



County Offices
Newland
Lincoln
LN1 1YL

8 January 2020

Lincolnshire Schools' Forum

A meeting of the Lincolnshire Schools' Forum will be held on **Thursday, 16 January 2020 at 1.00 pm in Committee Room One, County Offices, Newland, Lincoln LN1 1YL** for the transaction of the business set out on the attached Agenda.

Yours sincerely

A handwritten signature in black ink that reads 'Debbie Barnes'.

Debbie Barnes OBE
Chief Executive

Membership of the Lincolnshire Schools' Forum

SCHOOLS' MEMBERS

Nursery (1)

Joanne Noble (Head Teacher, Gainsborough Nursery School)

Special (1)

Steve Barnes (The Pilgrim School, Lincoln) **VICE-CHAIRMAN**

Primary Maintained (6)

Primary Maintained Head Teachers (3)

Martin Kyle (Head Teacher, St Faith & St Martin C E Junior School, Lincoln)

Ian Randall (Head Teacher, Reepham C E Primary School)

Catherine Stratton (Head Teacher, Saxilby C E Primary School)

Primary Maintained Governors (3)

Penny Davies (Governor, Saxilby C E Primary School)

Anthony Stevens (Governor, The Holt Primary School, Skellingthorpe)

Allison Sunley (Governor, Great Steeping Primary School)

Secondary Maintained Head Teacher (1)

Michele Anderson (Head Teacher, Spalding High School)

Secondary Academies (7)

Secondary Academies Head Teachers (4)

Ian Widdows (Head Teacher, Giles Academy, Old Leake)

Mark Woods (Chief Executive Officer, Stamford Welland Academy)

2 vacancies

Secondary Academies Governors (3)

Rachel Barrett FCCA (Governor, North Kesteven Academy, North Hykeham)

David Bennett (Governor, Queen Elizabeth's Grammar School, Horncastle)

Professor Ken Durrands CBE (Governor, The King's School, Grantham)

Primary Academies (5)

Primary Academies Head Teachers (3)

Gavin Booth (Head Teacher, Boston St Thomas' C E Primary School) **CHAIRMAN**

Katie Grivil (Head Teacher, Kirkby la Thorpe C E Primary Academy)

Simon Morley (Head Teacher, Boston West Academy)

Primary Academies Governors (2)

2 vacancies

Special Academies (2)

Special Academies Head Teacher (1)

James Ellis (Head Teacher, Grantham Additional Needs Fellowship)

Special Academies Governor (1)

1 vacancy

Alternative Provision Academy (1)

Josh Greaves (Deputy Chief Executive Officer, Wellspring Academy Trust)

NON-SCHOOLS' MEMBERS

Faith Groups (1)

Lynsey Norris

Providers of 16 to 19 Education (1)

Martin Shelton (Linkage Community Trust)

Staff Trade Unions (1)

Helen Stokes (UNISON)

Early Years Providers (1)

Julia Merivale (Trinity Day Nursery, Gainsborough)

**LINCOLNSHIRE SCHOOLS' FORUM AGENDA
THURSDAY, 16 JANUARY 2020**

Item	Title	Pages
1	Apologies for Absence/Replacement Members	
2	Declarations of Members' Interest	
3	Minutes of the Lincolnshire Schools' Forum meeting held on 10 October 2019	5 - 16
4	Chairman's Announcements	Verbal Report
5	National Funding Formula for Schools (2020/21) <i>(To receive a report from Mark Popplewell, Head of Finance, Children's Services, which invites the Schools' Forum to comment on the Local Authority's funding formula proposals for 2020/21 following the government's funding announcements on the mainstream schools national funding formula proposals)</i>	17 - 42
6	School Funding Arrangements 2020/21 <i>(To receive a report from Elizabeth Bowes, Strategic Finance Manager, Schools Finance Team, which provides the Schools' Forum with an update on the school funding arrangements for 2020/21 and seeks approval for the Local Authority's proposals relating to a number of centrally held budgets)</i>	To Follow
7	Early Years National Funding Formula <i>(To receive a report from Michelle Andrews, Head of Early Years, which provides the Schools' Forum with a summary on the early year's national funding formula for 2020/21; and to seek agreement relating to the allocation and distribution of the centrally retained budgets)</i>	43 - 56
8	Progress Report on the Building Communities of Specialist Provision Strategy <i>(To receive a report from Eileen McMorrow, Senior Project Officer Special Educational Needs and Disabilities (SEND), which provides the Schools' Forum with an update on the implementation of the Building Communities of Specialist Provision Strategy)</i>	57 - 72
9	Schools Admissions Appeal Charges for Maintained Schools <i>(To receive a report from Emily Nicholls, Commissioning Officer, which asks the Schools' Forum to consider the introduction of Schools Admissions Appeal Charges for Maintained Schools)</i>	73 - 96

- 10 Academies and Trust Update** 97 - 100
(To receive a report from John O'Connor, Head of Education Support, which provides the Schools' Forum with information on the latest number of academies and pupils in academies, and academy trusts)
- 11 Lincolnshire Schools' Forum - Work Programme** 101 - 104
(This item provides the Schools' Forum with an opportunity to discuss potential items for future meetings for inclusion in the Work Programme)

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Please note: for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

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www.lincolnshire.gov.uk/committeerecords



LINCOLNSHIRE SCHOOLS' FORUM 10 OCTOBER 2019

Joanne Noble (Headteacher, Gainsborough Nursery School), Allison Sunley (Governor, Great Steeping Primary School), Martin Kyle (Head Teacher, St Faith and St Martin's Junior School), Ian Randall (Head Teacher, Reepham Church of England Primary School), Catherine Stratton (Head Teacher, Saxilby Church of England Primary School), Rachel Barrett FCCA (Governor, North Kesteven Academy), Professor Ken Durrands CBE (Governor, The King's School, Grantham), Gavin Booth (Head Teacher, Boston St Thomas' C E Primary School), Katie Grivil (Head Teacher, Kirkby la Thorpe Church of England Primary Academy), Simon Morley (Head Teacher, Boston West Academy), James Ellis (Head Teacher, Grantham Additional Needs Fellowship), Lynsey Norris, Martin Shelton (College Principal, Linkage Community Trust), Helen Stokes (Branch Secretary, UNISON) and Julia Merivale (Manager, Trinity Day Nursery) and David Whitaker (Alternative Provision, Academy).

Andy Watts (Lincolnshire NEU) attended the meeting as an observer.

Officers in attendance:-

Elizabeth Bowes (Strategic Finance Manager, Schools Finance Team), Katrina Cope (Senior Democratic Services Officer), Heather Sandy (Interim Director of Education), Martin Smith (Interim Assistant Director of Education) and Mark Popplewell (Head of Finance (Children's Services)).

13 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Michele Anderson (Head Teacher, Spalding High School), Josh Greaves (Alternative Provision Academy), Ian Widdows (Head Teacher, Giles Academy, Old Leake) and Mark Woods (Chief Executive Officer, Spalding High School).

It was noted that David Whittaker (Alternative Provision Academy) had substituted for Josh Greaves (Alternative Provision Academy) for this meeting only.

14 DECLARATIONS OF MEMBERS' INTEREST

There were no declarations of members' interest made at this stage of proceedings.

**15 MINUTES OF THE LINCOLNSHIRE SCHOOLS' FORUM MEETING HELD
ON 20 JUNE 2019****RESOLVED**

That the minutes of the Lincolnshire Schools' Forum meeting held of 20 June 2019 be agreed and signed by the Chairman as a correct record.

16 CHAIRMAN'S ANNOUNCEMENTS

On behalf of the Forum, the Chairman extended thanks to former Secondary Academy Head teacher representatives David Scott and Caroline Saxelby for their contribution and support to the Forum.

The Forum was advised that an election to fill current vacancies on the Lincolnshire Schools' Forum would be commencing on Friday 11 October 2019; and that all relevant information would be made available via Schools News.

The Forum noted that the current vacancies were:

- One Primary Maintained Governor Representative;
- Two Secondary Academy Head teacher Representatives;
- Two Primary Academy Governor Representatives; and
- One Special Academy Governor representative.

17 NATIONAL FUNDING FORMULA FOR SCHOOLS - UPDATE FOR 2020/21

The Forum gave consideration to a report from Elizabeth Bowes, Strategic Finance Manager, Schools Finance Team, which provided a summary of the updates from the Department for Education (DfE) relating to the national funding formula for schools, central school services, high needs and early years for 2020/21.

The Forum noted that this was the second year of the implementation of the government's National Funding Formula (2019/20). The Forum noted further that Lincolnshire had replicated the National Funding Formula along with the government's agreed funding floors and ceilings approach to enable incremental steps for schools to move towards the hard formula.

It was highlighted that the Operational Guidance published by the (DfE) on 21 December 2018, had confirmed the 'soft' approach that was due to finish at the end of 2019/20 was to be extended into 2020/21, whereby Local Authorities (LAs) would be continuing to determine local formulas for 2020/21.

It was highlighted that on 30 August 2019, the Prime Minister had announced an investment of over £14bn in primary and secondary education between 2020/21 and 2022/23. Details of the funding package for schools were briefly explained on page 16 of the report, and a link to the Schools Revenue Funding 2020/21 Operational Guide published on 13 September 2019 was provided for the members of the Forum to access.

Bullet points on pages 16 to 18 of the report confirmed published information within the Schools block; High Needs block; Central School Services; Early Years block; Teachers' Pay Grant; and Teachers' Pension Grant.

The Forum was advised of the following information relating to the published information with the Schools block:

- That the DfE were proposing to make the minimum per pupil funding levels a mandatory factor in LAs local formula; and that a consultation had been launched concerning this proposal;
- The minimum per pupil funding level were set at £3,750 for primary schools (currently £3,500) and £5,000 for secondary schools (currently £4,800). It was noted that the primary level was planned to rise to £4,000 in 2021/22;
- All pupil-led factors would increase by 4%; and that the exceptions to this included the free school meals factors, which would increase by the rate of inflation; and premises funding, which would continue to be allocated to LAs on the basis of actual spend in 2019/20;
- That there would be no gains ceiling cap in 2020/21; and that all schools would attract at least their full allocations under the formula. It was noted that a LA would still be able to use a cap in their local formula;
- That the LA had the flexibility to set the Minimum Funding Guarantee between +0.5% and 1.84%;
- That the funding floor to protect per pupil funding in real terms would be at 1.84%;
- The new formulaic approach would be applied to the mobility factor from 2020/21; and that schools would only trigger funding if the proportion of mobile children exceeded 6% of the schools' pupil numbers;
- Through the LA local formula, it had been agreed that the LA would undertake a rates funding adjustment to ensure that schools were funded the actual rates cost they incur. It was agreed that the LA would fund this from the Dedicated Schools Grant (DSG) reserves for 2018/19 and 2019/20; and
- That LAs would continue to have the ability to transfer up to 0.5% of their Schools block to other blocks of the DSG subject to Schools Forum approval.

