# NORFOLK SCHOOLS FORUM

# AGENDA

**Meeting on Wednesday 17 November 2021 09:00 – 12:00**

**This will be a remote MS-Teams meeting. Members will be asked on the day for their permission to record the meeting.**

**It is lovely to say hello, welcome people and see and hear each other at the start of the meeting. However, to support connectivity for all and to minimise interference, please can we ask that once we make a start upon official business can cameras and mics be turned off unless you are speaking. Please also use the hands-up function if you wish to contribute to an item. Thank you.**

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **09:00** | **1** | **Welcome and Introductions****Apologies** | **Report** |  |
|  | **2** | **Minutes of Last Meeting and Matters Arising*** Draft letter to DfE from Eastern Region School Forums. Update (Martin Brock)
* Update on age groups of increased EHCPs (Report provided for information by Michael Bateman, post-16 growth covered at high-level, see page 24) (emailed to members)
 |  | **2 - 7** |
|  | **3****4** | **School Improvement Consultation**[Reforming how local authority school improvement functions are funded - GOV.UK (www.gov.uk)](https://www.gov.uk/government/consultations/reforming-how-local-authority-school-improvement-functions-are-funded)**Dedicated Schools Grant**1. **Early Years Block**
2. **De-delegation/Central School Services Block**
3. **Schools Block (including feedback from Fair Funding consultation, vote on Schools Block transfer & updated DSG Recovery Plan)**
4. **Special Schools Review (feedback from consultation)**
 | **Comment****Decision****Comment/****Decision****Comment** | **8 – 16****17 – 38****39 - 61****62 - 81** |
|  | **5** | **Review Future Meeting Plan**  |  | **82 - 83** |
|  | **6** | **Date of Next Meeting****Wednesday 19 January 2022 at South Green Park, Mattishall****09:00 – 12:00 hours** |  |  |

**Norfolk Schools Forum**

**Minutes of Meeting held on Wednesday 29 September 2021**

**09:00 – 11:30 hours**

**Teams Meeting**

**Present: Representing**

Andrew Aalders-Dunthorne Academies

Adrian Ball, Diocese of Ely Multi Academy Academies

Trust

Keith Bates, Eaton Hall Specialist Academy Special School Academy

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

Lacey Douglass Early Years Representative

Mike Grimble, Avenue Junior School Primary Maintained Governors

Bob Groome Association of Teachers & Lecturers

Glyn Hambling, Unity Education Trust Alternative Provision

Howard Nelson, Diocese of Norwich Diocesan Board of Education

Carol Jacques Maintained Nursery School

Clare Jones, Boudica Schools Trust Academies

Peter Pazitka, SJB CMAT Academies

Joanne Philpott, City of Norwich School Academies

Sarah Porter, The Heart Education Trust Academies

David Shaw, Creative Education Trust Academies

Sarah Shirras, St Williams Primary Primary Maintained Schools

Joanna Tuttle, Aylsham High School Secondary Maintained Schools

Martin White, (Chair) Nebula Federation Primary Maintained Governors

Rebecca Wicks, The Clare School Maintained Special Schools

Michael Bateman Assistant Director, SEND Strategic Improvement & Early Effectiveness

Martin Brock Accountant, Schools, SEN and Early Years

Sally Cutting Senior Accountant

Marilyn Edgeley Admin Officer

Nicki Rider Interim Head of High Needs SEND

Lisa Roll Finance Officer

**Apologies:**

Dawn Filtness Finance Business Partner

Chris Snudden Director of Learning & Inclusion

Sara Tough Executive Director Childrens Services

1. **Apologies**

Apologies were received from Chris Snudden, Dawn Filtness

1. **Minutes of the Last Meeting and Matters Arising**

It was agreed the minutes were a true record of the meeting.

* **Joint letter to the government with other School Forums in the Eastern Region on insufficient funding for the High Needs Block.**

An email has been sent to Eastern Region School Forums with the proposed draft letter.

* **Review of demographic changes in Norfolk**

Sebastian Gasse confirmed that Headteacher meetings have taken place.

* **Future Meetings**

It was confirmed that the meetings on 17 November and 19 January would need to be face to face meetings at South Green Enterprise Centre Mattishall due to the decisions required at those meetings, and that the March meeting could be a remote meeting.

**It was agreed to change the agenda order and discuss item 3c. before item 3b. to allow Nicki Rider to participate in the Special Schools’ Funding Review discussion.**

1. **Dedicated Schools Grant (DSG)**

**3a. SEND Strategic Improvement - Including Capital update**

Officers have provided this high level update on SEND Strategic Improvement. Schools Forum can return to any particular part of this at future meetings.

Every local authority has to have a SEND Strategy we compiled this in 2019 and refreshed earlier this year.

NCC Childrens Services is currently compiling 3 areas of work which, taken together combine to set our overall SEND Strategic Improvement planning, these are:

* Area SEND Strategy (2019-2022)
* SEND & Alternative Provision Transformation Programme (2019-2024)
* Ofsted/CQC Written Statement of Action (2020-2022)

Forum members were pleased to see the opening of Bure Park Specialist Academy in Great Yarmouth, the proposed opening of Fakenham ASD (Duke of Lancaster) spring 2022, and the Easton Complex Needs opening 2023.

Other points highlighted from the report:

Each of the new schools has a plan to build up to full capacity, on average this takes about 2 years.

Written Statement of Action, there were three areas of weakness:

* Education Health and Care Plans (EHCPS)
* 18 – 25 services, we have reinterpreted this from ofsted to 14 -25 services
* Communication and co-production- a cross cutting theme that we were not communicating our strategic plan sufficiently to parents and health care professionals.

We have increased the number of EHCP co-ordinators and our figures have moved from 8% to 52% accumulative for the year. This is good news, however EHCPs have increased to 8,000.

Officers said this was a very brief presentation and there is a lot more detail in the paper of all the work that is being carried out.

It was noted that there will be a survey 2nd half of term with particular questions for education professionals and we would like Forum members to promote this.

Members asked for details on the particular age groups of the increased EHCPs. The SEN 2 statistical return and work officers are doing with Mastodon has shown a growth in post 16.

**Action: provide information on the above at next meeting.**

Comment - It is not just about writing the initial EHCP plan, but making sure they are kept up to date and the targets/objectives remain relevant. Is there any data about how many EHCP's are in place, but out of date and need the coordinators to update the paperwork?

Members said it would be useful at key times to have feedback as a Forum. Will the transformation have to adapt due to the pressures? Would be useful to see the strategy behind the 4 strands.

Officers were looking at the work being done with Mastodon to help the transformation to adapt to changing pressures. The authority should get initial feedback from them at the start of the spring term.

It was highlighted that there will be an open day at Bure Park School on 20 October and members should contact Keith Bates or Clare Jones if they would like to visit.

Nicki Rider is involved in two large areas of work one is the quality issue of EHCPs and the backlog of annual reviews. Of all 7500 EHCPs 32% have the potential to be completed on time. The challenge is to make sure they do not slip into the remaining 62%.

**3c. Indicative Dedicated School Grant (DSG) for 2022/23 and Schools Block Fair Funding Consultation options**

Paper very similar to the last two years, this year is the last of the addition of £14 billion government money for schools over three years. The indicative DSG allocations are published online plus there is a growth factor calculated by the LA (which is not published by DfE in their indicative allocations). This gives us an estimated DSG for the next year and will be updated in December.

We are at present working on the autumn Consultation with schools, this will be launched next week and run for 3 weeks.

The proposals are:

* Mirroring of updated National Funding Formula factor values;
* Indicative Minimum Funding Guarantee and Cap values.
* Potential levels of transfer from Schools Block to High Needs Block to meet ongoing demand upon high needs placements and support, and as part of the DSG Deficit Recovery Plan.

We will also add the option chosen by the Admissions Group for funding admissions appeals, for charging all schools that are their own admissions authority for appeals services.

The additional indicative DSG funding for Norfolk for 2022/23 compared to 2021/22 is £28.205m. There are links to this information in the paper.

Schools Block allocation, we believe will be approximately £565m an increase of £17m. There is a new operational guide and we intend to consult on mirroring NFF formula changes. We expect that the DfE will issue further technical guidance on business rates. There is an £11m increase for High Needs for 2022/23, however, an increase had been expected anyway and this is not sufficient to meet our needs.

Early Years - Indicative allocations are normally published in December.

Progress to Hard Formula – government continues to work towards this and there is a DfE consultation online about approach which closes on 30th September.

Local Formula – Norfolk continues to mirror the hard formula.

The next DSG recovery plan update will be brought to the autumn meeting.

**Comments:**

* Officers confirmed consultation will include a section on the DSG Recovery Plan.
* Officers confirmed that, as last year, the survey will add questions about how many pupils respondents represent.
* Members said it would be useful for officers to attend headteacher briefings to highlight the consultation.
* It was agreed to publish consultation at governors’ conference.

**Schools Forum noted the increase in overall DSG funding for 2022/23**

**3b. Special Schools Funding Review**

Lisa Roll attended Forum meeting for this item.

The report summarises research carried out and possible questions for inclusion in the Autumn Fair Funding Consultation with schools. The group worked towards a timeline to consult for changes in 2022/23 financial year. The final decision on changes will be with the authority and will take into account the DSG deficit situation and discussions with the ESFA. Launch of the consultation is intended to follow the same timeline as the mainstream school consultation (4th-22nd October).

**Rebecca Wicks left the meeting at 10:29.**

Officers ran the changes discussed through the model, the table in the report does show some significant increases. Two schools Eaton Hall and Chapel Green would have a decrease of funding. This is because both these schools received 30% on top-up values historically as they were very small schools. Eaton Hall has not seen significant growth however Chapel Green has increased in numbers over time.

**Questions and comments:**

**Q.** In relation to the benchmarking regarding staffing levels etc. what review profiling of need was considered across the complex needs schools?

**A.** *Yes, good question and ultimately, it's pretty much impossible to benchmark on needs profile unless you go in and audit children against a standardised set of criteria / benchmarks. We did consider number of special school placements against the overall EHCP school age population which showed some LAs as outliers and may mean they are placing lower levels of needs in complex needs school but ultimately, there is no way to empirically tell.*

**Q.** Presumably this growth funding would also be considered in relation to those that are growing or moving to split site provision?

**A.** *Funding for existing schools that are growing is organised under a different methodology*

Officers said that the decision on any changes will be made by the authority and that the consultation would be used to gather feedback before/if any changes are implemented.

Any decisions will be in line with the DSG deficit and in dialogue with the Education and Skills Funding Agency as we are in a DSG deficit and our recovery plan is under department scrutiny. It should also be noted that the relevant time for giving feedback to the consultation will be quite short.

**Comment** – Thank you to the working group for an excellent piece of work.

**Q.** Is there any risk that government will do something similar to the National Funding Formula? When will any schools come off an agreed format of payment and in that case would they go onto the formula we are now talking about?

**A.** Yes we think the DfE will look at Special Schools. Transition from the current funding - new schools are subject to a growth plan funding model which is agreed with the authority and the trust of the school and the EFA when a school is commissioned. On full capacity the school moves to the standardised funding model. Prior to this what happens is ghost auditing. The authority has to determine if there will be a surplus or deficit and how far we want to apply protection.

Officers confirmed that schools with pools that receive income from other uses has been taken into consideration.

**Comment** - remember that many of the pools are hydrotherapy pools that are limited to use for other external parties.

Officers said that it intends to consult with all stakeholders.

**Comment** – Any changes to funding for special schools will affect mainstream schools in some way therefore should be a wide consultation.

**Action: Officers agreed this should appear alongside the main consultation with school.**

**Schools Forum noted the information provided.**

1. **Forward Plan**

Early Years – waiting for information from government.

November meeting:

* Voting on de-delegation, top-slicing, and growth fund
* Schools Block Funding
* Special School Review
* DSG Recovery Plan
1. **Date of next meeting**

17 November 2021 09:00 – 11:30 at Southgreen Park Mattishall

**Schools Forum**

**Item No. 4a**

|  |  |
| --- | --- |
| **Report title:** | **Early Years Block** |
| **Date of meeting:** | **17 November 2021** |

 **Executive summary**

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| Following the Chancellor’s autumn Spending Review the DfE confirmed to local authorities that there will be additional funding for the early years entitlements worth £160m in 2022/23, £180m in 2023/24 and £170m in 2024/25. This is for local authorities to increase hourly rates paid to childcare providers for the government’s free childcare entitlement offers and reflects the costs of inflation and national living wage increases. Following a thorough review of the EY funding mechanism, the LA undertook a substantial consultation with Early Years providers last autumn on possible changes to the local formula, with the outcome implemented for 2021/22. As part of that consultation, it was agreed not to link increases in the Early Years National Funding Formula directly to changes the local formula hourly base rates and to instead take the opportunity to review the most appropriate way to allocate any additional funding announced for future years taking into account the feedback received in the consultation.This paper sets out the current local formula and requirements to be considered when setting the local funding formula.In addition, the DfE has produced a fact sheet explaining how £153m previously announced as part of an ‘Early Years Recovery Package’ will be invested and the DfE’s fact sheet is provided for information.**Schools Forum are asked to:*** **Note the additional early years entitlement funding announced for 2022/23 as part of the Government’s autumn Spending Review;**
* **Note information provided by the DfE in relation to the Early Years Recovery Package (Annex A);**
* **Discuss principles, and provide direction where appropriate, as to how additional funding received for 2022/23 could best be allocated via the local funding formula ahead of further preparation work being undertaken by the LA for recommendation at January’s Schools Forum meeting.**
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1. **Spending Review announcement**

Following the Chancellor’s autumn Spending Review the DfE confirmed to local authorities that there will be additional funding for the early years entitlements worth £160m in 2022/23, £180m in 2023/24 and £170m in 2024/25. This is for local authorities to increase hourly rates paid to childcare providers for the government’s free childcare entitlement offers and reflects the costs of inflation and national living wage increases.

In addition, the government is investing £153 million to build a stronger, more expert workforce in the Early Years sector. This was previously announced as part of the £1.4 billion commitment made on 2 June 2021. The DfE have now shared details of how that £153 million will be invested, and this is set out in a fact sheet (Annex A).

1. **EYNFF Increases vs Local Formula**

Last autumn, the Local Authority (LA) undertook a substantial consultation with Norfolk’s early years providers. Based upon the responses received, the LA made a recommendation that, as and when increases to hourly rates are announced by the DfE within the Early Years National Funding Formula, the opportunity to review the use of supplements again locally should be taken, rather than automatically applying any increase to the hourly base rates in full. This position was supported by Norfolk’s Schools Forum.

This approach allows for an annual review that tests reasonableness of assumptions vs actuals and may result in future base rates being increased or decreased to ensure that Norfolk’s EY block is sustainably managed. Regular review ensures that the risk of significant underspends or overspends is reduced.

In addition, the LA previously stated an intention to move towards a formula of base-rate and mandatory deprivation factors only, whilst acknowledging that this must be done in a way that will not destabilise the market.

Details of how hourly rates might change for Norfolk have not been published yet, with Early Years Block DSG allocations for 2022/23 not expected until December. Therefore, at this time it is not possible to set out precise options.

Last autumn, an increase to base rates was announced by DfE for 2021/22 totalling £44m, which gave increases in the national hourly rates within the EY NFF of £0.08 for 2-year-olds and £0.06 for 3 and 4-year-olds. Therefore, it does appear that the hourly rate increases allocated by the DfE for 2022/23 could significantly exceed these amounts.

1. **Norfolk’s Local EY Formula**

Norfolk’s current formula, used for funding providers in 2021/22, including changes made following consultation last autumn, is as follows:

* A base rate of £3.98/hr for 3- and 4-year-olds
* A deprivation supplement of 25p for children living in the 10% most deprived and 15p for the 11-20% most deprived parts of the county using the IDACI index.
* A flexibility supplement of 10p paid to providers who enable families to access at least 7.5 hours of funded early education for at least 2 days a week
* A quality supplement of 10p paid to Childminders with a level 3 qualification and settings funded on a 1 to 8 basis with a level 6 qualification. The identified qualification must be considered full and relevant.  The DfE Early Years Qualification List is used to determine this, and a certificate requested to verify that this supplement can be paid.
* A base rate of £5.34/hr for 2-year-olds

A SEN Inclusion fund of £985,000 is retained for funding additional SEND and inclusion needs of 3- and 4-year-olds, plus £16,970 of 2-year-old funding is retained for funding additional SEND and inclusion needs for 2-year-olds.

On top of this allocation 53p is allocated to every child who is eligible for Early Years Pupil Premium.

A Disability Access Fund of £181,425 allocated as per DfE requirements for 3- and 4-year-olds at a rate of £615 per year based on eligibility for Disability Living Allowance.

Additional lump sum funding for Maintained Nursery schools of £370,905.

5% (£1,919,170) of 3- and 4-year funding is retained by the local authority and contributes to the staffing costs for advice, support, finance and portage. The support includes support for all early education, childcare and out of school care providers, including:

* Business, start-up, development, financial management, governance
* EYFS Framework, quality, SEND, Home Learning, Ofsted support
* Inclusion - meeting the needs of children and families
* Early Education Funding, DfE grants and support
* E-mail, telephone, toolkits, surgeries, visits, online training
* Co-ordination and specialist input into the peer support programme

A contingency of 0.5% of the Early Years Block, £219,190, is retained by the authority to manage changes in uptake throughout the year.

