
De-delegation Proposals 2021/22

Report being considered by: The Schools' Forum on 7th December 2020

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 That representatives of maintained primary schools should agree to de-delegate funds in the 2021/22 financial year for:

- Behaviour Support Services
- Ethnic Minority Support
- Trade Union Representation
- Schools in Financial Difficulty
- 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 (enhanced support – level one plus a top up level two)

- 2.2 That representatives of maintained secondary schools should agree to de-delegate funds in the 2021/22 financial year for:

- Behaviour Support Services
- Ethnic Minority Support
- Trade Union Representation
- 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 (enhanced support – level one plus a top up level two)

- 2.3 That representatives of maintained special, nursery and PRU heads should agree to de-delegate funds in the 2021/22 financial year for:

- 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 (enhanced support – level one plus a top up level two)

Will the recommendation require the matter to be referred to the Council or the Executive for final determination?

Yes: ☐

No: ☒

3. Summary of Proposals

TABLE A	2021/22 Primary Budget £	Agreed by HFG	2021/22 Secondary Budget £	Agreed by HFG	2021/22 Early Years & High Needs Budgets £	Agreed by HFG
Therapeutic Thinking Support	176,317	Yes	48,459		n/a	n/a
Ethnic Minority Support	182,156	Yes	3,571		n/a	n/a
Trade Union Representation	42,929	Yes	11,799		n/a	n/a
Schools In Financial Difficulty	27,500	Yes	n/a	n/a	n/a	n/a
CLEAPSS	1,856	Yes	1,215	Yes	n/a	n/a
Statutory and Regulatory Duties with H&S enhanced package including top up fee	152,540 + top up	Yes	41,924 + top up	Yes	5,894 + top up	
Statutory and Regulatory Duties with H&S basic package	152,540	No	41,924	No	5,894	

4. Background

- 4.1 De-delegated services are for maintained schools only. Funding must be allocated through the formula but can be passed back, or de-delegated for maintained primary and secondary schools with schools forum approval.
- 4.2 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. Academies may also be given the option to buy into the service.
- 4.3 The schools funding regulations for 2021/22 have now been published and these confirm that similar arrangements for de-delegation of the cost of these services will apply for 2021/22. Funding arrangements are expected to change in 2022/23, but details of the changes have not yet been announced.
- 4.4 Primary and secondary school representatives are required to recommend to Schools Forum on whether each service is to be de-delegated or not. The services below were de-delegated in 2020/21 and are proposed to be de-delegated in 2021/22:

Primary and Secondary only:

- Behaviour Support Services
 - Ethnic Minority Support
 - Trade Union Local Representation
 - Schools in Financial Difficulty (primary schools only)
 - CLEAPSS
- 4.5 Education responsibilities held by local authorities for **all** schools are funded from the Central Schools Services Block of the DSG. Education responsibilities held by

local authorities for **maintained schools only** are funded from maintained schools budgets only, with agreement of the maintained schools members of schools forums.

- 4.6 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 these education functions for maintained schools for 2021/22:

All Maintained Schools:

- 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 (basic support)

- 4.7 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.
- 4.8 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 2019 census, however the final amounts will be based on the October 2020 census when that data becomes available.

5. Therapeutic Thinking Service (previously Behaviour Intervention)

- 5.1 The Therapeutic Thinking Service proposal for 2021/22 is set out in Appendix B.
- 5.2 Table 1 shows the budget and unit charge for 2021/22 compared to 2020/21. The total cost will be divided by the total numbers of pupils in the October 2020 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 2019 census this is estimated to be £15.20 per pupil but the final rate will be determined according to the October 2020 census.

TABLE 1	2020/21			2021/22		
	Number of pupils	Unit Charge per pupil	Budget	Number of pupils	Unit Charge per pupil	Budget
Maintained Primary Schools	11,603	£16.09	£186,716	11,603	£15.20	£176,317
Maintained Secondary Schools	3,189	£16.09	£51,318	3,189	£15.20	£48,459
Total			£238,034			£224,776

6. Ethnic Minority and Traveller Achievement Service

- 6.1 The detail of the Ethnic Minority and Traveller Achievement Service (EMTAS) is set out in Appendix C.
- 6.2 Table 2 shows the budget and the estimated unit charge for the service for 2021/22 compared to 2020/21. 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 2020 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 2019 census, but the final rate will be determined according to the number of EAL pupils in the October 2020 census.

TABLE 2	2020/21			2021/22		
	Number of pupils	Unit Charge per pupil with EAL	Budget	Number of pupils	Unit Charge per pupil with EAL	Budget
Maintained Primary Schools	731	£318.03	£232,498	731	£249.17	£182,156
Maintained Secondary Schools	14	£318.03	£4,558	14	£249.17	£3,571
			£237,056			£185,727

7. Trade Union Representation

- 7.1 The detail of the service provided by Trade Union representatives to schools is set out in Appendix D.
- 7.2 Table 3 shows the budget and unit charge for the service for 2021/22 compared to 2020/21. The proposal for 2021/22 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 2020 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 2019 census this currently estimated to be £3.70 per pupil but the final rate will be determined according to the October 2020 census.

