

Dear Colleague

**LEICESTERSHIRE SCHOOLS' FORUM**

I would like to invite you to a meeting of the Leicestershire Schools' Forum to be held on **Monday 8 February 2021 at 2.00 pm via Teams**

Please see below the agenda for the meeting.

Yours sincerely

Karen Brown  
Clerk to the Schools Forum

**AGENDA**

Paper

- |    |                             |   |
|----|-----------------------------|---|
| 1. | Welcome and Introductions   |   |
| 2. | Apologies and Substitutions |   |
| 3. | Membership Update           |   |
| 4. | Minutes and Matters Arising | 1 |
| 5. | 2021/22 Schools Budget      | 2 |
| 6. | High Needs Programme Update | 3 |
| 7. | Any Other Business          |   |
| 8. | Date of Next Meeting        |   |

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**Minutes of a meeting of the Leicestershire Schools Forum via Teams on Monday 28 September 2020 at 2.00 pm**

**Present**

Chris Parkinson	Secondary Academies Headteacher
Kath Kelly	Secondary Academies Headteacher
Chris Swan	Secondary Academies Governor
Martin Towers	Secondary Academies Governor
Dave Hedley	Secondary Academies Governor
Jane McKay	Primary Academy Headteacher
Ed Petrie	Primary Academy Headteacher
Felicity Clarke	Primary Academy Headteacher
David Thomas	Primary Academy Governor
Karen Allen	Primary Maintained Headteacher
Troy Jenkinson	Primary Maintained Headteacher
Jane Dawda	Primary Maintained Headteacher
Claire Allen	Primary Maintained Governor
Jason Brooks	Special Maintained Headteacher
Carolyn Lewis	CE Representative
Graham Bett	DNCC Representative

**In attendance**

Jane Moore, Director of Children and Family Services  
 Deborah Taylor, Lead Member, Children and Family Services  
 Brenda Seaton, Assistant Lead Member, Children and Family Services  
 David Atterbury, Head of Service, Education Sufficiency  
 Alison Bradley, Head of Service, Education Quality and Inclusion  
 Jenny Lawrence, Finance Business Partner, Corporate Resources

		<b>Action</b>
<b>1.</b>	<b>Election of Chair and Vice-Chair</b>  Karen Allen was elected Chair of the Schools Forum for the 2020/21 academic year.  Chris Parkinson was elected Vice-Chair of the Schools Forum for the 2020/21 academic year.	
<b>2.</b>	<b>Apologies for absence/Substitutions</b>  Apologies were received from Mark Mitchley, Julie McBrearty, Zoe Wortley and Suzanne Uprichard.	

	Jane Moore introduced Deborah Taylor to the meeting as the new Lead Member for Children and Families.	
<b>3.</b>	<p><b>Membership Update</b></p> <p>In terms of membership the primary headteachers positions have been appointed to apart from the primary academy headteacher substitute position which Karen Allen will arrange to be replaced through LPH.</p> <p>Nominations are awaited from LSH for the academy secondary headteacher vacancies; all Governor vacancies will be run through Governor Development and Support Service and the Early Years nomination is also currently being pursued.</p> <p>The membership will be circulated with the minutes and members are asked to review the document to ensure it is up to date including contacts.</p>	<p><b>KA</b></p> <p><b>KB</b></p>
<b>4.</b>	<p><b>Minutes and Matters Arising</b></p> <p>The minutes of the meeting held on Monday 12 February 2020 were agreed.</p> <p><b>Matters Arising</b></p> <p>Jenny reported that at the last meeting discussion took place regarding the DSG deficit reporting and whether a recovery plan was requested. Jenny commented there is an update on this which will be highlighted as part of the High Needs Update paper on the agenda.</p>	
<b>5.</b>	<p><b>Financial Transparency in Maintained Schools</b></p> <p>Jenny Lawrence introduced the report and stated that the content only covers maintained schools and academies are not affected by this at all. Jenny referred to the Leicestershire Scheme of Financing which sets out the financial relationship to the local authority and its schools and is what conveys the responsibility for the budget to the governing body. In terms of revisions to that document there are two sets of revisions – those that are Secretary of State directed and local authorities have no option other than to adopt these and there are others where there are changes the local authority seek to reflect the way schools are expected to work with the local authority. There are two sets of changes within this document – one is driven by the document ‘The Financial Transparency of Maintained Schools’ which is a directed revision and the second is a tidy-up of local wording and reflection of current working practices. The version of the Appendix shows ‘tracked changes’ to make it easier to see the changes because of the size of the document.</p> <p>Jenny reported that in July 2019 the DfE launched a consultation on financial transparency for maintained schools because it was felt that the arrangements in place for academies were much more robust than those in place for maintained schools. The results of that consultation took time to come through partially because the DfE wanted to introduce some more stringent audit requirements which would have required local</p>	

authorities to increase their internal audits of schools significantly which has not been implemented. There are some changes that mainly relate to reporting but will challenge the way the local authority work with schools moving forward. Firstly, there are a set of annual returns to the DfE the local authority carries out and the DfE will start publishing the names of authorities that do not meet those deadlines. There are also two of those returns that as a local authority are reliant on maintained schools giving the information to be able to respond to DfE deadlines and that is in relation to the School Financial Value Standard and the consistent financial reporting returns. Jenny was currently working on information to go out to schools. The DfE is also requesting the number of maintained schools that either have suspended budgets or operating under a notice of financial concern. In addition, they will collect information on amounts recovered following action undertaken from fraud investigations and make it mandatory for maintained schools to submit 3-year budget plans which in Leicestershire 5 years of data is currently collected. Schools will have some additional reporting requirements in terms of third-party related transactions. The DfE also want to collect information on the number of deficit recovery plans the local authority are working with.

Jenny stated that the local authority's statement of accounts publish a number of individuals earning a particular banding rate; this is something individual maintained schools are going to have to publish on their website with a link to the school financial benchmarking information by the DfE. These changes are being looked at in terms of guidance for schools and will apply to the 2021 financial year. As a result, two direct revisions have been made to the Scheme For Financing Schools which is set out in paragraph 10 – the first is for maintained schools to submit 3-year budget plans and requirement for maintained schools to submit recovery plans.

Jane Dawda asked about whether schools will be working on 3-year budget or a 5-year budget. Jenny commented that this is something being looked at as there is concern how reliable a 5-year plan is as they are far too speculative to mean a great amount but are working through the detail at the moment.

Graham Bett referred to paragraph 6 of the report which states that schools need to submit a recovery plan to the local authority when their deficit rises above 5% - presumably the local authority know which schools this refers to. Jenny commented that the local authority currently works with schools to 'licence' a deficit because a school cannot operate a deficit without a 'licence' so the recovery plan is part of that licencing process. Graham referred to the paragraph that states the local authority will also seek deficit recovery plans lower than this threshold. Jenny stated that the local authority may because the financial threshold is not always the important thing and there are things in there that schools should be on top of and the challenge comes in on where to focus resources on. Graham asked how many schools there are with their deficit above 5%.

Carolyn Lewis referred to the comment about the related party transactions and asked what the local authority's plans are to support

	<p>maintained schools in that regard and if there was anything the Diocese could do in relation to Related Party Transactions between Diocese and Church Maintained Schools. Jenny said that guidance was being looked at for these areas. Guidance will be issued to set out to all maintained schools the interpretation of all these things and for the RPT area the local authority will be taking the advice of Internal Audit.</p> <p><b>Schools Forum noted the new reporting requirements for both local authorities and maintained schools.</b></p> <p><b>Schools Forum (maintained schools only) approved the revised Scheme for Financing Schools and its retrospective application from 24 August 2020.</b></p>	
6.	<p><b>2021/22 School Funding</b></p> <p>Jenny introduced the report which gives Schools Forum an update on the July announcement about 2021/22 and High Needs Funding.</p> <p>Jenny reminded the meeting that 2020/21 is the first of the three-year settlement from the DfE but although a 3-year settlement the detail has only been given of the annual settlement every year. The DfE published in July the national funding formula tables for all schools across England. Jenny said it was important to note those are indicative allocations and are not the budgets the schools will receive in 2021/22. Jenny added that the published figures are based on the October 2019 school census and the final settlement will be made on the October 2020 settlement. Jenny explained that whilst the allocations will change for schools the amounts that they fix for the local authority will not change. These tables do not include the premises funding that is allocated on the top of the national funding formula as this is done at local authority level. Jenny reported that there has been no change to structure of the NFF but two technical changes have been implemented in terms of mainstreaming the funding for the teachers' pay and pension grants in 2021/22 and to do that in terms of maintained schools that has been enacted from a further increase in the minimum per pupil funding level and thought needs to be given to what this means in terms of special schools because there is not an automatic route to feed that through the formula. Secondly, the Income Deprivation Affecting Children Index (IDACI) data has been updated for 2019 which is a slight concern as there has been some turbulence in school budgets from those changes in the past but are currently awaiting the detailed data at school level from the DfE to assess this. Jenny added that any impact from this will be mitigated by the minimum per pupil funding level. The DfE has confirmed their intention to work towards a hard NFF and that is where schools' allocations will be calculated by the DfE and not local authorities – a consultation is awaited on this and how the premises funding that is currently outside the NFF will work through this.</p> <p>Overall, there is a 2% minimum increase per pupil and it is important to note that it is per pupil and may not necessarily feed its way through to 2% cash increase in schools budgets and the values within the formula factors have increased by 3% - the funding values are included in Appendix 1 that come with the NFF for the next financial year.</p>	

	<p>Jenny referred to the table in paragraph 8 sets out the information where all schools sit within the bands of that increase. The concern is the number of schools sitting on that minimum per pupil increase of 2%. Jenny stated this was an issue for those schools because had there been no guaranteed minimum increase of 2% per pupil 95 schools across Leicestershire would not have seen an increase in their budgets for 2021/22. The DfE are mentioning a change in the way they recognise sparsity – this may come out in the consultation. Jenny explained that the sparsity element of the formula is stated by the DfE as recognising the additional costs that small schools have – in Leicestershire however only 16 primaries and 1 secondary school have the sparsity element within their funding with most small rural schools not eligible for funding from this factor.</p> <p>The minimum per pupil funding levels are set out in paragraph 10 and these rates are fixed nationally. There remains no guarantee that funding coming into the local authority will be enough to fund the NFF. As a result, the DfE maintain that local authorities can adjust the minimum funding guarantee to ensure that school funding sits within the envelope of funding allocated to the authority.</p> <p>Discussion is already taking place with schools about what the settlement means for 2021/22 financial planning and training has been made available to governors. Discussion with primary and secondaries headteachers will need to take place to convey this information.</p> <p>In terms of high needs, funding has increased nationally by 10% and a minimum increase of 8% and a maximum increase of 12%. Leicestershire receives the smallest increase. Jenny explained that funding for Teachers' Pay and Pension grants will transfer in terms of special schools; the settlement confirms there is protection on both place led and top-up funding.</p> <p>Whilst the increase in DSG makes the overall high needs position better it is not significant enough to reduce the deficit. There is no automatic mechanism to feed the NFF increase in pay grants to special schools but will be discussing with special schools about the best way of doing this.</p> <p>There have been lots of conversations about whether the local authority will seek a transfer from the schools' block to the high needs block; 0.5% can be moved with permission from the Schools Forum after consultation with schools with anything over that requiring Secretary of State permission. Jenny added that there is no intention at this time to seek a transfer in 2021/22. As discussed previously the schools that get the highest financial impact from any transfer are those schools with the highest rates of deprivation. The local authority has written to the Schools Minister regarding a few issues around high needs funding and asked for an early indication as to whether the Secretary of State would allow a variation to the minimum per pupil funding levels which would allow a transfer to have a more equitable impact across all schools. . Schools will be fully engaged within any discussions regarding a transfer and options to effect it in advance of 2022/23.</p>	<p>JL</p>
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	<p>In terms of the Central services block this has increased but the DfE are reducing the funding for the historic commitments within that settlement. The most significant of those is the pension contributions the local authority are still making in respect of retired and redundant teachers which goes back a long way – this something that is being discussed with the DfE. The other area for discussion is the £250,000 in terms of SIP funding.</p> <p>Graham Bett referred to paragraph 8 which was also raised at DNCC and said that it would be helpful to know within those bands which schools were within them that could be supplied to members. Jenny looked at the analysis and grouped into a number of schools into individual schools as it stands at the minute. Jenny agreed to circulate with the minutes. In order to look at this in detail the data from the DfE was required and understanding the changes within schools.</p> <p>Graham referred to paragraph 20 and asked if the letter sent to the Schools Minister could be shared with Forum Members. Jane Moore agreed to confirm whether this can be shared.</p> <p><b>Schools Forum noted the contents of this report and highlighted its content to the groups represented by Members.</b></p>	
7.	<p><b>High Needs Update</b></p> <p>Jane Moore introduced the report which sets out the current position regarding the High Needs Development Plan and the current financial forecast. The report sets out the systematic issues within the SEND environment and the growing recognition and the financial position being a symptom of that rather than a pure financial management issue.</p> <p>Jane explained that paragraph 4 and onwards outlines the national concerns there are around the high needs spend and SEND system. Jane stated that there is no single reason for the high need's deficit which an issue nationally and local authorities across the region are having difficulties with their high needs budget. The problem is wider than just a financial issue as there are some systematic issues that are also contributing towards the deficit and funding pressures.</p> <p>Jane referred to paragraph 8 and in terms of the high needs section of the Dedicated Schools Block the NFF for the high needs formula was introduced in 2013 and the way in which the settlement has been set up is detailed in paragraph 8 with the distribution figures for the 2021/22 settlement. For 2020/21 expenditure is 14% in excess of the grant. The formulaic allocation that is undertaken around the high needs block reflects the expected incidence of SEND rather than the numbers of pupils supported and their individual needs. The DfE Benchmarking data compares expenditure and DSG allocations, it shows Leicestershire is below its statistical neighbours in terms of need but higher on both expenditure and the number of Education Health and Care Plans. Jane added that this is currently being looked at why this is the case. Some of the position is due to relying on independent provision which has been discussed previously and the high needs plan is partly trying to address this.</p>	



