



SCHOOLS FUNDING FORUM AGENDA

8.30 am

Thursday
20 March 2014

CEME Room 209 Main
Entrance

Members: 27 Quorum: 11

MEMBERSHIP:

Head Teachers (12):

Nigel Emes (Chair) (Primary)
Margy Bushell (Primary)
David Denchfield (Primary)
Christine Drew (Primary)
Chris Hobson (Primary)
Angela Winch (Primary)
Vacancy (Primary Academy)
Bill Edgar (Secondary)
Julian Dutnall (Secondary Academy)
Simon London (Secondary Academy)
Keith Williams (Secondary Academy)
Geoff Wroe (Special Schools)

Governors (7):

Joe Webster (Vice Chair) (Secondary)
Tracey Walker (Primary)
Daniel Gricks (Secondary Academy)
John McKernan (Secondary Academy)
Vacancy (Primary)
Vacancy (Primary)
Vacancy (Special Schools)

Pupil Referral Units (1)

Noel McNab

**Non-School
Representatives (4):**

Katrina Karwacinski (Early Years PVI Sector)
Trevor Sim (Vulnerable Children)
Maria Thompson (14-19 Partnership)
Vacancy (Diocesan Board of Education)

Trade Unions (3):

Keith Passingham (NASUWT)
Dave Thomas (UNISON)
Ray Waxler (NUT)

Schools Funding Forum, 20 March 2014

Please contact David Allen david.allen@haverling.gov.uk Tel: 433851 to give apologies for absence or to raise queries on the agenda.

If you are unable to attend please contact your named substitute or ask David Allen to do so on your behalf.

AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS OR OBSERVERS

2 TO AGREE THE NOTES OF THE MEETING HELD ON 16 JANUARY 2014

The notes are attached at Appendix A.

3 MATTERS ARISING

4 MEMBERSHIP

- (i) To note that Noel McNab has been appointed as the Pupil Referral Service representative.
- (ii) To note the vacancies for two primary school governors, a special governor and a representative from primary academies.

5 INCREASING PENSION COSTS

Mo Jones, the Borough's Pension Officer to attend.

6 RISE PARK JUNIOR SCHOOL

To note that the LA had used its powers of intervention under section 66 of the Education Inspections Act 2006 to suspend the right of the Rise Park Junior School Governing Body to a delegated budget. A Strategic Management Board has been put in place.

7 TRADE UNION FACILITY TIME

To receive a report from the working group on trade union facility time. Appendix B refers.

8 FREE SCHOOL MEALS FOR KS1 PUPILS

In addition to the capital funding that was discussed at the last meeting, the DFE has announced that infant free meals will be funded at £2.30 per meal for newly eligible pupils based on take up. The DFE advice to LAs is attached at Appendix C.

Eligibility for Pupil Premium continues to be on the basis of eligibility for free school meals.

9 SCHOOL LUNCH GRANT

To consider the use of the School Lunch Grant that is included within school budgets. Paper to be tabled.

10 SOCIAL INCLUSION FUNDING TO SUPPORT VULNERABLE CHILDREN

To approve the protocol to support schools following the placement of pupils through the IYFAP process. Appendix D refers

11 ACADEMY FUNDING 2014-2015 AND RISK POOLING SCHEME

To note the changes in academy funding from the EFA. Appendix E refers.

12 FAIRER FUNDING

To consider the DFE consultation. Appendix F refers.

13 NEXT MEETINGS

The next meetings have been arranged as follows:

Key Actions	Deadline	Meeting Date
Section 251 statement 2014-15, LA comparative data		Thursday 24 April
Hold for urgent issues		Thursday 22 May
Commence funding cycle for 2015-16		Thursday 10 July

14 ANY OTHER BUSINESS

Andrew Beesley
Committee Administration Manager

Public Document Pack Agenda Item 2

MINUTES OF A MEETING OF THE SCHOOLS FUNDING FORUM BEST Centre, Brittons School 16 January 2014 (8.30 - 10.30 am)

Headteachers:	Nigel Emes (Chair) (Primary) Margy Bushell (Primary) Christine Drew (Primary) David Denchfield (Primary) Bill Edgar (Secondary) Chris Hobson (Primary) Angela Winch (Primary) Keith Williams (Secondary Academy) Geoff Wroe (Special Schools)
Governors:	John McKernan (Secondary Academy) Tracey Walker (Primary)
Non-School Representatives:	Maria Thompson (14-19 Partnership)
Trade Unions:	Ray Waxler (NUT) Jennifer Kingaby (UNISON)
Officers in Attendance:	David Allen (LBH) Nick Carter (LBH) Mary Pattinson (LBH) Anthony Clements (LBH)

98 **APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS OR OBSERVERS**

Apologies were received for the absence of Simon London (Secondary Academy), Julian Dutnall (Secondary Academy), Trevor Sim (Vulnerable Children), Keith Passingham (NASUWT) and David Thomas (Unison, Jennifer Kingaby substituting).

99 **TO AGREE THE NOTES OF THE MEETING HELD ON 5TH DECEMBER 2013.**

The notes of the meeting held on 5th December 2013 were agreed as a correct record and signed by the Chairman.

100 **MATTERS ARISING**

There were no matters arising.

101 **MEMBERSHIP**

It was noted that Sheila Clarke had recently resigned from the Forum meaning that there were now two vacancies for primary school representatives. A total of ten people had indicated an interest in the positions meaning that an election would have to be held. Two people had expressed an interest in the Special Schools vacancy which would mean an election would also be required for this position. The Pupil Referral Service was meeting next week to decide its representative and a representative was also being sought from Primary Academies.

It was clarified that the term of office on the Forum would remain at four years but representatives who decided not to continue could be replaced during the term.

102 **BROOKSIDE JUNIOR SCHOOL**

It was noted that this school was expected to become a sponsored Academy from 1 April 2014. The school's deficit would be covered by the Local Authority and processes had been put in place to control the school's budget. Several Governors had resigned from the School (leaving a total of four in position) and delegation had therefore been withdrawn from the school and a Strategic Management Board put in to control the budget.

103 **TRADE UNION FACILITY TIME**

The Chair confirmed that guidance had not yet been received from the DfE and he therefore wished to set up the Forum's own working group for this. There was no indication of when the guidance was likely to be released but it was felt it was not critical to wait for this and that a working group could be set up immediately.

It was agreed that a working party would be set up consisting of two Primary representatives (Nigel Emes and Chris Hobson), two Secondary representatives (Keith Williams and Simon London) and three Trade Union representatives (two teaching and one non-teaching). DA and a representative from HR would also be on the working group. It was hoped to report back at the March meeting of the Forum.

104 **CONSULTATION ON 2014-15 FUNDING CHANGES**

It was noted that no responses had been received to the consultation document and the figures had now been agreed by the Lead Member. Funding factor values for 2014-15 would be reduced by 1% with formula gains capped at 0%. No school would have a budget reduction of more than 1.5%.

105 **CAPITAL**

Capital allocations had been received for universal infant free meals and a 20% rise was expected in the take-up of these. There would therefore be a need to purchase larger ovens in some schools although there was not expected to be much physical adaptation needed of school kitchens.

MP was currently working with the asset team to ascertain schools' precise needs in this regard. There were a small number of schools with different kitchen situations and it was hoped that accurate costings for the required work be available next week. It was felt that the £642,000 allocation would not be enough for the capital work needed.

Basic needs funding had increased slightly but it was felt that this would not be a sufficient amount overall. A report to Cabinet in February would indicate a gap in costs. MP thanked Heads for the conversations that had already taken place on this but emphasised that it was likely that only the bare minimum of work would be able to be carried out.

Academies had been working well together and were not planning to expand at present and. Meetings with Secondaries would take place in February in order to share projections data. It was projected that 5,000 extra school places would be needed in the borough and work was on-going to ensure projections were as accurate as possible.

106 **FREE SCHOOL MEALS FOR KS1 PUPILS**

It was confirmed that revenue funding had not yet been announced by the DfE. The impact on Pupil Premium was of concern if this would continue to be allocated on the basis of free school meal eligibility. Modelling had been carried out on universal benefits and it was possible that there may be a move to a figure in Universal Credit that would trigger free school meals.

107 **DSG SETTLEMENT FOR 2014-15**

It was confirmed that per pupil funding had not increased and this had been multiplied by the number of pupils in the borough as at October 2013. There was a separate per pupil funding figure for the Early Years block and there was an increased target for two year olds. The High Needs block covered Special Schools, special units in mainstream schools, top up funding and alternative provision etc.

There were also some additions such as £3.1 million which included increased provision to meet the two year olds funding. Early Years transition funding had ceased. A deduction of £235,000 had also been made for the carbon reduction scheme. A bid had been made to the DfE for growth funding for the High Needs block.

Overall funding had increased from £189 million to £193 million but it was noted that this was mainly due to an increase in pupil numbers. These

figures were very close to the estimates used by the LA funding officers in the calculation of budgets.

108 **SCHOOL FUNDING ALLOCATIONS 2014-15**

The Forum noted that it needed to agree the overall funding pro-forma for submission to the DfE. Some of the factors were highlighted as follows:

6.8% of the total budget related to deprivation;

A factor for Looked After Children of £1,000 had been introduced;

English as an additional language only applied as a factor for three years after the pupil entered statutory education;

Very little funding was allocated through the mobility factor as this only applied for pupils above 10% threshold of the roll;

Prior attainment for Secondaries now applied to those not achieving level 4 in English or maths;

Rates costs increased as school buildings expanded but DA confirmed that officers were dealing with this;

The minimum funding guarantee protected schools at a cost of £1.7 million;

81% of funding was distributed via the Basic Entitlement, above the national target of 80%;

The ratio of primary to secondary schools in Havering was 1:1.36 compared to a national average of 1:1.28.

There were 36 Havering schools who would have received an increase in funding but these had all been capped. A total of 41 schools had received a decrease in funding but schools were protected beyond a 1.5% reduction per pupil. This was an improvement on last year's position when the gaps had been larger.

The Forum reviewed funding figures for all schools in Havering. This showed which schools had been protected to a 1.5% decrease if their original allocation would have resulted in a larger decrease. It was noted that some schools received extra funding for Early Years, special units or because they had half form infant class sizes.

The largest protection (£483,767) was for Drapers which had seen a rise of 102 pupils. Conversely, Gaynes would have a year on year reduction of £641,000 mainly due to a fall in pupil numbers.

The figures presented were not the final allocations and would be adjusted for de-delegation, nursery funding, class size etc.

Criteria had previously been agreed by the Forum for good and outstanding schools that had falling rolls but two other schools also had falling rolls. Details of these would be brought to a future meeting of the Forum.

The Forum approved the funding pro-forma as presented.

The Forum noted that the budget would be released by the end of February at the latest and would cover the period April 2014 to March 2015.

109 **NEXT MEETINGS**

It was noted that the next meeting would be on 13 February 2014 and it was hoped this would be held at CEME. Apologies for the meeting were recorded from Bill Edgar.

110 **ANY OTHER BUSINESS**

No other matters were raised.

Chairman

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TRADE UNION FACILITY TIME WORKING GROUP REPRT TO THE SCHOOLS FUNDING FORUM

1. Membership

Secondary	Primary	Trade Unions	LA
Simon London	Nigel Emes	Keith Passingham	Louise Howard
Keith Williams	Chris Hobson	Ray Waxler	David Allen
		Dave Thomas	

2. Meetings

Two meetings of the Working Group were held on 14th February and 5th March 2014. Nigel Emes chaired the meetings and terms of reference were agreed as follows:

To review the current arrangements for trade union facility time in Havering and to make recommendations to the Schools Funding Forum for future arrangements from 2014-15.

Members agreed to respect the confidentiality of individuals' salary information that may be considered as part of the review.

3. DFE Advice

The DFE had issued non statutory advice to school leaders, governing bodies, employers and employees following the call for evidence during the autumn term.

The full document is attached and the main points were as follows:

(a) Time Off

Union representatives are entitled to reasonable **paid** time off during working hours for:

Negotiations with the employer on issues such as collective bargaining, terms and conditions, redundancy and dismissal (including preparation, attending meetings and informing members of progress and outcomes)

Matter of discipline such as accompanying employees to internal hearings

Attending training in aspects of industrial relations (as provided by the Trade Union Congress or relevant trade union)

Training and duties of Learning and H&S reps

Union representatives are entitled to reasonable **unpaid** time off during working hours for:

Meetings with full time officials or branch, regional or national meetings of the union

Meetings of official policy making bodies such as national executive or annual conference

Workplace meetings to discuss and vote on the outcome of negotiations

Voting in union elections

(b) Management of facility time

There were various arrangements in place following the delegation of funding for facility time in 2013-14. Some Schools Forums had agreed de-delegation and some had not. Some academies had agreed to buy back into a central pool and some had grouped together or made their own arrangements. There were examples of arrangements in different LAs and academy trusts.

