



**General Purposes Committee
27 November 2012**

**Report from the
Director of Children and Families**

For decision

Restructure of Services to Schools

1.0 Summary

This report sets out the arrangements for the restructuring of services supporting school improvement in the Children and Families Department. These arrangements need to be in place by 1st April 2013 to meet budgetary pressures. All the changes are taking place in accordance with the Council's agreed Managing Change procedure.

2.0 Recommendation

That the Committee agree the restructuring of the Services to Schools team in Children and Families to form a new School Improvement Service

3.0 Background

3.1 Services to Schools is a group of services under single management within the Children and Families Department. It is facing a series of significant challenges which result from changes in national policy in relation to public services generally and to education more specifically. In relation to the former, Brent Council is faced with very significant budget reductions across all its services and, to achieve this, has reviewed many of its services, including Services to Schools. In relation to the latter, the Government is encouraging greater autonomy for schools; is setting out a new role for local authorities in relation to schools; has ended ear-marked grants which have historically flowed through local authorities; is encouraging schools to provide services to other schools, and is proposing changes to the way schools are funded.

3.2 Other than providing statutory guidance on the role of the director of children's services and the lead member, the Government has been reluctant to spell out a new role for the local authority in relation to education, preferring to allow councils to

determine the scope of this aspect of their role for themselves. Such a debate took place in Brent during the first half of 2012 and was supported by meetings with headteachers, governors, staff, senior council officers, and elected members. The Council considered the range of functions currently undertaken by the service and levels of funding. A key consideration was the proportion of Brent schools which have, or may, convert to academy status. When a school converts it receives additional funding (equivalent to 7-8% of its budget) which is diverted from local authority services to the school itself. The Council wishes to design a future model for its schools related functions that is sustainable even if the majority of Brent schools convert and which is affordable in light of the overall budget pressures it faces

Furthermore, school in Brent are currently establishing a Brent Schools Partnership which aims to support mutual development and improvement. In common with other local authorities, Brent needs to move toward a jointly commissioned, more school-led model of school improvement and this new structure will facilitate that.

3.3 In 2012/13, Services to Schools obtains its income from various sources; including:

- the Council's General Fund;
- the Dedicated Schools Grant (DSG);
- individual schools which purchase services; and
- grant income from Health bodies and the DfE which pays for specific programmes

3.4 In relation to the general fund, and in light of the considerations described above, there is an indicative budget for 2013/14 of £1,579,800 compared to £2,130,000 in the current year, a reduction of £550,200. These resources will fund a new core service which will undertake the school improvement related role of the council. Officers propose that the new core school improvement service will employ 7.49 FTE staff funded by Council General Fund (see Appendix 3) plus 13.2 FTE staff funded by Dedicated Schools Grant (DSG) subject to confirmation of funding by the Department for Education in January 2013. Benchmarking data comparing the resourcing of this team with similar teams in other councils shows that the proposed resourcing level per school is at or above that in other areas.

3.5 The DSG is largely passed on to schools for them to spend as they see fit. These resources are distributed on a basis determined by the Brent School's Forum, a statutory body representing the local school community. In recent years, after discussion at the Forum, it has been decided that funding for certain services will be held centrally and managed by Services to Schools. In the year 2012/13, these services are:

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| • schools causing concern | £184,800 |
| • early years quality improvement; | £577,000 |
| • early years SEN | £167,444 |
| • primary and secondary teaching and learning; | £364,796 |
| • SEN and inclusive education; | £162,959 |

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| • ethnic minority achievement; and support for Travellers, refugees and asylum seekers | £754,830 |
| • Wembley Learning Zone | £81,000 |
| Total DSG | £2,292,829 |

- 3.6 In 2012/13, these services received a combined budget of £2,292,829. At its meetings in July 2012 and September 2012, the Schools' Forum decided that the early years quality improvement service (£577,000) and the early years SEND service (£167,444) and the Learning Zone @ Wembley stadium (£81,000) would continue to be provided centrally at the same level of funding. In addition, the DSG to support the work of specialist SEN staff has been retained by the LA: (£162,959). At its meeting in September 2012 however, the School's Forum decided that funding for other services funded by DSG would be delegated to schools as part of their core budget. As a result of this decision, the budget formerly held for these other services (£1,119, 626) from this source will henceforth sit with schools as part of their delegated budgets.
- 3.7 In 2012/13, Services to Schools predicts that its income from services being purchased by individual schools will be c£830,000. These services are provided on an academic year basis. The Brent Schools Partnership (described above) is also planning to develop a range of services through their own arrangements. Whilst it is highly likely that schools will nevertheless continue to purchase services from the Council, the extent of this buy-back will not be known until March 2013 and is likely to be lower than current levels.
- 3.8 The education welfare service, the pre-exclusions team and the behaviour support team, all currently managed within Services to Schools are out of scope of this reorganisation and will instead be located elsewhere in the Children and Families Department alongside the Pupil Referral Units and other educational services for vulnerable pupils. That area too will be subject to a staffing reorganisation in 2013.
- 3.9 Similarly the Brent Music Service (BMS) is out of scope. Although a number of BMS staff are Council employees, it does not receive any funding from the Council's general fund or via the DSG. BMS income flows from the Government and individual schools and parents.
- 3.10 The Council is also undertaking two Council wide reviews which will have implications for staff currently within Services to Schools. The first is a review of all business support functions which will affect the following posts in Services to Schools: business support officer, business support assistant, office manager and the executive assistant team. The second is a review of building support functions which will affect the posts of lead service officer and two service officers. In the light of these Council-wide reviews, it has been decided that all the administrative and facilities management posts in the current structure are out of the scope of this proposal.
- 3.11 As described above, Services to Schools is facing a very significant decrease in its funding for 2013/14 and there are implications for a number of staff. A total of 28