1. **Requirements of the Local Funding Formula**
	1. **3- and 4-year-old Funding**

Funding for the universal 15 hours entitlement and additional 15 hours for working parents must be allocated on an equal basis.

**4.2 Supplements**

**Deprivation –** Mandatory. The inclusion of a deprivation supplement is mandatory, but the amounts and methodology are locally determined. Norfolk uses IDACI as a deprivation measure.

**Flexibility** - Discretionary. The flexibility supplement was introduced in 2017 to encourage providers to expand their opening hours to meet the needs of working parents alongside the introduction of 30 hours funding.

**Quality** – Discretionary. The quality supplement was introduced to increase the proportion of well qualified staff in early years to drive system led improvement in quality.

**Rurality/Sparsity** – Discretionary. To enable local authorities to support providers serving rural areas less likely to benefit from economies of scale. Norfolk does not use this supplement, but its use was considered as part of last year’s consultation.

**EAL (English as an Additional Language)** – Discretionary. The supplement may be used to recognise differences in attainment in the early years foundation stage between children whose first language is English, and those who have English as an additional language (EAL). Norfolk does not use this funding factor for early years, in line with feedback from the Early Years Reference Group prior to last year’s consultation.

The total planned value of funding supplements must not be more than 10% of the total value of planned formula funding to providers.

**4.3 SEN Inclusion Fund (SENIF)**

Local authorities are required to have SEN Inclusion funds for all 3- and 4-year-olds with SEN who are taking up the free entitlements, regardless of the number of hours taken. These funds are intended to support local authorities to work with providers to address the needs of individual children with SEN. This fund will also support local authorities to undertake their responsibilities to strategically commission SEN services as required under the Children and Families Act 2014.

There is no requirement for a 2-year-old SEN Inclusion fund, it is optional.

**4.4 Pass-Through**

LA’s must plan to pass-through at least 95% of 3- and 4-year-old funding to providers (including base rate, supplements, additional lump sums provided by the LA for Maintained Nursery schools, SEN Inclusion Fund, and any contingency held), or a disapplication must be made to the Secretary of State if the LA wishes to disapply this regulation. Norfolk complies with the pass-through requirement.

There is no pass-through requirement stated for 2-year-old funding, Norfolk passes on all of the base rate funding to providers except for £0.02/hr which is retained for the 2-year-old SEN Inclusion fund.

1. **Options for Consideration**

The DfE have announced £160m of additional early years entitlement funding for 2022/23, but the effect on hourly rates, and the allocation for Norfolk is not yet known. DSG allocations are expected in December.

The LA seeks Schools Forum input, at this early opportunity, on the principles to consider for the allocation of any additional funding, with final proposals to be brought back to Schools Forum in January for Schools Forum feedback.

Based on a comprehensive consultation with providers last autumn, the broad options and considerations are likely to be:

* Allocate additional funding provided for hourly rates directly to providers via increases to the base rate(s).
* Allocate additional funding provided for hourly rates directly to providers via increases to the base rate(s), plus consider additional increases to hourly base rates funded by a reduction to supplement values.
* Allocate additional funding provided for hourly rates directly to providers via increases to the base rate(s), plus remove supplements (except for deprivation as it is mandatory).
* In addition to any of the above option(s), consider whether the level of contingency held is appropriate.
* In addition to any of the above option(s), consider whether the current level of SENIF funding for 2-, 3- and 4-year-olds is appropriate.

Consider the level of funding required for centrally retained Early Years services provided to the sector by the LA.

1. **Background Documents**

Autumn 2020 Early Years Consultation response:

<https://www.schools.norfolk.gov.uk/-/media/schools/files/school-finance/norfolk-schools-forum/2020-agendas-and-papers/early-years-consultation-response.docx>

Schools Forum minutes Autumn 2020 showing recommendations, paragraph 3a:

<https://www.schools.norfolk.gov.uk/-/media/schools/files/school-finance/norfolk-schools-forum/minutes/minutes-2020-11-13.docx>

**Schools Forum are asked to:**

* **Note the additional early years entitlement funding announced for 2022/23 as part of the Government’s autumn Spending Review;**
* **Note information provided by the DfE in relation to the Early Years Recovery Package (Annex A);**
* **Discuss principles, and provide direction where appropriate, as to how additional funding received for 2022/23 could best be allocated via the local funding formula ahead of further preparation work being undertaken by the LA for recommendation at January Schools Forum meeting.**

**Annex A**



**Factsheet: Early Years Recovery Package**

As part of the autumn Spending Review announcement, the Chancellor has committed to further invest in helping children, young people, and families recover from the effects of the pandemic. The DfE press notice is available here:

[All schools and colleges to receive extra funding for catch up - GOV.UK (www.gov.uk)](https://www.gov.uk/government/news/all-schools-and-colleges-to-receive-extra-funding-for-catch-up)

This follows the £1.4 billion commitment made on 2 June 2021, which included £153 million to build a stronger, more expert workforce in the early years sector. We are now able to share details of how the early years workforce, children and families will benefit from this investment.

**Key messages**

* We know that the earliest years are the most crucial stage of child development, that early education supports children’s social and emotional development, and lays the foundation for lifelong learning.

* The Covid-19 pandemic has exacerbated the outcomes gap, and set back children’s learning and development - particularly in language and maths - and hit those from disadvantaged backgrounds hardest.

* Improving training for early years practitioners is one of the key levers for driving up quality in early education settings.

* We are determined to build back fairer from the pandemic by recognising the impact on the youngest children’s social and personal skills as well as their early literacy and numeracy.

* This £153m investment in Early Years Education Recovery will build a stronger, more expert workforce, enabling settings to deliver high quality teaching and address the impact of the pandemic on the youngest children, with a focus on the most disadvantaged areas.

* These proposals build on our reforms to the Early Years Foundation Stage (EYFS) to accelerate and embed real change for young children, which is more important than ever in light of the impact of the pandemic.
* This £153m package, together with the previously-announced Nuffield Early Language Programme (£17m), and further investment (£10m) in the second phase of the Professional Development Programme, represents an investment of up to £180m of recovery support in the early years sector.

**The Early Years Education Recovery Programme will**:

* Deliver a universal training offer, together with targeted support to leaders and practitioners, to create a more sustainable, self-supporting system;
* Strengthen specialist expertise and leadership in the sector by boosting skills to develop children’s early language and maths, as well as their personal and social development;
* Improve the capacity of the early years workforce to support children with special educational needs; and
* Train practitioners to support parents with home learning, which is one of the biggest drivers of early outcomes and future attainment.

**Early Years Education Recovery Programme delivery:**

1. A **Stronger Practice programme**, comprising three elements –
	1. New, **universally accessible online training** to upskill practitioners and improve their knowledge of child development, so they are better able to support the development of children in their care.
	2. For those settings in need of most support, access to **mentoring** support for early years practitioners to help strengthen children’s learning and development, along with bespoke whole-setting and leadership support, again targeted at settings most in need.
	3. EY **innovation** programme to provide opportunities for settings to explore innovative practice, help grow the evidence base and facilitate cross-sector sharing.
2. An expansion of the **Professional Development Programme** for frontline practitioners, to provide national coverage.
3. A **review ofLevel 3 qualifications***,* leading towards a reformed, evidence based L3 qualification.
4. An expansion of training to increase the number of staff in group-based providers, and childminders, with an **accredited Level 3 SENCO** qualification. This will lead to better identification of SEND, and better support for children with SEND.
5. Substantially expanded numbers of places for **initial teacher training in EY**, to increase the supply of qualified graduates to the sector.
6. Programmes to train early years practitioners to support parents with **home learning**, giving priority to families that would benefit the most. These include intensive home visiting programmes and group-based interventions, proven by trials to improve children’s early language and social and emotional development.

**Schools Forum**

**Item No. 4b**

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| --- | --- |
| **Report title:** | **De-delegation/Central School Services Block** |
| **Date of meeting:** | **17 November 2021** |

 **Executive summary**

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| In this paper Schools Forum members are asked to decide on the de-delegation of services from primary and secondary schools’ budgets in 2022/23, to approve the level of growth fund and growth criteria for 2022/23, and to approve the funding of central services from the Central School Services Block for 2022/23. |

**The Schools Forum members eligible to make decisions or vote on the items in this paper are as follows:**

**Decisions/votes for maintained primary representatives only:**

Martin White, Nebula Foundation (Forum Chair)

Mike Grimble, Avenue Junior School, NGN

Sarah Shirras, St Williams Primary School

**Decisions/votes for maintained secondary representatives only:**

Joanna Tuttle, Aylsham High School

**Decision/vote for maintained special school representative only:**

Rebecca Wicks, The Clare School

**Decision/vote for academy special school representative only:**

Keith Bates, Eaton Hall Specialist Academy

**Decision/vote for nursery school representative only:**

Carole Jacques, Earlham Nursery School

**All other decisions/votes:**

All members of Schools Forum (LA Officers do not vote)

**1. De-delegated Services/Buyback**

Schools Forum are asked to vote separately by **maintained Primary and Secondary sector** on the de-delegation of services (de-delegation to be agreed amongst representatives of those sectors only).

If agreed, the cost of de-delegated services for maintained schools will be removed from the Basic Per-Pupil Entitlement at a single per pupil rate for all year groups, except for Free School Meal eligibility which will be removed from FSM deprivation funding. The paper shows budget estimates based on the October 2020 census data as the LA does not yet have the October 2021 census data which will drive the final 2022/23 de-delegation figures.

Nursery schools, Special Schools, and Special Academies are offered services as a buy back option, as they are not allowed to de-delegate under the statutory finance regulations.

**1.1** **Staff Costs**

The staff cost budgets that may be de-delegated relate to redeployment and safeguarding, maternity cover, supply cover for special circumstances, suspended staff and additional costs relating to disabled staff.

It is proposed that the current practice of allowing Nursery Schools, Special Schools and Special Academies to buy-back into the same fund is continued.

**Annex A** provides more information for each of the staff budgets.

The suggested pupil amounts for each of the staffing budgets included in de-delegation have been reviewed based on the forecast for 2021/22 financial year which totals £1,073,928 (£950,417 for primary after deducting the suggested contributions for buy-back from nursery and special schools, but not secondary schools or special academies as they do not usually de-delegate or use these services). This is divided by the number of pupils for which funding is expected to be de-delegated in 2022/23 to reach a total of £29.85 per-pupil for the combined staffing budgets.

The total forecast spend of £1,073,928 represents a 4% overspend against the de-delegated staffing budget income (including buyback) for 2021/22 of £1,034,068[[1]](#footnote-2) (the actual spend in 2019/20 prior to pandemic was £990,055). The LA expects that the level of budget required is likely to remain at this higher level and therefore the suggested pupil rates for 2022/23 reflect an increase in spend from the de-delegated budgets.

The suggested de-delegation from Basic Per-Pupil Entitlement funding is as follows, based for estimated pupil numbers:

|  |  |  |
| --- | --- | --- |
| **Primary De-Delegation** | **2022/23****Per-Pupil Rate (£) \*** | **2022/23****Indicative Budget (£)** |
|  |  |  |
| Redeployment/Safeguarding | **1.69** | **53,753** |
| Maternity Cover | **25.88** | **823,863** |
| Special Circumstances | **0.83** | **26,286** |
| Suspended Staff | **1.44** | **45,763** |
| Disabled Staff | **0.02** | **752** |
| **TOTAL** | **29.85** | **950,417** |
| Estimated Pupil Numbers\*\* |  | 31,835 |

\* Per-pupil rates shown rounded to 2.d.p.

\*\* Estimated pupil numbers are from the 2022/23 draft APT

**The LA would de-delegate an indicative budget total for staffing costs of £950,417 for the primary sector.**

At the same de-delegation rates per-pupil, if the secondary sector also voted for de-delegation of staffing costs, the indicative contributions for secondary would be:

|  |  |  |
| --- | --- | --- |
| **Secondary De-Delegation** | **2022/23****Per-Pupil Rate (£) \*** | **2022/23****Indicative Budget (£)** |
|  |  |  |
| Redeployment/Safeguarding | **1.69** | **1,840** |
| Maternity Cover | **25.88** | **28,209** |
| Special Circumstances | **0.83** | **900** |
| Suspended Staff | **1.44** | **1,567** |
| Disabled Staff | **0.02** | **26** |
| **TOTAL** | **29.85** | **32,542** |
| Estimated Pupil Numbers\*\* |  | 1,090 |

\* Per-pupil rates shown rounded to 2.d.p.

\*\* Estimated pupil numbers are from the 2022/23 draft APT

**The LA would de-delegate an indicative budget total for staffing costs of £32,542 for the secondary sector.**

Note that final de-delegated budgets may differ based upon final pupil numbers in the 2022/23 APT when de-delegated at the rates shown above (if those rates are agreed by the appropriate Schools Forum representatives).

**Decision 1a – Should staff cost budgets for the primary sector be de-delegated? (To be agreed by maintained primary representatives).**

**Decision 1b – Should staff cost budgets for the secondary sector be de-delegated? (To be agreed by the maintained secondary representative).**

**1.2 Contingencies**

Schools Forum are asked to consider de-delegation of a contingency budget for 2022/23, to be used to meet costs of sponsored academy deficits upon conversion.

Where a school with a deficit is to open as a sponsored academy, the deficit remains with the local authority. If Schools Forum agree to de-delegate a contingency provision, then the deficit may be funded from that contingency. Otherwise, the cost must be funded from the LA’s core budget and, therefore, is effectively a charge to local council taxpayers and not one that the LA has budget for; it would, effectively, reduce the funding available to support schools and the wider system.

No contingency was requested or de-delegated for 2021/22.

However, a de-delegated contingency of circa £25k is now requested for 2022/23 to meet the anticipated costs of writing off a deficit for one primary school, which is expected to convert to a sponsored academy in 2022/23, at an indicative rate[[2]](#footnote-3) of £0.79 per-pupil. The total de-delegated contingency required and, therefore, the per-pupil rate would be finalised once the latest robust deficit forecast is known for the school concerned.

As the anticipated deficit only relates to a primary school, the recommended decision is for de-delegation from primary schools’ budgets only (i.e. excluding the maintained secondary school)

**Decision 2 – To agree de-delegation of a contingency at an indicative rate of £0.79 per-pupil for 2022/23 from primary schools’ budgets, for a budget of £25k (to be agreed by maintained primary representatives).**

**1.3** **Free School Meal eligibility**

The Free School Meal eligibility budget provides schools with a central service for checking free school meal eligibility data.

Maintained mainstream schools, and maintained special schools all use this service, and, therefore, the funding required to run the service, £25k, has been apportioned between the sectors based on estimated FSM[[3]](#footnote-4) pupils as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Primary | Secondary | Special | TOTAL |
| Estimated FSM Pupils | 5,208 | 122 | 497 | 5,827 |
| Share of Budget (£)\* | 22,344 | 523 | 2,132 | 25,000 |

\*Rounded to nearest £

The indicative charge to FSM deprivation funding for mainstream schools would be £4.29 per eligible FSM pupil to cover the costs of this service which include staff costs, postage and other administration costs.

For special schools, which are funded on the basis of place numbers, the cost contribution would be split over funded place numbers of approximately 1,271 equalling £1.68[[4]](#footnote-5) per-place (included in the special schools’ buyback schedule).

The suggested per-pupil/place amount is the rate required to de-delegate a sufficient budget to run the service, £25,000, based on an estimate of 5,827 pupils eligible for Free School Meals in maintained schools.

Note that the final de-delegated budgets may differ when based upon October’21 FSM pupil numbers in the final 2022/23 APT. If the final pupil data results in the de-delegated budget being less than the £25,000 required to run the service, then the rate per-pupil would need to be adjusted accordingly to reach £25,000.

**Decision 3a – Should Free School Meals eligibility be de-delegated for the primary sector (maintained)? (To be agreed by maintained primary representatives).**

**Decision 3b – Should Free School Meal eligibility be de-delegated for the secondary sector (maintained)? (To be agreed by the maintained secondary representative).**

Buyback of FSM eligibility for maintained special schools is included below.

**1.4 Special Schools – Buyback of Services**

A decision on the buyback of services in the 2022/23 financial year is required for special schools (by the maintained and academy special school representatives).

Buyback vs De-delegation

The local authority is not allowed, under the finance regulations, to offer de-delegation of services to special schools in the same way as for maintained mainstream schools.

Instead, special schools are allowed to buy back into the same services.

The services offered for buy back are:

* FSM Eligibility (used by all maintained special schools)
* Staff Costs (safeguarding, maternity, special circumstances, suspended staff, disabled staff)

In previous years the maintained special schools have bought into these services.

We have also offered to hold a central contingency for special schools in previous years, to meet costs that it would be unreasonable to expect to be paid from a school’s budget share e.g. schools in financial difficulty or other circumstances which were unforeseen when setting budget, but this has never been taken up in any year and, hence, is not included within this year’s paper.

The cost for each service is the rate per place delegated to special schools when the central budgets were originally delegated in 2013/14 (except for FSM eligibility which has been updated in line with the current FSM % of special schools).

**Annex B** provides a schedule of the indicative costs based on current number of places in each school for each service is attached (final cost will be based on actual places funded in the initial 2022/23 budget share).

