

Schools Forum Meeting Agenda

Thursday, 24 November 2022 at 9.00 am
to be held in Microsoft Teams

Membership

Stewart Biddles
Lisa Finn
Steven Hulme
Mike Lock
Clive Star
Jim Piper

Tim Stephens
Jayne Jones
Steve Margetts
Alex Newton
Sarah Tomkinson
Kelly Sooben

1. **Apologies/Changes to Membership**
2. **Exclusion of the Press and Public**
To consider passing a resolution to exclude the press and public from the meeting prior to consideration of the following item – Safety Valve on the agenda due to the sensitive and confidential nature of the matters to be discussed.
3. **Minutes of the last meeting** (Pages 3 - 7)
4. **Safety Valve discussion**
5. **Financial Report** (Pages 8 - 12)
6. **De-Delegation decisions** (Pages 13 - 15)
7. **Review of notional SEN allocation** (Pages 16 - 26)
8. **Items for next meeting**
9. **Future meeting dates**
 - Thursday 19th January 2023, 09:00, Mezzanine Room 4, Tor Hill House
 - Thursday 23rd March 2023, 09:00 (Virtual Meeting)
 - Thursday 4th May 2023, 09:00, Mezzanine Room 4, Tor Hill House
 - Thursday 15th June 2023, 09:00 (Virtual Meeting)

For information relating to this meeting or to request a copy in another format or language please contact:

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Minutes of the Schools Forum

16 June 2022

-: Present :-

Stewart Biddles (Chair) Primary Academy Rep; **Lisa Finn (Vice-Chair)** Secondary Academy Rep; **Jim Piper**, Primary Academy Deputy Head; **Alex Newton**, Secondary Maintained Head; **Steven Hulme**, PRU; **Mike Lock**, Special Schools Head; **Jayne Jones**, Early Years Rep; **Steve Margetts**, Secondary Academy Head, **Sarah Tomkinson**, Primary Maintained Head;

-: Also in attendance :-

Rachael Williams, Assistant Director for Education, Learning and Skills; **Martin Phillips**, Director of Finance; **Dan Hamer**, Head of Vulnerable Pupils; **Rob Parr**, Principial Accountant; **Michael Freeman**, Clerk

1. Apologies/Changes to Membership

Apologies were received from Tim Stevens, Clive Star, Kelly Sooben, Martin Phillips and Dorothy Hadleigh.

Chair to follow up with Sally Timmins about attendance at these meetings.

2. Minutes of the last meeting

Minutes of the last meeting held on 5th May were agreed as a true record.

3. Financial Report

Rachael and Rob shared with Forum a detailed breakdown of the final outturn position of the Local Area for the year 2021/22. The forecast on Dedicated Schools Grant activities is an overspend of £2.711m, there is an existing cumulative overspend of the DSG of £8.999m.

Members were shown a breakdown of both the Early Years and Higher Needs Blocks, along with Special Schools spend. It was pleasing to note that Early Years take up is now back to pre COVID levels. It was asked how the LA compares nationally post- COVID, and how much additional need we have seen. Although the LA has some local data available, and the RSA panel is looking at COVID catch ups, members were told that there are no national figures available for comparison.

Rachael explained that a new Bespoke Packages of Support Panel has been set up to review all children and young people that have bespoke packages of education in place. The panel will consist of colleagues from Social Care, SEN and Finance, There is also a vacancy for one member from the Education sector, which Rachael agreed will be advertised at both TAPS and TASH. The Terms of Reference for this panel have been agreed, it is proposed that the panel meets on a fortnightly basis.

Members noted the current financial position and agreed to continue to work with the LA on the recovery plan.

Action – Officers to predict cost of bespoke packages to discuss at October’s meeting.

4. Written Statement of Action - Progress Report

Rachael shared with members an update on the Written Statement of Action. The Written Statement of Action was approved by Ofsted and the CQC in April 2022 and work has started at pace to ensure that the outcomes can be achieved in line with the commitment made in the statement. Whilst most of the tasks identified have now begun, (27 actions were due to have started in April 2022, 26 have been started (97%)), Rachael explained that task 10b, Ensure EHCPs reflect the provision available from the voluntary and community sector where appropriate, is an emerging challenge and officers are now beginning to model how that would look.

Rachael pointed members to a booklet produced by Cambridge LA on their WSOA. Members asked whether Torbay could look at producing their own version to help shared understanding.

The first monitoring visit to assess progress will take place in September 2022. Members thanked Rachael for the update, expressing their encouragement that things are on track.

5. Safety Valve conversation feedback

Rachael updated members on her meeting with Keith Thompson, SEND advisor, held on 13th June. Keith shared updates on those LAs that already have safety valve funding. Whilst they evidence of savings is not publically available at this stage there are anecdotal reports that those Las are beginning to see a reduction in demand.

Keith explained that in order to help, Torbay needs to demonstrate we have a grip on spend. In order to secure safety valve funding, the DSG has to show break even by 2026. Rachael reiterated that this will require a whole systems approach, with shared accountability and ownership to meet needs differently. Members asked what this investment will look like i.e. will it be in the form of services – this is not

clear at present, although a report has been recently been released by the ESFA on learning from the Safety Valve. Rachael will share this with forum.

Rob informed members that he is currently in conversation with finance colleague in Devon, who warned that it is a not a quick process, explaining that it took them 12 months to secure funding. Officers will also be meeting with directors of LAs to learn about safety valve processes and good practice.

Members expressed concern on where a safety valve agreement would leave School Forum in terms of budget responsibility/powers, and whether Forum will lose powers to make decisions? Rachael shared that the Safety Valve process will bring additional scrutiny and questions and that all work will need to be transparent and open to external challenge. This will include School Forum that have a pivotal view in the recovery plan to be delivered.

Members also asked if there is a contextual understanding of Torbay? Whether the ESFA take into consideration our nuances we are not sure. Rachael shared with Forum that Torbay has to be aligned with statistical neighbours, our data shows at present that we are significant outlier and we need to own this and take action locally to try and drive forward change in our local area.