posts will be affected by these proposals, of which 17 are currently filled by postholders (15.37 FTE) and 11 are vacant.

- 3.12 The services affected by this proposal do not include all the Council's services which Brent Council provides or offers to schools. Nor do they cover all the school-related statutory duties of a local authority. Virtually all the Council's other such services are also subject to review

4.0 Current Structure

The current structure of Services to Schools is set out at Appendix 2 where the organisation charts show all the posts which are within the scope of this project.

5.0 Budgets/Savings

- 5.1 As well as the reduction in council funding of £550,200 described at paragraph 1.4 above, Services to Schools will lose £1,119,626 of income as a result of the resources for services currently being funded through the DSG being delegated to schools. In addition, and as a result of the downsizing of the service, the income from traded services is likely to reduce significantly from the current level of £830,000.
- 5.2 Given the nature of the work carried out by such staff as are displaced by the review, the most likely employment opportunities are in schools. While staff cannot be formally redeployed to schools, such opportunities can be sought on a voluntary basis. This may be helpful to schools as they work, through their emerging partnership arrangements, to establish some school-owned services to schools.

6.0 Proposal for new structure

- 6.1 The proposed structure of the new core service is set out at Appendix 3. It is designed to undertake the Council's statutory duties in relation to school improvement within the resources the Council has made available. These core services are explained in a list as Appendix 4. The structure includes generic posts whereby each school improvement lead will be expected to undertake some common general duties as well as to provide specialist leadership in one or more of overall co-ordination of the work of the team:

- SEN
- Ethnic minority achievement and equalities
- Statutory assessment
- Behaviour, safety and wellbeing

- 6.2 The new post of commissioning and systems manager has been created to enable the team to build a quality assured database of expert practitioners, commission specialist support from the market, and implement appropriate business processes. This will enable the team to operate effectively in the new legislative framework.

6.3 The local school and early years provider community has already been consulted, via the Schools Forum, about the future funding, through the DSG, of the early years quality improvement and early years special educational needs services. As a result, the funding for both services will continue on the current basis for 2013/14 subject to confirmation by the Department for Education in January. Therefore, there are no proposals at this stage to change the size, structure and function of these teams.

6.4 Five posts have been identified as subject to further review by 1st April 2013. The rationale for placing these particular posts in this category is that more than one of the following criteria apply:

- in recent years, the service fulfilled by the post has attracted a significant level of buy-back from schools and established service level agreements are in place;
- there is evidence that this pattern of buy-back will continue in 2013/14;
- the post is funded by resources provided by the Council from outside the Children and Families service area and continued funding will be determined by that service area;
- the post is part-funded by an external agency.
- the function undertaken by the postholder is a Council priority.

The Council will make a final decision on the future of these posts by 1 April 2013. Until then, they will remain in the scope of this review.

The number of posts affected by the restructuring are as follows:

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| NUMBER OF POSTS IN CURRENT SERVICE | 73 |
| TOTAL FTE | 64.89 |
| NUMBER OF POSTS IN SCOPE OF THIS REVIEW | 50 |
| TOTAL DELETED POSTS IN SCOPE | 27.5 |
| TOTAL POSTS TO BE DELETED WHICH ARE VACANT | 10.5 |
| TOTAL POTENTIAL STAFF REDUNDANCIES | 17.5 |

7.0 The Process

7.1 Staff have been invited to comment on the structure and the new roles according to the timetable set out at Appendix 1 and a full consultation document has been issued, complete with draft job descriptions, structures and a listing which explains what is happening in respect of each of the existing posts. All relevant trades unions

are involved and the reorganisation is being carried out fully in line with the Council's Managing Change Policy.

- 7.2 Posts in the new structure are to be filled in line with the Council's Managing Change Policy i.e. where appropriate through assimilation (straightforward or competitive) or where vacancies arise, through internal and external recruitment.

8.0 Financial Implications

- 8.1 The detailed financial implications are covered in the body of the report and the proposals are within the Department's current budget and budget plans for next year.

