

AGENDA SUPPLEMENT (1)

Meeting: Schools Forum
Place: Council Chamber - Council Offices, Bradley Road, Trowbridge,
BA14 0RD
Date: Thursday 1 March 2012
Time: 1.30 pm

There will be no briefing for this meeting however please note that lunch will be available from 1.00pm in the Council Chamber, Bradley Road, Trowbridge.

The Agenda for the above meeting was published on Friday 24 February 2012 and indicated that the reports detailed below would be to follow. These are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Marie Gondlach, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713 597 or email marie.gondlach@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

8. **Teacher's Union Facility Time Costs** (Pages 1 - 4)

To consider proposals for the arrangements for funding Facility Time costs.

11. **Council Business Plan** (Pages 5 - 10)

To receive an update on the key priorities for Children's Services within the Council's financial plan for 2012/13.

15. **SEN Recoupment** *(Pages 11 - 14)*

To consider proposals for the provision of SEN Support Services based on the feedback from cluster meetings, including options for further delegation of budgets.

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| DATE OF PUBLICATION: 28 February 2012 |
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Wiltshire Council

Schools Forum

1 March 2012

Teacher's Union Facility Time Costs

Purpose of report from Schools HR

1. The purpose of this report is to provide details of the current Trade Union facilities time agreement utilised for Wiltshire Council's Locally Maintained Schools and to initiate a proposal to include academies in a new agreement for the **Financial Year 2012-13**.

Background

2. The facility time agreement defines the rights to time-off and facilities for the teachers' Trade Unions and Professional Association Officials in the course of their union duties within the Local Authority area of Wiltshire Council. The principles in the agreement are based primarily on the Trade Union and Labour Relations (Consolidation) Act 1992, The Employment Act 2002 and the ACAS Code of Practice on Time Off for Trade Union Duties and Activities.
3. The LA has formal recognition agreements with our recognised teachers' Trade Unions and Professional Associations to provide paid release for accredited representatives to undertake negotiation, consultation or support their members in matters arising from the LA's model HR policies e.g. Redundancy Exercises/Restructures/ Disciplinary, Grievance and Capability Hearings.
4. The recognition agreements set out the arrangements for the continuance of the positive management of relations between the LA and the teachers' Trade Unions and Professional Associations.
5. The agreements clarify trade union recognition and representation for teaching staff within the schools and academies and establish an agreed framework for consultation and collective bargaining.

Facility time during financial years 2009/2011

6. During the three financial years 2009/2012 the following facilities time was paid as supply cover for the teachers trade union representatives (County Secretaries) as agreed under the 2003 facility time agreement:

| Financial Year | Total Spend | Budget | Outturn |
|-----------------------|-------------|-----------|------------|
| 2009-10 | 35,299.70 | 71,796.00 | -36,496.30 |
| 2010-11 | 57,581.48 | 73,303.00 | -15,721.52 |
| 2011-12 Projected) | 41,965.10 | 73,303.00 | -31,337.90 |

Facility time budget for financial year 2012-13

7. In the current year 2011-12 we have a budget of £73k however, in the next financial year this will reduce to £48k because of the impact of schools who have converted to academies. The facility time budget is one of the budgets within scope for the Local Authority Central Spend Equivalent Grant (LACSEG) recoupment and therefore the academies have the funding for union costs in their own directly allocated budgets. For that reason we do need to change the funding of the arrangement that is currently in place if it is to remain a viable arrangement and appropriately funded. If we intend to continue to have a whole county agreement and a relationship with the teachers unions facilitated through the Schools HR Advisory service then there is the clear need to start to invoice academies for a contribution to fund the availability of union representatives.

Requirement for Facility Time

8. The trade union facility time agreement in conjunction with the recognition agreement and Schools Joint Consultative Committee (JCC) Constitution enables Head teachers, Governors and their specialist support services to progress all matters that require consultation or negotiation efficiently and effectively. This is particularly relevant to following redundancy procedures and TUPE transfer process. The latter is of course the same mechanism by which academy conversions are consulted with the unions on.
9. Presently, the following activities crucially require trade union representatives to be available for meetings and consultation at short notice. The paid release of trade union representatives enables schools and academies to deliver these significant projects within their timescales and budgets:
- TUPE transfer process for schools converting to academy status
 - Organisational restructures and reductions in staffing numbers
 - Changes to staff terms & conditions
 - Development and changes to employment policies & procedures

- Collective negotiation on behalf of Wiltshire LM Schools on all employment matters
- Individual employee performance management and complaint resolution eg. dealing with grievance, capability, disciplinary or absence management matters.

