

Bristol Schools Forum
De-delegation 2021/22

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| Date of meeting: | 24 th November 2020 |
| Time of meeting: | 5.00 pm |
| Venue: | Virtual meeting - Zoom |

1. Purpose of report

- 1.1 To inform the Schools Forum of the outcome of the de-delegation consultation, which ran from 13th October to 6th November 2020.
- 1.2 To seek agreement from the maintained primary school members of the Forum to the primary school de-delegated services for 2021/22.
- 1.3 To seek agreement from the maintained secondary school members of the Forum to the secondary school de-delegated services for 2021/22

2. Recommendation

Schools Forum is invited to:

- 2.1 Note the outcomes of the consultation on school funding arrangements.**

Maintained primary school representatives of Schools Forum are invited to:

- 2.2 Agree to de-delegation of the following services at the amounts per pupil indicated in Table 1 for 2021-22:**
 - a) Employee and Premises Insurance**
 - b) Assessment of eligibility for free school meals**
 - c) Maternity supply cover**
 - d) Schools in financial difficulty**
 - e) Trades Union facility time**
 - f) Education psychology**

Maintained secondary school representatives of Schools Forum are invited to:

2.3 Agree to de-delegation of the following services at the amounts per pupil indicated in Table 1 for 2021-22:

- a) **Employee and Premises Insurance**
- b) **Assessment of eligibility for free school meals**
- c) **Maternity supply cover**
- d) **Trades Union facility time**
- e) **Health and safety roving reps**
- f) **Education psychology**

Table 1: de-delegation rates per pupil for primary and secondary schools

| | Primary rate £ | Secondary rate £ |
|---------------------------------|----------------|------------------|
| Employee and Premises Insurance | 31.06 | 39.38 |
| FSM Eligibility | 1.14 | 1.14 |
| Maternity Supply Insurance | 31.17 | 45.27 |
| Schools in Financial Difficulty | 5.17 | n/a |
| Trade Union Facility time | 3.85 | 3.85 |
| Health and Safety Roving Reps | n/a | 0.91 |
| Educational Psychology | 5.63 | 5.63 |

3. Background

- 3.1 Maintained mainstream schools, by majority vote of the Schools Forum in each sector, can opt to de-delegate the funding for their sector. The agreed retention will not be given to maintained schools in the formula and instead the LA will hold the funds centrally for the agreed services and spend the funds on those de-delegating sectors only.
- 3.2 Decisions on de-delegation are for representatives of each sector's maintained schools to make.
- 3.3 To assist the LA and Schools Forum with determining courses of action for the 2021-22 de-delegation the LA consulted with schools to seek the views of stakeholders.

4. De-delegation in 2020/21

4.1 The table below shows the services that Schools Forum voted to de-delegate for 2020/21, and the funding generated for each of those services.

Table 2: De-delegated services and funding in 2020/21

| 2020-2021 De-delegation following consultation | Primary | | Secondary | |
|---|----------------|--------------|----------------|--------------|
| | Total £'000 | Per Pupil | Total £'000 | Per Pupil |
| 'Insurance' type Services | | | | |
| Employee & Premises Insurance | 503 | 31.06 | 72 | 39.38 |
| Assessment of Eligibility for free school meals | 18 | 1.14 | 2 | 1.14 |
| Maternity Supply Cover | 492 | 30.34 | 80 | 44.06 |
| Schools In Financial Difficulty | n/a | n/a | n/a | n/a |
| TU Facility Time | 62 | 3.85 | 7 | 3.85 |
| Health & Safety Roving Reps | n/a | n/a | 2 | 0.91 |
| Services to Schools | | | | |
| Educational Psychology | 89 | 5.48 | 10 | 5.48 |
| Total de-delegated | 1,164 | 71.87 | 173 | 94.82 |

4.2 Schools Forum will remember decisions were taken not to de-delegate additional funding for Schools in Financial Difficulty or for H&S Roving Reps in Primary Schools due to the accumulated balance being felt sufficient for 2020/21.

5. De-delegated items 2021/22.

5.1 The services in scope for 2021/22 are those as de-delegated in 2020/21.

5.2 Two services have seen changes in per-pupil rates for 2021/22 from 2020/21: both the Education Psychology and Maternity Supply Cover de-delegation rates have been increased by 2.7% in order to reflect the pay award in these largely service led provisions.

5.3 The charge for Schools in Financial Difficulty has been re-introduced in anticipation of increased support being required as more maintained primary schools experience inflationary cost pressures combined with potentially falling rolls. Re-introducing the charge provides approximately £82k should there be 16,000 maintained primary school pupils in 2021/22.