TABLE 3	2020/21			2021/22		
	Number of pupils	Unit Charge per pupil	Budget	Number of pupils	Estimated Unit Charge per pupil	Estimated Budget
Maintained Primary Schools	11,603	£3.53	£40,934	11,603	£3.70	£42,929
Maintained Secondary Schools	3,189	£3.53	£11,250	3,189	£3.70	£11,799
			£52,184			£54,728

8. Schools in Financial Difficulty

- 8.1 The Schools in Financial Difficulty fund was topped up by £19k to £200k as part of the 2020/21 budget process. This fund is largely used for one off exceptional costs such as those in relation to staffing restructures.
- 8.2 Bids amounting to £27,500 have been approved so far in 2020/21, therefore a decision needs to be made whether to de-delegate this service in 2021/22, in order to top up the fund to £200k.

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

- 9.1 The detail of the service provided by this subscription is set out in Appendix E.
- 9.2 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 2021/22 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 2021/22 compared to 2020/21. 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	2020/21				2021/22			
	Number of pupils	Unit Charge per pupil	Charge per school	Budget	Number of pupils	Est Unit Charge per pupil	Est Charge per school	Estimated Budget
Maintained Primary Schools	11,603	£0.16		£1,856	11,603	£0.16		£1,856
Maintained Secondary Schools	3,189	£0.16	£235	£1,215	3,189	£0.16	£235	£1,215
				£3,072				£3,072

10. Education Functions for Maintained Schools

- 10.1 Education functions consist of the statutory and regulatory duties 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.
- 10.2 In 2020/21 funds to provide the basic Health and Safety support were de-delegated but individual schools were given the choice whether or not to buy back the enhanced support. The Health and Safety service is proposing two alternative options for de-delegation in 2021/22, as set out in appendix G. Option 1 is to de-delegate funds to provide an enhanced support for all maintained primary and secondary schools to include level one and level two. Option 2 is the same arrangement as for 2020/21 which is to de-delegate the basic level of level one support.
- 10.3 Table 6 shows the budget and estimated unit charges for these services in 2021/22 compared to 2020/21. The total cost will be divided by the total numbers of pupils in the October 2020 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 2019 census but the final rates will be determined according to the October 2020 census.

TABLE 6	2020/21		2021/22				
	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	£3.06	£47,857	£3.18	£48,491	£36,918	£10,147	£1,426
Audit	£2.93	£45,700	£3.09	£47,081	£35,844	£9,852	£1,385
Pension Scheme Administration	£2.35	£36,729	£2.41	£36,729	£27,963	£7,685	£1,080
Health and Safety Enhanced level including a top up fee			£4.47	£68,057 + top up	£51,814 + top up	£14,241 + top up	£2,002
Health and Safety Basic level	£4.33	£67,606	£4.47	£68,057	£51,814	£14,241	£2,002
Total Education Functions including H&S Basic	£12.67	£197,892	£13.15	£200,358	£152,540	£41,924	£5,894

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 2021/22.