Paragraph 11's chart compares the SEND revenue expenditure to the performance against other County Councils. In terms of performance Leicestershire is currently rated second but in terms of expenditure Leicestershire is 18. In relation to demand for EHCP's it is continuing to grow nationally and locally. The SEN2 data identifies a significant growth in 2015/16 until SEND reform – there is a sharp uplift in 2016 and towards 2015 around the number of the EHCP's in the system. This pattern is seen nationally as well as locally in Leicestershire and are similar to those increases particularly in 2019 where regional colleagues were seeing a decrease. In January 2020 Leicestershire's EHCP's had risen to 4,751 and this has increased to about 5,000 – about an annual growth rate of 12.5% and in terms of growth for the previous year it was a 19.5% increase. This is higher than the regional and national and are therefore looking at why this is the case for Leicestershire.

In terms of provision, as a result of capital investment of £30m the placement mix is beginning to change so the number of pupils with higher cost placements is no longer growing and pupils are having their needs met within mainstream schools or units attached to mainstream schools. It is forecast that the number of pupils in independent provision will continue to fall as new local provision is being built.

Jane explained that parental expectations have a significant impact on the type of placement specified within the EHCP and parents have the right to express a preference. Parents are continuing to go to Tribunal and the outcomes may result in the local authority being overruled.

In terms of the 2020/21 provision Jane explained how the DSG ring-fenced grant worked. At the end of 2019/20 there was an overall deficit of £7m deficit on high needs and 2020/21 the overspend being projected by £11m leaving a £18m deficit at the end of this financial year. Placements costs account for 90% of the high need's expenditure.

In terms of the medium-term financial strategy the DfE did announce the provisional Schools Budget settlement for 2020/21 as discussed earlier but included an increase of £730m nationally for all authorities which equates to an increase of £7.8m for Leicestershire.

Paragraph 22 sets out the financial forecast for the high needs funding. Jane went through the costs and outlined the cumulative funding gap which rises up to £22m and starts to fall in 2022/23 and up again in 2023/24; part of that is the plans around building and new provision.

Jane stated that the Schools Forum discussed the proposed Schools Block Transfer for 2020/21 at its meeting in September 2019 which was taken to Cabinet and they agreed not to pursue it for that financial year. This has been looked at again for this financial year but the introduction of the minimum per pupil funding means it is not possible for all schools to take an equal impact of that transfer. As previously discussed, the local authority has written to the Schools Minister around the ability for this to be carried out fairly. A potential transfer has been included in 2022/23 and this will be presented to Schools Forum earlier than previously but equally awaiting a response from the Ministers.

Jane referred to the demand savings set out in the table in paragraph 33 which outlines the actions to try and reduce the rate or influence the rate of growth in terms of numbers of pupils. Paragraph 34 outlines the cost reduction savings actions where there is the ability to influence the average unit cost around the type of placement and included is the development of local provision which has a lower unit provision cost than independent provision.

Jane outlined the high needs development plan in Paragraph 35 which is looking across the SEND system at best practice and analysing existing service data to look at further opportunities and the activities currently happening to help with this process. In addition to this a sufficiency plan is in place to develop further SEND places; the plan so far comprises 35 separate projects which are outlined in paragraph 39 and by the end of the Autumn term the plan will have provided an extra 459 places with a further 75 to be delivered between 2021 and 2023. The 2020/21 capital programme commits £17.78m to the programme and work is now in progress to develop a second phase of the plan. The additional places have been largely taken up by new demand which has limited the ability for places to be taken by pupils moving from higher cost provision.

Karen Allen asked for clarification on paragraph 9 and 11 as they seem to contradict each other. Jane explained that paragraph 11 sets out where the local authority sits in terms of performance based on a set of measures that are used to define what they mean by high performing and then the net expenditure puts the local authority at the lowest which means high performing but spend the least money as receive the least money. Paragraph 9 is different from the performance measure in terms of need as Leicestershire is below its statistical neighbours in terms of need but are higher in terms of expenditure on the number of EHCP's so essentially Leicestershire is spending more than should do on individual EHCP's based on levels of demographic need and part of that is that Leicestershire's spend is higher because of its use of independent provisions.

Karen Allen commented that it felt sometimes like schools are having to compromise their standards and performance in order to make the system affordable. Karen added that schools struggle with this as they understand children's needs as individual cases, and should schools be compromising children's needs.

Jane commented that as a local authority we would not say the quality was being compromised and the services within the County Council seek to see children as children and therefore deliver plans according to need and totally agree Leicestershire is underfunded as a local authority and not just SEND but including school budgets

Troy Jenkinson congratulated the local authority on managing to get reasonable resources on very little funding but to echo Karen Allen's point that schools do their absolute best to support children with very minimum funding and that need to take on board when EHCP funding is received for children within mainstream school that does not cover half what is put in in terms of staffing, resources, supporting and

Leicestershire has traditionally been known for supporting those children that are SEN on very minimal funding and the lack of funding needs to be shared with the Government.

Jane agreed and stated that schools funding and the impact of low school funding is having a significant impact on SEND funding so one of the strong points Jane has made to a number of forums over the years with the DfE is that whilst it is important to get the SEND funding right if the schools funding is not right the impact throughout the system is massive. Jane stated that importantly one of the changes over the last year or two is that there has been an increase in the number of children supported in mainstream schools so are clear that schools know what they are doing to support children and have been clear from the start of this high needs development plan that as a local authority cannot do this on its own. The schools have been supporting those children to be in school for us by being more innovative and flexible about how funding is used to enable schools to keep children in mainstream school and meet their needs. The product presented to you now is a joint product and a partnership working and the role of schools is recognised by the local authority and it has articulated this very strongly to the DfE together with the school's role in enabling these children to be successful.

Martin Towers asked if other authorities are looking to top slice 0.5%. Jane stated that some authorities have done this; there are some authorities who do this year on year and have done for a number of years and there are a number of neighbouring that applied to do this last year and were not successful.

Jason Brooks said in terms of the provisions he fully supported everything Jane and the local authority have done in trying to bring provision back in house and the quality put in place has been excellent. Jason commented on the scrutiny of these independent schools and outcomes and acknowledged that funding is an issue but in terms of what the local authority are trying to achieve Jason expressed his thanks.

Jane stated that quality is what we want for our children and the high needs plan will develop provision managed locally by local experts and the feedback received around the provision and the new provision being run by Leicestershire schools is really positive.

Deborah Taylor echoed what Jane said that all children in mainstream schools should be supported to the level they need to be and acknowledged that schools are underfunded as well as the local authority. The aim is to get to a place where schools are adequately funded, that they can support SEND children within their schools without being escalated to the local authority having to put them in independent provision that is not the place for them to be. Deborah acknowledged that schools are doing a great job on limited funding and is definitely a joint solution towards this.

Graham Bett said that he agreed with comments made but the potential possible transfer from schools' block is giving the Government the wrong message as the local authority needs proper funding from Government so the local approach can work. Jane stated that one of the things the

	<p>local authority will have to consider is that every method is being looked at to balance the high needs so from the local authority's point of view the consideration of a transfer is still on the table but if considered again it will be presented to Schools Forum in much better time to properly consult.</p> <p><b>Schools Forum noted the current position with regard to the High Needs Development Plan and the current financial forecast.</b></p>	
4.	<p><b>Any Other Business</b></p> <p>There was no further business.</p>	
5.	<p><b>Date of Next Meeting</b></p> <p>Thursday 3 December, 2.00 – 4.00 pm via Teams</p>	



## **SCHOOLS FORUM**

**8 FEBRUARY 2021**

### **2021/22 SCHOOLS BUDGET**

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	X
		High Needs	X

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

### **Purpose of the Report**

1. The purpose of this report is to present the 2021/22 Dedicated Schools Grant Settlement for Leicestershire and the 2021/22 Schools Budget.
2. This report builds upon a number of reports presented through the 2021/22 financial year.

### **Recommendations**

3. That Schools Forum approves the retention of the budget to fund future school growth (paragraph 17, item 2)

4. That Schools Forum approve the retention of budgets to meet the prescribed statutory duties of the local authority and to meet historic costs (Paragraph 17, item 3)
5. That Schools Forum approve the centrally retained early years funding (Paragraph 17, item 3)
6. That Schools Forum notes the number and average cost of commissioned places for children and young people with High Needs (Paragraph 35)
7. That Schools Forum approve the action to be taken in respect of schools where the Special Educational Needs (SEN) notional budget is insufficient to meet the aggregated value of High Needs Funding Element 2 (Paragraph 60)
8. That Schools Forum note the average per pupil funding to be taken into account for recoupment for excluded pupils and other purposes (Paragraph 62)
9. That Schools Forum note the payment rates for the Early Years Funding formula (Paragraph 66)
10. That Schools Forum notes the formation of a Working Group to identify options for a Schools Block Transfer for 2022/23 and nominates a Member to be part of the Working Group (Paragraph 43)
11. That Schools Form requests Leicestershire Primary Heads (LPH), Leicestershire Secondary Heads (LSH) and Leicestershire Special School Heads (LSSH) each nominate a Headteacher and a Business Manager to be part of the Working Group on options for a 2022/23 Schools Block Transfer (Paragraph 43)

### **Background**

12. This report builds upon those presented to Schools Forum during 2020 and sets out the local authority's Schools Budget for 2021/22.
13. The Schools Budget is the term given overall to the services funded from Dedicated Schools Grant (DSG). Local authorities are required to set the Schools Budget at least equal to the amount of DSG received. For 2021/22 the High Needs Block will continue to record a deficit which will be carried forward for recovery from future DSG in accordance with current legislation. The local authority makes no contribution to DSG, the Schools Budget is therefore set at the level of grant and must contain all its spending pressures within that grant.
14. There is no change to the basic structure of DSG for 2021/22 and remains divided into four separate funding blocks;
  - Schools Block – funds delegated budgets for maintained schools and academies and school growth.
  - The Central Services Block – funds historic costs and other prescribed local authority areas of expenditure including the local authorities

statutory duties for all schools previously funded through the Education Services Grant.

- Early Years – funds the free entitlement to early education for disadvantaged 2 year olds and 3 & 4 year olds, including the 30 hours of provision for eligible parents and a maximum of 3% of the total cost of the services that support the early years sector
- High Needs – funds provision for pupils with SEN, the PRU and other services for vulnerable children such as the Secondary Education Inclusion Partnerships, Children with Medical Needs and specialist teaching services

15. The 2021/22 Children and Family Services Budget was considered by the Children and Family Services Overview and Scrutiny Committee on 19 January 2021, by the Cabinet on 5 February 2021, budget proposals will be considered by the County Council on 17 February 2020 and is shown as Appendix A.

