# NORFOLK SCHOOLS FORUM

# AGENDA

Meeting on Friday 10 January 2020 09:00 – 12:00 hours at South Green Park Mattishall -Tea/Coffee available from 08.30 hours

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **09:00 - 09:05** | **1** | **Welcome and Introductions****Apologies** |  |  |
| **09:05 – 09:15** | **2** | **Election of Chair/Vice Chair*** Review School Forum Membership

Paper attached (Martin Brock) | **Decision** | **2 - 3** |
| **09:15 – 09:20** | **3** | **Minutes of Last Meeting** |  | **4 - 10** |
| **09:20 – 09:30** | **4** | **Matters arising*** Confirmation of buy back of services for Special Maintained Schools and Special School Academies
* Increased Special School places - quality of referrals
 |  |  |
| **09:30 – 09:45:** | **5** | **Proposed Schools Budget including central costs. Paper attached (Martin Brock)** | **Decision** | **11 - 14** |
| **09:45- 10:30** | **6** | **High Needs Update from Nicki Rider** | **Information** | **15 - 23** |
| **10:30 – 10:50** |  | **COFFEE** |  |  |
| **10:50 – 11:10** | **7** | **Pupil Variations for 2020/21****Paper attached (Martin Brock/Sam Williams)** | **Information** | **24 - 25** |
| **11:10 – 11:25** | **8** | **Admissions appeals****Paper attached (Martin Brock)** | **Information/****Discussion** | **26 - 29** |
| **11:25 – 11:45** | **9** | **Agree disapplication for Wherry’s MFG to reduce their top-up funding****Paper attached (Martin Brock/Sam Williams)** | **Decision** | **30 - 31** |
|  | **10** | **Communication** |  |  |
|  | **11** | **Future Agenda Items** |  |  |
|  | **12** | **Dates of Meetings****School Forum**18 March 2020 09:00 – 12:00South Green Enterprise Centre Mattishall |  |  |

**Schools’ Forum**

**Item No. 2**

|  |  |
| --- | --- |
| **Report title:** | **Schools Forum Membership** |
| **Date of meeting:** | **10 January 2020** |

 **Executive summary**

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| **The local authority is required to review the membership of Schools Forum on a regular basis in line with updated pupil numbers. The representation remains correct. This paper is for information only and no changes are required to membership at this time.** |

**Schools Forum Structure**

The membership of Schools Forum needs to reflect the proportion of pupil numbers in the different school sectors as per the Schools Forums (England) regulations 2012.

Although there has been a small increase in academies since the structure of Schools Forum was last reviewed in January 2019 the representation remains correct.

**Minimum Requirement**

**School members –** Should be at least 2/3rd of the forum membership

Primary Headteacher and a Governor must be based on pupil proportions

1 Secondary School representative

1 Special School Headteacher or governor

1 Special Academy representative

1 AP Academy representative

1 Nursery School Headteacher or governor

Academy reps – this is not restricted to principals, senior staff or governors and must be based on pupil proportions

(Headteacher or senior staff)

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**Non-school members** – Should be no more than 1/3rd of forum membership

1 16-19 representative

1 Early Years PVI representative

**School members – 15 members**

3 Primary maintained Headteachers or governors

1 Secondary maintained school representative

1 Special School Headteacher

1 Nursery School Head teacher or governor

1 Special School Academy representative

1 AP Academy representative

7 Academy representatives – this is not restricted to principals, senior staff or governors

**Non School members – 6 members**

1 16-19 representative

1 Early Years PVI representative

1 C of E Diocesan Rep

1 Roman Catholic Rep

1 JCC Primary Rep

1 JCC Secondary Rep

Pupil numbers from October 2019 census:

Primary Maintained 33,147 = 31.16%

Secondary Maintained 1,741 = 1.64%

Primary and Secondary Academy 71,496 = 67.20%

Total 106,384

Schools Forum currently has 11 school members for maintained primary, maintained secondary and academies. The latest pupil number proportions translate into:

3.42 primary representatives (currently we have 3 so this is correct)

0.18 secondary representatives (we need at least 1 so this is correct)

7.39 academy representatives (currently we have 7 so this is correct)

**Schools Forum is asked to note the information provided.**

 **Norfolk Schools Forum**

**Minutes of Meeting held on Friday 22 November 2019**

**09:00 – 12:00 hours**

**South Green Park Mattishall**

**Present: Representing**

Andrew Aalders-Dunthorne (Sub) Academies

Keith Bates, Eaton Hall Specialist Academy Special School Academy

Holly Bowman Nursery Schools

Chris Caddamy, (Vice Chair) City College 16 – 19 Representative

Carol Dallas, Taverham High School Secondary Academies

Alan Evans Academies

Mike Grimble, Avenue Junior School Primary Governors

Glyn Hambling Alternative Provision

Tim Hillman (sub) JCC (Secondary phase)

Clare Jones Academies

Howard Nelson Diocesan Board of Education

Peter Pazitka Academies

Stephen Plume (substitute for Ian Clayton) Academies

Sarah Porter (substitute for Christina Kenna) Academies

Sarah Shirras, (Chair) St Williams Primary Primary Schools

Sarah Young (substitute for Fyfe Johnston) Maintained Special Schools

Joanna Tuttle Maintained Secondary

Vicky Warnes JCC (primary phase)

Martin White Primary Governors

Michael Bateman Head of Education HN SEND

 Service

Martin Brock Accountant

Sally Cutting Senior Accountant

Marilyn Edgeley Admin Officer

Dawn Filtness Finance Business Partner

Alison Randall Head of Finance, Leadership & Governance Services (Educator Solutions)

Chris Snudden Assistant Director (Education)

**Apologies:**

Ian Clayton Academies

Bob Groome JCC

Fyfe Johnston Maintained Special Schools

Christina Kenna Academies

Joanne Philpott Academies

Sara Tough Executive Director Childrens Services

**1. Welcome**

The Chair welcomed everyone to the meeting

**2. Minutes of last meeting and Matters Arising**

**T**he minutes of the meeting held on 11 September were accepted as a true record.

**PE and Pupil Premium Grant**

School Forum queried why maintained schools have been asked to account for PE and Pupil Premium Grant spend by Educator Solutions at the end of the financial year. Schools felt this was an additional piece of work and was not successful as some of them had not done it anyway. Therefore it has been agreed that it will be an essential document in the carry forward in the end of year analysis of balances.

**Fraud Mitigation**

Single payments of over £10,000 – an additional check will be carried out by a member of the School’s Finance & Business Services Team.

It was confirmed that the secondary school will be exempt from this extra check.

**Pupil Place Planning**

The Education Strategy and Infrastructure – Developing Norfolk’s Education Landscape Cabinet paper is included in the meeting papers.  This gives a sense of growth plans and impending strategies.

Officers said that there needs to be a shift in schools to join established federations and not start new ones, the same applies to MATs.

