

Dear Colleague

LEICESTERSHIRE SCHOOLS' FORUM

I would like to invite you to a meeting of the Leicestershire Schools' Forum to be held on **Monday, 10 June 2019 at 2.00 pm at Beaumanor Hall, Beaumanor Drive, Woodhouse, Leicestershire** with the room being available from **** am/pm.

Please see below for the agenda for the meeting.

Yours sincerely

Karen Brown / Bryn Emerson (Tel. 0116 305 6432)

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AGENDA

<u>Item</u>	<u>Paper</u>
1. Apologies for absence/Substitutions.	
2. Minutes of the Meeting held on 12 February 2019 (previously circulated) and matters arising.	2
3. 2018/19 Schools Budget Outturn	3
4. High Needs Development Plan - New SEND Provision	4
5. Autism Services	
Report to follow	
6. Any other business.	
7. Date of next meeting.	
Monday 30 September 2019	
Monday 25 November 2019	
Monday 20 January 2020	

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**Minutes of a meeting of the Leicestershire Schools Forum held at Beaumanor Hall
on Tuesday 12 February 2019 at 2.00 pm**

Present

Nick Goforth (Chair)	Secondary Academies Headteacher
Chris Parkinson	Secondary Academies Headteacher
Julie McBrearty	Secondary Academies Headteacher
Chris Swan	Secondary Academies Governor
Steve McDonald	Secondary Academies Governor
Martin Towers	Secondary Academies Governor
Dave Hedley	Secondary Academies Governor
Suzanne Uprichard	PRU Representative
Jane McKay	Primary Academy Headteacher
Jo Blackburn	Primary Academy Headteacher
Jean Lewis	Primary Academy Governor
David Thomas	Primary Academy Governor
Troy Jenkinson	Primary Maintained Headteacher
Claire Allen	Primary Maintained Governor
Dawn Whitmore	Post 16 Provider Representative
Graham Bett	DNCC Representative

In attendance

David Atterbury, Head of Service, Education Sufficiency

Alison Bradley, Head of Service, Education Quality and Inclusion

Jenny Lawrence, Finance Business Partner, Corporate Resources

		Action
1.	<p>Apologies and Substitutions</p> <p>Apologies for absence were received from Jane Moore, Karen Allen, Ivan Ould, Kath Kelly, Clive Wright, Carolyn Lewis and Zoe Wortley.</p> <p>Nick Goforth chaired the meeting in the absence of Karen Allen.</p>	
2.	<p>Minutes and Matters Arising</p> <p>The minutes of the meeting held on 26 November 2018 were agreed.</p>	

3. 2019/20 Schools Budget

Jenny Lawrence presented a paper on the 2019/20 Dedicated Schools Grant Settlement for Leicestershire and the 2019/20 Schools Budget. The report builds upon a number of reports presented through the 2018/19 financial year.

Jenny explained the background to the funding system in terms of how it is received into the local authority and the role of the Schools Forum in setting the 2019/20 Schools' budget.

Jenny referred to paragraph 17 which sets out the purpose and scope of the 2019/20 Schools' Budget and the action required.

Jenny referred to the Dedicated Schools Grant (paragraph 20) section in the paper which sets out the funding settlement for 2019/20. The provisional overall DSG is £500m which is broken down into four separate blocks, the use of which Jenny outlined to the meeting.

In terms of the high needs block there was an announcement in December that gave Leicestershire £1.4m each year for 2018/19 and 2019/20 but was unsure whether this will continue, the High Needs Development Plan accounts for this funding on an on-going basis. This would ease some of the high needs pressure but confirmation of this funding was still awaited. The Early Years final grant will not be confirmed until June 2020.

