

## **Schools Forum**

**MONDAY 23<sup>rd</sup>. SEPTEMBER 2019 AT 2.30PM**  
**AT OLDBURY COUNCIL HOUSE, COMMITTEE ROOM 2**

### **Agenda**

*(Open to Public and Press)*

1. Apologies for absence.
2. Members to declare any interest in matters to be discussed at the meeting.
3. To confirm the minutes of the meeting held on 17<sup>th</sup> June 2019.
4. High Needs – ALATS letter to Secretary of State for Education
5. Consultation: Financial transparency of maintained schools
6. Consultation: Implementing mandatory minimum per pupil funding levels.
7. Consultation: SEN Call for evidence: Response – Verbal update
8. HNB – August 2019 Budget monitoring report
9. Schools funding – Operational Guide 2020/21
10. Schools Funding – Draft modelling – to be tabled
11. AOB

**Next Meeting:**

**11<sup>th</sup> November 2019; Oldbury Council House Cttee Room 2**

**Schools Forum Distribution to Members:**

**Head Teachers Advisory Forum - Primary Schools (6)**

Mr R Kentish, Mr P Jones, Ms K Bickley, Ms L Gillam, Ms C Walsh,  
Mr G Linford

**Head Teachers Advisory Forum – Secondary Schools (4)**

Mr P Shone, Mr A Burns, Mr D Irish, M Arnall

**Head Teachers Advisory Forum – Special School (1)**

Mr N Toplass

**School Governors (4)**

Mr B Patel, Ms. C. Gallant, Mr J Smallman, Ms L Howard, Ms A  
Cysewski

**Trade Union (1)**

Mr. D Barton

**Early Years Partnership (1)**

Ms A Sahota

**14-19 Provider (1)**

D Holden

**Pupil Referral Unit (1)**

K Morgan

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## **Minutes of the Schools Forum**

**17 June 2019 at 2.30pm  
at Sandwell Council House, Oldbury**

**Members Present: P Jones (Chair), P Shone (Vice Chair),  
M Arnull, J Bailey D Irish, L Gillam, Z  
Padda, B Patel, A Reyes – Dinoo, J  
Smallman, and N Toplass.**

**Officers Present: C Ward, J Gill, R Kerr, S Lilley.**

**Apologies: D Barton, K Bickley, A Burns, D Holden,  
G Linford, R Kentish, C Walsh.**

**20/19 Agenda Item 1 – Apologies**

As above

**21/19 Agenda Item 2 – Declaration of Interest**

None

**22/19 Agenda Item 3 – Minutes of Previous Meeting**

**Resolved** that the minutes for the forum held on the 11<sup>th</sup> March 2019 be confirmed as agreed subject to the L Gillam being added to attendance and J Smallman being removed from the attendance.

**23/19 Agenda Item 4 - Schools Forum Members Attendance**

Members of the Schools forum noted the contents of the attendance from the meetings held between June 2018 and March 2019.

Minute No 11/19 Working Group – proposals for graduated change in ration, C Ward confirmed that a group had been

[ILO – UNCLASSIFIED]

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established and had held meetings, a progress report would be brought to a future meeting of Schools Forum.

### **24/19      Agenda Item 5 - Appointment of Chair and Vice Chair**

Nominations for a Chair and Vice Chair for the next academic year were received.

From September 2019 the Chair and Vice Chair of the Schools Forum would be:

Chair – Dave Irish;  
Vice Chair – Neil Toplass.

### **25/19      Agenda Item 6 – School Balances 2018/19 and Budget Plans 2019/20**

The Schools forum received a report in respect of the balances held by schools at the end of 2018-19 and the projected balances for 2019-20.

Two schools were closing with a deficit budget share, Rounds Green and Sacred Heart and there was one school, Tameside Primary that had converted to an academy during 2018/19.

A licensed deficit agreement was being finalised with Rounds Green to ensure they return to a surplus balance within three years. Sacred Heart had been able to set a balanced budget for 2019/20 and therefore do not need a licensed deficit.

Projected balances for 2019-20 had been received from schools and these were shown in the table at appendix 1.

R Kerr highlighted the following:

- 24 primary schools were projecting to hold balances above 10% at the end of 2018-19;
- 10 primary schools were projecting to hold balances below 1% at the end of 2018 - 19;
- 3 schools were projecting a deficit balance at the end of 2019-20, Rounds Green Primary, Stuart Bathurst High and

## Schools Forum – 17 June 2019

Shenstone Special school. The authority would be working with these schools to agree a licensed deficit plan and the financial position of the schools going forward will be regularly reviewed;

- no secondary schools were projecting to hold balances above 8%;
- 4 secondary schools were projecting to hold balances below 1% at the end of 2018 -2019.
- 1 special school was projecting to hold a balance above 10% and 1 special school was projecting to hold a balance below 1%.

M Arnall remarked that Schools Forum had previously been informed that Rounds Green Primary had been financially improving.

C Ward confirmed that the deficit had been growing over the past 2 – 3 years however there had been restructures and there would be support for the school going forward. The school had been in special measures however it has now improved and is now rated required improvement with good leadership. Plans would be put in place to ensure that Rounds Green Primary progress in the right direction.

N Toplass asked for confirmation that Westminster's Schools figures in respect of the Budget plans 2019–20 were a deficit as it was not printed in red. R Kerr confirmed that this was a deficit figure.

The Chair reminded colleagues that when viewing school carry forward figures School Forum members should be aware that there will be context behind the numbers. C Ward confirmed that overall figures included capital monies and school income from other sources.

**Resolved** that Schools Forum noted the contents of the report.

26/19

### **Agenda Item 7 – High Needs Block Outturn 2018/19**

The initial High Needs Block Grant for 2018-19 was £37.609m. the DfE had allocated an additional £1.703m over two years however it was presumed that this additional funding would not be granted further.

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The balance brought forward as at 1<sup>st</sup> April 2018 was nil as the deficit from 2017-18 was fully funded as reported to Schools Forum in June 2018.

The in-year surplus at 31<sup>st</sup> March 2019 was £58,981 and £31,000 would be transferred from the early years grant to fund early year's post, therefore the balance carried forward equated to £89,981.

The main variances were highlighted within the report.

Table 2 within the report showed the breakdown of other SEN funding of £1.408m and the reductions agreed by the forum in September 2017 had been applied to the budgets.

The Focus Provisions average occupancy in 2018-19 was approximately 88%. Under occupancy was 12% at the beginning of the financial year, increased to 15% in September and out turned at 10% in March. There were still EHCP's to be finalised for which places had been reserved.

C Ward reported that the overspend on Alternative Provision was due to a number of factors. In the first instance the amount allocated to the budget line was inadequate and needed increasing this financial year to meet place pressures. The increase in places this year came through referrals from a number of routes:-

- Behaviour and attendance panel.
- Hard to place panels.
- Y10 and Y11 pupils entering the borough.
- The STEPS Centre for INAs.
- Direct referrals from schools.
- Where managed moves had broken down.

A new system would be put in place from September to ensure that all pupils placements go through one panel and improve the ability to monitor ongoing costs efficiently. This panel could then report termly to Schools Forum on the cost and numbers of placements from schools.

**Resolved** that a report in respect High Needs Block Special Provision be produced at the end of each term and brought to Schools Forum.

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27/19

### **Agenda Item 8 – High Needs Block Budget 2019/20**

Schools Forum was informed that the current High Needs Block Grant for 2019-20 as £40.698m an increase of £2.229m on the previous year. The increase included £1.702 additional grant announced in 2018-19 to be split over two years.

The January 2019 Alternative Provision census showed a large increase in pupil population following extensive work to make sure that any pupil in an Alternative Provision were recorded correctly on the data base.

It was assumed that most expenditure lines would outturn at the anticipated budget, however the expenditure on the Alternative Provision line was forecast to overspend making a possible overall deficit of approximately £0.500m.

C Ward confirmed that there would be a separate review of SEN and Alternative Provision to ensure a correct balance was established. Plans for two new special schools to be established in the borough had commenced, one primary and one secondary.

**Resolved** that a regular report in respect of Special Educational Needs High Needs Block Grant be brought to future meetings of Schools Forum.

28/19

### **Agenda Item 9 - Early Years Block Outturn 2018/19**

The Early years Block allocation for 2018/19 was £23.540m. the actual grant allocation income received was £23.441m due to an early adjustment and the net effect was £0.099m.

The expenditure incurred during 2018/19 regarding the use of the Early Years Block was shown in table 1 of the report.

