

**Bristol Schools Forum**  
**De-delegation 2022/23**

<b>Date of meeting:</b>	30 <sup>th</sup> November 2021
<b>Time of meeting:</b>	5.00 pm
<b>Venue:</b>	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 22<sup>nd</sup> October to 12<sup>th</sup> November 2021.
- 1.2 To seek agreement from the maintained primary school members of the Forum to the primary school de-delegated services for 2022/23.
- 1.3 To seek agreement from the maintained secondary school members of the Forum to the secondary school de-delegated services for 2022/23.

**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 2022-23:**
  - 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 2022-23:**

- 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	5.74	5.74

**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 2022-23 de-delegation the LA consulted with schools to seek the views of stakeholders.

#### 4. De-delegation in 2021/22

4.1 The table below shows the services that Schools Forum voted to de-delegate for 2021/22, and the funding generated for each of those services.

Table 2: De-delegated services and funding in 2021/22

2021-2022 consultation	De-delegation following	Primary		Secondary	
		Total £'000	Per Pupil	Total £'000	Per Pupil
<b>'Insurance' type Services</b>					
Employee & Premises Insurance		503	<b>31.06</b>	72	<b>39.38</b>
Assessment of Eligibility for free school meals		18	<b>1.14</b>	2	<b>1.14</b>
Maternity Supply Cover		504	<b>31.17</b>	82	<b>45.27</b>
Schools In Financial Difficulty		n/a	n/a	n/a	n/a
TU Facility Time		n/a	n/a	7	<b>3.85</b>
Health & Safety Roving Reps		n/a	n/a	2	<b>0.91</b>
<b>Services to Schools</b>					
Educational Psychology		n/a	n/a	10	<b>5.63</b>
<b>Total de-delegated</b>		1,025	<b>63.37</b>	175	<b>96.18</b>

4.2 Schools Forum will remember decisions were taken not to de-delegate additional funding for Schools in Financial Difficulty, Trade Union Facility Time or for H&S Roving Reps in Primary Schools due to the accumulated balances being felt sufficient for 2021/22. School Forum maintained primary representatives also voted not to de-delegate funds for Education Psychology in 2021/22.

#### 5. De-delegated items 2022/23.

5.1 The services in scope for 2022/23 are those as de-delegated in 2021/22.

5.2 One service has an increase in per-pupil rates for 2022/23. Education Psychology de-delegation rates have been increased by 2% to reflect the increase in the daily rate charged from September 2021.

5.3 The option for Schools in Financial Difficulty and Trade Union Facility Time have been offered again for 2022/23, should School Forum wish to support these areas by contributing to the available funds.

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

Table 3: Areas of de-delegation

<p><b>Employee &amp; Premises Insurance</b> This funds insurance cover as 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 2021/22</p>
<p><b>Assessment of eligibility for free school meals</b> This funding enables the service to schools for the checking of free school meal eligibility.</p>	<p>Per-pupil charge unchanged from 2021/22</p>
<p><b>Maternity Supply Cover</b> 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 2021/22</p>
<p><b>Schools In Financial Difficulty for Primary schools</b> 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. For information: there is currently a carried forward balance of £335k on this fund.</p>	<p>Per-pupil charge re-introduced for 2021/22</p>
<p><b>Trade Union Facility Time Fund</b> Employers have a statutory obligation to release trade union representatives for representation in cases. The facilities fund held by Bristol City Council is used to remunerate schools that release their teachers who are TU representatives to carry out casework for their members. In the absence of any facility fund, maintained school bear the cost of releasing staff. For information: there is currently a carried forward balance of £218k available to be used for this purpose.</p>	<p>Per-pupil charge unchanged from 2021/22</p>
<p><b>Health &amp; Safety Roving Reps in Secondary schools</b> "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 2021/22</p>
<p><b>Educational Psychology (EP)</b> 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 assessment process, paid for by the LA as a statutory responsibility.</p>	<p>Per-pupil charge increased 2% from 2021/22</p>

- 5.5 The de-delegation consultation was launched 22<sup>nd</sup> October and ran for three weeks to 12<sup>th</sup> November. The de-delegation consultation was communicated to schools through the Service Director for Education, Skills regular newsletter, email and through school forum members.
- 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 Eleven of a possible 45 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

<b>Service</b>	<b>Votes Pool</b>	<b>Votes Delegate</b>	<b>Votes: No indication</b>	<b>% Pool</b>	<b>% Delegate</b>	<b>% No indication</b>
Employee and Premises Insurance	10	0	1*	91	0	9
FSM Eligibility	11	0	0	100	0	0
Maternity Supply Insurance	11	0	0	100	0	0
Schools in Financial Difficulty	8	2	1*	73	18	9
Trade Union Facility time	8	2	1*	73	18	9
Education Psychology	7	4	0	64	36	0

*\*one school did not indicate a preference but sought more information*

*\*\*one school did not indicate a preference but requested the accumulated funds be used before further contributions.*

Table 5: Secondary de-delegation

<b>Service</b>	<b>Votes Pool</b>	<b>Votes Delegate</b>	<b>Votes: No preference</b>	<b>% Pool</b>	<b>% Delegate</b>	<b>% No preference</b>
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	0	1	50	0	50

*\*one respondent indicated pool but requested the accumulated fund be used before further contributions.*

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

Primary

Employee and premises:

- *[request] more info*

Schools In Financial Difficulty:

- *nil contribution to continue*

Trade Union Facility Time:

- *nil contribution to continue*

Education Psychology

- *Now have to buy in EP time so need clarity on what de-delegated funding is used for*

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 8<sup>th</sup> June 2021, both the Schools In Financial Difficulty and the Trade Union funds carried forward surplus balances, of £335k and £224k, into 2021-22 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 Trade Union funds could be used first.
- 5.10 So far in 2021-22, there have been no charges to the SIFD fund, whilst the TU funds have paid £40k.
- 5.11 There were approximately 16,000 primary age pupils in maintained schools in 2021/22, whilst there were approximately 1,800 secondary age pupils. Assuming these pupil numbers continue into 2022-23, if School Forum supports further contributions via de-delegation, for SIFD in primary schools this would contribute approximately £82k to the fund for 2022-23 whilst if Schools Forum supports de-delegation for TU Facility Time this would contribute £68k to the fund for 2022-23. 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.
- 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 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).
- 5.17 Whilst some schools may wish to explore the RPA or other insurances available on the market, the purpose of de-delegation is to avoid the administrative burden to schools for arranging suitable cover and the associated transactions.
- 5.18 The Local Authority recommendation to Schools Forum is that all of the services are de-delegated to maintained schools in 2022/23. 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.
- 5.19 **Eligibility for Free School Meals.** The Free School Meals Service is offered as a de-delegated service to Bristol LA Maintained 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.
- 5.20 In addition to providing a de-delegated service to Bristol LA Maintained Schools, the service is 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.

**5.21 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.