Jenny stated that in terms of the Schools' Block a 'soft' funding formula has been confirmed for 2020/21 i.e. local authorities retain responsibility for setting a school funding formula but there is no further information on school funding. The Leicestershire funding formula continues to reflect the National Funding formula (NFF) with the exception of sparsity funding. 2019/20 is the second year of the NFF and schools will receive a minimum per pupil increase in funding of 0.5% on the floor (a total of 1% compared to the 2017/18 baseline). Jenny stated that the formula has been submitted to the ESFA who have queried one element of the submission. Until this is resolved school budgets cannot be issued. It was hoped to get the issue sorted around 2017/18 baseline which is used this year but cannot use next.

The current overspend position of SEN placements and it is projected that an overall high needs overspend of £5.2M will be present in 2022/23 after which the deficit is recovered. The situation is expected to stabilise as new provision comes through the system. Jenny highlighted the £4.3m protection funding mentioned in paragraph 27 which is not guaranteed and it is uncertain how long that will remain in the funding system. A submission to the ESFA in December for the places expected to commission from the high needs providers for the following academic year are shown in Appendix C.

Jenny stated that there was no new information on the grants for universal infant free school meals and PE and sports.

Jenny stated that funding school growth funding for a new school works

well but is proving to be a barrier in terms of growing mainstream school capacity which is something that needs to be addressed.

Jenny outlined that for 2019/20 funding for school growth is formulaic based on increases in pupil numbers between 2017 and 2018 October census and the allocation for 2019/20 is £2.3m which is a significant increase from 2018/19. However the cost of delivering the full NFF in 2019/20 exceeds the school element of the Schools Block by £0.6m. £0.2m of this relates to a difference in the formula budget and DSG allocation for the new Lubbethorpe school opening in September 2019. The growth allocation has fully funded the shortfall resulting in a proposed school growth budget of £1.7m for 2019/20.

The dedicated schools grant reserve is at £1m which is planned to take forward.

Chris Swan referred to paragraph 45 and asked for clarification of the growth funding policy. Jenny explained how it worked in principle and stated that the local authority had a statutory duty to consult on policies.

David Thomas asked Jenny if she could provide figures for each element of the DSG reserve (est £1m). Jenny would add this to the minutes (see below).

2018/19 DSG Reserve;	£,000
Schools Block - School Growth	1,282
Early Years Surplus	41
High Needs Deficit	-299
DSG Surplus c/f	1,025

Jenny stated that the overspend on the high needs block is £2.5m with £2m in reserve.

Graham Bett asked if there was any other county council or authority that have the same policy in that DSG expenditure needed to be contained within the grant available. Jenny stated that this is the position in most authorities. Graham asked if a list of local authorities that provide funding in addition to DSG could be provided for the next meeting. Jenny said that this information could be provided for 2018/19 but not for 2019/20. **Note – the format of the data published by the DFE for 2018/19 does not identify this information.**

Nick Goforth stated that there were no surprises in terms of funding for 2019/20 but asked for thoughts on funding from 2020/21. Jenny stated that 2020/21 will be a soft formula and she expected 2020/21 to continue the 2019/20 funding levels. Jenny stated what happens to the floors and the ceilings is something that is unknown.

Nick Goforth asked for thoughts on the Secretary of State's view that a 2% increase in teacher pay is affordable from school budgets. Jenny

assumed that it will go through but was unsure whether there will be any changes to the pay grant. Jenny added that unless the pay award increases this will be another pressure on school budgets. Nick added that LSH had responded to headteachers on this and this may something LPH should do as well.

Jenny informed the meeting that it was necessary to increase capacity to work with schools in terms of financial planning. The recruitment process for this post had taken place but was unsuccessful. The post has been advertised again and from applications received it was hopeful an appointment will be made this time around. Jenny added that when the recruitment process started the immediate focus was maintained schools but discussions through LEEP and factors identified by academies have raised how this resource will be most effective.

Graham Bett raised concern of the lack of money in the school system and the concern that schools are losing high quality staff at a time when the number of children in the system is increasing. Representatives of this group should join forces to make the Government aware of the Schools Forum concerns and the damage being caused to the school system. Jenny stated that schools do operate successfully within their budgets but agreed that the issues need to be tabled.