The DfE would adjust the 2019/20 allocation based on the January 2019 census figures and notify the authority of the adjustment around July.

R Kerr explained that only £23,000 of the disability access fund allocation had been spent as providers and carers had not applied for funding.

## **Schools Forum – 17 June 2019**

**Resolved** that regular reports in respect of Early years Block be brought to future meetings of Schools Forum.

### **29/19      Agenda Item 10 - Central School Services Outturn 2018/19**

Schools Forum received a report detailing the actual expenditure incurred during 2018/19 in respect to the use of the Central School Services Block and de-delegated budgets.

Total budget was £1.9m and actual Expenditure £1.8m leaving a variance just under £1m.

The academies adjustment for 2018/19 was £150k giving total funding available £2.419m.

There had been a slight underspend in respect of de-delegated budgets.

**Resolved** that Schools Forum noted the report.

### **30/19      Agenda Item 11 – Review of Early Closedown 2018/19**

R Kerr advised that schools had submitted their returns as soon as they were completed, as requested, in order to assist the authority with the 2018/19 closedown. Schools Forum was advised that this helped the authority meet the closedown deadline and she thanked all the schools for their support.

### **31/19      Agenda Item 12 – Schools in Financial Difficulties - Application**

Schools Forum was advised that an application had been received from Rounds Green Primary School for funding towards their deficit position.

The school had met the initial criteria to be considered for funding and a sub-committee needed to be established to review and consider the application.

Members were sought for the sub-committee and the following appointments were agreed:

- L Gillam – primary representative;
- P Jones – primary representative;



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- M Arnall – secondary representative;
- P Shone – secondary representative.

**Resolved** the recommendation from the sub-committee to consider the application for funding be brought back to the next meeting of School Forum for consideration.

### **32/19      Agenda Item 13 - DfE consultation and updates**

Schools Forum received a report to inform members in respect of the DfE current consultations.

It is recommended that all schools participate in DfE budget consultations and take advantage of DfE support to seek best value from the resources available.

The document access was via the government website and evidence can be entered on line.

A link to the documents would be forwarded to schools.

### **33/19      Agenda Item 14 – Fair Funding updates**

Schools Forum agreed to defer this item to a future meeting.

**Resolved** that the matter be deferred to a future meeting of Schools Forum.

### **34/19      Agenda Item 15 – A O B**

C Ward thanked Phil Jones, on behalf of Schools Forum for the important contributions he had made to the Schools Forum over the years and for Chairing the Forum for the last four years.

(Meeting ended at 3.29pm)

Contact Officer: Shane Parkes Democratic Services Unit 0121 569 3190
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Rt Hon. Damian Hinds MP  
Secretary of State for Education  
Sanctuary Buildings  
20 Great Smith St  
Westminster  
London SW1P 3BT

28 June 2019

Dear Secretary of State,

### **Dedicated Schools Grant (DSG) - High Needs Funding**

We are writing in our roles as Presidents of our respective Treasurers' Societies representing all councils with statutory duties to deliver children's services. Together the societies of County, London and Municipal Treasurers would like to highlight our growing concern regarding shortfalls in funding for pupils with Special Educational Needs and Disabilities (SEND), via the High Needs Block of the Dedicated Schools Grant.

This is now one of the biggest financial pressures affecting the entire local government sector. Following a decade of funding reductions, in which core funding from central government has fallen by over 60 per cent, councils' resources are almost a third lower than they were in 2010. This issue – which is largely outside the control of local authorities – could be the tipping point for some councils in the next couple of years. The growing funding shortfall must be addressed in the forthcoming Spending Review.

We recently surveyed our member authorities regarding their in-year and accumulated deficits on both the DSG and the High Needs block within it for the year ending 31 March

2019. Of the 88 authorities who responded (representing 58 per cent of upper tier authorities in England), over three quarters reported an in-year DSG deficit in 2018-19 totalling £170 million. Half of those responding reported an accumulated DSG deficit at the end of 2018-19 totalling £208 million. These rising deficits are largely being driven by the worsening High Needs funding position. Seventy authorities (83 per cent) reported an in-year High Needs block deficit in 2018-19. For those authorities, this totalled £210 million (7 per cent of their total High Needs block allocation). Fifty-nine authorities (70 per cent) reported an accumulated High Needs block deficit totalling £313 million (11 per cent of their total High Needs block allocation). For one council it was as high as 90 per cent.

All councils continue to share ideas and best practice to try and minimise demand and costs, but this will be nowhere near enough to recover the position. Given that the aggregate accumulated High Needs deficit in 2018-19 across all 88 authorities responding to the survey was £291 million, the estimated deficit across the 152 authorities in England could be in excess of £500 million. The position is expected to get worse in 2019-20 where the proportion of authorities expecting to be in deficit will rise to 88 per cent. This is all **despite** the additional £250 million funding allocated by your department in December (£125 million of which is for 2019-20).

Councils have been asked to produce three-year DSG recovery plans which, in many cases, is an impossible task given the scale of the issue. Councils now have far fewer levers to deal with this rising cost pressure than in the past as funding blocks such as the ESG have been reduced and the scope for transferring funding between blocks of the DSG is now limited to 0.5 per cent. Even this limited flexibility is subject to the disapplication process, with many school forums refusing to agree to the transfer as their schools are also facing growing funding pressures.

The fundamental cause of the growing funding pressure is the rise in children with an Education Health and Care Plan (EHCP) since the introduction of the Children and Families Act 2014. The latest figures published by your department in May show there has been a 47 per cent increase nationally in the number of Education and Health Care Plans in the last four years (2015 to 2019) since the Act was implemented. The increases are not limited to one part of the country and are similar across regions and authority types. It is now four years since the implementation of the Act and your Department must have had enough time to assess the implications on practice that the Act introduced.

The rising demand, and associated cost pressures, show no sign of slowing down. The fact that once children are moved onto EHCPs it is very difficult to remove funding means that just to keep pace with the increases we have already seen, significant investment will be necessary, this is before factoring in the expected growth in ECHP numbers (which has been over 10 per cent in each of the last three years). While our councils are trying to manage this additional demand, this is simply not sustainable going forward and is rapidly creating a financial crisis for some councils.

We ask that the DfE quickly injects more funding into the system, whilst it carries out a post-implementation review of The Children and Families Act in 2014 to assess whether this was what was intended by the new policy and whether sufficient funding has been allocated to

meet the objectives of the Act. We recognise there is uncertainty over the length of the forthcoming Spending Review, with an increasing likelihood of a one-year review rather than the three years previously planned. If this is the case, we urge you to make this issue the number one priority in your negotiations with HM Treasury.

We would be happy to work with you to support this review and provide further detailed data and case studies to inform your work. We look forward to hearing from you soon.

Yours sincerely

Gerald Almeroth, Chair of the London Finance Advisory Committee and representing the Society of London Treasurers

A handwritten signature in black ink, appearing to read 'G Almeroth', with a stylized 'A' at the end.

