

## Schools Forum

28 September 2023

### De-Delegation of Schools Block Budgets for 2024-25

This report relates to representatives of maintained schools only and is for decision.

#### Recommendations

1. The representatives of maintained primary schools on the Schools Forum are asked to decide whether to support the continued de-delegation of the following services in 2024-25:
  - Free School Meal Eligibility
  - English as an Additional Language
  - Trade Union Facility Time Funding
  - School Improvement
  - Gypsy and Romany Travellers
  - Behaviour Support Services
  - Medical Referrals for Employees
  
2. The representative of the maintained secondary school on the Schools Forum is asked to decide whether to support the continued de-delegation of the following services in 2024-25:
  - Free School Meal eligibility
  - English as an additional language
  - Trade Union facility time funding
  - School Improvement

#### 1. Purpose of the Report

- 1.1. De-delegation is an option that enables some services to maintained schools to be provided centrally and the funding to do so be retained by the local authority. If de-delegation stops then the centrally retained funding would be delegated in the main school budget and the local authority would either stop providing or charge for the

service. The purpose of the report is for the Forum to agree whether to continue the de-delegation of a range of services for 2024-25.

- 1.2. De-delegation is a series of decisions which the Schools Forum is required to take on an annual basis.
- 1.3. A consultation with maintained schools seeking their views on the continuation of the de-delegation of funding has been undertaken to provide supporting evidence to the Forum in coming to a decision. The report also provides feedback on the results of the consultation.
- 1.4. Representatives from maintained schools need to consider the views of schools who responded to the consultation when voting.

## 2. Consultation

- 2.1. The consultation on de-delegation was sent to all maintained schools on Monday 26 June 2023, with a closing date of Friday 15 September 2023.
- 2.2. As of 2 September 2023, Warwickshire has 109 Maintained Primary Schools and 1 Maintained Secondary School.
- 2.3. Responses have been received from 64 maintained primary schools and 1 maintained secondary school. This represents 58.72% of maintained primary schools. Last year 47 maintained primary schools returned their response.
- 2.4. The one maintained secondary school responded to the consultation and voted to support continued de-delegation across 3 of the 4 categories. The category **not** supported in the consultation is School Improvement. This category was added this year for Secondary school.
- 2.5. The following sections take each of the service areas in turn, providing a brief summary of the service provided and the results from primary schools of the consultation for that particular service.

## 3. Free School Meals Eligibility - £0.65 per pupil

Phase	Yes	No
Primary	100.0%	0.0%

This funds the administration process of free school meals. Services are also traded through Warwickshire Education Services.

If schools did not support continued de-delegation, as with academy schools where Warwickshire's service is not purchased, schools will need to develop their own systems for receiving applications and checking eligibility. Schools will need to check eligibility on a regular basis and respond to any queries or complaints from parents. Parents will no longer be able to apply for Free School Meals via Warwickshire County Council's Customer Service Centre or website and schools will not have access to real-time eligibility data or the dedicated Department for Work and Pensions helpline (only available to Local Authorities). Should funding not be de-delegated the Local Authority will offer no guidance or support on Free School Meals eligibility.

**4. English as an Additional Language (EAL) - £4.48 per pupil**

Phase	Yes	No
Primary	84.4%	15.6%

Support involves capacity building training to skill up key practitioners in schools to carry out EAL assessments, identify learning targets, classroom strategies and provide effective inductions for EAL newly arrived learners from overseas. All assessment resources are provided as part of the training and ongoing advice and guidance for trained schools is available.

Schools with trained practitioners in place can refer EAL learners deemed as complex cases for EAL-SEND assessment, support with EHCPs, multi-agency work (e.g., Early Help), home-school liaison, etc.

Included in the offer are three EAL Network meetings delivered once a term.

**5. Trade Union Facility Time - £2.75 per pupil**

Phase	Yes	No
Primary	82.8%	17.2%

The Trade Union and Labour Relations (Consolidation) Act 1992 creates a statutory right for Union Representatives of recognised unions to reasonable paid time off from employment to carry out trade union duties and to undertake trade union training. The County Council recognises the following Unions: NASUWT, NUE, ASCL, NAHT, VOICE, GMB, Unison and Unite.

In order to comply with these Regulations, WCC operates a county wide “pool” arrangement covering all maintained schools, whereby appointed union representative(s) of each of the recognised unions attend consultative meetings (e.g., policy implementation) on a county basis and are also called upon to represent

members in individual schools. This pool arrangement avoids schools needing to establish individual bargaining arrangements for each school.

