

# Schools Forum

**Date:** 12 January 2022

**Time:** 4.00pm

**Venue:** Virtual Teams Meeting

## Reports

Reports will be emailed to members prior to the meeting. Papers can also be accessed on the Council's website

<https://www.calderdale.gov.uk/v2/residents/education-and-learning/schools/services/a-z/schools-forum>

## Members of the Forum

### Primary Heads Maintained x 2

Mungo Sheppard (Ash Green Primary School)

Jo Buckley (Old Town Primary School)

### Primary Governors Maintained x 2

Adam McNicholl (Hebden Royd Primary School)

Mary Carrigan (Castle Hill Primary School)

### Primary Governor Substitute

James Ratcliffe (St Augustine's Junior and Infant CE (VA) School)

### Secondary Head Maintained x 1

Tony Guise (Calder High School) (Chair)

### Secondary Head Teacher Substitute

Gill Shirt (Todmorden High School)

### Secondary Governor Maintained x 1

Vacant

### Special School Representative x 1

Debbie Sweet (Highbury School)

### Academy Members x 10

Karen Morley (Scout Road Academy)

John Eccleston (Warley Road Primary Academy)

Secondary Head Teacher vacancy

Julie Kendall (Together Learning Trust)

Dan Burns (Old Earth Primary School)

Richard Horsfield (Brighouse High School)

Brian Robson (Brighouse High School)

Darren Senior (Beech Hill School)

Phillip Hannah (The Whitley AP Academy)

Bill Montague (The Crossley Heath School)

**Academy Substitutes**

Ivan Kuzio (Trinity MAT)

Emma Casson (North Halifax Grammar)

**Roman Catholic**

Brenda Monteith (Highbury School)

**Church of England**

Anne Craven (St John's (CE) Primary Academy, Clifton)

**Calderdale Federation of Education**

Gillian Poole (National Education Union)

**Staff Unions**

**Post 16 Representative**

Vacant (Calderdale College)

**Early Years Representative**

Vacant

Cllr Adam Wilkinson, Cabinet Member for Children's Social Care and Lead Member for Children's Services. (Observer status only)

# AGENDA

1. **Substitutes nominated for this meeting and apologies for absence. (To be notified in writing 24 hours in advance.)**
2. **Members Interests** – Members are reminded of the need to declare any interest they might have in relation to the items of business on this agenda.
3. **Admission of the Public** - it is not recommended that the public be excluded from the meeting for the consideration of the items of business on this agenda.
4. **Minutes of the Schools Forum held on 1 December 2022.**

To approve the Schools Forum minutes.

- |  |  |
|--|--|
| <b>5. Forum Constitution and Terms of Office</b>           | <b>Ian Hughes</b>  |
| Decision   |  |
| <b>6. Summary of schools operational guidance - verbal</b> | <b>Tony Guise</b>  |
| Information  |  |
| <b>7. De delegation of School improvement functions</b>    | <b>Connie<br/>Beirne/Paul<br/>Tinsley</b>                |
| Decision   |  |
| <b>8. Schools funding 022-24 update</b>                    | <b>Jane Davy</b>   |
| Consultation   |  |
| <b>9. Falling Rolls</b>                                    | <b>Jane Davy</b>   |
| Decision   |  |
| <b>10. Growth Fund update</b>                              | <b>Jane Davy</b>   |
| Decision   |  |
| <b>11. De-delegation including Union facilities</b>        | <b>Jane Davy/Gillian<br/>Poole –<br/>Jane to present</b> |
| Decision   |  |
| <b>12. Early Years Funding</b>                             | <b>Martyn Sharples</b>                                   |
| Decision   |  |

**13. Work Programme**

**Paul Tinsley**

Information

**14. Any Other Business**

**Chair**

Questions to be submitted a **minimum** 3 days prior to the meeting in writing to:

[CalderdaleSchoolsForum@calderdale.gov.uk](mailto:CalderdaleSchoolsForum@calderdale.gov.uk)

Questions will only be permitted if relevant to the business of the Forum and at the discretion of the Forum Chair.

**15. Future Dates**

**Paul Tinsley**

23 February 2023 – exception meeting

27 April 2023

22 June 2023

All meetings will start at 4pm

Venue: virtual Teams Meeting

## **CALDERDALE SCHOOLS FORUM**

### **1 December 2022 – Virtual Meeting Via Teams**

#### **PRESENT:**

**John Eccleston** (Academy)  
**Jo Buckley** (Primary Maintained) – Co Vice Chair  
**Andrew Fisher** (Academy)  
**Darren Senior** (Academy)  
**Karen Morley** (Academy) – Co Vice Chair  
**Mungo Shepherd** (Primary Maintained)  
**Julie Kendall** (Academy)  
**Mary Carrigan** (Primary Governors Maintained)  
**Brian Robson** (Secondary Governor Academy)  
**Dan Burns** (Academy)

#### **IN ATTENDANCE:**

**Paul Tinsley** (AD Education and Inclusion)  
**Richard Morse** (Senior Commissioning Officer – School Organisation and Planning)  
**Jane Davy** (Finance Officer)  
**Connie Beirne** (Interim Service Manager for Early Years and School Strategy and Performance)

#### **APOLOGIES**

**Tony Guise** (Secondary Maintained) – Chair  
**Bill Montague** (Academy)  
**Richard Horsfield** (Academy)  
**Brenda Monteith** (Roman Catholic)  
**Julia Gray** (Post 16)  
**Gill Poole** (Unions)  
**Adam McNichol** (Primary Governors Maintained)  
**Ian Hughes** (Legal Officer)

#### **1. Substitutes nominated for this meeting and apologies for absence**

Apologies noted, no substitutes identified for this meeting.

#### **2. Members Interests**

John Eccleston: declared his membership of the Partnership Board.  
Jo Buckley: currently recipient of the falling rolls fund and a School Effectiveness Associate.  
Karen Morley: Elected Governor for Christ Church Primary.

Helen to check if members need to declare a general interest as Governors, or if this is taken as read.

### **3. Admission of the Public**

Patrick Grant - Local Authority Funding Policy Team, DfE.

### **4. Minutes of the Schools Forum held on 30 June 2022**

Item 6: John Eccleston fed back to the Partnership Board.

Minutes approved.

### **5. Elect Co Vice Chair**

Both Jo Buckley and Karen Morley were elected as Schools Forum Co Vice Chairs for the year.

Schools Forum members stated that they appreciated Jo and Karen had offered to take up this role, it is a very good way forward.

### **6. Forum Constitution and Terms of Office**

Deferred to the next meeting.

### **7. Allocation of funding to school improvement clusters – half yearly impact report**

Report accepted, no queries.

### **8. Reforming how Local Authority school improvement functions are funded**

Question: in Item 7 it was clear that the budget was topped up from DGS, this should be open for LA maintained and academies. It does state that, due to lack of staff the money was only used for LA maintained schools. Clarification requested that for Item 8, can we just use DGS money to fund LA maintained schools, this seems to imply top slicing for LA Maintained, but not academies?

Connie is working with Jane and finance officers to look at funding and how to take this forward. Jane advised that the maintained funding was from de-delegation from Schools Block, and also from the Partnership Board. It is correct that if funding was coming from the Central Block it needs to be for both LA maintained and academies. Connie to clarify further in her January 2023 report.

Schools Forum members expressed that the work the associates are doing has been of real benefit to schools in high areas of deprivation and is a good model of practice going forward; schools are learning from each other and having the associates network identifies best practice. If finance is continued to support this model it would be a positive, however

if no finance is identified, there is still a willingness from Heads to work together to support each other.

This positive feedback reinforces a real way forward and the benefits of collaboration.

## **9. School Place Planning**

Question: is this information now in the public domain and are all schools aware? Yes, this information does go on the website, and Richard is speaking with the web team to make sure it easily accessed and updated. Please feel free to share this information with colleagues.

Question: there seems to be a worrying trend in primary projections with a 20-40% reduction in places, which for smaller schools will not be sustainable. Richard advised that recent projections are on the low side, as GP projection data is not complete; however, the trend is downward. Following the small schools review, it was advised that schools need to look at ways to sustain, joining federations etc. Richard to look at the local plan to see if reducing pupil numbers are likely to be offset, also to look at activity and impact from neighbouring Local Authorities. This tool is a starting point in developing a strategy going forward.

Question: is the falling birth rate in Calderdale replicated in other areas of the YH region? Yes.

Falling rolls are of concern and Schools Forum will continue to support schools with falling rolls, it is worth say that whilst it is officers responsibility to present data to Schools Forum and will continue to put forward potential solutions and options, this needs to be led by Elected Members as they are the decision makers.

To consider putting this the School Place Planning document on the schools intranet site, or on the Schools Forum website. We could also consider emailing out to Heads.

Richard to bring this item back to a future Schools Forum.

If schools would like a further conversation with Richard, please feel free to ring.

## **10. School funding update report**

This report is for consultation and any views before the final paper is presented in January 2023.

Questions: Calderdale are mirroring MMF factors, how close are we? PFI is ongoing, we just pay last year plus inflation, there is no exceptional schools factor. In the last few years there has been some spare money to increase basic entitlement, going forward this will continue.

Jane answered the question that LA funding replicated the NFF exactly.

Schools Forum note the mandatory changes to the 2023/24 funding formula and agree with disapplication requestion.

Jane to bring her final paper back to the Schools Forum Meeting in January 2024.

Schools Forum members to be advised, this doesn't include funding announced in the autumn statement.

#### **11. Growth Fund report**

Recommendations approved, no objections or abstentions.

#### **12. Falling Rolls report**

Recommendations approved, no objections or abstentions.

#### **13. School Balances – Autumn Monitor**

Questions: Schools Forum asked what support is open to schools that are in deficit budgets. Connie has been working closely with those schools to set up a Team Around the School. For those schools with only a small deficit, they have been written to, advising them of what to expect and what help is available. 1 school with a large deficit has agreed to an SMRA to review, looking at staffing structures and monitoring monthly.

Jane advised that the LA do checks on schools in deficit including salary overspend.

Schools Forum members have real concerns that majority of schools will be looking at an in year deficit next year and if the DfE do not put funding in place, this will increase and lead to hard decisions regarding staffing, not replacing staff and redundancies, which are not cheep. There are concerns that even those schools with a balanced budget at this time, will see their balances eaten away, including larger Academies and MATs.

Some Schools Forum members also expressed concerns at the Government proposals to academise all LA maintained and standalone trusts.

Discussion that this needs to be raised at as many forums as possible, CPHA, CASH etc, and via Elected Members.

Discussion that lack of financial future forecasting by the DfE, means that schools cannot plan long term. There are no efficiency savings to be made in schools, budgets are tight to the bone.



#### **14. Capital Maintenance Briefing paper**

Questions: paper shows Mooreside Primary has having asbestos clearing and demolition; Richard advises the old building had to be cleared and the site made safe.

#### **15. Work Programme**

No questions.

#### **16. Any other business**

None.

#### **17. Future dates**

12 January 2023, 27 April 2023, 22 June 2023

All meetings will start at 4pm via Teams.

# Report to Schools Forum

<b>Meeting Date</b>	Thursday 12 January 2023
<b>Subject</b>	Delegation of School improvement functions
<b>Report Author</b>	Connie Beirne Interim Service Manager for Early Years, Schools Strategy and Performance

## Report purpose

- a) To provide members with a clear understanding of the LA's statutory duty towards our maintained schools causing concern; of which the School Improvement and Monitoring and Brokerage grant (SIMBG) which supported the delivery of this function is no longer in place from 1 April 2023.
- b) To provide members of the schools Forum, with possible models of delivery during 2023/24 to enable the LA to continue to deliver this statutory function for our maintained schools.
- c) For members to be able to make an informed decision based upon the provided costed models of delivery.

## Need for consideration

The effective use of maintained schools' funding in securing the local authority school improvement function through a robust and rigorous delivery model.

## Need for decision

- a) Information is provided to support decision making by Schools Forum about future delivery and funding for the statutory school improvement function Calderdale needs to deliver to our maintained Schools causing concern.
- b) Agreement to de-delegate the funds required from the maintained schools' budget for 2023/24.

