

LANCASHIRE SCHOOLS FORUM

Virtual meeting to be held at 10.00 am on Tuesday 19 October 2021 via Microsoft Teams

If you wish to join this virtual meeting but are not a member of the Schools Forum, please email Schoolsforum@lancashire.gov.uk

A G E N D A

1. Election of Forum Chair

To elect a Forum Chair for the 2021/22 and 2022/23 academic years.

2. Election of Forum Vice-Chair

To elect a Forum Vice-Chair for the 2021/22 and 2022/23 academic years.

3. Attendance and Apologies for Absence

To be recorded in accordance with the agreed membership of the Forum.

4. Substitute Members

To welcome any substitute Members.

5. Forum Membership (Enclosure)

To note the Forum membership report.

6. Minutes of the Last Meeting (Enclosure)

To agree the minutes of the last meeting held on 6 July 2021.

7. Matters Arising

To consider any matters arising from the minutes of the meeting held on 6 July 2021 that are not covered elsewhere on the agenda.

8. Team Around the School and Setting (TASS)

Pita Oates Designated Lead for TASS will attend the Forum for this item.

To receive a presentation about the TASS developments.

9. Recommendations from the Schools Block Working Group (Enclosure)

To consider the recommendations from the Schools Block Working Group from 21 September 2021, including

- outcome of a forum urgent business decision
- the vote on de-delegation and Minimum Funding Guarantee (MFG) proposals for 2022/23.

10. Recommendations from the High Needs Block Working Group (Enclosure)

To consider the recommendations from the High Needs Block Working Group from 28 September 2021.

11. Recommendations from the Early Years Block Working Group (Enclosure)

To consider the recommendations from the Early Years Block Working Group from 5 October 2021.

12. Recommendations from the Apprenticeship Levy Steering Group (Enclosure)

To consider the recommendations from the Apprenticeship Levy Steering Group from 5 October 2021.

13. Urgent Business

Information on the decision taken using the Forum's urgent business procedure is included in the Schools Block report

14. Oracle Fusion Presentation

Jon Howard, Head of Payroll Services will attend the meeting for this item.

To receive a presentation about the Oracle Fusion developments.

15. Forum Correspondence

There is no Forum related correspondence to consider at this meeting.

16. Any Other Business

17. Date of Future Meetings (Enclosure)

To note that the next scheduled Forum meeting will be held at 10.00 am on Thursday 13 January 2022. Arrangements for the meeting will be confirmed in due course.

A copy of the forum schedule of meetings for the 2021/22 academic year is provided. The schedule includes a physical venue for each meeting but they may be conducted virtually.

Lancashire Schools Forum meeting of 19 October 2021 via Microsoft Teams

Executive Summary

1. Election of Forum Chair and 2 Election of Forum Vice-Chair

To elect a Forum Chair and Vice-Chair for the 2021/22 and 2022/23 academic years

3. Attendance and Apologies for Absence and 4. Substitute Members

To note attendance and apologies for absence and welcome any substitute members.

5. Forum Membership

To note the Forum membership changes since the last meeting.

6. Minutes of the Last Meeting and 7. Matters Arising

To agree the minutes of the last meeting held on 6 July 2021 and any matters arising.

8. Team Around the School and Setting (TASS)

Pita Oates Designated Lead for TASS will attend the Forum for this item

To receive a presentation about the TASS developments

9. Recommendations from the Schools Block Working Group

To consider the recommendations from the Schools Block Working Group held on 21 September 2021.

i. Government response to schools' business rates consultation

Steve Little, Principal Estates Surveyor, attended the working group meeting for this item.

This report provided an update on the government's response to the proposals for schools business rates from 2022/23

The Working Group:

a) Noted the report and that further information should be made available in due course.

ii. Service De-delegations 2022/23

Information was provided about 2022/23 de-delegation proposals and the consultation with schools

The Working Group is asked to:

a) Noted the report;

b) Noted that de-delegation papers would be circulated to members after the meeting;

c) Noted that consultation responses would be presented to the Forum meeting on 19 October 2021 and that the Forum would be asked to formally consider de-delegation decisions for 2022/23.

d) Supported the proposed de-delegation voting arrangements.

Analysis and comments from the de-delegation consultation responses will be presented to the Forum meeting on 19 October 2021 and members will be asked to consider the 2022/23 de-delegation proposals.

iii. Schools Block Funding Arrangements 2022/23

On 19 July 2021, the DfE made announcements about the 2022/23 school funding arrangements. This report provided relevant information, including proposals for a 2022/23 MFG level of 2%, which are the subject of consultation with schools and academies.

The Working Group:

- a) Noted the report and that final DSG allocations for 2022/23 would be notified in December 2021.*
- b) Noted that consultation responses on the level of MFG would be presented to the Forum meeting on 19 October 2021 and that the Forum would be asked to formally consider the 2022/23 rate.*
- c) Supported the proposed voting arrangements as set out for consideration of the de-delegation proposals.*

Analysis and comments from the MFG consultation responses will be presented to the Forum meeting on 19 October 2021 and members will be asked to consider the 2022/23 MFG proposals.

iv. DfE consultation: Fair school funding for all: completing our reforms to the National Funding Formula

The DfE had issued a consultation 'Fair school funding for all: completing our reforms to the National Funding Formula'. A report was presented offering information about the DfE consultation and providing a draft Forum response for consideration.

It was noted that due to the closing date for consultation responses being 30 September 2021, formal approval of a Forum submission will be sought using the Urgent Business Procedure.

The Working Group:

- a) Noted the report.*
- b) Noted that formal approval of a Forum submission will be sought using the Urgent Business Procedure.*

Subsequent to the meeting the Forum urgent business procedure was used to seek final comments and approval for the Forum response

v. Recovery Premium

On 6 September 2021, the Government made further announcements about one-off recovery premium as part of its package of funding to support education recovery. This report provided information.

The Working Group

- a) Noted the report about the Recovery premium funding.*

vi. *School Cost Pressures*

Queries had been raised with officers ahead of the meeting about cost pressures facing schools. Information on the issues raised was provided

The Working Group

- a) *Noted the report.*

The Forum are asked to ratify the Working Group's recommendations.

10. Recommendations from the High Needs Block Working Group

To consider the recommendations from the High Needs Block Working Group meeting held on 28 September 2021.

i. *High Needs Block 2021/22 – Budget Monitoring*

Summer term 2021/22 data had been utilised to provide High Needs Block monitoring and analysis for members

The Working Group

- a) *Noted the report.*

ii. *High Needs Block Funding 2022/23*

DfE announcements have been made about the 2022/23 HNB funding arrangements. This report provided further details.

The Working Group:

- a) *Noted the report.*

iii. *HNB Indicative Commissioned Place Numbers 2022/23*

This report provided an update on the 2022/23 HNB commissioned places process.

The Working Group

- a) *Noted the report and that further information would be provided as the commissioned place process continued.*
b) *Requested an update on the work of the Alternative Provision Strategy Group.*

iv. *Lancashire Hospital Education Service: Annual Report: Academic Year 2020-21*

The Lancashire Hospital Education Service (LHES) is a centrally managed service that is funded from the DSG High Need Block. Information was provided about the service in 2020/21.

The Working Group:

- a) *Noted the report.*

v. *Recovery Premium*

On 6 September 2021, the Government made further announcements about one-off recovery premium as part of its package of funding to support education recovery. This report provided information.

The Working Group

- b) *Noted the report about the Recovery premium funding.*

vi. *School Cost Pressures*

Queries had been raised with officers ahead of the meeting about cost pressures facing schools. Information on the issues raised was provided

The Working Group

- b) *Noted the report.*

The Forum are asked to ratify the Working Group's recommendations.

11. Recommendations from the Early Years Block Working Group

To consider the recommendations from the Early Years Block Working Group meeting held on 5 October 2021.

i. *Schools Forum Early Years Block Membership*

An update was provided on membership changes

The Working Group:

- a) *Welcomed Sharon Fenton as one of the formal Schools Forum representatives from September 2021.*
- b) *Thanked Sharon Alexander for her contribution to the work of the Forum*

ii. *Early Years Block Funding 2022/23*

This report provided an update on EYB funding for 2022/23 and highlighted the possibility that a schools block transfer may be unavailable from April 2022.

The Working Group:

- a) *Noted the report.*
- b) *Noted that a possible principles consultation could be undertaken with the sector in the autumn term 2021.*
- c) *Supported the use of reserves, to provide a level of protection in the transition to a 3&4 year old base rate that is no longer supported by a Schools Block transfer.*

iii. *Maintained Nursery Schools Consultation Update*

An update was provided on the progress on the MNS consultation.

The Working Group:

- a) *Noted the report.*

iv. Education Recovery Board

The Chair fed back on some of the early years issued considered at recent Education Recovery Boards.

The Working Group:

- a) Noted the report.*
- b) Supported the recirculation of the LCC/Public Health letter on testing in the sector bulletin.*

The Forum are asked to ratify the Working Group's recommendations.

12. Recommendations from the Apprenticeship Levy Steering Group

To consider the recommendations from the Apprenticeship Levy Steering Group meeting held on 5 October 2021.

Colleagues from the Apprenticeship Levy team delivered a presentation to members providing an update on the latest school related developments.

The Working Group:

- a) Noted the information;*
- b) Expressed frustration at the continued difficulties caused by school pooled payroll issues;*
- c) Requested that schools and early years providers be encouraged to engage with the apprenticeship levy, via the schools portal and early years bulletins;*
- d) Requested that a more detailed breakdown of early years take-up be provided directly to the Forum early years representatives;*
- e) Thanked the Apprenticeship Levy Team for their continued hard work and dedication during difficult circumstances.*

13. Urgent Business

Information on the decision taken using the Forum's urgent business procedure is included in the Schools Block report

14. Oracle Fusion Presentation (Enclosure)

Jon Howard, Head of Payroll Services) will attend the meeting for this item.

To note the information provided.

15. Forum Correspondence

There is no Forum related correspondence to consider at this meeting.

16. Any Other Business

No known items

17. Date of Future Meetings (Enclosure)

To note that the next scheduled Forum meeting will be held at 10.00 am on Thursday 13 January 2022. Arrangements for the meeting will be confirmed in due course.

A copy of the forum schedule of meetings for the 2021/22 academic year is provided. The meetings include a physical venue but may be conducted virtually.

LANCASHIRE SCHOOLS FORUM

Date of meeting 19 October 2021

Item No 5

Title: Forum Membership

Executive Summary

This report summarises the changes to the Forum membership since the last meeting.

Forum Decision Required

The Forum is asked to:

- a) Note the report,**
- b) Welcome Daniel Baron, James Johnstone, Tim Young, Angela Aspinwall-Livesey, Anna Smith, Sarah Robson, Jackie Lord, Sharon Fenton, Philippa Perks, Liz Laverty, Steve Jones, Claire Thompson and Julie Bell to the Forum.**
- c) Welcome Mike Wright back to the Forum**
- d) Thank Sharon Alexander, Eric Harrison, Peter Higham and Sarah Callaghan for their contributions to the Forum.**

Background

This report provides information on Forum membership issues that have arisen since the last Forum meeting. Details are provided below.

Annual Membership Review

As part of the annual membership review process, several members left the Forum at the end of the 2020/21 academic year, with the thanks of their colleagues, and a number of new appointments have been made from September 2021.

The Forum will wish to welcome the following new members to their first meeting:

Primary School Governors

- Daniel Baron, St Bartholomew's CE Primary School
- James Johnstone, Barrow URC Primary School
- Tim Young, Howick CE Primary School, Penwortham

Primary School Headteachers

- Angela Aspinwall-Livesey, St. John's Catholic Primary and Hillside Community Primary School
- Anna Smith, Burscough Village Primary School
- Sarah Robson, Ribby with Wrea Endowed CE Primary School

Secondary School Governor

- Jackie Lord, Penwortham Girls' High School

Private, Voluntary and Independent (PVI) providers of the free entitlement to early years education

- Sharon Fenton, Rosy Apple Childcare Ltd
- Philippa Perks, University of Cumbria Pre School Centre

One of the PVI vacancies arose after the July 2021 Forum meeting had been held, and members will wish to thank Sharon Alexander for her contribution to the Forum.

Short Stay School Governor

Four nominations were received for the single PRU governor vacancy that was available and an election process was therefore undertaken at the end of the summer term 2021.

Four votes were cast in the election, representing a 50% turnout. Liz Lavery a governor at Shaftesbury High School received 50% of the votes cast and has been appointed to the Forum.

Liz was previously an observer member of the Forum representing teacher unions and has also been a co-opted member of the High Needs working group.

Members will wish to welcome Liz to the Forum as the formal Short Stay School Governor representative.

NASUWT Representative

Steve Jones is the new NASUWT representative on the Forum following the retirement of Eric Harrison

Members will wish to welcome Steve to the Forum and to thank Eric for his contribution.

Special School Headteacher Representative

Peter Higham has resigned as the special school headteacher representative on the Forum.

Claire Thompson, Headteacher at Moorbrook School is to be the new representative.

Members will wish to welcome Claire to the Forum and to thank Peter for his contribution.

Director of Education, Culture and Skills

Sarah Callaghan has recently left the county council to take up a position with Islington Council. Julie Bell, is currently covering the position on an acting basis

Members will wish to welcome Julie to the Forum and to thank Sarah for her contribution.

Secondary Headteacher

An election process was undertaken early in the autumn term 2021 to determine which of 3 secondary school headteacher nominees should be appointed to fill the Forum vacancy.

The election closed on 30 September and Mike Wright, Headteacher at St Augustine's RC High School, Billington was the successful candidate. 11 votes were cast in the election, equating to a 24% turnout. Mike received 55% of the votes cast.

Mike has been a member of the Schools Forum previously and members will wish to welcome him back.

LANCASHIRE SCHOOLS FORUM

**MINUTES OF THE MEETING HELD AT 10:00 A.M. ON TUESDAY, 6 JULY 2021
(Virtual meeting via Microsoft Teams)**

Present:

Schools Members:**Primary School Governors**

Stephen Booth
Gerard Collins
Robert Waring
Karen Stracey
Laurence Upton

Academy Governor

Kathleen Cooper
Helen Dicker
Louise Shaw
Chris McConnachie

Primary School Headteachers

Daniel Ballard
Sarah Barton
Jenny Birkin
Neil Gurman
Deanne Marsh
Keith Wright

Academy Principal/Headteacher

Gaynor Gorman
James Keulemans
Alan Porteous

Alternative Provision Academy

Holly Clark

Secondary School Governors

John Davey
Gill Donohoe
Brian Rollo

Special School Academy**Special School Governor**

Laura Brennan

Secondary School Headteachers

Mark Jackson
Julie Langham

Special School Headteacher

Peter Higham

Nursery School Headteacher

Lindsay Ingham

Short Stay Governor**Nursery School Governor****Short Stay Headteacher****Members:****Early Years - PVI**

Sharon Fenton
Peter Hindle
Anne Peet

Other Voting Members

Rosie Fearn
CC Sue Hind
CC Andrea Kay
Bill Mann

Observers

David Fann (NAHT)
CC Michael Goulthorp
CC Jennifer Mein
Ian Watkinson (NEU)
Sam Ud-din (LASGB)

In attendance: Paul Bonser
Dave Carr
Sarah Callaghan
Matthew Cornish
Christopher Coyle
Matt Dexter
Millie Dixon
Jon Howard
Alison Leach
Kevin Smith
Howard Walsh
Janet Wright

Stephen Booth chaired this meeting of the Forum as apologies had been received from Shaun Jukes.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Sharon Alexander, Chris Bagguley, Ian Ball, Steve Campbell, Thelma Cullen, Katerina Gale, Eleanor Hick, Jan Holmes, Shaun Jukes, Lydia Mannion, Michelle O'Neil and Louise Parrish.

2. SUBSTITUTE MEMBERS

Sharon Fenton was present as a substitute for Sharon Alexander. Lindsay Ingham was present as a substitute for Jan Holmes.

3. FORUM MEMBERSHIP

A number of membership changes had taken place since the last meeting. The following members are leaving the Forum, with the thanks of their colleagues:

- Ian Ball, Primary School Governor
- Louise Martin, Primary School Governor
- Eleanor Hick, Primary School Governor
- Katrina Gale, Primary School Headteacher
- Mark Jackson, Secondary School Headteacher
- Anne Peet, Early Years PVI representative
- Sandra Thornberry, PRU Governor
- CC Phillippa Williamson, County Council Representative
- CC David Foxcroft County, Council Representative
- CC Christian Wakeford County, Council Representative

Following the recent local government elections, the county council's representatives on the Forum have been revised:

- CC Jayne Rear, Cabinet Member for Education

- CC Michael Goulthorp, Lead Member for Education and Skills/Children and Families
- CC Anne Cheetham
- CC Andrea Kay
- CC Sue Hind

The county council will seek to appoint replacement school and early years representatives from September 2021.

It was also noted that data has now been received from the January 2021 census and analysed for schools forum membership purposes. No changes to the membership are currently required but further schools are expected to convert to academies over time and the membership balance will continue to be kept under review

The Forum

- a) Noted the report**
- b) Thanked those members leaving the Forum**
- c) Welcomed, or welcomed back, colleagues joining the Forum**

4. MINUTES OF THE LAST MEETING

The minutes of the last meeting held on 18 March 2021 were agreed as a correct record.

5. MATTERS ARISING

There were no Matters Arising from the minutes of the meeting held on 18 March 2021 that were not covered elsewhere on the agenda.

6. DEDICATED SCHOOLS GRANT (DSG) HISTORIC COMMITMENTS - EARLY INTERVENTION AND MASH

Dave Carr, Head of Service Policy, Information and Commissioning (Start Well) and Chris Coyle, Head of Service MASH & Complex Safeguarding attended the meeting to present the reports on the respective services.

The Forum were aware that the Historic Commitments element of the DSG Central School Services Block (CSSB) has been reducing over a number of years and the DfE have indicated that they will continue to unwind this funding to zero in future years.

In setting the Lancashire Schools Budget for 2021/22, the Forum supported a continuation of the existing combined budgets that are funded from the Historic Commitments element of DSG as follows:

- Emotional Health and Wellbeing Service - £200k
- Multi-Agency safeguarding Hub (MASH) - £150k

As these remaining combined budget services were well regarded, the Forum had asked that enquiries be made of DfE to ascertain if DSG funding could continue to be used to support this provision as it could no longer be met from Historic Commitments. DfE had confirmed that other DSG funding could be used to support the services, subject to the agreement of the Forum.

Service representatives for MASH and Emotional Health and Wellbeing had therefore been invited meeting and to present information about what any future DSG funding would provide.

Dave and Chris presented information about the service offers provided, the benefits to schools and young people of the DSG funding and the outcomes achieved. Members also asked questions of the officers and provided feedback on their own usage of the services.

In connection with Operation Encompass, which operates as part of MASH it was confirmed that meetings were taking place about extending the operation to early years.

It was noted that formal decisions about the DSG contributions can only be taken by Forum in January 2022, when we have received our 2022/23 DSG allocations from government, but members expressed support for the services provided and recommended continued DSG contributions for each service be built into the 2022/23 Schools Budget at existing levels.

The Forum:

- a) **Noted the reports.**
- b) **Thanked Dave and Chris for their presentations.**
- c) **Recommended continued DSG contributions for each service be built into the 2022/23 Schools Budget at existing levels.**

7. RECOMMENDATIONS FROM THE SCHOOLS BLOCK WORKING GROUP

A report was presented setting out the recommendations from the Schools Block Working Group held on 22 June 2021.

i. Schools Budget Outturn 2020/21

This report provided information on the Schools Budget Outturn for 2020/21 and the group gave particular consideration to the Schools Block and Central School Services Block (CSSB) expenditure.

It was noted that the the Overall Schools Budget outturn position for 2020/21 shows an underspend of circa £5m.

The Working Group:

- a) *Noted the report and the 2020/21 Schools Budget final financial outturn position.*

The Forum noted the 2020/21 Schools Budget outturn position.

ii. School Balances and Clawback 2020/21

This report provided information on School Balances and Clawback for 2020/21 and included details of individual school balances at 31 March 2021. Views on future clawback arrangements were sought as part of the report.

The final outturn position against schools delegated budgets at 31 March 2021 was an underspend of £42.832m. This means that school balances have increased by £42.832m in 2020/21, to a total of £90.151m.

The Working Group:

- a) *Noted the report.*
- b) *Noted the overall school balances position at 31 March 2021, including the individual school level information provided in the report.*

- c) *Noted the previous Forum decision to suspend the application of clawback at 31 March 2021.*
- d) *Noted the increase in committed balances at 31 March 2021.*
- e) *Recommended that clawback be again suspended in 2021/22, but that notice be given to schools that it will be reintroduced at the end of 2022/23 (if there are no significant covid related impacts in the intervening period) at the historic levels:*
 - o *A clawback rate of 50% is to be applied to any balance above guideline in the first year a school exceeds the guideline (after adjusting for exemptions)*
 - o *A clawback rate of 100% is to be applied to any balance in excess of guideline where the guideline has been breached for two or more consecutive years (after adjusting for exemptions)*
- f) *Noted the underspend on the supply scheme budget at 31 March 2021.*
- g) *Recommended that the scheme reserve be held at the current time to mitigate against the risk of high costs being incurred in 2021/22.*
- h) *Recommended that the supply scheme position be reassessed at March 2022, when judgements could be made about the appropriate level of reserves going forward, if 2021/22 has been a stable year for the scheme.*

Subsequent to the working group information has been communicated around other NW LAs about school balances across the region and all LAs that shared information had seen significant increases. Lancashire has the highest monetary figure, as the LA with the most schools, but there are significant increases in % terms for all LAs, some greater than Lancashire's.

The Forum ratified the Working Group's recommendations

iii. De-Delegation Proposals 2022/23

Subject to final confirmation of the 2022/23 school funding arrangements by the DfE, it is envisaged that a de-delegation consultation will be issued to maintained primary and secondary schools in early September 2021. This report provided the working group with an opportunity to shape proposals

In 2021/22, the Forum formally approved 4 service de-delegations, relating to:

- Staff costs – Public Duties/Suspensions
- Heritage Learning Service - Primary Schools Only
- Support for Schools in Financial Difficulty
- Inclusion Hubs - Primary Schools Only

The Working Group:

- a) *Noted the report.*
- b) *Supported the de-delegation proposals being included in the consultation with schools, to be issued in September 2021.*
- c) *Requested further modelling around the transition away from lump sums in the charging methodology.*

Subsequent to the working group, officers undertook further modelling to assess the impact of a lump sum reduction of 33% and 50% which was provided for members to consider.

The Forum:

- a) **Ratified the Working Group's recommendations.**

- b) Supported the 50% reduction in lump sum charges, with the associated increases in per pupil charges, being applied to the relevant de-delegation charging methodologies in 2022/23, for inclusion in the consultation with schools.

iv. Scheme for Financing Schools in Lancashire

This report provided information on responses and comments received to a consultation about proposed changes to the Scheme for Financing Schools in Lancashire, some based on updated DfE statutory guidance, plus some locally proposed amendments.

School responses were:

Question	Responses						Total	
	Yes		No		Not sure			
Do you support the changes to the Lancashire scheme for financing schools that are being introduced as a result of the updated DfE scheme guidance?	59	83%	1	1%	11	15%	71	100%
Do you support the changes to the Lancashire scheme for financing schools that are being proposed locally to prohibit the purchase of alcohol for human consumption from school funds except where it is to be used in religious services?	52	74%	11	16%	7	10%	70	100%
Do you support the changes to the Lancashire scheme for financing schools that are being proposed locally to include all school staff in the register of business interests?	57	80%	5	7%	9	13%	71	100%

It was noted that approval of scheme amendments is a formal Schools Forum decision and approval will be sought to update the Lancashire scheme as part of the decision making process for the July 2021 Forum meeting.

The Working Group

- a) *Noted the report.*
- b) *Recommended that the proposed scheme amendments be approved by the Forum*

The Forum

- a) **Noted the consultation responses and the working group recommendations.**

- b) Maintained school members unanimously voted to approve the proposed scheme amendments.**

v. Growth Fund Update – 2021 22

Following Forum approval of amendments to the Growth Fund policy at the last meeting, this report provided an update on expenditure from the fund to date in 2021/22 and highlighted the possible reduced level of funding that would be received in future DSG settlements.

The Working Group:

- a) *Noted the report.*

Since the working group meeting, the new school proposals have been developed further and the proposals for an all through school by expanding the age range at Ribblesdale High school, have been published.

The Forum

- a) **Noted the report and the update on the 'new' school proposals.**
- b) **Approved the 'new school' element of the Growth Fund policy being applied to support the start-up costs for the new primary phase school.**

vi. Split Site Criteria Update

This report sought views on rebasing the level of split site allocations for 2022/23.

The Working Group:

- a) *Noted the report.*
- b) *Supported the uplift of the split site criteria allocations for 2022/23.*

The Forum ratified the Working Group's recommendations

vii. Schools Forum Annual Report 2020/21

A draft Forum annual report for 2021/22 was presented for comment.

The Working Group

- a) *Noted the report*
- b) *Recommended to the Schools Forum that the 2020/21 Annual Report be approved for publication.*

The Forum ratified the Working Group's recommendations

8. RECOMMENDATIONS FROM THE HIGH NEEDS BLOCK WORKING GROUP

A report was presented setting out the recommendations from the High Needs Block Working Group meeting held on 15 June 2021.

i. Inclusion Service Update

Dr Sally Richardson, Head of Inclusion Service, attended the Working Group for this item.

A presentation on the Review of SEND Sufficiency was provided with an opportunity for colleagues to comment.

The presentation contained background data on pupil numbers in each area of the county and forecasts around changes that may occur in the pupil population going forward and mapped this to the current SEND provision by phase, split into maintained and non-maintained delivery . The data is being used to identify where additional provision was required.

The Working Group:

- a) *Noted the information provided on the presentation.*
- b) *Expressed some initial comments on the information and asked if the presentation could be circulated to members with the opportunity to provide any further feedback.*
- c) *Thanked Sally for the work that had gone into producing the report.*

The Forum ratified the Working Group's recommendations

ii. Schools Budget Outturn 2020/21

This report provided information on the Schools Budget Outturn for 2020/21 and the group gave particular consideration to the High Needs Block expenditure.

The Working Group:

- a) *Noted the report and the 2020/21 Schools Budget final financial outturn position.*

Subsequent to the Working Group meeting the county council received information from the results of a survey conducted by the Society of County Treasurers (SCT) on DSG budget deficits. The survey was conducted in May 2021 and collates responses from all 40 county councils with SCT membership.