#### **Role of the Schools Forum in setting the 2021/22 Schools Budget**

16. The Central School Services Block holds the retained budgets for a number of areas of expenditure centrally retained by the local authority through provisions contained within the School and Early Years Finance (England) Regulations, these budgets are subject to restrictions and some are subject to some decisions for the Schools Forum.
17. The purpose and scope of these budgets is detailed below;

<b>Item</b>	<b>Approval For</b>	<b>Action</b>
1.	De-delegation from mainstream school budgets	No decision to be taken, no budgets are subject to de-delegation.  De-delegation can only be in respect of maintained primary and secondary schools only, all budgets for academies are required to be fully delegated.
2.	To create a fund for pupil number growth in order to support the local authority's duty for place planning and agree the criteria for maintained schools and academies to access this fund.	Schools Forum approved the policy for funding school growth at its meeting on 30 September 2019  A revenue budget to meet the cost arising from commissioning additional school places required to meet the basic need for sufficient school places was established in 2019. The proposed budget is £2.4m (2020/21 £3.1m)

3.	<p>Funding for the local authority in order to meet prescribed statutory duties placed upon it.</p> <p>This funding now includes funding for local authority statutory duties for all schools previously funded through the retained duties element of ESG</p>	<p>The budgets falling into this category are;</p> <ul style="list-style-type: none"> <li>• Servicing the Schools Forum £8,750 (2020/21 £8,570), this budget meets the cost of operating the Schools Forum. It appears on the Admin and Committees line on the budget statement</li> <li>• Admissions £329,375 (2020/21 £329,375). This meets the local authority's statutory responsibilities for admissions and is funded from the Schools Block. This appears on the Education Sufficiency line of the budget statement</li> </ul> <p>Local Authority Statutory / Regulatory Duties, Asset Management and Central Support Services £1.543m. This largely consists of recharges from services outside the Children and Families Department that support budgets funded from DSG such as finance, ICT, property.</p>
4.	<p>Funding for historic costs met by the local authority. Following the baselining exercise undertaken to determine the 2017/18 DSG baselines the Department for Education have set out their expectation that these costs should unwind over time and that funding released should be recycled to school budgets. This may be the case for the element relating to schools causing concern but no funding will be released from premature retirement for significant periods of time given that the local authority remains supporting such costs arising from pre 1997</p>	<ul style="list-style-type: none"> <li>• Premature Retirement Costs £674,900 (2020/21 £674,900), these are historic costs relating to school staff where the commitment remains with the local authority and relates to both maintained schools and academies. This appears on the Human Resources line of the budget statement</li> <li>• Miscellaneous £223,750 (2020/21 £223,750). This is the commissioning budget for maintained schools causing concern, whilst the number of maintained schools has reduced overall the number of schools requiring LA support is largely unchanged. This</li> </ul>



		appears on the 5-19 Learning line of the budget statement
5.	Funding for central early years expenditure, which includes funding for checking eligibility of pupils for an early years place in addition to the local authorities statutory responsibilities in this area. Centrally retained funding must not exceed 5% of the Early Years DSG	Schools Forum are asked to approve expenditure of £1.75m (2020/21 £1.658m)

18. Local authorities are required to carry any DSG deficit forward for recovery against future years grant and may also only contribute local resources to the Schools Budget with the permission of the Secretary of State.
19. The DfE set out requirements in respect of any DSG deficit in September 2020. This includes the drafting of a management plan which should be regularly updated and presented to Schools Forum and other stakeholders. In Leicestershire this requirement is served by the High Needs Development Plan and updates are regularly presented to School Forum. There is no longer a requirement to submit this plan to the DfE, the DSG Conditions of Grant now place a duty on local authorities to co-operate with the DfE in handling any deficit and provide information as and when requested. The DfE may also place specific requirements on local authorities where the Secretary of State believes that there is insufficient action to address any deficit. This new process was introduced for the first time in 2020/21, it is unknown whether any local authorities have been asked for information and what if any actions have been taken by the DfE as a result.
20. It is expected that the DfE will be requiring information from local authorities with DSG deficits in excess of 5% of total DSG initially. The estimated deficit for Leicestershire in 2020/21 is 2% (High Needs Deficit is 3% but offset against funding retained for school growth).
21. Where the decision making power is vested in the Schools Forum, the local authority may seek adjudication from the Secretary of State should approval not be granted. This would be sought should Schools Forum not approve the centrally funded items, there is no other source of funding for the local authority to meet these commitments which are all incurred as a result of the local authority's statutory role in schools. Retention of these budgets is consistent with that of previous years.
22. A further budget for school copyright is held centrally under provisions within the School and Early Years Finance (England) Regulations. This funds copyright licences within a nationally negotiated contract by the Secretary of

State for all academies and maintained schools, as a result of this national contract individual schools no longer meet these costs directly. The 2021/22 cost for Leicestershire is confirmed at £513,000.

### **Dedicated Schools Grant**

23. For 2021/22 the Dedicated Schools Grant (DSG) remains calculated in four separate blocks as set out below;

<b>Funding Block</b>	<b>Areas Funded</b>	<b>Basis for Settlement</b>
<p>Schools Block Est £455.2m consisting of;</p> <ul style="list-style-type: none"> <li>• School formula funding £452.8m</li> <li>• School Growth £2.4m</li> </ul>	<p>Individual budgets for maintained schools and academies.</p> <p>Growth funding for the revenue costs of delivering additional mainstream school places and to meet the local authorities duty to ensure a sufficient number of school places.</p> <p>DSG is notionally allocated to Leicestershire for all maintained schools and academies. A locally agreed funding formula is applied to this to determine school budgets, for maintained schools these are allocated directly by the local authority, for academies the funding is recouped from the settlement by the Education and Skills Funding Agency (ESFA) who then directly fund academies.</p> <p>For 2021/22 the funding block now includes a transfer of funding for teacher pay and pension grants for maintained schools formerly funded through specific grant.</p>	<p>2021/22 continues the movement towards a National Funding Formula (NFF) for schools which attributes units of funding to pupil characteristics. The grant settlement is based on;</p> <ul style="list-style-type: none"> <li>• the aggregate of pupil led characteristics for each individual school;</li> <li>• an allocation for school led factors.</li> </ul> <p>These allocations will be fully delegated to schools.</p> <p>The NFF means that all local authorities receive the same amount of funding for a number of pupil related characteristics. Difference in funding levels between authorities relate to the incidence of pupil characteristics and the impact of funding protections within the NFF, the rates for pupil characteristics do not differ between authorities.</p> <p>The allocation of funding to support new school growth will be retained to meet the future costs of new and expanding schools. The grant is based number of</p>

		<p>new school places needed when comparing pupil forecasts to school capacity.</p> <p>In respect of school formula funding this represents a cash increase of 9.7% as a result of increased pupil numbers, pay and pension grant transfer and national 2021/22 minimum funding guarantees. Growth funding is estimated to remain at previous levels.</p>
<p>Central School Services Block £3.6m</p>	<p>This funds historic financial commitments related to schools such as premature retirement costs, some budgets related to schools that are centrally retained e.g. admissions, servicing the Schools Forum and school copyright licences. This block now includes funding from the retained duties element of the former Education Services Grant for the responsibilities that local authorities have for all pupils such as school place planning and asset management.</p> <p>For 2021/22 this funding block now includes a transfer of funding for teacher pay and pension grants for centrally employed teachers formerly funded through specific grant</p>	<p>This is distributed through a per pupil allocation basis and is retained by the local authority.</p> <p>The funding allocation for some historic financial commitments is being reduced nationally as the DfE have an expectation that these financial commitments will naturally expire. However, this element of funding meets the cost of historic premature retirement costs for teaching staff that will remain. This will be a financial pressure for the medium term as this funding is phased out but commitments retained.</p>
<p>High Needs Block  Est £83.1m</p>	<p>Funds special schools and other specialist providers for high needs pupils and students, the pupil referral unit and support services for high needs pupils including</p>	<p>The formula is based upon population of 0-19 year olds and proxy indicators for additional educational need including deprivation, ill health, disability and low</p>

	<p>high needs students in further education provision.</p> <p>As with the Schools Block this includes funding for special academies and post 16 providers which is recouped by the ESFA who then directly fund academies.</p> <p>For 2021/22 this element of grant now includes a transfer of funding for teacher pay and pension grants for special schools formerly funded through specific grant.</p> <p>Confirmation of the 2021/22 grant is not expected until March 2021.</p>	<p>attainment. Also included is an element based on historic spend. The formula also includes a funding floor to ensure that local authorities do not receive a funding reduction as a result of the introduction of the formula. Leicestershire receives £1.5m through this element.</p> <p>The grant allocation includes the additional funding announced by the DfE in September 2019 and is an increase of 8% per head of population from the 2021/22 baseline.</p>
<p>Early Years Est £36.4m</p>	<p>Funds the Free Entitlement to Early Education (FEEE) for 2, 3 and 4 year olds and an element of the early learning and childcare service.</p> <p>The grant is based on the universal hourly base rate plus additional needs measured with reference to free school meals, disability living allowance and english as an additional language.</p> <p>The initial settlement is based on the October 2020 census. The grant will be updated in July 2021 for the January census and again in June 2022 for the January 2022 census. The final grant will not be confirmed until June 2022.</p>	<p>The allocation is based on individual pupil characteristics and converted to a rate per hour of participation. Leicestershire receives the lowest rate of £4.44 per hour for 3 and 4 year olds and the lowest rate of £5.36 per hour for disadvantaged 2 year olds.</p> <p>This position is an increase of funding of £0.08 per hour for 2 year old funding and £0.06 for 3 and 4 year old funding, +1.0% for 3 &amp; 4 year old funding and +1.5% for 2 year old funding from the 2020/21 baseline.</p>

£578.3m	2021/22 Estimated DSG
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24. The 2021/22 MTFFS continues to set the overall Schools Budget as a net nil budget at local authority level. However, in 2021/22 there is a further funding gap of £5.6m on the High Needs Block which will be carried forward as an overspend to be offset against future grant in accordance with legislative requirements.

### **Schools Block**

25. 2021/22 sees a further movement towards the National Funding Formula (NFF). This funds all pupils at the same rate irrespective of the authority in which they are educated. The NFF uses pupil characteristics each with a nationally set funding rate to generate school level funding to local authorities. Within the NFF only the per pupil entitlement is universal to all, other factors reflect the incidence of additional needs such as deprivation and low prior attainment. Funding levels between local authorities and individual schools within those local authorities continue to differ, however this is as a result of differing proportions of pupil characteristics rather than differences in local authority funding levels.
26. School funding remains a 'soft' school funding formula for 2021/22. A 'soft' formula is where NFF calculates notional school allocations based upon pupil characteristics to generate the grant allocation, local authorities then apply their own local funding formula to generate individual school budgets. The Department for Education (DfE) has confirmed its intention to move to a 'hard' formula as soon as possible where every school budget will be set on the basis of a single, national formula. A consultation is expected from the DfE in early 2021 on the next stage of transition to the NFF, it is expected that the proposals will consider how best to support small schools through a new approach linked to sparsity.
27. Within the Schools Block, but separate to funding for individual schools, local authorities receive funding for the initial revenue costs of commissioning additional primary and secondary school places. The allocation for 2020/21 was £3.3m and 2021/22 funding will reduce to £2.4m. The revenue cost of commissioning a new school ranges from £0.5m to £0.8m for a primary and £2.2m to £2.5m for a secondary, depending upon size and opening arrangements. 26 new primary and 3 new secondary schools are expected to be built in Leicestershire in the medium to long term. The timing of the revenue requirement for new schools is difficult to assess as it is dependent upon the speed of housing developments, growth in the basic need for additional school places, the school funding formula and the level and the methodology for the DSG growth funding calculation. However, early estimates suggest the cost can be managed within the existing grant. Expenditure is expected to rise annually from 2021/22 and to peak at £5m in 2023/24, annual underspends in growth funding will be set aside in the DSG Earmarked Fund to meet this peak. This position will be closely monitored.

