

NORFOLK SCHOOLS FORUM

AGENDA

Meeting on Friday 7 July 2023 09:00 – 12:30

Venue: Room JB031 Jubilee Building Easton College

Members will be asked on the day for their permission to record the meeting to support the preparation of the minutes. The recording will be deleted once the minutes are approved.

Individual members, named below, are asked to provide verbal reports for these items.

09:00	1 Welcome and Introductions	Report	
	Apologies		
09:05 – 09:10	2 Minutes of Last Meeting and Matters Arising		3-8
	<ul style="list-style-type: none">Schools Forum CommunicationsSchool Balances, Cluster Balance and Balances Projection (covered through item 5 below)		
09:10 – 09:50	3 Strategic Planning:		
	<ul style="list-style-type: none">Learning Strategy <i>Update on engagement plan and initial feedback</i>Local First Inclusion <i>Standard report including spotlight on AP</i>DSG Management Plan update	Discussion	
		Comment	9-27
09:50 – 10:05	4 Early Years Funding from September	Discussion	28-30
	<ul style="list-style-type: none">Implementation of change in Government policy announced within the Spring Statement 2023		
10:05 – 10:20	5 Schools Balances and Projections (matters arising)	Discussion	31-38
	<ul style="list-style-type: none">School Balances - <i>Info on deficit balances</i>Cluster Balance - <i>Officers will come back with further information and check language used to describe this</i>Balances Projection – <i>Requested for next 2 years</i>		
10:20 – 10:35	COFFEE		

10:35 – 11:20	6 Dedicated Schools Grant Consultation Preparation		
	a) Autumn Consultation Approach (paper & for discussion)	Discussion	39-40
	b) Early Years (paper & for discussion)	Discussion	41-46
	c) Special Schools (paper & for discussion)	Discussion	47-50
	d) Fair Funding – gains and capping system (paper & for discussion)	Discussion	51-54
	e) Fair Funding – falling rolls and growth funding (paper & for discussion)	Discussion	55-60
	f) Fair Funding – Block Transfer (for noting only)	Information	
	g) De-delegation – Funding for maintained school audit (for noting only)	Information	
11:20 – 11:35	7 Notional SEN	Discussion	61-69
11:35 – 12:05	8 Catering Contract	Discussion	70-78
12:05 – 12:20	9 DfE Risk Protection Arrangement	Verbal Update	
12:20 – 12:25	10 Review 2023-24 Future Meeting Plan	Discussion	79
12:25 – 12:30	11 Any Other Business		
	12 <u>Date of Next Meeting</u>		

29 September 2023, 9.00am – 12.30pm, Cranworth Room
County Hall

Norfolk Schools Forum

Minutes of Meeting held on Wednesday 17 May 2023 Cranworth Room County Hall
09:00 – 12:30 hours

Present

Adrian Ball
Steven Dewing
Lacey Douglass
Mike Grimble
Glyn Hambling
Georgie Howell (sub)
Carol Jacques
Karen McIntosh (sub)
Joanne Philpott
Sarah Porter
Sarah Shirras
Joanna Tuttle
Martin White (Chair)
Vicky Warnes

Diocese of Ely Multi Academy
Sapientia Education Trust
The Heather Nursery
Avenue Junior School
Unity Education Trust
West Norfolk AT
Earlham Nursery School
City College
City of Norwich School
The Heart Education Trust
St Williams Primary
Aylsham High School
Nebula Federation

Representing

Academies
Academies
Early Years Representative
Primary Maintained Governors
Alternative Provision
Academies
Maintained Nursery School
16 – 19 Representative
Academies
Academies
Primary Maintained Schools
Secondary Maintained Schools
Primary Maintained Governors
JCC

Martin Brock
Michael Bateman
John Crowley
Marilyn Edgeley
Dawn Filtness
Sam Fletcher

Accountant (Schools, SEND & EY)
Assistant Director, SEND Strategic Improvement & Early Effectiveness
Assistant Director, Learning & Achievement
Admin Officer
Finance Business Partner
Interim Assistant Director, Education Strategy & Infrastructure

Victoria Groom
Simon Paylor
Nicki Rider
Sara Tough
James Wilson

Senior Advisor Strategy and Partnership
Strategic Commissioner, Health & Disability
Assistant Director High Needs SEND
Executive Director Childrens Services
Director of Quality and Transformation

Apologies:

Martin Colbourne
Bob Groome
David Hicks
Clare Jones
Rachel Quick
Hayley Ross
Rebecca Wicks
Daniel Thrower

City College
Synergy Multi Academy Trust
Boudica Schools Trust
The Wherry School
Bure Park Academy
The Clare School
The Wensum Trust

16 – 19 Representative
JCC
Academies
Academies
Special School Academy
Special School Academy
Maintained Special School
Academies

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1. Welcome and Introductions

The Chair welcomed everyone to the meeting.

2. Minutes of the Last Meeting and Matters Arising

It was noted that Helen Bates was present at the March meeting.

The minutes were accepted as a true record.

Communications

Officers confirmed that if the format works they will produce this after each meeting.

Comments:

- The chair confirmed he had seen a draft of the communication and was happy with it but reiterated that this needs to appear as coming from the Schools Forum and not an NCC document.
- Needs to sign post events
- Could go out as an MI Sheet/published with minutes/emailed to individual members

Recent Ballot for 2 Academy Representatives

Nominations were received from Jo Philpot and Daniel Thrower. There being no other nominations Daniel Thrower will commence as a new academy representative and Jo Philpot will commence a new 4 year term of office.

3. Strategic Planning: Local First Inclusion Plan

Michael Bateman updated forum - today and in the future this will be an agenda item at all Forum meetings and will be in the format of a report rather than a presentation. School Forum members on the executive board gives Forum an input into processes.

Is the shape of the report going to be useful in the future?

Today we will look at High level updates in terms of reporting in the public domain. There will be regular triannual reporting to the DfE. We are suggesting Forum focus on subset of KPI's and ask your views on the proposed subset and your thoughts on why the EHCP numbers continue to rise and what we can do to reduce those. We can then take any questions around the capital program.

The High Needs Block deficit will be discussed in the Outturn item on the agenda.

Report highlights there will be triannual reporting and how Forum members sit within that reporting.

Comments / questions from members:

- How will we get message out to parents
In response confirmed ongoing liaison with parent groups but we are looking at different options.

- Looking at the way these papers are presented any communication we are doing needs to link to regular items on the agenda as well so there is a direct link to these documents.

In response, hopefully when we get the regular briefing as well as being a standalone document it will be a guide to further information.

- There are cases where parents request an EHCP and the school says they can meet need without an EHCP, but it goes through anyway.

In response, officers agreed with forum members that this needs to be looked into further.

- We did miss an Educate Norfolk representative on the executive board.

In response, there is a widely held view that there needs to be better representation from headteachers, we will address this.

- Anytime an outcome from Schools Forum is required is this something that can be put at the front of the paper?

In response – this would normally be in the executive summary at the front of the paper.

- KPI's – interesting to see in addition to ones mentioned above.

In response, we will include the full list of KPI's and highlight the ones where Forum has a more direct responsibility.

- Looking at the independent sector it is concluded in the KPI's cost etc. That is fine as a snapshot now but what is key is 2024 – 2027 and if number of places are going down. Is the executive board giving any update projections?

In response, the expectation is from September onwards reporting through the executive board those details will be there.

- In future maybe independent sector working to same terms and conditions.

In response, yes future may be independent sector working to National Band tariffs. It was noted that Church Park is in the main list but not in breakdown.

Action: Paper will be amended.

- People need to understand not just about building new schools but about expanding provision.
- Also about a change of heart and minds otherwise always will be problem with parents still going to tribunals.

In response, no extra capacity will work without changes in culture across the system.

- Important to constantly refer to the split between parent requests and school requests because then we know where to target the focus.

In response, technical briefing is helpful but want to get feedback we can then learn from what happens on the ground.

Engagement with parents and tribunals process – we are having conversations with legal department about the tribunal judge network and how we can engage with that network to get a more strategic approach. Using other vehicles.

Already number of appeals lodged exceeded number in 2022 – more helpful to think about formal mediation. Is there something we can do together to build a strength of argument to change this.

Action: Officers will explore this further.

- Links to EHCP to parents increasing applications for additional Disability Living Allowance.
- Create guidance – is there a need for comms suggesting wording schools may wish to use.
- Need to help Headteachers cope with enormous pressure from parents.- strategy for school to say what solution schools could provide to stop parents seeking an EHCP.
- SEN support not statutory parents seeking more formal piece of paper.

In response the statutory agreement is only for a point in time and is to promote independence away from the EHCP.

- Want to give positive feedback as we are further along in the process, there is inclusion funding if you use the indices system.

- Time capacity an issue.

- Understand capacity issues but has a positive impact in the long run. Gives certainty of funding for future years.

- What do we need to be doing before children even arrive at schools?

In response, we are having discussions about how we co-ordinate different services.

Challenge is capacity in schools and in the authority to have conversations with schools. Complexity of service, multiple agencies. Injection of time and support.

- EHCP staff not talking to us but telling us who we have to take not understanding local context and pressure.
- With all different agencies need something to oversee that.
In response, important point made. Not different agencies just different teams. Always putting children at centre is critical.

In summary:

- Forum were in agreement with the approach being planned and the way forward.
- Subset of KPI's – officers agreed to expand list and Forum will get a full set but will focus on that subset.
- How best to influence the education system to assist the aims of Local first Inclusion programme.

The debate we have had is ongoing.

- Concerns conversations in executive board get repeated at Forum as is the same people.

In response, we are still getting into the cycle don't think this will occur in the future.

Action: It was agreed to say in report that we will be updating the plan in light of the outturn.

Learning Strategy and Engagement

A communication was sent out on a new Learning strategy for Norfolk to drive improvement across the county, the intention is to hear from the entire sector on how we can bring about learning improvements. The communication includes questions to allow colleagues to feedback on what it should be and how it should work.

The questionnaire contains 7 key questions:

- Are the ambitions and workstreams the right ones
- Do they reflect the views of the community
- Are there specific pieces of work we should be doing
- Is there existing work that is particularly effective
- What is the local authorities role
- How should we work at a zone level
- Where should we be prioritizing resources

Action: Officers will send out an overview of the engagement plan and you can feedback with any questions.

Jo Philpott left the meeting at 10:50

4. Dedicated Schools Grant

The paper is for information/comment

The overall DSG outturn position for all four blocks was £19.900m overspent for 2022-23.

Officers highlighted a substantial underspend on the Early Years block which requires investigation.

Comments:

- If you had noticed the over allocation what would have happened?
In response, could have had a conversation as to could we have shaped the formula differently locally to take account of this. The plan is to bring a paper to the next Forum meeting.
- Is it worth looking at before the 30 hours was introduced?

Is every LA having this issue?

In response, a calculation takes the 30 hours into account. It would seem other LA's are having the same issue.

- Good to know what the cumulative amount looks like. Instead of putting extra into High Needs should it be put into Early Years?

Sarah Porter offered to be part in any work looking into process of providers claiming SEN funding

In response, thank you that's good to know, we are looking into how we can align early years funding with the rest of the system.

School Balances

This paper sets out the changes in maintained schools' balances which have reduced from £17.684m as at March 2022 to £15.797m as at March 2023.

Comments:

- Previously an NCC statement to produce a deficit budget what is NCC view?

In response, the position used to be that you could have a licenced deficit but this is no longer the case.

Action: we will come back with further information.

- Members queried money for 'cluster

It was explained this was money for roles that operate over a number of schools.

Action: Officers will come back with further information and check language used to describe this.

Forum members asked for a projection for year 2 and 3.

5. Catering Contract

This paper is to update Schools Forum on plans for the commissioning of Norfolk's Schools Catering contract commencing 1st April 2023.

The current position is that we have a contract with Norse Easton in place extended to March 2024. We want an information gathering exercise. We are exploring options. We intend to come to Forum in July with an account of the options available.

Comments:

- What is a controlled entity?

In response, a technical compliance - we could go with Norse without going out to tender.

- If we go out to tender what are the timelines?

In response, prepare documents in July, open tender September/November, mobilisation period December to April.

- Schools have to make choices when setting their budget and the later you leave it makes this impossible.

- Why don't we just go out to tender?

In response, we need more information to inform procurement as roundly as possible.

- Schools would appreciate an open process – there was a lot of ill feeling among schools on how Norse dealt with covid and more recently strike days. Also price changes, a letter was sent to schools, but nothing was said beforehand at Educate Norfolk or at Schools Forum. Needs to be a mechanism on approving price rises.

- Observation, why would you not tender?

Gaging reception the current service has been given from the schools themselves there should be a scoping exercise and then go for the tendering process.

In response, we are gearing up for procurement, we are going to need help from colleagues in gathering information.

- If tight timeline is it sensible to mobilise 1 September?

In response, the important part of the paper is the options we have and the information gathering we need to do now around the viability of a group contract.

- Larger schools more likely to pull out so greater risk for smaller schools. Norse has picked up a problem where there has been no contractor. Who ever takes over, will have to be there to be a safety net for schools in trouble.
- Would be good to know if schools would buy back into the contract.
- Catering Board should consider increased costs.
- Transparency important.

In response, already putting transparency at the forefront.

- All catering companies at the moment are under pressure with the huge increase in cost.

In response, this is not about Norse but about the group contract.

6. Future Plan

The next meeting on 7 July 2023 will be held in room JB031, Jubilee Building, Easton College

7. AOB

It was agreed to change the November meeting to 22 November 2023 in order to have County Hall as the venue.

Audit paper – it was noted that this was not an agenda item as no one from audit was able to attend.

Comments:

- The audit person who attended our school had not had a DBS check. Also she informed us that audits would now be every ten years not five. Still issue with schools not choosing to have audits.
- Biggest issue staffing not touched and is a tick box exercise.
- Before this is top-sliced needs to be more robust.

Schools Forum

Item No. 3

Report title:	Local First Inclusion
Date of meeting:	7 July 2023

Executive summary

This is the second, formal, report to Schools Forum on the Local First Inclusion programme and follows on from our recent submission to the DfE of the first Tri-Annual Report (16th June 2023). The Tri-Annual report was signed off by the Local First Inclusion Executive Board (12th June 2023) and set out progress to date across the programme, aligning Norfolk's 5 Workstreams to the DfE/NCC 9 Conditions within the Funding Agreement.

We have informed DfE that we would be 're-setting' the HNB/DSG budget profile to take account of the progress to date within the programme and reporting this to July Schools Forum prior to the next Tri-Annual report to DfE in September 2023.

Therefore, the report today has three main elements:

- Overall progress across Local First Inclusion Programme, including KPI's
- Spot-light on Workstream 3, School Led Alternative Provision (including presentation during Schools Forum meeting)
- Updated HNB/DSG budget plan (*please note that this will be provided separately but to be considered as part of this overall paper*)

Schools Forum are asked to:

- 1. Note progress within the programme overall with reference to the initial Tri-Annual Report to the DfE**
- 2. Provide comment, support and challenge regarding the sub-set of KPI's to be used for regular tracking and reporting within Schools Forum**
- 3. Provide comment, support and challenge regarding the spotlight on Workstream 3 School Led Alternative Provision**
- 4. Provide comment, support and challenge on the updated HNB / DSG budget plan**

1. Introduction

This is the second, formal, report to Schools Forum on the Local First Inclusion programme and follows on from our recent submission to the DfE of the first Tri-Annual Report (16th June 2023). The Tri-Annual report was signed off by the Local First Inclusion Executive Board (12th June 2023) and set out progress to date across the

programme, aligning Norfolk's 5 Workstreams to the DfE/NCC 9 Conditions within the Funding Agreement.

In addition to the significant progress that has been made in establishing the Local First Inclusion programme, during the initiation stage (November to March 2022/23) and since formal agreement (April to June 2023), the Tri-Annual Report also highlighted potential risks to Specialist Resource Base (SRB) delivery in line with the original timeline and our next steps plan.

Of particular significance was our commitment to the DfE that we would be 're-setting' the HNB/DSG budget profile to take account of the progress to date within the programme and reporting this to July Schools Forum prior to the next Tri-Annual report to DfE in September 2023.

Therefore, the report today has three main elements:

- **Overall progress across Local First Inclusion Programme, including KPI's**
- **Spot-light on Workstream 3, School Led Alternative Provision (including presentation during Schools Forum meeting)**
- **Updated HNB/DSG budget plan**

2. Governance Update / Forward Plan

The Local First Inclusion Programme will be reported to all Schools Forum meetings over the six year period of the programme, up to March 2029, and there will be a flow of information between Schools Forum and the Local First Inclusion Executive Board to ensure regular scrutiny, support and challenge.

In addition, Norfolk County Council will provide oversight to the programme via the Committee structure. A report on Local First Inclusion has already been provided to NCC Cabinet (March 2023) and NCC Scrutiny Committee (May 2023). It has been agreed that NCC's Scrutiny Committee will receive an annual report, and, prior to this, there will be bi-annual reporting to the NCC's People & Communities Select Committee, starting in September 2023.

The reporting schedule to the DfE each year throughout the six year period is on a Tri-Annual basis each June, September and December.

The first Tri-Annual report was submitted in line with DfE timescales on 16th June 2023 and to date the LA has not received feedback. The LA also awaits a final decision on the capital funding for the two new special schools, following the positive decision in principle received at the start of the summer term. We have been advised that a decision by the Minister will be confirmed shortly.