Headlines from the survey include:

- I. *In 2020-21 SCT members received £20.37bn of Dedicated Schools Grant, up from £19.2bn in 2018-19 and forecasted to rise to £23.2bn in 2024-25.*
- II. *An increasing share has been and will be allocated to high needs – from 14.8% in 2018-19 to 17.7% in 2024-25.*
- III. *Funding is expected to rise for all blocks except for Central Services.*
- IV. *DSG Deficits are expected to reach £410m per year in 2024-25 – a cumulative deficit of £1.84bn.*
- V. *SCT members forecast a total transfer of £198m from schools and central blocks to High Needs over the surveyed period.*
- VI. *Despite this, High Needs deficits are forecasted to increase in size each year following a slight contraction in 2020-21.*
- VII. *In cumulative terms, High Needs deficits have increased or are forecasted to increase throughout the surveyed period; currently (March 2021) at almost £750m this is forecasted to almost triple to well over £2bn by March 2025. Almost all SCT members saw an in-year high needs deficit in 2019-20 and 2020-21.*

As indicated in the outturn report to the working group, Lancashire reported an in year surplus of almost £1m in 2020/21 against HNB, but there are still considerable demand led pressures on the block and 2020/21 was an particularly unusual year.

The Forum

- a) **Noted the additional information provided in the SCT survey.**

b) Ratified the Working Group's recommendations.

iii. School Balances and Clawback 2020/21

This report provided information on School Balances and Clawback for 2020/21 and included details of individual school balances at 31 March 2021. Views on future clawback arrangements were sought as part of the report.

The Working Group:

- a) *Noted the report.*
- b) *Noted the overall school balances position at 31 March 2021, including the individual school level information provided in the report.*
- c) *Noted the previous Forum decision to suspend the application of clawback at 31 March 2021.*
- d) *Noted the increase in committed balances at 31 March 2021.*
- e) *Recommended that clawback be again suspended in 2021/22, but that notice be given to schools that it will be reintroduced at the end of 2022/23 (if there are no significant covid related impacts in the intervening period) at the historic levels:*
 - o *A clawback rate of 50% is to be applied to any balance above guideline in the first year a school exceeds the guideline (after adjusting for exemptions)*
 - o *A clawback rate of 100% is to be applied to any balance in excess of guideline where the guideline has been breached for two or more consecutive years (after adjusting for exemptions)*
- f) *Noted the underspend on the supply scheme budget at 31 March 2021.*
- g) *Recommended that the scheme reserve be held at the current time to mitigate against the risk of high costs being incurred in 2021/22.*
- h) *Recommended that the supply scheme position be reassessed at March 2022, when judgements could be made about the appropriate level of reserves going forward, if 2021/22/23 has been a stable year for the scheme.*

The Forum ratified the Working Group's recommendations

iv. HNB Commissioned Place Process

This report provided information about possible amendments to the early notification procedure in the HNB commissioned place process for 2022/23.

PRU Process 2022/23

It was proposed that correspondence on indicative place numbers for 2022/23 to PRUs is not issued in July 2021 but is instead circulated in autumn term 2021. At that time, it is hoped that indicative data will include input from the service to refine the commissioned places to figures that will be more closely aligned to the final budget places and can take account of the latest recommendations from the AP strategy group.

No change to special school process were proposed.

The Working Group

- a) *Noted the report.*
- b) *Supported the proposed changes to the commissioned place process for 2022/23.*

The Forum ratified the Working Group's recommendations

v. Schools Forum Annual Report 2020/21

A draft Forum annual report for 2021/22 was presented for comment.

The Working Group

- a) *Noted the report*
- b) *Recommended to the Schools Forum that the 2020/21 Annual Report be approved for publication.*

The Forum ratified the Working Group's recommendations

9. RECOMMENDATIONS FROM THE EARLY YEARS BLOCK WORKING GROUP

A report was presented setting out the recommendations from the Early Years Block Working Group meeting held on 15 June 2021.

i. Schools Forum Early Years Block Membership

This report provided an update on early years PVI membership of the group.

The Working Group

- a) *Noted the report.*
- b) *Welcomed Phillipa Perks as one of the formal Schools Forum representatives from September 2021.*
- c) *Thanked Anne Peet for her contribution to the work of the Forum*
- d) *Thanked Peter Hindle for agreeing to extend his membership*

The Forum ratified the Working Group's recommendations

ii. Funding Agreement for the Provision of Early Education Funding 2021/22, including sector consultation responses on PVI Headcount Dates and Interim Payments Terms

This report provided information on changes to the Private, Voluntary and Independent Sector (PVI) Funding Agreement, and Schools Sector Memorandum of Understanding for Early Education Funding for the 2021/22 academic year.

The Working Group:

- a) *Noted the report, including the feedback from the consultation with the sector*
- b) *Noted that recommendations from the Early Years Consultative Group about PVI Headcount Dates and Interim Payments Terms had been accepted by the county council and built into the updated funding agreement and memorandum of understanding*
- c) *Requested clarification around a small number of amended clauses in the documents*
- d) *Recommended that the county council consider the proposed amendment to the funding agreement arrangements relating to funding for settings that received an Inadequate judgement from OfSTED*

Subsequent to the working group meeting some feedback has been provided clarifying the rationale for a small number of amendments. Sarah Callaghan confirmed that the LA wanted to support our early years settings with regard to the request relating to settings that received an Inadequate judgement from OfSTED and was looking into the request.

The Forum ratified the Working Group's recommendations

iii. Funding for local authorities in financial year 2021 to 2022

An update was provided on DfE announcements around changes to the way the DfE will fund the early years block in 2021/22, which included moving to a termly count with aligned census points for maintained and pvi providers.

The Working Group

- a) *Noted the report*

The Forum noted the report.

iv. Maintained Nursery School (MNS) Review

This report provided information on review of maintained nursery school provision that was currently taking place.

The Working Group

- a) *Noted the report.*

Members noted that the LA was producing findings from the review but that there were not currently available in the public domain.

The Forum noted the report.

v. Schools Budget Outturn 2020/21

This report provided information on the Schools Budget Outturn for 2020/21 and the group gave particular consideration to the Early Years Block expenditure.

The Working Group:

- a) *Noted the report and the 2020/21 Schools Budget final financial outturn position.*

The Forum ratified the Working Group's recommendations

vi. School Balances and Clawback 2020/21

This report provided information on School Balances and Clawback for 2020/21 and included details of individual school balances at 31 March 2021. Views on future clawback arrangements were sought as part of the report.

The Working Group:

- a) *Noted the report.*
- b) *Noted the overall school balances position at 31 March 2021, including the individual school level information provided in the report.*
- c) *Noted the previous Forum decision to suspend the application of clawback at 31 March 2021.*
- d) *Noted the increase in committed balances at 31 March 2021.*
- e) *Recommended that clawback be again suspended in 2021/22, but that notice be given to schools that it will be reintroduced at the end of 2022/23 (if there are no significant covid related impacts in the intervening period) at the historic levels:*
 - o *A clawback rate of 50% is to be applied to any balance above guideline in the first year a school exceeds the guideline (after adjusting for exemptions)*

- *A clawback rate of 100% is to be applied to any balance in excess of guideline where the guideline has been breached for two or more consecutive years (after adjusting for exemptions)*
- f) *Noted the underspend on the supply scheme budget at 31 March 2021.*
- g) *Recommended that the scheme reserve be held at the current time to mitigate against the risk of high costs being incurred in 2021/22.*
- h) *Recommended that the supply scheme position be reassessed at March 2022, when judgements could be made about the appropriate level of reserves going forward, if 2021/22/23 has been a stable year for the scheme.*

The Forum ratified the Working Group's recommendations

vii.Schools Forum Annual Report 2020/21

A draft Forum annual report for 2021/22 was presented for comment.

The Working Group

- a) *Noted the report*
- b) *Recommended to the Schools Forum that the 2020/21 Annual Report be approved for publication.*

The Forum ratified the Working Group's recommendations

viii.SEN Inclusion Fund

On 17 May 2021, the latest meeting of the group established to consider matters around the SEN Inclusion fund took place. This report provided an update on key issues.

The Working Group

- a) *Noted the report.*
- b) *Welcomed the progress being made on this issue through the task and finish group.*

Subsequent to the papers being published, a further meeting of the task and finish group had taken place on 5 July, and an Appendix was circulated containing revised funding proposals for the SEN Inclusion Fund, which it was hoped can be implemented from the start of the autumn term 2021. The proposals have been developed by the county council's specialist teachers team in conjunction with the Early Years Sub- Group and contain increased funding levels.

The Forum supported the proposals and the increased funding levels for the SEN Inclusion Fund and praised the positive work that had been undertaken by Helen Connolly and the service to develop the new proposals.

The Forum:

- a) **Noted the report and the additional information provided about proposed changes to the SEN inclusion Fund.**
- b) **Ratified the Working Group's recommendations and supported the changes and increased funding levels for the SEN Inclusion Fund.**

ix. Education recovery announcement for early years providers

It was noted that funding had been made available nationally to assist educationally recovery, which included the provision of £153m for training for early years staff to support the very youngest children’s learning and development. Further details were still awaited.

The Working Group
a) *Noted the report.*

The Forum noted the report.

x. Early Career Teachers (ECTs)

A query was raised at the about whether a private nursery could support an ECT through their two year pathway. Officers agreed to check and confirm the position.

The Working Group
a) *Noted the question raised and that an answer would be circulated to members.*

The Forum noted the report and that information circulated to working group members subsequent to the meeting.

10. RECOMMENDATIONS FROM THE CHAIRS' WORKING GROUP

A report was presented setting out the recommendations from the Chairs' Block Working Group meeting held on 22 June 2021.

i. Schools in Financial Difficulty (SIFD) –Categorisations

This report provided an update to the Schools in Financial Difficulty (SIFD) categorisations based on March 2021 outturn data.

The categorisation data for All schools based on school outturn data from 31 March 2021 is shown below:

Category	No. of schools	%
1	4	0.7%
2	7	1.2%
3	43	7.6%
4	514	90.5%
	568	

The working group noted some concern that the analyses may be overly optimistic as it is based on outturn data at March 2021 which may be artificially high.

The Group:
a) *Noted the report and analysis provided.*
b) *Noted that the Schools Block working group were being presented with a report about the charging methodology associated with de-delegations including consideration of removing the lump sum element of the charge over time, which could disadvantage small schools.*

The Forum ratified the Working Group's recommendations

ii. Schools in Financial Difficulty (SIFD) Support Criteria

This report sought views on proposed changes to SIFD support criteria.

It was proposed to amend the SIFD support criteria to indicate that interest charges and provision of school finance support will be met centrally from SIFD funding for schools with an agreed recovery plan, **or an agreed sustainability plan.**

Members supported the proposals but questioned how the equity of any approvals would be sustained, and officers confirmed that the plan would need to achieve at least an in year balanced budget position for the plan to be approved.

The Group:

- a) *Noted the report and the clarification around sustainability plan approvals.*
- b) *Supported the proposed Schools in Financial Difficulty (SIFD) Support Criteria amendments to provide support for schools with an approved sustainability plan.*

The Forum ratified the Working Group's recommendations

11. APPRENTICESHIP LEVY

This report provides information arising from the Forum seminar held on 11 May 2021 on the Apprenticeship Levy Pooled Payroll issues.

The Apprenticeship Levy team have been in discussions with the ESFA around this issue over a number of years but had been advised that it has not been possible to identify an alternative registration route for employers without their own PAYE reference number, that provides an acceptable level of assurance.

The county council has provided information to schools via the portal and issued a link where any school or academy that is affected by this issue can register their details, to enable the team to report how many schools this is effecting and keep them up to date. The form is available [here](#)

Subsequent to the May meeting, the Apprenticeship Levy Team are continuing to pursue possible solutions. The team also requested that Levy paying schools are asked to consider any requirements for upskilling existing staff for September and get in touch with the apprenticeship team

Members reported back on unhelpful responses to their own representations and shared frustration about the impact this technical issue appeared to be having on the ability of some schools to support young people accessing apprenticeships or upskilling existing staff.

It was also reiterated that pooled payroll issues also impacted on the ability of some schools to access other funding opportunities.

Sarah reported that Edwina Grant had raised this issue in regular contact with DfE officials and would do so again.

The Forum

- a) **Noted the information and welcomed the continued representations to find a sensible resolution to the pooled payroll issues.**

12. URGENT BUSINESS

Information was provided on the decisions taken using the urgent business procedure to approve the Forum's response to the DfE Consultation on changes to the payment process of schools' business rates. The proposal is for a central payments system operated nationally by DfE.

23 responses were received from members. Some sought clarifications about the proposed process or made more general observations about the implications of the change, but all supported the draft response without any amendments.

A Forum consultation response was therefore submitted on 4 May 2021 and a copy was provided for members,

The Forum

- a) **Noted the report.**

13. ORACLE FUSION PRESENTATION

Jon Howard (Head of Payroll Services) , Allison Leach (Payroll Service Manager) and Matthew Cornish, (Socitm Advisory Senior Consultant) attended the meeting to provide information on the Oracle Fusion project

Colleagues presented information on the Changes to Oracle. Information included

- Lancashire County Council is replacing Oracle R12 (also known as eBusiness Suite) with cloud based platform Oracle Fusion for HR, Payroll, Finance and Procurement business processes
- Oracle Fusion is a modern, user-friendly system which is faster and easier to navigate
- Go Live for the HR & Payroll modules is currently planned for Spring 2022

It was noted that updates were given on the Schools Portal and that schools would be kept informed and provided with relevant training as the project continued.

The Forum

- a) **Noted the report.**

14. FORUM CORRESPONDENCE

There was no Forum related correspondence to consider at this meeting.

15. ANY OTHER BUSINESS

i. Schools Finance Review of Service Offer for 2022/23 questionnaire

Kevin Smith reported that the Finance Team had issued a survey to schools seeking views on the finance service going forward. The survey closed at the end of June and 165 responses were received from schools.

An analysis of responses and the comments received are now being considered to help shape the service offer for 2022/23. Thanks were expressed to all the schools that took the time to respond.

The Forum noted the information.

ii. New Education Strategy

Sarah Callaghan reported that a consultation was to take place on a new Education Strategy and Forum would be invited to respond. The importance of aligning Forum funding recommendations with strategy objectives was emphasised.

The Forum noted the information.

16. DATE OF FUTURE MEETINGS

It was noted that next scheduled Forum meeting would be held at 10.00 am on Tuesday 19 October 2021. Arrangements for the meeting will be confirmed in due course.

A copy of the forum schedule of meetings for the 2021/22 academic year was also provided. The meetings included a physical venue but may be conducted virtually.

LANCASHIRE SCHOOLS FORUM
Date of meeting 19 October 2021

Item No 9

Title: Recommendations of the Schools Block Working Group

Appendices A, B and C refer

Executive Summary

On 21 September 2021, the Schools Block Working Group considered a number of reports, including:

- Government response to the schools' business rates consultation
- Service De-delegations 2022/23
- Schools Block Funding Arrangements 2022/23
- Recovery Premium
- School Cost Pressures

A summary of the information presented, and the Working Group's recommendations are provided in this report.

Recommendations

The Forum is asked to:

- a) **Note the report from the Schools Block Working Group held on 21 September 2021**
- b) **Ratify the Working Group's recommendations.**

Background

On 21 September 2021, the Schools Block Working Group considered a number of reports. A summary of the information presented, and the Working Group's recommendations are provided below:

1. Government response to schools' business rates consultation

Steve Little, Principal Estates Surveyor, attended the meeting for this item.

In Spring 2021, the Forum had submitted a response to a DfE consultation on Changes to the payment process of schools' business rates.

In August 2021, the DfE published their response to the consultation. A copy of the full DfE response is available [here](#).

The DfE document indicates that there was general support for the proposals and confirmed that the Government intends to proceed with their proposals to centralise the business rates payment system for schools from April 2022.

This will involve ESFA paying billing authorities directly on behalf of state funded schools, removing schools from the payment process, meaning rates funding will be removed from school block budgets. The first business rates payments made directly from ESFA to billing authorities will be paid in June 2022.

It was noted that this process change would assist the DfE's objective of moving to a hard national funding formula.

The Government response to the consultation indicated that four issues were raised in the consultation, where the DfE have changed their approach as a consequence of responses received. Two of these issues related to matters included in the Forum consultation submission, as set out below:

- Some respondents asked for a more transparent system that allowed schools, and local authorities, to see schools' rates bill amounts and when bills had been paid. Therefore, schools and local authorities will have access to the online business rates portal so they can access their data.
- Some respondents raised concerns around schools having to pay penalty charges for any late payments, when payment timings would be outside of their control. DfE recognise that this would be unfair. Therefore, whilst there will not be any changes to schools' formal liability for ensuring business rates are paid, ESFA will pay any penalty charges for missed or late payments that are a result of ESFA error but expect such cases to be rare.

The second 2 changes made by the DfE concerned arrangements for billing authorities, so were not directly relevant to the Forum.

Other matters were raised in the Forum response that did not prompt any changes to the government proposals.

One issue in our submission related to the fact that 'all state funded schools' should be included in the new business rates proposals, which focus on the schools and academies funded through the School Block. The government reply notes that the vast majority of special schools receive full rate relief because of providing for persons with a disability, so are not charged rates, but the response indicates that the ESFA will continue to fund the rates bills for any state funded special schools not in receipt of full relief, where this is already the existing practice.

In response to the suggestion that maintained nursery schools be included in the new system, DfE indicate that they have assessed maintained nursery schools as out of scope of the new centralised business rates system at the present time, as the funding is through the early years block which does not identify rates as a separate sum. The Government have indicated that they intend to explore the feasibility of extending the scheme to maintained nursery schools in the future and will keep this under review.

No specific reference is made to PRUs or AP academies that were also referenced in the Forum response, although the DfE have confirmed that they will provide a full list to each billing authority of all the local authority maintained schools and academies in their area for which they will be responsible for submitting a data upload.

Another key concern in our submission related to where schools share sites with other bodies. DfE confirm that they will adopt a process where they cover additional rates costs associated with buildings on a school site which are used to deliver education for pupils at the school (a sports hall that is used by pupils during lesson time and in the evenings by the wider community, for example). However, DfE will not cover the additional rates costs associated with buildings which are not used to deliver education for pupils at the school (a children's centre, for example).

The DfE are encouraging schools to register buildings which are not used to deliver education for pupils at the school as a separate entity on the Valuation Office Agency's (VOA) rating list, thereby ensuring that two individual bills are generated. In situations where separate bills have not been achieved by April 2022, schools will need to organise how the other liable party reimburses them to make up the difference between the total that is owed to the billing authority (i.e., the combined bill of school buildings and other buildings on site) and what the ESFA pays (i.e., just the portion of the bill relating to buildings used for delivering education for pupils at the school).

Steve Little discussed the consequences of this change with members and it was noted that further clarification is still required about how the new system will operate in practice and around some of the practical implications for schools and the estates team at LCC. Steve indicated that schools could contact him with any specific rates queries they may have.

It was confirmed that current rates relief policy, for example for special schools or aided schools would continue to apply.

It was also confirmed that the Forum's current Rate Reimbursement Policy would no longer be applicable from April 2022.

The Working Group:

- a) Noted the report and that further information should be made available in due course.**

2. Service De-delegations 2022/23

Each year, the primary and secondary school members of the Schools Forum must decide on Service De-delegation proposals put forward by the Authority. Where appropriate, agreed de-delegations are then offered to nursery schools, special schools and PRUs as group buy-backs.

At the July 2021 working group meeting, initial proposals for 2022/23 de-delegations were presented for consideration. Proposals included a continuation of the 4 service de-delegations that had been approved by the Forum for 2021/122, which were:

- Staff costs – Public Duties/Suspensions
- Heritage Learning Service - Primary Schools Only
- Support for Schools in Financial Difficulty
- Inclusion Hubs - Primary Schools Only

The working group supported the 4 services being included in annual de-delegation consultation with schools, and following consideration of the options and further impact modelling that was presented to the Forum, it was recommended that the 'Staff Costs and 'Support for Schools in Financial Difficulty' de-delegations should introduced a revised charging structure. The amended structure would cease the use of a lump sum element in the charging methodology for these 2 services and move to a purely number on roll (NOR) based calculation in order to offer more equitable arrangements for smaller schools. However, in order to minimise turbulence, the Forum recommended that for 2022/23, the lump sum element should be reduced by 50% only, with the corresponding increase in NOR rates.

Proposals for the Heritage Learning Service and Inclusion Hubs de-delegations held charges at the 2021/22 levels.

At the time of the working group, the de-delegation consultation papers had not yet been approved for publication, but it was agreed to circulate the papers to members once they were cleared.

The closing date for consultation responses is 15 October 2021 and a final analysis and comments will be provided to the Schools Forum meeting on 19 October 2021 when maintained primary and secondary schools members will be asked to formally vote on the 2022/23 de-delegation proposals.

The working group supported the operation of the de-delegation voting at the Forum, which would take place at the meeting if there were unanimous or clear decisions, but if views were split, voting would take place via an eform after the meeting, so a formal record is available and to ensure voting is restricted to those eligible under each decision.

The Working Group is asked to:

- a) Noted the report;**
- b) Noted that de-delegation papers would be circulated to members after the meeting;**

- c) Noted that consultation responses would be presented to the Forum meeting on 19 October 2021 and that the Forum would be asked to formally consider de-delegation decisions for 2022/23.
- d) Supported the proposed de-delegation voting arrangements.

Subsequent to the meeting, copies of the 2022/23 service de-delegations and schools block funding formula full consultation document and the summary document were circulated to members and copies are attached to this report as Appendix A and Appendix B.

Analysis and comments from the consultation responses will be presented to the Forum meeting on 19 October 2021.

3. Schools Block Funding Arrangements 2022/23

On 19 July 2021, the DfE made announcements about the 2022/23 school funding arrangements.

2022/23 is the final year of the DfE's three year funding settlement that has increased funding by £7.1b compared to the 2019/20 baseline. This is a £2.3b increase nationally over 2021/22.

National Funding Formula (NFF) 2022/23

The basic structure of the National Funding Formula (NFF) remains unchanged for 2022/23, but DfE have increased factor values using the additional funding available from April 2022 and made some other minor changes to the arrangements. Further details are provided below:

Factor Values

NFF factor values for 2022/23 have increased, as follows:

- 3% to basic entitlement, free school meals at any time in the last 6 years (FSM6), income deprivation affecting children index (IDACI), lower prior attainment (LPA), English as an additional language (EAL) and the lump sum;
- 2% to the funding floor, the minimum per pupil levels and free school meals (FSM);
- 0% on the premises factors, except for PFI which has increased by RPIX.

Minimum Pupil Funding

The DfE announcements included the relevant minimum pupil funding (MPF) levels for primary and secondary schools, which incorporate the 2% uplift for 2022/23:

- The primary schools, the MPF level will be £4,265 per pupil in 2022/23 compared to £4,180 per pupil in 2021/22.
- For secondary schools, the MPF level will be £5,525 per pupil from 2022/23 compared to £5,415 per pupil in 2021/22;

Sparsity factor

Following the Government's consultation on the Sparsity factor held earlier this year, the DfE have amended the factor from April 2022, including:

- Increasing the maximum sparsity values for the both the primary and secondary phases by £10,000. Maximum sparsity values will be £55,000 for primary schools and £80,000 for secondary, middle, and all-through schools.
- Updating the schools sparsity distances calculations so that they are now based on road distances, instead of straight-line distances,
- Introducing a sparsity distance taper, in addition to the existing year group size taper.

FSM6 Data

Data on pupils who have been eligible for FSM6 is now taken from the October 2020 school census instead of the January 2020 census. DfE indicate that this will make the factor more up to date and bring it in line with arrangements for other NFF factors as well as the pupil premium.

Low Prior Attainment

In calculating low prior attainment proportions, data from the 2019 early years foundation stage profile (EYFSP) and key stage 2 (KS2) tests will be used as a proxy for the 2020 tests, following the cancellation of assessment due to coronavirus (COVID-19).

Mobility Factor

Pupils who joined a school between January 2020 and May 2020 will attract funding for mobility based on their entry date, rather than by virtue of the May school census being their first census at the current school, as the May 2020 census did not take place due to coronavirus (COVID-19).

Local Schools Block Formula 2022/23

The Forum have previously agreed that Lancashire will adopt the NFF factors and values as the local funding formula. However, a degree of local discretion remains about the level of the **Minimum funding guarantee (MFG)**. LAs have the freedom to set the MFG in local formulae between +0.5% and +2% per pupil.

Views will be sought from Lancashire primary and secondary schools and academies in the consultation to take place early in the autumn term 2021. The LA proposal included in the consultation will be for the MFG to be set at +2.0% in 2022/23, as this provides the maximum allowable protection for Lancashire schools and academies and matches the funding floor protection included in the NFF.

Dedicated schools grant (DSG) transfers

Local authorities continue to be able to transfer up to 0.5% of their schools block to other blocks of the DSG, with schools forum approval.

In 2020/21 and 2021/22, following consultation with schools and academies, the Forum agreed to transfer Schools Block headroom to support pressures in the Early Years Block. This transfer equated to £2m in each year.

At this point, the DfE have not announced any initial funding allocations for the Early Years Block, but it is anticipated that considerable costs pressures will remain in the sector. However, initial indications suggest that the availability of headroom in 2022/23 may be limited.

If required, an urgent consultation about any possible Schools Block transfer will be held with schools and academies once final 2022/23 DSG allocations are received from DfE and have been assessed.

Deficit management

The DfE recognises that there may well be some local authorities which, despite their best efforts and the increased funding for the high needs block, will still not be able to pay off their historic deficit from the DSG over the next few years. In these cases, the department expects to work together with the local authority to agree a plan of action to enable the local authority to pay off its deficit over time.

To date, Lancashire has managed to maintain a surplus DSG reserve.

Teachers pay grant (TPG) and Teachers pension employers contribution grant (TPECG)

TPG and TPECG allocations are now fully rolled in to the NFF and no separate adjustments are needed in the local formula.

Central School Services Block (CSSB)

As members are aware, the Central School Services Block (CSSB) is made up from a formulaic 'ongoing responsibilities' element that relates to responsibilities that local authorities continue to have for all schools, and a 'historic commitments' element that relates to certain commitments entered into before April 2013.

For 2022/23, the per pupil rate used in the formulaic ongoing responsibilities calculation will receive an uplift similar to the Schools Block, but the historic commitments funding will continue to decrease, by a further 20% from April 2022.

Timetable

The DfE's provisional timetable for the data checking and calculation of the 2022/23 DSG follows a similar pattern to that which has been in place over recent years.

Provisional Allocations for 2022/23 Lancashire Position

The July 2021 government announcements contain the actual units of funding for primary and secondary schools that will be used to calculate the 2022/23 Schools Block allocations. Information for Lancashire is provided below, including 2021/22 SUF and PUF values for comparison:

Unit of Funding	2021/22	2022/23
Actual primary unit of funding (PUF)	£4,575	£4,697
Actual secondary unit of funding (SUF)	£5,724	£5,890

Announcements also contained provisional 2022/23 allocations for all DSG funding blocks, except early years. The Lancashire information is provided in the table below and it should be noted that the early years block figures for 2021/22 have been replicated for 2022/23 to complete the 2022/23 DSG estimate.