9.0 Legal Implications

- 9.1 The changes proposed in the report will result in a mid-size redundancy exercise and as such the Council's Managing Organisational Change Policy and Procedures will be applicable. A clear basis for the rationalisation of the service has been set out which justifies clearly the need for the redundancy exercise to take place. Further, the proposed timescales and processes for effecting the changes are in line with the provisions of the Council's policy framework and as such represents an appropriate way of managing the potential risks involved in a downsizing exercise of this type.
- 9.2 The Equalities Impact Assessment has identified a potential indirect discrimination issue in respect of women, as set out in the Diversity Implication section of this report. It is clear that a potentially indirect discrimination impact is capable of being rendered lawful if it can be established that any potential discriminatory effect is a proportionate means of achieving a legitimate aim. The body of this report sets out what is an extremely convincing case for why the proposed decisions need to be made and the actions that the management have taken to ensure adequate levels of support are offered to affected staff indicate that the test of proportionality has been met.

10.0 Diversity Implications

- 10.1 A predictive Equality Impact Assessment has been undertaken in respect of this review. This identifies that the majority of all the staff in the team are female and a significant proportion are over 50. The main action identified in this assessment is that all reasonable steps should be taken to obtain alternative posts of the redundant staff in Brent schools and across the council. In addition, specialist support will be identified for staff over 50 who may find it more challenging to obtain alternative employment.
- 10.2 In addition, the new service will continue to track performance of schools in terms of ethnicity and other equalities dimensions to help ensure that issues around ethnic minority achievement and travellers continue to be addressed now that this funding sits with schools rather than the council.

11.0 Staffing/Accommodation Implications (if appropriate)

- 11.1 The staff affected by this reorganisation currently work at the Centre for Staff Development (the Gwenneth Rickus Building). All the continuing staff and activities will move to the new Civic Centre by July 2013.

Background papers:

Restructuring Consultation Paper: Services to Schools November 2012

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Appendix 1: Timetable for Achieving Restructure of Services to schools

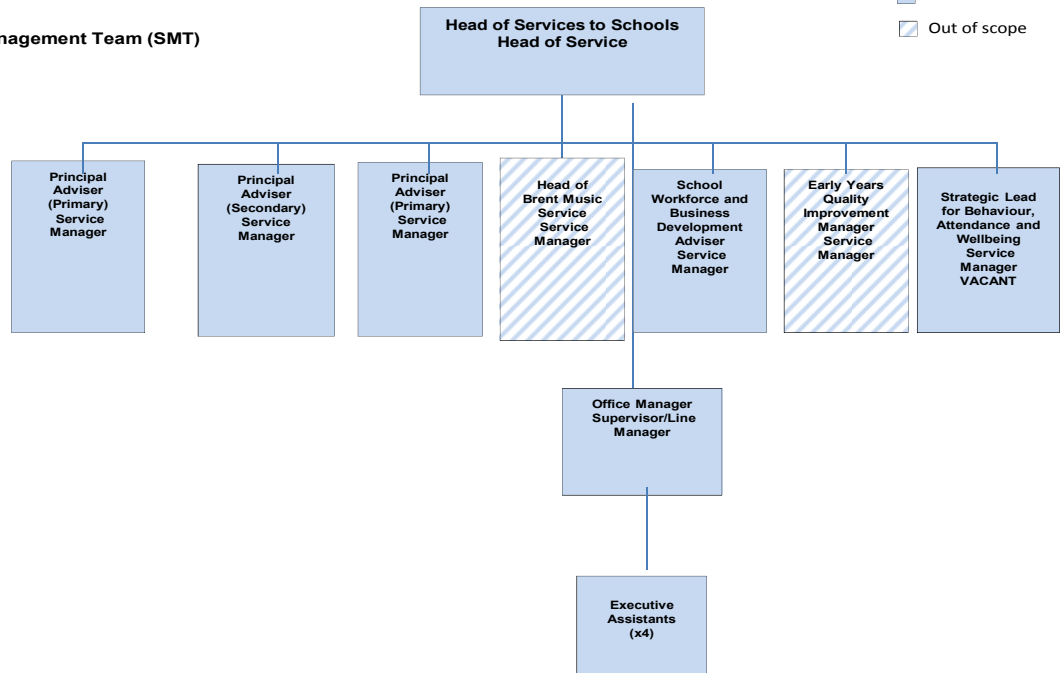
| To/by Whom | Via What | When/by | Documents |
|---------------------------------|--|---|--|
| Management | Prepare consultation document | w/c: 15/10/12 | Draft Consultation document |
| Management & Unions | Hold initial meeting with management and unions to discuss consultation proposals with a view to incorporating feedback | 26/10/12 | Draft Consultation Document |
| Trade Unions & Staff | Start 30 day formal consultation. Issue Consultation Document with staff & Trade Unions at formal meeting inviting feedback in writing by the deadline stated in the document (05/12/12) | 5 November 2012 @ 4:00pm | Consultation document (shared at meeting and by email) |
| Management, Staff & Unions | Hold formal staff group meeting | 12/11/12 @ 4:00 pm | |
| Management & Staff | Hold individual meetings with staff affected upon request (staff to email Faira Ellks) | 13/11/12 @ 10am – 4:00pm; 19/11/12 @ 2pm | |
| | Deadline for staff to express an interest in Voluntary Redundancy (where applicable) | 19/11/12 | VR Application Form |
| | Close of formal consultation period | 05/12/12 | |
| Management | Consider the feedback from the consultation process and amend proposals as considered necessary. Consider and make decisions on VR applications | 06/12/12 – 07/12/12 | |
| Management | Respond in writing to Trade Unions & staff to confirm final structure | 10/12/12 | Outcome document |
| Staff | Deadline for staff to complete statement of interest | | Statement of interest |
| | Selection process for new structure i.e. Assimilation/ring-fence interviews; assessment | w/c: 17/12/12 | |
| Management, Staff & Unions | Individual determination meetings with staff and issue notices of redundancy according to length of service; individual letters to staff confirming appointment in new structure | From: 19/12/12 onwards | Letter |
| Management, Recruitment Service | Displaced staff entered onto Council's redeployment register and support given to identify suitable alternative employment within the Council | From: 19/12/12 | |
| | New structure in place | 01/04/13 | |