(c) Efficiency, accountability and transparency

The DFE view was that trade union reps should be grounded in classroom practice and no teacher funded by the taxpayer should work full time on union work. The expectation of the DFE was that all trade union representatives should spend the majority of their working hours on their school based jobs and that it should be possible for all local reps to fulfil their union duties in one day a week or less.

Annual costs ranged between £1 to £5.70 per pupil, Havering was at the top end of this. Many LAs had reduced spending to 0.1% of the pay bill and some as low as 0.05%.

Trade union representatives should be accountable to their managers and/or employers for the duties and activities carried out during their facility time. As much notice as practically possible should be given to managers when requesting time off.

Reporting arrangements should be put in place to capture details of duties and activities undertaken. This could be a termly report to the schools forum of the total hours spent under agreed headings. There should also be a code of conduct.

From 2014 LAs would need to publish decisions made by their Schools Forum of facility time spending and academies would need to include details of facility time spending as part of their published financial reports.

4. Areas of discussion

- (a) Budgets and costs per pupil from 10 LAs were circulated with Havering the highest.
- (b) The cost of providing facility time to each trade union was circulated. The funding was used to reimburse schools that had the trade union reps on their payroll and was calculated on the agreed FTE of facility time and the salary of the union rep. Some reps were not attached to a school and were paid direct on the receipt of timesheets. There were no line management arrangements in place for these staff.
- (c) It was recognised that the reps funded from this budget dealt with issues at a higher level than the school based reps and were accredited to deal with case work and indemnified by the union. Two days training is required to deal with stage 2 and 3 case work which needs to be refreshed regularly. They also provided valuable proactive support in dealing with disputes to prevent them from becoming more major issues.
- (d) Secondary schools allow time off for school based trade union representatives costing, on average £7,500. Added to the £5,000 contribution to the central pool the cost is £12,500.

Primary schools did not allocate in-school facility time to the same extent as secondary schools and were content with the current arrangements of delegation.

- (e) It was noted that two academies had decided not to pay into the central pool. Unions would be advised to withdraw support.
- (f) Any reductions in the amount of facility time allowed for particular trade unions would impact on the schools or academies at which they are employed and notice would need to be given for timetabling purposes.
- (g) Entitlement to additional days facility time was confusing and not widely accessed.
- (h) The LA's formal facility time agreement was considered. The Education Annex (Appendix 5) would need to be reviewed .

5. Recommendations to the Schools Funding Forum

- (i) Facility time for school based reps to be as follows:

All meetings with head teachers and management as well as meetings in which reps support member (e.g. disciplinary, capability meetings) must be held in timetabled time (not lunchtime or before or after school).

All meetings which take place in non contact time must be compensated with equivalent non contact time.

Reasonable time off for training should be allowed.

- (ii) The current allocation of facility time to the trade unions is changed to bring it in line with membership as follows:

	Current FTE	Membership	Revised FTE
NUT	1.2	1,294	1.42
NASUWT	0.9	726	0.80
ATL	0.5	410	0.45
VOICE	0.19	150	0.16
NAHT	0.1525	100	0.109
ASCL	0.0575	63	0.069
TOTAL	3.00		3.00

Support staff

Unison to remain at 0.5 FTE and consideration given to the allocation of facility time for GMB.

- (iii) As a first step towards reducing the costs, charges to be based on £4 per pupil including 6th form pupils. The impact on de-delegation for maintained schools and the contribution from academies will be as attached.
- (iv) Reduce the budget by £11,250 that provides additional days for each trade union. This is currently as set out below but the recommendation is to remove this additional allowance.

	Days	Additional Days	Total Days
NUT	5	15	20
NASUWT	5	15	20
ATL	5	12	17
VOICE	5	0	5
NAHT	5	3	8
ASCL	5	0	5
TOTAL	30	45	75

- (v) From 2014-15 Schools Forums would be required to publish decisions made in funding facility time and academies would need to include details of facility time spending as part of their published financial statements.

A monitoring report would therefore need to be devised to capture traded union activities undertaken and an account of total hours spent under agreed headings.



Department
for Education

Advice on trade union facility time

**For school leaders, governing bodies,
employers and employees in schools**

January 2014

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Summary

About this departmental advice

This is non-statutory advice from the Department for Education.

By law, trade union representatives are entitled to reasonable paid time off from their regular job to enable them to perform their union duties and to undertake relevant training.¹ Trade union members, including representatives, may also ask for unpaid time off to undertake activities. Together, these arrangements constitute facility time.

This advice explains what facility time is, clarifies the flexibilities available to schools and sets out the department's expectations about how facility time should be managed. It also sets out new measures to ensure better accountability and transparency for spending on facility time, which are supported by the findings of the Department for Education's call for evidence. The advice reflects the legislation and the Acas Code of Practice on trade union duties and activities.

Expiry or review date

This advice will next be reviewed in January 2015.

Who is this advice for?

This advice is for school leaders, governing bodies, employers and employees in all maintained schools and academies in England.

Key points

- Union representatives² in schools are entitled to reasonable **paid** time off during working hours to take part in trade union duties. Union representatives and members are also entitled to reasonable **unpaid** time off for trade union activities.
- There is substantial flexibility for maintained schools and, in particular, academies, to determine their own approaches to facility time to ensure positive workplace relations.

¹ Trade Union and Labour Relations (Consolidation) Act 1992 (TULR(C)A) sections 168 to 173.

² Trade union representatives, union learning representatives and health and safety representatives all have statutory rights attached to their respective roles under TULR(C)A / Safety Representatives and Safety Committees Regulations 1977, see also Code of Practice and HSC Code of Practice: Time Off for Training Safety Representatives (1978). Local facility agreements may also be in place.

- All union representatives who receive facility time to represent members employed in schools should spend the majority of their working hours carrying out their main duties as school employees.
- Employers should ensure that spending on facility time is as efficient as possible.
- There should be full accountability and transparency on facility time given to trade unions.

Introduction

Trade union facility time is reasonable time off for trade union duties and activities. This entitlement is set out in the [Trade Union and Labour Relations \(Consolidation\) Act 1992](#)³ and the [Acas Code of Practice on time off for trade union duties and activities](#).

The Department for Education has undertaken a review of trade union facility time in schools. A public call for evidence was launched on 19 September 2013 to gather views from employers, schools, representative organisations, governors and members of the public. This call for evidence asked for views about how facility time should operate. It asked how taxpayer subsidy of trade union activity through paid facility time could be made more transparent and efficient, and sought views on what constitutes ‘reasonable’ time off for trade union duties.

The [results of the call for evidence](#) have been published on the Department for Education’s website. The results demonstrate that there are examples of good practice, where facility time benefits schools and is managed efficiently and transparently. There are also, however, examples where spending is very high compared with other areas of the country. The majority of respondents agreed that there is a lack of accountability and transparency about how facility time is managed, and that all trade union representatives should be grounded in current classroom practice.

This advice is designed to provide information for school leaders, governing bodies, employers and employees on managing trade union facility time in schools. A glossary of some of the main terms used in the advice, as well as links to further sources of information, are provided at the end of the document.

³ Trade Union and Labour Relations (Consolidation) Act 1992 (TULR(C)A) sections 168 to 173. Local facility agreements may also be in place.

1. Facility time in maintained schools and academies

The legislation on time off for trade union duties and activities applies to all employers, including those responsible for maintained schools, academies and free schools. Within this legislation there is significant flexibility for all schools to determine their own approaches to facility time. This section explains the legislation and the flexibilities available to maintained schools and academies.

While this flexibility will continue, the call for evidence did produce some clear expectations about how facility time should be managed in schools. These are explained in **Section 2** of this advice. In making decisions about facility time, we would encourage school leaders, employers and managers to consider these expectations and the new transparency arrangements set out in section 2.4. School leaders, employers and managers will also want to consider the benefits of facility time, such as improved workplace relations and early intervention in relation to complaints and grievances.

1.1 Entitlement to time off for trade union duties and activities

Employees who are [union representatives](#) of a trade union recognised by their employer are entitled to **reasonable time off, during working hours and without loss of pay, to carry out union duties and undergo relevant training.**

Trade union duties include:

- negotiations with the employer, or other functions connected with the subjects of collective bargaining, such as terms and conditions, redundancy and dismissal arrangements.
- preparations for negotiations, including attending relevant meetings.
- informing members of progress and outcomes of negotiations.
- matters of discipline (e.g. accompanying employees to internal hearings⁴).
- attending training in aspects of industrial relations relevant to carrying out their trade union duties. This training must be approved by the Trades Union Congress or by the trade union of which he/she is an official.

Employees who are [union learning representatives](#) and trade union health and safety representatives are also entitled to paid time off to carry out their duties and training. For union learning representatives to take time off, the employer must have notice in writing that the employee is a learning representative of that union. The Health and Safety Executive issues its own advice and codes for health and safety representatives⁵.

⁴ In the case of local representatives these employees may be outside their own school if a local facility agreement allows for this.

⁵ [Health and Safety Executive advice and Codes of Practice](#)

Union members and union representatives may also request **reasonable unpaid time off during working hours to take part in union activities**. The Department for Education expects time off for trade union activities to be unpaid. Activities include:

- meetings with full time officials, or branch, area, regional or national meetings of the union where the business of the union is under discussion.
- meetings of official policy making bodies such as the national executive or annual conference.
- workplace meetings to discuss and vote on the outcome of negotiations with the employer.
- voting in union elections.

The [Acas Code of Practice on time off for trade union duties and activities](#) sets out in detail the difference between trade union duties and activities and provides examples.⁶

Employers should ensure that facility time is not used for any activities related to lobbying for, planning or carrying out industrial action. **There are no circumstances under which an employee can claim time off to take industrial action.**

The entitlements in relation to paid time off do not extend to people who are not employees⁷. All teachers, school leaders and support staff who receive facility time to carry out trade union duties and activities should be employed to work in a school, and have a responsibility to participate in their school's arrangements for appraisal. Their objectives should reflect their school-based jobs rather than their trade union work.⁸

1.2 Managing facility time in maintained schools and academies

The arrangements for how maintained schools and academies manage their facility time budgets and arrangements are set out below. In both cases, it is not a legal requirement to have a formal facility time agreement and so it may be more appropriate to agree simpler, more flexible arrangements. Any agreement reached should be in writing and reviewed on a regular basis.

⁶ [Code of Practice Section 1 \(duties\) and Section 3 \(activities\)](#).

⁷ Whilst we would expect all union representatives to be currently employed in schools, we are aware that in some cases recently retired teachers, school leaders or support staff receive facility time under a local agreement to represent members. These arrangements should be reviewed on a regular basis to ensure they are providing benefits. In other cases there may be a local facility agreement in place which provides for representation beyond the school where the representative is employed. If a representative works in a school where the local authority is not the employer and the employer chooses to continue the local facility agreement, this teacher will be entitled to reasonable paid time off to carry out trade union duties related to wider local representation.

⁸ All teachers and school leaders in maintained schools must also be appraised against the relevant standards as well as their objectives.

How maintained schools manage facility time

Simplification of local funding arrangements for 2013-14 means that maintained schools now have more flexibility to manage facility time budgets.

Funding for trade union facility time is delegated to maintained schools in the first instance. For maintained primary and secondary schools⁹ the local authority may propose that this funding should be pooled centrally. The relevant members of the [schools forum](#) are responsible for deciding whether funding will be returned from the schools to the local authority. This is known as [de-delegation](#). To enable schools forum representatives to decide what is best for their schools, the local authority should provide clear information in advance about how funds will be spent and how the service will benefit schools. Schools forum members should seek the views of the schools they represent before the decision is taken.

In local authorities where the schools forum has decided **not** to de-delegate funding, individual schools manage their own facility time budget. This allows flexibility: schools may choose to organise their own facility time arrangements, buy into local authority services or pool funding with other schools.

There may be facility time agreements which have been agreed in the past at a local level. Local agreements can always be re-negotiated even if they have been long standing arrangements¹⁰, provided they have not been incorporated into individual employment contracts (this practice is rare). Re-negotiations may be needed to ensure efficient spending on facility time and fair, transparent and up-to-date arrangements.