Forecast DSG Income	2021/221 Baseline £m's	DfE notional 2022/23 allocation (using Oct 20 data) £m's	Difference £m's	Difference %
Schools Block	845.887	867.711	21.823	2.58
High Needs Block	151.033	166.193	15.160	10.04
Early Years Block	82.472	82.472	0.000	0.00
CSSB	6.766	6.799	0.033	0.49
Total	1,086.16	1,123.17	37.016	3.41

The Schools Block figures are also shown without the Growth Fund allocations, as these are calculated outside the NFF methodology, although it should be noted that the DfE NFF consultation referred to elsewhere on the agenda starts to develop possible proposals on this subject.

For 2021/22, Lancashire received a Growth Fund allocation of circa £4m, down from circa £4.8m a year earlier. An initial estimate of the possible 2022/23 allocation is circa £3m, due to the reduced level of aggregate pupil growth in the county.

Initial Schools Block modelling suggests that there may be limited or no headroom available in 2022/23. The main factor creating possible Schools Block pressures from April 2022 relates to the increasing level of deprivation experienced in the county, in part due to the impact of the pandemic. The PUF and SUF values above, which will be used to calculate our final DSG allocations in December 2021, were determined on the basis of deprivation at a point in time, but the school level data used to calculate the actual 2022/23 individual schools budgets will reflect a position that is, on aggregate, more deprived, particularly on the FSM6 measure. The shortfall in funding for 2022/23 may be as much as circa £3.5m - £4m.

The increased level of deprivation will be reflected in future DSG allocations under the lagged funding system, but combined with a falling Growth allocation, it is anticipated that there will be no headroom available in 2022/23. In the last 2 financial years, circa £2m of headroom per annum has been targeted at EYB.

The Working Group:

- a) **Noted the report and that final DSG allocations for 2022/23 would be notified in December 2021.**
- b) **Noted that consultation responses on the level of MFG would be presented to the Forum meeting on 19 October 2021 and that the Forum would be asked to formally consider the 2022/23 rate.**
- c) **Supported the proposed voting arrangements as set out for consideration of the MFG proposals.**

Subsequent to the meeting, copies of the 2022/23 service de-delegations and schools block funding formula full consultation document and the summary document were circulated to members and copies are attached to this report as Appendix A and Appendix B.

Analysis and comments from the consultation responses will be presented to the Forum meeting on 19 October 2021.

4. DfE consultation: Fair school funding for all: completing our reforms to the National Funding Formula

The DfE had issued a consultation 'Fair school funding for all: completing our reforms to the National Funding Formula'. The consultation sought feedback about the principles of moving to a hard national funding formula (NFF) for primary and secondary schools and academies and is the first of a series of consultations that are planned.

A report was presented offering information about the DfE consultation and providing a draft Forum response for consideration.

Members considered some of the key issues raised and the proposed responses.

It was noted that due to the closing date for consultation responses being 30 September 2021, formal approval of a Forum submission will be sought using the Urgent Business Procedure.

The Working Group:

- a) **Noted the report.**
- b) **Noted that formal approval of a Forum submission will be sought using the Urgent Business Procedure.**

Subsequent to the meeting the Forum urgent business procedure was used to seek final comments and approval for the Forum response. Analysis and comments from the urgent business responses are now provided.

Responses or comments were received from 24 members.

Of the responses, 20 completed the eform radio button to the question 'Do you support the submission of the draft Forum consultation response?' Analysis of those responses are provided below:

Response	No	%
yes, but with my suggested amendments (please tell us your comments in the next question)	2	10
yes, without amendment	18	90
No	0	0
Total	20	100

Some members also included comments in their responses via the eform or submitted email replies.

The loss of local flexibility, for example on possible block transfers, was highlighted as a particular concern in multiple responses. Concern about the funding pressures in mainstream and high needs was emphasised in one response, as was the need to collect PFI data from all relevant schools to ensure correct funding.

One response disagreed with the proposed legacy grant response.

3 responses also referred to the possible advantages of aligning the school financial year with the academic year, with one comment setting out benefits a school had found when changing to the academic year funding model on transfer to academy status and another citing that the disruption from any transfer of funding year would be short term. Whilst the majority of respondents continued to support the retention of the current April to March financial year, the Chair agreed it was appropriate to recognise these views and the Forum response to question 13. 'How strongly do you feel that we should further investigate the possibility of moving maintained schools to being funded on an academic year basis?' was amended from 'Disagree' to 'Neither Agree nor Disagree'. Additional comment was also included in the text submission question 14 to acknowledge that range of views expressed in the urgent business process.

A copy of the Forum's final consultation submission is attached at Appendix C.

5. Recovery Premium

On 6 September 2021, the Government made further announcements about one-off recovery premium as part of its package of funding to support education recovery.

Information extracted from the DfE publication was issued to the working group.

It was noted that the recovery premium provides additional funding for state-funded schools in the 2021 to 2022 academic year. Building on the pupil premium, this funding will help schools to deliver evidence-based approaches for supporting disadvantaged pupils.

All schools that are eligible for pupil premium are eligible for recovery premium and the recovery premium will be allocated using the same data as the pupil premium.

Mainstream schools will get:

- £145 for each eligible pupil in mainstream education
- £290 for each eligible pupil in a special unit

The recovery premium will be paid in 4 payments to schools during the 2021 to 2022 academic year.

Information in the report also contained guidance on

- Using recovery premium funding
- Reporting and accountability

The Working Group

a) Noted the report about the Recovery premium funding.

6. School Cost Pressures

Queries had been raised with officers ahead of the meeting about cost pressures facing schools. Information on the issues raised is provided below

- NI increase – there is no indication there will be extra funding from DfE to cover this pressure, so at this stage the costs will need to be met from individual school budgets.
- Energy Costs - increased energy costs have been queried with LCC Energy Team. It was reported that no Lancashire schools specific analysis was yet available but the most recent update from the LCC framework provider forecast an increase of 20% on delivered electricity price and 40% on delivered gas price. Once the team have the outturn prices for the next pricing period, they will supply updated information and also put this on the portal.

The Working Group

a) Noted the report.

Consultation on the Schools Block Funding Arrangements and Service De-delegations 2022/23

Summary Document

Summary

- The Government made various announcements in July 2021 about school funding for 2022/23. These announcements confirmed that the DfE have made limited changes to the funding arrangements from April 2022 and confirmed that de-delegation arrangements continue to be allowable from April 2022.
- This consultation is seeking views about the continuation of services de-delegations in 2022/23, which are:
 - Staff costs – Public Duties/Suspensions – Proposals are similar to 2021/22, but include a change to the charging methodology, where proposals look to transition away from the lump sum element that was historically included in the charge. The charge also includes a slight increase over 2021/22 to cover the cost of recent overspends in this de-delegation.
 - Heritage Learning Service (Museum Service) - Primary Schools Only – Proposals are similar to 2021/22 and charges are held at the same level.
 - Support for Schools in Financial Difficulty – Arrangements are similar to 2021/22 but also includes a change to the charging methodology to transition away from the lump sum element that was historically included in the charge.
 - Primary Inclusion Hubs – Proposals are similar to 2021/22 and the charge remains as per the current year. Information is provided from each district and from the results of a recent school survey on Inclusion Hubs.
- The changes to the charging methodology for the Staff Costs and Schools in Financial Difficulty de-delegations are based on recommendations from the Schools Forum due to concerns about financial pressures on smaller schools, particularly in the primary phase and the effect of the change to reduce the lump sum element will be to increase the charge to the largest schools in each phase and reduce the cost to the smaller schools. If these de-delegations continue in 2023/24, it is anticipated that the charges would be calculated on a Number on Roll (NOR) only basis. Further information is provided in the main consultation document.
- It is extremely important to the County Council and the Schools Forum to be able to reflect the views of Lancashire schools when making decisions about de-delegation arrangements for 2022/23, as these decisions are binding on all primary and secondary schools.
- De-delegations are not permitted for academies, special schools, nursery schools or PRUs, however, some services will be offered as a buy-back and separate information will be provided about these options, where appropriate.
- Following a previous consultation with schools and the Schools Forum, Lancashire has adopted the NFF methodology as the local funding formula. The main document also sets out the main formula changes that will be introduced for 2022/23 and seeks views on the level of Minimum Funding Guarantee (MFG) that should be applied in Lancashire from April 2022.
- Please let us know your views on the de-delegations proposals for 2022/23, by completing the consultation questionnaire available [here](#), by **15 October 2021**.
- If there are any proposals to transfer funding from Schools Block to other funding blocks in 2022/23 that emerge once we have modelled allocations from the DfE on the schools funding arrangements, a further consultation will be issued seeking schools' views.

Consultation on the Schools Block Funding Arrangements and Service De-delegations 2022/23

Executive Summary

The Government made various announcements in July 2021 about school funding for 2022/23. These announcements confirmed that the DfE have made limited changes to the funding arrangements from April 2022.

This means that the 'soft' National School Funding Formula (NFF) arrangements will continue for 2022/23, where the allocations for each Local Authority (LA) are calculated on the aggregated individual school National Funding Formula (NFF) amounts, but the LA's local formula still applies in making actual allocations to primary and secondary schools.

The soft NFF arrangements will allow the continuation of de-delegation arrangements in 2022/23, subject to consultation with primary and secondary schools and approval of the Schools Forum.

This consultation is seeking views about the continuation of services de-delegations in 2022/23, which are:

- Staff costs – Public Duties/Suspensions;
- Heritage Learning Service (Museum Service) - Primary Schools Only;
- Support for Schools in Financial Difficulty;
- Primary Inclusion Hubs.

The main change from 2021/22 relates to the charging methodology for the Staff Costs and Schools in Financial Difficulty de-delegations, where proposals look to transition away from the lump sum element that was historically included in the charge.

It is extremely important to the County Council and the Schools Forum to be able to reflect the views of Lancashire schools when making decisions about de-delegation arrangements for 2022/23, as these decisions are binding on all primary and secondary schools.

De-delegations are not permitted for academies, special schools, nursery schools or PRUs, however, some services will be offered as a buy-back and separate information will be provided about these options, where appropriate.

Please let us know your views on the de-delegations proposals for 2022/23, by completing the consultation questionnaire available [here](#), by **15 October 2021**.

Following a previous consultation with schools and the Schools Forum, Lancashire has adopted the NFF methodology as the local funding formula. This document also sets out the main formula changes that will be introduced for 2022/23 and seeks views on the level of Minimum Funding Guarantee (MFG) that should be applied in Lancashire from April 2022.

If there are any proposals to transfer funding from Schools Block to other funding blocks in 2022/23 that emerge once we have modelled allocations from the DfE on the schools funding arrangements, a further consultation will be issued seeking schools' views.

PART A 2022/23 DE-DELEGATION PROPOSALS

The school funding framework continues to allow service de-delegations in 2022/23. As per the funding arrangements in recent years, de-delegated services must be allocated through the formula but can be de-delegated for maintained mainstream primary and secondary schools, subject to consultation with schools and with Schools Forum approval.

De-delegations apply to a limited range of services where central provision for maintained schools (but not academies) may be argued for on the grounds of economies of scale or pooled risk. These services and their funding are delegated to schools and academies in the first instance, however if maintained primary and secondary schools if a phase agree, via a majority vote through the Schools Forum, the services can be provided centrally by returning the funding to the Local Authority. The final net delegated budget available to each school would then exclude these amounts.

For 2021/22, the Schools Forum approved a number of de-delegations, following consultation with schools. However, service de-delegations must be approved on an annual basis and this consultation document sets out proposals for 2022/23 and seeks your views.

Proposals for 2022/23 involve the 4 services that were approved by the Forum in 2021/22, which are:

- Staff costs – Public Duties/Suspensions;
- Heritage Learning Service (Museum Service) - Primary Schools Only;
- Support for Schools in Financial Difficulty;
- Primary Inclusion Hubs - Primary Schools Only

One key issue that is different for the 2022/23 proposals for the Staff Costs and the Support for Schools in Financial Difficulty de-delegations relates to the charging methodology.

The de-delegation charges for these 2 services have historically utilised a per pupil rate plus a lump sum.

The Schools Forum have previously raised concerns that a greater proportion of small primary schools are identified in the higher risk categories using the County Council's Schools in Financial Difficulty (SIFD) categorisation. It may be argued that lump sum charges disadvantage smaller schools, as the lump sum element is the same regardless of the size of school or its budget. Per pupil only charges are more reflective of different sizes of school and also to any year on year changes in pupil numbers, which impact on the revenue funding each school receives.

The Forum have therefore recommended that these services move to Number on Roll (NOR) only charging methodologies. However, to reduce turbulence in the charges, Forum recommended that 2022/23 should be a transitional year, in which the lump sum is reduced by 50%, with the associated increases in per pupil rates. If these de-delegations continue in 2023/24, it is anticipated that the charges would be calculated on a Number on Roll (NOR) only basis.

Further details of the impact of these changes is provided in the relevant sections below.

This consultation document also provides information on all the proposed de-delegation service offers and charging structures from April 2022, and possible service options where these are available. Supplementary information providing additional details around the proposals are included in various appendices and annexes.

Decision taken by the primary and secondary school members of the Schools Forum will be binding on all schools in that phase, so it is important that members are aware of the views of schools when they are making the de-delegation decisions.

De-delegations are not permitted for academies, special schools, nursery schools or PRUs, however, some services will be offered as a buy-back arrangement and separate information will be provided about these options where appropriate.

1. Staff costs – Public Duties/Suspensions

The 2021/22 de-delegation consultation presented a number of Staff Costs options, particularly around the trade union duties following a review of the Trade Union Facilities Time Agreement.

In accordance with the most popular option from school responses, the Forum agreed to support the 2021/22 staff costs de-delegation at the level of service provided in previous years.

For the 2022/23 consultation, various options are again presented for consideration by schools and information on the different possibilities are included below and in the appendices.

Background information, which was shared with the Schools Forum in summer term 2021, provided an update about the Trade Union Facilities Agreement and a copy of this report is attached at [Appendix A](#). The report includes information about the historical position of the facilities time agreement, the legal requirements, recent union amalgamations and number of school staff supported from the de-delegation and how this has changed in recent years.

Whilst reference is made in the report at Appendix A about a certain element of facilities time not being utilised each year, it should be noted that the overall staff costs de-delegation was overspend in 2020/21, by circa £23k. The overspend related to the staff suspensions element of the de-delegation, which was partially offset by underspends in the trade union facilities time element of the de-delegation. The costs of this de-delegation will therefore need to increase in 2022/23 by £0.10 per pupil in both phases.

Further Information from Trade Unions

In response to the consideration of the de-delegation options for 2022/23 trade union colleagues have submitted further information setting out their positions on the facilities time issue and the advantages the agreement provides.

The teacher trade unions have produced two joint papers. The first is a paper titled 'In Defence of Pooled Facility Time' and provides a summary of the legal context and some practical advantages of the current system from the unions' perspective. This paper is attached at [Appendix B](#).

A second document on behalf of the teacher unions is a position paper that sets out the union's view about the benefits of the facilities time agreement in more detail, including some possible costings at school level if the agreement were not in place. This document is attached at [Appendix C](#).

[Appendix D](#) is a paper from Unison setting out their position, which makes representations about the balance of support provided through the facilities time agreement should be reviewed to be based on membership numbers in Lancashire schools, which would suggest that a greater share of the funding should be allocated to Unison. The Unison submission also

includes information in support of the general benefits of facility time and the shared funding of facility time.

2022/23 De-delegation Options

Having considered the information provided, the options available for this de-delegation in 2022/23 are:

- a) Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation using the same policy as 2021/22
- b) Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation but with a reduced Trade Union Facilities Time contribution to reflect a smaller workforce;
- c) Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation but without any Trade Union Facilities Time contribution;
- d) Completely discontinue the 'Staff Costs - Public Duties/Suspensions' de-delegation.

Further details on each of the options are provided in the following sections, which also includes the relevant adjustments to the de-delegation charges that are proposed for 2022/23 under each of the options.

a) Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation using the same policy as 2021/22

One option available in 2022/23 is to continue the existing de-delegation arrangements using the same policy as applied in 2021/22.

The 2021/22 'Staff Costs - Public Duties/Suspensions' de-delegation incorporated reimbursement to schools for staff costs associated with duties including:

- Magistrates/Justices of the Peace;
 - Jury Service;
 - Attendance at Court/Tribunal as a Witness;
 - Teachers who are Governors of schools other than their own;
 - Territorial Army/Royal Naval Reserve/Royal Air Force Reserve;
 - Trade Union Duties under the County Council's Facilities Time Agreement.
- And, if a member of staff is suspended from duty.

The total 2020/21 de-delegation budget equated to circa £727k, including public duties, trade union duties and suspensions.

In order to respond to the 2020/21 overspend, and to transition away from the lump sum element of the charge by reducing it by 50% from April 2022 (with the equivalent increase in the per pupil element) the revised de-delegation rates for 2022/23 are shown below:

	Primary	Secondary
	£	£
Rate per pupil	4.22	5.87
Lump sum	225.00	225.00

The effect of this change to reduce the lump sum element will be to increase the charge to the largest schools in each phase and reduce the cost to the smaller schools. The impact on various example school sizes is shown below by phase (calculations based on 2021/22 data and **minus figures in red show** the additional charge that would be levied).

Primary Phase

NOR	Impact (£)
50	169.14
100	113.28
210	-9.61
315	-126.92
420	-244.22
630	-478.84

Secondary Phase

NOR	Impact (£)
500	92.15
700	39.02
900	-14.12
1100	-67.26
1300	-120.4
1500	-173.54

If the 'Staff Costs - Public Duties/Suspensions' de-delegation continues in 2023/24, it is anticipated that the charges would be calculated on a Number on Roll (NOR) only basis.

Advantages of this option

- The Facilities Agreement for teacher trade unions demonstrates the commitment that the schools and Schools Forum have towards fostering and maintaining good relations with employee representatives;
- Continuing the 'Staff Costs - Public Duties/Suspensions' de-delegation will assist in maintaining the very positive relationships with the trade unions when dealing with issues affecting staff in schools in addition to financially supporting schools for staff undertaking other public service duties;
- In the current financial climate in the school sector, with significant numbers of schools facing financial difficulties, the input from trade union representatives to assist with school reorganisation proposals will be in continued demand and it may be counterproductive to reduce the support available by decreasing the level of the de-delegation;
- This option minimises the risks financially and otherwise on individual schools of needing to provide time off for school based trade union representatives during

working time to deal with casework in their own school and of bearing such costs, which would need to be met from individual schools budgets.

Disadvantages of this option

- The number of school staff covered by the de-delegation has reduced in recent years as the number of academies in Lancashire has increased, but this option does not reflect that change (figures are provided below in option b);
- Other options for the Staff Costs de-delegation reduce its costs, which would release some funding back to individual school budgets;
- It does not take into account Trade Union members paying fees and subscriptions to their associations that provide for Regional Officials to deal with very serious casework matters;
- From 1 April 2018, the County Council withdrew all funding for trade union representatives. From this date, workplace representatives have been required to undertake the role within their service areas, supported by regionally/nationally funded colleagues. The continuation of any Facilities Time Agreement funded by the de-delegation is not necessarily consistent with the County Council's decision.

b) Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation but with a reduced Trade Union Facilities Time contribution;

A second option for consideration proposes to continue the Staff Cost de-delegation in 2022/23, but to reduce the Trade Union Facilities Time contribution.

FTE teacher numbers in Lancashire in 1999, the year after Blackpool and Blackburn LAs went unitary, are broadly similar to those in 2010. Since 2011, the number of teachers covered by the Facilities Time Agreement has been affected as schools convert to academies.

Based on the most recent School Workforce data, the number of teaching staff in Lancashire schools is 10,386. Of these, 18% (1,876) are based in academies. When a school converts to become an academy, they are no longer able to draw on the Facilities Agreement funding, unless they arrange a separate buy-in arrangement. Despite this, there has been no equivalent reduction in the number of funded FTE trade union representatives.

This option proposes to reduce the financial contribution to support the Facilities Time Agreement in line with the % of staff now employed in academies (18%)

A UNISON post, which provides support for support staff in schools, is also funded from this de-delegation, and this proposal would require a reduction in their allocation equivalent to 18%.

In 2021/22, the trade union budget represented circa £472k of the total Staff Costs de-delegation. A realignment of the trade union costs element of the de-delegation would equate to the following school level savings in 2022/23 compared to the cost of maintaining the de-delegation at 2021/22 service levels, as set out in a) above. (Based on 2021/22 pupil numbers):

- £0.50 per pupil in primary schools;
- £0.68 per pupil in secondary schools.
- Plus lump sums of £25 per school for both phases.

Advantages of this option

- This option realigns the costs of the 2022/23 Facilities Time Agreement to one equivalent to that when the agreement was originally created in terms of teaching staff supported and reflects the number of staff now employed in academies that are no longer covered by the agreement;
- All parts of the school sector are facing considerable costs pressures and this proposal shares that burden with the unions benefitting from the de-delegation;
- A significant level of funding would still be provided for the Facilities Time Agreement, so the existing benefits of the de-delegation arrangements should, for the most part, be able to continue;
- A reduced amount of funding would be deducted from individual schools budgets, as set out above;
- Going forward, if de-delegations remain allowable, the level of contribution for the Facilities Time Agreement could perhaps be reviewed annually on the basis of any changes to the number of staff being supported and the budget position of Schools Forum;

Disadvantages of this option

- The level of funding released on a school by school basis is relatively small, and given that demand for union support in budget driven reorganisations is likely to increase as school funding gets tighter, it may be a better use of resources to leave the de-delegation at the 2021/22 level;
- Any decrease in the level of funding provided for the Facilities Time Agreement risks increasing demand on individual schools to provide time off for school based trade union representatives.

c) Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation but without any Trade Union Facilities Time contribution

Another option for consideration is to continue the Staff Costs de-delegation, but without the Facilities Time Agreement contribution.

This option would release circa £472k costs associated with the Facilities Time Agreement into individual school budgets. This would equate to the following school level savings in 2022/23 compared to the cost of maintaining the de-delegation at 2021/22 service levels, as set out in a) above. (Based on 2021/22 pupil numbers):

- £2.70 per pupil in primary schools;
- £3.76 per pupil in secondary schools
- Plus lump sums of £140 per school for both phases.

Advantages of this option

- This option would provide a more substantial level of funding to release into individual school budgets;

- It would mirror the decision taken by the County Council to withdraw funding for trade union representatives;
- Regional Trade Union officials would still be available to provide support with serious casework matters;
- The de-delegation would still provide insurance type cover to schools for other 'public duties and suspensions'.

Disadvantages of this option

- The relationships with Lancashire level trade union officials could be lost; as would considerable local knowledge and expertise that benefits employee relations in Lancashire schools;
- There would be greater demand on individual schools to provide time off for school based trade union representatives during working time to deal with casework in their own school, the costs of which would need to be met from individual schools budgets;
- Delays could be caused in resolving HR issues in schools, particularly where the school must rely on the availability of regional officials to manage HR casework;
- The occurrence of costs on individual schools would not be even, and schools facing the prospect of reorganisations due to budgetary constraints would face a higher risk that their budgeted resources would be needed to release staff to undertake trade union duties and activities.

d) Completely discontinue the 'Staff Costs - Public Duties/Suspensions' de-delegation

A final option for consideration would be to discontinue this de-delegation completely. This would mean that no staff costs de-delegation funding is collected from schools in 2022/23 and would equate to the following school level savings in 2022/23 compared to the cost of maintaining the de-delegation at 2021/22 service levels, as set out in a) above. (Based on 2020/21 pupil numbers):

- £5.87 per pupil in secondary schools;
- £4.22 per pupil in primary schools;
- Plus lump sums of £225 per school for both phases.

However, it is important to note that if this service is not de-delegated the County Council has no proposals to develop a traded service and schools would need to make their own arrangements.

Advantages of this option

- This option provides the largest saving against the 2021/22 de-delegation costs;
- In a given year, some schools do not benefit from this de-delegation, if they have no cause for trade union involvement, no staff undertaking public duties and do not suspend anyone from duty;
- This option also mirrors the decision taken by the County Council to withdraw funding for trade union representatives;
- Regional Trade Union officials would still be available to provide support with serious casework matters;

Disadvantages of this option

- The relationships with Lancashire level trade union officials would be lost; as would considerable local knowledge and expertise that benefits industrial relations in Lancashire schools;
- There would be greater demand on individual schools to provide time off for school based trade union representatives during working time to deal with casework in their own school, the costs of which would need to be met from individual schools budgets;
- Delays could be caused in resolving HR issues in schools, particularly where the school must rely on the availability of regional officials to manage HR casework;
- The occurrence of costs on individual schools would not be even, and schools facing the prospect of reorganisations due to budgetary constraints would face a higher risk that their budgeted resources would be needed to release staff to undertake trade union duties and activities;
- The 'insurance' type cover offering protection for individual school budgets from this de-delegation would be lost, and some schools risk considerable additional costs if they have staff who undertake significant levels of public duties or who are suspended.

Q1. What is your preferred de-delegation option for 'Staff Costs - Public Duties/Suspensions' in 2022/23?

- **Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation using the same policy as 2021/22;**
- **Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation but with a reduced Trade Union Facilities Time contribution to reflect academisations and union amalgamations;**
- **Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation but without any Trade Union Facilities Time contribution;**
- **Completely discontinue the 'Staff Costs - Public Duties/Suspensions' de-delegation;**
- **Not Sure.**

Please note that charges quoted in this section may vary marginally, based on pupil numbers from the October 2021 school census.

2. Heritage Learning Team - Primary Schools Only

The Schools Forum have historically supported the work the Heritage Learning Team undertakes for primary schools to help meet the national curriculum and to support wider cultural learning and learning outside the classroom. With the emphasis being placed on cultural education by the government's Culture White Paper, it is proposed that this budget continues to be de-delegated in 2022/23 to ensure that this service is maintained.

The money currently de-delegated is used by the Heritage Learning Team and pays for the creation, design, curriculum development and resourcing of the learning sessions provided across LCC's museums, Outreach, Lancashire Archives and a range of partner museums across the county. Learning is offered both at the museums and as outreach into schools. It also covers staff training for the freelance deliverers and the on-going monitoring/evaluation of the quality standards. The funding also enables new sessions to be developed in response to requests from teachers and curriculum changes. Free monthly/whole school CPD events are also offered to teachers at museums sites and within school. The Heritage Learning Team also offer a free Curriculum development service to help inspire and engage. The Heritage Learning Team holds five Sandford Awards for excellence in Heritage Education, recognising the high quality and relevance of the sessions it offers to schools. The service has also been

able to offer longer term projects to schools across Lancashire, including 'Lancashire Sparks' 'TIME', 'Sounds of Identity', 'Turns and Tunes' and the new annual 'Lancashire Schools Storytelling Festival' launched in September of 2021. Developments for 2022/23 will include further STEAM and outreach sessions, and a range of new special events weeks. The funding also supports the Heritage Learning Outreach programme, bringing 28 different themes and topic into schools.