## Contact Officers

Paul Tinsley– Interim Assistant Director: Education and Inclusion  
[Paul.tinsley@calderdale.gov.uk](mailto:Paul.tinsley@calderdale.gov.uk)

Connie Beirne - Interim Service Manager for Early Years and School Strategy and Performance [Connie.beirne@calderdale.gov.uk](mailto:Connie.beirne@calderdale.gov.uk)

# Report to Schools Forum

## 1. Background information and context

- a) The latest guidance is effective from 1 September 2022 and sets out the factors LAs and Regional Directors will consider, and the process they will follow in order to decide the right approach to supporting a school to improve. [Schools causing concern guidance](#)
- b) Section 72 of the Education and Inspections Act 2006 places a statutory duty on all LAs in England, in exercising their functions in respect of maintained schools causing concern, to have regard to any guidance given from time to time by the Secretary of State. This applies to:
  - Maintained 'schools causing concern' (within the meaning of section 44 of the Education Act 2005).
  - Maintained schools that are 'eligible for intervention' (within the meaning of Part 4 of the Education Act 2006).
  - Other Maintained schools about which the Local authority and/or Secretary of State have serious concerns which need to be addressed; and
  - Academies causing concern.
- c) Under the current Schools causing concern guidance, a local authority must exercise its education functions **with a view to promoting high standards**. (See our School Improvement Strategy 2022-23 – which sits within the School Improvement Partnership Framework – updated September 2022 - appendix 1) Local Authorities should also act as **champions of high standards of education** across maintained schools in their area, and in doing so should:
  - Understand the performance of maintained schools in their area, using data as a starting point to identify any maintained school that is underperforming, while working with them to explore ways to support progress;
  - Work closely with the relevant RD, diocese and other local partners to ensure maintained schools receive the support they need to improve;
  - Where underperformance has been recognised in a maintained school, proactively work with the relevant RD, combining local and regional expertise to ensure the right approach, including sending warning notices, and using intervention powers where this will improve leadership and standards; and
  - Encourage Good and Outstanding maintained schools to take responsibility for their own improvement; support other maintained schools; and enable other maintained schools to access the support they need to improve.
- d) From 2022- 23, local authorities will be permitted to de-delegate from maintained schools' budget shares to fund this core school improvement activity. As set out above, these core school improvement activities extend beyond exercising of statutory intervention powers but do not extend to a duty to provide or fund school improvement services themselves; and relate only to schools they maintain, rather than academies which are accountable to the Secretary of State.

- e) **Local Authority Responsibilities:** As set out above, Calderdale Local Authority has a statutory duty to monitor the effectiveness of all schools in its area (including academies and free schools) working with the Regional Director. It targets its resources on those schools which need further support or challenge to secure improvement.
- f) The Local Authority is also responsible for identifying poorly performing schools and providing or brokering early and effective support in order to prevent schools becoming those defined as 'schools not making necessary improvements.
- g) Based upon our present risk assessment of Green (no concern), Amber (of concern to the LA) and Red (Of high concern to the LA). There are presently (December 22), 5 red and 11 amber maintained schools. (16 in total) Moving forward this year, there was an increased level of support for amber schools at three days allocation of support per term and for red four days of support per term.
- h) Risk assessments of all our schools (maintained and academies) are fluid and this means that following support from our SE team members or an ofsted inspection, discussions with CEO's and/or the Diocese, risk ratings can alter. This will be agreed between the LA, headteacher and chair of governors at the school. During the autumn term, following publication of their ofsted report, one amber maintained school was risk assessed as Green and one academy. This means the associate who was working with the maintained school, is now released and available should we need them, to undertake other SE work going forward. However, two maintained schools have been risk assessed as red at the end of this term, due to the significant concerns displayed.
- i) As members will be aware from our last report in December, the existing School Effectiveness team is made up of: an interim Service Manager, a part time School effectiveness officer and eight associates – six are existing headteachers in our schools. The remaining two are consultants who have worked in/with our schools previously. All are highly skilled with considerable experience and expertise between them. This has been recognised and appreciated by those heads, whose schools are of concern and by other staff in our schools attending the primary Subject Leader development programme (funded by the SIPB) and those undertaking the new NPQ qualifications.
- j) Feedback from SE associates and the headteachers they are working with has been positive. Although, starting with eight consultants/associates, we do expect numbers to reduce going through the course of this academic year 22-23, as schools continue to move from the risk assessment of amber/red back to green: as well as a small number of schools joining a MAT. This is happening for one of our amber maintained schools in January 2023.
- k) We have had, thirteen ofsted inspections this term and are pleased with school outcomes as reports are published confirming their judgements.
- l) As a team, we work closely with our Kirklees and Calderdale Teaching School Hub (C&KTSH) as well as our curriculum hubs of English, maths and Music and our research school.

- m) We continue to respond to queries from our academies and offer signposting to those particularly in difficulty. Support, training and advice also comes out of the successful cluster model in place in Calderdale where funding is provided for both academies and maintained schools to work in partnership.
- n) A consultant working as part of the team is delivering the new Headteachers support package (for up to 12 new headteachers – autumn term 22) which was funded by the School Improvement Partnership Board for both the summer/autumn terms 22 and spring term 23. This involves individual meetings with each head, network meetings and a discussion as to the spending of the £3K allowance to support the school improvement work needed in the school urgently. An impact report will go back to the board in March 2023, and a further bid, if this package of support continues to be funded. Feedback so far from new heads, is very positive and they can access the immediate support and funding necessary.
- o) In terms of costings, it was agreed that SE associates would receive a daily rate of £550, for the work undertaken. A total costing for the SE team for the autumn term 2022, worked out at £90,238K.
- p) This SE associate model also sits well with the SI cluster model which both academies and maintained schools' benefit from. The cluster model continues to play a significant role in delivering School Improvement on behalf of the LA. Real strength and impact continues to be seen through the impact cluster reports sent to the School Improvement Partnership Board.
- q) Our highly successful Primary Subject Leaders development programme, funded directly by the School Improvement Partnership Board, continues to be delivered by existing Headteachers, including some SE Associates from within the borough. This supports and reinforces the system leadership model of providing school to school support.
- r) We presently have two secondary maintained schools who are risk assessed as green. However, if they were to experience any difficulties and their risk assessment was to alter to amber/red; they would be able to access this support through an SE consultant working on behalf of the LA.
- s) Our Green maintained schools have shared with us (via CPHA, consultation (June 2022), individual school meetings, progress meetings etc..), that they would like to be included in the support package going forward from September 2023. Although Green risk assessed (38 at present), schools can become vulnerable due to changes in leadership, ofsted grading, staffing, safeguarding etc. We would propose a day across the year to include a desktop exercise re: data and website compliance as well as a half day visit. From experience, the schools that are often more vulnerable within an LA, are those that are outstanding and remained uninspected for a considerable period of time and those that have retained good for a significant period.
- t) At the recent CPHA meeting on the 15 December 2022, feedback regarding the continuation of the present associate team model was very positive and endorsed. A vote was held with the majority of heads in favour of maintaining the school effectiveness service.

## 2. Main issues for Schools Forum

### Need for consideration

- a) The funding for the School Effectiveness team available through the School Improvement Monitoring and Brokerage Grant (SIMBG) ceases in March 2023; so, funding will be dependent upon the model chosen with funding to come out of the maintained schools' budget 2023/24.
- b) As shared at our last meeting in December, following the successful SE Associate model, it would make sense for this to continue into summer 2023, with a revised model implemented from September 2023. It makes no sense to adjust the way the SE team are working with our schools halfway through the academic year. This would be most unsettling for our headteachers of schools in a vulnerable position. It would be unlikely that we would be able to implement the staffing structure in time for an April 2023 start. The approximate costing of the team for the summer term 2023, would be £90,238K.
- c) Consideration also needs to be given to the reducing number of maintained schools causing concern joining a MAT, this is likely to reduce from 16 by a possible further 3 schools by the end of the academic year.
- d) A review of the role of the Service Manager for Early years, school strategy and performance is being undertaken as recruitment has not been successful to this post. The reinstatement of the previous role of 'Senior school effectiveness officer' is proposed to undertake the required duties laid down here. The appropriate leadership role of Early years is also under discussion. The interim post holder's contract has been extended to July 2023.
- e) A School Effectiveness options appraisal exercise has been undertaken. The existing team bring in a small, traded income through undertaking Headteacher's performance management, commissioned work and School reviews. Moving forward, the team will publish this School Improvement offer for 2023/24, open to all Calderdale schools.

f) **Suggested existing model to continue for summer term 23.**

Continued staffing: Interim Service Manager for Early years, Schools Strategy and Performance (£37K), 0.6 SEO (£16,982), full time BSO (£9,306), 8 associates (£26,950). Red schools continue to get 4 days of support and amber to continue to get 3 days of support. **Total costs = £90,238.**

g) **Suggested model 1** for autumn/spring term delivery 2023/24

Staffing: Senior School Effectiveness Officer (£54K), 0.6 SEO (£33,964), full time BSO (£18,612), 4 associates (£22,550). Red schools continue to get 4 days of support and amber to continue to get 3 days of support per term and maintained green schools (approx.40) x 1 day support across the academic year (£22K).

**Total costs** = £151,126 + £90,238 = £241,364 (**amount requested to be de-delegated = £136,364 by Schools Forum**).

- h) Suggested **model 2** for autumn/spring term delivery 2023/24.

Staffing: Senior School Effectiveness Officer (£54K), 0.6 SEO (£33,964), full time BSO (£18,612), 4 associates (£20,350). Red schools to get 3 days of support and amber to get 2 days of support per term and maintained green schools x 1 day support across the academic year (£22K).

**Total costs** = £148,926 + £90,238 = £239,164 (**amount requested to be de-delegated = £134,164 by Schools Forum**).

- i) Suggested **model 3** for autumn/spring term delivery 2023/24

Staffing: Senior School Effectiveness Officer (£54K), 0.6 SEO (£33,964), full time BSO (£18,612), 4 associates (£26,400). Red schools to get 4 days of support and amber to get 3 days of support per term.

**Total costs** = £132,976+ £90,238 = £223,214 **amount requested to be de-delegated = £118,214 by Schools Forum**).

NB if this model were to be chosen, green schools would need to receive their required support via the SI cluster model arrangements as detailed in the partnership framework document – September 2022.

### 3. Recommendations

- a) For School Forum members to recognize the successful delivery of the LA school improvement function during the autumn term 2022, involving a smaller number of officer input as well as SE associates and look to continue to support and fund this model going forward into the summer term 2023; to provide the stability needed for our schools causing concern and address our statutory duties.
- b) For School Forum members to agree to de-delegate funds from the maintained schools' budget to **support the continued summer 23 delivery model and model 1** going forward into the autumn and spring terms 23-24. As this model, provides the best support for the maintained schools causing concern as well as those that are risk assessed as green. With 1.6 officers to continue to support all the borough schools with a smaller core group of associates as well as providing increased commissioned work to both maintained and academy schools in the borough. Total cost to fund this model = £241,364. We would ask Schools forum to de-delegate **£136,364**.
- c) In choosing **model 2**, there is reduced support for our schools causing concern with an offer to our green schools. In choosing **model 3**, the schools causing concern continues to be the sole focus of the team's work.
- d) For School Forum members to consider the changing educational landscape and the need to work in partnership with all stakeholders to delivery the best education

for all the borough's children. To ensure that all providers are available to support our schools, so we can move from a rating of 82% good or better schools nearer to the national figure of 88%.

#### **4. Reasons for Recommendations**

- a) For a decision to be taken on a chosen model, so the necessary changes, required can be put in place ahead of a 1 April and 1 September 2023 start date/s.
- b) For a decision to be made, on the funding through the maintained schools' budget of the future chosen delivery model for the summer term 23 and the following academic year 23/24.

#### **5. Resource implications**

- a) All professionals, funding and resources to be in place by 31 March 2023 for the summer term model and by 31 August 23 for a 1 September commencement. An appointment to be made of a Senior School Effectiveness officer for 1 September 23 start.



## Appendix 1

### CALDERDALE SCHOOL IMPROVEMENT STRATEGY 2022

#### Protocol for Monitoring, Challenge, Support and Intervention in Schools

##### CONTEXT

There continues to be unprecedented change in our education system with the latest [Schools White Paper](#) and [Schools Bill](#). The documents outline immediate next steps towards the ambition for all schools to be in a strong multi-academy trust, or with plans to join or form one, by 2030. The implementation plan for the coming academic year commits to working with local partners within each of the Department's 55 Education Investment Areas (EIAs), and publishing priorities for each by the autumn. This approach will be taken across England but will begin in Education Investment Areas, as they are the areas most in need of rapid improvement.

This is an evolving strategy developed to provide a secure framework to support and challenge every school in Calderdale to improve the life chances of all our children and young people.

Calderdale LA works in partnership with all of its schools to ensure that children and young people engage in a wide variety of educational opportunities enabling them to reach their full potential and become confident citizens of the borough.

##### STATUTORY DUTY

The latest guidance is effective from 1 September 2022 and sets out the factors LAs and Regional Directors will consider, and the process they will follow in order to decide the right approach to supporting a school to improve. [Schools causing concern guidance](#)

Section 72 of the Education and Inspections Act 2006 places a statutory duty on all LAs in England, in exercising their functions in respect of maintained schools causing concern, to have regard to any guidance given from time to time by the Secretary of State.