How academies and free schools manage facility time

As with maintained schools, funding for trade union facility time is delegated to academies and free schools in the first instance. This gives them the flexibility to manage their own facility time budgets.

Where the employer (i.e. the academy trust) recognises trade unions, union representatives working in the academy or free school are entitled to reasonable time off. This could be agreed formally, or on an ad hoc basis as needed. A number of academies manage their own facility time arrangements at school level. Others have made the decision to buy into local facility time services by agreement, to be reviewed regularly. Some larger academy trusts have set up their own agreements directly with recognised trade unions. In some areas groups of academies share the cost of facility time, and review their pooled allocation on a regular basis.

⁹ De-delegation does not apply to maintained special schools, nursery schools or Pupil Referral Units.

¹⁰ Facility time agreements will normally have notice provisions. If not, reasonable notice (e.g. up to 6 months but not less than 3 months) should be given before ending or re-negotiating an agreement.

Following a TUPE transfer, an academy should comply with any existing facility time agreement until they give notice that they want to end or re-negotiate this agreement.

The following examples demonstrate how different employers have reviewed and revised their facility time arrangements:

Example 1: review of facility time arrangements

Earlier this year Trafford Council ran a consultation on trade union facility time, with a view to revising their facility time allocation model and improving efficiency. The revised model still de-delegates facility time funding from maintained schools back into a central fund. Academies that have opted in also pay a set amount per pupil: the charges for academies and maintained schools are the same. The annual facility time budget for the borough is then allocated between participating trade unions. Each union is allocated a fixed amount which translates into days their representative can spend away from teaching, carrying out trade union duties and representing members across the borough. There are no full time trade union representatives.

The transparency of the model brings benefits. There is a clear, fixed allocation for the unions across the year which is managed centrally and published. Representatives also have to produce a termly log of their activities to report to the local authority.

Example 2: multi-academy trust

The White Horse Federation is a multi-academy trust encompassing seven primary schools (including two teaching schools). The trust has made the decision not to buy back in to the local authority's facility time fund in 2014-15. There is no clear information from the local authority of how the annual expenditure of £5,100 is used to benefit schools. As an academy trust they are directly accountable to directors, members and trustees as well as to the Education Funding Agency, and need to be able to show tangible results for all areas of spending.

The trust recognises the benefits of union representation for good workforce relations. They encourage each academy in their chain to make sure they have school-based union representatives, and to be flexible in allowing them the time they need to carry out union work, funded from the trust's facility time budget. On the rare occasions when they need to buy in the services of a local authority union representative, they are prepared to pay for this service. They employ human resources experts who provide bespoke advice and support for all of their schools; this also contributes to positive workforce relations.

Example 3: traded service for facility time

In North Somerset Council the schools forum made the decision not to de-delegate any funds back to the local authority. Instead, the local authority set up a traded service for facility time. All schools (including academies) can choose whether to buy into the service. The traded service encourages better accountability: the council and the trade unions must provide clear information to schools about the benefits. Maintained schools, special schools and academies are charged the same amount (just over £1.70 per pupil), and those schools who do not wish to buy into the pooled fund are able to buy the services of representatives on an ad-hoc basis. Focusing on work that is of genuine mutual benefit is the key to making the service cost-effective. The council runs a 'one day a week' model which helps to keep costs down and reduce disruption in schools. The funding arrangements for local authority level union representatives of the recognised trade unions allow those representatives time off to undertake union duties on a particular day of the week, each week during term time. All regular liaison meetings and most consultation and case work meetings are held on that day, and representatives carry out their school jobs for the rest of the week. The council operates an invoice approval system, allowing for accountability without creating a new reporting system.

1.3 Facilities for union representatives

When employers and school leaders are considering facility time arrangements, they may also want to consider the use of the following facilities:

Office facilities

There is no statutory right to office facilities for union representatives, except for those engaged in duties related to collective redundancies and the transfer of undertakings, unless a local agreement contains provisions for these. Many employers make facilities available to representatives, such as a meeting room, access to a telephone and other communication media, and use of a notice board. Office facilities should not be used for union activities which are only union facing and/or which encourage or promote industrial action. The Acas Code of Practice sets out further advice on use of office facilities.

'Check-off'

Some employers offer a 'check-off' facility which allows employees who are trade union members to pay their union subscriptions by deduction from their pay at source. Employers are not required to offer a 'check-off' facility unless there is a contractual entitlement or local agreement providing for this to be made available. It is possible to withdraw from local agreements on notice. If employers choose to offer check-off they may charge the union an administration fee: for example, some employers charge 5% of the value of the fees collected.

2. Managing facility time spending: ‘reasonable’ time off, efficiency, accountability and transparency

When making decisions about facility time spending, we would encourage employers and school leaders to take into account the expectations set out below, which are based on the clear messages emerging from the call for evidence.

2.1 What is ‘reasonable’ time off?

The call for evidence asked for views on the percentage of working hours which could be considered ‘reasonable’ time off to carry out trade union duties and activities. A majority of respondents expressed the view that trade union representatives should be grounded in classroom practice, and should spend more than 50% of their time in the classroom. Most school union representatives, who represent members in a single school, do not request any time off for trade union duties during their teaching time. However, many local representatives, whose duties are related to wider local representation outside their own school, currently spend *up to 100%* of their working hours on trade union work.

We agree with the majority of respondents to the call for evidence that **no teacher funded by the taxpayer should work full time on union work**. The provision in legislation is for employees to be permitted reasonable time off during working hours: the clear implication is that working hours should be spent principally on carrying out their main duties as an employee.

Whilst fully recognising that trade union representatives are entitled to reasonable time off in appropriate circumstances, the Department for Education expects all trade union representatives to spend **the majority of their working hours carrying out their school-based jobs**. We believe that it should be possible for local union representatives to fulfil their main union duties in one day a week or less, as demonstrated by the example of North Somerset Council above.

We would encourage all employers in schools and school leaders, especially those who currently fund full-time union representatives from facility time budgets, to review their facility time arrangements to ensure that **all union representatives are grounded in current classroom practice**.

2.2 Efficient spending on facility time

Moving beyond individual trade union representatives, at school/employer level, the call for evidence demonstrated the **importance of ensuring spending on facility time is as efficient as possible**.

Published data on current facility time spending shows significant variation in spending; from £1.00 per pupil per annum in one local authority, to £5.70 per pupil per annum in a local authority of a similar size. Even taking into account the need for flexibility according to local circumstances, the Department for Education believes that this is an unacceptable level of variation. The views of many respondents demonstrate that reductions in overall facility time spending can be made, whilst still allowing for flexibility according to local circumstances.

The department's review found that many local authorities and other employers have already reduced spending to approximately 0.1% of the pay bill, and others have made further reductions to 0.05% or less. This should include funding for all trade union representatives based in schools; representing support staff, classroom teachers and school leaders.

Whilst recognising the need for flexibility, we believe that **employers can reduce spending in line with these amounts and still support effective facility time arrangements in their school(s)**. As many respondents to the call for evidence suggested, we would encourage employers to review spending on facility time and consider how it could be made more efficient.

Efficiency of 'pooled' facility time funds

A number of academy trusts responding to the department's call for evidence raised the issue of inconsistency in local authority facility time arrangements. Most local authorities allow academies to buy into central facility time funds, but academy trusts report that charges range from less than £1 per pupil per annum to more than £7 per pupil per annum, and the benefits of buying into the service are often unclear. Some local authorities charge academies significantly more than the amount paid in by maintained schools, and some do not allow academies to buy into funding arrangements at all.

All employers or providers managing a pooled facility time fund should provide clear information to participating schools about **how much each school will be charged, how the money will be used and how this benefits schools**. As a rule charges should be the same for similar schools: if there are different rates for different types of schools the reasons for this should be made clear.

2.3 Better accountability

A strong consensus emerged from the call for evidence that there should be better accountability to employers and managers for how facility time is used. The majority of respondents agreed that **trade union representatives should be accountable to their managers and/or employers for the duties and activities carried out during facility time**.

Requests for time off

This need for better accountability applies in particular to requests for time off. Union representatives and/or members should give managers as much advance notice as practically possible when requesting time off, and advise them of the purpose, time and place. Wherever possible they should ensure that time off will not interfere with the normal functioning of the school. The Acas Code of Practice provides that union representatives should minimise disruption by being prepared to be as flexible as possible in seeking time off, particularly in circumstances where it is difficult for colleagues and managers to provide cover for them in their absence. Equally employers should recognise their obligation to allow union representatives to undertake their duties.

When dealing with requests for time off, employers, school leaders and managers should consider what constitutes 'reasonable' time off, and whether the request should be accommodated. They can take into account the amount of agreed time already taken and/or prospective time off. The following questions should be considered:

- Can the school accommodate the amount of time requested, and ensure adequate cover for safety and the provision of educational services?
- Does the request contain the right information (e.g. purpose, time and place - including agendas of meetings where appropriate), and has enough advance notice been given to provide alternative cover arrangements where necessary?
- Does it attract paid or unpaid time (i.e. will the time be used to undertake specific trade union **duties**, or for **activities** which should not attract paid time off)?
- If the request cannot be accommodated is there a reasonable alternative?

It is the responsibility of the manager (in consultation with the employer) to decide whether a request for time off is appropriate, and to decline a request if it is not considered reasonable. The Acas Code of Practice provides information on disputes over time off arrangements.

Reporting arrangements

All employers and managers should ensure that reporting arrangements are in place for trade union representatives to account for the duties and activities they have carried out during trade union facility time. It should not be necessary to provide more than a brief description of the work carried out, to avoid unnecessary bureaucracy or any breach of confidentiality.

Examples of good practice from the call for evidence include:

- a monitoring system with a time plan and details of trade union duties and activities undertaken, including minutes of meetings where appropriate.
- a simple termly report to the schools forum including evaluation of the service.

- an account of total hours spent under agreed headings.
- A code of conduct for trade union representatives (agreed between the employer and recognised trade unions).

2.4 Transparency

The majority of respondents agreed that details of facility time spending should be gathered and published, to enable taxpayers to see how their money is being spent.

Gathering information at national level

From 2014 the Department for Education will ask all local authorities and academies to provide separate information about trade union facility time spending as part of the regular financial returns to government.¹¹ **All employers in schools will need to ensure that reporting arrangements are in place so that spending on facility time is captured accurately in these returns.**

Publishing information at local level

For maintained schools, it is the role of the schools forum to decide whether trade union facility time funds should be pooled at local authority level or managed by schools. Schools forum regulations and associated guidance¹² state that the local authority must promptly publish all papers considered by the forum and the minutes of their meetings on their website. Recommendations to, and decisions of, the schools forum must be clearly set out. **Local Authorities should publish decisions made by schools forums on facility time spending, including details of the amounts allocated.**

Academies and free schools also have a responsibility to ensure their spending is transparent and efficient. **Academies and free schools should include details of facility time spending as part of their published financial reports.**

A number of local authorities and other employers in schools already have systems in place to ensure better accountability and transparency for facility time spending, and review these annually to ensure that the service they provide is cost-effective.

¹¹ Local Authorities will be required to submit additional information on staff costs for facility time as part of the Section 251 return for budget forecasting, and academies will be required to disclose facility time spending in their annual budget forecast return.

¹² [Department for Education guidance on the role of the schools forum](#)

Glossary

Trade Union and Labour Relations (Consolidation) Act 1992 – TULR(C)A [BACK](#)

This Act relates to trade unions, employers' associations, industrial relations and industrial action. The provisions in sections 168-173 relate to time off for trade union duties and activities (collectively known as facility time). These provisions are also set out in the annex to the Acas Code of Practice on time off for trade union duties and activities.

Acas Code of Practice on time off for trade union duties and activities [BACK](#)

Under section 199 of TULR(C)A the Advisory, Conciliation and Arbitration Service (Acas) has a duty to provide practical guidance on the time off to be permitted by an employer to a trade union official or member. The code of practice sets out authoritative guidance describing the responsibilities which employers and trade unions share in considering reasonable time off. The provisions in the code of practice are admissible in evidence in proceedings before an Employment Tribunal.

Trade union representative [BACK](#)

This advice reflects the Acas code of practice, which uses the term 'union representative' to mean an employee who has been elected or appointed in accordance with the rules of the independent union, to be a representative of all or some of the union's members in the school(s) where the union is recognised for collective bargaining purposes. This is intended to equate with the legal term 'trade union official'.

