
De-delegation Proposals 2020/21

Report being considered by: The Schools' Forum
On: 14 October 2019
Report Author: Melanie Ellis, Ian Pearson
Item for: Decision **By:** All Maintained Schools Representatives

1. Purpose of the Report

- 1.1 This report sets out the details, cost, and charges to schools of the services on which maintained school representatives are required to vote (on an annual basis) whether or not they should be de-delegated.

2. Recommendation

- 2.1 Maintained primary, secondary, special, nursery and PRU heads (as applicable) to agree the de-delegations as set out in Table 7.

Will the recommendation require the matter to be referred to the Council or the Executive for final determination?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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3. Background

- 3.1 The Schools' Forum in October and December 2018 agreed for the following services to be centrally provided to primary and secondary maintained schools in the 2019/20 financial year through the pooling of funding:

- Behaviour Support Services
- Ethnic Minority Support
- Trade Union Representation
- Schools in Financial Difficulty (primary only)
- CLEAPSS
- Statutory and Regulatory Duties comprising:
 - Statutory accounting functions in respect of schools
 - Internal Audit of schools
 - Administration of pensions for school staff
 - Health and Safety (level 1 support)

- 3.2 The schools funding regulations for 2020/21 have now been published and these confirm that similar arrangements for de-delegation of the cost of these services will apply for 2020/21. Funding arrangements are expected to change in 2021/22, but details of the changes have not yet been announced.

- 3.3 Primary and secondary school representatives are required to recommend to Schools Forum whether or not funds should be de-delegated in the financial year 2020/21 for:

- Behaviour Support Services
- Ethnic Minority Support
- Trade Union Representation
- Schools in Financial Difficulty (primary only)
- CLEAPSS

- 3.4 Funds cannot be de-delegated from Special and Nursery Schools and PRUs for these services, but those schools will have the option to buy back these services at a cost based on the same amount per pupil as for primary and secondary schools.
- 3.5 Representatives of all maintained schools (including Special and Nursery Schools and PRUs) are required to recommend to Schools Forum whether or not funds should be de-delegated for the services which make up Statutory and Regulatory Duties.
- 3.6 Academies and other non-maintained schools also may be able to choose to buy into any of the above services subject to service provider agreement.
- 3.7 Appendix A sets out the total cost of each service and an initial estimate of the amount to be de-delegated from each school. This estimate is based on the October 2018 census, however the final amounts will be based on the October 2019 census when that data becomes available.

4. Therapeutic Thinking Service (previously Behaviour Intervention)

- 4.1 The Therapeutic Thinking Service proposal for 2020/21 is set out in Appendix B.
- 4.2 Table 1 shows the budget and unit charge for 2020/21 compared to 2019/20. The total cost will be divided by the total numbers of pupils in the October 2019 census to determine a unit charge per pupil on which the de-delegated amount per school will be based. As all schools will have access to all aspects of the service, the same unit charge will apply to both primary and secondary schools. Based on the October 2018 census this is estimated to be £15.95 per pupil but the final rate will be determined according to the October 2019 census.

TABLE 1	2019/20		2020/21	
	Unit Charge per pupil	Budget	Estimated Unit Charge per pupil	Budget
Maintained Primary Schools	£14.22	£180,808	£15.95	£187,039
Maintained Secondary Schools	£14.22	£54,482	£15.95	£50,995
Total		£235,290		£238,034

5. Ethnic Minority and Traveller Achievement Service

- 5.1 The detail of the Ethnic Minority and Traveller Achievement Service (EMTAS) is set out in Appendix C.
- 5.2 Table 2 shows the budget and the estimated unit charge for the service for 2020/21 compared to 2019/20. The total cost in respect of Primary and Secondary schools will be divided by the total number of pupils recorded as having English as an additional language (EAL) in the October 2018 census to determine a unit charge per EAL pupil on which the de-delegated amount per school will be based. As all schools will have access to all aspects of the service, the same unit charge will apply to both primary and secondary schools. The estimated unit charge is based

on the October 2018 census, but the final rate will be determined according to the number of EAL pupils in the October 2019 census.

TABLE 2	2019/20		2020/21	
	Unit Charge per pupil with EAL	Budget	Estimated Unit Charge per pupil with EAL	Budget
Maintained Primary Schools	£345.65	£239,167	£341.02	£230,909
Maintained Secondary Schools	£345.65	£5,880	£341.02	£5,806
		£245,047		£236,715

6. Trade Union Representation

- 6.1 The detail of the service provided by Trade Union representatives to schools is set out in Appendix D.
- 6.2 Table 3 shows the budget and unit charge for the service for 2020/21 compared to 2019/20. The proposal for 2020/21 is based on the cost of 1FTE supply teacher on UPS3. It is assumed there will also be some buy in from academy schools. The total net cost in respect of primary and secondary schools will be divided by the total number of pupils in the October 2019 census to determine a unit charge per pupil on which the de-delegated amount per school will be based on. As all schools have access to all representatives (regardless of which school they are based in), the same unit charge will apply to both primary and secondary schools. Based on the October 2018 census this currently estimated to be £3.47 per pupil but the final rate will be determined according to the October 2019 census.

TABLE 3	2019/20		2020/21	
	Unit Charge per pupil	Budget	Estimated Unit Charge per pupil	Estimated Budget
Maintained Primary Schools	£3.28	£41,753	£3.47	£40,743
Maintained Secondary Schools	£3.28	£12,581	£3.47	£11,108
		£54,334		£51,851

7. Schools in Financial Difficulty

- 7.1 The Schools in Financial Difficulty reserve at the end of financial year 2018/19 is £252,000. This fund is largely used for one off exceptional costs such as those in relation to staffing restructures.
- 7.2 Bids amounting to £127,000 were approved in 2018/19, therefore a decision needs to be made whether to de-delegate this service in 2020/21, in order to top up the fund, or whether to leave the reserve at £252,000.

8. Consortium of Local Education Authorities for the Provision of Science Services (CLEAPSS)

- 8.1 The detail of the service provided by this subscription is set out in Appendix E.
- 8.2 As the actual pricing from CLEAPSS will not be available until after the schools budget has been set, an assumption has been made on the 2020/21 fee. Any over or under spend will be recovered the following year, as in all de-delegated services. Table 5 shows the budget and unit charge for the service for 2020/21 compared to 2019/20. The unit charge includes the administration fee. Note that secondary schools will need to pay the fee relating to sixth form pupils separately as de-delegation is based on pre 16 pupils only.

TABLE 5	2019/20			2020/21		
	Unit Charge per pupil	Charge per school	Budget	Estimated Unit Charge per pupil	Estimated Charge per school	Estimated Budget
Maintained Primary Schools	£0.16		£2,034	£0.16		£1,876
Maintained Secondary Schools	£0.16	£225	£1,288	£0.16	£235	£1,217
		£3,322				£3,093

9. Statutory and Regulatory Duties

- 9.1 Statutory regulatory duties consist of the statutory responsibilities held by the local authority in respect of maintained schools. These consist of Accountancy, Internal Audit, Pension scheme administration and Health and Safety. The Accountancy, audit and pension administration services are described in appendix F.
- 9.2 In 2019/20 funds to provide level 1 Health and Safety support were de-delegated but individual schools were given the choice whether or not to buy back level 2 support. The Health and Safety service is proposing two alternative options for de-delegation, as set out in appendix G. Option 1 is to de-delegate funds to provide level 1 and 2 support for all maintained primary and secondary schools. Option 2 is the same arrangement as for 2019/20.
- 9.3 Table 6 shows the budget and estimated unit charges for these services in 2020/21 compared to 2019/20. The total cost will be divided by the total numbers of pupils in the October 2019 census to determine a unit charge per pupil on which the de-delegated amount per school will be based. The same unit charges will apply to both primary and secondary schools. The estimated unit charges shown are based on the October 2018 census but the final rates will be determined according to the October 2019 census.

TABLE 6	2019/20		2020/21				
	Charge per Pupil	Budget	Estimated Unit Charge per pupil	Estimated Total Budget	Estimated Primary Budget	Estimated Secondary Budget	Estimated budget for Nursery, Special Schools and PRUs
Accountancy	£2.83	£48,715	£3.06	£47,857	£35,929	£9,796	£2,133
Audit	£2.68	£46,154	£2.93	£45,700	£34,309	£9,354	£2,037
Pension Scheme Administration	£2.09	£35,948	£2.35	£36,729	£27,574	£7,518	£1,637
Health and Safety Option 1 (level 1 & 2)			£8.78	£137,093	£102,923	£28,061	£6,109
Health and Safety Option 2 (level 1)	£3.77	£64,959	£4.33	£67,606	£50,755	£13,838	£3,013
Total Option 1			£17.12	£267,379	£200,735	£54,729	£11,915
Total Option 2	£11.37	£195,776	£12.67	£197,892	£148,568	£40,506	£8,818

10. Summary of Proposals

10.1 Table 7 summarises the services and budgets which are proposed to be de-delegated in 2020/21:

TABLE 7	2020/21 Primary Budget £	Agreed by HFG	2020/21 Secondary Budget £	Agreed by HFG	2020/21 Early Years & High Needs Budgets £	Agreed by HFG
Therapeutic Thinking Support	187,039		50,995		n/a	n/a
Ethnic Minority Support	230,909		5,806		n/a	n/a
Trade Union Representation	40,743		11,108		n/a	n/a
CLEAPSS	1,876		1,217		n/a	n/a
Statutory and Regulatory Duties Option 1	200,735		54,729		11,915	
Statutory and Regulatory Duties Option 2	148,568		40,506		8,818	
Schools In Financial Difficulty	tbc					

11. Consultation and Engagement

11.1 The proposals set out in this report will be included in the consultation with all schools on the proposed school funding arrangements for 2020/21.

