

# Public Document Pack

## GATESHEAD METROPOLITAN BOROUGH COUNCIL

### GATESHEAD SCHOOLS FORUM MEETING

Thursday, 17 March 2016

#### PRESENT

Councillor Ken Childs (Chair)

M Brain

Elected member  
representative  
Primary Governors  
Nursery Sector  
Representative

Sarah Diggle  
Denise Henry

Peter Largue

Trade Union  
Representative  
Primary Haedteachers  
PVI Sector  
Representative

Mustafaa Malik  
Ethel Mills

Elaine Pickering  
Andrew Ramanandi

Secondary Governors  
RC Primary

Chris Richardson

Headteachers  
Secondary  
Headteachers

Michelle Richards

Special School  
Headteachers

Steve Williamson

Pupil Referral Unit  
Representative

#### IN ATTENDANCE:

**1 APOLOGIES**

**2 MINUTES**

The Forum is asked to approve as a correct record the minutes of the last meeting held on 11 February 2016

**3 EARLY YEARS REVENUE UNDERSPEND**

Gillian Dodds, Care Wellbeing and Learning

**4 DSG QUARTER 3 BUDGET MONITORING**

Alan Foster, Corporate Resources

**5 PERMANENT EXCLUSIONS**

Jeanne Pratt, Care Wellbeing and Learning

- 6 MAINSTREAM SCHOOL TOP UPS**  
Alan Foster, Corporate Resources
- 7 SPECIAL SCHOOLS FUNDING AMENDMENTS**  
Carole Smith, Corporate Resources
- 8 PRU FUNDING FORMULA**  
Carole Smith, Corporate Resources
- 9 COMMISSIONED HIGH NEEDS PLACES**  
Russell Pickering, Care Wellbeing and Learning
- 10 NATIONAL LIVING WAGE IMPLICATIONS**  
Carole Smith, Corporate Resources
- 11 UPDATE FROM THE FAIR FUNDING CONFERENCE**  
Carole Smith, Corporate Resources
- 12 MENTAL HEALTH SUPPORT WORKER**  
Carole Smith, Corporate Resources
- 13 DATE AND TIME OF NEXT MEETING**  
14 April 2016 at 10.00 am

Copies of all reports and appendices referred to in these minutes are available online and in the minute file. Please note access restrictions apply for exempt business as defined by the Access to Information Act.

**Chair.....**

## GATESHEAD METROPOLITAN BOROUGH COUNCIL

### GATESHEAD SCHOOLS FORUM MEETING

Thursday, 11 February 2016

<b>PRESENT:</b>	Councillor Ken Childs (Chair)
	Councillors: M Brain, Sarah Diggle, Julie Goodfellow, Steve Haigh, Denise Henry, Peter Lague, Mustafaa Malik, Ethel Mills, Chris Richardson, Michelle Richards and Matthew Younger
<b>IN ATTENDANCE:</b>	Councillors
<b>APOLOGIES:</b>	Councillors Christine Ingle, Elaine Pickering, Allan Symons and Clive Wisby

#### **Present**

Ken Childs – Special School Governors  
Peter Lague – Teacher Unions  
Sarah Diggle – Primary Governors  
Jim Thomson – Secondary Academies  
Steve Haigh – Secondary Academy Headteachers  
Julie Goodfellow – Primary Academy Headteachers  
Chris Richardson – Secondary Headteachers  
Mustafaa Malik – Primary Headteachers  
Matt Younger – Primary Headteachers  
Ethel Mills – PVI Sector  
Michelle Richards – Special School Headteachers  
Linda Alder – Secondary Academies  
Denise Henry – Nursery Sector  
Cllr Malcolm Brain – Gateshead Council Elected Member

#### **In Attendance**

Carole Smith – Corporate Resources  
Frank McDermott – Corporate Resources  
Rosaly White – Corporate Services and Governance

#### **1 APOLOGIES**

Apologies for absence were received from Allan Symons, Clive Wisby, Christine Ingle and Elaine Pickering.

#### **2 MINUTES**

The minutes of the meeting held on 14 January 2016 were agreed as a correct record.

### **3 RIGHTS TO REQUEST CHILDCARE CONSULTATION**

The Forum received the draft response to the Rights to Request Childcare consultation. It was noted that the local authority's response was not contentious, but rather was aimed at making the guidance clearer and less burdensome.

The Forum commented that there are issues in terms of managing risks for wraparound care, in light of the removal of summer schools funding, and whether wraparound care would be financially viable for all schools.

RESOLVED - That the Forum agreed the LA's draft response to the current Rights to Request Childcare consultation should be submitted in the name of Schools Forum.

### **4 CONSULTATION ON APPRENTICESHIPS TARGETS FOR PUBLIC SECTOR BODIES**

The Forum received a report on the consultation on Apprenticeship Targets for public sector bodies. A consultation was held last summer around what would be an appropriate levy and who it should be levied against. A joint consultation has now been launched and proposes to impose a 0.5% levy on all employers with more than 250 employees and a wage bill of over £3M per annum. The levy will be applied from April 2017 and will be collected via PAYE. This will impact on all Gateshead maintained schools and some Academies that have over 250 employees or a wage bill of over £3M per annum.

The consultation proposes targets such as; all public sector bodies should have a target of 2.3% apprenticeship starts each year based on head count. For Gateshead, this has been estimated on full time equivalent numbers of 5343, which would require 123 apprenticeship starts a year. Maintained schools would account for 42 of these starts. However, it was noted that this would be a higher figure if based on head count. It was confirmed that it would only be small academies that would not be affected by this levy.

RESOLVED - That the Schools Forum noted the introduction of the apprenticeship levy from April 2017 and the live consultation on apprenticeship starts for public sector bodies.

### **5 PROPOSED INCREASE TO SUPERANNUATION RATE**

The Schools Forum received a report around the proposed increase in the Local Government Pension Scheme (LGPS) Superannuation rates from 2016/17. The deficiency payment for Gateshead increased by 3.9% in 2015/16 and will increase in 2016/17. This will result in an increase contribution from maintained schools from 29.1% to 29.5% with effect from 1 April 2016.

RESOLVED - That the Schools Forum noted the increase in superannuation rates from 1 April 2016.

**6 NATIONAL LIVING WAGE INFORMATION**

The Forum received a report on the implementation of the National Living Wage (NLW) for Gateshead employees. It was reported that from April 2016 the NLW, for employees aged 25 and over, will be introduced.

It was noted that there will be a significant impact on schools, however it is not clear what this will be yet. A further report will be brought to the Schools Forum once more information is known. HR officers will be contacting Headteachers with their individual school information.

RESOLVED - That the Schools Forum noted that there will be an impact on schools budgets with the implementation of the NLW and agreed to receive further information in due course.

**7 EARLY IMPLEMENTATION OF 30 HOURS FREE CHILDCARE**

A report was presented on the outcome of the Local Authority’s application to be an early implementer for the 30 hours free entitlement. It was confirmed that Gateshead has been selected to be an Early Implementer Innovator, and will share £4M with the other 24 LA’s to support the core group of eight LA implementers.

The early innovators will focus on SEN, flexibility, availability of places and making work pay. It was noted that Gateshead will work with cluster colleagues to look at local solutions in terms of barriers to implementing the 30 hour offer.

RESOLVED - That the Schools Forum noted the contents of the report and that further information will be brought to Schools Forum when it becomes available.

**8 DATE AND TIME OF NEXT MEETING**

Thursday 17 March 2016 at 10.00am

Copies of all reports and appendices referred to in these minutes are available online and in the minute file. Please note access restrictions apply for exempt business as defined by the Access to Information Act.

**Chair.....**

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17<sup>th</sup> March 2016

## Item 3

### **TITLE OF REPORT: Use of Early Years Block Revenue Underspend for Capital Purposes**

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#### **Purpose of the Report**

To request that Schools Forum agree to the use of some of the Early Years Block underspend to create additional two year old funded places.

#### **Background**

The Council has a statutory duty to provide 15 hours per week of free early education for disadvantaged 2 year olds. This duty came into effect from September 2013 for 20% of all 2 year olds and was extended to include 40% of all 2 year olds from September 2014, estimated by DfE to amount to 1,100 places.

Eligibility for this entitlement is the same as for Free School Meals (FSM), Looked After Children (LAC), some children with Special Educational Needs and Disabilities and those families with a low income through the extension of benefits criteria.

In April 2013 funding for the 2 year old free entitlement came into the Council in the Early Years Block of the Dedicated Schools' Grant (DSG). This was made up of statutory funding for places (£1,407,568) and trajectory (capacity) building funding (£552,573).

In addition to the revenue funding there was a capital allocation of £356,444, to be used to create sufficient places to meet the 40% statutory target in September 2014. All capital funding has been spent. There is now £258,000 left in unspent early years reserves.

Ongoing analysis of take-up of 2 year old free places indicates that there is still a need for additional funding for projects in the Crawcrook and Ryton areas of Gateshead. There is an estimated need for an additional 19 places in Crawcrook and 14 places in Ryton.