Gary Fielding, President of the Society of County Treasurers

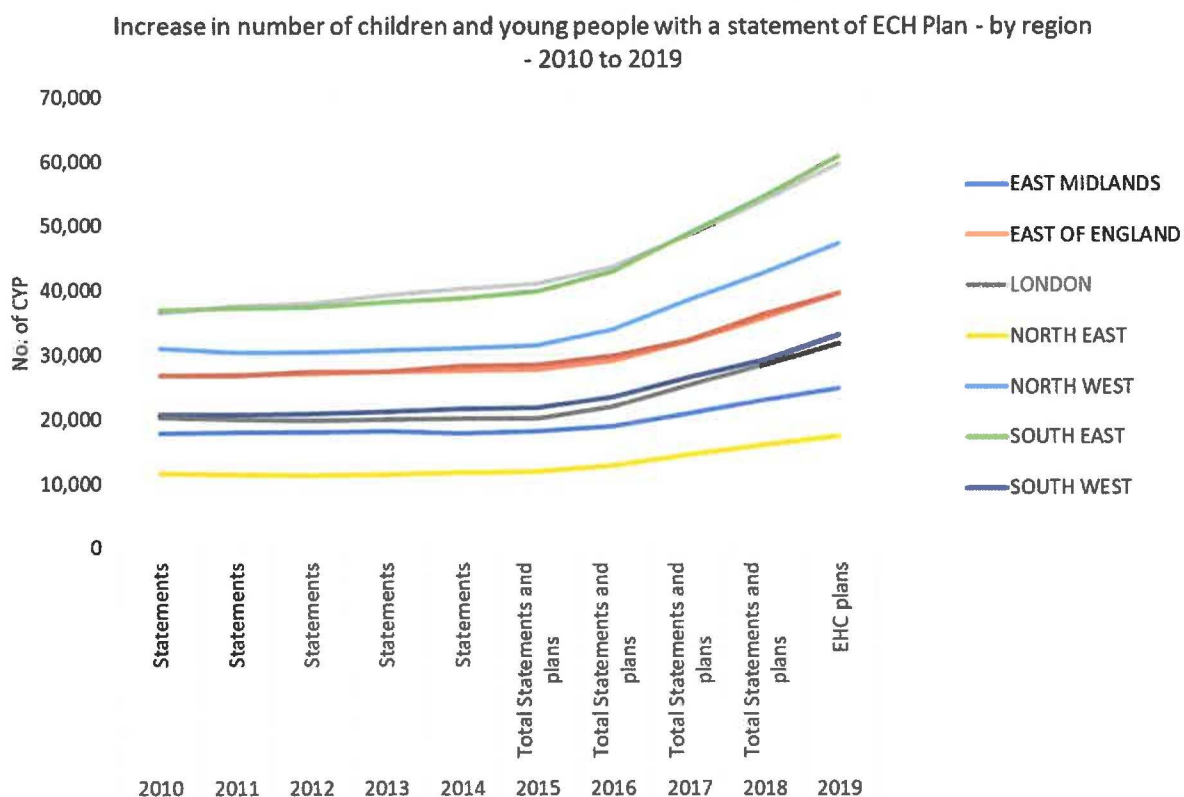
A handwritten signature in blue ink, appearing to read 'G Fielding', with a stylized 'F' at the end.

Nikki Bishop, President of the Society of Municipal Treasurers

A handwritten signature in blue ink, appearing to read 'N Bishop', with a stylized 'B' at the end.

cc. Rt Hon. James Brokenshire MP, Secretary of State for Housing, Communities & Local Government; Rt Hon. Liz Truss MP, Chief Secretary to the Treasury

## Appendix 1 – Change in number of children and young people with a statement or EHCP since 2010



Source: DfE, SEN2 data

<https://www.gov.uk/government/statistics/statements-of-sen-and-ehc-plans-england-2019>

## 6. Annex B: Consultation Questions

### About You

**A) Please provide your name:**

**B) What is your email address?**

**C) Are you responding as an individual, or as part of an organisation? (Circle)**

**D) What is your role?**

**E) What is the name of your organisation?**

**F) What type of organisation is this?**

**G) Which local authority are you responding from?**

**H) Are you happy to be contacted directly about your response?**  
**Yes / No**

**I) How did you hear about the consultation?**

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Information provided in response to consultations, including personal data, may be subject to publication or disclosure under the Freedom of Information Act 2000, the Data Protection Act 2018 or the Environmental Information Regulations 2004.

If you want all, or any part, of a response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department for Education will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 2018, and your personal information will only be used for the purposes of this consultation. Your information will not be shared with third parties unless the law allows it.

You can read more about what the DfE does when we ask for and hold your personal information in our [personal information charter](#).

**I ) Do you wish for your response to remain confidential?**

**Yes / No**



## Proposals

### Proposal 1: Making public where local authorities are failing to comply with deadlines for completing assurance returns and financial collections

Please refer to **paragraphs 3.2 - 3.10** of the consultation document before responding to this proposal.

Local authorities, and maintained schools, are obliged to complete the following assurance returns and financial collections:

- Schools Financial Value Standard
- Dedicated Schools Grant

We have reviewed the approach to late returns that the ESFA has adopted this year for the academy sector, whereby they publish (on GOV.UK) the names of trusts who are late in submitting more than 2 out of 4 annual returns and believe similar measures could be used in the LA maintained schools sector.

**1) Please indicate whether you agree or disagree with the proposal below.**  
**Please Tick (✓)**

Statement	Agree	Disagree	Neither agree nor disagree
<p>We propose to publish the names of local authorities on GOV.UK who fail to comply in any financial year with more than two deadlines from the following collections:</p> <ul style="list-style-type: none"><li>▪ School Financial Value Standard (SFVS)</li><li>▪ Dedicated Schools Grant CFO assurance statement</li><li>▪ Consistent Financial Reporting</li><li>▪ Section 251 Budget</li><li>▪ Section 251 Outturn</li></ul>			

Comments

**Proposal 2a: Strengthening DSG annual assurance returns: Collecting the number of schools with suspended budgets and notices of financial concern through existing DSG assurance statement**

Please refer to **paragraphs 3.11 - 3.14** of the consultation document before responding to this proposal.

- 1) Please indicate whether you agree or disagree with the proposal below.**  
**Please Tick (✓)**

Statement	Agree	Disagree	Neither agree nor disagree
We propose to collect the number of schools with suspended budgets and notices of financial concern through the existing DSG assurance statement signed by the local authority CFO at the end of the financial year.			

Comments

**Proposal 2b: Strengthening DSG annual assurance returns: Adding a new section to the DSG assurance statement that captures the amounts that LAs have recovered from investigating fraud**

Please refer to **paragraphs 3.11 - 3.15** of the consultation document before responding to this proposal.

Currently, local authorities recover funds from fraud investigations but only inform DfE of the number and value of reported cases, not the value of money recovered

- 1) Please indicate whether you agree or disagree with the proposal below.**  
**Please Tick (✓)**

Statement	Agree	Disagree	Neither agree nor disagree
We propose to add a new section to the DSG assurance statement that captures the amounts that LAs have recovered from investigating fraud			

Comments

**Proposal 3: Requiring maintained schools to provide local authorities with 3-year budget forecasts**

Please refer to **paragraphs 3.16 – 3.21** of the consultation document before responding to this proposal.

Local authorities are required to maintain schemes for financing schools, which set out the financial relationship they have with their maintained schools. We have recently introduced a requirement for academies to send the department a three-year budget plan and we believe that this could be extended to maintained schools in the form of sending a three-year budget plan to their maintained authority.

- 1) Please indicate whether you agree or disagree with the proposal below.**  
**Please Tick (✓)**

Statement	Agree	Disagree	Neither agree nor disagree
We propose a directed revision of the schemes for financing schools to make it a requirement for maintained schools to provide local authorities with three-year budget forecasts			

Comments

### **Proposals 4 (a,b,c): Strengthening Related Party Transaction arrangements in maintained schools:**

Please refer to **paragraphs 3.22 – 3.29** of the consultation document before responding to these proposals. The three proposals are alternatives to one another.

Academy trusts must report all Related Party Transactions (RPTs) to ESFA in advance of the transaction taking place, using ESFA's on-line form. This requirement applies to transactions made on or after 1 April 2019. Since April 2019, all academy trusts have had to seek approval from the ESFA for RPT payments of more than £20,000 and all

transactions below £20,000 must be declared. The arrangements for reporting RPTs in maintained schools are not as stringent as those in academy trusts.

**Proposal 4a: : Making schools append a list of RPTs to their response to the new question in the Schools Financial Value Standard (SFVS) about their arrangements for managing RPTs, so that the information goes to the local authority and can be passed on to the department**

- 1) Please indicate whether you agree or disagree with the proposal below.  
Please Tick (✓)

Statement	Agree	Disagree	Neither agree nor disagree
We propose to make schools append a list of RPTs to their response to the new question in the SFVS about their arrangements for managing RPTs.  In addition, we would insert additional columns into the CFO Assurance Statement, to request the number of RPTs and value for each to be disclosed.			

Comments

**Proposal 4b: Making a directed revision to the statutory Scheme for Financing Schools to require schools to report all RPTs, or RPTs above a certain threshold, directly to the local authority**

**1) Please indicate whether you agree or disagree with the proposal below.  
Please Tick (✓)**

Statement	Agree	Disagree	Neither agree nor disagree
We propose to amend the scheme for financing schools to require schools to report all RPTs, or RPTs above a certain threshold, directly to the local authority.			

Comments

**Proposal 4c: Making a directed revision to the statutory Scheme for Financing Schools to require schools to seek permission from the local authority to enter into RPTs above a certain amount.**

**Please indicate whether you agree or disagree with the proposal below. Please Tick (✓)**

Statement	Agree	Disagree	Neither agree nor disagree
We propose to amend schemes to require schools to seek permission from the authority to enter RPTs above a threshold.			

## Comments

### **Proposal 5: Requiring maintained schools to be subject to internal audit at least every 3 years**

Please refer to **paragraphs 3.30 – 3.34** of the consultation document before responding to this proposal.