Union learning representative [BACK](#)

A union learning representative is an employee who is a member of an independent trade union recognised by the employer who has been elected or appointed in accordance with the rules of the union to be a learning representative of the union at the workplace.

Schools forum [BACK](#)

Schools forum is made up of representatives from schools and academies, but with some representation from other non-school organisations. The forum acts as a consultative body on some issues and a decision making body on others. The forum is responsible for decisions on proposals to de-delegate funding from maintained primary and secondary schools (e.g. for staff supply cover including facility time).

De-delegation [BACK](#)

Funding arrangements allow maintained primary and secondary¹³ schools forum representatives to vote on behalf of their phase to transfer funding from delegated budgets to a central budget (held by the local authority). This is known as de-delegation.

¹³ De-delegation does not apply to maintained special schools, nursery schools or Pupil Referral Units.

Further sources of information

[Results of the Department for Education call for evidence on trade union facility time in schools](#)

[Department for Education call for evidence document:](#)

[Advisory, Conciliation and Arbitration Service \(Acas\) Code of Practice on trade union duties and activities](#)

[Acas advice on trade union representatives in the workplace:](#)

[The rights of trade union representatives](#)

[Taxpayer funding of trade unions: delivering savings in local government \(Department for Communities and Local Government, March 2013\)](#)

[Government response to Civil Service facility time consultation](#)

[Department for Education guidance on the role of the schools forum](#)



Department
for Education

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Department
for Education

Universal infant free school meals

**Departmental advice for local authorities,
maintained schools, academies and free
schools**

March 2014

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Summary

About this departmental advice

This is departmental advice from the Department for Education. This advice is non-statutory, and has been produced to help recipients understand their obligation to provide free school meals to all infants in reception, year 1 and year 2.

Expiry or review date

This advice will be kept under review as we approach the implementation of universal infant free school meals (UIFSM) in September 2014.

What legislation does this advice relate to?

The Children and Families Bill places a legal duty on state-funded schools in England, including academies and free schools, to offer a free school lunch to all pupils in reception, year 1 and year 2. Subject to Royal Assent, which is expected in March 2014, the duty will come into force from September 2014.

Who is this advice for?

This advice is for:

- School leaders and governing bodies in all maintained schools, academies, free schools, pupil referral units and alternative provision with children in reception, year 1 and year 2
- Local authorities

Key points

- In the 2014 to 2015 academic year schools will be paid funding at a flat rate of £2.30 for each meal taken by newly eligible pupils. Initial provisional allocations will be based on an estimate of national take-up and then adjusted once the department has details of the actual number of meals taken in individual schools
- Additional one-off funding will be provided in the 2014 to 2015 financial year to small schools (those with fewer than 150 pupils in total) to help with transitional costs
- The government is providing £150 million of capital funding in the 2014 to 2015 financial year to support the rollout of UIFSM
- Targeted advice and support will be provided to schools and local authorities through the UIFSM implementation support service

Eligibility

Reception, year 1 and year 2

From September 2014 all pupils in reception, year 1 and year 2 in state-funded schools in England will be eligible for free school meals (FSMs). This will include academies, free schools, pupil referral units and alternative provision as well as maintained schools.

Eligibility criteria for other groups

Existing entitlements to free school meals for disadvantaged pupils in nursery classes and at key stages 2-4 will continue as now, based on the existing free school meals eligibility criteria.

In England, children at key stages 2-4 in state-funded schools are entitled to receive FSM if their parents or carers are in receipt of any of the following benefits:

- Income Support
- Income-based Jobseekers Allowance
- Income-related Employment and Support Allowance
- Support under Part VI of the Immigration and Asylum Act 1999
- the guaranteed element of State Pension Credit
- Child Tax Credit (provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190, as assessed by Her Majesty's Revenue and Customs)
- Working Tax Credit run-on - paid for 4 weeks after you stop qualifying for Working Tax Credit
- During the initial roll out of the benefit, Universal Credit

The Children and Families Bill does not change the current position for children who are registered pupils in the nursery class of a maintained school, or in a maintained nursery school. They will continue to receive a FSM if they meet the existing eligibility criteria and they are in receipt of full-time education or education both before and after the lunch period.

Young children who take up their funded early education entitlement in a private or voluntary early years provider – for example a full day care nursery, or play group – or an independent school are not entitled to a FSM even if they meet the qualifying criteria. This is because the existing FSM framework is relevant only to registered pupils in the state-funded school sector.

Meal requirements and food standards

Food Standards

Schools¹ are legally required to provide meals that comply with the School Food Standards. These standards are intended to ensure that children get the nutrition they need across the whole school day. They govern all food and drink on offer within the school and apply across the school day, including breakfast, mid-morning break, lunchtime and food served after school. We are currently [consulting](#) on a set of simplified standards, which we are proposing will come into force from January 2015.

Hot meals

The legal requirement on schools will be to provide a lunchtime meal that meets the School Food Standards, where they apply¹. We expect that pupils will routinely be offered a hot meal option.

Catering for pupils with special dietary requirements

Headteachers and school governors are best placed to make decisions in the case of pupils who have special dietary requirements, taking into account local circumstances. We expect schools to make reasonable adjustments for pupils with these requirements.

This is already the case in relation to FSMs for disadvantaged pupils and schools will be expected to take the same approach as eligibility is extended.

For advice on how to cater for pupils with special dietary requirements see the [School Food Plan's UIFSM Toolkit](#).

Packed lunches

Schools will be expected to offer FSMs to all infant pupils, but will not be expected to make take-up of meals by infant pupils mandatory. Schools have the freedom to set their own policies in relation to packed lunches, and that will not change.

¹ The standards apply to all LA maintained schools. Academies set up between 2008 and 2010 are required to comply with the existing regulations. Academies and free schools set up after 2010 are exempt. We will be introducing a requirement for new academies to comply with the school food standards regulations through their funding agreements. As part of their work implementing the *School Food Plan*, Henry Dimbleby and John Vincent are asking schools that do not have to comply with the regulations to make a voluntary commitment to do so.

Funding

Capital funding

Details of the specific capital funding available to support this policy, including allocations to individual local authorities, were published in December 2013 and are available from GOV.UK.

Local authorities will receive their capital funding in April 2014, and we would encourage schools to contact the appropriate person in their authority for information about how the money will be prioritised. The results of the most recent Academies Capital Maintenance Fund (ACMF) bidding round will also be announced shortly.

In addition, we encourage local authorities to consider how they might use their school maintenance and improvement budgets to support the delivery of UIFSM, and academies to consider how they might best approach future bids to the [ACMF](#).

Revenue funding

Revenue funding will be based on a rate of £2.30 for each meal taken by pupils who will become newly eligible for a FSM as a result of the UIFSM policy. Schools will be expected to continue to fund meals for pupils eligible for FSMs under the existing criteria in the same way that they do currently. We are introducing a new indicator on the Schools Census which will enable schools to state how many newly eligible infants (i.e. infants not eligible for free school meals under the existing criteria) are taking a FSM. This new indicator will be introduced from October 2014.

Schools will be notified of their provisional full year revenue funding allocation for the 2014 to 2015 academic year in June 2014. Local authorities will receive the first 2014 to 2015 payment for maintained schools at the end of June 2014, with academies and free schools shortly after in their next scheduled payment in early July, and newly opening academies and free schools in early September. This payment will provide funding for the first two terms of the academic year (which represents the remainder of the 2014 to 2015 financial year).

This allocation will be based on pupil data from the January 2014 Schools Census as well as planning assumptions that (i) 87% of newly eligible pupils will take meals, and (ii) those pupils will take 190 school meals in the course of a full academic year. This provisional allocation will be revised later in the academic year based on actual take-up data derived from an average of the October 2014 and January 2015 Schools Censuses and the payment for the third term of the 2014 to 2015 academic year will be adjusted accordingly.

Schools with an actual take-up rate above the assumed take-up rate of 87% will have the provisional third term payment, to be made in April 2015, adjusted upwards and those

below this rate will have it adjusted downwards. Those schools with low levels of take-up may receive no extra payment in the third term. We would expect the number of schools in this position to be very small.

The allocation methodology for the 2015 to 2016 academic year will be confirmed in due course. Our intention is that it will be based on take-up data from the Schools Census. Funding for this policy beyond the 2015 to 2016 financial year will be considered as part of the next Spending Review, along with all other government expenditure.

The department will provide detailed terms and conditions and further advice on issues such as closing schools and the year-end accounting treatment for an academic year grant.

Small schools transitional funding

We are also providing additional transitional funding for one year only, totalling £22.5 million, in the 2014 to 2015 financial year to small schools (schools with a total roll of fewer than 150 pupils according to the January 2014 Schools Census). Funding will be provided as a lump sum in June 2014. This can be spent as schools choose in support of their implementation of the policy, including for the purpose of improving kitchen or dining equipment, and will not be adjusted later to take account of take-up.

All small schools with infant pupils who were not eligible for FSM in the 2014 census will receive at least £3,000 of additional funding. Allocations will be calculated with reference to the units of funding detailed in the table below. Where that is below the minimum level the allocation will be uplifted to £3,000.

Total no. of pupils on school roll in latest census	Unit funding per non-FSM eligible infant
minimum additional funding per school with non-FSM infants in latest census data	£3,000
1-30	£210
31-60	£190
61-90	£160
91-120	£135
121-150	£100

Small school funding: examples

Example 1: A school with a total school roll of 98 pupils in the January 2014 Schools Census, with 34 infants newly eligible for free school meals, will receive in June 2014 a small school transitional funding lump sum of £4,590 (34 x £135) in addition to their revenue funding.

Example 2: A school with a total school roll of 32 pupils in the January 2014 School Census, with 11 pupils newly eligible for free school meals, will receive in June 2014 a small school transitional funding lump sum of £3,000 ((11 x £190 equals £2,090, so this is uplifted to the minimum funding figure of £3,000) in addition to their revenue funding.

Pupil premium

The basis on which pupil premium funding is calculated will not be affected by the introduction of UIFSM.

In particular, the funding for the financial year 2014 to 2015 will be informed by data collected in the January 2014 School Census. This took place prior to the introduction of UIFSM.

For the financial year 2015 to 2016, the same criteria currently used to assess FSM eligibility (i.e. receipt of qualifying benefits) will continue to be used to assess whether a pupil qualifies for the pupil premium (£1300 per child at present). Data on FSM-eligible pupils will continue to be collected by the department annually, through the School Census (for mainstream settings) and the Alternative Provision census (for non-mainstream settings).

For more advice on how schools can safeguard pupil premium funding from September 2014, see the [UIFSM Toolkit](#).

Implementation support

The Children's Food Trust (CFT) and the Lead Association for Catering in Education (LACA) have been commissioned by the department to provide a support service for schools, local authorities and caterers preparing to provide UIFSM.

This implementation support service will consist of a telephone and online advice service for all organisations requiring support, and a direct-support service for some schools.

Schools that are identified as needing direct support will have a number of options available to them, including collaborating with other schools, further telephone advice and face-to-face visits by specialist professional advisors.

The direct-support service will be available to schools that:

- currently have low levels of school meal take-up
- provide only packed lunches
- have in-house catering and are therefore unlikely to receive support from a 'parent' organisation such as a local authority or catering organisation
- are small and therefore struggle to make the school meal service break even;
- are very large, and known to have capacity issues; and / or
- prepare and transport school meals to other schools (known as 'production kitchens'). Some of these will be secondary schools

To access this support schools should first check the online resources on the [Children's Food Trust website](#). If they need further advice, they should then contact the advice service on either info@childrensfoodtrust.org.uk or by calling 0800 680 0080.

A specialist call handler will discuss the requirements of each school and, if necessary, refer them on to the most appropriate source of direct support.

Schools that meet the criteria for direct support will receive personalised support, tailored to their requirements, from the CFT; Elygra Marketing (acting for LACA) or one of the consortium's delivery partners; Food For Life Partnership; Craft of Guild Chefs; Foodservice Consultants Society International; and the Small Schools Taskforce.

Schools will not have to pay to access the advice service, the telephone support or the opportunities to collaborate with other schools. There will be a contributory charge for direct face-to-face support.

Advice and guidance is also available via the [online UIFSM toolkit](#), and at the [School Food Plan](#) website.