Rachael stated that the ESFA has an expectation that much like the Written Statement of Action, the Safety Valve would be co-produced with parents. Members agreed that further conversations with parents are needed when applying for Requests for Statutory Assessments. Whilst there has been an increase in RSAs being turned down at SEND panel, officers have seen an increase in the number of parental RSAs being submitted.

Action – SEN officers to talk to EY providers around parental RSAs.

6. Presentation on the WSOA targets and associated financial plan

Rachael shared with colleagues a PowerPoint on the work of the WSOA and how this correlates with the Safety Valve conversation as well. The aim is to see a reduction in number of RSAs, with Torbay currently seeing an average of 181 RSA each year, if we were aligned to national rates, we would expect to see an average of around 118 per year. The LA has an RSA refusal rate of 14.25% which is beginning to have an impact, however officers warned that more refusals could also lead to more tribunals in future.

If the number of RSAs in Torbay were reduced down to the national average, the LA would see savings of approx. £723k. Further savings were identified in reducing the rate of exclusions down to the national average, leading to savings of £345k, and increasing the number of apprenticeships/pathways available to P16 students, bringing potential savings of £75k.

Members queried whether we are issuing EHCPs to children that don't need them. This is a question that we continually need to challenge ourselves on. We need to ensure that the issuing of an EHCP is the correct approach or should we be

meeting need through a better graduated response or early help offer. A fundamental part of the WSOA is to consider how we can meet need through improved multi agency early help and a well implemented multi agency graduated response. Members agreed that it will be difficult to change parents perceptions around EHCPs, but recognised the importance of parents being able to feel confident that their child's needs can be met without an EHCP, the importance of the SENDCO and school role in doing this was noted.

Members recognised the need to work differently through a multi-agency approach. Rachael felt it important that all partners in the graduated response should be held accountable, at present the graduated response is predominately focused on education and the system as whole needs to be accountable. Whilst acknowledging that the targets are ambitious, Rachael wanted the WSOA to demonstrate what could be achieved, and will provide members with an update at every Forum moving forward.

Action – Officers to share WSOA targets with colleagues at SENCO Forum.

7. Presentation on the work to review panels in place to help meet need early

Dan Hamer shared with Forum a presentation on the current panel system for children requiring school places in Torbay and those at risk of losing their school placements. The proposals moving forward are to ensure that all partners are coordinating together. The new proposal has the following aims: Ensure the best outcomes for all children, to secure coordinated support from all partners, support the WSOA Inclusion and Culture threads and to develop a regular pattern of reporting for strategic policy making. The new system would consist of a Medical Panel, in order to implement the graduated response, a Placement Panel to replace the Pupil Referral Panel, a Secondary At Risk Panel (replacing the Secondary peer Group) and two Primary At Risk panels replacing the Primary Peer Group.

Dan explained that the intention is to go live with these new arrangements at the start of the next academic year in September. Members thanks Dan for the presentation and felt encouraged by the new arrangements, feeling that the new membership of the panels is very exciting.

Action – Officers to share presentation with colleagues in TAPS/TASH to ensure appropriate membership and contributions.

8. AOB

Dan explained to members an emerging problem with Primary exclusions. Whilst on average there is 5/6 exclusions per year, a shortage of staff within the sector has seen 11 exclusions already this year. The Vulnerable Pupils team currently has three children that cannot be placed anywhere, with further exclusions expected. With this in mind, Dan proposed that the behaviour outreach programme be temporarily halted until the end of the school year, freeing up the staff to accommodate the children at St Margaret Clitherow School. Dan recognised that

this is only a short term solution, but stressed that all other options, including alternative provisions, have been exhausted and this is the only resource available at present.

Members recognise that this option is not ideal, but agreed to the proposal as no alternative is available. Members felt that work needs to happen in mainstream schools earlier to prevent this situation in future.

The Forum was then asked for their thoughts on this being the first face to face meeting of Schools Forum for over two years, and whether they would like to proceed with this arrangement for future meetings. After discussion, it was agreed that the first meeting of each term would be held face to face, with the second meeting being held via Teams.

Action – Clerk to book meeting rooms for 2022/23.

9. Items for next meeting

- Virement update
- WSOA targets

10. Future meeting dates

- Thursday 13th October, 09:00 (In person)
- Thursday 24th November, 09:00 (Virtual)
- Thursday 19th January 2023, 09:00 (In person)
- Thursday 23rd March 2023, 09:00 (Virtual)
- Thursday 4th May 2023, 09:00 (In person)
- Thursday 15th June 2023, 09:00 (Virtual)

Financial Report School Forum 1st December 2022

Forecast Outturn Position 2022/23 – Schools Forum 24th November 22

Dedicated Schools Grant (DSG) funded activities are currently forecast to **overspend by £2.716m**.

The following table details the main areas of both over and under spend. Many of these budgets are demand led and will be monitored during 22/23 and revisions reported accordingly.

Budget Heading	Budget	Actuals to date	Projected Outturn	Over / (Under) Spend
Early Years 2, 3 & 4 yr old payments – PVI's & Academies	£6.060m	£3.487m	£6.060m	£0k
Early Years – ALFEY	£295k	£202k	£295k	£0k
Early Years – Pupil Premium & Disability Access Fund	£160k	£75k	£137k	(£23k)
Early Years – 5% retained element	£338k	£177k	£296k	(£42k)
Joint Funded Placements	£450k	£173k	£375k	(£75k)
Recovery of funding from schools for Excluded Pupils, Medical Tuition Service and Elective Home Education	(£175k)	(£134k)	(£175k)	£0k
Independent Special School Fees	£3.562m	£1.572m	£3.562m	£0k
Other packages for EHCP pupils and SEND personal budgets	£1.512m	£593k	£1.512m	£0k
Payments to / recoupment from other authorities for Special School places	(£125k)	£136k	(£50k)	£75k
Medical Tuition Service / Virtual School / Hospital Tuition / Vulnerable Students Team	£1.587m	£1.093m	£1.559m	(£28k)
School contingencies (Planned pupil growth, NQT induction etc)	£128k	£114k	£123k	(£5k)
EHCP in-year adjustments (see separate paper for details)	£550k	£637k	£716k	£166k
Special Schools / High Needs in-year adjustments (see separate paper for details)	£400k	£396k	£475k	£75k
School Intervention / Commissioning (includes School Improvement Grant)	£121k	£59k	£96k	(£25k)
Business Support	£201k	£92k	£170k	(£31k)
Senior Management, Admissions, EAL / Travellers, SACRE	£321k	£168k	£310k	(£11k)
Visually impaired / Hearing impaired / Advisory Teachers	£198k	£64k	£138k	(£60k)
Deficit DSG budget set for 22/23	(£2.7m)			£2.7m
Total – Forecast Outturn Position 22/23				£2.716m