During the last 14 months the Heritage Learning Team were quick to respond to the pressures presented by COVID-19. The team developed the hugely successful History Hunters Podcast programme. This free service has currently recorded and sent out over 95 bespoke podcasts, answering questions drawn together via pupil enquiry. The Heritage Learning Team also developed an on ongoing series of free learning programmes via the Niche Academy platform. These lesson plans and schemes of work have been accessed over 11 thousand times. We continued our outreach programmes making changes to ensure effective and safe delivered within the school environment.

The schools loans service offered by the Heritage Learning Team is a subscription scheme, but the charges are kept to a minimum, covering delivery and collection of loans boxes. Support from the de-delegated money enables development and resourcing of new loans boxes in line with the curriculum and teacher requests. During the last academic year, this has included new resources linked to Prehistory, Anglo Saxons, WWI, Romans, Seaside, Vikings and Explorers.

Schools will continue to receive a small charge for museum visits, but only to cover the cost of paying the freelance delivery staff. Continued de-delegation will mean current charges for school visits, outreach sessions and loans boxes will again be held during the coming academic year.

Lancashire County Council recently chose to find new operators for five of its museums. The learning team have continued delivery at all these museums, ensuring Lancashire schools can still access high quality sessions at Helmshore and Queen Street mills, the Museum of Lancashire, Judges Lodgings and Fleetwood museum. The Heritage Learning Team are also delighted to announce they will be delivering the learning provision at the Harris Museum and Art Gallery from Sept 2020.

If delegated, this service would only allocate just under £2.00 per pupil. If a traded service were to be offered the central service would only remain viable if all schools entered into the arrangement. On this basis, the authority would suggest that if schools would wish to see the service continue, the primary school museums budget should be de-delegated.

The proposed cost of this de-delegation in 2022/23 is provided in the table below (based on 2021/22 pupil numbers)

Heritage Learning Team

	Primary	Secondary
	£	£
Rate per pupil	1.97	0.00
Lump sum	0.00	0.00
Total De-delegation	183,296	0

**Q2. Do you support the de-delegation of funding for the Heritage Learning Team in 2022/23?
(Primary schools only)**

- Yes;
- No;
- Not Sure.

3. Support For Schools In Financial Difficulty (SIFD)

Currently support for schools in financial difficulty is offered in a number of ways which include:

- Brokering school to school support with schools sharing expertise at various levels e.g. leadership, teaching, subject leadership, assessment, curriculum models;
- Providing teaching and learning support through teaching and learning consultants e.g. bespoke professional development for teachers;
- Providing financial management support for schools e.g. complex recovery plans;
- Providing HR and financial support to enable schools to reduce staffing;
- Providing one off financial support, via a bid to the schools forum to enable the school to develop a sustainable recovery plan.

There are occasions when schools do not have sufficient resources available to meet the needs of their pupils and in these cases the Schools in Difficulty fund provides schools with the resources to help them overcome the challenges they are facing. There are clear, published eligibility criteria for access to these funds and these are managed on behalf of Schools Forum by the School Improvement Challenge Board (SICB). The funds are provided in order to help schools to raise achievement and create sustainable improvements in the quality of provision.

The de-delegation also includes some Termination of Employment costs (formerly Premature Retirement Costs), which can be a useful mechanism to facilitate staffing reorganisations in schools, particularly when they are in financial difficulty.

Current evidence indicates that this approach is well received and highly valued by headteachers and governors. The partnership between schools and the local authority has also proved invaluable in helping schools to improve the quality of provision in a sustainable way. This is evident in the proportion of schools that have improved to gain a good Ofsted judgement with over 92% of schools judged good or better in their latest inspection. This is above the national average (89%), the North-West average (90%), and places us second against our statistical neighbours.

It is important to note that if this service is not de-delegated, the County Council has no proposals to develop a buy-back service to support schools in financial difficulty and schools would need to make their own arrangements.

The proposed cost of this de-delegation in 2022/23, based on a continuation of existing provision, is provided in the table below (based on 2021/22 pupil numbers).

As with the Staff Costs de-delegation earlier, proposals for the Support for Schools in Financial Difficulty service in 2022/23 look to transition the charging methodology away from the lump sum element of the calculation and move to a purely NOR based methodology. As recommended by the Schools Forum, 2022/23 proposals below reduce the lump sum by 50% compared to 2021/22, with an associated increase in per pupil rates.

Support for Schools in Financial Difficulty

	Primary	Secondary
	£	£
Rate per pupil	8.39	12.64
Lump sum	500.00	500.00
Total De-delegation	1,011,888	515,408

The effect of this change to reduce the lump sum element will be to increase the charge to the largest schools in each phase and reduce the cost to the smaller schools. The impact on various example school sizes is shown below by phase (calculations based on 2021/22 data and **minus figures in red show** the additional charge that would be levied).

Primary Phase

NOR	Impact (£)
50	375.87
100	251.73
210	-21.36
315	-282.04
420	-542.72
630	-1064.08

Secondary Phase

NOR	Impact (£)
500	204.79
700	86.7
900	-31.38
1100	-149.47
1300	-267.55
1500	-385.64

If the Support for Schools in Financial Difficulty de-delegation continues in 2023/24, it is anticipated that the charges would be calculated on a Number on Roll (NOR) only basis.

Q3. Do you support the de-delegation of Support for Schools in Financial Difficulty in 2022/23?

- Yes;
- No;
- Not Sure.

4. Primary Inclusion Hubs (Primary Schools only)

De-delegation for Primary Inclusion Hubs is again proposed in 2022/23.

There is a shared vision in Lancashire to ensure children and young people achieve their potential, ambitions and aspirations. In order to achieve this we need to work together locally to ensure that schools are able to better meet the needs of all pupils; and as a result reduce the number of exclusions.

It is again proposed that the de-delegation allocations for 2022/23 would be calculated at individual school level on the basis of an amount per pupil and allocated to each district on the basis of pupil numbers and a deprivation factor (rather than a lump sum per district). This is to reflect the varying number of pupils being support in different districts.

The primary school Inclusion Hubs in each district are designed to:

- reduce exclusions;
- improve attendance for pupils at risk of exclusion;
- ensure that pupils' needs are better met by a 'local' offer;
- provide high quality training for staff in schools;
- share good practice and sign-post schools to expertise;
- develop an agreed set of principles within each district that promotes educational inclusion and reflects the local challenges and expertise;
- bring together schools and local authority teams (Social Care, Inclusion, School Improvement and the Children and Family Wellbeing Service) to work together to address particular issues in a locality.

The funding can be used in a range of ways to support inclusion, for example to provide staff training, advice and support packages and alternative provision.

The Inclusion Hub proposals have been developed by School Improvement Services colleagues in consultation with headteachers in each district. Local district Steering Groups will agree arrangements in each locality and will feed through to a county wide Strategic Group for governance and monitoring purposes.

Nominated headteacher members will report on the use of funding and impact to the Children and Young People's Partnership Board.

In the summer term 2021, the Schools Forum received an update of the work of the Inclusion Hubs from the Inclusion Hubs Steering Group, which included information on

- Vision
- Structure and accountability
- Feedback from each district hub
- Overall impact of funding so far and suggested measures of successful impact moving forward

A copy of this information is provided at [Appendix E](#).

In addition, the work of the Primary Inclusion Hubs was reviewed in the summer term 2021. Local Authority Officers worked with representatives from the Cross-District Lead

Headteachers Group to produce the school survey. The information gathered will inform the future development of the Hubs so that they can be confident they deliver what schools in each District need. Responses also informed the wider review of the Alternative Provision Strategy Action Plan.

An analysis of the survey responses is provided at [Appendix F](#).

The proposed cost of this de-delegation in 2022/23 is set out below, with the rate per pupil remaining unchanged for 2021/22.

Primary Inclusion Hubs

	Primary	Secondary
	£	£
Rate per pupil	11.00	0
Total De-delegation	1,000,000	0

Q4. Do you support the de-delegation of funding for Primary Inclusion Hubs in 2022/23?

- **Yes;**
- **No;**
- **Not Sure.**

Responding to the consultation

It is extremely important to the County Council and the Schools Forum to be able to reflect the views of Lancashire schools when making decisions about de-delegation arrangements for 2022/23, as these decisions are binding on all primary and secondary schools.

Please let us know your views on the de-delegations proposals for 2022/23, by completing the consultation questionnaire available [here](#), **by 15 October 2021**, so that responses can be reported to the Schools Forum on 19 October 2021.

PART B 2022/23 SCHOOLS BLOCK FUNDING ARRANGEMENTS

In July 2021, the DfE made announcements about the 2022/23 school funding arrangements.

2022/23 is the final year of the DfE's three year funding settlement that has increased funding by £7.1b compared to the 2019/20 baseline. This is a £2.3b increase nationally over 2021/22.

National Funding Formula (NFF) 2022/23

The basic structure of the National Funding Formula (NFF) remains unchanged for 2022/23, but DfE have increased factor values using the additional funding available from April 2022 and made some other minor changes to the arrangements. Further details are provided below:

Factor Values

NFF factor values for 2022/23 have increased, as follows:

- 3% to basic entitlement, free school meals at any time in the last 6 years (FSM6), income deprivation affecting children index (IDACI), lower prior attainment (LPA), English as an additional language (EAL) and the lump sum;
- 2% to the funding floor, the minimum per pupil levels and free school meals (FSM);
- 0% on the premises factors, except for PFI which has increased by RPIX.

Minimum Pupil Funding

The DfE announcements included the relevant minimum pupil funding (MPF) levels for primary and secondary schools, which incorporate the 2% uplift for 2022/23:

- The primary schools, the MPF level will be £4,265 per pupil in 2022/23 compared to £4,180 per pupil in 2021/22.
- For secondary schools, the MPF level will be £5,525 per pupil from 2022/23 compared to £5,415 per pupil in 2021/22;

Sparsity factor

Following the Government's consultation on the Sparsity factor held earlier this year, the DfE have amended the factor from April 2022, including:

- Increasing the maximum sparsity values for the both the primary and secondary phases by £10,000. Maximum sparsity values will be £55,000 for primary schools and £80,000 for secondary, middle, and all-through schools.
- Updating the schools sparsity distances calculations so that they are now based on road distances, instead of straight-line distances,
- Introducing a sparsity distance taper, in addition to the existing year group size taper.

FSM6 Data

Data on pupils who have been eligible for FSM6 is now taken from the October 2020 school census instead of the January 2020 census. DfE indicate that this will make the factor more up to date and bring it in line with arrangements for other NFF factors as well as the pupil premium.

Low Prior Attainment

In calculating low prior attainment proportions, data from the 2019 early years foundation stage profile (EYFSP) and key stage 2 (KS2) tests will be used as a proxy for the 2020 tests, following the cancellation of assessment due to coronavirus (COVID-19).

Mobility Factor

Pupils who joined a school between January 2020 and May 2020 will attract funding for mobility based on their entry date, rather than by virtue of the May school census being their first census at the current school, as the May 2020 census did not take place due to coronavirus (COVID-19).

Local Schools Block Formula 2022/23

Following a consultation with schools and academies, the Schools Forum have previously agreed that Lancashire will adopt the NFF factors and values as the local funding formula. However, a degree of local discretion remains about the level of the **Minimum funding guarantee (MFG)**. LAs have the freedom to set the MFG in local formulae between +0.5% and +2% per pupil.

The LA proposes that MFG is set at +2.0% in 2022/23, as this provides the maximum allowable protection for Lancashire schools and academies and matches the funding floor protection included in the NFF.

Please remember whilst the MFG will offer protection for per pupil funding levels between years, individual school budget allocations can still go down if your pupil numbers reduce.

Q5. Do you agree that the Minimum Funding Guarantee (MFG) level should be set at +2.0% in the Lancashire formula in 2021/22?

- **Yes;**
- **No;**
- **Not Sure.**

Please let us know your views on the de-delegations proposals for 2022/23, by completing the consultation questionnaire available [here](#), by **15 October 2021**, so that responses can be reported to the Schools Forum on 19 October 2021.

Schools Block Transfer to other funding blocks

In recent years, following consultations with schools, funding has been transferred from the schools block to help mitigate pressures in other funding blocks (High Needs and Early Years). If there are any proposals to transfer funding from Schools Block to other funding blocks in 2022/23 that emerge once we have modelled allocations from the DfE on the schools funding arrangements, a further consultation will be issued seeking schools' views.

REPORT TO SCHOOLS FORUM - TRADE UNION FACILITIES AGREEMENT (JUNE 2021)

The Facilities Agreement for teacher trade unions demonstrates the commitment that the Schools Forum and Council have towards fostering and maintaining good relations with employee representatives. As an Authority, we enjoy very positive relationships with the trade unions when dealing with issues affecting staff in schools.

In June 2019, a report was submitted to Forum for consideration of the level of trade union facilities agreement funding, which had been set in 1998 and had remained at the same level, despite the fact that 13% of teachers were employed in Academy schools and therefore not covered by de-delegation decisions, including access to paid local trade union officials via the Facilities Agreement.

In October 2018 and 2019, Forum voted on the staff costs de-delegation and decided to continue the de-delegation at the existing levels. This had also been the option receiving the highest overall response from schools during the Forum consultation process.

However, Forum members agreed to keep the contribution level of the facilities time agreement under review, as some members had supported the option to reduce the level in line with the teacher numbers/union reorganisation adjustment. This report has been prepared to provide the current position and allow Forum members to re-consider this issue.

Historical position

The current level of funding was set in 1998, when Blackburn and Blackpool became unitary authorities and 25% of Lancashire teachers transferred out of Lancashire Authority. At this time, the number of FTE facilities posts was reduced from 15 to 12.

In approximately 2010, the Council took a decision to reduce the number of centrally funded UNISON representative posts by 2 FTE. At that time, due to the increasing numbers of support staff in schools and the fact that the Equal Pay and terms and conditions reviews were ongoing, Schools Forum agreed to fund one post for a schools UNISON officer. This arrangement has remained in place ever since.

Funding position

On an annual basis, schools are asked whether they wish to de-delegate funding for Public Services duties. The large majority of this budget funds facilities time equating to 12 Full Time Equivalent (FTE) teaching posts for the four main teaching unions – NAHT, ASCL, NASUWT and NEU, and the 1 FTE post for UNISON.

In addition to the representatives funded by the Schools Forum, many schools have workplace representatives who may deal with HR casework for their school. The cost of any release for school representatives is met by the school budget and not by the Schools Forum.

Each trade union also has regional officials, funded by their association. Within Lancashire, experience shows that the regional officials deal with very serious casework matters, usually where a member's employment is at risk.

Contractual position

All LCC-funded trade union representatives retain the terms and conditions of employment associated with their substantive post, including their grading level, any contractual

enhancements and access to the pension scheme that applied to their substantive post. There is not a single set rate for the role of trade union representative.

Current allocations

The current allocations to the teacher unions (from the 12 FTE) were determined as a result of membership numbers when the initial agreement was written in 1998, and were not changed following the amalgamation of NUT and ATL in 2017. These allocations are as follows:

Union	NAHT	ASCL	NEU	NASUWT	UNISON
No. of FTE representatives	1.6 FTE (13%)	1.2 FTE (10%)	6.0 FTE (50%)	3.2 FTE (27%)	1 FTE
Membership numbers*	608 (5%)	204 (2%)	6,480 (49%)	5,868 (45%)	5,886

* Membership numbers have been taken from historical reports over the period 2013- 18

Each union determines how its allocation is split between its nominated representatives. Currently the representation is provided by 8 serving teachers, 11 retired teachers, 1 supply teachers and 1 member of support staff. 9 of the 21 representatives are currently engaged on facilities time for more than 50% of their working hours.

Based on the most recent School Workforce data, the number of teaching staff in Lancashire Schools is 10,386. Of these, 18% (1,876) are based in Academy (former maintained) schools. When a school converts to become an Academy, they are no longer able to draw on the Facilities Agreement funding, unless they arrange a separate buy-in arrangement. Despite this, there has been no equivalent reduction in the number of funded FTE trade union representatives.

Trade Union duties and activities

The legislation in relation to trade unions provides examples of Trade Union Duties and Trade Union Activities.

Trade Union Duties include:

- Providing advice and guidance to trade union members relating to recruitment and selection, discipline, grievance, capability and attendance issues, and terms and conditions of employment
- Formal and informal consultation and negotiation - this includes the County Union Secretaries forum
- Restructures, reorganisations and redundancy consultation
- Preparing for and representing trade union members at formal hearings

For representatives, Trade Union Activities may include:

- Branch, area or regional meetings of the union where the business of the union is under discussion;
- Meetings of official policy making bodies such as the executive committee or annual conference;
- Meeting full-time officials to discuss issues relevant to the workplace;

The legal position in relation to trade union duties and activities and whether representatives are entitled to be paid for them is outlined below.

Legal position

There is no statutory requirement to provide specific funding solely for trade union duties and activities. The law requires that individual schools allow reasonable time off for trade union representatives during working time to be released from their workplace to undertake trade union duties and activities. If this occurs, the school will be compliant with the Trade Union and Labour Relations (Consolidation) Act 1992.

An employer who permits union representatives time off for trade union duties must pay them for the time off. However there is no statutory requirement that union representatives be paid for time off taken on trade union activities.

In addition, employees can take reasonable time off to undertake the duties of a Union Learning Representative (ULR), provided that the union has given the employer notice in writing that the employee is a ULR. The functions for which time off as a ULR is allowed include analysing, arranging, promoting and undergoing training.

The Conditions of Service for school teachers in England and Wales (Burgundy Book) requires individual local authorities to negotiate locally on the maximum amount of leave with pay that can be permitted for carrying out trade union duties.

The Trade Union (Facility Time Publication Requirements) Regulations 2017 came into force on the 1 April 2017. These regulations placed a legislative requirement on relevant public sector employers to collate and publish on an annual basis:

- Number of employees who were relevant union officials during the relevant period
- The percentage of working time that employees who were relevant union officials spent on facility time
- The percentage of the total pay bill that is spent on facility time
- The time spent on paid trade union activities as a percentage of total paid facility time hours

Financial implications

The total annual budget provision for funding under the Trade Union Facilities Agreement amounts to £472,000 including oncosts. If a decision is taken to reduce the current level of funding, it would result in a saving to the Schools Forum. However, there may be indirect costs incurred by schools, as they may need to release their school-based representatives to undertake trade union activity within their school, and provide representation to fulfil the statutory obligations.

Approximately 17% of the total allocated funding was not used during the 2019-20 academic year. This equates to over 2.0 FTE (397 days).

County Council's position

With effect from 1 April 2018, the County Council withdrew all funding for trade union representatives. From this date, workplace representatives have been required to undertake the role within their service areas, supported by regionally/nationally funded colleagues.

HR implications

If Forum took a decision to reduce funding for the Facilities Agreement, then the serving teacher funded officers that would no longer be funded would return to their substantive posts in their schools. Any retired/supply teacher funded officers in that position would have their casual contracts brought to an end. The UNISON representative would return to their

substantive role. It should be noted that some of the representatives have been away from a substantive teacher role for many years and therefore may require a period of re-introduction and/or training to enable them to transition back into a school-based role, in addition to being a workplace union representative.

Decision required

Forum are asked to consider whether the existing number of representatives (12 FTE) should be reviewed. Forum may wish to consider the fact that 18% of teachers now work in schools that do not fall under the facilities agreement, and that over 2.0 FTE facilities time was not used during the last academic year. This is despite the fact that overall HR casework statistics within the Schools HR Team remain high.



15th July 2021

In Defence of Pooled Facilities Time

Dear Colleagues

There are provisions within The Employment Provisions Act 1999, The Trade Union Relations (Consolidated) Act 1992 and The Safety Representatives and Safety Committees Regulations 1977 for the following:

- Paid time off for trade union representatives to accompany workers to disciplinary, capability, attendance or grievance hearings;
- Paid time off for trade union representatives to consult and negotiate with employer bodies;
- Paid time off for trade union health and safety representatives during working hours to carry out health and safety functions;
- Paid time off for trade union representatives to attend trade union training;
- Paid time off for trade union learning representatives to carry out relevant learning activities; and
- Paid time off for trade union representatives to carry out administrative trade union duties e.g. reading and disseminating union documentation.

This is a Legal Entitlement for the Recognized Trade Unions ASCL, NAHT, NASUWT & NEU

Currently, Lancashire Schools do not have to be separately billed by individual unions for these legal responsibilities to be fulfilled each time there is a problem or a consultation involving any, or all, of the four recognized unions.

The pooled arrangements in place, because of de-delegation of the monies involved, allows this to take place with no disruption and no extra work for individual schools.

The extra workload on individual schools would be significant if we moved away from pooled arrangements. Imagine the costs to a school that had to have all its union representatives (including, of course, headteacher representatives) trained to a level that would allow them to negotiate with the Local Authority on policies and would allow them to support their members

In that school with complaints and grievances. What would happen, for example, if two members of staff from the same union were involved in the same dispute? Where would the other union representative come from?

How many school representatives would want to take on the responsibility of defending a colleague when their employment or career progression was at risk? That would be an overwhelming responsibility.

The present arrangements also allow for experienced trade union representatives, who understand the local context, without necessarily working in the school, to resolve issues, often informally, before they impact on schools. Lancashire has significantly fewer employment tribunal cases than similar authorities because of the excellent working relationships between Schools' HR and the recognized Trade Unions.

It is especially pleasing to note that increasing numbers of academy chains and stand-alone academies are now buying into Facilities Time. Other academy chains have also indicated that they will buy into the Facilities Time Agreement from September, increasing the demand on recognized Trade Union representatives.

The Pooled Arrangements also support maternity leave and the release for public services, such as jury service and Councillor duties.

At this present and difficult time, effective negotiations and problem-solving would not have been possible without the excellent industrial working relationships between the recognized trade unions and the employers.

It is important to note that the pandemic has massively increased Lancashire HR and trade union officers' workload. It is therefore imperative that facilities time is, at the very least, maintained at the current level.

Kind regards





POSITION PAPER ON BEHALF OF THE TEACHER TRADE UNIONS FOR LANCASHIRE SCHOOLS' FORUM ON THE FUNDING OF FACILITIES' TIME

1. INTRODUCTION

This paper provides detailed information about Facilities' Time for representatives from the teaching unions which we hope will serve as a reminder to those who currently pay into the facilities fund and persuade those who don't to reconsider their position, based on the huge benefits the system brings to schools. The Local Authority Facilities' Time Fund is currently collected by Lancashire Local Authority through the process of de-delegation by Schools' Forum for maintained schools and from Academies which decide to buy-in to the pooled arrangements rather than operate their own systems. This method of funding facility time for representatives is in place in all North West local authorities and is not only the most cost-effective method but also ensures smooth running of all employment related matters without delay and provides the foundation of professional, working relationships between employers and their employees' teacher trade unions.

This paper has been prepared following discussions at Schools' Forum meetings about future funding arrangements where further information has been requested. The current practice across the Local Authority enables schools to discharge their legal obligations in respect of release for trade union duties in a time-tested, practical and cost-effective way. It is also consistent with existing practice that is in place across the North West region.

2. THE LEGAL POSITION

Union representatives have had a statutory right to reasonable paid time off to carry out trade union duties since 1975, and most of the current provisions come under the Trade Unions and Labour Relations (Consolidation) Act 1992, introduced by the then Conservative government. Guidance on the practical application of these provisions is provided in the recently revised ACAS Code of Practice 'Time Off for Trade Union Duties and Activities'.

In Lancashire, local, elected trade union officials and representatives have used this legal entitlement to time off from their substantive posts to undertake trade union duties, including:

- negotiating with employers;
- resolving individual and collective casework;
- health and safety work; and
- training.

It is a legal requirement for all employers to provide a reasonable amount of time off with pay to undertake these very important trade union duties. It is not a question of whether an employer wishes to pay or not, but rather what the best mechanism is for employers to discharge this legal obligation.

3. THE BENEFITS OF FACILITIES TIME

Employers' organisations, including the CBI and NEOST, recognise the value of Facilities' Time and the work of trade union representatives using that Facilities' Time, estimating that for every £1 spent on Facilities' Time, the employer saves between £3 and £9 on reduced staff absence, informal early resolution of potential disputes, and avoidance of legal and industrial action (see Case Studies section later).

The Lancashire Facilities' Time arrangements have helped schools to save significant amounts of time and money through the pooled funding of Facilities' Time by de-delegation of school budgets money over the longer term. This is supported by a study carried out by the Department for Business, Enterprise and Regulatory Reform which found that:

- Dismissal rates are lower in unionised workplaces with union reps – this resulted in savings for employers related to recruitment costs of at least £107m per annum
- Workplace-related injuries are lower in unionised workplaces with union reps resulting in savings to employers of £126m-371m per annum.
- Employment tribunal cases are lower in unionised workplaces with union reps resulting in savings to government of £22m-£43m per annum.

Although the perception of employers is often that the trade unions exist simply to support employees who are under threat of a disciplinary procedure, many employees raise concerns in relation to whether their treatment by the employer is just and equitable. This is an area of employment relations over which the employer has significantly less control and if good employer/employee relations are not established and maintained, the employer can be surprised when the workforce expresses their discontent.

Employees who are dissatisfied with actions taken by their employer have the right, under Employment Law, to raise their concerns with their trade union and employer and this may be done individually, collectively or sometimes both. These concerns often relate to bullying and harassment, objections raised about restructuring proposals, claims of discrimination or that the employer has been negligent in their duty of care.

This report includes recently experienced case studies detailing an individual case of alleged discrimination, and a collective dispute case together with details of the costs that an employment tribunal awarded against one of the parties involved in another case.

These case studies show clearly that, in addition to the generally damaging issues for schools around the public arena that being taken to an Employment Tribunal represents, these situations can cost employers a great deal in time and money. The trade union representative has a vital role in working with the employer to achieve the best outcome and resolve issues as locally and informally as possible. This undoubtedly reduces the risks of litigation and is a benefit that assists all schools. We believe that the benefits of funding Facilities' Time centrally far outweigh the costs involved and are urging all schools and academies in Lancashire to make, or continue to make, this commitment in recognition of the universal benefits involved.

Although all unions employ regionally based staff to deal with high level cases, resolutions being found at the earliest opportunity are always the most beneficial to all parties. This is why supporting paid time off for local union representatives makes so much business sense. There would be no advantage to the employer in waiting for a paid official to become available every time a low-level negotiation needs to be carried out. Indeed, it is often a significant disadvantage because nothing can happen locally in the meantime and involving them prematurely tends to escalate any situation somewhat precipitously. Local union officers have a much better understanding of the schools in our area and can form positive working relationships with individual headteachers and key local authority officers such as the Schools' HR team.