Schools are within the overall audit arrangements determined by the local authority's statutory section 151 officer (CFO). Authorities operate internal audit teams whose work is then relied on by their external auditors. Most audit plans use a risk-based approach with some themed audits. We have learned in discussion with local authorities that the cycles for auditing-maintained schools vary a great deal and, in some cases, have fallen into disuse. Consequently, we think there is a case for action.

- 1) Please indicate whether you agree or disagree with the proposal below.**  
**Please Tick (✓)**

Statement	Agree	Disagree	Neither agree nor disagree
We propose to make a directed revision to the scheme guidance to require that every maintained school be subject to internal audit at least every 3 years.			

## Comments

### **Proposals 6 (a,b,c): Strengthening arrangements to help schools that are in financial difficulty:**

Please refer to **paragraphs 3.35 – 3.37** of the consultation document before responding to these proposals. These proposals are additive, and we could implement all three together.

There is currently no requirement for local authorities to report to the department their plans for addressing financial difficulty in specific schools. Local authorities include both a deficit and surplus policy within their scheme for financing schools and monitor their schools' compliance with these. We have not previously collected information from authorities on the number of schools they intervene in but consider that this evidence base would help us to understand any variances in the level of support provided and target additional support from the Department.

### **Proposal 6a: Requiring schools to submit a recovery plan to their maintaining authority when their deficit rises above 5%**

- 1) Please indicate whether you agree or disagree with the proposal below.  
Please Tick (✓)**

Statement	Agree	Disagree	Neither agree nor disagree
We propose to make a directed revision to the scheme for financing schools requiring schools to submit a recovery plan to their maintaining authority when their deficit rises above 5%.			



Comments

**Proposal 6b: Collecting information on the number of recovery plans in each LA through DSG annual assurance returns from the CFO**

**1) Please indicate whether you agree or disagree with the proposal below.  
Please Tick (✓)**

Statement	Agree	Disagree	Neither agree nor disagree
We propose to collect information on the number of recovery plans in each LA through the DSG annual assurance return from the CFO.			

Comments

**Proposal 6c: Writing to local authorities each year when the end-year data is published, specifying the threshold of deficit that would trigger contact with the Department**

**1) Please indicate whether you agree or disagree with the proposal below.  
Please Tick (✓)**

Statement	Agree	Disagree	Neither agree nor disagree
<p>We propose to formalise the approach to working with LAs and include a request for high level action plans from some LAs. This will be achieved by:</p> <ul style="list-style-type: none"> <li>• Sharing published data on the school balances in each LA</li> <li>• Use this data and evidence-based requests from LAs to ensure support is focused where it is needed</li> <li>• Request high level action plans from LAs in which the number or proportion of school revenue deficits over 5% is above a certain level.</li> </ul>			

Comments

### Proposal 7: Increasing transparency in the reporting of high pay for school staff

Please refer to **paragraphs 3.38 – 3.41** of the consultation document before responding to this proposal.

Currently there is a disparity between public access to information on high salaries within maintained schools and academies. Salary ranges within the national pay framework are published annually in the School Teachers Pay and Conditions Document – these apply to teachers and leaders in maintained schools.

Academy trusts must disclose in their published financial statements information about each individual earning over £100k - specifically (i) their total FTE salary in £10k bandings, e.g. £100k - £110k, (ii) their job role and description and (iii) whether they are predominantly focussed on curriculum and education leadership or school business management leadership. We believe that this measure should be introduced for LA maintained schools and would require them to publish annually on their websites the number of individuals earning over £100K in £10K bandings.

**1) Please indicate whether you agree or disagree with the proposal below.  
Please Tick (✓)**

Statement	Agree	Disagree	Neither agree nor disagree
We propose that all LA maintained schools should be required to publish annually on their websites the number of individuals (if any) earning over £100K in £10K bandings			

## Comments

[illegible]

**Proposal 8: Increasing transparency in reporting maintained school income and expenditure**

Please refer to **paragraphs 3.42 – 3.45** of the consultation document before responding to this proposal.

Local authority school accounts are part of the local authority statements of accounts that are published at gross level for income and expenditure. While individual schools are not included on the LA balance sheet, individual maintained schools are required to produce annual income and expenditure statements, known as Consistent Financial Reporting (CFR), or else local authorities produce them on the schools’ behalf. The department publishes all the information from CFR in a spreadsheet but we believe it would add significantly to transparency if there were a requirement for individual schools to publish annually on their websites their latest CFR statements.

**Please indicate whether you agree or disagree with the proposal below. Please Tick (✓)**

Statement	Agree	Disagree	Neither agree nor disagree
We propose that all LA maintained schools should be required to publish annually on their websites their latest Consistent Financial Reporting statement of income, expenditure and balances.			

Comments

## New financial burdens on local authorities

Local authorities are invited to fill in the table below to indicate and quantify any new burdens they believe would arise from the proposals in this document. Please specify in as much detail as possible what costs you believe would arise and provide figures.

Proposal	Yes/No	Details and quantification of cost
2a		
2b		
3		
4a		
4b		
4c		
5		
6a		
6b		
Other proposals (please specify)		

## Additional costs for schools

Respondents are invited to fill in the table below to indicate and quantify any additional costs they believe would arise for schools from the proposals in this document. Please specify in as much detail as possible what costs you believe would arise and provide figures.

Proposal	Yes/No	Details and quantification of cost
3		
4a		
4b		

<b>4c</b>		
<b>5</b>		
<b>6a</b>		
<b>7</b>		
<b>8</b>		
<b>Other proposals (please specify)</b>		

## 7. Respond Online

7.1 To help us analyse the responses please use the online system wherever possible. Visit [www.education.gov.uk/consultations](http://www.education.gov.uk/consultations) to submit your response.

### Other ways to respond

7.2 If for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, please email or write to the addresses below and we will send you a word document version.

#### By email

- [LAFinancialTransparency.CONULTATION@education.gov.uk](mailto:LAFinancialTransparency.CONULTATION@education.gov.uk)

#### By post

LA Financial Transparency Measures  
Department for Education  
5<sup>th</sup> Floor  
2 St Pauls Place  
125 Norfolk Street

Sheffield  
S1 2JF

### Deadline

7.3 The consultation closes on 30 September 2019

## **Agenda Item 5**

### **Schools Forum**

**23rd September 2019**

### **Financial transparency of local authority maintained schools and academy trusts**

<b>This report is for Decision</b>
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<p><b>1. <u>Recommendations:</u></b></p>
--

<p>That Schools Forum members:</p>
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- |   |
|---|
| <p>1.1 Note the contents of the report and make comment as necessary.</p> |
|---|

**2. Purpose**

- 2.1 To inform school forum members of a government consultation on the Financial Transparency of local authority maintained schools and academy and make comment as necessary.

**3. Report Details**

- 3.1 On the 17<sup>th</sup> July 2019, the Department for Education (DfE) issued a consultation on “Funding Increases to teachers’ pensions employer contributions”. The deadline for responses is 30<sup>th</sup> September 2019.
- 3.2 The consultation is inviting interested individuals and organisations to comment on proposed new measures that aim to improve transparency of the financial health of LA maintained schools.
- 3.3 The authority welcomes feedback on all question but is particularly interested in gaining maintained schools views on Proposal 8. “Increasing transparency in reporting maintained school income and expenditure – additional costs for schools.”
- 3.4 The consultation is included in Appendix 1.

**4. Recommendations**



## That Schools Forum

- 4.1 Note the contents of the report and feedback their views on the consultation.

Rosemarie Kerr, Principal Accountant – Schools

Date: 17/09/2019

Contact Officer: Rosemarie Kerr

Tel No: 0121 569 8318

## **Agenda Item 6**

### **Schools Forum**

**23rd September 2019**

### **Implementing mandatory minimum per pupil funding levels – Government consultation**

<b>This report is for Decision</b>
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<p><b>1. <u>Recommendations:</u></b></p>
--

<p>That Schools Forum members:</p>
------------------------------------

- |   |
|---|
| <p>1.1 Note the contents of the report and make comment as necessary.</p> |
|---|

**2. Purpose**

- 2.1 To inform school forum members of a government consultation on implementing mandatory minimum per pupil funding levels.

