

Schools Forum

31st October 2017

Delegation / De-delegation 2018/19

Introduction

1. That the Schools Forum considers the issues in this paper in readiness for maintained schools members to vote on de-delegation of services.

Summary

2. Funding for de-delegated services must be allocated through the formula but can be passed back, or de-delegated for mainstream primary and secondary schools with school forum approval.
3. The authority is proposing the option of de-delegation (i.e. central management) for all of the areas covered in this report for 2018/19.
4. As per previous years it was agreed that this paper for would again be scheduled earlier in the year to allow, if required, eligible voting members time to seek the views of their respective representative on the options open to them and in the event of the proposal being rejected this would allow time to plan for the transfer of budgets and responsibilities.

Detail

5. Under the government's funding reforms there is an assumption of delegation for a number of budget areas which are currently held centrally for maintained schools and are delegated for academies. Maintained schools' primary and secondary representatives on the Schools Forum can vote, by sector, to de-delegate these areas where it is proposed by the local authority. The outcome of the vote is binding for all maintained schools in that sector.
6. If the Schools Forum voted against the proposals for de-delegation then a range of costs and associated responsibilities currently met centrally by the local authority will transfer to maintained schools for them to manage themselves. The budget for these costs would also transfer to schools on a formula basis which was previously consulted on and agreed.
7. Academies are not part of these arrangements since these responsibilities and the funding for them are automatically delegated to academies through the EFA using the local funding formula.
8. Responsibility for a number of services and associated funding that falls within the regulations has been delegated for several years and it is proposed that this

continues for those areas namely, insurances, museum and library services and staff supply costs (other than trade union duties).

9. The Schools Forum agreed to de-delegation last year for services in the section below for all primary and secondary maintained schools (i.e. excluding academies).

Budgets Proposed for continued de-delegation

10. A summary table of the services, their related estimated funding and the basis the funding which would be removed from the formula is shown in the table below.

Service	Primary £	Primary Basis	Secondary £	Secondary Basis	Total £
Contingencies	£21,574	£2.03 per child (NoR)	£3,446	£2.53 per child (NoR)	£25,020
Contingencies - Support to Schools Partnership Fund	£51,466	£4.85 per child (NoR)	£8,626	£6.34 per child (NoR)	£60,092
Staff costs supply cover – Union facilities time	£15,407	£1.45 per child (NoR)	£2,546	£1.87 per child (NoR)	£17,954
Behaviour and Support Services	£83,037	LowAtt_%_PRI_78	£25,446	LowAtt_%_SEC	£108,484
Free school meals eligibility	£24,111	£2.27 per child (NoR)	£3,985	£2.93 per child (NoR)	£28,096
Support to underperforming ethnic minority groups and bilingual learners	£38,130	EAL_3_PRI	£551	EAL_3_SEC	£38,680
	£233,726		£44,601		£278,327*

*above takes account of schools known to be converting to academy status before the end of the financial year

11. The number of maintained schools on which the above estimates are based is:-

Primary Schools - 37
Secondary Schools - 1

12. **Contingencies Formula Errors (1.1.1):** This budget relates to a contingency for correction of errors in the funding formula. If this budget wasn't in place then the schools budget would have to be asked to absorb these costs or corrections made in future years.

13. **Contingencies Partnership Fund** - Relates to support to the Schools Partnership Fund. As part of the Campus Stockton Alliance in line with the Stockton Borough Council School Improvement Framework, a fund is in place to support schools experiencing challenging circumstances. Schools may bid to this fund for resource to support school improvement and school to school partnerships. Schools may be those in Ofsted categories or vulnerable to weak outcomes, as well as those

wishing to further school improvement opportunities through sourcing support from the Campus Stockton Alliance. The Governance Committee of Campus Stockton, the School to School Support Group, oversee the allocation of funding and scrutinise the impact of support in partnership with the Local Authority.

