

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Children, Adults, Health & Wellbeing Policy Development & Scrutiny Panel	
MEETING/ DECISION DATE:	8th November 2022	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Future Governance of the Music Service	
WARD:	All	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>The National Plan for Music Education (Department for Education, 2011)</p> <p>The Power of Music to Change Lives: A National Plan for Music Education (Department for Education, 2022)</p> <p>Arts Council England Music Hub Investment Programme (Arts Council England 2022)</p> <p>Consultation into the future governance of the Music Services for B&NES, North Somerset and South Gloucestershire (Lock, Thareja, 2022)</p>		

1. THE ISSUE

- 1.1. In July 2022, the DfE released its refreshed vision for the governance and delivery of music education in England. This new vision requires a significantly different delivery model to the present and signals the need for music services to radically transform to be viable in the future.
- 1.2. This report builds on the report brought to PDS in January 2022. It proposes further changes to the Music Service, ensuring it meets the DfE's new delivery model for music education, protecting music education in B&NES.
- 1.3. This will enable us to bid for future funding, retain existing services and build a robust new model which will enable the Music Service to deliver a bigger, better, more universal offer for young people in B&NES.

2. RECOMMENDATION

The Panel is asked to;

- 2.1. Support the proposal that the Music Service form a tri-LA shared service with B&NES and South Gloucestershire.
- 2.2. Support the proposal of the shared service being established as an independent organisation outside the 3 Councils, taking forward and expanding a broader, universal youth music education offer on behalf of the 3 Councils.
- 2.3. Note the positive progress the service has made against DfE KPI's since working jointly with North Somerset & South Glos Music Services

3. THE REPORT

Background and Context

- 3.1. The Music Service is a non-statutory service, providing music education to students, families, and schools. The Service is funded by a Department for Education (DfE) grant to deliver its role as Lead Organisation of the local Music Education Hub (see 3.3).
- 3.2. The Service delivers the National Plan for Music Education (2011) – the government's vision for music education in England. See Background Papers (1).
- 3.3. The DfE's model for music education is to fund Music Education Hubs to deliver the National Plan for Music Education (NPME). Hubs are informal partnerships of local music and education organisations operating as a network of providers. Hubs have a Lead Organisation, which receives the DfE grant, and is held to account by Arts Council England (ACE) for the delivery of the NPME. Locally, B&NES, North Somerset and South Glos Council Music Services are all Lead Organisations of the local Hub.
- 3.4. Since 2020, North Somerset and South Glos Music Services have been working in partnership, with a shared management team and increasingly homogenised strategy, development and operations, alongside greater sharing of resources. In March 2021, B&NES Music Service joined this partnership.
- 3.5. The result is that a broader, more universal offer is being achieved because of the efficiencies and knowledge gained by working together. Through partnership, the services are beginning to realise their potential to deliver a bigger and better offer for all young people from the most vulnerable to those who are gifted and talented.
- 3.6. Some of the benefits to B&NES of the partnership are:
 - 3.6.1. Strong recovery in student numbers from pre-pandemic levels
 - 3.6.2. A range of new services for students in school, including access to live music performances, workshops where students learn to play a

range of music from around the world and new singing programmes in- and out- of school

- 3.6.3. A music therapy and wellbeing service
- 3.6.4. 70 students joining the West of England Wind Band and Youth Symphony Orchestra on a 5-day summer residential course
- 3.6.5. An enhanced CPD and events offer to schools
- 3.6.6. New offers to special schools and alternative settings
- 3.6.7. Access to creative inclusive music groups, targeting young people with SEN and disabilities
- 3.6.8. Robust and efficient business operations and experienced leadership
- 3.7. 2 years ago, the Service was under scrutiny by DfE for its delivery of the funded activities and financial management. Having joined the alliance with North Somerset and South Glos, B&NES Music Service has achieved:
 - 3.7.1. Financial security, delivering an in-year surplus in 21-22 which is being reinvested in young people's music this year
 - 3.7.2. Robust and accountable financial and operating systems and procedures
 - 3.7.3. Greatly improved KPI's, as monitored by DfE:

KPI	National Average	B&NES 2019-20	B&NES 2021-22
as monitored by DfE / ACE	Benchmark	Pre-partnership	Post-partnership
% schools participating with the Service in DfE funded activity	85%	76%	94%
% schools engaging with learning instruments in a whole class (DfE core role no1)	43%	24%	35%
% schools supported to improve their music provision	72%	23%	88%
% schools engaging with singing	67%	22%	63%

- 3.8. Through greater partnership, the 3 Music Services have the potential to achieve an even wider offer and this proposal seeks to enable this potential to be realised.

Imminent Changes

- 3.9. In July 2022, the DfE launched the refreshed National Plan for Music Education (2022). See Background Papers (2)
- 3.10. This new vision is a radical change to the way music education is delivered and funded across England and requires radical change to be implemented.

- 3.11. Alongside this new vision, it announced a re-tendering process for the music education grant which Hubs receive to deliver the plan. See Background Papers (3)
- 3.12. The bidding process will be different to the past in that:
- 3.12.1. The grant application process will be open and highly competitive. ACE are proactively encouraging and enabling a wide range of education and arts organisations to bid against us.
 - 3.12.2. Small LA music services (such as B&NES) are unlikely to be eligible to apply. DfE/ACE are expecting mergers/partnerships, and that organisations will apply for a larger grant representing a wider geographic area.
- 3.13. The future delivery model and therefore fund-holding organisation will also be very different to the present model. DfE/ACE expect to see:
- 3.13.1. The grant being allocated to non-LA strategic organisations, largely volunteer led, whose role is to decide strategy.
 - 3.13.2. This strategic body will then commission other organisations to deliver services.
 - 3.13.3. DfE/ACE do not wish to see funding being used to support the employment of a teaching workforce

Preparing for the future in B&NES

- 3.14. The Music Service leader, supported by senior officers in the three LAs and an external consultant, have been preparing for the new DfE/ACE vision for the last 18 months. Their report was published in January 2022. The 2 options presented were proposals to merge the 3 Services, with models for the service to operate within, and outside the LA. See Background Paper (4).
- 3.15. On the basis of the need for the radical transformation described above, the second option, to establish a new organisation outside the LA, becomes the only route we believe is viable to ensure a future youth music provision in B&NES. This new organisation will have LA representation at Board level and will take forward existing services, deliver an aspirational growth plan and ensure a Service which is influenced by, and dedicated to, B&NES' needs and aspirations.

The Proposal

- 3.16. To implement the option outlined in para 3.15:
- 3.16.1. For B&NES to merge with North Somerset and South Glos Music Services and spin out of the Local Authority into an independent company; a company limited by guarantee, registered as a charity, with a trading arm.
 - 3.16.2. The charity will operate as the strategic Hub and will apply for the DfE funding to deliver the new National Plan for Music.

- 3.16.3. The trading arm will offer a teaching service, which can be commissioned by the Hub to take forward delivery of existing services.
- 3.16.4. Teaching staff will TUPE to the new organisation.
- 3.17. We believe this is the only viable proposal, and will:
 - 3.17.1. Retain a music education provision and funding for B&NES, with Council Officer representation at a strategic level
 - 3.17.2. Enable existing services to continue with no- to minimal disruption for existing users (students, families and schools).
 - 3.17.3. Enable the expansion of a universal offer for children and young people
 - 3.17.4. Create an organisation which meets the aspirations of DfE/ACE, presenting a strong case to retain future funding without which the Service cannot continue
 - 3.17.5. Enable the Music Service to attract new funding, establish a regional footprint and be a significant influencer in music for young people in the region