Fortunately, in Lancashire, due to the tried and tested current Facilities' Time Agreement, the vast majority of cases are resolved at the informal, local level which prevents disputes escalating to the Employment Tribunal level, saving very significant amounts of time, money and stress for all concerned.

4. CASE STUDIES

Case Study 1 - Costs for a Discrimination Case in a North West School

The North West may be thought of as an area with few black and minority ethnic teachers and a relatively low level of equality issues on a more general level. However, experience has shown that the frequency of cases where these teachers feel that they suffer from discrimination is actually relatively high, particularly when assessed against the local demographics. Discrimination claims can include not only race discrimination but also discrimination on the grounds of faith or belief which can be quite wide ranging. The legislation also allows claims for alleged discrimination on grounds of sex, disability, sexuality and age, all of which may also be pursued as separately identified cases against a school. Employees can also pursue claims for victimisation where they have made a complaint of discrimination (whether internally or externally) and feel they received treatment that victimised them in response to that complaint.

Other key pieces of legislation that teachers pursue claims under include the Fixed Term Employee Regulations, the Part Time Worker Regulations, the Agency Worker Regulations, Unfair Dismissal and Unfair Selection for Redundancy. These are the commonest claims the trade unions generally handle for teachers, although there are other heads of law that could be relied upon.

This case study demonstrates the costs associated with a case where a teacher in a North West school believed that he was being discriminated against on grounds of race and disability. This teacher raised the issue of race discrimination with the school but was not satisfied with the way in which his complaint was handled or resolved. This led to extreme stress and anxiety which after a period of time manifested itself in physical illness diagnosed as severe and chronic irritable bowel syndrome and severe migraines. This teacher was then off sick for a considerable length of time resulting in the school commencing procedures to dismiss the teacher on grounds of ill health. This teacher was convinced that his illness was caused by the racial discrimination he experienced in his workplace and intended to take a claim for unfair dismissal and discrimination on the grounds of race and disability to employment tribunal. There was medical evidence to support this view for legal purposes.

The case was eventually settled by way of a compromise agreement after more than 18 months of meetings and negotiation.

The local union representative spent in the region of 168 hours or approximately 24 days over 18 months on this case. The associated cost of release from normal duties at the respective supply rate is £2,340.

Had the member not had union representation, he would undoubtedly have taken the case to tribunal. The union would have covered the member's legal costs but the school would have had to prepare and defend themselves in an employment tribunal which would have been listed as a 5 day hearing. The legal costs for the school would have been solicitor's fees of approximately £20,000 plus VAT. Since the case involved two strands of discrimination, the school would have considered using a barrister. Barristers' fees are at least £1,500 per day (and may be much more) so including preparation time this could easily have been in the region of a further £10,000 plus VAT.

The potential costs of this case had it not been resolved by the intervention and support of the trade union concerned have been assessed as follows:

Union rep	24 days @ £130 per day supply rate	£ 3,120
Solicitor's fees		£ 24,000
Barrister's fees		£ 12,000
TOTAL		£ 39,120

Further associated costs for the school would have been the time for staff in the school in preparing for the case and being witnesses at the hearing. If we take conservative figures of:

Headteacher	12 days @ annual salary of £90,000	£ 2,959
Admin support	12 days	£ 657
Witnesses x 8	2 days per person @ supply rate	£ 2,080
TOTAL COST		£ 5,696

If the school in question had been a maintained school or an academy paying into the facilities budget, their annual rate for this would have been **£2,040**.

If the school were releasing their school rep to support this member at an hourly rate the cost would have been **£4,244**. This represents a saving of **£1,452** even with no additional costs as indicated above. However, a School Representative can neither advise on nor represent a member in an employment tribunal claim.

By settling via a compromise agreement rather than having to represent themselves at employment tribunal, **the school saved at least £39,120** before consideration is given to any award that would have been made if the member won his claim. The teacher would not have signed a compromise agreement without union support and would certainly have continued to pursue his intended course through the employment tribunal if not given timely and competent advice regarding case prospects and settlement terms by his trade union. The employment tribunal service is well-known for being inundated with claims from unrepresented claimants with little understanding of legal processes and ultimately poor case prospects, whereas none of the teacher trade unions would ever support a member in pursuing a claim without reasonable prospects of success being clearly assessed and identified. The trade union rep's input into this at an early stage is a key element that needs to be supported properly by schools.

Paying into the facilities budget saved this school at least £40,572 after taking into consideration their contribution to the facilities budget.

Case Study 2 – Dispute Resolution Case

Whether they are an employer or a trade union representative, everyone is generally committed to transparent, effective and positive employment relations. This is stipulated under recognition agreements but in any case is a good practice model. Dispute issues do occasionally arise within a school, usually around working conditions or practices or the introduction of new measures, and the maintenance of positive employment relations in that context becomes especially critical.

It is in the interests of all employees and employers to resolve potential dispute issues as near to their point of origin as possible and with the minimum amount of conflict and disruption occurring. Schools want to see matters resolved in a timely and effective manner so that their focus can return to the proper business of teaching and learning and the management of their establishment. It is also the wish of every trade union to work in such a manner.

For these reasons, all parties always work hard to achieve agreement and constructively negotiated outcomes that are mutually beneficial and agreeable. If it is to be achieved successfully, this takes time (and therefore money.) Without that commitment to resources being given, any dispute that came to the attention of the unions, no matter how trivial it may be in its origins, would translate immediately into collective balloting activity and/or collective employment tribunal applications, which we do not see as being in the interests of schools or members. This is particularly relevant in the initial stages as all evidence demonstrates that disputes are most capable of constructive resolution at their early phase.

Below is an outline of a dispute issue that arose in a school which we have analysed for time spent and costs to illustrate how and why we believe the intervention of trade union representatives saves schools considerable time and money.

Context and Progress of Dispute:

The school wished to change its Directed Time formula to lengthen the school day. In addition, there was a wish to introduce one late finish per week (5pm) for teachers in exchange for leaving earlier (2pm) on a Friday afternoon once a month. Although the members understood the school's rationale and were not totally unhappy about all of the proposals, the effect of the school's proposal overall was to add 35 minutes to each teacher's contact time each week. This they were extremely unhappy about and the view of all three unions involved was that this would breach the relevant teacher conditions if implemented.

There was a mix of locally based representation, with two out of the three main teacher unions having a School Representative. Joint and separate members' meetings had been held to consult and discuss the issues and, in the case of the represented unions, indicative ballots had been conducted because there was a strong request made for industrial action in response to the proposal from members almost immediately. These meetings had demonstrated virtually unanimous support for action to oppose the proposals being requested and both the local reps were asked to take this up with the Headteacher immediately. There had been one local meeting to discuss the situation but this had not gone well: the reps had essentially refused to discuss the proposals because it was outside of their union defined remit to do so, but had informed the Headteacher that everyone was upset, ballots were being requested and he had no prospect of implementing his proposal. The Headteacher had become extremely defensive and had stated that he intended to complain about the behaviour of both reps to their respective unions.

At this point, the matter was referred to the Local Secretaries, all of whom worked at other schools. There was also consultation with the Regional Officers of the unions, both paid and elected. A joint Secretaries' letter was produced detailing the concerns expressed by members and sent to the Headteacher and Chair or Governors. A meeting was requested as a matter of urgency to discuss the situation and see if it might be resolved. In the case of one union, there was also 'behind the scenes' involvement from their National Officers because of the potential for a formal dispute.

In tandem with this, the Headteacher wrote a letter to each of the unions formally complaining about the attitude of the local reps. This greatly complicated the situation and led to an almost irretrievable break down in relations locally because of the entrenchment of positions. However, it was believed he may have done this in the heat of the moment, so the Headteacher was contacted by telephone by one of the Local Secretaries and was persuaded to withdraw these complaints in favour of assistance towards a dispute resolution process, since no progress could ever have been made otherwise.

An initial dispute meeting was held with the Headteacher, three Governors, a Personnel Officer from the school and a HR Adviser from the relevant Local Authority. At the first meeting, the key issues from each side were explored in a controlled and appropriate manner, agreement was reached regarding how the negotiating process would be facilitated and barriers to progress each side felt existed were identified. This meeting took 4 hours and included specifications from each side for a joint document to agree how the resolution process would go forwards. This was drafted and shared afterwards, outside of the meeting process and it was used to inform all of the meetings that followed. The document took around 6 hours to produce, consult and come to agreement upon.

There followed a series of six further meetings, all of around 3 hours duration, in which negotiations continued and progress was achieved. The trade union side also held a joint pre-meeting for an hour before each of these to ensure continuity and assist progress of the dispute. Eventually, it was possible to come up with a re-negotiated proposal that met the needs of both the school and its teacher employees and the school was able to implement this positively for the following September after an effective consultation exercise to complete the process.

Commentary and Costing

The involvement of the locally based Association/Branch contacts in this dispute was absolutely crucial to its successful resolution. Without it, there could not have been the same level of commitment to a joint process and partnership to succeed in getting to a satisfactory resolution. The local representatives at the school were under significant pressure from their members and the Headteacher found it very difficult to negotiate on his original proposal because of the way in which it had been introduced and responded to right at the beginning. All of the reps' time was funded via the existing facilities arrangement, which would not be possible without the LAFTP continuing in Trafford Authority.

There was also considerable activity involved outside of the meeting schedule, to ensure good liaison and communication at all levels and a continuing commitment to the process. This time also included the drafting and sharing of documents, for both the school and the members the school was under an obligation to consult with. In this case, the three Secretaries met together and undertook those activities jointly, to maximise the best use of their available facilities time.

As travel time also had to be factored in reps were absent from their schools for longer than just their contact time, for several this was a whole day at a time just to attend the meetings in themselves.

Had the local representatives been unable to assist the situation because of the lack of appropriate facilities support, then the situation would have relied on the employed officials of the three unions becoming involved in the alternative. This would have inevitably made the dispute appear much more serious and high-level than it needed to be, particularly at the outset. In the case of at least one union involved, it would also have necessitated the direct involvement of the General Secretary because a dispute was declared and then the procedure outlined in the Burgundy Book would have been invoked, meaning nothing could be changed or negotiated upon until there had been a National/Local Deputation meeting. That involves a large number of people and can take months to see through to fruition. It is also likely there would be a simultaneous ballot for industrial action if this route were to be taken.

Had it been adopted, that approach would have severely limited capacity for resolution on both sides, it ran the risk of missing locally-based knowledge and intelligence and the whole situation would have taken much longer, become intractable and would have remained extremely difficult to resolve.

In addition, owing to their wider level of functioning and resulting commitments, it is highly probable that all of the employed officials would struggle to find many days and times on which they could all be available which would also suit the school. The school would then have had to meet with each union separately (in the case of at least one union after the National/Local Deputation process had taken place.) In that circumstance, assuming the pattern of meetings above, the Governors, the Headteacher, the Personnel Officer and the HR representative would have to attend three times as many dispute meetings – even if there were only the seven above that were actually needed to resolve this case, this would amount to twenty-one meetings to resolve the issue overall. That has a significant cost implication for the school, even without anything else being accounted for.

As it was, since facilities funding was available to the key local activists of each union, the costs to the school were as follows:

3 x secretaries attending 7 meetings, inc pre-meets Facilities funded – 84 hours total	NIL COST
2 x local reps attending 7 meetings, inc pre-meets Facilities funded – 58 hours total, inc 1 hour for liaison/prep	NIL COST
Secretaries (3) and reps (2) consulting with employees Facilities funded 4 mtgs – 80 hours total	NIL COST
Secretaries drafting reports, agreements, updates etc Facilities funded – 30 hours total	NIL COST
Time spent travelling to/from school (assuming 1 hour each way) for Secretaries x 3 Facilities funded – 66 hours total	NIL COST

Had the school not been part of its local authority's LAFTP, and assuming supply cover costs at a figure of £130 per day (approx. £21.66 per hour), these costs would have been:

3 x secretaries attending 7 meetings 84 hours total	£ 1,819
2 x local reps attending 7 meetings 58 hours total	£ 1,256
Secretaries (3) and reps (2) consulting with employees 80 hours total	£ 1,733
Secretaries drafting reports, agreements, updates etc 30 hours total	£ 650
Time spent travelling to/from school 66 hours total (assuming 1 hour each way)	£ 1,429
GRAND TOTAL COST TO SCHOOL	£ 6,887

(NOTE: Both tables assume that the consultation with employees is a cost that falls to the employer because of the legal obligation to consult where new contractual proposals are being negotiated in recognised workplaces.)

Had the school been an academy paying into the facilities fund to support the resolution activity by the local trade union reps, their costs for this would have been the schools delegated sums – this would range from £633 for 300 pupils up to £1,899 for 900 pupils in a school.

On the figures above, this would represent a saving of between £6,254 and £4,988 in a single year after taking into account the school's contribution to the fund.

Costs Not Included Above

These figures only represent costs for trade union and/or member consultation time, they do not include any time that was required for school or Local Authority representatives to engage in and seek to resolve the dispute amicably, so the true business costs would have been considerably higher, probably at least twice the amount indicated above. For the purposes of this case study, we have only assessed the trade union time and costs as these are the figures we would present to any school that decided not to purchase the facilities of the Local Union Representatives as invited.

Further to the costs indicated above, without Local Union Secretarial intervention, it is extremely likely that this dispute would have proceeded into a legal arena at a

very early stage, with the possibility of failure to consult claims being lodged by all three unions on behalf of each and every member (almost every teacher working there in this case.) Instead of this, the facilities fund enabled constructive attempts to be made by our Secretaries to resolve it as locally as possible. Had that not been available, the spectre of accumulating legal costs is raised immediately for any school, even before any tribunal process takes place, as in the case study example given above. Had such claims been lodged and won by the three unions involved, the award for failure to consult may have been quite considerable in a dispute case as it is calculated on the basis of amount awarded for each member who is part of the relevant bargaining group.

This case study was costed only on the basis of the real trade union time taken to resolve it. We believe it demonstrates clearly that the benefits to a school of purchasing facilities time far outweigh the costs of any significant dispute resolution activity, even where no recourse is taken to legal proceedings by either party. In that context, it represents very good value for money to a school.

5. FACILITIES TIME POTS VERSUS ALTERNATIVE MODELS

As explained earlier, it is not a question of whether an employer wishes to pay or not, but rather what the best mechanism is for employers to discharge this legal obligation.

It has been suggested that alternative systems of fulfilling the legal obligation to provide Facilities' Time for union duties should be explored. A common misconception is that local union officers are employed by their unions and funded by membership subscriptions – this is not the case. Local Officers are elected and are employed by local schools and released to undertake union work which is mutually beneficial to the employer.

a. 'Pay As You Go' System

One Multi-Academy Trust has suggested that schools/academies could be billed at an hourly rate of £30-40 per hour for any casework done in their establishments, perhaps with the option to book time in blocks of 10 hours and/or pay a small annual retainer (eg £200). We do not believe that this system is viable for the following reasons:

- It will not be possible for schools to budget for such costs as it cannot be predicted how much time will be needed for cases each year;
- Casework (like maternity leave) does not fall evenly between schools and between years. Some years schools may find they save money and do not need the service of union reps at all but in other years the costs could vastly exceed the current formula allocations;
- The time spent doing cases that involves meetings with Heads and HR etc is only the tip of the iceberg with union officers spending a great deal of extra time meeting with members and preparing for meetings;
- There is also a lot of time spent resolving members' concerns informally and management will not be aware that this has taken place until unions have to account for the time spent on these;
- There is a risk that it will create a perverse incentive to escalate rather resolve cases in order to ensure that there is sufficient funding to meet the current

FT bill;

- This will create a great deal of extra administration in operating this invoicing system;
- This system does not provide any funding for the other duties of union reps such as meetings with the LA, Policy Development, Health & Safety etc.

b. 'Home Grown' Reps

Other MATs have suggested their preferred model is that, rather than paying into their LA Facilities' Time pots, members of their own schools' staff could become 'chain reps' and be given time out of class to undertake union duties on behalf of their colleagues. This suggestion has some merit and is supported in principle by some unions.

However, there are some serious obstacles to making this work in practice:

- All the unions are struggling to find volunteers to act as official School Representatives, because many staff are afraid to 'put their heads above the parapets' and see becoming union reps as potentially detrimental to their personal career progression, let alone wishing to become 'super reps' for whole MATs;
- School/Chain Reps will need considerable training to develop the level of knowledge and expertise of our current team of local officers. A minimum of 10 days per year will be required for every rep for every union in every school for this to even begin to be feasible;
- There is a frequent turnover of school reps as staff move jobs which means finding and training new school-based reps is always going to be a constant battle;
- Some casework is simply not appropriate for school-based reps to undertake, such as redundancy situations where reps have a vested interest in the outcome of staffing reduction consultations for example, or when reps themselves are involved in sensitive situations or concerns about confidentiality arise.

6. TRAINING

Should schools choose not to buy in to collective facilities arrangements, each school rep will need to be trained to an appropriate level. All reps are entitled to paid time off for training.

The ACAS code for training of trade union reps states, "It is necessary for union representatives to receive training to enable them to carry out their duties. Such training will enable them to undertake their role with greater confidence, efficiency and speed and thus help them work with management, build effective employment relations and represent their members properly."

The Burgundy Book states that accredited representatives of recognised teachers organisations are entitled time off for functions connected with the training of teacher representatives including attendance at training courses

arranged by the recognised teacher organisations at national, regional or authority level for this purpose.

We would anticipate that each school would need a union rep, health and safety rep and union learning rep (ULR) for each union, although it is likely that the head teacher unions will not have a ULR or H&S rep in each school as well as a workplace rep. Whilst the provision of training for an equality rep has not been included it is possible that there would be at least one equality rep from each union within the chain. These reps would need to be released for training as follows and this pattern reflects the costs in the table below:

Union Role	Year 1	Year 2 onwards
School Representative	10 days	4 days
School Union Learning Rep.	5 days	2 days
School Health & Safety	5 days	3 days

Table of associated costs for release of reps for training*:

Year 1	Days per rep per teaching union	Cost of supply @£189/day per teaching union	Days for four teaching unions	Cost of teaching supply per school
Union rep	10	£1890	40	£7560
ULR	5	£945	10	£1890
H&S rep	5	£945	10	£1890
Total	20	£3780	60	£11340
Support Staff	Days per rep per support staff union	Cost of Cover @£64/day per support staff union	Days for three support staff unions	Cost of support staff cover per school
Union rep	10	£640	30	£1920
ULR	5	£320	15	£960
H&S	5	£320	15	£960
Total	20	£1280	60	£3840
Grand Total Year 1	40	£5060	120	£15180

Subsequent years † (approx)	Days per rep per teaching union	Cost of supply @£189/day per teaching union	Days for four teaching unions	Cost of teaching supply per school
Union rep	4	£756	16	£3024
ULR	2	£378	4	£756
H&S rep	3	£567	6	£1134
Total	9	£1701	26	£4914
Support Staff Unions	Days per rep per support staff union	Cost of Cover @£64/day per support staff union	Days for three support staff unions	Cost of support staff cover per school
Union rep	4	£256	12	£768
ULR	2	£128	6	£384
H&S rep	3	£192	9	£576
Total	9	£576	27	£1728
Grand annual total subsequent years	18	£2277	78	£6642

*These figures represent minimum costs **per school** based on M6 and are subject to variation as the release of representatives of the Heads unions will be substantially more.

† These figures are for representatives who remain in post after year one. Should a new rep be elected each year then the year one figure would apply.

7. NATIONAL EXECUTIVE MEMBERS

Whilst the work of National Executive Members can be undertaken outside of Lancashire, the benefits of this work are reaped by Lancashire schools and the LA. Our ongoing efforts campaigning nationally to fight cuts to school funding have had a positive impact locally.

Likewise, over the years there have been a number of national funding streams we have helped LA officers to access, such as the Schools' Access Initiative, which have benefitted Lancashire schools.

We would support a joint funding agreement with other LAs in the North West to spread the cost of National Executive Members more fairly and would encourage Lancashire to explore such a system with its NW neighbours.

8. CONCLUSION

We firmly believe that the current system of shared funding of FT, through de-delegation by Schools' Forum, remains the most cost effective and viable way of meeting this legal entitlement and will continue to benefit the schools, staff and pupils of Lancashire.

We hope that the case studies described above will provide sufficient detail for Principals, Headteachers and Governors to appreciate the real cost savings that paying into local authority facility time pots brings. The costs of de-delegation/buy-in are very modest compared to the very real risk of disputes escalating, and represent the most affordable, best-value option for schools. We believe that it is an essential investment to secure peace of mind and positive employment relations.

We are asking you to commit your schools to funding this agreement on an annual basis so the local officers of all unions can work with you in the best interests of the schools, the pupils, and our members across Lancashire Local Authority, for the future.

Thank you for taking the time to read this report we hope it has been useful to you and your school or academy.



Schools Facility Time 2022/23 **UNISON Submission**

This report is UNISON's submission to the Schools Forum review of Trade Union Facility Time in Schools. UNISON is the largest public sector trade union in the UK with 1.4 million members and has hundreds of thousands of members working in schools. UNISON represents and organises all non-teaching staff in schools (school support staff) and is the largest trade union for school support staff in the UK.

The current facility time arrangements are not reflective of today's modern school workforce. That is to say that school support staff make up a very large proportion of the school workforce, yet facility time is granted almost exclusively to teaching representatives. UNISON assert there should be a greater allocation of facility time to UNISON to acknowledge our membership numbers and the vital role of support staff in the school workforce.

UNISON believe the current system of shared funding of facility time through de-delegation is the most efficient system to operate facility time and allow schools to meet their statutory obligations on facility time. It also demonstrates the commitment of school employers towards maintaining good and constructive industrial and employee relations. UNISON's strong preference is option a).

UNISON have also included an annex which sets out the general benefits of facility time in greater detail.

UNISON's representations

Current allocations of facility time

UNISON has long stated that the current allocations of facility time are unfair on school support staff. Schools employ both teaching and non-teaching staff, often in equal numbers, and both groups of staff are equally entitled to trade union representation. The current allocations of facility time do not reflect today's school workforce and does not recognise the important role of support staff. The role and numbers of support staff has greatly developed and increased in recent time and yet facility time is almost exclusively allocated to teaching trade unions.

UNISON currently has the least amount of facility time (1fte). There is no correlation currently between membership numbers and facility time. This review of School Facility Time should take this into consideration when looking at allocation of facility time to each trade union. The Schools Forum could also take into consideration the Schools HR casework statistics to examine the split between teaching and support staff if such figures are available.

As a portion of facility time went unused again then some of this unallocated facility time could be allocated to UNISON given UNISON's membership numbers in schools based on the Schools Forum's own figures.

Some correlation between membership and amount of facility time would be fairer. A more representative version of the table produced of current allocations of facility time is below which highlights the unfairness in allocation;

UNION	NAHT	ASCL	NEU	NASUWT	UNISON
No. Of FTE Representatives	1.6 FTE (12%)	1.2 FTE (9%)	6.0 FTE (46%)	3.2 FTE (25%)	1 FTE (8%)
Membership Numbers	608 (3%)	204 (1%)	6480 (34%)	5868 (31%)	5886 (31%)

Cost of UNISON facility time

It is likely that any additional facility time granted to UNISON would cost less than a teacher trade union because UNISON members are in general on a lower salary.

Overall level of facility time

UNISON opposes any further reduction in the overall level of facility time (with further detail on this set out in the annex). UNISON therefore advocates for option a). The HR statistics make it clear that demand remains high and the report to Schools Forum highlights that demand is expected to remain high.

Method of providing facility time

UNISON believe the current system of shared funding of facility time through de-delegation by Schools Forum remains the most efficient and viable way of Schools meeting their statutory obligations on facility time and it helps maintain good and constructive industrial and employee relations (further detail on this set out in the annex).

Conclusion

- UNISON should receive a greater allocation of facility time than it currently receives. UNISON is currently under resourced based on the Schools Forum's own figures.
- The allocation of facility time should not discriminate between teaching and non-teaching staff and there should be some correlation between facility time and membership numbers.
- Any unused facility time could be granted to UNISON.
- Additional facility time allocated to UNISON would likely cost less than teaching trade unions because support staff are paid lower salaries in general.
- The current system of shared funding of facility time remains the best way for Schools to meet their statutory obligations and maintain good employee and industrial relations.
- There should be no reduction in funding given HR statistics show case work remains high and expectations of demand on Trade Unions and employee/industrial relations are likely to increase. On that basis UNISON advocate for option a).

Annex 1

General Benefits of facility time and the shared funding of facility time.

Statutory rights to paid facility time

There are three main trade union roles with statutory rights to time off and these are the traditional trade union workplace steward/rep, union learning reps and union health and safety reps. There are also some other legal time off rights where someone is representing a trade union.

An employer must give trade union representatives paid time off to carry out their trade union duties as per the Trade Union and Labour Relations (Consolidation) Act 1992 (TULRCA). Examples of duties are;

- Negotiations with the employer;
- Functions which the employer has agreed may be performed by the trade union;
- Receiving information and being consulted on redundancies, business transfers or pensions changes;
- Training in industrial relations matters.

Time spent in negotiations/collective bargaining is set out in TULRCA as involving;

- Terms and conditions of employment or physical conditions of work;
- Recruitment, suspension, dismissal;
- Allocation of work;
- Discipline;
- Trade union membership or non membership;
- Facilities for trade union reps and officers;
- Procedural matters – eg consultation.

Trade union side meetings are also an example of a trade union duty as union reps need to meet separately from management to discuss and share information. In addition to statutory provision there is substantial case law which clarifies the right to paid time off and there is guidance set out in the ACAS Code of Practice.

Union health and safety reps have paid time off rights under the Health and Safety at Work Act 1974. Health and safety reps must be permitted time off under the Safety Representatives and Safety Committee Regulations 1977 (SRSCR). They have similar rights to time off as other representatives however the SRSCR defines safety reps as having “functions” rather than duties and an employer must permit them time off with pay “as shall be necessary”.

This time off covers;

- attending meetings;

- undergoing training;
- investigating hazards and dangerous occurrences;
- investigating complaints and welfare at work;
- making representations to the employer.

There other matters set out within the SRSCR also. The Health and Safety Executive (HSE) also provide guidance that adds to the time that union health and safety reps need to take off.

Union learning reps (ULR) help open up learning opportunities for union members and supports them during the learning along with encouraging and developing a learning culture in workplaces. ULRs have a right to paid time off under TULRCA to carry out their duties. ULR duties involve analysing learning/training needs, arranging and promoting learning/training and consulting with the employer about these matters.

All reps have rights to time off when acting as a companion. The statutory right to be accompanied at a grievance or disciplinary hearing allows workers to request and have a union rep/officer as a companion. Paid time off used in this way by a rep is equivalent to a trade union duty and is part of facility time and the employer must permit a rep to take the paid time off. This extends beyond the hearing to meeting with the employee in advance for example.