Appendix 2: Current Structure Chart for Services to Schools

Current organisation chart 1

Team: Senior Management Team (SMT)

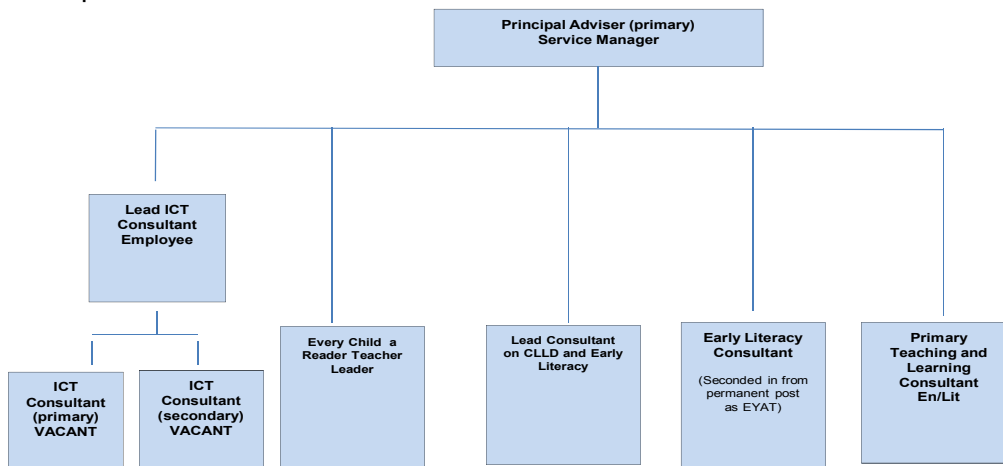
Key:
 Permanent posts in scope
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Current organisation chart 2

Team: School Improvement

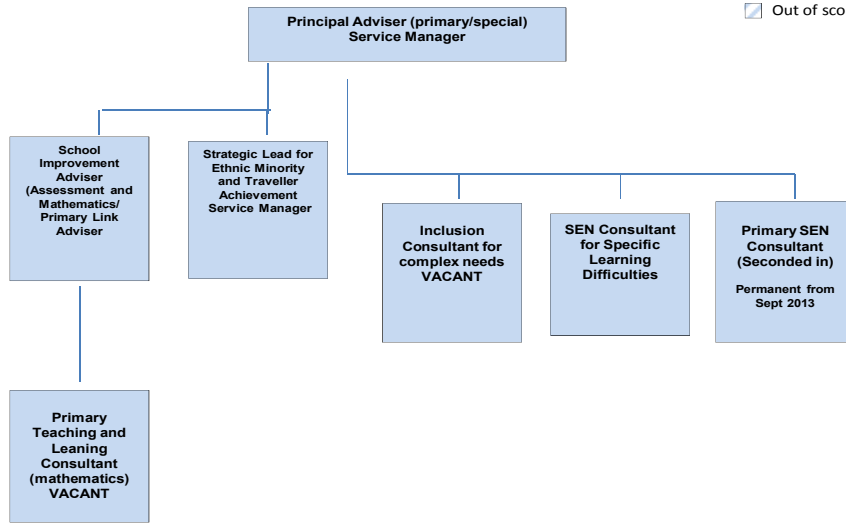
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Current organisation chart 3