**Decision 4a - The maintained special school representative is asked to decide on the buyback of services for all maintained special schools in the 2022/23 financial year.**

**Decision 4b - The academy special school representative is asked to decide on the buyback of services for academy special schools in the 2022/23 financial year.**

**1.5 Maintained Nursery Schools – Buyback of Services**

A decision on the buyback of services in the 2022/23 financial year is required for maintained nursery schools (by the maintained nursery school representative).

Buyback vs De-delegation

The local authority is not allowed, under the finance regulations, to offer de-delegation of services to maintained nursery schools in the same way as for maintained mainstream schools.

Instead, maintained nursery schools are allowed to buy back into services.

The services offered for buy back (as previously requested by Nursery Schools) are:

* Staff Costs (safeguarding, maternity, special circumstances, suspended staff, disabled staff)

The cost for each service is the same as the rate per pupil used for mainstream staff costs de-delegation.

**Annex C** provides a schedule of the indicative costs, based on the number of hours/FTE in each school, is attached.

**Decision 5 - The maintained nursery school representative is asked to decide on the buyback of services for maintained nursery schools in the 2022/23 financial year.**

**1.6 Growth Fund (Schools Block)**

**The growth fund sits within the School Block and Schools Forum are required to vote on the criteria and amount.**

Required Growth

In 2021/22, £965k was top sliced from the Schools Block for growth fund. The current forecast is for £470k spend in 2021/22, so there is currently an underspend forecast. The amount requested for 2022/23 is, therefore, reduced to £500k.

The following growth fund criteria were agreed for 2022/23 at the May Schools Forum meeting:

* Growth has been identified by the authority as required in the area for the following academic year. i.e. a comparison of numbers between the two October counts, and;
	+ Growth must be the greater of 10% of a year group or 5 pupils and will be funded at 7/12th of Basic Pupil Entitlement, the starting point for the growth must be over and above a school's/academy's current Pupil Admission Number (PAN).
	+ Growth for an additional year group or class will be given at 7/12th of the Pupil Admission Number, e.g. a school/academy is increasing from an intake of 30 pupils to 60 pupils p.a. - school/academy will therefore qualify for 30x7/12th AWPU.
	+ Growth for pre-opening costs for new maintained schools and academies (including free schools) where the school is opening in response to basic need, maximum value based upon the table below:

|  |  |  |
| --- | --- | --- |
| **Type of School** | **Grant funding for first school opening in a given financial year** | **Grant funding for each** **additional school opening** **in the same financial year** **and with the same sponsor** |
| Primary | £195,000 | £125,000 |
| Secondary and all-through | £275,000 | £175,000 |
| AP | £195,000 | £125,000 |
| 16-19 | £225,000 | £145,000 |

* + Growth for post-opening costs for new maintained schools and academies (including free schools) where the school is opening in response to basic need, value negotiated based upon financial plans.
	+ There are no additional payments to schools or academies in respect of Infant Class Size Funding.
	+ Where growth fund payments are made to academies for the period September-March, the payment is continued by the local authority for the following April-August.
	+ Pupils moving from a closing school in advance of that school’s official closure date will be funded at their new school at up to 5/12th of the AWPU value (1/12th for each full month) where the number of pupils received early is the greater of 10% of a year group or 5 pupils. The number of pupils on roll does not need to exceed the PAN.

It is proposed that £500k is retained centrally from the Schools Block for pre-16 growth in 2022/23 and that funding is allocated to schools and academies using the criteria above (including the added criteria for new schools). This includes growth within existing schools and any new schools set up to meet basic need, whether maintained, academy or free school.

**Decision 6a – To approve a £500,000 centrally retained fund for pre-16 growth in 2022/23.**

**Decision 6b – To approve the pre-16 growth fund criteria as detailed in section 1.6 of this paper**

**2. Central School Services Block (including ongoing and historic commitments)**

The Central School Services Block (CSSB) funds local authorities for the statutory duties they hold for both maintained schools and academies. The CSSB brings together:

* Funding previously allocated through the retained responsibilities element of the Education Services Grant (ESG);
* Funding for ongoing central functions, in Norfolk this is admissions, servicing of the Schools Forum and fees to Independent schools without SEN;
* Residual Funding for historic commitments, previously top-sliced from the schools’ block, totalling £122,880 in 2022/23 (the DfE have reduced the allocation for this by 20% compared to 2021/22);
* The licences and subscriptions paid for centrally by the DFE.

Norfolk’s indicative allocation for 2022/23, based on 106,836 pupils, for the Central School Services Block is £3,942,606.

This is just over £35.75 per pupil plus £122,880 for agreed historic costs.

The provisional Central School Services Block figure of £3,942,606 is broken down by the LA as follows:

|  |  |  |
| --- | --- | --- |
|  | **(£)** |  |
| **Forum approval line-by-line:** |  |  |
| Ongoing Central Functions | 617,011 | Approval required |
| Historic Commitments | 184,694 | Approval required |
| **Central Licences (no approval required):** |  |  |
| Central Licences | 663,769 | Indicative DfE deduction |
| **Ongoing Responsibilities requiring Forum approval:** |  |  |
| TPG/TPECG | 180,553 | Approval required |
| Responsibilities held for all schools | 2,296,579 | Approval required |
| **Central School Services Block** | **3,942,606** | **Provisional Allocation** |

**Schools Forum are required to approve the retention of Central School Services Block items as follows:**

Specific budgets:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Category** | **2021/22** | **2022/23** | **Difference** | **Explanation for change** |
| **Ongoing Central Functions – approval required on a line-by-line basis:** |
| **7a**. School Admissions | 487,011 | 487,011 | 0 | No change. This is an allowable item under the regulations |
| **7b**. Servicing of Schools Forum\* | 30,000 | 30,000 | 0 | No change. This is an allowable item under the regulations. |
| **7c**. Fees to independent schools for pupils without SEN | 100,000 | 100,000 | 0 | No change. This is an allowable item under the regulations. |
| **Historic Commitments – approval required on a line-by-line basis:** |
| **7d**. Contribution towards the Director of Learning & Inclusion central budgets - Early Intervention and Achievement.\*\* | 119,700 | 119,700 | 0 | No change. This can be evidenced as a historic commitment prior to April 2013. This meets the rules of contributing towards Education Benefit. |
| **7e**. Termination of Employment Costs (existing pension costs) | 64,994 | 64,994 | 0 | No change. This can be evidenced as a historic commitment prior to April 2013. |
| **Total** | **801,705** | **801,705** | **0** |  |

*\*This covers the clerk to the forum, relevant expenses such as venue hire, supply and travel expenses.*

*\*\* Improvement and Strategy work, Head teacher and Educational conferences.*

**Schools Forum approval is required on a line-by-line basis for each of the items:**

**Decision 7a – To approve the level of Admissions funding (£487,011).**

**Decision 7b – To approve the level of funding for Schools Forum (£30,000).**

**Decision 7c – To approve the level of funding for Fees to Independent Schools for pupil without SEN (£100,000).**

**Decision 7d – To approve the level of contribution towards the Director of Learning & Inclusion central budgets- Early Intervention and Achievement (£119,700).**

**Decision 7e – To approve the level of Termination of Employment Costs (£64,994).**

**2.1 Central School Services Block (Central licences)**

The following licences have been negotiated centrally by the Secretary of State for all publicly funded schools, paid for by the DfE from the LA’s Central School Services Block:

* Christian Copyright Licensing International (CCLI)
* Copyright Licensing Agency (CLA)
* Education Recording Agency (ERA)
* Filmbank Distributors Ltd. (for the PVSL)
* Mechanical Copyright Protection Society (MCPS)
* Motion Picture Licensing Company (MPLC)
* Newspaper Licensing Authority (NLA)
* Performing Rights Society (PRS)
* Phonographic Performance Limited (PPL)
* Schools Printed Music Licence (SPML)

The estimated cost of licences in 2022/23 for all schools based on historic cost is £663,769. Schools Forum approval is not required for this as the final licence cost will be deducted from Norfolk’s DSG allocation by the DfE.

**2.2 Central School Services Block (Responsibilities held for all schools)**

Since April 2021, the Central School Services Block (CSSB) has included an allocation for Teachers’ Pay Grant (TPG) and Teachers’ Pension Employer Contribution Grant (TPECG) in respect of centrally employed staff. The rate for 2021/22 was £1.69 per-pupil and the grants are now included in the baseline per-pupil funding for ongoing responsibilities. Based on indicative pupil numbers the grants included are estimated at £180,553.

The Education Services Grant retained element for ongoing responsibilities held for all schools became part of the Dedicated Schools Grant in September 2017 and now sits within the Central School Services Block. Based on the provisional allocation for 2022/23, indicative funding provided for ongoing responsibilities within the Central School Services Block is £2,296,579.

**Annex D** provides a breakdown of the responsibilities held for all schools.

Schools Forum approval is required for the LA to retain funding from the Central School Services Block for responsibilities held for all schools. DfE guidance does not state that approval is required for retention of the TPG/TPECG element of the CSS Block however for transparency the amount is separately identified in this paper. The total indicative funding requested for responsibilities held for all schools including TPG/TPECG (based on the provisional CSSB allocation for 2022/23) is therefore £2,477,132.

**Decision 8 – Schools Forum to approve funding for responsibilities held for all schools from Central School Services Block, including Teachers’ Pay Grant and Teachers’ Pension Employer Contribution Grant for centrally employed staff (£2,477,132).**

**3. Other De-delegations / Top-slices**

Within the DfE’s School Revenue Funding 2022 to 2023 Operational Guide, [Schools\_revenue\_funding\_2022\_to\_2023.pdf (publishing.service.gov.uk)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1003631/Schools_revenue_funding_2022_to_2023.pdf), the LA can request de-delegation or top-slices for a number of other purposes. At this time, the LA are of the view that schools would not want these responsibilities and funding de-delegated/top-sliced, or the LA is of the view that schools are best placed to make their own decisions:

* De-delegate funding for maintained only responsibilities, e.g. responsibilities detailed in **Annex E** – the LA has never requested de-delegation with provision either traded, the LA core funding covering the costs of any provision required, where appropriate, not covered by the Central School Services Block;
* De-delegate funding for additional school improvement provision – the LA have not previously requested de-delegation for this purpose and have utilised the Monitoring and Improvement Grant to enable this activity to take place. There is a current consultation from the DfE that proposes to reduce the grant by 50% from April ’22, which amounts to £328,488[[5]](#footnote-6). The consultation states that core activities within this remit can be funded by de-delegation from 2022/23.

We haven’t de-delegated this previously. Current consultation says this can include core activities from 2022/23 as DfE are proposing to reduce the M&I grant by 50%. The LA and Schools Forum may need to return to the issue of funding for school improvement provision in the future depending upon the outcome of the current consultation;

* Top-slice Schools Block for Falling Rolls Fund – the LA previously consulted with schools and asked Schools Forum whether this should be de-delegated and the proposal was rejected and the question has not been asked again;
* De-delegation of Behaviour Support – the LA has never requested de-delegation as it has been understood that schools would want to manage these arrangements themselves;
* De-delegation of under-performing ethnic groups and bilingual learners – the LA has never requested de-delegation as it has been understood that schools would want to manage these arrangements themselves;
* De-delegation of Insurance – the LA has never requested de-delegation as it has been understood that schools would want to manage these arrangements themselves;
* De-delegation of Museum and library services – the LA has never requested de-delegation as it has been understood that schools would want to manage these arrangements themselves;
* De-delegation of Licences and Subscriptions outside of central licences scheme – the LA no longer has any additional subscriptions/licences, but de-delegation used to be in place for Consortium of Local Education Authorities for the Provision of Science Services (CLEAPSS) and Norfolk Governance Network (NGN).

At this point in time, the LA is not requesting de-delegation for any of these purposes.

**Annex A – De-delegated / Buyback Staffing Budgets**

**Redeployment/Safeguarding**

Where there is a risk of redundancy, the school is red rag rated, and the reason for redundancy is financial, then redeployment or salary safeguarding may be a less costly option than redundancy costs.

Redeployment/safeguarding inevitably occurs from a staffing adjustment, so the school will already be working with an HR consultant who will advise on costs and whether redeployment/ safeguarding is an option.

Where salary safeguarding costs are paid by the LA, the salary will be re-coded to reflect that contribution.

School Action: Speak to your HR Consultant at an early stage of the staffing adjustment process to establish whether this is an option.

**Supply/Special Circumstances**

This budget covers trade union facility time and other functions, such as jury service and reservist duties.

For trade union facility time, the money pays for trade union officials who are available to all schools. These officials are paid directly from the budget by the HR Business Partner.

School Action: For jury service, and for covering reservist duties, the school should provide evidence of any additional cost incurred to the HR Business Partner, schools. This could be the relevant supply claims or invoices. Where there is additional cost incurred, the school will be reimbursed usually through a journal transfer.

**Maternity Cover**

Anyone on maternity leave and entitled to maternity pay is automatically recoded to the de delegated maternity budget, on the basis of information provided by the school.

**Suspended Staff**

Where a school has agreed with the HR Consultant that an employee should be suspended, the salary is recoded to this budget.

School Action: Speak to your HR Consultant before suspending staff to establish whether this is an option.

**Disabled Staff**

This budget is accessible to schools to support staff who may have additional needs due to disability and enable them to be at work and is decided on a case-by-case basis. In the past this has been used for equipment to enable access to work; training in respect of a disability and for supply cover where it is deemed appropriate (such as phased return to work) and is not covered by the Sickness Insurance Scheme. This does not include Capital Works such as providing ramps for accessibility for those with disabilities, etc.

School Action: The school should be in touch with the HR Consultant about this, and requests are passed to the HR Business Partner. Decisions about spend from this budget will be made alongside other routes that may also provide support, such as Access to Work.

Schools should contact HR in respect of the above for information on these funds. These budgets are not advertised on the intranet as funding is only available in certain situations and schools will usually be in contact with HR when they have an issue.

Further to the above, queries can be directed to the HR Consultant or to hrenquiry@educatorsolutions.org.uk or tocarole.human@norfolk.gov.uk.

**Annex B – Special Schools Indicative Buyback Costs 2022/23**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Rate £** | 1.68 | 2.86 | 68.32 | 10.23 | 10.38 | 2.41 |   |
|  |   |   |  |   |   |   |   |   |   |   |
| **Locn No.** | **DfE** | **School** | **Number** | **FSM Eligibility** | **Staff Costs -** | **Staff Costs -** | **Staff Costs -** | **Staff Costs -** | **Staff Costs -** | **TOTAL** |
|  |   |   | **of** |   | **Safeguarding** | **Maternity** | **Special** | **Suspended** | **Disabled** |   |
|  |   |   | **Places\*** |   |  |  | **Circumstances** | **Staff** | **Staff** |   |
|  |   |   |  | **£** | **£** | **£** | **£** | **£** | **£** | £ |
| **Maintained:** |   |  |  |  |  |  |  |  |   |
| **2650** | 7010 | Chapel Green School | 130.83 | 220 | 374 | 8,939 | 1,338 | 1,358 | 315 | **12,544** |
| **2670** | 7020 | John Grant School | 162.75 | 273 | 465 | 11,119 | 1,665 | 1,689 | 392 | **15,604** |
| **2675** | 7007 | Sheringham Woodfields School | 142.67 | 239 | 408 | 9,747 | 1,460 | 1,481 | 344 | **13,679** |
| **2695** | 7013 | The Clare School | 110.50 | 185 | 316 | 7,549 | 1,130 | 1,147 | 266 | **10,595** |
| **2705** | 7016 | Harford Manor School | 96.75 | 162 | 277 | 6,610 | 990 | 1,004 | 233 | **9,276** |
| **2710** | 7014 | The Parkside School | 175.00 | 294 | 501 | 11,956 | 1,790 | 1,817 | 422 | **16,779** |
| **2715** | 7006 | Hall School | 90.33 | 152 | 258 | 6,172 | 924 | 938 | 218 | **8,661** |
| **2720** | 7001 | Sidestrand Hall School | 192.18 | 322 | 550 | 13,130 | 1,966 | 1,995 | 463 | **18,426** |
| **2721** | 7004 | Fred Nicholson School | 169.58 | 285 | 485 | 11,586 | 1,735 | 1,760 | 409 | **16,259** |
|  |   |   | **1,270.60** | **2,132** | **3,634** | **86,807** | **12,998** | **13,189** | **3,062** | **121,823** |
| **Academy:** |   |   |  |   |   |   |   |   |   |   |
| **2690** | 7021 | Churchill Park School | 217.67 | 365 | 623 | 14,871 | 2,227 | 2,259 | 525 | **20,869** |
| **2723** | 7015 | Eaton Hall Academy | 55.42 | 93 | 158 | 3,786 | 567 | 575 | 134 | **5,313** |
| **7000** | 7000 | Fen Rivers Academy | 48.00 | 81 | 137 | 3,279 | 491 | 498 | 116 | **4,602** |
| **7002** | 7002 | The Wherry School | 98.08 | 165 | 281 | 6,701 | 1,003 | 1,018 | 236 | **9,404** |
| **7005** | 7005 | Bure Park Specialist Academy | 69.50 | 117 | 199 | 4,748 | 711 | 721 | 167 | **6,664** |
| **7011** | 7011 | Duke of Lancaster School | 62.00 | 104 | 177 | 4,236 | 634 | 644 | 149 | **5,944** |
|   |   |   | **550.67** | **924** | **1,575** | **37,622** | **5,633** | **5,716** | **1,327** | **52,797** |
|   |   |   |   |   |   |   |   |   |   |   |
| **\*Number of current places. These will be updated to the number of places funded in the 2022/23 budget share, so final costs may change for each school.** |   |
| **For the new schools, Bure Park Specialist Academy and Duke of Lancaster School, the number of places has been pro-rated for 2022/23 based on growth plans.** |