12. Appendices

Appendix A – Indicative De-delegations per school for 2021/22

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 2021/22 - Based on October 2019 Census Data															
			De-delegations						Education functions for maintained schools						
			Behaviour Intervention	Ethnic Minority Support	Trade Union Representation	Schools in Financial Difficulty	CLEAPSS	Total De-delegations	Statutory Accounting Functions	Internal Audit of Schools	Pension Scheme Administration	Health and Safety Support Basic	Total Education Functions	Total De-delegations and Education Functions	
Proposed Primary Dedelegation			£176,317	£182,156	£42,929	£27,500	£1,856	£430,758	£36,918	£35,844	£27,963	£51,814	£152,540	£583,298	
Proposed Secondary Dedelegation			£48,459	£3,571	£11,799	£0	£1,215	£65,045	£10,147	£9,852	£7,685	£14,241	£41,924	£106,969	
Total Proposed Dedelegation			£224,776	£185,727	£54,728	£27,500	£3,072	£495,803	£47,065	£45,696	£35,649	£66,055	£194,464	£690,267	
Estimated income from other maintained schools			£0	£0	£1,659	£0	£59	£1,718	£1,426	£1,385	£1,080	£2,002	£5,894	£7,611	
Total Cost of Service			£224,776	£185,727	£56,387	£27,500	£3,131	£497,521	£48,491	£47,081	£36,729	£68,057	£200,358	£697,879	
Indicative cost per primary pupil			£15.20	£249.17	£3.70	£2.37	£0.16	£271	£3.18	£3.09	£2.41	£4.47	£13.15	£284	
Indicative cost per secondary pupil			£15.20	£249.17	£3.70	n/a	£0.16	£268	£3.18	£3.09	£2.41	£4.47	£13.15	£281	
Indicative cost per other maintained school pupil			n/a	£249.17	£3.70	n/a	£0.16	£253	£3.18	£3.09	£2.41	£4.47	£13.15	£266	
Fixed cost per secondary school			n/a	n/a	n/a	n/a	£235.00	£235	n/a	n/a	n/a	n/a		£235	
School	Pupil No's	EAL No's													
Aldermaston Church of England Primary School	148	1.1	2,249	273	548	351	24	3,444	471	457	357	661	1,946	5,390	
Basildon Church of England Primary School	153	0.0	2,325	0	566	363	24	3,278	487	473	369	683	2,011	5,290	
Beedon Church of England Controlled Primary School	49	1.2	745	291	181	116	8	1,341	156	151	118	219	644	1,985	
Beenham Primary School	56	0.0	851	0	207	133	9	1,200	178	173	135	250	736	1,936	
Birch Copse Primary School	421	14.1	6,397	3,516	1,558	998	67	12,536	1,340	1,301	1,015	1,880	5,535	18,071	
Bradfield Church of England Primary School	159	1.1	2,416	277	588	377	25	3,684	506	491	383	710	2,090	5,774	
Brightwalton Church of England Aided Primary School	88	1.2	1,337	289	326	209	14	2,174	280	272	212	393	1,157	3,331	
Brimpton Church of England Primary School	52	0.0	790	0	192	123	8	1,114	165	161	125	232	684	1,798	
Bucklebury Church of England Primary School	118	0.0	1,793	0	437	280	19	2,528	375	365	284	527	1,551	4,080	
Burghfield St. Mary's Church of England Primary School	209	1.2	3,176	289	773	495	33	4,767	665	646	504	933	2,748	7,515	
Calcot Infant School & Nursery	198	30.7	3,009	7,649	733	469	32	11,891	630	612	477	884	2,603	14,494	
Calcot Junior School	279	10.0	4,240	2,492	1,032	661	45	8,469	888	862	672	1,246	3,668	12,137	
Chaddleworth St. Andrew's Church of England Primary School	30	1.3	456	311	111	71	5	954	95	93	72	134	394	1,349	
Chieveley Primary School	201	3.4	3,054	849	744	476	32	5,155	640	621	484	898	2,642	7,798	
Cold Ash St. Mark's Church of England Primary School	183	2.3	2,781	585	677	434	29	4,505	582	565	441	817	2,406	6,911	
Compton Church of England Primary School	194	3.5	2,948	879	718	460	31	5,035	617	599	468	866	2,550	7,586	
Curridge Primary School	102	1.1	1,550	286	377	242	16	2,471	325	315	246	455	1,341	3,812	
Downsway Primary School	214	11.6	3,252	2,898	792	507	34	7,483	681	661	516	956	2,813	10,296	
Enborne Church of England Primary School	70	0.0	1,064	0	259	166	11	1,500	223	216	169	313	920	2,420	
Englefield Church of England Primary School	97	2.4	1,474	597	359	230	16	2,675	309	300	234	433	1,275	3,950	
Falkland Primary School	453	16.2	6,884	4,031	1,676	1,074	72	13,737	1,441	1,399	1,092	2,023	5,955	19,692	
Garland Junior School	221	4.0	3,358	1,006	818	524	35	5,741	703	683	533	987	2,905	8,646	
Hampstead Norreys Church of England Primary School	89	0.0	1,352	0	329	211	14	1,907	283	275	214	397	1,170	3,077	
Hermiteage Primary School	181	2.4	2,750	593	670	429	29	4,471	576	559	436	808	2,380	6,851	
Hungerford Primary School	357	14.8	5,425	3,683	1,321	846	57	11,332	1,136	1,103	860	1,594	4,693	16,025	
The Isleys' Primary School	67	0.0	1,018	0	248	159	11	1,436	213	207	161	299	881	2,316	
Inken Primary School	66	1.2	1,003	310	244	156	11	1,724	210	204	159	295	868	2,592	
John Rankin Infant & Nursery School	254	29.1	3,860	7,244	940	602	41	12,686	808	785	612	1,134	3,339	16,025	
John Rankin Junior School	351	11.0	5,334	2,741	1,299	832	56	10,261	1,117	1,084	846	1,567	4,614	14,876	
Kennet Valley Primary School	197	20.3	2,994	5,057	729	467	32	9,278	627	609	475	880	2,590	11,868	
Kintbury St. Mary's Church of England Primary School	159	1.1	2,416	277	588	377	25	3,684	506	491	383	710	2,090	5,774	
Long Lane Primary School	214	10.4	3,252	2,594	792	507	34	7,179	681	661	516	956	2,813	9,993	
Mortimer St. Johns Church of England Infant School	170	9.0	2,583	2,249	629	403	27	5,892	541	525	410	759	2,235	8,126	
Mortimer St. Mary's Church of England Junior School	212	2.0	3,222	498	784	502	34	5,041	675	655	511	947	2,787	7,828	
Mrs. Bland's Infant & Nursery School	174	24.6	2,644	6,139	644	412	28	9,867	554	538	419	777	2,288	12,154	
Pangbourne Primary School	196	10.6	2,978	2,648	725	465	31	6,847	624	605	472	875	2,577	9,424	
Parsons Down Infant School	135	7.8	2,051	1,941	499	320	22	4,833	430	417	325	603	1,775	6,608	
Parsons Down Junior School	268	3.0	4,072	748	992	635	43	6,490	853	828	646	1,197	3,523	10,013	
Purley Church of England Infants School	103	5.7	1,565	1,426	381	244	16	3,633	328	318	248	460	1,354	4,987	
Robert Sandilands Primary School & Nursery	238	26.3	3,617	6,557	881	564	38	11,657	757	735	574	1,063	3,129	14,786	
Shaw-cum-Donnington Church of England Primary School	80	8.8	1,216	2,184	296	190	13	3,899	255	247	193	357	1,052	4,950	
Shefford Church of England Primary School	44	0.0	669	0	163	104	7	943	140	136	106	196	578	1,521	
Springfield Primary School	300	13.0	4,559	3,237	1,110	711	48	9,665	955	927	723	1,340	3,944	13,609	
Spurcroft Primary School	446	27.9	6,777	6,964	1,650	1,057	71	16,520	1,419	1,378	1,075	1,992	5,863	22,383	
St. Finian's Catholic Primary School	186	16.6	2,826	4,133	688	441	30	8,118	592	575	448	831	2,445	10,563	
St. John the Evangelist Infant & Nursery School	180	39.0	2,735	9,718	666	427	29	13,574	573	556	434	804	2,366	15,941	
St. Joseph's Catholic Primary School	211	73.4	3,206	18,299	781	500	34	22,820	671	652	509	942	2,774	25,594	
St. Nicolas Church of England Junior School	256	18.0	3,890	4,485	947	607	41	9,970	815	791	617	1,143	3,366	13,336	
St. Pauls Catholic Primary School	311	39.6	4,726	9,863	1,151	737	50	16,526	990	961	750	1,389	4,089	20,615	
Stockcross Church of England Primary School	103	1.2	1,565	288	381	244	16	2,495	328	318	248	460	1,354	3,849	
Streathley Church of England Voluntary Controlled Primary School	99	1.2	1,504	301	366	235	16	2,422	315	306	239	442	1,302	3,723	
Sulhamstead and Upton Nervet Church of England Voluntary	101	1.1	1,535	283	374	239	16	2,447	321	312	243	451	1,328	3,775	
Thatcham Park Church of England Primary School	349	24.3	5,303	6,067	1,291	827	56	13,545	1,110	1,078	841	1,558	4,588	18,133	
Theale Church of England Primary School	312	21.0	4,741	5,221	1,154	739	50	11,906	993	964	752	1,393	4,102	16,008	
Welford and Wickham Church of England Primary School	98	0.0	1,489	0	363	232	16	2,100	312	303	236	438	1,288	3,388	
Westwood Farm Infant School	177	26.2	2,690	6,520	655	420	28	10,312	563	547	427	790	2,327	12,639	
Westwood Farm Junior School	238	8.0	3,617	1,993	881	564	38	7,093	757	735	574	1,063	3,129	10,222	
The Willows Primary School	364	34.2	5,531	8,530	1,347	863	58	16,328	1,158	1,124	877	1,625	4,785	21,114	
The Wincombe School	438	88.1	6,656	21,943	1,621	1,038	70	31,327	1,394	1,353	1,056	1,956	5,758	37,085	
Woolhampton Church of England Primary School	93	1.2	1,413	293	344	220	15	2,286	296	287	224	415	1,223	3,509	
Yattendon Church of England Primary School	91	2.5	1,383	613	337	216	15	2,563	290	281	219	406	1,19		