This applies to:

- Maintained 'schools causing concern' (within the meaning of section 44 of the Education Act 2005).
- Maintained schools that are 'eligible for intervention' (within the meaning of Part 4 of the Education Act 2006).
- Other Maintained schools about which the Local authority and/or Secretary of State have serious concerns which need to be addressed; and
- Academies causing concern

Under the current Schools causing concern guidance, a local authority must exercise its education functions **with a view to promoting high standards**. Local authorities should also act as **champions of high standards of education** across maintained schools in their area, and in doing so should:

- Understand the performance of maintained schools in their area, using data as a starting point to identify any maintained school that is underperforming, while working with them to explore ways to support progress;
- Work closely with the relevant RD, diocese and other local partners to ensure maintained schools receive the support they need to improve;
- Where underperformance has been recognised in a maintained school, proactively work with the relevant RD, combining local and regional expertise to ensure the right approach, including sending warning notices, and using intervention powers where this will improve leadership and standards; and
- Encourage Good and Outstanding maintained schools to take responsibility for their own improvement; support other maintained schools; and enable other maintained schools to access the support they need to improve.

A School Improvement Monitoring and Brokering Grant has previously been provided to local authorities to assist them in fulfilling these core school improvement activities for the maintained schools in their area. The grant will cease in 2023-24, phased so that it will be reduced to 50% of the previous amount on a per school basis in FY 2022-23.

From 2022- 23, local authorities will be permitted to de-delegate from maintained schools' budget shares to fund this core school improvement activity. As set out above, these core school improvement activities extend beyond exercising of statutory intervention powers but do not extend to a duty to provide or fund school improvement services themselves; and relate only to schools they maintain, rather than academies which are accountable to the Secretary of State. However, should a local authority have any concerns about an academy's standards, leadership, or governance, they should raise these directly with the relevant RD.

## **MONITORING, CHALLENGE, SUPPORT AND INTERVENTION IN SCHOOLS IN CALDERDALE**

Schools are responsible for their own performance and the achievement and inclusion of all their pupils.

### **Roles and Responsibilities:**

- They should regularly review their performance and plan for continuous improvement with maximum freedom to make decisions and manage resources
- The Governing Body should set the broad strategy for the school's development through the cycle of performance assessment, target setting, action planning and review
- The most effective schools are open in sharing their good practice and look for best practice elsewhere locally, nationally and internationally.

### **Local Authority Responsibilities**

- As set out above, Calderdale Local Authority has a statutory duty to monitor the effectiveness of all schools in its area (including academies and free schools) working with the Regional Director. It targets its resources on those schools which need further support or challenge to secure improvement
- The Local Authority is also responsible for identifying poorly performing schools and providing or brokering early and effective support in order to prevent schools becoming those defined as 'schools not making necessary improvements.'

Calderdale LA aims to establish the best possible working relationships with schools based upon the principles of partnership, mutual trust and respect.

## **PROTOCOLS FOR IDENTIFYING, MONITORING, CHALLENGING, SUPPORTING AND INTERVENING IN MAINTAINED SCHOOLS CAUSING CONCERN**

These protocols recognise that schools are autonomous, that most schools are successful and that the majority offer good or outstanding provision for children and young people. Nevertheless, there may be occasions when the Local Authority is obliged to intervene in the best interests of children, young people and their families.

The Local Authority maintains a list of Schools Causing Concern (SCC).

There are **two potential Ofsted judgements that are less than good (requires improvement and inadequate)**. Schools that are less than good will automatically be placed on the SCC register at the appropriate level.

However, there will be other occasions where schools may be placed on the SCC register; for example, when the Local Authority has strong grounds to believe the school is no longer providing a good education for pupils or there are specific issues e.g. safeguarding, concerns about attainment and progress, particularly of vulnerable groups. Also where the school themselves have self-assessed as at risk. (See Appendix 1) If schools are placed on the SCC register for a reason other than an Ofsted inspection judgement of less than good, inclusion on the Local authority's SCC register remains confidential to the schools involved, unless that school is issued with a Formal Warning Notice.

In maintained schools where a school has failed to make satisfactory progress, or the Local Authority has serious concerns in line with the statutory duty it can issue a Formal Warning Notice. A Formal Warning Notice can be issued where the Local Authority deems, from its evidence that one or more of the following apply:

- The standards of performance of pupils at the school are unacceptably low and are likely to remain low so unless the Authority exercises their power under Part 4 of the 2006 Act:
- There has been a serious breakdown in the way a school is managed or governed that is prejudicing, or likely to prejudice, such standards of performance
- The safety of pupils or staff at the school is threatened (whether by a breakdown of discipline or otherwise)

A Warning notice would normally only be issued after the concerns had been fully discussed with the Governing Body, Headteacher and, if appropriate the diocese or foundation authorities and the concerns had not been addressed.

### **Categorisation**

All schools across Calderdale will be categorised according to their level of concern to the Local Authority.

For 2022-23 we are using 3 categories for our schools:

- **GREEN = no concern at this time.** This may well be due to a recent (within 1-2 years) Ofsted grading of Good or outstanding. Schools in this category will be encouraged to be part of the delivery/sharing of good practice, support and challenge to other Local

Authority schools. This happens already within our cluster school arrangements, primary headteachers delivering our Subject Leaders development programme and SE associates working as part of the school effectiveness team from September.

- **AMBER = of concern to the Local Authority.** This may be due to a high turnover of staff and/or dips in standards. It may be due to low attendance, high persistent absence and/or exclusions. Some vulnerable Good or RI schools will be automatically regarded as **AMBER** schools unless they are close to inspection and are high concern-where this is the case these will be categorised as **RED** schools.
- **RED = of high concern to the Local Authority.** These schools may have had significant changes of staff including senior leadership. The school's data may have declined rapidly or be historically below national. Governance at these schools may well be a concern. These schools may have significant problems with poor attendance, high persistent absence and/or exclusions. All Schools who have a Twice RI (schools not making necessary improvements)/Special Measures/Inadequate judgements will automatically be categorised as **RED** schools.

**Criteria for rating:** Please note that schools are regularly assessed using the information available to the Local Authority and the Risk Assessment will be amended to reflect the schools' circumstances at a specific time.

**Progress and Impact Visits:**

If a school is in Special Measures, Requires Improvement or has a Warning Notice it is automatically designated a School Causing Concern and therefore will have a number of Progress and Impact visits made by a School Effectiveness Officer/Associate which will be co-ordinated and quality assured by the Interim Service Manager for Early Years, School Strategy and Performance.

Other schools which have been identified as 'vulnerable' or causing concern and therefore categorised as **AMBER** or **RED**, will also have Progress and Impact visits which will be coordinated and quality assured by the Interim Service Manager for Early Years, School Strategy and Performance. The number of Progress and Impact visits will be dependent on whether the school is categorised as **AMBER** or **RED**.

Schools Causing Concern are regularly reviewed and altered as circumstances change. A written record is made of all progress and Impact visits and shared with the schools. The purpose of these meetings is to check on the progress the school is making, carrying out monitoring, broker further support and interventions, lead key performance meetings and for schools to evidence the progress they are making and the impact on standards within the school. These schools are responsible for **leading and driving their own school**

**improvement** with the support and challenge commissioned by the Local Authority.

Calderdale Council will ensure that they commission Officers and appropriate education associates/consultants who are highly experienced and have a proven track record of effective support and challenge to these schools. The associates will be quality assured and work within specific guidelines and programmes as set down by the Local Authority. The work of the associates will be timely and measured identifying the next step of the work in their improvement journey.

**Schools Causing Concern Headteachers are responsible for:**

- Leading and driving their school's improvement in the identified areas

- Providing the allocated officer/associate with the information needed to secure a high-quality visit within agreed timeframes and before the meeting takes place
- Ensuring that, where appropriate, other members of the leadership team and/or Governing Body are available to provide an input into the visit.
- Agreeing the definitive report, with the allocated officer/ associate and sharing the report with the Chair of governors, within agreed timeframes

#### **Timelines for submission of notes of visits:**

The visit report is an important record of school improvement priorities which have been agreed between the allocated officer/associate and the Headteacher and will usually contain recommendations for actions/support to move the school forward. Therefore, it is important that all stakeholders are made aware of the outcomes of the visit as soon as possible.

- Report sent to Headteacher by the allocated officer/associate to agree factual accuracy within 10 working days
- Headteacher to return agreed report within 5 working days
- Report sent to the Interim Service Manager for Early years, School Strategy and Performance
- Final report is retained in school file by the Local Authority. All school visit forms will be subject to a quality assurance process by the School Effectiveness team
- School visit records may be used to provide evidence to Ofsted of school improvement activity

#### **School Progress meetings:**

Termly, schools of most concern will also be required to attend a meeting with the Interim Service Manager for Early Years, School Strategy and Performance. The Headteacher and Chair of governors will be invited and documentation will be required a week prior to the meeting; including the school's SDP and SEF as well as the last two sets of governing body meetings. This will be an opportunity to discuss the progress being made by the school and the impact evidence available. Again, where a school is acknowledged to be making good progress and clear impact can be seen, they may be removed from this cycle of meetings. Also following an Ofsted judgement of Good or better; a school will be removed and risk assessed as a GREEN school.

#### **Local Authority Schools Causing Concern Meetings:**

The Local Authority report on schools at regular SLT meetings. The group includes managers from across the education service and is chaired by the Assistant Director for Education and Inclusion. Meetings focus upon all aspects of a school's performance. The Interim Service Manager for Early years, School Strategy and Performance is responsible for reporting on these schools.

The group will consider some of the following where they apply to a particular school:

- Little or no improvement in standards of attainment that are below average
- Wide gaps in progress and outcomes that are well below average for disadvantaged and vulnerable groups including SEND, LAC
- High rates of pupil absence, persistent absence and exclusion

- Safeguarding concerns
- Concerns around Quality First Teaching (QFT)
- Weak governance
- High levels of parental concerns and complaints including those made to Ofsted
- Notes of Progress and Impact visits which report poor progress and continued weak performance with little or no impact
- Rapid or significant reduction in pupil numbers
- Significant changes in staffing
- Financial deficit or financial mismanagement
- Reluctant to acknowledge concerns and addresses areas for improvement
- Reported incidents to suggest there is a breakdown of leadership or governance

### **Escalation and Intervention**

Following discussion of Schools Causing Concern at SLT meetings, the Interim Service Manager for Early years, School Strategy and Performance will be responsible for the escalation and intervention process in relation to maintained schools with the AD: Education and Inclusion. The Local Authority will issue a Local Notice of Concern (LNOC) or Performance Standards, Safety Warning notices (PSSWN) to maintained schools if:

- They do not engage in the quality assurance and challenge process
- They engage in the quality assurance and challenge process but are not proven to be taking effective action in securing rapid and sustained progress
- Where there are safeguarding issues which may result in a PSSWN notice being issued in the first instance

### **The Stages of Escalation: Action available to the Local Authority**

#### **STAGE 1**

- Categorisation
- Concerns shared with school
- Increased School Effectiveness officer/associate time and /or other brokered support as needed

#### **STAGE 2**

- LA Notice of Concern issued to Governing body
- Increased School Effectiveness officer/associate time and /or other brokered support as needed
- Action plan from Governing body is required by the LA

### STAGE 3

- Formal warning notice issued by LA to Governing Body
- Copied to Headteacher, Diocese, OFSTED and RD
- Action plan from Governing body is required by the LA

### STAGE 4

- LA intervention
- Withdrawal of financial delegation
- Appointment of an Interim Executive Board
- Appointment of additional governors to the existing Governing body

At all stages the aim is to enable the school to become self-improving and self-sustaining. It is an expectation therefore that the leadership of the school, within a reasonable time, is able to operate independently of support. The Local authority will maintain dialogue with schools, evaluating progress achieved and communicating any continuing concerns.

Progress and Impact meetings are time sensitive. If sufficient progress is made, the Headteacher and Chair of Governors is informed in writing. If progress is not evident and rapid improvement achieved, the Local Authority's response will be escalated to a more formal warning notice which is copied to Ofsted.

#### Stage 1

- a) Where a school has been identified as requiring significant additional support, the Headteacher will be notified initially through the risk assessment letter published at the start of the academic year in September. The allocated officer/associate will visit the school and ensure that the **correct priorities** are to be focused upon with the school. Termly progress meetings are held with the Headteacher and Chair of Governors present alongside the Interim Service Manager for Early years, School Strategy and Performance and the relevant officer/associate.

#### Stage 2

If insufficient progress has been made and concerns about performance continue, the Local Authority may issue a Notice of Concern which requires the school's Governing body to create a Rapid Recovery Plan which is time sensitive.

#### Stage 3

There are two types of warning notice that can be issued to maintained schools:

- Section 60 of the Education and Inspections Act 2006 sets out the provisions relating to a performance standards and safety notice. This section provides that either the Local authority or the Secretary of State (and therefore RDs on behalf of the Secretary of State) may issue such a warning notice
- Section 60A of the 2006 Act sets out the provisions relating to teachers' pay and condition warning notices. This section provides that the Local Authority may issue such a warning notice.