**Annex C –** **Indicative Nursery Schools Buyback 2022/23**

|  |  |  |
| --- | --- | --- |
| **INDICATIVE NURSERY SCHOOLS BUYBACK 2022/23** | **Staff Costs - Supply/Cover, buyback rate £ per converted F.T.E.** |  |
|  |  |  |  |  |  |  |  |  |  |
| **Loc. Code** | **Dfes No.** | **School** | **Total Hours(Current)\*** | **Redeployment/Safeguarding** | **Maternity** | **SpecialCircumstances** | **SuspendedStaff** | **DisabledStaff** | **TOTAL** |
|  |  |  |  | 1.69 | 25.88 | 0.83 | 1.44 | 0.02 |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  | **£** | **£** | **£** | **£** | **£** | **£** |
| 0004 | 1001 | Emneth Nursery School | 35,710.50 | 64 | 973 | 31 | 54 | 1 | **1,122** |
| 0007 | 1002 | King's Lynn Nursery School | 37,890.00 | 67 | 1,032 | 33 | 57 | 1 | **1,191** |
| 0010 | 1005 | Earlham Nursery School | 47,973.00 | 85 | 1,307 | 42 | 73 | 1 | **1,508** |
|  |  |  | **121,573.50** | **216** | **3,312** | **106** | **184** | **3** | **3,821** |
|  |  |  |  |  |  |  |  |  |  |
| **\*Hours will be updated to the number of hours funded in the 2022/23 budget share, so costs may change for each school.** |  |  |

**Annex D**

**Responsibilities held for all schools**

**Statutory and regulatory duties**

• director of children’s services and personal staff for director (sch 2, 15a)

• planning for the education service (sch 2, 15b)

• revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education (sch 2, 22)

• authorisation and monitoring of expenditure not met from schools’ budget shares (sch 2, 15c)

• formulation and review of local authority schools funding formula (sch 2, 15d)

• internal audit and other tasks related to the local authority’s chief finance officer’s responsibilities under section 151 of LGA 1972 except duties specifically related to maintained schools (sch 2, 15e)

• consultation costs relating to non-staffing issues (sch 2, 19)

• plans involving collaboration with other local authority services or public or voluntary bodies (sch 2, 15f)

• Standing Advisory Committees for Religious Education (SACREs) (sch 2, 17)

• provision of information to or at the request of the Crown other than relating specifically to maintained schools (sch 2, 21)

**Education welfare**

• functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils (sch 2, 20)

• school attendance (sch 2, 16)

• responsibilities regarding the employment of children (sch 2, 18)

**Asset management**

• management of the local authority’s capital programme including preparation and review of an asset management plan, and negotiation and management of private finance transactions (sch 2, 14a)

• general landlord duties for all buildings owned by the local authority, including those leased to academies (sch 2, 14b)

**Other ongoing duties**

• licences negotiated centrally by the Secretary of State for all publicly funded schools (sch 2, 8); this does not require schools forum approval

• admissions (Sch 2, 9)

• places in independent schools for non-SEN pupils (sch 2, 10)

• remission of boarding fees at maintained schools and academies (sch 2, 11)

• servicing of schools forums (sch 2, 12)

• back-pay for equal pay claims (sch 2, 13)

• writing to parents of year 9 pupils about schools with an atypical age of admission, such as UTCs and studio schools, within a reasonable travelling distance (sch 2, 23)

**Historic commitments**

• capital expenditure funded from revenue (sch 2, 1)

• prudential borrowing costs (sch 2, 2(a))

• termination of employment costs (sch 2, 2(b))

• contribution to combined budgets (sch 2, 2(c))

Source: Pre-16 schools funding: local authority guidance for 2022 to 2023 - GOV.UK (www.gov.uk)

**Annex E**

**Responsibilities held for maintained schools only**

**Statutory and regulatory duties**

• functions of local authority related to best value and provision of advice to governing bodies in procuring goods and services (sch 2, 59)

• budgeting and accounting functions relating to maintained schools (sch 2, 75)

• authorisation and monitoring of expenditure in respect of schools which do not have delegated budgets, and related financial administration (sch 2, 60)

• monitoring of compliance with requirements in relation to the scheme for financing schools and the provision of community facilities by governing bodies (sch 2, 61)

• internal audit and other tasks related to the local authority’s chief finance officer’s responsibilities under section 151 of LGA 1972 for maintained schools (sch 2, 62)

• functions made under section 44 of the 2002 Act (Consistent Financial Reporting) (sch 2, 63)

• investigations of employees or potential employees, with or without remuneration to work at or for schools under the direct management of the headteacher or governing body (sch 2, 64)

• functions related to local government pensions and administration of teachers’ pensions in relation to staff working at maintained schools under the direct management of the headteacher or governing body (sch 2, 65)

• retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (sch 2, 78)

• HR duties, including advice to schools on the management of staff, pay alterations, conditions of service and composition or organisation of staff (sch 2, 67), determination of conditions of service for non-teaching staff (sch 2, 67); appointment or dismissal of employee functions (sch 2, 67)

• consultation costs relating to staffing (sch 2, 69)

• compliance with duties under Health and Safety at Work Act (sch 2, 70)

• provision of information to or at the request of the Crown relating to schools (sch 2, 71)

• school companies (sch 2, 72)

• functions under the Equality Act 2010 (sch 2, 73)

• establish and maintaining computer systems, including data storage (sch 2, 74)

• appointment of governors and payment of governor expenses (sch 2, 75)

**Education welfare**

 • inspection of attendance registers (sch 2, 81)

**Asset management**

• general landlord duties for all maintained schools (sch 2, 79a & b (section 542(2)) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have:

• appropriate facilities for pupils and staff (including medical and accommodation)

• the ability to sustain appropriate loads

• reasonable weather resistance

• safe escape routes

• appropriate acoustic levels lighting, heating and ventilation which meets the required standards

• adequate water supplies and drainage

• playing fields of the appropriate standards

• general health and safety duty as an employer for employees and others who may be affected (Health and Safety at Work etc. Act 1974)

• Management of the risk from asbestos in community school buildings (Control of Asbestos Regulations 2012)

**Central support services**

• clothing grants (sch 2, 55)

• provision of tuition in music, or on other music-related activities (sch 2, 56)

• visual, creative and performing arts (sch 2, 57)

• outdoor education centres (but not centres mainly for the provision of organised games, swimming or athletics) (sch 2, 58)

**Premature retirement and redundancy**

• dismissal or premature retirement when costs cannot be charged to maintained schools (sch 2, 78)

**Monitoring national curriculum assessment**

 • monitoring of national curriculum assessments (sch 2, 77)

**Therapies**

 • This is now covered in the high needs section of the regulations and does not require schools forum approval

Source: Pre-16 schools funding: local authority guidance for 2022 to 2023 - GOV.UK (www.gov.uk)

**Schools Forum**

**Item No. 4c**

|  |  |
| --- | --- |
| **Report title:** | **Fair Funding Consultation/National Funding Formula** |
| **Date of meeting:** | **17 November 2021** |

 **Executive summary**

|  |
| --- |
| This report summarises the responses to the autumn 2021 Fair Funding Consultation with Norfolk schools, and sets out the proposed changes to the funding distribution formula of the Schools Block of the Dedicated Schools Grant (DSG) from April 2022.**Schools Forum are asked to:*** **Consider and comment on the proposed changes to the distribution formula of the Schools Block of the Dedicated Schools Grant;**
* **Review the latest DSG forecast;**
* **Consider the feedback from the autumn 2021 Fair Funding Consultation;**
* **Vote on continuation of the movement of 0.5% from the Schools Block to the High Needs Block for 2022-23;**
* **Comment on the potential movement of additional funding (an additional 1%) to the High Needs Block for 2022-23 and provide a clear indication as a Forum as to whether such a movement is supported.**
* **Vote on the proposed change to admissions appeals charges, so that all schools that are their own admissions authority are charged for the use of appeals services from April 2022**.
 |

1. **National Funding Formula 2022-23**

The DfE have announced that the following changes will be made to the 2022-23 National Funding Formula:

* 3% increase to basic entitlement, free school meals at any time in the last 6 years (FSM6), income deprivation affecting children index (IDACI), lower prior attainment (LPA), English as an additional language (EAL) and the lump sum;
* 2% increase to the funding floor, the mandatory minimum per pupil levels (increasing them to £4,265 per-pupil for primary schools and £5,525 per-pupil for secondary schools) and free school meals (FSM);
* Data on pupils who have been eligible for FSM6 is now taken from the October 2020[[6]](#footnote-7) school census instead of the January 2020 census, to make the factor more up to date and bring it in line with arrangements for other NFF factors as well as the pupil premium;
* In calculating low prior attainment proportions, data from the 2019 early years foundation stage profile (EYFSP) and key stage 2 (KS2) tests is used as a proxy for the 2020 tests, following the cancellation of assessment due to coronavirus (COVID-19);
* Pupils who joined a school between January 2020 and May 2020 attract funding for mobility based on their entry date, rather than by virtue of the May school census being their first census at the current school (the May 2020 census did not take place due to coronavirus (COVID-19));
* Further to the consultation on changes to the payment process of schools’ business rates, schools’ business rates will be paid by ESFA to billing authorities directly on behalf of all state funded schools from 2022 to 2023 onwards;
* Improved support for small and remote schools through increasing the maximum sparsity value from £45,000 to £55,000 for primary schools and from £70,000 to £80,000 for secondary schools, as well as changing the methodology to measure distance by road journeys instead of straight-line distances, and applying a new distance taper to dampen changes in funding between years for schools just below the distance thresholds;
* Premises funding which will be allocated at local authority level based on actual spend in 2021-22 (no increases) plus PFI factor will receive RPIX inflation of +3.17%;
* Local authorities have the freedom to set the Minimum Funding Guarantee in the local formulae between +0.5% and +2% per pupil, as well as to use a gains cap applied on the same basis for all schools.

In line with Norfolk’s 2021-22 formula, the local authority intends to follow the National Funding Formula as closely as possible in all the options set out in the consultation for 2022-23 funding.

The table below shows the comparison of 2021-22 NFF funding rates currently used within the Norfolk funding formula and the proposed 2022-23 NFF funding rates for distribution of the additional Schools Block DSG that the Local Authority is expecting to receive.

|  |  |  |
| --- | --- | --- |
| **Funding Factor** | **2021-22 Formula** | **2022-23 Proposed Formula** |
|  | **£ NFF unit rates**  | **£ NFF unit rates** |
|  |  |  |
| **Age Weighted Pupil Unit** |  |  |
| Primary | 3,123 | 3,217 |
| Key Stage 3 | 4,404 | 4,536 |
| Key Stage 4 | 4,963 | 5,112 |
| **Minimum Per Pupil Funding** |  |  |
| Primary | 4,180 | 4,265 |
| Secondary | 5,415 | 5,525 |
| **Additional Needs Funding** |  |  |
| Primary FSM | 460 | 470 |
| Secondary FSM | 460 | 470 |
| Primary FSM6 | 575 | 590 |
| Secondary FSM6 | 840 | 865 |
| Primary IDACI A | 620 | 640 |
| Primary IDACI B | 475 | 490 |
| Primary IDACI C | 445 | 460 |
| Primary IDACI D | 410 | 420 |
| Primary IDACI E | 260 | 270 |
| Primary IDACI F | 215 | 220 |
| Secondary IDACI A | 865 | 890 |
| Secondary IDACI B | 680 | 700 |
| Secondary IDACI C | 630 | 650 |
| Secondary IDACI D | 580 | 595 |
| Secondary IDACI E | 415 | 425 |
| Secondary IDACI F | 310 | 320 |
| **Low Prior Attainment** |  |  |
| Primary LPA | 1,095 | 1,130 |
| Secondary LPA | 1,660 | 1,710 |
| **EAL** |  |  |
| Primary EAL | 550 | 565 |
| Secondary EAL | 1,485 | 1,530 |
| **Mobility** |  |  |
| Primary Mobility | 900 | 925 |
| Secondary Mobility | 1,290 | 1,330 |
| **Lump Sum** |  |  |
| Primary Lump Sum | 117,800 | 121,300 |
| Secondary Lump Sum | 117,800 | 121,300 |
| **Sparsity** |  |  |
| Primary Sparsity | 45,000 | 55,000 |
| Secondary Sparsity | 70,000 | 80,000 |

1. **Fair Funding Consultation**

An online survey was held with schools from Monday 4th October to Friday 22nd October 2021, with schools notified via an MI notification on Friday 1st October, and LA Officers attended the Educate Norfolk Headteacher Briefing on 19th October to present information on the DSG and the funding options being consulted on for 2022/23 to raise awareness of the consultation and to encourage a good level of response.

The following options for the 2022-23 mainstream funding formula were consulted on:

**Option 1 -** Implementation of DfE’s National Funding Formula unit rates and methodologies, with a transfer of £8.473m of Schools Block (0.5% plus a further 1% to High Needs Block).  It is expected that the Minimum Funding Guarantee would be set at +0.50% and there would need to be a funding cap of +2.34%.

**Option 2 -** Implementation of DfE’s National Funding Formula unit rates and methodologies, with a transfer of £2.824m of Schools Block (0.5%) to High Needs Block.  It is expected that the Minimum Funding Guarantee would be set at +2% but there would be no need for a funding cap on gaining schools.

**Option 3 -** Implementation of DfE’s National Funding Formula unit rates and methodologies.  It is expected that the Minimum Funding Guarantee would be set at +2% and there would be no need for a funding cap on gaining schools. It is estimated that an increase of +1.43% above the NFF Basic Entitlement factor values may be possible.

**Note:** If further adjustment is required to calibrate Norfolk’s formula to the final level of DSG funding available for 2022-23 it is proposed that this would be managed as explained below.

For additional funding to allocate, it would be allocated in the following order:

* Increase the level of MFG protection if possible for all schools, within the allowable range of +0.5% and +2%, and increase cap so it is no lower than MFG threshold;
* Remove funding cap on gains if possible;
* Increase the Basic Per-Pupil Entitlements for primary and secondary pupils above NFF values by an equal percentage, until all additional funding is allocated.

If the final DSG allocation for Norfolk is less than expected, the formula would be adjusted in the following order:

* Reduce the level of MFG if necessary;
* Reduce the level of the funding cap (reducing the level of maximum gains) or introduce a funding cap on gaining schools. The funding cap must not be lower than the MFG threshold;
* As a last resort, and not expected to be needed, reduce the Basic Per-Pupil Entitlements of all schools below NFF values by an equal percentage until the formula balances, whilst still meeting minimum per-pupil and MFG requirements.
1. **DSG Deficit Recovery/Forecast**

The Local Authority has reviewed the DSG recovery plan for Norfolk, as it does each academic term. An update is provided below based on 2021-22 forecasts as at the end of September 2021.

Norfolk County Council is fully co-operating with the DfE and a meeting took place between the Local Authority and the DfE in October 2021 to discuss the deficit and plan for recovery. In advance of this meeting, the Local Authority shared the May plan with the DfE (the previous version shared with Schools Forum and on which the Fair Funding consultation was based). During the meeting it was explained that high needs pressures continue to increase and that the autumn update of the DSG recovery plan would see a significant increase in the forecast deficit for the current and future years based upon the increase in specialist places in independent provision being higher than forecast, alongside a significant increase in the average cost of fees charged by the independent sector. **Appendix 2** shows the significant changes to 2021/22 forecast outturn.

The financial modelling for the DSG recovery plan is based upon the best available information at the time of preparation, and some elements of the transformation planned are further through the planning cycle than other elements. This review has taken into account key assumptions relating to:

* Increased forecast outturn for 2021/22, which also affects future year deficits;
* Increased average placement costs for independent provision based on current placement data/costs (where a significant increase in the cost of new placements has been seen this year) and including estimated price inflation of 2% for future years;
* Increased High Needs Block income for 2022/23 based on indicative information provided by the DfE plus an increase from 1% to 2% for future High Needs Block factor increases;
* Further increasing the number of maintained specialist provision to increase quality and reduce placement costs compared to the independent sector;
* Increased Exceptional Circumstances Fund and SEN Support / EHCP Element 3 funding to meet needs being supported within mainstream schools seen in 2021/22 to date;
* Additional online Alternative Provision offer and Section 19 support in line with demand seen;
* Reduced request for EHCP assessments presumed related to pandemic impact rather than an ongoing change in trend on the basis of demand seen 2021-22 financial year – previous years had seen a significant increase in referrals for EHCPs, with an increasing number of children and young people identified as requiring a special school place;
* Updated average cost of placements and support (current and projected) – due to place demand, independent provision tends to increase in cost with each placement whilst, as the transformation programme continues, the cost of new provision can more accurately be calculated;
* Ongoing increase in independent provision reflecting the current market conditions where despite apparent saturation, the market continues to expand and except additional pupils;
* Increases in the High Needs Block allocations in relation to overall schools funding announcements;
* Extended plan to 2025/26

It should be noted that the DSG recovery plan is a based upon a complex financial model, much of which is not within, or fully within, the control of the local authority, such as demand for specialist provision, the price charged by independent providers for new placements and the medium-to-longer term impact of the Covid-19 pandemic upon high needs including alternative provision.