**3. Report Details**

- 3.1 On the 10<sup>th</sup> September 2019, the Department for Education (DfE) issued a consultation on “Implementing mandatory minimum per pupil funding levels”. The deadline for responses is 22<sup>nd</sup> October 2019.
- 3.2 The Department for Education (DfE) is consulting on how to implement the minimum per pupil funding levels in the National Funding Formula (NFF) on a mandatory basis in 5 to 16 school funding. This mean that every local authority will have to use the factor in their local funding formula from 2020/21. The DfE intend to reflect in the Schools and Early Years Finance (England) Regulations following consultation.
- 3.3 Currently, local authorities have flexibility over how they distribute the funding they receive through the NFF locally, in consultation with schools. 81 authorities have moved all of their factor values in their own local formulae closer to the national formula. 121 authorities chose to use the factor for minimum per pupil levels this year with Sandwell being one of them.

3.4 The consultation advises authorities and schools to plan on the basis it will be mandatory, with the emphasis on the consultation focussing on how best to implement the change, seeking views on technical and operational arrangement, but also giving respondents an opportunity to raise wider issues.

3.5 The consultation questions cover:

- The methodology used to calculate the minimum per pupil levels in local funding formulae;
- The circumstances in which authorities can request to disapply the use of the minimum per pupils levels;
- Any other considers for delivering this change at local level;
- With regard to the public sector equality duty, them impact of the proposals on different groups of pupils, particularly those with protected characteristics.

3.6 The consultation is included in Appendix 1.

#### **4. Recommendations**

That Schools Forum

4.1 Note the contents of the report and feedback their views on the consultation.

Rosemarie Kerr, Principal Accountant – Schools

Date: 17/09/2019

Contact Officer: Rosemarie Kerr

Tel No: 0121 569 8318



Department  
for Education

# **Implementing mandatory minimum per pupil funding levels**

**Government consultation**

**Launch date: 10 September 2019**

**Respond by: 22 October 2019**

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# Introduction

The Department for Education is consulting on how to implement the minimum per pupil funding levels in the National Funding Formula (NFF) on a mandatory basis in 5 to 16 school funding. This means that every local authority will have to use the factor in their local funding formulae from 2020-21, which we intend to reflect in the School and Early Years Finance (England) Regulations following this consultation.

## About the change

The government recently [announced](#) that funding for schools and high needs will rise to over £52bn by 2022-23. This considerable investment will benefit every school. It will ensure that per pupil funding for all schools can rise at least in line with inflation next year; and faster than inflation for most. The majority of schools – those attracting their core NFF allocations – will benefit from a 4% increase to the basic per pupil factors and the funding the formula provides for additional needs. We will remove the cap on gains for schools not yet attracting their full gains under the NFF, so that funding flows through in full. The investment also delivers on the Prime Minister's pledge to ensure every secondary school receives at least £5,000 per pupil, and every primary school will be allocated at least £3,750 – putting primary schools on the path to receiving at least £4,000 per pupil the following year.

The government has also confirmed that it plans to implement a 'hard' NFF as soon as possible, whereby schools receive what they attract through the national formula, rather than through different local authority funding formulae. This will complete our reforms to make the funding system fair, consistent and transparent for every school in the country. We will work closely with local authorities and other stakeholders in making this transition, including to carefully consider the issues that we would need to resolve under a hard formula, such as where funding relies on local intelligence or is tied to local duties. Further detail will be announced in due course, but we will be mindful not to introduce any significant change without adequate lead-in times.

Currently, local authorities have flexibility over how they distribute the funding they receive through the NFF locally, in consultation with schools. This has allowed them to manage the transition towards the NFF, which we have seen significant progress towards in its first two years. The majority of local authorities have chosen to move towards the NFF locally, with 81 authorities this year moving every one of their factor values in their own local formulae closer to the national formula since its introduction. 121 authorities chose to use the factor for minimum per pupil funding levels this year.

In 2020-21, while local authorities will continue to have discretion over the design of the majority of their funding formulae, we have [announced](#) that we intend to make the minimum per pupil funding levels a mandatory factor to use. This factor supports the

lowest funded schools by ‘topping up’ any school that, under funding formulae, would otherwise receive below the minimum levels. Through the NFF, all local authorities receive at least the minimum levels for every school in their area – the majority of schools attract above these levels. By making this factor mandatory, the minimum levels that are provided for in the NFF will be delivered locally, reassuring school leaders and parents that every school will receive at least this funding.

While it is important that the NFF supports the lowest funded schools, it will rightly continue to provide significant extra funding for schools that have more pupils with additional needs, using measures of deprivation and low prior attainment. The minimum levels recognise that there are pupils requiring additional support in every school in the country, including in the lowest funded schools. This is a message we heard in consultation ahead of the introduction of the NFF, and have heard from schools and educational professionals since.

## About this consultation

Local authorities and schools should plan on the basis that the minimum per pupil levels will be mandatory this year. This consultation focuses on how best to implement this change, seeking views on technical and operational arrangements, while also providing an opportunity for respondents to raise any wider issues. The consultation questions cover:

- the methodology used to calculate the minimum per pupil levels in local funding formulae;
- the circumstances in which local authorities can request to disapply the use of the minimum per pupil levels;
- any other considerations for delivering this change at local level;
- with regard to the public sector equality duty, the impact of the proposals on different groups of pupils, particularly those with protected characteristics.

## Who this consultation is for

This consultation welcomes views from anyone with an interest in school funding. However, it specifically focuses on how we implement the minimum per pupil funding levels in 5 to 16 school funding, through local authority funding formulae. It will therefore be most relevant to local authorities, who hold responsibility for those formulae, and maintained schools and academies, as recipients of the funding.

For more detailed information about 5 to 16 school funding arrangements you can refer to the Operational Guide for 2020-21, to be published on GOV.UK shortly.

# Responding to this consultation

## Online

To help us analyse the responses please use the online system wherever possible. Visit [www.education.gov.uk/consultations](http://www.education.gov.uk/consultations) to submit your response.

## By email

[Minimum.FUNDING@education.gov.uk](mailto:Minimum.FUNDING@education.gov.uk)

## By post

Funding Policy Unit, Department for Education  
4<sup>th</sup> floor, Sanctuary Buildings  
Great Smith Street  
SW1P 3BT

## Enquiries

If your enquiry is related to the policy content of the consultation you can contact the department's Funding Policy Unit by email:

[Minimum.FUNDING@education.gov.uk](mailto:Minimum.FUNDING@education.gov.uk)

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by email:

[Coordinator.CONULTATIONS@education.gov.uk](mailto:Coordinator.CONULTATIONS@education.gov.uk) or by telephone: 0370 000 2288 or via the [DfE Contact us page](#).

## Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](http://GOV.UK DfE consultations).

## Deadline

The consultation closes at 11.45pm on 22 October 2019.

## The response

We will publish the results of the consultation on GOV.UK in November 2019.

We are mindful of the need to confirm final arrangements with as much notice for local authorities as possible.



# Consultation questions

## 1. Calculating the minimum per pupil funding levels

### For information: how the calculation works in the NFF

The minimum per pupil funding factor refers to the level of per pupil funding that schools receive. It differs from the funding floor in the NFF, or the minimum funding guarantee in local formulae, which provide a minimum increase over individual school baselines.

To calculate whether a school attracts additional funding as a result of the minimum per pupil factor (i.e. if it needs to be ‘topped up’) we compare the minimum per pupil funding levels to the school’s per pupil funding (before the minimum per pupil funding levels and funding floor are applied). This calculation is set out in Figure 1 below.

**Figure 1. Calculation of the minimum per pupil funding factor in the NFF**

Calculation step	Description	Example
1) Pupil-led funding (before the minimum per pupil factor and funding floor)	We start with the pupil-led funding before applying the minimum per pupil funding or funding floor.	A secondary school’s pupil-led funding (before the minimum per pupil factor and funding floor) is £4,500 per pupil.
2) School-led funding	We need to add together the total funding through the pupil-led and school-led factors to calculate total funding (before the minimum per pupil factor and funding floor).  Premises factors are exempt from the school-led factors	The school-led funding for the school is £110,000 Lump Sum.
3) Adjusted pupil count in the Local Authority funding formula submission (i.e. the Authority Proforma Tool)	We use this to calculate the per pupil funding for the minimum per pupil funding factor calculation.	Secondary school’s pupil count is 1,200.

