Forum.

2.2.4 Proposal 3: Minimum Funding Guarantee Disapplications

This proposal highlights the MFG exemption that will need to be agreed by Schools Forum. This proposal in [section 7](#) requests approval to apply for an exemptions to the MFG.

2.2.5 Proposal 4: Fair Funding Scheme of Delegation changes

[Section 8](#) covers changes that are being made to the Fair Funding Scheme of delegation to reflect updated national and local policies.

2.3 Consultation Response

Please respond to this consultation using the consultation response form that you will find at [appendix A](#). This should be returned electronically as per the instructions on the response form.

3 Dedicated Schools Grant (DSG) Budget Implications

3.1 Context

3.1.1 This section is to provide early, high-level information to schools and other stakeholders on the emerging issues that will affect budget levels and financial positions in 2021/22 and beyond. Due to the nature of national policy development and the timing of published information & allocations, this will progress further as we work on the DSG budget setting process between now and March 2021. Stakeholders should refer to Schools Forum papers, and relevant head teacher briefings, for further developments during that time.

3.2 Cost Pressures

Pay Inflation

3.2.1 There has not been any confirmation of the officers' pay award from April 2021, we are assuming an additional 2% which is a slight reduction from the previous 2.75% which took effect in April 2020.

3.2.2 The recent teacher's pay award took effect from September 2021 providing differential increases across the pay points and allowances, with an average overall impact of ca. 3% additional teacher pay costs.

3.2.3 The Teachers Pay Grant (TPG) which has previously provided funding to partially support the 2018/19 and 2019/20 teacher's pay awards will be mainstreamed into the DSG for 2021/22. This means that schools will receive this funding as part of their budget shares (it will not be separately identifiable).

3.2.4 No additional funding to specifically support the 2020/21 teachers pay award is anticipated and schools will be expected to meet the costs of this, and future teachers pay awards, from your budget share funding.

Pensions

3.2.5 The employer superannuation contribution rate for officers in the Local Government Pension Scheme (LGPS) is 22.9%. We do not anticipate any changes to this rate for maintained schools during 2021/22.

3.2.6 Increases in non-teaching staff employer pension contributions for academies and free schools will be dependent on the schemes employees are in, and their own scheme review date.

3.2.7 The employer superannuation contribution rate for teachers in the Teachers' Pension Scheme (TPS) remains at 23.68%. We do not anticipate any increase to this during 2021/22.

3.2.8 As for the teacher's pay increase, a separate grant was created to support schools in meeting the cost of the TPS increase. This TPECG

Grant has similarly been mainstreamed into the DSG and will form part of your budget share funding from 2021/22.

Price Inflation

3.2.9 The largest part of a school's expenditure is staffing, so changes within that area of expenditure are by far the most significant, however the general inflation level will also affect other areas of expenditure within schools. For your information please note that the Retail Price Index (RPI) and the Consumer Price Index (CPI) inflation measures are currently running at 1.1% (Sep) and 0.7% (Sep) respectively.

3.2.10 Please also note that increases to teachers pay and pensions costs (detailed above) will also affect other providers and services that are staffed/delivered by teachers; this is likely to result in higher fees for these services.

4 Schools Block National Funding Formula

The below is a high level summary of the impact of the National Funding Formula on Coventry's Dedicated Schools Grant allocation, including changes for 2020/21 and an indication of how this may impact on schools.

4.1 The Schools Block National Funding Formula

4.1.1 The school and education funding system is funded from the dedicated schools grant (DSG), which is a ring-fenced grant. In 2020/21 the total amount of grant for Coventry is £318M, and this is spent across 4 areas/blocks: Early Years, Schools, Central Schools Services and High Needs (including special school provision). The majority of this resource funds provision (including all schools) for children and pupils across the city.

4.1.2 From April 2018 the Government introduced a new "National Funding Formula" (NFF) for school funding which set nationwide funding formula values and determined the overall level of Schools Block funding for each Local Authority.

4.1.3 The government's stated intention behind the NFF is to "introduce a funding formula that addresses the long-standing inequalities in school funding that have existed for many years". Unfortunately the impact of the National Funding Formula (if protection is removed/reduced) will be to reduce the money available to Coventry schools over the longer term. As a result 89 out of 107 mainstream schools in Coventry are currently on the NFF funding floor.