It was noted that within the published information outlined, the High Needs block funding floor would be set at 8% to enable each LA to plan for an increase of at least that percentage. It was highlighted that officers were seeking further clarification concerning the impact for Lincolnshire, and were waiting for confirmation of funding allocations.

It was noted further that the published information outlined within the Central School Services block, for 2020/21 was yet to be confirmed. It was also highlighted that the historic commitments category of funding would start to reduce from 2020/21; and therefore without confirmation of funding allocations, it was unclear of what impact this would have on Lincolnshire's historic commitments for schools.

It was reported that the Chancellor had announced on 4 September 2019, that early years funding would be increased by £66 million to increase the hourly rate paid to childcare providers through the government's early year's entitlement.

The Forum was advised that the Teachers' Pay Grant would continue to be paid separately from the National Funding Formula in 2020/21; and that rates per pupil were yet to be confirmed for 2020/21. The Forum was advised further that the teachers' pension employer contributions grant would continue to be funded through a separate grant over the next three years.

The Forum noted that the Education & Skills Funding Agency (ESFA) had launched a consultation on 10 September 2019, seeking views on how LAs should implement the National Funding Formula mandatory minimum per pupil funding levels in local funding formulas. The Forum was assured that the LA would be providing a comprehensive response to the consultation.

It was highlighted that an increasing number of LAs were incurring a deficit on their overall (DSG), largely due to overspends on their Higher Needs block. The Forum noted that from 2019/20 the ESFA had tightened up the rules under which LAs had to explain their plans for bringing the DSG back into balance. The Forum noted further that where a LA's cumulative DSG deficit was more than 1% of its overall DSG at the end of the financial year, the LA would be required to produce a report signed by the Chief Finance Officer detailing the recovery plan.

In conclusion, the Forum was advised that the funding announcements for Lincolnshire were positive. It was however noted that there was still great uncertainty at national level, but it was hoped that greater clarity would be provided in the coming months.

The Forum was reminded that at the meeting on 11 December 2017, the Forum had approved that subject to affordability, the LA would replicate the NFF for Lincolnshire schools.

Details of the next steps required were shown on page 19 of the report.

During discussion, the Forum raised the following points:-

- Ceiling Cap – It was highlighted that there would be no gains ceiling cap in 2020/21 and that this was a positive outcome for gaining LAs like Lincolnshire. It was highlighted that the LA must ensure affordability of the Schools block when replicating the National Funding Formula. The main reason that could cause affordability issues was the use of lagged data when funding the Schools block compared to the National Funding Formula, which used the latest October census information. Reassurance was given that LA officers would explore all opportunities if affordability became an issue to minimise the impact amongst schools;
- The nursery school representative expressed concern that their hourly rate would not increase due to the supplementary funding nursery schools received. The Forum was advised that officers were continuing to seek

clarification from the ESFA regarding the 'supplementary funding' for nursery schools post September 2020; and

- Some concern was expressed regarding the national uncertainty. The Forum was advised that at the moment the proposals were intentions; and that if implemented would be good news for Lincolnshire; however, there was a note of caution that things could be subject to change and that schools should be following the guidance circulated by the DfE (via School News) concerning Brexit. Schools were also encouraged to sign up for Brexit News, and to undertake scenario plans for each potential outcome.

RESOLVED

That the National Funding Formula for Schools – Update 2020/21 presented be noted.

18 REVISED SCHOOLS BUDGET 2019/20

Consideration was given to a report from Mark Popplewell, Head of Finance, Children's Services, which advised the Schools' Forum of the revised Schools Budget for 2019/20; and sought support for the proposed use of the underspending from 2018/19.

The Forum were advised that the cumulative underspend carried forward at 31 March 2019 was £18.187m before accounting for existing commitments of £7.233m. Appendix A to the report provided explanations for major underspendings and overspendings on budgets in 2018/19 (included within the cumulative underspend), which accounted for the £6.082m underspend. The Forum noted that £1.533m of the underspend related to Lincolnshire's share of the £125m made available nationally by the DfE to respond to the growing high needs pressures. Appendix B provided the Forum with details of the 2018/19 commitments for the Dedicated Schools Grant (DSG). The Forum noted further that a thorough review of commitments had taken place. The Forum were guided through Appendix A and B to the report presented.

It was reported that the Local Authority (LA) was proposing to capitalise £5.000m of the DSG underspend to support the implementation of Building Communities of Special Provision Strategy. It was noted that this strategy would transform SEND support for local children and young people. It was noted further that the strategy would bring major infrastructure improvements to Lincolnshire special school buildings to ensure they had the right facilities to meet all types of need including special schools having greater capacity to meet the increasing demands for places in Lincolnshire. The strategy would also ensure that an integrated system was created where by pupils attended their nearest school.

The Forum was also advised that the government had allocated funding to LAs through the special provision capital fund to invest to improve the quality and range of provision for children and young people with SEND aged 0-25. Lincolnshire's share of the government's £365m investment nationally between 2018/19 to 2020/21 was £3.929m.

The Forum noted that in the last round of government free school applications, Lincolnshire had been unsuccessful in its special free school application for Lincolnshire. It was noted further that to support the fulfilment of the strategy including Lincoln area place requirements, and to secure funding, the LA was seeking with Schools Forum support to utilise the DSG funding of £5.000m to contribute towards the major improvements to Lincolnshire special schools.

The proposal for use of the uncommitted sum was detailed in section 5 of the report. It was noted that the cumulative underspend (£18.187m) less existing commitments (£7.233m) and proposed developments (£5.000m) left £5.953m. The Forum noted that as previously mentioned there was likely to be other commitments that could arise during the year within the schools arena that the LA would be required to respond to.

The Forum noted that within the DSG blocks of the Schools block; Central Schools Services block; Early Years block; and High Needs block, there remained areas of financial risk for affordability purposes (particularly the level of High Needs block protection received compared to the National Funding Formula allocation), therefore a level of prudence was required to enable the LA time to respond to financial changes and cost rises.

In conclusion, the Forum noted that an increasing number of LAs were now incurring a deficit on their overall DSG account, largely because of overspends on their High Needs blocks. The Forum was advised that Lincolnshire was not currently in this position, however, expenditure was forecasted to grow; and as a result the position would be carefully and prudently managed. The Forum noted that the LA proposed that the remaining sum was not committed and held in reserves due to the anticipated growth in costs in the area of high needs and the much tighter financial environment expected going forward.

It was reported that for 2020/21 the LA was not proposing to move funding from the Schools block to an alternative block.

During discussion, the Forum raised the following points:-

- Whether there could be a reduction in the uncommitted sum. Officers confirmed they felt the carry forward appropriate, due to the demand led nature of the service (e.g. cost of out of county provision) and the growing trajectory of high needs costs. It was confirmed that during 2018/19, the LA had tried to create greater financial capacity in the High Needs block through Children's Services core budget; an example given was Healthy Minds which the LA had funded fully rather than match funded;
- Use of DSG for capital funded projects – The Forum was advised that final approval would be sought from the Secretary of State through a disapplication request to the Regulations to use the DSG for the capital purposes. It was noted that evidence would be provided on the importance of this invest to save project and the benefits that it would bring to secure greater outcomes for pupils, but also to enable high needs pressures to be managed;

- Free School Bid – The Forum was advised that the LA had been very disappointed of being unsuccessful in the last round of government free school applications, mainly due to other areas being able to demonstrate a greater need; as nationally other LAs were either at or nearing crisis point;
- The amount individual schools receive to meet the needs of young people requiring SEND. The Forum noted that as Lincolnshire had a high number of Education, Health and Care Plans (EHCP); a review was being carried out to identify whether, if an earlier point of intervention had been undertaken in the child's journey whether the outcome would have been different. It was highlighted that so far indications were that early intervention would have an impact. It was noted that the LA was committed in investing in more early intervention; and that working together would make the overall offer for Lincolnshire more resilient; and
- Nursery school funding – The Forum noted that funding for nursery schools remained cash flat and that there was no clear indication of future funding levels after September 2020. It was highlighted that there was lots of work to do as children attending nursery schools were from deprived areas and their needs were now increasing. An example given was that some two year old children coming into nursery school were unable to communicate. Officers advised that the issue of funding for nursery schools was on-going; and the LA was waiting for a national decision, however, the LA was continuing to work with the nursery school sector to promote joined up working and to consider optimum delivery models. Recognition was given that speech and language was a growing problem; and health visitors were being trained to help identify at their birth to two and half year checks; so that referrals could be made quicker.

RESOLVED

1. That the Revised Schools Budget for 2019/10 as presented be noted.
2. That the Forum voted to support the LAs proposed development to capitalise £5.000m of the DSG underspend to support the implementation of the Building Communities of Specialist Provision Strategy; and to support the LAs proposal to retain the remaining uncommitted sum of the DSG underspend as detailed in section 5 of the report presented.

19 DE-DELEGATION OF MAINTAINED PRIMARY SCHOOL BUDGETS 2020/21 AND 2021/22

The Forum gave consideration to a report from Mark Popplewell, Head of Finance, Children's Services, which sought approval from the maintained primary school representatives to the Local Authority's proposals for the de-delegation of certain budgets in 2020/21 and 2021/22.

The Forum was advised of the background of the de-delegation arrangements, and the National Funding Formula implementation which still allowed the de-delegation arrangements for maintained schools to continue.

The Forum was reminded that for 2018/19, maintained primary schools had agreed to de-delegate funding for:

- Contingency – (termination of employment costs for schools in financial difficulty); and exceptional unforeseen costs; and
- Ethnic Minority and Traveller Education Team.

It was highlighted that no funds had been de-delegated for maintained secondary schools.

The Forum were reminded that for 2019/20, the maintained primary school representatives had agreed at the June 2018 meeting the de-delegation services and budgets, and the final per pupil rates, had been determined using the October 2018 census, details of the current services were shown in Appendix A to the report.

The Forum was advised that for 2020/21 it was proposed that the existing charges would continue at the same per pupil rate as in 2019/20. The pupil numbers for October 2019 were planned to be lower in primary maintained schools, as a result of a small number of academy conversions, and officers agreed that for 2021/22 de-delegation budgets would be fixed to respond to the reduction in maintained primary schools.

It was highlighted further that the proposed primary maintained de-delegation budgets were termination of employment costs; interim head teacher support; primary maintained intervention fund, and ethnic minority and traveller education team.