#### **Proposal**

##### Crawcrook

All schools and registered childcare organisations within the Crawcrook area have been contacted to establish whether there is any interest in creating 2 year old places. This consultation gave a result of no interest from St Agnes RC Primary School, St Agnes

Day Nursery and Bright Sparks Nursery. An expression of interest was gained from Emmaville Primary School which already has a foundation stage unit, including a nursery PAN of 39. The school and the early years provision was graded Outstanding by Ofsted in October 2014.

Council Officers from Schools Finance Department and Early Years Childcare Service have met with the School Governors of Emmaville Primary School to assist them in reaching a decision of whether to progress or not with the creation of these places. A decision was reached by the Governing Body to create places for 2 year old children based on the positive benefit for children within the community. A separate space is required to meet the needs of the younger children. There are 2 options to accommodate this provision which have been considered further:

Option 1 - Demountable accommodation of 3 bay unit - (One classroom, circulation & WCs) at a cost of £175,000 including building work and fees.

Option 2 – To build an extension onto the school. This has been costed at £380,000, and therefore exceeds the remaining underspend in reserves.

The school's preferred option for accommodation is to build an extension onto the school. However, this is unaffordable and therefore the recommended option is option 1, the demountable accommodation. In addition, revenue funding of £10 k is requested for the purchase of suitable equipment and resources.

### Ryton

All schools and childcare organisations within the Ryton area have been contacted to establish whether there is an interest in creating additional 2 year old places. This consultation gave a result of no interest from Ryton Infant School and Willow's Montessori Nursery. An expression of interest was gained from Crookhill Early Years Pre-school, supported by Crookhill Primary School, and from Care with Cuddles Day Nursery. These 2 options have been further considered:

Option 1 –Crookhill Early Years is a private independently owned provision accommodated on the Crookhill Primary School site. It is registered with Ofsted on the Early Years Register and was graded as Outstanding at last inspection. It is registered for 26 children and is currently full to capacity, including offering places to 4 funded two year olds.

In order to create new places a demountable building or an extension to the current space would be needed. A full feasibility study has not been carried out as this would incur costs. However, costs of demountable accommodation and of an extension are likely to be similar to those at Emmaville.

Option 2 - Care with Cuddles has two registrations with Ofsted at:-

- 5 Silvermere Drive, Ryton.
- Holy Cross Church Parish Hall, Ryton Village



At the time of its last Ofsted inspection in September 2015 Care with Cuddles provision at 5 Silvermere Drive was judged as Good. The owner of this provision, encouraged by the headteacher of Ryton Infant school, following the closure of Ryton Rangers Out of school Club, has sought additional premises within the Holy Cross Church Parish Hall, Ryton Village. In November 2014 it was registered with Ofsted as childcare on non-domestic premises with the intention of this being predominantly an out-of-school provision. It is yet to be inspected and in line with its registration can offer places for 24 children up to the age of 7 years at any one time. The owner of this provision is looking to offer places to eligible 2 year olds between 9 a.m. and 3 p.m.

There is no capital building works to be undertaken in this case. The request is for a revenue grant of £11k to support the purchasing of equipment for the provision within the church hall, in order that the developmental needs of children are met.

Considering the difference in costs for each of the options, it is recommended that Option 2 is approved, to grant £11k revenue funding to support the creation of places at Care with Cuddles, operating from Holy Cross Church Parish Hall.

### **Recommendations**

Schools Forum approves from the Early Years Block revenue underspend: -

- The proposal to allocate £185,000 to complete the demountable scheme at Emmaville Primary in Crawcrook, including £10 k of revenue start-up funding.
- The proposal of £11 k of revenue funding to support the creation of places by Care with Cuddles in Ryton.

### **For the following reasons:-**

- To ensure the Council meets its statutory duty to provide sufficient places for funded two year olds.
- To enable approval to be sought from the Secretary of State to approve an application for the use of Early Years Block revenue underspend for capital purposes.
- Other options are not affordable.

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CONTACT Gillian Dodds

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## Item 4

### TITLE OF REPORT: Dedicated Schools Grant Revenue Monitoring Qtr. 3 2015/16

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#### Purpose of the Report

To bring to Schools Forum attention information on the quarter 3 position of DSG for 2015/16.

#### Background

The Dedicated Schools Grant (DSG) is made up of three main funding blocks.

1. The early years block - for 2 and 3 & 4 year old funding
2. Mainstream Schools block - which includes some centrally held and de-delegated funding
3. High Needs Block - which includes special schools and PRU funding

Schools Forum receives details of DSG revenue monitoring throughout the financial year, with the format presented based on the expenditure headings of section 251.

The quarter 3 report for 2015/16 is included at appendix 1.

#### Proposal

That Schools Forum notes the content of the report.

#### Recommendations

That Schools Forum:-

- Note the contents of the report

**CONTACT: Alan Foster**



## Appendix 1

<b>2015/16 DSG Revenue Monitoring Qtr 3</b>				
<b>DSG Area</b>	<b>Total Approved Budget</b>	<b>Outturn</b>	<b>Variance</b>	<b>Comments/Notes</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	
Maintained Schools Budget Share	73,774	73,774	0	
<b>DEDELEGATION</b>				
Contingencies	0	0	0	
Behaviour support services	166	166	0	
Support to UPEG and bilingual learners	227	227	0	
Free school meals eligibility	0	0	0	
Insurance	0	0	0	
Museum and Library services	0	0	0	
Licences/subscriptions	0	0	0	
Staff costs – supply cover	184	192	8	
<b>HIGH NEEDS BUDGET</b> (inc Special Schools, PRU and Additional Support Top-ups)	14,610	14,661	51	-£400k ARMS, +£200k Independent, +£280k PRU, -£30k staff slippage
<b>EARLY YEARS BUDGET</b>				
2,3 and 4 year old funding to PVI's	5,002	4,968	-34	-£342k 3/4 year old, +£308k 2 year old
<b>CENTRAL PROVISION WITHIN SCHOOLS BUDGET</b>				
Contribution to combined budgets	440	440	0	
School admissions	122	122	0	
Servicing of schools forums	105	105	0	
Termination of employment costs	527	445	-82	PRC
Falling Rolls Fund	0	0	0	
Capital expenditure from revenue (CERA)	0	0	0	
Prudential borrowing costs	0	0	0	
Fees to independent schools without SEN	0	0	0	
Equal pay - back pay	0	0	0	
Pupil growth/ Infant class sizes	100	100	0	
SEN transport	0	0	0	
Exceptions agreed by Secretary of State	0	0	0	
Other Items	77	124	47	CLA/ MPA Licences top sliced from DSG for all school licences
<b>TOTAL DSG</b>	<b>95,333</b>	<b>95,323</b>	<b>-10</b>	

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## REPORT TO SCHOOLS FORUM

Item 5

17<sup>th</sup> March 2016

### **TITLE OF REPORT: Permanent Exclusions-a Funding Proposal**

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#### **Purpose of report**

The purpose of this report is to inform Schools Forum of the process for charging schools a tariff following a permanent exclusion.

#### **Background**

Schools have the right to permanently exclude a pupil on disciplinary grounds. Pupils can be excluded for one or more fixed term periods (up to a maximum of 45 days in a single school year which if exceeded means that a pupil is automatically permanently excluded) or permanently.

In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion. A Headteacher may also withdraw a permanent exclusion if it has not been considered by the school/academy governing body.

It is unlawful to exclude or increase the severity of exclusion for a non-disciplinary reason. Exclusions are undertaken as a direct result of a disciplinary issue. Behaviour that is disruptive over the lunchtime period may result in a lunchtime exclusion and is counted as a half day exclusion to give parents the right to challenge this via the school governors discipline panel.

The behaviour of pupils outside of school or attending alternative provision can be considered as ground for exclusion, this will be a matter of judgement on the part of the Headteacher in accordance with the school's published behaviour policy.

All exclusions must be made in line with the principles of administrative law in that they are lawful (including the schools wider legal duties as well as guidance on exclusion), rational, reasonable, fair and proportionate. The Headteacher must also apply the civil standard of proof when considering the use of exclusion i.e. the balance of probabilities that a pupil did what they are accused of rather than the criminal standard, beyond reasonable doubt.

Informal or unofficial exclusions, such as sending pupils home to 'cool off' are unlawful regardless of whether or not they occur with the agreement of the parents/carers. The threat of exclusion must never be used in order to influence a parent to remove their child from a school.

Whilst there is no role in the exclusion guidance for a dedicated LA officer, all schools in Gateshead including academies have access to one to ensure the robustness of their decisions in relation to other schools practice and national guidance. All schools work within the fair access process and use the secondary Pupil Placement Panel or the primary Fair Access Panel to consider managed moves to avoid permanent exclusion or to reintegrate a permanently excluded student back into a mainstream school/academy.

Once a Headteacher makes the decision to permanently exclude, the Headteacher must notify the parents, local authority and the governing body of their decision to permanently exclude a pupil. At this point the local authority will consider this as a permanent exclusion.