Nick Goforth stated that the 2020/21 budget will be down to the comprehensive spending review. Jenny stated that a decision was due autumn 2019 which leaves it late for planning into 2020/21. There is a suggestion it will be a one-year settlement. Discussion took place on the 2% increase which will be extremely difficult to find – is there a place for Schools Forum to express its concern.

Nick Goforth stated that from a meeting with the Regional Schools Commissioner schools not in a MAT should be for school efficiency. Jenny stated that previously the DfE used to convene conferences for Schools Forum but now there is no such mechanism.

Jenny asked Schools Forum to note the notional SEN budget of £33m outlined in paragraph 50. This SEN funding is a subset of the funding delegated to all schools and academies and was established to guide schools in the allocation of resources to meet additional needs of pupils.

Jenny outlined the arrangements in paragraph 52 for reclaiming funding from schools excluding pupils permanently. The rates are also applied to the funding adjustments made in relation to dual registered pupils at Oakfield, the charges levied for the education of children with medical needs and will be recommended to the Secondary Inclusion Partnerships.

Jenny added that the pupil premiums and early year provider funding rates are unchanged.

Jenny stated that the pressures in the local authority budget are clearly visible in paragraph 58; Leicestershire are however in a reasonable position. Jenny added that a balanced budget has been set for the next 2 years and in terms of Children and Family Service there is growth to

increase capacity in the SENA service to address the issues.

There are no new savings, but work continues the process for savings around commissioning of looked after children, internal foster carers and reduction of high cost residential placements. The Children's Commissioner has started to work on costs which will feed into the comprehensive spending review.

There was no further update on the Free School Bid.

Suzanne Uprichard asked if the Educational Psychology Service will shrink and less psychologists available due to the savings of £100k. Jenny understood that the service will be staffed to capacity so the staffing budget will be reduced.

Chris Parkinson raised an issue regarding the implications of the costs in terms of key stage 4 pupils - average cost for the year is £10K which is approximately £55 per day. The suggestion is that the local authority should match that as a charge. Jenny set out that the charge as set out in the report was a mandatory charge, any other needs to be the subject of local agreement.

Chris Parkinson stated that housing growth is happening because of economic development – this should not be coming from schools budgets. Jenny set out that funding for basic need growth was provided to the local authority through a specific allocation within the Schools Block. This funding is on top of that for the NFF for schools so retaining school growth has no impact on the delivery of the NFF. Jenny also pointed to the use of £0.6m of the local authorities growth allocation being used to fund the NFF delivery in 2019/20 as the DSG allocation was insufficient to fund the NFF.

Schools Forum approved the retention of a budget to fund school growth (paragraph 17, item 2).

Schools Forum approved the retention of budgets to meet the prescribed statutory duties of the local authority and to meet historic costs (Paragraph 17, Items 3 & 4).

Schools Forum approved the centrally retained early years funding of (Paragraph 17 Item 5).

Schools Forum noted the number and average cost of commissioned places for children and young people with High Needs (Paragraph 32).

Schools Forum noted the 2019/20 school funding rates (Paragraph 39).

Schools Forum noted the value Dedicated Schools Grant Reserve (Paragraph 48).

Schools Forum approved the action to be taken in respect of schools where the Special Educational Needs (SEN) notional budget