It was highlighted that the Schools' Forum maintained primary schools were required to agree de-delegations on an annual basis, however, the LA would continue to seek agreement in principle from the Forum for 2020/21 also. It was highlighted further that the outcomes from the decisions made by maintained primary representatives on the Schools' Forum would be reflected in maintained primary schools' future budgets.

It was reported that the Forum would be informed of any LA changes to the support provided to Lincolnshire's most vulnerable maintained primary schools.

During discussion, the Forum raised the following points:-

- Whether the level of the remaining de-delegated balance of £0.211m was acceptable. Officers confirmed that this was an earmarked reserve for any de-delegation activities that exceeded budget requirements; due to the budgets being predominantly demand-led in nature. A question was asked whether any amounts could be used for school intervention beyond that currently provided. The Forum noted that the Lincolnshire Learning Partnership (LLP) benefitted from other monies; if however, there was a project that could demonstrate need then the LA could consider this proposal including the appropriate funding source. It was highlighted that any request would be managed in a planned and co-ordinated way. The Forum noted further that the de-delegation reserve was one-off monies.

RESOLVED

That the maintained primary school representatives of the Lincolnshire Schools' Forum voted to approve the proposals for de-delegation of the budgets for the period 2020/21 and 2021/22 (in principle), as set out on page 34 of the report presented.

20 SCHEME FOR FINANCING SCHOOLS

The Forum gave consideration to a report from Elizabeth Bowes, Strategic Finance Manager, Schools Finance Team, which provided an update on the latest publication by the Department for Education (DfE) of its revised guidance on the schemes for financing schools.

The report provided the Forum with background information relating to schemes for financing schools; and the role of the DfE in reviewing the scheme on an annual basis. A link for the latest guidance was provided for members of the Forum to access. It was highlighted that the Local Authority (LA) was required to publish a scheme for financing schools; and that any amendments to the scheme had to be consulted on with all maintained schools and then be approved by the Schools' Forum.

The Forum was advised that from a Lincolnshire's perspective, there were no significant amendments to the scheme. Details of the most relevant revisions from 1 April 2019 were outlined on pages 43 to 45 of the report presented. It was highlighted that the direct revisions by the DfE of the scheme became part of the scheme from the date of the direction; therefore in these instances maintained schools were not required to approve the scheme changes.

The Forum was advised that the LA would publish revisions to the scheme by November 2019 and that this information would be accessible from the link as shown on page 45 of the report.

The Forum was advised that the Education and Skills Funding Agency (ESFA) had launched two consultations: Financial Transparency in LA maintained schools and Minimum per Pupil Funding Levels. It was noted that officers were expecting the ESFA to make further amendments to the scheme, which the LA would be required to replicate in its local scheme following the outcomes of the said consultations.

RESOLVED

That the Scheme for Financing Schools report be noted.

21 ALTERNATIVE PROVISION ARRANGEMENTS

Consideration was given to a report from Martin Smith, Interim Assistant Director – Education which provided the Schools' Forum with an overview of Lincolnshire's current alternative provision arrangements.

The Forum were reminded that to stem the rising number of permanent exclusions, the Lincolnshire Ladder of Intervention had been introduced; and the Schools' Forum had agreed to fund additional resource through the behaviour Outreach Support Service (BOSS) with commissioned Alternative Provision (AP) places also being made available to schools as a resource for them to access prior to permanent exclusion, should the BOSS intervention prove insufficient.

Details of the current pupil numbers were shown on page 48 of the report presented. It was highlighted that the 252 commissioned places that formed the Wellspring Academy Trust/Springwell Lincolnshire were now equally divided across four purpose-built free schools, three of which had opened during the summer. It was highlighted that current pupil numbers had highlighted a geographical challenge. The Forum noted that there was potential to resolve the geographical issue through the LA's second AP partner, Build a Future (BaF), which provided for KS4 and vocational pathway for disaffected adolescents. The Forum was advised that BaF currently operated out of West Ashby and Boston; and that the provider was actively seeking a third site in the Lincoln area, which if secured, would alleviate the geographical/transport challenges.

The Forum was advised that Springwell Lincolnshire and BaF enabled the LA to deliver its statutory duty to provide full-time education on the sixth day following a permanent exclusion. It was noted that both providers delivered the third step of the Ladder, and an extract from the Ladder: Step 3 was shown on page 49 of the report. It was highlighted that for the year 2018/19 an amendment had been introduced to the Ladder when the option of single-registered place into AP, via the ladder, was removed. It was highlighted further that this had been necessary to ensure that the LA processes were compliant with Ofsted's definition of off-rolling, as published in September 2018. A copy of the Ofsted's definition of 'off-rolling' was shown on page 50 of the report.

In conclusion, the Forum was advised that the LAs AP arrangements had played a critical role in reducing permanent exclusion. It was highlighted that the primary sector had delivered a 62% decrease in permanent exclusion since 2015/16, against a national context which had seen the primary rate increase for the first time ever, and the rate for five year olds double since 2016/17. It was highlighted further that for the secondary sector, Lincolnshire was out-performing all of its statistical neighbours (0.18%).

The Forum was advised that Build a Future had been judged by Ofsted in March 2019 as being 'Good'. Details of the key strengths identified were shown on page 52 of the report, as were attainment headlines from BaF.

During discussion, the Forum raised the following issues:-

- Some concern was expressed to the number of secondary pupils excluded. A request was made for further information pertaining to fixed term exclusions. Officers confirmed that fixed term exclusions was a matter that would be considered by the Children and Young People Scrutiny Committee; and

- A further question was asked as to whether the LA was working with secondary schools that were excluding. The Forum was advised that the LA was and continued to work with secondary schools; and in some instances the LA referred schools to either Ofsted or the Regional Schools Commissioner where concerns were raised.

RESOLVED

That the Alternative Provision Arrangements report as presented be noted.

22 ACADEMIES AND TRUST UPDATE

The Head of Finance, Children's Services presented the Academies and Trust update report, which provided information on the latest number of academies, pupils in academies and academy trusts.

It was highlighted that since the effective date of the last report (1 May 2019) there had been three further academy conversions of primary schools, which meant that 37.0% (104) primary schools were now academies, which represented 46.9% (27,015) of primary pupils.

The Forum also noted that there had been one sponsored conversion of a secondary academy. The Forum noted that there were now 52 secondary academies (96.3%) with 43,789 (95.2%) of secondary pupils.

Information relating to the projected six month status of all Lincolnshire State Schools was provided on pages 56 to 57 of the report presented.

The report also provided a list of academy trusts that currently had the greatest number of academies in Lincolnshire.

RESOLVED

That the Academies and Trust update be noted.

23 LINCOLNSHIRE SCHOOLS' FORUM - WORK PROGRAMME

The Forum gave consideration to the work programme presented.

The Forum verbally agreed to operate paper free. Reassurance was given that a limited number of paper copies would still be available at the meeting.

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LINCOLNSHIRE SCHOOLS' FORUM
10 OCTOBER 2019

RESOLVED

That the work programme presented be noted.

The meeting closed at 2.50 p.m.

Open Report on behalf of Heather Sandy, Interim Director Children's Services Education

Report to:	Lincolnshire Schools' Forum
Date:	16 January 2020
Subject:	National Funding Formula for Schools (2020/21)

Summary:

The purpose of this report is to consult the Schools' Forum on the Local Authority's funding formula proposals for 2020/21 following the government's funding announcements on the mainstream schools national funding formula proposals.

The outcomes of the Local Authority's consultation with mainstream schools (enclosed) have been considered, and the Local Authority is now in a position to present its latest proposals for schools funding in 2020/21, for Schools' Forum consideration.

Executive Councillor approval will be required to agree the schools funding formula for 2020/21.

Recommendation(s):

The Schools' Forum is asked to:

1. to note the content of the report, and
2. support the Local Authority's funding formula proposals for 2020/21 including continuing to replicate the national funding formula.

Background

The government first introduced the national funding formula in 2018/19 for mainstream schools. Since its introduction, Local Authorities have continued to be responsible for agreeing and calculating schools funding allocations, however Local Authorities were strongly encouraged to move to the national funding formula arrangements so that schools' allocations were on a sensible trajectory towards the full formula.

The introduction of the national funding formula was to create consistency in funding across all schools nationally ensuring a fairer settlement for each school. To enable a managed transition to take place nationally, the government adopted a

funding floor and ceiling approach to enable incremental steps for schools to move towards the full formula allowing for a financially sustainable re-distribution of funding across the country.

Local Authority 'Schools block' Funding

The Local Authority Primary and Secondary Units of pupil funding used to finance the Schools block of the Dedicated Schools Grant which calculates mainstream schools budgets continue to rise in monetary value through the transition to the full national funding formula. Table 1 below outlines Lincolnshire's schools overall funding level for 2020/21 through the implementation of the national funding formula compared to other Local Authorities.

Table 1

	Lincolnshire's Unit of Funding	England National Average	Difference	Rank
Primary	£4,184	£4,337	-£153	62
Secondary	£5,279	£5,606	-£327	52

The unit funding levels are below the England average for each sector, however Lincolnshire's position nationally has improved when making comparisons. Lincolnshire's primary unit value has increased by £373 from 2018/19, and Lincolnshire's secondary unit by £346.

Schools Funding for 2020/21

On 30 August 2019, the Prime Minister announced an investment of over £14bn in primary and secondary education between 2020/21 and 2022/23. The funding package for schools (aged 5 to 16) includes £2.6bn for 2020/21, £4.8bn for 2021/22 and £7.1bn for 2022/23 compared to 2019/20 funding levels.

The announcement of additional funding for mainstream schools and national funding formula changes require Local Authorities to engage in an open and transparent consultation on their 2020/21 funding formula. The Local Authority has therefore consulted with its local schools, academies and its Schools Forum on proposed schools funding formula changes for 2020/21.

Details of the funding formula changes and monetary values attached to each formula factor (compared to 2019/20 funding levels) can be found within the Appendix A, which is accompanying this report.

Proposed Lincolnshire's Schools Funding for 2020/21

Detailed financial modelling work has been undertaken by the Local Authority to understand the government's national funding formula changes for 2020/21. The government announcement of additional funding into schools will have a positive impact on Lincolnshire schools. Subject to affordability (and subsequent scaling to a maximum of +0.5%), schools will receive a minimum of +1.84% in per pupil funding through the 2020/21 funding arrangements.

Other key points for 2020/21 funding arrangements include:

- all pupil-led formula factors will increase by 4% in monetary value
- the minimum per pupil funding levels will be a mandatory factor in Local Authorities local formula
- the minimum per pupil funding levels will be set at £3,750 for primary schools (currently £3,500) and £5,000 for secondary schools (currently £4,800), and
- no gains ceiling cap to be applied.