The demand that the local authority is anticipating continues to outstrip supply in future years, based upon the trends seen since the policy changes made in the SEND Reform Act. The local authority is of the view that the funding for the High Needs Block has not kept pace with the financial impact of these policy changes (including the emphasis upon parental choice) and based upon current projections, the significant capital investment and transformation programme that is underway will not be sufficient to sustainably balance the DSG. The outcome of the delayed National SEND Review continues to be awaited, which is of concern to the local authority.

The local authority is of the view that the system as a whole remains underfunded. The recent High Needs Block consultation that the DfE undertook showed that the system had been under-funded for multiple years for many LAs, like Norfolk, which will have significantly contributed to the ongoing deficits. The proposal being consulted upon did not propose back-dated funding to mitigate this under-funding, leaving this historic deficit to the local authorities to resolve, whilst also proposing that there would be a cap on ‘gains’ of 12% (later reduced to 11% for indicative 2022/23 NFF allocations), meaning Norfolk continues to be under-funded.

To be able to properly meet the needs of Norfolk’s population, the local authority is of the view that central government needs to allocate both sufficient revenue funding and capital funding, with the capital funding sufficient to both maintain the condition of existing maintained special schools, but also to expand provision (similar to capital grant allocations for mainstream schools). The role that capital investment could play is vital to support the recovery of Norfolk, and other authorities’, High Needs Block. It could mean that placements can move from expensive independent provision into state-funded special schools. Sufficient capital investment has not been forthcoming from central government for many years and whilst recent announcements are welcomed as a starting point, the local authority is of the view that it is not sufficient to fully meet the place needs of children with high SEND. The local authority is aware that previous capital funding for specialist provision that has been open to a national bidding process has not been allocated based on greatest sufficiency need, and so are lobbying government that the £2.6bn capital recently announced is directed to those authorities where it will deliver the biggest benefit. Investing in the right provision would deliver significant revenue benefits for high needs spending within Norfolk, as well as delivering improvements in outcomes for children and young people.

In addition, the local authority is of the view that central government need to properly regulate the independent sector both in terms of the quality of the provision and, therefore, the outcomes for some of our most vulnerable children and young people, but also with regards to their charges. Due to the levels of demand across the region, and nationally, normal market economics are not in effect, leaving local authorities obliged to meet the charges dictated by providers, even if these do not represent value for money.

Despite all of these challenges, Norfolk are still anticipating the delivery of significant savings, as shown in the table below, which represent delivery of the new maintained specialist provision and specialist resource bases as a result of Norfolk County Council’s £120m capital investment – the savings presume that the alternative would be increased independent provision, which seems a realistic assumption considering how the independent market continues to expand even when it appears to have reached saturation point:

|  |  |
| --- | --- |
| **£m** | **Forecast (£m)** |
| **2020/21** | **2021/22** | **2022/23** | **2023/24** | **2024/25** | **2025/26** |
| Savings (new in-year savings) | -1.373 | -3.628 | -7.256 | -5.030 | -2.947 | -1.979 |
| Savings (ongoing and new in-year) | -1.373 | -5.001 | -12.257 | -17.287 | -20.234 | -22.213 |
| Savings (cumulative total) | -1.373 | -6.374 | -18.630 | -35.917 | -56.152 | -78.365 |

The cumulative DSG deficit carried forward from 2020-21 was £31.797m and is currently forecast to reach £52.822m at the end of the current financial year.

The level of deficit is forecast to rise based on current forecast demand for places to £129.680m at the end of the 2025-26 financial year, taking into account identified mitigating actions, such as 4 new special schools being built and opened, planned specialist resource base provision is opened, and that there is a 1.5% transfer from Schools Block to High Needs Block each year. This assumption is made upon the basis of the current DSG regulations which state that a deficit must be carried forward to be dealt with from future DSG income, unless the Secretary of State authorises the LA not to do this. As the level of High Needs Block funding provided is not sufficient to meet demand, the only way to maximise DSG income to mitigate the DSG deficit is to request Schools Block to High Needs Block transfers each year. Without the Block transfers, the cumulative deficit is forecast to exceed £164m.

If the increased demand was fully met by increased independent provision, rather than through Norfolk County Council’s £120m capital programme, then the cumulative deficit by 2025-26 would be expected to be at least £22m per annum higher (cumulative deficit would be in the region of £78m higher) for the same number of places. The quality of provision and outcomes for children and young people is significantly and consistently better in the maintained and academy sector; thus, the programme will deliver significant non-financial benefits for children and young people as well as financial benefit.

The forecast in-year deficit reduces in 2022-23 and 2023-24, prior to rising again from 2024-25 onwards. The funding uplift seen in 2022-23 provides some ‘respite’ and brings spend more in line with income, but this improvement is mitigated in future years as income is not expected to rise in line with spend increases. The expected significant supply of new provision into the state-funded sector in 2022-23 (following the increase in 2021-22) does provide benefit, with a shift in the proportion of children with high SEND having their needs met in the maintained and academy sector rather than the independent sector, but the ongoing demand outstrips this.

The scale of the challenge faced by Norfolk within the current funding arrangements from the Government is immense, as demonstrated in the DSG forecast provided below. HNB funding for future is estimated on a prudent basis of 2% for each income factor, plus the basic entitlement factor for growth in specialist places, until further clarity is received regarding funding distributions to be expected. This was on the basis that the DfE advised that the 1% previously allowed was probably too low.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **DSG Recovery Plan, £m** | **Outturn** |  |  |  |  |  |
| **2018/19** | **2019/20** | **2020/21** | **2021/22** | **2022/23** | **2023/24** | **2024/25** | **2025/26** |
| High Needs Block DSG Income | 80.462 | 81.917 | 93.311 | 103.840 | 114.911 | 117.245 | 119.388 | 121.394 |
| 0.5% Schools Block Transfer | 2.365 | 2.410 | 2.535 | 2.621 | 2.824 | 2.853 | 2.881 | 2.910 |
| Additional Schools Block to High Needs Block Transfer | 0.000 | 4.580 | 0.000 | 0.000 | 5.649 | 5.705 | 5.763 | 5.820 |
| Schools Block / Early Years Block / Central Services Schools Block Underspends | 4.095 | 1.491 | 0.369 | 0.240 |   |   |   |   |
| **Total Resources** | **86.922** | **90.398** | **96.215** | **106.701** | **123.384** | **125.803** | **128.032** | **130.124** |
|   |   |   |   |  |  |  |  |  |
| Placement Budget starting point |   |   | 87.103 | 93.441 | 106.155 | 114.467 | 121.105 | 125.985 |
| Demographic Growth |   |   | 7.711 | 16.342 | 15.568 | 11.668 | 7.827 | 6.322 |
| Savings |   |   | -1.373 | -3.628 | -7.256 | -5.030 | -2.947 | -1.979 |
| **Total Placements** | **80.488** | **87.103** | **93.441** | **106.155** | **114.467** | **121.105** | **125.985** | **130.328** |
|  |  |  |  |  |  |  |  |  |
| Early Intervention SEN Funding | 6.075 | 8.762 | 10.021 | 14.021 | 14.771 | 15.521 | 16.271 | 17.021 |
| New Special School Start-up Costs |   |   | 0.113 | 0.572 | 0.314 | 0.000 | 0.000 | 0.000 |
| Speech and Language Therapy Service contribution | 0.771 | 1.002 | 1.004 | 1.100 | 1.004 | 1.004 | 1.004 | 1.004 |
| Sensory Support | 1.624 | 1.623 | 1.623 | 1.623 | 1.623 | 1.623 | 1.623 | 1.623 |
| Youth Offending Team contribution | 0.290 | 0.290 | 0.290 | 0.290 | 0.290 | 0.290 | 0.290 | 0.290 |
| Child and Adolescent Mental Health Service contribution | 0.251 | 0.251 | 0.251 | 0.251 | 0.251 | 0.251 | 0.251 | 0.251 |
| High Needs Inclusion Infrastructure | 0.774 | 0.795 | 1.573 | 1.967 | 1.967 | 1.967 | 1.967 | 1.967 |
| Permanent Exclusion charges | -0.999 | -1.082 | -0.506 | -0.781 | -0.900 | -0.900 | -0.900 | -0.900 |
| Other | 0.447 | 0.469 | 0.498 | 0.642 | 0.642 | 0.642 | 0.642 | 0.642 |
| Teachers' Pay Grant and Teachers' Pension Employer Contribution Grant |   |   |   | 1.886 | 2.055 | 2.190 | 2.294 | 2.374 |
| **Total Expenditure** | **89.722** | **99.214** | **108.308** | **127.726** | **136.484** | **143.693** | **149.426** | **154.599** |
|   |   |   |   |  |  |  |  |  |
| **Surplus (+)/Deficit (-)** | **-2.800** | **-8.816** | **-12.093** | **-21.025** | **-13.100** | **-17.889** | **-21.395** | **-24.475** |
|  |   |   |   |   |   |   |   |   |
| **Cumulative Deficit** | **-10.887** | **-19.703** | **-31.797** | **-52.822** | **-65.921** | **-83.811** | **-105.206** | **-129.680** |
|  |  |  |  |  |  |  |  |  |
|  |
|  |  |  |  |  |  |  |  |  |
| **Placements Costs by type, £m:** | **2018/19** | **2019/20** | **2020/21** | **2021/22** | **2022/23** | **2023/24** | **2024/25** | **2025/26** |
| Maintained / Academy / Free Special Schools | *31.587* | *34.260* | *36.260* | *38.879* | *43.385* | *46.484* | *48.245* | *49.586* |
| Independent Special Schools | *25.604* | *30.456* | *33.050* | *40.481* | *42.900* | *45.409* | *47.969* | *50.579* |
| Section 19 Placements and Support^ |  | *0.060* | *0.938* | *1.303* | *1.303* | *1.303* | *1.303* | *1.303* |
| Alternative Provision | *6.455* | *4.693* | *4.198* | *2.456* | *2.413* | *2.413* | *2.413* | *2.413* |
| Post-16 (Further Education) | *6.440* | *6.774* | *7.090* | *7.443* | *7.422* | *7.820* | *8.255* | *8.646* |
| Specialist Resource Bases & Deaf Resource Bases | *3.089* | *3.242* | *3.714* | *5.060* | *6.510* | *7.142* | *7.267* | *7.267* |
| Personal Budgets | *0.451* | *0.501* | *0.246* | *0.501* | *0.501* | *0.501* | *0.501* | *0.501* |
| Short Stay Schools | *6.129* | *6.821* | *7.110* | *9.071* | *9.071* | *9.071* | *9.071* | *9.071* |
| Other Local Authority Recoupment | *0.734* | *0.298* | *0.837* | *0.962* | *0.962* | *0.962* | *0.962* | *0.962* |
| **Total Placement Costs** | **80.488** | **87.103** | **93.441** | **106.155** | **114.467** | **121.105** | **125.985** | **130.328** |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
| **Placements Numbers by type:** | **2018/19** | **2019/20** | **2020/21** | **2021/22** | **2022/23** | **2023/24** | **2024/25** | **2025/26** |
|  Maintained / Academy / Free Special Schools | *1,484* | *1,539* | *1,630* | *1,838* | *1,993* | *2,100* | *2,171* | *2,227* |
| Independent Special Schools | *615* | *847* | *922* | *1,046* | *1,096* | *1,146* | *1,196* | *1,246* |
| Section 19 Placements and Support^ |  | *83* | *33* | *120* | *120* | *120* | *120* | *120* |
| Alternative Provision | *351* | *252* | *113* | *120* | *120* | *120* | *120* | *120* |
| Post-16 (Further Education) | *588* | *677* | *632* | *659* | *689* | *722* | *757* | *795* |
| Specialist Resource Bases & Deaf Resource Bases | *242* | *242* | *260* | *356* | *442* | *468* | *468* | *468* |
| Personal Budgets | *55* | *65* | *52* | *52* | *52* | *52* | *52* | *52* |
| Short Stay Schools | *350* | *370* | *370* | *432* | *432* | *432* | *432* | *432* |
| Other Local Authority Recoupment | *74* | *83* | *94* | *94* | *94* | *94* | *94* | *94* |
| **Total Placement Numbers** | **3,759** | **4,158** | **4,106** | **4,717** | **5,038** | **5,254** | **5,410** | **5,554** |
| ^ Section 19 placements and support were not historically identified separately |
| ^ Section 19 pupils are not placements as such, but are pupils that the LA has a statutory duty to support whilst they are either on the waiting list for Short Stay School, CME, or awaiting specialist placement. |

1. **Funding Formula Consultation Responses**

The Local Authority received 31 completed responses to the online survey. Of these responses:

* 27 were from individual schools within the Primary sector
* 3 were from academy trusts representing multiple academies
* 1 was an individual response from the Chair of Schools Forum

A total of 50 schools were represented within the responses, out of 423[[7]](#footnote-8) state-funded schools in Norfolk, excluding the response from the Chair of Schools Forum.

The overall number of **schools** represented within each of the responses were as follows:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Primary** | **Secondary** | **Federations** | **Academy Trusts** | **Total** |
| **Number of Responses** | 27 | 0 | 0 | 3 | **30\*** |
|  |  |  |  |  |  |
| **Representing:** |  |  |  |  |  |
| Infant | 1 |  |  |  | **1** |
| Junior |  |  |  |  |  |
| Primary | 26 |  |  | 17 | **43** |
| Secondary |  |  |  | 4 | **4** |
| Special School |  |  |  | 2 | **2** |
| Sixth Form Only |  |  |  |  |  |
| **Total Schools** | **27** | **0** | **0** | **23** | **50** |

\*Plus 1 response from Chair of Schools Forum

The number of **pupils** represented within the responses was as follows (out of c.118k[[8]](#footnote-9) pupils in state-funded schools in Norfolk):

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Primary**  | **Secondary**  | **Federations** | **Academy Trusts** | **Total** |
| **Number of Responses** | 27 | 0 | 0 | 3 | **30\*** |
|  |  |  |  |  |  |
| **Total Pupils** | **6,395** | **0** | **0** | **10,069** | **16,464** |

\*Plus 1 response from Chair of Schools Forum, for whom no pupil numbers are shown

The LA has not received the level of response seen historically to the annual Fair Funding Consultation since the onset of the pandemic. In the two years prior to the pandemic, an average of 81 responses were received each year so the response rate has since reduced by more than 60%. However, this is understandable given the increased pressures on school leaders, and the LA appreciates all of the responses received during this busy time.

In our survey, we asked schools to rank the following options for the 2022-23 mainstream schools’ funding formula:

**Option 1 -** Implementation of DfE’s National Funding Formula unit rates and methodologies, with a transfer of £8.473m of Schools Block (0.5% plus a further 1% to High Needs Block).  It is expected that the Minimum Funding Guarantee would be set at +0.50% and there would need to be a funding cap of +2.34%.

**Option 2 -** Implementation of DfE’s National Funding Formula unit rates and methodologies, with a transfer of £2.824m of Schools Block (0.5%) to High Needs Block.  It is expected that the Minimum Funding Guarantee would be set at +2% but there would be no need for a funding cap on gaining schools.

**Option 3 -** Implementation of DfE’s National Funding Formula unit rates and methodologies.  It is expected that the Minimum Funding Guarantee would be set at +2% and there would be no need for a funding cap on gaining schools. It is estimated that an increase of +1.43% above the NFF Basic Entitlement factor values may be possible.

The number of votes per ranking for each of the options following consultation was as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Option** | **1st** | **2nd** | **3rd** |
| **Option 1** - £8.473m (1.5%) transfer to HN Block | 4 | 6 | 21 |
| **Option 2** - £2.824m (0.5%) transfer to HN Block | 20 | 9 | 2 |
| **Option 3** - No transfer to HN Block | 7 | 16 | 8 |

The survey system used (Smartsurvey) applies a weighting to each of the rankings, with options ranked 1st receiving the highest weighting, as follows:

|  |  |
| --- | --- |
| **Rank** | **Weighted Score** |
| 1st | 3 |
| 2nd | 2 |
| 3rd | 1 |

Applying these weightings, the survey system ranks the overall order of preference of the options as follows:

|  |  |  |
| --- | --- | --- |
| **Option** | **Weighted Score** | **Overall Ranking** |
| **Option 2** - £2.824m (0.5%) transfer to HN Block | 80 | 1 |
| **Option 3** - No transfer to HN Block | 61 | 2 |
| **Option 1** - £8.473m (1.5%) transfer to HN Block | 45 | 3 |

However, this is based on a single ranking per response and does not take into account the number of schools represented by federations and academy trusts.

Applying the submitted rankings to the overall number of schools represented (with schools within a federation or academy trust assumed to vote in the same ranked order), gives the following results (50 schools represented plus 1 response from the Chair of Schools Forum):

|  |  |  |  |
| --- | --- | --- | --- |
| **Option** | **1st** | **2nd** | **3rd** |
| **Option 1** - £8.473m (1.5%) transfer to HN Block | 14 | 6 | 31 |
| **Option 2** - £2.824m (0.5%) transfer to HN Block | 24 | 25 | 2 |
| **Option 3** - No transfer to HN Block | 13 | 20 | 18 |

Applying the weighted score to these results gives:

|  |  |  |
| --- | --- | --- |
| **Option** | **Weighted Score** | **Overall Ranking** |
| **Option 2** - £2.824m (0.5%) transfer to HN Block | 124 | 1 |
| **Option 3** - No transfer to HN Block | 97 | 2 |
| **Option 1** - £8.473m (1.5%) transfer to HN Block | 85 | 3 |

Therefore, the result of the consultation based on the number of schools represented, is also a preference for a transfer of only £2.824m (0.5%) to the High Needs Block, followed by no transfer to the High Needs Block, with a transfer of £8.473m (1.5%) to the High Needs Block being the least favoured option.

