

# LA Maintained Schools Core Offer

Scrutiny Briefing March 2023



**Somerset**  
Council

# Background



- Children and Families Scrutiny Session 12 December
- Executive Decision 15 December
- Offer shared with schools early January
- New Education Relationship Managers have met with every school for 121 discussion
- Ongoing dialogue and negotiations about offer with school associations

This was never going to be easy!

We have been and remain fully committed to building stronger foundations and this means learning as we go.



# Principles

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What we think we all agree on:

- Many schools want to remain as LA maintained schools and to see that family of schools flourish
- The LA wants to support its LA family of schools to stay within the LA family and to be the very best that schools can be
- Schools should be able to get the support they need, when they need it, regardless of other factors
- It makes sense to work towards a charge for support that is comparable to a trust charge (eg 5%), at a future time when schools can afford it
- There are services the LA provides that schools rely on and highly value, and it would be detrimental to school quality if these were to be taken away
- There have been gaps and issues in the support schools have received in the past, and the LA needs to work with schools to achieve a more consistently good experience





## **The current level of charge is too high!**

Some of the feedback from schools has made us think – can we say clearly enough exactly what we are proposing to charge for and why?



# What is statutory minimum?

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- take rapid and decisive **action in relation to poorly performing schools**, including using their intervention powers with regard to maintained schools and considering alternative structural and operational solutions;
- develop robust **school improvement strategies**, including choosing whether to offer such services in a competitive and open school improvement market, working beyond local authority boundaries;
- promote high standards in education by supporting **effective school to school collaboration and providing local leadership** for tackling issues needing attention which cut across more than one school, such as poor performance in a particular subject area across a cluster of schools;
- support maintained schools in delivering an appropriate **National Curriculum** and early years providers in meeting the requirements of the **Early Years Foundation Stage** (as outlined in the EYFS Statutory Framework);
- establish a **schools forum** for their area, maintain a scheme for financing maintained schools and provide financial information; and
- undertake specified responsibilities in relation to **staffing and governance** of maintained schools.

[Statutory guidance on the roles and responsibilities of the Director of Children's Services and the Lead Member for Children's Services](#)

# What functions (statutory and non) should schools fund?



## **School improvement**

- expenditure related to core school improvement activities of local authorities with respect to maintained schools (Schedule 2, 53)

## **Statutory and regulatory duties**

- functions of local authority related to best value and provision of advice to governing bodies in procuring goods and services (Schedule 2, 58)
- budgeting and accounting functions relating to maintained schools (Schedule 2, 74)
- authorisation and monitoring of expenditure in respect of schools which do not have delegated budgets, and related financial administration (Schedule 2, 59)
- monitoring of compliance with requirements in relation to the scheme for financing schools and the provision of community facilities by governing bodies (Schedule 2, 60)
- internal audit and other tasks related to the local authority's chief finance officer's responsibilities under Section 151 of LGA 1972 for maintained schools (Schedule 2, 61)
- functions made under Section 44 of the 2002 Act (Consistent Financial Reporting) (Schedule 2, 62)
- investigations of employees or potential employees, with or without remuneration to work at or for schools under the direct management of the headteacher or governing body (Schedule 2, 63)
- functions related to local government pensions and administration of teachers' pensions in relation to staff working at maintained schools under the direct management of the headteacher or governing body (Schedule 2, 64)
- retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (Schedule 2, 77)
- HR duties, including advice to schools on the management of staff, pay alterations, conditions of service and composition or organisation of staff (Schedule 2, 66), determination of conditions of service for non-teaching staff (Schedule 2, 66); appointment or dismissal of employee functions (Schedule 2, 67)
- consultation costs relating to staffing (Schedule 2, 68)
- compliance with duties under Health and Safety at Work Act (Schedule 2, 69)
- provision of information to or at the request of the Crown relating to schools (Schedule 2, 70)
- school companies (Schedule 2, 71)
- functions under the Equality Act 2010 (Schedule 2, 72)
- establish and maintaining computer systems, including data storage (Schedule 2, 73)
- appointment of governors and payment of governor expenses (Schedule 2, 74)

