

APPENDIX B
SUMMARY OF CHANGES:
2020-21 SCHEME FOR FINANCING SCHOOLS

	Previous Wording	New Wording	Reason for change
Section: 2.10. Purchasing, Tendering and Contracting Requirements			
	<p>Although Governing Boards are empowered to enter into contracts in their own right (Education Act 2002, Paragraph 3 of Schedule 1), and also may do so where they have a clear statutory obligation (e.g. contracts made by Aided or Foundation Schools for the employment of staff), in most cases they do so on behalf of the LA as maintainer of the School and the owner of the funds in the budget share. It is a particular government requirement that all Schools shall approve and abide by both Financial Regulations and Contract Procedure Rules. In Brent, the Scheme for Financing Schools requires all Schools to adopt the corporate models of these governance documents, which have been formulated to account for the particular financial and operational arrangements that exist within Schools.</p> <p>All procurement by schools maintained by the LA must therefore comply with EU Public Procurement Legislation (the Public Contracts Regulations 2015), the LA's Financial Regulations and Contract Standing Orders. Each Head Teacher shall maintain and supply the Director of Finance with such information as is required for corporate compliance with these rules.</p> <p>An electronic version of the LA's Constitution encompassing the Financial Regulations and Contract Standing Orders can be obtained here: http://www.brent.gov.uk/your-council/about-brent-council/council-structure-and-how-we-work/our-constitution/</p>	<p>Although Governing Boards are empowered to enter into contracts in their own right (Education Act 2002, Paragraph 3 of Schedule 1), and also may do so where they have a clear statutory obligation (e.g. contracts made by Aided or Foundation Schools for the employment of staff), in most cases they do so on behalf of the LA as maintainer of the School and the owner of the funds in the budget share. It is a particular government requirement that all Schools shall approve and abide by both Financial Regulations and Contract Standing Orders. In Brent, the Scheme for Financing Schools requires all Schools to adopt the corporate models of these governance documents, which have been formulated to account for the particular financial and operational arrangements that exist within Schools.</p> <p>All procurement by schools maintained by the LA must therefore comply with EU Public Procurement Legislation (the Public Contracts Regulations 2015 and the Concession Contracts Regulations 2016), the LA's Financial Regulations and Contract Standing Orders. Each Head Teacher shall maintain and supply the Director of Finance with such information as is required for corporate compliance with these rules.</p> <p>An electronic version of the LA's Constitution encompassing the Financial Regulations and Contract Standing Orders can be obtained here: http://www.brent.gov.uk/your-council/about-brent-council/council-structure-and-how-we-work/our-constitution/</p> <p>A brief overview of the LA's Financial Regulations and Contract Standing Orders is provided below however, the Governing Board must be mindful of referring to and complying the full requirements contained in the LA's Constitution, which may be amended from time to time. Further details are also contained in the Brent's Schools Finance Regulations 2019/20</p>	<p>Updated in accordance to document name</p> <p>Updated in line with the legislations that apply</p> <p>Further supporting information issued to schools.</p>