The two areas of significant volatility are within the Early Years Block and Higher Needs Block. The demand led pressures in these areas are detailed below.

Education, Health & Care Plan Funding for 21/22 & 22/23 - Schools Forum 24/11/22

	21/22	22/23	Increase / (Decrease)
Number of pupils with EHCP	463	512	49.00
Number of FTE's with EHCP	407	463	56.00
	£	£	£
Funding below £6k allocated through school formula elements	2,426,210	2,774,332	348,122
Funding above £6k allocated as a top-up per eligible pupil	2,206,696	2,967,540	760,844
EHCP Contingency	340,000	550,000	210,000
In-Year adjustments			
April	214,516	133,189	(81,327)
May	92,973	97,442	4,469
June	76,491	65,574	(10,917)
July	52,297	116,471	64,174
August	32,649	221,556	188,907
September	281,701	35,796	(245,905)
October	43,591	(33,353)	(76,944)
November	43,590	39,567	(4,023)
December	30,737	27,608	(3,129)
January	(4,276)	(2,023)	2,253
February	22,417	14,328	(8,089)
March	(1,973)	(461)	1,512
Total - In-Year adjustments	884,713	715,694	
Projected (underspend) / overspend	544,713	165,694	

Notes

Based on April - Oct 22 in-year adjustments, and an average of the past 3 years (21/22, 20/21 & 19/20) per month for the remainder of the financial year, it is anticipated the EHCP contingency will overspend by

165,694

SPECIAL SCHOOL FUNDING - SCHOOLS FORUM 24/11/22

COMPARISON BETWEEN 22/23 ALLOCATIONS (Place & Pupil Top-ups only) & 23/24 ALLOCATIONS WITH INCREASED PUPIL TOP-UP VALUES

	22/23	23/24	Number of Places Jan 22	Number of Places Sep 22	Number of Pupils Jan 22	22/23 Funding Position			2.18% increase from 22/23		2.18% Funding Increase 20.75% of £1.278m provisional growth £
	Top-up per pupil	Top-up per pupil				Place Funding A	Pupil Funding	Total Funding	Pupil Funding B	Total Funding A + B	
	£	£				£	£	£	£	£	
Combe Pafford											
Autism	8,270	8,757	85	83	80	838,333	661,600	1,499,933	700,546	1,538,879	38,946
BESD 1	9,168	9,708	18	19	16	185,833	146,688	332,521	155,323	341,156	8,635
SLD	8,970	9,498	6	5	3	54,167	26,910	81,077	28,494	82,661	1,584
Hearing	8,772	9,288	2	1	1	14,167	8,772	22,939	9,288	23,455	516
MLD 1	888	940	38	27	36	315,833	31,968	347,801	33,850	349,683	1,882
MLD 2	2,259	2,392	39	42	38	407,500	85,842	493,342	90,895	498,395	5,053
MLD 3	4,089	4,330	29	30	33	295,833	134,937	430,770	142,880	438,714	7,943
PD	8,270	8,757	13	17	17	153,333	140,590	293,923	148,866	302,199	8,276
SpecLD	3,991	4,226	3	3	3	30,000	11,973	41,973	12,678	42,678	705
SLCN	8,005	8,476	28	37	36	332,500	288,180	620,680	305,144	637,644	16,964
Visual	13,747	14,556	1	1	1	10,000	13,747	23,747	14,556	24,556	809
Totals			262	265	264	2,637,500	1,551,207	4,188,707	1,642,521	4,280,021	91,314
Mayfield & Chestnut											
PMLD	16,841	17,538	50	45	50	470,833	842,050	1,312,883	876,913	1,347,747	34,863
BESD1 - Chestnut	14,810	15,423	32	32	31	320,000	459,110	779,110	478,119	798,119	19,009
SLD	9,020	9,393	181	186	180	1,839,167	1,623,600	3,462,767	1,690,822	3,529,989	67,222
Totals			263	263	261	2,630,000	2,924,760	5,554,760	3,045,854	5,675,854	121,094
Burton & Brunel											
Brunel - SEMH	17,376	18,075	56	56	47	560,000	816,672	1,376,672	849,540	1,409,540	32,868
Burton - AP	12,695	13,206	55	55	39	550,000	495,105	1,045,105	515,031	1,065,031	19,926
Totals			111	111	86	1,110,000	1,311,777	2,421,777	1,364,572	2,474,572	52,795
Special School Totals			636	639	611	6,377,500	5,787,744	12,165,244	6,052,946	12,430,446	265,202

	22/23 Allocation £	2.18% Increase £	Pupil top-up increase %
Combe Pafford	4,188,707	91,314	5.89
Mayfield & Chestnut	5,554,760	121,094	4.14
Burton & Brunel	2,421,777	52,795	4.02
Totals	12,165,244	265,202	
% of £1.278m provisional growth		20.75%	

Note: 2.18% - Provisional % the School Block (Primary & Secondary) has increased by.