## **Education welfare**

- inspection of attendance registers (Schedule 2, 80)

## **Asset management**

- General landlord duties for all maintained schools (Schedule 2, 78a & b (section 542(2)) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have:
  - appropriate facilities for pupils and staff (including medical and accommodation)
  - the ability to sustain appropriate loads
  - reasonable weather resistance
  - safe escape routes
  - appropriate acoustic levels
  - lighting, heating, and ventilation which meets the required standards
  - adequate water supplies and drainage
  - playing fields of the appropriate standards
  - general health and safety duty as an employer for employees and others who may be affected (Health and Safety at Work etc. Act 1974)
  - management of the risk from asbestos in community school buildings (Control of Asbestos Regulations 2012)

## **Central support services**

- clothing grants (Schedule 2, 54)
- provision of tuition in music, or on other music-related activities (Schedule 2, 55)
- visual, creative, and performing arts (Schedule 2, 56)
- outdoor education centres (but not centres mainly for the provision of organised games, swimming, or athletics) (Schedule 2, 57)

## **Premature retirement and redundancy**

- dismissal or premature retirement when costs cannot be charged to maintained schools (Schedule 2, 79)

## **Monitoring national curriculum assessment**

- monitoring of National Curriculum assessments (Schedule 2, 76)

## **Additional note on central services**

- Services set out above will also include administrative costs and overheads relating to these services (regulation 1(4)) for:
- expenditure related to functions imposed by or under chapter 4 of part 2 of the 1998 Act (financing of maintained schools), the administration of grants to the local authority (including preparation of applications) and, where it's the local authority's duty to do so, ensuring payments are made in respect of taxation, national insurance, and superannuation contributions
  - expenditure on recruitment, training, continuing professional development, performance management and personnel management of staff who are funded by expenditure not met from schools' budget shares and who are paid for services
  - expenditure in relation to the investigation and resolution of complaints
  - expenditure on legal services

# Defining a fair charge

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Income from LA maintained schools in 22/23	2,596,960
Income from De-delegated/Education Functions in 22/23	2,040,320
Already agreed by Schools Forum in November 2022:	
• Monitoring and Brokering Grant	513,000
• De-delegated/Education Functions inflationary uplift	213,800
10% Inflationary uplift on traded income	259,696
Headteacher Support Service	65,700
In-year academisation impact (37.5%)	75,000