APPENDIX B
SUMMARY OF CHANGES:
2020-21 SCHEME FOR FINANCING SCHOOLS

2.10	<div data-bbox="168 231 728 311" style="background-color: #4f81bd; color: white; text-align: center; padding: 5px;">Supplies & Services</div> <div data-bbox="168 343 728 654"> <div>Very Low Value Contract → £0 < £24,999</div> <div>Low Value Contract → £25,000 < £181,302</div> <div>Medium Value Contract → £181,302 < £2m</div> <div>High Value Contract → > £2m</div> </div> <div data-bbox="168 678 728 821" style="background-color: #0056b3; color: white; padding: 5px;"> EU Threshold Values: <u>Supplies & Services (excluding Schedule 3 Services)</u> from 1st January 2018 > £181,302 <u>Schedule 3 Services</u> from 1st January 2018 > £615,278 </div> <div data-bbox="168 861 728 949" style="background-color: #6a5acd; color: white; text-align: center; padding: 5px;">Works</div> <div data-bbox="168 981 728 1316"> <div>Very Low Value Contract → £0 < £24,999</div> <div>Low Value Contract → £25,000 < £250,000</div> <div>Medium Value Contract → £250,000 < £5m</div> <div>High Value Contract → > £5m</div> </div> <div data-bbox="168 1348 728 1460" style="background-color: #483d8b; color: white; padding: 5px;"> EU Threshold Values: <u>Works</u> from 1st January 2018 > £4,551,413 </div>	<div data-bbox="1075 231 1624 311" style="background-color: #4f81bd; color: white; text-align: center; padding: 5px;">Supplies & Services</div> <div data-bbox="1075 343 1624 654"> <div>Very Low Value Contract → £0 < £24,999</div> <div>Low Value Contract → £25,000 < £189,330</div> <div>Medium Value Contract → £189,330 < £2m</div> <div>High Value Contract → > £2m</div> </div> <div data-bbox="1075 678 1624 821" style="background-color: #0056b3; color: white; padding: 5px;"> EU Threshold Values: <u>Supplies & Services (excluding Schedule 3 Services)</u> from 1st January 2020 > £189,330 <u>Schedule 3 Services</u> from 1st January 2020 > £663,540 </div> <div data-bbox="1075 861 1624 949" style="background-color: #6a5acd; color: white; text-align: center; padding: 5px;">Works</div> <div data-bbox="1075 981 1624 1316"> <div>Very Low Value Contract → £0 < £24,999</div> <div>Low Value Contract → £25,000 < £250,000</div> <div>Medium Value Contract → £250,000 < £5m</div> <div>High Value Contract → > £5m</div> </div> <div data-bbox="1075 1332 1624 1484" style="background-color: #483d8b; color: white; padding: 5px;"> EU Threshold Values: <u>Works</u> from 1st January 2020 > £4,733,252 <u>Concessions</u> From 1st January 2020 ≥ £4,733,252 </div>	<p>Contract values updated in line with the local authorities Contract Standing Orders</p>
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APPENDIX B
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2020-21 SCHEME FOR FINANCING SCHOOLS

<ul style="list-style-type: none"> • Medium Value Contract – Schools are required to undertake a competitive tendering exercise. This tendering exercise must be commenced by placing a contract notice (advert) in OJEU (Official Journal of the EU) if the Public Contract Regulations 2015 apply in full to the procurement. Please refer to the Schools Financial Regulations for further detail. • High Value Contract – Schools must seek and obtain the LA's Cabinet approval before the procurement process is started. In seeking the LA's Cabinet approval to tender, the Governing Board shall address the pre-tender considerations set out in the LA's Contract Standing Order 89, to include details of the criteria for evaluation and award. The tender exercise will be as for Medium Value Contracts. Following receipt and evaluation of bids, further Cabinet authority should be sought prior to awarding the contract. 	<ul style="list-style-type: none"> • Medium Value Contract – The Governing Board must undertake a competitive tendering exercise. Before commencing the tender exercise, formal approval to tender shall be sought from the Governing Board (or Head Teacher where the Governing Board has delegated this responsibility). In seeking approval to tender a report shall be submitted to the Governing Board, or Head Teacher as the case may be, which addresses the pre-tender considerations set out in the LA's Contract Standing Order 89, to include details of the criteria for evaluation and award. The tendering exercise must be advertised on Contracts Finder, the Cabinet Office facility for advertising tenders. Where the Public Contract Regulations 2015 or the Concession Contracts Regulations 2016 apply in full to the procurement, a contract notice (advert) must be placed in OJEU (Official Journal of the EU) as well as on Contracts Finder. Where a Governing Board elects to utilise the LA's e-Tendering system to advertise and run the procurement, they must then comply with Contract Standing Order 101 (e-Tendering and e-Auctions). Following receipt and evaluation of tenders, approval for the award of contract shall be sought from the Governing Board (or Head Teacher where the Governing Board has delegated this responsibility) by way of a report setting out the outcome of the tender process and evaluation • High Value Contract – Schools must seek and obtain the LA's Cabinet approval before the procurement process is started. In seeking the LA's Cabinet approval to tender, the Governing Board shall address the pre-tender considerations set out in the LA's Contract Standing Order 89, to include details of the criteria for evaluation and award. The requirements for the tender exercise will be as for Medium Value Contracts as set out above. Following receipt and evaluation of bids, further Cabinet authority must be sought prior to awarding the contract. <p>When valuing a rolling contract with no defined termination date, the contract should be valued over a period of 48 months.</p>	
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APPENDIX B
SUMMARY OF CHANGES:
2020-21 SCHEME FOR FINANCING SCHOOLS