Department
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Reference: DFE-00073-2014

Supporting Vulnerable Children from the Social Inclusion Fund

Categories of additional support suggested by HTs

1. Y11 Students who move into the Borough who are hard to place.
2. Students at risk of exclusion who would benefit from intervention through either part time or full time alternative educational provision or otherwise in KS1,2 and 3 to enable them to complete their statutory education.
3. Reintegration support

Financial Support

1. Provision for 'hard to place' Y11 students may be through the Pupil Referral Service, or placement in schools both through the IYFAP Process.
 - a) The costs of placement (up to 20 places) through the Pupil Referral Service to be met from the PRS delegated budget, as agreed with the PRS Management Committee.
 - b) Schools admitting a student through IYFAP to be supported through the allocation of funding for the remainder of the school year based on the AWPU (currently £4,740) and the number of weeks until the date on which the student would normally be expected to leave the school. The normal leaving date for KS4 to be 30th June.

e.g. If placed on 1st December the school would receive £2,765 (1st December to 30th June)

If placed on 1st May the school would receive £790 (1st May to 30th June) of funding for the remainder of the period.
2. Students who are at risk of exclusion may be placed in alternative provision by the school or otherwise provided with additional specialist support (KS1,2 and 3). This may follow or be part of a school transfer. All cases will need to be submitted to IYFAP and only those cases that meet the criteria will be allocated funding i.e. the student is at risk of permanent exclusion and all reasonable interventions to improve behaviour have been taken and have failed.

Application should include the proposed course of study or provision/support, start date, FTE and cost of AP. The AWPU funding and any pupil premium will be deducted for AP. Funding will be to a maximum of £8,000 per annum and a maximum of 3 students per school will be supported.

AP Funding will only be made available for placements with those providers that are listed on the Local Authority's approved alternative education provider list.

3. BSS/TA support for students placed via the IYFAP process in need of support for them to successfully reintegrate from the PRS back into schools. Agreed via the IYFAP process to enable more effective transitioning and re integration for students difficult to place without additional specialist support.
-



Education
Funding
Agency

Education Funding Agency
Sanctuary Buildings
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Tel: 0370 000 2288

Email enquiry form:

www.education.gov.uk/help/contactus

Date: 14 February 2014

Dear Colleague

As you know, we will be sending out your allocation for the coming academic year towards the end of this month, through to the end of March. I want to let you know about some important changes for the coming year that might affect your allocations.

Insurance

Insurance for academies and free schools has generally been more expensive than for maintained schools, because academies and free schools do not enjoy the same economies of scale as local authorities in procuring insurance. We have decided to introduce a voluntary risk pooling scheme for academies and free schools with effect from 1st September 2014. This means you will no longer have to face higher costs for insurance than maintained schools. You will still be free to secure your own insurance should you wish to do so.

All academies and free schools will be eligible to join the new scheme. In the first year, the cost will be a flat fee of £25 per pupil for all academies and free schools. If you are already paying less for appropriate insurance, it may be possible to charge less than £25 per pupil if you decide to join the scheme. The insurance supplement of £20 per pupil being paid in 2013/14 will be withdrawn from 2014/15, because the new scheme will provide an option of insurance at a price that does not require this top-up. We will reimburse the cost of insurance above £25 per pupil under current contracts until they expire.

Further details of this new scheme are included in Annex A. We will send you a full description of the scheme by the end of March 2014.

Education Services Grant rate

We announced in December 2012 that as a transitional protection for academies and free schools against reductions in the Education Services Grant, we would set the ESG rate for academies and free schools at £140 per pupil in the academic year 2014/15. This is now confirmed and will be reflected in the academic year 2014/15 allocations.

New protection arrangements

We are making a minor change to the protection arrangements in 2014/15. We will put in place a new, simpler protection arrangement, whereby any reduction to an academy's or free school's funding caused by the combination of (a) any fall in its ESG rate from 2013/14 and (b) the disapplication of the Minimum Funding Guarantee from double funding for specialist SEN services, must not exceed 1% of its total funding per pupil in 2013/14. If the

reduction is above 1%, the academy or free school will be given additional funding to bring the reduction down to 1%.

New payment profiles

To provide more consistency across all state-funded schools and simplify financial planning from September 2014, we are revising the payment profile for academies and free schools. Currently we pay you 12% in the first month with the remainder flat profiled across the rest of the year. We are now going to profile your payments into 12 equal instalments.

Your pre16 and sixth form allocations

This year, if you have a sixth form, we will be sending out your pre16 allocation as soon as it is ready rather than waiting for both allocations and sending them out together. We have spoken to a range of different academy and free school representatives and they have confirmed they would rather receive their pre16 allocation as soon as it is available than wait for the sixth form allocation. This will be consistent with maintained schools who receive their pre16 and sixth form allocations separately. When your sixth form allocation is ready, you will receive one complete funding statement with all of your available revenue funding streams in one place.

Double funding for specialist SEN services – only affects academies open before April 2013

In 2012/13 local authorities were funded to provide SEN services to maintained schools, academies and free schools, and we also funded academies and free schools for the same services through the SEN block of your LACSEG. This meant that both academies/free schools and local authorities were funded for the same set of services. In December 2012 we announced our intention to end this double funding – but we still included it in your minimum funding guarantee baseline for 2013/14. It has now been decided that we will remove the value of the double funding over two academic year allocations: 50% in 2014/15 and 50% in 2015/16.

Additional information

We have produced more detailed information on the contents of this letter in a filmed [presentation](#) which I hope you will find helpful. You will also get more detailed guidance on all aspects of your funding, including the changes outlined in this letter, when we issue final 2014 to 2015 academic year allocations.

If you have any questions about funding reforms, which aren't addressed here or in the online material, please contact us via the [Academies Enquiry Service](#) quoting 'Update to 2014 to 2015 funding' and including the name of your academy/free school.

Yours faithfully

Sue Baldwin



Director - Academies and Maintained Schools



New academy and free school risk pooling scheme for 2014/15

Introduction

Insurance for academies and free schools has generally been more expensive than for maintained schools, because academies and free schools do not enjoy the same economies of scale as local authorities in procuring insurance. This position is unsatisfactory, and means that money is spent on insurance that could be spent on educating pupils.

We have decided to introduce a voluntary risk pooling scheme for academies and free schools with effect from 1 September 2014. This will mean that academies and free schools no longer face higher costs for insurance than maintained schools do.

How the scheme will work

All academies and free schools will be eligible to join the new scheme if they wish to do so. In the first year the cost will be a flat fee of £25 per pupil for all academies and free schools unless they are already paying less for appropriate insurance, in which case it may be possible to charge less than £25 per pupil if they decide to join the scheme.

The £25 per pupil fee (which equates to the amount deemed to be included within academies'/free schools' GAG for insurance) will be charged to academies and free schools from the date they join the scheme. Any academies and free schools that wish to secure their own deal independently can do so, and will need to fund the cost from their own budget whether it costs more or less than £25 per pupil. The insurance supplement of £20 per pupil being paid in 2013/14 will be withdrawn from 2014/15, because the new scheme will provide an option of insurance at a price that does not require this top-up.

Current arrangements for reimbursing academies' and free schools' insurance costs include the £20 per pupil insurance supplement and individual applications to the EFA for costs above that. Because the £20 per pupil supplement is being withdrawn from 2014/15, the EFA will reimburse the actual cost of insurance above £25 per pupil between 1 September 2014 and the expiry of academies' and free schools' current insurance contracts.

Coverage

The new scheme will offer a comprehensive range of cover which will be comparable to the classes of cover that the department currently reimburses. It will include as a minimum, insurance for premises, employers' liability, public liability, and school trips within the UK in connection with the school curriculum. Full details will be announced by the end of March 2014.

Existing academies and free schools will be able to join the scheme as their current insurance arrangements expire. New academies and free schools will be able to join the scheme with effect from 1 September 2014.

Where insurance contracts expire between today's date and 1 September 2014, and the academy or free school wishes to join the new scheme, it can either enter a new contract just for the period up to 31 August, or renew for a full year. The EFA will reimburse academies and free schools for costs above £25 per pupil for a maximum of one year for contracts entered in to on or after 13th February 2014, so new multi-year contracts will not be reimbursed after the first year has expired. If the announcement of the new scheme causes the academy's or free school's current insurer to raise premiums for a renewed contract, academies and free schools can seek alternative insurance through the [CPC insurance framework](#).

In order to provide best value for money through the new scheme, the Department will need better information about academies' and free schools' current insurance arrangements and recent claims history. We have included an insurance survey with this letter for you to complete and return by the 11th March 2014.

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Department
for Education

Launch date 13 March 2014
Respond by 5 June 2014
Ref: Department for Education

Fairer Schools Funding in 2015-16

Fairer Schools Funding in 2015-16

This consultation sets out the Department for Education's proposal to allocate an additional £350m in 2015-16, to increase the per-pupil budgets for the least fairly funded local areas. Our proposal will mean that in 2015-16, every local area will attract a minimum level of funding for each of its pupils and schools, making the distribution of funding to local areas fairer whilst ensuring that no area receives a cut to its per-pupil budget. This consultation invites views on how to set these minimum funding levels, and how we will distribute the additional £350 million funding.

We are inviting views on whether small changes to the operation of the sparsity factor would be helpful.

To

Issued 13 March 2014

Enquiries To If your enquiry is related to the policy content of the consultation you can contact the Department on 0370 000 2288

e-mail: SchoolFunding.CONULTATION@education.gsi.gov.uk

Contact Details

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Ministerial and Public Communications Division by e-mail: consultation.unit@education.gsi.gov.uk or by telephone: 0370 000 2288 or via the Department's '[Contact Us](#)' page.

1 Introduction

1.1 Making school funding fairer

There is widespread recognition that the current school funding system is unfair and out of date. We are committed to addressing this so that, across the country, schools have a fair funding allocation that equips them to provide a world-class education.

Since we first consulted in 2011 on how to improve the school funding system, we have introduced a number of important changes to how local authorities distribute funding to schools. These changes have already led to a more transparent funding system with more money being allocated based on the needs of pupils. In 2013-14, local authorities allocated almost 90% of funding based on the needs of pupils, compared with 71% in 2012-13.

We are now determined to provide additional funding to the least fairly funded local authorities in 2015-16. After we have met our commitment to fund all local authorities at the same cash level per pupil as in 2014-15, we have decided to add a further £350m to fund schools in the least fairly funded authorities. This will be the first time in a decade that funding has been allocated to local areas on the basis of the actual characteristics of their pupils and schools, rather than simply their historic levels of spending. **No local authority or school will receive less funding as a result of this proposal.**

Although these proposals do not represent implementation of a national funding formula, this is the biggest step towards fairer funding for schools in a decade. The proposals we are announcing today put us in a much better position to implement a national funding formula when the time is right. This will be when the government has set spending plans over a longer period of time, allowing us to give schools and local authorities more certainty about how the formula will affect them over a number of years.

This proposal relates to 2015-16. Beyond 2015-16, the allocation of funding between local authorities will be a matter for the next spending review.

1.2 Allocating the additional funding fairly

1.2.1 We have carefully considered how we can allocate the £350m as fairly as possible – in a way that reflects the needs of pupils and schools. We are determined to avoid allocating it in a way that could perpetuate the flaws and inconsistencies of the current system, which we have been progressively reforming.

We propose to allocate the additional funding by setting minimum funding levels that a local authority should attract for its pupils and schools in 2015-16. If a local authority already attracts at least these minimum funding levels, then we will not make any change to the amount of funding per pupil that it receives. If a local authority attracts less than these minimum funding levels for the pupils and schools in its area, we will increase its budget so that it meets those levels.

We propose setting a minimum funding level for five pupil characteristics:

- a per-pupil amount ('age weighted pupil unit');
- pupils who are from deprived backgrounds;
- pupils who have been looked after, ¹ for example in foster care;
- pupils with low attainment before starting at either their primary or secondary school;
- pupils who speak English as an additional language.

In addition, we propose setting a minimum funding level for two school characteristics currently used by local authorities to allocate money to schools:

- a minimum funding level for each school on top of its per-pupil funding ('lump sum'); and
- a minimum funding level for small schools that are essential to serving rural areas ('sparsity sum').² We propose setting our minimum funding levels based on the average amounts ³ that local authorities allocate to these characteristics in their local formulae at present. We propose to

¹ For 2015-16, a single indicator will be provided, covering all pupils who have been looked after for one day or more on the 31 March 2014. This is the same measure as was set out in the operational guidance for 2014-15.

² The sparsity factor is one of a number of permitted factors that local authorities can use in their local funding formula. This formula factor allows local authorities to allocate additional funding to small schools that are essential to serving small rural communities.