There are also extensive statutory obligations on employers to consult when making collective redundancies under TULRCA. This consultation is with the trade unions and must be sufficient and meaningful with a view to reaching agreement. The employer must provide specified information to the trade unions and the employer must consider representations from union reps and reply to them. Reps need reasonable paid time off in order for this to be achieved and the rights for this are set out in TULRCA.

There are similar statutory obligations on an employer under the Transfer of Undertakings (Protection of Employment) Regulations. Here employers are required to inform and consult with representatives. Again, paid time off is required to achieve this.

In addition, following the decision of the Court of Appeal in UNISON, Vining & Ors v LB Wandsworth & the Secretary of State, trade unions have a right to be consulted under article 11 of the European Convention on Human Rights on any workplace issue which affects their members.

Where reasonable paid time off is not granted claims can be brought in the employment tribunal and there is case law which expands upon the legislation as written. In addition where an employer fails to properly collectively consult over redundancies or TUPE transfers there exists a punitive measure called a protective award can be brought for each employee affected which can result in massive financial penalty to the employer of 90 days gross pay in collective redundancy situations or 13 weeks pay for transfers.

Benefits of facility time in general and the current shared funding system

The cost argument

UNISON recognises the obvious financial challenges facing schools. Trade union facility time is often described as a cost and in very simple terms a cost can be associated with a member of staff being fully or partly released on a permanent basis. There are two issues with that simplistic measure;

1. it does not factor in the benefits of trade union facility time in general and the efficiencies realised in shared funding of facility time through de-delegation , a matter which is elaborated upon elsewhere in this report; and
2. those released on facility time via this system, either partly or wholly, carry out duties which schools would be obligated to grant paid time off for anyway from their own budgets.

Therefore, simply reducing the amount spent on facility time would not generate expected savings for schools and would in UNISON's experience create additional costs, a matter elaborated upon elsewhere in the report.

Benefits of facility time

Notwithstanding that reps have a statutory right to paid time off as set out above there are benefits arising from paid facility time in general. The Trades Union Congress (TUC) has commissioned reports and analysis of the Government's own data from their Workplace Employment Relations Study (WERS). One such TUC report by Bradford University from 2016 and key points to note from this report are;

- Research commissioned by the trade union UNISON found that facility time;
 - Improved workplace relations and helped build the reputation of the employer as a good place to work.
 - Union representation enabled earlier intervention in relation to complaints, grievances and disciplinaries, which stopped them escalating which was less costly to the employer and the taxpayer as a result of reduced staff and legal costs.
 - Union reps enabled better communication with staff during restructuring and redundancy processes, which led to greater understanding of management's rationale for the changes and reduced industrial action.
- In 2007 the then Department for Business Enterprise and Regulatory Reform (BERR – now BIS Department for Business Innovation and Skills) found the following benefits from trade union facility time based on WERS data from 2004;
 - Dismissal rates were lower in unionised workplaces with union reps – this resulted in savings related to recruitment costs of £107–213m pa.
 - Voluntary exit rates were lower in unionised workplaces with union reps, which again resulted in savings related to recruitment costs of £72–143m pa.
 - Employment tribunal cases were lower in unionised workplaces with union reps resulting in savings to government of £22–43m pa.
 - Workplace-related injuries were lower in unionised workplace with union reps resulting in savings to employers of £126–371m pa.
 - Workplace-related illnesses were lower in unionised workplace with union reps resulting in savings to employers of £45–207m pa.
- This gave £327-977m in savings across all sectors with around 60% being public sector equating to £223-586m pa.
- Updating this to 2014 figures to reflect the reduction in the size of the public sector and taking into account changes in real values gives a benefit of £250-674m to the public sector.

- Using the Taxpayers Alliance estimated total cost of public sector facility time (£108m in 2012-13) means **that for every pound spent on facility time, the accrued benefits have a value of between £2.31 and £6.24.**

There are clear benefits based on the Government's own data of paid trade union facility time in improving the working environment, promoting good and safe working practices free from discrimination and working with the employer to save jobs, protect services, retain skills and avoid compulsory redundancies.

UNISON believes in maintaining decent working relationships with schools to resolve any issues at the earliest possible stage and in the main the above benefits have been borne out in schools through that relationship.

Benefits of shared funding of facility time and the issues and risks if reduced

There are clear benefits to trade union facility time in general. UNISON believe the current system of shared funding of facility time through de-delegation by Schools Forum remains the most efficient and viable way of Schools meeting their statutory obligations on facility time. If the current system were to be substantially changed or reduced, then the cost of facility time is a cost that individual schools would ultimately incur through local school representatives having to be trained and released instead.

The current system ensures that there are highly trained and knowledgeable union representatives available for schools to work with to fulfil their legal obligations. It allows for good working relationships to be built between the reps and schools which assists in resolving workplace issues at the earliest possible stage. This then saves the school both the difficulty and cost of workplace issues escalating. UNISON believes that there are currently good working relationships with schools and UNISON have worked effectively and professionally with schools and LCC HR Officers. Given the pressures and challenges that schools face UNISON believe that having experienced and knowledgeable trade union representatives available will benefit Lancashire Schools.

If there were no de-delegation funding of facility time, then every school would need to have their own trade union representative and each school would have a legal obligation to release these staff during the school day with paid time off for any trade union duties required. Having to release representatives on an "as and when" basis for trade union duties and training would be an inefficient method to implement facility time arrangements for schools and cause additional difficulties around cover during the school day. This would also lead to disputes around granting of facility time and release of representatives.

Whilst some schools do already have local representatives it is usually those representatives with facility time funded through the current system that undertake the majority of trade union duties – for example representation or consultations – allowing for minimal disruption to schools.

UNISON expect that if the current arrangements are substantially changed or reduced then this will result in a need for UNISON to retrain existing representatives across Lancashire Schools and recruit and train new representatives. This will be necessary to ensure there are representatives available when members need them but also when

schools need them too. Paid time off would have to be granted by each school for a substantial number of representatives to be trained.

In the event of a school not having a local rep there will be a considerable delay in having issues resolved or meetings heard. In UNISON there are no regional officials who would automatically step in to cover and this will result in delays addressing employee relations and industrial relations issues.

Considering the above the following risks of substantially changing the current arrangements are highlighted;

- The desired savings will not be realised, and it may actually increase costs;
- A possible worsening of industrial and employee relations;
- Disruption of day to day employee relations matters such as disciplinary hearings;
- Lack of staff engagement and consultation resulting in a less engaged and demotivated workforce;
- More workplace issues, disputes and accidents resulting in greater cost through more demand on time and increased litigation against schools;
- Increased disputes and issues relating to requesting facility time itself, including increased claims brought against schools at the employment tribunal;
- Schools struggling to meet their legal obligations to consult, including increased claims brought against schools at the employment tribunal.

Report to Schools Forum – June 2021

Vision

Children, Young People and Families are safe, healthy and achieve their full potential.

The Primary Inclusion Hubs is an Early Intervention strategy with the aim of:

Improving inclusion and reducing exclusions across all primary schools in Lancashire

by establishing:

1) a local network of training and collaboration

- i) each District responsible for developing and evolving their own unique structures and provision responding to local need with local leadership
- ii) facilitating not just training events but on-going collaborative relationships

2) local systems for advice and support

- i) local leaders to evolve local systems responding to local needs
- ii) ensuring strong links with other local support networks such as Team Around the School

3) links to a wider Cross-District network of collaboration in order to:

- i) share innovation and good practice throughout Lancashire
- ii) raise awareness of wider Local Authority services, support and initiatives
- iii) raise awareness of national programmes, initiatives and guidance
- iv) improve collaboration between sectors, agencies and services (Health, Police, School Improvement service, Alternative Provision, SEND, Social Services, Admissions etc)

Structure and accountability

Funding is agreed by the Schools Forum annually (de-delegated from school's budgets; based on indicators of deprivation across Districts)

Cross-District Primary Inclusion Hubs Steering group meets termly

Attended by:

- Primary Inclusion Hub lead representatives (Head teachers) from each of the 11 districts
- Invited representatives from Local Authority services and sectors that may support the work of the Primary Inclusion Hubs and include:
 - o SEND Improvement Partner (Lorraine Stephen)
 - o Children's Social Care
 - o School Improvement Service
 - o Children & Family Well-being Service
 - o Alternative Provision/Elective Home Education strategy review lead
 - o Educational Psychology service
 - o SEND/Inclusion team
 - o Police Violence Reduction Unit representative
- Other invited representatives from sectors and services that may support the work of the Primary Inclusion Hubs

Terms of reference for Cross-District Steering group:

- Receive reports on how money is being spent from each district (outline of activities, services, innovations)
- Discuss impact of initiatives in each of the districts and provide challenge and support
- Share strategies, innovations and approaches (successes and discuss ways forward if things are not working)
- Agree steps forward

Local District management teams

- Each District's Primary Inclusion Hub provision is led and managed by local Head teachers
- Each District organises their governance, strategy and provision according to the needs (and strengths) of the schools and areas they serve
- There is a representative from each District on the Cross-District Steering group
- The Local District Management Team and HT Lead makes the decisions about how the funding is used to best support their local area in fulfilling the above stated aims

Lancashire Children, Young People and Families Partnership Board

- Primary Inclusion Hubs across the Districts are represented at the Partnership Board by volunteer Head teacher participation where presentations and reports to the board are made and partnership input received and supporting links made

DISTRICT 1 – LANCASTER INCLUSION HUB

Stepping Stones PRU (universal offer paid for so all schools have access to advice calls and initial support)

+ subsidised support and placement first 12 weeks

Additional support packages, placements to avoid permanent exclusions and training offered (primarily via Stepping Stones)

Small schools can escalate quickly due to capacity/expertise issues and specialist reports are subsidised (for advice) in some cases where needed

Universal Support -15 schools have accessed telephone support and these account for 23 pupils.

Outreach-28 pupils have been supported, with 3 moving on to placements at Steeping Stones.

Permanent Exclusions-There have been no permanent exclusions

Impact: Cases Closed-39% of cases have been closed, with the children settling back into mainstream schools

CPD – Feedback was 100% positive, from April 2020-March 2021. Only a very limited amount was run in the second lockdown and there was no interest in behaviour surgeries. We anticipate that demand will soon start to return to normal levels. Some advice was offered individually though.

Planning Ahead

To plan provision for the year 2021-22, we surveyed all our schools and received 15 responses out of a possible 52 schools, so it was hard to form a comprehensive picture of need.

Our core offer for the coming year remains broadly similar to 2020-21. However, we have tried to shift the emphasis towards prevention and developing in house knowledge and expertise. Funding for training and specialist teacher/ed psychology has been increased, so too has the amount allocated for re-integration.

Three new elements have been included for 2021-22:

1. An emergency pot of money people can apply for to cover very short-term additional staffing or practical expenses eg walkie talkies etc if a child goes into crisis and schools need to react quickly.
2. A pot of money that schools can apply for liaison and training if they are about to re-integrate a pupil
3. We are looking at a potential pot for collaborative work between schools who want to do evidence-based work on strategies to improve provision

There is ongoing debate about whether the DSG should subsidise second or third placements at Stepping Stones.

Another issue which arise for the DSG is the number of places at Stepping Stones which are occupied by children for where there is nowhere else to be referred to.

The DSG meetings for District 1 are typically attended by around 15 schools, but with about 20 who attended throughout the year. We are trying to ensure 'by-in' by linking up regular attenders with schools we don't hear from often or who are physically remote from Lancaster/Morecambe.

DISTRICT 2 –WYRE INCLUSION HUB

Universal offer Stepping Stones for all schools (support)

Fully subsidised targeted training such as ADHD and ACEs provided by Stepping Stones

Training for Behaviour Mentors being provided by Stepping Stones to allow school to school support

Subsidised training for individual schools

Subsidised training for clusters of schools.

Additional specialist reports subsidised.

Additional counselling subsidised.

PIVATs PSED purchased for all schools across District 2, along with access to PIVATs tracker. Training also provided. This will give all schools across District 2 a consistent approach in supporting pupils as well as providing evidence of any impact of interventions and support provided.

Additional EPs being employed

DISTRICT 4 – FYLDE INCLUSION HUB

2021-2022 Members of District 4—District Group (DG)

Lead: Joe Dryland (Kirkham St Michael's) head@st-michaels.lancs.sch.uk
 Elizabeth Hodgson (Heyhouses) head@heyhouses.lancs.sch.uk
 Rhiannon Jones (Kirkham & Wesham) head@kirkhamwesham.lancs.sch.uk
 Kate Walker (Pear Tree) head@peartree.lancs.sch.uk
 Liz Robinson (Treales) head@treales.lancs.sch.uk
 Sharon Barnett (The Willows) head@willows.lancs.sch.uk
 Sarah Robson (Ribby with Wrea) head@ribby-with-wrea.lancs.sch.uk

District 4 Inclusion Hub

Referral Placements

Places available for 12 week periods after Steps 1 and 2. Places subject to panel. Requests for placements to Stepping Stones directly.

Places available as part of District 4 Inclusion Hub Offer.

NOTE: Schools need commit to 50% of the cost (£1375) prior to placement. This will be reimbursed if there are surplus funds.

Support Packages for District 4 Schools (STEP 2):

Stepping Stones visit, meeting with key professionals. Report supplied on the day followed by 5 weekly visits. To support children at risk of exclusion. + Review at end of support.

15 FREE places as part of District 4 Inclusion Hub Offer. Possibility of more if needed (subjects to funds).

Universal Offer to ALL District 4 Schools (STEP 1):

Telephone access to Stepping Stones Tel 0152467164 (as under previous provision). Feedback within 48hrs with agreed actions to supports children

FREE: as part of District 4 Inclusion Hub Offer

Counselling from New Start—We have a number of hours available from New Start for children that are on the cusp of or at risk of fixed-term or permanent exclusion. Following a referral to the District 4 Inclusion Hub, New Start will visit and triage the referral. Support and funding will be available for counselling as a result. Contact: Joe Dryland

FREE: as part of District 4 Inclusion Hub Offer

Chat/Visit from Behaviour Mentor to address general class behaviour, 1:1 advice etc, to support colleagues in a peer to peer coaching format. Jo Bamber (01772 632724) Strike Lane Primary.

Behaviour Surgeries: termly behaviour surgeries where (Learning Mentors) can bring specific cases for discussion with members of staff from Stepping Stones and experienced Behaviour Mentors. Dates TBC by Stepping Stones.

FREE: as part of District 4 Inclusion Hub Offer

Additional Services Available (Charges may apply): Children & Family Wellbeing Service (Kirkham 01772 535136, St Anne's 01253 741122, Weeton 01253 987385) , Pear Tree School (01772 683609), EP Service, CAMHS, SENDOs

CPD: Attendance is FREE (subject to availability).
 Dates and subjects TBC
 NOTE: Schools and local clusters can request funding for related CPD (Contact DG members)
 Behaviour mentor Training Available (see separate email) —contact Diane Sheron or Vicky Farish

DISTRICT 6 – PRESTON INCLUSION HUB

The hub of Preston DG6 HTs is in line with new LA cross phase networks and Preston Catholic clusters, to ensure that each 'network' area had a representative on the hub and a direct point of contact for support, guidance, sign posting and HT wellbeing

HTs in the District have taken on roles/responsibilities:

Research and HT wellbeing;

Transition;

EYFS;

Data;

(Early help partnership):Parents;

Business/finance

Links with 'The Bridge' at Larches House to support transition to High school.

Golden Hill PRU universal + offer in line with District 7 (see below) and Stepping Stones PRU offers in the above Districts (and funding also provided for reintegration of children from PRU placement back into mainstream provision)

Additional funding is also offered to support individual pupils in their own school (at the request of the school)—by approval of 3 HTs from D6 hub and based on evidence of strategies already tried by each school—evaluation of impact forms completed by school

Funding of PIVATS PSED as the 'baseline' in-house approach for ALL Preston schools to use to assess then support children in areas of PSED and serve as an evidence base of in school strategy/intervention prior to schools approaching the hub for further support / funding.

Funding used to skill up as many whole staff teams in Preston schools as possible (partly through the 'D6 talks inclusion' sharing good practice event

DISTRICT 7 – SOUTH RIBBLE INCLUSION HUB		
What	Comments	Uptake
Funding for all universal offer (£500 per school)	GHIST universal offer have been purchased for all schools in our district. The universal offer entitles all schools to telephone support from GHIST and access to their behaviour clinics.	38 schools
Package Money (50% of either Silver or Gold or Platinum)	The Inclusion Hub will fund 50% of either a Silver or Gold or Platinum GHIST package.	24 packages totally 222 hours of support for vulnerable pupils
Referral placement at Golden Hill (50% funding)	The Inclusion Hub will fund 50% of any referral placement at Golden Hill. A referral placement usually lasts for 12 weeks for children who are on the verge of longer term or permanent exclusion with a view to establishing routines, supported interventions in a specialist setting and opportunity for the home school to develop provisions for return of pupil	10 referrals and 5 extensions (due to COVID restrictions impairing interventions and reintegration opportunities)
Reintegration after referral money (£2000)	The Inclusion Hub will fund any 'Reintegration' costs after a child has completed their referral with Golden Hill in order to ensure effective reintegration to the child's home school	9 children supported with reintegration
Further support	The Inclusion Hub is able to support schools with the cost of any further support that is required, for example, while waiting for a referral place at GHIST. Schools complete the Inclusion Hub Request form, detailing what the issues are and the strategies and funding that is already in place. There is an expectation that schools will have explored support and funding from the SEND and Crisis teams before making a request for additional support.	9 schools have requested and been granted additional support (for additional staff) for pupils who are at risk of permanent exclusion but who do not yet have Higher Needs block funding or alternative provision in place
Training (ring fence £6000)	£6000 has been allocated for training this year. This will be focussed on early intervention strategies and will be carried out by a wide variety of excellent providers. Where there may be specific training needs amongst individual mini hubs within our district, we can devise a bespoke package of training there too.	Kindergarten project for EYIFS/Y1 training from private Psychology service. GHIST behaviour surgeries.

	Training will be announced, and can be booked by using the WRIST portal for WRIST schools and through email contact with the organiser for all other schools.	
Mini Hub cluster attendance (6 cluster meetings per year)	Schools will continue to be invited to meet on a ½ termly basis to discuss behavioural issues which are relevant in their existing Mini Hubs. Members of the GHIST team will be involved in these to provide their experience and advice. Schools can claim up to £100 per school for attendance at each of these meetings.	Attendance has been improving over the year – good practice shared, support given and attended by other services & professionals
GHIST attendance	The Inclusion Hub funds GHIST involvement at our Mini Hub meetings and Mgt Strategy meetings.	GHIST team (+ EPs; advisor & early Help/CFW officers) has attended meetings providing overview of good practice between Districts/schools
Business Manager support intention	The Inclusion Hub is currently looking into the benefits to the Hub of employing a School Business Manager to help us with the finance and overall running of the Inclusion Hub across the whole district.	Over reliance on over stretched HTs is creating vulnerability to systems

DISTRICT 8 – WEST LANCASHIRE INCLUSION HUB

Strong links with Kingsbury school

-support visits to schools / virtual links with feedback and discussions

-SHAREs link (ensuring support in school and in home)

-CPD –training for virtual CPD (e.g. social stories)

106 children seen by support staff

Team Teach / de-escalation training rolled out

DISTRICT 9 – CHORLEY INCLUSION HUB	
What	Comments
Outline of district offer	<p>CISS (Chorley Inclusion Support Service) have been developed to support all 49 schools in district 9 across Chorley.</p> <p>Our district offer entitles;</p> <ul style="list-style-type: none"> • KS1 Early intervention – This was the original offer from CISS since the service was developed in 2019 aiming to support school staff who have children displaying unwanted behaviour at school and/or at risk of exclusion. • Remote Consultation Surgeries for KS2 - In response to the increased demand for KS2 support, as part of our service developments we introduced KS2 consultations which were actioned from January 2021. These consultations involve a referral request via email, which if accepted, will be booked onto the twice monthly consultation dates, made available with one of the Assistant Psychologists. This is a limited piece of work to be reviewed via email 4-8 weeks after the consultation. • Remote Lockdown Support offer – To enable school staff to access support more easily and readily during lockdown we adapted the service to offer an online version of the service. During this time, appointments were readily available and schools were informed via. email throughout lockdown. • ASC Specialist role (<i>In development</i>) - Another part of our service developments has been the development of a social communication support role involving longer term school/parent support, however this is in on hold at present. • Training (Remote/in-school) – Online training videos are currently being recorded by the Assistant Psychologist’s and will be made available on the CISS part of the Highfield Primary website soon. As COVID-19 restrictions lift in-school training will be rolled out as appropriate.
Overview of impact	<p>Summary of referrals</p> <p>Since the project started in June 2019, there have been a total of 163 referrals received for full CISS involvement and an additional 3 for the most recent service development as of January/February 2021. From this total there were 14 referrals that were rejected due to not meeting the CISS criteria. These referrals were sign posted onto alternative services. From September 2020 until April 2021, the newly appointed Assistant Psychologists have accepted 23 referrals in total, including consultation referrals. This number is slightly less than the previous year, where 31 referrals were accepted within this time frame. It is likely that these numbers dropped due to the recent pandemic. However, between March 2021 and May 2021, there has been 11 referrals, which appears to be a gradual influx since schools reopened in March.</p> <p>These referrals have been from a wide spread of schools, which takes the total to 33 different schools that have made a referral request. The remaining 14 schools in the district have not yet referred to the service. However, 7 new schools have been reached by the project since September 2020.</p>

	<p>Data impact</p> <p><i>(Data has been gathered from April 2020 – April 2021 to evaluate the effectiveness of the service)</i></p> <p>The first stage of involvement with CISS involves a teacher-rated questionnaire to determine the social skills, problem behaviours and academic competence. The results demonstrate that 76% of completed cases improved in social skills, and 71% of completed cases decreased in their problem behaviours.</p> <p>At the end of case involvement, CISS repeat the initial goal and confidence scoring to see the impact CISS has had on schools. These results demonstrate that 75% of teachers improved in their confidence in meeting the child’s needs, with 19% of teacher’s confidence remaining the same. Interestingly, the cases that were reported by CISS to have implemented the strategies effectively, 87% of these improved in their confidence. Therefore, this shows that when schools implement the strategies effectively, confidence ratings can improve and observe decreases in behaviour that put children at risk of exclusion. Furthermore, 100% of cases reported improvement in at least one of the two goals, and 94% of cases reported improvements in both goals. Only one of these cases reported regression in one of the goals. However, this case was reported to have not been able to implement the suggested strategies effectively. The schools who struggled to implement strategies were those who felt they had little resources to do so, this included lack of funding for a TA or 1:1 time, and/or physical resources in the school such as a sensory space to reduce sensory overload and overcrowded mixed classes.</p> <p>Exclusions data</p> <p>During the first year of operation CISS had 3 children that received a fixed-term exclusion in the first cycle of involvement and 1 child was permanently excluded. However, this year there have been no children that have received any fixed-term or permanent exclusions during CISS involvement. This may suggest that schools are referring into CISS at the early stages of unwanted behaviour, rather than allowing situations to escalate and resulting in exclusion.</p>
Training	<p>Due to the COVID-19 pandemic, we have been unable to deliver any in school group training sessions, however we have recorded training sessions that schools will soon be able to access online at their own convenience. These will be made available on the CISS page on the Highfield website for all schools in the district to access.</p>
Anecdotal case study and	<p>Case study</p> <p>Child A was referred into CISS in June 2019, based on frequent daily incidents of physical and verbal aggression, which often required restraint. Child A was on a reduced timetable and had received some fixed term exclusions. Child A was delayed across his EYFS goals. The CAF/TAF</p>

<p>evaluation feedback</p>	<p>process were ongoing for child A, based on evidence that he had previously witnessed episodes of domestic abuse at home. School were also already receiving LCC EP support and advice. School also felt that child A required 1:1 TA support and were trying to source funding for this. Assessments, observations, and 1:1 consultation were completed in school individually with child A and his teacher. As school couldn't identify triggers in school for child A's outbursts, the report advised school (amongst other strategies/onward referrals) to start recording incidents via ABC charting and RAG rate his days. Staff were trained to do this effectively and look at data collected, to reduce frequency and severity of the outbursts. It was also important that staff could also evidence positive sessions, given the crisis that school felt they were in. After providing 1:1 support themselves initially, school eventually managed to source some external funding for 1:1 support. This support meant that child A could access an individualised timetable, with a TA who could provide instant emotional and educational support. This led to a more settled presentation from child A. Over the next 6- month period, incidents of aggression and restraint gradually reduced to zero. Child A is now attending school for longer periods of the day, and now engages with learning tasks more positively. This school are hosted two CISS training sessions last year.</p> <p>Evaluation feedback</p> <ul style="list-style-type: none"> • One teacher reported this after case closure <i>'We had a very prompt response to our initial referral. Ongoing support and contact was always provided. The outcomes have been positive and the child supported has made a lot of progress'</i>. • A second teacher reported this after case closure <i>'All your help and support has been very useful, thank you'</i>.
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DISTRICT 11 – HYNDBURN INCLUSION HUB	
What	Comments
Funding for all universal offer: Bronze Funding (£49000)	<p>ELIP (East Lancashire Inclusion Partnership) universal offer have been purchased for all schools in district 11. The universal offer entitles all schools to telephone support from ELIP; access to their advice surgeries; access to provision map for behaviour and SEN; half-termly SENCo Forum (additional to Lancs forums).</p> <p>ELIP will provide 12 days of bronze training and advice over the course of the year. Schools may attend at least 2 of these to be trained in a specific area of SEND or behaviour and then attend an advice surgery in the afternoon to discuss specific pupil support.</p> <p>Schools do not need to do anything further to get this package.</p>
Sliver Funding (£13000)	The Inclusion Hub headteacher board will allocate the equivalent of 1 child a week (38) targeted support for children developing challenging behaviour, conduct or complex SEN – observed by a specialist teacher; report and recommendations to be provided. Head teacher board will meet and discuss and allocate referred pupils for targeted support at Silver with ELIP.
Gold Funding (£53582)	The Inclusion Hub headteacher board will allocate access to 1 day a week attendance at Tor view (6 places per half term). This will consist of working with teacher and TA 2b modelling alternative provision curriculum to be replicated in the mainstream setting. IEP/IBP written to support targets on focussed teaching. Home school TA must attend to be able to replicate strategies in mainstream setting. Home school Head attends ½ day per half term for SLT support and curriculum implementation. School have access to min SEND/Behaviour Review – 1 day per half term equivalent. Head teacher board will meet and discuss and allocate referred pupils for targeted support at Gold with ELIP. Schools wishing to access this complete referral on portal described below and submit to Heads Board for consideration. Costs include transport to and from home school.
Further professional Training	<p>Training is available at an additional cost to schools on range of SEN/Behaviour topics:</p> <p>Group training (schools leaders; teachers; support staff; governors) £150 full day; £85 half day/evening</p> <p>Twilight: topic identified by the school (max. 25 participants) £200</p> <p>½ Day Training: topic identifies by schools (max. 25 participants) £250</p> <p>Full Day Training: : topic identifies by schools (max. 25 participants) £500</p> <p>If different schools have similar training needs they can work together share the costs.</p>

District Hub attendance (6 cluster meetings per year)	District 11 Heads Board will continue to meet on a ½ termly basis to discuss behavioural issues which are relevant in their existing Hubs. Members of the ELIP team will be involved in these to provide their experience and advice.
School Business Manager support	The Inclusion Hub is currently accessing support from the Business Manager at St James Clitheroe. This will be reviewed annually. 1 day per week of administrative support is included in the budgetary planning for ELIP.