Officers confirmed that they are visiting schools not part of the BMP scheme to discuss contingency plans for property maintenance.

Any costs that fall to the authority will have to be repaid by schools

Also included in the papers the secondary and primary DfE dashboard document – these are benchmarked against other authorities.  These two documents show the authorities forecasting to be very accurate on primary. Secondary phase is very accurate on 1 year forecasting not so accurate on 3 year, which is harder to forecast.

**Admission Appeal Costs**

This was raised by Jo Philpott at the last meeting and will be deferred to 10 January meeting.

**3. Catering Contract**

Paper presented by Alison Randall.

This report, the same as previous years, will be presented to Cabinet with minor amendments.

The authority is duty bound to ensure that all maintained schools have provision to provide school meals. A group contract is agreed and schools are free to opt in or out via a service level agreement. The contract is monitored for quality by a catering board made up of Headteachers, Governors, Norse and the Authority. The contract runs for 3 years, there is a change this year in that Norse are offering a profit share scheme.

Schools Forum noted the information provided.

**4. SEND Transformation**

Paper presented by Michael Bateman.

This is a 5 year recovery plan modelled on certain facts and assumptions – most of the questions will arise in the Fair Funding item on the agenda.

Work Streams on pages 15/16 of the report:

Work Stream 1 – this is critical in helping schools to meet SEN needs.

Some schools are assisting with moderating and others with work we are doing with Oxfordshire and Hertfordshire authorities.

Work Stream 3 – Infrastructure

The authority is on target with capital development and in a position to move forward.

The School in Gt Yarmouth specialising in social, emotional and mental health difficulties now has a sponsor and planning has been submitted.

Other sponsors have visited the site for the ASD school in Fakenham.

The timeline for the 170 place Norwich area school is less clear as it is dependent on a Department of Education timeline.

Specialist Resource Bases – NPS are looking at a design briefing.

Current Special School expansions are in line with our expectations.

There is an on-going increase in the High Needs Budget but this is slowing, however, there is a 198 increase in places from the last reporting period.

The transformation is continuing in line with the programme with specialist provision planned for September 2020 and further Specialist Resource Base provision.

It was confirmed that all academy led special schools are state maintained and as such will follow the normal admissions policies.

Members asked if a cumulative deficit of £18.4m for next part of the programme will have to be repaid by the authority?

Officers said that at the present time this is unclear due to the recent consultation on the grant conditions of the DSG.  If the proposed revised conditions are enacted, the view is that this will be ring-fenced and treated separately from other LA funding.  It is expected that this will need to be repaid in the future and will, therefore, be a liability on the Dedicated Schools Grant in the meantime.  The authority is due to have a visit from the DfE in the near future when this may be clarified.

The transformation plan has been remodelled to show the one-off additional £10m HNB funding confirmed for 2020/21, and presumes that this will be the new base level funding going forward until confirmation from the DfE is received

Members acknowledged how tribunals and EHCPs can affect the projections in the transformation programme.

Officers reminded members that right from the start the ambition of the LA has been re-organisation of resources and not to significantly increase special school places with the majority of pupils catered for in mainstream schools and to make sure current high cost independent special school places are focused in the future on good and outstanding state funded special school sector in Norfolk.

**Action**

**Officers agreed to provide information showing how places have increased in Special Schools and increase in rate of referrals compared to current capacity.**

**5. De-delegation of Central Services**

Paper presented by Martin Brock.

The difference in this report from last year is that special schools and nursery schools have been added in for buyback of services, as de-delegation is not allowed for them.

**Staff costs**

The ratio is the same as previous years but will have to be looked at in the future for 2021/22.

**Decision**

**Primary: Yes**

**Secondary: No**

**Contingencies**

There was no significant call on this fund last year.

Members highlighted the fact that the surplus will go back into general funding even though it was taken out of maintained primary school funding.

**Decision**

**Forum decision was not to de-delegate contingencies for the primary sector.**

**Free School Meal Checking Service**

**Decision**

**Primary: Yes**

**Secondary: Yes**

**Special Schools buyback**

**Decision**

**Special Schools: Should be the same as last year, Sarah Young will confirm to Martin Brock.**

**Special Schools Academies buyback**

**Decision**

**Special Academies: Keith Bates to confirm to Martin Brock**

**Nursery School buyback**

**Decision**

**Yes for all 3 nursery schools**

**Growth**

**Decision**

**For: 14**

**Against: 2**

**Absentions:2**

**Central Services**

**Decision**

**For: unanimous**

**Historic commitments**

**Decision**

**For: unanimous**

**Items retained from central services**

**Decision**

**For: unanimous**

Members raised the issue of Long Stratton Sports Hall and the continued financial impact upon the DSG. This was a 25year lease however the council has managed to reduce this to a commitment by the Authority to 3 years.

The Authority will have further discussions to try to reduce this further.

**6. Fair Funding Consultation**

Paper presented by Dawn Filtness.

Officers understand that there is a general sensitivity around the transfer of funding from the Schools Block to the High Needs Block and the authority is keen for comments as well as a formal vote on moving 0.5% from the Schools Block to the High Needs block.

Proposed changes to the distribution formula of the Schools Block and the DSG.

Norfolk proposes to continue moving schools towards full implementation of the DfE’s National Funding Formula unit values, using a Minimum Funding Guarantee of +1.84% as well as a funding cap.

**High Needs Block**

There is extra funding for 1 year confirmed by the DfE. However, at this stage, the DfE have not confirmed that this additional funding will form part of the base on an ongoing basis. For the purposes of planning, the LA has assumed that the funding will be ongoing until informed to the contrary.

Members were reminded that the SEND recovery plan is about the re-balancing of funding and that the Council has invested £120m capital and expects to see benefits of that investment.

The expectation is that the DSG will be back in balance within 3 years and the principle around option 1 is good financial planning.

The majority of schools voted for Option 3 with Options 1 and 2 having about equal amounts of the remaining votes.

The LA will need to make a strong case that Government funding for High Needs is not sufficient.

If the request of a block transfer of 0.5% is not agreed today the LA will submit a disapplication request to the Secretary of State for this transfer.

Members commented on the uncertainties in the long–term and the reduction of the timeline of 5 years down to 3 years of the transformation plan.

Officers said that the extra funding should enable the deficit to be repaid in 3 years as originally expected by the DfE.

Members understood the on-going issues but said that this needs to be communicated to schools.

Officers said that if the LA did not submit the disapplication request it could portray the view to Central Government the extra funding will solve the High Needs crisis.

There is also the question of the repayment of the council investment and maintaining the confidence around this.

Members asked for clarification in future consultations on the type of schools that responded under the category of ‘other..

Members pointed out that the table on page 7 shows the 0.5% in for every year and it appears as though School Forum have agreed to this before making their decision.