Team: School Improvement

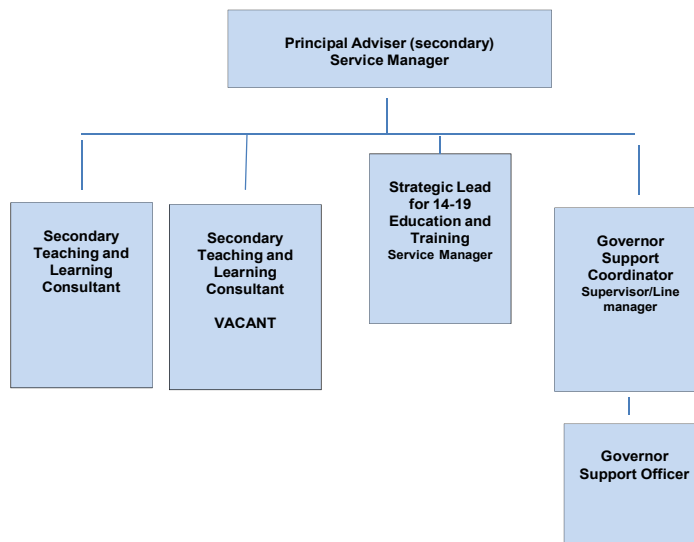
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Current organisation chart 4

Team: School Improvement

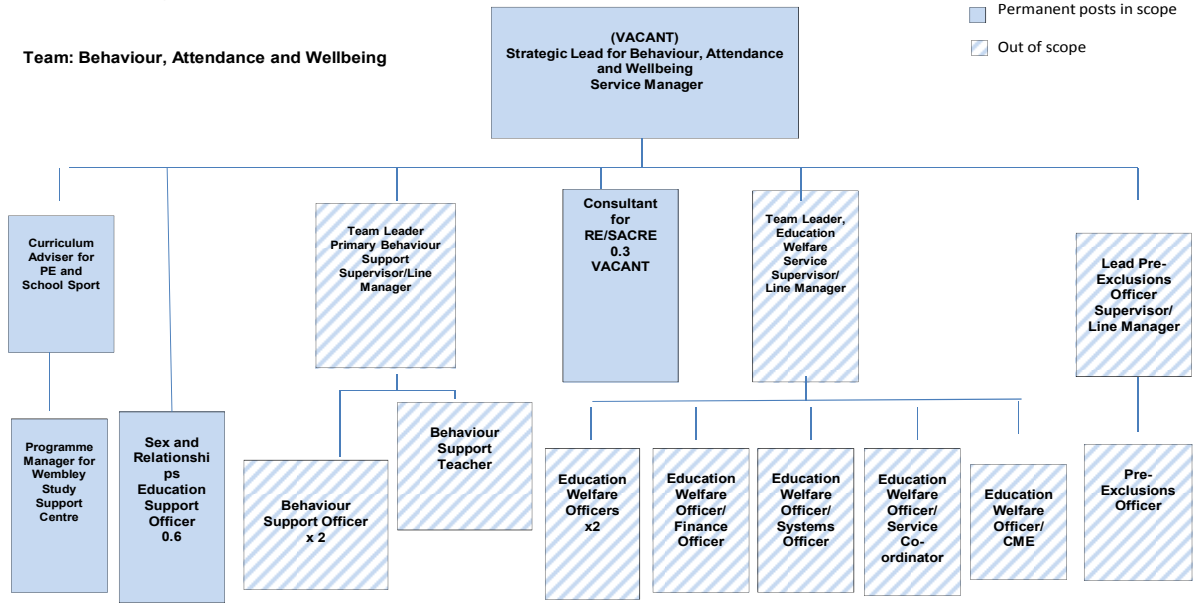
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Current organisation chart 5