		The Governing Board shall consider whether a contract should be subdivided into lots and if a decision is decided not to subdivide into lots, shall record the reason for such decision in writing. Contracts must not however be subdivided into lots to avoid competitive tendering. The estimated value of contracts split into lots shall be calculated using the total value of all lots.	
SECTION 9: PENSIONS			
9.1 Teachers' Pension			
9.2 Local Government Pension Scheme (LGPS)			
9.1	<p>In order to ensure that the performance of the duty on the LA to supply Teachers Pensions with information under the Teachers' Pensions Regulations 1997, the following conditions are imposed on the LA and Governing Boards of all maintained schools covered by this Scheme in relation to their budget shares.</p> <p>The conditions only apply to Governing Boards of maintained schools that have not entered into an arrangement with the LA to provide payroll services.</p> <p>A Governing Board of any maintained school, whether or not the employer of the teachers at such a school, which has entered into any arrangement or agreement with a person other than the LA to provide payroll services, shall ensure that any such arrangement or agreement is varied to require that person to supply salary, service and pensions data to the LA which the LA requires to submit its monthly return of salary and service to Teachers' Pensions and to produce its audited contributions certificate. The LA will advise schools each year of the timing, format and specification of the information required. A Governing Board shall also ensure that any such arrangement or agreement is varied to require that Additional Voluntary Contributions (AVCs) are passed to the LA within the time limit specified in the AVC scheme. The Governing Board shall meet any consequential costs from the school's budget share.</p> <p>A Governing Board of any maintained school which directly administers its payroll shall supply salary, service and pensions data to the LA which the</p>	<p>In order to ensure that the performance of the duty on the LA to supply Teachers Pensions with information under the Teachers' Pensions Regulations 1997, the following conditions are imposed on the LA and Governing Boards of all maintained schools covered by this Scheme in relation to their budget shares.</p> <p>The conditions only apply to Governing Boards of maintained schools that have not entered into an arrangement with the LA to provide payroll services.</p> <p>A Governing Board of any maintained school, whether or not the employer of the teachers at such a school, which has entered into any arrangement or agreement with a person other than the LA to provide payroll services, shall ensure that any such arrangement or agreement is varied to require that person to supply salary, service and pensions data to the LA which the LA requires to submit its monthly return of salary and service to Teachers' Pensions and to produce its audited contributions certificate. The LA will advise schools each year of the timing, format and specification of the information required. A Governing Board shall also ensure that any such arrangement or agreement is varied to require that Additional Voluntary Contributions (AVCs) are passed to the appropriate AVC provider in the time limit specified in the AVC scheme. The Governing Board shall meet any consequential costs from the school's budget share.</p>	<p>8.4. Teachers Pension moved to Section 9: Pensions.</p> <p>This section provides clarification to schools on the Teachers Pension and LGPC Pension.</p>

APPENDIX B
SUMMARY OF CHANGES:
2020-21 SCHEME FOR FINANCING SCHOOLS

	<p>LA requires to submit its annual return of salary and service to Teachers' Pensions and to produce its audited contributions certificate. The LA will advise schools each year of the timing, format and specification of the information required from each school. A Governing Board shall also ensure that Additional Voluntary Contributions (AVCs) are passed to the LA within the time limit specified in the AVC scheme. The Governing Board shall meet any consequential costs from the school's budget share.</p>	<p>A Governing Board of any maintained school which directly administers its payroll shall supply salary, service and pensions data to the LA which the LA requires to submit its annual return of salary and service to Teachers' Pensions and to produce its audited contributions certificate. The LA will advise schools each year of the timing, format and specification of the information required from each school. A Governing Board shall also ensure that Additional Voluntary Contributions (AVCs) are passed to the appropriate AVC provider within the time limit specified in the AVC scheme. The Governing Board shall meet any consequential costs from the school's budget share.</p> <p>For the avoidance of doubt the overall legal responsibility for these activities rest with the school, regardless of whether the payroll provider delivers the work.</p> <table><tr><td>Payments of monies due</td><td>Monthly contributions – on time and the correct amount, broken down by bands for employee, employer and additional contributions</td></tr><tr><td>Monthly data collection</td><td>Supply MDC report in time for submission to Teachers' Pensions and in an agreed secure format Errors identified to be cleared within 1 week of notification by LA</td></tr><tr><td>End of Year Certificate</td><td>This to be supplied to LA by the 30 April in the format notified by the LA</td></tr><tr><td>Response to other queries raised There are times where the LA may need to confirm with you missing information on a Teacher's record that is needed to ensure correct calculation of benefit.</td><td>2 weeks from notification by the Brent Pensions Team. If unable to respond in 2 weeks then inform the Brent Pensions of the delay</td></tr></table>	Payments of monies due	Monthly contributions – on time and the correct amount, broken down by bands for employee, employer and additional contributions	Monthly data collection	Supply MDC report in time for submission to Teachers' Pensions and in an agreed secure format Errors identified to be cleared within 1 week of notification by LA	End of Year Certificate	This to be supplied to LA by the 30 April in the format notified by the LA	Response to other queries raised There are times where the LA may need to confirm with you missing information on a Teacher's record that is needed to ensure correct calculation of benefit.	2 weeks from notification by the Brent Pensions Team. If unable to respond in 2 weeks then inform the Brent Pensions of the delay	
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9.2		<p>This is a new section in the Scheme for Financing Schools in order to clarify the roles and responsibilities of the Scheme Manager (LB</p>									