**Members Comments:**

* Understand responses supporting option 3.
* We are in the position that we understand the challenges and why the extra 0.5% might have to be agreed but recommend either we say School Forum does not agree option 1 or that it must be reduced going forward.
* Understand the difficulty but recommend option 3.
* Impacts on moving money greater on schools than on the authority.
* Schools concerned about present situation and struggling.
* Speaking to academy trusts understand need for 0.5% but pressure on school budgets and High Needs children it is like ‘robbing Peter to pay Paul’.
* No financial difference for us so happy for option 1 but option 3 came out of consultation.
* See both sides - our members in schools need more effective provision but schools are having to make redundancies so foot in both camps we will abstain (Union School Forum members) as we need to support our members.
* I am committed to SEND transformation plan but understand the pressures on schools and I represent 3 governing bodies.
* Consultation going for option 3 – concerned about picture in 4 years’ time.
* Will support 0.5% but additional transfer it is not our decision & is for LA to decide.
* Difficult position - general elections etc. and don’t know if the £10m is permanent – our school went for option 2.
* Disappointed with consultation - schools not getting bigger picture.
* Small schools gain most with option 3 and don’t figure in landscape long term.
* We have to get this solved – compromise option 2.
* Special Schools Academy rep - will go for option 1 as it is an invest to save.
* As a sub I need to reflect views of sector would have been helpful to have had responses broken down by sectors.
* Could have been more effort into selling the consultation.
* As a trust with small schools going for option 3.
* Option 2 as mixed schools.
* Hard with impact on Headteachers.
* Councillors have been pressured by voters.
* Not sure about the extra funding and continued drive on SEND transformation and how we get message out that this has a chance of succeeding going for option 2.
* Can’t help thinking something missed in consultation don’t want programme dislodged will go for option 2.
* There needs to be transparency not just larger picture but also how transformation can help schools.
* This may change profile of voting.
* Long term demand around SEN will not go away and we will need to re-visit in future years I will go for middle ground option 2.
* Support SEN transformation however see pain in school budgets schools need to know when they will see benefits – option 2.
* Most people saying option 2 – middle ground seeing both sides.
* If we go for option 2 need to say why we did not go for other options.
* If we say no – saying not our problem.
* It is saying too many conflicts.
* We are not saying LA problem but saying we want best for our children.
* I am voting for the LA option that will benefit Norfolk children.
* More schools need to respond to the consultation.
* Also need to say what schools made up the responses.
* Need to unpick the data and to have it for feedback next time.
* Lack of responses could be because they think it’s a done deal (going against – option 3) so need to say why.

Martin Brock confirmed the breakdown of the responses:

Responses (other)

1 engage trust

1 Right for Success

1 DNEAT

1 St Benet’s MAT

Litcham school – all through

St John Baptist Catholic MAT

Diocese of Norwich

**Vote on continuation of the movement of 0.5% from the Schools Block to the High Needs Block.**

**For 14**

**Against 3**

**Abstain 2**

Members were not required to vote for or against the request for a further £2.5m transfer (as per the LA’s revised DSG recovery plan), although they recognise that they have a shared responsibility to try to resolve the High Needs crisis.

Members wanted a statement to be issued from the chair of Forum stating that they had, with great difficulty, come to the view that option 2 was the best way forward.

**Action**

**The chair will take 3 or 4 points from each member and compile a statement that will be issued to the Department for Education, and Norfolk schools and academies.**

**7. AOB**

It was agreed the March meeting will move from 13th March to 18th March 2020.

**9. Date of next meeting**

10 January 2020 9am-12pm – South Green Park Mattishall

**Schools’ Forum**

**Item No. 5**

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| **Report title:** | **Proposed Schools Budget (including Central EY Costs) 2020/21** |
| **Date of meeting:** | **10 January 2020** |

 **Executive summary**

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| **To inform Schools Forum of the DSG allocation for 2020/21, and to agree centrally held funding for Early Years.** |

**Dedicated Schools Grant**

The total DSG allocation received for 2020-21 was confirmed in December 2019 and totals £646.495m before academy recoupment. This compares to a total DSG allocation of £609.519m in 2019-20 as at the November 2019 DSG update.

The Schools block is £507.007m, this is an increase of £24.995m from the £482.012m received in 2019-20, £6.475m of this increase is the additional pupil numbers on the October census, from 105,132 pupils to 106,352 pupils. The remaining £18.52m is as a result of new National Funding Formula unit rates based on additional funding distributed by the DfE, including an extra £934k for in-year growth based on Middle Super Output Area data comparing previous October censuses.

The Central Services School Block of £3.407m covers central items previously held within the Schools Block. This block covers the cost of central licences which will be charged to the authority by the DfE for all schools, historic commitments already agreed by Schools Forum and the retained services provided to all schools previously covered by the Education Services Grant. Schools Forum voted to retain these items centrally at November 2019 Forum meeting.

The Early Years block for 3 and 4-year old universal entitlement totals £28.718m. The Early Years National Funding Formula sets out that Local Authority central costs should be no greater than 5% of the Early Years block for 2020-21, this percentage adjusts within the financial year as it is based on pupil numbers accessing an Early Education place on the January census dates. The Early Years Funding Formula is paid to the Local Authority at £4.38 per hour.

Since September 2017 working parents have been able to access an additional 15 hours of funded 3 and 4-year-old early education. Taking the total amount to 30 hours of funded childcare. The Department of Education has provided additional funding of £8.367m as estimated take up of the additional 15 hours by parents, this will be adjusted based on take up at the January 2020 and 2021 census dates.

**Decision required: Schools forum are asked to vote to retain centrally 5% of the 3 and 4-year-old funding, approximately £1.854m (£1,854,257) for the Local Authority to continue to provide central support and payments to all providers of Early Years Education, in schools and in private, voluntary and independent settings.**

Parents can access 15 hours of funded 2-year-old early education, if they meet the eligibility criteria. The Department of Education provides £4.925m of funding based on an estimated take up which will be adjusted based on the January 2020 census. The Local Authority receives £5.28 per hour for Early Education of 2-year olds.

Early Years Pupil Premium is 53p per hour per eligible child claiming 3 and 4-year-old funding, up to a maximum of 570 hours per year, this will be adjusted based on January 2020 take up. The initial allocation is £0.515m.

The Early Years National Funding Formula (EYNFF) places Nursery Schools on the same funding model as all Early Years Settings, and £0.304m has been provided to continue to protect and fund the fixed sums that the 3 Nursery Schools in Norfolk receive. The fixed sums fund the higher overheads and cost of qualified teaching staff in a Nursery School.

The Disability Access Fund aids access to early years places. The early years setting is eligible for £615 per year for each child in receipt of Disability Living Allowance.