The illustrative 2020/21 funding for Lincolnshire primary schools in comparison to 2019/20 funding levels show overall school gains of 6.8% or £0.054m. Illustrative funding for Lincolnshire secondary schools show overall gains of 4.2% or £0.157m.

The financial impact upon individual schools will depend upon the combination of decisions that are finally taken and the schools October 2019 census information. The position of schools budgets for 2020/21 are to be published by the 29 February 2020.

The Local Authority has consulted on the proposal to continue replicating the national funding formula in 2020/21. This will ensure all Lincolnshire mainstream schools attract at least their full allocations under the national funding formula. A series of questions accompanied the consultation with schools to help shape the final formula for 2020/21.

The schools consultation period covered the period 25 November to the 13 December 2019. The consultation period timescales were tight due to the lateness in the government releasing the national funding formula technical information and datasets, leaving limited time for consultation and the Local Authority decision-making process. Schools were however forewarned on the 14 November 2019 and 18 November 2019 through electronic communication informing all Lincolnshire schools of the Local Authority's intention to conduct this consultation exercise.

The consultation document that was circulated to all mainstream schools can be found in Appendix A. As part of the consultation exercise, the Education & Skills Funding Agency required Local Authorities to illustrate the likely financial impact of the proposals upon individual schools. This was enclosed within the supporting documentation using the schools October 2018 census data (due to the October 2019 census data not being available at this time), and the 2019/20 baseline information for illustrative funding purposes.

Tables 2 & 3 below show the monetary gains at school level from continuing to replicate the national funding formula in 2020/21 using October 2018 census data, and the 2019/20 baseline information for comparison purposes.

Table 2

Primary Schools (£)	Gains
0 - 9,999	6
10,000 - 19,999	31
20,000 - 29,999	28
30,000 - 39,999	53

Table 3

Secondary Schools (£)	Gains
0 - 29,999	2
30,000 - 59,999	5
60,001 - 79,999	3
80,000 - 99,999	4

40,000 - 49,999	48	100,000 – 149,999	14
50,000 - 59,999	19	150,000 – 199,999	9
60,000 - 69,999	30	200,000 – 249,000	10
70,000 - 79,999	16	250,000 – 299,999	4
80,000 - 89,999	8	300,000 – 399,999	1
90,000 - 99,999	9	400,000 – 499,999	0
100,000 – 165,000	32	500,000 – 503,000	1

Those schools receiving the largest gains are as a result of the government's removal of the ceiling cap enabling schools to attract at least their full allocations under the national funding formula providing fairness and consistency in funding with comparable schools across the country.

Schools Consultation

The response rate to the consultation was however low with 12% of primary schools and 26% of secondary schools. The overall response rate of 14% across the sectors was higher than the 2018/19 school national funding formula consultation response rate of 11%¹.

The Local Authority set out in the consultation document 6 questions, and these are shown in Appendix A. Also shown is the percentage of schools in favour, against or not sure, together with an outline of the key comments that emerged from schools. All of this information has been considered by the Local Authority and Appendix A sets out the Local Authority's current proposals for consideration by the Children & Young Peoples Scrutiny committee and the Schools Forum in January 2020.

It is clear from Appendix A, that of the schools that responded the support rate ranged from 88% to 100% across the consultation questions for the Local Authority's proposals to continue replicating the government's national funding formula in 2020/21, and for schools to attract at least their full allocations under the national funding formula. Where schools identified issues, these were more national matters as opposed to local issues, such as by applying a positive minimum funding guarantee, schools funded at a higher level than the national funding formula due to historic funding levels will continue to receive more per pupil funding than similar schools.

The Local Authority's proposal is to continue adopting the national funding formula in 2020/21 by adopting the following:

- no gains ceiling cap
- new mobility formula factor

¹ The response rates to consultations are typically below 30%. Since its creation in 2003, the Schools Forum has been responsible for considering school funding arrangements on behalf of schools, and acts an effective consultative body when proposing funding changes. It must also be added that the school funding arrangements are rather complex, and some schools may have found this difficult to understand.

- positive minimum funding guarantee ranging between +0.5% and +1.84% (subject to affordability)
- new PFI formula factor, and
- rates adjustment in-year (for 2020/21 only).

In 2020/21, the national funding formula factor monetary values will increase by 4% to reflect cost increases; the minimum per pupil funding levels will increase to £3,750 for primary schools and £5,000 for secondary schools, and this factor will become mandatory in Local Authorities local formula.

The government's intentions are to move all schools onto the national funding formula, therefore losing schools currently receiving protection funding are likely to face reductions in per pupil funding through the operational of a negative minimum funding guarantee at some point in the future. The timing of this however is unclear, and will be subject to central government decisions. This impacts 5 primary schools and 5 secondary schools.

Next Steps – Schools National Funding Formula

The next steps are as follows:

- to table a report at the Schools Forum meeting (16 January 2020) on the consultation findings, and the proposed 2020/21 funding formula for Schools Forum consideration.
- to table a report at an Children & Young Peoples Scrutiny committee meeting (17 January 2020) on the consultation findings, Schools Forum comments and the proposed 2020/21 funding formula for the committees' consideration.
- the Education & Skills Funding Agency issue October 2019 census-based pupil data and factors to Local Authorities and Dedicated Schools Grant funding.
- Executive Councillor approval to agree the schools funding formula for 2020/21 on the 21 January 2020.
- submission of the Authority Proforma Tool by the 21 January 2020 to the Education & Skills Funding Agency outlining 2020/21 Lincolnshire's schools delegated funding to ensure compliance with regulations.
- the Local Authority Finance Team to provide further information on the implementation of the national funding formula to schools and academies to aid their understanding of the 2020/21 school funding arrangements.
- the Local Authority to calculate individual schools budgets by the 29 February 2020.

Direction of travel

The Local Authority will continue to respond to the government's schools funding consultations representing the position of Lincolnshire schools to achieve fair levels of funding, including the Local Authority's role in being responsible for setting its schools funding formula for its mainstream schools.

Key factors to consider in future years:

- for schools forecast to lose funding compared to the full national funding formula, the scale of the downward trajectory of funding through the operation of the minimum funding guarantee will need to be confirmed in the medium term.
- how the government intends to fund school cost increases relating to pay within the national funding formula compared to operating separate funding streams, e.g. teachers' pay grant and teachers' pension grant.
- how the government intends to make changes to the historic funding arrangements, such as, split-site funding and rates funding.
- The scale and speed of the reductions in funding for schools historical commitments e.g. schools broadband services.

Consultation

a) Have Risks and Impact Analysis been carried out?

Yes

b) Risks and Impact Analysis

School illustrative financial modelling has been undertaken and shared with all schools through the Local Authority consultation exercise on the funding formula proposals for 2020/21 in light of the government's funding announcements on the mainstream schools national funding formula proposals. The school illustrative allocations will have assisted schools in understanding the national funding formula and to help inform their consultation response.

On 30 August 2019, the Prime Minister announced an investment of over £14bn in primary and secondary education between 2020/21 and 2022/23. The funding package for schools (aged 5 to 16) includes £2.6bn for 2020/21, £4.8bn for 2021/22 and £7.1bn for 2022/23 compared to 2019/20 funding levels. This announcement has provided a level of financial certainty for schools in the short term.

The illustrative 2020/21 funding for Lincolnshire primary schools in comparison to 2019/20 funding levels show overall school gains of 6.8% or £0.054m. Illustrative funding for Lincolnshire secondary schools show overall gains of 4.2% or £0.157m.

Subject to affordability (and subsequent scaling to a maximum of +0.5%), schools will receive a minimum of +1.84% in per pupil funding through the 2020/21 funding arrangements. Those losing schools through the national funding formula due to their historic funding levels will not see a reduction in per pupil funding due to the government's positive minimum funding guarantee of +0.5% to +1.84%.

Schools are required to respond to pupil number and pupil characteristic changes, which is currently the case for schools.

Appendices

These are listed below and attached at the back of the report	
Appendix A	Schools National Funding Formula consultation document and school responses

Background Papers

Document title	Where the document can be viewed
National Funding Formula for Schools – update for 2020/21 (Schools Forum – item 5): 10 October 2020	https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=166&MId=5319&Ver=4
Schools National Funding Formula - Announcement	https://www.gov.uk/government/publications/national-funding-formula-tables-for-schools-and-high-needs-2020-to-2021
Schools Funding Arrangements (Schools Forum – item 83): 24 January 2019	https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=166&MId=5316&Ver=4
Schools Funding Arrangements (Schools Forum – item 5): 18 January 2018	https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=166&MId=5160&Ver=4
National Funding Formula for mainstream schools: 10 January 2018	Decision paper: I014788

This report was written by Mark Popplewell, Head of Finance, who can be contacted on 01522 553326 or mark.popplewell@lincolnshire.gov.uk.

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To: The Chair of Governors and Headteachers of all Lincolnshire maintained schools and academies

22nd November 2019

Dear colleague

**Mainstream Schools National Funding Formula 2020/21
Lincolnshire County Council's consultation with all maintained schools and academies**

The purpose of this letter is to communicate the launch of the Local Authority's consultation on mainstream schools funding with all of the county's maintained schools and academies in light of the government's funding announcement this autumn on the national funding formula proposals for 2020/21.

The government first introduced the national funding formula in 2018/19 for mainstream schools. Since its introduction, Local Authorities have continued to be responsible for agreeing and calculating schools funding allocations, however Local Authorities were strongly encouraged to move to the national funding formula arrangements so that schools' allocations were on a sensible trajectory towards the full formula.

The introduction of the national funding formula was to create consistency in funding across all schools nationally ensuring a fairer settlement for each school. To enable a managed transition to take place nationally, the government adopted a funding floor and ceiling approach to enable incremental steps for schools to move towards the full formula allowing for a financially sustainable re-distribution of funding across the country.

The Local Authority Primary and Secondary Units of pupil funding used to finance the Schools block of the Dedicated Schools Grant which calculates mainstream schools budgets continue to rise in monetary value through the transition to the full national funding formula. Although sector unit funding levels are below the England average, Lincolnshire's position nationally has improved when making comparisons. Lincolnshire's primary unit value has increased by £373 from 2018/19, and Lincolnshire's secondary unit by £346.

	Lincolnshire's Unit of Funding	England National Average	Difference	Rank
Primary	£4,184	£4,337	-£153	62
Secondary	£5,279	£5,606	-£327	52

Lincolnshire County Council consulted schools and academies in November 2017 on the Local Authority's proposals to replicate the government's national funding formula in 2018/19 for mainstream schools, and support the direction of travel to adopt the government's full national funding formula. The Local Authority funding formula proposals and responses from schools

were considered at the Schools Forum and Children and Young Peoples Scrutiny committee meetings, before the Executive Councillor on the 10 January 2018 gave approval to replicate the schools national funding formula for 2018/19.