	<p>is insufficient to meet the aggregated value of High Needs Funding Element 2 (Paragraph 50).</p> <p>Schools Forum noted the average per pupil funding to be taken into account for recoupment for excluded pupils and other purposes (Paragraph 52).</p> <p>That Schools Forum noted the payment rates for the Early Years Funding formula (Paragraphs 56 -57).</p>	
4.	<p>High Needs Block Recovery Plan</p> <p>David Atterbury gave a presentation on the current position of the High Needs Block Recovery Plan in terms of Priority 3 (SEND Strategy).</p> <p>David stated that a report went to Cabinet on 18 December outlining the plan to develop local SEND and to seek approval to consult on the proposals.</p> <p>David explained that there are 3 key aspects to SEND Sufficiency and Provision. They are Inclusion, Systems and Processes and Development of Leicestershire Provision. Alison Bradley gave a brief update on the different aspects in terms of investment happening for the inclusion strand. David reported that Tom Common, Head of Service for SEND was currently looking at the EHCP process in terms of entitlement and equality of provision and David will be overseeing the development of Leicestershire provision.</p> <p>David reported that Maplewell is proposing taking over a building on the Charnwood College campus as a Post 16 provision potentially for 40 places for use by Maplewell, Forest Way and Ashmount. This will free up places for ASD at Maplewell.</p> <p>David reported that 30 high quality bids for 15 units were received. David went through the statutory process for the schools to follow which will be significant change for academies or statutory notices for mainstream schools. The units will need to be up and running by this year and some next year.</p> <p>David outlined the following schools:</p> <ul style="list-style-type: none"> • 80 place ASD school (Barwell Newlands) to open September 2020. There is also a legal process to go through. • 50 place SEMH school on the Shepshed Iveshead campus. As this will be a Free school a decision is awaited from the DfE. • Potential for 50 place SEMH school in Lutterworth subject to further discussion with DfE and Trustees <p>The FE specialist provision will be taken forward after half-term.</p> <p>As a snapshot of the online consultation those in favour of change was between 93 – 99%. There will be 6/7 drop in sessions to talk to parents in more detail. A report will be presented to Cabinet in May.</p>	Clerk

	<p>Schools Forum raised the Leicester Mercury report regarding comments made by the Leader of the Council regarding SEN provision. Schools Forum were concerned about comments made in the Leicester Mercury and formally voted as a majority to agree they would welcome clarification and public correction. The Clerk to the Forum would raise this with Jane Moore, Director of Children and Families.</p> <p>David stated that the budget pressures are reported to Members and was very much about inclusivity and locality of provision.</p> <p>Schools Forum formally thanked the local authority for taking this forward and gave their full support.</p>	
5.	<p>Any Other Business</p> <p>There was no further business.</p>	
6.	<p>Date of Next Meeting</p> <p>Monday 10 June 2019 Monday 30 September 2019 Monday 25 November 2019</p> <p>All at 2.00 – 4.00 pm at Beaumanor Hall.</p>	

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SCHOOLS FORUM

2018/19 SCHOOLS BUDGET OUTTURN

10 JUNE 2019

Content Applicable to;		School Phase;	
Maintained Primary and Secondary Schools	x	Pre School	x
Academies	x	Foundation Stage	x
PVI Settings	x	Primary	x
Special Schools / Academies	x	Secondary	x
Local Authority	x	Post 16	
		High Needs	x

Purpose of Report

Content Requires;		By;	
Noting	x	Maintained Primary School Members	
Decision		Maintained Secondary School Members	
		Maintained Special School Members	
		Academy Members	
		All Schools Forum	x

1. This report presents the 2018/19 Schools Budget outturn position and confirms the Dedicated Schools Grant (DSG) Reserve.

Recommendations

2. That Schools Forum note the financial outturn for the 2018/19 Schools Budget
3. That Schools Forum note the level of DSG reserve and the revised approach to its management

2018/19 Schools Budget Outturn

4. The 2018/19 Outturn position for the Children and Young People's Department is summarised in the following table. This table presents both the Local Authority and Schools Budget for completeness but the report presents detail only for the Schools Budget funding blocks.
5. Overall the Schools Budget overspent by £0.5m. The following table provides an analysis of the overspend and also presents the position on the LA budget;