4.1.4 We are now in the second year of the Treasury's three-year education funding settlement. For 2021/22 this brings an additional £2.2bn funding which the Department for Education (DFE) have used to raise the NFF funding floor from +1.84% (20/21) to +2.00%. This means schools on the funding floor would see at least a 2.00% increase in like for like per pupil funding in 21/22 when compared with 20/21 funding levels. Schools above the funding floor would see higher percentage increases depending on their individual school characteristics.

4.1.5 Since 2018/19, in consultation with schools, Coventry has taken the decision to mirror the NFF protection levels as closely as possible. This has allowed us to maximise the amount of funding we were able to pass out to schools; providing an annual per pupil funding increase at the full NFF funding floor level, and higher for the few schools above the funding floor.

4.1.6 In 2021/22 the citywide allocation we receive for these protection arrangements (funding floor) is estimated to be ca. £4.3m. This indicates the difference between historic funding arrangements and the NFF for Coventry, and the importance of the funding floor protection arrangement for the city. It is not yet clear what the funding protection

arrangements will be post 2021/22 as any decisions related to this are closely linked to how the DFE utilises the £2.3bn awarded to schools funding for 2022/23. All the intelligence that we have received, however, is that a level of protection arrangements will continue post March 2022.

4.2 The NFF in Coventry

4.2.1 The NFF is currently in a 'soft' phase, meaning that the DFE will run the NFF for each school, and then the total of the Coventry schools' allocations will become the Schools Block DSG allocation for Coventry to use in its own formula. We then need to go through the usual budget setting process and decide the local funding formula and minimum funding guarantee arrangements that we will use to calculate budget shares for Coventry schools.

4.2.2 Whilst most of the Schools Block funding is based on the NFF factors, funding for premises factors (i.e. Rates, Split Site, PFI) is based on historic allocations. The extent to which our premises costs in 2021/22 are higher or lower than the allocation we receive, will impact on the affordability of the formula - i.e. whether we are able to afford the +2.00% pupil-led funding increases as set out in the nationally published school-level allocations.

4.2.3 The October 20 census will inform the level of funding we are required to distribute for 2021/22 and we will therefore not be able to fully understand the financial implications and affordability of Coventry's funding formula until we have the finalised October 20 census data and received the final Schools Block DSG settlement in December 2020.

4.2.4 We will be working with the Schools Forum, in consultation with Headteacher Partnerships, to understand the financial models available and to implement the appropriate formula changes to deliver school funding allocations for 2021/22.

4.2.5 The DFE have also restated the ministerial commitment to move to a 'hard' NFF "as soon as possible" which would remove most/all local flexibilities on schools budget setting. It has been announced that LAs should expect a consultation this autumn on transitioning to the Hard NFF. This will be a complex piece of work due to the number of local complexities in play across the country. We will keep Schools Forum updated on this issue as it develops.

4.3 NFF Changes of note

4.3.1 The DFE have increased most national formula factors by 3% vs 20/21. Most Coventry schools' funding will be unaffected by this increase as their formula allocations (via the funding floor) are already more than 3% above the NFF level – but schools on or close to the NFF level may see formula allocations increase.

- 4.3.2 The Minimum Per Pupil funding level has been increase by £430 to £4,180 (Pri) and by £415 to £5,415 (Sec) – this factor ensures that schools receive at least this amount per pupil in their funding allocations. This factor is also now mandatory in LA’s formulas.
- 4.3.3 The Minimum Funding Guarantee (MFG) is a mechanism that protects a school’s funding (per pupil) against its previous year’s allocation. The level of protection which can be applied to schools has increased for 21/22; it can now be set between +0.5% and +2.00%. Previously it could only be set between 0.5% and +1.84%.
- 4.3.4 As set out in [section 3](#), both the Teachers Pay Grant (TPG) and Teachers Pension Employer Contribution Grant (TPECG) are being mainstreamed into the school funding formula for 2021/22. This means schools will no longer receive these grants as separate income streams, but will receive this funding within their future budget share allocations – these elements will not be separately identifiable.
- 4.3.5 A new Risk Protection Arrangement (RPA) factor is now part of the funding formula. This factor exists purely so that Local Authorities can remove the relevant funding from any maintained school that elects to join the RPA.
- 4.3.6 The Deprivation formula factor has been updated by the DFE, both in terms of data set and methodology. The location-deprivation data the DFE use to calculate IDACI scores has now been updated to the latest 2019 dataset (previously the data used was from 2015).
- 4.3.7 The IDACI methodology has been updated to look at the comparative rank of scores rather than their absolute values. This change to IDACI is detailed and technical and not appropriate to discuss fully within this consultation. Further details are available within the DFE’s Operational Guidance note⁵.
- 4.3.8 These two IDACI changes have been analysed for the whole city and discussed with the Schools Forum Sub-group. The key thing for Coventry schools to understand is that the Minimum Funding Guarantee is still the overriding protection mechanism on school funding, so regardless of these IDACI changes, all schools should expect to see an increase in their funding per pupil in 2021/22.