Team: Behaviour, Attendance and Wellbeing

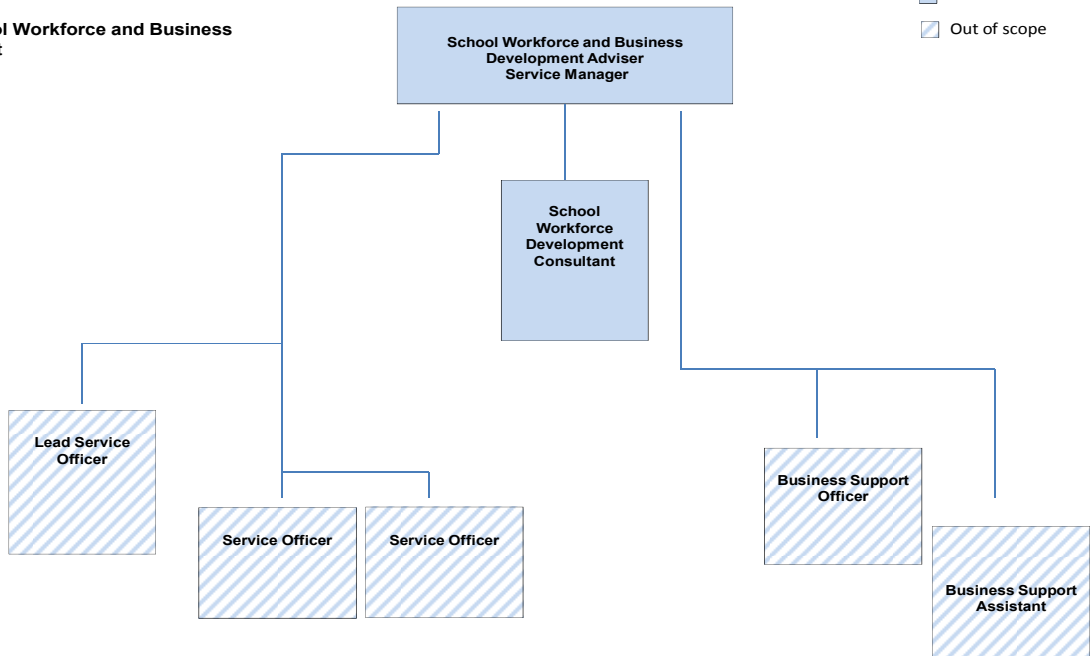
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Current organisation chart 6

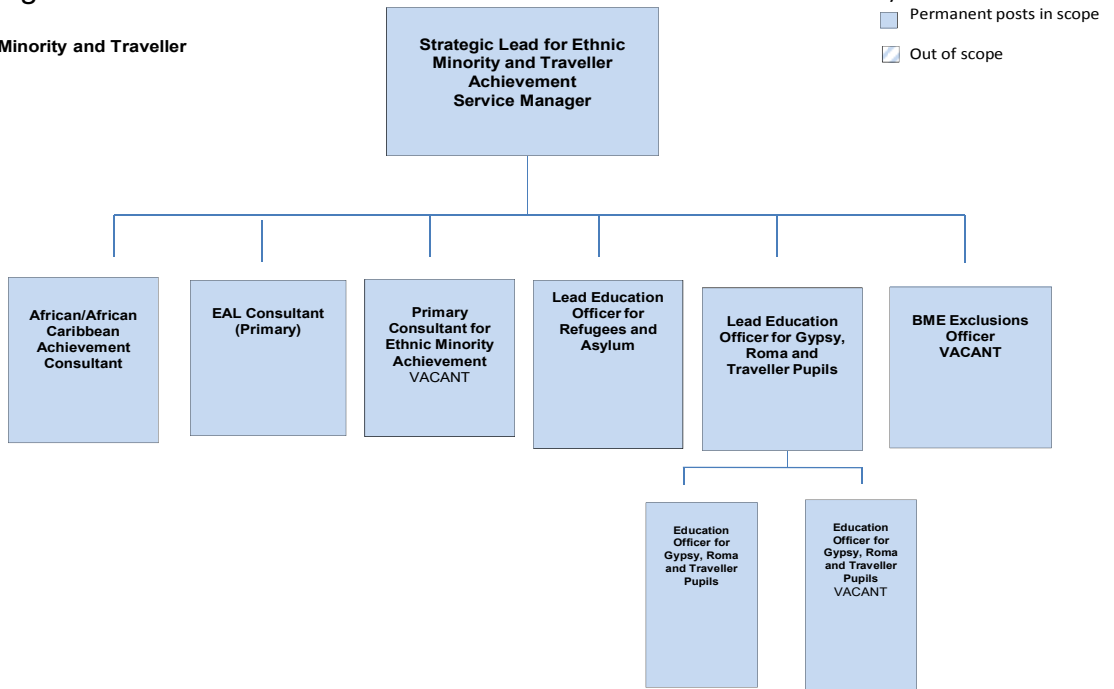
Team: School Workforce and Business Development