It is expected that Local authorities will use their powers to issue warning notices in schools they maintain. When a maintained school becomes an academy then the intervention role will fall solely to the Regional Director

Such a warning notice may be given by a Local Authority or a Regional Director, in one of the three following circumstances:

- The standards of performance of pupils at the school are unacceptably low and are likely to remain so;
- There has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice such standards of performance; or
- The safety of pupils or staff at the school is threatened (whether by breakdown of discipline or otherwise)

#### **Stage 4**

When a governing body has failed to comply with a warning notice to the satisfaction of the Regional Director or Local Authority, within the compliance period and the issuing Local Authority or Regional Director has given reasonable written notice that they propose to intervene, a school is eligible for intervention and further action may be taken.

The Local Authority or Regional Director must have specified in the warning notice what action they were minded to take if the governing body failed to comply.

It should be noted that some intervention powers must be exercised within a period of two months following the end of the compliance period. If The Local Authority or the Regional Director fails to exercise these powers within this time, these powers can no longer be exercised and a new warning notice must be given in order to do so.

Local authorities and Regional Director will work closely and co-operatively to support improvement in maintained schools that are causing concern. Where a maintained school is eligible for intervention, there are a number of statutory powers the Local Authority and the Secretary of State may use to support School improvement.

The local Authority must notify the Relevant Regional Director each time they intend to use their intervention powers and obtain consent from the Regional Director before appointing an Interim Executive board (IEB). The Regional Director will also notify the Local Authority before requiring the Governing body to enter into arrangements, appointing additional governors, appointing an IEB or when the Secretary of State directs a Local Authority to close a maintained school.

#### **Maintained schools judged inadequate:**

The Secretary of State has a duty to make an Academy Order in respect of any maintained school that has been judged inadequate by Ofsted, to enable it to become an Academy and receive additional support from a sponsor.



The Regional Director acting on behalf of the Secretary of State, will take responsibility for ensuring that the maintained school becomes a sponsored academy as swiftly as possible, including identifying the most suitable Academy trust and brokering the new relationship between that trust and the maintained school. The Local authority will work to support the Regional Director in the identification of a suitable solution wherever possible.

## **Conclusion**

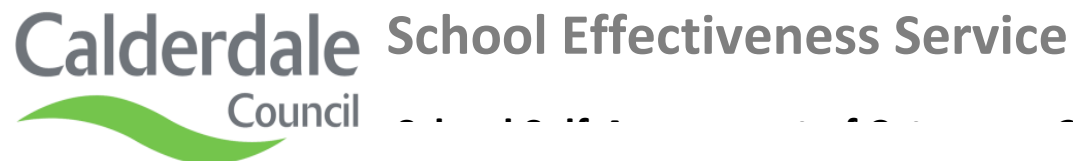
Calderdale Local authority works with schools where there is a need for increased capacity and where the agreed processes of review, evaluation, improvement planning and external support and challenge are a necessity accompaniment to what schools can do for themselves.

In partnership with Calderdale schools the Local authority:

- Encourages schools that are good or outstanding to support other schools and develop capacity to bring about system wide and sustainable improvement across the borough
- Promotes school to school support, placing this at the heart of system wide arrangements to help ensure a good or better school for every child in every cluster and locally
- Targets funding and resources to facilitate rapid improvement
- Supports and challenges schools to remain good or outstanding and improve from Ofsted 'requires improvement' and 'inadequate' judgements in the shortest possible time; and support schools in responding to national policy changes and government initiatives

September 2022

# APPENDIX 1



<b>School Name:</b>	
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	Criteria	p
	<i>A 'best fit' approach will be used in applying the criteria other than those shaded which are limiting factors.</i>	
<b>BAND GREEN</b>	Highly likely to be judged to be 'good' or 'outstanding' if inspected or evaluated by external consultants.	
	Internally assessed attainment at the end of every key stage for all pupils and all groups of pupils, including disadvantaged and SEND pupils, is likely to be consistently in line with or above the last known national average. If internally assessed attainment at the end of any key stage or in any subject is below prior year averages, it is improving.	
	Internally assessed progress measures indicate at least average progress across Key Stage 2 or Key Stage 4, for all pupils and groups including disadvantaged and SEND pupils in all subjects. Progress across the majority of other year groups, pupil groups and core subjects may indicate some variability, although in general, progress is at least average.	
	Outward facing links are increasing where appropriate. School leaders are taking the opportunity to work in collaboration with other schools in the cluster and beyond.	
	Behaviour is managed well; exclusions (Suspensions & Pex) are at least in-line with national or are reducing to be close to national.	
	Absence (Including PA) is at least in line with national averages or shows consistent improvements, with secure systems and processes evidencing impact through upward attendance trends if it is above average given the school's context.	
	The school has robust evidence to demonstrate safeguarding is effective.	

<b>BAND AMBER</b>	The school was judged to 'require improvement' at its most recent inspection.	
	Evidence indicates that school is likely to be judged to 'require improvement' by Ofsted at its next inspection.	
	Although judged as 'good' at its last full inspection, the school has recently been inspected under Section 8, with identified priorities for improvement and proposed Section 5 as its next inspection.	
	Statutory assessed attainment for 2022 at the end of any key stage is below indicative national averages (recognising this can be updated in September when official figures are available).	
	Internally assessed value added/progress indicates below average progress in two or more subjects for all pupils or groups, including disadvantaged and SEND pupils. (This could be updated when official KS1 to KS2 or KS2 to KS4 progress is available).	
	School leaders do not fully participate in outward facing links with the cluster, other partners and schools. In LA maintained schools, leaders do not fully engage with the work of School Effectiveness Officers to contribute to or support school improvement processes.	
	Behaviour is managed appropriately; there are few suspensions & exclusions, although this number is not reducing over time.	
	The school is subject to financial concerns.	
	Absence (including PA) is above national average and shows limited signs of improvement	
	The school has robust evidence to demonstrate safeguarding is effective.	
<b>BAND RED</b>	Judged to be 'special measures' or 'serious weaknesses' at its last Ofsted inspection and/or likely to be judged 'inadequate' if inspected or evaluated by external consultants.	
	Judged to 'require improvement' in two consecutive inspections.	
	Statutory assessed attainment is well below national averages in any subject or key stage or for particular groups across the school.	
	Internally assessed value added/progress indicates well below average progress in two or more subjects for all pupils or groups, including disadvantaged and SEND pupils. (This could be updated when official KS1 to KS2 or KS2 to KS4 progress is available).	
	There are significant concerns about behaviour; the number of suspensions & exclusions is high or rising.	

	The school's arrangements for safeguarding pupils do not meet statutory requirements and give cause for concern. The number of exclusions is high or rising.	
	Absence is consistently high for all pupils or groups of pupils and/or persistent absence was consistently high and shows little sign of improvement.	
	Complex weaknesses including leadership/governance issues are evident.	
	Serious financial concerns are evident.	

# Report to Schools Forum

<b>Meeting Date</b>	13 January 2022
<b>Subject</b>	School Funding Formula 2023/2024
<b>Report Author</b>	Jane Davy

<b>Report purpose</b>
To inform Schools Forum of the Individual School Budget Shares (ISB) calculated through the funding formula and the final DSG Schools Block allocation

<b>Need for consideration</b>
Consider the allocations of the ISB and to give a view.

<b>Need for decision</b>
Schools Forum is not legally required to make a decision. However, the views of Schools Forum will be used to determine the School Funding Formulae for 2023/24.

<b>Contact Officers</b>
<p>Jane Davy  Finance Manager  Local Management for Schools Team  Email: <a href="mailto:jane.davy@calderdale.gov.uk">jane.davy@calderdale.gov.uk</a>  Tel: 01422 393543</p>

# Report to Schools Forum

## 1. Background information and context

In December 2022 Schools Forum was consulted on the proposals for the Funding Formulae for 2023/24.

The proposal to follow the NFF funding factors and values was agreed in principle with officers reporting on the final funding Formulae in January 2023. Forum members were also in agreement with the disapplication requests for MFG and MFFL adjustment.

The Local Authority has to submit final allocations to the ESFA for approval no later than the 20 January 2023. Upon ESFA approval the LA will inform maintained mainstream schools of their individual allocations no later than 28 Feb 2023. Academies will receive their allocation from the ESFA based on the local formulae in March 2023.

## 2. Main issues for Schools Forum

### a) Final Schools Block DSG Allocation

The ESFA announced the final allocation on the 16 Dec 2022.

Calderdale have received £184.2m for the schools block, an increase of £7m million from 2022/23. When you include the supplementary funding for 22/23 of £5m and the adjustment to pupil numbers -£1.3m for a decrease of 260 pupils (225 Primary and 35 Secondary) the total increase equates to £3.3m.

Information of DSG allocation is available on the ESFA website, below is an analysis of how the Schools Block is calculated

	£M
Primary pupils	89.71
Secondary pupils	91.44
Rates	1.54
Split Site	0.07
PFI	1.08
Growth Funding	0.37

### b) Mainstream Individual School Funding Allocations

Calderdale has £183.84m to allocate through the funding formula, this is after retaining £0.37m for the growth fund and falling rolls as agreed in principle at the December meeting.

After running the formula based on the agreed factors and values set out at December School Forum there is a shortfall of £223k.

The LA have received £370k for growth fund, at the November meeting the indicative amount required for growth and falling rolls was £175K this has now

been revised to £147K see growth and falling rolls fund papers at agenda item 9.

The LA propose to release the £223k from the growth fund to fund the Individual School Budget, leaving £147k to fund growth and falling rolls (School Forum will have to vote on retaining the £147k).

Individual School Budgets have been calculated using the NFF values and factors as follows

MFG at 0.5%, no capping, all the funding factors as presented in November.

	2022/23		2023/24	
	Primary	Secondary	Primary	Secondary
Basic Entitlement				
KS1&2	3,217		3,394.54	
KS3		4,536		4,785.77
KS4		5,112		5,393.86
Deprivation				
FSM	470	470	480.08	480.08
FSM6	590	865	705.11	1030.16
IDACI A	640	890	670.11	930.15
IDACI B	490	700	510.08	730.12
IDACI C	460	650	480.07	680.11
IDACI D	420	595	440.07	620.10
IDACI E	270	425	280.04	445.07
IDACI F	220	320	230.04	335.04
Attainment	1,130	1,710	1,155.18	1,750.28
EAL	565	1,530	580.09	1,565.25
Mobility	925	1,330	945.15	1,360.22
Lump Sum	121,300	121,300	128,020.48	128,020.48

The disapplication requests are still awaiting approval from the ESFA, after running the formula it was found that only the MFG adjustment for The Halifax Academy needs to be applied to the funding formula.

An impact assessment of the proposed funding formula is shown at Appendix A

- c) In addition to the DSG Schools Block the government have announced that schools will receive a mainstream schools additional grant from April 2023 Calderdale have been notified of an indicative amount of £6m for mainstream schools. The ESFA will publish Individual school allocations in May 2023. However, the ESFA have published the following funding rates for 5-16 year old mainstream schools;

- basic per-pupil rate of £119 for primary pupils
- basic per-pupil rate of £168 for key stage 3 pupils
- basic per-pupil rate of £190 for key stage 4 pupils

- lump sum of £4,510
- FSM6 per-pupil rate of £104 per eligible primary pupil
- FSM6 per-pupil rate of £152 per eligible secondary pupil

The funding will be incorporated into the schools national funding formula (NFF) for 2024 to 2025.

### **3. Recommendations**

- a) To give a view on the Schools Block Allocation for 2023/24
- b) To note the information provided on the mainstream schools additional grant.

### **4. Impact of funding, targets and milestones**

See Appendix A

### **5. Resource implications**

The total Schools Block DSG allocation of £184.2m is allocated to schools through the Funding Formulae (£184.063m) and Growth Fund (£0.147m).