In 2019/20, Lincolnshire's mainstream primary and secondary schools continue to receive funding using the same formula factors and monetary values as the national funding formula, alongside the government's agreed funding floors and ceilings approach.

On 30 August 2019, the Prime Minister announced an investment of over £14bn in primary and secondary education between 2020/21 and 2022/23. The funding package for schools (aged 5 to 16) includes £2.6bn for 2020/21, £4.8bn for 2021/22 and £7.1bn for 2022/23 compared to 2019/20 funding levels.

The announcement of additional funding for mainstream schools and national funding formula changes require Local Authorities to engage in an open and transparent consultation on their 2020/21 funding formula. The Local Authority is therefore consulting with its local schools, academies and Schools Forum on its proposed schools funding formula changes for 2020/21.

The policy documents released in September and October 2019 by the department can be found from the links below.

[Schools Revenue Funding 2020 to 2021 Operational Guidance](#)

[NFF - Schools Block Technical Note](#)

The latest Schools Forum paper on the national funding formula was presented on the 10th October 2019:

[National Funding Formula for Schools - Update for 2020/21](#)

On 14 November 2019, an email was sent to maintained schools and on the 18 November 2019 to academies advising them of the Local Authority's intention to conduct this consultation exercise. The Local Authority has worked through the government national funding formula announcements and guidance documents, including technical notes released in October 2019. The technical notes have enabled detailed modelling work to be undertaken by the Local Authority to understand the government's proposed changes.

The timescales for consulting are tight (with a deadline of 13 December 2019) due to the lateness in the government releasing the national funding formula technical information and datasets; the requirements for the Local Authority to table the outcomes of the consultation for consideration at the Schools Forum (16 January 2020) and Children's & Young Peoples Scrutiny Committee (17 January 2020) before a final decision is made by the Portfolio Holder on the 21 January 2020. The Local Authority is required to submit the agreed funding formula for 2020/21 based on the latest October 2019 census information to the Education & Skills Funding Agency (ESFA) by the 21 January 2020 for approval. The deadline for confirming schools budgets is the 29 February 2020.

The Local Authority is consulting on the proposal to continue replicating the national funding formula in 2020/21. There are a series of questions that schools are asked to respond to that will help shape the formula for 2020/21. As part of the consultation exercise, the ESFA requires Local Authorities to illustrate the likely financial impact of its proposals upon individual schools. This is enclosed within the supporting documentation, which is based on the schools October

2018 census data (due to the October 2019 census data not being available at this time), and the 2019/20 baseline information for illustrative funding purposes. The financial impact upon individual schools will depend upon the combination of decisions that are finally taken and the schools October 2019 census information. The position will of course be clear when final budgets for 2020/21 are published by the 29 February 2020.

To ensure openness and transparency, and to aid schools' understanding, the Local Authority has provided a sufficient level of detail (including links to government pages) and illustrative school allocations to assist schools in this process, and to help schools respond to the consultation by completing and returning the enclosed proforma by 13 December 2019.

Yours sincerely

A rectangular box containing a handwritten signature in black ink. The signature appears to read 'M. Popplewell'.

Mark Popplewell BSc (Hons) FCCA
Head of Finance – Children's Services
Lincolnshire County Council

MAINSTREAM SCHOOLS NATIONAL FUNDING FORMULA 2020/21

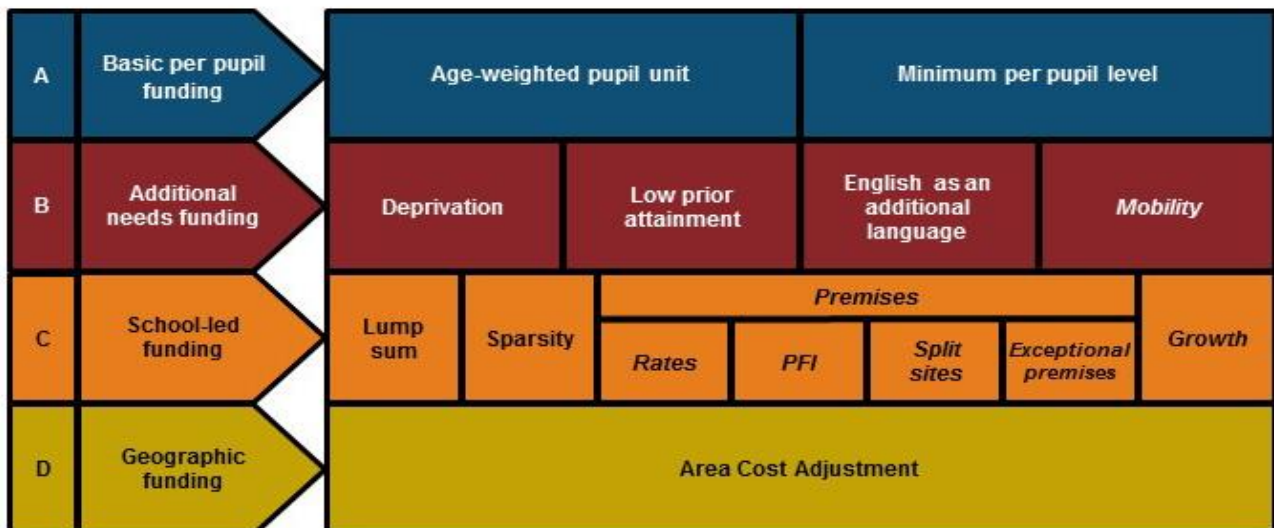
LINCOLNSHIRE COUNTY COUNCIL'S CONSULTATION WITH ALL MAINTAINED SCHOOLS AND ACADEMIES

Background

The government first introduced the mainstream national funding formula plan in 2018/19. The government plan has been to transition to the national funding formula through a 'soft' approach in the periods 2018/19 to 2020/21, whereby Local Authorities continue to be responsible for calculating schools funding allocations.

The overall Schools block funding is determined at a Local Authority level by the government's national funding formula by calculating notional budgets for each school. Local Authorities have been encouraged to move towards the national funding formula so that schools' allocations are on a sensible trajectory towards the move to the full formula.

The government's building blocks of the schools national funding formula continue to include the following for 2020/21:



The key points from the government's schools national funding formula announcement for 2020/21:

- Each Local Authority will continue to set the local schools formula for 2020/21 except for the minimum per pupil funding levels.
- As a move towards the 'full' formula for 2020/21, the DfE are proposing to make the minimum per pupil funding levels a mandatory factor in Local Authorities local formula.
- The minimum per pupil funding levels will be set at £3,750 for primary schools (currently £3,500) and £5,000 for secondary schools (currently £4,800). The primary level is planned to rise to £4,000 in 2021/22.
- All pupil-led formula factors will increase by 4% in monetary value. Exceptions to this include the free school meals factor, which will increase at the rate of inflation to broadly reflect actual costs.
- Premises funding, namely, rates will continue to be allocated to Local Authorities on the basis of actual spend in 2019/20.
- There will be no gains ceiling cap in 2020/21. All schools will attract at least their full allocations under the formula. This is a positive outcome for gaining Local Authorities like Lincolnshire, since a number of schools gaining through the national funding

formula had funding gains capped¹. To ensure affordability Local Authorities will still be able to use a cap in their local formula.

- The LA has flexibility to set the Minimum Funding Guarantee (MFG) between +0.5% and +1.84%. The current MFG is 0%.
- A schools' funding floor baselines will use the national funding formula allocations in 2019/20 in line with the MFG methodology.
- A new formulaic approach will be applied to the mobility factor from 2020/21. Schools will only start to trigger funding if the proportion of mobile children exceeds 6% of the schools' pupil numbers, and will only receive funding above this threshold. Lincolnshire will start to receive mobility funding from 2020/21 through the NFF.

Please refer to page 13 for the national funding formula factors monetary amounts planned for 2020/21 and page 14 refers to those in place for 2019/20.

Please note. The DfE has recently undertaken a Call for Evidence exercise relating to the funding for young people with special educational needs and disabilities in schools & colleges. The government's introduction of the national funding formula did not address notional SEN and targeted funding, therefore the exercise is intended to shape schools SEN funding going forward. Lincolnshire County Council contributed to this exercise, and schools were also encouraged to participate in this review also. It is anticipated that any planned changes will not come into place until 2021/22.

¹ Using 2019/20 funding arrangements, Lincolnshire schools overall would be set to receive an increase in funding of £5.272m (primary schools: £4.534m and secondary schools: £0.738m) from removing the gains ceiling cap.

CONSULTATION QUESTIONS – PRIMARY AND SECONDARY MAINSTREAM SCHOOLS

Enclosed within the supporting documentation is the schools illustrative financial impact based on the proposals of adopting the government's national funding formula (NFF) changes for 2020/21. The illustrative funding for schools is based on the schools October 2018 census data (due to the October 2019 census data not being available at this time), and the 2019/20 baseline information. The financial impact upon individual schools will depend upon the combination of decisions that are finally taken and the updated schools October 2019 census information. The position will be clear when final budgets for 2020/21 are published by the 29 February 2020.

Gains Ceiling Cap

To ensure the affordability of the NFF, the government previously applied transitional protection by way of a percentage cap for schools gaining in pupil-led funding. Schools gaining in pupil-led funding against its 2017/18 baseline had been limited to 3.00% in 2018/19 and 6.09% in 2019/20 in per pupil gains to enable incremental steps for schools to move towards the full formula allowing for a financially sustainable re-distribution of funding across the country.

The government has announced that there will no gains ceiling cap in 2020/21. The Schools block funding determined at a Local Authority level by the government's formula will ensure all schools attract at least their full allocations under the NFF. This is a positive outcome for Lincolnshire schools. Lincolnshire schools overall were gaining through the introduction of the government's NFF, however a number of schools increases in funding were being limited by the gains ceiling cap². By adopting a no gains ceiling cap, gaining schools will not be financially disadvantaged due to their historic funding position, and will from 2020/21 be funded at a fairer level that is consistent with comparable schools across the country.

Question 1

Do you agree that the Local Authority should adopt the government's proposal of allowing all mainstream schools to attract at least their full allocations under the NFF by having no percentage gains ceiling cap in 2020/21?

Yes / No

² Using 2019/20 funding arrangements, Lincolnshire schools overall would be set to receive an increase in funding of £5.272m (primary schools: £4.534m and secondary schools: £0.738m) from removing the gains ceiling cap.

