

Purpose of the Report

To inform the Schools Forum of the outcome of the Council's consultation with Local Authority Maintained Schools (LAMS) in respect of the Department of Education's Risk Protection Arrangements Scheme (RPA).

Information and Advice

On the 11 November 2021 the Schools Forum was informed of the outcome of the Council's engagement with LAMS which ran from the 18 June 2021 to the 16 July 2021.

LAMS were asked to take part in the non-public engagement through the Council's Citizen Hub where they were asked to review the Council's report and supporting documentation and to submit their preference for either the RPA or the Council's existing insurance arrangements. Of the 84 responses received 24 schools (28.57%) stated their preference would be to join the RPA post April 2022. 60 schools (71.43%) stated their preference would be to remain with the Council's insurers post 2022.

Schools were also asked to explain the reasons for their preference. Of the 84 schools who responded 62 provided comments. In summary, those with a preference for the RPA were in general concerned with costs whilst those with a preference for the Council arrangements focused on the service, support and assurance provided by the Council.

Revised Offer and Voting

As the outcome of the engagement suggested that most schools wished to remain with the Council, the Council reviewed its existing arrangements and pricing to provide schools with revised rates for 2022/23 which offered significant savings per pupil as detailed in the table below.

Rates (per pupil)	Existing rates per pupil for 2021/22	Revised Rates per pupil for 2022/23	Saving per pupil
No Claim Rate	£43.75	£37.00	£6.75
Low Claim Rate	£46.00	£40.00	£6.00
Standard Claim Rate	£48.50	£42.00	£6.50

Comparatively the cost of joining the RPA is currently £19 per pupil, per year, however this will increase to £21 for the period 1 April 2022 to 31 March 2023.

On the 7 January 2022 the Council wrote to all schools advising them of the revised offer. The terms of the offer were as follows:

Schools opting to remain within the Council's arrangements:

- will be offered the revised and reduced rates per pupil for 2022/23 starting at £37.00 and increasing to £40.00 and £42.00 subject to claims experience.
- will be agreeing to remain within the Council's insurance arrangements for the term of the Council's new Long-Term Agreement, an expected term of 5 years.
- accept that the Council's revised offer is subject to a minimum of 141 schools opting to remain within the Council's insurance arrangements for it to be financially viable for the Council.
- accept that if the minimum number of schools required to make it financially viable is not reached then all schools will be directed to join the RPA.

Schools opting to join the RPA:

- will be permitted to leave the Council's insurance arrangements to join the RPA.
- will be required to provide written evidence of the school's indemnity arrangements each year to the Council and at any time upon request.
- all enquiries relating to insurance and associated risks from that point will be directed to the RPA unless relating to an incident occurring in a policy year for which the Council indemnified the school.

Based on the revised rates for 2022/23 schools were informed they must decide whether post April 2022 they wish to stay within the Council's insurance arrangements or whether they wish to join the RPA. The deadline for responses was the 28 January 2022. Schools were advised that should they not inform the Council of their decision by the deadline they would automatically be counted as opting to stay within the Council's insurance arrangements.

Information on the cover offered by both the RPA and the Council that was previously provided to schools was made available to schools again to provide headteachers and governing bodies another opportunity to review their options prior to submitting their decision to the Council. During the process schools were able to contact the Council to raise any queries they may have prior to submitting their decision. A week prior to the end of the voting period a further email was sent to all schools reminding them of the forthcoming deadline.

Results

The results of the voting received within the deadline were as follows:

	Number of schools	Percentage of schools
RPA Scheme	51	29.5%
Council Insurance Arrangement	50	28.9%
Did Not Respond	72	41.6%
Total	173	100%

As the number of schools wishing to remain within the Council's arrangements equates to 122 (50 opting for the Council's insurance arrangements and 72 non responders) the required 141 minimum number of schools for the offer to be financially viable has not been met.

The Council therefore has no alternative but to retract its insurance offer to schools as per the above terms. This means that prior to the 1 April 2022 all LAMS must enrol with the RPA regardless of how they voted.

Next Steps

The Council has written to all LAMS notifying them of the results of the voting. The communication to LAMS explains that the minimum number of schools required to make the Council's insurance offer financially viable has not been met and therefore all schools, regardless of how they voted, must now make arrangements to join the RPA.

The Council's Risk and Insurance team will support LAMS through the transitional period and will assist schools with their enrolment and induction into the RPA to enable them to enrol successfully prior to the 1 April 2022.

Schools have been informed that the Risk and Insurance team have arranged for the RPA to run four bespoke one-hour online induction sessions for schools on the following dates:

- 8 March 2022 at 10.00am
- 9 March 2022 at 2.00pm
- 10 March 2022 at 4.00pm
- 11 March 2022 at 10.00am

These sessions will explain how to enrol with the RPA, the cover offered by the RPA, the additional benefits and support available and how to make a claim. Schools will also be able to submit any questions on the day of the session in the online chat or in advance to the RPA.

Details of how to enrol for the sessions and the email for submitting questions to the RPA has been communicated to schools. It is strongly recommended that representatives from all schools including headteachers, business managers and governors attend one of these four sessions.

Membership

Once schools are enrolled into the RPA all future risk and indemnity matters occurring post 1 April 2022 will be dealt with by the RPA.

The individual school will have membership of the scheme however the interest of the Local Authority will be noted which means the RPA will ensure that the Council is notified of key activities in respect of any schools associated with the authority.

For example, to leave the RPA a school must provide three months' notice, once notice is received the Local Authority will be notified of the school's action. Similarly, when a claim is made by a school the Local Authority will be notified.