

## Further Information on Areas Affected by the Schools Forum Vote on De-delegation

### Maintained Primary and Secondary Schools Only

#### Background

1. The arrangements set out in this note apply to **maintained primary and secondary schools only**.
2. Under the national funding arrangements the government want schools to have the opportunity to have as much funding and responsibility delegated to them as possible. Each year Schools Forum representative is required to vote to determine whether or not a range of costs currently met centrally will transfer to schools for you to manage yourselves. The budget for these costs would also transfer to schools on a formula basis.
3. The vote is taken by maintained schools representatives only, as academies automatically have the funding and responsibilities for these areas. The vote is binding by phase – so for example if primary school representatives voted for the budget for one of the headings to be delegated then it must be delegated for all primary schools.
4. This note sets out some further information on the affected areas. Budget values are indicative and represent the total for primary and secondary schools, including academies.

#### Insurance

5. Maintained Schools currently receive their insurance provision from the Risk Protection Arrangement (RPA) provided by the Department for Education. Insurance cover provided includes:
  - a. Material Damage
  - b. Business Interruption
  - c. Employers' liability
  - d. Third party liability
  - e. Governors' liability
  - f. Professional indemnity
  - g. Employee and third party dishonesty
  - h. Money
  - i. Personal accident
  - j. UK travel
  - k. Overseas travel
  - l. Legal expenses
  - m. Cultural assets
6. If this area is delegated, schools will have a choice to purchase their insurance cover from the RPA or seek an alternative arrangement from another provider.
7. Schools would be required to ensure that any external arrangements meet the authority's minimum standards of cover. The County Council would also need to assure itself that the cover was compliant. A small administrative fee will therefore be charged to any school opting to insure with another provider.
8. Most providers would offer cover over a long term arrangement, say 3 or 5 years. Insurers will normally offer a discount for long term arrangements. Agreements over longer periods would mean that for most schools a full tender procedure would have

to be carried out in order to be compliant with schools procurement regulations. The current RPA policy runs until the 31 March 2023, and therefore, if schools opt for delegation they would need to commence a procurement exercise in good time to ensure that cover was in place by 1 April 2023.

9. Under a delegated arrangement wherever schools purchase their cover from, the premium rates would normally include up to 5 years claims history for each individual school.
10. It is likely that the cost of insurance would be higher if procured at individual school level due to loss of economies of scale experienced by the RPA.

#### Maternity pay

11. At present, episodes of maternity leave for school teachers are funded centrally from the schools' budget. An individual school therefore need only consider how they replace the teacher on maternity leave. Costs are recorded at individual school level.
12. This is an unpredictable budget and under a delegated arrangement schools would be responsible for meeting all the costs associated with an episode of maternity leave.
13. The impact of this may be greater for smaller schools where one staff member comprises a larger proportion of the workforce and the potential cost of maternity pay. Schools should also consider the possibility of there being multiple maternity episodes within the same year.
14. In the event that this particular item was delegated schools may wish to consider schemes from other providers which offer an insurance arrangement.

#### Union duties

15. Following the report to Schools Forum in October 2015, 80% of the fund will cover the following four professional teaching associations:
  - a. Association of School and College Leaders (ASCL)
  - b. National Education Union (NEU)
  - c. National Association of Head teachers (NAHT)
  - d. National Association of Schoolmasters Union of Women Teachers (NASUWT)

The remaining 20% of the fund will support the Green Book Support Staff Trade Unions.

16. The budget provides funding to enable association representatives to work with the Local Authority on developing policy and related matters. It also provides for Association representatives to support individual colleagues in disputes or other employee related matters.

#### School Specific Contingencies

17. This budget provides a safety net where unanticipated and significant costs occur, which it would not be reasonable for the school to meet. At present staff suspensions are covered from this budget, as are significant teacher pension arrears which can run

to several thousand pounds. Other examples could include where a school has been presented with a significant utility bill or emergency premises works.

18. Under a delegated arrangement, individual schools would be responsible for meeting the full cost of such events. The impact of this is likely to be greater for smaller schools.