The governing body must convene a meeting within 15 days of receiving notice of the permanent exclusion in order to consider the reinstatement of the excluded pupil. If they support the decision to permanently exclude the pupil the exclusion is considered to be 'upheld' by the local authority.

If the permanent exclusion is upheld by the school/academy governing body a parent has the right to request that an independent review panel review their child's permanent exclusion, which is currently arranged via Legal, Democratic and Property Services for all schools including academies. Since the introduction of this review process in 2012 we have had 9 appeals lodged; 2 were withdrawn by the parents, 7 were heard and upheld and 2 were found in favour of the parents.

## **Permanent Exclusions**

Gateshead has 7 secondary academies, 2 maintained secondary schools, 1 secondary Pupil Referral Unit, 1 secondary SEMH (social, emotional and mental health problems) special school and 1 CTC (City Technology College). The following table shows the number of secondary permanent exclusions since the 2004/5 academic year, including the provisional data for the autumn term 2015.



	2004/5	2005/6	2006/7	2007/8	2008/9	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16 Autumn term
Charles Thorp							3		3	2	3	3
Emmanuel							1		3	3	2	2
Heworth Grange	3	3	Nil	3	1	1	3	0	3	1	5	
Hookergate	Nil	2	2	Nil	1	1	1	N/A	N/A	N/A	N/A	
Joseph Swan	3	4	4	4	2	4	1	4	3	2	5	2
Kingsmeadow	2	Nil	Nil	1	5	1	3	7	4	4	2	5
Lord Lawson	1	5	6	3	1	3	1	1	1	2	7	5
Ryton	Nil	1	2	1	1	2	3	N/A	N/A	N/A	N/A	
St Edmund Campion/Cardinal Hume	6	8	6	2	1	4	2	Nil	2	2	3	3
St Thomas More	3	1	1	1	2	5	Nil	2	3	2	9	1
Thomas Hepburn	10	3	6	11	5	6	6	3	3	3	6	3
Whickham	3	2	1	1	Nil	2	6	2	1	2	12	1
Furrowfield	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil		
PRU	1	Nil	Nil	Nil	Nil	Nil	Nil	2	Nil	1		
Extra District												1
Total	31	30	28	27	19	29	26	24	28	24	54	26

## Overview of Permanent Exclusions 2014/15

During the 2014/15 academic year in addition to the 54 permanent exclusions, data shows that there have been 7 secondary permanent exclusions (not included in the above data) which were withdrawn; two were statemented pupils and one was a looked after child.

Permanent exclusions didn't follow a set pattern during the academic year. By the end of the autumn term there were 19 permanent exclusions, by the end of the Spring term there were 17 permanent exclusions and by the end of the Summer term there were 18 permanent exclusions.

The majority of pupils permanently excluded were in Key Stage 4; Year 10 (21) and Year 11(10) followed by Year 8 (10), with approximately 2/3 of those being permanently excluded being male.

The use of/selling of drugs (12), violence (15) and disruptive behaviour (22) appear to be the main reasons for permanent exclusion from school. Of those pupils who have been permanently excluded only 1 pupil was receiving special educational needs (SEN) support.

Of those permanently excluded for drugs, none were known to Platform prior to their permanent exclusion.

Although 8 of the pupils had a history of more than 3 fixed term exclusions, 15 had only 1 fixed term exclusion and 12 had no prior history of fixed term exclusion, meaning 50% of those pupils permanently excluded had 1 or less

fixed term exclusion. It should be noted that the local authority has no data on the number of internal school sanctions/internal exclusions which may or may not surround these pupils.

Of those permanently excluded 10 were known to the In School Support Team.

Whilst a large number of pupils permanently excluded ended up at the PRU; 13 were dual registered with the PRU and placed back into mainstream school/academy via the Pupil Placement Panel.

### **Permanent Exclusions-2015/16 Academic year (Autumn Term)**

During the autumn term of the 2015/16 academic year there have been 27 permanent exclusions, of which 26 were secondary and 1 was primary. In addition there have been 5 permanent exclusions withdrawn and 1 reinstated on appeal.

The majority of pupils permanently excluded in the autumn term 2015/16 were in KS 4; Year 10 (10) and Year 11(6) followed by Year 9 (5), with approximately 75% of those being permanently excluded being male.

Disruptive behaviour (17) appeared to be the main reasons for permanent exclusion from school.

Of those permanently excluded for drugs, none were known to Platform prior to their permanent exclusion.

Although 1 of the pupils had a history of more than 5 fixed term exclusions, 2 had only 1 fixed term exclusion and 9 had no prior history of fixed term exclusion, meaning 42% of those pupils permanently excluded had 1 or less fixed term exclusion.

All of the pupils who were permanently excluded in the autumn term ended up at the PRU, to a large extent this was driven by the fact that 21/26 permanent exclusions were for ongoing disruptive and defiant behaviour (17), physical assault (2) and dangerous behaviour (2). These Behaviours would almost always warrant time in the PRU for an assessment of their behaviour before a move to another school is considered.

### **Conclusion**

Over the past 18 months, there has been a sharp increase in permanent exclusions; reasons for this may include:

- Increased pressure by Ofsted to meet floor targets
- A rise in the number of drug related permanent exclusions (drug related exclusions)

- A rise in the number of incidents relating to persistently defiant/disruptive behaviour
- A rise in the number of violence related behaviours to both staff and pupils
- Perceived lack of secondary preventative strategies
- Lack of suitable quality assured alternative provision at KS4
- Lack of clarity of the remit of the PRU
- Lack of an overarching strategy to support vulnerable pupils which includes the PRU, schools/academies and the local authority services
- School financial resources being under increasing pressure

### **Permanently Excluded Pupils**

In February 2015 School forum agreed to that the school's budget share that the pupil is moving from is reduced by the amount  $A \times (B/52) + C$  where

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The regulations state (extract in appendix 1) A to be the amount determined by the authority in accordance with Schools and Early Years Finance Regulations (England 2014) that would be attributable to a pupil of the same age and personal circumstances as the pupil in question, and B is either-

(i) the number of complete weeks remaining in the funding period calculated from the relevant date; or

(ii) where the permanent exclusion takes effect on or after 1st April in a school year

- (a) at the end of which pupils of the same age, or age group, as the pupil in question normally leave that school before being admitted to another school with a different pupil age range,
- (b) the number of complete weeks remaining in that school year calculated from the relevant date

C is the amount of the adjustment made to the school's budget share under a financial adjustment order.

The amount that the authority would determine will include pupil premium funding, and any other additional grant(s).

If a mainstream, school/academy then takes a permanently excluded pupil they will receive the amount determined by the authority in proportion to the number of weeks remaining in the financial year for which the pupil is registered at the new school.

If there is a time lag between a pupil being permanently excluded from a maintained school/academy and being registered at another maintained school/academy, the funding for this period of time will be transferred to the

Education Support Service to provide interim support and education for the pupil.

If for whatever reason the pupil remains 'off roll' the funds will be transferred into the appropriate budget held by the Education Support Service but managed by the secondary Pupil Placement Panel and for primary pupils the Fair Access Panel.

These funds will be used toward suitable educational provision including alternative provision for the pupil until such time as they are placed onto the roll of a maintained school/academy or PRU.

If the excluded pupil joins a Pupil Referral Unit then the funding would be transferred to the High Needs Block as the PRU is funded through top up funding from the High Needs Block.

If pupils are excluded from an out-borough school and then come to a mainstream Gateshead school/academy, funding should be recouped from the out of borough school as it would be from a Gateshead maintained school/academy.

Maintained schools will be notified of any adjustments to their funding and academies will be invoiced. All schools will receive details of the pupil(s) for whom funding has been reduced.

### **Permanent Exclusions - A Proposal**

Secondary permanent exclusions are on the increase in Gateshead. Last year permanent exclusions increased from 24 in 2013/14 to 56 in 2014/15 (54 secondary and 2 primary). This year (February 2016) there is 35 permanent exclusions (34 secondary and 1 primary) with a further 7 permanent exclusions pending.

Due to the increase in permanent exclusions, high needs top ups and placements area of the high needs block is projected to overspend by approximately £250K for 2015/16. If the current pattern of permanent exclusions continues it is estimated that the overspend for 2016/17 would exceed £500K. In order to mitigate this overspend a new funding formula will be implemented from April 2016 for the PRU. The formula will isolate fixed costs and provide per pupil funding for each permanently excluded pupil depending on the pupils needs, and it is anticipated that this will reduce the projected overspend for 2016/17 to £100K. In order to address this issue the following options are being proposed.

#### **Option 1(from April 2016)**

A financial adjustment of £2000.00 is made for each pupil who is permanently excluded. This would be in addition to the transfer of AWPU, IDACI, Pupil Premium etc which was agreed previously.

If this doesn't address the short fall then Option 2 is proposed from April 2017. All secondary heads have been consulted on the above process and dismissed the tariff arrangement.

### **Option 2 (from April 2017)**

A mainstream funding review is undertaken to reduce the funding available to mainstream schools to provide funding for high needs top ups and placements. The review will take into account the number of permanent exclusions in each sector. Funding from this top-slice could be released in a number of ways:-

- Reduced primary and secondary lump sums in proportion to the number of permanent exclusions in each sector
- Reduce AWPU's in proportion to the number of permanent exclusions in each sector.