3. Tri-annual Reporting and KPIs

Tri-annual reporting to the DfE will take place each June, September and December throughout the six year Local First Inclusion (LFI) programme and is set out within a standard template provided by the DfE. The template focusses on the 9 Conditions

within the Funding Agreement, rather than the LFI 5 Workstreams, and a summary of progress and next steps alongside an overall rag rating is provided.

Within the first Tri-Annual report we set out 7 Green and 2 Ambers within the Rag Rating, with Ambers related to projects relating to School Led Alternative Provision and to the Specialist Resource Base developments. School Led AP status was linked to the timeline for engagement with school leaders, which is now underway, and Specialist Resource Base status was linked to the delay of at least 1.5 terms to the opening date of the first SRBs.

Schools Forum provides six representatives to the LFI Executive Board and a full copy of the draft and final Tri-Annual Report was provided and agreed. The LFI Executive Board, in addition to senior managers across NCC, also has representation from the Children & Young People Strategic Alliance and, in the autumn, will also include representatives from the Norfolk Learning Board / Educate Norfolk.

To assist Schools Forum with ongoing information about progress of the overall LFI programme and knowledge of our reporting to the DfE below are key extracts from the first Tri-Annual Report:

Norfolk Safety Valve Tri-annual Monitoring Report – within NCC's Local First Inclusion Programme*

As this is the first Tri-annual report for Norfolk, within the DfE Safety Valve process, I wanted to personally set out our progress in establishing our **Local First Inclusion programme** and to reaffirm the commitment from the Council and our partners to the aims and objectives that we have set out and agreed with the DfE.

In Norfolk we have designed this programme on the basis of equal emphasis on mainstream inclusion and further development of specialist provision and this new programme is known as Local First Inclusion. We have set out 5 workstreams (containing 80 individual projects) to implement these changes over the next 6 years:

- Mainstream school inclusion, culture and practice
- School and Community teams
- Responsibility based model of decision making, funding and commissioning for Alternative Provision
- Commissioning / Use Independent Sector Schools differently
- SEND Sufficiency and Capital Delivery



These workstreams have been developed to address a range of issues in Norfolk that have been identified through previous co-production work with parents/carers, young people and education and health professionals, within our Area SEND Strategy joint working. These workstreams also provide the basis for us to respond to the evidence base set out in the Joint Strategic Needs Assessment for SEND

Local First Inclusion is all about improving outcomes for children and young people with SEND, ensuring, wherever possible and appropriate, they can attend school close to their home/in their community with the support they need to make progress in their learning alongside other children of the same age.

We are improving support to schools/school leaders and increasing funding to schools to ensure they have the resources and expertise to provide the right support for children and young people with SEND.

We anticipate fewer EHCPs will be issued to children and young people because there will be better support available in the mainstream system.

Our state-funded special schools offer an excellent and high-quality education for children and young people with higher needs SEND and we're investing in more state specialist provision for those children and young people with higher needs.

The intention, across the combined effort of delivery through these workstreams and through the work of front-line professionals, is to 'shift-left' our historic and current over reliance on the independent sector for specialist provision, alongside Norfolk's over reliance on education health and care plans as the means to secure support within mainstream schools.



Note: each workstream is led at Assistant Director level within Children's Services and has dedicated project manager support.

With the revenue and capital investment from the DfE and NCC we are confident that we can achieve these transformational changes for the joint benefit of children, young people and their families and enabling the sustainable investment of early support and specialist provision within the High Needs Block and NCC budgets.

To date, face-to-face and remote briefings of Norfolk CEO's, headteachers and governors have ensured that approximately 50% of schools have benefited from direct briefings on Local First Inclusion (spring term 2023).

In addition to LA senior leadership, these briefings have benefited from the involvement of four school 'change leaders' seconded to co-produce and co-develop/implement both the Local First Inclusion programme and the associated Norfolk Learning Strategy

Regular briefings of the Schools Forum have taken place, and are scheduled throughout the programme, alongside briefings of Norfolk Learning Board (March 2023), Children and Young People Strategic Alliance (May 2023) and Integrated Care Partnership (June 2023).

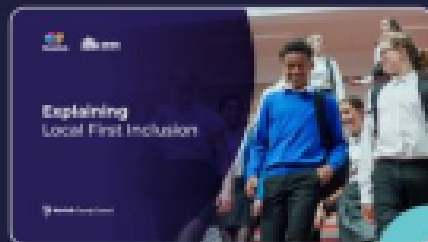
All Norfolk early years settings, schools and colleges have received a communication from me personally setting out an ambition for a new Learning Strategy for Norfolk alongside the Local First Inclusion programme.

Below is an extract that provides the Local First Inclusion high level summary and a link to a video aimed at all staff within schools. This is to ensure that, in particular, the programme of work within workstreams 1, 2 and 3 develop with engagement of those professionals who will be key in achieving the required transformation.

Local First Inclusion

Local First Inclusion is a six-year (2023-29) Norfolk County Council Special Educational Needs and/or Disabilities (SEND) improvement programme focused on improving educational support for children and young people and their families and providing earlier help. It builds on the county council's £120 million five-year SEND transformation programme which ran from 2018 to 2022.

The video below explains our approach to delivering Local First Inclusion, which you can watch by clicking the image:



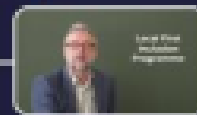
Click to watch the explainer video

- Workstream 1:** Mainstream school inclusion, culture and practice
- Workstream 2:** School and community teams
- Workstream 3:** Modelling/funding/commissioning for secondary school Alternative Provision (AP)
- Workstream 4:** Using independent special schools differently
- Workstream 5:** SEND sufficiency and capital

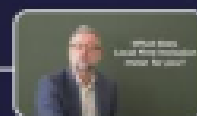
Working with the team

If you have any questions about the programme, specific workstreams or projects, if you'd like to join in, or if you just want to provide your thoughts and feedback, you can send us an email at LFI@norfolk.gov.uk to start the conversation.

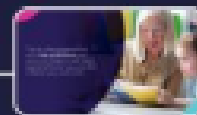
Chapters:



LFI Overview



Workstream Descriptions



How to have your say



bit.ly/NCCELFI

8

We have established the Local First Inclusion Programme in full, we have secured the support of school leaders and partners, and we are already implementing the initial elements of the programme with the successful recruitment of our School & Community Teams, the increased take up from Schools of our INDES and IPSEF frameworks for mainstream school inclusion (to near 90% coverage), and receipt of a high rate of expressions of interest for the first wave of new primary school Specialist Resource Bases that are currently progressing through formal school organisation consultation process.

We are scheduled to provide the initial refresh of the overall DSG recovery plan to the July meeting of the Schools Forum, and this will be the basis for an update on the programme within the September Tri-Annual report. I am confident that within the summary below you will see clear evidence of our ongoing commitment to this programme of work and the positive first stages of programme delivery.

Sara Tough
Executive Director of Children's Service
(Children, Education and Families)

DfE Tri-annual report requirement elements	'Executive Summary'
<u>Content</u>	
<p>Is the LA still on track to meet the deficit control and reduction targets as set out in the agreement? Please demonstrate evidence of your answer.</p>	<p>Yes. We are confident that at the end of the 6 year programme we will have achieved the reduction.</p> <p>During the initiation phase of the programme (November to March 2022/23) we have established the programme in full with 5 Workstreams overseeing a total of 80 individual projects and with each workstream led at Assistant Director level.</p> <p>As we have moved out of initiation stage and into implementation stage, we have identified some specific elements of the programme that require us to sequence some activity differently, for example the opening date for the first wave of Specialist Resource Bases will now move from September 2023 to February 2024 at the earliest. However, we anticipate being able to mitigate this due to a higher response rate to our expressions of interest process and will now be implementing a higher number of SRBs than originally set out. There is more information on this within the summary for Condition 9 below and also within Appendix 1.</p> <p>The outturn for the overall DSG was an overspend of £19.9m against a deficit within our submitted plan of £19.637m. We believe this is within an acceptable 'margin of error' for the financial year 22/23; noting that during this time the benefits, that will flow from the Local First Inclusion* programme, were not in place.</p>
<p>What progress has been made towards implementing the conditions set in the agreement, and are the timelines set in your detailed proposals still on track?</p>	<p>As above, progress has been made in line with the agreement with the exception of elements of the Specialist Resource Base project within the overall SEND Sufficiency & Capital Delivery workstream, see Appendix 1 [note pending].</p>
<p>What are the current risks to implementation, and how are you mitigating these?</p>	<p>In our final safety valve submission we set out a high level risk analysis alongside mitigations and these have not changed as we have moved out of initiation stage and into implementation stage. However, due to the size and complexity of the programme we have established a full risk log across the 5 workstreams and 80 projects with a total number of risks identified and mitigations set out for over 200 separate risk lines. Monitoring of these risks is overseen by a dedicated Programme Manager with reporting to both a monthly Delivery Group and the half-termly Executive Board.</p> <p>We are confident that our mitigation plan is realistic, and we now have evidence of this from the positive engagement of school leaders during the initiation phase of the programme (November to March 2022/23). We</p>

	<p>have engaged directly with over 150 school leaders representing over 200 schools during face-to-face events in spring term 2023. In addition, we have seconded four change leaders from within the school system (MAT CEO, Headteacher, Chair of Governors, Special School Consultant) alongside six representatives from the Schools Forum and three representatives from our Children and Young People Strategic Alliance, within our Executive Board. These change leaders, alongside senior leaders within Children's Services and a dedicated programme team, are fully involved across Local First Inclusion and understand the need to keep all activity aligned to the project plans.</p> <p>Due to the importance of culture change as a cross-cutting theme within Local First Inclusion programme, the ongoing communication with and engagement of school leaders and other key partners is critical to the success of the programme and an important aspect of our risk mitigations.</p>
<p>Have there been any unforeseen difficulties or setbacks in implementing the agreement? How have you mitigated these?</p>	<p>Yes. As stated above the first wave of primary school specialist resource bases will now begin from February 2024 instead of September 2023. We set out this in more detail within Appendix 1 to illustrate the ways that we are mitigating this change in start date.</p> <p>Considering the size of the programme (80 projects across 5 workstreams) we believe that we have demonstrated full leadership and commitment to establish the programme, in full, prior to the publication of the formal agreement by the DfE. This foundation within the initiation phase has ensured, for example, that we have already recruited staff to our new School and Community Teams from April 2023 with implementation of these teams starting June 2023 (see summary within Condition).</p> <p>A potential difficulty is linked to the application process for the two new special schools within the associated DfE Free School capital programme. We were notified in March 2023 that we had been successful in principle and that final decision making was pending further information from DfE. This further information was set out in a meeting and follow up email exchange on 24 April 2023. We have submitted the additional information requested in line with the 19 May 2023 deadline and anticipate final decision making by the DfE in June. In addition to seeking a final, positive, decision as soon as possible we are also seeking to explore options for delivery of these schemes directly by NCC to reduce risks and increase the opportunity for the benefits that were evidenced in the two new special schools completed by NCC in 2021 and 2022.</p>

<u>Additional Information</u>	
Any relevant Schools Forum papers.	<p>Extract of Schools Forum vote in favour of Schools Block transfer has previously been provided to the DfE.</p> <p>Subsequent Schools Forum meeting (March 2023) received an update on the programme/agreement and from May 2023 Schools Forum meeting we have agreed a format for reporting to all meetings throughout the six year Local First Inclusion programme (copy of May report to Schools Forum attached at Appendix 2).</p> <p>Forward Plan agreed with Schools Forum to receive update reports at all meetings, copy within Appendix 2.</p>
Details of any substantial changes to the senior staff at the LA responsible for implementing your agreement.	<p>The Section 151 officer (Simon George) left NCC in April 2023 and the new Section 151 officer is Harvey Bullen. This is a positive move for the programme due to Harvey Bullen's involvement in the detail of the development of the Safety Valve agreement and work with the DfE's advisors, as well as his ongoing involvement within our Local First Inclusion programme leadership.</p> <p>The Director of Learning & Inclusion (Chris Snudden) retired in December 2022 and subsequently an integrated Children's Services model/structure has been implemented (from April 2023). The Executive Director (Sara Tough) has redefined the portfolios of her three service directors and has ensured that the Assistant Directors previously within the Learning & Inclusion directorate now report into one of the three service directors; ensuring an integrated model and ensuring that SEND is a shared responsibility.</p> <p>The three Directors have specific responsibilities relating to the Local First Inclusion Programme: James Wilson (Director Sufficiency, Planning and Education Strategy), Sarah Jones (Director Partnerships, Inclusion and Practice) and Phil Watson (Director Family Help & High Needs).</p> <p>Dawn Filtness remains as the Finance Business Partner to the Children's Services Leadership Team and Michael Bateman, Assistant Director for SEND Strategic Improvement & Partnerships, remains as the lead senior manager for the Local First Inclusion programme.</p>
In addition, we are keen to be able to increase our reporting on the positive impacts of Safety Valve agreements on local areas, and share learning where appropriate. One area we wish to explore in more detail is how each LA has responded to being involved in the Safety Valve programme by making improvements to its service delivery for children, young people, and their families. We ask therefore	<p>We will aim to include case study and engagement feedback information from parent/carers, young people and professionals and would anticipate being able to attribute the impact of the Local First Inclusion programme to improved outcomes for C&YP and their families by the start of Spring Term 2024.</p> <p>In the meantime, we can demonstrate improvements in</p>

<p>that you consider the positive impacts your DSG management plan is having on the experiences for C&YP, and ways in which your future monitoring reports could share these insights. If you could provide us with some information with future monitoring reports, such as an example case study, piece of narrative or contribution from your Parents Carer Form, that would be very helpful.</p>	<p>collective system leadership for SEND, secured within the initiation stage of the programme, and can set these out within the September Tri-Annual report.</p> <p>We have launched a video targeted at all teaching and teaching assistants across Norfolk schools to promote Local First Inclusion.</p>
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*note: the term safety valve is not used within Norfolk to describe the programme of work and is instead known as **Local First Inclusion** and all of our engagement with schools, parent/carer groups, health and other professionals uses the term Local First Inclusion.

Safety Valve Monitoring template

<p>Date Submitted</p>	<p>16 June 2023</p>
<p>Signed off by S151 Officer</p>  <p>Harvey Bullen, Director of Strategic Finance (Section 151 Officer)</p>	<p>Signed off by Director of Children's Services</p>  <p>Sara Tough Executive Director of Children's Service (Children, Education and Families)</p>

Selection of KPI's for Schools Forum to enable it to track activity and also to enable it to assist in influencing the system on key behaviours

At the Schools Forum meeting in May 2023 it was agreed that the full set of LFI KPI's would be provided (Appendix 1) and in addition a sub-set would be created to enable a focus during the coming year on those indicators that provide proxy's for the overall 'health' of the programme. These relate to overall HNB/DSG spend, EHCP rates and PEX data.

- KPI's No. 1-10 for EHCP
- KPI's No. 11-15 for High Needs Block
- KPI's No. 45 for PEX

KPI's No. 1-10 for EHCP

LFI Programme KPI's										£m			
Ref			Measure most aligned to workstreams:					Regularity	Data LAG (time between data capture and its reporting)	Baseline 31st March 2022	Baseline 31st March 2023	Target 23/24 financial year	Actual 2023 July
		Prog	1	2	3	4	5						
	EHCP												
1	Actual EHCPs	Yes	Yes	Yes				Monthly		8671	8735	8611	
2	% change in EHCPs	Yes	Yes	Yes	Yes			Monthly		11.8%	0.7%	-%	
3	Net EHCPs Projected	Yes	Yes	Yes	Yes			Annually				reducing	
4	New EHCPs	Yes	Yes					Monthly		1032	2093	reducing	
5	% of EHCP per head of school age population	Yes	Yes	Yes	Yes			Termly	3 to 4 month lag min	3.8%	4.4%	-%	
6	EHCP referral rates from schools	Yes	Yes	Yes	Yes			Monthly		69.4%	64.9%	reducing	
7	EHCP referral rates from parents	Yes	Yes	Yes	Yes			Monthly		30.2%	34.9%	balance from line above	
8	EHCP referral rates from other professionals & self referrals	Yes	Yes	Yes	Yes			Monthly		0.40%	0.20%	reducing	
9	% of pupils with SEN support	Yes	Yes	Yes	Yes			Termly	3 to 4 month lag min	14.2%	14.6%	+%	
10	Movers and other pupil flow including incomers into county	Yes					Yes	Annually				n/a	

Current EHCP referral rates are continuing to rise. Norfolk published EHCP figures, within the DfE 'SEN2' statistical return show a total of 8735 EHCPs as at January 2023. The DfE determine national figures, for comparison, based on school age EHCP and the latest national data set published in June 2023 shows Norfolk rates at 4.7% and National at 4.3%.

However, as at end June 2023 the current total number of EHCP's in Norfolk is 9822 and to date in the calendar year we have received a total of 1203 referrals.

We would anticipate reductions in the rate of referrals for EHCP to start from September 2023 when changes made within the LFI programme start to be implemented countywide, eg Element 3 funding changes, School and Community Team roll-out.