## 6. Appendices

	2022/2023		2023/2024		Difference in funding	
School Name	Pupil Numbers	Funding Formula £	Pupil Numbers	Funding Formula £	Increase/Decrease	% Increase/Decrease
Abbey Park Academy	195	987,764	197	1,060,746	72,982	7.39%
Trinity at Akroydon Primary	322	1,563,047	289	1,470,617	-92,430	-5.91%
All Saints' CofE VA Junior and Infant School	211	902,859	212	936,804	33,945	3.76%
Ash Green Community Primary School	411	2,194,109	404	2,285,015	90,906	4.14%
Bailiffe Bridge Junior and Infant School	198	863,199	198	915,309	52,110	6.04%
Barkisland CofE VA Primary School	192	821,670	194	857,360	35,690	4.34%
Beech Hill School	459	2,435,995	461	2,519,039	83,044	3.41%
Bolton Brow Primary Academy	208	908,216	210	965,614	57,398	6.32%
Bowling Green Primary School	139	648,117	145	709,543	61,426	9.48%
Bradshaw Primary School	330	1,412,544	331	1,463,363	50,819	3.60%
Brighouse High School	1,038	5,951,426	1,032	6,294,996	343,570	5.77%
Burnley Road Academy	187	864,146	180	881,356	17,210	1.99%
Calder Learning Trust	1,388	7,861,854	1,370	8,209,522	347,668	4.42%
Carr Green Primary School	311	1,360,463	312	1,451,981	91,518	6.73%
Castle Hill Primary School	194	885,083	182	880,972	-4,111	-0.46%
Central Street Infant and Nursery School	59	362,059	59	381,355	19,296	5.33%
Christ Church CofE VA Junior School, Sowerby Bridge	118	616,875	110	619,139	2,264	0.37%
Christ Church Pellon CofE VC Primary School	165	898,481	168	980,422	81,941	9.12%
Cliffe Hill Community Primary School	186	994,188	169	948,784	-45,404	-4.57%
Colden Junior and Infant School	81	464,917	77	474,896	9,979	2.15%
Copley Primary School	274	1,200,610	289	1,305,045	104,435	8.70%
Cornholme Junior, Infant and Nursery School	164	847,047	148	830,781	-16,266	-1.92%

Cross Lane Primary and Nursery School	302	1,451,598	305	1,543,930	92,332	6.36%
Dean Field Community Primary School	198	1,048,149	199	1,117,014	68,865	6.57%
Elland CofE Junior and Infant School	162	909,915	160	974,518	64,603	7.10%
Ferney Lee Primary School	182	988,693	181	1,016,685	27,992	2.83%
Field Lane Primary School	96	581,526	99	631,742	50,216	8.64%
Hebden Royd CofE VA Primary School	83	420,771	92	479,589	58,818	13.98%
Heptonstall Junior Infant and Nursery School	68	391,403	67	400,024	8,621	2.20%
Holy Trinity Primary School, A Church of England Academy	359	1,678,948	351	1,711,989	33,041	1.97%
Holywell Green Primary School	173	817,343	166	833,907	16,564	2.03%
Lee Mount Primary School	317	1,620,993	307	1,662,421	41,428	2.56%
Lightcliffe Academy	1,052	6,271,790	977	6,251,560	-20,230	-0.32%
Lightcliffe CofE Primary School	409	1,749,812	414	1,829,097	79,285	4.53%
Ling Bob Junior, Infant and Nursery School	301	1,607,997	306	1,692,813	84,816	5.27%
Longroyde Primary School	364	1,582,361	374	1,708,124	125,763	7.95%
Luddenden CofE School	117	625,614	100	592,212	-33,402	-5.34%
Luddendenfoot Academy	189	808,671	191	851,390	42,719	5.28%
Midgley School	93	473,966	95	507,870	33,904	7.15%
Moorside Community Primary School	205	1,123,094	207	1,196,289	73,195	6.52%
Mount Pellon Primary Academy	328	1,713,409	294	1,599,347	-114,062	-6.66%
New Road Primary School	147	765,842	162	858,512	92,670	12.10%
Norland CE School	93	474,373	76	432,004	-42,369	-8.93%
Northowram Primary School	410	1,783,722	405	1,819,097	35,375	1.98%
Old Earth Primary School	416	1,781,562	412	1,842,346	60,784	3.41%
Old Town Primary School	80	421,481	71	402,859	-18,622	-4.42%
Park Lane Academy	454	3,327,291	449	3,502,441	175,150	5.26%
Parkinson Lane Community Primary School	508	2,569,765	524	2,789,852	220,087	8.56%
Rastrick High School	1,678	9,535,029	1,743	10,449,040	914,011	9.59%
Ripponden Junior and Infant School	193	866,510	195	923,876	57,366	6.62%
Riverside Junior School	150	692,966	143	699,379	6,413	0.93%
Ryburn Valley High School	1,378	8,102,397	1,383	8,617,085	514,688	6.35%

Sacred Heart Catholic Voluntary Academy	169	818,705	192	986,775	168,070	20.53%
Salterhebble Junior and Infant School	210	960,730	209	999,460	38,730	4.03%
Salterlee Primary School	102	483,870	101	501,805	17,935	3.71%
Savile Park Primary School	388	2,363,906	364	2,285,556	-78,350	-3.31%
Scout Road Academy	105	507,225	100	506,999	-226	-0.04%
Shade Primary School	178	824,638	178	853,073	28,435	3.45%
Shelf Junior and Infant School	257	1,110,451	257	1,146,431	35,980	3.24%
Siddal Primary School	191	967,029	183	984,127	17,098	1.77%
Trinity Academy St Peters	115	645,130	106	637,604	-7,526	-1.17%
St Andrew's Church of England (VA) Infant School	155	748,154	166	834,994	86,840	11.61%
St Andrew's CofE (VA) Junior School	216	999,577	208	1,020,198	20,621	2.06%
St Augustine's CofE VA Junior and Infant School	153	874,121	146	889,395	15,274	1.75%
Trinity Academy St Chads	173	744,981	151	698,748	-46,233	-6.21%
St John's (CofE) Primary Academy, Clifton	207	887,130	208	934,720	47,590	5.36%
St John's Primary School In Rishworth	146	636,238	144	665,049	28,811	4.53%
St Joseph's Catholic Primary School	186	834,049	164	809,102	-24,947	-2.99%
St Joseph's Catholic Primary School, Brighouse	197	873,417	195	921,773	48,356	5.54%
St Joseph's RC Primary School, Todmorden	141	751,773	122	713,254	-38,519	-5.12%
St Malachy's Catholic Primary School, A Voluntary Academy	162	943,690	148	913,636	-30,054	-3.18%
St Mary's Catholic Primary School	290	1,394,962	303	1,534,666	139,704	10.01%
St Mary's CofE (VC) J and I School	99	485,719	98	506,945	21,226	4.37%
St Michael and All Angels CofE Primary & Pre School	187	820,234	188	878,696	58,462	7.13%
St Patrick's Catholic Primary School	109	554,880	101	558,870	3,990	0.72%
Stubbings Infant School	31	244,515	33	263,208	18,693	7.64%
The Brooksbank School	1,465	8,518,623	1,419	8,753,943	235,320	2.76%
The Crossley Heath School	907	5,033,396	903	5,182,866	149,470	2.97%
The Greetland Academy	403	1,749,020	410	1,837,619	88,599	5.07%
The Halifax Academy	1,406	9,132,739	1,438	9,591,213	458,474	5.02%
The North Halifax Grammar School	903	5,014,470	899	5,163,180	148,710	2.97%
Todmorden CofE J, I & N School	204	977,271	204	1,022,372	45,101	4.61%

Todmorden High School	883	5,297,898	891	5,701,516	403,618	7.62%
Triangle CofE VC Primary School	200	890,975	191	906,531	15,556	1.75%
Trinity Academy Grammar	891	6,248,899	931	6,779,002	530,103	8.48%
Trinity Academy, Halifax	1,587	10,011,979	1,605	10,658,284	646,305	6.46%
Tuel Lane Infant School	69	412,834	64	407,802	-5,032	-1.22%
Wainstalls School	208	889,091	203	899,201	10,110	1.14%
Walsden St Peter's CE (VC) Primary School	165	758,479	172	825,557	67,078	8.84%
Warley Road Primary Academy	478	2,332,500	451	2,318,854	-13,646	-0.59%
Warley Town School	142	640,533	140	687,888	47,355	7.39%
West Vale Primary School	138	707,839	123	680,872	-26,967	-3.81%
Whitehill Community Academy	630	2,742,758	628	2,915,166	172,408	6.29%
Withinfields Primary School	310	1,377,712	313	1,466,788	89,076	6.47%
Woodhouse Primary School	420	1,820,740	418	1,870,730	49,990	2.75%
<b>Total</b>	<b>32,911</b>	<b>176,264,540</b>	<b>32,653</b>	<b>184,094,134</b>	<b>7,829,594</b>	<b>4.44%</b>

9 Schools on MFG

10 Schools on MFFL

# Report to Schools Forum

<b>Meeting Date</b>	12 January 2022
<b>Subject</b>	Falling Rolls Fund
<b>Report Author</b>	Jane Davy

<b>Report purpose</b>
To provide members of Schools Forum with an update report on the amount of Falling Rolls fund required to be retained from the growth fund element of the schools block DSG for 2023-2024.

<b>Need for Decision</b>
For School Forum to agree the amount to be retained for the Falling Rolls Fund.

<b>Contact Officers</b>
<i>Jane Davy-Finance Manager LMS Team</i>  <i>01422 393543</i> <i>Jane.davy@calderdale.gov.uk</i>

# Report to Schools Forum

## 1. Background information and context

LA officers presented a report at the November School Forum meeting in respect of setting up a falling rolls fund from April 2022.

School Forum agreed in principle to retain all of the growth fund allocated to the Schools Block in 2022/23 to fund Growth Fund and Falling Rolls Fund.

LA officers were asked to bring a report to Schools Forum once the DSG and school data had been confirmed.

## 2. Main issues for Schools Forum

### Need for consideration

- a) Schools individual data was announced on the 20 December 2022.  
LA officers have used this data to calculate the estimated amount required to fund the 2023/24 Falling Rolls.
- b) 10 primary schools meet the criteria 1-5 in the agreed criteria listed in Appendix A, 2 primary schools are projecting to have balances less than £60k (criteria 6) as at 31<sup>st</sup> August 22 (academies) or 31 March 23 (maintained schools), 1 of these schools will not be eligible for funding after deducting sparsity funding. 2 primary school is just above the £60k balance and may be eligible, the remaining 4 schools all have forecasted balances well over £60k and it is unlikely they will qualify for funding. This data will be further assessed in the summer term upon receipt of their year end accounts in April 2023. Academies will be assessed on their accounts as at the 31 August 2022. Schools who are above the minimum amount of agreed surplus balances may be eligible to qualify if they can provide evidence that the balances as at 31 August 2022, or 31 March 2023 include unspent ring fenced grants.
- c) Based on the above it is estimated that £146k, £134k expenditure plus a contingency of £12k for any schools which may qualify due to reduced surplus balances, will be required to fund falling rolls, this will be funded from the Schools Block DSG Growth Fund allocation of £369k, leaving £223k to fund individual school block. A summary of the estimated expenditure is shown below. A further report detailing actual expenditure will be brought to Schools Forum in autumn 2023. All eligible schools will trigger a review with the LA to discuss the options available.

School Name	Estimated Expenditure £
Christ Church Junior School	36,774
Cornholme Primary School	41,786
Norland Primary School*	18,741
Old Town Primary School*	25,813
Tuel Lane Infant School	17,680
<b>Total</b>	<b>140,974</b>
Budget	146,248
Surplus brought forward from 21/22	6,545
<b>Estimated surplus **</b>	<b>11,819</b>

\*Old Town Primary School and Norland Primary school are currently forecasting to be just above the £60k balance threshold, if this is still the case in April 23 they will not be eligible for funding.

\*\* £11,819 retained as contingency for additional claims on the fund.

### 3. Recommendations

- a) Schools Forum notes the estimated falling rolls expenditure for 2023/24.
- b) Schools Forum agree to retain £146,248 for falling rolls fund for 2023/24.

### 4. Reasons for recommendations

- a) The LA should report the expenditure and balance of Falling Rolls Fund in accordance with the School Finance Regulations to schools forum.
- b) As falling rolls is funded within the schools block, a movement of funding from the schools formula into the falling rolls fund would not be treated as a transfer between blocks. The schools forum still needs to agree the total falling rolls fund.

### 5. Impact of funding, targets and milestones

Falling Rolls Fund supports schools and academies with falling pre-16 pupils numbers to maintain a good or outstanding quality of education until pupil numbers recover or whilst undergoing a restructure. All eligible schools will trigger a review by the LA in partnership with the schools governing body (maintained) or school resource management advisers (academies).

### 6. Resource implications

Funding should be met from the 2023/24 schools block allocation.

Funding for falling rolls cannot be met from any other sources of funding. Therefore, if funding is not retained from the schools block, schools will not receive any funding

to support the school to maintain standards until either pupil numbers recover or a restructure has taken place.



## **APPENDIX A**

### **Falling Rolls Fund**

Falling Rolls is funded from the schools block allocation for Growth Funding. The Falling Rolls Fund Criteria and the amount allocated is agreed by the Schools Forum.

#### **Falling rolls fund criteria and method of allocation.**

1. The school must have been judged good or outstanding at their last Ofsted inspection. In exceptional circumstances a dispensation will be sought for schools judged as RI.
2. Only schools with fewer than 420 pupils will be considered for the falling rolls fund.
3. Schools receiving growth funding are excluded.
4. Between the October census two years prior to the latest census the total NOR (for the whole school) has dropped by at least 10% and the number of pupils admitted to reception or year 7 by at least 20% of the PAN.
5. The drop in NOR is not a result of a bulge class leaving the school.
6. Balances held by the school, Academy or MAT at the last year-end must be less than £60k excluding ring fenced grants (Example PE and Sports Grant Premium, Cluster Income).
7. Local planning data shows the places (at the school) will be required within the next 3 years.