	2018/19 Budget	Total (Under) / Over Spend		Schools Block	Early Years Block	High Needs Block	LA Block
	£,000	£,000	%	£,000	£,000	£,000	£,000
Directorate	1,388	78	6%				80
Safeguarding Assurance	1,783	-76	-4%				-76
Children in Care	32,984	1,475	4%				1,475
Field Social Work	12,045	621	5%				621
Practice Excellence	321	3	1%				3
Targeted Early Help	11,116	-622	-6%				-622
Education Sufficiency	610	-147	-24%	-84		-11	-52
Education Quality and Improvement	40,445	-3	0%		164	-61	-106
SEND & Children with Disabilities	64,923	3,841	6%			3,985	-144
Business Support	8,940	-629	-7%				-629
Other - DSG	-102,744	-2,068	2%	-33	-667	-1,611	
Total	71,811	2,474	3%	-117	-503	2,302	550
School Growth				--1,162			
				-1,279	-503	2,302	550

6. The major variances within the Schools Budget are detailed below;

Service Area		
Early Years Block		
Free Entitlement to Early Education	-503	This is the only DSG area where the grant flexes with demand, however the pupil count dates for grant purposes and those for the payment of early years providers differ. This has resulted in excess grant over spend

High Needs Block		
Special Educational Needs	3,916	Demand for specialist places continues to grow. Three new SEN Units were brought on line in 2018/19 with further units planned to open in September 2019. Long term this will reduce the demand for independent places
DSG and Other	-1,611	Additional DSG was received in December 2018, whilst this additional income is welcome it is only confirmed to 2019/20. The additional grant however has not reduced the need for savings as set out within the High Needs Development Plan as demand has further increased since the plan was established in October 2018
Schools Block	-1,279	Funding for basic need growth in schools, unused in 2018/19 but required in future years

7. It is not possible to present headline data on the level of school balances until the return of the Consistent Financial Reporting returns due to the local authority in mid-June and the subsequent isolation of balances that may be held on behalf of academies where the financial closedown of the former maintained school accounts has yet to be completed. However initial data suggest that maintained school balances have decreased by c£0.2m, however school budget plans forecast a reduction of £3.4m. Whilst school balances may be seen as an indicator of financial health, given the number of schools that have converted to academy status it is not possible to gain and financial overview of all schools. To establish and understand the financial position and increase financial planning capacity in all schools a School Strategic Financial Planner post has been recruited to for a period of two years.
8. Whilst overall the DSG reserve is in a surplus as a result of the unused school growth funding and the underspend on the Early Years block the High Needs element of the grant remains overspent by £73k. Over the medium term the High Needs deficit will increase until the High Needs Development Plan is delivered and the surplus on the schools block will increase as growth funding is banked for future use. Schools Forum will be aware that the DSG settlement for 2019/20 introduced a separate settlement for school growth in addition to the funding for delivery of the National Funding Formula (NFF).

Dedicated Schools Grant Reserve

9. The reserve is earmarked and can only be used to support defined expenditure falling to DSG as set out within the Schools and Early Years Finance Regulations.
10. For 2019/20 the DSG reserve will be managed in line with the DSG blocks that create it in order to respond to the two key challenges for the Local Authority, namely funding new school growth and the delivery of the High Needs Recovery Plan. Additionally funding may be required to support the remaining age range changes in the County and any maintained school deficits reverting to the local authority on academy conversion.

11. In order to establish the sub-blocks of the reserve the DSG reserve surplus from 1 April 2019 has been used to offset the High Needs overspend:

	Schools Block £,000	Early Years £,000	High Needs £,000	Total £,000
Opening Balance 1 April 2018			2,228	2,228
2018/19 Outturn	1,279	502	-2,301	-520
Balance c/f to 2019/20	1,279	502	-73	1,708

As set out in the previous paragraph a deficit will be held on high needs, the high Needs Development Plan has been established to bring expenditure in line with the grant, the school block element will be used to support the cost of school growth and early years held to even out variances between years.