12. Appendices

Appendix A – Indicative De-delegations per school for 2020/21

Appendix B – Therapeutic Thinking Support Service

Appendix C – Ethnic Minority & Traveller Achievement Service

Appendix D – Trade Union Representation Service

Appendix E – CLEAPSS Service

Appendix F – Accountancy, Audit and Pension Administration

Appendix G - Health and Safety

Appendix H – Health and Safety Service Level Provision

Appendix I – Health and Safety Legal Duty Holders

Indicative De-Delegations for 2020/21 - Based on October 2018 Census Data													
			Behaviour Intervention	Ethnic Minority Support	Trade Union Representation	CLEAPSS	Statutory Accounting Functions	Internal Audit of Schools	Pension Scheme Administration	Health and Safety Support Option 1	Health and Safety Support Option 2	Total Statutory and Regulatory Duties Option 1	Total Statutory and Regulatory Duties Option 2
Proposed Primary Delegation			£187,039	£230,909	£40,743	£1,876	£35,929	£34,309	£27,574	£102,923	£50,755	£200,735	£148,568
Proposed Secondary Delegation			£50,995	£5,806	£11,108	£1,217	£9,796	£9,354	£7,518	£28,061	£13,838	£54,729	£40,506
Total Proposed Delegation			£238,034	£236,715	£51,851	£3,093	£45,724	£43,664	£35,092	£130,984	£64,593	£255,464	£189,074
Estimated income from other maintained schools			£0	£341	£2,418	£76	£2,133	£2,036	£1,637	£6,109	£3,013	£11,915	£8,818
Total Cost of Service			£238,034	£237,056	£54,269	£3,169	£47,857	£45,700	£36,729	£137,093	£67,606	£267,379	£197,892
Indicative cost per primary pupil			£15.95	£341.02	£3.47	£0.16	£3.06	£2.93	£2.35	£8.78	£4.33	£17.12	£12.67
Indicative cost per secondary pupil			£15.95	£341.02	£3.47	£0.16	£3.06	£2.93	£2.35	£8.78	£4.33	£17.12	£12.67
Indicative cost per other maintained school pupil			n/a	£341.02	£3.47	£0.16	£3.06	£2.93	£2.35	£8.78	£4.33	£17.12	£12.67
Fixed cost per secondary school			n/a	n/a	n/a	£235.00	n/a	n/a	n/a	n/a	n/a	n/a	n/a
School	Pupil No's	EAL No's	Indicative Delegation for each Service by School										
Aldermaston Church of England Primary School	168	0.0	2,680	0	584	27	515	492	395	1,475	727	2,876	2,129
Basildon Church of England Primary School	144	0.0	2,297	0	500	23	441	421	339	1,264	623	2,465	1,824
Beeton Church of England Controlled Primary School	45	2.1	718	714	156	7	138	132	106	395	195	770	570
Beenham Primary School	71	2.1	1,133	712	247	11	218	208	167	623	307	1,215	900
Birch Copse Primary School	423	12.8	6,747	4,371	1,470	68	1,296	1,238	995	3,713	1,831	7,241	5,359
Bradfield Church of England Primary School	164	0.0	2,616	0	570	26	503	480	386	1,439	710	2,807	2,078
Brighton Church of England Aided Primary School	100	1.2	1,595	401	347	16	306	293	235	878	433	1,712	1,267
Brimpton Church of England Primary School	56	0.0	893	0	195	9	172	164	132	492	242	959	710
Buckebury Church of England Primary School	112	0.0	1,786	0	389	18	343	328	263	983	485	1,917	1,419
Burghfield St. Mary's Church of England Primary School	213	3.5	3,398	1,184	740	34	653	623	501	1,870	922	3,646	2,699
Calcot Infant School & Nursery	204	26.9	3,254	9,179	709	33	625	597	480	1,791	883	3,492	2,585
Calcot Junior School	288	8.0	4,594	2,728	1,001	46	882	843	677	2,528	1,247	4,930	3,649
Chaddeworth St. Andrew's Church of England Primary School	24	0.0	383	0	83	4	74	70	56	211	104	411	304
Chieveley Primary School	202	2.3	3,222	783	702	32	619	591	475	1,773	874	3,458	2,559
Cold Ash St. Mark's Church of England Primary School	180	3.5	2,871	1,204	625	29	552	527	423	1,580	779	3,081	2,281
Compton Church of England Primary School	183	3.4	2,919	1,170	636	29	561	535	430	1,606	792	3,133	2,319
Curridge Primary School	99	3.5	1,579	1,206	344	16	303	290	233	869	429	1,695	1,254
Dow nsway Primary School	214	9.3	3,413	3,173	744	34	656	626	503	1,878	926	3,663	2,711
Enborne Church of England Primary School	66	0.0	1,053	0	229	11	202	193	155	579	286	1,130	836
Englefield Church of England Primary School	107	1.2	1,707	401	372	17	328	313	252	939	463	1,832	1,356
Falkland Primary School	450	12.7	7,178	4,328	1,564	72	1,379	1,317	1,058	3,950	1,948	7,703	5,701
Garland Junior School	213	7.0	3,398	2,387	740	34	653	623	501	1,870	922	3,646	2,699
Hampstead Norreys Church of England Primary School	87	0.0	1,388	0	302	14	267	255	205	764	377	1,489	1,102
Hermitage Primary School	187	3.5	2,983	1,203	650	30	573	547	440	1,641	809	3,201	2,369
Hungerford Primary School	389	14.7	6,205	5,028	1,352	62	1,192	1,138	915	3,414	1,684	6,659	4,929
The Isleys' Primary School	63	0.0	1,005	0	219	10	193	184	148	553	273	1,078	798
Inken Primary School	70	1.1	1,117	367	243	11	214	205	165	614	303	1,198	887
John Rankin Infant & Nursery School	254	26.1	4,052	8,909	883	41	778	743	597	2,229	1,099	4,348	3,218
John Rankin Junior School	348	15.0	5,551	5,115	1,209	56	1,066	1,018	818	3,055	1,506	5,957	4,409
Kennet Valley Primary School	189	11.7	3,015	4,003	657	30	579	553	444	1,659	818	3,235	2,395
Kintbury St. Mary's Church of England Primary School	164	0.0	2,616	0	570	26	503	480	386	1,439	710	2,807	2,078
Long Lane Primary School	214	7.0	3,413	2,380	744	34	656	626	503	1,878	926	3,663	2,711
Mortimer St. John's Church of England Infant School	171	12.3	2,728	4,203	594	27	524	500	402	1,501	740	2,927	2,167
Mortimer St. Mary's Church of England Junior School	220	1.0	3,509	341	764	35	674	644	517	1,931	952	3,766	2,787
Mrs. Bland's Infant & Nursery School	165	13.5	2,632	4,604	573	26	506	483	388	1,448	714	2,825	2,091
Pangbourne Primary School	199	11.6	3,174	3,969	691	32	610	582	468	1,747	861	3,407	2,521
Parsons Down Infant School	167	12.0	2,664	4,105	580	27	512	489	393	1,466	723	2,859	2,116
Parsons Down Junior School	292	4.0	4,658	1,364	1,015	47	895	854	687	2,563	1,264	4,999	3,700
Purley Church of England Infants School	112	5.8	1,786	1,969	389	18	343	328	263	983	485	1,917	1,419
Robert Sandilands Primary School & Nursery	242	28.5	3,860	9,732	841	39	741	708	569	2,124	1,047	4,143	3,066
Shaw-cum-Donnington Church of England Primary School	88	10.7	1,404	3,650	306	14	270	257	207	772	381	1,506	1,115
Shefford Church of England Primary School	50	1.3	798	426	174	8	153	146	118	439	216	856	633
Springfield Primary School	301	18.7	4,801	6,366	1,046	48	922	881	708	2,642	1,303	5,153	3,814
Spurcroft Primary School	444	22.7	7,082	7,745	1,543	71	1,360	1,299	1,044	3,897	1,922	7,601	5,625
St. Finian's Catholic Primary School	178	15.5	2,839	5,296	618	28	545	521	419	1,562	770	3,047	2,255
St. John the Evangelist Infant & Nursery School	180	34.5	2,871	11,765	625	29	552	527	423	1,580	779	3,081	2,281
St. Joseph's Catholic Primary School	201	64.6	3,206	22,047	698	32	616	588	473	1,764	870	3,441	2,547
St. Nicolas Church of England Junior School	255	11.0	4,067	3,751	886	41	781	746	600	2,238	1,104	4,365	3,231
St. Pauls Catholic Primary School	327	44.1	5,216	15,027	1,136	52	1,002	957	769	2,870	1,415	5,598	4,143
Stockcross Church of England Primary School	100	1.2	1,595	401	347	16	306	293	235	878	433	1,712	1,267
Streathley Church of England Voluntary Controlled Primary School	94	0.0	1,499	0	327	15	288	275	221	825	407	1,609	1,191
Sulhamstead and Upton Nervet Church of England Voluntary	106	1.2	1,691	397	368	17	325	310	249	930	459	1,815	1,343
Thatcham Park Church of England Primary School	363	21.6	5,790	7,350	1,261	58	1,112	1,062	854	3,186	1,571	6,214	4,599
Theale Church of England Primary School	306	13.9	4,881	4,743	1,063	49	938	895	720	2,686	1,325	5,238	3,877
Welford and Wickham Church of England Primary School	97	0.0	1,547	0	337	16	297	284	228	851	420	1,661	1,229
Westwood Farm Infant School	177	19.0	2,823	6,485	615	28	542	518	416	1,554	766	3,030	2,243
Westwood Farm Junior School	232	6.0	3,701	2,046	806	37	711	679	546	2,036	1,004	3,972	2,939
The Willow's Primary School	359	36.9	5,726	12,597	1,247	57	1,100	1,050	844	3,151	1,554	6,146	4,549
The Winchcombe School	437	83.2	6,971	28,386	1,518	70	1,339	1,279	1,028	3,836	1,892	7,481	5,537
Woolhampton Church of England Primary School	89	0.0	1,420	0	309	14	273	260	209	781	385	1,524	1,128
Yattendon Church of England Primary School	83	3.5	1,324	1,196	288	13	254	243	195	729	359	1,421	1,052
The Downs School	992	4.0	15,823	1,364	3,447	394	3,040	2,903	2,333	8,707	4,294	16,982	12,569
Little Heath School	1,287	11.0	20,529	3,760	4,472	441	3,943	3,766	3,026	11,296	5,571	22,032	16,306
The Willink School	918	2.0	14,643	682	3,190	382	2,813	2,686	2,159	8,058	3,974	15,715	11,631
PRIMARY TOTAL	11,726	677	187,039	230,909	40,743	1,876	35,929	34,309	27,574	102,923	50,755	200,735	148,568
SECONDARY TOTAL	3,197	17	50,995	5,806	11,108	1,217	9,796	9,354	7,518	28,061	13,838	54,729	40,506
TOTAL ALL PRIMARY AND SECONDARY SCHOOLS	14,923	694	238,034	236,715	51,851	3,093	45,724	43,664	35,092	130,984	64,593	255,464	189,074
Other Maintained Schools													
Hungerford Nursery	106		n/a	n/a	368	n/a	325	310	249	930	459	1,815	1,343
Victoria Park Nursery	113		n/a	n/a</									