Appendix 1 provides the transcript of comments submitted by providers in support of their responses, grouped by preference of each option.

1. **Local Authority Block Transfer Proposal**

It is proposed to continue to implement the unit values and methodologies of the National Funding Formula, updated for the financial year 2022-23, as this was the basis for all options given in the consultation and in line with previous Schools Forum recommendations to align Norfolk with the NFF factors and unit values.

However, the Local Authority (LA) is expected by the DSG regulations to repay the DSG deficit from within DSG allocations and therefore the LA recommends the higher transfer of funding of 1.5% from Schools Block to High Needs Block, in spite of the preference for a transfer to High Needs Block of only 0.5%, indicated through responses to the consultation.

The LA recognises the pressures on schools’ budgets and the desire of schools to receive the maximum funding possible directly into their budgets via the funding formula, and that maximising funding in schools may support increased inclusivity and reduced escalation of needs.

However, the LA must weigh this up against the demand for specialist high needs SEND provision, the current and forecast levels of DSG deficit and be responsible in considering how the deficit can be repaid from within the DSG in future years, as required by the regulations. The LA is required to have a plan in place for recovery of the DSG, as per Norfolk’s plan included in this report, which must be presented to the DfE as well as to Schools Forum.

The LA also recognises the feedback from some schools both within this consultation, and through other channels, regarding the need for more, earlier support for high needs within the mainstream sector. The LA are considering whether significantly increasing earlier intervention funding could lead to reduce need in later years, which could see a significant shift in the current trajectories. The LA will engage with Schools Forum further in due course.

The LA also recognises the difficulty that this situation presents for Schools Forum members in recommending an option for the 2022-23 funding formula. Schools Forum members are asked to take into account the views of schools’ responses from the consultation, but also to consider the wider landscape of the DSG in making their recommendation to the LA.

Norfolk’s current DSG Recovery Plan is underpinned by two key elements:

* the £120m capital investment to build new special schools, specialist resources bases and to develop student support hubs;
* and, the assumption of ongoing transfers of funding between the Schools Block and High Needs Block (0.5% plus a further transfer of 1%).

The LA is therefore minded to submit an application to the Secretary of State for an additional 1% transfer, estimated at £5.649m, and, if necessary, the movement of the 0.5% estimated at £2.824m (if Schools Forum vote against the 0.5% movement). In doing so the LA will be required to demonstrate, with a business case, that this is the best possible option for Norfolk as a whole schools system.

1. **Admissions Appeals Charges Consultation Responses**

Following review by a sub-group of the Schools Forum led by the Vice Chair, it was agreed at the July 2021 Schools Forum meeting to consult with schools on a proposed change to the current admissions appeals charging arrangements.

Currently, Norfolk County Council budget covers the cost of all maintained schools’ admissions appeals charges. Dedicated Schools Grant is not used for this purpose.

Academies and free schools are charged for services for admissions appeals.

Pre-Covid, for academies and free schools, the charges were as follows:

• £325 for the first appeal, £150 for each subsequent appeal for multiple appeal hearings;

• If a translator was required, the full cost was recharged to the academy/free school;

• £850 for an independent review panel for exclusion (if an SEN expert attended the full cost was charged to the academy/free school).

A revised charging policy was introduced from April 2020 to reflect all appeals held virtually during the pandemic, reducing costs for schools, and these arrangements are currently expected to continue until September 2022:

The charge is reduced to £150 per appeal, in line with the pre-Covid cost of multiple appeals, and in recognition of some reduction to associated costs e.g. venue hire.

The cost for an independent review panel for exclusion is also reduced to £750.

Charges are reviewed annually and will reflect the arrangements in place at that time.

The Local Authority is the admissions authority for Community and Voluntary Controlled schools, whilst Foundation and Voluntary Aided schools are their own admissions authority in the same way that academies and free schools are.

The Local Authority currently charges admissions appeals to academies and free schools but not to maintained Foundation and Voluntary Aided schools, despite all of them being their own admissions authority. This anomaly was raised at Schools Forum. Subsequently a sub-group of Schools Forum was raised to review overall appeal arrangements and following that review it was agreed that schools should be consulted on a change to the current charging arrangements to address this anomaly.

Schools Forum members considered four different approaches:

* Continue with current arrangements, with only free schools and academies charged for admissions appeals. Maintained schools costs covered by NCC budget.
* Charge all schools and academies that are their own admissions authority (academies, free schools, VA, Foundation) with NCC budget continuing to meet the costs of VC and Community schools’ appeals charges.
* Charge all maintained schools and academies for admissions appeals.
* Meet the costs of charges for all maintained schools and academies centrally via a top-slice to the DSG.

After deliberation, Schools Forum members agreed that the Local Authority should consult with schools on a proposal to amend the current charging arrangements so that admissions appeals charges are made to all schools that are their own admissions authority. This includes Academies, Free Schools, Voluntary Aided, and Foundation schools. NCC budget would continue to cover the appeals charges for Voluntary Controlled and Community schools as NCC is the admissions authority for those schools.

This option would address the current anomaly of charging different school types by extending charging to VA and Foundation schools, so that all schools and academies that are their own admissions authority would then be charged for appeals administration.

The appeals costs for Voluntary Controlled and Foundation schools would still be covered by NCC budget.

The following question was asked in the autumn consultation with schools:

**Question: Should Admissions Appeals charging arrangements be amended so that all schools and academies that are their own admissions authority are charged for appeals services?**

The responses received are shown below:

|  |  |  |
| --- | --- | --- |
|  | **Response Total** | **Response %** |
| **Yes** | 18 | 58.06% |
| **No** | 6 | 19.35% |
| **Unsure** | 7 | 22.58% |

Appendix 1 provides the transcript of comments submitted by providers in support of their responses.

**Schools Forum are asked to:**

* **Consider and comment on the proposed changes to the distribution formula of the Schools Block of the Dedicated Schools Grant;**
* **Review the latest DSG forecast;**
* **Consider the feedback from the autumn 2021 Fair Funding Consultation;**
* **Vote on continuation of the movement of 0.5% from the Schools Block to the High Needs Block for 2022-23;**
* **Comment on the potential movement of additional funding (an additional 1%) to the High Needs Block for 2022-23 and provide a clear indication as a Forum as to whether such a movement is supported.**
* **Vote on the proposed change to admissions appeals charges, so that all schools that are their own admissions authority are charged for the use of appeals services from April 2022**.

**Useful Links**

NFF Tables for Schools & High Needs 2022-23:

<https://www.gov.uk/government/publications/national-funding-formula-tables-for-schools-and-high-needs-2022-to-2023>

Schools Revenue Funding Operational Guidance 2022-23:

<https://www.gov.uk/government/publications/pre-16-schools-funding-local-authority-guidance-for-2022-to-2023/schools-operational-guide-2022-to-2023>

**Appendix 1**

Comments verbatim as submitted through the survey, including if there appear to be errors in understanding of the factual data provided or it appears that the comment seems to prefer an alternative option to the one ranked as first choice.

Preference of Option 1:-

*“The High Needs block overspend needs to be addressed. While as a Trust, we would significantly benefit more than most through either option 2 or 3 we recognise that a re-balancing of funding based on need is required. A significant amount of "waste" or "valueless" time is currently consumed through schools making business cases for exceptional funding and the ratioing process of EHCP funding or challenges waiting for a special school or AP place to be available. Mainstream cannot have its cake and eat it - if it wants those aforementioned challenges dealt with then it must accept the proposed greater transfer from the schools block under Option 1. If it does not wish to do so, it must accept the current challenges with High Needs provision.”*

*“This seems the only way to support the High Needs Block*”

*“the SEND needs in the county need to be addressed to take the pressure of mainstream schools”*

Preference of Option 2:-

*“A compromise option showing schools willingness to support underfunded HNB while securing some benefits for the schools of per-pupil increases delivered through NFF.”*

*“Significant number of SEND children in mainstream schools that need to be supported and these schools resourced appropriately.”*

*“Minimum impact on our school”*

*“Option 2 seems fairer option, it provides school with higher funding level whilst maintaining support for the High Needs block”*

*“Whilst I can see the need for extra money being moved to the high needs sector and the potential longer term benefits of this for the mainstream sector, the reality is that we simply can not afford to reduce our funding, as we are already struggling to meet the needs (often 1:1) for an increasing number of children with complex needs!”*

*“I understand the need for the schools block to support the high needs block however I am concerned the support that schools have given for years and years has made no impact whatsoever on the huge increasing deficit & I can see that this will never change whilst on the ground schools are NOT seeing the benefit of this. Not one child has been accepted into a specialist placement from our school for many years despite extremely high levels of need - which we are told are too high for the specialist placements and as educators we have to see these children suffer emotionally and mentally whilst they go to appeals and in the end just accept there is nothing for them. Happy to talk to anyone.”*

*“Having considered choices - seems best.”*

*“Best choice.”*

*“Whilst I accept that NCC need to reduce their deficit. The time taken to provide specialist places/support in schools is too lengthy. So in the meantime, the only way we can continue to support pupils in school with very High Needs is with funding for additional support staff. Where exceptional funding is granted for this for time limited periods, the calculation is based on what staff receive not what staff cost the school with oncosts. This is unsustainable and counterprouctive as schools reach breaking point far sooner.”*

*“With a very high % of pupils with SEND (25%) many of these with high end and complex needs, requiring additional support, we are already extremely stretched financially. Creating a system where these pupils can be appropriately funded within mainstream where possible and appropriate, would be far more sustainable, rather than expanding the ever growing pot that funds pupils out of county or in extremely expensive alternative provisions.”*

*“The school fully appreciate the need to support the High Needs Block. However, the school feel tat the technical paper summary shows that larger schools it wont matter which option as they will get 2% anyway. it is schools with lower pupil numbers that show variance in the percentage gain. Some smaller schools could end up with less that 1% with option 1, which does not seem fair on smaller schools. We are happy to support the High needs block, but not to the extent where the smaller schools are losing out and getting less of a gain than the majority.”*

Preference of Option 3:-

*“The consultation does not explain how the proposed transfers would bring about changes so that wrap around services were available to schools to sustain an inclusive approach as part of a wider system, to produce longer term savings in the HNB. Our view is that funding is currently best placed in the Trust in order to continue the strong work all our schools do in terms of inclusivity and filling the gap where they are insufficient early help services. This is undertaken from limited resources, with the risk being that if stretched too thinly, will impact on all children in the schools and put our inclusive approach at risk.”*

*“More funding for pupils in schools that manage their budgets well, rather than to subsidise the LA's poor management of SEN funding over years.”*

*“This is the option that would most benefit the vast majority of pupils following a difficult period in the previous 2 years.*

*I am choosing the most financially beneficial option for my school. With a new school opening in Wymondham in 2024, our pupil numbers are sure to dip and we need to build in contingencies for that! Additionally, I feel strongly that SEN should be further funded through Central Government. Mainstream schools are regularly forced to keep children in their provisions when Special Education is clearly what the children need to succeed. This comes at a very high cost which is only partly funded (even for high needs), therefore we need as much funding in our budget as possible.”*

*“The funding is needed to fund the SEND children in mainstream schools.”*

Admissions Appeals Charging

*“This is a fair approach, where oversubscribed schools (often in a good financial health) will cover the costs related to their appeals.”*

*“Yes, if Trusts/Schools have decided to adopt their own admissions procedures (for their own benefit) that contrast to those of the Local Authority, then they should have to cover the cost of appeals.”*

*“We are a community school so would benefit if the costs are picked up by NCC especially as they are responsible for our admissions”*

*“absolutely - a service is provided - pay for it.”*

*“This is standard practice in other authorities. If academies choose to buy into the LA admissions services then this will be funded but maintained schools should be subsidising this.”*

*“Not sure what the current situation is”*

*“Finances should not play a part in securing the right placement for a child. Provision alone should be the factor. By charging schools this becomes an element of accountability that is not always within the schools control”*

*“If schools choose to use their own admissions authority, they should be responsible for funding their own appeals.”*

*“Seems fair”*

*“This feels both sensible and equitable as a way to address the current anomaly identified at schools forum.”*

General Comments:-

*“The papers are good but a more detailed and costed approach to how the High Needs block will be brought back into breakeven with the transfer (i.e. how the strategic will be operationalised) would likely make a more convincing argument for many mainstream schools and academy trusts.”*

*“It will be difficult to expect schools and academies to continue to support transfers to the High Needs Block if next year there is another, near identical, consultation with the deficit just as large or getting even bigger.”*

**Appendix 2**

Changes in forecast outturn for 2021/22 within DSG Recovery Plan update:

|  |  |  |
| --- | --- | --- |
| **DSG Recovery Budget Line** | **Change £m\*** | **Comments** |
|   |   |   |
| **High Needs Block** |  |  |
|   |   |   |
| **Placements:** |  |  |
| Maintained/Academy/Free Special Schools | 0.786 | 39 additional places opened not previously anticipated as the sector has responded to demand and other ad hoc funding agreed to meet needs |
| 0.041 | Minor adjustments, including starters and leavers. |
| 0.083 | New Special School Start-up Costs - Update funding from 2021-22 to 2022-23 |
| Independent Special Schools | 5.442 | 8 additional places in Independent provision PLUS 66 additional pupils receiving other therapies & support and fee increases from some providers. Increase in average cost from £40k to £46k per place since April 2021 due to market economics (approx. £5m of increase) |
| Section 19 Placements and Support | 0.193 | Move to provide full time education for pupils (25 hours instead of 15 hours per week) |
| Alternative Provision | 0.195 | New online offer added July 2021 and pupil changes to reflect changing demand |
| Post-16 (Further Education) | 0.268 | Pupil number changes to reflect demand seen |
| Specialist Resources Bases & Deaf Resource Bases | 0.046 | Increase due to re-calculation of modelled assumptions vs outturn |
| Other Local Authority Recoupment | 0.132 | Additional places/extension of funding agreements |
|   |   |   |
| **Early Intervention SEN Funding:** | 2.341 | Exceptional Circumstances Fund: large increase in applications for Summer and Autumn 2021 |
| 1.381 | Mainstream VS SEN Support/EHCPs Element 3: large increase in applications |
|   |   |   |
| **Permanent Exclusion Charges** | 0.119 | Updated income (possible effect from Covid) |
|   |   |   |
| **Other (HN Block):** | 0.044 | Minor amendments |
|  |   |   |
| **TOTAL Expenditure (£m)** | **11.071** |  |
|   |   |   |
| **High Needs Block Total** | **0.087** | HN Income actual lower than forecast |
| **Schools Block Underspends** | **-0.240** | Estimated Schools Block underspend as at Sept 2021 |
|  |   |   |
| **TOTAL Resources (£m)** | **-0.153** |  |
|   |   |   |
| **Total Surplus (+)/Deficit (-) Movement in 2021/22** | **10.918** |  |
| \*All figures are shown to 3.d.p. |   |   |

**Schools Forum**

**Item No. 4d**

|  |  |
| --- | --- |
| **Report title:** | **Consultation Responses to the Alternative Top-up Funding Model for Special Schools** |
| **Date of meeting:** | **17 November 2021** |

 **Executive summary**

|  |
| --- |
| This report summarises the responses to the autumn 2021 consultation on an alternative top-up funding model for special schools from 2022/23.**Schools Forum are asked to consider and comment on the feedback from the autumn 2021 consultation and provide, if viewed appropriate, a recommendation to the local authority regarding any change for the 2022/23 funding model.**  |

**1.** **Context and Introduction**

Following a review of special schools’ funding arrangements, LA Officers presented a detailed Special Schools Review paper at the September 2021 Schools Forum meeting[[9]](#footnote-10).

The funding methodology for Norfolk’s state funded special schools had not been reviewed since 2013. Place and top-up funding has remained static during this period.

Special schools are forecasting declining balances in 2022/23, and on average across the nine LA maintained schools the decrease is 3.17% of their income (i.e., a shortfall of this amount for the financial year). In 2023/24 this average shortfall is forecast to be 5.71%.

Historically, Norfolk’s special schools have forecasted declining balances, however between 2016/17 and 2020/21 there was an average increase in balances of £121,818 across the nine maintained schools. We must note that in part, that this could be due to the pandemic and a potential reduction in spending last year due to partial closures, with £95,305 of this overall increase occurring during 2020/21 (and therefore a lower increase of £26,513 between 2016/17 and 2019/20).

The Norfolk Association of Special School Heads (NASSH) and Norfolk Association of Special School Administrators (NASSA) questioned the appropriateness of the current funding model in relation to special school costs and need requirements.

Consequently, a review of state funded special schools’ funding has been undertaken where a range of factors were considered, including, benchmarking against levels of funding in other local authorities; composition of leadership structures; staff to pupil ratios; and ancillary costs such as site costs, non-teaching costs, size of school, facilities and resources (i.e., hydrotherapy pools).