District 12 – Burnley Inclusion Hub

The Inclusion Hub's aim is:

To work in partnership across schools and with other professionals to support each other in evaluating and improving the effectiveness of in- / inter-school support to improve inclusion and reduce the exclusion of children in District 12.

In Practice:

A 'Phased' approach is taken, escalating from initial inter-school telephone support to funded extended specialist support and provision.

Phase 1:

Where a case is becoming a cause for concern, contact is made with the 'Satellite Lead' (the schools within District 12 are organized into 4 different groups – each with a designated 'Satellite Lead'). All schools have shared information regarding the strengths in their expertise. The Satellite Lead will arrange for contact to be made between the referring school and a school with an identified strength in the relevant area(s) so that advice can be given.

Phase 2:

If the concern persists, the level of school-to-school support is escalated. This will involve a visit to the referring school by a school with relevant expertise to provide a 'fresh pair of eyes' and to make further recommendations to try to de-escalate the situation, before a child becomes at serious risk of exclusion.

Phase 3:

If the school-to-school support is unsuccessful in resolving the concerns, a referral to a panel of Headteachers will be made. This panel meets on a half-termly basis with the sole purpose of considering these referrals and allocating funds from the Inclusion Hub budget for increased in-school support (e.g. a 1:1 teaching assistant) or external support – such as Educational Psychologist support, specialist support from Holly Grove (Special School), funded places at alternative provision providers etc.

NB: This funding is provided with the intention of responding to a 'crisis' situation and reducing the risk of children being included. However, it is not intended to be a long-term 'fix'. Should sustained support be required, alternative solutions – such as SEND support – should be sought.

Panel funding for sources of support

Close & useful links with Holly Grove Primary school

Pastoral Clusters

District 13 –Pendle Inclusion Hub	
What	Comments
Outline of district offer	<p>Building Capacity</p> <p>Since September 2020 we have worked in partnership with Cribden House to build our District Offer.</p> <p>We have given 3 teaching assistants with the knowledge and skills a secondment opportunity for a term. The TAs then went and spent a full term working with the staff at Cribden House to gain valuable insight into managing children with additional SEMH needs.</p> <p>One HLTA was ready to work across the 36 Primaries in D13 from January 2020. By Easter 2020 we then had a further 2 HLTAs working across the District delivering the offer.</p> <p>As part of our offer the HLTAs have also started to provide Pastoral Briefings on a Half Termly basis for D13. D12 have supported this development.</p> <p>D13 Offer</p> <p>First Stage –</p> <ul style="list-style-type: none"> • School submits email to Behavioural Support Specialists with brief description of the child including: <ul style="list-style-type: none"> ○ Age ○ Needs ○ Outline of concerns • Cases will be assessed by the Behavioural Support Specialists. • A telephone consultation will follow where the Behavioural Support Specialist will provide strategies. • School and the Behavioural Support Specialist will agree on a date for a follow up telephone call to discuss the impact of the strategies. • The case will be elevated to the second stage of support if an evaluation of the strategies concludes further input is required. <p>Second Stage –</p> <ul style="list-style-type: none"> • Behavioural Support Specialist will visit the child in school. • The visit will include; <ul style="list-style-type: none"> ○ A 15 minute discussion with the child’s teacher / SENCO/TA.

- A one hour observation of the child in the classroom (or equivalent to one lesson).
- Following the visit, the Behavioural Support Specialist will create a report including outcomes and recommendations for interventions and provision.
- School will implement the recommendations in the report and will have access to the Behavioural Support Specialist for 6 weeks (which could be telephone conversations or follow-up visit at an agreed time and date).
- School will evaluate the impact of the interventions and discuss with the Behavioural Support Specialist.
- If the evaluation of the provision concludes further support is required, the case will be elevated to the third stage.

Third Stage –

- A request for further support will be made through a referral to Panel (see Hub information for details).
- School will complete the referral form attached.
- The Panel will meet half termly and the school will be issued with deadlines for referrals.
- The Behavioural Support Team will assess referrals and present four to Panel.
- The Panel will deliberate and offer tailored support for the child.

The Panel

The panel meets half termly and made up of 1 HT from the local steering group, 1 CFWS member, Lisa Robinson NHS, a member of the LA Educational Psychology group and one of the HLTAs

Possible Outcomes of Panel

- Match funding for 1:1 support for a child in crisis awaiting an EHCP
- Play Therapy to support Mental Health Needs
- A payment to support Educational Psychology Assessment
- One of the specialist HLTAs to work alongside school staff and run intervention bespoke to the child's needs

Training

A budget of £10,000 has been ring fenced to support training across the schools. This has ranged from Forest School Training to Talk Boost and Safer Handling Training.

Lockdown

All provision has continued to be offered and operational throughout the Lockdown period

Summary of referrals**Stage 1 Referrals**

There have been 2 schools accessing the offer at this level. This means that a telephone call has been made, advice offered and then the school had not required further assistance. This could mean that we have sign posted more relevant services to them.

Stage 2 Referrals

7 schools are being supported at this level- 8 pupil. This means one of the outreach HLTAs will have visited the school, done an observation, produced a report and will be working with that school over a 6-week period.

Stage 3 Referrals

There have been 3 panel meetings to date. 6 schools have been brought to panel – 7 pupils in total. At panel a decision will have been how best to meet the needs of the child and the school asking for support.

Data impact

As much of our work has been going on across the Summer Term we are currently gathering our evaluations across the district.

A total of £6650 has been given directly to schools to support children. Along with 3 HLTA wages equating to 432 hours

Exclusions data

In 19-20 Pendle had 19 Fixed term exclusions with 2 permanent exclusions. 9 of the schools on the list are engaging with the District Inclusion Hub.

Evaluation feedback

All feedback has been positive to date. One teacher thanked our HLTA for their help and the *fresh pair of eyes*.

Next Steps

- Use the vulnerabilities grid across the district to provide a more consistent bench marking
- Increase capacity in order to provide a sustainable and self-sufficient model
- Train the HLTAs in various Intervention to add to their Tool Box. This will also enable them to provide Training to schools in the District
- Provide case studies to support data

District 14 - ROSSENDALE

Item (all through Aspire except Pivats)

PSED Pivats package for all schools with training. This will give schools strategies that may prevent a pupil needing extra support. This will also include training for two people on how to use the pack in school. If a school has already purchased this they can be reimbursed.

Training (Lego Therapy, Art Therapy, Nurture Group and forest school.)

Two of each per term (35 people max on each one.) Venue to be confirmed

Access to an Educational Psychologist – 30 visits per year (preferably 2 per day in the same school or schools close together)

Placements at Aspire – 6 X 6 week placements (2 per term)

(number of placements could be increased if schools put some of their own funding in)

Outreach support – to be chosen as needed, can include,

- Group and Individual interventions
- Whole class behaviour management support
- Parenting support (individual families, groups, drop-in sessions)
- Staff Training & Development
- SEN/SLT Provision Planning and Support
- Behaviour Audits & Development Plans
- SEN Code of Practice guidance, Exclusions guidance, paperwork audits

This would be 6 x 2 hrs of support per week – ideally working with schools in a similar area to cut down on travelling

Planning for next phase together (money devolved to schools this year)

Overall impact of funding so far and suggested measures of successful impact moving forward

Main focus of funding	Review so far	Next Steps
Enabled Districts across Lancashire to develop their own innovative local responses to local needs	<p>District school leaders and professionals have worked hard to evolve workable and effective systems and, as seen above, each District now has a system that is being implemented and developed in response to need</p> <p>Barriers to even greater success have been:</p> <p>a) COVID-19 restrictions (& demands on HTs on whom Inclusion Hubs rely)</p> <p>b) Changes in leadership across services and schools</p> <p>c) limitations on availability and effective support from services due to COVID restrictions</p> <p>d) disruption to interventions due to shielding or self-isolation of staff and closure of 'bubbles'</p>	<ul style="list-style-type: none"> - Continue to review systems and structures of support responding to feedback and local need - Continue to adapt systems in line with new initiatives such as Team Around the School, new SEND units, outcomes from the Alternative Provision strategy review, Early Help / Family Safeguarding, changes in services such as Health (ICP reviews) and initiatives in other Districts. - Implement systems and structures in a post-COVID restrictions context - Improve communication via School Portal postings
Facilitated collaboration between local schools, districts and professionals to review support systems and tools for support	<p>Development of 'Vulnerability Grid' (Pupil Profile grid): see Annex A</p> <p>Ideas shared between schools & Districts at local and cross-District cluster meetings</p>	<ul style="list-style-type: none"> - Increase collaboration across services and Districts - Review and clarify processes to ensure Inclusion Hubs is not funding something beyond their remit (saving funding elsewhere inadvertently and creating false picture)
Supported a large number of pupils across the Districts through the various means outlined above in each district overview	<p>A number of schools have accessed packages of support and interventions which have supported the inclusion of a large number of pupils in schools who may otherwise have faced exclusion.</p> <p>Over the period of the existence of the Primary Inclusion Hubs exclusion data collection has been problematic due to:</p> <ul style="list-style-type: none"> - the data not being representative or as relevant due to lockdown (less exclusions initially since many pupils were at home or taught in small groups, but increased exclusions on return due to effects of lockdown on some pupils e.g. not used to routines, having to re-teach expectations, large classes when used to home circumstances, added stress of having been at home in challenging situations) 	<p>Discussion and agreement is needed around the collection and use of data for 2021/22:</p> <ul style="list-style-type: none"> -what specific data relating to exclusions need to be collected? -who has access to the data and how will it be used? (understanding the limitations of over simplified data gathering) -how will the data be used to measure success? (what will be the criteria for success bearing in mind the different contexts of each school) -how will the data be used to support the work of Primary Inclusion Hubs? (e.g. in order to target support, intervention, training)

Enabled training	Each District has provided training where possible given restrictions including GHIST / Stepping Stones Behaviour surgeries, ELSA training, PIVATs PSED	<ul style="list-style-type: none"> - Collaboration in training across Districts and between services - Directory of training to be collated - Impact of training review expectations from each District
Staff appointments / release	e.g. Attendance at cluster meetings; administrative support; school to school mentors	<ul style="list-style-type: none"> - Development of specific roles within districts (linked to TAS?) to support inclusion and reduce exclusions
Funded outreach support services and intervention (as above)	PRUs; EP support; Transition support (Y6-Y7); EYFS/KS1 transition support	<ul style="list-style-type: none"> - Report on impact of support from outreach services

ANNEX A

Draft PUPIL PROFILE GRID for pupils 'at risk' of educational vulnerability and potential exclusion

Purpose of profile:

- a) To understand each pupil within their context in order to more effectively target support to specific needs in a pupil centred way
- b) To identify vulnerabilities that may require intervention and strengths that can be built on
- c) To do the above as early as possible before a critical 'tipping point' is reached or any further multiplying factors (such as a family crisis) occur
- d) To identify gaps in provision (and capacity issues for school) as early as possible in order to seek additional support (e.g. from other services)
- e) To aid transitions

This grid is a guide and around this sits a number of tools, resources and guides to help with assessment and intervention (see Appendix; related directories and Local Offer/School Portal platforms; SEND toolkits; Boxall profiles etc)

The grid can be adapted by each setting so it can match the needs of the school

Due to the sensitive nature of the information ensure the grid is only shared in line with GDPR principles and with parental consent

Rating system:

1 = present but minimal;

2 = significant vulnerability;

3 = high risk factor (school to use professional judgement in applying ratings)

Name of child:		(M/F)	DoB:	Class/Year group:
Joined school (date/year group):			Ethnicity:	Teacher:
	Vulnerability factor	Rating (1/2/3)	Comments / evidence Strategies used so far	Next steps (in-school interventions / referrals) Strength factors
U I -	SEMH needs			

	SEND (incl. diagnoses)			
	CLA/SGO/Post-CLA			
	Communication (social)			
	Physical aggression (peers/adults)			
	Verbal aggression (peers/adults)			
	Has other language difficulties(e.g. EAL/S&L)			
	Academic underachievement			
	Absconding from class/school			
	Sexualised behaviours			
SCHOOL	Poor relationships with staff			
	Poor relationships with peers			
	Poor attendance			
	Poor punctuality			
	School's capacity to manage (including class dynamics)			
	School moves			
	Exclusions (FTE; PE; timetable)			
HOME	Disadvantage (economic) PPG/E*			

	Family addictive behaviours			
	Family relationships / dynamics			
	Multiple house moves/ housing issues			
	Domestic Violence (recent/past)			
	Criminality (recent/past)			
	CSC involvement (recent/past) at CP/CIN			
	Family in need (TAF or edge of care)			
	Family breakdown (recent/past)			
	Lower parental education &/or engagement			
	Family/parent mental health issues			
	Bereavement (recent/past)			
LOCAL	Criminality/gang culture (local area – levels of involvement and impact)			
	Anti-social behaviour (by or towards)			
Total score:				
ADVERSE CHILDHOOD EXPERIENCES				
ABUSE		NEGLECT		HOUSEHOLD DYSFUNCTION

physical	emotional	sexual	physical	emotional	Mental illness	Incarcerated relative	Domestic Violence	Substance abuse	Parental abandonment (e.g. separation or divorce)	
STRENGTH FACTORS				Specific strength factor			Building on strengths			
Academic										
Motivation / engagement										
Interests										
Family strengths										
Relationships with peers/adults										
NEXT STEPS / ACTIONS from the above										

Schools Forum De-delegation consultations 2022/23- Inclusion Hubs

The survey was carried out as part of the review of the Alternative Provision Strategy Action Plan. It was compiled by a sub-group of the Primary Inclusion Hub (PIH) Cross-District Group that included headteachers and local authority officers.

The impact of Covid 19 and the restrictions it has brought to the way the Hubs have been able to operate, particularly during the lockdown periods, should be borne in mind when reading this document. Quite rightly, each District took decisions about the type and range of services they should and could continue to offer from the perspective of their local contexts and circumstances. All took those decisions with the best interests of the children and school staff in mind. It is important to remember that some of the responses may have been quite different had the survey been carried out during a period of 'business as usual'.

The following information is of the most relevance to this item.

112 responses were made. Responses were received from every District, with the largest number being 24 and the smallest 2 (N.B. 2 Districts had not been able to operate a service due to the impact of Covid and had given the money back to their schools. This may have had an impact on response rates.)

There was a long list of services provided by the Hubs that were working well for responders. Of those ranked in the top 3, training was included the most often – 35 times. The provision of additional funding, support, advice and school visits were also in the top 5. Practical strategies, the purchase of and training on the PIVATS PSED module, sharing good practice and collaboration featured in double figures.

Comments made about the services provided were mainly very positive with a number referencing the helpfulness and ease of access to them. Words and phrases used were: 'fantastic', 'excellent use of funding for us', 'our school have benefitted fully from what our District set up', 'It offers instant advice and support which has a positive impact on the children that need it most' and 'Collaboration, full commitment and approachability from the Inclusion Hub and all schools has been key within our successful approach to inclusion.'

Some comments recognised lack of parity between Districts, e.g. 'I recognise that not all districts and schools have had the best service through inclusion hubs'

The amount of extra, unpaid work running the Hubs is frequently commented upon throughout the various comments sections and great appreciation expressed for the commitment of the District lead headteachers. Some responders feel the role should not be a voluntary one.

In terms of what would be 'even better if..'; there were many useful suggestions such as: having feedback on the uptake of support in their hub and how that information is used to shape the future service; having a bank of strategies/advice available to reference with certain types of behaviour and what can be used to help to diffuse/de-escalate things; similarly, having a directory of services that funding could be used for; widening the remit to include KS2, more work with secondary schools to aid transition and maybe growing specialist services from the hub. It is felt more money would also help.

In order to establish where responders think the PIHs should sit within the continuum of provision, definitions of Universal, Targeted and Specialist were provided. The results from those who responded were:

Universal 20; Universal & Targeted 7; Universal & Specialist 2; Targeted 12 Targeted & Specialist 16; Specialist 16; Universal, Targeted & Specialist 30.

In response to whether or not the PIHs give value for money, **58** responders answered **'yes'** to the question. The most frequently stated reasons related to always being able to access support easily and quickly and to the ability to apply for additional money to access PRU or EP support. Other reasons included the quality of service, especially training, received, the impact upon the child, and the welcoming, non-judgemental approach at a point of crisis.

41 said **'no'**. Of the 41, 15 said the reason was because they had no or insufficient information about their Hub to say it was giving them good value. An additional 6 couldn't say 'yes' because they had chosen not to use the service. Other reasons given included inconsistent or perceived unfair allocation methods across schools within a District and Districts across the county, lack of impact evidence and the restricted range of services offered.

3 responders answered **'both yes and no'**.

Submitted to Fair school funding for all: completing our reforms to the National Funding Formula
Submitted on 2021-09-29 15:36:57

Introduction

A What is your name?

Name:
Paul Bonser

B What is your email address?

Email:
schoolsforum@lancashire.gov.uk

C What is the name of your organisation?

Organisation:
Lancashire Schools Forum

D What type of organisation is this?

Role:
Other

E Which local authority area are you responding from?

Local authority:
Lancashire

F Are you happy to be contacted directly about your response?

Yes

Confidentiality

G Do you wish for your response to remain confidential?

No

The scope of the end state NFF

1 Do you agree that our aim should be that the directly applied NFF should include all pupil-led and school-led funding factors and that all funding distributed by the NFF should be allocated to schools on the basis of the hard formula, without further local adjustment through local formulae?

Unsure

Developing the schools NFF to support the end state NFF

2 Do you have any comments on how we could reform premises funding during the transition to the directly applied NFF?

Please comment::

The development of reformed premises factors in the NFF to meet the stated principles of the national formula appears to be very challenging. The premises factors mentioned in the consultation only apply to a limited number of schools but there does not seem an obvious way to calculate an allocation on a formulaic basis using data already available to DfE/ESFA and the introduction of new data collection exercises seems at odds with the efficiency and simplicity principles, and possibly transparency.

For PFI, there are significant sums of money allocated through this factor at individual school level, but funding mechanisms vary across the country. Whilst a formula that allocated PFI funding on the basis of the additional costs borne by schools seems reasonable, it would appear to require data to be collected from each PFI establishment and this information used to fund the schools going forward. However, as the additional funding through this factor would need to take account of the existing allocations and contractual obligations, it would still have to build in a historic element or schools would be faced with excessive turbulence in their budgets. Transitional protections would need to ensure that any turbulence was kept at a manageable level.

The exceptional factors element too seems difficult to replicate on a formulaic basis as recipients are varied in nature across schools/LAs. A national

application-based system seems to increase bureaucracy and is not simple or transparent.

In Lancashire, we have adopted split site criteria that calculates the additional costs of running a separate site as a percentage of the NFF lump sum allocation. This maybe an option that could be replicated nationally, but again would need careful implementation to protect schools and academies that had historically been funded on a different mechanism from being significantly disadvantaged in any transition.

Growth and falling rolls funding

3 Do you agree with our proposal to use national, standardised criteria to allocate all aspects of growth and falling rolls funding?

Unsure

4 Do you have any comments on our proposed approach to growth and falling rolls funding?

Please comment::

Standardised national criteria and allocation levels for growth and falling rolls funding seem in keeping the NFF objectives and we would support the principle.

However, we are concerned about the increased restrictions a formulaic mechanism for growth funding may place on the LA's. We believe this will impact on our LA's ability to use local growth funding as a lever to encourage relevant schools to expand and the proposals may thereby inhibit LA's in the delivery of our statutory functions, that is to ensure a sufficient number of school places in good and outstanding schools are available to families.

Further information is provided below

Whilst lagged funding may provide more certainty for schools experiencing falling rolls, it is less appropriate for areas where numbers are growing.

We are not convinced how appropriate a lagged system for growth funding is, plus depends on how this element of growth funding will work in practice.

Lancashire currently applies a version of the growth fund where schools have been asked to take additional pupils to provide for basic need growth. This allows schools to draw down the appropriate level of revenue funding at the start of the relevant academic year, to help them with the associated costs of the additional pupils. This approach has been crucial for LCC to get schools to agree to provide additional places and is essential to ensure that LCC can meet its sufficiency obligations, particularly in areas where schools may be particularly risk averse.

On considering the proposals, we would provide the following comments:

- The document refers to the growth funding benefits for 'schools who will face significant increases in the number of pupils that they will educate in-year'.

It is difficult to respond on this without providing the criteria that defines what significant actually means.

However, we think that there also needs to be a distinction between those schools who have been asked to increase their numbers to assist with the sufficiency of places and those schools which decide to over admit or not contest appeals, often at the detriment to other schools in the area.

By DfE's own definition, " Basic need is additional demand for school places due to population growth or net migration".

Given that the local authority is best placed to anticipate this need (it has statutory responsibility to provide projected need via SCAP return), to remove the authority's input would not be beneficial to the strategic planning of places.

- The proposals to move towards a more consistent and fair approach must align the maintained schools with academies. Underpinning basic need is the assessment of baseline capacity within schools, from which the level of growth needed is taken. However, as academies do not currently have nor maintain net capacity assessments, referring instead to their funding agreements (which authorities have taken different approaches to), until there is a fair and consistent approach to capacity across all schools, any reform seeking to achieve fairness and consistency will be incomplete.

We understand that there is ongoing work to address this but we believe that any changes to the funding formulae should align with the timeframe for the reforms in capacity assessment.

- The document makes reference to:

'New and growing' schools are those that have opened in the previous seven years (primaries) or five years (secondaries), and are still adding year groups. These schools are academies, due to the presumption that all new schools will have academy status.'

However, other schools may fall into this category which are not necessarily academies but where they are not simply adding 'more of the same' places as they currently are offering. For example, where a school is extending its age range (a secondary school proposing to become an all through school as part of the basic need for places perhaps). In this instance, the forecasts would be from a local authority not an academy trust.

We are concerned that the proposals impact on our ability to make any future all through proposals as opposed to opening a new school if these proposals go ahead, removing LA's discretion.

- The document states "Falling rolls funding is not provided where decreases to pupil numbers are not significant, or increased demand for school places

in future cannot be evidenced." –

The proposals need to define significant for us to assess the likely impact.

- 'LAs currently have a large degree of discretion in how they allocate falling rolls funding to schools, and some LAs do not provide this funding at all'
- 'Continuing to provide this funding (falling rolls) only to schools with a Good or Outstanding grade at their most recent Ofsted inspection'

The issue as indicated from the document is that a falling rolls funding policy should only be set for good and outstanding schools. In practice good and outstanding schools are not normally impacted by falling rolls. However, RI and Inadequate schools do commonly suffer from falling rolls that can impact for a longer period, which the DfE guidance is clearly against.

In addition, such a policy could lead to additional pressure on LA to remove/ manage surplus places without any associated capital for surplus place removal. As in some areas rolls fall very quickly in schools that do not have Good or Outstanding Ofsted judgements.

- The document states that 'Using national, standardised criteria to determine which schools are eligible for funding. The main criterion would involve the size of the forecast growth, to ensure that additional funding is only allocated where growth is significant.'

Again, to understand the likely impact, we would need to understand the DfE's definition of significant whilst expressing that a small numerical growth could be more significant proportionally in a small primary school than in a large secondary school.

- The document states that 'Funding would be subject to an adjustment process, similar to that currently used for new and growing schools, which will be designed to prevent additional funding being allocated where higher pupil numbers do not appear as forecast.'

This reintroduces risk for schools. The current LCC system guarantees the growth funding for the first year, even if the pupils fail to materialise. A school will need to plan and staff for the additional pupils even if they fail to appear. The proposal removes the incentive from authorities to convince schools to expand where they may be risk averse.

- 'We would not expect to make adjustments in cases where pupil numbers fell slightly short of forecasts.'

Need to define what 'slightly short' means for us to be able to assess the likely impact.

- We recognise that it will not be possible for local authorities to provide us with forecast growth before the NFF is calculated in every instance, because there may be uncertainty over which schools will admit more pupils or the growth, or size of growth, is yet to be confirmed.

The need to provide the forecast growth adds another level of bureaucracy on local authorities. No indication of when this would be and how this fits with the timing of the annual scoping round nor for the statutory SCAP completion.

- Requesting that local authorities inform us which schools are forecast to see a significant decrease to their number on roll in the coming year and provide us with data to demonstrate that their spare capacity is likely to be needed within the next three years.

This is already part of the SCAP return. This should not be added as a separate exercise.

- "Not all growth in schools is to meet basic need. Growth can also occur where a school becomes more popular with parents and children locally. Just as with schools experiencing basic need growth, we provide schools experiencing significant growth in pupil numbers due to increased popularity with additional funding to reflect their increased costs. At present, this funding is available for academies with significant forecast growth in pupil numbers."

As referred to earlier, providing additional funding to popular schools will undermine the strategic approach to sufficiency in an area and, ultimately, lead to a school closures and even a lack of places. There is also a risk that with some schools they will expand beyond capacity, creating further risks to sufficiency in an area by looking to reduce rolls after such popularity has led to school closures, we have incidences where such issues have recently arisen.

- The proposed approach for 'Making funding available for schools which have seen an increase in popularity, after being recently sponsored by a multi-academy trust which has improved the school's performance' would appear to contravene the objection to aim for more consistency and fairness. It presumes that only schools converting to academies will become more popular and attract additional pupils.

Next steps for the transition to the end state NFF for schools

5 Do you agree that, in 2023-24, each LA should be required to use each of the NFF factors (with the exception of any significantly reformed factors) in its local formulae?

Yes

6 Do you agree that all LA formulae, except those that already 'mirroring' the NFF, should be required to move closer to the NFF from 2023-24, in order to smooth the transition to the hard NFF for schools?

Yes

7a Do you agree that LA formulae factor values should move 10% closer to the NFF, compared with their distance from the NFF in 2022-23?

Yes

7b If you do not agree, can you please explain below.

Please comment::

8 As we would not require LAs to move closer to the NFF if their local formulae were already very close to the NFF, do you have any comments on the appropriate threshold level?

Please comment::

As we have already adopted the NFF factors and values we would not want a threshold level for other LA's as this maintains a difference in funding between different LA's for similar schools and goes against the principles of the NFF.