Impact of Government Policy for 2019/20 Onwards

12. The MTFs has, and continues to, require the Schools Budget to be set at the level of DSG with no financial contribution from the Council. This requires the local authority to consider future issues that may give rise to a call on DSG and plan accordingly.
13. The policy of the Government continues to impact on the roles and responsibilities of local authorities and schools in some manner whether through policy or funding changes. Currently there is no information on school funding past 2019/20, however it can be expected that there will also be policy changes that may also have an impact on DSG and school budgets;
- The Timpson review of alternative provision which is suggestive of schools being more accountable for the costs of exclusions.
 - A Call for Evidence was launched by the DfE on 3 May asking for evidence of the impact of SEN to feed into the Comprehensive Spending Review expected in the autumn. This eludes to some structural changes in the way SEN is funded in schools.
 - STRB recommendations for future teacher pay awards and the policy.
 - The potential 'mainstreaming' of rants currently receive for teacher pay awards and employer pension contributions.
 - The next steps in the introduction of the National Funding Formula

Resource Implications

14. All resource implications are contained within the body of the report.

Equal Opportunity Issues

24. There are no equality issues arising directly from this report.

Background Papers

Report to the Schools Forum 26 November – High Needs Recovery Plan

<http://politics.leics.gov.uk/documents/s142495/High%20Needs%20Block%20Recovery%20Planv3.pdf>

Report to Schools Forum 12 February 2019 – 2019/20 Schools Budget

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=1018&MId=5857&Ver=4>

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SCHOOLS FORUM

SEND Strategy Development of New Provisions (High Needs Block Development Plan)

10 June 2019

Content Applicable to;		School Phase;	
Maintained Primary and Secondary Schools	x	Pre School	x
Academies	x	Foundation Stage	x
PVI Settings		Primary	x
Special Schools / Academies	x	Secondary	x
Local Authority	x	Post 16	x
		High Needs	x

Purpose of Report

Content Requires;		By;	
Noting	x	Maintained Primary School Members	
Decision		Maintained Secondary School Members	
		Maintained Special School Members	
		Academy Members	
		All Schools Forum	x

1. The purpose of this report is to provide an update on the development of new SEND provisions as part of the High Needs Block Development Plan.

Recommendations

2. That Schools Forum note
 - (a) Details of the new SEND units;
 - (b) The funding model for those units;

- (c) The outcome of the County Council bid to seek Department for Education funding to establish a 50 place free school for pupils with Social, Emotional and Mental Health needs;
- (d) The planned Interviews of academy proposers (sponsors) to operate the new Communication and Interaction school in Barwell, which is in keeping with the requirements placed upon the Council by section 6A (the Free School Presumption) of the Education and Inspections Act 2006, as introduced by the Education Act 2011.

Introduction

3. The Council's proposal to invest £30m capital into new and expanded specialist provision represents one of three key strands of the High Needs Block Development strategy, the other two strands being;
 - a focus on effective systems and processes to support children with SEND (for example the Education, Health and Care (EHC) Plan process);
 - effective support services, aimed at enabling schools to support children with SEND to achieve within a mainstream school setting.

Background

4. High Needs funding provides the funding for support packages for an individual with special educational needs (SEN) in a range of settings, whilst avoiding perverse incentives to over identify high needs pupils and students. It is also intended to support good quality alternative provision for pupils who cannot receive their education in schools. The High Needs funding system supports provision for pupils and students with SEN and disabilities (SEND), from their birth to 25 years.
5. The total projected increase in provision demand (excluding those expected to attend mainstream schools) over the five years 2018 to 2023 is expected to exceed 22%, an increase of 2,167 pupils having EHCP's to 2,652.
6. There is currently in Leicestershire a range of high quality provision for children with special educational needs and disabilities, this includes the core offer of support of support to children and additional support to children with SEND attending mainstream schools; 6 Special Schools, 14 Units and Resource bases located within mainstream schools, and 3 specialist Nurseries. There are a further 5 local Further Education (FE) Colleges and two Independent Specialist Colleges in the County providing support for post-16 SEND learners.
7. Whilst the above provision is of high quality and relatively well spread across the county, analysis of current and future demand shows that there are two key issues. Firstly the requirement to increase the provision for children with communication and interaction difficulties (primarily autism) and children with

social emotional and mental health issues to meet the current and projected demands. Secondly the need to ensure provision is of high quality and locally placed so as to meet the needs of children and young people with SEN. Furthermore this should make the most efficient use of available resources.