Comparison of DSG funding between 22/23 and provisional 23/24 before academy recoupment - Schools Forum 24/11/22

Funding type	22/23 DSG as at 16/12/21 from ESFA £	23/24 Provisional DSG as at 19/7/22 from ESFA £	Increase / (Decrease) £	Increase / (Decrease) %	Note
Schools Block	94,164,091	96,217,077	2,052,986	2.18%	1
Central Schools Block	1,089,945	1,025,512	(64,433)	-5.91%	2
Early Years - 3 & 4 Yr Olds	4,196,543	4,196,543	0	0.00%	3
Early Years - 3 & 4 Yr Olds (Increase to 30 hrs)	1,633,510	1,633,510	0	0.00%	3
Early Years - 2 Yr Olds	930,976	930,976	0	0.00%	3
Early Years Pupil Premium	101,315	101,315	0	0.00%	3
Early Years - Disability Access Fund	57,600	57,600	0	0.00%	3
High Needs Block	24,402,756	25,680,699	1,277,943	5.24%	
Total Initial DSG	126,576,736	129,843,232	3,266,496	2.58%	

Notes

1. The pupil growth element has not yet been announced for 23/24 so to enable a like for like comparison the figure has been removed from 22/23 Schools Block.
1. Schools Supplementary Grant has been included within Schools Block in 23/24, the same figure has therefore been added to 22/23 schools Block allocation to enable a like for like comparison (£2.776m)
2. Reduction in ESFA funding historic commitments relating to PFI costs.
3. The Early Years allocations for 23/24 have not been released and therefore the same value as 22/23 has been assumed for comparison.

Other DSG / School Funding information

The minimum per pupil funding levels have increased for Primary from £4,265 in 22/23 to £4,405 in 23/24.
 The minimum per pupil funding levels have increased for Secondary from £5,525 in 22/23 to £5,715 in 23/24.
 Those schools on Minimum Funding Guarantee will a 0.5% increase in 23/24 per pupil funding.
 Local Authorities must inform schools of their 23/24 allocations by 28th February 2023.
 ESFA expect to have moved to the direct National Funding Formula by 27/28, however, they hope to be able to implement sooner than this.

Special School and other High Needs funding adjustments for 22/23 - Schools Forum 24/11/22

	Combe Pafford	Combe Pafford	Mayfield School	Mayfield Chestnut	Mayfield Total	Brunel SEMH	Burton AP	B & B Total	Totals	Totals £
Number of places - January 22	262		263		263	56	55	111.00	636.00	
Number of pupils - January 22	264		261		261	47	39	86.00	611.00	
Number of places - September 22	265		263		263	56	55	111.00	639.00	
Initial Place led funding		2,637,500			2,630,000	560,000	550,000	1,110,000		6,377,500
Initial Pupil led funding		1,551,207			2,924,760	816,672	495,105	1,311,777		5,787,744
Initial pupil specific additional funding		61,673			162,744	36,800		36,800		261,217
Previously Teachers Pay & Pension Grants		174,075			173,580	36,960	36,300	73,260		420,915
Other funding - Outreach / 6th day provision / rent					318,093			0		318,093
Pupil Premium		141,105			182,435	35,460	32,505	67,965		391,505
Total initial funding		4,565,560			6,391,612	1,485,892	1,113,910	2,599,802		13,556,974
In-Year adjustments	Pupils	Funding £	Mayfield Pupils	Chestnut Pupils	Funding £	SEMH Pupils	AP Pupils	Funding £	Pupils	Funding £
April	264	103,334	231	32	23,830	51	48	183,759	626	310,923
May	264	(823)	229	33	(963)	50	47	(27,565)	623	(29,351)
June	261	(2,402)	230	32	(4,825)	50	50	31,738	623	24,511
July	261	0	230	34	29,715	51	45	(34,574)	621	(4,859)
August	261	0	230	34	0	51	45	0	621	0
September	266	35,165	232	31	(47,330)	46	44	(58,085)	619	(70,250)
October	262	(11,208)	231	30	(11,915)	48	38	(20,709)	609	(43,832)
November	263	6,061	228	31	(8,363)	52	39	34,250	613	31,948
December									0	0
January									0	0
February									0	0
March									0	0
Total In -year pupil / place led adjustments		130,127			(19,851)			108,814		219,090
Enhanced Provision (in-year changes in pupil top-ups)										(443)
Enhanced Provision (in-year increases in place numbers)										8,333
Preston Enhanced Provision - Teaching Support Sept 22 - Mar 23										15,243
Excluded Pupils / 6th Day Provision - Mayfield (Sept - Mar)										70,158
In-year pupil specific additional funding		26,121			81,823			(24,056)		83,888
Total - In-Year adjustments		156,248			61,972			84,758		396,269
Special School / High Needs contingency budget										400,000
Current balance (under) / over										(3,731)

Schools Forum – 24th November 2022

De-Delegation and Centrally Retained Decisions for 2023/24

1. Why is this coming here – what decision is required?

Under the Government's current funding rules there is an assumption of delegation for a number of budget areas which are currently held centrally for maintained schools and are delegated for academies. Each year maintained schools' representative on the Schools Forum vote, by phase and on behalf of the schools they represent, to de-delegate these areas i.e. allow the LA to hold the budgets rather than delegate to schools; where it is proposed by the local authority. The outcome of the vote is binding for all maintained schools of that phase.

For 2023/24, Torbay Council Children's Services is proposing the option of de-delegation for all of the areas shown in the table below. It is for Torbay's Schools Forum to vote on each on behalf of schools. The vote is being carried out at this time to enable schools and services time plan for their budgets and responsibilities for 2023/24.

Under the national funding arrangements the government wants schools to have the opportunity to have as much funding and responsibility delegated to them as possible. The vote determines whether or not a range of costs currently met centrally will transfer to maintained schools for them to manage themselves.

Academies are not part of these arrangements since these responsibilities and the funding for them are automatically delegated to academies through the ESFA.

Actual figures for 2023/24 will change from those presented, as they will be based on the October 22 census, this data will be available towards the end of December. See individual sheet for detail and voting boxes.