KPI's No. 11-15 for High Needs Block

HNB													
11	HNB surplus (+) / deficit (-)	Yes	Yes	Yes	Yes	Yes	Yes	Termly			-21.681	-21.197	-25.149
12	HNB spend	Yes	Yes	Yes	Yes	Yes	Yes	Termly			128.142	150.314	169.376
13	HNB spend - direct (includes recoupment and future demand)	Yes					Yes	Termly			122.592	144.372	159.396
14	HNB spend - central	Yes	Yes	Yes	Yes			Termly			5.550	5.942	9.980
15	Average cost - all HNB 0-25	Yes	Yes	Yes	Yes	Yes	Yes	Termly			0.012	0.014	0.015

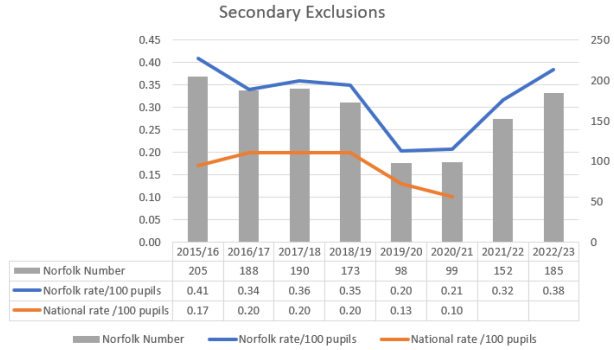
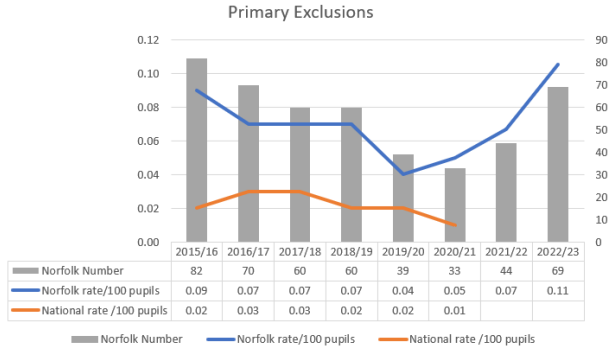
Comment will be provided with the HNB / DSG Budget Plan update information that will follow separately but to be considered alongside this paper

KPI's No. 45 for PEX

Alternative Provision													
45	PEX numbers	Yes	Yes	Yes	Yes			Termly					reduced from X to Y
46	Number in school based AP	Yes		Yes	Yes		Yes	Annually					105

Below is current PEX data that is being used within the secondary leaders engagement sessions for Workstream 3 / AP. Further information will be provided within a presentation at the July Schools Forum, as part of the LFI 'spot-light' item, to set out the principles for the new approach to AP and the ways that this will impact on PEX rates:

- Exclusions were declining and subsequently fell sharply as a result of pandemic lockdowns and restrictions, but the use of exclusion has risen sharply since restrictions were lifted
- Most secondary schools in Norfolk exclude one or more pupils each year.
- Exclusion rates in Norfolk Primary and Secondary schools are higher than national



Rates 2015- 2021 DfE Data. 2021-2023 – LA calculation. DfE data does not include the last two terms for any school that has been sponsored or re-brokered as a new academy. Numbers are confirmed and unconfirmed exclusions using LA data and include all exclusions from open, closed, sponsored and re-brokered mainstream Norfolk schools.

Spot-light on Condition 5 / Workstream 3 – School Led Alternative Provision

In addition to the summary below a presentation will be provided to Schools Forum at the meeting on 7 July 2023 to illustrate the vision for Alternative Provision in Norfolk and current engagement activity with secondary school leaders.

The Tri-annual report set out the following progress and next steps within this workstream:

Agreement Condition	Assurance Level		
Condition 5: Implement a school-led Alternative Provision (AP) model as a strategy to prevent exclusions and the need for an education health and care plan (EHCP) or specialist placement. This new provision should support reintegration to mainstream as quickly as possible and be funded through reconfiguration of existing AP spend;	Q1	Q2	Q3
	RAG	RAG	RAG

NOTE RAG STATUS: this element is currently RAG Rated **AMBER** due to the relative pace of the implementation of the workstream in comparison to overall programme. There are no specific risks.

Progress Update:

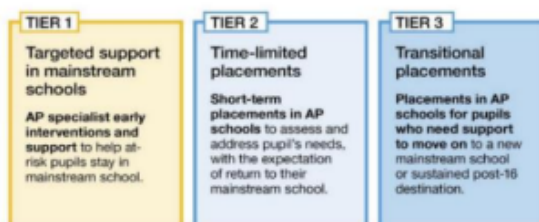
- The test and learn approach within the Kings Lynn area has focussed support resulting in continuing to reduce suspensions and permanent exclusions. This learning will be utilised to implement change more widely.
- Independent Alternative Provision (AP) consultant secured to provide a position statement on current LA and AP Provider(s) to inform next stage of workstream.

Next period activity within this workstream is:

- Anticipate outputs from DfE SEND & AP improvement plan pilots to ensure coherence between DfE AP 3 Tier Plan and Norfolk's Local Inclusion Programme for AP:
- Plan for an AP stakeholder group with external representation will be confirmed and shared
- Plan for school engagement activity will be confirmed and communicated with schools, as well as engagement activity with parents/carers and children to support workstream

An integrated SEND and alternative provision system

A three-tier model for alternative provision



Effective reforms would move the system's emphasis upstream, away from expensive long-term places




A series of three workshops are being held between 23rd June and 5th July (2 x Face to Face and 1 X TEAMS) across the county, aimed at secondary leaders, setting out a vision for Alternative Provision and engaging school leaders in debate about a way to change the AP offer within schools and from within LA commissioned provision to reduce exclusions, meet needs earlier and more effectively and contribute to the reduction in use of specialist provision for this cohort.




Below is an extract from the information set that was provided to secondary school leaders in advance of the workshops:

Local First Inclusion

Norfolk Vision for Alternative Provision in Secondary Schools

For consultation with schools, settings, parents and carers and young people



For the purpose of this vision we have agreed the following definition:

Alternative provision is the education made available for young people who cannot attend school because of exclusion, behavioural issues or illness, including mental health needs.



2 | Norfolk Vision for Alternative Provision in Secondary Schools

Introduction

Most young people in Norfolk thrive by attending their local mainstream secondary school. Many young people have additional needs such as speaking English as an additional language (EAL) but they are well supported through a whole school ethos and approach which enables them to flourish and achieve well alongside their peers.

However, a small number of young people experience difficulties with accessing mainstream provision during challenging moments in their lives. When their needs increase, either due to challenging behaviours, illness or wider health needs, targeted and specialist intervention in high quality alternative provision can provide the support they need.

I now want to take the opportunity, as Director within Children's Services for the delivery of the Local First Inclusion Programme, to share our vision for developing alternative provision in Norfolk.

Across the Local First Inclusion programme we have secured a combined investment between the DfE and Norfolk County Council of over £100million revenue and further capital investment. Within this, there is a specific ambition to develop more high quality alternative provision with clear pathways for young people in their local communities.

We know that alternative provision has the potential to transform a young person's life chances and this vision is shared with you so that we can work together to achieve stronger outcomes for young people who require support through high quality outreach and placements. It builds upon the vision and strategies that we have already agreed through the Children and Young People's Strategic Alliance (CYP SA) for SEND and within our co-produced Norfolk Area SEND Strategy, which provide the foundation for the Local First Inclusion programme.

There will be opportunities for you to work with us on this vision and contribute to this work throughout the length of the programme, and we will be launching a Norfolk Alternative Provision Stakeholder group to support our ongoing engagement and consultation.

If you have any questions or wish to discuss any aspect of this work, please contact us at alternativeprovision@norfolk.gov.uk.

I look forward to working with you on this shared programme of work.



Sarah Jones
Director Partnerships,
Inclusion and Practice

Norfolk Vision for Alternative Provision in Secondary Schools | 3

The vision and high level plan has been progressed within an AP Steering Group, being led by the Assistant Director for the Inclusion & Opportunity Service and with involvement from secondary school leaders (CEO, Headteachers) and expert national leader on AP.

Norfolk Vision for Alternative Provision (AP)



Further information regarding the outcomes from these workshops will be provided in a presentation to Schools Forum within the 7 July 2023 meeting.

To achieve this, we will work with Norfolk academy trusts and school leaders to



4. High Needs Block / Dedicated School Grant Budget Plan

This section of the paper will be provided separately, in due course, but is to be considered as part of this overall paper

5. Schools Forum are asked to:

- 1. Note progress within the programme overall with reference to the initial Tri-Annual Report to the DfE**
- 2. Provide comment, support and challenge regarding the sub-set of KPI's to be used for regular tracking and reporting within Schools Forum**
- 3. Provide comment, support and challenge regarding the spotlight on Workstream 3 School Led Alternative Provision**
- 4. Provide comment, support and challenge on the updated HNB / DSG plan**

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, e.g. equality impact assessment, please get in touch with:

If you have any questions about matters contained in this paper, please get in touch with:

Officer Name:	Tel No:	Email address:
Michael Bateman	01603 307502	michael.bateman@norfolk.gov.uk



If you need this report in large print, audio, Braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Appendix 1: Local First Inclusion KPI's

LFI Programme KPI's							£m								
Ref	Measure most aligned to workstreams:	Regularity	Data LAG (time between data capture and its reporting)	Baseline 31st March 2022	Baseline 31st March 2023	Target 23/24 financial year	Actual 2023 July	Actual 2023 Dec	Actual 2024 Mar	RAG					
											1	2	3	4	5
EHCP															
1	Actual EHCPs	Yes	Yes	Yes	Yes	Yes	Monthly		8671	8735	8611				
2	% change in EHCPs	Yes	Yes	Yes	Yes	Yes	Monthly		11.8%	0.7%	-%				
3	Net EHCPs Projected	Yes	Yes	Yes	Yes	Yes	Annually				reducing				
4	New EHCPs	Yes	Yes				Monthly		1032	2093	reducing				
5	% of EHCP per head of school age population	Yes	Yes	Yes	Yes	Yes	Termly	3 to 4 month lag min	3.8%	4.4%	-%				
6	EHCP referral rates from schools	Yes	Yes	Yes	Yes	Yes	Monthly		69.4%	64.9%	reducing				
7	EHCP referral rates from parents	Yes	Yes	Yes	Yes	Yes	Monthly		30.2%	34.9%	balance from line above				
8	EHCP referral rates from other professionals & self referrals	Yes	Yes	Yes	Yes	Yes	Monthly		0.40%	0.20%	reducing				
9	% of pupils with SEN support	Yes	Yes	Yes	Yes	Yes	Termly	3 to 4 month lag min	14.2%	14.6%	+				
10	Movers and other pupil flow including incomers into county	Yes				Yes	Annually				n/a				
HNB															
11	HNB surplus (+) / deficit (-)	Yes	Yes	Yes	Yes	Yes	Termly		-21.681	-21.197	-25.149				
12	HNB spend	Yes	Yes	Yes	Yes	Yes	Termly		128.142	150.314	169.376				
13	HNB spend - direct (includes recoupment and future demand)	Yes	Yes	Yes	Yes	Yes	Termly		122.592	144.372	159.396				
14	HNB spend - central	Yes	Yes	Yes	Yes	Yes	Termly		5.550	5.942	9.980				
15	Average cost - all HNB 0-25	Yes	Yes	Yes	Yes	Yes	Termly		0.012	0.014	0.015				
DSG															
16	In Year DSG surplus/deficit	Yes	Yes	Yes	Yes	Yes	Termly		-22.179	-19.900	-25.149				
17	Cumulative DSG surplus/deficit - before safety valve funding	Yes					Termly		-53.976	-73.877	-99.026				
18	Cumulative DSG surplus/deficit - after safety valve funding	Yes					Termly		-53.976	-45.877	-65.026				
19	Funding gap as % of HNB allocation	Yes					Annually		23.4%	24.7%	25.3%				
20	HNB DSG allocation	Yes					Annually		103.840	120.588	135.212				
21	Block transfers	Yes					Annually		2.621	8.529	9.015				
22	General Fund (Councils core budget)	Yes					Annually		0.000	0.000	5.500				
Savings/mitigation															
23	Savings/mitigation < 16	Yes	Yes	Yes	Yes	Yes	Termly								
24	Savings /mitigation > 16	Yes	Yes	Yes	Yes	Yes	Termly								
25	Savings /mitigation - all HNB	Yes	Yes	Yes	Yes	Yes	Termly								
26	Savings / mitigation - alternative provision	Yes			Yes	Yes	Termly								
Average Costs															
27	Average placement cost < 16s	Yes	Yes	Yes	Yes	Yes	Termly		0.024468	0.023724	0.02613				
28	Average placement cost > 16s	Yes	Yes	Yes	Yes	Yes	Termly		0.014892	0.016338	0.017866				
29	Average cost of in county special school < 16	Yes	Yes	Yes	Yes	Yes	Termly		0.026672	0.027378	0.029075				
30	Average cost of in county special school > 16	Yes			Yes		Termly		0.02415	0.032075	0.034127				
31	Average cost of maintained / academy special school place - in county	Yes					Termly		0.021257	0.022215	0.024219				
32	Average cost of maintained / academy special school place - out county	Yes					Termly		0.023035	0.022828	0.021766				
33	Average cost of in county FE college place	Yes					Termly		0.010069	0.010295	0.011051				
34	Average cost of in county independent special school place > 16	Yes			Yes		Termly		0.044177	0.046423	0.04735				
35	Average cost of in county independent special school place < 16	Yes			Yes		Termly		0.085672	0.100307	0.102309				
36	Average placement cost - alternative provision	Yes		Yes	Yes		Termly		0.019378	0.021344	0.020186				
37	Average cost of new independent <16	Yes		Yes	Yes		Termly		0.05653	0.055649	0.05676				
38	Average cost of new independent >16	Yes		Yes	Yes		Termly		0.114092	0.074551	0.076039				
39	Average cost of ceased independent <16	Yes		Yes	Yes		Termly		0.0341	0.021128	0.02155				
39	Average cost reduction from independent placement renegotiations	Yes			Yes		Termly								
Independent															
40	Number of independent providers	Yes			Yes	Yes	Annually			63	stabilised at 35 and reducing from Year 3				
41	Number of independent providers with >1 place commissioned	Yes			Yes	Yes	Annually			34					
42	Number in independent provision	Yes			Yes	Yes	Termly				946				
43	% of SEMH placements in independent provision	Yes			Yes	Yes	Termly				stabilised at current rate and reducing from Year 2				
44	Ratio of placements, Independent vs Maintained special school	Yes			Yes	Yes	Termly				stabilised at 44% and reducing to 38% in Year 2				
Alternative Provision															
45	PEX numbers	Yes	Yes	Yes	Yes	Yes	Termly				reduced from X to Y				
46	Number in school based AP	Yes			Yes	Yes	Annually				105				

Schools Forum

Item No. 4

Report title:	Early Years Funding – Expansion of Parental Entitlements
Date of meeting:	7 July 2023

Executive summary

This report gives an update on the increases to Early Years Funding and expansion of childcare for working parents announced in the Government's Spring Budget.

Forum members are asked to:

- **Note the updated information**
- **Comment on the approach the Local Authority should take in allocating the Early Years Supplementary Grant in September to be fed into the informal consultation with the Early Years Reference Group**

1. Introduction

Within the Spring Budget the Government announced funding to increase Early Years Funding entitlements. The Government will provide £204m in 2023/24 and £288m in 2024/25.

Local Authorities are awaiting an announcement on the allocation for each area, which is expected before the end of the summer term. Based on the information we have received so far, we expect this to include a significant increase to the current funding for funded 2-year-old children.

Alongside this uplift it was announced there will be a phasing in of an increase in the availability of funded childcare that working families can access. By September 2025 the government will fund 30 hours per week (if term time only) for working parents with children aged 9 months up to 3 years in England, where eligibility will match the existing 3- to 4-year-old 30 hours offer.

1.1 Expansion of funded childcare for working parents

From April 2024, working parents of 2-year-olds will be able to access 15 hours of funded childcare per week. This will be extended to working parents of 9 month to 2-year-olds from September 2024. From September 2025 the final phase will extend the entitlements for all eligible working parents of children aged 9 months up to 3 years will be able to 30 funded hours per week.

1.2 Timeline for changes

September 2023	Increase in funding rates (amount not yet known)
April 2024	15 hours for 2-year-olds of working parents
September 2024	15 hours for eligible children from 9 months
September 2025	30 hours for all eligible children from the age of 9 months

1.3 Additional demand on central resources

This significant expansion is clearly going to demand more from central services provided by the LA in the coming years in order that statutory duties can continue to be met. In addition, the potential significant increase in the numbers of children accessing provision will add an additional finance and resource burden.

For context 3- and 4-year-old funding for the current summer term shows we have approx. 13,250 records of which 6,200 claimed the extended offer (which is for working families). On this basis there is potential to at least double the number of children being funded through the entitlement over the next 2 years.

2. Uplift of Funding for existing entitlements in September 2023

2.1 Early Years Supplementary Grant

For 2023 to 2024, DfE's intention is to allocate the additional £204m to Local Authorities through a standalone top-up grant, instead of the normal route through the Dedicated Schools Grant (DSG).

This is to help reduce complexity for Local Authorities in passing on the additional funding to providers mid-year without changing the funding formula which, under regulations, would require a disapplication request to the Secretary of State.