This review was facilitated and enabled via a working party consisting of representatives from Norfolk’s state funded special schools and officers from Norfolk County Council. This group met a series of times over the last few months, acting as a consultative group to explore and test out funding methodologies. The group has worked to terms of reference agreed between NCC and special school representatives.

**2. Approach for Alternative Modelling**

The following shows the methodology behind the approach for an alternative model.

The modelling is split between place funding of £10k, which is the level of special school place funding set nationally by the DfE, and top-up funding bands which relate to individual pupils’ needs.

The table below shows how the £10k of place funding would be arrived at (figures rounded to the nearest £1):

|  |  |  |
| --- | --- | --- |
|   | £ |   |
| Leadership Structure | 672 | Schools below 250 pupils to receive sliding scale uplift |
|  |  |  |
| Teaching Main Pay Range 6 Maximum SEN | 4,638 | Minimum teaching at 12:1 ratio @£55,658 |
|  |  |  |
| Teaching Assistant, Top of grade D (point 16) 32.5 hours | 1,522 | Minimum TA at 12:1 ratio @£18,261  |
|  |  |  |
| Premises Costs | 1,399 | Cleaning, caretaking, site, etc. staff, building and grounds  |
|  |  |  |
| Occupation Costs | 753 | Water, refuse, sewerage, catering, energy, insurance, rates |
|  |  |  |
| Supplies and Services | 1,276 | Educational/admin supplies, bought in professional services |
|  |  |  |
| Admin/Clerical/ICT Staff | 981 | Admin/Clerical/ICT |
|  |  |  |
| Excess over £10k | (1,240) | Excess over £10k to be paid via band values |
|   | **10,000** |   |

Note that the excess of £1,240 suggested by this model over-and-above the £10k place funding would need to be paid via the proposed band values instead as shown below:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Banding Levels**  | **PB** | **A** | **B** | **C** | **D** | **E** |
| **Modelled Top-Up Bandings** | **1** | **2** | **3** | **4** | **5** | **6** |
|   |  |  |  |  |  |   |
| Leadership Structure | 1,174 | 1,174 | 1,174 | 1,174 | 1,174 | 1,174 |
|  |  |  |  |  |  |  |
| Basic Staffing/Other in excess of £10k | 1,240 | 1,240 | 1,240 | 1,240 | 1,240 | 1,240 |
|  |  |  |  |  |  |  |
| Additional Teaching (based on ratios) | 0 | 928 | 2,319 | 4,638 | 4,638 | 9,276 |
|  |  |  |  |  |  |  |
| Additional TA (based on ratios) | 0 | 304 | 3,044 | 4,565 | 13,087 | 16,739 |
|  |  |  |  |  |  |  |
| Welfare/Medical/PSA etc (provided by schools) | 771 | 771 | 771 | 771 | 771 | 771 |
|  |  |  |  |  |  |  |
| TPG/TPECG Contribution (towards salary costs) | (660) | (660) | (660) | (660) | (660) | (660) |
|  |  |  |  |  |  |  |
| Delegated amounts (e.g. maternity) | 365 | 365 | 365 | 365 | 365 | 365 |
|  |  |  |  |  |  |  |
| **Modelled Band Values Before Uplift** | **2,890** | **4,122** | **8,253** | **12,093** | **20,615** | **28,906** |
|  |  |  |  |  |  |  |

**2.1** **Comparison of band values and funding per school**

The band values, and approximate funding provided by the alternative model can be seen here, with a comparison against the existing bands values

Comparison of band values:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Band 1** | **Band 2** | **Band 3** | **Band 4** | **Band 5** | **Band 6** |
| **Current band name:** | **PB** | **A** | **B** | **C** | **D** | **E** |
|  |  |  |  |  |  |  |
|  | £ | £ | £ | £ | £ | £ |
| **Alternative band values****(exc. Uplifts):**  | **2,890** | **4,122** | **8,253** | **12,093** | **20,615** | **28,906** |
| **Current band values (exc. Uplifts):** | 364 | 2,364 | 8,364 | 12,973 | 18,291 | 27,427 |
|  |  |  |  |  |  |  |
| **Difference:** | 2,526 | 1,757 | (112) | (880) | 2,324 | 1,478 |
|  |  |  |  |  |  |  |

Modelling of the alternative formula, taking into account the size and current banding profiles of individual schools, showed the following indicative financial impact:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Current Bandings** | **Alternative Bandings** | **Change** | **% Change** |
|  |  |  |  |  |
| Chapel Green School | 2,546,921 | 2,523,422 | (23,499) | -0.92% |
| John Grant School | 3,580,776 | 3,753,151 | 172,375 | 4.81% |
| Sheringham Woodfields School | 3,380,536 | 3,408,179 | 27,643 | 0.82% |
| Churchill Park School | 4,096,121 | 4,331,117 | 234,996 | 5.74% |
| The Clare School | 3,107,609 | 3,171,308 | 63,699 | 2.05% |
| Harford Manor School | 2,162,703 | 2,238,079 | 75,376 | 3.49% |
| The Parkside School | 3,255,646 | 3,476,851 | 221,204 | 6.79% |
| Hall School | 2,188,656 | 2,216,976 | 28,320 | 1.29% |
| Sidestrand Hall School | 4,141,585 | 4,383,652 | 242,067 | 5.84% |
| Fred Nicholson School | 4,244,922 | 4,346,810 | 101,888 | 2.40% |
| Eaton Hall Academy | 2,504,363 | 2,452,155 | (52,208) | -2.08% |
| The Fen Rivers Academy | 1,273,562 | 1,273,562 | - | 0.00% |
| The Wherry School | 2,950,195 | 2,950,195 | - | 0.00% |
| Bure Park Specialist Academy | 670,385 | 670,385 | - | 0.00% |
| Duke of Lancaster School | 239,670 | 239,670 | - | 0.00% |
|  |  |  |  |  |
|  | **40,343,651** | **41,435,513** | **1,091,862** | **2.71%** |

Two schools would lose funding under this model, and the Local Authority would need to consider whether and how those schools could receive phased protection.

**2.2 Financial impact and risks**

In total, this new methodology of funding would indicate a £1.252M increase in funding for Norfolk’s special schools for 2022/23 (including £1.092M for band values as modelled and a further £0.160M for pool costs that would be allocated), before taking into account any addition for exceptional site costs and/or funding protection. This is approximately 3.1% more than the total current funding (all sources) for special schools and is similar to the forecast shortfall of income for 2022/23 across the schools that provided data.

Additional points:

* These figures exclude the schools that currently have their own special top-up arrangement during their growth phase.
* In addition to the individual budget variances modelled above, schools with swimming pools could attract an additional £32,000 per pool.
* The cost of split sites has not currently been factored in.
* Exceptional sites costs have not currently been factored in.
* No protection has been applied to the figures shown.

**3. Consultation**

LA Officers attended a meeting with NASSH and NASSA on 1st October to present a summary of the review, to respond to any questions, and to encourage responses to the consultation.

An online survey was held with schools and other stakeholders from Wednesday 6th October to Friday 22nd October 2021, with schools notified via an MI notification on Friday 1st October 2021.

The consultation asked questions about the methodology behind the alternative top-up funding model and asked respondents to state whether they agreed or not with the principles that had been used in arriving at the modelling. Opportunity was also given to comment on responses to each question and to add any other further comments at the end of the survey.

The Local Authority received 10 completed responses to the online survey. Of these responses:

* 6 were from special schools
* 3 were from individual mainstream schools within the primary sector
* 1 individual response from the Chair of Schools Forum

The number of **pupils** represented within the responses was as follows:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|   | **Mainstream Primary**  | **Mainstream Secondary**  | **Special School** | **Federation** | **Academy Trust** | **Forum Chair** | **Total** |
| **Number of Responses** | 3 | 0 | 6 | 0 | 0 | 1 | 10 |
|  |   |   |   |   |   |   |   |
| **Total Pupils** | 1,243 | 0 | 885 | 0 | 0 | 0 | **2,128** |

Out of the 13 Norfolk special schools, 6 schools (46%) provided a response to this consultation.

Appendix A provides the breakdown of the responses to each question along with a verbatim transcript of any comments submitted by providers in support of their response.

**Schools Forum are asked to consider and comment on the feedback and responses given and provide, if viewed appropriate, a recommendation to the local authority regarding any change for the 2022/23 funding model.**

School Forum members should note that **the final decision regarding funding methodology, including any subsequent change to top-up values, is the responsibility of the Local Authority in accordance with DfE guidelines and NCC’s constitution.** If appropriate, an Equality Impact Assessment will be completed prior to any decision making, including in relation to any cap on gains and / or protection for losses arrangements put in place.

**Appendix A – Consultation Responses**

A summary of responses to each question and comments verbatim as submitted through the survey, including if there appear to be errors in understanding of the factual data, are as follows:

**Question 1**

Summary of leadership structure in the alternative model:

|  |  |
| --- | --- |
|   | **School size** |
|   | **50** | **100** | **150** | **200** | **250** |
| **Headteacher FTE** | 1 | 1 | 1 | 1 | 1 |
| **Deputy Head FTE** | 1 | 1 | 1 | 1 | 1 |
| **Assistant Head FTE** | 0 | 0 | 1 | 1 | 2 |
| **Business Manager FTE** | 1 | 1 | 1 | 1 | 1 |
| **TLR points paid at TLR 1 Max** | 2 | 2 | 2 | 2 | 2 |

**Are the assumptions for the average number of leadership roles required for each size of special school reasonable?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 4 | 40.00% |
| **No** | 4 | 40.00% |
| **Unsure or need more information** | 2 | 20.00% |
|   |   |   |
| **Total** | 10 | 100.00% |

* *It looks like a reasonable model. There is an enormous amount per child to do.*
* *School sizes of 150 or 200 pupils will need at least 2 assistant heads and 2 deputies for 200 plus pupils*
* *reflects our school*
* *we work on a different model of 1 HT, 2 AHT, 3TLR*
* *for a 200- pupil school we would be assuming 2 AHT's and 3 TLR1's*
* *Reasonable as a start point, however, this needs to be looked at in the future as we suspect an additional assistant head would need to be added to the formula for all schools.*
* *Seem to be an excessive number of leadership posts. Not sure I understand the rationale as to why special schools require comparatively more deputy and assistant heads than main schools*

**Question 2:**

For the salary of Headteachers, Deputy Heads and Assistant Heads, the Teachers Pay & Conditions Document 2020 has been used to calculate which ‘leadership group each special school falls into for salary range purposes. This calculation involves giving a ‘score’ that is dependent on the spread of pupils across key stages in each school and takes into account the teaching ratio. The resulting score then correlates to a ‘leadership group’ and thus a salary range from which the most senior leadership roles should be paid.

**Is the approach to Leadership salaries reasonable, i.e., using the methodology in the Teachers Pay and Conditions document to ascertain the ‘leadership groups’ for each size of school)?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 9 | 90.00% |
| **No** | 0 | 0.00% |
| **Unsure or need more information** | 1 | 10.00% |
|   |   |   |
| **Total** | 10 | 100.00% |

* *seems the only sensible criteria*
* *reflects our school needs*
* *Sensible approach*

**Question 3:**

Most of our special schools also employ a School Business Manager. If not, they are likely to have other equivalent staff to cover that role, hence allowance for one Business Manager has been worked into the proposed model. Data provided by Norfolk’s special schools shows that those schools that do have a School Business Manager currently pay them on the NCC pay range between scale H to K, with most being on a scale K salary. Therefore, an approximate average of top of scale J (£46,459) has been built into the model), which includes on-costs

**Is the approach allowing for the salary for the School Business Manager reasonable?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 6 | 60.00% |
| **No** | 3 | 30.00% |
| **Unsure or need more information** | 1 | 10.00% |
|   |   |   |
| **Total** | 10 | 100.00% |

* *School Business Manager pay is currently being reviewed by business leader groups with a view to having parity to other senior leaders in the school with similar levels of responsibility*
* *for the job responsibilities*
* *This does not reflect the true costs and needs further research*

**Question 4:**

A ‘best fit’ leadership model across different sizes of schools with pupils of 50,100, 150, 200 & 250 has been used, in line with the principles agreed by the Specials Schools Funding Review Group. This range reflects the current number of pupils in existing state funded special schools.

This model provides for leadership at a cost of £1,174 per pupil which has been allowed for within each of the top-up band values and, in addition, a ‘fixed sum’ of £167,883 (which has to be allocated via an uplift to top-ups as lump sums cannot be allocated directly to special schools) has been applied to cover the expected minimum cost of leadership for all sizes of school. For every school other than the largest at 250 pupils, an uplift to the top-up values would be required in order to meet that fixed cost through the formula.

**Are the principles behind the ‘best fit’ method for funding leadership costs reasonable (i.e., providing funding for a per pupil amount and a fixed cost met from uplifts)?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 8 | 80.00% |
| **No** | 0 | 0.00% |
| **Unsure or need more information** | 2 | 20.00% |
|   |   |   |
| **Total** | 10 | 100.00% |

* *we agree with the methodology*

**Question 5:**

The salaries used in the model are:

* £55,658 – Point 6 on Main Pay Range with max SEN (includes on costs)
* Support Staff: £18,261 – Top of scale D (32.5 hrs per week / 44.1 weeks year)

**Are the suggested average costs a fair approach for both teachers and support staff (teaching assistants)?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes for both** | 5 | 50.00% |
| **Yes for teachers, but no for support staff** | 2 | 20.00% |
| **Yes for support staff, but no for teachers** | 1 | 10.00% |
| **No for both** | 0 | 0.00% |
| **Unsure or need more information** | 2 | 20.00% |
|   |   |   |
| **Total** | 10 | 100.00% |

* *It's approximately what other schools have*
* *Majority of teachers have one TLR for subject leadership and one SEN payment (TLR is higher than SEN payment). Many teachers are paid on UPS as we require experienced teachers to support the pupil's needs.*
* *with higher banding pupils you not only need more staff but also higher paid staff with more skills, experience and commitment and this is not reflected*
* *a more realistic approach would be to fund support staff for 35 hours per week and teachers on an average of UPS 1 rather than TMS6.*
* *More accurate reflection but will need reviewing in line with salary increases*.

**Question 6:**

After extensive consideration, the pupil / teacher ratios that the group finally agreed to be used for this alternative model are:

|  |  |  |
| --- | --- | --- |
|   | **Pupil/Teacher Ratio** | **Pupil / TA Ratio** |
| **PB** | 12:1 | 12:1 |
| **A** | 10:1 | 10:1 |
| **B** | 8:1 | 4:1 |
| **C** | 6:1 | 3:1 |
| **D** | 6:1 | 1.25:1 |
| **E** | 4:1 | 1:1 |

**Whilst acknowledging that there will be individual circumstances that may require different ratios, are these ratios a fair approach as standard assumptions to use for the alternative model?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 4 | 50.00% |
| **No** | 1 | 12.50% |
| **Unsure or need more information** | 3 | 37.50% |
|   |   |   |
| **Total** | 8 | 100.00% |
| skipped | 2 |  |

* *Please note however we think Scale D historically has always required one to one support*
* *tribunals are skewing the natural order of*
* *a more realistic approach would be 1:1 TA to band D child however we recognise that this won't always be the case and very much depends on the individual child and the other children in the class.*
* *They are a good start, but more work needs to be done to check they reflect reality, I have done this for some classes and for bands D and E it seems accurate, but for others it does under-estimate the number of staff and size of class*

**Question 7:**

The categories of expenditure included in non-teaching costs are:

* Premises (staff, maintenance, cleaning etc)
* Occupation (energy catering insurances etc)
* Supplies & Services (educational supplies, ICT, professional services)
* Admin & clerical (staff and supplies)
* Other costs (indirect employee costs, training, special facilities)
* Welfare / medical and ‘other ‘staff

This comes to £5,180 per pupil if we use 20/21 actual costs and allow a separate additional amount for those schools with pools. This seems to be a more appropriate level of funding than the current £2,600 included within the formula that has not been increased since 2013.

**Is the approach to modelling non-teaching costs reasonable given that the alternative modelled non-teaching costs are in the region of the 2022/23 special schools forecast?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 7 | 70.00% |
| **No** | 1 | 10.00% |
| **Unsure or need more information** | 2 | 20.00% |
|   |   |   |
| **Total** | 10 | 100.00% |

* *Band D proposal of 1.25:1 does not match up with the audit matrix which states Band D equals 1:1 support. The logical conclusion will be that all Band D pupils will switch to Band E. How would any pupils Band D plus or Band E pupils be funded where 2:1 support is required[[10]](#footnote-11)?*
* *With more time this could have possibly been improved*

**Question 8:**

With regards to those schools with a swimming / hydrotherapy pool, the categories of spend which are likely to be affected by additional costs are:

* + Water & sewerage
	+ Energy
	+ Premises staff and services

The group undertook some investigation into these categories of expenditure and the average per pupil cost difference between schools with pools and those without was approximately £320 per pupil. Which, on this basis, would give £32,000 for a mid-sized school of 100 pupils. After reviewing actual costs provided by those schools on the review group with pools, it was recommended that £32,000 as a fixed amount (regardless of school size) would be an appropriate amount per pool, which could be achieved via the uplift mechanism for affected schools.