5.4 Table 3 provides some detail on each of the areas of de-delegation.

Table 3: Areas of de-delegation

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| <p>Employee & Premises Insurance This funds mandatory insurance covers arranged by the local authority. If delegated, schools would need to assure the LA that cover arranged by the school (if not bought back) is fit for purpose. Pooling the funding ensures proper cover and allows schools' to avoid bureaucracy.</p> | <p>Per-pupil charge unchanged from 2020/21</p> |
| <p>Assessment of eligibility for free school meals This funding enables the service to schools for the checking of free school meal eligibility.</p> | <p>Per-pupil charge unchanged from 2020/21</p> |
| <p>Maternity Supply Cover Supports schools by funding the costs incurred covering staff taking maternity / paternity leave or staff on adoption leave.</p> | <p>Per-pupil charge increased from 2020/21</p> |
| <p>Schools In Financial Difficulty for Primary schools Provides support to schools in or forecasting a deficit. Access to the support is generally dependent on a school producing an agreed Recovery Plan. The use of funds is directed by the head of school partnerships.</p> | <p>Per-pupil charge re-introduced for 2021/22</p> |
| <p>Trade Union Facility Time This service enables schools to access TU representatives, in city-wide roles. The pooled budget for TU facilities time enables adequate representation across all TUs and more predictable costs at school level.</p> | <p>Per-pupil charge unchanged from 2020/21</p> |
| <p>Health & Safety Roving Reps in Secondary schools "Roving" reps are safety representatives who are appointed by TUs to cover multiple school sites. Their work includes effective consultation with employees in relation to employee health and safety issues. Compared to previous years, there are fewer safety representatives, and the cost of training is reduced. School head teachers retain overall responsibility, with the TU rep acting on the Head's behalf.</p> | <p>Per-pupil charge unchanged from 2020/21</p> |
| <p>Educational Psychology (EP) The Education Psychology Service provides professional advice to young people, families and educational settings. The de-delegated funding supports the delivery of EP visits to schools to discuss and identify vulnerable children and young people, and support a robust graduated response to needs including cost effectiveness. This is in addition to the Educational Psychology work in to the SEN</p> | <p>Per-pupil charge increased 2.7% from 2020/21</p> |

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| assessment process, paid for by the LA as a statutory responsibility. | |
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- 5.5 The de-delegation consultation was launched 13th October and ran for just over three weeks to 6th November. The de-delegation consultation was communicated to schools through the Service Director for Education, Skills regular newsletter.
- 5.6 This consultation sought school stakeholder views on the de-delegation of funding from mainstream schools for specific services, it was open to maintained mainstream schools only to respond.
- 5.7 Seven of a possible 48 primary schools responded, whilst both of the two eligible secondary schools responded. The response to de-delegation is shown in the tables below.

Table 4: Primary de-delegation

| Service | Votes Pool | Votes Delegate | Votes: No indication | % Pool | % Delegate | % No indication |
|---------------------------------|-------------------|-----------------------|-----------------------------|---------------|-------------------|------------------------|
| Employee and Premises Insurance | 7 | 0 | 0 | 100 | 0 | 0 |
| FSM Eligibility | 4 | 0 | 3 | 57 | 0 | 43 |
| Maternity Supply Insurance | 3 | 1 | 3 | 43 | 1 | 43 |
| Schools in Financial Difficulty | 3 | 2 | 2 | 43 | 29 | 29 |
| Trade Union Facility time | 4 | 1 | 2 | 57 | 14 | 29 |
| Education Psychology | 4 | 3 | 0 | 57 | 43 | 0 |

Table 5: Secondary de-delegation

| Service | Votes Pool | Votes Delegate | Votes: No preference | % Pool | % Delegate | % No preference |
|---------------------------------|------------|----------------|----------------------|--------|------------|-----------------|
| Employee and Premises Insurance | 1 | 1 | 0 | 50 | 50 | 0 |
| FSM Eligibility | 1 | 1 | 0 | 50 | 50 | 0 |
| Maternity Supply Insurance | 1 | 1 | 0 | 50 | 50 | 0 |
| Trade Union Facility time | 2 | 0 | 0 | 100 | 0 | 0 |
| H&S Roving Reps | 1 | 1 | 0 | 50 | 50 | 0 |
| Education Psychology | 1 | 1 | 0 | 50 | 50 | 0 |

5.8 Comments received in response to the questions are shown below:

Primary

Employee and premises:

- *Pool - LA Maintained Schools are locked into a 5 year agreement – if delegated we would still be locked into current agreement*

Assessment of eligibility for free school meals:

- *How is the LA obtaining value for money for a system which is not reliable?*

Maternity Supply Cover:

- *Is this a schools only service?*

Schools In Financial Difficulty:

- *Given the above balance have a nil contribution this year – can this be used to fund covid expenditure for schools?*

Trade Union Facility Time:

- *Given the above balance have a nil contribution this year*

Secondary

Trade Union Facility Time:

- *Pooled but c/f balance to be used before further funding allocated*

- 5.9 As reported to School Forum in the meeting of 20th May 2020, both the Schools In Financial Difficulty and the Trade Union Facilities Time carried forward surplus balances, of £335k and £129k, into 2020-21 respectively. Comments received from the consultation question whether there could be nil contribution to the Schools In Financial Difficulty Fund, and whether the accumulated balance on TU Facilities Time could be used first.
- 5.10 So far in 2020-21, there have been no charges to the SIFD fund, whilst the TU fund has expended £50k.
- 5.11 There were approximately 16,000 primary age pupils in maintained schools in 2020/21, whilst there were approximately 1,800 secondary age pupils. Assuming these pupil numbers continue into 2021-22, if School Forum supports further contributions via de-delegation, for SIFD in primary schools this would contribute approximately £82k to the fund for 2021-22 whilst if Schools Forum supports de-delegation for TU Facility Time this would contribute £68k to the fund for 2021-22. These funds are for activity in maintained schools, activity in academy schools is charged separately.
- 5.12 **Employees and Premises Insurance.** Comments were also received around the Employees and Premises Insurance, and whether the ESFA supported “Risk Protection Arrangement (RPA) for schools” was an alternative option. The authors of this report have taken advice from the LAs insurance team.
- 5.13 The council tendered its main insurance arrangements in 2017 in respect of its building assets and liabilities (including in respect of its schools). The basis for this tender was 5 years with an option to extend for a further two years. The renewal is due in 2022. This includes the schools building assets and liabilities including Employers Liability and Public Liability.
- 5.14 The LMS pooled fund arrangement is an agreement which schools enter into to manage certain losses within the councils prescribed excess limit and pay the associated insurance premiums with specific cover (such as motor, school journey and governors liability). This is in respect of material

damage for contents, motor, travel (school journey) and liabilities specific to their scope of business (such as governors liability). The LMS cover offers cover to a lesser excess than that of the councils main insurance arrangements and therefore operates as a pooled fund system for material damage losses for contents below the excess.

- 5.15 The rationale for the LMS arrangement is that schools would not be able to self-fund such losses to the self-insured (excess) limit (currently up to £50k) identified by the councils main portfolio and to ensure that the schools have the legally required cover in place in respect of motor.
- 5.16 The Department for Education states that where long term agreements are already in place these will not be encouraged to be broken Therefore current arrangements should be reviewed in time for the 2022 renewal/retender, as school building assets/liabilities were notified as part of the 2017 tender process.
- 5.17 The RPA is an 'all or nothing' arrangement and therefore even if the schools were seeking to replace the LMS pooled fund scheme by using the RPA this could create dual cover for certain aspects of cover (most notably buildings material damage, public liability and employers liability) and make handling large losses extremely complicated (this is also likely to be a breach insurance/RPA terms).
- 5.18 Currently the RPA is not an alternative for the present insurance arrangements, and as stated in the consultation document, the purpose of de-delegation is to avoid the administrative burden to schools. The alternative to de-delegation is that the current arrangements would be invoiced to schools instead.
- 5.19 The Local Authority recommendation to Schools Forum is that all of the services are de-delegated to maintained schools in 2021/22. De-delegation supports the provision of a coherent core offer by the Council to all maintained schools. This is particularly important when unplanned issues arise in a school and enables support to be provided rapidly and without the need to agree terms of engagement. Whilst the LA recognises that in any particular given year not all schools will access all services to the same degree, funding these services enables all maintained schools to benefit at a time of need.

- 5.20 **Eligibility for Free School Meals.** The Free School Meals Service is offered as a de-delegated service to Bristol LA Maintained Primary Schools and as a traded service to Bristol Primary and Secondary Academies. The current product was developed by Bristol City Council in collaboration with IT provider Liquid Logic and as with any new product or service development there has been the requirement for ongoing improvements and refinement.
- 5.21 In addition to providing a de-delegated service to Bristol LA Maintained Primary Schools, the service continues to be a popular traded product which has been consistently purchased, over and above other products available within the marketplace, by more than 70 Academies on an annual basis since 2017.
- 5.22 We recognise that changes in welfare benefits including the implementation of Universal Credit have further complicated entitlement to Free School Meals and Pupil Premium and in acknowledgement of this a series of training and awareness sessions have been scheduled to commence early in February 2021. These sessions are designed to support customers and further enhance the current service offer.
- 5.23 **Education Psychology.** The Educational Psychology Service have provided a de delegated service to schools for a number of years. This has been organised in a transparent way with schools receiving a number of visits from their link EP which directly corresponds to the funds paid in to the de delegation scheme. Days of EP time are effectively prioritised and purchased in advance through this approach.