If the answer is **no**, please outline the reasons why, the desired per-pupil percentage gain in 2020/21, and where funding should be redirected to (for example, increase the monetary amount of formula factors, such as the age weighted pupil unit funding, ensure the minimum funding guarantee is maintained at +1.84%).

School responses	Schools' comments	Local Authority comments	The Local Authority's latest proposal
Primary: 34 Yes 100% No 0% Secondary: 14 Yes 100% No 0%	No primary or secondary school comments received.	All responding schools supported the proposal that mainstream schools should attract at least their full allocation under the NFF. The approach will create consistency in funding across all schools ensuring a fairer settlement for each school.	The Local Authority's proposal is to adopt the government's approach of all mainstream schools attracting at least their full allocation of the NFF by not applying a gains ceiling cap in 2020/21.

Mobility Factor

The government has introduced a new formulaic approach to the mobility factor from 2020/21. The mobility factor in the NFF is intended to support schools that have a high proportion of pupils joining the school mid-way through the academic year. Schools will only start to trigger funding if the proportion of mobile children exceeds 6% of the schools' pupil numbers, and will only receive funding above this threshold. The measure counts pupils who entered a school during the last three academic years, but did not start in August or September (or January for reception pupils).

The Local Authority does not have a mobility factor presently within the local funding formula, and has not previously been in receipt of funding from central government for this factor. From 2020/21, Lincolnshire will start to receive mobility funding through the NFF.

A select number of schools across Lincolnshire are impacted by mobile pupils, however it was previously concluded that the cost for mobile pupils was small (c.£150 per pupil) and due to the government's previously set threshold of 10% before funding is received for those pupils

above this level, the funding going out to schools would be minimal and would be offset by a reduction in another formula factor to fund it. The mobility funding will however be new monies coming into Lincolnshire designed to be targeted at this pupil group.

The mobility factor is an optional funding formula factor.

Question 2

Do you agree that the Local Authority should adopt the government's new mobility factor in 2020/21?

Yes / No

If the answer is **no**, please outline the reasons why and where the funding should be re-distributed through the NFF.

School responses	Schools' comments	Local Authority comments	The Local Authority's latest proposal
<p>Primary: 34</p> <p>Yes 100%</p> <p>No 0%</p> <p>Secondary: 14</p> <p>Yes 93%</p> <p>No 7%</p>	<p><u>Primary</u></p> <ul style="list-style-type: none"> No primary school comments received. <p><u>Secondary</u></p> <ul style="list-style-type: none"> One school would like the monies to be distributed across all schools to benefit as many Lincolnshire pupils as possible. The reason being the lower than average funding levels received by Lincolnshire schools. 	<p>Of the schools that responded to the consultation, only 1 school (or 2% of respondents) did not agree to adopt the new mobility factor.</p> <p>The illustrative mobility funding for schools is £0.700m for primary (average of £4,862 for each eligible school) and £0.176m for secondary (average of £9,767 for each eligible school) in 2020/21. Devolving funding on a per pupil level would trigger an increase of only £9.13 per pupil.</p> <p>Although the funding distributed through this route nationally is low, the government has recognised the importance of supporting schools financially for the additional cost incurred through mobile pupils, which the Local Authority supports.</p>	<p>The Local Authority's proposal is to adopt the government's new mobility factor in 2020/21 through triggering additional funding (£875 primary and £1,250 secondary) for the proportion of mobile children exceeding 6% of the schools' pupil numbers.</p>

Minimum Funding Guarantee

The Local Authority is currently required to set a minimum funding guarantee³ (MFG) per pupil between minus 1.5% and 0% against the schools existing per pupil baseline. The 2019/20 MFG level is 0%, which is protecting all schools against per pupil funding reductions through the implementation of the NFF.

The government has announced in 2020/21 that Local Authorities have the flexibility to set an MFG between +0.5% and +1.84%. A decision is required to set the level of MFG for 2020/21.

Question 3

Do you agree that the Local Authority (subject to affordability) should adopt the government's proposal of a +1.84% MFG per pupil protection in 2020/21?

Yes / No

If the answer is **no**, please outline the reasons why and the level of MFG to be set at, and where the funding should be re-distributed through the NFF.

School responses	Schools' comments	Local Authority comments	The Local Authority's latest proposal
Primary: 34 Yes 97% No 3% Secondary: 14	<u>Primary</u> <ul style="list-style-type: none"> One school made representation that schools receiving MFG protection will continue to receive higher per pupil values, therefore moving further away from the NFF. 	Of the schools that responded to the consultation, only 3 schools did not agree to adopt the NFF MFG rate of 1.84% (subject to affordability). Those responding schools do make a valid point that by the government applying a positive MFG means those schools receiving protection funding in 2019/20 will move further away from the	The Local Authority's proposal is to adopt (subject to affordability) the government's proposal of a +1.84% MFG per pupil protection in 2020/21.

³ To protect schools from significant budget reductions, the minimum funding guarantee (MFG) ensures that no school loses more than a certain percentage per pupil compared to its prior year per pupil budget. A negative MFG allows school budget reductions to be set in a more sustainable way.

<p>Yes 86% No 14%</p>	<p><u>Secondary</u></p> <ul style="list-style-type: none"> Two schools represented views that a number of schools are receiving more funding than the NFF levels due to their historic funding levels. By having a positive MFG will mean they continue to receive more per pupil funding than the NFF, which does not represent fair and equitable funding, and should be equalised over time. 0.5% at least should be applied. 	<p>NFF and be in receipt of more funding per pupil than equivalent schools.</p> <p>This however is a national matter, and in time the government will need to bring those schools onto the NFF. Since all schools will attract at least their full allocations under the NFF in 2020/21, the gaining schools are no longer being penalised by the phased national redistribution of funding, which is important to recognise.</p> <p>It is important that schools rising costs are recognised for 2020/21, however those schools in receipt of MFG funding should be prudently planning for reductions in per pupil funding in the future as they transition downwards to the NFF funding levels, as this is unlikely to be financially sustainable for the government and does not follow the key principles of the NFF of fairness and equity.</p> <p>It is hoped the government provide schools with a medium term financial settlement to aid future financial planning.</p>	
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Affordability

It is crucial that the overall funding delegated to schools is affordable based on the allocation made through the Schools block of the Dedicated Schools Grant to the Local Authority from central government. There remain a number of uncertainties that impact affordability.

- The Local Authority Primary and Secondary Units of funding used to finance the Schools block, which schools calculations are based on, are based on the previous years' data / characteristics. This therefore does not take account of up to date pupil characteristics and any associated costs that are used to fund the new year school funding allocations. Such cost differences have to be managed within the Schools block.
- Growth funding for planned reorganisations is allocated to Local Authorities using a formulaic approach based on the growth in pupil numbers between the October 2018 and October 2019 censuses. The government's growth funding applies a lagged approach rather than forecasting future growth expected, which does create financial uncertainty when meeting planned school growth future needs.
- The DfE continues to use historic spending to finance some school formula factors e.g. premises, such as rates adjustments. This time lag does not take account of current year rises in costs (particularly for rates' rises) therefore such cost increases have to be managed within the existing funding levels, for example, 2020/21 government allocated rates funding uses schools published rates funding for 2019/20, which is based on the 2018/19 rates value.

Question 4

If affordability is an issue in setting schools budgets for 2020/21 based on the government's Schools block Local Authority allocation, do you agree that the MFG (referred to in Question 3) is reduced (to a maximum of +0.5%) to make it affordable?

Yes / No

If the answer is **no**, please outline the reasons why and how the funding shortfall is to be addressed, such as apply a percentage gains ceiling cap; reduce the monetary amount of age weighted pupil unit funding; other, etc.

School responses	Schools' comments	Local Authority comments	The Local Authority's latest proposal
Primary: 34 Yes 91% No 9%	<u>Primary</u> <ul style="list-style-type: none"> • The affordability of the School block is for the Local Authority to solve. • A review of all services should be considered if the 	Of the schools that responded to the consultation, only 6 schools (or 13%) did not agree with adjusting the MFG rate of 1.84%. The Local Authority's view it is the fairest approach to reduce the MFG rather than	The Local Authority's proposal is to scale the reduction of the MFG (to a maximum of +0.5%) to make the Schools block affordable to fund schools budgets.

<p>Secondary: 14</p> <p>Yes 79%</p> <p>No 21%</p>	<p>government's proposal of a +1.84% MFG per pupil protection in 2020/21 cannot be met.</p> <p><u>Secondary</u></p> <ul style="list-style-type: none"> • Agreed that affordability should be managed within the MFG range (from +0.5% to +1.84%) and scaled accordingly. • Reductions to the +1.84% MFG should only be reduced if the formula proves to be unaffordable. • The +1.84% MFG is more advantageous and clearer to schools. If reductions are needed to cope with rates rises for example, other factors should be reduced to meet the savings needed. 	<p>other alternatives, namely applying a gains cap, or reduction in pupil-led formula funding.</p> <p>The Local Authority is required to ensure the overall schools funding is within the Schools block allocation for Lincolnshire. The only budget activities within the Schools block are the delegated schools funding through its budget shares and the Schools Growth fund, which is governed by a policy.</p> <p>The MFG application is to support those schools per pupil funding levels above the government's NFF. Schools currently in receipt of MFG will be aware of the future risk of manageable reductions in funding being placed on them as they transition towards to the NFF. The government's approach currently is an increase to all schools per pupil funding.</p>	
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Rates Funding

Within the current funding formula, schools receive initial rates funding based on their actual rates bill from the prior financial year.

Local Authorities can make adjustments to rates funding during the financial year, but it must be undertaken outside the funding formula. The Local Authority currently undertake this rates funding adjustment through requesting each autumn term for information on the actual rates bills. The adjustment ensures the actual rates bill matches the rates funding the school receives.

The Schools Forum supported the Local Authority's proposal to earmark monies to fund the 2020/21 rates adjustment from the Dedicated Schools Grant underspend. No future years funding commitments have however been made available for the rates adjustment. Schools will therefore be required to meet this rates adjustment cost from 2021/22.

Question 5

Do you agree that the Local Authority should apply the rates adjustment in 2020/21 to schools funded through the Dedicated Schools Grant underspend?

Yes / No

If the answer is **no**, please outline the reasons.