West Berkshire Council Maintained Schools

Proposal to De-Delegate Formula Funding 2020/21

Therapeutic Thinking Support Team

Outline of Proposed Service 2020/21

The Therapeutic Thinking Support Team (TTST) formerly the Behaviour Intervention Team (BIT) offers evidence-based advice and support to schools. The type of involvement includes whole school support, staff training, staff support, class or year group support as well as individual support.

Key Features

These themes stem from the behaviour review:

1. Quick and flexible response to challenging cases in schools.
2. Different levels of response within the team (whole school, group, individual).
3. Advice and support using newly developed SEMH Range Guidance and Behaviour Action Guidance.
4. Support and advice in relation to Therapeutic Thinking; developing therapeutic plans, anxiety mapping, conscious and subconscious checklists

Team Members

1. The Team –
 Beth Cartwright (TTST Manager & Senior EP)
 Amy Bushell (TTST EP)
 Gerry Heaton (Primary TTST Advisor)
 Sue Keepax (Secondary TTST Advisor)
 Rachel Wallace (TTST Worker)
 Kayleigh Chocian (TTST Worker)
 Jessica Durham (TTST Worker)
 Roslyn Arthur (Exclusions Officer)
 Piyush Bharania (Admin Assistant)

In addition to the above, schools have access to a team of educational psychologists and graphic facilitators who run circle of adult meetings to support schools with pupils at risk of exclusion. A Circle of Adults meeting is led by 2 trained workers and involves key staff and professionals from the school. It lasts 90 minutes and provides a structured approach to problem-solving and identifying agreed strategies.

The service has changed name to represent an increased emphasis on a therapeutic way of working that recognises adverse childhood experiences and trauma. An increased offer has been maintained with a range of professionals and

expertise in the team. This will be delivered without a significant increase in the cost of the service. This is due to a more efficient deployment of resources.

2. Rapid Response: capacity to respond rapidly to school concerns. This could relate to children but also whole school situations that arise. Behaviour would be the main focus but wouldn't exclude other complex situations.
3. For those needing some quick advice, signposting, or consultation with a TTST Educational Psychologist, Beth is available for telephone consultations.
4. TTST referrals will be triaged weekly and the most appropriate level of support offered within 5 days.
5. The team will be informed by evidence based practice which will result in clear suggestions of what needs to happen to move the situation forward.
6. Partners and working relationships: In partnership with other agencies Beth will continue to develop a clear referral pathway for social emotional and mental health issues. This will include consideration of EHA, iCollege, EPS, EWS, and ASD support teachers.
7. All of the above sits neatly with Local Authority social and emotional mental Health and well-being agenda and restorative themes.
8. Research indicates that a number of children and young people presenting with challenging behaviour have unidentified mental health problems. Revised request for involvement forms have been created along with screening tools to identify any mental health problems. This will enable these needs to be addressed by TTST team members or for referrals to be made to appropriate services.

What would schools get?

1. Screening and signposting for identified mental health difficulties.
2. Having identified a child or young person's need, a TTST worker will offer an intervention to develop the unmet need, e.g. Social skills through Lego Therapy, reading and social emotional skills through Storylinks
3. Immediate write up and actions as well as agreed review of cases where appropriate.
4. Links with other support services and help in securing necessary actions
5. More direct support with very complex cases involving a wide range of services.
6. Access to support for challenging whole school situations through advisors with senior level management experience and experienced educational psychologists.
7. Direct links into PPP (Pupil Placement Panel & Fair Access process), VCF (Vulnerable Children's Fund) and other relevant systems/services
8. Support from workers where appropriate to help implement/model strategies in school.

9. Clear information of key personnel and agencies within West Berkshire –regularly updated.
10. Suggestions and links regarding potential training needs
11. Access to circle of adults meetings facilitated by an educational psychologist and a TTST worker for pupils at risk of permanent exclusion.

Feedback from 2018/19 delivery

Comments from Primary Schools:

‘Improved understanding of children’s perspective for teacher providing ability to build change with them and give them positive power in their classroom’.

‘We have had BIT team support for a number of pupils and to support staff working with SEMH children. Staff confidence has improved and in most children there has been an improvement in behaviour and staff approaches to that behaviour’

‘Staff engaged well with the process as it was non-judgemental, collaborative and supportive. The strategies given were well thought out, specific to the class and realistic in their expectation. Staff were willing to try them immediately and continue using them as they found they were effective.’

Comments from Secondary Schools:

‘The Secondary BIT worker and BIT EP are both exceptional in their flexibility, creativity and approach with staff in school. We always feel like our needs are addressed – often when we haven’t realised what our needs were.’

‘Objective views on whole school behaviour have become an important part of our quality assurance.’

‘The supervision is fantastic for those of our staff with a strongly therapeutic role.’

‘...more of the same!’

Proposed Cost of Delivery in 2020/21

The following table summarises the proposed cost of the service for 2020/21. It is based on employing the team members outlined above.

	2018/19 £	2019/20 £	2020/21 Proposed £	% increase
Staffing Costs	203,230	207,750	210,245	
Other Costs	6,150	6,150	6,150	
Support Service Recharges	20,940	21,390	21,639	
Total Cost	230,320	235,290	238,034	1.17%
Less Surplus Brought Forward	-12,690			
Amount to be De-Delegated	217,630	235,290	238,034	1.17%

The overall cost of delivering the service has increased by 1.17% which takes into account the expected April 2020 pay award and salary increments. As the underspend in 2018/19 has been requested to be added to 2019/20 budgets there is no carry forward from previous years.

This does not take into account income which will be earned from any Academies which choose to buy back this service. Any additional income received from this source will reduce the net cost and the charge to maintained schools.

Method of charging in 2020/21

The total net cost of the service will be divided by the total number of pupils recorded in the October 2019 census to arrive at a per pupil amount for charging purposes. Using October 2018 census data to provide an indicative amount, this would equate to £15.95 per pupil. Appendix A of the main report shows the indicative total amount per school.

Other Options which *may* be considered

1. The local authority offer a fully traded service (likely to increase the cost to individual schools).
2. Schools “pay as you go” either by employing/using own staff when needed or purchasing support from external providers (may include the local authority if still able to offer this service).
3. Local authority to consider an alternative (cheaper) service to offer.

West Berkshire Council Maintained Schools

Proposal to De-Delegate Formula Funding 2019/20

Ethnic Minority & Traveller Achievement Service (EMTAS)

Context

EMTAS has been funded through a de-delegation process as agreed with the Heads Funding Group. All of the support for Black Minority Ethnic, English as an additional language (EAL) pupils and Gypsy, Roma and Traveller (GRT) pupils is provided by the West Berkshire EMTAS Service.

Current Structure

The current service is led by a Team Manager (0.8FTE), supported by a Learning Support Adviser (a qualified teacher) for 0.6 FTE. There are 5 part time Pupil Support Officers (Teaching Assistant level posts) who are employed for a total of 3.0 FTE. The service has administrative support for 1 day per week.

The Team Manager is responsible for the day to day management of the service.