This will be known as the Early Years Supplementary Grant (EYSG). In setting the local funding rates for distributing EYSG to providers, DfE are encouraging Local Authorities to engage with early year providers about the additional funding, but Local Authorities will not be required to consult formally.

The LA intends to consult informally with members of the Early Years Reference Group alongside this discussion at Schools Forum.

To support this engagement with the Early Years Reference Group, the Local Authority seeks a steer from Schools Forum we can use to steer how we should allocate the additional EYSG payment. The options we are considering are:

Option 1: Allocate all the additional funding to providers by an increase to the base rate

Option 2: Top slice the 2-year-old funding, by no more than 5% of the total funding for 2-year-olds, to fund:

- a) LA central services – administration and support
- b) An increase to the Special Educational Needs & Inclusion Fund (SENIF) fund for 2-year-old children

c) LA services and SENIF

At this stage, the LA's preference is option 2c, presuming that the additional allocation is sufficient to ensure all providers receive a significant uplift in funding.

As a system, we know that the overall cost of meeting children's needs is reduced if needs are met early and effectively, so the LA's view is that it is essential that sufficient SENIF funding is available to fund younger children.

Additionally, over the coming years we will see more children eligible for funded places and our view is that central services which support all places should be funded fairly.

3. Forum members are asked to:

- **Note the updated information**
- **Comment on the approach the Local Authority should take in allocating the Early Years Supplementary Grant in September to be fed into the informal consultation with the Early Years Reference Group**

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, e.g. equality impact assessment, please get in touch with:

If you have any questions about matters contained in this paper, please get in touch with:

Officer Name:	Tel No:	Email address:
John Crowley	01603 222557	john.crowley@norfolk.gov.uk



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Schools Forum

Item No.

Report title:	Maintained Schools' Balances
Date of meeting:	7 July 2023

Executive summary

A report detailing maintained schools' balances held on the Local Authority's accounting ledger at the 2022-23 financial year end was presented at the May Schools Forum meeting.

Forum Members requested further information in respect of the deficits shown, the 'cluster' balance, and projections of schools' balances for the next two years.

LA officers have also had conversations with the Finance Consultative Group (representatives of users of traded services from the LA) in relation to similar concerns and the potential risks posed.

Schools Forum is asked to:

- 1. Consider the information provided and provide any appropriate comments**
- 2. Consider the frequency and nature of future reporting regarding maintained schools balances to Schools Forum during this time of increased deficit risk**

1. Introduction

A report detailing maintained schools' balances held on the Local Authority's accounting ledger at the 2022-23 financial year end was presented at the May Schools Forum meeting.

Forum members requested further information in respect of:

- the deficits shown within the tables and treatment of deficits by the LA,
- the 'cluster' balance shown within the tables,
- LA projections of maintained schools' balances for the next two years.

2. Current Balances Position

2.1 Budget Plans and Deficits

The May DSG Outturn paper set out the changes in maintained schools' balances which reduced from £17.684m as at March 2022 to £15.797m as at March 2023, summarised in the tables below:

School type	at 31/03/2022			Balance b'fwd for schools Academised during year*	Balance b'fwd for schools Closed/ Amalgamated/ Federated during year	at 31/03/2023			Change between years	
	Surplus Balance (£'000)	Deficit Balance (£'000)	Total (£'000)			Surplus Balance (£'000)	Deficit Balance (£'000)	Total (£'000)	Surplus Balance (£'000)	Deficit Balance (£'000)
Nursery	252	0	252	0	0	298	0	298	46	0
Primary	15,112	551	14,561	324	0	13,205	784	12,420	-1,583	233
Secondary	144	0	144	0	0	24	0	24	-120	0
Special	2,711	0	2,711	0	0	3,046	0	3,046	335	0
Cluster	16	0	16	0	0	9	0	9	-7	0
Other	0	0	0	0	0	0	0	0	0	0
Totals	18,236	551	17,684	324	0	16,581	784	15,797	-1,330	233

School type	at 31/03/2022			No. of schools Academised during 2022-23	No. of schools Closed/ Amalgamated/ Federated during 2022-23	as at 31/3/2023			Change between years	
	Surplus Balance	Deficit Balance	Total			Surplus Balance	Deficit Balance	Total	Surplus Balance	Deficit Balance
Nursery	3	0	3	0	0	3	0	3	0	0
Primary	139	4	143	5	0	127	11	138	-7	7
Secondary	1	0	1	0	0	1	0	1	0	0
Special	9	0	9	0	0	9	0	9	0	0
Cluster	1	0	1	0	0	1	0	1	0	0
Other	0	0	0	0	0	0	0	0	0	0
Totals	153	4	157	5	0	141	11	152	-7	7

It was noted that 11 schools had a deficit balance as at 31/3/2023, an increase from the 4 schools with deficits at the previous year end.

Forum Members raised that licensed deficits are not allowed under the Scheme for Financing Schools and requested more information about the deficit balances.

Out of the 11 schools with deficits totalling £784k at the end of 31/3/2023, only 2 schools had set a deficit at the start of 2022-23. These plans were not accepted, and those schools received a letter explaining that the LA could not accept a licensed deficit plan, but that the budget could be imported into their accounting system to allow the school and governors to undertake their monitoring responsibilities. By the end of the 2022-23 financial year, 11 schools had deficit balances.

A flow chart in **Appendix A** shows what happens when a deficit budget is received by the LA.

2.2 Cluster balance

Schools Forum Members requested further information on the 'Cluster' balance included within the May papers.

The balance in question, which is a surplus of £9k, relates to a balance held by a group of schools in Acle that have continued to use their cluster cost centre to aggregate non-SEN funding for the benefit of the schools within that group.

For this cluster/group of schools, the LA still requests that a budget plan is submitted.

The types of expenditure that this group of schools is aggregating funding for are:

- Hire of sports hall
- Joint athletics e.g. hire of track, transport, St John's ambulance hire
- Extended Schools Coordinator
- Supplies for events, such as trophies, etc.

Although this is the only remaining example, it was not unusual in the past for schools to aggregate a small proportion of their funding, as a cluster, using a single cost centre, e.g. to cover the cost of Parent Support Advisors. The LA continues to provide information on the historic level of cluster funding included within each school's budget share as part of the overall formula within the 'Memorandum Items' document published [online](#). It should be noted that this is not related to the former SEN Element 3 funding.

There are alternatives to this approach, such as having a single school paying for such costs and then seeking contributions from other schools that benefit. However, the LA is not of the view that the group of schools who are continuing its aggregated fund approach should amend this if that still works well for them. An alternative name could be used in relation to this funding in future tables to help to avoid any confusion with previous SEN cluster funding.

3. Future Years' Balances Projections

3.1 Budget Plans Received

Currently, the LA has received plans from 13 schools projecting deficits at the end of 2023-24 and, again, these schools have received a letter explaining that the LA cannot accept a licensed deficit plan, but that their budgets could be imported into their accounting systems so that the school and governors could undertake their monitoring responsibilities.

All schools have also been referred to HR to review and discuss their staffing structures to identify if there is any action that can be taken within staffing to mitigate the deficit budget.

The LA additionally continues to actively engage with those schools to address their deficit position through non-staffing routes.

3.2 Balances Projections and Assumptions

Following Schools Forum Members’ request, the LA is sharing the projected maintained schools’ balances for years 2 and 3 (projected for end of financial years 2023-24 and 2024-25).

The future projections assume the worst case scenario for both income and expenditure at this time. If the level of income increases, or the level of expenditure decreases, schools that have been projected to go into deficits may in fact stay at break-even or in surplus.

By assuming the worst case scenario, there is always the danger that schools could be planning for staff reductions when reductions are not needed.

Currently rates of inflation for various key expenditures are unknown, along with the scale of any increase in funding from central government.

When schools completed their revision 3 budgets, before submitting their budget plan figures, there were a number of changes that needed implementing for the original budget submission. E.g. (i) the removal of spinal point 1 and those on spinal point 2 moving to point 3 and those staff on spinal point 3 moving to spinal point 4, (ii) including the £1,925 extra pay per spinal point (previously estimated at 3%), and (iii) increasing the paid weeks per year to account for the additional days holiday. These changes had quite a significant impact when setting the original budgets.

There is uncertainty regarding budgeting for SEN funding – at the time that budgets were prepared, there were significant numbers of applications that had not yet been processed for various reasons and so schools may be unsure what funding to include and may have presumed worst-case scenario. The backlog is reducing, and future budget work should be able to reflect more accurate assumptions about SEN funding.

Schools, Education Finance & Education HR are actively engaging to look at staff re-structures where needed.

Revision 1 visits are being undertaken and schools are now reacting to the challenges so would expect a better financial outlook once we receive their re-forecasted budgets.

3.3 Projected Balances

The current projected balances for mainstream schools at the end of **2023-24** are as follows, reducing from a surplus of £15.797m to £9.146m:

Projection of Schools' Balances £000's, 2023-24

School Type	at 31/3/23				Projected as at 31/3/24			Change between years	
	Surplus balance (£'000)	Deficit Balance (£'000)	Total (£'000)		Surplus balance (£'000)	Deficit Balance (£'000)	Total (£'000)	Surplus balance	Deficit Balance

Nursery	298	0	298		66	19	47	-232	19
Primary	13,205	784	12,420		8,269	850	7,419	-4,936	66
Secondary	24	0	24		1	0	1	-23	0
Special	3,046	0	3,046		1,671	0	1,671	-1,375	0
Cluster	9	0	9		8	0	8	-1	0
Totals	16,581	784	15,797		10,015	869	9,146	- 6,567	85

School balances - number of schools, 2023-24

School Type	at 31/3/2023			Schools federated 1/4/23	Projected as at 31/3/24			Change between years	
	Surplus balance	Deficit Balance	Total		Surplus balance	Deficit Balance	Total	Surplus balance	Deficit Balance
Nursery	3	0	3		2	1	3	-1	1
Primary	127	11	138	1	125	12	137	-1	1
Secondary	1		1		1	0	1	0	0
Special	9		9		9	0	9	0	0
Cluster	1		1		1		1	0	0
Totals	141	11	152	1	138	13	151	-2	2

The current projected balances for mainstream schools at the end of **2024-25** are as follows, reducing from an overall surplus of £9.146m to an overall deficit of £0.577m:

Projection of Schools' Balances £000's, 2024-25

School Type	Projected as at 31/3/24				Projected as at 31/3/25			Change between years	
	Surplus balance (£'000)	Deficit Balance (£'000)	Total (£'000)		Surplus balance (£'000)	Deficit Balance (£'000)	Total (£'000)	Surplus balance	Deficit Balance
Nursery	66	19	47		27	216	-189	-39	197
Primary	8,269	850	7,419		4,301	3,939	362	-3,968	3,089
Secondary	1	0	1		0	95	-95	-1	95
Special	1,671	0	1,671		628	1,289	-661	-1,043	1,289
Cluster	8	0	8		6		6	-2	0
Totals	10,015	869	9,146		4,962	5,539	-577	- 5,053	4,670

School balances - number of schools, 2024-25

School Type	Projected as at 31/3/24			Schools federated	Projected as at 31/3/25			Change between years	
	Surplus balance	Deficit Balance	Total		Surplus balance	Deficit Balance	Total	Surplus balance	Deficit Balance
Nursery	3	0	3		2	1	3	-1	1
Primary	127	11	138	1	125	12	137	-1	1
Secondary	1		1		1	0	1	0	0
Special	9		9		9	0	9	0	0
Cluster	1		1		1		1	0	0
Totals	141	11	152	1	138	13	151	-2	2

Nursery	2	1	3		1	2	3	-1	1
Primary	125	12	137		81	56	137	-44	44
Secondary	1	0	1		0	1	1	-1	1
Special	9	0	9		3	6	9	0	0
Cluster	1		1		1		1	0	0
Totals	138	13	151	0	86	65	151	-46	46

Schools Forum is asked to:

- 1. Consider the information provided and provide any appropriate comments**
- 2. Consider the frequency and nature of future reporting regarding maintained schools balances to Schools Forum during this time of increased deficit risk**

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, e.g. equality impact assessment, please get in touch with:

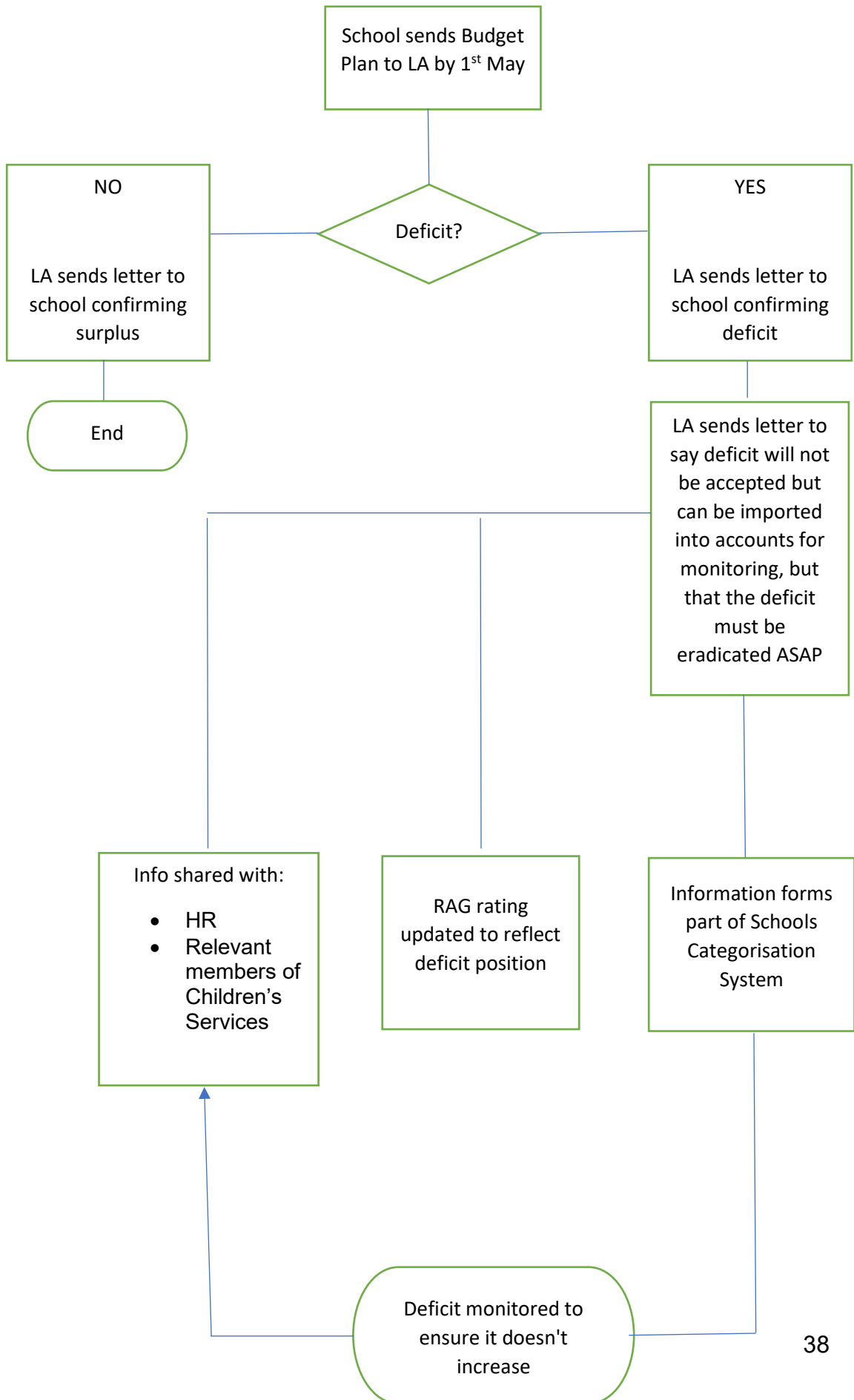
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Appendix A: Flow Chart for Budget Plans/Deficits



Schools Forum

Item No.6a

Report title:	Autumn Consultation Approach
Date of meeting:	7 July 2023

Executive summary

The LA proposes to undertake all consultations with mainstream schools (the Fair Funding Consultation), special schools and early years providers concurrently during the Autumn term

To enable the LA to prepare for these consultations, a number of items are being brought to Schools Forum during this meeting to gain Members' steer as to the content of the specific elements of the consultation.

The LA will then prepare proposed consultations for the September meeting of the Forum, along consultations to commence as soon as possible after that meeting to both allow sufficient time for engagement and responses from schools, as well as the review of responses and preparation of the November Forum papers.

There are some elements that are well known to Members or that have been discussed as part of other items at previous meetings, and so there is no paper in these cases, but they are included on the list below for completeness:

- h) Early Years (paper & for discussion)
- i) Special Schools (paper & for discussion)
- j) Fair Funding – gains and capping system (paper & for discussion)
- k) Fair Funding – falling rolls and growth funding (paper & for discussion)
- l) Fair Funding – Block Transfer (for noting only)
- m) De-delegation – Funding for maintained school audit (for noting only)

The turnout for a number of years has often been low in relation to these consultations. Feedback has been received regarding methods of raising the profile, which the LA will look to implement. Any further suggestions are welcome. In addition, the LA also needs Forum Members, as representatives of their sector, to actively encourage engagement and responses.