³ In order to calculate the indicative minimum funding levels shown in this document, we have used the published final 2013-14 pro forma data to calculate the average per pupil amounts – with the exception of the lump sum and sparsity sum, where we have used provisional 2014-15 school funding data. To calculate the average per pupil amounts for a particular characteristic, we have only included local authorities that allocated funding for the characteristic in question and the average amounts are calculated as a pupil-weighted average. When final 2014-15 pro forma data is available, we will review the minimum funding levels.

apply the minimum funding level for the basic per-pupil amount ('age-weighted pupil unit') at the average that local authorities currently allocate through this factor. In doing this, we will use roughly 75% of the £350m of additional funding.⁴ We then propose to apply the minimum funding levels for the other characteristics using the rest of the additional funding (roughly 25%). This will mean that we can set each of the other minimum funding levels close to the level of its current local authority average.

⁵ We propose to raise the minimum funding levels for local authorities in areas with higher salaries in line with a 'hybrid area cost adjustment'. This takes account of both teacher salary and general labour market data. We set out this approach in detail at Annex C.

Indicative minimum funding levels, based on the data currently available, are as follows. These are subject to revision when we have final confirmation of local authorities' local funding formulae for 2014-15.

Indicative minimum funding levels

- A basic per pupil amount – primary: £2,845; key stage 3: £3,951; key stage 4; £4,529
- Deprivation – between £893 and £1,974 – full breakdown in Annex A
- Looked after children – £1,009
- Low prior attainment – primary: £878; secondary: £1,961
- English as an additional language – primary: £505; secondary: £1,216
- A lump sum for every school – primary: £117,082; secondary: £128,189
- Additional sparsity sum for small schools vital to serving rural communities – up to £53,988
- An area cost adjustment to increase minimum funding levels in areas with higher labour market costs.

⁴ In using the final 2014-15 data this proportion may change. For example, if the average age weighted pupil unit is higher in 2014-15 than in 2013-14, this proportion will increase.

⁵ Each of the indicative minimum funding levels, with the exception of the minimum funding level for the basic per pupil amount, has been scaled back from the current local authority average proportionately to use the remaining share of the total available funding (roughly 25%). October 2014 census data will be used to calculate each of the minimum funding levels before Dedicated Schools Grant (DSG) funding is confirmed for 2015-16.

In order to calculate whether a local authority will attract additional funding to reach the minimum funding levels, we will first look at the amount each local authority would be due to receive in 2015-16, given our commitment to fund all local authorities at the same cash level per pupil as in 2014-15. We will then apply the minimum funding levels to calculate a new total. This will be done by:

- i. multiplying each of the minimum funding levels by the relevant number of eligible pupils or schools in the local authority:⁶
- ii. summing each of the totals in (i) to create a new funding amount for the local authority;
- iii. applying the area cost adjustment to the total in (ii);
- iv. if this total is more than the original total set out in paragraph 12, we will increase the local authority's funding to reach this new level;
- v. if not, the level of funding remains the same.

⁶ At the time DSG allocations are confirmed, the Department will use October 2014 census data. The exemplification in this document uses October 2013 data.

A worked example of our proposed approach is set out below.

Worked Example: Authority X

The following example demonstrates how the minimum funding levels would be applied in imaginary authority X, which has 100,000 pupils. This authority only has KS3 pupils and every deprived pupil also lives in an IDACI 6 area.

i. Total funding 2014-15 £400,000,000

There are 100,000 pupils in authority X and in 2014-15 this authority will receive £400m with each pupil attracting £4,000.

ii. Apply each of the minimum funding levels:

- AWPU KS 3 AWPU MFL x [100,000 pupils in LA] =pound;3,951 x 100,000 =pound;395,100,000
- Deprivation MFL x [5,000 deprived pupils] =pound;1,974 x 5,000 =pound;9,870,000
- LAC MFL x [250 LAC pupils] =pound;1,009 x 250 =pound;252,250
- LPA MFL x [5000 LPA pupils] =pound;1,961 x 5,000 =pound;9,805,000
- EAL MFL x [250 EAL pupils] =pound;1,216 x 250 =pound;304,000
- Lump sum MFL x [100 schools] =pound;128,189 x 100 schools =pound;12,818,900
- Sparsity MFL ⁷ x [10 schools with 300 pupils] =pound;26,994 x 10 =pound;269,940

iii. New MFL total

- The sum of each MFL calculation above is =pound;428,420,090.
- Authority x attracts an ACA adjustment factor of 1.1.
- The adjusted MFL total would be £428,420,090 x 1.1 =strong>£471,262,099
- Divided by the number of pupils in the local authority =strong>£4,713 per pupil

⁷ In this example, each school attracts 50% of the sparsity MFL. This is because the sparsity amount is a tapered sum. With 300 pupils, the secondary schools attract 50% of the MFL. More information on how the tapering works can be found in the operational guidance for 2014-15.

Authority X would receive the higher total budget of £471,262,099 and the higher per pupil amount of £4,713, because their current funding and per pupil amount is less than these new totals.

The table at Annex B lists the 62 local authorities that currently attract less than the indicative minimum funding levels for their pupils and schools. The table indicates the new level of funding per pupil for 2015-16⁸ that would result from these indicative minimum funding levels. **Every other local authority will see its per pupil funding maintained in cash terms, consistent with funding decisions since the start of this Parliament. No school or local authority will lose money as a result of this proposal.**

Note that in most cases, we have used published 2013-14 local authority pro-forma data to calculate the indicative minimum funding levels shown in this document. When final 2014-15 data is available we will review the minimum funding levels and **it is possible some local allocations may vary in order to fit within the envelope of funding we have available.** For example, if the average AWPU turns out to be higher in 2014-15, a greater proportion of the £350m funding would be allocated through the AWPU minimum funding level, meaning a smaller proportion of the overall pot would be allocated through the remaining factors.

1.3 The role of local authority in 2015-16

1.3.1 Our proposal uses seven of the characteristics used in local formulae, but we are not proposing that local authorities should be required to use those seven factors in their local formulae in 2015-16 (with the exception of the basic per pupil amount and the deprivation factor, which are mandatory). Nor are we proposing that local authorities choosing to use any of these seven factors should be required to weight that factor at or above the minimum funding level. It will remain for the local authority to decide how best to apply its local formulae to meet its circumstances.

We are not proposing any changes for 2015-16 to the way in which local authorities can allocate funding to schools – except, possibly, minor changes to the sparsity factor. When we introduced the sparsity factor for 2014-15, we said that we would review how useful local authorities had found this factor. We

⁸ Any additional funding allocated would be applied only to the schools block within local authorities' DSG allocations. Local authorities will continue to be free to move funding between their schools, high needs and early years blocks in 2015-16 provided they comply with the requirements of our Minimum Funding Guarantee (MFG).

would like to seek views on this through this consultation, particularly to understand if any changes would be helpful for 2015-16. We have set out a number of questions on the sparsity factor as part of the consultation response form provided alongside this document.

We will retain the Minimum Funding Guarantee, which has been in place over many years and which dictates that for the vast majority of schools, funding per pupil cannot drop by more than 1.5% per year.⁹

2 Annex A: Indicative minimum funding levels for 2015-16

- 2.1 Please click here to download Annex A, the Indicative minimum funding levels for 2015-16.

3 Annex B: Indicative changes to local authority funding in 2015-16

- 3.1 Please click here to download Annex B, the Indicative changes to local authority funding in 2015-16.

4 Annex C: Area Cost Adjustment (ACA)

- 4.1 Please click here to download Annex C, the Area Cost Adjustment (ACA)

5 Consultation

- 5.1 To respond to our proposals go to www.education.gov.uk/consultations. The consultation closes on 30 April 2014.

⁹ Some funding is excluded from the calculation of the Minimum Funding Guarantee. Details of this are in '2014-15 Revenue Funding Arrangements: Operational Information for Local Authorities.'

6 How To Respond

6.1 Consultation responses can be completed online
www.education.gov.uk/consultations.

by emailing: SchoolFunding.CONULTATION@education.gsi.gov.uk

or send by post to:

Ministerial and Public Communication Division, Level 2, Department for Education, Mowden Hall, Staindrop Road, Darlington, DL3 9BG

7 Additional Copies

7.1 Additional copies are available electronically and can be downloaded from the Department for Education e-consultation website at:
www.education.gov.uk/consultations

8 Plans for making results public

8.1 The results of the consultation and the department's response will be published on the DfE e-consultation website in summer 2014.

Annex A: Indicative minimum funding levels for 2015-16

1. The table below provides more information about each of the indicative minimum funding levels. These may change when we have final confirmation of local authorities' 2014-15 local funding formulae.

		Minimum funding levels		
		Primary	Secondary	
Age-weighted pupil unit		£2,845	Key stage 3: £3,951 Key stage 4: £4,529	
Pupils who have been eligible for free school meals in the past six years		£893	£1,080	For a pupil who is both eligible for free school meals and lives in an IDACI band 1 to 6 area, the local authority would attract both the FSM and relevant IDACI band minimum funding levels.
Pupils who live in an area that is in one of the income deprivation affecting children index (IDACI) bands	IDACI 1	£237	£321	
	IDACI 2	£290	£423	
	IDACI 3	£387	£530	
	IDACI 4	£453	£596	
	IDACI 5	£511	£659	
	IDACI 6	£741	£894	
Looked after children		£1,009	£1,009	The same measure would be used as is currently set out in the 2014-15 school funding arrangements. The minimum funding level would apply to the children reported to the Department, through the annual children looked after return and who are looked after children, for one day or more at the census point.
Pupils with low prior attainment		£878	£1,961	For the primary measure, this would apply to pupils who did not reach the expected level of development on the new Early Years Foundation Stage Profile or who achieved fewer than 78 points on the old EYFSP. For secondary pupils the minimum funding level applies to pupils not reaching L4 at KS2 in either English or maths.
English as an additional language		£505	£1,216	This minimum funding level would apply to pupils with EAL who entered the English state school system in the past three years.
Lump sum		£117,082	£128,189	Middle schools would attract a minimum lump sum weighted by their ratio of primary to secondary year groups in the school. All-through schools would attract the secondary amount.
Sparsity sum		£53,988	£53,988	A taper would apply, whereby the size of the sum is in inverse proportion to the size of the school. The criteria for attracting the minimum funding level would be the same as the criteria for the sparsity factor in local formulas. Details of this are in '2014-15 Revenue Funding Arrangements: Operational Information for Local Authorities'.

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Annex B: Indicative changes to local authority funding in 2015-16

1. Figure B1 below lists the 62 authorities that would receive additional funding under our indicative minimum funding levels, assuming 2014-15 pupil numbers^{1,2}. The minimum funding levels may change when we have final confirmation of LA's 2014-15 local funding formulae.

Figure B1: Indicative changes to local authority funding in 2015-16

Local Authority	Actual 2014-15 funding		Indicative funding under minimum funding levels proposal		Indicative increase in funding under minimum funding levels proposal	
	Funding per pupil	Total funding	Funding per pupil	Total funding	Percentage	Total
Bromley	£4,082	£169.6m	£4,543	£188.7m	11.3%	£19.1m
Cambridgeshire	£3,950	£294.3m	£4,225	£314.8m	7.0%	£20.5m
Brent	£5,066	£190.7m	£5,416	£203.9m	6.9%	£13.2m
Sutton	£4,360	£124.7m	£4,637	£132.6m	6.4%	£7.9m
Northumberland	£4,244	£166.2m	£4,513	£176.8m	6.4%	£10.6m
South Gloucestershire	£3,969	£137.5m	£4,217	£146.1m	6.3%	£8.6m
Shropshire	£4,113	£143.6m	£4,368	£152.5m	6.2%	£8.9m
Merton	£4,534	£98.6m	£4,812	£104.7m	6.1%	£6.0m
Croydon	£4,559	£208.6m	£4,830	£220.9m	5.9%	£12.4m
Bournemouth	£4,154	£79.2m	£4,393	£83.8m	5.8%	£4.6m
Buckinghamshire	£4,040	£275.4m	£4,263	£290.5m	5.5%	£15.2m
Cheshire West and Chester	£4,129	£173.6m	£4,352	£183.0m	5.4%	£9.4m
Leicestershire	£3,995	£339.7m	£4,197	£356.9m	5.1%	£17.2m
Warwickshire	£4,079	£281.3m	£4,267	£294.3m	4.6%	£13.0m
Devon	£4,156	£358.1m	£4,345	£374.3m	4.5%	£16.2m
Surrey	£4,096	£548.8m	£4,282	£573.5m	4.5%	£24.8m
Bury	£4,230	£111.1m	£4,418	£116.1m	4.5%	£5.0m
Norfolk	£4,334	£432.9m	£4,494	£448.9m	3.7%	£16.0m
North Lincolnshire	£4,316	£95.0m	£4,469	£98.4m	3.5%	£3.4m
Westminster	£5,663	£88.2m	£5,862	£91.3m	3.5%	£3.1m

¹ The figures in the table above have been calculated on the basis of 2014-15 pupil numbers (using the October 2013 school census). For 2015-16 we intend to use data from the October 2014 school census.