- Organisation of English language assessments of new arrivals and advanced bilingual speakers;
- Arranging advice and support for individual pupils, including those with EAL and SEND, EHC planning.
- Arranging support for first language GCSE/AS/A2 papers; SATs maths translation.
- Delivery of school INSET focusing on EAL teaching and learning.
- Leading training for teachers and teaching assistants on EAL and Equalities.
- Organisation of tailored packages of support to schools meet the needs of ethnic minority pupils and those from Gypsy, Roma, Traveller families.
- Joint working with other agencies to support schools with ethnic minority pupils.
- Provision of language assessments and support of unaccompanied asylum seeking children (UASC) in schools.
- Advice and guidance documents and resources to schools.

The Learning Support Adviser is responsible for providing support to schools. This includes:

- Carrying out the English language assessments for new arrivals. Providing assessment reports with recommendations and guidance for classroom teachers.
- Tracking the attainment of GRT pupils termly.
- Support and guidance to schools with GRT pupils and managing the Great 121 project which trains teaching assistants to work on short term intensive programmes of learning to enable GRT pupils to narrow the gap in attainment with their peers.

The Pupil Support Officers (PSO) work in schools supporting individual and small groups of pupils.

- Bilingual support is provided for Polish, Portuguese, Spanish, Italian and Romanian pupils.
- Support is focused on helping pupils to access the curriculum and English acquisition which can include pre-teaching of concepts; support for written work; translations; support for external examinations.
- Unaccompanied Asylum Seeking children and young people receive weekly support in class from EMTAS
- PSOs support schools with parent meetings/ FSM letters/interpreting for parents at SEND reviews/EHC planning/CP and CIN cases.
- The Pupil Support Officer for GRT pupils has a wider brief involving intensive liaison between families and staff as well as supporting pupils in schools. GRT families are

supported with attendance, admissions, transition, access to extra-curricular activities and engagement with learning.

Benefits of Service

EAL assessments

Referrals from schools for EAL assessments increased slightly from 101 to 106 in the academic year 2018/19.

In 2018/19 English assessments were carried out in 21 primary schools and 4 secondary schools. The autumn term has continued to have the highest number of referrals for new arrivals than in other terms.

EAL assessments, including guidance and reports, have been completed in the following schools in 2018/19

Birch Copse	John Rankin Infants
Calcot Infant	St.Paul's Catholic
Falkland	Thatcham Park
Inkpen	Spurcroft
Long Lane	Kennet Valley
Mortimer St. John's Infant	Theale
Parsons Down Infant	St. Nicolas Junior
St. John the Evangelist Infant	Mrs Bland's Infant
St. Joseph's Catholic	Robert Sandilands
Shaw cum Donnington	The Willows
Westwood Farm Infant School	
St. Bartholomew's (Academy)	The Downs
Park House (Academy)	Denefield (Academy)

Pupil Support Officer (Romanian)

Bilingual support has been provided in the following schools in 2018/19:

The Castle	Kennet Valley
Thatcham Park	Hungerford

Schools have also received assistance with Romanian first language assessments, CP cases, Early Years, Speech and Language, SEND, EHC planning and parental liaison.

Pupil Support Officer (Polish)

Polish bilingual support and/or translation has been provided in the following schools in 2018/19:

Theale Primary	Inkpen
Thatcham Park	Kennet Valley
Yattendon	Robert Sandilands
Parsons Down Infants	Birch Copse
St John the Evangelist	The Willows
St. Joseph's Catholic	Brookfields
Westwood Farm Infant	The Castle
Denefield (Academy)	Little Heath
Park House (Academy)	The Downs

The Polish PSO has carried out the oral component of GCSE Polish and relevant tuition and 'A' level Polish. 100% pass rate at A* and A was achieved in 2018.

Schools have also received assistance with Polish first language assessments and EHC planning meetings, translating documents and enabling the parents and children to have their opinions heard.

Pupil Support Officer (Portuguese/Italian/Spanish)

Portuguese, Brazilian, Spanish and Italian pupils in the following schools have received bilingual PSO support in this academic year.

St.Joseph's Catholic	Thatcham Park
Robert Sandilands	Shaw cum Donnington
Theale Primary	
Little Heath	Park House (Academy)

Schools have also received assistance with Portuguese, Spanish and Italian first language assessments and EHC planning meetings, enabling the parents and children to have their opinions heard.

EMTAS delivered the GCSE Portuguese in secondary schools as requested.

Pupil Support Officer (Urdu)

Bilingual support and/or translation has been provided in the following schools in 2018/19:

Westwood Farm Juniors	Spurcroft
Denefield	

Pupil Support Officer (UASC)

Five secondary aged unaccompanied asylum seeking children from Eritrea, Pakistan and Vietnam have been supported this year in three different secondary schools. EMTAS has continued to support pupils who arrived as part of the Syrian Resettlement programme. EMTAS provides one to one academic, exam and pastoral support in lessons and in tutor time. This PSO also provides information for Personal Education Planning meetings, liaises with SENCOs, Social Workers, Heads of Year and the Virtual School. Support has been provided at the following schools this year:

Park House (Academy)	Denefield (Academy)
St. Bartholomew's (Academy)	Kennet School (Academy)
Robert Sandilands	

Teaching Assistant funding

EMTAS provides funding for Teaching Assistants within schools to support specific ethnic minority pupils. EMTAS increased the hourly rate to £10.43 per hour in September 2018 to be more in line with current Teaching Assistant pay.

Number of TA funded hours given to schools:

2018/19
990 hours (EAL)
150 hours (GRT)
Total £10,571.30

Schools in receipt of GReaT 1 to 1 project funding during 2018/19 to provide targeted intervention for Gypsy, Roma and Traveller pupils. (hours included in the figures above):

Mrs Bland's	Aldermaston
Garland Junior	Hampstead Norreys
Yattendon	

Training provided (both general and school specific)

2018/19
<p>'Meeting the needs of New Arrivals with English as an additional language' to teachers</p> <p>EAL Co-ordinator's Network meeting</p> <p>'Every Child a Talker' to Early Years Practitioners</p> <p>EAL training for Teaching Assistants</p> <p>GRT training for one to one support: Yattendon Primary School Aldermaston Primary School</p>

Number of families supported by Pupil Support Officer (GRT)

West Berkshire has 122 children who are ascribed as Gypsy, Roma or Traveller.
36 West Berkshire schools have Gypsy, Roma and Traveller pupils on roll.

Approximately 35 GRT children and families have been supported by the PSO GRT and work continues with new families being ascribed to GRT status. Transition support has been provided between schools and also when pupils have been transferring from out of West Berkshire into our schools. This work involves 'in year' changes as well as end of Key Stage transitions.

Number of schools supported with GRT pupils

The following schools have received support from EMTAS for Gypsy, Roma and Traveller pupils. EMTAS Pupil Support Officer for GRT pupils has been involved in 368 sessions/meetings in 2018/19 in support of children and families from GRT backgrounds.

Aldermaston	Yattendon
Beenham	Kintbury St. Mary's
Garland Junior	John Rankin Juniors
Hermitage	I-College
Fir Tree (Academy)	Mrs Bland's Infants
Hampstead Norreys	Hungerford Primary
The Willink	Kennet (Academy)
The Downs	John O'Gaunt (Academy)
Trinity (Academy)	Park House (Academy)
Theale Green (Academy)	

Schools have been supported with engagement with their GRT families, issues around behaviour, avoiding exclusion, intervention for gaps in learning, transport, admissions and attendance.

Number of pupils attending the Autumn 2017 Michaelmas Fair 'School'

EMTAS run a 'school' for the children travelling with the Michaelmas Fair. 23 pupils attended over the three days ranging in age from 4 to 13 years. They took part in lessons which focused on the

core curriculum areas of literacy and numeracy. Feedback from parents and Northcroft Leisure Centre staff was 100% positive.

Number of outreach sessions on Traveller Site

8 outreach sessions have been delivered from September 2018 to July 2019 on the 'Bus of Hope'. These have taken place monthly at Paices Hill Traveller site and have provided Parent and Toddler activities for families. These sessions have been supported by the Family Hub staff. Children have attended sessions at different times over the course of the year; some of these families were travelling and staying temporarily on the transit part of the site.

Proposed Cost of Delivery in 2020/21

The following table summarises the proposed cost of the service for 2020/21 in comparison with 2019/20 and 2018/19.

	2018/19 £	2019/20 £	2020/21 Proposed £	% increase
Staffing Costs	185,480	196,920	198,640	
Other Costs	31,720	26,020	26,020	
Support Service Recharges	21,720	22,294	22,466	
Total Cost	238,920	245,234	247,126	0.77%
Less Surplus Brought Forward	-38,300	-35,170	-10,070	
	200,620	210,064	237,056	12.8%
Less income from Special and Nursery Schools and PRUs	-27,143	0	0	
Amount to be De-Delegated	173,477	210,064	237,056	12.8%

The overall cost of delivering the service has increased by 0.77% which takes into account the expected April 2020 pay award and salary increments. The underspend from 18/19 is used to off-set the cost of service for 20/21. Unfortunately this underspend is lower than previous years, therefore increasing the overall cost of de-delegation by 12.8%.

Method of charging in 2019/20

The total cost of the service will be divided by the total number of pupils recorded as having English as an additional language (for up to 3 years after they enter the statutory school system) in the October 2018 census to arrive at a per pupil amount for charging purposes. Using October 2017 census data to provide an indicative amount, this would equate to £341.02 per pupil. Appendix A of the main report shows the indicative total amount per school.