APPENDIX B
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2020-21 SCHEME FOR FINANCING SCHOOLS

		<p>Brent) and Scheme Employers (maintained schools). In addition, it will ensure the services provided by the Scheme Manager are equitable and transparent and it will assist employers in the provision of necessary data.</p> <p>The Regulations in relation to administration of the Pension Fund are contained in the Local Government Pension Scheme Regulations 2013. This sets out the legal and regulatory responsibilities of the Scheme Manager and Scheme Employers in delivering a high quality administration service to its scheme members. These regulations are enforced by The Pensions Regulator, a public body sponsored by the Secretary of State for Work and Pensions to regulate work-based Pensions.</p> <p>Day to day administration of the Brent Pension Fund is provided by Local Pensions Partnership (LPP), a pension service provider for the LGPS and other public sector pension funds. The Scheme Manager retains a small in house team that is responsible for contract management of the LPP and other complex queries.</p> <p>For Maintained Schools, the table below sets out the main employer responsibilities, with regards to the provision of data. The service level agreement with your payroll provider will determine who actually carries out these activities. Therefore, the table below can be a useful guide when having discussions with your payroll provider to clarify who does what. For the avoidance of doubt the overall legal responsibility for these activities rest with the school, regardless of whether the payroll provider delivers the work.</p>	<p>This section provides clarification to schools on the Teachers Pension and LGPC Pension.</p>
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SUMMARY OF CHANGES:
2020-21 SCHEME FOR FINANCING SCHOOLS

Section Changes			
	<p>SECTION 9: Private Finance Initiative (PFI) SchemesSECTION_9</p> <p>SECTION 10: Insurance</p> <p>10.1 Insurance Cover</p> <p>SECTION 11: Miscellaneous</p> <p>11.1 Right of Access to Information</p> <p>11.2 Liability of Governors</p> <p>11.3 Governors' Expenses</p> <p>11.4 Responsibility for Legal Costs</p> <p>11.5 Health and Safety</p> <p>11.6 Right of Attendance for Director of Finance</p> <p>11.7 Special Educational Needs</p> <p>11.8 Interest on Late Payments</p> <p>11.9 Whistleblowing</p> <p>11.10 Child Protection</p> <p>11.11 Redundancy/ Early Retirement Costs</p> <p>SECTION 12: Responsibility for Repairs and Maintenance</p> <p>SECTION 13: Community Facilities</p>	<p>SECTION 9: Pensions</p> <p>9.1 Teachers' Pensions</p> <p>9.2 Local Government Pension Scheme (LGPS)</p> <p>SECTION 10: Private Finance Initiative (PFI) Schemes</p> <p>SECTION 11: Insurance</p> <p>11.1 Insurance Cover</p> <p>SECTION 12: Miscellaneous</p> <p>12.1 Right of Access to Information</p> <p>12.2 Liability of Governors</p> <p>12.3 Governors' Expenses</p> <p>12.4 Responsibility for Legal Costs</p> <p>12.5 Health and Safety</p> <p>12.6 Right of Attendance for Director of Finance</p> <p>12.7 Special Educational Needs</p> <p>12.8 Interest on Late Payments</p> <p>12.9 Whistleblowing</p> <p>12.10 Child Protection</p> <p>12.11 Redundancy/ Early Retirement Costs</p> <p>SECTION 13: Responsibility for Repairs and Maintenance</p> <p>SECTION 14: Community Facilities</p>	<p>Section changes to allow new Pension sections to be added to the Scheme.</p>