New Provision

8. The list of new SEND provisions under development was agreed by the Cabinet on 29 March 2019 and encompasses the development of new units/resource bases in mainstream schools, the expansion of existing special schools, and the longer-term development of new schools (specifically to meet the increasing demand for pupils with Communication and Interaction needs, and those with Social, Emotional and Mental Health needs). The list of provision can be found in Appendix 1 to this report.
9. The process for the addition of SEND provision to local authority maintained schools, or the expansion of existing local authority special schools is defined by the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and requires the publication of a Statutory Notice where certain criteria are triggered.
10. The Statutory Notice detailing the planned changes to each maintained school and maintained special school was published on 4 April 2019. Following publication there followed a 28-day representation period during which comments or objections could be raised; this closed on 2 May 2019.
11. There have been no objections received to the Statutory Notice during the representation period so, as agreed by the Cabinet in March, the Director of Children and Families Services will determine the Notice to allow the various SEND developments to proceed, particularly those planned to open in September 2019.
12. In contrast adding new SEND provision to academies is subject to the consent of the DfE (via the Regional Schools Commissioner) for 'significant change' where certain criteria are triggered. This process also requires the academy trust to undertake a short period of consultation before the submission of a business case to the DfE to set out its proposals for change, and its capacity, skills and resource/funding arrangements to successfully deliver this. Discussions have taken place with each academy seeking to develop new SEND provision to ensure the submission of a 'significant change' application. It is expected that the various consents will be given later during the summer term 2019 to allow any development works for the new SEND provisions to progress during the summer holidays for September or early autumn opening.
13. In parallel with the work to progress the development of the new SEND provisions the Director of Children and Family Services has conducted a formal consultation process in order to seek the views of parents, schools and others having an interest in provision for SEND pupils. The consultation has sought views on how the new provisions to be developed should look, feel and operate alongside mainstream and/or special schools to ensure a high

quality and inclusive education is provided to all pupils having SEND needs. The outcome of the consultation was very positive and a detailed report was submitted to Cabinet on 24th May 2019.

Funding Special Needs Units

14. A funding protocol has been developed for the funding mechanism for all special educational needs units to open in September 2019 and September 2020. Further detail of the protocol is provided as Appendix 2 to this report.

SEN Free School bid – 50 Place SEMH School

15. The LA submitted an SEN Free School Application to the DfE in October 2019 for a 50 place school for Social, Emotional, Mental Health needs. The ministerial announcement on 11th March 2019 confirmed that Leicestershire's application had been successful. This was the only bid approved out of 9 submissions from the East Midlands area.
16. The new school will be sited on the Iveshead campus, Shepshed and currently there is an invitation for Expressions of Interest on the LCC and DfE website. An engagement event to invite potential sponsors to consider applying to run the new school is planned for early July.

New Barwell Communication and Interaction Free School

17. There has been a good response to the call for expressions of interest from suitable academy proposers (sponsors) to operate the new 80-place Communication and Interaction School, to be located in Barwell, and which is expected to open in September 2020.
18. The assessments will follow a three-stage process, comprising the initial written application, a presentation by the applicants and an interview by the Council (Wednesday 5th June 2019) and finally a visit by the Council to an existing similar academy currently operated by the applicant. Each stage of the application process will be allocated a weighted score, and the total scores for each stage will be aggregated to determine an overall evaluation mark for each applicant.
19. The Director of Children and Family Services, following consultation with the Cabinet Lead Member for Children, Families and Safer Communities, will then submit a shortlist of recommenders to enable a decision to be taken by the Regional Schools Commissioner later in the summer on the preferred Trust to operate the new 80-place Communication and Interaction school. It is anticipated that the decision on the successful sponsor will be received late September 2019.

Resource Implications

20. Schools will need to employ additional staff this is supported by the funding model attached to this report as Appendix 2.