West Berkshire Council Maintained Schools

Proposal to De-Delegate Formula Funding 2021/22

Therapeutic Thinking Support Team

Outline of Proposed Service 2021/22

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

1. Quick and flexible response for schools who have pupils presenting with difficult and dangerous behaviours.
2. Different levels of response within the team (whole school, group, individual).
3. 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 Adviser)
Sue Keepax (Secondary TTST Adviser)
Kayleigh Chocian (SEMH Practitioner)
Jessica Durham (SEMH Practitioner)
Madeleine Williams (SEMH Practitioner)
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 and the Therapeutic Thinking approach, 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. A stepped approach using the Therapeutic Thinking flowchart to support analysis and help identify appropriate strategies and interventions, which is likely to often lead to writing or revision of a mini or full Therapeutic plan.
3. Having identified a child or young person's need following consultation and use of the Therapeutic Thinking tools, a TTST worker may offer an intervention to develop the unmet need, e.g. Social skills through Lego Therapy, reading and social emotional skills through Storylinks
4. Write up and actions as well as agreed review of cases where appropriate.
5. Links with other support services and help in securing necessary actions
6. More direct support with very complex cases involving a wide range of services.
7. Access to support for challenging whole school situations through advisers with senior level management experience and experienced educational psychologists.
8. Direct links into PPP (Pupil Placement Panel & Fair Access process), VCF (Vulnerable Children's Fund) and other relevant systems/services

9. Support from practitioners where appropriate to help implement/model strategies in school.
10. Clear information of key personnel and agencies within West Berkshire –regularly updated.
11. Suggestions and links regarding potential training needs
12. Access to circle of adults meetings facilitated by an educational psychologist and a TTST worker for pupils at risk of permanent exclusion.