14. **Staff costs supply cover (not sickness) (1.1.9):** This budget relates to trade union facility time. Under the Employment Acts Trade Union representatives have a statutory right to reasonable paid time off from employment to carry out trade union duties and training. The following considerations should be taken into account:-

a. **Maintained Schools:**

- i. Facility time for senior teacher trade union representatives based in schools has always been funded by centrally retained DSG funding in the past, this report recommends this continues by approving de-delegation for maintained schools.
- ii. If this is not supported the budget will be delegated and schools will have to make their own arrangements for negotiating and consulting with the trade unions on changes to HR policies which will lead to duplication of effort and inconsistencies across schools.
- iii. Trade union representatives have a legal right to time off to participate in the collective bargaining arrangements of their employer and to represent their members. If the de-delegation were not agreed individual schools would have to bear the cost of the time off for the senior TU reps nominated by their union to participate in these discussions.

b. **Academies (receive funding for TU facilitation in their budget) - options:-**

- i. They contribute in the same way maintained schools do;
- ii. They are invoiced for TU time spent in their establishment by the trade union representatives, which has been paid for by the LA, and then reimburse the LA accordingly. They invoice the authority for time spent by TU reps, employed by the academy, spent in maintained schools; or
- iii. They make their own arrangements with the trade unions for representatives from the trade unions amongst their own workforce.

15. The attached letter has been received from a collective for trade unions supporting de-delegation. If de-delegation is agreed for trade union facilitation arrangements then the LA would be willing to manage the pooled arrangements and contact academies to make them the offer to buy into the arrangements in support of good industrial relations across the borough.

16. **Behaviour and Support Services (1.1.2):** This budget relates to provision of advice, support and training to schools, on behaviour, social and emotional aspects of learning in order to avoid wherever possible exclusions and incidences of disruptive behaviour

17. **Free school meals eligibility (1.1.4):** This budget relates to the administration of the free school meal eligibility scheme currently undertaken by Customer Services.

18. Support to underperforming ethnic minority groups and bilingual learners

(1.1.3): This budget relates to the support to schools in meeting the needs of vulnerable learners including Asylum seekers, those from a Gypsy Roma Traveller background, those with English as an Additional Language and those from heritage groups vulnerable to underachievement. The budget enables specialist strategic support for these groups in schools and settings and specific, specialist support from teachers and teaching assistants for individual learners.

19. Additional School Improvement Services: Since 2017/18, school forums have been able to agree to de-delegate further funding for additional school improvement provision for maintained schools. The Authority did not take up this option in the current year but as per the Strategic Review of Education Update Report also presented to this meeting this is an option Stockton is reviewing to offset the reduction in ESG funding. A further request for de-delegation therefore may be presented to a future forum meeting.

20. Licences/subscriptions (1.1.7)

a. **National Copyright Licenses:** This budget was specifically created by the DfE to provide a national coordinated approach to pay for a number of licences. The DfE changed the funding regulations from 2013/14 to permit the creation of this budget. It is understood that there will again be a dispensation under the regulations so that LA's can hold this centrally without any requirement for delegation. The 2018/19 figure will be provided by DfE as part of the DSG budget in December 2017 (2017/18 £130k). The licences covered under this arrangement in 2018/19 will be:-

- i. Copyright Licensing Agency (CLA)
- ii. School Printed Music License (SPML)
- iii. Newspaper Licensing Agency (NLA)
- iv. Education Recording Agency (ERA)
- v. Public Video Screening Licence (PVSL), managed by Filmbank
- vi. Motion Picture Licensing Company (MPLC)
- vii. Performing Rights Society License (PRSL)
- viii. Phonographic Performance License (PPL)
- ix. Mechanical Copyright Protection Society License (MCPS)
- x. Christian Copyright Licensing International License (CCLI)

b. **Other Licences / Subscriptions:** This budget which is set at £3k funds the centrally co-ordinated scheme for licences and subscriptions not covered by the specific contribution created by the DfE (see above). Under DfE operational guidance for local authorities this budget can be treated as retained centrally before allocating within the formula (subject to Forum approval). If this budget was not retained centrally then each school and academy would need to be charged individually and administer their own licences and subscriptions which could be at increased cost.

Recommendations

21. That the eligible Schools Forum members representing maintained schools approve de-delegation or if required seek the views of their respective maintained school representatives with a view to a vote at a later Schools Forum.
22. Eligible members note the potential request for further de-delegation related to school improvement.

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