<p>4) Per pupil funding used for the minimum per pupil funding calculation</p>	<p>The per pupil funding (before the minimum per pupil factor and funding floor) is equal to:</p> <p>Pupil-led funding (before the minimum per pupil factor and funding floor) (Step 1)</p> <p>Multiplied by APT adjusted pupil count (Step 3)</p> <p>Plus school-led funding (Step 2)</p> <p>Divided by APT adjusted pupil count (Step 3).</p>	<p>School's per pupil funding (before the minimum per pupil factor and funding floor) is equal to:</p> <p>£4,500 multiplied by 1,200 (£5,400,000)</p> <p>Plus £110,000 (£5,510,000)</p> <p>Divided by 1,200, which equals £4,592.</p> <p>i.e.</p> $(( [1] \times [3] ) + [2] ) \div [3]$ $= ((£4,500 \times 1200) + £110,000) \div 1200$ $= £4592$
<p>5) School's individual minimum per pupil funding level</p>	<p>The calculation of the minimum per pupil funding level for each school is set out below (p.8)</p>	<p>School is a secondary with three KS3 year groups and two KS4 year groups, so minimum per pupil funding level is £5,000.</p>
<p>6) Does the school receive funding through the minimum per pupil funding factor?</p>	<p>If a school's per pupil NFF funding (Step 4) is less than the school's individual minimum per pupil funding level (Step 5), then the school receives extra funding through the minimum per pupil funding factor.</p>	<p>School's per pupil funding (before minimum per pupil factor and funding floor) is £4,592.</p> <p>This is less than the school's individual minimum per pupil funding level, £5,000. Therefore, the school receives a funding uplift through the minimum per pupil funding factor.</p> <p>This is equal to £408 per pupil (£5,000 minus £4,592).</p> <p>i.e.</p> $= IF [4] < [5], \text{ then } [5] - [4], \text{ ELSE } 0$ $= £5,000 - £4,592$ $= £408$

7) Per pupil funding after applying the minimum per pupil funding factor	We add per pupil funding through the minimum per pupil funding factor (step 6) to the NFF per pupil funding (step 4), and multiply by the proportion of the financial year for which the school is open.	School is open for the full financial year. The NFF per pupil funding is £4,592 plus £408 multiplied by 100%, i.e. the minimum £5,000.  i.e. $= ([6] + [4]) \times 100\%$ $= £5000$
8) Pupil-led funding per pupil (after the minimum per pupil funding but before the funding floor).	For the NFF funding floor calculation, we take the NFF per pupil funding reached in Step 7, then multiply this by pupil numbers (Step 3), and subtract the school-led funding (Step 2).  We then divide this by pupil numbers (Step 3) to reach a per pupil value to use before the application of the funding floor	School's NFF per pupil funding minimum per pupil is £5,000.  The per pupil value of £5000 is multiplied by the pupil count of 1,200, i.e. 6,000,000.  We subtract the school-led funding of £110,000 and divide by the pupil count of 1,200.  i.e. $= ([7] \times [3] - [2]) \div [3]$ $= £4,908.$

### For information: changes to the calculation in 2020-21

Compared to the NFF of the previous two years, in 2020-21 there are two technical changes which will affect the minimum per pupil calculation.

Firstly, to ensure consistency for all schools, including those with non-standard year groups, this year we have simplified the calculation for a school's individual minimum per pupil levels within the NFF, i.e. Step 5 in Figure 1 above. For all schools, we will now apply the following calculation:

$$(\text{No. of primary year groups} \times \text{£3,750}) + (\text{No. of KS3 year groups} \times \text{£4,800}) + (\text{No. of KS4 year groups} \times \text{£5,300})$$

---

**Total number of year groups**

This calculation will provide per pupil funding of at least £3,750 for each primary school, and £5,000 for each secondary school with standard structures of 7/5 year groups respectively. For middle schools, all-through schools and other schools with a non-standard year group structure this will produce a specific minimum per pupil value that relates to the number of year groups in each phase.

Secondly, from 2020-21 we are introducing a formulaic approach to the mobility factor in the NFF, rather than funding this on the basis of historic spend. We confirmed this intention in response to our consultation on the introduction of the NFF in 2017, and have since worked closely with local authorities and other stakeholders on its development. Further detail will be provided in the 2020-21 NFF technical note, which will be published shortly. For the purpose of the minimum per pupil levels, it means that mobility is now included in the calculation as part of per pupil funding before applying the minimum per pupil factor and funding floor, i.e. Step 4 in Figure 1 above. The only factors not included in per pupil funding for the purpose of the calculation are premises and growth funding. Further detail on premises and growth funding is available in the 2020-21 Operational Guide.

## Proposal

We propose that the simplest and most effective way to implement mandatory minimum per pupil funding levels is for every local authority to follow the same methodology used in the NFF, described above, in their local funding formula.

This means that local authorities would calculate the minimum per pupil levels on the basis of the school's total core funding – that is all the funding they receive from the schools block – excluding funding through the premises and growth factors. As explained above, in 2020-21 we are formularising the mobility factor in the NFF, so mobility funding will be included in the calculation of the minimum per pupil levels both in the NFF and in local formulae.

The Authority Proforma Tool (APT), which we ask local authorities to use in order to specify and model their funding formulae, will allow authorities to check that each school's funding per pupil is above the relevant minimum per pupil funding level. Any capping and scaling would not be able to take the school below the minimum values.

The only further calculation that authorities would be able to make once their formula has provided the minimum per pupil level for a school is, for maintained schools only, to deduct funding for de-delegated central services if the schools forum has agreed this can be taken from their budget shares in 2020-21. Further detail on de-delegation is available in the 2020-21 Operational Guide.

**Question 1: Do you agree that, in order to calculate mandatory minimum per pupil funding levels, all local authorities should follow the NFF methodology? If not, please explain your reasons.**

## 2. Disapplying the mandatory minimum per pupil funding levels

All local authorities will receive at least the minimum per pupil levels for every school in their area through the NFF. The principle of making the levels mandatory is that we expect local funding formulae to ensure that no school receives less than these per pupil amounts. We therefore intend to set out in the School and Early Years Finance (England) Regulations that all local authority funding formulae must use the minimum per pupil factor, set at the values in the NFF.

However, we recognise that there may be exceptional circumstances in which a local authority finds it difficult to deliver the minimum per pupil funding levels at the same value provided in the NFF. We therefore propose to stipulate in the School and Early Years Finance (England) Regulations that authorities can make a request to the department to disapply the use of the full NFF per-pupil values.

While we would consider each disapplication request on its own merit, we would expect such requests to be exceptional. Our proposed policy is that affordability would be the only acceptable circumstance in which a local authority could disapply the use of the mandatory minimum per pupil levels. The only clear reasons that an authority would be in this position are:

- if they do not use all the funding they receive through the NFF in their local schools funding formula, having transferred funding from the schools block to another DSG block or held back more funding for their growth fund than the NFF has provided for growth;
- if the more recent pupil characteristics data used in their local formula has changed significantly enough from the data used in the NFF that the use of national factor values becomes unaffordable.

In addition, it will not always be the case that an authority experiencing *any* pressure as a result of the above would be unable to afford the minimum per pupil levels – it would need to be a significant enough pressure in the context of the authority's own formula. We would consider evidence in disapplication requests that the authority had designed their formula on the presumption of using the full minimum per pupil levels. We would expect them to have considered a range of alternative options with their schools forum on how to implement them, including modelling the impact on all schools, but concluded that they could not do so without having a significant adverse impact on other schools in the area. Furthermore in 2020-21 we expect there to be less need to make transfers from the schools block in light of the considerable additional high needs funding that each local authority will receive.

We will confirm details for disapplication related to the minimum per pupil levels in the response to this consultation.

**Question 2: Do you agree that any requests from local authorities to disapply the use of the mandatory minimum per pupil levels should only be considered on an exceptional basis and in the context of the grounds described above? If not, please explain your reasons.**

### 3. Additional comments

We want to give respondents to this consultation the opportunity to raise any additional points which have not been covered above, with regards to potential issues that need to be considered when local authorities implement mandatory minimum per pupil funding levels in 2020-21.

You are not required to provide additional information if you do not have any further comments.

**Question 3. Please provide any additional comments you wish to make on the implementation of mandatory minimum per pupil levels.**

### 4. Public Sector Equality Duty

The Public Sector Equality Duty places a legal obligation on the department to consider how its decisions impact differently on different people. The relevant protected characteristics under the duty are:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race (including ethnicity)
- religion or belief
- sex
- sexual orientation

Under Section 149 of the Equality Act 2010, the Secretary of State is under a duty to have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, in particular the need to:
  - remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic

- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
  - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, in particular the need to:
- tackle prejudice
  - promote understanding.

We are committed to ensuring equality of opportunity for all children and it is important for us to consider the possible impact that consultation proposals could have on different groups. We are seeking views through this consultation on whether any of the proposals would have a disproportionate impact on specific pupils, and if so, what could be done to mitigate this impact.