Feedback from 2019/2020 delivery

Comments from Primary Schools:

- Staff felt they were supported, having an external person come in raises that level of feeling supported by staff
- Staff were more confident in supporting children during tricky times
- Support strategies were very effective for one child in particular – resulting in calmer behaviour at home and in school
- Fewer whole class disruptions due to protective consequences

The average satisfaction rating from the primary schools that responded was 9.75 out of 10.

Comments from Secondary Schools:

- 'Staff felt supported; external verification of behaviour self-evaluation was extremely useful; excellent support was provided for individual students with challenging behaviours.
- TTST always offers practical support which is unique to this context. Meetings designed to plan appropriate support serve well to generate thought amongst SLT about whole school issues. We really value an objective view; sometimes we get too caught up by the details of the day.

Two of the three secondary schools supported by TTST rated their satisfaction with the support they received as 10 out of a maximum of 10 and one rated the support as 8 out of 10.

Proposed Cost of Delivery in 2021/22

The following table summarises the proposed cost of the service for 2021/22. It is based on employing the team members outlined above.

	2019/20 £	2020/21 £	2021/22 Proposed £	% decrease
Staffing Costs	207,750	210,245	198,192	
Other Costs	6,150	6,150	6,150	
Support Service Recharges	21,390	21,639	20,434	
Total Cost	235,290	238,034	224,776	-5.9%
Less Surplus Brought Forward				
Amount to be De-Delegated	235,290	238,034	224,776	-5.9%

The overall cost of delivering the service has reduced by 5.9% taking into account the academisation of Francis Baily in September 2019. This takes into account the expected April 2021 pay award and salary increments. As the underspend in 2019/20 has been requested to be added to 2020/21 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 2021/22

The total net cost of the service will be divided by the total number of pupils recorded in the October 2020 census to arrive at a per pupil amount for charging purposes. Using October 2019 census data to provide an indicative amount, this would equate to £15.20 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 2021/22

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 resignation of the Team Manager at the end of the academic year 2019/20 has allowed for a restructuring of the service; the first of which was to move the team into the Education Welfare and Safeguarding Service. Through an overall FTE reduction it has been possible to reduce the total cost of the service.

Currently, EMTAS is led by a Team Leader (0.6FTE), supported by a Learning Adviser EAL (1.0 FTE). There are 3 part time Pupil Support Officers (Teaching Assistant level posts) who are employed for a total of 1.6 FTE. The service has administrative support for 1 day per week.

The Team Leader 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 for EAL assessments were received from 16 Primary and 2 Secondary Schools from the beginning of the academic year until the schools closed to the majority of pupils at the end of March 2020.

EAL assessments, including guidance and reports, were completed in the following schools in during that period

Brimpton	Speenhamland
Compton	Spurcroft
Downsway	St John the Evangelist
Fir Tree	St Finians
John Rankin Juniors	St Josephs
Mortimer St John's	The Willows
Robert Sandilands	Theale Primary
Shaw cum Donnington	Westwood Farm
St Bartholomew's	Trinity

During June and July, 43 referrals were made from 12 Primary schools for EAL assessments for pupils moving from FS2 to Year 1. These were allocated 20 TA hours or bilingual support from September 2020 as they were not assessed face to face due to COVID restrictions.

Pupil Support Officer (Romanian)

Bilingual support has been provided in the following schools in 2019/20:

The Winchcombe	The Willows
St Joseph's	

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 2019/20:

<i>Theale Primary</i>	<i>Inkpen</i>
<i>Mrs Blands</i>	<i>Birch Copse</i>
<i>Parsons Down Infants</i>	<i>Robert Sandilands</i>
<i>St John the Evangelist</i>	<i>The Willows</i>
<i>St. Joseph's Catholic</i>	<i>Westwood Farm Infant</i>
<i>The Downs</i>	<i>Little Heath</i>

The Polish PSO has had meetings with the prospective Polish GCSE and A level students who would have taken their exams in May/June 2020. In the previous years all the students who took their Polish GCSE/A level exams had 100% pass rate.

Schools have also received assistance with Polish first language assessments, Student Assisted Programme (SAP) meetings and EHC planning meetings, translating documents (including medical documentation) and interpreting during meetings between parents and school, enabling fluent communication between all the parties involved.

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
St John the Evangelist	Spurcroft
Theale Primary	Mortimer St John's
St Finians	Park House

A total of 13 pupils have been supported.

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 was due to assist in the GCSE Portuguese in a secondary schools but this did not happen due to the GCSEs not taking place.

During the lockdown period, pupils were supported with their acquisition of English language and pastoral support was also provided for the families and pupils via zoom.