Next steps for the transition to the end state NFF for schools

9 Do you agree that the additional flexibility for LAs in the EAL factor, relating to how many years a pupil has been in the school system, should be removed from 2023-24?

Yes

10 Do you agree that the additional flexibilities relating to the sparsity factor should remain in place for 2023-24?

No

Central school services

11 Are there any comments you wish to make on the proposals we have made regarding ongoing central school services, including on whether in the future central school services funding could move to LGFS?

Please comment::

Whatever route is ultimately chosen by government, the key features of the arrangements must be to ensure that there is clarity on responsibilities and how they are being funded and that the level of funding allocated is appropriate to meet the costs of LA's fulfilling the responsibilities. Allocations must be fair, transparent, predictable and fund inflation appropriately.

12 Do you agree with the proposal for a legacy grant to replace funding for unavoidable termination of employment and prudential borrowing costs?

Yes

A consistent funding year

13 How strongly do you feel that we should further investigate the possibility of moving maintained schools to being funded on an academic year basis?

Neither agree nor disagree

14 Are there any advantages or drawbacks to moving maintained schools to being funded on an academic year basis that you feel we should be aware of?

Please comment::

A move to funding maintained schools on an academic year basis would have the advantage of more closely aligning the allocation timetable to the key school planning and staffing decisions each year and some academy members on the forum expressed support for this approach based on experience following conversion. However, it would also bring additional complexities that could create confusion, increase workload, and diminish monitoring clarity, albeit some of these difficulties may be for a limited period around any transfer.

Equalities Impact Assessment

15 Please provide any information that you consider we should take into account in assessing the equalities impact of the proposals for change. Before answering this question, please refer to Annex (C) of the consultation document.

Please comment::

Further comments

16 Do you have any further comments on our move to complete the reforms to the National Funding Formula?

Please comment::

The key disadvantage of the move to a hard NFF set out in the proposals relates to the loss of flexibility to respond to local challenges, in particular the transfer between funding blocks. In Lancashire, we have used the discretion available to transfer funding out of schools block in the last 4 years. This transfer has been agreed each year by the Schools Forum following a consultation with schools and academies in the area. In different years, it has been used to mitigate pressures in the High Needs Block and the Early Years Block. The hard NFF proposals will prevent such transfers being undertaken, which will limit our ability to respond to local pressures and priorities. Our response to any emerging pressures in future will be restricted to making representations to national government on any of these key issues. Even if government responds sympathetically to identified difficulties, it will considerably increase the time taken for any additional funding to be targeted, meaning the new system will be significantly less responsive to pressures in the system, if it responds at all.

There is also the issue of de-delegations that is not covered in these questions. There are advantages to de-delegation that the current soft formula permits. We would request that de-delegations are still applicable under a Hard Formula.

LANCASHIRE SCHOOLS FORUM
Date of meeting 19 October 2021

Item No 10

Title: Recommendations of the High Needs Block Working Group

Executive Summary

On 28 September 2021, the High Needs Block Working Group considered a number of reports, including:

- High Needs Block 2021/22 – Budget Monitoring
- High Needs Block Funding 2022/23
- HNB Indicative Commissioned Place Numbers 2022/23
- Lancashire Hospital Education Service: Annual Report: Academic Year 2020-21
- Recovery Premium
- School Cost Pressures

A summary of the information presented, and the Working Group's recommendations are provided in this report.

Recommendations

The Forum is asked to:

- a) **Note the report from the High Needs Block Working Group held on 28 September 2021**
- b) **Ratify the Working Group's recommendations.**

Background

On 28 September 2021, the High Needs Block Working Group considered a number of reports. A summary of the information presented, and the Working Group's recommendations are provided below:

1. High Needs Block 2021/22 – Budget Monitoring

Due to the cost and demand led pressures on the High Needs Block budget, arrangements were introduced from 2018/19 to provide the Forum with termly budget HNB monitoring.

Summer term 2021/22 data had been utilised to provide monitoring and analysis for members

It was noted that the HNB budget is currently forecasting a circa £11m underspend at 31 March 2022.

However, it was emphasised that the yearend monitoring was an estimate of the full year forecast, based on expenditure that occurred in the summer term 2021. There remains significant ongoing financial pressure facing this block despite the current monitoring position, as the demand and costs continue to rise. It is anticipated that the final outturn position will come in higher than the current forecast.

Members considered the information and also discussed the Lancashire position against other LAs nationally. It was noted that some LAs had overspend high needs funding across recent years and accumulated deficits on the Dedicated Schools Grant (DSG). DfE were working with the LAs with the most significant issues to agree recovery plans with them.

The Working Group

a) Noted the report.

2. High Needs Block Funding 2022/23

2022/23 is the final year of the DfE's three year funding settlement that has increased funding by £7.1b compared to the 2019/20 baseline.

Of the 2022/23 increase of £2.3b, £780m is targeted at High Needs Block. DfE indicate that this represents a 9.6% increase for HNB nationally in 2022/23 and say that the extra resource will continue to help local authorities manage their cost pressures in this area, while the government remains focused on completing the cross-departmental review of the SEND system to ensure that it supports children and young people with SEND is as efficiently and effectively as possible.

High Needs Block National Funding Formula (NFF) for 2022/23

DfE announcements confirm that the basic structure of the high needs National Funding Formula (NFF) for 2022/23 is not changing. An extract from DfE documentation showing the national high needs NFF was provided for members.

Information on the key decisions taken by DfE for 2022/23 are set out below.

The high needs National Funding Formula (NFF) floor and gains cap have been set as follows for 2022/23:

- the funding floor is set at 8% so each local authority will see an increase of at least 8% per head of their 2 to 18 population (as estimated by the Office of National Statistics)
- the gains cap is set at 11%, allowing local authorities to see gains up to this percentage increase under the formula, again calculated on a per head basis of their 2 to 18 population

The hospital education factor will also be uplifted by 8%.

Following the responses to the DfE's high needs formula consultation earlier in the year, DfE have also confirmed that they have made technical changes to the historic spend factor within the high needs national funding formula. The historic spend factor has been updated to use 50% of local authorities' actual spend data from 2017/18. In previous years the historic spend factor had been calculated using local authorities' planned spend in 2017/18 rather than their actual spend. DfE have indicated that they will continue to look at reducing the significance of this factor in future years, with a view to removing it completely when they have alternative proxies to include within the formula.

Due to the Covid-19 pandemic, some changes to individual proxy factors have also been made for 2022/23, as there is no appropriate 2020 attainment data to use for the two low attainment factors. Following the earlier consultation DfE have settled on using 2019 data as a proxy for 2020 and have decided to proceed on this basis for the 2022/23 high needs allocations. This aligns with the approach taken in the schools NFF.

Lancashire Position

The July 2021 government announcements also contain provisional 2022/23 allocations for all DSG funding blocks, except early years. The Lancashire information is provided in the table below and it should also be noted that the early years block figures for 2021/22 have been replicated for 2022/23 to complete the 2022/23 DSG estimate.

Forecast DSG Income	2021/221 Baseline £m's	DfE notional 2022/23 allocation (using Oct 20 data) £m's	Difference £m's	Difference %
Schools Block	845.887	867.711	21.823	2.58
High Needs Block	151.033	166.193	15.160	10.04
Early Years Block	82.472	82.472	0.000	0.00
CSSB	6.766	6.799	0.033	0.49
Total	1,086.16	1,123.17	37.016	3.41

The current Lancashire forecast shows an total increase of circa 10% in the HNB Block from April 2022, however, it must be remembered that actual DSG allocations in Lancashire, to be published in December 2021, could be lower than those in the provisional notification from the DfE, dependant on data updates.

There remains considerable cost and growth pressures in the block, but initial estimates forecast that additional funding should meet increases in demand growth and facilitate a balanced High Needs budget.

Currently there is no indication of any increase in future funding for high needs after 2022/23, but demand growth over the last few years has been circa £10million per year. Therefore, if this level of growth continues without additional funding there is the risk that the high needs budget could cumulatively overspend by circa £10million per annum.

The reduction of the 20% in the CSSB historic spend element in 2022/23 is offset by the increase in the ongoing responsibilities funding, leaving the CSSB at approximately the same level as 2021/22. Members recalled that at the 6 July meeting, the Forum, recommended ongoing support be provided for the Emotional Health and Wellbeing Service and the Multi-Agency safeguarding Hub (MASH) in 2022/23, at existing levels. These services were previously funded from historic commitments.

The Group discussed the ongoing cost and demand led pressures across all DSG blocks and noted that DfE were involved in national discussions with the Treasury ahead of the upcoming spending review.

Members emphasised the need for increased allocations for Lancashire going forward to meet the forecast pressures that would be faced, and it was noted that the Forum should have an opportunity to feed into national considerations in the forthcoming DfE consultations that were expected.

The Working Group:

a) Noted the report.

3. HNB Indicative Commissioned Place Numbers 2022/23

Following representation from some PRUs. a report was presented to the last working group about the early notification element of the commissioned place process for 2022/23.

The Working Group supported some changes to the system for PRUs but agreed to leave the special schools process unaltered, as set out below:

PRU Process 2022/23

It was agreed that correspondence on indicative place numbers for 2022/23 to PRUs should not be issued in July 2021, but is instead circulated in autumn term 2021, by which time it is hoped that indicative data will include input from the service to refine the commissioned places to figures that will be more closely aligned to the final budget places and can take account of the latest recommendations from the AP strategy group.

Special School Process 2022/23

No changes to the procedures that operated in 2020 were proposed for special schools. The May 2021 census data was available in time to communicate with special schools

before the end of the summer term 2021 and experience suggested that these indicative numbers should closely aligned to likely places that will be included in the final budgets for the sector. Limited covid-19 impact on NORs in special schools is expected at the May 21 census.

The additional place top up funding arrangements will continue to operate in 2022/23, where the actual number of pupils at each redetermination is greater than the number of places commission on the budget forecast, so a continued safety mechanism remains built into the system.

In July 2021, following ratification of the working group's recommendations by full Forum, correspondence was issued to special schools with the indicative place figures for 2022/23 to provide an opportunity for individual schools to have discussions and make any representations with the relevant services.

A copy of the indicative commissioned place number for each special school for 2022/23, based purely on the calculation methodology, was provided for the working group. A total of 3,188 places are included in the indicative commissioning process at July 2021. This figure is a total increase of 78 compared to July 2020.

Letters were also issued to all PRUs to confirm the change in process.

A number of special schools have contacted the LA about possible changes to the indicative numbers of commissioned places and, any revisions agreed with the Inclusion Service will be built into school budgets for 2022/23.

In response to questions, it was confirmed that there were regular meetings between Inclusion Service and School Finance Heads of Service where the commissioned places would be considered and feedback provided to the schools that had submitted requests.

There was also some general discussion about the commissioning process and the strategies being deployed to develop more maintained provision in the county and reduce expenditure on 'out-county' placements., although it was note that some factors were outside the control of the LA, for example parental preferences and appeals and tribunal outcomes.

Tor View School raised some specific questions about their school capacity as recorded on 'Get Information about Schools' and about commissioning at their Intensive Support Unit and it was agreed that Sally Richardson would make direct contact to discuss these issues outside of the meeting.

In connection with the Alternative Commissioning places, it was noted that discussions were continuing with PRUs and it was anticipated that indicative places numbers for PRUs would be agreed with the service shortly.

Members highlighted that the Alternative Provision Strategy Group considerations would impact on the future funding and commissioning arrangements and requested an update on the work of the group.

The Working Group

- a) **Noted the report and that further information would be provided as the commissioned place process continued.**
- b) **Requested an update on the work of the Alternative Provision Strategy Group.**

4. Lancashire Hospital Education Service: Annual Report: Academic Year 2020-21

The Lancashire Hospital Education Service (LHES) is a centrally managed service that is funded from the DSG High Need Block. In FY 2020/21 the service was allocated £858k.

The aim of the service is to provide access to high quality education that is appropriate to the child's needs and to support them to return to school or college as soon as they are well enough to do so.

The service is delivered in a number of settings:

- ELCAS: located on Burnley Hospital site:
- The Cove: located in Heysham.
- Hospital Classrooms at Royal Preston and Lancaster General Hospitals
- Home Teaching.

Each setting completes an annual report and a summary is produced by Audrey Swann, Head of Virtual School for CLA and previously CLA and Hospital Education Service. A copy of the summary was provided for members.

The documentation provided some highlights from each setting in 2021/22 and an update on 2021/22 Priorities. The budget information noted an underspend, which was largely attributable to unfilled vacancies.

Comment from the Head of the Virtual School highlighted that the service did a great job during the pandemic and carried on delivering education throughout the period, albeit in a creative way at times!

The Working Group:

- a) **Noted the report.**

5. Recovery Premium

On 6 September 2021, the Government made further announcements about one-off recovery premium as part of its package of funding to support education recovery.

Information extracted from the DfE publication was issued to the working group.

It was noted that the recovery premium provides additional funding for state-funded schools in the 2021 to 2022 academic year. Building on the pupil premium, this funding will help schools to deliver evidence-based approaches for supporting disadvantaged pupils.

All schools that are eligible for pupil premium are eligible for recovery premium and the recovery premium will be allocated using the same data as the pupil premium.

Specialist schools will get £290 for each eligible pupil.

The recovery premium will be paid in 4 payments to schools during the 2021 to 2022 academic year.

Information in the report also contained guidance on

- Using recovery premium funding
- Reporting and accountability

It was emphasised that the same conditions applied to Recovery Premium that were applicable to PPG in relation to publishing information on the schools' website about the use of the funding.

The Working Group

- a) Noted the report about the Recovery premium funding.**

6. School Cost Pressures

Queries had been raised with officers ahead of the meeting about cost pressures facing schools. Information on the issues raised is provided below

- NI increase – there is no indication there will be extra funding from DfE to cover this pressure, so at this stage the costs will need to be met from individual school budgets.
- Energy Costs - increased energy costs have been queried with LCC Energy Team. It was reported that no Lancashire schools specific analysis was yet available but the most recent update from the LCC framework provider forecast an increase of 20% on delivered electricity price and 40% on delivered gas price. Once the team have the outturn prices for the next pricing period, they will supply updated information and also put this on the portal.

The Working Group

- a) Noted the report.**

LANCASHIRE SCHOOLS FORUM
Date of meeting 19 October 2021

Item No 11

Title: Recommendations of the Early Years Block Working Group

Executive Summary

On 5 October 2021, the Early Years Block Working Group considered a number of reports, including:

- Schools Forum Early Years Block Membership
- Early Years Block Funding 2022/23
- Maintained Nursery Schools Consultation Update
- Education Recovery Board

A summary of the information presented, and the Working Group's recommendations are provided in this report.

Recommendations

The Forum is asked to:

- a) **Note the report from the Early Years Block Working Group held on 5 October 2021**
- b) **Ratify the Working Group's recommendations.**

Background

On 5 October 2021, the Early Years Block Working Group considered a number of reports. A summary of the information presented, and the Working Group's recommendations are provided below:

1. Schools Forum Early Years Block Membership

Since the last meeting Sharon Alexander has also decided to resign from the Forum and a further nomination from Sharon Fenton has been received.

Sharon is already a member of the early years Consultative group and Schools Forum early years block working group, but has now been formally appointed as one of the early years PVI representatives on the Schools Forum.

The Working Group:

- **Welcomed Sharon Fenton as one of the formal Schools Forum representatives from September 2021.**
- **Thanked Sharon Alexander for her contribution to the work of the Forum**

2. Early Years Block Funding 2022/23

On 19 July 2021, the DfE made announcements about the 2022/23 school funding arrangements for Schools, High Needs and the Central School Services Block.

As per established practice, no information was included on the Early Years Block allocation from April 2022.

It was noted that in 2020/21 and 2021/22, following consultation with schools and academies, the Forum had agreed to transfer Schools Block headroom to support pressures in the Early Years Block. This transfer equated to £2m in each year.

DfE announcements in July 2021 included Schools Block Operational Guidance for 2022/23, and this confirmed that LAs continue to be allowed to transfer up to 0.5% of their schools block to other blocks of the DSG, with schools forum approval.

However, initial indications and modelling suggest that schools block headroom in 2022/23 may be limited or not available at all, although final DSG allocations for 2022/23 will not be notified until December 2021.

The Schools Block transfer has been used to support a £0.08 per hour uplift in the base rate for 3&4 year olds in 2020/21 and 2021/22 but this may no longer be available from April 2022.

It is not clear what, if any, increase in the Early Years Block of the 2022/23 DSG that the DfE may provide, but if the Lancashire figure equates to less than £0.08 per hour for 3&4 year olds, individual settings may be faced with a reduction in the level of base rate paid for this element of EEF from April 2022.

One option available may be to use some DSG reserve in 2022/23 to provide a level of protection in the transition to a 3&4 year old base rate that is no longer supported by a Schools Block transfer.

Members noted that the 2020/21 outturn report for the early years block showed an underspend of circa £1.5m, but that final calculation of EYB DSG is redetermined after the end of the financial year and forecasts suggested that the grant received will be reduced by circa £1.5m.

Due to changes in the EYB calculation methodology brought about by the pandemic, the final DSG adjustment for 2020/21 by DfE has been delayed, so a definitive position is not yet available.

Members were concerned about the impact any funding reduction could have on the sector, particularly when combined with increased cost pressures like the national insurance rise and energy pressures.

The group acknowledged that a number of uncertainties remained before any final decisions could be taken about the early years block funding for 2022/23, but supported the use of, say £1m of DSG reserve, to support the level of base rate for 3&4 year olds from April 2022.

This use of reserves, together with any possible increase in DSG funding, may enable base rates for 3&4 year olds to be at least equivalent to the 2021/22 levels. However, the situation will need to be monitored closely as figures are finalised.

In addition, the authority is considering a consultation with the Early Years providers this autumn seeking views on future principles of funding options, perhaps around the balance of allocations, and this could seek views on the short term use of reserves.

The Working Group:

- a) **Noted the report.**
- b) **Noted that a possible principles consultation could be undertaken with the sector in the autumn term 2021.**
- c) **Supported the use of reserves, to provide a level of protection in the transition to a 3&4 year old base rate that is no longer supported by a Schools Block transfer.**

3. Maintained Nursery Schools Consultation Update

The LCC Cabinet made a decision to consult on the future of maintained nursery schools in Lancashire in January 2020. However, this was put on hold due to the covid-19 pandemic.

The decision to consult on maintained nursery schools remained a priority for the local authority and in May 2021 the consultation recommenced with maintained nursery schools to progress this. The consultation is intended capture qualitative information relating to provision and service delivery, including the financial position of each of the 24 maintained nursery schools.

The local authority has a duty to ensure that such decisions for consultations are based on valid evidential information, with a pro-active position to mitigate and manage future risk, whilst also exploring potential growth opportunities. The consultation focus is to provide the

level of information required for a full analysis of the maintained nursery schools as individual settings.

The first stage of the consultation took place in the summer term 2021 and the LA analysed responses and information received. A report arising from the analysis was shared with MNS headteachers and governors, towards the end of term, to help shape discussions about the service and individual schools going forward.

Meetings with individual schools took place at the end of the summer term 2021 and further meetings are continuing in autumn term 2021.

An update report had been produced for the County Council's Education and Children's Services Scrutiny Committee, on 5 October 2021 and a copy of this report was provided for the working group.

It was anticipated that further information on the next steps in the consultation process would become available in the new year.

The Working Group:

- a) Noted the report.**

4. Education Recovery Board

The Chair fed back from some of the early years issued considered at recent Education Recovery Boards. Matters included:

- covid testing in the sector – it was highlighted that that there was uncertainty amongst parents about the arrangements and that a sample letter provided by LCC/Public and Health had been of circulated by some settings and had provided assistance.
- SEN issues – comments were made by members and it was note that further discussion could take place at the Early Years SEN Task and Finish Group meeting scheduled for 11 October.
- Funding for closed bubbles - there was some discussion at the working group about the financial impact on settings that needed to close for a short period due to covid, if parents had to temporarily move their child to access their entitlement. It was noted that parental rights had to be protected, but that in practice few children move settings in these circumstances and no issues had been recorded.

The Working Group:

- a) Noted the report.**
- b) Supported the recirculation of the LCC/Public Health letter on testing in the sector bulletin.**

LANCASHIRE SCHOOLS FORUM
Date of meeting 19 October 2021

Item No 12

Title: Recommendations of the Apprenticeship Levy Steering Group

Executive Summary

On 5 October 2021, the Apprenticeship Levy Steering Group considered an update on school apprenticeship levy issues, including:

- School Apprenticeship Levy Overview
- Pooled Payroll issue
- Procurement
- New School Course Menu
- New courses development
- School Engagement
- Financial Position
- 2.3 % Public Sector Target
- Update on Levy Transfer
- Looking forward

A summary of the information presented, and the Steering Group's recommendations are provided in this report.

Recommendations

The Forum is asked to:

- a) Note the report from the Apprenticeship Levy Steering Group held on 5 October 2021**
- b) Ratify the Working Group's recommendations.**

Background

On 5 October 2021, the Apprenticeship Levy Steering Group considered a school apprenticeship levy update. A summary of the information presented, and the Working Group's recommendations are provided below:

School Apprenticeship Levy Update

Colleagues from the Apprenticeship Levy team delivered a presentation to members providing an update on the latest school related developments.

Overview

98 new Requests for Funding had been received and approved since June 2021, with a total value for this window of opportunity of circa. £718k over the duration of the apprenticeships.

There are currently 271 on-going apprentices, 40 awaiting enrolment, and 239 have completed since April 2017.

Currently, there are 7 live apprenticeship vacancies.

29 Schools have taken advantage of the new employment incentives with 38 potential new apprentices having been recruited who are eligible since April 2021.

Upskilling requests are up in 2021 with 141 requests registered compared to 58 in the previous 12 months .

Key Developments

Pooled Payroll issue

The Pooled payroll issue is still unresolved . Apprenticeship levy team colleagues had recently attended a LGA round table meeting with the ESFA to discuss possible solutions but there was no immediate prospect of a solution being found and work was continuing on this.

Procurement

Following a large procurement exercise over the summer, the stand still period had now finished, and contracts are being awarded to providers, as follows:

- **Nelson & Colne** will continue the delivery of TA ,EY and SBP L4 and Facilities L3
- **NLTG** (North Lancashire Training Group) will now deliver Business Admin and the Leadership and Management (L5 Ops Manager) & Project Management portfolio
- **UCLan** will now deliver Senior Leader L7 and CMDA L6 degree apprenticeships
- **Blackburn College** will deliver all finance/accounting related apprenticeships
- **Kendal College** will continue with Outdoor Activity Leader and **Star Academies** will continue with Teacher L6
- IT apprenticeships are still being reviewed

It was noted that existing apprentices will remain with their current providers.

New School Course Menu

A new school menu of courses is now available to download from the schools portal

New courses development

A number of new courses are currently under development including Play Therapist and EY Lead Practitioner L5

School Engagement

Whilst the majority of school contact remained via video and phone calls, face to face visits were now available on request.

Financial Position

An update on the latest financial position was shared with the group, including:

- Annual Schools Levy fund approx. is now £1.4 million – down due to academisation (was £1.5 Million)
- Spend across Levy schools in 2017/18 £28,098
- Spend across Levy schools in 2018/19 £314,414
- Spend across Levy schools in 2019/20 £566,115
- Spend across Levy schools in 2020/2021 £619,564
- Spend to date 2021/22 £345,676
- Forecast spend this year 21/22 approx. £809,958
- Total spend to date £1,873,867

2.3 % Public Sector Target

Information was shared about the county council had the following levels against the target:

- 0.70% - 2017-2018
- 1.36% - 2018-2019
- 1.37% - 2019-2020
- 0.81% - 2020-2021

It was noted that schools account for 58% of total number of employees as of 31st March 2021.

Update on Levy Transfer

The Annual Levy Transfer pot was circa. £242,000 and 19 transfer requests, across 12 schools and early years settings, were going ahead, with 5 still awaiting enrolment in the first window.

Looking forward

The apprenticeship levy team intend to resume marketing activity and information sessions to schools. They will also continue to contact schools directly to promote apprenticeships and to focus on the need to upskill and as well as recruit

Pooled payroll issues will continue to be discussed as we endeavour to find a workable solution for VA schools

It was noted that it was National Apprenticeship Week 7th – 13th February 2022 and Case studies were needed !

The Working Group:

- a) Noted the information;**
- b) Expressed frustration at the continued difficulties caused by school pooled payroll issues;**
- c) Requested that schools and early years providers be encouraged to engage with the apprenticeship levy, via the schools portal and early years bulletins;**
- d) Requested that a more detailed breakdown of early years take-up be provided directly to the Forum early years representatives;**
- e) Thanked the Apprenticeship Levy Team for their continued hard work and dedication during difficult circumstances.**

Lancashire Schools Forum Meeting Schedule 2021/22

Autumn Term

Meeting	Day	Date	Time	Venue
Schools Forum Induction	Thursday	16-Sep-21	10:00 – 13.00	Savoy Suite
Schools Block Working Group	Tuesday	21-Sep-21	10:00 – 13.00	Savoy Suite
High Needs Block Working Group	Tuesday	28-Sep-21	10:00 – 13.00	Savoy Suite
Early Years Block Working Group	Tuesday	05-Oct-21	13.00 – 16.00	Savoy Suite
Lancashire Schools Forum	Tuesday	19-Oct-21	10:00 – 13.00	Savoy Suite
Early Years Block Working Group	Tuesday	30-Nov-21	13.00 – 16.00	Savoy Suite
High Needs Block Working Group	Thursday	02-Dec-21	10:00 – 13.00	Savoy Suite
Schools Block Working Group	Tuesday	07-Dec-21	10:00 – 13.00	Savoy Suite

Spring Term

Meeting	Day	Date	Time	Venue
Chairman's Working Group	Tuesday	11-Jan-22	10:00 – 13.00	Albion Suite
Lancashire Schools Forum	Thursday	13-Jan-22	10:00 – 13.00	Savoy Suite
High Needs Block Working Group	Tuesday	01-Mar-22	10:00 – 13.00	Savoy Suite
Schools Block Working Group	Thursday	03-Mar-22	10:00 – 13.00	Savoy Suite
Early Years Block Working Group	Tuesday	08-Mar-22	13.00 – 16.00	Savoy Suite
Lancashire Schools Forum	Thursday	17-Mar-22	10:00 – 13.00	Savoy Suite

Summer Term

Meeting	Day	Date	Time	Venue
High Needs Block Working Group	Tuesday	14-Jun-22	10:00 – 13.00	Savoy Suite
Early Years Block Working Group	Thursday	16-Jun-22	13.00 – 16.00	Savoy Suite
Schools Block Working Group	Tuesday	21-Jun-22	10:00 – 13.00	Savoy Suite
Lancashire Schools Forum	Tuesday	05-Jul-22	10:00 – 13.00	Savoy Suite

All meetings are scheduled to take place at The Exchange, County Hall but may be conducted virtually