### **Proposal**

That Schools Forum notes the report and that further work will be undertaken to resolve funding pressures in the high needs block and to provide sufficient funding to support the increasing numbers of permanently excluded children.

### **Recommendations**

That Schools' Forum notes the report and that further work will be undertaken to resolve the funding pressures in the high needs block, and the cost of educating permanently excluded pupils.

### **For the following reason(s):**

- To ensure that there is sufficient funding to provide funding for the high needs block
- To ensure that there is sufficient funding to educate permanently excluded pupils
- To ensure that there arrangements are fair and transparent

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**CONTACT: Jeanne Pratt**

**ext. 8644**

## **Appendix 1**

### **Pupils permanently excluded from, or leaving, maintained schools**

#### **23.**

(1) Where a pupil is permanently excluded from a school maintained by a local authority (other than a special school, a pupil referral unit, or a place which the authority has reserved for children with special educational needs) (“the excluding school”) the authority must re-determine the excluding school’s budget share in accordance with paragraph (2).

(2) The excluding school’s budget share must be reduced by  $A \times (B / 52) + C$  where—

(a) *A* is the amount determined by the authority in accordance with this Part that would be attributable to a pupil of the same age and personal circumstances as the pupil in question at primary or secondary schools maintained by the authority for the full funding period;

(b) *B* is either—

(i) the number of complete weeks remaining in the funding period calculated from the relevant date; or

(ii) where the permanent exclusion takes effect on or after 1st April in a school year at the end of which pupils of the same age, or age group, as the pupil in question normally leave that school before being admitted to another school with a different pupil age range, the number of complete weeks remaining in that school year calculated from the relevant date; and

(c) *C* is the amount of the adjustment made to the school’s budget share under a financial adjustment order.

(3) Where a pupil who has been permanently excluded from the excluding school and is admitted to another school maintained by a local authority (other than a special school, a pupil referral unit, or to a place which the authority has reserved for children with special educational needs) (“the admitting school”) in the funding period, the authority must re-determine the admitting school’s budget share in accordance with paragraphs (4) and (5).

(4) The admitting school’s budget share must be increased by an amount which is not less than

$D \times (E / F)$  where—

(a) *D* is the amount by which the authority reduced the budget share of the excluding school, or would have reduced the budget share if that school had been maintained by the authority, except that any reduction in the excluding school’s budget share made under a financial adjustment order must not be taken into account for these purposes;

(b) *E* is the number of complete weeks remaining in the funding period during which the pupil is a pupil at the admitting school; and

(c) *F* is the number of complete weeks remaining in the funding period calculated from the relevant date.

(5) In re-determining the admitting school’s budget share, the authority may increase it by any amount up to the amount of the adjustment made by the excluding school’s budget share under a financial adjustment order.

(6) Where a permanently excluded pupil is subsequently reinstated by the governing body of the school, the school’s budget share must be increased by an amount which is no less than  $G \times (H / I)$  where—

(a) *G* is the amount by which the authority reduced the school’s budget share under paragraph (2);

- (b)  $H$  is the number of complete weeks remaining in the funding period during which the pupil is reinstated; and
- (c)  $I$  is the number of complete weeks remaining in the funding period calculated from the relevant date.
- (7) Paragraphs (1) and (2) also apply where a pupil leaves a maintained school (other than a special school, a pupil referral unit, or a place which the authority has reserved for children with special educational needs) for reasons other than permanent exclusion and is receiving education funded by a local authority other than at a school which is maintained by that authority.
- (8) For the purposes of paragraph (2)(a), the amount attributable to a pupil is the sum of the amounts determined in accordance with the authority's formula, by reference to pupil numbers rather than by reference to any other factor or criterion not dependent on pupil numbers (except that where a sixth form grant is payable in respect of the pupil in question, the amount attributable to that pupil is £4,000 for the funding period).
- (9) Where a pupil in respect of whom a pupil premium is payable has been permanently excluded from a school maintained by a local authority ("the excluding school"), the local authority must re-determine the excluding school's budget share in accordance with paragraph
- (10).
- (10) The excluding school's budget share must be reduced by  $J \times (K / 52)$  where—
- (a)  $J$  is the amount of the pupil premium allocated to the excluding school for the funding period in respect of that child; and
- (b)  $K$  is either—
- (i) the number of complete weeks remaining in the funding period calculated from the relevant date; or
- (ii) where the permanent exclusion takes effect on or after 1st April in a school year at the end of which pupils of the same age, or age group, as the pupil in question normally leave that school before being admitted to another school with a different pupil age range, the number of complete weeks remaining in that school year calculated from the relevant date.
- (11) Where a pupil in respect of whom a pupil premium is payable has been permanently excluded from a school maintained by a local authority and admitted to another school maintained by a local authority ("the admitting school") in the funding period, the authority must re-determine the budget share of the admitting school in accordance with paragraph (12).
- (12) The admitting school's budget share must be increased by an amount which is not less than  $L \times (M / N)$  where—
- (a)  $L$  is the amount by which the authority reduced the budget share of the excluding school or would have reduced the budget share had that school been maintained by the authority;
- (b)  $M$  is the number of complete weeks remaining in the funding period during which the pupil is a pupil at the admitting school; and
- (c)  $N$  is the number of complete weeks remaining in the funding period calculated from the relevant date.
- (13) Where a permanently excluded pupil in respect of whom a pupil premium is payable is subsequently reinstated by the governing body of the school, the school's budget share must be increased by an amount which is no less than  $O \times (P / Q)$  where—
- (a)  $O$  is the amount by which the authority reduced the school's budget share under paragraph (10);

- (b)  $P$  is the number of complete weeks remaining in the funding period during which the pupil is reinstated; and
- (c)  $Q$  is the number of complete weeks remaining in the funding period calculated from the relevant date.

(14) Paragraphs (9) and (10) also apply where a pupil in respect of whom a pupil premium is payable leaves a maintained school for reasons other than permanent exclusion and is receiving education funded by a local authority other than at a school which is maintained by that authority.

(15) For the purposes of this regulation—

(a) “the relevant date” is the sixth school day following the date on which the pupil has been permanently excluded; and

(b) “a financial adjustment order” means an order for the adjustment of a school’s budget share made under regulation 25(5)(b) of the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012(a) in respect of the exclusion of the pupil from the excluding school.





## REPORT TO SCHOOLS FORUM

17<sup>th</sup> March 2016

### Item 6

#### TITLE OF REPORT: Mainstream High Needs Top Ups 2016/17

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#### **Purpose of the Report**

To bring to Schools Forums attention and for approval the proposed Mainstream schools top up rates from April 2016.

#### **Background**

Under the new funding arrangements for children with Special Educational Needs, the government wants all children and young people in similar circumstances to be funded on a comparable level. This ethos is inclusive for all types of High Need pupils up to the age of 25.

#### **Current Mainstream School Top Up Rates 2015/16**

A banded top up structure for mainstream schools was introduced in 2013/14 in accordance with DfE guidance, and adapted in 2015/16 to reflect the varying range in levels of support that may be required.

To construct the bandings, the varying costs of the mainstream provision supporting children is calculated, and banded according to additional hours of support for element three top up funding. This is based on a Teaching Assistant level 3 providing the additional support required.

The budget for mainstream top ups within the High Needs Block for 2016/17 is £0.760m, with a projected outturn at quarter 3 on actual top ups of £0.785m, which is a 3.2% (£0.025m) overspend.

#### **Proposed Mainstream School Top Up Rates 2016/17**

For the calculation of rates for 2016/17, it is proposed to calculate bandings at the same rate as 2015/16, but with the deduction of 1.5% in line with minimum funding guarantee level (MFG).

It is therefore proposed that Schools Forum approves the changes to mainstream schools top ups to ensure consistency of funding for mainstream schools within the available financial envelope.

The proposed rates are shown in Appendix 1.

**Recommendations**

That school forum approves the mainstream banding proposal for 2016/17.

**For the following reason(s):**

To enable Mainstream School top up budgets to be set and mainstream schools to estimate their high needs income for financial year 2016/17.