Pupil Support Officer (Urdu)

Bilingual support and/or translation has been provided in the following schools in 2019/20:

Speenhamland	Fir Tree
St Bartholomew's	

Pupil Support Officer (UASC)

Two secondary aged unaccompanied asylum seeking children have been supported this year in two different secondary schools. EMTAS has been actively involved with the children who have arrived as part of the Syrian Resettlement Programme (VPRS). EMTAS staff have assessed the children's language, provided guidance to school staff supporting the children plus a range of Arabic/English resources. 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)
----------------------	---------------------

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:

2019/20
1085 hours (EAL)
75 hours (GRT)
Total £12098.80

Schools in receipt of GReaT 1 to 1 project funding during 2019/20 to provide targeted intervention for Gypsy, Roma and Traveller pupils. (hours included in the figures above):

Mrs Bland's: 1 pupil, 15 hours funding	Aldermaston: 1 pupil, 15 hours funding
John Rankin Junior: 1 pupil, 15 hours funding	Yattendon: 1 pupil, 15 hours funding

Training provided (both general and school specific)

2019/20
<p>EAL Co-ordinator's Network meeting</p> <p>TA training to support EAL pupils in school:</p> <ul style="list-style-type: none"> • St John the Evangelist - 4 TAs • Spurcroft – 1 TA • Thatcham Park – 6TAs • Long Lane – 1 TA • Westwood Farm – 1TA (to support Syrian refugees)

Number of families supported by Pupil Support Officer (GRT)

West Berkshire has 133 children who are ascribed as Gypsy, Roma or Traveller.

40 West Berkshire schools have Gypsy, Roma and Traveller pupils on roll. This is an increase of 11 pupils from the previous academic year.

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/colleges have received support from EMTAS for Gypsy, Roma and Traveller pupils. EMTAS Pupil Support Officer for GRT pupils has been involved in 240 sessions/meetings between Sept'19 - March '20, in support of children and families from GRT backgrounds. Between March '20 - July '20 support continued via phone or video calls.

Aldermaston	Yattendon
Garland Junior	John Rankin Juniors
The Downs	i-College – Inspiration
Thatcham Park	i-College – The Pod

Fir Tree (Academy)	Mrs Bland's Infants
Hampstead Norreys	Westwood Farm
The Willink	Mortimer St. Mary's
Trinity (Academy)	John O'Gaunt (Academy)
Theale Green (Academy)	Newbury College (pupils with EHCP)

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

Number of pupils attending the Autumn 2019 Michaelmas Fair 'School'

The Michaelmas Fair 'school' did not take place due to staffing and funding. However, PSO attended the site and Learning Packs were distributed to the children.

Number of outreach sessions on Traveller Site

Three outreach sessions were delivered from September 2019 to Nov 2019 on the 'Bus of Hope'. Subsequent monthly sessions were disrupted due to the Bus of Hope's inactivity during particular icy conditions during winter and Covid19 restrictions. This service operates from Paices Hill Traveller site and has provided Parent and Toddler activities for families and support with school applications for children who stay on a short term basis on the site. 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 2021/22

The following table summarises the proposed cost of the service for 2021/22 in comparison with 2020/21 and 2019/20.

	2019/20 £	2020/21 £	2021/22 Proposed £	% decrease
Staffing Costs	196,920	198,640	171,455	
Other Costs	26,020	26,020	26,020	
Support Service Recharges	22,294	22,466	19,748	
Total Cost	245,234	247,126	217,223	-13.8%
Less Surplus Brought Forward	-35,170	-10,070	-31,496	
Amount to be De-Delegated	210,064	237,056	185,727	-27.6%

The overall cost of delivering the service has decreased by 27.6% taking into account the academisation of Francis Baily and the restructure of the team. This also takes into account the expected April 2021 pay award and salary increments. The underspend from prior years is used to off-set the cost of service for 20/21.

Method of charging in 2021/22

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 2020 census to arrive at a per pupil amount for charging purposes. Based on October 2019 census data, this equates to £244.26 per pupil. Appendix A of the main report shows the 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:

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 2021-22****Trade Union Representation Service****Outline of Proposed Service 2021/22**

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 (DSG).

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.

Proposed Cost of Delivery in 2021/22

The following table summarises the proposed cost of the service for 2021/22, compared to 2020/21. It is based on engaging a representative from each of the unions:

Union	2020/21	Proposed 2021/22
NASUWT	£15,786	£16,254
NEU	£29,261	£30,129
NAHT	£3,494	£3,597
ASCL	£2,400	£2,471
Support Service Recharges	£5,094	£5,245
Total Cost	£56,034	£57,697
Income from Academies	£1,765	£1,310
Cost to Maintained Schools	£54,269	£56,387
Income from Nursery and Special Schools and PRUs	£2,418	£1,659
Cost to Primary and Secondary Schools	£51,851	£54,728

The proposed budget for 2021/22 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 2021/22

The total cost of the service will be divided by the total number of pupils recorded in the October 2020 census to arrive at a per pupil amount for charging purposes. Using October 2019 census data to provide an indicative amount, this would equate to £3.70 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.