Current procedure for agreeing employment policy and procedures

10. The current mechanism for agreeing Schools HR Policies and Procedures requires Schools HR Advisory to consult and discuss proposed new model policies and procedures with the County Secretaries (ATL, NUT, NASUWT, ASCL and NAHT). Once agreement is achieved the proposed models go to the Schools JCC and once endorsed are released for adoption. For academies there is no current mechanism for consultation and adoption of model policies and procedures. This means it will either default to individual academies to negotiate their own model policies and procedures locally or that they contribute to supporting the facility time agreement for the unions and maintain the recognition agreement. This will allow Schools HR Advisory to continue to undertake all such negotiations on their behalf (as employers buying HR Advisory) through the current mechanism.

Conclusion

11. The LA and trade unions recognise their common interest and joint purpose in furthering the aims and objectives of the LA and the other employers in Wiltshire Schools and Academies, and in achieving reasonable solutions to all matters which jointly concern them. Both parties are committed to maintaining good employee relations and the collective recognition and facilities time agreements are key in delivering this. It is therefore important that academies are asked to contribute to the facility time costs but especially where they also buy Schools HR Advisory Services from the LA. Schools Forum is asked to consider the most appropriate funding arrangement for facility time costs.

Recommendation

12. With the understanding that the LA and the other associated employers in Wiltshire schools and academies agree to continue to support the concept of county-wide representation by the teachers unions and professional association (*this would need to be the subject of further consultation with WASSH and PHF*) we ask that Schools Forum agree in principle:
 - a) to ensure the appropriate level of funding of a central Facility time budget to meet legal obligations under Trade Union and Labour Relations (Consolidation) Act 1992, The Employment Act 2002 and the ACAS Code of Practice on Time Off for Trade Union Duties and Activities;
 - b) that if a county wide agreement is in place, that the most appropriate funding arrangement would be that the LA submit a request to the DfE

to allow Wiltshire to retain that aspect of LACSEG in the central budget for facility time held for that purpose;

- c) that if all academies do not consent to b) and c) above to allow the LA to retain that aspect of LACSEG in the central budget, then those that do support this position consent to subscribe towards funding a Facility time held by the LA for that purpose for which a more detailed tariff arrangement will be developed by HR, with the recognised teachers unions and associations, based on staff numbers in each academy;
- d) that Schools HR Advisory continue to discuss and develop a new county-wide Facility Time agreement on behalf of the schools, academies and the LA with the teachers unions and associations and to bring that to Schools Forum at a later date.

Report Author
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HR Operations Manager – Schools
24 February 2012

Wiltshire Council

Schools Forum

1 March 2012

Council Financial Plan 2012-2013 – Impact on Children’s Services

Purpose of report

1. To inform Schools Forum of the Council’s Financial Plan for 2012-13 as it affects Children’s Services.

Background

2. The government announced the Local Government financial spending settlement and specific grant allocations in December 2011. This largely confirmed the announcements made in December 2010 in the 2 year local government funding settlement. From a children’s services perspective the main change in the funding settlement is an increase in Early Intervention Grant specifically in relation to building capacity for provision of the free entitlement for vulnerable 2 year olds. This increase has been reflected in the financial plan for the Early Years service.
3. The Council’s financial plan reflects the reduction in government grant and addresses a number of pressures across service areas in addition to making savings. Key themes in the financial plan are:
 - Protecting and safeguarding vulnerable adults and children
 - investing in priority services – including children’s attainment
 - making savings
4. The financial plan will be considered by Council on 28th February.

Main considerations for Schools Forum

5. This report outlines the key elements of the Council’s financial plan as they affect the budget for Children’s Services for the period 2012-13.

Financial Plan 2012-13

6. Key areas of investment for children’s services are protecting and safeguarding vulnerable children and investing in children’s attainment. These areas are prioritised within the Council’s Business Plan.
7. ***Inflation*** – inflation assumptions within the Council’s Business Plan have been reviewed and updated where appropriate. Funding for inflation has been provided to enable cost increases to be met including the costs of external and in house placements for looked after children and the impact

of increased deprivation levels on children's centre provision. Total inflation related investment is £1.244 million.