Key:
 Permanent posts in scope
 Out of scope



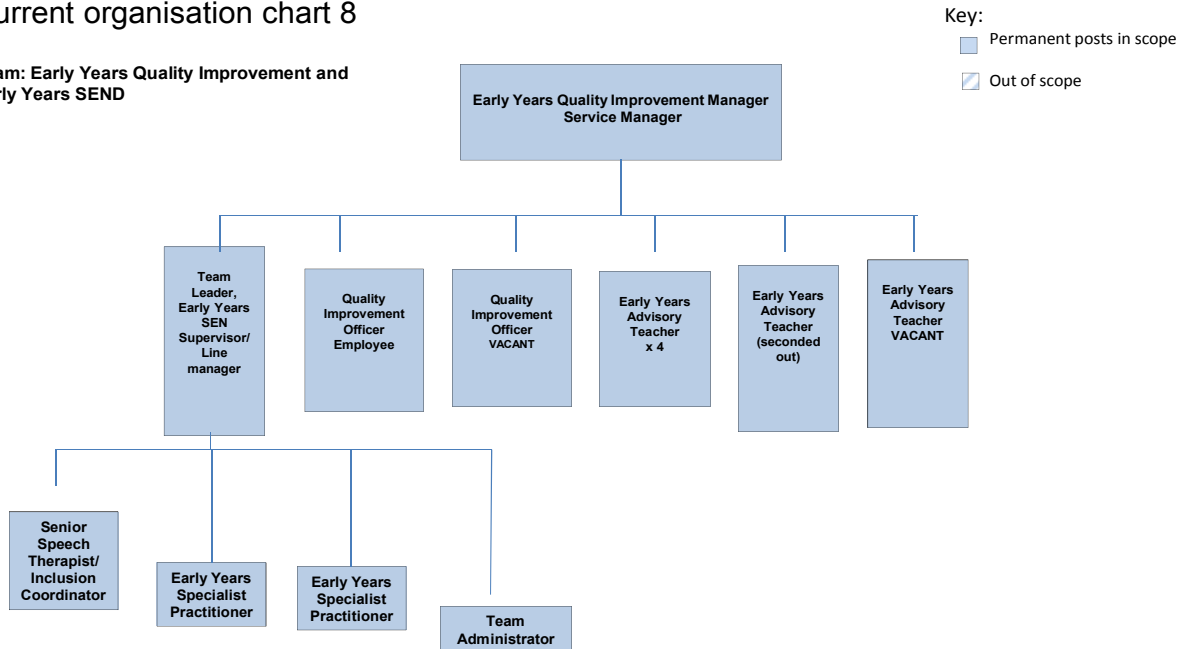
Current organisation chart 7

Team: Ethnic Minority and Traveller Achievement



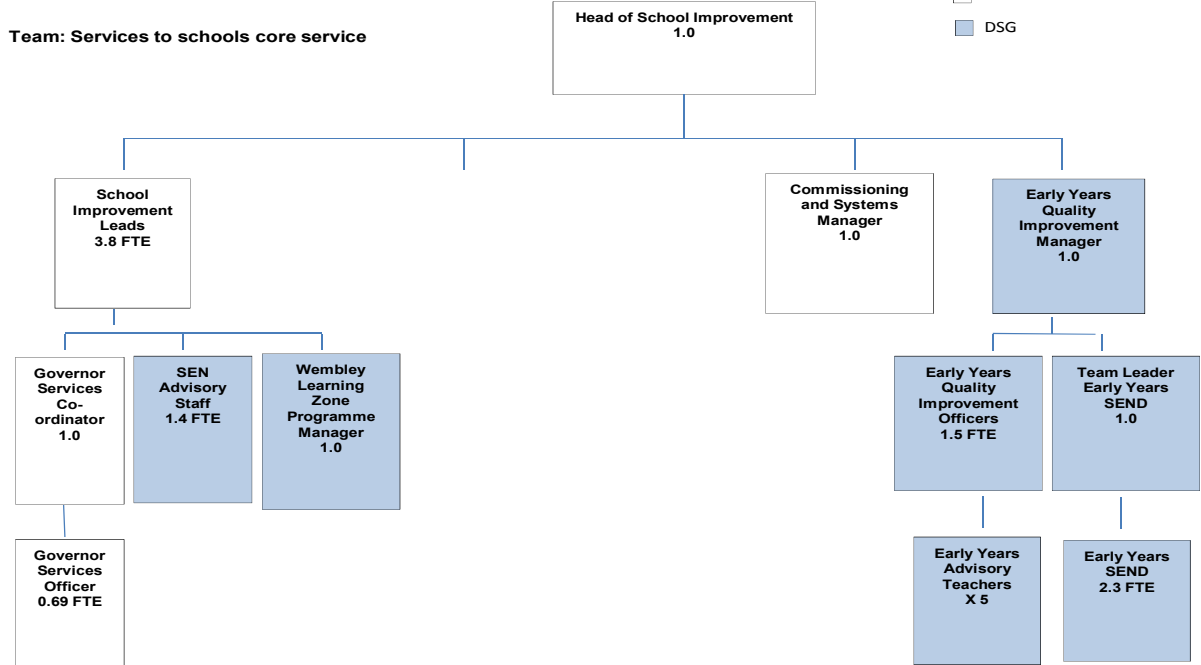
Current organisation chart 8

Team: Early Years Quality Improvement and Early Years SEND



Appendix 3: Proposal for the structure of the new core school improvement service (plus staff funded by DSG, subject to confirmation in January 2013)

Proposed organisation chart 1



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| Total FTE posts funded by Council General Fund: | 7.49 |
| Total FTE posts funded by DSG (subject to confirmation): | 13.2 |
| Total FTE posts: | 20.69 |