The High needs block has increased to £93.077m from £81.917m. The High Needs Block has increased between years by £11.16m based on the new National Funding Formula and additional funding distributed by the DfE, this is based on a 50% historic baseline exercise and the remaining 50% is calculated on population growth, places created and additional needs. Within that increase between years is £0.911m which has been generated for basic entitlement from the special schools and alternative provision census (headcount has increased from 1974 pupils to 2202 pupils, at £4k each).

The overall difference in the DSG allocation from the prior is set out in the table below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Funding element** | **2020/21****(£m)** | **2019/20\*****(£m)** | **Change (£m)** | **Explanation for change** |
| Early Years 3 & 4-year olds | 28.718 | 28.193 | 0.525 | £0.08p/hr uplift |
| Early Years 3 & 4-year olds – 30 hrs | 8.367 | 8.215 | 0.152 | £0.08p/hr uplift |
| Early years block 2-year olds | 4.925 | 4.850 | 0.075 | £0.08p/hr uplift |
| Early Years Pupil Premium | 0.515 | 0.515 | 0.000 | No change |
| Nursery Schools Supplement | 0.304 | 0.304 | 0.000 | No change |
| Early Years Disability Access Fund | 0.174 | 0.153 | 0.021 | Increase in eligible pupils |
| Schools Block | 507.007 | 482.012 | 24.995 | Increase of 1,220 pupils (£6.475m), additional in-year growth allocation (£0.934m) and ongoing increase from the National Funding Formula and additional money from DfE (£17.586m) |
| Central Services School Block | 3.407 | 3.358 | 0.049 | Funding per pupil increased from £29.66 to £30.23 per pupil, and additional 1,220 pupils in headcount |
| High Needs block | 93.077 | 81.917 | 11.16 | Additional £10.249m of funding as a result of the National Funding Formula additional DfE money, and £0.911m due to basic entitlement increase from special school and AP headcount |
| **Total** | **646.495** | **609.519\*\*** | **36.977** |  |

 \*Source: DfE’s DSG allocation tables

\*\* Figure shown rounded to nearest thousand per DfE allocation table

Movement of 0.5% from the Schools Block to the High Needs Block was agreed by Schools Forum at the November 2019 meeting, to alleviate the forecast pressure on the High Needs Block, due to the demand on high cost specialist placements and the increase in high needs in the school population. Based on the updated DSG allocation for 2020/21 this is a one-off movement of approximately £2.535m. Following that transfer the new totals will be £504.472m for Schools Block and £95.612m for High Needs Block.

Norfolk is carrying an outstanding DSG deficit of £10.887m from previous financial years as a result of pressures within the High Needs Block, with a further forecast High Needs Block deficit of £7.932m for 2019/20. There is a £7.5m overall DSG deficit forecast for 2019/20 when taking into account underspends on the Schools Block. The overall DSG starting position for 2020/21 is therefore forecast to be a deficit of £18.387m (£10.887m from previous years plus £7.5m for 2019/20).

**Other Schools Grants**

**Pupil Premium** - The rates per pupil for the Pupil Premium for 2019 to 2020 will be confirmed by the DfE in the new year.

**Teachers’ Pay Grant** – Teachers’ pay grant will continue in the financial year 2020 to 2021 as set out in the teachers’ pay grant methodology document:

<https://www.gov.uk/government/publications/teachers-pay-grant-methodology/teachers-pay-grant-methodology>

**TPECG** - Teachers’ pension employer contribution grant (TPECG) will continue in the 2020 to 2021 financial year as set out in the TPECG document:

https://www.gov.uk/government/publications/teachers-pension-employer-contribution-grant-tpecg/pension-grant-methodology

Information about all other grants will follow in the new year.

**Actions:**

* **Schools Forum is asked to agree the central expenditure of 5% from the 3 and 4-year-old Early Years Funding Formula.**
* **Schools Forum is asked to note for information the Dedicated Schools Block Allocations.**

**Schools’ Forum**

**Item No 6**

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| **Report title:** | **High Needs Block:*** **Budget position update**
* **5 Year Recovery Plan update**
* **HNB Deep Dive – CAMHS and associated areas**

*For information* |
| **Date of meeting:** | **7th January 2020** |

**Executive summary**

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| School’s Forum have continued to receive regular reports regarding the position relating to the High Needs Block (HNB). In November 2019, School’s Forum were advised of a pending meeting with DfE to scrutinise and review NCC’s financial recovery plan and to understand further its relationship to the wider SEND Area Strategy, the SEND and AP Transformation Programme and wider Transformational activity occurring across the system. We have committed to provide regular updates to Schools’ Forum on the 5-year recovery plan and to ensure that Forum is made aware of future plans to request ongoing transfer of funds between the Schools Block and HNB. In addition, we have committed to continue to report to Schools’ Forum on our ongoing ‘line by line’ review of historic HNB commitments. The paper for the January Schools’ Forum, therefore, sets out 3 elements in relation to the HNB:* HNB Period 8 financial position update
* HNB 5-year recovery plan update
* Overview of HNB funded provision linked to CAMHS or in partnership with CAMHS

Recommendations:* **Note the current HNB financial position as of Period 8.**
* **Note the confirmed date of 9th March with DfE officials regarding the DSG Recovery Plan and the commitment to provide a full and comprehensive update of the recovery plan at March School’s Forum following this key meeting.**
* **Note the overview provided as to HNB commitment to education / therapeutic provision as a contribution to CAMHS or in partnership with other CAMHS provision.**
 |

1. **High Needs Block Period 8 Position**

Table 1 provides the period 8 position of the HNB with a forecasted deficit of £7.932m. There have been additional places/provision in non-maintained /independent schools, Alternative Education, Personal Budgets and specialist equipment resulting in a further £0.214m commitment to the current High Needs Block forecast.