School responses	Schools' comments	Local Authority comments	The Local Authority's latest proposal
Primary: 34 Yes 97% No 3% Secondary: 14 Yes 100% No 0%	<u>Primary</u> <ul style="list-style-type: none"> The Dedicated Schools Grant underspend is being distributed carefully to support all schools. Two schools would like the rates adjustment funding to continue beyond 2020/21. <u>Secondary</u> <ul style="list-style-type: none"> The collection of rates funding for schools is a long-winded mechanism. 	Of the schools that responded to the consultation, only 1 school (or 2% of respondents) did not agree to adopt the in-year rates adjustment in 2020/21. The funding adjustment in addition to the schools initial rates funding they receive through the NFF is funded through temporary underspends. This therefore cannot be sustained on an ongoing basis, however funding is committed for 2020/21 for this rates adjustment.	The Local Authority's proposal is to apply the rates adjustment in 2020/21. No commitment is being made beyond 2020/21 for in-year rates adjustments.

Private Finance Initiative (PFI) schools

Lincolnshire has three PFI primary schools that were built in the early 2000s. The PFI contractual commitments are in place until 31 August 2032. The contractual commitments to finance these ongoing costs are funded through a government grant, and the Central Schools Services Block (CSSB) of the Dedicated Schools Grant funds the remainder known as the PFI 'affordability gap'. The schools pay for building related activities provided by the contractor for caretaking, cleaning, repairs and maintenance for example, through their delegated budget shares.

The CSSB funds the Local Authority ongoing responsibilities and historic commitments for its schools. The government has previously indicated that historic commitments funding should reduce as contracts come to an end. From 2020/21, the government's intentions were to reduce the historical commitments funding allocations where Local Authorities expenditure has not reduced to support its drive towards the move to the full national funding formula. Funding levels for historic commitments from 2020/21 remained unclear until the government confirmed its position last month. To the Local Authority's surprise, the government plan to reduce the historic commitments funding by 20%. The Local Authority is challenging this position since this historic contractual commitment does not cease until August 2032.

The government has set its intentions with the planned funding reduction, therefore to ensure this financial risk is mitigated and a sustainable approach is adopted, the Local Authority is proposing to create a PFI funding formula factor for these three primary schools by reinvesting the available central budget. The Local Authority had set a prudent PFI budget in 2019/20 in anticipation of the government's intentions of reducing historic commitments funding.

The purpose of this PFI factor is to provide additional funding to these three schools to meet the devolved PFI affordability gap and unavoidable costs to be charged. There will be no cost implications from this proposal for these schools. By creating the PFI formula factor, the government will fund the current funding distributed going forward including uprating funding in line with inflation, using RPIX.

Question 6

Do you agree that the Local Authority should create a new PFI formula factor for the three PFI primary schools to meet its affordability gap and unavoidable costs?

If the answer is **no**, please outline the reasons why.

School responses	Schools' comments	Local Authority comments	The Local Authority's latest proposal
<p>Primary: 34</p> <p>Yes 85%</p> <p>No 6%</p> <p>N/A 9%</p> <p>Secondary: 14</p> <p>Yes 71%</p> <p>No 21%</p> <p>N/A 7%</p>	<p><u>Primary / Secondary</u></p> <ul style="list-style-type: none"> The financial impact of the three PFI schools needed to be understood further. One of the three primary PFI schools responded to the consultation, and they supported the Local Authority proposal. <p><u>Secondary</u></p> <ul style="list-style-type: none"> If the current arrangement cannot continue, and the PFI formula factor does not affect all other schools, we would agree with the proposal. 	<p>Of the schools that responded to the consultation, only 5 schools (or 11% of respondents) did not agree to the Local Authority's proposal to adopt a new PFI formula factor. 4 schools provided no answer to the question.</p> <p>To mitigate the financial risk by creating a sustainable approach, the PFI funding formula factor will be funded by reinvesting the available centrally held budget.</p> <p>The schools PFI factor will provide additional funding to these three schools to meet the devolved PFI affordability gap and unavoidable costs to be charged. There will be no cost implications from this proposal for these schools.</p>	<p>The Local Authority's proposal is to create a new PFI formula factor for the three PFI primary schools to meet its affordability gap and unavoidable costs to the contract end date of 2032.</p>

HOW TO RESPOND

The consultation closes on 13 December 2019. Schools are asked to complete the proforma attached (as this will aid the collation and analysis of responses which needs to be completed within a tight timescale) and email it to the following address with the email titled 'Schools National Funding Formula Consultation Response':

schools_finance@lincolnshire.gov.uk

Should you have any queries regarding these proposals, schools are to address correspondence to the above email account with the email titled 'Schools National Funding Formula Query' for the Schools Finance Team to respond to.

As indicated at the beginning of this document, the results of this consultation exercise will be reported to various groups. That information will also be made available to all schools.

A handwritten signature in black ink on a light-colored rectangular background. The signature appears to read 'M. Popplewell'.

Mark Popplewell BSc (Hons) FCCA
Head of Finance – Children's Services
Lincolnshire County Council

Proposed National Funding Formula – 2020/21

Formula Factors	Primary Rates		Secondary Rates	
<u>Basic per-pupil funding</u>	KS1 & 2	£2,857	KS 3 KS 4	£4,018 £4,561
<u>Additional needs funding</u>				
Ever 6 FSM		£560		£815
Current FSM		£450		£450
IDACI F (Between 0.2 and 0.25)		£210		£300
IDACI E (Between 0.25 and 0.3)		£250		£405
IDACI D (Between 0.3 and 0.35)		£375		£535
IDACI C (Between 0.35 and 0.4)		£405		£580
IDACI B (Between 0.4 and 0.5)		£435		£625
IDACI A (Between 0.5 and 1)		£600		£840
Low Prior Attainment		£1,065		£1,610
English as an additional language		£535		£1,440
Mobility		£875		£1,250
<u>School-led</u>				
Lump Sum		£114,400		£114,400
Sparsity (NFF)		£26,000		£67,600
Primary Minimum Per Pupil Funding Level		£3,750		£5,000

Funding for premises factors such as Rates, Split-site and Rents will continue in line with the current year.

National Funding Formula – 2019/20 (for comparison purposes)

Formula Factors	Primary Rates		Secondary Rates	
<u>Basic per-pupil funding</u>	KS1 & 2	£2,746.99	KS 3 KS 4	£3,862.65 £4,385.81
<u>Additional needs funding</u>				
Ever 6 FSM		£540		£785
Current FSM		£440		£440
IDACI F (Between 0.2 and 0.25)		£200		£290
IDACI E (Between 0.25 and 0.3)		£240		£390
IDACI D (Between 0.3 and 0.35)		£360		£515
IDACI C (Between 0.35 and 0.4)		£390		£560
IDACI B (Between 0.4 and 0.5)		£420		£600
IDACI A (Between 0.5 and 1)		£575		£810
Low Prior Attainment		£1,022		£1,550
English as an additional language		£515		£1,385
<u>School-led</u>				
Lump Sum		£110,000		£110,000
Sparsity (NFF)		£25,000		£65,000
Primary Minimum Per Pupil Funding Level		£3,500		£4,800

Open Report on behalf of Heather Sandy, Interim Director of Children's Services Education

Report to:	Lincolnshire Schools' Forum
Date:	16 January 2020
Subject:	Early Years National Funding Formula

Summary:

The purpose of this report is to:

Provide a summary of the Early Years National Funding Formula for 2020/21. Detail the funding distribution for early years providers in Lincolnshire in 2020/21.

Seek agreement for the Local Authority's proposals relating to the allocation and distribution of the centrally retained budgets.

Seek support for the Local Authority's proposal to release one-off underspends from the Early Years block to the sector in 2020/21 only to improve sector performance.

Recommendation(s):

Schools Forum is asked to:

1. Note the content of the report.
2. Agree the local authority's proposals for centrally retained funding.
3. Support the Local Authority's proposal to release one-off underspends from the Early Years block to the sector in 2020/21 only.

Background

Since its introduction in April 2017, the government's Early Years National Funding Formula (EYNFF) has set the hourly funding rates that each Local Authority is paid to deliver the universal and additional entitlements for 3 and 4 year olds.

The government has applied a 'minimum funding rate' of at least £4.30 per hour to Local Authorities in 2019/20. A government announcement has recently been made to uplift the minimum funding rate by £0.08 per hour for 2020/21. This will see the vast majority of Local Authorities receiving a rate increase of this value.

The starting point for calculating the 2020/21 rates are the EYNFF rates before protections are applied – Lincolnshire's hourly rate is £4.16 before such projection. Rates are then uplifted from this starting point by £0.08. The government then top up all rates to an increased minimum funding floor of £4.38.

The government provides Local Authorities with six relevant funding streams which together form the Early Years block of the Dedicated Schools Grant (DSG).

These are:

- the early years universal entitlement for 3 and 4 year olds;
- the early years additional entitlement (30 hours) for 3 and 4 year old children of eligible working parents;
- supplementary funding for Maintained Nursery Schools;
- the Early Years Pupil Premium (EYPP);
- the Disability Access Fund (DAF), and
- the early years entitlement for disadvantaged 2 year olds.

The additional entitlement (30 hours) for working parents of 3 and 4 year olds has seen a steady trajectory in uptake during the first 2 years of implementation.

National Funding to Local Authorities for Early Years Core Funding

The formulaic approach to funding Local Authorities 3 and 4 year old entitlement uses early year's factors of 'base rate' funding and 'additional needs' factors before applying an area cost adjustment. Lincolnshire will be funded at the minimum funding rate in 2020/21 which is rising to £4.38 per pupil per hour, which is an £0.08 per pupil per hour increase from 2019/20 funding levels. Lincolnshire is one of 46 out of 149 Local Authorities funded on the minimum funding rate. The national average hourly rate across Local Authorities is £4.94 per pupil through the formulaic rate.

Lincolnshire's hourly funding rate of £4.38 per pupil will provide indicative funding of £35.614m for 3 and 4 year old entitlement. This is made up of the universal 15 hours early years entitlement funding of £25.197m, and the additional 15 hours for 3 and 4 year old children of eligible working families of £10.417m.

The early years funding of £35.614m for Lincolnshire is indicative, since final funding allocations for 2020/21 will continue to be based on 5/12th of January 2020 pupil numbers (to cover the April 2020 to August 2020 period) and 7/12th of the January 2021 pupils numbers (to cover the September 2020 to March 2021 period). Indicative allocations are presently based on the January 2019 census information.

Overview: Early Year's National Funding Formula (EYNFF) to Providers and Schools

The EYNFF continues to require Local Authorities to have a local universal rate across all types of providers, which was a significant shift away from the previous arrangements where cost differences between different types of providers were recognised.

Since the introduction of the EYNFF, Local Authorities have received supplementary funding for maintained nursery schools (MNS) on top of their EYNFF allocation. This is to protect their MNS funding at their 2016-17 level for

the universal 15 hours. Supplementary funding for MNS will continue to be allocated to Local Authorities in 2020/21 at their 2019/20 supplementary funding rate. The government has however not confirmed MNS funding beyond 2020/21.