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CONTACT: Alan Foster

## Appendix 1

### Mainstream Schools top ups 2016/17

Mainstream (Reception to Year 11)			
	No of hours support per fte	Top up funding per fte	Requirements
<b>From School Resource</b>	1 to 10	£0	<ul style="list-style-type: none"> <li>-Access to high quality universal services supported by curriculum differentiation or environmental access/adaptation as appropriate.</li> <li>-Some targeted or integrated support.</li> <li>-Group strategies used flexibly to promote independent or child-initiated learning.</li> <li>-Some specific reinforcement or skill-development activities may be required.</li> <li>-Access to regular and additional targeted teaching in small groups and/or individually to address the pupil's individual needs, including social (skills), physical, medical and self help skills.</li> <li>-Some intensive individualised programmes may be required with long term adaptation of the curriculum to address the attainment levels which will be significantly below age related expectations in National Curriculum subjects.</li> <li>-Input from specialist outside agencies.</li> </ul>
<b>Band 5</b>	11 to 15	£2,760	<p>As from schools resources plus:</p> <ul style="list-style-type: none"> <li>-Individualised programmes/adaptations will be required with adaptations for specific skills development to ensure access to the curriculum and/or significant physical/medical needs are met.</li> <li>-Additional and different activities may be required with regular opportunities for over learning (repetition).</li> <li>-Additional access to specialist equipment may be required.</li> <li>-Ongoing advice and support from specialist outside agencies.</li> </ul>
<b>Band 4</b>	16 to 20	£5,520	As per Band 5 but with higher levels of support required.
<b>Band 3</b>	21-25	£8,280	<p>As Band 4 and 5 plus:</p> <ul style="list-style-type: none"> <li>-Extensive individualised programmes and some one-to-one support to enable the pupil to concentrate and access the curriculum or to meet complex physical and/or medical needs more severe than at Band 4.</li> <li>-Regular supervision throughout the day, including the use of time out and other such approaches.</li> <li>-Some support may be required during unstructured times.</li> <li>-There may be multi-agency direct involvement.</li> </ul>
<b>Band 2</b>	26 to 30	£11,040	<p>As Band 3 plus:</p> <ul style="list-style-type: none"> <li>-access through the usual mainstream groupings may not be appropriate for some areas of the curriculum due to significant or complex learning/physical/medical needs so extensive individualised programmes will be required which may involve the use of specialist teaching techniques, alternative communication methods, appropriate equipment and materials.</li> <li>-On-going direct support and advice from external agencies.</li> <li>-Support during un-structured times for health and safety reasons.</li> </ul>
<b>Band 1</b>	31 to 35	£13,800	<p>Pupils in this band would be those who require full time support in mainstream school because they:</p> <ul style="list-style-type: none"> <li>-are very disabled</li> <li>-present with exceptionally challenging behaviour,</li> <li>-are severely autistic</li> <li>-present serious Health and Safety considerations.</li> </ul>

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## Item 7

### TITLE OF REPORT: Special Schools Formula Update

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#### **Purpose of the Report**

To bring to Schools Forum the proposed amendments to the Special School Funding Formula to Schools Forum for Approval.

#### **Background**

There have been no changes to the Special Schools pupil related top ups for 2016/17. However it is anticipated that following DfE consultations and announcements changes will need to be made for 2017/18.

A short review of Special School fixed costs was undertaken to reflect some of the additional costs schools have incurred as a result of increased pupil numbers.

Special Schools Fixed Cost Top Up's have not changed since 2013/14 when the new formula was introduced, however two schools received additional funding in 2015/16 which are included in this report to formalise these arrangements.

#### **Proposed Increases**

##### **Eslington**

In September 2016 Eslington opened its second site at Eslington Rose Street. At the time of setting the 2015/16 budget the additional site costs were not known so were not included in the schools budget for 2015/16. However the school did receive a contingency payment of £62,078, which was the subject of a Schools Forum report in July 2015.

Following the opening of the new site, fixed costs for Rose Street have been monitored and the additional site costs are estimated at £85,455 for 2016/17. This estimate may change as the allocation of costs between the Rose Street occupants is further refined.

##### **Furrowfield**

Up until 2014/15, the cost of Furrowfield mini buses was funded centrally from DSG. From 2015/16 this arrangement changed and the cost of the mini buses was added to Furrowfield fixed costs. This was agreed by the Special Schools funding group, but not approved by Schools Forum. The estimated cost of the mini buses for 2016/17 is £22,500.

##### **The Cedars**

When the current fixed costs for The Cedars was calculated the school in 2012/13 the school had 85 places and pupils. The school now has 118 commissioned places, with 138

pupils attending in January 2016. This is over a 60% increase in children from 2013/14 to 2016/17. Taking this increase into account, the fixed costs of the Cedars were reviewed and compared to historic values. The outcome of the review is that fixed costs have increased substantially. As no school receives the full proportion of fixed costs in the fixed cost top up, the increase to The Cedars fixed costs has been calculated at £32,396.

## **Gibside**

In September 2014, Gibside School expanded into Blaydon Children's Centre. To facilitate this, some alterations were made to the building and an annual base charge of £11,000 was estimated. These estimated costs were included in Gibside Schools fixed costs for 2015/16. Now costings have become clearer with the school being on site for a full year, the annual charge for the use of the Blaydon Children's Center is £13,000.

## **Proposal**

That Schools Forum approves the increase of the Special Schools fixed costs for:-

- An increase in fixed costs of £85,455 for Eslington split site costs
- An increase in fixed costs of £22,500 for Furrowfield mini buses
- An increase in fixed costs of £32,396 for the Cedars increased pupil numbers
- An increase in fixed costs of £13,000 for Gibside split site costs

## **Recommendation**

It is recommended that Schools Forum approves the proposed increases to the special schools fixed costs

For the following reasons

- To enable Special Schools budgets to be set for 2016/17 in accordance with Schools and Early Years (England) Regulations 2015.
- 

**CONTACT: Carole Smith**

## Item 8

### TITLE OF REPORT: Pupil Referral Unit Formula Update

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#### Purpose of the Report

To bring to Schools Forum the proposed amendments to the Pupil Referral Unit (PRU) Funding Formula to Schools Forum for Approval.

#### Background

There have been no changes to the PRU funding formula since 2013/14 when the formula was first introduced. Work has been undertaken over a number of months to look at provision maps for pupils who attend the PRU and Hospital and Home.

Following this work site visits to other regional PRU's have taken place, and overview of their funding arrangements provided.

Following this work a meeting was held with the head teacher to devise a draft PRU formula and modeling was undertaken.

Following model is a result of the modeling and refinement, and has been agreed by the Pru head teacher, Educationgateshead and finance officers.

The proposed formula comprises of place funding and a number of top ups.

**Fixed Cost top up** – based on the current fixed costs of the PRU, and provides a contribution towards the PRU's fixed costs that do not have a direct link with the number of pupils attending the setting, e.g. contributions towards the costs of head teacher, caretaker, utilities etc.

**Outreach funding** – The proposed formula makes an allocation for an outreach worker which would fund a post to assist in the PRU carryout a number of functions including transition arrangements, improving attendance, assisting children managing and taking responsibility for their own behavior.

The pupil related top ups are based on the general types of pupils who receive their education through the Pru:-

- **Permanently excluded** children (banded at 3 levels)
  - **Band 1** Children that can be taught in groups of 10 to 15
  - **Band 2** Children that can be taught in groups of 4 to 6
  - **Band 3** Children that have significant additional needs and may need 1:1 support to learn or supervision during contact time with other students

- **Home and Hospital**

- Children at full time places at Heworth Hall
- Part time places at Heworth Hall including alternative provision
- Home tuition

The proposed rates are:-

<b>Top Ups</b>	<b>Amount</b>	<b>Band 1</b>	<b>Band 2</b>	<b>Band 3</b>
<b>Fixed Costs</b>	£297,396			
<b>Outreach</b>	£60,000			
<b>Permanent Exclusion</b>		£0	£5,000	£10,000
<b>Heworth Hall –Full Time</b>	£0			
<b>Heworth Hall – Part Time Including AP</b>	£2,500			
<b>Home Tutor</b>	£0			

A draft banding criteria has produced for permanent exclusions and will be reviewed during 2016/17 to make the criteria more robust.

### **Band 1**

Referral to Behavior Support Services for intervention work following permanent exclusion or (if places are available) for intervention work to avoid a permanent exclusion - can be taught in groups of 10 to 15 pupils - Place Cost funding only.

### **Band 2**

Young person requires specialist assessment of their learning and behavioral needs to establish underlying causes and inform intervention work. This may lead to an ECHP to identify specialist provision and placement. Young person to work in smaller groups of 4 to 6 pupils - Place Cost funding plus £5k.

### **Band 3**

Young person has significant additional needs requiring specialist support or supervision. This may include 1:1 support for learning or supervision during contact time with other students. In some cases higher level supervision (e.g. 2:1) may be required, or extended support from specialist services is necessary. These students may have, or need an ECHP to inform their long term educational placement. Place Cost funding plus £10k

Appendix 1 provides a comparison between 2015/16 budget (using £10,000 place funding for the full year) and the proposed new formula. The modeling method complies with the Schools and Early Years Finance (England) Regulations 2015 and DfE Operational Guidance. The new funding model for permanent exclusion calculation purposes estimates that 25% of pupils will be in Band 1, 50% of pupils will be in Band 2 and 25% of pupils in Band 3.

The calculated difference between the current and proposed formulas is at appendix 1, and is a comparison based on 2015/16 budget. The proposed formula will cost an additional £45,363 using this basis.



Appendix 2 provides a comparison between the current and proposed formula using actual pupil numbers for 2015/16. This demonstrates that if the new formula had been in place for 2015/16 the PRU would have received £154,168 less funding than under the current formula.