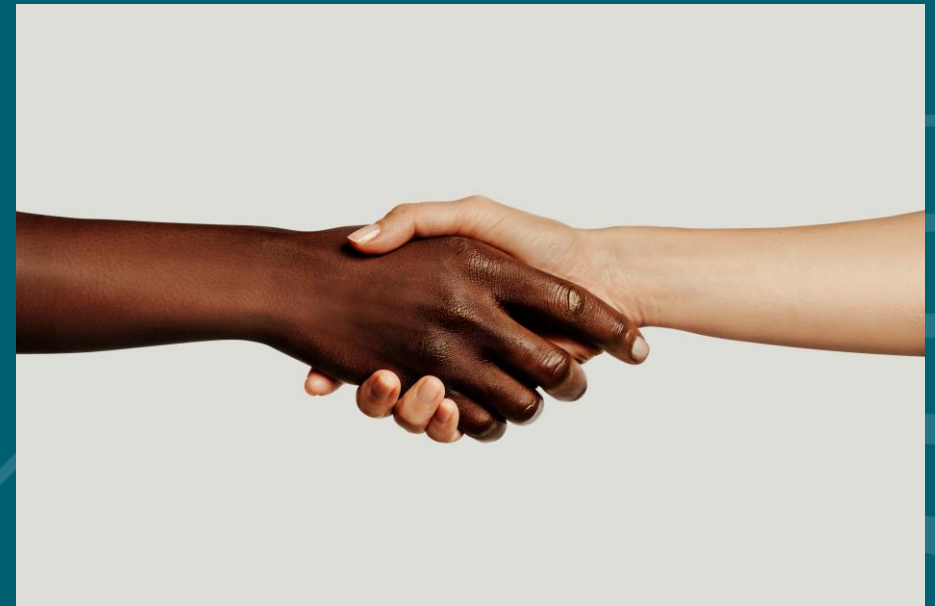
# But this leaves a gap



The LA budget is still under pressure. If we have to make a lot of redundancies, support for schools will be impacted.

The 'fair' charge is still £850k short of balancing due to:

- Limited ability to increase charges to parents (Outdoors Centres)
- Below inflation increases to some grants and fee structures (Student fees)
- Cost of academisation (lost income)
- Pre-existing budgetary gaps (pay award and under-costing)





# The collective challenge

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Schools are right to ask why they should bear the cost of our budgetary challenge.

But unless we can close the gap, schools will suffer because it is school support services that would be impacted by the need to find savings.

We have worked hard to find an alternative model that works better.

This is about accommodating this year's squeeze only – we would need to work hard together with schools through coming the year to address underlying issues.



# More feedback



Schools have questioned whether they should pay for the following:

- Curriculum Projects and Resources
- Education Leadership Development
- Education Relationships and Intervention
- CLEAPPS
- Training and Assessment
- Catering
- Grounds and Landscape Operations
- ICT Basics



# Proposals on each service

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No useful savings to make:

- Curriculum Projects – this is funded by the LA (for trading and statutory requirements), not schools
- Education Leadership Development – this is funded by Monitoring and Brokering Grant (within the 'fair' calculation for statutory functions)
- Education Relationships and Intervention – this is funded by the LA for statutory functions, not schools
- CLEAPPS – this is only £7k
- Grounds – Play equipment has very high level of buyback



# Risk based approach

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Trees and catering:

We have heard the message that providing these as a default to all schools is pushing up costs and is unneeded.

Instead, we propose to operate a risk-based approach for this year. We do need to manage risks – which are considerable.

Schools that bought the service will be assumed to have need. We may support other schools where a risk has been identified but not all schools.





# Proposals to maintain the service

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- Catering – reduce service cost by £37k
- Tree surveys – reduce service cost by £48k
- ICT Basics – removing vacant post representing £65k
- Training and Assessment – move to other funding saving £40k

£185k in further LA team efficiency savings (overall budget)

£125k LA contribution to academisation pressure (62.5%)

£350k interest on school balances – **REQUIRES SCHOOL BUY IN**

# A new offer



By only charging for 'fair' increases

By reducing service costs which schools feel this can be removed

By increasing the LA contribution

And by not distributing the interest

Propose to reduce the cap to

**29%**



# Is capping the right way?

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We have calculated what it would be if everyone's charges last year were increased by the same amount (23%)

The issue is that some schools were already at or near to 5%

Because they cannot take the full increase, this means a bigger increase for other schools anyway, bringing it back to where the cap is now