Other Options which *may* be considered

Schools receive a high quality level of support in West Berkshire which has been highly valued by those that have used the service. The centrally funded service has allowed all schools to receive the level of support that they need which has not been directly linked to the number of pupils in schools.

If schools did not support a centrally delivered service to meet the needs of English as an additional language learners/Black Minority Ethnic pupils and those from the Gypsy Roma Traveller community they could expect to have to purchase support at the following rates:

De-delegation Proposals 2020/21

An EAL assessment and report	£500-£600
Support for individual pupils by a Pupil Support Officer	£200 a day
Training on Equality and Diversity including Equality Act requirements; EAL bilingualism, meeting the needs of GRT pupils tailored to schools	
Requirements	£600-£800 a day
Tailored support provided by staff with relevant expertise	£400-£500 a day

West Berkshire Council Maintained Schools

Proposal to De-Delegate Formula Funding 2020-21

Trade Union Representation Service

Outline of Proposed Service 2020/21

West Berkshire Council has a school trade union facilities agreement which includes provision for compensating individual schools for release time for teacher trade union representatives they employ. Compensation is paid from the dedicated schools grant.

Union representatives attend joint consultation meetings with the authority and meetings with head teachers and HR on a variety of employee relations matters. The latter includes TUPE consultation meetings where schools converted to academy status; consultation on reorganisations of teaching and support to staff (note: NASUWT and ATL also represent non teaching staff; NUT only represents teachers); disciplinary issues; grievances; ill health cases; capability cases; and settlement agreements

What union officers do

Union officers use 'facilities time' to work with members experiencing professional difficulties (casework) and to support groups of members either in individual schools or through negotiation and consultation with the local authority acting on behalf of its schools (collective work). The casework dealt with by union officers falls into two broad categories: individual issues and collective issues.

Individual casework issues

The union officers spend most of the facilities time dealing with members. Union members in West Berkshire schools are able to contact their union representative directly by email or telephone. Issues raised by members in this way are known as casework. Casework can be divided into capability; disciplinary; grievance; and contracts, pay and conditions

Advice is often given on how the teacher can seek to resolve the matter for themselves. However, there are a number of cases where the union officer has to make contact with school management, human resources providers or an LA officer directly. Employees are entitled to be accompanied by a union officer at formal meetings under school HR procedures.

Contracts, Pay and Conditions issues such as pay determination appeals and questions of what teachers can be directed to do are becoming increasingly common.

Collective Issues

These include consultation on changes to working conditions such as pay policies, sickness absence policies, codes of conduct restructuring and redundancy.

This school year has seen an increase in the number of school restructurings accompanied by the risk of redundancy, as school budgets come under increasing pressure. The redundancy procedure is complex and often involves multiple meetings. The threat of redundancy can quickly undermine morale in a school and often the role of union officers is to reassure and support employees as well as ensuring that correct procedures are followed.

Benefits of Service

The following data gives information on the level and types of support provided in 2015/16:

Number of contacts made to/by union officers in 2015/16

Casework	Email	Phone	In person	Meeting
Capability Issues ¹	26	12	11	6
Pay & Conditions	19	7	4	3
Contracts	4	3	0	1
Disciplinary Issues	5	5	3	2
Grievance	4	6	1	1
Redundancy**				20
Restructuring**				8
TOTAL	58	33	19	41

Collective	In Person
LA Meetings ²	27**
Del Train	9
Personal	
Receive Train	14
Research	Not recorded
Union Briefing	15

¹ Includes formal support through appraisal

² Such as Joint Consultative Panel and Education Liaison meetings.

** Number of attendances. Officers of several unions are normally present at each meeting

Notes

This is hierarchical, i.e. an email that leads to a meeting is not recorded.

Email: number of members supported by an exchange of emails

Phone: number of members supported through at least one phone call.

In person: number of members with whom a officer has met at least once

Meeting: number of members supported at a meeting with management.

Hearing: number of members supported at a hearing

Officers also spend time on internal union organisation such as attending, committee and general meetings. These activities are not undertaken in 'facilities time' Each union has a support infrastructure for its officers that includes reference resources as well as briefings and training courses included above.

Proposed Cost of Delivery in 2020/21

The following table summarises the proposed cost of the service for 2020/21, compared to 2019/20. It is based on engaging a representative from each of the unions:

Union	2019/20	Proposed 2020/21
NASUWT	£15,950	£15,786
NUT	£15,900	£15,736
ATL	£13,665	£13,524
NAHT	£3,530	£3,494
ASCL	£2,425	£2,400
Support Service Recharges	£5,150	£5,094
Total Cost	£56,620	£56,034
Income from Academies	£1,730	£1,765
Cost to Maintained Schools	£54,890	£54,269
Income from Nursery and Special Schools and PRUs	£2,286	£2,418
Cost to Primary and Secondary Schools	£52,604	£51,851

The proposed budget for 2020/21 is based on:

- Reimbursement to schools providing release time for teacher trade union activities is dependent on agreement by Schools Forum in respect of maintained primary and secondary schools and from other schools which elect to buy in the facilities time - approximately equivalent to 1fte supply teacher across all unions, paid on UPS 3;
- Each trade union to have five days for activities including attendance at local authority consultative meetings;
- Balance of budget available is divided proportionately by the number of current members in each union as at 1st June (the budget will be adjusted depending on the actual level of buy back from other schools).

Note that representatives work across all sectors, and it is irrelevant what type of school they are employed by. Therefore the total net cost is divided between all schools de-delegating rather than taking each sector separately.

Method of charging in 2020/21

The total cost of the service will be divided by the total number of pupils recorded in the October 2018 census to arrive at a per pupil amount for charging purposes. Using October 2018 census data to provide an indicative amount, this would equate to £3.47 per primary and secondary pupil. Appendix A of the main report shows the indicative total amount per school. Academies and other schools may choose to buy into the service at the same per pupil rate (this would provide funding for additional hours).

Other Options which *may* be considered

It should be noted that once a decision has been made to discontinue pooling arrangements, it would be almost impossible to reverse that decision at a later date. Therefore the HFG and SF need to be aware that a decision to cease pooling arrangements for this budget would be permanent.

Currently some academies are using their allocation for trade union facilities time to set up school based consultative arrangements, rather than 'buying in' to local authority arrangements. This might be the preferred model for all secondary schools in the future with de-delegation and funding of release time for representatives to undertake union duties in another WBC school to be confined to the Primary sector.

There may also be the option to consider a reduced service at a lower cost to schools.

West Berkshire Council Maintained Schools

Proposal to De-Delegate Formula Funding 2020-21

CLEAPSS Service

Outline of Proposed Service 2020/21

West Berkshire Council has an agreement with CLEAPSS (Consortium of Local Education Authorities for the Provision of Science Services) which includes the provision of support and advice to teachers, technicians, head teachers and governors/trustees on how best to use high quality practical work to support pupils learning in science, design & technology and, most recently, art & design.

All but two of the 182 authorities, with the duty to provide education, in England, Wales and Northern Ireland and the various islands, are members of CLEAPSS.

The Local Authority can offer schools and academies the opportunity to purchase an annual CLEAPSS subscription at a heavily discounted price from that which schools would pay to CLEAPSS independent of West Berkshire Council.

The CLEAPSS service also requires the provision of a Radiation Protection Officer (RPO) and the Radiation Protection Adviser (RPA) for secondary schools and academies who will require some radiation sources on site as part of the national curriculum.

Benefits of Service

CLEAPSS covers:

- Health & safety including model risk assessments
- Chemicals, living organisms, equipment
- Sources of resources
- Laboratory design, facilities and fittings
- Technicians and their jobs
- D&T facilities and fittings

CLEAPSS provides:

- Termly newsletters for primary and secondary schools
- A wide range of free publications
- Model and special risk assessments
- Low-cost training courses for technicians, teachers and local authority officers
- A telephone helpline
- A monitoring service, e.g. for mercury spills
- Evaluations of equipment
- Advice on repairs
- A H&S / Review of service publishers, exam boards and other organizations producing teaching resources

The local authority will have met the conditions of membership if all community schools subscribe.

Costs and Method of charging for 2020/21

CLEAPSS set the pricing each year in January/February for the financial year April to March ahead. In 2019/20 the charge to schools was 15 pence per pupil including administration costs. For secondary schools who require the service of a Radiation Protection Officer (delivered by WBC Health & Safety Team) and a Radiation Protection Adviser (delivered by CLEAPSS) there are additional costs of £185 per annum for the Radiation Protection Officer and £50 per annum for the Radiation Protection Adviser totalling £235 for the RPA and RPO services.

The proposal for 2020/21 is to set a rate per pupil of 16 pence per pupil which we hope will cover any increase in the CLEAPSS fee and the cost of administration. As the de-delegation covers pre-16 pupils only, maintained secondary schools will need to pay the 6th form element of the fee as a separate sum. Any shortfall or surplus will be carried forward to the following year.

The charges for the RPA and RPO service will be maintained as above.

Other Options which *may* be considered

Independent, Academies, Foundation and VA schools may purchase the CLEAPSS subscription directly through CLEAPSS at an increased price.

The proposed cost per pupil/school is shown in the table below in comparison with the cost of buying this service directly from CLEAPSS.

