

Officer Decision Record – Executive Decision

If Key Decision: Decision Ref. No.

B179/23

If not a Key Decision write n/a above

OFFICER DECISION RECORD ⁱ

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/who-we-are-and-what-we-do.aspx>)

Subject: To negotiate an extension to the existing contract between Hertfordshire County Council and HFL Education (formerly known as Herts for Learning) for the provision of HfL services and support to Hertfordshire County Council

Type of Decision: Executive

Key Decision (Executive Functions only): Yes

Executive Member/Committee Chairman: Caroline Clapper

Portfolio (Executive Functions only): Education, Libraries and Life-Long Learning

Officer Contact: Simon Newland, Director of Education

Tel: 01992 588755, ext. 28755

1. Decision

To further extend the contract between Hertfordshire County Council and HFL Education for the provision of HFL Services and Support to Hertfordshire County Council by one year to cover the period 1 April 2024 to 31 March 2025.

2. Reasons for the decision

The original contract commenced on the 1 September 2013 and continued for a period of three years until 31 August 2016 but could be extended at the agreement of both parties for up to three years. This extension took place.

A new contract commenced on 1 April 2019 and continued until 31 March 2020 but could be extended at the agreement of both parties for further one-year periods of up to a total of six (6) further Contract Years.

In October 2022, Hertfordshire County Council undertook a consultation with maintained schools on proposals for:

- the de-delegation of funding by Maintained Schools for the financial year 2023/24; and
- the principle that the arrangements proposed were for three years i.e. 2023/24, 2024/25 and 2025/26 including increases annually in line with national formula unit funding rates per pupil, subject to annual confirmation by Forum.

This would allow the Council to continue to fund HFL to undertake a range of functions in support of schools, separate to and beyond what is provided to those schools on a traded basis.

These activities are necessary for the Council and its Maintained Schools to continue to operate as successfully on behalf of local children as we have come to expect over many years.

The proposals for the de-delegation of funding were supported by a large majority of those maintained schools that responded and formally agreed by the Schools Forum in November 2022.

In November 2023, a paper was taken to Schools Forum specifically to recommend the extension of the current set of funding arrangements, uplifted for inflation at 1.9%, which matches the provisional percentage uplift in the 2024/25 DSG baseline per pupil figure. This would take effect from 1st April 2024 to 31st March 2025.

This was agreed by Schools Forum and 2024-25 will be the second year of the 3-year funding agreement.

Both HCC and HFL Education believe that the support provided by Herts for Learning through the contract has contributed and continues to contribute to the excellent performance of Hertfordshire schools. HFL Education is a schools' company and owned by HCC and Hertfordshire Schools. The share capital comprises 126 (19%) shares owned by HCC and 521 (81%) shares owned by Hertfordshire schools.

The total cost of the contract is being met by a combination of allocated DSG (Dedicated Schools Grant) budget and de-delegation as agreed by the Schools Forum and additionally HCC funding totalling £55,000.

3. Alternative options considered and rejected

As indicated in section 2 both parties believe that the support HFL Education provides schools through the contract has been extremely beneficial to Hertfordshire schools overall and because the contract enables an extension for a further six years up to the financial year 1st April 2026 – 31st March 2027, no alternative options were considered at this time.

4. Consultation (see *Summary of Requirements below*)

Was any Councillor consulted? **Yes** (*delete as applicable*)

If yes:

(a) Comments of Executive Member for Education, Libraries and Lifelong Learning

The Executive Member, Education, Libraries & Lifelong Learning was happy to endorse.

(b) Comments of other consultees
N/A

5. Any conflict of interest declared by a councillor who has been consulted in relation to the decision

N/A

6. Following consultation with the Executive Member/Committee Chairman, I am proceeding with the proposed decision.

Signed: ...Simon Newland.....

Title: ... Operations Director (Education)

Date: 16 February 2024

Copies of record to:

- All consultees
- hard & electronic copy (if required to be made available for public inspection) to Democratic Services Manager - Room 213 County Hall.ⁱⁱ

Summary of Requirements to Inform/Consult Councillors

Significance of Proposed Action	Controversial	Relevant Councillor(s) to be Consulted
Technical/Professional/ Routine	No	No need to inform or consult councillors
Technical/Professional/ Routine	Yes	Executive Functions: Consult relevant Lead Executive Member and, where appropriate, Local Councillor Non-Executive Functions: Relevant Committee Chairman and, where appropriate, Local Councillor
Local	No	Executive Functions: Inform Lead Executive Member and Local Councillor Non-Executive Functions: Inform Local Councillor
Local	Yes	Executive Functions: Consult Lead Executive Member and Local Councillor Non-Executive Functions: Consult Local Councillor
General or County-wide	No	Executive Functions: Consult relevant Lead Executive Member (s) Non-Executive Functions: Consult relevant Committee Chairman
General or County-wide	Yes	Executive Functions: Consult relevant Lead Executive Member (s) and the Leader of the Council Non-Executive Functions: Consult relevant Committee Chairman/Leaders all Political Groups