**Question 4a: Do you think that any of our proposals could have a disproportionate impact, positive or negative, on specific pupils, in particular those who share a protected characteristic? Please provide evidence to support your response.**

**Question 4b: How could any adverse consequences be reduced and are there any ways we could better advance equality of opportunity between those pupils who share a relevant protected characteristic and those who do not? Please provide evidence to support your response.**



Department  
for Education

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FOCUS PROVISION AVERAGE OCCUPANCY TABLE 2019/2020

		% April	% May	% June	% July	% August	% September	% October	% November	% December	% January	% February	% March	Places Purchased	Notes	Vacant Places @ September
Christ Church C.E. Primary	CCD	100%	88%	88%	88%	88%	88%	88%	88%	88%	88%	88%	88%	8		1
Crocketts Lane Primary	PD	92%	83%	83%	83%	83%	83%	83%	83%	83%	83%	83%	83%	12		2
Devonshire Infant Academy	CCD	100%	100%	100%	100%	100%	40%	40%	40%	40%	40%	40%	40%	5		3
Devonshire Junior Academy	CCD	120%	120%	120%	120%	120%	140%	140%	140%	140%	140%	140%	140%	5		-2
Femdale Primary	CCD	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	10		0
Galton Valley Primary	MLD	100%	100%	100%	100%	100%	80%	80%	80%	80%	80%	80%	80%	10		2
Grace Mary Primary	CCD	100%	100%	100%	100%	100%	125%	125%	125%	125%	125%	125%	125%	8		-2
Great Bridge Primary	CCD	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	9		0
Hargate Primary	HI	82%	82%	82%	82%	82%	71%	71%	71%	71%	71%	71%	71%	17		5
Hargate Primary	SEMH	20%	40%	40%	40%	40%	40%	40%	40%	40%	40%	40%	40%	5		3
Ocker Hill Academy	CCD	80%	80%	80%	80%	80%	90%	90%	90%	90%	90%	90%	90%	10		1
Springfield Primary	CCD	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	3	Provision is being ceased. No pupils will be admitted and places commissioned will be reduced to match occupancy. 4 Places from 01/04/2019	0
St Martin's CE Primary	SEMH	60%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	5		1
Uplands Manor Primary	SLCN	75%	75%	88%	88%	88%	75%	75%	75%	75%	75%	75%	75%	8		2
Bristnall Hall High	CCD	100%	100%	100%	100%	100%	104%	104%	104%	104%	104%	104%	104%	25		-1
St Michaels C.E High	PD	95%	90%	90%	90%	90%	75%	75%	75%	75%	75%	75%	75%	20		5
St Michaels C.E High	CCD	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	2		0
Wodensborough Ormiston Academy	HI	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%	5		1
Wodensborough Ormiston Academy	CCD	85%	85%	85%	85%	85%	90%	90%	90%	90%	90%	90%	90%	20		2
<b>Total Occupancy</b>		<b>93%</b>	<b>93%</b>	<b>93%</b>	<b>93%</b>	<b>93%</b>	<b>88%</b>	<b>88%</b>	<b>88%</b>	<b>88%</b>	<b>88%</b>	<b>88%</b>	<b>88%</b>	<b>187</b>		<b>23</b>
<b>Total Vacancies</b>		<b>10%</b>	<b>10%</b>	<b>10%</b>	<b>10%</b>	<b>10%</b>	<b>12%</b>	<b>12%</b>	<b>12%</b>	<b>12%</b>	<b>12%</b>	<b>12%</b>	<b>12%</b>			

<b>Academy Schools</b>	
Occupied places is between	80% - 100%
Occupied places less than	80%
Occupied places over	100%

## Agenda Item 8 Appendix 2

2019/2020  
SPECIAL PROVISION AVERAGE OCCUPANCY TABLE

All figures are representative as at the first of the month

	% April	% May	% June	% July	% August	% September	% October	% November	% December	% January	% February	% March	Places Available	Notes	Vacant Places @ September	% Vacant	Notes
Meadows	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%	167		1	1%	
Orchard	103%	103%	103%	103%	103%	103%	103%	103%	103%	103%	103%	103%	145		4 Places Over	0%	
Brades	92%	92%	92%	92%	92%	108%	108%	108%	108%	108%	108%	108%	37		3 Places Over	0%	
Shenstone	105%	105%	107%	109%	109%	107%	107%	107%	107%	107%	107%	107%	43		3 Places Over	0%	
Westminster	99%	99%	99%	100%	100%	100%	100%	100%	100%	100%	100%	100%	201		1	0%	
Total Occupancy	100%	100%	100%	101%	101%	101%	101%	101%	101%	101%	101%	101%	593		2	0%	
Total Vacancies	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%					

Occupancy is between 90% & 100%  
Occupancy is less than 90%  
Occupancy is greater than 100%

Vacancies are less than 5%  
Vacancies are greater than 5%

2019/2020  
SPECIAL PROVISION AVERAGE VACANCY TABLE

	% April	% May	% June	% July	% August	% September	% October	% November	% December	% January	% February	% March	Places Available	Notes	Vacant Places @ September	% Vacant	Notes
Meadows	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	167		1	1%	
Orchard	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	145		4 Places Over	0%	
Brades	7%	7%	7%	7%	7%	0%	0%	0%	0%	0%	0%	0%	37		3 Places Over	0%	
Shenstone	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	43		3 Places Over	0%	
Westminster	5%	5%	5%	2%	2%	2%	2%	2%	2%	2%	2%	2%	201		1	0%	

Vacancies are less than 5%  
Vacancies are greater than 5%

## **Agenda Item**

### **Schools Forum**

**23 September 2019**

## **SPECIAL EDUCATIONAL NEEDS HIGH NEEDS BLOCK 2019/20** **AUGUST 2019 MONITORING REPORT**

**This report is for information**

### **1. Recommendations:**

That Schools Forum members:

- 1.1 Note the contents of the report in relation to the 2019/20 HNB Grant budget monitoring for the period 1 April – 31 August 2019.
- 1.2 Note the data provided on the commissioned places and occupancy for special provisions as at September 2019.

### **2. Purpose**

- 2.1 To provide schools forum with the HNB monitoring position as at 31 August 2019 projected to 31 March 2020.
- 2.2 To provide schools forum with the commissioned places and occupancy data in specialist provisions.

### **3. HNB Budget 2019/20**

- 3.1 The HNB current Grant for 2019/20 is £40.698m. The DfE allocated Sandwell an additional £1.703 over two years, from 2018/19, therefore, additional one-off grant of £0.851m is reflected in the above figure.
- 3.2 Table 1 shows initial budget as at 1 April 2019 presented to Schools Forum on 17 June 2019, the anticipated outturn as at 31 March 2020 and the variance from the budget.
- 3.3 The anticipated in year deficit as at 31 August 2019 projected to 31 March 2020 is £0.275m.

3.4 The balance brought forward as at 1 April 2019 is £0.090m surplus. There will be a transfer of funds in 2019/20 amounting to £0.030m from the Early years grant to fund posts.

3.5 The main variances are as follows:

- Pupil top up and place funding £0.339m underspend – Maintained and Academy mainstream provision, Focus Provisions and Special Schools combined, show a possible underspend as at 31 August 2019 of £0.339m subject to any new in year admissions staying within the estimated funding already built into the forecast outturn.
- Alternative Provision £0.884m overspend – the anticipated overspend is for pupils missing education, International new arrivals and hard to place pupils. The budget was increased to £1.4M in 2019/20 following a projection of the anticipated spend at the beginning of Spring Term 2019. However, it was found that the £1.4m was insufficient following the reconciliation of end of year payments as at 31 March 2019, which highlighted additional pupils whose details were not known at the time of the budget preparation. An Alternative Provision Panel is being convened to closely monitor new pupils that need to access AP and the related costs. An estimate of £0.300m, which is a worst-case estimate, has been included in the overall projection at this time and will be adjusted and reported back to Schools Forum as part of the monitoring reports. International new arrivals in NCY 11 will be considered for placement in an AP setting, and the estimated cost of these placements has been included in the prediction above.
- SEN Developments £0.212m underspend – This budget head currently funds staff salaries nearing the end of their contracts agreed by JEG in 2014/15, independent appeals and reports, and funding agreed that does not clearly fit onto any other budget head. It also holds a balancing figure of £0.193m which is difference between the calculated budgets as at 1 April 2019 and the HNB Grant initial settlement 2019/20.

- Other small variances from budget equate to an underspend of £0.057m – This is mainly staffing changes.