2. Centrally Retained budgets

These budget areas can be retained with the agreement of the Schools Forum. For Torbay this is Planned Pupil Growth, School Admissions Service, Servicing the Schools Forum, Centrally retained element of the Early Years Block (5%) and request to transfer funds from the School Block to High Needs. The School Forum is required to approve the amounts against each budget area. See individual sheet for detail and voting boxes.

All Members of the Schools Forum have an EQUAL vote on these items.

3. Recommendations

That the Schools Forum considers the proposals and for:-

Maintained schools members vote on the de-delegation items on behalf of the phase of schools they represent.

All schools and academies vote on centrally retained items.

SCHOOLS FORUM 24/11/22

DE-DELEGATION FOR 23/24 - DECISION FOR SCHOOL FORUM (MAINTAINED PRIMARY & SECONDARY SCHOOL MEMBERS ONLY)

THESE FIGURES WILL BE UPDATED ONCE OCT 22 PUPIL NUMBERS ARE KNOWN

DfE No.	School Name	Pupil Numbers NOR Oct-21	Eligible FSM Nos.	EAL Pupils	FSM Eligibility £	Insurance £	EAL £	Travellers Education £	Total De-delegation £
2439	White Rock Primary	618	130.00	5.81	(1,021)	(9,251)	(1,223)	(766)	(12,262)
2455	Homelands Primary	208	68.00	7.96	(534)	(3,114)	(1,676)	(258)	(5,582)
2460	Watcombe Primary	196	78.00	2.35	(612)	(2,934)	(495)	(243)	(4,284)
2469	Sherwell Valley Primary	632	101.00	0.00	(793)	(9,461)	0	(784)	(11,038)
	TOTAL PRIMARY SCHOOLS	1,654	377.00	16.12	(2,959)	(24,760)	(3,394)	(2,051)	(33,165)
4117	The Spires College	1,027	293.00	12.01	(2,300)	(15,374)	(2,529)	(1,273)	(21,477)
4601	St Cuthbert Mayne School	855	310.00	7.01	(2,434)	(12,799)	(1,476)	(1,060)	(17,769)
	TOTAL SECONDARY SCHOOLS	1,882	603.00	19.02	(4,734)	(28,174)	(4,005)	(2,334)	(39,246)
	TOTAL PRIMARY AND SECONDARY	3,536	980.00	35.14	(7,693)	(52,934)	(7,399)	(4,385)	(72,411)
PRIMARY - Is funding going to be de-delegated (Y/N)									
SECONDARY - Is funding going to be de-delegated (Y/N)									

	Unit Value per pupil £	Unit Value per FSM pupil £	Unit Value per EAL pupil £
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Travellers Education - EAL	1.24		
Free School Meals eligibility		7.85	
Insurance	14.97		
Support to ethnic minority groups - EAL			210.56

SCHOOLS FORUM 24/11/22 - DECISIONS FOR CENTRALLY RETAINED SERVICES 2023/24 - ALL SCHOOLS

Number	Service Type	2022/23	Proposed 2023/24	Vote Y/N	Note
1	Planned Pupil Growth	£459,815	£699,653		1
2	Schools Admissions Services	£132,430	£135,079		2
3	Servicing the Schools Forum	£36,552	£37,283		2
4	Central Early Years Block provision (5% retained)	£338,100	£338,100		3
5	Funding moved from Schools Block to High Needs	£0	£0		4

All Members of Schools Forum have an equal vote

Notes:

- 1 The Planned Pupil Growth is based on the forecast Oct 22 pupil numbers provided by the Admissions Team, this allocation will change when actual Oct 22 numbers are known. PPG is required for St Cuthbert Mayne (30 pupils) £84k & St Michael's Primary £141k.
- 2 The 22/23 figures have been taken from the Section 251 budget return to DfE. 2% has been added for 23/24 potential pay award / increments.
- 3 Subject to a small variation when final 23/24 Early Years allocations are known.
- 4 0.5% virement of the 23/24 Schools Block is allowed with Schools Forum approval.

- Education & Skills
Funding Agency

The notional SEN budget for mainstream schools: operational guidance

Updated 13 October 2022

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1. Introduction

1. This guidance is primarily for local authorities, to help them comply with the requirement to identify for each mainstream school in their area a notional amount to guide schools in their spending to meet the costs of additional support for the school's pupils with special educational needs (SEN). Although this is an indicative amount, it is important that it is sufficient for the reasonable additional costs that may be incurred by schools. The guidance will also help schools understand how the amount has been calculated and when it might be appropriate to seek additional resources.

2. The [Children and Families Act 2014](#) secures the general presumption in law that children and young people with SEN should be educated in mainstream education settings. The [SEND and alternative provision green paper](#), published in March 2022, confirms that meeting SEN should remain a core part of mainstream schools' role in future, and makes proposals on how schools and their teachers will be supported in that role. The green paper also points to changes to the notional SEN budget in future: this guidance is based on the existing roles and responsibilities of local authorities and schools.

3. [The SEND Code of Practice](#), which is statutory guidance to which schools must have regard, sets out more information on mainstream schools' current legal duties in relation to their pupils with SEN. Those duties include that schools must use their best endeavours to secure that the special educational provision called for by a pupil's special educational needs is made.

2. The notional SEN budget

4. Mainstream maintained schools and academies (“schools”) are notified each year of a clearly identified but notional budget, within their overall budget allocation, towards the costs of fulfilling their duty to use their ‘best endeavours’ to secure that special educational provision for their pupils with SEN. Using funds from the schools block of the dedicated schools grant (DSG), local authorities are responsible for calculating the amount of this notional budget using their local mainstream schools funding formula factors.

5. The requirement to identify this budget for their schools is set out in regulation 11(3) of the [School and Early Years Finance \(England\) Regulations 2022](#) (which is similar to the equivalent regulation for previous years and which we intend will be included in the regulations for 2023 to 2024). That regulation says that “the local authority must identify within each budget share an amount calculated by reference to the requirements, factors and criteria specified in Part 3 [that is, the various elements of the local schools funding formula] which are relevant to pupils with special educational needs; such amount must be calculated using a threshold sum of £6,000 per pupil below which the school will be expected to meet the additional costs of pupils with special educational needs from its [annual] budget share”.