Schools Forum are asked:

- **Feedback any views on the proposed consultation approach and any specific issues requiring consultation that have not been identified within this item**
- **Any additional feedback on methods of engagement both by the LA and by Forum Members themselves with those they represent**



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Schools Forum

Item No. 6b

Report title:	Early Years Funding Autumn Consultation Preparation
Date of meeting:	7 July 2023

Executive summary

The LA proposes to consult early years providers, and seek recommendations from Schools Forum, during the autumn term on options for amending the Early Years funding formula from April 2024.

The allocation of Teachers' Pay and Pension Grants (TPPG) to maintained provision through the EY formula for the first time, from April 2023, has raised some queries from providers as to whether the funding should instead be passed to all providers across all sectors. The LA intends to seek views on the future of TPPG in the autumn consultation.

The LA intends to continue to revisit the use of supplements within the formula (other than deprivation which is mandatory) for future years, considering expected increases in base rates and whether that changes providers' views of how the funding is distributed across the system.

An increase to the value of the SENIF to acknowledge the sharp increase in applications over the past 2 years will also be considered as part of the consultation. The LA are in the process of aligning the EY SEND funding to school funding, so the consultation could be used to guide that process too.

Finally, given the coming expansion of funded places for younger children, it seems appropriate to consult on top slicing funding across age ranges, starting with 2-year-olds to ensure services are fairly and proportionally funded.

Schools Forum is asked to:

- **comment on the proposals for consultation**
- **to agree the scope and questions that should be asked in the Autumn term.**

1. Introduction

Each year the Local Authority (LA) sets an early years funding formula for funded parental entitlements for early education, currently split between 2-year-old funding

and 3-and-4-year-olds funding to reflect the different funding from Central Government, the different ratios of care, and the different eligibility criteria.

The LA has undertaken consultations with the whole sector in the past, as well as having established an Early Year Reference Groups with representatives from across the sector to enable deeper engagement.

The LA intends to consult all early years providers in the autumn term, alongside the Fair Funding consultation in relation to mainstream schools funding. The proposed consultation will be brought to the September Schools Forum for agreement and then the outcome of the consultation will be brought back to the Forum to allow a recommendation to be made to the LA as to the setting of the formula for 2024-25.

1.1 Teachers' Pay and Pension Grants (TPPG)

Following the implementation of new funding proposals from April this year the Early Years and Finance Teams have received some queries from providers. The area that has generated more queries is the TPPG. Providers have asked for clarity on this funding stream and whether it should be passed to all providers across all sectors rather than just teacher-led school settings.

Until April, TPPG was allocated as a separate grant for to fund additional pension costs experienced by schools who employ qualified teachers. Since April, it has been paid to the LA through the EY Block. Guidance suggests that the funding is distributed through a quality supplement and “encourages local authorities to consider the purpose for which the grants were originally introduced when designing their approach.” [Early years entitlements: local authority funding operational guide 2023 to 2024 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/early-years-entitlements-local-authority-funding-operational-guide-2023-to-2024)

The changes to the TPPG arrangements were not anticipated when the EY funding consultation took place during Autumn 2022 and so a decision had to be taken without full engagement of the sector, although discussion did take place with the Early Years Reference Group.

1.2 Other Supplements

When looking across all responses received through the Autumn 22 consultation, the overwhelming response was that providers wished to retain the current arrangements in relation to the use of supplements.

However, the uplift in funding expected in September 2023, and the changes to funded provision anticipated over the next 2 years following the Governments announcements in the Spring Budget 2023, may mean that providers would reconsider their views.

There was also a desire expressed to increase the value of the SENIF to acknowledge the sharp increase in applications over the past 2 years.

2. Current EY Funding Formula

The following proposals were agreed at the January 2023 Schools Forum meeting and implemented in the current formula:

2.1 3- and 4-year-old Hourly Base Rate

After allowing for supplements, TPG/TPECG, and central costs the hourly base rate paid to providers for 2023-24 would be **£4.31/hr** (an increase of £0.23/hr).

2.2 3- and 4-year-old SEN Inclusion Fund (SENIF)

Maintain the 3- and 4-year-old SENIF fund at the existing level of £0.850m for 2023-24 to meet demand for low and emerging need.

2.3 Supplements

Following feedback from the LA's autumn consultation with providers and from the EY Consultative Group, the deprivation and other supplements remain in the formula for 2023-24.

- **Quality supplement** (optional within formula) of **£0.10** paid to Childminders with a level 3 qualification and settings working on a 1 to 8 basis with at least 1 member of staff with a level 6 qualification.
- **Flexibility supplement** (optional within formula) of **£0.10** paid to providers who enable families to access at least 7.5 hours of funded early education for at least 2 days a week.
- **Deprivation supplement** (mandatory within formula) of **£0.25** for children living in the 10% most deprived and 15p for the 11-20% most deprived parts of the county using the IDACI index. Feedback from the EY Consultative Group suggested a preference to combine the two deprivation rates into a single rate which works out at **£0.21** using a weighted average of the data.
- **Teachers' Pay and Pension Grants (TPG/TPECG)**
Teachers' Pay and Pension Grants (TPG/TPECG) were paid to school settings through separate grants paid to schools in 2022-23 as pupil numbers were included in the calculation of these grants for the whole school. For 2023-24, the equivalent funding has been rolled into the Early Years Block and the DfE expects it to be allocated via the Quality Supplement. Norfolk allocates the funding to schools with nursery classes only at a rate of **£0.24**, which is based upon delivering the additional funding equivalent to the 2022-23 grant across the number of estimated hours to be claimed within school settings. This excludes Maintained Nursery Schools who receive their share of TPG/TPECG via an additional rate of £0.53 within the Maintained Nursery Supplement.

2.4 2-year-old Hourly Rate

The 2-year-old allocation for Norfolk increased by £0.14/hr for Norfolk in 2023-24, from £5.57/hr to £5.71/hr. The LA passed the increase of £0.14/hr to providers, giving a new rate of **£5.64/hr** with £0.07/hr continuing to be retained for the 2-year-old SEN Inclusion Fund.

2.5 2-year-old Inclusion Fund

The LA has maintained the 2-year-old SEN Inclusion Fund at its pre-existing level of £0.050m in 2023-24 to meet demand for low and emerging need for 2-year-olds. The fund is equivalent to £0.07/hr of the hourly rate received from DfE.

2.6 EY Block Contingency

The level of contingency remains at 0.5% (£236,648) of the Early Years Block for 2023-24, in line with the previously agreed contingency level (based upon a percentage of the Block) following consultation with providers on the Early Years formula.

2.7 2023-24 EY Rates Summary

Therefore, the final formula for 2023-24, based upon the above recommendations was:

	2022-23 Rate (£/hr)	2023-24 (£/hr) Rate
Base rate (3-to-4-year-olds)	4.08	4.31
Base rate (2-year-olds)	5.50	5.64
Quality supplement	0.10	0.10
Quality supplement TPG/TPECG – Schools only excluding Maintained Nursery Schools	N/A	0.24
Flexibility supplement	0.10	0.10
Deprivation supplement (10% most deprived based on IDACI)	0.25	N/A
Deprivation supplement (11-20% most deprived based on IDACI)	0.15	N/A
Deprivation supplement (20% most deprived based on IDACI)	N/A	0.21

3. Proposals for consultation

3.1 Teachers' Pay and Pension Grants

Members of the EY Reference Group have raised queries as to the equity of qualification recognition across both the private and voluntary sector and state-funded sector.

The LA proposes consultation on the allocation of TPPG funding in the autumn to provide clarity on the funding stream and to seek views on its future allocation, in particular to address questions raised regarding the equity of the current system.

It is expected that the consultation will ask whether the allocation of the TPPG additional funding should benefit:

- All types of provider;
- All types of provider employing level 6 qualified staff; or
- Keep the funding ringfenced for teacher-led provision?

3.2 Other Supplements / SENIF

The second question the LA could consult on, given the increase to funding rates, is whether the quality and / or flexibility supplements should be removed from the formula, which would result in an increase to base funding to all providers?

This proposal needs to be carefully considered given that there was little support to reduce the use of supplements in the 2022 consultation.

The LA is also of the view that the consultation should consider the option of increasing the value of SENIF and the funding allocated through that mechanism. The LA are in the process of aligning the EY SEND funding to School funding, so the consultation could be used to guide that process too.

3.3 Central Services Expansion of 2-Year-Olds' Entitlement

Given the coming expansion of funded places for younger children, it seems an appropriate time to review how central services are funded by the sector, particularly as there is likely to be an increased demand for these services to enable the changes introduced by Government to be implemented.

The LA did previously consult on this approach and the decision was made to remain with only 3-and-4-year-old funding being top-sliced for this purpose, but the balance between the funding will significantly change over the coming years and so it seems appropriate to revisit this question to ensure that services are fairly and proportionally funded.

Therefore, the LA proposes consulting on top-slicing funding across all age ranges, starting with 2-year-olds.

4. Schools Forum are asked to:

- **comment on the proposals for consultation**
- **to agree the scope and questions that should be asked in the Autumn term.**

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, e.g. equality impact assessment, please get in touch with:

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Schools Forum

Item No.6c

Report title:	Special Schools Funding Review
Date of meeting:	7 July 2023

Executive summary

Following on from a review of special schools' bandings during 2021, implemented for the 2022-23 financial year onwards, the LA has been asked to undertake a further review of the costs of two specific areas: GCSE provision and residential provision.

A review is currently underway with a group of representatives from the LA and special schools/academies. No conclusions have yet been made; however, the LA is aiming to form any proposals in collaboration with the group of representatives to discuss with special schools' Heads and Officers in July 2023 ahead of bringing them back to Schools Forum in the autumn.

It is therefore expected that Schools Forum will be asked in September to consider whether any proposals for changes to the current special schools funding formula put forward by the LA at that date are recommended by Forum members for consultation with special schools. At that time, Schools Forum will be asked to give consideration to:

- The potential additional costs within the formula for special schools, and any impact on the Local First Inclusion Plan.
- A re-distribution of current special school allocations or reduction in the forecast inflation factor for special schools' funding in 2024-25, in order to remain within the forecast cost envelope of the DSG Local First Inclusion plan from April 2024 onwards.

Schools Forum are asked to:

- **Provide any initial comments to be fed back to the working group, including affordability considerations within the context of Norfolk's Local First Inclusion plan**

1. Introduction

Following on from a review of special schools' bandings during 2021, implemented for the 2022-23 financial year onwards, the LA has been asked to undertake a further review of the costs of two specific areas: GCSE provision and residential provision.

A review is currently underway with a group of representatives from the LA and special schools/academies.

2. Membership

The Special Schools Funding Review Group is made up of the following members:

Name:	Role:	Representing:
Amanda Fewkes	Headteacher	Fen Rivers Academy
Colin Wheelhouse	Assistant Principal	The Wherry School
Jane Stringer	Chief Finance Officer	The Wherry School
Jane Hayman	Headteacher	Fred Nicholson Special School
Keith Bates	Director of Inclusion	Broad Horizons Education Trust
Owen Jenkins	Chief Operations Officer	Broad Horizons Education Trust
Sarah Young	Headteacher	Sidestrand Hall School
Wendy Forster	School Business Manager	Sidestrand Hall School
Saul Rice	Assistant Headteacher	Duke of Lancaster
Sue Prickett	Chief Finance & Operations Officer	SENDAT
Theresa Colby	School Support Manager	Bure Park and Eaton Hall
Kim Breen	Head of Specialist SEND Provision & Funding	NCC
Lisa Roll	Finance Officer – NCC	NCC
Martin Brock	Accountant – Schools, SEN and Early Years	NCC
Ruth Lynds	Finance Officer – NCC	NCC
Sam Williams	Schools Finance Manager – NCC	NCC

The group was constituted by the LA to include representatives from ASD/SEMH special schools plus all special schools with residential provision. The group has met 4 times between March and June to consider the two areas of concern raised.

3. GCSE Provision

The Local Authority was initially approached by The Wherry School to consider the additional costs of GCSE provision for children that are able to access the equivalent of a mainstream curriculum within special schools.

This issue had been raised, but not specifically addressed, as part of the initial banding review in 2021. Therefore, further work is required to decide whether such costs should be specifically recognised through the banding system.

Special schools representatives have provided costings in relation to GCSEs and other accreditations to be used as part of the review. Those costs include specialist teaching time, invigilation costs, exam fees and additional paperwork.

The Special Schools Funding Review group is currently considering the evidence provided by schools and there have been many discussions amongst the group as to whether, and how, the cost of a high level of GCSEs (or perhaps other accreditations as well) should be recognised through the funding formula.

4. Residential Provision

The costs of residential provision were outside of the scope for the special schools' formula review in 2021.

This part of the formula has not been reviewed in at least 10 years, nor inflation given, and those schools with residential provision are citing budget shortfalls which may, at least, in part be linked to the current levels of residential funding.

Representatives of special schools with residential provision have supplied breakdowns of their estimated costs and those costs are currently being considered by the group.

5. Conclusions including Financial Implications

No conclusions have yet been made. However, the LA is aiming to form any proposals in collaboration with the group of representatives to discuss with special schools' Heads and Officers in July 2023 ahead of bringing them back to Schools Forum in the autumn.

It is therefore expected that Schools Forum will be asked in September to consider whether any proposals for changes to the current special schools funding formula following this work are recommended by Forum members for consultation with special schools alongside the Fair Funding consultation.

At that time, Schools Forum will be asked to give consideration to:

- The potential additional costs within the formula for special schools, and any impact on the Local First Inclusion Plan.
- A re-distribution of current special school allocations or reduction in the forecast inflation factor for special schools' funding in 2024-25, in order to remain within the forecast cost envelope of the DSG Local First Inclusion plan from April 2024 onwards.

Schools Forum are asked to:

- a. **Provide any initial comments to be fed back to the working group, including affordability considerations within the context of Norfolk's Local First Inclusion plan**

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, e.g. equality impact assessment, please get in touch with:

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Schools Forum

Item No.6d

Report title:	Fair Funding – Gains and Capping System
Date of meeting:	7 July 2023

Executive summary

The LA proposes to consult schools and Schools Forum in the autumn on the options for a funding cap on gains within the 2024-25 mainstream funding formula through the Fair Funding Consultation.

In particular, the interaction of sparsity funding and the funding cap has impacted upon small rural schools where schools become, or have become, eligible for sparsity funding but may not receive the benefit of funding generated through the National Funding Formula (NFF) due to the operation of the funding cap on gains due to the block transfer from Schools Block to the High Needs Block. This has resulted in these affected schools effectively absorbing a disproportionate impact of the block transfer.

There are alternative options to the current ‘hard’ cap methodology that could speed up the transition towards National Funding Formula allocations for schools that are being impacted by the cap. If these options are implemented, then this will result in a different or wider group of schools absorbing the impact of any cap due to any block transfer.

Schools Forum are asked:

- **to consider whether the issue of the funding cap, and its disproportionate impact upon small, rural schools’ budgets, should be consulted on again as part of the 2024-25 Fair Funding Formula consultation for schools**
- **to provide a steer regarding the options to be consulted upon and the type and presentation of information to support high levels of engagement**

1. Introduction

The LA proposes to consult schools and Schools Forum in the autumn on the options for a funding cap on gains within the 2024-25 mainstream funding formula.

In particular, the interaction of sparsity funding and the funding cap impacts on small rural schools. Schools that become, or have become, eligible for sparsity funding may not have received the benefit of funding generated through the National Funding Formula (NFF) due to the operation of the funding cap on gains over the last two years because of the block transfer from the Schools Block to the High Needs Block.

The LA has consulted on this issue before but, in the absence of a recommendation from Schools Forum to move away from the existing system of a 'hard' cap, did not amend the cap methodology for 2023-24.

2. Funding Cap/Sparsity

Norfolk has utilised a funding cap system for many years as part of its local funding formula prior to the move towards the NFF and since the decision to mirror NFF unit values and methodologies in anticipation of a potential national move to a 'hard' funding formula. In recent years a funding cap has been necessary in order to maintain the mirroring the NFF unit values and methodologies, whilst making a Schools Block to High Needs Block transfer.

A funding cap means that schools that receive a factor for the first time (for example the recent example of the sparsity factor with the move from 'crows fly' to road miles) do not realise the significant gains that they may be expecting as part of the NFF. This is due to the overall per-pupil funding in the local formula being capped (e.g., at increases of +2.4% for schools in 2023-24) beyond which no further increase in the per-pupil amount is received. This means that the large gains expected by those schools are then delayed and, potentially, will be spread over a number of years. This issue could apply equally to any factor if/when there are changes in the methodology within the NFF that target additional amounts to specific school types. That said, the sparsity factor change is thought to be the most notable example of this due to the significance of the change and the impact has mainly been upon small, rural schools.

Following further queries from schools and trusts impacted by this issue in both 2022-23 and 2023-24, the LA proposes to revisit the issue in consultation with schools and Schools Forum.

To resolve this issue for 2024-25 and future years, it would be possible to implement alternatives to the use of a hard funding cap in Norfolk.

Three identified alternatives are detailed below. It is proposed that an illustration of these alternative options be provided as part of the autumn Fair Funding consultation and feedback sought from schools.