## **2021/22 School Funding Formula**

28. Nationally schools will receive a minimum per pupil increase in funding of 2% per pupil with no capping on increases. Minimum per pupil funding levels are £4,180 for primary, £5,215 per KS3 pupil and £5,715 per KS4 pupil and are mandatory. These values include a transfer of funding into the NFF for funding for teachers' pay and pensions that was previously funded through specific grant. Despite the overall increase in budget, at individual schools there are 91 (40%) primary and 4 (9%) secondary schools funded at the funding floor. This is an increase from the 2020/21 position of 70 (32%) of primary schools and 1 (2%) of secondary schools. These schools, despite additional funding, will experience a real terms decrease in income. These schools can also be expected to fair least favourably from the implementation of a hard NFF without minimum funding increases. As the funding guarantee is at pupil level, schools with decreases in pupil numbers will see an overall decrease in their cash budget allocation. There is no change to the Leicestershire Funding Formula for 2021/22 and it continues to replicate the NFF.
29. The 2021/22 Schools Block DSG settlement is £455.2m. This includes a transfer of funding of £20.2m for the Teachers' Pay and Pensions Grant previously paid directly to schools but from 2021 will be included in the NFF. Within this block is also an allocation of £2.4m of growth funding allocated to meet the revenue costs of new and expanding schools.
30. The NFF for schools is based upon the 2020 School Census but funding for local authorities is based upon the pupil characteristics recorded on the 2019 school census. Nationally there has been concern that the number of pupils recorded in receipt of Free School Meals and pupils that trigger deprivation funding may have increased as a result of the Coronavirus Pandemic resulting in a funding gap for local authorities and the NFF being unaffordable. Whilst there were concerns in respect of the provisional data the final data identifies this not to be an issue and the NFF will be able to be fully delivered within the Schools Block DSG.
31. Nationally the DfE have adjusted the deprivation data within the NFF which has resulted in some turbulence at school level. Any reduced funding at individual school level will be mitigated by the Minimum per Pupil Funding Levels and / or the Minimum Funding guarantee. Concerns have been raised with the DfE about the impact of changing data within the NFF, schools are being encouraged to use more sophisticated methodologies to predict future income levels and such changes nationally make that exceptionally difficult to do.
32. A concern was raised through the Leicestershire Education Excellence Partnership (LEEP) of any impact on financial planning at individual primary school level arising from delayed nursery admissions as a result of the Covid 19 Pandemic. In such instances, and subject to affordability, local authorities are able to adjust pupil numbers to mitigate this. Data submitted to the local authority by schools identified 2 affected schools (3 pupils), as such no pupil number adjustments have been made. Pupil number adjustments do remain in place for schools undertaking or affected by age range changes.

## High Needs

33. 2021/22 is the second year of a three-year settlement for school funding and nationally high needs funding has increased by £730m (10%). Local authorities have a guaranteed minimum increase of 8% per head of population and are capped at a 12% increase. Leicestershire remains on the funding floor and receives the minimum increase of 8%. The settlement includes £1.5m of protection funding which is not guaranteed in the long term.
34. The provisional High Needs DSG is £83.1m and includes a transfer of funding in respect of former teacher pay and pension grants for special schools which will be paid directly to them for 2021/22. The settlement will be updated in June 2021 for the most recent data. The formula allocates funding across a set of pupil-related indicators and also includes an allocation based on historic spend.
35. Local authorities are required to submit a return to the DfE annually in November setting out the number of specialist places to be commissioned for the following academic year. The number of commissioned places and average unit costs as per the November return are set out in Appendix B. The number of places is the minimum to be commissioned, - the number of places and average cost may change as pupil need and numbers change during the year.
36. The High Needs Development Plan remains the Council's approach to planning, commissioning & delivering SEND services and to address the high needs block deficit and continues to be focused on three key areas:
- To develop and embed an inclusive approach to practice amongst schools, local authority staff and other settings;
  - The modernisation of SEN Services through improved commissioning, processes, decision-making and quality assurance;
  - The development of a range of cost-effective, high quality provision.
37. The High Needs Development Plan has been subject to an external independent review. This review has concluded that:
- The plan is comprehensive and well defined
  - The deficit and mitigating actions are clearly articulated
  - The actions are appropriate and targeted at areas where the impact will be maximised
  - The programme is effectively governed
38. The forecast position on the High Needs element of the DSG is shown below:

	2021/2	2022/2	2023/2	2024/2
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	2 £,000	3 £,000	4 £,000	5 £,000
High Needs Funding	-81,964	-81,964	-81,964	-81,964
Placement Costs	87,096	94,345	98,987	103,545
Other HNB Cost	8,708	8,708	8,708	8,708
Commissioning Cost - New Places	1,908	1,416	667	44
Project Costs	1,059	0	0	0
<b>Total Expenditure</b>	<b>98,771</b>	<b>104,469</b>	<b>108,362</b>	<b>112,297</b>
<b>Funding Gap Pre Savings</b>	<b>16,807</b>	<b>22,505</b>	<b>26,398</b>	<b>30,333</b>
Funding Changes	0	-6,544	-4,544	-4,544
Demand Savings	-4,447	-5,076	-5,577	-5,577
Benefit of Local Provision and Practice Improvements	-6,710	-11,017	-14,187	-15,695
<b>Total Savings</b>	<b>-11,157</b>	<b>-22,637</b>	<b>-24,308</b>	<b>-25,816</b>
<b>Annual Revenue Funding Gap</b>	<b>5,650</b>	<b>-132</b>	<b>2,089</b>	<b>4,517</b>
<b>2019/20 Cumulative Deficit Brought Forward</b>	<b>7,062</b>			
<b>Estimated 2020/21 High Needs Deficit Brought Forward</b>	<b>10,011</b>			
<b>Cumulative Funding Gap / High Needs Deficit</b>	<b>22,723</b>	<b>22,591</b>	<b>24,680</b>	<b>29,197</b>

39. National research sets out systematic problems with the SEND system that are responsible for high needs deficits. The research shows that deficits are growing within almost all local authorities in a deficit position or close to that position. Amongst a number of findings research commissioned by the Local Government Association reported that there are structural features of the SEND system which would lead to deficits even if budgets were significantly increased and that local authorities bear all the risk in this area but have no levers with which to influence demand and cost. The DfE have undertaken a review of the SEND system but it unclear when any findings from that research will be published and what impact they may have on the financial position.
40. Local authorities are now required to carry forward DSG deficits to following years grant and may only now contribute to DSG with the approval of the Secretary of State. Whilst this is the approach the DfE have encapsulated in legislation, it is not a sustainable or reasonable approach. Without the DfE addressing this through additional funding, local authorities will be required to set aside resources to offset the deficit. It is estimated that the cumulative High Needs deficit will increase to £22.7m in 2021/22 and to £29.2m over the period of the MTFs. This is a significant financial concern for the County Council and for many others nationally.



**2022/23 Schools Block Transfer**

41. Despite the successes delivered by the High Needs Development Plan the financial position is not significantly improving as both the new demand for EHCP's and the cost of the provision specified within them continues to grow. As a result the local authority has little option other to press for a schools block transfer.
42. It is expected that local authorities will remain able to transfer up to 0.5% of the Schools Block to The High Needs Block with the approval of School Forum and as such the High Needs financial plan includes a transfer from the Schools Block DSG to High Needs in 2022/23 of £2m.
43. Schools will be engaged in developing proposals for the transfer early in 2021. A working group consisting of a Headteacher and Business Manager from each school phase form a working group with local authority officers to begin this work early in the summer term.
44. The working group will need to consider how a transfer can best be achieved within the constraints of the national funding system. The mandatory nature of the Minimum Per Pupil Funding Levels (MPPFL) mean that any school funded at this minimum cannot see their funding reduced and it is only schools above this level that financially contribute to the transfer through reduced.
45. The proposed transfer for 2021/22 capped the amount schools above the MPPFL and were the schools subject to the highest gains from the introduction of the NFF and largely schools with the highest levels of deprivation and lowest prior pupil attainment funding resulting in it not being possible to evenly distribute the impact across all schools. This is the approach that most local authorities that have successfully achieved a schools block transfer have followed.
46. In formulating it's approach to meeting the financial pressures within the SEND system a joint letter was sent to the Chancellor and the Exchequer and the Secretary of State for Education setting out the SEND pressures in Leicestershire and that whilst a successful programme of work was underway and delivering considerable results the financial pressure remained significant. This letter sought the view of the DfE on whether there could be any dispensation to vary the MPPLS's within any proposal for a schools block transfer to achieve an even distribution and impact across all schools. The response was silent in this respect. The letter is shown at Appendix D and response at Appendix E.
47. Proposals for a equal 'top-slice' will need to be considered within the working group as it is possible to seek a disapplication of the MPPFL's from the Secretary of State, it's mandatory status however may result in any variation not being approved.

48. Arrangements for 2022/23 school funding are expected to be released in July 2021. This will confirm the national position in respect of any transfer, any constraints within the school funding system that may affect it and timescales for decisions and approvals. Until this information is received planning for transfer options will assume that the funding system remains as that for 2021/22.
49. Should Schools Forum not approve a transfer then permission may be sought from the Secretary of State. If approval cannot be secured the high needs financial position for 2022/23 will worsen by £2m in 2022/23 only.

### **Central Services Block**

50. The central services block funds school-related expenditure items such as existing school-based premature retirement costs, copyright licences under a national DfE contract for all schools and other historic costs and the settlement is £3.6m for 2021/22 and includes funding transferred in respect of the former teacher pay and pensions grant for teachers employed centrally across the County Council.
51. The settlement reduces the funding for historic commitments. This is being reduced by 20% but a guarantee is in place to ensure that funding doesn't decrease below the financial commitment to meet former teacher employment costs. This has resulted in a loss of £147k, but this has been offset by an increase in formula funding of £178k.

### **Early Years Block**

52. Nationally early years funding has been increased by £66m. The grant remains determined by the number of children participating in early years education. The funding supports the 30 hours Free Entitlement to Early Education (FEEE) for eligible parents and continued delivery of the early years offer for disadvantaged two year olds. The increase in funding equates to £0.08 per hour (1.5%) for 2 year olds and £0.06 per hour (1%) for 3 and 4 year olds. Leicestershire continues to receive the lowest rate per hour at £5.36 per hour for 2 year olds and £4.44 per hour for 3 and 4 year olds. The maximum of 5% of the overall settlement is retained to fund the early learning service which fulfils local authority's statutory duty to ensure sufficiency of places for those parents that request one.

### **Funding School Growth**

53. Within the Schools Block, but separate to funding for individual schools, local authorities receive funding for the initial revenue costs of commissioning additional primary and secondary school places For 2020/21 the grant is confirmed as £2.4m for its two distinct elements;
- a) Explicit i.e. funding to be given to schools increasing as a result of the basic need for school places; and,

- b) Implicit i.e. the cost of protection and pupil number adjustments as a result of age range changes.
54. Schools Forum agreed a revised Growth Policy at its meeting of 30 September 2019 which establishes a link to the additional school places delivered through the capital programme, the increased cost base as a result of expansion in schools prior to mainstream funding being generated, the timing of growth as well as affordability.
55. It should be noted that:
- the growth fund relates exclusively to mainstream schools and cannot be used to support new SEND provision without a transfer from the schools to high needs block, the cost of commissioning new SEND provision falls to be met from the high needs block and contributes to the overall deficit.
  - The growth fund cannot be used to meet the costs of general growth to popularity and / or general demographic growth not related to the basic need for additional school places. This is managed through lagged funding

#### **Dedicated Schools Grant Reserve**

56. It is forecast that the DSG reserve will remain in deficit for the period of the MTFS as a result of the continued and increasing overspend on high needs, this will partially be offset by the accumulation of funding allocated to the authority to meet the revenue costs of new and expanding schools which is set-aside for future year costs.
57. The estimated balance on DSG at 31 March 2021 is set out below:

	Schools Block £,000	High Needs Block £,000	Early Years Block £,000	Central Block £,000	Total £,000
Balance 1/4/20	3,168	(7,062)	(177)	20	(4,051)
2020/21 Movement	3,000	(10,011)	300	70	(6,641)
<b>Estimated Balance 31/3/21</b>	<b>6,168</b>	<b>(17,073)</b>	<b>123</b>	<b>90</b>	<b>(10,692)</b>

Note - Figures in brackets denote a deficit

#### **Notional SEN Budget**

58. The Notional SEN budget is an identified amount of funding within a schools overall delegated budget that is to contribute to the special educational provision of children with SEN or disabilities and is to guide schools in the allocation of resources to meet additional needs of pupils. In terms of high

needs the national funding system sets out that element 2 funding is met from the notional SEN budget:

<p>£10,000</p> <p>Funded by local authority</p> <p>Funded by school from delegated budget</p>	<p>Paid by Local Authority for each occupied place - may be more than one funding authority</p>	<p>Total cost of provision specified in Statement of Special Educational Needs less £6,000</p> <p><b>High Cost, Low Incidence</b></p>	<p>E l e m e n t  3</p>	<p><b>Element 3</b> funding is provided by the Local Authority as Top-Up Funding and additional to the school delegated budget</p>
	<p>£6,000</p>	<p>First £6,000 of cost of provision specified in Statement of Special Educational Needs</p> <p><b>Low Cost, High Incidence</b></p>	<p>E l e m e n t  2</p>	<p><b>Element 2</b> funding is met through the Notional SEN Budget, this is an identified amount within the delegated budget with the amount set out as a note</p>
	<p>£4,000</p>	<p>Universal provision for all Pupils</p> <p><b>Universal</b></p>	<p>E l e m e n t  1</p>	<p><b>Element 1</b> funding is within the school delegated budget through pupil related factors including the Age Weighted Pupil Unit</p>

59. The calculation of the Notional SEN Budget is locally defined and is unchanged for 2020/21. The calculation captures the formula factors that correlate to the expected incidence of SEN rather than indicators that are the result of an identified SEN needs through, for example, the number of EHCP's within the school. The proportions and funding factors upon which the notional SEN budget are calculated are detailed out in the following table, the calculation is individual to each school and therefore the proportion of the overall school budget will vary:

<b>Funding Factor</b>	<b>2020/21 % to Notional SEN</b>
Age Weighted Pupil Unit	4%
Prior Attainment	50%
IDACI	67%
<b>Total Notional SEN Budget Contained within the Funding Formula</b>	<b>£34.3m</b>

60. In accordance with the High Needs Operational Guidance the local authority will continue to assess schools where the notional SEN budget is insufficient to meet commitments to element 2 funding. This compares the aggregated

commitment to Element 2 costs and notional SEN budget in December. Where the notional budget is shown to be insufficient to meet commitments an additional payment will be made to schools. Schools should, within their management processes, consider how their SEN notional budget is fully deployed to support pupils within the mainstream school environment.

61. The process above is unchanged from previous years. The Department is at the early stages of formulating a new approach to funding pupils with SEN across schools. This work will also consider whether there are any alternative funding mechanisms are able to better reflect costs within schools with disproportionately high numbers of SEN pupils

### **Excluded Pupils**

62. The arrangements for reclaiming funding from schools excluding pupils no longer solely refer to the deduction being based upon the age weighted pupil unit and refers to the average per pupil funding value for primary, Key Stage 3 and Key Stage 4. These values are detailed in the following table and will be applied as the deduction to school budgets from April 2021.

<b>School Phase</b>	<b>Annual Rate £</b>	<b>Daily Rate £</b>
Primary	3,633.32	19.12
Key Stage 3	5,123.65	26.97
Key Stage 4	5,773.99	30.39

63. These rates will also be 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 Education Inclusion Partnerships.

### **Pupil Premium**

64. Pupil Premium will remain at 2020/21 rates:

	2020/21 £ per Pupil
Primary Free School Meals	1,345
Secondary Free School Meals	955
Looked After and Previously Looked After Children	2,345
Service Premium	310

65. The allocations are passported intact by the local authority to maintained schools for eligible pupils on the school roll but are retained by the local authority for looked after children which is allocated by the Head of the Virtual School, academies receive funding directly from the ESFA.

### **2021/22 Early Years Provider Budgets**

66. Early year provider funding rates are set out below, the base rate has increased by £0.05 per hour for 3 and 4 year olds and by £0.07 per hour for 3 year olds as a result of the national increase of funding.

<b>3 and 4 Year olds</b>	Per Hour
Base Rate	£4.15
Deprivation top-up	£0.04 - £0.08
Special Needs top-up	£6.99

<b>2 Year olds</b>	Per Hour
2 Year Old Base Rate	£5.07
2 Year Old Special Needs top-up	£6.99

### **The Local Authority Budget**

67. Council will consider the local authority's budget at its meeting on 5 February. For the four year MTFs period 2021/22 – 2024/25 for years 2 to 4 of the MTFs period funding gaps exist and by 2024/25 the gap is £36.3m. To meet this requirement all savings set out in the MTFs need to be fully delivered and further savings need to be identified. This excludes the savings required to ensure that High Needs expenditure is brought into alignment with the grant.
68. In order to set out the full context of the financial challenges facing the department the provisions for growth and savings set out in the Children and Family Services budget for 2021/22 – 2024/25 are summarised below. The significant challenge within this section of the budget continues to be the growth in the number and cost of social care placements and the staff required to support both services for both looked after children and vulnerable children and their families. The budget makes provision for continued increase in numbers of looked after children but also a savings target to reduce the average unit cost of placements. The department, through the Children's Innovation Partnership and the Defining Children's Services for the Future programme are investigating options for new service operating models in order to mitigate growth and deliver savings;

References	<b><u>GROWTH</u></b>	2021/22	2022/23	2023/24	2024/25
		£000	£000	£000	£000
	<b><u>CHILDREN &amp; FAMILY SERVICES</u></b>				
	<b>Demand &amp; cost increases</b>				
** G1	Demographic growth- Social Care Placements	6,300	9,600	13,400	17,200
** G2	Front-line social care staff - increased caseloads	3,030	3,685	4,520	4,935
** G3	Social Care market premia to support recruitment	20	40	60	80
** G4	Unaccompanied Asylum Seekers - additional demand	50	100	150	200
G5	School Place Planning	240	240	240	240
G6	Increased demand for legal costs	400	400	400	400
	<b>TOTAL</b>	<b>10,040</b>	<b>14,065</b>	<b>18,770</b>	<b>23,055</b>

References	<b><u>SAVINGS</u></b>	2021/22	2022/23	2023/24	2024/25
		£000	£000	£000	£000
	<b><u>CHILDREN &amp; FAMILY SERVICES</u></b>				
	<b>Defining CFS For the Future Programme</b>				
** CF1	Eff Pathways	-1,200	-2,100	-3,600	-4,800
CF2	Eff Settings	-900	-2,900	-5,100	-8,100
CF3	Eff Disabled Children's Service Enablement	-100	-300	-300	-300
	<i>Total Defining CFS For the Future Programme</i>	<i>-2,200</i>	<i>-5,300</i>	<i>-9,000</i>	<i>-13,200</i>
CF4	Eff Children's Innovation Partnership -Assessment & Resource Team, Hub and Residential re-design	-50	-200	-350	-500
CF5	Eff Departmental Efficiency Savings	-1,500	-1,750	-2,000	-2,300
	<b>TOTAL</b>	<b>-3,750</b>	<b>-7,250</b>	<b>-11,350</b>	<b>-16,000</b>

## **Capital Programme**

69. The proposed Children and Family Services capital programme totals £84.4m, for which the majority (£82.9m) there is external funding expected, resulting in only £1.5m call on LCC capital funding over the four year life of the proposed MTFS. The programme continues to focus upon the delivery of additional primary and secondary school places and additional places to be delivered to support the High Needs Development Plan. £58m is proposed to be invested in the provision of additional placements; £14m for SEN and £12m for other schemes as per the summary table below:

	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>Total</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Additional School Places	29,543	9,478	5,300	14,000	<b>58,321</b>
SEND Programme	5,000	1,000	8,000	0	<b>14,000</b>
Other Capital	3,959	2,891	2,750	2,500	<b>12,100</b>
<b>Total</b>	<b>38,502</b>	<b>13,369</b>	<b>16,050</b>	<b>16,500</b>	<b>84,421</b>

**Provision of Additional School Places** – the programme is funded through the Basic Need grant from the DfE and S106 developer contributions. For the latter it is assumed that the receipt will fully fund the scheme. The latter two years of the programme make provision for new schools fully funded by S106 funding at Hinckley, Thorpebury and Market Harborough. These schools are

included in their expected year of development however this is dependent on the speed of the related housing developments.

Additionally, schools built by developers under S106 requirements are expected in the period of the MTFS at Castle Donnington and South East Coalville. As there is no actual monetary impact on the programme these have not been included in the above figures.

Significant future housing development in the Melton area will lead to an increased requirement for school places. However, the expected timeline is such that the investment is presently assumed to be beyond the timescale of this MTFS. There is currently spare capacity in the Melton catchment area to address any initial requirement for places.

It is envisaged that over the four years of the MTFS an additional 3,800 mainstream school places and an additional 200 places for children and young people with SEND will be created.

**SEND Programme** – the programme contains funding for completion of the developments to support the High Needs Development plan and the completion of the Department for Education (DfE) funded school for pupils with Social, Emotional and Mental Health Needs (SEMH) at Shepshed. The development of this school requires complex restructuring of the Iveshead campus in Shepshed which will meet a number of needs (Iveshead school being housed in one building, the expansion of primary provision, the development of the special school, the establishment of a special needs unit and the co-location of the Oakfield Pupil Referral Unit). The DfE has advised the local authority that it must cover 'abnormal costs' incurred in the construction of the new SEMH school, such as the demolition of the existing building and levelling of the land. These abnormal costs have been included in the MTFS at an estimate of £1.5m.

**Residential Design Brief-** a capital investment budget envelope of £2.5m was agreed by the Cabinet in March 2020 to develop an assessment hub and flexible multi-functional properties to create in-house capacity to provide a better suitability of placements and at lower cost. Properties have been identified to date in Market Harborough, Glenfield and Hinckley providing a capacity for up to 12 placements and each property scheme is currently being evaluated for the service, property and financial implications.

70. The majority of the capital programme is likely to be funded by external grant and developer S106 contributions:

**Basic Need Grant** - is received from the DfE based upon the need to create additional school places. Grant of £22.1m for the year 2021/22 has been confirmed but estimates of £7.5m have been included for the final three years of the programme. The grant reflects the overall place need across the County and for both maintained schools and academies. The grant meets the infrastructure costs of creating new places in primary and secondary schools. Eligible revenue costs fall to be met from the local authorities growth fund



funded from DSG for primary and secondary schools. No funding is received for the revenue and capital costs of additional places for SEND.

Strategic Maintenance Grant – is received from the DfE for the maintenance of maintained schools only. This grant is based on a formula that considers pupil numbers and the overall condition of the school estate. The grant reduces as schools convert to academies. £1.8bn was confirmed in the November 2020 Spending Review but individual local authority allocations are yet to be confirmed. An assumption of £2m per annum has been included in the MTFS.

S106 Contributions – it is estimated that a total of £29.6m of S106 contributions will be received to fund the proposed programme, £8.4m in 2021/22. Estimates for the latter two years of the MTFS are less certain and are dependent upon the speed of housing developments. It is estimated that the full costs of new schools required on new housing developments will be fully funded from S106 contributions.

SEND Provision Capital Grant – this grant was announced during 2017/18 by the DfE (and in response to the introduction of the National Funding formula for High Needs) to provide local authorities with capital to develop cost effective SEN provision and was expected to finish in 2020/21. Nothing has been included in the MTFS from and including 2021/22 however the November 2020 Spending did commit to further national capital expenditure totalling £300m for new school places for children with SEND, but no details have been released yet.

#### Free School Bid

The programme includes funding from the DfE for £8m to build a new 50 place special school for children with Social, Emotional and Mental Health (SEMH) needs in Shepshed. The DfE has approved the bid and negotiations are on-going with the on the scope and funding arrangements for the build.

## **Appendices**

Appendix A – 2021/22 Children and Family Services Revenue Budget

Appendix B – Summary of Commissioned High Needs Places

Appendix C – 2021/22 School Funding Rates

Appendix D – Letter from the Lead Member for Resources and Lead Member for Children and Family Services to Chancellor of the Exchequer and Secretary of State for Education.

Appendix E – Letter from the Parliamentary Under-Secretary of State for Children and Families to the Lead Member for Resources and Lead Member for Children and Family Services.