² The methodology for calculating the indicative funding, as a total and per pupil, is set out in the worked example on page 6.

Local Authority	Actual 2014-15 funding		Indicative funding under minimum funding levels proposal		Indicative increase in funding under minimum funding levels proposal	
	Funding per pupil	Total funding	Funding per pupil	Total funding	Percentage	Total
Derbyshire	£4,245	£405.0m	£4,392	£418.9m	3.4%	£14.0m
Poole	£4,007	£68.3m	£4,142	£70.6m	3.4%	£2.3m
Redbridge	£4,668	£199.7m	£4,823	£206.3m	3.3%	£6.6m
Rutland	£4,087	£20.9m	£4,214	£21.5m	3.1%	£0.6m
Gloucestershire	£4,203	£316.0m	£4,331	£325.6m	3.0%	£9.6m
Herefordshire	£4,306	£90.9m	£4,430	£93.5m	2.9%	£2.6m
Stoke-on-Trent	£4,507	£145.1m	£4,634	£149.2m	2.8%	£4.1m
Windsor and Maidenhead	£4,325	£77.5m	£4,440	£79.5m	2.7%	£2.1m
Central Bedfordshire	£4,144	£145.7m	£4,253	£149.5m	2.6%	£3.8m
Cheshire East	£4,077	£186.7m	£4,180	£191.4m	2.5%	£4.7m
Cumbria	£4,449	£269.2m	£4,560	£275.9m	2.5%	£6.7m
Suffolk	£4,241	£370.1m	£4,347	£379.3m	2.5%	£9.2m
Swindon	£4,102	£117.7m	£4,203	£120.5m	2.5%	£2.9m
Salford	£4,551	£131.2m	£4,658	£134.3m	2.3%	£3.1m
Bracknell Forest	£4,187	£62.6m	£4,284	£64.1m	2.3%	£1.4m
North Yorkshire	£4,338	£316.5m	£4,435	£323.7m	2.2%	£7.1m
Wiltshire	£4,213	£249.1m	£4,305	£254.5m	2.2%	£5.4m
Reading	£4,454	£71.1m	£4,547	£72.6m	2.1%	£1.5m
Northamptonshire	£4,189	£395.2m	£4,265	£402.4m	1.8%	£7.2m
Worcestershire	£4,231	£291.5m	£4,302	£296.4m	1.7%	£4.9m
Blackpool	£4,459	£80.2m	£4,530	£81.4m	1.6%	£1.3m
Durham	£4,573	£281.1m	£4,643	£285.4m	1.5%	£4.3m
Cornwall	£4,397	£285.0m	£4,451	£288.5m	1.2%	£3.5m
Telford and Wrekin	£4,367	£97.0m	£4,419	£98.1m	1.2%	£1.1m
Medway	£4,352	£161.1m	£4,402	£163.0m	1.2%	£1.9m
Hertfordshire	£4,320	£670.3m	£4,365	£677.3m	1.0%	£6.9m
Somerset	£4,278	£273.2m	£4,320	£275.9m	1.0%	£2.7m
Lincolnshire	£4,329	£392.0m	£4,370	£395.7m	0.9%	£3.7m
Dorset	£4,167	£202.3m	£4,204	£204.1m	0.9%	£1.8m
Peterborough	£4,490	£124.7m	£4,513	£125.3m	0.5%	£0.6m
Barnsley	£4,459	£126.7m	£4,478	£127.3m	0.4%	£0.5m
Bedford	£4,466	£101.0m	£4,484	£101.4m	0.4%	£0.4m

Local Authority	Actual 2014-15 funding		Indicative funding under minimum funding levels proposal		Indicative increase in funding under minimum funding levels proposal	
	Funding per pupil	Total funding	Funding per pupil	Total funding	Percentage	Total
Plymouth	£4,364	£140.1m	£4,380	£140.6m	0.4%	£0.5m
Isle of Wight	£4,489	£69.6m	£4,504	£69.9m	0.3%	£0.2m
East Riding of Yorkshire	£4,258	£177.9m	£4,271	£178.5m	0.3%	£0.5m
West Berkshire	£4,359	£95.2m	£4,372	£95.5m	0.3%	£0.3m
Walsall	£4,643	£183.3m	£4,655	£183.8m	0.3%	£0.5m
Milton Keynes	£4,440	£167.3m	£4,448	£167.6m	0.2%	£0.3m
Oxfordshire	£4,274	£333.1m	£4,281	£333.6m	0.1%	£0.5m
Barnet	£4,988	£214.3m	£4,994	£214.5m	0.1%	£0.2m
Hillingdon	£4,820	£187.0m	£4,824	£187.2m	0.1%	£0.2m
Derby	£4,544	£154.4m	£4,546	£154.4m	0.0%	£0.1m

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Annex C: Area Cost Adjustment (ACA)

1. This annex provides a detailed explanation of how we have developed the area cost adjustment that we are proposing is used to ensure that the allocation of additional funding reflects differences in area labour market costs.

2. The hybrid area cost adjustment would be applied to each minimum funding level so that in each local authority area, the minimum funding level reflects any disproportionate differences in labour market costs.

A Hybrid ACA – how does this work?

3. The hybrid ACA has a teachers' pay element and a non-teaching staff element and we describe how both have been calculated below. Both elements are combined to provide an overall adjustment for each local authority and we describe how we do this and how the adjustment has been calculated for an example authority.

Teachers' pay element

4. There are four regional pay bands for teachers: Inner London, Outer London, the Fringe and the Rest of England. We do not think it is right to use the average pay for each of these four pay band areas, because in each, average teacher pay will be influenced by the way in which the local authorities in those areas are currently funded. So we have used the following method:

- From the most recent published School Workforce Census (autumn 2012), we have looked at each teacher's¹ basic pay² and calculated how far that teacher was up the pay ranges for their regional pay band. For example, a classroom teacher in the Rest of England with basic pay of £21,588 in autumn 2012 is at the bottom of the main pay range for the Rest of England, which extends from £21,588 to £31,552.
- We then calculated what the same teacher's pay would be if he or she were in an equivalent position on the pay ranges for the other pay bands. For example if that teacher were at the bottom of the main pay range in Inner London (which runs from £27,000 to £36,387) they would have a basic salary of £27,000.
- We have repeated this for every teacher and every regional pay band.
- For each regional pay band, we calculated the notional average basic pay as if all teachers in England were in that pay band. For example, to calculate the average

¹ All grades of teachers were included in the calculation, including the leadership group.

² 'Basic pay' refers to the pay spines and pay scales defined in the [School Teachers' Pay and Conditions Document 2012](#) (which was in force at the time when the data was collected). Basic pay excludes items such as allowances for additional responsibilities.

pay in Inner London, we included not only the teachers in Inner London, but also teachers elsewhere, with their pay converted to Inner London rates. In this example, a classroom teacher in the Rest of England whose basic pay is £21,588 would be treated as having a notional basic salary of £27,000, purely for the purpose of calculating the Inner London average. The notional average basic pay for Inner London comes out at £41,388 and for the Rest of England £34,790. These notional amounts are purely for the ACA calculation and are not the actual regional averages.

- The adjustment for Inner London is the ratio of the two, 1.1897.

5. The average basic pay for each band, and the adjustment factors, are shown in figure C1 below.

Figure C1: Notional average basic pay and adjustment factors for teachers' regional pay bands.

	Inner London	Outer London	Fringe	Rest of England
Notional average basic pay for ACA calculation	£41,388	£38,256	£35,827	£34,790
Adjustment factor	1.1897	1.0996	1.0298	1.0000

Non-teaching staff element

6. The non-teaching staff element of the ACA is based on the Department for Communities and Local Government's (DCLG) labour cost adjustment (LCA), a general labour market (GLM) measure that is used to allocate funds to local authorities.

7. DCLG's LCA is based on regression analysis³ of pay data from the Annual Survey of Hours and Earnings⁴. The regression controls for variables such as age, gender, occupation, industry and public/private sector. The output is LCAs for 55 areas of England⁵.

8. DCLG has set a lower limit, to reflect the fact that national pay scales for public sector employees will not completely reflect the local labour market. The effect of the lower limit is that the 23 'cheapest' areas have their LCAs raised to the value of the threshold area, West Sussex Non-Fringe.

³ Further information on [DCLG's LCA methodology](#) can be found on the CLG website.

⁴ Further information on the [Annual Survey of Hours and Earnings](#) can be found on the Office for National Statistics website.

⁵ Some local authorities fall into more than one ACA area. For example, Kent is divided into Fringe and Non-Fringe ACA areas. In these cases, a weighted average ACA for the local authorities could be calculated on the basis of the number of pupils in each area.

9. Some local authorities fall into more than one ACA area. For example, Kent is divided into Fringe and Non-Fringe ACA areas. In these cases, a weighted average ACA for the local authorities could be calculated on the basis of the number of pupils in each area.

Hybrid ACA

10. We have used recently published data on local authority expenditure on education (section 251⁶) to calculate the proportion of total school funding that was spent on (1) expenses related to employing **teachers** (the teacher proportion – 54.4%) and (2) expenses relating to employing **non-teaching staff** (the non-teaching staff proportion – 27.4%). The remaining 18.2% of expenditure was on non-staff costs. These splits have been calculated by apportioning the cost lines according to figure C2 on the following page.

⁶ The most recent [Section 251 data](#) (Apprenticeships, Skills, Children and Learning Act 2009) can be found on the Department's website.

Figure C2: Assumed apportionment of spending between teachers, non-teaching staff and non-pay

Spending by schools	Teachers	Non-teaching staff	Non-Pay	Excluded	Total	References to notes below
Teaching staff (E01)	100%				100%	
Supply teaching staff (E02)	100%				100%	
Education support staff (E03)		100%			100%	
Premises staff (E04)		100%			100%	
Administrative & clerical staff (E05)		100%			100%	
Catering Staff (E06)		100%			100%	
Cost of other staff (E07)		100%			100%	
Indirect employee expenses (E08)	69%	31%			100%	Note 1
Development and training (E09)	69%	31%			100%	Note 1
Supply teacher insurance (E10)	100%				100%	
Staff related insurance (E11)	69%	31%			100%	Note 1
Building maintenance and improvement (E12)		35%	65%		100%	Note 2
Grounds maintenance and improvement (E13)		35%	65%		100%	Note 2
Cleaning and caretaking (E14)		65%	35%		100%	Note 2
Water and sewerage (E15)			100%		100%	
Energy (E16)			100%		100%	
Rates (E17)			100%		100%	
Other occupation costs (E18)			100%		100%	
Learning resources (not ICT) (E19)			100%		100%	
ICT learning resources (E20)			100%		100%	
Examination fees (E21)			100%		100%	
Administrative supplies (E22)			100%		100%	
Other insurance premiums (E23)			100%		100%	
Special facilities (E24)			100%		100%	
Catering supplies (E25)			100%		100%	
Agency supply teaching staff (E26)	100%				100%	
Bought-in professional services - curriculum (E27)		40%	60%		100%	Note 2
Bought-in professional services - other (E28)		40%	60%		100%	Note 2
Loan interest (E29)			100%		100%	
Community focused extended school staff (E31)				100%	100%	Note 3
Community focused extended school costs (E32)				100%	100%	Note 3

Notes

1. Divided between teachers and other staff in the same proportions as E01, E02, E03, E04, E05, E06 and E07 combined.
2. Based on assumptions derived from a sample of company accounts of firms contracted by local authorities to supply these services.
3. Excluded, as not part of the school budget.

11. Figure C2 produces a ratio of Teachers' Pay to Other Pay and Non-Pay expenditure of 54%:27%:18%⁷. In other words, of the expenditure on labour, 66% was spent on teachers and 34% was spent on non-teaching staff. Therefore, for a combined ACA the teacher pay band data will take a weighting of 66% and the general labour market (GLM) will carry a 34% weighting.