⁵ <https://www.gov.uk/government/publications/pre-16-schools-funding-local-authority-guidance-for-2021-to-2022>

5 Proposal 1 – Fair Funding Formula options

This proposal recommends that Coventry continues to use the local funding formula in 2020/21 to mirror the National Funding Formula protection levels as closely as possible.

5.1 Background

5.1.1 The recent ministerial announcements have set a level of expectation amongst schools that most will see a 2.00% per pupil increase in pupil led school funding in 2021/22, with schools above (or close to) the funding floor, receiving increases in excess of this.

5.1.2 Since 2018/19, in consultation with schools, Coventry has taken the decision to mirror the NFF protection levels as closely as possible. This has allowed us to maximise the amount of funding we were able to pass out to schools, ensuring that all schools received the higher of their NFF Funding Floor increase or their National Funding Formula allocation.

5.1.3 As set out in section 4.2 the LA retains flexibility in how it sets the school funding formula and could choose to move away from mirroring the NFF protection levels, instead protecting all schools with a blanket protection % (this formula option was included in the 2020/21 Fair Funding Consultation).

5.1.4 Despite this flexibility, setting an equal protection level % for all schools in 2021/22 provides schools on the funding floor with only a marginal benefit, whilst providing significantly less funding for those schools that would be on the pure NFF.

5.1.5 The Schools Forum Sub-group has reviewed both options in detail and is recommending to the November 2020 Schools Forum that the 2021/22 formula approach should be to continue to mirror the NFF protection mechanism.

5.1.6 Given this, and the consensus to mirror the NFF during the past three years, we have decided to put only one 2021/22 formula approach forwards for consultation and we welcome your views on this proposal.

5.2 Proposed Option: Continue to mirror the National Funding Formula (NFF) protection levels as closely as possible (subject to affordability).

5.2.1 This would ensure that all schools receive at least a 2.00% increase in pupil led funding compared with 2020/21 funding levels. A Minimum Funding Guarantee (MFG) protection level of +2.00 per pupil would also be put in place which would allow any schools currently above the 1.84% funding floor to see some decrease in funding if their NFF formula allocation was due to reduce in 2021/22.

5.2.2 The financial impact of this option would be that all schools would receive the higher of the +2.00% Funding Floor or their National Funding Formula allocation (subject to affordability). In summary it would mean:

- 74 schools would receive a 2.00% per pupil funding increase vs 20/21
- 33 schools would see funding increases above 2.00% (up to 7.01%) per pupil vs 20/21
- All schools would continue to be in line with NFF allocations including funding floor protection

5.2.3 Should it not be affordable to deliver this option in full (see 4.2.3 – 4.2.4 for context) we will reduce all school allocations on an equivalent % basis to fit within the available resource. To do this we will need to reduce the MFG protection % and also implement a ‘capping & scaling’ approach for schools above the Funding Floor.

5.3 Consultation

*Please indicate whether you agree with this proposal and feedback any general comments you may have on this proposal.
(Please respond on the Consultation Response Form - [Appendix A](#))*

6 Proposal 2 – De-delegated Services

Funding for some centrally provided services must be allocated direct to schools through the formula but can then be returned to the LA by maintained schools via local de-delegation agreement. This Proposal highlights the de-delegation decision will need to be agreed by Schools Forum.

6.1 Background

6.1.1 The budgets for a number of centrally provided services have to be delegated to schools through the funding formula but can be de-delegated for maintained schools. This means that maintained schools can choose to pool resources to continue delivery of a service. Academies are not able to opt into de-delegation but can choose to buy back into the services if offered.