8. ***Protecting and safeguarding vulnerable children*** – Numbers of looked after children increased during 2010/11 and have further increased during the current year. Provision is made within the financial plan to meet the anticipated demand for placements for looked after children, the increased demand for legal costs in support of court proceedings and to meet the additional demands imposed by the recent Southwark Judgement which has changed LA's responsibilities in respect of young people over 16 years old, who are homeless. These young people are considered as vulnerable and therefore must be taken in to care by the LA.
9. Investment of £1.197 million in 2012/13 has been proposed in order to meet the demand pressures on budgets for looked after children and to meet anticipated inflation costs for placements
10. A range of strategies are being put in place to both reduce the need for high cost external placements and take preventative action. To support these strategies investment of £0.150 million is proposed to fund development of a new provision, the Aspire Centre, to enable intensive support for looked after children.
11. ***Investing in Children's attainment*** – The Council's financial plan continues to prioritise children's attainment. It is proposed that £0.530 million will be invested in 2012/13 to support raising attainment.
12. ***Provision of Early Education and Child Care for 2 year olds*** – the Government has announced that from September 2013 the free entitlement of 15 hours free early education a week will be extended to cover disadvantaged two year olds. It is expected that around 40% of all 2 year olds will benefit from this by 2015. Within the financial plan it is proposed that an additional £0.510 million be invested in developing provision and capacity within the early years sector to enable this requirement to be met from September 2013. This is the level of funding allocated by the Government as additional Early intervention Grant for this purpose.
13. ***Working with Complex & Vulnerable Families*** – it is proposed that £0.900 million be invested to support the work of the council with complex and vulnerable families, in particular supporting earlier intervention to families with complex needs who do not meet social care thresholds. It is expected that this will reduce referrals in to social care.
14. ***Savings*** of £3.954 million have been proposed from children's services. The savings identified reflect national changes in respect of our statutory requirements and the Council's priority to invest in and align our resources to those most vulnerable to poorer outcomes.. Appendix 1 to this report outlines the savings proposed for children's services as part of the overall Council financial plan.

Proposal

15. It is proposed that Schools Forum note the impact of the Council's financial plan on services for children and young people.

Carolyn Godfrey
Corporate Director

Report Author
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24 February 2012

Background papers

The following unpublished documents have been relied on in the preparation of this report: None

Appendices

Appendix 1 – Savings proposals for Children's Services 2012/13

Appendix 1 - Detailed saving proposals 2012/13

| Ref | Service | Saving 2012/13 £m | Description |
|--|---------------------------|-------------------------|---|
| A - Savings Previously agreed in the 2011/12 Financial Plan | | | |
| | Social Care | 0.361 | Continued savings from efficiencies in business and administration support in Children's Services. |
| | Integrated Youth Services | 0.417 | Savings agreed by Council in February 2011 to integrate Connexions services into schools in line with Central Government changes. |
| | Integrated Youth Services | 0.450 | Savings agreed by Cabinet September 2011 as part of 11-19 Commissioning Strategy |
| Total Savings Previously Agreed | | 1.228 | |
| B – New Service Efficiencies | | | |
| DCE4 | Early years | 0.478 | Following a review of how we deliver this service we plan to maintain open all children's centres, and reconfigure the early years and childcare workforce support early years settings across Wiltshire as a result of changing legislation and realignment of teams across the hub model in place across the rest of Children's Services. This will result in a reduction of 14.48 fte posts of which 4.5 fte are currently vacant. 58 fte posts are retained within the service. Consultation on this process has begun. |
| DCE5 | School Improvement | 0.600 | Deletion of vacant post and brokerage of support with schools. (saving previously agreed by Cabinet in 2011/12 budget) Increase in trading target for School Improvement |

| | | | |
|-------------------------------------|--|--------------|---|
| DCE6 | Business Support | 0.100 | Review of former Local Education Team Business Support to remove unnecessary administration and rationalise the number of area offices worked from. |
| DCE7 | Targeted Schools and Learner Support | 0.293 | Following removal of the national grant the proposal is to reduce Local Collaborative Partnership team . Parent Support Advisors will be integrated with schools to ensure support is linked to education support. Savings will also be identified within the home to school transport budget for pupils with special educational needs. |
| DCE 10 | Integrated Youth | 0.915 | Full review of Integrated Youth Service structure with no reduction in front line delivery, retaining capacity to respond to self harm and risky behaviours. The focus of the savings will be on reducing management levels over the Information Advice and Guidance services. |
| Total New Service Efficiencies | | 2.386 | |
| C – Systems Thinking Savings | | | |
| DCE 1 - 3 | Commissioning & Performance / Children's social care | 0.340 | Children's Trust Support - £0.040m: CAF Co-ordinator posts being moved to Social Care Referral & Assessment with subsequent changes to management arrangements. Children's Disability Teams and Commissioning for Short Breaks - £0.200m: Together with parents, review short breaks provision for families with disabled children as part of the DCA review. Family & Parenting Support - £0.100m: Service redesign and re-commissioning of more targeted service. Strategy approved by Cabinet November 2010. |
| Total Systems thinking | | 0.340 | |

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Wiltshire Council

Schools Forum

1 March 2012

SEN Mainstream Recoupment

Purpose of report

1. To notify Schools Forum of an anomaly in the funding of Named Pupil Allowances (NPAs) for out of county pupils in Wiltshire mainstream schools and to make proposals for the resolution of this issue.