***Table 1: Current High Needs Block, FY2019\_20, Budget Schedule, Period 8***

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Item |   | **Places** | **Places** | **£000's** | **£000's** | **£000's** | **Previous** | **Change** |
|  |   | **Apr-Aug** | **Sept-Mar** | **Budget** | **Forecast** | **Variance** |  |  |
|  |  |   |   |   | **@12/12/19** | **Over/(Under)** |  |  |
|  | DSG Allocation |   |   | 81,917.36 |   |   |   |   |
|  | Transfer from schools block |   |   | 6,990.06 |   |   |   |   |
|  | **Total Budget**  |  |  | **88,907.42** |   |   |   |   |
|  |   |   |   |   |   |   |   |   |
| 1 | Special Schools (Pre-16) | 1,318 | 1,391 | 30,751.66 | 30,542.83 | (209) | (178) | (31) |
| 2 | Special Schools (Post-16) | 182 | 182 | 3,706.00 | 3,521.71 | (184) | (145) | (39) |
|  |   |   |   |   |   |   |   |   |
| 3 | Specialist Resource Bases  | 238 | 238 | 3,396.00 | 3,159.52 | (236) | (174) | (63) |
|  |   |   |   |   |   |   |   |   |
| 4 | Exceptional Circumstances Fund |   |   | 1,000.00 | 1,000.00 | 0 | 0 | 0 |
| 5 | VS SEN Support/EHCPs |   |   | 7,439.09 | 7,439.09 | 0 | 0 | 0 |
|  |   |   |   |   |   |   |   |   |
| 6 | Post 16 FE High Needs top up | 590 | 590 | 2,806.00 | 3,855.75 | 1,050 | 1,050 | 0 |
| 7 | Post 16 Place Funding | 464 | 520 | 3,008.00 | 3,008 | 0 | 0 | 0 |
|  |   |   |   |   |   |   |   |   |
| 8 | Independent & Non maintained, Alternative Education |   |   |   |   |   |   |   |
| 9 | Non Maintained Special Schools |   |   | 22,718.75 | 27,995.19 | 5,276 | 5,000 | 277 |
| *9a* | *-Single funded* | *622* | *654* |   |   |   |   |   |
| *9b* | *-Joint funded* | *41* | *49* |   |   |   |   |   |
| *9c* | *-Private Hospital* | *21* | *11* |   |   |   |   |   |
| *9d* | *-Other Provision/Therapies* | *36* | *105* |   |   |   |   |   |
| 10 | Personal Budgets | *63* | *78* | 250.00 | 607 | 357 | 328 | 29 |
| 11 | Estimated Inter Authority Recoupment | *81* | *86* | 630.00 | 560 | (70) | (0) | (70) |
| 12 | Short Stay School For Norfolk & Alternative Provision | 350 | 370 | 5,748.20 | 6,725.74 | 978 | 978 | 0 |
|  | Less PEX income |   |   | (900.00) | (900) | 0 | 0 | 0 |
|  |   |   |   |   |   |   |   |   |
| 13 | Alternative Education  |   |   | 4,099.00 | 4,886.90 | 788 | 777 | 11 |
| *13a* | *-Compass Centre* | *50* | *50* |   |   |   |   |   |
| *13b* | *-Pinetrees*  | *22* | *35* |   |   |   |   |   |
| *13c* | *-Include (Catch 22)* | *106* | *85* |   |   |   |   |   |
| *13d* | *-Earthsea House* | *12* | *12* |   |   |   |   |   |
| *13e* | *-Hooper Lane (within SSSfN budget from Sept'19)* | *60* | *0* |   |   |   |   |   |
| *13f* | *-Crea8* | *6* | *0* |   |   |   |   |   |
| *13g* | *-Horatio House* | *23* | *9* |   |   |   |   |   |
|  |  |  |  |   |   |   |   |   |
|  | LA Hosted Services |   |   |   |   |   |   |   |
| 14 | Services to Home Educators |   |   | 92.83 | 92.83 | 0 | 0 | 0 |
| 15 | Youth Offending Team |   |   | 290.37 | 290.37 | 0 | 0 | 0 |
| 16 | County Sensory Support |   |   | 1,623.04 | 1,623.04 | 0 | 0 | 0 |
| 17 | Moving and Handling |   |   | 41.41 | 45 | 4 | 4 | 0 |
| 18 | SEN Invest to Save |   |   | 171.05 | 171 | 0 | 0 | 0 |
| 19 | Learning Support & ATT Central Costs |   |   | 663.50 | 679.55 | 16 | 16 | 0 |
| 20 | Critical Incident |   |   | 18.00 | 18.00 | 0 | 0 | 0 |
| 21 | Medical Needs Co-ordinator |   |   | 0.00 | 13.57 | 14 | 14 | 0 |
| 22 | CAHMS |   |   | 250.52 | 250.52 | 0 | 0 | 0 |
| 23 | PATHS |   |   | 100.00 | 101.31 | 1 | 1 | 0 |
| 24 | Schools DDA Equipment |   |   | 0.00 | 147.64 | 148 | 49 | 99 |
| 25 | Speech and Language Therapy |   |   | 1,004.00 | 1,004.00 | 0 | 0 | 0 |
|  |   |   |   |   |   |   |   |   |
|  | **Total** |  |  | **88,907.42** | **96,840** | **7,932** | **7,718** | **214** |

1. **High Needs Block 5-year recovery plan update**

The final Norfolk Area SEND Strategy for 2019-22 has been published on the SEND Local Offer. The area strategy alongside the SEND and AP Transformation Programme continues to progress and underpins the HNB recovery plan.

December editions of Norfolk SEND Newsletters provide updates and information on the current activity/progress and can be accessed here:

[**https://content.govdelivery.com/accounts/UKNORFOLK/bulletins/2713cb0**](https://content.govdelivery.com/accounts/UKNORFOLK/bulletins/2713cb0)

[**https://content.govdelivery.com/accounts/UKNORFOLK/bulletins/26d9893**](https://content.govdelivery.com/accounts/UKNORFOLK/bulletins/26d9893)

Notable progress includes:

* The appointment of the Academy Sponsor for the new Great Yarmouth SEMH Special School: RightforSuccess and planning application submitted;
* Land purchase for the Easton Cognition and Learning school;
* Site visits for the new Communication and Interaction (ASD) school in Fakenham and Academy Sponsor applications undergoing evaluation;
* Preparation underway to initiate School Organisation processes planned for January 2020 for a range new SRB provision;
* New places at Sheringham Woodfields school on stream in January 2020;
* Core Consultations have been taken up in 122 schools with excellent feedback received and a further round of visits available to any school, free of charge, taking place from January 2020.

The November Schools Forum update confirmed that:

* The Dedicated Schools Grant (DSG) Recovery Plan was submitted to the DfE in June 2019 and has been assessed by DfE officials;
* The DfE confirmed that they would visit Norfolk to discuss the plan further, particularly to understand in more detail the development of our new specialist provision and our modelling demonstrating how this will reduce costs.

We have now received confirmation that the DfE visit will take place on the 9th March and, in light of this, we have not provided a financial recovery plan update at this School’s Forum meeting and instead will provide a full update to School’s Forum in March following this key meeting.

1. **Ongoing review of all High Needs Block activity - High Needs Block Deep Dive CAMHS and associated provision**

In addition to the major elements of the HNB which are experiencing significant pressures / overspends (such as special school and alternative provision placements) all aspects of the HNB are under review.

As agreed at previous Schools’ Forum meetings we will report back on the various ongoing reviews and our plans for reductions or increases as appropriate to ensure that historic decisions to fund provision from the HNB are still relevant and effective. As mentioned at previous School’s Forum meetings, significant Transformational activity is underway between NCC and the Clinical Commissioning groups (CCGs) regarding CAMHS. The following is an overview of this work and detailed information relating to the relative HNB contribution to wider Emotional and Mental Health provision for children and young people.

