

Schools Management Forum

Report of: **Craig Povey**

Subject: **2023/24 De-delegation Budget Decisions**

Date: **18th January 2023**

1.0 Purpose of the report

1.1 The purpose of this report is to review the de-delegation decisions for the 2023/24 financial year.

2.0 Summary

2.1 Maintained primary schools to vote on de-delegation of services offered within this report.

3.0 Background

3.1 De-delegation takes funds directly out of a schools budget share calculation to pay for services. De-delegation is allowed for maintained schools only and must be agreed by relevant school forum members. In Middlesbrough it is for the school forum members for primary maintained schools to decide whether de-delegation takes place to fund centrally provided services. Any decision taken at school forum will apply to all primary maintained schools. De-delegation does not apply to special schools, nursery schools, PRUs or academies.

3.2 De-delegation only applies for one year and is discussed with the forum on an annual basis.

3.3 Where a de-delegation service has been agreed at schools forum the local authority can offer the service on a buy-back basis to schools and academies which are not covered by the de-delegation. Where buy back is offered, it is for the individual schools to decide whether they wish to buy in to this service.

4.0 Proposed De-delegation & Buy Back (for information)

4.1 The following services may be de-delegated:

- Contingencies (not applicable);
- Behaviour support services (not applicable);
- Support to underperforming ethnic groups and bilingual learners (not applicable);
- Free school meals eligibility (direct SLA no longer de-delegated);
- Insurance (not applicable);
- Museum and library services (not applicable);

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- Licences /subscriptions;
- Staff costs supply cover – trade union facility time
- Additional school improvement services.

4.2 The following paragraphs explain the areas the Local Authority (LA) is offering as a de-delegation/buy back service. A detailed model is attached as Appendix A which provides the proposed charges per school for each item, and Appendix B provides additional information regarding licences.

4.3 Staff costs supply cover - trade union facility time

The trade union (TU) facility time has been held centrally for many years now and it was felt that a town wide service works well and achieves value for money as long as all schools contribute. In 2022/23 this service pays for 1 NASUWT representative in Hollis Academy for 2.5 days per week. The rep. performs casework and attends Works Council and Trade Union Liaison meetings with the LA. The 2022/23 rate was £180 per day for 2.5 days per week, term time.

We also allow a retired trade union representative to be replaced by an employed representative for one of the unions.

In addition to the above, there are union representatives working for the NEU and ASCL so their facility time must also be funded.

Under the Employment Acts schools are required to release staff for union duties, but there is no requirement for the LA to fund the backfill arrangements. Without this central budget, each school with a member of staff appointed to such a post would have to bear the costs of supply cover.

The following considerations should be taken into account:-

- Maintained Schools:

If this is not de-delegated 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.

TU reps. 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 TU reps. nominated by their union to participate in these discussions.

- Academies:-

They contribute in the same way maintained schools do; or

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They are invoiced for actual TU time spent in their establishment by the trade union reps, which have been paid for by the LA, and then pay the LA accordingly; or

They make their own arrangements with the trade unions for representatives from the trade unions amongst their own workforce.

If de-delegation is agreed for trade union facilitation arrangements then the LA would be willing to manage a town wide arrangement and contact academies to make them the offer to buy into the arrangements in support of good industrial relations across the town.

The budget requirement estimated for 2023/24 is £25,455, giving a cost per pupil of £1.14. This is a small increase based on previous year but assumes still moving towards a day rate of £180.

The LA proposes that this budget is de-delegated in 2023/24.

4.4 Licences/subscriptions

The following table includes the proposed licences for 2023/24.

Licence/Subscription	Basis of charge	2023/24
CAPITA ONE (net of contribution from early years)	Per pupil	£3.50
Technology Forge	Per pupil	£0.17
CLEAPSS Membership and RPA Service	Per pupil (Primary)	£0.17
	Per pupil (Sec.)	£0.17
	Per pupil (Special)	£0.17
	Lump Sum (Sec.)	£51

Due to the timing of setting the budget for de-delegation and organisations providing their costs for 2023/24, I am unable to confirm the rates for CAPITA ONE, Technology Forge and CLEAPSS. An assumption has been made for the uplift in rates for 2023/24. I am therefore advising that actual rates will be charged, once they are confirmed. I do not expect any variation to the rates above to be significant.

From 2021/22 Technology Forge has not been offered to academies and therefore only maintained schools are able to purchase this service.

CLEAPSS - where a secondary school or special school wishes to buy in to this service. CLEAPSS charge to the LA includes post 16 pupils, therefore the charge to these schools will include post 16 pupil numbers.

Risk Protection Arrangement (RPA) link can be found here

[The risk protection arrangement \(RPA\) for schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/the-risk-protection-arrangement-rpa-for-schools)

Which suggest Academies £21 per pupil per year, increasing to £23 from September 2023.

LA Maintained going to £23 per pupil per year from April 2023.

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The LA proposes that the above licences are considered, or confirmed not for de-delegation in 2023/24

4.5 Additional School Improvement Services

Proposal for 2023/24 to support to cover the £25k reduction in grant funding, previously supporting this.

The LA proposed that the above School Improvement contribution are de-delegated in 2023/24 enabling Learning Hubs, network meetings and staff professional development to continue. Since September, 60% of all primary schools have attended meetings and professional development opportunities delivered through the Learning Hubs; 100% of secondary schools participated in training and support; 32 staff from 22 schools attended network meetings; 22 early years colleagues attended network meetings; 99 attendees at LA writing moderation training

The LA proposes that the above School Improvement Service contribution are de-delegated in 2023/24

5.0 Rules for academy conversions

5.1 Although the de-delegation only relates to the maintained sector, there are separate rules if Academy conversions take place during the year.

Where a school converts on or after 2nd April, up to and including 1st September, the authority can retain any de-delegated funding until 1st September. Where a school converts to academy status on or after 2nd September, up to and including 31st March, the authority can retain all of the de-delegated funding for the remainder of the financial year.

6.0 Year End Position

6.1 Any unspent de-delegated funding remaining at the year-end can be carried forward to the following funding period as with any other centrally retained budget, but its use would be subject to the regulations operating in the new financial year.

7.0 Recommendations

7.1 Maintained Primary representatives to vote on which budgets are to be de-delegated in 2023/24:-

- Trade Union Facility Time
- Capita ONE
- Technology Forge
- CLEAPSS Membership and RPA Service
- Additional School Improvement Services