Main considerations for School Forum

2. NPA payments are made to schools in support of a statement of special educational needs for individual pupils. In Wiltshire the NPA is described in terms of a number of "hours" support. For primary schools the first 10 hours defined in any statement are already considered to be delegated to the school and so the NPA is only paid for hours over and above the first 10. For secondary school NPAs are paid for hours over and above the first 15.
3. For pupils from outside Wiltshire schools are paid the full hours for each statement and this is recouped from the host local authority. This means that schools are not funded consistently for out of county pupils compared with the funding they receive for Wiltshire pupils.
4. It is proposed that this anomaly should be removed from the system in order that all pupils with special educational needs are funded consistently. Appendix 1 illustrates the funding currently received by mainstream schools for NPAs for out of county pupils and the funding they would receive in NPAs if those pupils are funded consistently with Wiltshire pupils. Because the pupils are on the roll of the school the first 10/15 hours is allocated through the funding formula.
5. It is clear from the appendix that there would be a significant impact on a small number of schools of changing the funding system. A number of options have therefore been considered:
 - a. To change the arrangement and bring funding in to line for all pupils from April 2012;
 - b. To change the arrangement and bring funding in to line for all pupils from September 2012 to give schools more time to plan for the change;
 - c. To continue with the current arrangement for this cohort of pupils whilst in their current schools but to fund all future out of county pupils consistently with the arrangements for Wiltshire pupils.
6. To implement the change for April would bring significant change to the budgets of a small number of schools at very short notice. The risk of this

approach is that schools would not be able to plan for the reduction in funding.

7. This issue was considered by the SEN Working Group on 24th February and the recommendation of the group was that the third option should be adopted in order to minimise the impact on individual schools.

Proposal

8. That Schools Forum agree:
 - a. That funding for all pupils with special educational needs should be in accordance with the Wiltshire formula and therefore out of county pupils should be funded on a consistent basis with Wiltshire pupils;
 - b. How the change in funding should be implemented – options a) to c) in paragraph 5 above.

Carolyn Godfrey
Corporate Director

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Appendices:

Appendix 1 – Summary of Mainstream Recoupment NPAs by school

Changes to Recoupment NPA Funding

| School | Recoupment funding for 2012- 2013 | Wiltshire Pupil funding 2012- 2013 | Difference |
|--------------------------|--|---|-------------------|
| Bradon Forest | 53,736 | 12,472 | 41,264 |
| The Corsham School | 15,406 | 2,201 | 13,205 |
| The John of Gaunt School | 15,405 | 4,402 | 11,003 |
| Ogbourne St George | 13,645 | 4,402 | 9,243 |
| Whitesheet | 24,429 | 15,625 | 8,804 |
| St Augustines | 8,803 | - | 8,803 |
| St Laurence | 9,684 | 3,081 | 6,603 |
| Abbeyfield | 11,004 | 4,402 | 6,602 |
| The Stonehenge School | 8,803 | 2,201 | 6,602 |
| Wellington Academy | 6,602 | - | 6,602 |
| Wootton Bassett | 6,602 | - | 6,602 |
| Sheldon School | 5,502 | - | 5,502 |
| Malmesbury Primary | 11,004 | 6,602 | 4,402 |
| Semley | 15,406 | 11,004 | 4,402 |
| St Peters, Marlborough | 11,004 | 6,602 | 4,402 |
| Corsham primary | 7,483 | 3,081 | 4,402 |
| Wardour | 11,004 | 6,602 | 4,402 |
| Christ the King | 13,205 | 8,803 | 4,402 |
| Baydon st Nicholas | 14,525 | 10,124 | 4,401 |
| Longleaze Primary | 13,204 | 8,803 | 4,401 |
| Mere | 8,803 | 4,402 | 4,401 |
| The New Forest School | 8,803 | 4,402 | 4,401 |
| Burbage Primary | 13,644 | 9,353 | 4,291 |
| Ashton keynes | 4,585 | 2,750 | 1,835 |
| | 312,291 | 131,314 | 180,977 |

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