- **MFG baseline adjustments to affected schools**

The LA could request disapplications from the Secretary of State to enable MFG adjustments to the 2023-24 MFG baselines of affected schools in order to ensure that their sparsity funding, if capped in 2024-25, is uplifted to its full value and protected from 2024-25 onwards. This would be subject to DfE/Secretary of State approval.

On its own, this may not prevent the problem from occurring again in future. Any school that becomes eligible for sparsity for the first time in 2024-25, based on final pupil data from the October 2023 Census (data confirmed to the LA in January 2024), would not be picked up in disapplication requests which are due for submission in November 2023, and would therefore be subject to the same

capping issue when final budgets are set in February 2024 as other schools have been in the past.

A tighter overall cap percentage would be required to enable those schools affected to have their baselines adjusted within the overall funding envelope available.

- **Scaling in addition to the capping of gains**

Scaling allows for a proportion of gains above the cap level to be allocated. Whilst the hard cap that has historically been used prevents any gains above the level of cap, +2.82% per-pupil in 2022-23 and +2.4% per-pupil in 2023-24, scaling allows for a proportion of the gain above the cap to be allocated in addition. It is possible to add scaling of between 0% and 100% to the cap calculation. For example, a cap of 2% and scaling of 80% would allow all per-pupil gains up to 2% to flow through to schools, with any gains above 2% scaled back by 80%.

For schools with very large percentage gains due to methodology or data changes, e.g. for sparsity factor in small schools, this option could allow for them to receive a larger proportion of the gain which would speed up their transition to the new formula.

A tighter overall cap percentage would be required in order to implement scaling for those schools with large gains above the cap. Capping and scaling must be applied on an equal basis to all schools.

This option removes the requirement for disapplications to be made to the Secretary of State.

- **Reduction to unit values, removal of the funding cap**

The transition towards a direct National Funding Formula is expected to provide for continued 'mirroring' of the NFF when the DfE release funding information for 2024-25 (e.g. being within a small percentage of the NFF formula values) without having to exactly replicate the national unit values.

This means that it may be possible to continue to mirror the NFF, with a reduction to Norfolk's unit values, without the need for a funding cap on gains.

Removal of the funding cap would ensure that all schools eligible for gains from the sparsity factor, or any other factor, would no longer be capped in 2024-25 irrespective of whether they were eligible for a funding factor and capped in the past, or become eligible for the factor for the first time in 2024-25.

This option removes the need for approval of MFG baseline adjustments for specific schools from the DfE but the LA would need reduce factor unit values for all schools by an equal percentage in order to make it affordable.

An illustration of the estimated impact of these options (including the status quo, a 'hard' cap) was provided for the autumn 2022 consultation for 2023-24 financial year and is available online here ("Caps Options Technical Paper"): [Fair funding consultation - Schools \(norfolk.gov.uk\)](https://www.norfolk.gov.uk/fair-funding-consultation-schools)

3. Schools Forum are asked:

- to consider whether the issue of the funding cap, and its disproportionate impact upon small, rural schools' budgets, should be consulted on again as part of the 2024-25 Fair Funding Formula consultation for schools
- to provide a steer regarding the options to be consulted upon and the type and presentation of information to support high levels of engagement

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, e.g. equality impact assessment, please get in touch with:

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Schools Forum

Item No.6e

Report title:	Falling Rolls Funding for 2024-25
Date of meeting:	7 July 2023

Executive summary

This paper seeks to outline the requirement for the introduction of falling rolls funding alongside the existing growth funding.

It gives a high-level overview of the impact of the demographic decline and guidance provided by the DfE to determine a mechanism for applying a falling rolls fund.

Schools Forum are asked to:

- **Note the information provided and provide any comments for the LA to consider ahead of the preparation of proposals regarding Falling Rolls funding**

1. Introduction

This report seeks to give detail on the need to provide Falling Rolls funding to give a level of support to schools that may experience significant financial pressure during a period of demographic decline.

The latest falling rolls funding guidance for 2023-24 states that Local authorities may set aside Schools Block funding to create a small fund to support good schools with falling rolls, where local planning data shows that the surplus places will be needed within the next 3 financial years.

Schools Forum are required to agree both the value of the fund and the criteria for allocation, alongside similar for the Growth fund.

Criteria for allocating Falling Rolls funding should contain clear objective trigger points for qualification, and a clear formula for calculating allocations.

2. Revised DfE Guidance

The DfE have set out guidance and examples of compliant criteria for falling rolls funding here:

[guidance detailing best practice examples of falling rolls \(and growth funding\) criteria.](#)

Falling rolls funding has been consulted on by the DfE for 2024-25 as part of the implementation of the NFF and the outcomes are as follows:

- A requirement for local authorities to use a consistent formulation of their growth and falling rolls criteria will be included in the Authority Proforma Tool (APT). Some local flexibility around allocations will be retained in 2024-25.
- Removal of the restriction that falling rolls funding can only be provided to schools judged “Good” or “Outstanding” by Ofsted.
- From 2024-25 the Government will revise the current growth allocation methodology to allocate funding on the basis of both growth *and* falling rolls.

a They will measure whether small areas within a local authority (Medium Super Output Areas, or MSOAs) have either seen growth or (significant) declines in pupil numbers. MSOAs that have seen significant declines will be allocated at separate falling rolls funding rate.

In advance of the funding allocations incorporating data on falling rolls, the Government will work with stakeholders to define what constitutes a “significant” decline in pupil numbers for the purposes of this calculation.

- from 2024-25 the use of growth and falling rolls funding will be expanded to allow local authorities to fund the revenue costs associated with repurposing or reducing school places.

Norfolk does not currently apply a Falling Rolls factor, though it does operate a Growth fund with the criteria and value agreed by Schools Forum each year.

It is anticipated that the National Funding Formula for 2024-25 will include the requirement for all local formulae to contain provision for Falling Rolls funding; this position will be confirmed when the relevant DfE guidance on funding allocations is issued (expected July 2023).

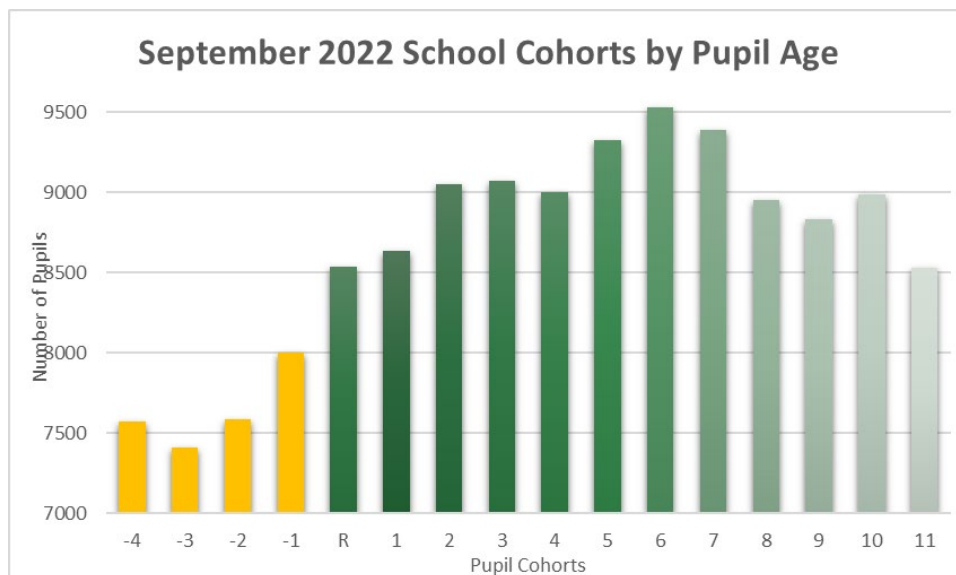
3. Population Modelling

In addition to the change in DfE guidance and expected impact upon the National Funding Formula for 2024-25, both the national and local birth rate has seen significant changes over time, impact upon future population modelling for mainstream schools

The national birth rate has indicated a falling trajectory for some time and across the county we have been assessing the falling birth rate since 2018 where the trend began to indicate a steady decline impacting our primary schools initially (2023) but will also migrate across into secondary in the future (2027). This is counter to the current ‘bulge’ in population that has been seen entering secondary schools since 2022.

Norfolk’s historical typical birth cohorts have seen 9,057 children (as per 2016), reduce to 7,643 children in 2020. This is a drop of 1,414 children which represents a drop of 15.6% over a four-year period.

Cohort numbers from September 2022 are shown in the graph below:



This graph highlights the sharp decline across the pupil numbers of Norfolk, the impact of which has come when additional cost pressures are present in the education system and school budgets are also under additional strain with other socio-economic and post-pandemic costs, which have not been experienced previously.

The graph, at point of production, shows a small sign of a potential recovery beginning, but it is far too early to suggest this may be the case; we anticipate the pupil number growth to not achieve the previous 2016 levels for some years to come.

Although housing across the County has continued despite some delayed projects due to the nutrient neutrality issues, we do not believe the pace of housing delivery can offset the continued fall in birth rate. Any growth in housing will only impact certain urban areas of the county more commonly and is expected to have less effect on our most rural schools.

The pressure for places which was once felt in the primary phase is moving through into the secondary phase where high numbers are anticipated for the next 3 years. We have also seen a lot of in year movement across the age groups and believe children being yielded from new development are already in later age groups and not impacting on KS1, as traditionally was the case.

Current Cohorts by Year Group based on January 2023 census:

Year Group	Total Number
Year R	8414

Year 1	8854
Year 2	9125
Year 3	9104
Year 4	9079
Year 5	9391
Year 6	9551
Year 7	9396
Year 8	8976
Year 9	8827
Year 10	8996
Year 11	8467

*Mainstream sector schools only included

4. Planned Admission Consultation

The statutory process to undertake the Planned Admission Consultation was completed in January 2023, after commencing in October 2022 for the admission year 2024-25. The approach in this round was to proactively review PAN numbers across the entire school estate and try to determine a balance to the numbers of pupils within planning areas. (This is the subset of data used when submitting our return on School Capacity for the DFE – SCAP). It was hoped with additional evidence provided to schools, and with the detail giving greater clarity to the falling demographic, schools would seek to plan for the future adapting their PAN to account for the decline in overall pupil numbers.

LA officers recognises that this is difficult and set against an education landscape that has competing priorities and different governance structures, but hoped it was the beginning of a process to identify a solution to the problem that all schools will face in future years. The consultation communicated with 403 schools, and we received 199 responses.

The expected primary demand for 2024 is estimated to be close to 7,700 pupils, whilst the total of all PANs in the primary phase for 2023-24 was 10,330. Of the 312 primary schools the consultation made 142 proposals to lower the PAN. The proposal would equal a total PAN of 8,650 places, this is an 11% surplus capacity across the county primary phase, whilst the DFE recommends a 5% limit to allow preference to be managed. In total we processed only 16 proposed changes which resulted in an overall PAN of 10,175, as a result we anticipate the 2024-25 Reception cohort to be around 24.5% unfilled which will have consequential issues relating to class sizes, staffing levels and severe financial implications for the worst affected establishments.

The LA is only the controlling authority for under half of all maintained schools, where we could have authority to force a change to schools PAN. As this was the first year of managing this change, a watch and learn approach was taken rather than enforcing any changes initially. Additionally, it would lead to an unfair and instable landscape if only LA schools were directed to make changes to their PAN to manage this situation. A collective approach must be sought that supports all schools manage this significant issue in the time we have available.

Additional detail can be found for all school's forecasts, which will be updated annually each year. Detail should be reviewed to help inform decisions made in relation to the sustainability of all settings and the implications for the delivery of education. Please visit www.schools.norfolk.gov.uk, where "My Schools" holds information for individual schools and Multi Academy Trusts for their forecasting detail.

5. Conclusion

As a system, we must consider the implications falling rolls will have on schools' ability to operate coherent education priorities.

Additionally, we must consider the financial risk to the authority in relation to staff changes and the potential for redundancy costs to be sought by schools.

The focus must be on the sustainability of schools and consider the overall objective of our school estate and the impact it will have on the education futures of Norfolk's young people.

At present the LA do not have the full details of what decisions Schools Forum will be required to make, and what consultation within the Fair Funding consultation with all schools in the autumn term will be required. However, raising these issues now will, hopefully, allow Members reflection time in relation to the sectors that they represent as well as opportunities to discuss with colleagues and peers across Norfolk's mainstream system.

Schools Forum are asked to:

- **Note the information provided and provide any comments for the LA to consider ahead of the preparation of proposals regarding Falling Rolls funding**

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, e.g. equality impact assessment, please get in touch with:

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Schools Forum

Item No. 7

Report title:	Notional SEN
Date of meeting:	7 July 2023

Executive summary

In November 2022 and January 2023 we set out within Schools Forum the fact that in 2022 the DfE issued new operational guidance for LA's to take account of, by actively reviewing, the size of their notional SEN allocations for the 2023-24 financial year. In the November paper we set out the guidance, in particular emphasising these two elements:

1. The DfE have provided national data on notional SEN, with 78% of authorities allocating between 5% and 15% of their Schools Block funding as notional SEN. In Norfolk, this percentage is approximately 7% currently. Across all authorities, the average is 11.3% which is a significant difference. There is therefore a need to review whether Norfolk's notional SEN budget should be brought into line with the national average.

2. Whilst it is true that a change in the ratio of Schools Block funding assigned for notional SEN funding does not change any individual schools' budget allocation, it will have implications for our work regarding 'top up' funding and access to other LA SEND services. The LA needs to ensure that requests for additional support are considered in the context of how schools use their delegated funding, and we need to determine if the Norfolk wide rate of 7% notional SEN is reflected at individual school level in terms of spend.

In the January paper we reported back on the survey of schools and also reflected on the early stages of the Local First Inclusion programme and concluded / recommended that any change to Notional SEN within the Norfolk DSG should be deferred to at least the 2024/25 financial year.

This approach was agreed to enable engagement and consultation in the Autumn term 2024 when it would be possible to set out initial roll-out of the Local First Inclusion Programme and, by April 2024, any change to Notional SEN would be implemented a full year on from the start of the Local First Inclusion programme and the resulting benefits from year 1 of the 6 year programme.

Since the discussions at January Schools Forum, the DfE have issued a response to their consultation related to moving to a 'hard' national funding formula, including the associated implications for Notional SEN as part of that.

Schools Forum are asked to agree to:

- 1. Carry out engagement and consultation in Autumn Term 2023 on the basis of moving to an increased rate of Notional SEN with effect from April 2024 to enable increasing the current Norfolk rate of 7% to the national rate of 11% over a 3-year period via a 1.5% rise annually for 3 years**
- 2. Reviewing the calculation basis for Notional SEN within the Fair Funding consultation, i.e. this may result in different schools experiencing different levels of change through the increased percentage**

- 3. that engagement and consultation will need to set out the rationale for the change (including expectation from DfE that all ‘Safety Valve’ Local Authorities adopt all relevant DfE guidance) in support of the overall aims of the Local First Inclusion programme and in the context of mainstream schools experiencing the initial benefits of the LFI programme at the point of implementation of the Notional SEN changes from April 2024**

1. Introduction / Context

Below are extracts from the November 2022 and January 2023 Schools Forum papers on Notional SEN to remind members of the forum regarding the context of Notional SEN funding and the rationale to defer any changes until the start of the financial year 2024/25.

November 2022

- The DfE have issued operational guidance on notional SEN values for the first time, for the financial year 2023-24. LAs are now expected to review the size of their notional SEN allocations following consultation with schools and Schools Forum. The DfE have provided national data on notional SEN, with 78% of authorities allocating between 5% and 15% of their Schools Block funding as notional SEN. In Norfolk, this percentage is approximately 7% currently. Across all authorities, the average is 11.3% which is a significant difference. There is therefore a need to review whether Norfolk’s notional SEN budget should be brought into line with the national average.
- Notional SEN Mainstream schools and academies are notified each year of their notional SEN allocation via the budget share document. Notional SEN is used towards the costs of fulfilling schools’ duty to use their ‘best endeavours’ to secure special educational provision for their pupils with SEN.
- The notional SEN budget is not a budget that is separate from a school’s overall budget share. It is an identified amount within a maintained school’s delegated budget share or an academy’s general annual grant. It is intended as a guide for a school’s spending decisions, and is neither a target nor a constraint on a school’s duty to use its ‘best endeavours’ to secure special provision for its pupils with SEN.
- Most local authorities calculate their schools’ notional SEN budget using a combination of funding from the basic entitlement factor, the deprivation factors, and the low prior attainment factors in the local funding formula. Depending on how the local formula is constructed and the overall weighting of the different formula factors, the DfE expect the calculation of the notional SEN budget to include: - a small part of the basic entitlement funding; - a larger part of deprivation funding, reflecting the higher prevalence of lower Level SEN amongst disadvantaged pupils, and - the majority or whole of the low prior attainment factor funding, as this is the best proxy we currently have for pupils with low-cost, high-incidence SEN

- Why is it important? It has always been important to achieve consistency across the county for SEN funding and for access to specialist services and formula funding, locally and nationally, is the mechanism that aims to achieve this in an objective way. However, in addition to the obvious reasons that consistency should be an aim, there are pragmatic reasons that relate to the allocation of additional funding. We need to be certain, for example with the allocation of Element 3 funding, that schools have access to support where this is necessary to ensure the inclusion of children and young people whilst also ensuring that the High Needs Block is not used incorrectly, where individual school budgets can and should be the source of funding.
- Our approach to 'top up' funding has evolved over the years and is linked to the concept of notional SEN funding within national DSG guidance the SEND Code of Practice. Therefore, with the publication of the revised operational guidance for notional SEN funding in mainstream schools from the DfE, it is right that we reflect on Norfolk's below national average level.
- Additionally, in the context of the Safety Valve programme of work this makes the need to consider increasing the level even more important. Whilst it is true that a change in the ratio of Schools Block funding assigned for notional SEN funding does not change any individual schools' budget allocation, it will have implications for our work regarding 'top up' funding and access to other LA SEND services. The LA needs to ensure that requests for additional support are considered in the context of how schools use their delegated funding, and we need to determine if the Norfolk wide rate of 7% notional SEN is reflected at individual school level in terms of spend.
- Norfolk's Notional SEN Budget Norfolk's current notional SEN budget is £38.4m, representing just under 7% of Schools Block funding within the funding formula.
- Norfolk uses basic entitlement funding, IDACI deprivation data, low prior attainment and part of schools' lump sums to calculate notional SEN funding.
- The notional SEN allocation has only been inflated in Norfolk by small amounts over the years, with 3% added to factors in both 2021/22 and 2022/23. Being aligned with the National Funding Formula factors, Norfolk's notional SEN does currently use allowable factors in its calculation. However, lack of inflation to the notional SEN budget over the years now leaves Norfolk's percentage (c. 7%) lagging significantly behind the average nationally of 11.3%, although Norfolk neither has the lowest % nor is alone in using a percentage in the 5-7.5% range which 21 other LAs did in 2022-23 (c. 20% of all LAs were at 7.5% or under).
- The LA intends to carry out a consultation survey of mainstream schools for a 2- week period starting w/c 21 November to inform discussion at Schools Forum in January 2023. The purpose of the consultation survey would be to raise awareness of the difference between Norfolk's level of notional SEN funding and national, gain insights into schools' current use of notional SEN funding and to align any changes with the implementation of the 'Safety Valve'

programme of work within our new SEND improvement programme, Local 1st Inclusion.