28 schools aren't hit by a 29% cap





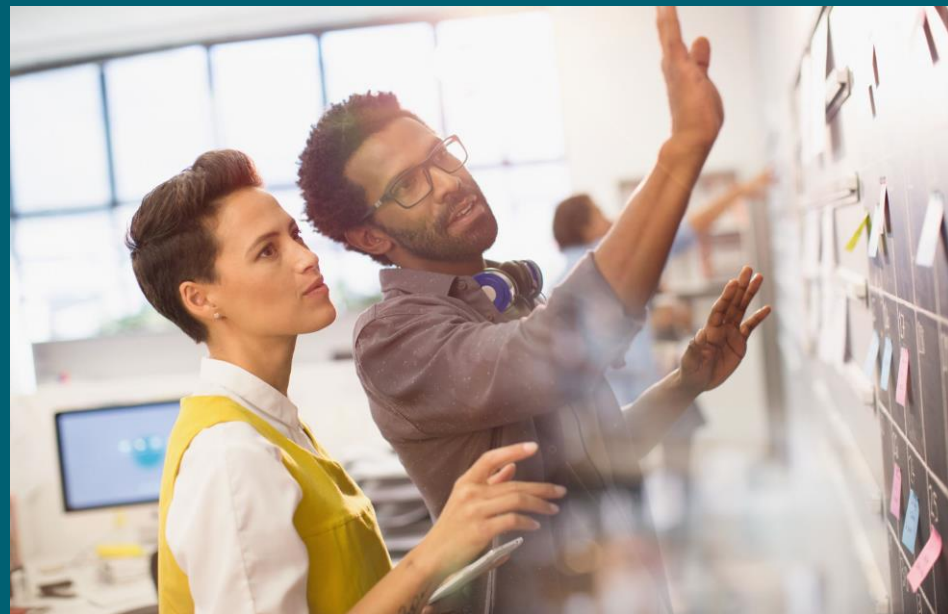
# What about VA? Somerset Council

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This may need legal advice.

However, we have been briefed by the Diocese on the status of VA schools, and the implication of this is as follows:

- 1) The only financial difference is the organisation which receives the Capital grant for condition (Diocese not LA)
- 2) In all other regards, VA schools are LA maintained schools
- 3) To protect schools and the LA in the context of potential risk to pupils or staff, we should not distinguish VA schools in any way from any other school in funding, trading or provision of services





A lot of conversations with Relationship Managers have been about Business Manager hours. What we are proposing:

- 1) All hours will be charged at the same rate of £70/hour
- 2) All hours are available in blocks of 10
- 3) Schools can top up hours throughout the year
- 4) We have created a 'ready-reckoner' to show what 'old' tasks would be in 'new' hours
- 5) If we are doing an 'old' task, schools will be charged the hours that are in the ready reckoner, even if it takes us a lot longer to do the work
- 6) We are still recommending a number of hours for every school that bought one of these services last year and this is what will be used to calculate the cap
- 7) Schools do not have to buy your recommended hours, but if they buy an amount that is a long way short of what you actually need, we can't guarantee we will have the extra capacity when they come to top up. We will try our best, but we can't promise.

# Service standards

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Schools need to be able to hold us to account better than they have in the past

- ✓ We will together create service standards that set out expectations we can all sign up to

We need a different and better process for designing the 24/25 funding and service arrangements.

- ✓ We will create / identify a suitable forum to talk to schools about what has worked and what next steps should seek to achieve for 24/25

We also need to be more transparent with schools about our accountability role, the data we hold on performance and on what minimum standards look like for compliance

- ✓ Our new Education Leadership function to work together with schools to co-produce data, processes and guidance that is transparent and supports improvement

# Academising schools

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There are only three schools that have an agreed target academisation date:

- 1) Berrow
- 2) Heathfield
- 3) Stoke St Gregory

If schools are academising but are not one of these schools, their target academisation date has not yet been agreed. Their sign up to the Core Offer should be for the full financial year. If an in-year date is later agreed, we will negotiate any rebate with the relevant trust at that time.



# Process

- 1) Met with phase leaders (Wed 1 Mar)
- 2) Briefings for heads and governors (2/3 Mar)
- 3) Issuing to individual schools (6 Mar):
  - Decision survey
  - New high-level statements
  - New 'ready-reckoner'
- 4) Uploading bespoke packages (ongoing from 5 Mar)
- 5) Deadline for YES/NO response is Fri 10 Mar
- 6) Once we have responses we will review. We are seeking 100% sign up following positive responses from school leaders last week. There are some possible mitigations if this is not achieved but we remain hopeful we can achieve a collaborative consensus.





# Questions welcome



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