Funding will normally be available for a maximum of 3 years, provided that pupil numbers do not recover in the meantime.

OR

8. The school will require funding to continue to provide pupil places in the short term, maintain a good or outstanding quality of education whilst undergoing a restructure due to an anticipated fall in school rolls.

Funding is available for a maximum of a year for a single establishment restructure or up to a maximum of three years for multi establishment restructures.

9. Schools eligible for funding will trigger a review by the Local Authority in partnership with the schools governing body (maintained) or school resource management advisers (SRMA) (Academies). The academy will be required to report to the LA.
10. If schools/academies meet the above criteria they will be allocated funding based on the basic entitlement (AWPU) for the vacant places below 85% of PAN for the whole school - See point 7 & 8 above for the duration of funding)  
The minimum funding guarantee (MFG) and sparsity funding will be deducted from the additional funding.

# Report to Schools Forum

<b>Meeting Date</b>	12 January 2023
<b>Subject</b>	Growth Fund Update
<b>Report Author</b>	Jane Davy

<b>Report purpose</b>
To provide members of Schools Forum with an update report on how the Growth Fund has been spent in 2022/23 and to confirm the amount of DSG (schools block) to be retained for this purpose in 2023-24.

<b>Contact Officers</b>
<i>Jane Davy-Finance Manager LMS Team</i>  <i>01422 393543</i> <i>Jane.davy@calderdale.gov.uk</i>

# Report to Schools Forum

## 1. Background information and context

LA officers presented a report at the November School Forum meeting. The report asked Schools Forum to agree an amount of Schools Block DSG to be retained for 2023/2024.

School Forum agreed in principle to retain all the growth fund allocated to the Schools Block in 2023/24 to fund Growth Fund and Falling Rolls Fund

LA officers were asked to bring a report to Schools Forum once the DSG and school data had been confirmed.

## 2. Main issues for Schools Forum

### Need for consideration

- d) Schools individual data was announced on the 20 December 2022.

LA officers used this data to calculate the 2022/23 Growth Fund allocation.

The report in November estimated expenditure of £997,596 actual expenditure is £934,008 the difference is because the following Schools/Academies did not get the additional pupils expected; Brooksbank 15 (estimate 15, actual 0), Calder Learning Trust 25 (estimate 30, min payment 25), Rastrick and Ryburn 2 less than expected.

All qualifying schools will receive payment for September 2022 to March 2023 in January 2023, Academies will receive a further payment in the summer term for the period April to Sept 2023.

The total underspend has therefore increased by £63,588 from £175,069 to £238,657.

- e) DSG final allocations were announced on the 16<sup>th</sup> December 2022.

The Growth fund allocation for Calderdale is £369,525 revised estimates for 23/24 growth fund is £472,011, the LA will receive a further £276,305 in 23/24 from the ESFA to fund the academies for April to Sept 23, along with the carry forward from 2022/23 of £238,657 the LA won't need to retain any growth funding for 23/24 for growth. It is proposed that £223k is used for the individual school budget share and the balance of £147k retained for the Falling Rolls Fund. (see the paper next on the agenda for further information). A summary of

the growth estimated expenditure is shown below. A further report will be brought in autumn 2023 of the expected expenditure for Growth.

<b>Growth Fund Summary</b>					
	<b>Actual</b>	<b>Estimate</b>			
<b>School</b>	<b>2022/23</b>	<b>2023/24</b>			
Copley	28,190	28,204			
Calder Learning Trust	66,238				
<i>Rastrick Academy</i>	245,811	81,378			
<i>Trinity Grammar</i>	195,862	56,775			
<i>Trinity Academy Halifax</i>	152,369	56,775			
<i>Brooksbank</i>	33,428	41,875			
<i>Ryburn</i>	212,112	207,004			
<b>Total Annual Cost</b>	<b>934,008</b>	<b>472,011</b>			
Budget	<b>580,586</b>	<b>0</b>			
refund from EFA re Academy Schools	452,754	276,305			
overspend/underspend	99,332	-195,706			
Projected Cumulative overspend	<b>238,657</b>	<b>42,951</b>			
N.B.					
All estimated calculations based 2023-24 proposed Formula					
Pupils numbers provided by Capital and Access Team and will be subject to change					

### 3. Recommendations

- c) Schools Forum notes the Growth Fund actual expenditure for 2022/23.
- d) Schools Forum agree not to retain any funding for Growth for 2023/24.

### 4. Reasons for recommendations

- c) The LA should report the expenditure and balance of Growth Fund in accordance with the School Finance Regulations to schools forum.
- d) As growth fund is within the schools block, a movement of funding from the schools formula into the growth fund would not be treated as a transfer between blocks. The schools forum still needs to agree the total growth fund.

### 5. Impact of funding, targets and milestones

Growth Fund supports growth in pre-16 pupil numbers to meet basic need, A maintained school with an additional form of entry from September would ordinarily only receive formula funding from the following April, academies would only receive formula funding from the following September. Expanding schools will not only incur the costs of educating those children in that period but will also have setting up costs

(preparing classrooms, providing materials and resources) and have some lead in costs (recruitment and salary costs).

## **6. Resource implications**

Funding is to be met from the 2023/24 schools block allocation.

Funding for growth cannot be met from any other sources of funding. Therefore, if funding is not retained from the schools block, growing schools will not receive enough funding to support the additional pupils in that school until the following April or Sept for maintained schools and academies respectively.

# Report to Schools Forum

<b>Meeting Date</b>	12 January 2023
<b>Subject</b>	De-Delegation of Funding 2023/24
<b>Report Author</b>	Gillian Poole/Jane Davy

## Report purpose

For Forum members to vote on whether funds for Union facilities time for maintained Primary and Secondary funds should be de-delegated in 2023/24

## Need for consideration

Forum members are required by the EFSA operational Guidance each year to vote whether these funds should be de delegated. Appendix 1 shows a request from the teacher unions to increase the base funding to £3.16 per pupil Primary schools and £4.24 per Pupil Secondary schools.

## Need for decision

- a)** Appropriate Forum members should vote on whether the funds for union facilities time for maintained primary schools in Calderdale should be de-delegated in 2023/24.
- b)** Appropriate Forum members should vote on whether the funds for union facilities time for maintained secondary schools in Calderdale should be de-delegated in 2023/24.
- c)** Forum members to vote on whether the union facilities rate be increased per pupil to £3.16 Primary and £4.24 per Secondary pupil for maintained schools in Calderdale to support the work of the unions.

## Contact Officers

*Jane Davy*  
*Finance Manager LMS Team*  
  
*Jane.davy@calderdale.gov.uk*

# Report to Schools Forum

## 1) Background information and context

a) The EFSA produces school funding operational guidance and these provide for local authority schools forums to annually take a decision on whether specific funds should be de-delegated and retained by a local authority to provide a joint service on behalf of all maintained schools. This arrangement is not applicable to academies, who make their own arrangements, but academies may choose to buy into any centrally arranged joint service.

b) Last year Calderdale's schools Forum voted to continue to de-delegate funding for union facilities time for both primary and secondary schools (two separate votes). The indicative funding available in 2023/24 is shown in the table below and totals £40,026. The budget will be amended if there are any further academy conversions in 2023-24.

Maintained Schools	Union Facilities Time £
Primary Schools (48)	30,791
Secondary Schools (2)	9,235
TOTAL (50) Schools	40.026

The Local Authority administers the 'de-delegated' budget, the collection of contributions made by academies, approval and release of funding to unions or authorisation of any claims, and monitoring of costs and usage of individual union allocations. The Local Authority receives a management fee for this work of £4,000 from these funds.

## 2) Main issues for Schools Forum

a) The union facilities time service being provided here is not the provision of "school" based representatives (such representatives are usually provided with reasonable time within school to undertake such work). This service is for the provision of "local" representatives. The service to be provided by the unions is set out in Appendix 1.

b) Academies and special schools make their own arrangements for union facility time. As at April 2022, 19 of Calderdale's academies and 3 Special Schools were buying into the traded service offered by the unions. This will generate income for the union facilities time of £30k in 2022/23 with approx £31k to be expected in 2022/23.

c) The total de-delegated budget, plus academy income, is then earmarked as an allocation for each union (Based on the membership at 1 September 2023) and allocated on either an Invoice or claim provided.



d) The Unions are again requesting that Calderdale maintained schools support the de-delegation of the funding for 2023/24 for the services to be provided in the attached paper.

e) Calderdale's Federation of Teacher Unions have discussed the proposal of increasing the sum available to support the work of the unions through increasing the rate charged per pupil please see attached paper outlining the proposal for schools forum to consider.

f) It will be for primary and secondary **maintained** school representatives only on Schools Forum to vote on whether funding for union facilities time should be de-delegated in 2023/24 (by a separate vote of primary and secondary). It will be important for voting members to represent the wishes of their constituent groups. In the result of a tied vote the Forum chair has the deciding vote.

g) It has previously been the case that the interested groups of Head Teachers and governors have supported the de-delegation of funding for union facilities time as the view has been expressed that all schools need to work with Unions to reduce the likelihood of costly employment disputes.

### **3) Recommendations**

a) Appropriate Forum members should vote on whether the funds for union facilities time for maintained primary schools in Calderdale should be de-delegated in 2023/24.

b) Appropriate Forum members should vote on whether the funds for union facilities time for maintained secondary schools in Calderdale should be de-delegated in 2023/24.

c) Appropriate Forum members should vote on whether the funds for union facilities time for maintained schools in Calderdale should be increased to £3.16 for primary schools and £4.24 for secondary schools.

### **4) Reasons for recommendations**

To comply with the operational guidance issued by the EFSA on school funding.

### **5) Impact of funding, targets and milestones**

If de-delegation is not approved, schools will have to make their own arrangements to access this resource and be charged on an individual usage basis.

### **6) Resource implications**

The current budget is allocated to schools using pupil numbers in each sector. This provides a funding rate of £3.16 per pupil in the Primary Sector and £4.24 in the

Secondary one. There are currently 9,800 pupils in the Primary Sector and 2,178 in the Secondary Sector.

If the Proposed Increase from Union Representatives to the forum is approved there will be a requirement for a further £4.

## 7) Appendices

### Appendix 1

#### **De-delegation of union facilities time.**

#### **A Joint paper on behalf of the Calderdale teacher Unions**

##### **1. Purpose of Document**

The purpose of the paper is to provide information as to how the teacher union facilities time has operated since de-delegation was first approved in October 2012 in order that Schools Forum can review that system.

Throughout the document the 'statistics' refer solely to the duties carried out by the following unions NEU, NASUWT and NAHT.

##### **2. What does the law require?**

There are several pieces of legislation which apply to the provision of facilities to discharge trade union duties. These include the Trade Union and Labour Relations (Consolidation) Act 1992, the Health and Safety at Work etc Act 1974 and the Safety Representatives and Safety Committees Regulations 1997.

In Calderdale the decision to de-delegate funding in primary and secondary maintained schools, the decisions by a number of Academies to 'buy-in' and decisions by a majority of the Special Schools to 'buy-in' enables funding to be made available so that facilities can be provided as per the legislation, in those schools which are 'part of the system'.

These facilities are potentially provided to all the teacher trade unions in Calderdale and are currently claimed, in proportion to declared membership, by (order of size). These arrangements currently does not include non-teaching staff in schools.

##### **3. Schools that do not contribute**

Clearly, however, the local (Calderdale-level) branches of the teacher trade unions are unable to provide legal representation, advice and support within school hours to their members in schools that do not 'buy-in'.

##### **4. Trade union duties**

The trade union duties that might be undertaken on behalf of members include :

- disciplinary hearings,
- grievance hearings,
- informal capability meetings,
- formal capability meetings,
- sickness absence monitoring meetings,
- terms and conditions of employment,
- consultation meetings on changes to working arrangements,
- investigations,
- termination of employment,
- suspension of employment,
- the duties of employment of a member,
- the duties of employment of a group of members,
- advising and representation with regard to flexible working

- negotiation and consultation, and other procedures, relating to the above matters, including the recognition by employers of the right of a trade union to represent members in such negotiation or consultation or in the carrying out of such procedures,
- consultation relating to TUPE,
- negotiations under TUPE,
- Section 188 redundancy notices,
- investigate member's complaints regarding health, safety or welfare at work,
- carry out health and safety functions such as investigating potential hazards,
- making representations to the employer on the above,
- representing members in workplace consultations on Health & Safety,
- attending safety committee meetings
- representing members at meetings,
- providing information and guidance to school reps,
- (union learning reps) carrying out 'relevant learning activities',
- facilitating compromise (settlement) agreements.

During the past year the unions carried out on one, or more than one, occasion all the duties listed above. In addition all the local union representatives with time funded by facility time undertook training during the year.