School	Cost through local authority per pupil	Cost directly per pupil (min 200 pupils/ 350 secondary)	Radiation Protection Advisor	Radiation Protection Officer
Nursery	16p	30p	N/A	N/A
Primary	16p	30p	N/A	N/A
Secondary	16p	30p	£50	£185
Special	16p	30p	N/A	N/A
PRU	16p	30p	N/A	N/A
Primary Academy	16p	30p	N/A	N/A
Secondary Academy	16p	30p	£50	£185
Incorporated Colleges	16p	30p	£50	£185

West Berkshire Council Maintained Schools

Proposal to De-Delegate Formula Funding 2020-21

Statutory and Regulatory Duties - Accountancy, Audit and Pension Scheme Administration

Accountancy (Statutory Functions)

Description of Duties:

Consolidation of school accounts into Council's year end statement of accounts.

Overview of school budget submissions & budget monitoring reports.

Monitoring of schools in financial difficulty/deficit.

Monitoring adherence to Scheme for Financing Schools.

Returns to Central Government – CFR, CFO grants return.

Administration of grants & other funding to maintained schools eg. PPG, budget allocations & adjustments.

Budgeting and accounting functions relating to maintained schools (Sch 2, 74)

Cost: £47,857

0.31 FTE Accountants; 0.43 FTE Senior Accountant; 0.1 FTE Finance Manager
Total FTE 0.84

Pension Scheme Administration

Description of Duties:

Administration of Teachers and Local Government pension schemes in relation to staff working in maintained schools:

Amending and updating employee records in relation to pensions

Responding to queries from employees in relation to pensions

Completion of statutory monthly returns to Teachers Pensions and Local Government pension scheme, including service and pay calculations.

Cost: £36,729

1.0 FTE Pensions Assistant

Internal Audit of Schools – Statutory Requirements

Description of Duties:

Annual internal audit of maintained schools according to level of risk - circa 10 schools are audited per year. Each audit takes on average 7 days. The audit covers Governance; financial planning and management; financial policy, processes and records; benchmarking and value for money; school fund, SFVS.

We also carry out follow-up reviews for those schools that have a weak or very weak audit report opinion.

There is provision for adhoc advice to schools/issuing the Anti Fraud Advisory Bulletins and the investigation of any financial irregularities. We also monitor compliance with submitting the SFVS returns.

We have also included an element of time for the planning and monitoring of the school visit programme, and liaising with Accountancy /governor support etc on queries when they arise.

Cost: £45,700

0.65 FTE Senior Auditor; 0.09 FTE Audit Manager

West Berkshire Council Maintained Schools**Proposal to De-Delegate Formula Funding 2020-21****Statutory and Regulatory Duties – Health and Safety****1. Introduction**

- 1.1 The Council has an established, professional and well regarded Health and Safety Team that already supports West Berkshire schools, currently through two service level options, Level One and Two.

2. Background and Legislative Context

- 2.1 The principal legislation in the United Kingdom for health and safety is the Health and Safety at Work Etc Act 1974. There is also a considerable amount of health and safety legislation under the Health and Safety at Work Etc Act 1974 including the Management of Health and Safety at Work Regulations etc.
- 2.2 The Management of Health and Safety at Work Regulations set out that every employer shall appoint one or more competent persons to assist him in undertaking the measures s/he needs to take to comply with the requirements imposed by the relevant statutory provisions.
- 2.3 The regulations state that the employer shall ensure that the number of competent persons appointed, the time available for them to fulfil their functions and the means at their disposal are adequate having regard to the size of the undertaking, the risks to which employees are exposed and the distribution of those risks throughout the organisation. It should be noted that the regulations do not suggest any limit or scope to the competent advice or how it should be delivered practically.
- 2.4 The regulations also state that where there is a competent person in the employer's employment, that person shall be appointed in preference to a competent person not in his employment.
- 2.5 The duties imposed by the health and safety at work Act 1974 and associated regulations apply to the Council as an employer and it would also apply to the Council in relation to Local Authority maintained schools as the Council is the employer.
- 2.6 In the case of Foundation and Voluntary Aided schools the Governors are the employer. In independent schools and Academies the Governors or the Academy Trust are the employers.
- 2.7 The Council also has the general "duty to educate", even where the Governors or an Academy Trust are the employer, there could be some limited involvement for the Council if a serious incident were to occur. See Appendix I for further information on the legal duty holders.

3. The Councils Health & Safety Support Service to Schools

- 3.1 The Council offers a health and safety support services to West Berkshire schools through two service level options, Level One and Two.
- 3.2 The Level One service suggests compliance with the Management of Health and Safety at Work Regulations in terms of access to competent advice for health and safety. The Level One service includes for a health and safety needs assessment of schools but all other services are remote and delivered by email and/or telephone contact. All other services set out in Level Two are not included and require additional payment from schools.
- 3.3 Schools health and safety needs assessments are completed less frequently for Level One schools and there is no additional support to improve on the areas identified in the needs assessment report. The schools are expected to make the improvements themselves. The issues discussed at 3.2 and 3.3 are not necessarily compatible with 2.3 above.
- 3.4 The Level Two service is a comprehensive health and safety support service and covers all aspects of health and safety management and support including necessary health and safety training.
- 3.5 Two members of the health and safety team provide the Level Two service to the schools that opt to purchase the service. The Health and Safety Team provide a compliance, advice and training role for schools. However, the work of the team relies on the buy-back which thus far has been reasonably stable but does not fully cover the cost of the two posts.
- 3.6 This brings with it difficulty in future planning and the risk that if there is a drop off in buy-back that one of the posts could be vulnerable. This in turn would make the service unviable as it would not be possible to maintain the service with one post/person.
- 3.7 As the Council is the employer and therefore the principal legal duty holder (notwithstanding any delegated responsibilities to a schools and its Head Teachers and Governors) in relation to health and safety, it makes sense to ensure an adequate, effective and efficient health and safety service is provided to Local Authority maintained schools and then a buy-back option offered to non-maintained schools.
- 3.8 Other options that could be considered would be to try to staff the team to match income levels e.g. reduce hours for remaining posts, look at alternative contracts such as term time only etc. These are not likely to be practical and may lead to the loss of quality staff that historically have been hard to attract to West Berkshire.
- 3.9 The Council could also remove the buy-back service completely and operate within the scope and resources of the Level 1 service. This would mean removing both Schools Senior Health and Safety Adviser posts and retaining the currently vacant Schools Health and Safety Adviser post (some adjustment to person specification / job description / grade and pay would likely be necessary).
- 3.10 The Council would also need to review the scope of the service but it is likely that we would remove or drastically reduce health and safety training available to schools.

- 3.11 The service would likely comprise of access to competent advice (mostly remote via email and phone), accident/incident investigation via Crest and schools needs assessments but on a less frequent basis.
- 3.12 No services would be offered to schools other than those that are Council maintained.

4. Update on position since last year

- 4.1 An options paper setting out a number of alternative ways that the schools health and safety service could be funded into the future was taken to the Schools Funding Forum in 2019/20.
- 4.2 There were options to move to a uniform service level delivered to all maintained schools and funded by all maintained schools paying an equal share based on pupil numbers. The other option was to remain with the part funded and part buy-back service as we are. Head Teachers voted to remain as we are with a Level 1 core service (funded by all schools) and the Level 2 buy-back support service.
- 4.3 Head Teachers accepted that if the Level 2 buy-back drops off then this would jeopardise the future provision of the service and requested that a further report be brought for their consideration if that was to happen.
- 4.4 As was somewhat expected at this time last year the overall buy-back of the service by schools did reduce slightly with around five schools dropping out due to budget constraints.
- 4.5 Buy back of Level 2 for the year 2019/20 is around £107,558 with staffing costs around £140,000 including overheads, leaving a shortfall of around £33,000. These figures allow for the saving on the vacant post.
- 4.6 Funding for the Level 1 post (Approx £37k), which is held vacant still offsets this but we need to establish the structure and funding for the Schools H&S Team going forward as the current system is unlikely to be viable in the longer term.
- 4.7 We were successful in retaining work for health and safety support service to the Excalibur Academies Trust for approximately £18,000 per annum. We have also been successful in gaining work and income of just over £7000 from Park House Academy and St Gabriel's independent school. This is included in the £107,558

5. Proposals

Option 1

- 5.1 In order to meet the requirements of the employer under the Health and Safety at Work Etc. Act 1974 and the Management of Health and Safety at Work Regulations and other related health and safety legislation the Council considers that the schools health and safety service should be provided to all Council maintained schools, thus removing the differing levels of service.
- 5.2 To delete one (currently vacant) of the three posts currently supporting schools to reduce costs but to maintain a viable service including the provision of training etc.
- 5.3 The two posts will provide a health and safety service to all maintained schools. Some site visits and needs assessments would need to be more evenly distributed

to accommodate the extra schools and spread the workload over a longer period with 2.2 FTE posts.

- 5.4 We could, for example move schools health and safety needs assessments to a results and risk based approach similar to Ofsted inspections. See Appendix H for further details of the service level provision.
- 5.5 All Council maintained schools would equitably share the cost of funding the two post via the DSG or other system in future.
- 5.6 A buy-back option would be offered to non-maintained schools where the Council is not the employer and therefore is not the main duty holder in relation to health and safety. Any income generated from the buy-back service would be offset to reduce costs for the Local Authority maintained schools.