Summary of core school improvement functions from April 2013

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| <p>1. <u>Core school improvement</u></p> <ul style="list-style-type: none"> • maintenance of a monitoring overview of quality and standards in all schools/educational settings in Brent • data analysis to anticipate risk • provision of data sets to inform data analysis and target-setting by schools • annual programme of four link adviser visits to all maintained schools • intensive monitoring, support and challenge for schools causing concern including through use of statutory intervention powers and other radical action • additional support and challenge for schools requiring improvement, to arrest decline and secure improvement • brokerage of support and partnerships for schools at risk, working in partnership with schools • advice and guidance on statutory curriculum developments • organisation of regular meetings for headteachers to promote consultation, debate and the exchange of information • provision of key information, advice and guidance to headteachers and governing bodies • support for the appointment of headteachers(one day) as the director's representative • specialist leadership on key development priorities for schools: Special Educational Needs, Ethnic Minority Achievement and Equalities, Behaviour, Attendance and Wellbeing, Statutory assessment |
| <p>2. <u>Early Years Quality Improvement (Schools, maintained nursery schools/children's centres and PVI settings)</u></p> <ul style="list-style-type: none"> • contribution to LA strategy and planning for quality improvement in the EYFS • leadership on quality improvement across the sector • maintenance of overview of quality and standards across all EY settings • quality assurance of all EY settings • support and challenge from the Early Years Quality Improvement Team • provision of EY SEND services to private, voluntary and independent nurseries • moderation of EYFS statutory assessment • key information, advice and guidance on EYFS matters |
| <p>3. <u>14-19 Education and Training</u></p> <ul style="list-style-type: none"> • Leadership on carrying out the LA's statutory duties for strategic planning of 16-19 education provision and raising the participation age • leadership and facilitation of the 14-19 partnership including the work of its strategic steering and implementation groups, in order to promote high quality, inclusive educational training opportunities for 14-19 year olds • monitoring the delivery of the 14-19 priorities and outcomes for young people • provision of challenge meetings for providers where there is underperformance in 14-19 outcomes • provision of advice, support and training on 14-19 statutory responsibilities and |

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| accountabilities. |
| <p>4. <u>Key Stage 1 and Key Stage 2 statutory assessment</u></p> <ul style="list-style-type: none"> • Moderation of Key Stage1 assessment (statutory) in 25% of schools, including training of moderators • guidance on statutory assessment at Key Stage 2, including guidance on access arrangements • unannounced audit visits to 10% of schools with Key Stage 2 pupils during testing week (statutory) • moderation of Key Stage 2 writing in 25% of schools (statutory). |
| <p>5. <u>Special Educational Needs and Disabilities</u></p> <ul style="list-style-type: none"> • Contribution to LA strategy and planning for SEND, especially in the light of the Green Paper • leadership to schools on SEN policy and practice • key information, advice and guidance on SEND, on implementing the Code of Practice, and on compliance with disability regulations • annual monitoring of schools' SEND provision and recommendations for developing effective practice through the SEND audit and report • support and challenge for schools where concerns about SEND have been identified through audits, Ofsted inspections or other sources • promotion of sharing of effective practice across schools. |
| <p>6. <u>Religious Education (RE) and Standing Advisory Council on Religious Education (SACRE)</u></p> <ul style="list-style-type: none"> • Provision of professional advice and support to SACRE • leadership on review of Brent's Agreed Syllabus for RE • leadership to schools on the implementation of the Agreed Syllabus • key information, advice and guidance to schools on faith-related matters. |
| <p>7. <u>Newly Qualified Teachers</u></p> <ul style="list-style-type: none"> • Acting as 'Appropriate Body' for the induction of NQTs: <ul style="list-style-type: none"> - registering and monitoring the progress of NQTs and reporting to the DfE - making decisions on the outcome of statutory induction for NQTs - quality assuring schools' systems for monitoring, supporting and assessing NQTs - advice and intervention for schools where NQTs are at risk of failure. |
| <p>8. <u>Behaviour and Safety</u></p> <ul style="list-style-type: none"> • leadership on anti-bullying strategies and children at risk. |
| <p>9. <u>Governor Services</u></p> <ul style="list-style-type: none"> • Completion of Instrument of Government, as required • maintenance of database of governors and clerks |

- appointment of LA governors
- management of complaints about LA governors
- recruitment initiatives for new governors
- clerking brokerage
- support for governing bodies of schools causing concern or requiring intervention.

10. Other duties

- contribution to LA strategic planning and the implementation and review of plans and policies
- providing education and curriculum expertise to the process of planning school places and expanding school provision
- supporting and co-ordinating the LA's partnership arrangement with schools
- participation in cross-council steering and working groups
- reports to Council on education standards in Brent; on outcomes for specific groups of pupils; and on the progress of schools/settings, including underperforming ones
- response to critical incidents, Freedom of Information requests, parental complaints, press/media queries and other matters as they arise
- advice to Members on LA statutory duties in the relevant field
- officers acting as nominated LA Trustees for Academies, to promote collaboration and partnership.