6.1.2 In 2020/21 Primary maintained schools opted to pool resources for all of the de-delegated services offered. Licenses and Subscriptions are funded via a national top-slice for all schools and Behaviour Support Services are now traded. Both are no longer part of de-delegation.

6.2 Coventry Education Improvement Strategy commissioning pot

6.2.1 The Local Authority wishes to continue the operation of the Coventry Education Improvement Strategy commissioning pot (formerly part-funded by ESG) into 2021/22 for all schools.

6.2.2 As in each of the past 3 years, if continuation of the fund is agreed, the funding for this pot will be given to all Coventry schools in addition to their usual budget share funding; this would be one-off funding from reserves. The expectation would be that this same level of funding would then be passed back to the commissioning pot, with maintained schools de-delegating, and academies contributing on an individual basis.

6.3 Proposed way forward

6.3.1 The pooling arrangements continue to be available in 2020/21 and must be approved by Primary representatives within the School Forum.

6.3.2 We will be seeking approval from the School Forum in November in relation to de-delegated services. The table below shows the values approved for de-delegation in 2020/21. (These figures are subject to in-year change, where LA maintained schools convert to academies). There are no longer any maintained secondary schools within Coventry therefore de-delegation decisions will only be taken by maintained primary school representatives.

2020/21 De-delegated Amounts	
	Primary
Free school meal eligibility	14,843
Licences/subscriptions	0
Maternity	478,196
Trade Union facility	81,680
School Improvement*	183,077
MGSS (new arrivals fund)	279,430
Behaviour support services	0
Total	1,037,226

* Coventry Education Improvement Strategy commissioning pot.

6.4 Consultation

*Please feedback general comments on de-delegated services. We will report the overall response at the Schools Forum (SF) meeting. Schools can also make representation to their SF representative.
(Please respond on the Consultation Response Form - [Appendix A](#))*

7 Proposal 3 – Minimum Funding Guarantee Disapplications

The Local Authority retains the ability to set the level of the Minimum Funding Guarantee (MFG) protection for schools in 2021/22, although the direction taken in proposal 1 determines the appropriate MFG approach this year. This proposal highlights the MFG exemption that will need to be agreed by Schools Forum.

7.1 Background

7.1.1 The Minimum Funding Guarantee (MFG) is a protection mechanism which protects school formula funding, so that schools cannot lose more than a set percentage of their funding (on a per pupil basis) between one year and the next.

7.1.2 Historically the LA had no flexibility on what level the MFG protection % should be set at, with the DFE fixing at negative 1.5% rate; meaning schools could not lose more than 1.5% of their like for like funding between years. In recent years the National Funding Formula (NFF) gave LAs a degree of flexibility to choose an MFG % within a set range. For 2020/21 the MFG range available is from +0.5% to +2.0%.

7.1.3 Despite the NFF announcements and shadow school allocations published by the Department for Education (DFE), the LA is still required to operate its local funding formula within a strict legal framework which does not allow the flexibility to simply allocate funding to schools at the NFF level. In order to allow flexibility for the local formula to continue to closely mirror the NFF protection levels, and to prevent the allocation of one off resource from being locked into funding baselines, an MFG exemption will be required.

7.2 Proposed way forward & Financial Impact

7.2.1 As detailed in proposal 2, one-off reserve funding may again be delegated to schools at the level of resource required to contribute to the school improvement provision.

7.2.2 An MFG exemption is needed in order to allow this one-off reserve funding to be delegated to schools at the same level per pupil, as the operation of the MFG would currently act to redistribute the funding based on changes in overall school level funding.

7.2.3 Not having this exemption would result in some schools being delegated more one-off funding than they are required to contribute to the school improvement provision, whilst others would receive less than required.

7.2.4 We have gone through this proposed exemption in detail with the funding sub-group and they will be making a recommendation back to the November Schools Forum.

7.2.5 Should schools not agree to the continued operation of the Education Improvement Strategy commissioning pot this MFG exemption would no longer be needed.

7.3 Consultation

*Please indicate whether you agree with the proposal to make this disapplication and feedback any general comments you may have.
(Please respond on the Consultation Response Form - [Appendix A](#))*

8 Proposal 4: Fair Funding Scheme of Delegation changes

This section covers changes that are being made to the Fair Funding Scheme of delegation to reflect updated national and local policies.