**CAMHS Tier 2 and 3**

Local community CAMHS are arranged and funded by NCC and the CCGs. These services have been broadly termed as Tier 2 and 3 (with Tier 1 deemed as “Universal” provision – i.e. GPs, schools etc and Tier 4 as “Specialist” – i.e. Inpatient specialist mental health and eating disorder hospital provision arranged and funded by NHS England).

Currently, the Tier 2 provision is delivered under the “Point 1” umbrella provider partnership by NSFT, Mancroft Advice Project and Ormiston Trust. Tier 3 provision is delivered by NSFT. Funding for these services are broadly as follows:

*Table 2: Norfolk & Waveney CAMHS funding arrangements*

|  |  |  |
| --- | --- | --- |
| **Commissioner** | **£** | **% split** |
| CCGs (tier 2 and tier 3) | 35m | 97 |
| NCC (specifically Point 1 – tier 2) | 1,013m | 3 |
| **TOTAL** | **36,013m** | **100** |

The HNB provides £250,000 to the NCC contribution to this service provision (see Item 22 in Table 1). Currently this contribution is not ring-fenced for specific groups of pupils or special educational provision, however, schools are able to access Tier 2 mental health provision via those services’ community referral routes.

The future 0-25 Norfolk and Waveney Clinical Model is based upon the Thrive Framework, encompassing a set of values and principles that enable self-help, access and advice, early intervention, getting help and getting more help without a prolonged journey of escalation through different services.



The future 0-25 Norfolk and Waveney clinical model includes several transformational aspects:

* Time access to support and advice;
* A focus on clear goals for treatment to occur;
* Access to help from other professionals which is “pulled in” when needed;
* A move away from “referral, triage and assessment” to conversations about what children, young people and families or other professionals within a community *need* before agreeing what the next step should be;
* No exceptions or exclusions, including those with ASD or Learning Difficulties and Looked After Children.

**PATHS (Promoting Alternative Thinking Strategies)**

In addition to the £250k contribution to the CAMHS Pooled Fund, the HNB also provides £100k funding to the PATHS scheme (see Item 23 in Table 1). PATHS is a whole school evidence based early intervention-prevention programme that aims to enhance the social competence of and social understanding of children in the primary phase. Schools access the service via a referral pathway and currently being delivered in 116 Norfolk primary schools.

**Education provision for pupils in NHS England Inpatient Hospitals**

In line with local authority duties under Section 19 Education Act, NCC must make educational provision for pupils who due to exclusion, illness or other reason would not receive such. Where Norfolk pupils (aged 5-18) are placed in in-patient hospital facilities by reason of mental health, the responsible local authority must provide them with a suitable education. In most cases, pupils remain on the roll of their home school, but in some instances, they can be removed from roll as permitted by the School Admissions Code. At Post-16 they may be enrolled in college, another Post-16 provision or be NEET. The HNB funds educational provision for this cohort, and whilst discretionary at Post-16, Norfolk funds education provision for those in year 12 and 13 to meet our duties under the Raising Participation Age.

Line 9c in Table 1 shows the overall HNB commitment to this provision. Table 3 shows the HNB spend on pupils in in-patient facilities as at Period 8:

*Table 3: HNB funding contribution to NHS England Mental Health Inpatient Education*

|  |  |  |  |
| --- | --- | --- | --- |
|  | Number of places | Spend to date  | Full year forecast |
| Private Hospital Education | 11 | £95,726 | £164,000 |

The following factors need to be highlighted in respect of this commitment to the HNB:

* The LA does not place children into Inpatient provision, this is a responsibility of NHS England. Placements are made in emergency circumstances and the LA is not generally notified;
* Placements are often significant distance from Norfolk (London, Kent, Northampton) and the LA has limited control over their educational arrangements;
* Some provisions (i.e. Dragonfly in Suffolk) are served by a local area PRU, but in most cases, the hospital provision is delivered by a private provider (i.e. Priory, Cygnet) who operate a co-located, registered independent school;
* Children are generally automatically enrolled with no recourse to the LA and LAs are charged a day rate for education. The cost varies from provider to provider but average roughly £165 per day.
* Stays are generally temporary (12 weeks) but in some cases, children have been admitted for periods in excess of 12 months.

**Personal Budgets**

A small number of Personal Budgets are in place to deliver provision to pupils of a therapeutic nature or for personal tuition in the home or community for pupils who, due to mental health needs, are not able to access education in a formal educational environment. The previous School’s Forum paper on the HNB provided detailed information regarding Personal Budgets.

**Joint Funded Placements**

Joint funded placements are placements made in special residential schools or Children’s Homes with aligned day education for looked after children with the most complex needs who require integrated care, education and therapy provision. Placements are joint funded between NCC (HNB and core Children’s Services funds) and, where health provision is deemed to be required over and above core community health services, CCGs. This provision correlates to Item 9b in Table 1. Table 4 shows the HNB spend on pupils in in-patient facilities as at Period 8:

*Table 4: HNB funding contribution to Joint Funded care, education and therapy placements*

|  |  |  |  |
| --- | --- | --- | --- |
|  | Number of places | Spend to date  | Full year forecast |
| Joint funded placements | 49 | £1,410,588 | £3,342,796 |

Section 26 of the Children and Families Act 2014 requires local areas to make joint commissioning arrangements for children and young people with special educational needs, underpinned by a Joint Commissioning Framework. Norfolk’s current Joint Commissioning Framework can be accessed here:

<https://www.norfolk.gov.uk/children-and-families/send-local-offer/about-the-local-offer/joint-commissioning>

As part of Transformation work underway within Social Care, Joint Commissioning arrangements are currently under review. This will result in an updated Joint Commissioning Framework and strengthened arrangements for joint funding for children and young people with agreed mechanisms for funding contributions to joint placements and, possibly, pooled budgets.

**Compass Schools**

The idea for Compass was generated in the eastern area of the county. Prior to 2010 there was a pattern of sending children with Statements of Special Educational Needs for behavioural difficulties to private sector placements, often out of Norfolk. An alternative solution was proposed whereby ‘Invest to Save’ money was used to establish a local centre under the management of the Pupil Referral Unit, which could provide education and care more cost effectively. Great Yarmouth & Waveney NHS Trust allocated funding to enable clinical psychology and art therapy to be provided on site. Children’s Services provided the revenue funding for education and the Partnership of East Norfolk Schools provided capital funds to refurbish a redundant first school in Belton.

In 2011 there was recognition by Children’s Services of the value and cost effectiveness of the Compass model but restructuring across Children’s Services and Health meant that The Compass needed to be put on a firm contractual basis and to offer access from across Norfolk rather than just the eastern area. It duly became part of Children’s Services’ programme of specialist provision and was commissioned for three years under a service level agreement held by The Short Stay School for Norfolk in partnership with Norfolk & Suffolk NHS Foundation Trust (NSFT). A second Centre opened in Norwich in September 2013 and a third Centre to serve the west of the county opened in Pott Row at the end of January 2015. Between them the three Centres can accommodate up to 50 children. The Compass Schools are a constituent part of the Short Stay School for Norfolk and, currently, are not separately registered from the Rosebery, Locksley, Douglas Bader, Hooper Lane or Brookland schools. The provision was recommissioned in 2016 with Engage Multi-Academy Trust operating as lead provider in partnership with NSFT.