Option 1 – Level 1 and Level 2	Proposed 2020/21 £
Staffing Costs 0.2 FTE H&S Manager 2.0 FTE Senior H&S Officer	119,630
Other Costs – IT System	5,000
Support Service Recharges	12,463
Total Cost	137,093
Income from Nursery and Special Schools and PRUs	-6,109
Cost to Maintained Primary and Secondary Schools	130,984
Estimated cost per pupil	£8.78

Option 2

- 5.7 Maintain the current split in the service levels and funding, with a Level 1 service funded through the DSG with those schools equally and equitably sharing the costs of the provision of the Level 1 service.
- 5.8 Those schools that decide to purchase the Level Two schools health and safety service will then be provided the Level 2 health and safety service.
- 5.9 It is likely that we would need to change the service offer in the near future as the service is already operating at a deficit of around £30,000 that is only being offset by not appointing to the vacant post but this has a knock on effect on staff and service delivery and arguably risk.

Option 2 – Level 1 only	Proposed 2020/21 £
Staffing Costs 0.2 FTE H&S Manager 1.0 FTE H&S Officer (vacant)	56,460
Other Costs – IT System	5,000
Support Service Recharges	6,146
Total Cost	67,606
Income from Nursery and Special Schools and PRUs	-3,013
Cost to Maintained Primary and Secondary Schools	64,593
Estimated cost per pupil	£4.33

6. Recommendation

- 6.1 Schools consider the options set out above and choose the best option that suits their needs, resources and meets legal requirements for financial year 2020/21.
- 6.2 Schools consider the issue discussed in paragraphs 3.9 to 3.12 and indicate if they wish this option to be explored further and possibly presented as an alternative option in future.

7. Conclusion

- 7.1 The Council recognises that safety is important but needs to be approached creatively and should not be seen as simply another legal burden or bureaucratic chore. A planned approach to managing risk should be seen as an enabler, not just to prevent accidents and work related health problems for both staff and pupils but to build a culture of sensible risk management, linked to a curriculum where teaching young people can develop their capability to assess and manage risk.
- 7.2 Risk is part of life but accidents do not need to be, so while schools need to make sure staff, pupils and visitors are safe, they also need to make sure that pupils are helped to become risk aware without becoming unnecessarily risk averse.
- 7.3 The Council will continue to support sensible and pro-active health and safety management in schools by providing a supportive infrastructure and service to schools.

West Berkshire Council Maintained Schools**Health and Safety Service 2020/21****Overview of Service**

West Berkshire Council has a professional and dedicated Schools Health and Safety Team who provide support and advice to schools on all aspects of health and safety including policy development and effective implementation, user friendly guidance and information, support in completing risk assessments, a complete range of health and safety training, a regularly updated website, SLA online, safety alerts and health and safety newsletters.

Schools Health & Safety Needs Assessment

Schools Health & Safety Needs Assessment are designed to measure levels of compliance with legislation and best practice. The associated action plan will help you prioritise your improvements.

The assessment is conducted using a process of objective evidence gathering including a review of safety documentation, discussions with relevant managers and staff and a tour/inspection of the site.

We have operated the current system of needs assessments for four years now and have seen schools develop their health and safety management system but continued improvement is still required.

In order to free resource time that could be better utilised helping schools improve on the areas identified in the needs assessments, we propose to continue with the needs assessments with an amended schedule and to develop topic based assessments that will enable greater depth and time to be devoted to specific topics.

We propose that we would move the needs assessment process onto re-inspection frequencies similar to Ofsted.

Schools achieving a score of 91% and above on the previous needs assessment will require a new needs assessment completed in up to 5 years. For those schools purchasing the Level Two Health and Safety Service, support will be provided in intervening years on the areas identified for improvement and topic specific assessments will be completed, where required.

Schools achieving a score of 80% to 90% on the previous needs assessment will require a new needs assessment completed in up to 4 years. For those schools purchasing the Level Two Health and Safety Service, support will be provided in intervening years on the areas identified for improvement and topic specific assessments will be completed, where required.

Schools achieving a score of 60% to 79% on the previous needs assessment will require a new needs assessment completed in up to 3 years. For those schools purchasing the Level Two Health and Safety Service, support will be provided in intervening years on the areas identified for improvement and topic specific assessments will be completed, where required.

Schools achieving a score of 59% and below on the previous needs assessment will require a new needs assessment completed in up to 1 year. For those schools purchasing the Level Two Health and Safety Service, support will be provided in intervening years on the areas identified for improvement and topic specific assessments will be completed, where required.

Those schools purchasing the Level 2 Health and Safety Service will be able to request a new needs assessment at any time, which will be booked at the earliest mutually convenient opportunity at no additional cost to the school.

There are 20 questions in the Schools Needs Assessment, each carrying a maximum of 4 marks giving a total maximum possible score of 80. Any question marked not applicable will reduce the total maximum score possible accordingly. Terminology has been taken from Ofsted, which should make it more familiar to schools and the scoring system has been influenced by British Safety Council and RoSPA health and safety audit systems. The frequency of needs assessments discussed above has been included in Table 1 below.

Table 1

Benchmark	Overall Score	Description	Score Range Achieved	Frequency between needs assessments
Outstanding	91%+	Schools judged as 'outstanding' on the previous needs assessment will require a new needs assessment completed in up to 5 years. Support will be provided in intervening years on the areas identified for improvement and topic specific assessments will be completed for all maintained schools and those schools purchasing the service.	91% and above	Up to 5 years
Good	80% to 90%	(1) Schools judged as 'good' on the previous needs assessment will require a new needs assessment completed in up to 4 years. Support will be provided in intervening years on the areas identified for improvement and topic specific assessments will be completed for all maintained schools and those schools purchasing the service.	80% to 90%	Up to 4 years
Requires Improvement	55% to 79%	(2) Schools judged as 'requires improvement' on the previous needs assessment will require a new needs assessment completed in up to 2 years. Support will be provided in intervening year on the areas identified for improvement and topic specific assessments will be completed for all maintained schools and those schools purchasing the service.	60% to 79%	Up to 3 years
Inadequate	Up to 54%	(3) Schools judged as 'inadequate' on the previous needs assessment will require a new needs assessment completed in up to 1 year. Support will be provided in intervening months on the areas identified for improvement and topic specific assessments will be completed for all maintained schools and those schools purchasing the service.	59% and below	Up to 1 year

West Berkshire Council Health and Safety

Table 2

Level 1 Service (All West Berkshire Council schools)	
Summary The core elements (accident/incident reporting, advice and health and safety needs assessments) of the Level 1 Health and Safety Service are provided to all WBC schools. Health and Safety Training can be purchased at good value on a cost per person per course basis or schools can request a quotation via SLA Online for bespoke or onsite health and safety training.	
Service Provided	Service Standard
1) Advice	This is a 'REMOTE' service i.e. no 'in depth' support on site. Services will generally only be provided via email or telephone.
2) Training	The Health and Safety Team run school specific health and safety courses, which are accessible to Level 1 schools and Academies for a fee. Further details of courses available and costs can be obtained from CYP Training
3) Health and Safety Needs Assessment	<p>Schools will receive a health and safety needs assessment designed to assess and measure levels of compliance with health and safety legislation and best practice. The associated action plan will help you prioritise your improvement plan.</p> <p>Health and Safety Needs Assessments will be completed for Level 1 school on a 5 yearly risk based cycle. Where the overall score of the previous needs assessment recommends a needs assessment in less than 5 years the school will be required to purchase the 'additional' needs assessment. This will be recorded on the completed report from the needs assessment and left to the discretion of the school.</p>
4) Accident Reporting & Recording System	The Crest system is provided to all schools as it is a requirement that all schools must use the system. Failure to use the Crest system appropriately could affect a schools insurance cover.

Table 2

Health and Safety Level Two Service and the Proposed Combined Service	
<p>Summary</p> <p>The aim of this service is to provide schools with a named, dedicated and professional Health and Safety Adviser to provide 'on site support and advice' to the school, guiding and prioritising the integration of an effective and efficient safety management system and documentation in support of the School's Health and Safety Policy.</p> <p>The schools dedicated Health and Safety Adviser will begin by arranging and completing a Health and Safety Audit (Needs Assessment) of the school that will help to identify the strengths and areas for improvement in the schools existing arrangements. The Schools dedicated Health and Safety Adviser will then continue to work closely with the school to help plan, develop and implement your health and safety policy and the areas for improvement you need.</p> <p>The Management of Health and Safety at Work Regulations require you to appoint someone competent to help you meet your health and safety duties. A competent person is someone with the necessary skills, knowledge and experience to manage health and safety.</p> <p>West Berkshire Council, Schools Health and Safety Team will be your competent person and help ensure you meet your health and safety duties. Details of the Health and Safety service are listed below in further detail.</p>	
Service Provided	Service Standard
1) Advice	Advice and support will be provided to the school on specific questions/issues. If required the schools dedicated Health and Safety Adviser will arrange to visit the school and meet with relevant persons to ensure the enquiry is resolved.
2) Health and Safety Needs Assessment	<p>Schools will receive a health and safety needs assessment designed to assess and measure levels of compliance with health and safety legislation and best practice. The associated action plan will help you prioritise your improvement plan.</p> <p>Your dedicated Health and Safety Adviser will then arrange to assist and support the school in progressing the recommendations to ensure continual improvement.</p> <p>Health and Safety Needs Assessments will be completed for all maintained schools and those schools purchasing the service on a cycle subject to the outcome of the previous needs assessment as per Table 1 above.</p> <p>Schools will be able to request a new needs assessment at any time, which will be booked at the earliest mutually convenient opportunity at no additional cost to the school.</p>
3) School Safety Policy:	<p>Review existing against a model H&S Policy that is school specific, in line with the LA Safety Policy, and conforms to appropriate local and legislative requirements.</p> <p>Ensure the Policy identifies key commitments with current signature.</p> <p>Ensure that the Policy, Organisation and arrangements are carried out and accurately reflect practice.</p>
4) Safety Organisation:	Review and provide documentation that identifies how health and safety is/shall become 'embedded' in daily operations at the school. Identify and/or nominate key staff tasked with