- The proposed consultation survey would be based on the following: - Continuing with the status quo would not be appropriate given that Norfolk is an outlier, and this is anticipated to be an area of challenge to the Norfolk system by the DfE through the Norfolk Safety Valve programme, - An option to move directly to the national average of 11% from April 2023 (A), - An option to move incrementally over a 3-year period, 1.5% over 3 years
- As a comparison, 11% would be in the region of £65m for 2023-24.

Link to full paper below:

[Schools forum Agenda and Papers - 16 November 2022 \(norfolk.gov.uk\)](https://www.norfolk.gov.uk/schoolsforum/Agenda-and-Papers-16-November-2022)

January 2023

- The DfE have provided national data on notional SEN, with 78% of authorities allocating between 5% and 15% of their Schools Block funding as notional SEN. In Norfolk, this percentage is approximately 7% currently. Across all authorities, the average is 11.3% which is a significant difference.
- Therefore, there is a need to review whether Norfolk's notional SEN budget should be brought into line with the national average.
- Norfolk uses basic entitlement funding, IDACI deprivation data, low prior attainment and part of schools' lump sums to calculate notional SEN funding.

The table below summaries Norfolk's 2022-23 notional SEN budget:

Factor	Total Value of Notional SEN 2022-23
Total BPPE	£6,956,139
Primary IDACI	£5,416,738
Secondary IDACI	£5,618,191
Primary LPA	£8,881,823
Secondary LPA	£8,477,347
Total Lump Sum	£3,065,186
Total Notional SEN 2022/23	£38,415,425
Total Funding for Schools Block Formula	£559,594,607
Notional SEN as a % of SB funding	6.86%

The proportion of factors currently used to calculate notional SEN in Norfolk are as follows:

Factor	Factor Unit Values	Notional SEN within factor	% of factor relating to Notional SEN
BPPE (Primary)	£3,217.00	£64.60	2.01%
BPPE (KS3)	£4,536.00	£64.60	1.42%
BPPE (KS4)	£5,112.00	£64.60	1.26%
IDACI Pri band F	£220.00	£212.18	96.45%
IDACI Pri band E	£270.00	£254.62	94.30%
IDACI Pri band D	£420.00	£277.34	66.03%
IDACI Pri band C	£460.00	£277.34	60.29%
IDACI Pri band B	£490.00	£277.34	56.60%
IDACI Pri band A	£640.00	£277.34	43.33%
IDACI Sec band F	£320.00	£307.66	96.14%
IDACI Sec band E	£425.00	£413.75	97.35%
IDACI Sec band D	£595.00	£423.42	71.16%
IDACI Sec band C	£650.00	£423.42	65.14%
IDACI Sec band B	£700.00	£423.42	60.49%
IDACI Sec band A	£890.00	£423.42	47.58%
Primary LPA	£1,130.00	£512.12	45.32%
Secondary LPA	£1,710.00	£774.97	45.32%
Pri Lump Sum	£121,300.00	£7,617.26	6.28%
Sec Lump Sum	£121,300.00	£7,617.26	6.28%

- Based on what is allowed to be included within the notional SEN the Norfolk formula meets requirements. However, compared to the DfE's expected methodology Norfolk's use of Low Prior Attainment (LPA) factor funding is low at 45.32%, and the proportions of other factors should also be reviewed.
- The LA carried out an engagement survey of mainstream schools from 25th November to 16th December to inform discussion at Schools Forum in January 2023. The purpose of the consultation survey was to raise awareness of the difference between Norfolk's level of notional SEN funding and the national average, to gain insights into schools' current use of notional SEN funding and to align any changes with the implementation of the 'Safety Valve' programme of work within our new SEND improvement programme, Local 1st Inclusion.
- The LA received 10 complete responses from mainstream schools, and 31 partial responses. One of the complete responses was from a Multi Academy Trust, therefore the 10 complete responses represented a total of 12 primary schools/academies and 1 secondary academy, and an overall total of 3,807 pupils. The 31 partial responses provided no useable information. 'No' from the MAT representing 4 schools.
- Although there was only a limited number of responses to the survey, all responses that provided information on current notional SEN spend were higher than the LA currently allocates through the local formula.

- The schools that responded indicated that they receive between 2.5% and 7.5% of their budget as notional SEN but spend between 4.7% and 22.5%.
- 80% of responses (for 85% of schools represented) indicated that the level of spend on notional SEN has increased over the last five years.
- 90% of responses (for 69% of schools represented) agreed that Norfolk should adopt the DfE recommended approach to the identification of notional SEND budget per school, even if the overall amount for Norfolk does not change.
- Within the report to November Schools Forum we set out the following important note regarding Notional SEN funding:
Whilst it is true that a change in the ratio of Schools Block funding assigned for notional SEN funding does not change any individual schools' budget allocation, it will have implications for our work regarding 'top up' funding and access to other LA SEND services. The LA needs to ensure that requests for additional support are considered in the context of how schools use their delegated funding, and we need to determine if the Norfolk wide rate of 7% notional SEN is reflected at individual school level in terms of spend.

Link to full paper below:

[Norfolk Schools Forum agendas and papers - Schools](#)

2. Proposal

To ensure that we build on the engagement last year, fulfil DfE expectations of 'Safety Valve' local authorities implementing relevant guidance, acknowledge the early stage of the Local First Inclusion programme and enabling a phased increase to our Notional SEN funding, we recommend that school engagement and consultation takes place in the Autumn term 2023.

The engagement / consultation will set out the rationale, as above in this paper, and propose a 1.5% increase in Norfolk Notional SEN over a 3 year period starting from April 2024.

Updated guidance on SEN Notional Funding was published by DfE in January 2023 and aspects of this guidance will need to be used to inform how we set out our proposals within the Fair Funding Consultation. For example,

12. As the next step in the movement towards a direct schools national funding formula (NFF), in 2023 to 2024 local authorities will only be allowed to use NFF factors in their local funding formulae and must use all NFF factors, except any locally determined premises factors. Local authorities will also be required to move their local formulae factors 10% closer to the NFF values, compared to where they were in 2022 to 2023, unless they are already mirroring the NFF. This may mean that local authorities need to review how their schools' notional SEN budgets are calculated. There is currently no national approach to the calculation of schools' notional budget for pupils with SEN through the NFF. Local authorities, working with their schools, should therefore continue to use the local formula factor values in accordance with the regulations.

Since the discussions at January Schools Forum, the DfE have issued a response to their consultation related to moving to a 'hard' national funding formula, including the associated implications for Notional SEN as part of that.

Link below to DfE Notional SEN Guidance January 2023:

[The notional SEN budget for mainstream schools: operational guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/the-notional-sen-budget-for-mainstream-schools-operational-guidance)

3. Alternative Options

The proposed engagement and consultation could include alternative options such as proposing that Notional SEN remains in line with its current levels in Norfolk, or for a different rate of change (e.g., a slower increase towards the national average).

Whilst these options may seem attractive to maintained schools at this time of significant pressure, the disadvantages will also need to be provided for these approaches, which will include the risks of a significant 'step-change' at whenever the DfE decides to implement the 'hard' funding formula, along with potential significant challenge to the Norfolk system of not implementing DfE guidance when the system is in receipt of additional, significant funding through the Safety Valve agreement.

4. Conclusions

The approach set out in the proposal will enable compliance with DfE expectations. However, we need to set out in school engagement and consultation the benefits to individual schools in addition to the benefits within the Local First Inclusion programme.

Therefore, it will be necessary to consider the use of case study(s) to illustrate current examples of school / MAT approaches to the use of Notional SEN funding alongside the way in which this is considered by the LA in current approach to the allocation of Element 3 funding and access to other LA services and support for SEND.

Additionally, we (the LA and system leadership, including Schools Forum) need to ensure that schools are aware of the current offer and the offer of support that will be in place, as part of Local First Inclusion, throughout the three year period where we gradually increase Notional SEN funding to the national level.

5. Schools Forum are asked to agree:

1. **Carry out engagement and consultation in Autumn Term 2023 on the basis of moving to an increased rate of Notional SEN with effect from April 2024 to enable increasing the current Norfolk rate of 7% to the national rate of 11% over a 3-year period via a 1.5% rise annually for 3 years**
2. **Reviewing the calculation basis for Notional SEN within the Fair Funding consultation, i.e. this may result in different schools experiencing different levels of change through the increased percentage**
3. **That engagement and consultation will need to set out the rationale for the change (including expectation from DfE that all 'Safety Valve' Local Authorities adopt all relevant DfE guidance) in support of the overall aims of the Local First Inclusion programme and in the context of mainstream schools experiencing the initial benefits of the LFI programme at the point of implementation of the Notional SEN changes from April 2024**

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, e.g. equality impact assessment, please get in touch with:

If you have any questions about matters contained in this paper, please get in touch with:

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Schools Forum

Item No. 8

Report title:	Schools Catering Group Contract Update
Date of meeting:	7 July 2023

Executive summary

This report updates the Schools Forum on the exploration of next steps with regards to Catering Group Contract arrangements for Norfolk Schools, including commissioning options, commencing 1st April 2024.

- 1. Schools Forum are asked to provide a steer to the LA as to the approach to take that would enable both the LA and school governors to meet their respective duties.**
- 2. If appropriate to decision 1, Schools Forum are asked to establish a Schools Catering Commissioning Group (SCCG), confirming the appropriate representation from Forum, other representatives that would be appropriate to include, and the regularity and method of engagement between the SCCG and the Forum.**
- 3. If appropriate to decision 1, Schools Forum are asked to actively support the LA's engagement with Norfolk schools (through SCCG) that will be required to complete the contracting process through establishment of interest and engagement from prospective schools that will enable potential providers to have confidence to develop and submit a bid**

Background

Following the last Schools Forum meeting (May 2023), colleagues from Children's Services' Integrated Commissioning team were asked to appraise options and present recommendations to inform decision making regarding the Schools Catering Group Contract.

This work has been undertaken with areas of exploration including:

- Current arrangements for all maintained schools;
- Review of information from Norse, including feedback surveys;
- Initial discussions with 4 catering suppliers interested in the contract;
- The role of a catering consultant and the role of the national schools catering body LACA 'The School Food People';
- Comparison of fee structures and charges;
- Individual conversations with some members of the Schools Forum, reaching out to a selection of schools for a brief discussion;

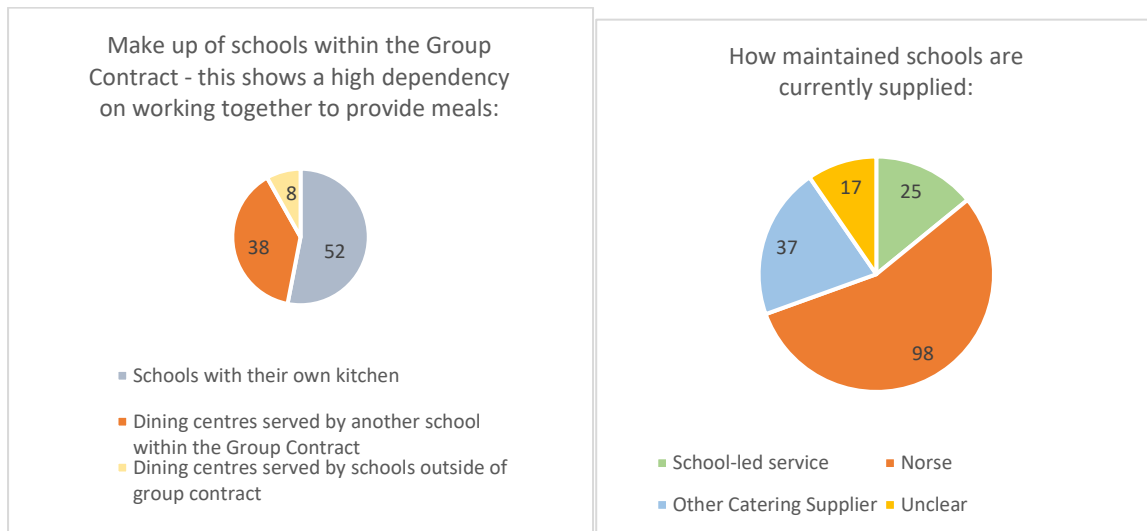
- Reaching out to 4 LA statistical neighbours, with direct responses from Cornwall and Gloucestershire.

The current Group Contract is only accessible to maintained schools, but a future Group Contract could provide an opportunity for all state-funded schools to have equal access regardless of governance arrangements.

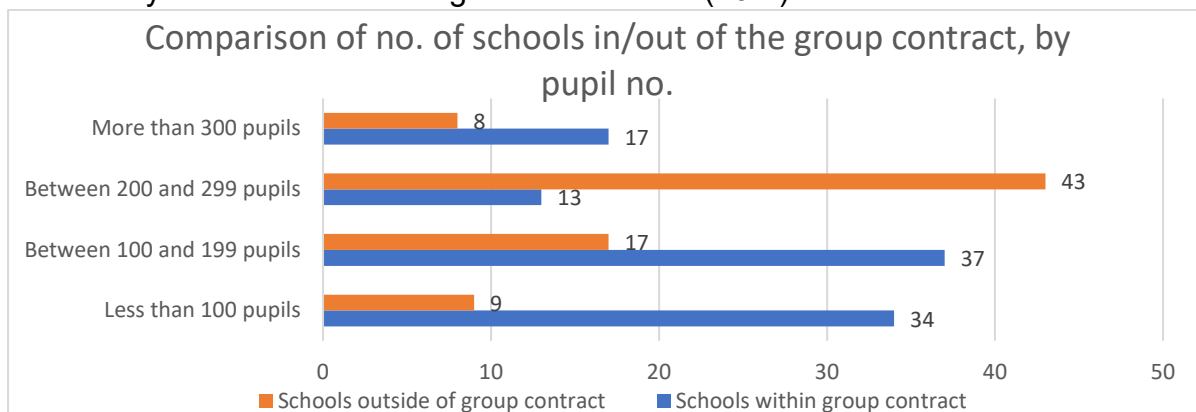
Concerns were raised at previous Schools Forum meetings about the timeliness of getting a new Group Contract in place, as well as the approach to increasing costs, the quality of provision, and the management of the contract and staff.

Analysis

The charts below show the facilities of schools within the existing Group Contract, showing a high dependency on working across schools to provide meals, alongside data showing that 45% of maintained schools currently access non-Norse provision.



Analysis of the number of pupils that the schools have against whether they are in or out of the Group Contract show that schools with less than 200 pupils are much more likely to be within the contract (73%), whereas those with over 200 – 300 pupils are more likely to seek their catering from elsewhere (76%).



The LA met with four providers and the key learning was:

A Prior Information Notice (PIN) was issued in May inviting prospective suppliers to make contact to discuss potential interest in a future contract. Direct contact was made with ten suppliers, some of which already supply schools in Norfolk, alerting them to the PIN.