The aim of The Compass is to provide a local integrated education and health care solution for children aged 5-14 who have severe social and emotional difficulties and emerging/actual mental health problems which have not been resolved through standard CAMHS services. Placements are not time-limited, but the aim is to return children to the universal pathway, i.e. to mainstream schools and step down to Tiers 3/2 CAMHS, as soon as possible.

The Compass operates an intensive integrated education and therapeutic approach led by a Consultant Clinical Psychologist working in partnership with specialist educational provision. The Compass delivery model is rooted in attachment theory to meet the needs of children with complex SEMH resulting from insecure attachment, adverse childhood experiences and early life trauma. The integrated education means that there is joint assessment, and all staff share the same knowledge, understanding and goals for the children, approaching and responding to behavioural challenges appropriately and consistently.

The provision is jointly funded between NCC (HNB) and CCGs and is formalised under a Section 75 local authority/NHS funding agreement. Individual CCG contributions are determined according to occupancy which is calculated at two points during each academic year – October and February half terms. This provision correlates to Item 13a in Table 1. Table 5 shows the relative split of funding between the High Needs Block and CCGs as of October 2019.

N.B: Total service costs are: £1,764,000.00 annually.Contributions cited below are pro rata 50% of the formula (i.e. equal to a 6-month service cost contribution).

*Table 5: HNB funding contribution to Joint Funded care, education and therapy placements*

|  |  |  |
| --- | --- | --- |
| **Partner contributions:** | **Occupancy data as at 18th October 2019** | **Partner Contribution <31/3/2020** |
| Core NCC | 50 | £582,000.00 |
| Additional NCC contribution to cover South Norfolk CCG at 13 places | 1 | £6,000 |
| **Total NCC** |  | **£588,000.00** |
| NHS GYW CCG | 12 | £74,400.00 |
| NHS North Norfolk CCG | 5 | £32,400.00 |
| NHS Norwich CCG  | 11 | £68,400.00 |
| NHS South Norfolk CCG \* capped | 12 | £74,400.00 |
| NHS West Norfolk CCG | 7 | £44,400.00 |
| Individual CCG allocation to vacancy (included in above calculations) | 2 | £2,400 |
| **Total CCG contribution** |   | **£294,000.00** |
| **Total Service Costs:** |  | **£882,000.00** |

The current contract for the Compass Schools with its Section 75 funding agreement expires on 31st August 2021. A strategic review of the provision will commence from Spring term 2020 to determine arrangements for provision for pupils with complex SEMH, including specific therapeutic intervention for pupils with attachment difficulties and early life trauma as part of the ongoing SEND and AP Transformation programme particularly in light of new provision coming on stream, notably the SEMH School in Great Yarmouth and the increased and remodelled primary SEMH SRB programme.

**Officer Contact**

If you have any questions about matters contained or want to see copies of any assessments, eg 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**:

Dawn Filtness 01603 228834 dawn.filtness@norfolk.gov.uk

Michael Bateman 07768 165536 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. |

**Schools’ Forum**

**Item No. 7**

|  |  |
| --- | --- |
| **Report title:** | **Planned Growth (Pupil Variations) 2020/21** |
| **Date of meeting:** | **10 January 2020** |

 **Executive summary**

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| --- |
| **To inform Schools Forum of pupil variations requested in APT for 2020/21** |

Local authorities are no longer expected to request approval from the Secretary of State to increase the pupil numbers used for calculating funding for specific schools where:

* there has been, or is going to be, a reorganisation, or;
* a school has changed, or is going to change, its admission limit.

Instead, the ESFA expects local authorities to present any pupil variations to their Schools Forum to illustrate the impact to overall funding and specific schools’ budgets.

The exception to this is that any request for a negative pupil variation adjustment would still require a disapplication with compelling evidence as to why it should be approved. Norfolk has not requested any negative adjustments for 2020/21.

For new schools, the regulations require that local authorities estimate the pupil numbers expected to join the school in September and fund in the Authority Proforma Tool (APT) submission accordingly.

The information for Norfolk’s pupil number variations on the initial budget shares for 2020/21 is attached. At the moment, the effects on those individual schools’ budgets have been estimated as the budgets for 2020/21 are still being processed but the figures will be brought back to Schools Forum in March.

In-year growth identified by the Admissions team continues to be funded via the in-year top-sliced growth fund for Sept ’20-March ’21 (and Sept ’20-August ’21 for academies).

**No action required: Information only.**



**Schools’ Forum**

**Item No. 8**

|  |  |
| --- | --- |
| **Report title:** | **Admissions Appeals** |
| **Date of meeting:** | **10 January 2020** |

 **Executive summary**

|  |
| --- |
| **To provide information to Schools Forum on the funding of Admission Appeals, and to discuss both current and future arrangements for funding.** |

At the September Schools Forum meeting a question was raised by an academy representative about the local authority’s decision to charge academies admission appeal costs when other authorities do not. Also, a request was made for some further information on the following points:

* How the charges for appeals are derived?
* Where does the money go?
* Could there be a capping mechanism?

**Norfolk’s Admissions Appeals Charges**

There are a variety of arrangements for the charges of admission appeals by authorities within the Eastern Region Admissions Group. The majority of authorities do charge, either for administration, advocacy or both, but two authorities do not. Norfolk uses County Council budget for funding the appeals of maintained schools, not the Dedicated Schools Grant (DSG), and therefore is allowed to charge academies and free schools for admissions appeals.

The charges in Norfolk for administration of appeals are as follows:

* £325 for the first appeal, £150 for each subsequent appeal for multiple appeal hearings;
* If a translator is required, the full cost will be recharged to the academy/free school;
* £850 for an independent review panel for exclusion (if an SEN expert is to attend the full cost will be charged to the academy/free school).

In addition, the charges for advocacy (preparation of appeal case and presentation of appeal), are:

* £250 per half day presentation for a prejudice appeal case – no charge if appeal is cancelled at any time.
* £200 for preparation and presenting of an Infant Class Size appeal case

How current charges are derived

Charges were derived by comparison with the charges being made by other authorities and take into account the following costs:

* Venue charges;
* Clerking charges – (NP Law and Educator Solutions provide Clerks for the hearings);
* Petrol costs of panel members;
* Beverages and lunch for panel members, where appropriate;
* Administration (printing and postage etc).

Where does the money go?

Income is placed into the Appeals Administration budget and the funds go towards managing the service, paying the costs listed above, and paying for one member of staff.

Could there be a capping mechanism?