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APPENDIX A

CHILDREN & FAMILY SERVICES DEPARTMENT

REVENUE BUDGET 2021/22

Budget 20/21		Employees	Running Expenses	Internal Income	Gross Budget	External Income	Net Total 21/22	Schools	Early Years	High Needs	Dedicated Schools Grant	LA Block
£		£	£	£		£	£					
<b>1,410,482</b>	<b>C&amp;FS Directorate</b>	<b>1,290,356</b>	<b>82,126</b>	<b>0</b>	<b>1,372,482</b>	<b>38,000</b>	<b>1,410,482</b>	<b>18,499</b>	<b>44,230</b>	<b>153,947</b>	<b>216,676</b>	<b>1,193,806</b>
2,079,659	C&FS Safeguarding	1,917,576	176,958	-44,875	2,049,659	150,000	2,199,659	0	0	0	0	2,199,659
137,936	LSCB	303,597	143,100	-56,244	390,453	-252,517	137,936	0	0	0	0	137,936
<b>2,217,595</b>	<b>Safeguarding, Improvement &amp; QA</b>	<b>2,221,173</b>	<b>320,058</b>	<b>-101,119</b>	<b>2,440,112</b>	<b>-102,517</b>	<b>2,337,595</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,337,595</b>
1,445,743	Asylum Seekers	366,182	2,129,561	0	2,495,743	-1,000,000	1,495,743	0	0	0	0	1,495,743
4,145,382	C&FS Fostering & Adoption	4,384,286	699,897	0	5,084,182	-488,800	4,595,382	0	0	0	0	4,595,382
32,599,488	C&FS Operational Placements	86,536	39,217,952	0	39,304,488	-405,000	38,899,488	0	0	0	0	38,899,488
2,963,636	Children in Care Service	2,727,046	536,590	0	3,263,636	-40,000	3,223,636	0	0	0	0	3,223,636
594,709	Education of Children in Care	727,079	1,254,450	-98,500	1,883,029	-1,353,320	529,709	0	0	0	0	529,709
<b>41,748,958</b>	<b>Total Children in Care</b>	<b>8,291,129</b>	<b>43,838,449</b>	<b>-98,500</b>	<b>52,031,078</b>	<b>-3,287,120</b>	<b>48,743,958</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>48,743,958</b>
12,146,840	Fieldwork locality Teams	12,841,490	699,350	0	13,540,840	-29,000	13,511,840	0	0	0	0	13,511,840
1,132,916	Social Care Legal costs	0	1,532,916	0	1,532,916	0	1,532,916	0	0	0	0	1,532,916
<b>13,279,756</b>	<b>Field Social Work</b>	<b>12,841,490</b>	<b>2,232,266</b>	<b>0</b>	<b>15,073,756</b>	<b>-29,000</b>	<b>15,044,756</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>15,044,756</b>
<b>342,299</b>	<b>Practice Excellence Team</b>	<b>324,932</b>	<b>53,367</b>	<b>0</b>	<b>378,299</b>	<b>-36,000</b>	<b>342,299</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>342,299</b>
<b>57,588,608</b>	<b>TOTAL CHILDRENS SOCIAL CARE</b>	<b>23,678,724</b>	<b>46,444,140</b>	<b>-449,619</b>	<b>69,673,245</b>	<b>-3,204,637</b>	<b>66,468,608</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>66,468,608</b>
<b>9,157,789</b>	<b>Children &amp; Families Wellbeing Service</b>	<b>10,063,323</b>	<b>2,674,997</b>	<b>-1,837,681</b>	<b>10,900,639</b>	<b>-2,622,850</b>	<b>8,277,789</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,277,789</b>
<b>1,352,199</b>	<b>Education Sufficiency</b>	<b>1,169,522</b>	<b>34,050</b>	<b>-108,173</b>	<b>1,095,399</b>	<b>-260,200</b>	<b>835,199</b>	<b>391,502</b>	<b>0</b>	<b>0</b>	<b>391,502</b>	<b>443,697</b>
36,236,558	C&FS 0-5 Learning	2,403,296	35,247,524	0	37,650,820	-533,219	37,117,601	0	35,536,868	1,246,880	36,783,748	333,853
263,608	C&FS 5-19 Learning	476,564	357,057	-73,526	760,095	-468,165	291,930	252,067	0	0	252,067	39,863
3,569,000	Inclusion	1,027,604	2,741,396	0	3,769,000	-150,000	3,619,000	0	0	2,672,059	2,672,059	946,941
73,759	Governor Development Services	178,360	94,899	-76,500	196,759	-123,000	73,759	0	0	0	0	73,759
1,298,146	Pupil Referral Unit	0	1,298,146	-26,901	1,271,245	0	1,271,245	0	0	1,064,746	1,064,746	206,499
<b>41,441,071</b>	<b>Total Education Quality &amp; Inclusion</b>	<b>4,058,923</b>	<b>39,765,923</b>	<b>-176,927</b>	<b>43,647,919</b>	<b>-1,274,384</b>	<b>42,373,535</b>	<b>252,067</b>	<b>35,536,868</b>	<b>4,983,685</b>	<b>40,772,620</b>	<b>1,600,915</b>
75,903,764	C&FS SEN	1,531,131	83,483,698	-4,082,614	80,932,215	-265,877	80,666,338	0	0	79,510,996	79,510,996	1,155,342
2,423,667	C&FS Specialist Services to Vulnerable Groups	2,274,135	325,635	0	2,599,770	-176,102	2,423,668	0	0	2,423,669	2,423,669	-1
1,143,427	C&FS Psychology Service	1,511,446	76,500	-429,645	1,158,301	-14,874	1,143,427	0	0	0	0	1,143,427
4,347,139	C&FS Disabled Children Service	3,147,836	1,200,303	0	4,348,139	-1,000	4,347,139	0	0	0	0	4,347,139
1,375,785	C&FS HNB Development Programme	1,025,690	33,800	0	1,059,490	0	1,059,490	0	0	1,059,490	1,059,490	0
-9,549,815	DSG Reserve Income (HNB)	0	0	-5,650,000	-5,650,000	0	-5,650,000	0	0	-5,649,999	-5,649,999	0
<b>75,643,966</b>	<b>Total SEND &amp; Children with Disabilities</b>	<b>9,490,238</b>	<b>85,119,936</b>	<b>-10,162,259</b>	<b>84,447,915</b>	<b>-457,853</b>	<b>83,990,062</b>	<b>0</b>	<b>0</b>	<b>77,344,156</b>	<b>77,344,156</b>	<b>6,645,907</b>

4,906,485	C&FS Admin & Committees	3,179,840	717,250	-898,605	2,998,485	0	2,998,485	8,570	273,791	143,118	425,479	2,573,006
509,098	C&FS Finance	0	512,872	0	512,872	0	512,872	512,872	0	0	512,872	0
774,900	C&FS Human Resources	0	1,534,900	0	1,534,900	-45,000	1,489,900	674,900	0	0	674,900	815,000
735,800	C &FS Commissioning & Planning	723,550	12,250	0	735,800	0	735,800	0	0	0	0	735,800
312,944	C&FS Sub Transformation	55,718	257,226	0	312,944	0	312,944	0	0	0	0	312,944
<b>7,239,227</b>	<b>Total Business Support and Commissioning</b>	<b>3,959,108</b>	<b>3,034,499</b>	<b>-898,605</b>	<b>6,095,002</b>	<b>-45,000</b>	<b>6,050,002</b>	<b>1,196,343</b>	<b>273,791</b>	<b>143,118</b>	<b>1,613,252</b>	<b>4,436,750</b>
<b>134,834,253</b>	<b>TOTAL EDUCATION &amp; EARLY HELP</b>	<b>28,741,114</b>	<b>130,629,404</b>	<b>-13,183,644</b>	<b>146,186,874</b>	<b>-4,660,287</b>	<b>141,526,587</b>	<b>1,839,912</b>	<b>35,810,659</b>	<b>82,470,959</b>	<b>120,121,529</b>	<b>21,405,057</b>
414,781,473	Total Individual Schools Budget	0	466,113,733	0	466,113,733	-11,058,877	455,054,856	455,179,591	0	-143,770	455,035,821	19,035
0	Dedicated Schools Grant Recoupment	0	-347,643,920	0	-347,643,920	347,643,920	0	0	0	0	0	0
2,285,220	Central Charges	0	2,285,220	0	2,285,220	0	2,285,220	1,434,683	210,848	639,689	2,285,220	0
-528,103,530	Dedicated Schools Grant	0	0	0	0	-577,659,247	-577,659,247	-458,472,685	-36,065,737	-83,120,825	-577,659,247	0
<b>-111,036,837</b>	<b>TOTAL DSG ITEMS</b>	<b>0</b>	<b>120,755,033</b>	<b>0</b>	<b>120,755,033</b>	<b>-241,074,204</b>	<b>-120,319,171</b>	<b>-1,858,411</b>	<b>-35,854,889</b>	<b>-82,624,906</b>	<b>-120,338,206</b>	<b>19,035</b>
<b>82,796,506</b>	<b>TOTAL CHILDREN &amp; FAMILY SERVICES</b>	<b>53,710,194</b>	<b>297,910,703</b>	<b>-13,633,263</b>	<b>337,987,633</b>	<b>-248,901,127</b>	<b>89,086,506</b>	<b>-0</b>	<b>-0</b>	<b>0</b>	<b>0</b>	<b>89,086,506</b>

**Appendix B - High Needs Commissioned Places**

Special School	Category	Total High Needs Places 21/22	Average top up per place
Forest Way	Academy	240	5,881
Dorothy Goodman	Academy	325	6,821
Ashmount	Maintained School	182	7,701
Birch Wood	Maintained School	165	8,995
Maplewell Hall	Maintained School	220	3,737
Birkett House	Academy	236	7,767
Foxfields	Academy	36	17,877
Fusion	Academy	41	17,877
Forest Way (C&I Unit)	Academy	7	16,800
Dorothy Goodman (C&I Unit)	Academy	28	21,580
Birch Wood (C&I Unit)	Maintained School	36	21,580
Maplewell Hall (C&I Unit)	Maintained School	61	21,580

Special Unit	Category	Total High Needs Places 21/22	Average top up per place
Hugglescote Community Primary School	Maintained School	11	2,058
Newbold Verdon Primary School	Maintained School	24	7,671
Iveshead	Maintained School	18	19,983
Iveshead (SEMH Unit)	Maintained School	13	16,800
St Denys Church Of England Infant School	Maintained School	15	4,017
Westfield Infant School	Maintained School	24	3,274
Westfield Junior School	Maintained School	25	2,619
Thorpe Acre Junior School (C&I Unit)	Maintained School	10	16,800
Brookside Primary School	Academy	20	4,017
Sherard Primary School And Community Centre	Academy	36	4,690
Asfordby Captains Close Primary School	Academy	5	16,800
Winstanley SHINE Secondary	Academy	15	16,800
Woodcote Primary School	Academy	5	16,800
Christ Church & St Peters Primary School	Academy	6	16,800
Wigston Academy Trust	Academy	14	19,983
Glenfield Primary School	Academy	30	3,599
Beacon Academy	Academy	36	4,183
Rawlins Academy (MLD)	Academy	74	3,219
The Beauchamp College	Academy	10	4,058 plus 11 teachers supplied by STS
The Cedars Academy	Academy	15	3,560
Wreake Valley (C&I Unit)	Academy	1	16,800
Hinckley Parks Primary (C&I Unit)	Academy	3	16,800
Rawlins Academy (C&I Unit)	Academy	10	21,580
Wigston All Saints (C&I Unit)	Academy	12	19,983
Oasis The Retreat Specialist Pre-School	Pre-School	10	9,857
Wigston Menphys Early Years	Pre-School	21	13,110
Sketchley Menphys Early Years	Pre-School	24	12,205
Beacon Early Years	Pre-School	5	8,712

Further Education Provider / Alternative Provision	Category	Total High Needs Places 21/22	Average top up per place
SMB Group College	Further Education	42	4,041
Leicestershire County	Further Education	7	16,585
Loughborough College	Further Education	44	1,645
Oakfield School	Maintained Alternative Provision - Pru	30	10,023

Post 16 in mainstream	Category	Total High Needs Places 21/22	Average top up per place
Ashby School	Academy	1	4,147
The Beauchamp College	Academy	2	5,369
Bosworth Academy	Academy	3	4,827
The Castle Rock School	Academy	1	4,322
De Lisle College	Academy	1	2,976
Heath Lane Academy	Academy	2	4,939
John Fernley College	Academy	1	5,458
Brookvale Groby Learning Campus	Academy	2	7,688
Hinckley Academy and John Cleveland Sixth Form Centre	Academy	4	4,285