There may 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 2021-22

CLEAPSS Service

Outline of Proposed Service 2021/22

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 2021/22

CLEAPSS set the pricing each year in January/February for the financial year April to March ahead. In 2020/21 the charge to schools was 16 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 2021/22 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 2021-22

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: £48,491

0.31 FTE Accountants; 0.43 FTE Senior Accountant; 0.12 FTE Finance Manager

Total FTE 0.86

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: £47,789

0.65 FTE Senior Auditor; 0.09 FTE Audit Manager

West Berkshire Council Maintained Schools**Proposal to De-Delegate Formula Funding 2021-22****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 (Basic) and Level Two (Enhanced).
- 1.2 Over the course of 2019/20 pandemic the Schools Health and Safety Team have been significantly involved in producing guidance and helping schools to develop and review their covid secure plans, risk assessments and arrangements.
- 1.3 Responding to the pandemic and schools needs has meant that we have had to largely set aside the two level service and provide support and advice to all schools. This has shown the value of the service but this now needs to be reflected by a new proposal set out below to help fund the provision of the team and the services it provides in a fair and equitable way for all schools.

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 (Basic) and Level Two (Enhanced).
- 3.2 The Level One (Basic) 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 (Basic) 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 (Basic) 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 (Enhanced) 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 (Enhanced) service to the schools that opt to purchase the service. The Health and Safety Team provide a compliance, advice and training role for schools and more recently the Team have been heavily involved in assisting schools developing and reviewing covid secure arrangements, plans and risk assessments.
- 3.6 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. This brings with it difficulty in future planning and the risk that if there is a drop off in buy-back that the posts could become economically unviable.
- 3.7 As the Council is the employer and therefore the principal legal duty holder (notwithstanding any delegated responsibilities to a schools, 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 and 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 2020/21. There were options to move to a uniform service level to all maintained schools funded by all maintained schools paying an equal share or to remain with the part funded and part buy-back service. Head Teachers voted to remain with the part funded and part buy-back service with a basic Level 1 core service (funded by all schools) and the enhanced Level 2 buy-back service.
- 4.2 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.
- 4.3 As was somewhat expected at this time last year the overall buy-back of the service by schools did reduce with around five schools dropping out due to budget constraints but another four schools bought into the service.
- 4.4 Buy back for the year 20/21 is around £125,000 with staffing costs at around £180,000 if all posts are filled including overheads, leaving a shortfall of around £55,000. Funding for the Level 1 post (approx £41k), which is held vacant still offsets this reducing the shortfall to around £12,000.
- 4.5 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.
- 4.6 We were successful in retaining work for health and safety support service to the Excalibur Academies Trust for approximately £23,000 per annum. This is included in the £125,000.

5. Proposals

Enhanced level one and two

- 5.1 The full schools health and safety service would be provided to all maintained schools, thus removing the differing levels of service. This will 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 legislation.

- 5.2 Moving to an equal service will mean that schools that currently buy back to level 2 will pay less but level 1 schools will pay slightly more but they will receive the full health and safety service including training etc.
- 5.3 Schools will pay a graduated fee based on pupil numbers for the Level 1 element of the service and a top up cost to cover the combined service. All maintained schools will need to agree to be part of this collective agreement to equitably fund the service.
- 5.4 The 3 posts supporting schools (one currently vacant) would be reduced to 2 to reduce costs but to maintain a robust and viable service comparative to the current enhanced level 2 service.
- 5.5 A buy-back option would continue to be offered to schools such as academy and independent schools. Income generated from buy-back services would be invested in the service or offset to reduce costs for the schools in the collective agreement.
- 5.6 Table 1 below shows the 20/21 cost for Level 2 that schools who buy back pay on top of the de-delegated fee. If all Local Authority maintained schools, Voluntary Controlled, Voluntary Aided and special schools agree to one equal service the total cost to each school would be on line 21/22.

Table 1

	Pupil No's	Band A 0-60	Band B 61 - 100	Band C 101-200	Band D 201-300	Band E 301+	Band F Secondary
20/21	Cost	£1,240.97	£1,758.04	£1,964.88	£2,378.53	£2,585.36	£3,619.00
21/22	Cost	£800.00	£1,300.00	£1,600.00	£2,000.00	£2,600.00	£5,507.04

Note: the above costs reflect the Level 2 element of the buy-back only. Each school covered by the DSG also currently pays a share of the Level 1 costs in addition to Level 2 costs.

- 5.7 Table 2 below shows some approximate cost summaries based on schools around the mid-point in terms of pupils numbers according to the price per pupil (Level 1 contribution) and price banding set out in Table 1 above. Column A, B and C show the costs for schools in 20/21 under the current arrangements. For 21/22, Column D shows the Level 1 contribution, Column E is the top up fee for the combined service and Column F is the total cost for the service to schools but is based on all maintained schools agreeing to be part of this collective agreement. In order to compare year on year costs review Column C and F. Discounts based on federated schools and other similar arrangements would cease.