- There is interest in delivering a group contract to Norfolk schools. This initial interest does not automatically translate into guaranteed bids, but it is indicative. Larger catering suppliers would prefer to bid for Norfolk as a whole, i.e. one 'lot' for the benefits of economies of scale, whereas smaller providers would be more interested in bidding for geographical lots. One larger national supplier declined a meeting because they don't have an established presence in Norfolk and are focussing on academy trusts in other parts of the country.
- Most education catering suppliers do not offer a repairs and maintenance programme. The exception to this is companies that also offer facilities management like Norse. Therefore, if the decision is made to go out to tender, this would need to be considered as a separate lot if this is a service that schools would like to have.
- Providers work on the basis of providing one set meal price that covers all their costs, as opposed to the model currently in place with Norse where a lump sum and various meal prices are charged.
- There was recognition that staff transferring to a new service from Norse would be eligible for TUPE and the associated costs relating to pensions and other terms and conditions may be high. This would be reflected in the price they could offer.
- To encourage suppliers to bid for a group contract, schools would need to demonstrate commitment to make it attractive, e.g. sign up for three years with the option to give notice to leave after two years.

The LA also reached out to other Local Authorities:

Whilst Local Authorities have a duty to 'ensure that catering provision is available', the Local Management of Schools legislation places a clear duty and responsibility on governing bodies, giving them freedom to choose their own catering provider.

There are therefore some big differences in how other Local Authorities and schools balance off these duties. We reached out to several of our statistical neighbours, including East Sussex, Suffolk, Cornwall and Gloucestershire.

Cornwall is an example of a LA that no longer provide a group contract, following a break in the contract from the provider due to a lack of financial viability. In the first instance, Cornwall assisted schools of all sizes to procure their own catering services via ESPO frameworks or brokers where it was needed.

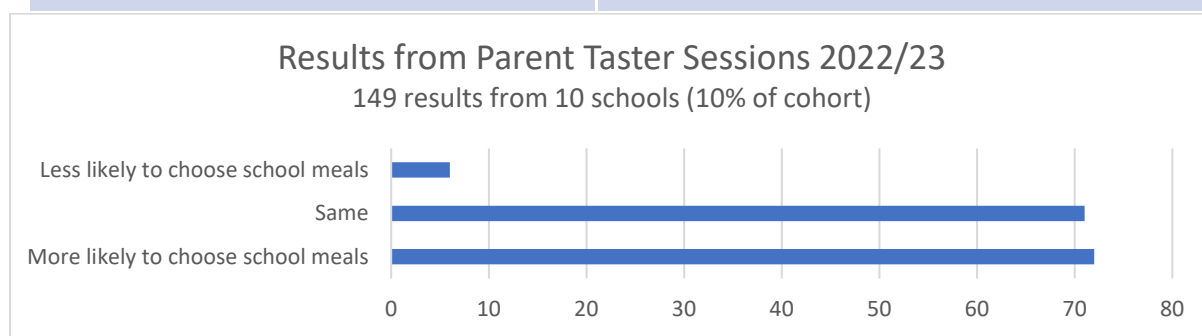
In contrast, Gloucestershire run an in-house Schools Catering service, offering a group contract to maintained schools and academies with one catering supplier. Schools are charged a flat price per meal and are also required to join their repair and maintenance scheme.

The LA explored the current provision with Norse:

For the 2023-24 financial year, there are 99 schools within the contract covering c. 17.4k of pupils. In 2022-23 there was 108 schools, with 101 in 2021-22 and 105 in 2020-21.

The costs of meals within the existing Group Contract are a combination of a per meal price (differing dependent upon whether a UIFSM, a FSM or a meal individually paid for). On top of this there is a fixed fee per school and an additional, optional fee to cover the cost of repairs and maintenance. This means that schools of different sizes will pay differing 'effective' rates per meal, with the price per meal where 20 meals per day are served equating to approximately twice the cost per meal (and over twice the funding for UIFSM and FSMs) compared to where 400 meals per day are served.

What's working well from schools' perspective?	What concerns have been highlighted by schools?
<ul style="list-style-type: none"> • Benefits of being in a group contract – cost certainty, NCC manages the finances, local caterer, less administration. • Nutritionally balanced meals. • Varied and interesting menus. • Fun menu promotions. 	<ul style="list-style-type: none"> • Going without hot meals for a length of time. • Sometimes poor food quality and issues with portion sizes. • Concerns about pressure on staff and how well they are supported. • Not having a good relationship with their Account Manager • Not feeling consulted on decisions about pricing e.g. strike days.



Norse has provided the group contract for more than 10 years on a rolling contract with no requirement for a competitive tender process due to Teckal compliance in relation to NCC. However, owing to the concerns highlighted above alongside rising

costs for labour and supplies, schools have been keen to realise best value and have raised questions around competitiveness.

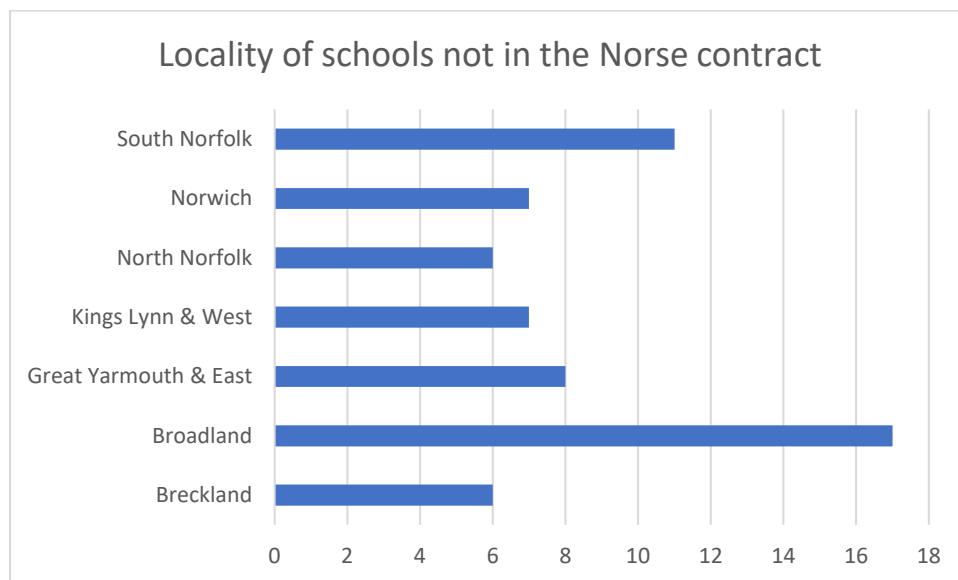
Despite previous contracts requiring annual satisfaction surveys for parents and children, commissioners were not provided with comprehensive data. However, initial indications are that there is a variety of experience and satisfaction. In terms of price point, accounting for all costs, Norse are comparable with other providers and may even skew towards being one of the more competitive providers at present¹. However, this affordability differs according to the size of the school.

Procurement regulations prevent a Local Authority from awarding contracts without a competitive tender process unless Teckal status is assured. Given the length of time since the market has been tested, and the feedback from Schools Forum, there is a strong case for testing the market regardless of Teckal status.

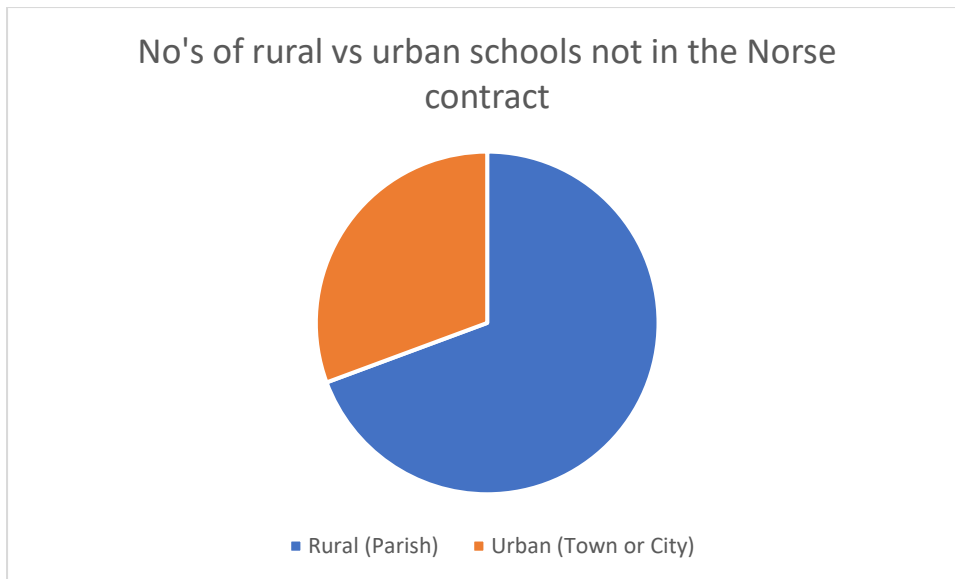
The LA explored the current provision with other providers for maintained schools:

62 maintained schools have made other arrangements (56 primary, 1 secondary, 2 nursery and 3 special schools). This equates to c. 14k pupils. Most information has been sourced from the school websites; therefore, its accuracy is dependent on those websites being up to date and only reflect the charges to parents (ranging from £2.20 to £2.65 per meal) rather than the cost per meal to the school.

Those schools sourcing their own meal provision are fairly evenly spread across the Norfolk, with a slightly greater number in Broadland. The majority are in parishes (43) which tend to be more rural, although they do include Wymondham.



¹ Based on self-reported data



Experiences of schools with alternative providers are mixed. Examples shared include 2 schools for 300 to 400 pupils who charge £2.40 per meal, are very happy with the arrangement that includes guaranteed investment into their kitchen and an online payment system for parents included in the deal, whilst a federation of several small schools who are on their 4th alternative provider and are concerned that they may withdraw due to financial viability

Options for provision remaining under consideration

There are two remaining options available at this stage:

Competitive Procurement:

- This option would enable arrangements to be put in place that benefit from economies of scale, particularly if academies are eligible to access any future agreement.
- It has been established that there is some interest from providers, and Norse will, of course, be able to bid alongside them. If sufficient interest and commitment from schools can be established swiftly, and if sufficient information is gained to develop the tender, achieving a successful outcome is possible. A Norfolk-wide contract with sufficient schools should result in better buying power and a better deal.
- Based upon feedback from prospective providers, their initial assumption is that there will be a flat charge per meal regardless of the number of meals served at a school, which will be advantageous to smaller schools whilst potentially increasing costs to larger schools if the overall costs of provision remain similar
- Members need to be advised that there are some risks and issues, including a challenging timescale to deliver (with a small risk of disruption to service if the procurement is unsuccessful) and the possibility of increased costs for some, if not all, schools compared to current arrangements. Attracting

sufficient schools into the contract (including larger schools and those with cooking kitchen facilities) will be key to determining costs and viability.

- Whilst the timescales are tight, it is do-able and urgent engagement from schools will be required to indicate if they have an interest in the contract and to provide the necessary information needed by providers to be able to submit a bid; this would be co-ordinated by the LA.
- If the process fails at any point the fallback option will be for schools to source their own provision (individually or with their own collective arrangements), as many do already. NCC would assist individual schools to find provision as needed.

LA assistance to all schools currently within the Group Contract to procure their own catering services via ESPO frameworks or brokers:

- This option would enable individual schools to make the most cost-effective arrangements for themselves and be able to have a direct relationship with their provider, enabling them to be held to account directly.
- Schools currently within the Group Contract would know as soon as possible that they needed to put in place alternative arrangements from April 2024 and could commence planning and seeking a provider immediately, working with other local schools on a joint basis where that would be appropriate and beneficial for the parties concerned
- However, this option may result in dis-economies of scale, possibly impacting primarily upon small, rural schools² and those schools without kitchen facilities may find it harder for arrangements³ to be put in place that benefit from economies of scale, particularly if academies are eligible to access any future agreement. Analysis of the existing contract shows that schools with smaller meal numbers per day are already paying an effective rate that is significantly more per meal than larger schools. Whilst those schools do not have specific funding sources for such additional costs, they may well receive some recognition for overall dis-economies of scales through the National Funding Formula allocations (including lump sums effectively providing higher per-pupil amounts for small schools as well as sparsity funding⁴)

Both options will have resource implications for the LA, either in relation to supporting procurement activity or to support individual schools to make their own arrangements, and relevant schools.

The Approach for Norfolk

² Further exploration of this would be required given that a significant number of small, rural maintained schools already make their own arrangements outside of the existing Group Contract.

³ Schools, small or otherwise, who are dining centres, i.e. who do not have their own kitchens and therefore rely on delivery, are unlikely to have the same negotiation power as those with their own kitchens and so are more at risk of disrupted service.

⁴ It should be noted that in Norfolk, some schools that have become eligible for sparsity funding are not receiving the full benefit of this funding due to the gains capping system in place

The LA does not have a preference for either option presented and will work with schools to either facilitate the establishment of a new Group Contract through open procurement or will support individual schools to make their own arrangements from the 1 April 2024.

If the preference is to proceed to open procurement for a new Group Contract, the LA recommends that a Schools Catering Commissioning Group (SCCG) is established immediately to hold the governance and decision-making responsibility for the commissioning and performance management of the contract on an ongoing basis. Please see appendix A for further details for the establishment and terms of such a group.

Schools Forum are asked to provide a steer to the LA as to the approach to take that would enable both the LA and school governors to meet their respective duties.

If appropriate to decision 1, **Schools Forum are asked to establish a Schools Catering Commissioning Group (SCCG), confirming the appropriate representation from Forum, other representatives that would be appropriate to include, and the regularity and method of engagement between the SCCG and the Forum.**

If appropriate to decision 1, **Schools Forum are asked to actively support the LA's engagement with Norfolk schools (through SCCG) that will be required to complete the contracting process through establishment of interest and engagement from prospective schools that will enable potential providers to have confidence to develop and submit a bid**

Appendix A: Accountability Arrangements for a New Group Contract

For a number of years, there has existed a Schools Catering Board intended to hold the existing provider accountable to the schools who are part of the contract.

These arrangements have been reviewed as it has been recognised that schools may have felt 'done to', rather than consulted or fully involved, despite this board.

The Group Contract involves school monies, with individual schools signing individual SLAs with the provider. Moreover, the duty held by governing bodies indicates a requirement for a different kind of arrangement.

The LA, therefore, recommend that a Schools Catering Commissioning Group (SCCG) is constituted as soon as possible. This group would comprise of representatives from schools in (or those intending to be in) the group contract who will hold governance and decision-making responsibility for the commissioning and performance management of the contract on an ongoing basis.

It is possible for NCC to facilitate the commissioning and / or performance management of the new group contract if there is a clear steer from the newly formed SCCG and / or no other means of implementation is identified. Whichever provider is successful, robust performance management should be built into the terms and conditions.

Regardless, several urgent decisions and inputs are required from the schools to develop the tender as soon as possible to meet currently determined timelines, and the establishment of a SCCG as soon as possible would enable this to take place. Direction from Schools Forum is sought as to the make-up of this group and the regularity and method of engagement between SCCG and the Forum.

In order to mitigate risks, address issues and secure a positive outcome, the SCCG will need to swiftly make a series of decisions, including:

- Determining the nature and scope of input from NCC;
- Opening the contract to all schools, including academies;
- Engaging a catering consultant to advise and / or implement some or all of the procurement process;
- Offering the tender as one lot for the whole of Norfolk, vs geographical lots.
- Building in costs of LACA membership and / or meal checking service;
- Determining the cost model of the scheme, given the likely or possible impact on different types of schools;
- Determining whether there should be a lot for repairs and maintenance;
- Producing an engagement plan for schools in order to assess (and gain) 'buy in';
- Determining whether it is preferable or feasible to stick to the end March 24 timeline or seek an extension to the process to end August 24 (though this would depend on whether an extension with Norse to the existing contract can be secured).

SCHOOLS FORUM FORWARD PLAN – 2023/24 Academic Year

I – Information & Discussion

D- Decision

	Autumn Term			Spring Term			Summer Term	
29/9/23 (Friday)	September (Cranworth Room CH)		26/01/24 (Friday)	January (Cranworth Room CH)		17/05/24 (Friday)	May (Cranworth Room CH)	
09:00 – 12:00	Strategic Planning (inc. Local First Inclusion)	I	09:00 – 12:00	Election of Chair/Vice Chair	D	09:00 – 12:00	Strategic Planning (inc. Local First Inclusion)	I
	Provisional DSG Allocations for 2024/25 and Fair Funding Consultation for Mainstream Schools' Formula	D		Review Membership	D		Dedicated Schools Grant 2023/24 Outturn	I
	Early Years Funding Consultation	D		Strategic Planning (inc. Local First Inclusion)	I		Annual Audit Report (Norfolk Audit Service)	I
	Special Schools Funding Review	D		Proposed DSG Budget including central costs	D			
				Pupil variations 2024/25	I			
22/11/23 (Wed)	November (Cranworth Room CH)		13/03/24 (Wednesday)	March (Cranworth Room CH)		10/07/24 (Wednesday)	July (Cranworth Room CH)	
09:00 – 13:00	Strategic Planning (inc. Local First Inclusion)	I	09:00 – 12:00	Strategic Planning (inc. Local First Inclusion)	I	09:00 – 12:00	Strategic Planning (inc. Local First Inclusion)	I
	Early Years Block 2024/25 Funding Formula Update (inc. consultation outcomes)	D		Agree next year's plan	D		Updates on Scheme for Financing Schools (Financial Regulations)	D
	Schools Block (inc. consultation outcomes and Schools Block transfer)	D		Final pupil variations (only if changed from January)	I		Dedicated Schools Grant Consultation Preparation	I
	De-delegation/Central Schools Services Block	D						