The level of costs incurred are driven by the level of appeals, therefore, it would not be appropriate to have a capping mechanism. However, the charge for multiple appeals is significantly lower than the charge for single appeals.

There is no charge made for advocacy for academies in cases where an appeal relates to a decision made by a Fair Access Panel which academies are under a statutory duty to take part in.

**Appeals Services Provided**

The authority provides the following administration services for appeals:

* Arrange a fully-trained appeal panel and clerk for the appeal hearing or exclusion review.
* Liaise with all parties to set a suitable date for the appeal hearing, subject to availability.
* Book an appropriate venue
* Book a translator if required
* Appoint an SEN expert, if requested by parents in their application for an exclusion review.
* Distribute paperwork prior to the hearing.
* Notify parents of the panel’s decision by phone, followed by formal written notification to all parties.
* Respond to queries from parents and advise about the appeal process, including the handling of complaints
* Appropriate training for Appeal and IRP Panel members annually.
* Organise recruitment of Panel members when necessary.

The authority provides the following advocacy services for appeals:

* Preparation of appeal case
* Presentation of appeal
* External advocates as required

**Current Funding/Charging of Admissions Appeals**

Currently, Norfolk uses Council budget, rather than Dedicated Schools Grant, to fund the admissions appeals of all maintained schools regardless of whether Norfolk is admissions authority or not, so this includes:

* Community Schools
* Voluntary Controlled Schools
* Voluntary Aided Schools
* Foundation Schools

Academies are excluded and are charged by the local authority for services relating to admissions appeals in most cases.

A breakdown of cases will be tabled at the meeting for the 2018/19 financial year.

**Guidance from DfE**

In relation to centrally retained Dedicated Schools Grant (DSG) funding, local authorities must treat all maintained schools and schools that are their own admission authority in their area equitably.

This means, if local authorities retain funding from the budgets of all schools to provide an admission appeals service without charge to community and voluntary controlled schools, they must also provide this service without charge to academies, voluntary aided schools and foundation schools, although these schools may instead choose to make their own, self-funded arrangements.

Alternatively, where local authorities delegate funding for appeals to all schools in their individual budgets, they may charge the budgets of their maintained schools for the costs associated with administering admission appeals on their behalf. Academies, voluntary aided schools and foundation schools may also wish to buy into the appeals services provided by the local authority or can make alternative arrangements.

If local authorities do wish to charge schools for which they are the admissions authority (Community/VA schools), this requires the following clause to be added to ‘The Charging of school budget shares’ section of Norfolk Scheme for Financing Schools, which Schools Forum would be required to agree to:

*Costs incurred by the authority in administering admission appeals, where the local authority is the admissions authority and the funding for admission appeals has been delegated to all schools as part of their formula allocation.*

At the moment, Norfolk does not retain DSG funding from the budgets of all schools for admissions appeals. It is possible to do this with Schools Forum approval, as the regulations allow Schools Forum to agree an increase to the centrally-held Admissions budget. However, this would now have to be from the year 2021/22 onwards as for 2020/21 an additional transfer out of the Schools Block (to the Central School Services Block) would require a disapplication of regulations from the Secretary of State. This is because Forum has already agreed the maximum transfer of 0.5% out of Schools Block to the High Needs Block for 2020/21.

Alternatively, the Council could charge maintained schools that are their own admissions body in line with academies, or, in effect, charge all schools with maintained schools that the Council are the admissions authority for through retention of funding for those schools.

**Action:**

**Schools Forum are asked to discuss both current and future arrangements for admissions appeals funding, considering whether a task and finish group of Forum members would be beneficial to find a solution.**

**Schools’ Forum**

**Item No. 9**

|  |  |
| --- | --- |
| **Report title:** | **Disapplication of MFG for The Wherry School** |
| **Date of meeting:** | **10 January 2020** |

 **Executive summary**

|  |
| --- |
| In this paper, Schools Forum members are asked to agree the disapplication of MFG for years 3, 4 and 5 of the funding agreement for the Wherry School.  |

**Special Schools’ MFG**

Under the conditions of grant for High Needs, special schools are subject to -1.5% Minimum Funding Guarantee (MFG) protection in 2019/20 and this protection is being raised by the DfE to 0% protection in 2020/21. The MFG calculation is based on a comparison of funding between financial years based on the assumption of the same number and type of places in each year (like-for-like). Exceptions to this funding protection can be made by a request from the Local Authority to the Secretary of State for a disapplication of the conditions for MFG.

In the past, the Local Authority has never had to apply for a disapplication to MFG because the top-up values for special schools have not been reduced, so special schools have always been funded at or above the MFG level.

**The Wherry School**

When the Wherry School opened in September 2017 a funding agreement was made between the Local Authority and the school whereby, it was agreed that while the school was growing, the school would be funded at a higher top-up rate to allow for diseconomies of scale. Then, as the school built to full capacity, the top-up funding would reduce.

The details for the funding agreed for the school is shown in the table below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Year | Pupil No. | Place Funding | Ave. Top-up | Total Funding |
| 1 – Sept 2017 | 48 | £10,000 | £19,199.67 | £1,401,584 |
| 2 – Sept 2018 | 60 | £10,000 | £19,199.67 | £1,751,980 |
| 3 – Sept 2019 | 80 | £10,000 | £18,293.45 | £2,263,476 |
| 4 – Sept 2020 | 100 | £10,000 | £17,687.00 | £2,768,700 |

In year 5, September 2021, the school will revert to the funding method that Norfolk uses for all special schools using a banding matrix system.

The basis of funding, above, was agreed by the school in writing in April 2017 (letter attached).

**MFG Disapplication**

The funding agreement between the local authority and The Wherry School requires a disapplication to the standard MFG protection, as the reduction in top-up values would not meet the MFG rules. The local authority raised a request for disapplication for years 3 and 4 in November but made it clear that at the time of the request that Forum were yet to be consulted. We are awaiting the outcome from the Secretary of State.

A further disapplication request will be required for year 5, after which the school will fall into the same level of MFG protection as the other special schools.

The impact of the disapplication being rejected would mean that top-up funding would not be applied fairly across all of the special schools. The Wherry School would continue to be funded at a specific average band value intended to fund diseconomies of scale, rather than being funded on the basis of individual pupils’ needs as the size of the school increases.

Currently, the base unit values for top-up bandings for Norfolk’s special schools are:

|  |  |
| --- | --- |
| Bandings | Base funded amount  |
| Place-based | £0 |
| Band A | £2,000 |
| Band B | £8,000 |
| Band C | £12,609 |
| Band D | £17,927 |
| Band E | £27,063 |

The disapplication requests for years 3 - 5 will allow the local authority to bring Wherry into line with the base funding across all special schools.

**Action:**

**Schools Forum members are asked to agree the disapplication of MFG for years 3, 4 and 5 of the funding agreement made with The Wherry School.**