**Appendix B - High Needs Commissioned Places**

Lutterworth College	Academy	4	5,540
Wreake Valley Academy	Academy	1	6,207
Robert Smyth Academy	Academy	2	4,098
Melton Vale Sixth Form College	Academy	2	5,934
Long Field Academy	Academy	4	5,872

**Appendix B - High Needs Commissioned Places**

Special Independent Schools - Primary Need	Category	Number budgeted 21/22	Average cost of day placement
C&I	Independent	188	£56,968
SEMH	Independent	184	£49,437
Dyslexia	Independent	7	£25,035
VI	Independent	4	£68,562
HI	Independent	5	£31,857
<b>Total / Average</b>		<b>388</b>	<b>£52,616</b>
Independent Specialist Provision (16+)		110	£25,420

Special School top up rates incorporating outreach, fixed allowances, split site and satellites	Band 5	Band 6	Band 7	Band 7A	Band 8	Band 9	Band 10
Forest Way	£2,994	£4,822	£6,649	£8,476	£12,133	£15,788	£19,444
Dorothy Goodman	£3,070	£4,898	£6,725	£8,552	£12,209	£15,864	£19,520
Ashmount	£3,123	£4,951	£6,778	£8,605	£12,262	£15,917	£19,573
Birch Wood	£3,643	£5,471	£7,298	£9,125	£12,782	£16,437	£20,093
Maplewell	£2,962	£4,790	£6,617	£8,444	£12,101	£15,756	£19,412
Birkett House	£3,304	£5,132	£6,959	£8,786	£12,443	£16,098	£19,754

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Local Authority Funding Reform Proforma

LA Name:	Leicestershire
LA Number:	855

Primary minimum per pupil funding level	Secondary (KS3 only) minimum per pupil funding level	Secondary (KS4 only) minimum per pupil funding level	Secondary minimum per pupil funding level	Disapplication number where alternative MPPF values are used
£4,180	£5,215.00	£5,715.00	£5,415.00	

Pupil Led Factors

	Reception uplift	No	Pupil Units		0.00					
	Description	Amount per pupil		Pupil Units		Sub Total	Total	Proportion of total pre MFG funding (%)	Notional SEN (%)	
1) Basic Entitlement Age Weighted Pupil Unit (AWPU)	Primary (Years R-6)	£3,123.00		54,874.38		£171,372,699	£347,894,492	38.00%	4.00%	
	Key Stage 3 (Years 7-9)	£4,404.00		23,441.00		£103,234,164		22.89%	4.00%	
	Key Stage 4 (Years 10-11)	£4,963.00		14,766.80		£73,287,628		16.25%	4.00%	
	Description	Primary amount per pupil	Secondary amount per pupil	Eligible proportion of primary NOR	Eligible proportion of secondary NOR	Sub Total	Total	Proportion of total pre MFG funding (%)	Primary Notional SEN (%)	Secondary Notional SEN (%)
2) Deprivation	FSM	£460.00	£460.00	6,485.40	4,746.53	£5,166,686	£22,113,854	4.90%		
	FSM6	£575.00	£840.00	7,466.24	6,849.53	£10,046,695				
	IDACI Band F	£215.00	£310.00	4,356.38	3,080.60	£1,891,608			67.00%	67.00%
	IDACI Band E	£260.00	£415.00	2,659.59	1,930.56	£1,492,675			67.00%	67.00%
	IDACI Band D	£410.00	£580.00	1,045.21	853.94	£923,824			67.00%	67.00%
	IDACI Band C	£445.00	£630.00	795.40	670.00	£776,053			67.00%	67.00%
	IDACI Band B	£475.00	£680.00	824.07	887.09	£994,652			67.00%	67.00%
	IDACI Band A	£620.00	£865.00	404.29	660.12	£821,660			67.00%	67.00%
	Description	Primary amount per pupil	Secondary amount per pupil	Eligible proportion of primary NOR	Eligible proportion of secondary NOR	Sub Total	Total	Proportion of total pre MFG funding (%)	Primary Notional SEN (%)	Secondary Notional SEN (%)
3) Looked After Children (LAC)	LAC March 19	£0.00		479.83		£0	£1,845,760	0.00%		
4) English as an Additional Language (EAL)	EAL 3 Primary	£550.00		2,483.35		£1,365,841		0.39%		
	EAL 3 Secondary		£1,485.00		266.43	£395,653				
5) Mobility	Pupils starting school outside of normal entry dates	£900.00	£1,290.00	93.60	0.02	£84,266		0.02%		
	Description	Weighting	Amount per pupil (primary or secondary respectively)	Percentage of eligible pupils	Eligible proportion of primary and secondary NOR respectively	Sub Total	Total	Proportion of total pre MFG funding (%)	Primary Notional SEN (%)	Secondary Notional SEN (%)

6) Low prior attainment	Primary low prior attainment		£1,095.00	29.62%	16,255.05	£17,799,285	£31,532,671	6.99%	50.00%	
	Secondary low prior attainment (year 7)	64.53%	£1,660.00	21.12%	8,273.12	£13,733,386			50.00%	50.00%
	Secondary low prior attainment (year 8)	64.53%		21.05%						
	Secondary low prior attainment (year 9)	63.59%		21.42%						
	Secondary low prior attainment (year 10)	58.05%		22.23%						
	Secondary low prior attainment (year 11)	48.02%		22.53%						

Other Factors

Factor	Lump Sum per Primary School (£)	Lump Sum per Secondary School (£)	Lump Sum per Middle School (£)	Lump Sum per All-through School (£)	Total (£)	Proportion of total pre MFG funding (%)	Notional SEN (%)	
7) Lump Sum	£117,800.00	£117,800.00			£31,874,717	7.07%		
8) Sparsity factor	£45,000.00	£70,000.00	£70,000.00	£70,000.00	£559,281	0.12%		
Please provide alternative distance and pupil number thresholds for the sparsity factor below. Please leave blank if you want to use the default thresholds. Also specify whether you want to use a tapered lump sum or the NFF weighting for any of the phases.								
Primary distance threshold (miles)		Primary pupil number average year group threshold		Fixed, tapered or NFF sparsity primary lump sum?		NFF		
Secondary distance threshold (miles)		Secondary pupil number average year group threshold		Fixed, tapered or NFF sparsity secondary lump sum?		NFF		
Middle schools distance threshold (miles)		Middle school pupil number average year group threshold		Fixed, tapered or NFF sparsity middle school lump sum?		NFF		
All-through schools distance threshold (miles)		All-through pupil number average year group threshold		Fixed, tapered or NFF sparsity all-through lump sum?		NFF		
9) Fringe Payments					£0	0.00%		
10) Split Sites					£93,164	0.02%		
11) Rates					£3,411,938	0.76%		
12) PFI funding					£0	0.00%		
13) Exceptional circumstances (can only be used with prior agreement of ESFA)								
Circumstance					Total (£)	Proportion of total pre MFG funding (%)	Notional SEN (%)	
Additional lump sum for schools amalgamated during FY20-21					£82,460	0.02%	0.00%	0.00%
Additional sparsity lump sum for small schools					£0	0.00%		
RENT					£82,530	0.02%		
Exceptional Circumstance4					£0	0.00%		
Exceptional Circumstance5					£0	0.00%		
Exceptional Circumstance6					£0	0.00%		
Exceptional Circumstance7					£0	0.00%		

<b>Total Funding for Schools Block Formula (excluding minimum per pupil funding level and MFG Funding Total)</b>		<b>£439,490,867</b>	<b>97.46%</b>		
14) Additional funding to meet minimum per pupil funding level		<b>£11,461,502</b>	<b>2.54%</b>		
<b>Total Funding for Schools Block Formula (excluding MFG Funding Total)</b>		<b>£450,952,369</b>	<b>100.00%</b>		
15) Minimum Funding Guarantee	2.00%	#VALUE!			
Where a value less than 0.5% or greater than 2% has been entered please provide the disapplication reference number authorising the value					
Apply capping and scaling factors? (gains may be capped above a specific ceiling and/or scaled)					
No					
Capping Factor (%)		Scaling Factor (%)			
Total deduction if capping and scaling factors are applied					
		£0			
		<b>Total (£)</b>	<b>Proportion of Total funding(%)</b>		<b>Notional SEN (%)</b>
MFG Net Total Funding (MFG + deduction from capping and scaling)		£1,527,296	0.34%		
<b>Total Funding for Schools Block Formula</b>		<b>£452,479,665</b>			<b>£34,305,432</b>
High Needs threshold (only fill in if, exceptionally, a high needs threshold different from £6,000 has been approved)		£0.00			
Additional funding from the high needs budget		£0.00			
Growth fund (if applicable)		£2,699,927.00			
Falling rolls fund (if applicable)		£0.00			
Other Adjustment to 20-21 Budget Shares		£0			
<b>Total Funding For Schools Block Formula (including growth and falling rolls funding)</b>		<b>£455,179,592</b>			
<b>% Distributed through Basic Entitlement</b>		<b>77.15%</b>			
<b>% Pupil Led Funding</b>		<b>89.45%</b>			
<b>Primary: Secondary Ratio</b>		<b>1 :</b>	<b>1.27</b>		

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24 September 2020

Rt. Hon. Rishi Sunak MP  
Rt. Hon. Gavin Williamson MP  
House of Commons  
London  
SW1A 0AA

(By email)

Dear Secretaries of State

We are writing to you to highlight further concerns that we have in Leicestershire around the High Needs Block of the Dedicated Schools Grant.

The shortfall in funding for SEND has been recognised at a national level for a number of years, against a backdrop of the number of Education Health and Care Plans increasing by nearly 50% in the past five years. The funding gap is growing year on year as Local Authorities are working hard to meet the needs of these young people with an EHCP.

This shortfall in funding is now so significant that it has the potential to push some local authorities to a financial tipping point. The ability of local authorities to establish a negative reserve makes the prospect of financial collapse more likely as significant liabilities are being held on the balance sheet and the revenue capacity to offset them is diminishing.

Alongside this the High Needs distribution of funding places many authorities, in particular County Councils, are at a further disadvantage as a result of significantly lower than average high needs allocations per head and based on proxy indicators within the formula that do not adequately reflect the incidence of SEND within the population.

Despite a comprehensive recovery plan in Leicestershire that includes £28m of savings and despite the increased High Needs Block allocation for 2021/22, we are projecting a cumulative deficit of £18m at the end of 2020/21, increasing to £30m by 2023/24. There are many other authorities in a similar or worse position.

Continued/

A significant part of the deficit recovery plan is the creation of additional places for pupils with SEND in order to reduce the unit cost of pupils. By the Autumn term the plan will have provided an extra 460 SEND places, with a further 75 to be delivered between 2021 and 2023.

However, the capital and revenue costs of expanding provision are significant and unlike in mainstream schools these costs are not funded by the DfE. For the period 2017/18 to 2020/21 the SEND capital programme has totalled £19.5m, the SEN provision grant has only met £3.6m of the programme. The revenue costs of commissioning these places, including start-up and diseconomies of scale funding, adds £5m to the deficit, again the DfE make growth funding available to expand mainstream provision but not special provision. Whilst we welcome the DfE's commitment to build a Special Free School in Leicestershire, it still requires the local authority to contribute further capital of £1m on top of the other capital costs already outlined. Additionally local authorities cannot operate new provision which becomes an open competition for any provider and leaves the LA exposed to market forces which may not ultimately reduce costs.

Leicestershire consulted with schools to enact a transfer of 0.5% from the Schools Block to High Needs for 2020/21; this was not approved by the Schools Forum. The reason for the transfer not being approved was the significant impact this had on a small number of schools as a result of the introduction of the mandatory Minimum per Pupil Funding levels. The schools gaining the most from the National Funding Formula, largely those previously underfunded and with high levels of deprivation, being the schools bearing the largest and disproportionate cost of the transfer. We would ask that for 2021/22 Leicestershire is granted a disapplication of these levels which would ensure that the impact of any transfer could be equalised and lessen the impact for individual schools.

Following the SEN reforms in 2014, parents and carers were given more strength to influence their children's plan. Whilst this move is positive in terms of empowering parents and carers and ensuring that their voices are heard for the best outcomes for children, it has led to an increase in costs for Local Authorities that doesn't match the funding available via the High Needs Block. This is both in terms of the increase in responsibilities to provide education up to the age of 25 as well as the introduction of increased parental choice.