Equal Opportunity Issues

21. The purpose of the HNB Development Plan is to ensure equality and equity of opportunity for all Leicestershire children and young people irrespective of their need or locality.

Background Papers

Report to the Cabinet on 29 March 2019 - Special Educational Needs and Disability – Progress with the delivery of the HNB Development Plan

<http://politics.leics.gov.uk/documents/s145118/HNB%20Development%20Plan%20Update.pdf>

Report to the Cabinet on 24 May 2019 - Special Educational Needs and Disabilities Provision – Results of Consultation on the Development of New Provisions (High Needs Block Development Plan)

<http://politics.leics.gov.uk/documents/s145903/HNB%20Development%20Plan%20Update.pdf>

Proposal to establish a new Social Emotional and Mental Health (SEMH) special school. <https://www.leicestershire.gov.uk/education-and-children/schools-colleges-and-academies/school-organisation>

Proposal to establish a new Communication and Interaction (ASD) special school.

<https://www.leicestershire.gov.uk/education-and-children/schools-colleges-and-academies/school-organisation>

Officers to Contact

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Start Up Funding for Newly Commissioned and Special Needs Units subject to Agreed Expansion

This funding protocol applies to the funding mechanism for all special educational needs units commissioned by Leicestershire County Council to open in the Council's 2019/20 financial year. These arrangements will apply to the first year of operation only.

The National System

Funding for special needs units as set out within government policy as;

- Element 1 (£4,000) delivered through the main school budget, pupils are included within the National Funding Formula (NFF). The £4,000 includes basic funding delivered through the Age Weighted Pupil Unit (AWPU) and other per pupil funding delivered through proxy indicators for SEND
- Element 2 (£6,000) delivered for each place commissioned by the local authority
- Element 3 where the cost of meeting the needs of the pupils exceeds £10,000 i.e. the combined value of Element 1 and Element 2 Funding only where a pupil is occupying a place.

Element 1 is received within the S251 Budget or GAG in the following financial year once the pupil is recorded on the October school census. This creates a funding lag during which start-up funding will be paid. Once the pupil is reflected in the s251 Budget or GAG no further funding will be paid through the start-up arrangements defined in later paragraphs of this document.

Element 2 funding is agreed in advance annually in November by local authorities and the ESFA. Once agreed the ESFA will fund this for academies, and the local authority in which the provision is placed. Once places are agreed through this process no further funding will be paid through the start-up arrangements defined in later paragraphs of this document.

Start-Up Arrangements For the Establishment of New Special Needs Units

For new special needs units opening within the Council's 2019 / 20 financial year and for the first year of opening the funding arrangements funding arrangements set out in this document will apply:

- 1) A one off allocation of £50,000 in the first year of opening. This is consistent with the LA policy on expansion of mainstream schools.
- 2) An allocation equivalent to the combined Element 1 (£4,000), Element 2 (£6,000) and Element 3 (£16,800) –i.e. total funding of £26,800 for each occupied place

This converts to a daily rate of £141.05 per occupied place (£26,800 / 190 School Days)

- 3) A payment of £5,000 (50% of the combined Element 1 and 2) will be paid for each unoccupied place i.e. the difference between the number of occupied places and the capacity of the unit as agreed with the local authority, this equates to £26.31 per day.

Start-Up Arrangements For the Expansion of Existing Special Needs Units

- 4) A one off allocation of £50,000 in the first year of opening. This is consistent with the LA policy on expansion of mainstream schools.
- 5) For units that are expansions of current units, the rate funded will be consistent with that currently paid, this will be converted to a daily rate and paid for each occupied place.
- 6) A payment of £5,000 (50% of the combined Element 1 and 2) will be paid for each unoccupied place i.e. the difference between the number of occupied places and the capacity of the unit as agreed with the local authority, this equates to £26.31 per day.

The funding arrangements set out in this document relate only to the first year of operation for new and expanding units opening within the local authority's financial year 2019/20 and for the first year of operation. During this period a review of Element 3 rates and methodologies will be undertaken to ensure that rates across all providers are equitable.