In addition to the above the teacher trade unions have been involved in extensive consultations during the last year with both HR in the LA and other providers on a number of policies and advice. This enables HR providers to be able to offer schools policies which have already been consulted upon with the teacher trade unions. This has the clear advantage that should a school adopt such policies it can do so in the knowledge that it is not going to be 'in dispute' with the trade unions.

## **5. Scope of Support and Advice**

During the past year the teaching unions have provided advice to, supported and represented members in many maintained schools as well as many academies and special schools that 'buy into' the system.

It is worth noting that schools may well be unaware that union members in their school have sought advice from their union as frequently advice consists of telephone calls, emails or meetings off the school premises. Union advice given in such a way, where it clarifies a member's rights, entitlements or duties, or resolves a potential dispute without recourse to any school procedure can prevent any unnecessary conflict/dispute in school.

This preventative work constitutes a considerable amount of the casework undertaken by local officers, this being higher in schools without a school representative.

## **6. The request for continued de-delegation of the facilities budget**

The request from the teacher trade unions is to continue for the year 2023-24 the de-delegation of the trade union facilities budget, as the system of teacher trade union facilities currently operating in Calderdale demonstrably continues to work effectively and efficiently.

In a national context the government recognises that there are significant benefits to both employers and employees when organisations and unions work together effectively to deliver high quality public service. This requires public sector organisations who employ over 49 Full Time Equivalent Staff to publish information relating to trade union usage/spend.

If there is a decision made by the Schools Forum not to continue to de-delegate the funding for the Teacher Trade Union Facilities budget this would consequently lead to the collapse of the local Calderdale facilities arrangements as the cost of releasing existing Local Trade Union Officers would be then borne by the small number of schools in which the current representatives are employed – a position unions feel would be completely untenable.

Duties currently undertaken by the trained, experienced Local Officers of the recognised unions would then have to be undertaken at a school level by school-based representatives.

This would mean that every school would have to:-

- fund the costs of having a fully trained and accredited representative for every union.
- school representatives would need to be trained to a much higher level of expertise than is currently necessary.
- initially each representative would be required to undertake a three-day training course for which they would be entitled to time-off with pay.
- further training would then be required on an annual basis.
- plus each union would be entitled to appoint a health and safety representative and a union learning representative, both of whom would be entitled to paid time-off to undertake the necessary training.

Following the training each representative would then be entitled to reasonable time-off, with pay, to carry out their duties.

Consequently all of the above would

- place a considerable financial burden on every school.
- be much more disruptive to the smooth running of schools and to the learning of the pupils, as each time a union representative was required to represent a member in school, carry out a health and safety inspection or carry out their ULR role, this would require the representative to be released from their teaching duties.
- fewer issues would be resolved informally, resulting in a significant increase in costs to schools and workload for school leaders, governors and LA officers. Disciplinary, grievance and capability issues would be more likely to escalate, with cases much more likely to reach employment tribunals.

The current system of Calderdale-wide representatives on paid facility time means that such disruption, to the teaching and learning, is minimised and is clearly also much more cost-effective.

The current arrangements efficiently pool the cost risk to individual schools as well as allowing trade unions to provide more effective support through trained and experienced representatives.

Please note - Union subscriptions are used to provide support to all members of the trade unions at a national and regional level as well as providing legal support where this is necessary. Union subscriptions are not used to provide facility time which is an entitlement under legislation to be provided by the employer.

**7. The request for the consideration of an increase in the amount of facility time funding**

There continues to be concerns from elected local union officers who undertake trade union duties funded by the de-delegated facilities budget, regarding the amount of the budget providing insufficient funds to enable local officers to undertake the duties and legal representation required by schools.

This appears to be due to the following factors:

- The amount of casework needing union officer time is increasing. While changes to legislation and statutory guidance to employers prompts some of this increase, the largest part is due to the current school funding situation.
- As there has been an increase in teachers pay this academic year and will likely to be an increase in September 2023. This means that in terms of time, which is the key factor in trade union representative release, the facility pool is actually shrinking.

**The current situation**

The rate of £2.76 per primary and £3.84 per secondary pupil was agreed by schools forum in 2021 for the academic year 2022-23.

Neighbouring local authorities charge significantly more per pupil for facilities time. *Although not the lowest rate in the country, £2.36 per pupil is significantly lower than most other local authorities, including those nearest to us. As an example, Bradford's per pupil cost is £5.26, Kirklees is £5.71, and in Leeds it is £5.63 plus £3.08 extra per pupil premium pupil.*

In light of the above the Calderdale teaching unions -

Would request to continue to provide a local level of union representation and that the cost per pupil be increased to £3.16 per pupil (Primary) and £4.24 per pupil (Secondary) for the year 2023-24.

The teaching profession continues to be one of the most unionised professions in the country and consequently the recognised teaching unions in Calderdale are able to represent over 99% of the teachers in Calderdale.

**Conclusion**

The current system of effective representation by trained and experienced local representatives has been demonstrated to be an effective and efficient process and should continue to the benefit of all concerned.

A decision not to de-delegate for a further year would inevitably lead to an increase in cost to the majority of schools and, potentially, to all schools as well as a considerable worsening in 'industrial relations' to the detriment of all concerned.

With regard to the content of this report the Calderdale teaching unions are requesting to continue to provide a local level of union representation and that the cost per pupil be increased to £3.16 per pupil (Primary) and £4.24 per pupil (Secondary).

**Compiled by the union officers of the Calderdale Federation of Teaching Unions.**

# Report to Schools Forum

<b>Meeting Date</b>	12 January 2023
<b>Subject</b>	Early Years Funding
<b>Report Author</b>	Martyn Sharples

## Report purpose

- To inform Schools Forum on changes to the Early Years National Funding Formula for 3 & 4 year-olds and the separate formula for the entitlement for eligible 2 year-olds.
- To inform Schools Forum on planned changes to Calderdale's Early Years Single Funding Formulae for the early education and childcare entitlement for 2, 3 & 4 year-olds.
- To inform Schools Forum of planned changes to the hourly funding rates paid to schools and early years providers for the early education and childcare entitlement for 2, 3 & 4 year-olds.
- To seek Schools Forum approval of the funding centrally retained from the Early Years Block of DSG in 2023/24.

## Need for consideration

Schools Forum to give a view on the proposed changes to the Early Years Single Funding Formulae and to the hourly funding rates paid to schools and early years providers.

## Need for decision

Schools Forum to approve the amount and purpose of centrally retained funds.

## Contact Officers

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## Report to Schools Forum

### 1) Background information and context

- i) The Government introduced the Early Years National Funding Formula (EYNFF) in April 2017 to set the hourly rates that each local authority is paid to deliver the universal and extended entitlements for 3 & 4 year-olds. There is a separate formula that sets out the funding rates for 2 year-olds. Neither of the formulae has been updated since their introduction and since 2020 the hourly rates paid to most local authorities have increased by adding the same amount to the rate paid to each authority. The funding for the entitlements for 2,3 & 4 year olds, the Early Years Pupil Premium (EYPP) and the lump-sum payment for the Disabled Access Fund (DAF) are contained within the Early Years Block of the Dedicated Schools Grant (DSG).
- ii) Alongside the EYNFF, the Government introduced Operational Guidance setting out the rules relating to how local authorities fund providers. Updated Operational Guidance for 2023/24 was published in December 2022. The relevant key points being that local authorities;
  - Should set up a single funding rate (including the same base rate and supplements) for both entitlements for three and four year olds (that is, both the universal 15 hours, and the additional 15 hours for working parents)
  - Must plan to pass on at least 95% of their three and four year old funding directly to providers to deliver the three and four year old entitlements
  - Must now use a universal base rate for all types of provider in their local three and four year old formula, including for Maintained Nursery Schools
  - Must use a deprivation supplement in their local three and four year old formula, and any other supplements used must fall within one of the allowable categories.
  - Must not channel more than 12% of their funding for three and four year olds through specified funding supplements from 2023/24
  - Must pass on Early Years Pupil Premium (EYPP) in full to providers for eligible three and four year olds
  - Must pass on Disability Access Fund (DAF) funding in full to providers for eligible three and four year olds

DfE monitor compliance with the above through Section 251 Budget returns.

- iii) In Calderdale, the funded entitlements for 2, 3 & 4 year-olds are delivered by Maintained Schools with nursery classes or Foundation units, nursery classes in Academies and Independent Schools, Children's Centres, Day Nurseries and Preschools, Childcare on Domestic Premises, Out-of-School Clubs and Childminders. Between the 1<sup>st</sup> September 2022 and 31<sup>st</sup> December 2022, there

were 205 providers delivering funded early education and childcare to eligible 2, 3 & 4 year-olds.

The following table shows the proportion of funded hours for each entitlement taken up in each type of provision during the Summer 2022 funding period.

	2 year old entitlement	Universal 3 & 4 year old entitlement	Extended 3 & 4 year old entitlement
	% of funded hours for Summer 2022		
Children's Centre	25.5	6.5	4.6
Childminder	5.7	3.9	7.5
Day Nursery	41	34.6	49
Maintained Nursery Class	4.8	23.3	15.1
Nursery Unit of Academy	3.8	13.9	10.1
Nursery Unit of Independent School	0.1	3.4	0.9
Out of School Club	0.1	0.7	1.5
Preschool	19.1	13.6	11.4

## 2) Main issues for Schools Forum

- i) At the Spending Review 2021, the Chancellor announced increases in the funding for the early years entitlements worth £160 million in 2022-23, £180 million in 2023-24 and £170 million in 2024-25, compared to 2021-22. This is for local authorities to increase the hourly rates paid to childcare providers for the government's free childcare entitlement offers and reflects cost pressures, as well as anticipated changes in the number of eligible children. According to research published in November 2022 by the Institute for Fiscal Studies, the higher than expected inflation has eroded the value of the uplift and recent forecasts suggest that the total real-terms funding for the free entitlement will be 8% lower in 2024/25 than it was in 2021/22.
- ii) During Summer 2022, the government consulted on proposed changes to EYNFF, to look to update the data and make changes to the funding formulae prior to reinstating them for 2023/24, alongside a consultation on regulatory changes including changes to the staff:child ratios for 2 year olds.

Links to the DfE consultations

[Early years funding formulae - Department for Education - Citizen Space](#)

[Childcare: Regulatory changes - Department for Education - Citizen Space](#)

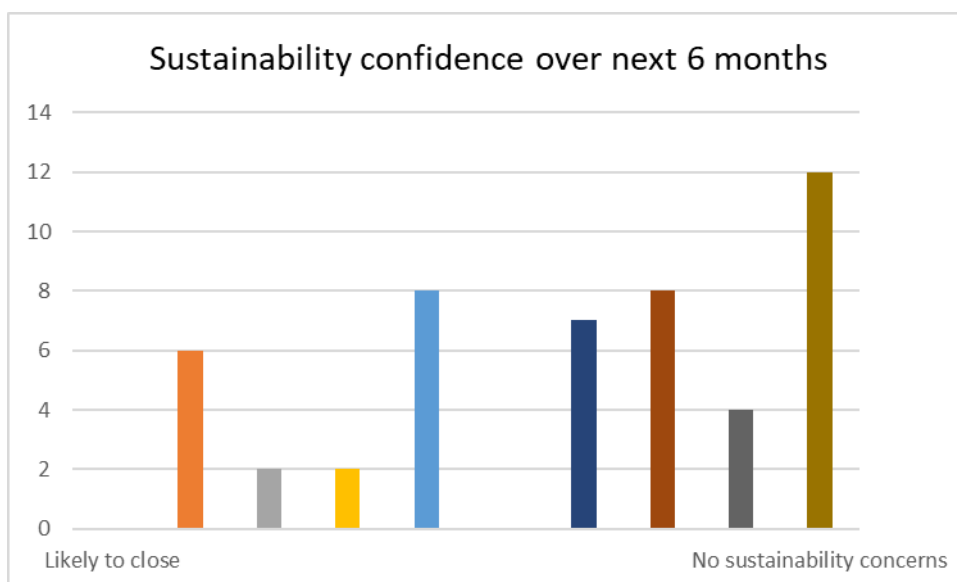
Going forwards, they would intend to update the data annually, as is done with the schools and high needs national funding formulae, rather than allowing multiple years' worth of changes to build up.

In addition, from the 2023/24 financial year, the government proposed to roll the share of the Teachers' Pay and the Teachers' Pension Employer Contribution Grant, received for school-based nurseries and maintained nursery schools since 2018, into the quantum for the EYNFF, bringing it into line with elements of these grants paid through the schools and high needs national funding formula (NFF) for 5-16 mainstream schools and special schools since 2021/22 financial year.

For 2023/24, the government proposed to impose year-to-year protections to ensure that every local authority sees an increase in their hourly funding rate.