Table 2

Table 2 School	Column A Level 1 cost @ £4.33 per pupil 20-21	Column B Level 2 Actual cost in 20/21	Column C Total Cost 20/21	Column D Level 1 cost @ £4.47 per pupil 21-22	Column E Level 2 Top up fee 21- 22	Column F Total combined costs for new service 21/22
Band A Typical School up to 60 pupils Level 2 (Based on 60 pupils)	£259.80	£1,240.97	£1,500.77	£268.20	£531.80	£800.00
Band A Typical School up to 60 pupils Level 1 (Based on 60 pupils)	£259.80	£0.00	£259.80	£268.20	£531.80	£800.00
Band B Typical School 61-100 pupils Level 2 (Based on 85 pupils)	£368.05	£1,758.04	£2,126.09	£379.95	£920.05	£1,300.00
Band B Typical School 61-100 pupils Level 1 (Based on 85 pupils)	£368.05	£0.00	£368.05	£379.95	£920.05	£1,300.00
Band C Typical School 101-200 pupils Level 2 (Based on 165 pupils)	£714.45	£1,964.88	£2,679.33	£737.55	£862.45	£1,600.00
Band C Typical School 101-200 pupils Level 1 (Based on 165 pupils)	£714.45	£0.00	£714.45	£737.55	£862.45	£1,600.00
Band D Typical School 201-300 pupils Level 2 (Based on 250 pupils)	£1,082.50	£2,378.53	£3,461.03	£1,117.50	£882.50	£2000.00
Band D Typical School 201-300 pupils Level 1 (Based on 250 pupils)	£1,082.50	£0.00	£1,082.50	£1,117.50	£882.50	£2000.00
Band E Typical School 301+ pupils Level 2 (Based on 325 pupils)	£1,407.25	£2,585.36	£3,992.61	£1,446.25	£1,153.75	£2,600.00
Band E Typical School 301+ pupils Level 1 (Based on 325 pupils)	£1,407.25	£0.00	£1,407.25	£1,446.25	£1,153.75	£2,600.00
Band F Typical Secondary School Level 2 (Based on 1232 pupils)	£5,334.56	£3,619.00	£8,953.56	£5,507.04	£0	£5,507.04
Band F Typical Secondary School Level 1 (Based on 1232 pupils)	£5,334.56	£0.00	£5,334.56	£5,507.04	£0	£5,507.04

- 5.8 Table 3 below shows the cost of providing the enhanced level one and level two service:

Table 3	2021/22 Proposed £
Staffing Costs	124,650
Other Costs	5,000
Support Service Recharges	12,965
Total Cost	142,615
De-delegated basic level one income @ £4.47 per pupil	-66,055
Less: Charge to maintained nursery, special & PRU schools	-2,002
Remainder cost to be met by all Maintained Primary and Secondary Schools via a top up for enhanced Health & Safety package	74,558

Basic level one

- 5.9 Maintain the current split in the service levels and funding, with a Level 1 service funded through the de-delegated agreement with those schools equally and equitably sharing the costs of the provision of the basic Level 1 service. Those schools that decide to purchase the enhanced Level Two schools health and safety service will then be provided the enhanced Level 2 health and safety service.
- 5.10 The level two service already operates at a deficit that is only offset by not appointing to the vacant level one post. If the level of buy-back were to reduce significantly in 21/22 it is likely that we would need to make significant changes to the service offer.
- 5.11 Table 4 below shows the cost of providing the basic level one service:

Table 4	2021/22 Proposed £
Staffing Costs	56,870
Other Costs	5,000
Support Service Recharges	6,187
Total Cost	68,057
Less: Charge to maintained nursery, special & PRU schools	-2,002
Total Cost of service proposed to be met by Maintained Primary and Secondary Schools	66,055
Estimated rate per Pupil	£4.47

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 2021/22.

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 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.
- 7.3 The pandemic has brought health and safety front and centre in the minds of everyone in 2020 and schools continue to be under significant pressure and scrutiny around their covid arrangements.
- 7.4 The Schools Health and Safety Team have been significantly involved in helping schools to develop and review their covid secure plans, risk assessments and arrangements.

West Berkshire Council Maintained Schools

Health and Safety Service 2021/22

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 an online safety management system incorporating accident reporting, compliance management and a resource library.

The Schools Health and Safety Team also work on policy development and effective implementation, user friendly guidance and information, support in completing risk assessments, a complete range of health and safety training, safety alerts and health and safety newsletters.

The Schools Health and Safety Team have also been very involved in producing guidance and reviewing schools risk assessments and covid secure plans.

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

Health and Safety Level Two 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) Covid Secure Arrangements	<p>Schools will receive dedicated support and advice to develop and implement covid secure plans, risk assessments and arrangements.</p> <p>Your Health and Safety Adviser can arrange to visit site and help review and update your covid secure plans, risk assessments and arrangements.</p>
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>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>
4) 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>
5) 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.
6) 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>
7) 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>
8) 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>
9) 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 http://info.westberks.gov.uk/index.aspx?articleid=29858.</p> <p>On-site training can also be arranged at no additional cost. Much of the training offer can now be completed by attending virtual training sessions vis zoom/teams meaning costs in terms of staff availability and downtime for training are reduced.</p>
10) 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. 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</p>

	staff at an agreed time and date on site.
11) 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>
12) 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>
13) 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>

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