Appendix 3 provides a comparison between the current and proposed formula using projected pupil numbers for 2016/17. This demonstrates that if the new formula is in place for 2016/17 the PRU will receive £404,178 less funding than under the current formula.

## **Proposal**

That Schools Forum approves the proposed new PRU funding formula comprising of the following elements:-

- Place funding at £10,000 per commissioned place
- Fixed cost top up funding of £310,752
- Outreach funding of £60,000
- Permanent exclusion top up funding
  - Band 1 £0
  - Band 2 £5,000
  - Band 3 £10,000
- Home to Hospital
  - Heworth Hall full time £0
  - Heworth Hall part time including alternate provision £2,500
  - Home Tuition £0

## **Recommendation**

It is recommended that Schools Forum approves the proposed new PRU funding formula For the following reasons

- To enable the PRU budget to be set for 2016/17 in accordance with Schools and Early Years (England) Regulations 2015.
- To have a formula that provides suitable and stable (as possible) funding for the PRU, Home and Hospital provision
- To provide a formula that provides better value for money for the Local Authority

**CONTACT: Carole Smith**

Appendix 1

<b>Old Funding, Old numbers</b>						
<b>PRU Funding Budget 2016/2017</b>	<b>Commissioned Places</b>	<b>Average Occupancy Autum and Spring Terms</b>	<b>Place Funding</b>	<b>Top Ups</b>	<b>Total</b>	
			£10,000			
Permanent Exclusion	42	29	£420,000	£507,007	£927,007	
HHTS - Heworth Hall	30	19	£300,000	-£28,823	£271,177	
HHTS - Home Tutor	25	15	£250,000	£4,725	£254,725	
Short Term Referral	6	4	£60,000	£16,624	£76,624	
<b>Total</b>	<b>103</b>	<b>67</b>	<b>£1,030,000</b>	<b>£499,533</b>	<b>£1,529,533</b>	
<b>Top-Ups</b>						
	Amount					
Permanent Exclusion	£17,483					
HHTS - Heworth Hall	-£1,517					
HHTS - Home Tutor	£315					
Short Term Referral	£4,156					
<b>Old Numbers, New Funding</b>						
<b>PRU Funding Budget 2016/2017</b>	<b>Commissioned Places</b>	<b>Average Occupancy 2015/16</b>	<b>Place Funding</b>	<b>Top Ups</b>	<b>Total</b>	
			£10,000			
Fixed Costs					£297,396	
Out Reach					£60,000	
Permanent Exclusion	48	33	£480,000	£165,000	£645,000	
HHTS - Heworth Hall Full Time	15	10	£150,000	£0	£150,000	
HHTS - Heworth Hall Part Time	15	9	£150,000	£22,500	£172,500	
HHTS - Home Tutor	25	15	£250,000	£0	£250,000	
<b>Total</b>	<b>103</b>	<b>67</b>	<b>£1,030,000</b>	<b>£187,500</b>	<b>£1,574,896</b>	
					<b>Difference</b>	<b>-£45,363</b>
<b>Top-Ups</b>						
	Band 1	Band 2	Band 3			
Permanent Exclusion	£0	£5,000	£10,000			
HHTS - Heworth Hall Full Time	£0	£0	£0			
HHTS - Heworth Hall Part Time	£2,500	£0	£0			
HHTS - Home Tutor	£0	£0	£0			

## Appendix 2

<b>Old Funding New Numbers</b>					
<b>PRU Funding Budget 2016/2017</b>	<b>Commissioned Places</b>	<b>Average Occupancy 2015/16</b>	<b>Place Funding</b>	<b>Top Ups</b>	<b>Total</b>
			£10,000		
Permanent Exclusion	42	48	£420,000	£839,184	£1,259,184
HHTS - Heworth Hall	30	17	£275,000	-£25,789	£249,211
HHTS - Home Tutor	25	26	£229,167	£8,190	£237,357
Short Term Referral	6	2	£55,000	£8,312	£63,312
<b>Total</b>	<b>103</b>	<b>93</b>	<b>£979,167</b>	<b>£829,897</b>	<b>£1,809,064</b>
<b>Top-Ups</b> Sept 2015 to Mar 2016					
Permanent Exclusion	£17,483				
HHTS - Heworth Hall	-£1,517				
HHTS - Home Tutor	£315				
Short Term Referral	£4,156				
<b>New Numbers and Funding</b>					
<b>PRU Funding Budget 2016/2017</b>	<b>Commissioned Places</b>	<b>Average Occupancy 2015/16</b>	<b>Place Funding</b>	<b>Top Ups</b>	<b>Total</b>
			£10,000		
Fixed Costs					£297,396
Out Reach					£60,000
Permanent Exclusion	48	50	£480,000	£250,000	£730,000
HHTS - Heworth Hall Full Time	15	10	£150,000	£0	£150,000
HHTS - Heworth Hall Part Time	15	7	£150,000	£17,500	£167,500
HHTS - Home Tutor	25	26	£250,000	£0	£250,000
<b>Total</b>	<b>103</b>	<b>93</b>	<b>£1,030,000</b>	<b>£267,500</b>	<b>£1,654,896</b>
				<b>Difference</b>	<b>£154,168</b>
<b>Top-Ups</b>	<b>Band 1</b>	<b>Band 2</b>	<b>Band 3</b>		
Permanent Exclusion	£0	£5,000	£10,000		
HHTS - Heworth Hall Full Time	£0	£0	£0		
HHTS - Heworth Hall Part Time	£2,500	£0	£0		
HHTS - Home Tutor	£0	£0	£0		

### Appendix 3

<b>Old Funding projected Numbers</b>					
<b>PRU Funding Budget 2016/2017</b>	<b>Commissioned Places</b>	<b>Projected Occupancy 2016/17</b>	<b>Place Funding</b>	<b>Top Ups</b>	<b>Total</b>
			£10,000		
Permanent Exclusion	48	64	£480,000	£1,118,912	£1,598,912
HHTS - Heworth Hall	30	19	£275,000	-£28,823	£246,177
HHTS - Home Tutor	25	26	£229,167	£8,190	£237,357
Short Term Referral	6	4	£55,000	£16,624	£71,624
<b>Total</b>	<b>109</b>	<b>113</b>	<b>£1,039,167</b>	<b>£1,114,903</b>	<b>£2,154,070</b>
<b>Top-Ups</b>					
	Sept 2015 to Mar 2016				
Permanent Exclusion	£17,483				
HHTS - Heworth Hall	-£1,517				
HHTS - Home Tutor	£315				
Short Term Referral	£4,156				
<b>New Funding Projected Numbers</b>					
<b>PRU Funding Budget 2016/2017</b>	<b>Commissioned Places</b>	<b>Projected Occupancy 2016/17</b>	<b>Place Funding</b>	<b>Top Ups</b>	<b>Total</b>
			£10,000		
Fixed Costs					£297,396
Out Reach					£60,000
Permanent Exclusion	48	68	£480,000	£340,000	£820,000
HHTS - Heworth Hall Full Time	15	10	£150,000	£0	£150,000
HHTS - Heworth Hall Part Time	15	9	£150,000	£22,500	£172,500
HHTS - Home Tutor	25	26	£250,000	£0	£250,000
<b>Total</b>	<b>103</b>	<b>113</b>	<b>£1,030,000</b>	<b>£362,500</b>	<b>£1,749,896</b>
				<b>Difference</b>	<b>£404,174</b>
<b>Top-Ups</b>					
	Band 1	Band 2	Band 3		
Permanent Exclusion	£0	£5,000	£10,000		
HHTS - Heworth Hall Full Time	£0	£0	£0		
HHTS - Heworth Hall Part Time	£2,500	£0	£0		
HHTS - Home Tutor	£0	£0	£0		



## REPORT TO SCHOOLS FORUM

17<sup>th</sup> March 2016

### Item 9

#### **TITLE OF REPORT: High Needs Commissioned Places**

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#### **Purpose of the Report**

To bring to Schools Forum the proposed commissioning arrangements for High Needs Places for 2016/17.

#### **Background**

The Schools and Early Years Finance Regulations (England) 2014 amended the Schools Forum (England) Regulations 2012 with the requirement that high needs commissioning arrangements must be discussed at Schools Forum. This requirement is still in place for the Schools and Early Years Finance Regulations (England) 2015. This includes all places for special education needs (SEN) and alternative provision places commissioned by the local authority, and the arrangements for paying top-up funding.

This report brings to Forum the current position on commissioned places, although not all places are yet agreed, and could be subject to change.

#### **Commissioning Process for 2016/17**

As in 2015/16, all special schools, Pru and Additionally Resourced Mainstream support bases will receive place funding of £10,000 per commissioned place. In addition to this and according to national funding policy, the LA will pay a locally agreed 'top-up' to special schools if and where necessary, which will vary between provisions depending on the complexity of pupils' needs in the particular establishment. This 'top-up' will only be paid for pupils on roll and will move in real time with the pupils.