**Table 1 - HNB 2019/20 Budget Allocations**

<b>Budget Heading</b>	<b>Budget 2019/20 £000</b>	<b>Anticipated Outturn 31/3/20 £000</b>	<b>Variance from Budget £000</b>
1) Out of Borough Placements	4,209	4,209	0
2) Pupil Top Up and Place Funding	26,559	26,220	(339)
3) Post 16 Colleges	1,900	1,900	0
4) Hospital PRU	993	993	0
5) SEN Support Services	1,040	1,001	(39)
6) Support for Inclusion	2,739	2,715	(24)
7) Alternative Provision	1,400	2,284	884
8) SEN Developments	615	403	(212)
8) Other SEN Funding	1,184	1,184	0
10) Exclusions & Reintegration	59	64	5
<b>TOTAL</b>	<b>40,698</b>	<b>40,973</b>	
<b>HNB Grant</b>	<b>40,698</b>	<b>40,698</b>	
<b>(Surplus)/Deficit</b>	<b>0</b>	<b>275</b>	<b>275</b>

#### 4. Other SEN Funding

4.1 Table 2 shows the breakdown of the other SEN funding of £1.184m

**Table 2 Other SEN Funding**

<b>Description</b>	<b>Budget 2019/20 £000</b>	<b>Anticipated Outturn 31/3/20 £000</b>
Central Recharges	508	508
SLAs with Health	87	87
Equal Pay Claim Special Schools	58	58
Transfer to CWD	96	96
Hospital Tuition	30	30
Mediation	30	30
Medical Malpractice Insurance	15	15
Non-Statutory SEN Support	360	360
<b>TOTAL</b>	<b>1,184</b>	<b>1,184</b>

#### 5. Focus Provision and Special School Place Funding

5.1 The aplaces for Focus Provisions (Appendix 1) and Special Schools (Appendix 2) against current occupancy as at September 2019.

5.2 The Focus Provisions average under occupancy as at September 2019 is 12%. It was 10 % at the beginning of the financial year, it increased to 12% in September as expected. The table shows that the total under occupancy will continue through to 31 March 2020, but it is expected to reduce following the finalisation of EHCPs naming focus provisions during the Autumn term 2019 and Spring term. 2020. There are three school that are over their commissioned places.

5.3 The occupancy across the 4 special schools is running at full capacity. Two of the four special schools are currently over occupancy and in-year adjustments will be made to account for the overoccupancy at the year-end if still applicable, whilst two are carrying 1 vacancy each.

5.4 The data for PRUs have not been included in this report as the information has not been received at this point.

## **6. Recommendations**

6.1 That Schools Forum note the contents of the report.

Date: 12/09/2019 Contact Officer: Chris Ward Tel No: 0121-569-8338
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**Schools Forum**

**23<sup>rd</sup> September 2019**

**Schools Revenue Funding 2020/2021 – Operational Guide**

<b>This report is for information</b>
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**1. Recommendations:**

That school forum members:

- 1.1 note the contents of the report in relation three year funding announced by Government and the “Schools revenue funding 2020/21 - Operational guide”:

**2. Purpose**

- 2.1 To provide school forum with an update on government announcement on school funding for the next three years and to give an overview on the “School revenue funding - operational guidance” issued for 2020/21

**3. Report Details**

- 3.1 The government has confirmed that the 5 to 16 core schools and high needs budget will, compared to 2019/20, rise by:
  - £2.6 billion for 2020/21
  - £4.8 billion for 2021/22
  - £7.1 billion for 2022/23
- 3.2 In early September 2019, the Secretary of State for Education announced schools funding arrangements for 2020/21 and has issued it operational guidance papers on “Schools revenue funding 2020/21.



- 3.3 Financial year 2020/2021 is the third year of the national funding formulae (NFF) for schools, high needs and central school services. The Department for Education have stated they will publish provisional NFF allocations at local authority level for the schools and high needs blocks in 2020/2021 in early October 2019, as well as notional school-level allocations.
- 3.4 The DfE will use the NFF to calculate the blocks within the dedicated schools grant (DSG) that will be allocated to local authorities in December 2019. The early years block of the DSG will be determined by the separate national formula for early years.
- 3.5 Schools block funding is based on notional allocations for each school, which will be aggregated into primary and secondary units of funding to arrive at the school's block funding for each local authority.
- 3.6 The DfE have confirmed the following key elements of the schools NFF in 2020 to 2021:
- The minimum per-pupil levels will be set at £3,750 for primary schools and £5,000 for secondary schools. The primary level will rise to £4,000 in 2021 to 2022.
  - The funding floor will be set at 1.84% to protect pupil-led per-pupil funding in real terms. This minimum increase in 2020/2021 allocations will be based on the individual school's NFF allocation in 2019/2020.
  - Schools that attract their core NFF allocations will benefit from an increase of 4% to the formula's core factors. Exceptions to this are that the free school meals factor, will be increased at inflation so as to broadly reflect actual costs, and premises funding will continue to be allocated at local authority level on the basis of actual spend in the 2019 to 2020 APT, with an RPIX increase for the PFI factor only.
  - There will be no NFF gains cap, so that all schools attract their full allocations under the formula. Local authorities will still be able to use a cap in their local formulae.
  - They will introduce a new formulaic approach to the mobility factor so that it allocates this funding fairly to all authorities, rather than on the basis of historic spend.

- Growth funding will be based on the same methodology as last year and will have the same transitional protection ensuring that no authority whose growth funding is reducing will lose more than 0.5% of its 2019 to 2020 schools block allocation. There will be no capping or scaling of gains from the growth factor.
- The teachers' pay grant and teachers' pension employer contributions grant will both continue to be paid separately from the NFF in 2020/2021. They have stated they will publish the rates that determine the 2020/2021 allocations in due course.

3.7 The DfE have also confirmed the following regarding high needs NFF:

- The funding floor will be set at 8% so each local authority can plan for an increase of at least that percentage, taking into account changes in their 2 to 18 population (as estimated by the Office for National Statistics). This will be based on local authorities' high needs allocations in 2019 to 2020, including the additional £125 million announced in December 2018.
- The gains cap will be set at 17%, allowing authorities to see up to this percentage increase under the formula, again calculated on the basis of per head of population.

3.8 The DfE has confirmed, each local authority will continue to set a local schools formula in 2020/21, in consultation with local schools. The government has confirmed its intention to move to a single 'hard' national funding formula to determine every school's budget, and will work closely with local authorities and other stakeholders in making this transition in the future. They have stated that further information on that process will follow in due course.

3.9 The DfE has also confirmed that in 2020/2021, while local authorities will continue to have discretion over the design of the majority of their funding formulae, they intend to make the minimum per-pupil funding (MPPF) levels a mandatory factor in local formulae.

3.10 The DfE is running a consultation on the minimum per pupil funding on how to best to implement this change which closed on 22<sup>nd</sup> October. A government response will be published in November 2019.

3.11 Other changes to local authority formulae arrangements in 2020/21 are:

- As schools' funding floor baselines will be based on the NFF allocations in 2019 to 2020, in line with the minimum funding guarantee (MFG) methodology, the DfE are removing the 'funding floor factor' that authorities had the option to use in 2019 to 2020 in order to mirror the protection used in the NFF against 2017 to 2018 baselines.
- Local authorities can set the MFG in local formulae between +0.5% and +1.84% per pupil, as well as to use a gains cap.
- Local authorities will continue to be able to transfer up to 0.5% of their school's block to other blocks of the DSG, with schools' forum approval. A disapplication will be required for transfers above 0.5%, or any amount without schools' forum approval; this now applies to any transfers over 0.5%, even if the minister agreed the same amount in the past two years.

3.12 The DfE have stated they appreciate that the funding levels and allocations will be announced later than in previous years, and so authorities will have less time for modelling and consultation, but they still expect open and transparent consultation with all schools; maintained and academies in their area as well as with school forum about any proposed changes to the local funding formula.

3.13 The government has not yet confirmed the level of funding for The central schools services block; but they will publish provisional allocations in October. They have stated they expect to reduce historic commitments element from 2020/21 and will detail their approach in due course.

- Schools Forum – classified as an ongoing responsibility
- Admissions Service – classified as an ongoing responsibility.
- Pensions Administration – continues to be classified as an historic Commitment.

#### 4. **Recommendations**

That school forum members:

- 4.1 note the contents of the report in relation to the Schools funding 2020/21 - Operational Guide:

Rosemarie Kerr, Principal Accountant – Schools

Date: 17/09/2019

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