	health and safety responsibilities.
5) Planning and implementing:	<p>Review the existing arrangements; ensure the school adequately documents the standards and procedures required for a safe place of work.</p> <p>Following written review and prioritisation of issues, help the school to progress the areas for improvement by providing support and guidance. Improvement will be achieved with the schools full commitment and involvement.</p>
6) Health and Safety Risk Assessment:	<p>Provide the school with initial or refresher training to nominated persons regarding completion of <i>local</i> Risk Assessments.</p> <p>Provide on-site review of the schools risk assessments, to support their completion.</p> <p>Provide basic refresher training to nominated groups of key staff. Ensure a practical understanding of the training by jointly completing several specific health and safety risk assessments required by the school.</p> <p>Provide support and guidance in terms of prioritising risk assessments to be completed or reviewed etc.</p>
7) Telephone/Incident response:	<p>Provide general telephone health and safety advice as required.</p> <p>Please note that where the topic is of a specific nature, additional time may be required for a detailed response following the initial call.</p> <p>Whilst every endeavour is made to provide an immediate answer to health and safety queries via telephone/email, requests may require additional research time. Therefore, where it is not possible to provide an answer of sufficient depth at the time of the call, or the same day, every endeavour shall be made to provide a follow-up call the next working day.</p> <p>Should the associated risk to safety or health warrant a school visit, this shall be arranged by the Health and Safety Team.</p>
8) Health and Safety Training	<p>The Health and Safety Team run school specific health and safety courses. All health and safety training is included FOR all maintained schools and those schools purchasing the service.</p> <p>Further details of courses available and costs can be obtained from CYP Training</p> <p>On-site training such as twilight or inset days etc. can also be arranged at no additional cost.</p>
9) Fire Management	<p>Schools will receive a regular site visit to complete a review of the schools Fire Risk Assessment (FRA) with their Health and Safety Advisor.</p> <p>Your advisor will also: Complete a site inspection to verify recommendations have been implemented. Discuss any issues outstanding and how to address these.</p>

	<p>Your advisor will help schools to complete an assessment to ensure you have adequate numbers of appropriately trained staff to deal with fire safety issues.</p> <p>Your advisor can also provide Fire Awareness training to school staff at an agreed time and date on site.</p>
10) Asbestos Management	<p>Schools will receive a regular site visit to complete a condition check of ACM (asbestos containing materials) with their Health and Safety Advisor.</p> <p>Your advisor will also review: The Asbestos Management Plan The Asbestos Register The Asbestos Survey</p> <p>Additionally any asbestos related risk assessment you may have in place will be reviewed to ensure it is correct and relevant.</p> <p>Your advisor can also provide tool box talks to your staff to allay any fears they may have regarding retained ACMs and also to highlight their responsibilities in respect of Health and Safety regarding asbestos.</p>
11) Legionella Management	<p>Schools will receive a regular site visit to complete a review of the legionella risk assessment with their Health and Safety Advisor.</p> <p>The advisor will also check that the school are working within the written scheme suggested and in line with the recommendations of the risk assessment.</p>
12) Playground Equipment	<p>Schools will receive a regular site visit to complete a playground equipment inspection with their Health and Safety Advisor. This will be a guided check to ensure staff are confident with what should be checked, what should be recorded and what action to take.</p> <p>We will also review the playground equipment risk assessment with the school to ensure it is suitable and sufficient.</p> <p>This will give a specific opportunity for any concerns to be discussed and queries answered.</p> <p>We can also provide on-site training and support to staff if required.</p>
13) First Aid	<p>Schools will receive support and assistance to ensure the school's first aid needs assessments are in place and up to date and an appropriate number of staff are identified and trained to deliver first aid.</p>
14) Accident / Incident investigation and enforcement action	<p>Schools will receive full on-site support and advice from your named and dedicated Health and Safety Adviser during an accident investigation for a serious accident or enforcement action by an enforcing authority such as the Health and Safety Executive.</p>
15) Accident Reporting & Recording System	<p>The Councils Accident Reporting & Recording System is provided to all schools to allow them to record and monitor accidents/incidents. Schools must use the Councils Accident Reporting & Recording System as failure to do so could</p>

	invalidate insurance cover.
16) CHAS	<p>Assessing health and safety competence can be a lengthy and time consuming process. CHAS assesses applicants: health and safety policy, their organisation for health and safety and their specific health and safety arrangements to a standard acceptable to our buyers and others. In essence, CHAS completes the initial health and safety application process for you.</p> <p>Using CHAS will help you select a competent contractor or supplier but you still need to check they are competent to carry out your project by checking they have appropriate experience and take references etc.</p>
17) Safety Schemes In Partnership (SSIP)	<p>An important feature of the SSIP Forum is the HSE's message that a buyer can be confident a supplier who is registered or accredited as compliant or approved with an SSIP member has been assessed to the Core Criteria standard.</p> <p>There are numerous pre-qualification health and safety schemes including CHAS, EXOR, SAFEcontractor etc. SSIP brings most of the pre-qualification schemes together under one umbrella via a 'deem to satisfy' agreement.</p> <p>This means that buyers using the SSIP database will have access to thousands of contractors who are accredited as compliant to the HSE's Core Criteria (stage one) standard. Using SSIP will help you select a competent contractor or supplier but you still need to check they are competent to carry out your project by checking they have appropriate experience and take references etc.</p> <p>Access to SSIP is included for Level 2 schools.</p>

School responsibilities

Whilst the duty to comply with statutory requirements cannot be delegated and remains with Schools and in some cases the Local Authority, the tasks involved with the effective implementation of health and safety management in schools is delegated to Head Teachers. For this approach to be successful, each school must do all that is reasonably practicable to ensure the health, safety and welfare of their staff, pupils and non-employees.

The operation of an effective health and safety management system at the school is central to achieving the above, with key areas being:

- The school Health and Safety Policy
- Organising for health and safety
- Planning and implementing safety controls
- Monitoring school health and safety performance
- Auditing and reviewing health and safety compliance and best practice.

Schools must also use the Council's Crest system to record accidents and incidents relating to the health and safety of their staff, pupils or visitors.

West Berkshire Council Schools Health and Safety Team

The Schools Health and Safety Team is made up of two Senior Schools Health and Safety Advisors and a Health and Safety Manager who also manages Corporate Health and Safety.

Mike Lindenburn - Health & Safety Manager

Mike has a wide range of experience in both the public and private sectors for over twenty years, providing strategic direction and operational management on health and safety. Applying initiative and practical, cost-effective solutions whenever possible. He is professional and hard working with good leadership, management and influencing skills.

Mike is a Chartered Member of the Institute of Occupational Safety and Health (CMIOSH), has a Level 5 Institute of Leadership & Management certificate in Leadership, is an Associate Member of Institute of Environmental Management and Audit (AIEMA), has achieved BIOH Asbestos Specialist, BOHS P901 Legionella and completed RoSPA Operational playground inspection course.

Wendy Manning - Senior Health & Safety Advisor (Schools)

Wendy is a Chartered Member of IOSH (CMIOSH) and has over 13 year's post-qualification experience in health and safety in the public sector working in various roles. Wendy has since completed schools related training for RoSPA Operational Playground Inspection, CLEAPSS Radiation Protection Officer & Auditing Science.

Wendy has worked with multi-disciplinary teams often working in very high risk and dynamic environments where resources are limited and priorities constantly changing. Wendy has strong negotiation and influencing skills and is able to adapt and respond quickly to changing demands. Her health and safety advice always aims to be cost effective, flexible and realistic for the environment they are implemented in, achievable, jargon-free and simple to follow especially for those with little or no health and safety experience.

Alice Pye - Senior Health & Safety Advisor (Schools)

Alice has over 15 years' experience as an Environmental Health officer. As well as health and safety enforcement she has worked in many other disciplines of Environmental Health so has a wide range of knowledge to bring to the team.

Alice has excellent organisational and communication skills and will work well with schools by building positive relationships. Much of her previous role involved working with partners to find practical solutions to issues as well as providing guidance and advice to help achieve the best possible outcome often in difficult situations.

Working with businesses to achieve health and safety compliance means she has a good working knowledge of the legislative requirements and their practical implications as well as experience in accident investigation.

To discuss any aspect of the Health & Safety Service please contact:

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- Wendy Manning Senior Health & Safety Advisor
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West Berkshire Council Maintained Schools

Legal Duty Holders for Health and Safety

England and Wales	
School type	Employer
Community schools	The local authority
Community special schools	
Voluntary controlled schools	
Maintained nursery schools	
Pupil referral units	
Foundation schools	The governing body
Foundation special schools	
Voluntary aided schools	
Independent schools	The governing body or proprietor
England	
Academies and free schools	The Academy Trust