Where appointed representatives are absent from the classroom to attend to their union duties, the school where they are employed are reimbursed from this centrally held budget, for the cost of a supply/cover teacher.

The implications of this budget being delegated to schools would be that there would be no further reimbursement of supply cover arrangements which would have a disproportionate effect on the schools that employ union representatives leaving these schools financially disadvantaged.

Additionally, if a maintained school were not entering in the pooled facilities funding arrangements it is possible that trades unions might choose not to recognise the consultation undertaken centrally on policies as being applicable for a school that does not de-delegate. This would potentially need an individual school to consult on each employment related policy with the regional officials of the various unions at school level before it can implement thus avoiding unnecessary misunderstandings and disputes. Currently the de-delegated funding ensures this is all undertaken centrally on behalf of those schools.

In summary schools need to be aware of the following if they chose not to de-delegate:

- School-based representatives would be required to be trained to the same level as current county-level union officials in order to be accredited and indemnified from their respective organisations for casework and in order to be mandated to consult and negotiate on pay and conditions of service matters.
- School-based representatives would be required to attend regular update training, requiring time-off.
- School-based representatives are entitled to reasonable paid time off to carry out their duties.
- Although the training is currently provided free of charge, the estimated overall release time costs to a school for fully trained representatives for the three major teaching unions alone working to the required standard is in the region of £7,500 to £10,000. This estimate excludes any time a school representative would need to meet with County or Regional Officials and Health and Safety training or refresher courses. If appropriately trained school-based representatives are not available:
- Case work would need to be managed by regional officials. Regional officials do not have local knowledge nor local working relationships. Such knowledge and relationships can often be helpful in managing a case to a successful resolution. It

should also be noted that the involvement of a full-time regional officer prematurely can have the effect of escalating the situation in an unhelpful way.

- The resolution of low-level issues requiring negotiation is likely to be prolonged due to the need to wait for availability of a regional officer.
- Regional officials cover the whole of the West Midlands region, and their availability will be limited. There may be delays in holding hearings and meetings.

## 6. School Improvement - £6.75 per pupil

Phase	Yes	No
Primary	89.1%	10.9%

This funding buys in support from system leaders for schools where some intervention or assistance may be required. It does not support staffing but without the funding, the staff employed by the LA to carry out statutory intervention work would have no resources to offer practical support to schools, such as training and development, support for maintained school inspections or ad hoc advice and assistance.

Whilst there is a risk to vulnerable schools if this funding is delegated, the LA would still be able to carry out its statutory functions.

Please note the Secretary of State has the power to approve this de-delegation contrary to the decision of Schools Forum. This is to ensure councils are adequately funded to exercise their core school improvement activities. WCC would apply to the Secretary of State if Schools Forum did not approve the de-delegation of this item.

## 7. Gypsy and Romany Travellers - £3.74 per pupil

Phase	Yes	No
Primary	79.7%	20.3%

This service provides three locally based, experienced GRT education support officers who work in partnership with schools, families and services to improve outcomes for children from Traveller communities. Nationally, these pupils are the most underperforming group across every key stage. If this service was not provided centrally, then schools may well see an increase in costs with these children attending less and having lower attainment. Someone from the school would need to contact/visit these families to get the pupil back into school or trace their whereabouts. The service also delivers cultural awareness training that schools would need to provide or source themselves.

## 8. Specialist SEND Support Services - £1.07 per pupil

Phase	Yes	No
Primary	95.3%	4.7%

This money is paid directly to primary schools for pupils at SEN Support without an Education, Health & Care Plan, who meet the criteria for additional support at the point of transition from Early Years' settings into Reception or following assessment by Specialist Teaching Service is in need of additional support.

Often the pupils concerned are unexpected arrivals with complex home circumstances and it is crucial to ensure the child, school and family receive appropriate support rapidly.

Not having this facility would introduce a detrimental delay that could see placement breakdown at home and school.

## 9. Medical Referral of Employees - £0.46 per pupil

Phase	Yes	No
Primary	95.3%	4.7%

WCC manages a contract for the provision of Occupational Health Services. Schools access this service, and a budget is held centrally to which the costs of the medical referral of school-based staff are charged. This relates to both the costs of pre-employment medical checks and the referral for medical advice in the management of short term and long term medically related absences from the workplace. The referral process is accessed by all school-based staff.

Should the budget be delegated then schools would be invoiced separately for their usage of the service.

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