8.1 Background

8.1.1 Section 48 of the School Standards and Framework Act 1998, and Schedule 14 to the Act set out that Local Authorities should have a Scheme of Delegation.

8.1.2 Local authorities are required to publish schemes for financing schools setting out the financial relationship between them and the schools they maintain.

8.1.3 In making any changes to their schemes, local authorities must consult all schools in their area and receive the approval of the members of their schools forum representing maintained schools. Local authorities must take this guidance into account when they revise their schemes, in consultation with the schools forum.

8.1.4 The link to the draft consultation version of Fair Funding Scheme of Delegation is available at www.coventry.gov.uk/FFSD-consultation

8.2 Proposed way forward

There are three main areas of change in the FFSD. These are directed national changes and are summarised below:

8.2.1 **Section 2.3** (Submission of budget plans):

- Amended the previous scheme guidance (2.3.9 & 2.3.10) to incorporate the formal requirement for schools to produce 3-year budget plans each year.

8.2.2 **Section 4.5** (Planning for deficits):

- Added 4.5.2 to specify level of deficit which, when breached, requires the school must submit a 'recovery plan' to the Local Authority. This level has been set at 0% (i.e. any deficit).

8.2.3 **Section 10.1** (Insurance cover):

- Added 10.1.3 to confirm that schools may join the DFE's Risk Protection Arrangement (RPA) instead of taking out insurance.

8.3 Consultation

Please feedback any general comments on the Fair Funding Scheme of Delegation. Please respond on the Consultation Response Form - [Appendix A](#)

Response Form

Consultation on Proposed Changes to the Fair Funding Scheme of Delegation and Formula 2021/22

Name of Respondent:

Name of setting:

Position:

Responding as (please ✓ the box)

Group

Individual

Stakeholder Group: (please ✓ the box)

- Trade Union Representatives
- Diocesan Church Authorities
- Governors Associations
- Head Teachers
- Chairs of Governors/Governing Body
- Schools Forum
- PVI/Childminder Early Years Provider

PLEASE RETURN BY Sunday 22nd November 2020 to:
E-mail: lisa.thomas@coventry.gov.uk

Proposal 1 Response

Fair Funding Formula options

(for further information see the Fair Funding Consultation, [section 5](#))

This proposal recommends that Coventry continues to use the local funding formula in 2021/22 to mirror the National Funding Formula protection levels as closely as possible.

Please indicate whether you agree with this proposal and feedback any general comments you may have on this proposal.

Please indicate whether you Agree or Disagree with this proposal

Agree

Disagree

Proposal 1: Comments

Proposal 2 Response

De-delegated Services

(for further information see the Fair Funding Consultation, [section 6](#))

Funding for some centrally provided services must be allocated direct to schools through the formula but can then be returned to the LA by maintained schools via local de-delegation agreement. This Proposal highlights the de-delegation decision will need to be agreed by Schools Forum.

Please feedback general comments on de-delegated services. We will report the overall response at the Schools Forum meeting.

Proposal 2: Comments

Proposal 3 Response

Minimum Funding Guarantee Approach

(for further information see the Fair Funding Consultation, [section 7](#))

The Local Authority retains the ability to set the level of the Minimum Funding Guarantee (MFG) protection for schools in 2021/22, although the direction taken in proposal 1 determines the appropriate MFG approach this year. This proposal highlights the MFG exemption that will need to be agreed by Schools Forum.

Please indicate whether you agree with the proposal to make this disapplication and feedback any general comments you may have.

Please indicate whether you Agree or Disagree with this proposal

Agree

Disagree

Proposal 3: Comments

Proposal 4 Response

Fair Funding Scheme of Delegation

(for further information see the Fair Funding Consultation, [section 8](#))

This section covers changes that are being made to the Fair Funding Scheme of delegation to reflect updated national and local policies.

Please feedback any general comments on the Fair Funding Scheme of Delegation.

Fair Funding Scheme of Delegation changes: Comments

Other General Comments:

Fair Funding Consultation 2021/22: Comments

Circulation List

Trade Union Representatives
Diocesan Church Authorities
Governors Associations
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Chairs of Governors
Schools Forum
PVI/Childminder Early Years Provider
LA Councillors