Delivering the proposal

- 3.18. In September 2022, North Somerset Council, on behalf of the 3 LAs, commissioned consultants to deliver the spin-out project as follows:
 - 3.18.1. Oct-Nov 22: Consultants create business case and financial model
 - 3.18.2. Oct-Dec 22: Agreement is sought from the 3 LAs
 - 3.18.3. Dec 22-March 23: Consultants complete the implementation of the new organisation
 - 3.18.4. Jan-Feb 23: The new organisation bids for DfE funding on behalf of the 3 LAs
 - 3.18.5. March-April 23: Funding awards are announced
 - 3.18.6. April-Aug 23: If successful, the new organisation becomes operational and transfer process completes
 - 3.18.7. Sept 23: The new organisation takes on the work of the 3 LA music services with DfE funding. A new Board of Trustees, which includes LA representation, oversees the work of the new organisation.

4. STATUTORY CONSIDERATIONS

- 4.1. Each Local Authority that is a recipient of grant funding from Arts Council England is bound to deliver a music education plan to ensure that children and

young people have access to music education. It is, however, not a statutory Local Authority function. This report outlines the plan for the combined Local Authorities to make effective arrangements to successfully bid for this funding. Additional Legal and HR advice will be required to oversee the transition to a new delivery model. Final approval for the delivery of a new service model will be sorted via a cabinet decision.

5. RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1. The cost of the process will be shared equally between the 3 LAs. B&NES contribution will be met from Music Service reserves.

6. RISK MANAGEMENT

- 6.1. A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

7. EQUALITIES

- 7.1. An Equality Impact Assessment has been completed. The identified actions are to ensure that any further consultation with Service users is inclusive of all groups within the community.
- 7.2. It highlighted that the proposals seek to improve the offer, providing more accessible and inclusive opportunities for diverse communities.
- 7.3. No service users will be negatively impacted as there are no planned reductions in the Service offer.
- 7.4. For employees, redundancies will be kept to a minimum.
- 7.5. Staff would TUPE to the new organisation, therefore retain their existing terms of employment.

8. CLIMATE CHANGE

- 8.1. A more cohesive governance structure will enable more efficient deployment of peripatetic teaching staff, reducing carbon footprint and congestion.
- 8.2. A shared operating model will eliminate duplication of resources and facilities which will reduce energy use and waste.

9. OTHER OPTIONS CONSIDERED

- 9.1. Apply for the new round of DfE funding as a single B&NES LA Music Service
 - 9.1.1. Very unlikely to be eligible, and if eligible, very unlikely to be successful. Does not benefit from the existing partnership work which improves the universal music offer in B&NES. Service will most likely need to close.
- 9.2. Proceed with a merged Tri-LA music service, but remain within the LA
 - 9.2.1. Does not meet DfE/ACE vision so weakens our bid to retain funding placing staff/delivery at risk.

10. CONSULTATION

- 10.1. The initial consultation in late 2021-early 2022 sought views on the aspirations of music education from key stakeholders in B&NES, North Somerset and South Glos, including Councillors, Children's Services officers, schools, students and parents.
- 10.2. The proposal to merge the three Services was reviewed by PDS in January 2022
- 10.3. The upcoming consultancy project will further engage with a range of users and stakeholders.
- 10.4. The proposal is currently being presented to North Somerset and South Glos Council panels for approval, which is on track for completion by mid-December 2022.

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Background papers	<ol style="list-style-type: none"> 1. The National Plan for Music Education (Department for Education, 2011) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/180973/DFE-00086-2011.pdf 2. The Power of Music to Change Lives: A National Plan for Music Education (Department for Education, 2022) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1086619/The_Power_of_Music_to_Change_Lives.pdf 3. DfE / Arts Council England Music Hubs investment process https://www.artscouncil.org.uk/our-open-funds/music-hub-investment-programme 4. The Consultation report into the future governance of the Music Services for B&NES, North Somerset and South Gloucestershire (Lock, Thareja, 2022) www.wema.org.uk/download/wema_report1.pdf
Please contact the report author if you need to access this report in an alternative format	