The LA gathers data and intelligence to support the annual commissioning process by:

- Looking at retrospective data and trends
- Reviewing special school and provision current numbers and numbers that will leave at the end of the academic year
- Discussion with school headteachers

- Estimating needs for new special placements by analysing information from:
  - the early years service
  - annual moderation process
  - other intelligence from the casework officer team and other services

## Commissioned Places

The below table shows the proposed commissioned places for 2016/17

<b>Commissioned Places 2016/17</b>				
<b>Additionally Resources Mainstream Support Bases</b>				
	KS1	KS2	KS3 & 4	Notes
Bede	8			
High Spen	10			
Swallowwell	11			
Bill Quay		6		
Brandling	16			
Rowlands Gill	8			
Whickham Comprehensive			13	+3 Post 16
Thorpe Academy			23	+ 2 Post 16
Eslington		8		
<b>Special Schools</b>	Pre 16	Post 16		
Dryden	35	16		+ 4 Post 18
Eslington	42 + 2			
Furrowfield	71			
Gibside	112			
Hill Top	88	17		+ 1 Post 18
The Cedars	105	13		
<b>Alternative Provision</b>	Pre 16	Post 16		
Pru	48			
Home to Hospital	55			

## Proposal

That Schools Forum notes the contents of the report and proposed commissioning of the above places.

## Recommendations

Schools Forum notes the report.

**For the following reasons:-**

- To adhere to the requirements of the Schools and Early Years Finance Regulations (England) 2015
- 

CONTACT: Carole Smith

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**Item 10**

**TITLE OF REPORT: National Living Wage**

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**Purpose of the Report**

To bring to Schools Forum attention information about the implementation of the National Living Wage for Gateshead employees.

**Background**

The new compulsory National Living Wage (NLW) for employees aged 25 and above will be introduced on 1 April 2016 and will begin at £7.20 per hour in 2016. It is projected to rise to at least £9 per hour (possibly up to £9.35) by 2020.

The NLW is in addition to the UK Living Wage (which is £8.25 per hour) and the National Minimum Wage (NMW) rates for under 25 year olds. The different pay rates are shown below:

Pay rate	Adult rate (25 years and over)	Adult rate (21-24 year olds)	18-20 year old rate	16-17 year old rate	Apprentice rate
NLW (from April 2016)	£7.20				
NMW		£6.70	£5.30	£3.87	£3.30
UK Living Wage (outside of London)	£8.25				

The Council's lowest hourly rate is currently £7.19 per hour, i.e. SCP 8, 1 pence per hour lower than the proposed NLW from 1 April 2016.

The current final NJC pay offer for 2016-18 is a 2 year pay offer of 1% in both 2016 and 2017 for employees on SCP18 (£17,714 p.a) and below. For employees on SCPs 17 and below, the offer is an increase of between 1.01% and 6.6% in 2016 and between 1.3% and 3.2% in 2017.

The effect of this pay offer would take the Council's lowest hourly rate to £7.66 per hour (SCP 8) in April 2016, i.e. 44 pence above the proposed NLW. Gateshead's current grading structure for its lowest grades along with the rates proposed under the 2016 NJC pay offer is shown in Appendix 1.

However, the LGA have confirmed that it is unlikely that agreement will be reached on the pay offer by 1 April 2016, therefore the Council needs to make preparations to increase the pay of employees on SCP 8 in accordance with the NLW.

In order to implement the NLW, and to continue to address low pay within the workforce by moving our lowest pay levels closer to the UK Living Wage, the

Council will delete SCP 8 from 1 April 2016. This will increase the lowest pay point Grade A (SCP 9) to £7.30 per hour, pending the pay award for 2016/17. There will also be a modest change to grade B which would see it move up one increment to SCP's 10 and 11. All employees on current grades A and B will receive a minimum of one increment on 1 April 2016, as well as whatever increase eventually results from the pay award for 2016.

If the current pay offer is agreed, grade A (SCP 9) will increase to £7.76 per hour, a 7.9% increase for the lowest paid employees.

The overall impact of these changes on maintained schools is an additional cost of £24,000 across all schools.

Human Resources have written to all maintained schools head teachers with the impact on their school.

### **Proposal**

The Schools Forum notes that the NLW will be implemented from the 1<sup>st</sup> April 2016, and that HR will contact schools providing information on the impact of the Councils decision.

### **Recommendations**

Schools Forum notes that there will be an impact on schools budgets with the implementation of the NLW.

For the following reason(s):

- To inform schools that the implementation of the NLW will impact on maintained schools.

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**CONTACT: Carole Smith**

17<sup>th</sup> March 2016

Item 11

### **TITLE OF REPORT: Update from the National Fair Funding Conference and Consultations**

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#### **Purpose of the Report**

To bring to Schools Forum attention information from the Spring National Fair Funding Conference.

#### **Background**

The National Fair Funding Conference is usually held twice a year and offers seminars on a range of subjects usually around education and children's social care finance.

This year the Conference was dominated by the two consultations the DfE launched on 7<sup>th</sup> March:-

- **Schools National Funding Formula – Stage One**
- **High Needs Funding Formula and Other Reforms – Stage One**

**The Schools National Funding Formula – Stage One** summary of consultation areas:-

- A set of principals
  - Supports opportunities for pupils
  - Fair funding
  - Efficient funding
  - Gets funding straight to schools
  - Transparent funding system
  - Simple funding system
  - Predictable funding system
- A move to a school level national funding formula removing the requirement for LA's to set a local formula (soft NNF for 2017/18 and 2018/19, hard from 2019/20)
- If the basic pupil amounts for Primary, KS3 and KS4 should differ
- Additional needs (deprivation) factors
  - Should there be a deprivation factor
  - What deprivation factor should be used – pupil level, (FSM and FSM6) Area level (IDACI) or a combination

- Should the formula include a low prior attainment factor
- Should there be an English as an additional Language factor, and what should that be
- Should there be a lump sum in the formula
- Should there be a sparsity factor
- Should there be a business rate factor
- Should there be a split site factor
- Should there be a PFI factor
- Should there be an exceptional premises factor
- Should funding be allocated to LA's for 2017/18 and 2018/19 for business rates, split sites, PFI and exceptional circumstances on historic spend
- Should there be a growth factor
- Should growth factor funding be allocated to LA's for 2017/18 and 2018/19
- Should there be an area cost adjustment
- What methodology should be used for the area cost adjustment
- Removal of the Looked After Children factor and support provided by an increased LAC pupil premium
- Removal of the Mobility Factor
- Removal of the post 16 factor

The document also sets out how the DfE's proposal to implement the hard formula from 2019/20 with transition years of 2017/18 and 2018/19, and how the Schools Block of the DSG will be calculated and the role of Local Authorities and Schools Forums.

The proposal for the transition period is that the Schools Block will be calculated using the new NFF, and then LA's will apply their local formula in order to fund their schools.

There will be some transitional protection in the form of Minimum Funding Guarantee, and a capping of gains to make this affordable. The consultation document asks if it would be useful for this level to be set at a local level in the transition years, and it is proposed that the NFF be phased in over a number of years.

They are proposing that all Schools Block funding must be passed to schools and to allow this, a new Centrally Held Block of the DSG will be created. The DfE will collect evidence from LA's of what is funded from the centrally held block. The DfE are going to issue information very soon requesting LA's to rebase their 15/16 and 16/17 DSG into the proposed 4 blocks. The DfE are also proposing removing the flexibility to move funding between the different DSG blocks.

The consultation also sets out the DfE's view of the role of the LA in education.

Funding will be provided for Admissions, fair access, transport arrangements, ensuring vulnerable pupil's needs are met and to champion parents and families. It is envisaged that LA's will have a role in shaping school provision in the area.

The consultation proposes to bring the two funding streams that support the LA's role in education together. The current funding areas are the centrally held DSG and the Education Services Grant.

Education responsibilities from other sources are not included in this consultation and include, home to school transport, assessing pupils with SEN and planning for supply of sufficient school places.

The funding of LA retained education functions would be provided on a simple per pupil basis, with transition arrangements. In the 2015 Spending Review, it was announced that the ESG would be reduced by £600M. The proposed cuts will affect LA's and academies, with LA's seeing the most significant drop in funding from £92 per maintained child and £15 for children in academies to a flat rate of £15 for all children. The Council currently receives £1.8m ESG per year, with the potential proposals resulting in a reduction in funding of £1.4m by 2018/19.

ESG will be paid at the current rate for 2016/17 and the first 5 months of 2017/18 to reflect the academic year.

In order to achieve these savings, the DfE are looking to remove some duties from the LA. This will include a removal of school improvement responsibilities, with a drive to a schools led system, and more information will be provided shortly on the LA's role for school improvement. All other LA duties that are not consistent with the Admissions, fair access, transport arrangements, ensuring vulnerable pupil's needs are met and to champion parents and families, the DfE will look to remove.

The DfE recognise LA's will need to fund education services from other sources, and therefore they propose amending regulations to allow LA's to retain some of their maintained school's DSG to cover the statutory duties that they carry out for maintained schools.

The level of DSG to be retained by the LA would need to be agreed by maintained schools members of Schools Forum. This would be a reduction in maintained schools core funding.