6. The notional SEN budget is not a budget that is separate from a school’s overall budget. It is an identified amount within a maintained school’s delegated budget share or an academy’s general annual grant. It is intended as a guide for a school’s spending decisions, and is neither a target nor a constraint on a school’s duty to use its ‘best endeavours’ to secure special provision for its pupils with SEN.

7. In discharging that responsibility, amongst other expectations set out in the SEND Code of Practice, mainstream schools are expected to:

- meet the costs of special educational provision for pupils identified as on SEN Support in accordance with the SEND Code of Practice; and
- contribute towards the costs of special educational provision for pupils with high needs (most of whom have education, health and care (EHC) plans), up to the high needs cost threshold set by the regulations (currently £6,000 per pupil per annum). This cost threshold is calculated by reference to the additional costs of provision, above the costs of the basic provision for all pupils in the school. High needs top-up funding is provided above this threshold on a per-pupil basis by the local authority that commissions or agrees the placement.

8. It is important to note that the notional SEN budget is not intended to provide £6,000 for every pupil with SEN, as most such pupils' support will cost less than that. Nor is the notional SEN budget intended to provide a specific amount per pupil for those with lower additional support costs, even though the local authority may make reasonable assumptions about what those costs might be for the purpose of ensuring that their schools' notional SEN budget calculation is realistic.

9. In making assumptions about costs, it is important that local authorities are transparent in their assessment of what provision their mainstream schools should make as part of the local offer of provision for children with SEN and those who are disabled (SEND). They should identify the resources necessary for schools to deliver both an inclusive environment for their pupils with SEND and any more specialist support that is needed. Local authorities must set out in their SEND Local Offer information about the arrangements the authority has for funding children and young people with SEN, including any agreements about how schools will use any budget that has been delegated to them by the local authority. This statement is relevant to decisions that the local authority makes as to whether it is necessary to issue an EHC plan.

10. All schools are expected to make reasonable adjustments for pupils with disabilities, in accordance with their duties under the Equality Act 2010, whether or not they have SEN. Where a reasonable adjustment is special educational provision, the revenue cost of that adjustment may be met from the school's SEN budget.

11. Schools have a duty to designate a teacher to be the SEN co-ordinator (SENCo). We would expect the SENCo to be aware of their school's notional SEN budget and to be actively engaged with the senior leadership of the school in deciding what to spend on SEN support and provision.

3. Calculating the notional SEN budget

12. As the next step in the movement towards a direct schools national funding formula (NFF), in 2023 to 2024 local authorities will only be allowed to use NFF factors in their local funding formulae and must use all NFF factors, except any locally determined premises factors. Local authorities will also be required to move their local formulae factors 10% closer to the NFF values, compared to where they were in 2022 to 2023, unless they are already mirroring the NFF. This may mean that local authorities need to review how their schools' notional SEN budgets are calculated. There is currently no national approach to the calculation of schools' notional budget for pupils with SEN through the NFF. Local authorities, working with their schools, should therefore continue to use the local formula factor values in accordance with the regulations.

13. Most local authorities calculate their schools' notional SEN budget using a combination of funding from the basic entitlement factor^[footnote 1], the deprivation factors, and the low prior attainment factors in the local funding formula. Depending on how the local formula is constructed and the overall weighting of the different formula factors, we would expect the calculation of the notional SEN budget to include:

- a small part of the basic entitlement funding;
- a larger part of deprivation funding, reflecting the higher prevalence of lower-level SEN amongst disadvantaged pupils, and
- the majority or whole of the low prior attainment factor funding, as this is the best proxy we currently have for pupils with low-cost, high-incidence SEN

14. Other elements of the funding formula may also be used – for example to reflect the prevalence of SEN amongst particular groups of pupils such as those who frequently move between schools, as captured by the mobility factor. A proportion of the lump sum could reflect any fixed costs of making SEN provision that would apply to all local schools or diseconomies of scale relevant to small schools. In local authorities with a large number of schools that receive a significant element of their funding through the minimum funding guarantee (MFG) element of the local formula, it may be appropriate to include a proportion of this funding in the notional SEN budget calculation. This element should be kept under regular review, however, as this element of funding usually reduces over time, but could increase in some areas as local authorities move their local formula closer to the national funding formula.

15. Local authorities should decide, following discussions and consultation with schools, including in the local schools forum, how big the notional SEN budget should be. Nevertheless, comparisons with other local authorities' calculations may be helpful. Local formulae data for 2022 to 2023 can be found at: [Schools block funding formulae 2022 to 2023: analysis of local authorities' schools block funding formulae](#).

4. Targeted funding to supplement the notional SEN budget

16. A formulaic calculation of schools' notional SEN budgets, based on indicators of need used in the formula, is unlikely to be a precise match for the costs of support provided by teachers and other professionals for the pupils they identify as having SEN.

17. Any significant mismatch may be an indication that a school's approach to identifying pupils' SEN differs markedly from other schools' practice. In some

schools pupils not identified as having SEN would be so identified elsewhere. Other schools would too readily identify pupils as having SEN when their needs should be met within the normal teaching and learning environment [\[footnote 2\]](#).

18. In some cases, however, a significant mismatch between the notional SEN budget and actual costs of SEN support may be because the school has a disproportionate number of pupils with SEN in relation to its size, phase and characteristics, or has pupils with needs of a particular kind that are not captured by the formula factors used. In other cases a significant mismatch may be because a school's small size creates diseconomies of scale in making provision for pupils with SEN. The local authority can provide targeted funding from its high needs budget to schools in such exceptional circumstances. This funding would supplement the school's notional SEN budget as calculated under the local funding formula.