12. This approach provides a solution to the geography mismatch between the GLM geographies and the teachers' regional pay bands, as those authorities who are in Outer London but who pay their teachers at Inner London rates have this reflected in the teachers' pay section of the ACA. The hybrid ACA for each local authority, based on the combination of the teaching and non-teaching staff pay data, in the ratios described above, is shown in figure C3.

Example calculation

13. Ealing is in the Inner London teacher pay band, and it has a Labour Cost Adjustment of 1.1671 for non-teaching staff. The ACA for Ealing is calculated as follows:

Example – The area cost adjustment for Ealing

$$\begin{aligned} \text{ACA} &= 1 + \text{teacher proportion} * (\text{teacher cost adjustment} - 1) \\ &\quad + \text{non-teaching staff proportion} * (\text{LCA} - 1) \\ &= 1 + 54.4\% * (1.1897 - 1) + 27.4\% * (1.1671 - 1) \\ &= 1.1489 \end{aligned}$$

Area cost adjustment figures by local authority

14. Figure C3 provides the adjustments we are proposing for each local authority. Using the methodology above, the ACA for a local authority area is greater than 1 if either the teacher pay element or the non-teaching staff pay element of the hybrid ACA is greater than 1. The teacher pay element is greater than 1 if all or part of the local authority is in the Fringe, Outer London or Inner London teachers' pay bands. The non-teaching staff pay element is greater than 1 if the GLM labour costs are greater than a

⁷ More precisely, the proportions are 54.4% : 27.4% : 18.2%.

lower limit that has been set by the Department for Communities and Local Government to be equivalent to the West-Sussex Non-Fringe GLM labour cost adjustment⁸.

15. Authorities that are partly in the Fringe teachers' pay band and partly in the Rest of England teachers' pay band appear twice in figure C3, as 'Fringe' and 'Non-Fringe'.

Table of area cost adjustment by local authority

Figure C3: Area cost adjustment by local authority

Local Authority	Teachers' regional pay band	Teacher cost adjustment	Non-teaching staff element (LCA)	Hybrid ACA
Barking and Dagenham	IL	1.1897	1.1081	1.1328
Barnet	OL	1.0996	1.1671	1.1000
Barnsley	Rest	1.0000	1.0000	1.0000
Bath and North East Somerset	Rest	1.0000	1.0528	1.0145
Bedford	Rest	1.0000	1.0566	1.0155
Bexley	OL	1.0996	1.1081	1.0838
Birmingham	Rest	1.0000	1.0122	1.0033
Blackburn with Darwen	Rest	1.0000	1.0000	1.0000
Blackpool	Rest	1.0000	1.0000	1.0000
Bolton	Rest	1.0000	1.0197	1.0054
Bournemouth	Rest	1.0000	1.0000	1.0000
Bracknell Forest	Fringe	1.0298	1.1484	1.0569
Bradford	Rest	1.0000	1.0006	1.0002
Brent	IL	1.1897	1.1671	1.1489
Brighton and Hove	Rest	1.0000	1.0061	1.0017
Bristol, City of	Rest	1.0000	1.0528	1.0145
Bromley	OL	1.0996	1.1081	1.0838
Buckinghamshire Fringe	Fringe	1.0298	1.1114	1.0467
Buckinghamshire Non-Fringe	Rest	1.0000	1.1036	1.0284
Bury	Rest	1.0000	1.0197	1.0054
Calderdale	Rest	1.0000	1.0006	1.0002
Cambridgeshire	Rest	1.0000	1.0464	1.0127
Camden	IL	1.1897	1.3034	1.1863
Central Bedfordshire	Rest	1.0000	1.0566	1.0155
Cheshire East	Rest	1.0000	1.0131	1.0036
Cheshire West and Chester	Rest	1.0000	1.0131	1.0036
City of London	IL	1.1897	1.5771	1.2613
Cornwall	Rest	1.0000	1.0000	1.0000

⁸Further information on the methodology for [DCLG's area cost adjustment](#) can be found on the DCLG website.

Local Authority	Teachers' regional pay band	Teacher cost adjustment	Non-teaching staff element (LCA)	Hybrid ACA
County Durham	Rest	1.0000	1.0000	1.0000
Coventry	Rest	1.0000	1.0122	1.0033
Croydon	OL	1.0996	1.1081	1.0838
Cumbria	Rest	1.0000	1.0000	1.0000
Darlington	Rest	1.0000	1.0000	1.0000
Derby	Rest	1.0000	1.0000	1.0000
Derbyshire	Rest	1.0000	1.0000	1.0000
Devon	Rest	1.0000	1.0000	1.0000
Doncaster	Rest	1.0000	1.0000	1.0000
Dorset	Rest	1.0000	1.0000	1.0000
Dudley	Rest	1.0000	1.0122	1.0033
Ealing	IL	1.1897	1.1671	1.1489
East Riding of Yorkshire	Rest	1.0000	1.0000	1.0000
East Sussex	Rest	1.0000	1.0061	1.0017
Enfield	OL	1.0996	1.1081	1.0838
Essex Fringe	Fringe	1.0298	1.0783	1.0377
Essex non-Fringe	Rest	1.0000	1.0128	1.0035
Gateshead	Rest	1.0000	1.0000	1.0000
Gloucestershire	Rest	1.0000	1.0227	1.0062
Greenwich	IL	1.1897	1.3034	1.1863
Hackney	IL	1.1897	1.3034	1.1863
Halton	Rest	1.0000	1.0131	1.0036
Hammersmith and Fulham	IL	1.1897	1.3034	1.1863
Hampshire	Rest	1.0000	1.0512	1.0140
Haringey	IL	1.1897	1.1081	1.1328
Harrow	OL	1.0996	1.1671	1.1000
Hartlepool	Rest	1.0000	1.0000	1.0000
Havering	OL	1.0996	1.1081	1.0838
Herefordshire	Rest	1.0000	1.0000	1.0000
Hertfordshire Fringe	Fringe	1.0298	1.1114	1.0467
Hertfordshire Non-Fringe	Rest	1.0000	1.0566	1.0155
Hillingdon	OL	1.0996	1.1671	1.1000
Hounslow	OL	1.0996	1.1671	1.1000
Isle of Wight	Rest	1.0000	1.0512	1.0140
Isles of Scilly	Rest	1.0000	1.0000	1.0000
Islington	IL	1.1897	1.3034	1.1863
Kensington and Chelsea	IL	1.1897	1.3034	1.1863
Kent Fringe	Fringe	1.0298	1.0783	1.0377
Kent non-Fringe	Rest	1.0000	1.0026	1.0007
Kingston upon Hull, City of	Rest	1.0000	1.0000	1.0000
Kingston upon Thames	OL	1.0996	1.1671	1.1000
Kirklees	Rest	1.0000	1.0006	1.0002

Local Authority	Teachers' regional pay band	Teacher cost adjustment	Non-teaching staff element (LCA)	Hybrid ACA
Knowsley	Rest	1.0000	1.0040	1.0011
Lambeth	IL	1.1897	1.3034	1.1863
Lancashire	Rest	1.0000	1.0000	1.0000
Leeds	Rest	1.0000	1.0006	1.0002
Leicester	Rest	1.0000	1.0000	1.0000
Leicestershire	Rest	1.0000	1.0000	1.0000
Lewisham	IL	1.1897	1.3034	1.1863
Lincolnshire	Rest	1.0000	1.0000	1.0000
Liverpool	Rest	1.0000	1.0040	1.0011
Luton	Rest	1.0000	1.0566	1.0155
Manchester	Rest	1.0000	1.0197	1.0054
Medway	Rest	1.0000	1.0026	1.0007
Merton	IL	1.1897	1.1671	1.1489
Middlesbrough	Rest	1.0000	1.0000	1.0000
Milton Keynes	Rest	1.0000	1.1036	1.0284
Newcastle upon Tyne	Rest	1.0000	1.0000	1.0000
Newham	IL	1.1897	1.1081	1.1328
Norfolk	Rest	1.0000	1.0000	1.0000
North East Lincolnshire	Rest	1.0000	1.0000	1.0000
North Lincolnshire	Rest	1.0000	1.0000	1.0000
North Somerset	Rest	1.0000	1.0528	1.0145
North Tyneside	Rest	1.0000	1.0000	1.0000
North Yorkshire	Rest	1.0000	1.0000	1.0000
Northamptonshire	Rest	1.0000	1.0119	1.0033
Northumberland	Rest	1.0000	1.0000	1.0000
Nottingham	Rest	1.0000	1.0100	1.0027
Nottinghamshire	Rest	1.0000	1.0100	1.0027
Oldham	Rest	1.0000	1.0197	1.0054
Oxfordshire	Rest	1.0000	1.0802	1.0220
Peterborough	Rest	1.0000	1.0464	1.0127
Plymouth	Rest	1.0000	1.0000	1.0000
Poole	Rest	1.0000	1.0000	1.0000
Portsmouth	Rest	1.0000	1.0512	1.0140
Reading	Rest	1.0000	1.1255	1.0344
Redbridge	OL	1.0996	1.1081	1.0838
Redcar and Cleveland	Rest	1.0000	1.0000	1.0000
Richmond upon Thames	OL	1.0996	1.1671	1.1000
Rochdale	Rest	1.0000	1.0197	1.0054
Rotherham	Rest	1.0000	1.0000	1.0000
Rutland	Rest	1.0000	1.0000	1.0000
Salford	Rest	1.0000	1.0197	1.0054
Sandwell	Rest	1.0000	1.0122	1.0033

Local Authority	Teachers' regional pay band	Teacher cost adjustment	Non-teaching staff element (LCA)	Hybrid ACA
Sefton	Rest	1.0000	1.0040	1.0011
Sheffield	Rest	1.0000	1.0000	1.0000
Shropshire	Rest	1.0000	1.0000	1.0000
Slough	Fringe	1.0298	1.1484	1.0569
Solihull	Rest	1.0000	1.0122	1.0033
Somerset	Rest	1.0000	1.0000	1.0000
South Gloucestershire	Rest	1.0000	1.0528	1.0145
South Tyneside	Rest	1.0000	1.0000	1.0000
Southampton	Rest	1.0000	1.0512	1.0140
Southend-on-Sea	Rest	1.0000	1.0128	1.0035
Southwark	IL	1.1897	1.3034	1.1863
St. Helens	Rest	1.0000	1.0040	1.0011
Staffordshire	Rest	1.0000	1.0000	1.0000
Stockport	Rest	1.0000	1.0197	1.0054
Stockton-on-Tees	Rest	1.0000	1.0000	1.0000
Stoke-on-Trent	Rest	1.0000	1.0000	1.0000
Suffolk	Rest	1.0000	1.0001	1.0000
Sunderland	Rest	1.0000	1.0000	1.0000
Surrey	Fringe	1.0298	1.1484	1.0569
Sutton	OL	1.0996	1.1671	1.1000
Swindon	Rest	1.0000	1.0259	1.0071
Tameside	Rest	1.0000	1.0197	1.0054
Telford and Wrekin	Rest	1.0000	1.0000	1.0000
Thurrock	Rest	1.0000	1.0783	1.0215
Torbay	Rest	1.0000	1.0000	1.0000
Tower Hamlets	IL	1.1897	1.3034	1.1863
Trafford	Rest	1.0000	1.0197	1.0054
Wakefield	Rest	1.0000	1.0006	1.0002
Walsall	Rest	1.0000	1.0122	1.0033
Waltham Forest	OL	1.0996	1.1081	1.0838
Wandsworth	IL	1.1897	1.3034	1.1863
Warrington	Rest	1.0000	1.0131	1.0036
Warwickshire	Rest	1.0000	1.0253	1.0069
West Berkshire	Rest	1.0000	1.1255	1.0344
West Sussex Fringe	Fringe	1.0298	1.1484	1.0569
West Sussex Non-Fringe	Rest	1.0000	1.0000	1.0000
Westminster	IL	1.1897	1.3034	1.1863
Wigan	Rest	1.0000	1.0197	1.0054
Wiltshire	Rest	1.0000	1.0259	1.0071
Windsor and Maidenhead	Fringe	1.0298	1.1484	1.0569
Wirral	Rest	1.0000	1.0040	1.0011
Wokingham	Rest	1.0000	1.1255	1.0344

Local Authority	Teachers' regional pay band	Teacher cost adjustment	Non-teaching staff element (LCA)	Hybrid ACA
Wolverhampton	Rest	1.0000	1.0122	1.0033
Worcestershire	Rest	1.0000	1.0000	1.0000
York	Rest	1.0000	1.0000	1.0000