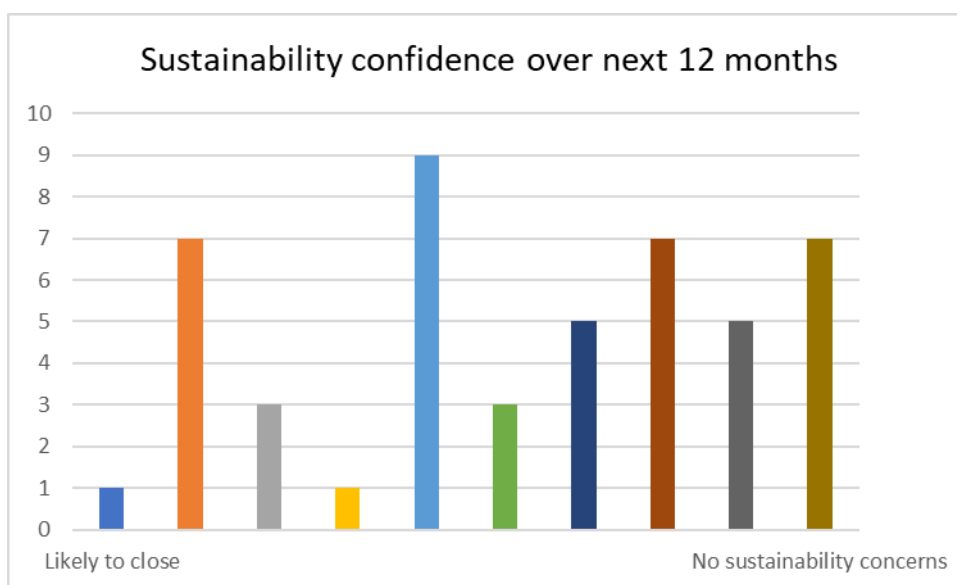
- iii) Previously, we have reported to Schools Forum that Early Years Providers have been subject to cost pressures, in particular the annual increases in the National Minimum Living Wage. It is a widely reported view that the government funding has not met the costs of delivering the early years entitlements for many years. The Private, Voluntary and Independent (PVI) sector has reported that additional unfunded demands during the Covid pandemic and current Covid Recovery periods, in addition to rising business costs, has constrained their ability to afford to recruit and retain a quality workforce. Recruitment and retention in early years and childcare is now at crisis point resulting in some providers limiting the number of places they can offer or, closing the provision. In the year up to the 31<sup>st</sup> December, 2022 the number of childcare places closed stands at 373 and there is a real threat to the availability of sufficient places in Calderdale over the next 12 months as further closures are predicted.

An on-line Sustainability Survey with all PVI providers was carried out in October 2022 which achieved a total of 52 responses representing a response rate of about 28%. Providers were asked to assess how sustainable they considered their provision to be on a scale of 1 to 10 (with 1 indicating very unsustainable/potential need to close and 10 indicating very sustainable/no concerns for two points in time; over the next 6 months and over the next 12 months).



Providers were reasonably confident they could sustain over the next 6 months with several indicating very high levels of expected sustainability.

However, when considering the next 12 months, there was a drop in the level of confidence with more providers scoring themselves on the scale at between 1 and 5.



Further, there was anecdotal evidence of expected reductions in spending on resources to support children's development, staff training and development, property repairs, food, petrol/transportation costs and outings/additional activities.

- iv) In December, in advance of the delayed report on the government's consultation and funding announcement, the Authority commenced a consultation with Calderdale schools and EY Providers in receipt of Early Years Funding regarding its proposals to make changes to Calderdale's Early Years Single Funding Formula (EYSFF) to better support providers to meet the costs of the funded entitlements, secure sufficient childcare places and provide an early education entitlement to every eligible child who wishes to take one up. The consultation

included on-line meetings and attendance at a CPHA meeting. The final decision on the formula, following any consultation, rests with the local authority.

The proposal includes making changes to the composition of the formulae by removing the existing non-mandatory Quality Supplement and directing the funds from this, along with the additional funds through the Teachers' Pay and Pension grants, through the universal Base Rate.

- v) On the 16<sup>th</sup> December 2022, the government published its report on the consultation on Making Changes to the EYNFF and confirmed the hourly funding rates paid to local authorities in 23/24. Also, it was announced that an additional £20 million, on top of the additional £180 million announced at the Spending Review 2021, had been put into the EYNFF for 2023/24.

The following table shows the hourly funding rates paid to Calderdale for the funded entitlements in 2023/24 compared to the current hourly rates.

Type of Entitlement	2 year-old	Universal & Extended 3 & 4 year-olds
Current Hourly Rate	£5.57	£4.61
Hourly Rate for 23/24	£5.63	£4.87
Increase	£0.06	£0.26
% Increase	1.1%	5.6%

It should be noted that Calderdale receives the minimum funding level for all entitlement after accounting for the TPPG uplift and Protections.

- vi) The 2023/24 Hourly Rates were also confirmed for the Early Years Pupil Premium (EYPP), to support better outcomes for disadvantaged 3- and 4-year-olds, and the Disability Access Fund - an additional payment made to providers to help to make reasonable adjustments within their provision to support eligible 3- and 4-year-old children with a disability.

The following table shows the hourly funding rates paid nationally for EYPP and DAF in 2023/24 compared to the current hourly rates.

Type of Funding	EYPP	DAF
Current Hourly Rate / Annual Value	£0.60 / £342 pa	£800 pa
Hourly Rate / Annual Value for 23/24	£0.62 / £353.40 pa	£828 pa
% Increase	3.33%	3.5%

- vii) Under the regulations introduced in April 2017, local authorities are allowed to centrally retain up to 5% of the total Early Years Funding for 3 & 4 year-olds (excluding EYPP and DAF). Currently Calderdale centrally retains 3.9% (£463,750) to meet the costs of IT infrastructure, staff salaries and running costs to support statutory duties and administrative payments to schools and EY providers.

- viii) In a change to the Early Years Entitlements Operational Guidance published on the 16<sup>th</sup> December 2022, local authorities must now agree central spend with maintained schools, in addition to Schools Forum.

### 3) Recommendations

- i) To centrally retain £543,056 (4.3%) of the total funding for the entitlements for 3 & 4 year-olds.

The following table shows a breakdown of the Centrally Retained Funding for 2023/24 compared with 2022/23.

EY DSG Centrally Retained Funding	Budget 2022/23	Budget 2023/24	Comments
IT Systems, Licences & Support	£34,000	£34,000	
Management	£27,650	£61,780	0.58 FTE Service Manager up from 0.26FTE
Early Years Improvement	£46,950	£102,189	2.0FTE EYI Officers
Early Years & Childcare Sufficiency	£279,400	£258,964	1.0FTE Senior Officer 2.6FTE Officers 1.0FTE Business Support Officer Expenses & Marketing Costs
Business Support / Finance	£75,750	£86,123	0.5FTE Senior Officer 1.0FTE Finance Officer
Total	£463,750	£543,056	
Total as % of funding for 3 & 4 yr old entitlements	3.9%	4.3%	

In addition, £16,500 to be centrally retained from funding for the entitlement for 2 year-olds to contribute to costs of IT systems, Licences & Support and to provide for a funding shortfall in the grant allocation.

- ii) To remove the Quality Supplement from Calderdale's Early Years Single Funding Formulae and redirect the funds to increase the hourly rate for the Base Rate.
- iii) To implement the revised funding formula for the 3 & 4 year old entitlements and introduce the new hourly rates, as shown in the table below, from the 1 April 2023.

	2022/23		2023/24		% Increase in Hourly Rate
	Hourly Rate	% of Total LA Funding	Hourly Rate	% of Total LA Funding	
Base Rate	£4.19	90.89	£4.61	94.66	10.02

Quality Supplement	£0.23	4.24	£0	0.00	
Deprivation Supplement	£0.78	2.96	£0.78	2.80	0.00
Ave. Hourly Rate	£4.52	98.09	£4.75	97.47	5.09

- iv) To implement the revised funding formula for the 2 year old entitlement and introduce the new hourly rates, as shown in the table below, from the 1 April 2023.

	2022/23		2023/24		% Increase in Hourly Rate
	Hourly Rate	% of Total LA Funding	Hourly Rate	% of Total LA Funding	
Base Rate	£5.32	95.51	£5.58	99.11	4.89
Quality Supplement	£0.23	3.47	£0	0.00	
Ave. Hourly Rate	£5.51	98.99	£5.58	99.11	1.27

#### 4) Reasons for recommendations

- i) The Government expects local authorities to fund central support services for Early Years and Childcare from the EY Block of DSG and this is reflected in the Finance Regulations. By funding these costs in this way, it brings Calderdale in-line with other local authorities and secures essential central services. The amount determined for 2023/24 represents a significant contribution towards the full cost of these services and the increase helps move closer to securing essential support services.
- ii) The Government is providing additional funding in 2023/24 to support an increase in the hourly rate paid for the early years entitlements for eligible 2, 3 & 4 year-olds.
- iii) The Authority is moving to a more simplified local funding formula for the 3 & 4 year-old entitlements, consisting of a Base Rate and the mandatory Deprivation Supplement, by removing the Quality Supplement, allowing the funds to be used more flexibly to support providers to meet the cost of the entitlements, whilst making business decisions regarding the delivery and sustainability of their provision and continuing to support vulnerable children. In addition, the Quality Supplement will be removed from the local funding formula for the 2 year-old entitlement to maintain consistency across both formulae and direct all of the funding solely through a universal Base Rate.

#### 5) Impact of funding, targets and milestones

Contained in this report.

## 6) Resource implications

### Indicative Funding 2023/24

<b>Description</b>	<b>2 year-old entitlement</b>	<b>3 &amp; 4 year-old entitlements</b>
Base Rate	£1,845,002	£11,724,560
Deprivation Supplement	£0	£353,903
Contingency	£0	£0
Central Spend	£16,532	£543,056
<b>Total Expenditure</b>	<b>£1,861,535</b>	<b>£12,621,519</b>
<b>Provisional Indicative DSG Allocation – Dec 2022</b>	<b>£1,861,535</b>	<b>£12,621,519</b>

## 7) Appendices

None



## ***Item 13***



# **Schools Forum Work Programme 2022/23**

Prepared by

Paul Tinsley, Interim AD Education and Inclusion

Richard Morse, School Organisation and Access Manager

Meeting date	Venue	Reports		Deadline for papers
<b>1 December 2022</b>	Virtual	Elect Co-Vice Chairs – Ian Hughes	Decision	14 November 2022
		Forum Constitution and Terms of Office– Ian Hughes/Tony Guise – verbal	Decision	
		Allocation of funding to school improvement clusters – half yearly impact report – Paul Tinsley/Connie Beirne/Jane Davy	Information	
		Reforming how Local Authority school improvement functions are funded – Connie Beirne	Information	
		Pupil Planning document – Richard Morse	Information	
		School funding update report – Jane Davy	View/Consultation	
		Growth Fund report – Jane Davy	Decision	
		Falling Rolls report – Jane Davy	Decision	
		Update on maintained schools balances – Jane Davy	View/Information	
		Capital Maintenance Briefing paper – Richard Morse	Information	
		Work programme	Information	
<b>12 January 2023</b>	Virtual	Forum Constitution and Terms of Office– Ian Hughes – verbal	Decision	19 December 2022

Meeting date	Venue	Reports		Deadline for papers
		Summary of schools operational guidance – Tony Guise	Information	
		De delegation of School improvement functions – Paul Tinsley/Connie Beirne	Decision	
		Schools funding 022-24 update – Jane Davy	Consultation	
		Falling Rolls – Jane Davy	Decision	
		Growth fund update – Jane Davy	Decision	
		De-delegation including Union facilities – Gillian Poole/Jane Davy to present	Decision	
		Early Years Funding – Martyn Sharples	Decision	
<b>Exception Meeting 23 February 2023</b>	Virtual	Review of services to schools – Michael Holgate/Richard Morse	Decision	TBC
		Allocation of 2023/24 Central Service Schools block (CSSB) central spend – Paul Tinsley/Steve Drake/Michael Holgate	Decision	
		Allocation of 2023/24 High needs block – Steve Drake	Information	
<b>27 April 2023</b>	Virtual	Allocation of Funding to School Improvement Clusters (half year report) – Connie Beirne	Information	17 April 2023
		Early years block provision, central spend – Martyn Sharples	Consultation/Decision	
		Spend on High Needs Block provision including arrangements for commissioned places for pupils with Special Educational Needs – Sue Williams	Information	

Meeting date	Venue	Reports		Deadline for papers
		Maintained School Balances – Spring Monitor – Jane Davy	Information	
		Self-Assessment Feedback – Ian Hughes – verbal update	Discussion	
		Work programme	Information	
<b>22 June 2023</b>	Virtual Meeting	Scheme for Financing Schools and National Funding Formula – Jane Davy - TBC	Decision/Information/Discussion	17 June 2023
		Final Balances and 3-year Budget Plans – Jane Davy	Information	
		Claw Back Report – Jane Davy	Discussion/Decision	
		Work programme	Information	