19. Local authorities should consider carefully the criteria for allocating such supplementary targeted funding; simply relying on how schools identify their pupils with SEN could lead to perverse incentives. With appropriate criteria in place, however, such funding could be particularly helpful. For example, it might enable a local school to meet the needs of more children with more complex needs instead of them being referred to a more distant special school.

5. Illustrative examples

20. In figures 1 and 2 below we have provided two examples to assist local authorities in reviewing their approach to the calculation of their schools' notional SEN budget. They are examples that show the calculation of the budget for a primary school of 300 pupils and a secondary school of 1,000 pupils. In these examples we have assumed:

- that the schools have proportions of pupils on SEN Support and with high needs that are 12% and 4% respectively. In practice, local authorities should consider the range of percentages in their local schools, as well as the averages across all local schools, in developing their approach, to ensure that schools are given assurance through the notional SEN budget that they are receiving sufficient funding for their pupils with SEN;
- that the costs of special educational provision for a pupil on SEN Support are, on average, £3,000 per annum, and the costs of supporting a pupil with high needs is £6,000 per annum. In practice, local authorities should consider what are the local average costs of additional special provision for pupils on SEN Support. As noted above, additional high needs top-up funding should be made available to the school for costs that exceed the £6,000 per pupil high needs threshold; such costs should not, therefore, be factored into decisions on the notional SEN budget.

21. These examples are illustrative only – we do not expect local authorities to use the exact calculations below. In developing these illustrative examples, we have considered what level of notional SEN budget would be appropriate (given the profile of need and cost assumptions as above) and have based the proportionate contribution of the various formula factors broadly on existing local authority practice. As noted above, in setting their own notional SEN budget, local authorities should consider the specific profile of need across schools in their local area.

22. The examples use 2023 to 2024 NFF factor values, before the application of the area cost adjustment (ACA). The notional SEN budget contribution percentages should be consistently applied across each phase of education.

5.1 Figure 1

Example 1: primary school with 300 pupils

Factor	Pupil numbers	Unit value (£)	Total (£)	Of which notional SEN budget contribution %	Of which notional SEN budget contribution £
Basic entitlement	300	3,394	1,018,200	3.6	36,655
Low prior attainment	86	1,155	99,330	94.0	93,370
FSM6	70	705	49,350	45.0	22,208
IDACI	133	382	50,806	45.0	22,863

this is a summary of what would in practice be a more complex calculation broken down in to different IDACI

Factor	Pupil numbers	Unit value (£)	Total (£)	Of which notional SEN budget contribution %	Of which notional SEN budget contribution £
bands with different pupil number and unit values.					
Mobility	1	945	945	18.0	170
Lump sum	N/A	N/A	128,000	3.7	4,736
School's notional SEN budget total					£180,002

This could pay for 12 pupils with high needs at £6000 totalling £72,000 or 36 pupils on SEN support at £3,000 (average) totalling £108,000.

5.2 Figure 2

Example 2: Secondary school with 1,000 pupils

Factor	Pupil numbers	Unit value (£)	Total (£)	Of which notional SEN budget contribution %	Of which notional SEN budget contribution £
Per-pupil entitlement (key stage 3)	600	4,785	2,871,000	2.3	66,033

Factor	Pupil numbers	Unit value (£)	Total (£)	Of which notional SEN budget contribution %	Of which notional SEN budget contribution £
Per-pupil entitlement (key stage 4)	400	5,393	2,157,200	2.3	49,616
Low prior attainment	215	1,750	376,250	81.0	304,763
Weighted pupil numbers are used in this summary of what would in practice be a more complex calculation, using low prior attainment in different year groups					
FSM6	272	1,030	280,160	34.0	95,254
IDACI	434	557	241,738	34.0	82,191
This is a summary of what would in practice be a more complex calculation broken down into different IDACI bands with different pupil numbers and unit values					

Factor	Pupil numbers	Unit value (£)	Total (£)	Of which notional SEN budget contribution %	Of which notional SEN budget contribution £
Mobility	1	1,360	1,360	15.0	204
Lump sum	N/A	N/A	128,000	1.6	1,941
School's notional SEN budget					£600,002

This could pay for 40 pupils with high needs at £6,000 totalling £240,000 or 120 pupils on SEN support at £3,000 totalling £360,000.

1. Also referred to as the age-weighted pupil unit of funding or AWPU. [↵](#)
2. [Recent research](#) has shown that identification of SEN can vary significantly between schools. [↵](#)

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NOTIONAL SEN FUNDING FOR 22/23 - SCHOOLS FORUM 24/11/22