#### Support for ethnic minority pupils or under-achieving groups

19. This budget covers both the funding devolved to individual schools through the locally agreed formula, which is the majority of the funding, and the MEAS team. Under a delegated arrangement the services currently provided to schools through the MEAS team would have to be offered on a traded basis, where charges to individual schools reflected the actual cost of delivery to that individual school. The funding currently devolved to schools through the local formula would also cease. Instead schools would receive a formula allocation using the government permitted formula basis which would not target resources in the same way.
20. The government framework allows a maximum period of targeting resources to EAL pupils of their first three years within the English school system. However, it often takes pupils much longer than this to acquire the academic language needed for success in national tests and assessments. The locally agreed formula uses a different basis to allocate funding to schools and takes account of under-achieving groups as well as EAL pupils, as not all EAL pupils attain lower than the indigenous population. In this way it targets funding at under-achieving groups much more closely than the national framework would allow.
21. Whilst the number of EAL pupils currently in Staffordshire secondary schools is relatively low the number is increasing rapidly in the lower age groups and without sufficient support these pupils are likely to arrive at secondary schools behind their white British peers.
22. In the event of delegation the funding currently allocated to individual schools would not be automatically protected through the MFG since it is outside the delegated budget.

#### Licences and Subscriptions

23. A number of licences are currently funded centrally on behalf of schools. These include:
  - a. Consortium of Local Education Authorities for the Provision of Science Equipment (CLEAPSS) Subscription
  - b. My Finance licences
  - c. SIMS annual maintenance charge
24. Forum members agreed to extend the existing SIMS contract for 5 years (until 31/03/2024) at the July 2018 meeting.
25. The County Council currently benefits from bulk-purchasing and real costs for individual schools are likely to be higher because of the additional administrative burden placed on both the licensing agency and schools.
26. Schools could incur penalties directly if they failed to renew their licences.

Behaviour Support Services (BSS) (Primary phase schools only, already delegated for secondary schools including middles)

27. Schools need to consider the time, resources and expertise required to undertake behaviour support type interventions directly. In addition, the BSS brings the objectivity of a team not directly employed by the school. De-delegation ensures that early intervention is not neglected. If schools/settings have unlimited, universal access to support and advice, they are more likely to request it at an early stage, therefore having a greater impact and reducing the likelihood of difficulties escalating.
28. The current BSS team consists of specialist qualified staff providing high standards of service. They are able to meet the needs of a large County despite relatively low staffing levels. There is a risk that access to specialist staff will be lost if the service is delegated or schools choose to manage their own risk.
29. Meeting the needs of all vulnerable children and young people in a community requires schools not only to be effective individually, but also to collectively consider needs and resources across an area to ensure that vulnerable children or young people have a school place that meets their needs, including taking collective responsibility for the education of children at risk of exclusion or permanently excluded pupils.
30. The Behaviour Support funding may already have been allocated when pupils are permanently excluded from one school but then placed in another school.
31. There is also the risk of delay in securing support leading to an escalation of the difficulties and making successful remediation more difficult, lengthy and expensive (both monetarily and in terms of educational outcomes for pupils).

Assessment of eligibility for Free School Meals

32. Under delegation schools could buy into a Service Level Agreement with the Staffordshire Free School Meals Entitlement Checking Service, or make their own arrangements to handle all aspects of free school meal claims without any assistance from the Authority
33. Schools who buy into the SLA have access for their parents to make applications through our online form which gives an instant yes or no response and carries out rechecks on those not found as entitled. The service confirms initial and ongoing entitlement, applies the present entitlement criteria as a result of the introduction of Universal Credit and the transitional protection for claims announced by the government, and will also apply the necessary changes when the transitional protection ends. The service also manages all contact with parents to resolve any issues and a web-based reporting system is provided for schools to access reports for their claim information. Schools admissions and pupil premium information is also used to move claims between Staffordshire schools or identify those who may be entitled for schools to target for an application to be made.
34. Schools who do not buy into the service must make their own arrangements to handle all queries and communication with parents, applying the law and any changes to that law as they occur. They would also need to identify themselves any new pupils who are or may be entitled to free school meals.