**To summarise the position Local Authorities have all the responsibility for the delivery of services to fund SEND, have no control over demand and carry all the financial risk. This is not an acceptable position.** We would make the following ask in order to support the continued delivery of SEND Provision for children:-

- Increased capital investment in SEN provision in line with mainstream capital investment

Continued/

- Review of the High Needs Funding Formula to ensure firstly that the formula fully reflects changes in pupil numbers and their underlying needs and secondly provides appropriate funding to meet those needs.
- Disapplication of the minimum per pupil funding levels
- Complete the long-delayed SEN review and reform the system to make sure it meets the needs of children and is affordable.

We would add that this is an acute issue for us and many other authorities that depends on Government support to fix. Over recent years Government inaction has pushed many authorities to the brink.

Yours sincerely



Mr. J. B. Rhodes CC  
Lead Member for Finance/Resources

Mrs. D. Taylor  
Lead Member for Children and Families

c.c. Members of the County Council  
Leicestershire MPs  
Chair of the LGA  
Chair of the County Councils Network  
Chair of the Conservative Councillors' Association

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**Vicky Ford MP**

Parliamentary Under-Secretary of State for Children and Families

Sanctuary Buildings 20 Great Smith Street Westminster London SW1P 3BT  
tel: 0370 000 2288 [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)Byron Rhodes, Lead Member for Finance/ Resources  
D Taylor, Lead Member for Children and Families  
Leicestershire County CouncilBy email: [Byron.rhodes@leics.gov.uk](mailto:Byron.rhodes@leics.gov.uk)

3 November 2020

Dear Mr Rhodes and Mrs Taylor,

Thank you for your letter of 24 September, addressed to the Chancellor of the Exchequer and the Secretary of State, about high needs funding in Leicestershire. I am replying as the minister responsible for this policy area. I apologise for the delay in responding.

My I begin by wishing you well in these challenging times.

Our ambition for children with special educational needs and disabilities (SEND) is exactly the same as for every other child; we want them to be able to reach their full potential and receive the right support to succeed in their education and as they move into adult life.

We are aware that local authorities (LAs), including Leicestershire, have faced cost pressures on their high needs budgets.

When the national funding formula for high needs was introduced, we committed to reviewing the formula within four years. We are starting to look at the formula now, to see what changes could be made, and will of course consult with all LAs before making any changes. Having already announced provisional allocations of high needs funding for 2021-22, including an additional £730 million on top of the substantial increases nationally this year, the earliest we could make changes to the formula would be for the 2022-23 allocations. I can assure you, however, that a review of the formula is firmly on our agenda, as it is important to ensure that it is distributing funding as effectively as possible.

Despite the ongoing coronavirus outbreak, the SEND Review remains a major priority for the government and we are considering improvements to make sure the SEND system is consistent, high-quality, and integrated across education, health and care, and to establish a sustainable system for the future.

With regard to capital funding, the government is committed to investing in school places for children with SEND. As you mention in your letter, the department has allocated £365 million across 2018 to 2021 through the Special Provision Capital Fund, specifically aimed at helping LAs develop provision for children and young people with education health and care plans. Leicestershire LA has been allocated a total of £3.6 million through this fund to support the provision of new places needed up to September 2021. It is for LAs, through consultation with local stakeholders, to decide how best to spend their allocation to meet local needs.

Our current capital settlement only covers up to 2021. Funding for places needed after this date will be determined as part of the upcoming Spending Review.

Thank you for writing about this important matter. I hope this reply is useful.

Yours sincerely,

A handwritten signature in black ink that reads "Vicky Ford". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

**Vicky Ford MP**  
**Parliamentary Under-Secretary of State for Children and Families**



## SCHOOLS FORUM

### High Need Development Plan Progress

8 February 2021

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	X
		High Needs	X

#### Purpose of Report

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

1. This report presents an update on progress in delivery of the High Needs Development Plan

#### Recommendations

2. That Schools Forum notes the report and the progress in the delivery of the High Needs Development Plan
3. That Schools Forum members consult with the groups they represent to make nominations for membership of the proposed working group to consider future options to address the growing demand and costs on high needs budgets.

## Introduction

4. A number of reports have been previously presented to Schools Forum that have set out;
  - the financial position of the High Needs Block and the reasons for it
  - the objectives of the High Needs Development Plan
  - the workstreams incorporated into the High Needs Development Plan

This report sets presents an update on the delivery of the plan and the successes and challenges to date.

## Background

5. The target for the programme is to mitigate against the pressures caused by rising costs and increasing demand. The High Needs Development Plan was agreed by the County Council's Cabinet on 18 December 2018. The plan is supported by a comprehensive programme plan with governance through The High Needs Board. A number of Reports have been presented to Forum for information since the plan was adopted.
6. The programme has been designed in collaboration Council's Transformation Unit and other support services. It is delivered through a multi-disciplinary approach with several workstreams, each with a lead from the Children & Family Services Department and working with agreed metrics to enable performance to be measured and reported. These metrics have been benchmarked commonly against other local authorities against the statistical nearest neighbours' group.

## Programme Summary

7. A summary of the programme workstreams, their focus is as follows:
  - **Inclusion Workstream** - The aim of this workstream is to ensure that LCC has an inclusive offer and supports the wider sector to support children and young people to ensure that childrens' needs are identified and supported as early as possible in the most appropriate settings to reduce the risk of needs unnecessarily escalating. The current focus of this workstream has been to launch a new inclusion service as part of a graduated response pathway that includes a review of the transition/overlap processes with SENA. Also, Secondary Education Inclusion Partnerships have been reviewed. In the coming year, this workstream will look to embed the changes already introduced to determine the impact that the service has had on ensuring children are supported earlier and their needs are appropriately met without the need for a statutory assessment.
  - **Strategy and Commissioning Workstream** – The workstream was completed in Autumn 2020 and the programme is now tracking the impact of the change that was delivered, which included the development and launch of a multi-agency SEND and Inclusion Strategy that is monitored at each meeting of the SEND and Inclusion Board. A key achievement of the strategy has been the development of a draft Joint Commissioning Strategy across LLR specifically to support children with SEND. This currently out for consultation and is due to be formally launch later in the Spring of 2021. This workstream has also launched a SEN Support Handbook to assist

parents/carers and professionals in ensuring children receive good SEN Support as soon as a need is identified.

- **Right Place Right Time** – The aim of this workstream is to ensure that all resources are making the best contributions to outcomes for children and young people as they progress through their education. The current focus of this workstream is ensuring that annual reviews are being conducted in a timely manner and ensure that the most appropriate support is in place to ensure outcomes for children are met. In the next year this workstream will also review the way in which resources are allocated to plans to ensure consistency and links to outcomes whilst giving providers flexibility to determine how those resources are used to deliver outcomes for children
- **SENA Whole System Review** – The aim of this workstream is to take a deep dive review of the SENA service and ensure processes, performance management and practice within the service are robust and efficient. This involves reviewing decision making, case management approaches as well as documents and templates. In the next year the impact of the changes will be embedded and monitored as well as looking at processes to support effective transition points for children, both in terms of inclusion but also commissioning.
- **Contracts and Commissioning** - Focused mostly on placements in the independent sector, the aim of this workstream is to ensure the achievement of value for money from all providers to achieve the outcomes outlined in children and young people's Education Health Care Plans. This involves challenging additional therapeutic costs as well as other 'non education' costs linked to the placement and economies of scale.
- **Sufficiency** – The aim of this workstream is to ensure that in the medium and long term we have the right provision in Leicestershire to cater for emerging demographic trends and housing development as well as ensuring that the provision is able to meet the needs of children with special educational needs and/or disabilities. In the next year the emphasis will be on continuation of the delivery of our substantial capital programme as well as look to expand places for children with special educational needs and/or disabilities where and if appropriate.

The programme has developed 534 additional school places of which 459 are available from the autumn term, including;

- 17 new resource bases in mainstream schools for pupils with SEMH and C & I need.
- 3 new schools – 80 place Fusion C&I Academy in Barwell, 60 place Foxfields SEMH Academy in Blaby, and 60 place Bowman SEMH. Academy in Shepshed (to be built by DfE for opening September 2023)
- 2 new locations for Oakfield Short Stay School in Earl Shilton and Shepshed.
- A new post 16 provision in Loughborough (Block K at Charnwood College).

- 7 Expansion projects for all existing Leicestershire special schools
  - 2 satellite classroom facilities run by existing special schools on nearby mainstream school sites.
  - 1 new specialist pre-school in Melton and expansion of the Wigston Menphys Nursery.
- **Independent Provision Review** – The aim of this workstream is to ensure that independent placements are delivering the best outcomes for children and young people, outcomes are being actively achieved and that the fees are appropriate. The current focus is only challenging progress with a view to ensuring as many children and young people are able to attend inclusive settings that can meet their needs usually in the mainstream and special settings. This workstream is also working with colleagues in health around the type of therapies outlined in plans are therapies that are available through commissioning processes and where they are not, ensuring that they are appropriately funded and not relying on HNB funding.

### **Resource Implications**

8. The financial position of the High Needs Development Plan is set out in the 2021/22 Schools Budget report elsewhere on this agenda. Overall the financial position remains of concern and for the 4 years of the Council's Medium-Term Financial Strategy (MTFS) the plan reports on-going annual deficits estimated to be £29.2m at the end of the four year period.
9. Whilst the High Needs Block Dedicated Schools Grant has increased annually, cost and demand have both increased from that set out within the original plan. A comparison of the original plan to that set out for 2021/22 for the period of the MTFS - 2021/22 to 2024/25 shows by the final year:
  - High Needs Block DSG is forecast to have risen by 19.3% to £81.96m
  - Savings are forecast to have risen by 7.8% to £19.73m
  - Costs are forecast to rise by 32.2% to £84.92m
  - Placements are forecast to rise by 7.7% to 5,547. This is an overall increase in numbers of 31.5% between April 2019 and March 2025
10. Whilst recognising that the issues behind the financial sustainability of the SEND system are systematic and of a national rather than local nature, local authorities are required to set aside resources to offset the deficit with is a unsustainable position in the medium to long term. Other actions to address the deficit are required and therefore there is a need to define and deliver these actions. This will require co-production of these actions with the local authority, schools and health colleagues.
11. Whilst the sufficiency plan has successfully delivered an increase in specialist provision across Leicestershire that provision has largely been filled by new demand. Whilst that does have a significant financial benefit through reducing future costs it has not had any significant impact in delivering the planned savings from the movement of pupils from higher cost placements into lower cost provision. Therefore, additional activity is required to help and assist in the management of demand.

12. The financial plan includes a transfer of 0.5% of DSG from the school block to the high needs block in 2022/23, such a transfer was proposed for 2021/22 which was not approved by Schools Forum. In deciding not to approach the Secretary of State for approval of the transfer Cabinet noted that work was on-going with schools to develop alternative measures to address the deficit. With the deficit showing no signs of being resolved further actions need to be identified. It should be noted that the financial position will worsen by £2m with no schools block transfer
13. Schools Forum have considered the financial position surrounding SEN placements over a number of years as well as being continually informed on the development of the current and previous programme of works to mitigate the financial concerns. It is proposed that a working group be established to consider the shape of any future actions, proposed membership of the working group be a Headteacher, Governor and Business Manager of each school phase, this would link to and work alongside the working group considering the proposed schools block transfer. Schools Forum members are asked, through the groups they represent, to make nominations.

#### Background Papers

Report to Cabinet 18 December 2018 – Special Educational Needs and Disabilities – High Needs Block Development Plan

<http://politics.leics.gov.uk/documents/s143211/SEND%20Strategy%20Report.pdf>

Report to Cabinet 24 May 2019 – Special Education and Disabilities Provision -Result of Consultation on the development of new provision (High Needs Block Development Plan)

<http://politics.leics.gov.uk/documents/s145903/HNB%20Development%20Plan%20-%20Results%20of%20Consultation.pdf>

Report to Cabinet 22 November 2019 – Special Educational Needs and Disabilities – Proposed Transfer of Funding within the Dedicated Schools Grant

<http://politics.leics.gov.uk/documents/s149602/SEND%20Cabinet%20report%20FINAL.pdf>

#### Officers to Contact

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