School Name	22/23 School Allocation £	AWPU £	FSM £	FSM Ever 6 £	IDACI £	Mobility £	Attainment £	Total Notional SEN £	% Notional SEN
All Saints Babbacombe C of E Primary	933,741	31,366	10,810	14,750	26,675	0	73,450	157,051	16.82%
Barton Hill Academy	3,044,528	96,349	66,270	87,910	106,721	0	240,464	597,715	19.63%
Brixham C of E Primary School	951,708	33,618	12,690	17,700	15,234	0	59,043	138,284	14.53%
Cockington Primary School	2,485,244	87,342	49,350	65,785	79,111	5,282	187,411	474,280	19.08%
Collaton St. Mary C of E Primary	926,471	33,135	10,105	13,275	22,730	0	44,771	124,016	13.39%
Curledge Street Academy	1,821,036	61,766	34,310	45,135	51,280	0	177,399	369,890	20.31%
Eden Park Primary Academy	1,674,826	60,480	24,910	35,105	36,845	0	131,216	288,555	17.23%
Ellacombe Academy	1,635,619	54,046	35,955	48,380	64,795	4,089	101,802	309,066	18.90%
Furzeham Primary School	1,139,758	39,247	16,450	21,240	25,385	167	73,529	176,018	15.44%
Galmpton C of E Primary School	919,620	34,583	5,875	7,670	13,753	0	47,313	109,194	11.87%
Hayes School	1,753,978	61,284	35,015	47,495	51,350	527	125,622	321,293	18.32%
Homelands Primary School	1,089,974	33,457	15,980	21,240	31,890	0	60,093	162,660	14.92%
Ilsham Academy	790,283	28,470	6,815	9,440	16,509	1,101	21,798	84,133	10.65%
Kings Ash Academy	1,769,732	56,458	50,290	66,375	58,685	5,985	138,414	376,207	21.26%
Oldway Primary School	2,774,765	104,070	30,550	41,595	45,369	0	123,396	344,980	12.43%
Our Lady of the Angels Catholic Primary School	775,593	23,162	13,395	17,995	20,755	1,554	65,088	141,949	18.30%
Preston Primary School	1,402,107	52,276	17,155	22,125	14,530	0	119,757	225,844	16.11%
Priory RC Primary School	451,120	11,742	5,640	7,965	10,440	2,599	34,589	72,976	16.18%
Roselands Primary School	1,419,549	53,241	17,625	24,485	20,945	0	83,677	199,973	14.09%
Sacred Heart Primary	970,750	32,813	11,985	15,635	20,965	0	81,586	162,984	16.79%
Sherwell Valley Primary School	2,762,040	101,657	23,735	32,155	52,815	0	166,946	377,308	13.66%
Shiphay Learning Academy	1,819,895	68,361	20,210	28,025	28,088	0	133,035	277,719	15.26%
St Michael's C of E Academy	295,449	7,640	2,233	2,803	5,636	0	0	18,311	6.20%
St. Margaret Clitherow Primary	419,927	11,581	5,405	7,670	9,070	777	16,792	51,295	12.22%
St. Margaret's Academy	1,834,019	64,340	30,080	39,530	59,070	0	157,273	350,293	19.10%
St. Marychurch C of E Primary	1,319,583	46,164	20,445	26,255	38,240	1,318	95,994	228,416	17.31%
Torre C of E Academy	1,333,169	48,094	16,685	22,715	40,343	2,803	67,009	197,649	14.83%
Upton St. James C of E Primary	552,878	15,763	9,635	13,275	16,250	518	31,448	86,889	15.72%
Warberry C of E Primary	1,709,446	64,179	22,325	29,500	48,765	0	72,083	236,852	13.86%
Watcombe Primary School	1,018,894	31,527	18,330	23,600	41,625	0	80,535	195,617	19.20%
White Rock Primary School	2,650,823	99,405	30,550	41,300	36,522	0	171,941	379,718	14.32%
TOTAL PRIMARY SCHOOLS	44,446,521	1,547,618	670,808	898,128	1,110,390	26,719	2,983,471	7,237,133	16.28%
Brixham Academy	5,599,396	223,643	50,995	115,045	115,965	0	403,611	909,259	16.24%
Churston Ferrers Academy	4,231,363	181,040	10,105	26,383	52,337	0	0	269,865	6.38%
Paignton Community & Sports Academy	9,106,387	345,841	98,935	227,928	216,670	0	677,451	1,566,825	17.21%
St Cuthbert Mayne School	5,339,160	202,468	72,850	154,403	157,404	2,461	355,389	944,973	17.70%
The Spires College	6,617,132	243,349	68,855	148,348	202,600	0	400,020	1,063,172	16.07%
Torquay Academy	7,618,309	298,120	77,080	170,405	232,507	0	516,283	1,294,395	16.99%
Torquay Boys' Academy	4,547,460	194,144	8,460	23,355	47,382	0	20,161	293,502	6.45%
Torquay Grammar School for Girls	4,231,619	180,637	6,580	16,003	44,575	0	0	247,795	5.86%
TOTAL SECONDARY SCHOOLS	47,290,827	1,869,242	393,860	881,868	1,069,439	2,461	2,372,916	6,589,785	13.93%
TOTAL PRIMARY & SECONDARY	91,737,348	3,416,861	1,064,668	1,779,995	2,179,829	29,179	5,356,387	13,826,918	15.07%

% of unit value used to determine Notional SEN allocation

	Primary Unit Value	Secondary Unit Value	0% £	5% Primary £	5% Secondary £	50% Primary £	50% Secondary £	100% Primary £	100% Secondary £
Deprivation IDACI - Band F	220	320				110	160		
Deprivation IDACI - Band E	270	425				135	212.5		
Deprivation IDACI - Band D	420	595				210	297.5		
Deprivation IDACI - Band C	460	650				230	325		
Deprivation IDACI - Band B	490	700				245	350		
Deprivation IDACI - Band A	640	890				320	445		
Age Weighted Pupil Unit (AWPU)	3,217	0		161					
Age Weighted Pupil Unit (AWPU) - KS3	0	4,536			227				
Age Weighted Pupil Unit (AWPU) - KS4	0	5,112			256				
Deprivation - FSM	470	470				235	235		
Deprivation - FSM Ever 6	590	865				295	432.5		
Low prior attainment	1,130	1,710						1,130	1,710
Mobility	925	1,330				463	665		
EAL	565	1,530	0						
Lump Sum	121,300	121,300	0						
Split Sites			0						
Rates			0						
PFI Funding			0						
Minimum Funding Guarantee			0						
Funding to meet minimum per pupil funding			0						

Eligible Pupils

	Primary	Secondary	£
Pupil Numbers - KS1 & KS2	9,621.50		1,547,618
Pupil Numbers - KS3		4,942.00	1,120,846
Pupil Numbers - KS4		2,928.00	748,397
FSM	2,854.50	1,676.00	1,064,668
FSM6	3,044.50	2,039.00	1,779,995
IDACI - Band F	2,733.65	1,971.50	616,142
IDACI - Band E	1,128.14	791.45	320,482
IDACI - Band D	454.49	317.24	189,822
IDACI - Band C	840.03	551.37	372,402
IDACI - Band B	863.42	538.42	399,985
IDACI - Band A	491.23	278.21	280,997
EAL	271.18	34.02	0
Mobility	57.77	3.70	29,179
Low prior attainment	2,640.24	1,387.67	5,356,387
		Total	13,826,918