It is not clear if academies will still receive at least £77 per pupil. It is proposed that academies ESG will be protected so that academies that have different ranges of funding cannot lose more than between 3% and 1% of their total funding.

**The High Needs Funding Formula and Other Reforms – Stage One** consults on the following areas:-

- A set of principles for funding
  - Supports opportunities for pupils
  - Fair funding
  - Efficient funding
  - Gets funding straight to schools
  - Transparent funding system
  - Simple funding system
  - Predictable funding system
- Should the majority of HNF be entrusted to LA's rather than directly to schools
- Should a HNB be based on proxy measures of need and not assessed needs
- SEN and Disability funding the main formula factors proposed are:-
  - Basic unit of funding in specialist SEN institutions
  - Population Factor
  - Disability Living allowance
  - Children in bad health
  - Low prior attainment
  - Deprivation factors FSM & IDACI
- Alternative provision funding
  - Population Factor
  - Deprivation factors FSM & IDACI
- Hospital education funding
  - Current spending levels
- What methodology should be used for the area cost adjustment
- Five year implementation period, including a proportion of 2016/17 spending levels
- Application of MFG on LA funding levels
- Removal of LA calculation of notional SEN for mainstream schools, with the DfE instead working with SENCo's, head teachers and school business managers to produce a tool to help schools decide how much to spend on SEN
- Request for views on what should be included in national guidelines on what schools offer SEN pupils
- Removal of £10k per place funding for ARMs replaced by "normal" mainstream formula funding plus £6K for each of the places

- Request for examples where high needs block funding has been used in a strategic way – invest to save to reduce high needs spending in the longer term.
- Requests for examples how high needs funding has been used to support mainstream schools with high proportion of SEN pupils
- Independent special schools to receive £10K place funding directly from the EFA and not the LA
- LA's can continue to use both early years and high needs block funding to support children with SEN in early years settings
- Further work on Post 16 high needs funding is being undertaken and will be shared in the second phase of the consultation.

## Proposal

That Schools Forum notes the information in the report and the links to the consultation documents below for information and review. Information on the Early Years Block proposals and the LA's future role in education is expected shortly and will be brought to Schools Forum.

Schools National Funding Formula Consultation Document

- [https://consult.education.gov.uk/funding-policy-unit/schools-national-funding-formula/supporting\\_documents/Schools\\_NFF\\_consultation.pdf](https://consult.education.gov.uk/funding-policy-unit/schools-national-funding-formula/supporting_documents/Schools_NFF_consultation.pdf)

Online response form

- <https://consult.education.gov.uk/funding-policy-unit/schools-national-funding-formula/consultation/intro/view>

The Case for Change and Consultation Summary

- [https://consult.education.gov.uk/funding-policy-unit/schools-national-funding-formula/supporting\\_documents/Summary%20and%20case%20for%20change.pdf](https://consult.education.gov.uk/funding-policy-unit/schools-national-funding-formula/supporting_documents/Summary%20and%20case%20for%20change.pdf)

The Current Funding System

- [https://consult.education.gov.uk/funding-policy-unit/schools-national-funding-formula/supporting\\_documents/Current\\_funding\\_system.pdf](https://consult.education.gov.uk/funding-policy-unit/schools-national-funding-formula/supporting_documents/Current_funding_system.pdf)

High Needs Funding Reform Consultation Document

- [https://consult.education.gov.uk/funding-policy-unit/high-needs-fundingreform/supporting\\_documents/HighNeedsFundingReform\\_Consultation.pdf](https://consult.education.gov.uk/funding-policy-unit/high-needs-fundingreform/supporting_documents/HighNeedsFundingReform_Consultation.pdf)

Online response form:

- <https://consult.education.gov.uk/funding-policy-unit/high-needs-funding-reform/consultation/intro/view>

High Needs Funding Consultation Technical Note

- [https://consult.education.gov.uk/funding-policy-unit/high-needs-fundingreform/supporting\\_documents/HighNeedsFundingConsultation\\_TechnicalNote.pdf](https://consult.education.gov.uk/funding-policy-unit/high-needs-fundingreform/supporting_documents/HighNeedsFundingConsultation_TechnicalNote.pdf)

Research on funding for young people with special educational needs

- [https://consult.education.gov.uk/funding-policy-unit/high-needs-fundingreform/supporting\\_documents/Research\\_on\\_Funding\\_for\\_young\\_people\\_with\\_special\\_educational\\_needs.pdf](https://consult.education.gov.uk/funding-policy-unit/high-needs-fundingreform/supporting_documents/Research_on_Funding_for_young_people_with_special_educational_needs.pdf)

An additional meeting has been arranged for **14<sup>th</sup> April 2016** for Schools Forum to debate the attached consultations and to decide if Schools Forum would like to respond to these consultations.

### **Recommendation**

- That Schools forum notes the information contained within the report.
- Notes and reviews the consultation documents linked above
- Notes the additional Schools Forum date 14<sup>th</sup> April 2016

### **For the following reasons:-**

- To enable Schools Forum to consider the information attached and consider responding to the attached consultations.

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**CONTACT:** Carole Smith and Alan Foster



17<sup>th</sup> March 2016

Item 12

### **TITLE OF REPORT: Mental Health Support Worker**

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#### **Purpose of the Report**

To request matched funding from DSG reserves for a mental health worker.

#### **Background**

On Thursday 7<sup>th</sup> January 2016, the LA received notification that £1m funding was awarded to Health Education England (HEE) from the Department of Health (DoH). The funding underpins the conclusions of the Children and Young People's Mental Health Taskforce Future in Mind report which establishes a clear direction and some key principles about how to make it easier for children and young people to access high quality mental health care when they need it.

Applications are invited from any organisation working to improve the quality of mental health services to children and young people aged up to 18 years.

The maximum amount of funding that can be applied for is £200k.

The timetable for applications is very tight with applications having to be received by HEE 15<sup>th</sup> January 2016 before 17:00.

After much debate it was felt that the gap already identified by the work of the PRU Planning Group was the need to provide support for mental health and that mental health workers would be suitable for the bid. The bid will be for the mental health workers to work with:

- Children who are displaying anger and mental health issues that are creating barriers to their learning
- KS3 and KS4 children at risk of permanent exclusion, to help with intervention and transition either back into mainstream school or on to an appropriate alternative provision
- Children who have been permanently excluded to support the children's transition to either an academic or alternative provision.

Locating the MHW in the PRU allows for the establishment of relationships with the pupil and their families over a period of time prior to the transition taking place, this will allow for the identification of those factors which can prohibit a successful transition e.g. family cohesion, self-esteem, learning and achievement factors, resilience issues etc. which can be addressed, before, during and/or after the transition has taken place, thereby maximizing the chances of success.

We know that often these young people are reluctant to engage with these services, they don't like or are not confident to travel independently and when they are in crisis they need immediate support, therefore the intensity of the work with pupils would be proactively driven through the establishment of a 1:1 relationship with the MHW.

The benefits of the post would include; increased attendance, academic progress, increased resilience, positive aspirations and longer term a reduction in NEET, financial independence and employability.

The potential risks might be lack of engagement from the young person-but locating the MHW within the PRU, will allow for the development of relationships before the transition back into mainstream/alternative education occurs.

This proposal supports the vision of Future in Mind; caring for the most vulnerable, by improving the care of children and young people who are most excluded from society-we know that the cohort of young people at our PRU include some of the most vulnerable.

The proposal supports the Workforce Development priorities identified in the Local Transformation Plan. The plan highlights consideration must be given to developing the workforce that delivers these mental health services and outlines the future direction of a workforce strategy to ensure that professionals across education, social care and health are confident in promoting good mental health and wellbeing and able to identify problems early.

The proposal also supports the Local Transformation Plan-access to Psychological Therapies. We also know that often vulnerable groups refuse to engage with services due to their location and this would allow for greater access to services from vulnerable groups.

Finally, the Proposal links to the work being carried out by the 'Expanding Minds, Improving Lives' project group, which has been established to drive forward the transformational change in Gateshead and Newcastle. The learning from the implementation of the proposal will be shared with

Newcastle, as part of the collaborative approach, to help inform and support any future changes in delivery.

The bid requested £72k funding for a high quality mental health worker.

The breakdown of these costs are:-

- £60K for salary, including on costs
- £12K for overheads including supervision, training, travel and resources.

Unfortunately the bid was not successful due to the high levels of application and demand for funding. HEE is in discussions with the DfE for 2016/17 funding. If funding becomes available applications that were not successful for 2015/16 funding will be reviewed.

One mental health worker for Looked After Children (LAC) will be funded from LAC Pupil Premium.

There is still a need for the mental health workers to work with these vulnerable children.

### **Proposal**

That Schools Forum funds a mental health worker for one year from DSG reserves at the cost of £72K.

### **Recommendation**

Schools Forum approves the funding of £72k from reserves to provide matched funding for the HEE Innovation fund application.

### **For the following reasons:-**

- To secure funding to address a known gap in provision for vulnerable children and young people

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**CONTACT:** Carole Smith

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