

## Schools Forum

7 November 2022

### Schools Block – De-delegation – Update

**This report is for decision (MAINTAINED SCHOOLS REP ONLY)**

#### **1. Recommendations:**

That school forum members:

- 1.1 Consider the 2021/22 Impact Report and request for 2023-24 de-delegated funding from maintained Schools, for Schools in Financial Difficulty.
- 1.2 Agree to the update to the 2021/22 Union Facilities time Impact Report as requested at the last meeting.

#### **2. Purpose**

- 2.1 To present the impact report and approve requests for 2023-24 de-delegated funding from maintained schools, for Schools in Financial Difficulty.
- 2.2 Note the update to the 2021/22 Union Facilities time Impact Report as requested at the last meeting.

#### **3. Report Details**

- 3.1 Appendix 1 contains the 2021/22 impact report for schools in financial difficulty for your consideration.
- 3.2 Appendix 2 contains the funding request and details of the proposal for schools in financial difficulty.
- 3.3 Appendix 3 contains the update to the impact report to the Union Facilities time.

#### **4. Recommendations**

That school forum members approve the request to include the funding proposal for schools in financial difficulty in the consultation document.

Elaine Taylor  
Children's Services Business Partner  
Date: 01/11/2022  
Contact Officer: Andrew Timmins

<b>DE-DELEGATED/EDUCATION FUNCTIONS OUTTURN 2021-22</b>	
<b>Impact report</b>	
<b>Title of the Budget</b>	Schools in Financial Difficulty
<b>Lead Officer:</b>	Andy Timmins
<b>2020-21 Funding:</b>	Original = £250,000, Adjusted = £242,939 to take account of 3 schools converting to an academy in 2020/21.
<b>A brief outline on how the funding was used, and the service impact to maintained schools. (E.g. KPI's, service statistics, etc.)</b>	
<p>No requests were made to the forum in between April 2021 and March 2022. Therefore, the current funding at this point stands at £408,944.93. It is expected that the impact from the National Funding Formula may lead to further requests from this funding source.</p>	

<b>DSG DE-DELEGATED PROPOSAL 2023-24</b>		
<b>Title of Proposal</b>	Schools in Financial Difficulty	<b>Date</b>
<b>Lead Officer</b>	Andy Timmins	<b>Contact Tel.</b>
<b>Annual Funding Proposal (£)</b>		<b>2023-24</b>
		£100,000
<b>Which phase of school does this support (✓)?</b>		<b>Primary</b>
		✓
<b>What proportion will each phase bear? Please state as an amount per pupil.</b>		<b>Primary</b>
		£3.40
<b>Is the service provided a statutory function? (Please provide detail below if yes)</b>		

#### **How has this proposal been calculated?**

The DSG and the Council continue to face greater financial risk due to the increasing number of schools falling into financial difficulty. This is largely due to :

- School unable to set a balanced budget and getting into financial difficulties.
- Sponsored Academy conversions, when a school with a deficit becomes a sponsored academy, the deficit remains with the LA, to be funded from its core budget. If it converts with a surplus this goes to the new trust.
- It is expected that the impact from the National Funding Formula may lead to further requests from this funding source.

School deficits are not an allowable charge on the LA's schools budget (funded by its allocation of Dedicated Schools Grant); however, if the schools forum has agreed to de-delegate a contingency provision, then the deficit may be funded from that contingency, depending on the criteria agreed for its use.

All schools are required to submit a balanced budget that has been agreed with Governors by 15<sup>th</sup> May each year. Those schools that are unable to balance their budgets can submit a licensed deficit application by the same date that will be considered in line with the scheme guidance. This has to be agreed by the Director for Children's Services and the Chief Finance Officer of the Council.

This contingency would be to assist maintained schools where, for a range of potential reasons they are experiencing financial difficulty to a degree likely to impact adversely on the education of pupils. The maximum bid that schools can request is £125,000

The amount proposed of £100,000 in 2023-24 is to maintain a contingency to fund schools in financial difficulty and to be able to deal with deficit balances of closing schools. This request would add to the existing £408,944.93 carried forward from the previous year.

- The contingency cannot be overspent in any financial year. Once the funding has finished, no more applications/cases will be considered for that financial year.

<b>DE-DELEGATED/EDUCATION FUNCTIONS OUTTURN 2021-22</b>	
<b>Impact report</b>	
<b>Title of the Budget</b>	<b>Union Facilities Time</b>
<b>Lead Officer:</b>	<b>Andy Timmins</b>
<b>2021-22 Funding:</b>	<b>£202,000</b>
<b>A brief outline on how the funding was used, and the service impact to maintained schools. (E.g. KPI's, service statistics, etc.)</b>	
<p>Facilities Funding was distributed between the unions represented on the Joint Union Partnership in line with the 2016 agreement on facilities time</p> <p><b>Facilities funding enables the local authority to negotiate directly with trades unions on behalf of all contributing, maintained schools. This means individual schools do not have to spend time being involved in a similar process on their own. As a result, this saves both, significant time and money, allowing more to be achieved in the long run.</b></p> <p>In conjunction with Sandwell HR a clear programme of policy review has now been established for the forthcoming year (this takes account of issues raised by schools). As made clear above, this allows for a LA-wide policy to be negotiated via Joint Union Panel (JUP) and avoids individual schools having to follow the same time-consuming and costly process.</p> <p>JUP continues to play a key role in reviewing and updating a range of key policies and guidance documentation. In the past year this has included:</p> <ul style="list-style-type: none"> <li>• Pay Policy fully reviewed (currently awaiting DfE pay decision)</li> <li>• Unattached Teachers' Pay Policy</li> <li>• Recruitment and Selection policy – reviewed and adopted, currently being reviewed in light of KCSIE changes</li> <li>• Work on a Management of Absence (consultation just take place)</li> <li>• Domestic Abuse Guidance for Headteachers - discussed but still to be agreed</li> <li>• Menstruation and Menopause policy</li> <li>• Flexible retirement policy adopted by schools for LGPS employees in schools</li> </ul> <p>Issues have also been raised re LADO in light of comments from schools. A meeting was held with JUP members and the LADO to clarify approaches</p> <p>JUP members also regularly review within the regular twice termly meetings:</p> <ul style="list-style-type: none"> <li>• Staff at risk, which can often avoid redundancies or provide support to affected staff/school</li> <li>• School re-structures</li> <li>• School holiday negotiation</li> <li>• Pension freeze – pension indexation</li> </ul>	

Members have also met with Forum reps – to answer questions

Facilities funding also allows unions to meet regularly with LA Health and Safety representatives via the Central Safety Committee to both monitor a range of things and create additional support packages, again ensuring individual school's do not have to do this on their own.

Monitored by JUP on a termly basis:

- Educational visits
- School Audits and Inspections
- School incident data
- Zero tolerance incidents
- Health and Safety Communication
- Reports and information from HSE
- Corporate Health and Safety reporting
- HR Sickness Absence

Fire training awareness: This course has now been updated and moved to new platform

This has included work on an updated Educational visits policy, development of a new Stress policy and guidance, work on zero tolerance and the monitoring of incidents and absence statistics.

Facilities funding also ensures local casework can involve a local rep, who, unlike regional reps, will usually be available at short notice and have good local knowledge. This frequently enables issues to be resolved more quickly and effectively and support for individual members is a key use of facilities funding.

The number of meetings that union officials attend is significant with twice termly JUP meetings, 3 Health and Safety Committee Meetings per year as well as a significant number of side panel committees. This is in addition to the numerous meetings, phone calls and the preparation needed to cover individual casework