**Is the use of a ‘fixed sum’ approach, via the uplift mechanism, at a cost of £32,000 per pool a reasonable approach to fund the cost of hydrotherapy pools?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 8 | 80.00% |
| **No** | 0 | 0.00% |
| **Unsure or need more information** | 2 | 20.00% |
|   |   |   |
| **Total** | 10 | 100.00% |

* *This needs to be applied to both hydrotherapy and main pools We have and need both to support our pupils.*
* *as fair as anything*
* *very transparent*

**Question 9:**

The Funding Review Group identified that a school which is spread over multiple sites ultimately incurs additional costs. The estimate of additional costs for having a split site were c. £4,000 - £5,000, as provided by Sheringham Woodfields School.

In addition, it was suggested that an additional 20% FTE of an Assistant HT is required for extra responsibilities for schools with a split site. For a school that falls into leadership group 5, this would mean an additional amount of £12,514 or £16,952 (with on-costs). Based upon average Assistant Headteacher salary at point 17 on the pay scale.

**Should the additional costs of split sites be recognised within the formula for schools with multiple sites?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 7 | 70.00% |
| **No** | 0 | 0.00% |
| **Unsure or need more information** | 3 | 30.00% |
|   |   |   |
| **Total** | 10 | 100.00% |

*No comments for question 9.*

**Question 9a: If yes, should there be a minimum distance between sites to qualify?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 5 | 50.00% |
| **No** | 2 | 20.00% |
| **Unsure or need more information** | 3 | 30.00% |
|   |   |   |
| **Total** | 10 | 100.00% |

* *Not applicable to adjacent sites - there should be a distance between the two sites*
* *if the split sites are within walking distance the allowance should be less compared to a further distance*

**Question 10:**

TheSpecial Schools Funding Review Group discussed the fact that one of the Norfolk Special Schools (Chapel Green) covers a large site in relation to the number of pupils it has capacity for. They also have multiple lifts to maintain, which is understood to be an exclusive issue for that school. The review group did not establish the level of additional costs incurred by this school

**Should the alternative formula include additional funding for schools with exceptional site costs?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 6 | 60.00% |
| **No** | 0 | 0.00% |
| **Unsure or need more information** | 4 | 40.00% |
|   |   |   |
| **Total** | 10 | 100.00% |

* *our school has parts which are older and need repairs and individual needs of a site should be considered*
* *but what is the definition of exceptional site costs eg we spend @ £10k /annum on tree surveys and remedial works being part in a conservation area but recognise newer schools may have higher technical costs with new builds*

**Question 10a: If yes, how should such exceptional costs be defined?**

* *Agreed amount per additional exceptional expenditure to be applied to maintain transparency - suggest similar process to allowance of funding for pools is undertaken.*
* *Consultation with the schools*
* *Chapel Green School is the only two storey special school in the County. The site has two lifts for wheelchair users to access the secondary department. The school could not function without the use of the lifts which are incredibly expensive to maintain at a cost of £2500 per year. When the lifts eventually need replacing the school would be looking at over £200,000 in costs.*
* *by them being over and above costs other sites have to fund and there being no option to reduce these costs.*
* *Full cost recovery*

**Question 11:**

Currently, when pupils enrol in a Norfolk special school during the year their funding is set at the average rate for that school, due to the banding level not being known until the next review. Similarly, funding is also deducted on an average basis for pupils leaving schools mid-year. It is presumed that, on average, there will be as many starters as there are leavers so this should balance.

There are existing systems whereby schools are able to submit exceptional requests for specific bandings to apply to pupils where costs will significantly exceed average levels of banding. In these instances, the LA will consider the request and the agreed banding level will apply until the case is reviewed at the following funding audit.

The schools on the Funding Review group expressed a preference to receive specific banding values for in-year admitted pupils immediately on their entry to school. Officers representing the Local Authority on the group were concerned that a change to the current practice to individually attribute bands to all in-year starters would require significant additional LA resource across the year to manage

**Is it reasonable to continue to use average band values for in-year starters and leavers and, therefore, not incur significant additional resource implications for the LA that will need to be funded?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes for both** | 8 | 88.89% |
| **Yes for starters, but no for leavers** | 0 | 0.00% |
| **Yes for leavers, but no for starters** | 0 | 0.00% |
| **No for both** | 0 | 0.00% |
| **Unsure or need more information** | 1 | 11.11% |
|   |   |   |
| **Total** | 9 | 100.00% |
| skipped | 1 |  |

* *The option to negotiate for starters with exceptional additional needs should remain.*
* *but where there are identified high needs for new starters, in order for the transition to be successful there should be a mechanism for schools to receive additional negotiated funding. eg if a child moves from special school within the authority the banding funding shouldn't be averaged. When 6th formers leave the funding should not be clawed back for August*

**Question 12:**

Within the existing funding model there are two discrete funding allocations attributed to Band D: one applying to pupils who are part of the main school and the second to those who occupy a place in a formal “unit” provision as part of the main school. The funding allocation for “unit” provision is currently slightly lower than that which applies to the main school. This was applied on the basis that the “unit” would continue to receive place and top up funding regardless of whether children were occupying places as opposed to funding in main school where place and top up only applies to children actually placed in the school.

The review group expressed that given there is no underoccupancy in “unit” provision, schools who organised unit provision were at a disadvantage against those who did not. It was also recognised that additional funding methodologies also existed for “unit” provision based on evidence “bottom up” costs to meet the needs of the usually highly complex pupils who required them.

Consequently, it is proposed that the different Band D funding for “unit” provision be removed and that “main school” Band D funding to apply to all pupils, whilst retaining the facility for individual special schools and the LA to apply separate “bottom up costed” funding methodology for existing and future “unit” provision, if required.

**Should the band values for “units” within special schools be funded at the same level as for the main school?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 4 | 44.44% |
| **No** | 2 | 22.22% |
| **Unsure or need more information** | 3 | 33.33% |
|   |   |   |
| **Total** | 9 | 100.00% |
| skipped | 1 |  |

* *the resource bases need to be core funded to enable them to have key experienced and consistent staffing*
* *These often have exceptional costs, sometimes time limited, we would prefer to negotiate individual agreements with the LA as and when.*

**Question 13:**

A Minimum Funding Guarantee (MFG) applies to all state funded special schools which states that a school’s total budget per pupil must be no less than it was in the previous year based on like-for-like pupils. If top up band values change, the financial impact on the schools must be fully considered.

If there are any schools adversely affected by new band values then it could be possible to offer transitional protection to minimise the impact; however, this would incur additional cost of the High Needs Block and would mean that those schools receive amounts above the standard formula funding. The default approach would be to apply the MFG so that affected schools cannot lose on a like-for-like per-pupil basis between years until the formula would provide per-pupil funding above the MFG level.

The alternative of offering transitional protection, instead of the default MFG protection, would require an application to the Secretary of State to disapply the regulations, as required for any approach that does not comply with Minimum Funding Guarantee protection.

**Is the most appropriate approach to protect schools against losses if any amended model was implemented, or request to disapply the MFG regulations in these cases?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Protect schools against losses** | 7 | 77.78% |
| **Request to disapply the MFG regulations in these cases** | 0 | 0.00% |
| **Unsure or need more information** | 2 | 22.22% |
|   |   |   |
| **Total** | 9 | 100.00% |
| skipped | 1 |  |

* *If MFG regulations were applied based on a previous year and the school had been overfunded e.g., small school funding where no longer a small school this would no longer be appropriate. Therefore, an alternative method to protect schools against large, short term changes should be requested to ensure fairness and transparency.*
* *but where is the protection coming from.*

**Question 14: If transitional protection was to be implemented, how long should this protection be for?**

* *3 years to allow for budget planning.*
* *minimum of three years and maybe as per an individual school situation*
* *3 years??*
* *3 years*
* *3 years*
* *3 years*

**Question 14a: Should it be for full losses or a ‘floor’ imposed?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Full losses** | 1 | 12.50% |
| **Impose a 'floor'** | 4 | 50.00% |
| **Unsure or need more information** | 3 | 37.50% |
|   |   |   |
| **Total** | 8 | 100.00% |
| skipped | 2 |  |

*No comments for question 14a.*

**Question 15:**

This funding review has taken place in the context of a significant, and increasing, deficit on the High Needs Block of the Dedicated Schools Grant (DSG). As at the end of 2020-21 the cumulative deficit for Norfolk was £31.797M and the pressures are increasing this year due to the ongoing significant increases in EHCPs and requests for specialist school placements. Any change to funding arrangements that cause additional commitment to the High Needs Block will need to be taken alongside full consideration of the Education Skills Funding Agency requirements relating to DSG improvement planning and deficit recovery and the relevant DSG regulations and guidance.

The Special School Funding Review Group raised the question as to whether a cap should be applied to schools with large gains. An Equality Impact Assessment will need to be completed by the Local Authority in advance of any decision being taken.

**Should there be a cap on the gains that could potentially occur for schools as a result of any amended formula implemented given the current overall financial picture for the High Needs Block?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 2 | 25.00% |
| **No** | 4 | 50.00% |
| **Unsure or need more information** | 2 | 25.00% |
|   |   |   |
| **Total** | 8 | 100.00% |
| skipped | 2 |  |

* *No as the new formula recognises schools have been significantly underfunded so they need the money asap*

**Question 16:**

It has been many years since the funding for special schools has been reviewed. Timescales for future reviews were discussed within the Funding Review Group. Suggestions for timescales for future reviews ranged from 3 to 5 years. LA Officers expressed that significant funding reviews require substantial officer resource and cost, and any timescale settled upon would need to balance the need to keep under review fairness of funding against the resource and cost required to carry this out.

**Given the level of resources required to undertake a full review of the formula, what would be an appropriate timescale and methodology for future periodic reviews, including the impact of inflation?**

**Timescale**

* *3 years*
* *5 years*
* *5 years*
* *2 -3 years*
* *2 years*
* *5 years*

**Methodology**

* *Review of budget forecast, average salaries and bandings*
* *cannot say*
* *focus on pay costs reflecting actual costs and significant changes to eg energy costs*
* *As last review*
* *Unsure*

**Rationale for above answers**

* *Regular review would require less resources and maintain alignment with any national changes e.g., minimum wage etc. Also to maintain budget stability.*
* *I understand the consultation group found this a complex area to calculate*
* *Could this be overtaken by the DfE imposing a National Funding Formula to Special Schools?*
* *Give schools more time to compare formula with reality and genuine ratios and costs*

**Question 17: Does the alternative formula enable maintained, academy and free special schools to meet the needs of their pupils?**

|  |  |  |
| --- | --- | --- |
|   | **Response total** | **Response percent** |
| **Yes** | 3 | 37.50% |
| **No** | 1 | 12.50% |
| **Unsure or need more information** | 4 | 50.00% |
|   |   |   |
| **Total** | 8 | 100.00% |
| skipped | 2 |  |

* *The alternative formula will enable special schools to balance deficit budgets however it may not address all staffing requirements as these have been cut back in recent years due to the lack of funding and increased expenditure year on year.*
* *We feel this is the suitable with current circumstances*
* *The new formula does not make up for losses over the last ten years in real terms*

**Question 18: Are there any other comments or feedback that you would like to share not covered in previous questions?**

* *It is far too difficult to give an objective view when I have been in charge of a special school so do not completely understand the challenges faced (& they are all different) however if this funding goes ahead then the impact on the high needs block will be quite substantial and add to the growing problem.*
* *No thank you*
* *the current bandings mean that D= 1:1 this has changed in the new plan and will mean many pupils become a band E*
* *An impressive amount of work has gone into this alternative formula and we do not have enough knowledge to respond to the detailed questions.*
* *Our only concern is the effect of this on the very high and rising deficit in the High Needs Block. These proposals would aggravate the problem in every year ahead.*
* *Thank you for the opportunity to be consulted*
* *I would be concerned about any major redistribution of the HNB at a time when pressures on this are so significant.*

SCHOOLS FORUM FORWARD PLAN

**I – Information D- Decision**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | Autumn Term |  |  | Spring Term |  |  | Summer Term |  |
| **30/09/20**(Wed)09:00 – 12:30 | **September**Dedicated Schools Grant1. Early Years Block Funding
2. High Needs Block Recovery Plan
3. Schools Block Fair Funding Consultation
4. Amalgamation Protection - Disapplication

Updates on Scheme for Financing Schools(Financial Regulations) | **D****D** | **13/01/21**(Wed)Rescheduled to **26/01/21** (Tues)09:00 – 12:30 | **January**Election of Chair/Vice ChairReview MembershipProposed Schools Budget 2021-22, including DSG Recovery Plan updateEstimated Pupil Variations 2021-22Admissions Appeals | **D****I/D****D****I****I** | **14/5/21**(Fri)09:00 – 12:30 | **May**Dedicated Schools Grant 2020/21 OutturnUpdate on DSG Recovery PlanAnnual Audit Report (Norfolk Audit Service) | **I****I****I** |
| **13/11/20**(Fri)09:00 – 12.30 | **November**Dedicated Schools Grant1. Early Years Block Funding (consultation outcome)
2. Central Services De-delegation
3. Schools Block Funding including Fair Funding Consultation, Schools Block Transfer & DSG Recovery Plan

Admissions Appeals Task and Finish Group | **D****I** | **12/03/21**(Fri)09:15 – 11:45 | **March**Agree next year’s planDedicated Schools Grant:High Needs Block UpdateFinal Pupil Variations 2021-22Mental Health re-designUpdates on Scheme for Financing Schools(Financial Regulations) | **D****I****I****I****I** | **09/07/21**(Fri)09:00 – 12:30 | **July**Discuss proposals to include in Fair Funding consultation document (if DfE info received)Verbal update on Review of Special SchoolsDiscuss how future Forum meetings should be heldAdmissions AppealsCyber Security | **I/D****I****D****D****I** |

SCHOOLS FORUM FORWARD PLAN

**I – Information D- Decision**

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| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|   | Autumn Term |  |  | Spring Term |  |  | Summer Term |  |
| **29/09/21**(Wed)09:00 – 12:30 | **September (MS-Teams)**Dedicated Schools Grant1. SEND Strategic Improvement (inc. Capital update)
2. Special Schools’ Funding Review
3. Indicative DSG/Schools Block Fair Funding Consultation
 | **D****D** | **19/01/22**(Wed)09:00 – 12:30 | **January (Mattishall)**Election of Chair/Vice ChairReview MembershipProposed Schools Budget including central costsEstimated Pupil variations 2022-23 Area SEND strategy updateDecarbonisation | **D****I/D****D****I****I****D** | **18/05/22**(Wed)09:00 – 12:30 | **May (Mattishall)**Dedicated Schools Grant 2021/22 OutturnDSG: Update on Recovery PlanAnnual Audit Report (Norfolk Audit Service) | **I****I****I** |
| **17/11/21**(Wed)09:00 – 12.30 | **November (MS-Teams)**Dedicated Schools Grant1. Early Years Block
2. De-delegation/CSS Block
3. Schools Block (inc. consultation, Schools Block transfer & update to DSG Recovery Plan)
4. Special Schools Review (consultation)
 | **D****D****D****I/D** | **16/03/22**(Wed)09:15 – 11:45 | **March (MS-Teams)**Agree next year’s planFinal pupil variations | **D****I** | **08/07/22**(Friday)09:00 – 12:30 | **July (MS-Teams)**Discuss proposals to include in Fair Funding consultation document | **D** |

1. The 2021/22 budget was £916,470 for primary/secondary, plus buyback of £113,840 for special schools and £3,758 for Nursery Schools. [↑](#footnote-ref-2)
2. If maintained pupil numbers for primary schools are lower/higher in the final APT the rate per-pupil would need to be increased/decreased slightly in order to meet the estimated contingency requirement in 2022/23. [↑](#footnote-ref-3)
3. FSM meal numbers are from draft 2022/23 for mainstream schools and calculated as being 39.1% of place numbers for maintained special schools (based on FSM information from the Government’s ‘Get Information About Schools’ website). [↑](#footnote-ref-4)
4. This methodology, based on number of places and average FSM eligibility levels of 39.1% in special schools, brings the rate for special schools in 2022/23 into line with the rate charged to primary/secondary schools for the FSM eligibility service (previously the service was only de-delegated at £0.43 per-place for special schools based on historic information not fully representative of the current level of FSM eligibility and costs) [↑](#footnote-ref-5)
5. April-August 2021 was £293,604 and Sept’21-March’22 is £363,372, totalling £656,976 for 2021/22. 50% of this amount would be £328,488. [↑](#footnote-ref-6)
6. Source: DfE’s Schools Revenue Funding 2022 to 2023 Operational Guide. The LA has been submitted a query to the DfE to check that this is the correct FSM6 data source for final 2022/23 budgets, confirmation is awaited. [↑](#footnote-ref-7)
7. [Pupil Numbers on Roll (norfolk.gov.uk)](http://csintranet.norfolk.gov.uk/nor/default.asp) [↑](#footnote-ref-8)
8. [Pupil Numbers on Roll (norfolk.gov.uk)](http://csintranet.norfolk.gov.uk/nor/default.asp) [↑](#footnote-ref-9)
9. Detailed review paper available at: [Norfolk Schools Forum agendas and papers - Schools](https://www.schools.norfolk.gov.uk/school-finance/norfolk-schools-forum/forum-agendas-and-papers) (29 September 2021) [↑](#footnote-ref-10)
10. This response was submitted against question 7 although it appears to relate to question 6. [↑](#footnote-ref-11)