The supplementary funding rate is the difference between the 'provider equivalent rate' and the 2016/17 MNS baseline.

Other key requirements to the EYNFF for funding providers and schools:

- a single local universal base rate for delivering early years entitlement for both the universal 15 hours and the additional 15 hours for working parents;
- to pass-through at least 95% of 3 and 4 year old funding directly to providers;
- must have a mandatory deprivation supplement in the local 3 and 4 year old funding formula, and any other supplements used must fall within one of the allowable categories;
- must ensure that no more than 10% of the total value of planned funding for 3 and 4 olds goes through supplements funding;
- must have a Special Educational Needs Inclusion Fund for 3 and 4 year olds;
- to pass on Early Years Pupil Premium (EYPP) in full to providers for eligible 3 and 4 year olds, and
- to pass on Disability Access Fund (DAF) funding in full to providers for eligible 3 and 4 year olds.

The DfE will monitor compliance with the above through Section 251 (s.251) returns.

The following DSG Early Years block funding streams are not included in the 95% pass-through calculation:

- funding for the entitlement for disadvantaged 2 year olds;
- payments to MNS from the MNS supplementary funding allocation;
- the Disability Access Fund (DAF), and
- the Early Years Pupil Premium (EYPP).

Lincolnshire's Early Years Funding Formula

When determining the local universal rate per hour, it was important that it is underpinned with detail and that justification can be provided on how the rate is determined.

The Local Authority adopted the following approach:

- Develop a typical cost model approach, based on agreed staffing ratios and setting characteristics.
- The typical cost model considers all activities it takes to provide early years entitlement and costs these.

The theoretical funding model approach was recommended as best practice to Local Authorities by the government when the early year's single funding formula was first established in 2011/12.

For background information, the theoretical model that determined the local universal rate was based on the following:

- A Private, Voluntary & Independent (PVI) sector delivery model. The early year's entitlement is delivered substantially by the PVI sector, therefore the Local Authority has modelled the prescribed local universal rate per hour on a PVI model.
- The staffing ratio is based on a 1 to 8 ratio. The model includes a graduate leader and three nursery assistants for 24 children delivering 15 hours. The graduate leader does not deliver the free entitlement, but supports the operations by being a supernumerary to underpin the delivery of quality provision.
- The government's direction of travel is to increase the national living wage up to £9 per hour. For 2020/21, the national living wage will be £8.72 per hour. The government confirmed that they had previously 'front loaded' funding into Local Authority funding levels for national living wage rises, therefore the Local Authority did built this £9 per hour rate within the formula for nursery assistants in preparation for the rate increasing over the coming years. This should provide extra flexibility for providers until the rate reaches that level.
- The graduate leader starting salary assigned to the teacher main scale 1 pay scale.
- Staffing costs include both employer national insurance and employer pension contributions for providers. Employer pension contribution costs have been based on the full basic salary cost of the staff member using a 5% contribution. This is in excess of the current percentage threshold level of 3% prescribed by the government.
- An increase in costs has been included in the 2020/21 funding formula as a result of the qualified staff pay increase using the Local Authority Teacher's main salary pay scale.
- The roles of staff have been analysed to assess how many hours are required to support the delivery of the free entitlement, e.g. in terms of set up time, SENCO support, administration, etc. This has then been costed up at the appropriate rates of pay.
- The model supports inclusive practices for children working within the graduated approach to meeting the needs of children with identified delays in the prime areas of learning.
- Non-staffing costs have been analysed in detail to ensure that these are funded adequately, e.g. play equipment, administration services, subsidised training rate, etc. Non-staffing costs include rental costs sourced from a Local Authority partner specialising in this area, which are based on a 52 week agreement.

The key components of Lincolnshire's early years funding formula builds quality within the model, and considers current and potential cost pressure, e.g. pension auto-enrolment and the national living wage. The new hourly rate is expected to provide financial capacity in the delivery of 3 & 4 year old entitlement.

The 2020/21 hourly rate has been determined at the following level:

Local universal base hourly rate per pupil	£3.98
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The hourly rate will increase by £0.11 per hour per pupil in 2020/21. This has been funded by the additional £0.08 increase announced by the government; a release of funding to the universal base rate from the reduction in deprivation allocations determined through the IDACI criteria in 2019; a small reduction in funding previously earmarked for the fluctuation contingency fund to respond to the demand-led nature of the participation-led funding, and a reduction in centrally-held funding.

The government funds Local Authorities through a January snapshot, which is a different methodology to funding providers on a participation-led basis through monthly payments. From reviewing historic participation-led data, it has been identified that the level of contingency funding to meet any additional demand above the January average can be reduced, however it is not able to be removed fully due to the risk associated with funding based on a snapshot measure.

The local universal base rate will fund the direct delivery of early year's entitlement. The same hourly rate will be applied for the additional hours for working families up to 30 hours. Funding to the sector will continue to be based on participation. The term participation refers to both the number of children accessing the free entitlement along with the number of hours being taken up (i.e. up to the agreed entitlement level) across the agreed funding period. Funding for 2020/21 will be based on monthly data returns made by providers during the summer 2020, autumn 2020 and spring 2021.

Supplements

The Local Authority will continue to only use the mandatory Deprivation Supplement.

Providers have been requested to complete a monitoring form to provide details of how funding has been utilised to understand the impact the deprivation supplement has had in 2019/20.

In July 2018, the Secretary of State for Education explained that 28% of children finish their reception year still without the early communication and reading skills they need to thrive. The ambition is to cut that number in half over the next ten years. Tackling this must be a shared priority, as explained further here:

<https://www.gov.uk/government/speeches/education-secretary-sets-vision-for-boosting-social-mobility>. The Local Authority has advised providers to consider this when determining the use of the deprivation supplement funding.

A review of summer term 2019 deprivation monitoring forms has identified a lack of understanding regarding the most vulnerable children attending. The Local Authority is planning to propose a change to the way deprivation funding is allocated to providers in future, using a child-led approach to support the effective use of this funding. The Local Authority plans to engage with the sector during 2020/21 with a view of implementing changes from 2021/22.

Deprivation supplement

In 2020/21, the Local Authority will continue to use the same deprivation factor and deprivation monetary values that are currently in place in 2019/20. The provider survey undertaken identified 81% of respondents supported the continued use of the government's Income Deprivation Affecting Children Index (IDACI) measure. The Local Authority will continue to provide advice on its use and monitor its effectiveness in settings. This approach will allocate £0.982m through the deprivation funding formula in 2020/21.

The IDACI deprivation measure determines the probability of a child coming from a deprived area, using the child's postcode. For example, a child with an IDACI score of 0.2 has a 20% chance of coming from a deprived area; a child with an IDACI score of 0.8 has an 80% chance of coming from a deprived area. The IDACI pupil information has been taken from the October 2019 funding claims. A monetary sum per pupil is assigned to the deprivation bands 1 to 6. Only pupils with an IDACI score of 0.2 or above will trigger deprivation funding, therefore targeting funding at those children deemed to be more deprived.

The following table shows the deprivation scores and associated funding:

Table 1

Deprivation Band	IDACI Score lower limit	IDACI score upper limit	Funding Per Pupil
1	0.2	0.25	£150
2	0.25	0.3	£300
3	0.3	0.4	£450
4	0.4	0.5	£600
5	0.5	0.6	£750
6	0.6	1.0	£900

The October 2019 data collection information and IDACI 2019 datasets have been used to determine the 2020/21 annual deprivation funding allocation.

SEN Inclusion Fund

Local Authorities are required to have SEN inclusion funds for all 3 and 4 year olds with special educational needs (SEN) who are taking up the free entitlements, regardless of the number of hours taken. This funding is intended to support the Local Authority to work with providers to address the needs of individual children with SEN.

In Lincolnshire, the SEN Inclusion Fund has been reviewed in line with the national guidance and is available through an application process.

The universal base rate is provided to meet the needs of children, including those with mild additional needs which are able to be met within the graduated approach and provision that is routinely available.

The inclusion funding model provides a top up payment based upon a percentage increase of the universal base rate, for every hour the child attends the setting for their early years entitlement (up to a maximum of 30 hours based on a child's eligibility). A two-tier approach which comprises 50% top up for emerging 1 needs and 100% top up for emerging 2 needs has been in place since the review in 2017/18.

The rates for 2020/21 are as follows:

- Emerging 1 needs - £1.99
- Emerging 2 needs - £3.98

The planned funding allocation using the current protocol is being increased by £0.050m for financial year 2020/21 to £0.650m per annum, to account for the increased demand for this funding, which represents £0.080 per pupil per hour.

Fluctuation Contingency Fund

Local Authorities are able to hold back funding to act as a contingency fund, this is to support the Local Authority to fund providers throughout the year. Early years funding to Local Authorities is funded based on 5/12th of January 2020 pupil numbers (to cover the April 2020 to August 2020 period) and 7/12th of the January 2021 pupils numbers (to cover the September 2020 to March 2021 period), which is a different methodology to funding providers on a participation-led approach on a monthly basis. The government approach to funding Local Authorities identifies the January count as the average across the year, however local participation may not replicate this. The Local Authority is required to fund all participation-led funding and therefore a fluctuation contingency fund is required to meet any additional demand above the January average that may occur during the academic year and to avoid overspends occurring on this budget.

The annual budget of £0.129m is required, which equates to £0.016 per pupil per hour.

Local Authority Centrally Retained Funding

£1.491m

The government requires Schools Forums to agree 2020/21 central spend for early years by the 28 February 2020. The Local Authority has conducted its annual review of DSG budgets.

The Department for Education (DfE) places a number of statutory duties upon Local Authorities in relation to the provision of support for Early Years Education and Childcare provision. In order for the Local Authority to fulfil these duties, the Early Years and Childcare Support team provides a range of support services across the sector. This support was redesigned to meet the reducing levels of resources available to Local Authorities and was implemented in 2016. The support available includes direct face to face support; the delivery and commissioning of subsidised training; information advice and guidance, and special educational needs and disabilities (SEND) support to early years providers across the sector e.g. PVI, childminders, schools and academies.

In light of the regulations, the following budgets require Schools Forum approval:

Early Years Entitlement (EYE) Team

£261,122

The EYE team ensure the effective delivery of the Early Years Entitlement funding for 2, 3 and 4 year olds including the 30 hours entitlement, EYPP, MNS supplements, DAF and Inclusion Funding. This ensures all childcare providers in Lincolnshire receive timely and accurate payments for the delivery of the early year's entitlement. The team manages the system and processes while providing advice, support and guidance to all settings to deliver the offer effectively. The team works closely with other teams including Performance and Finance to ensure providers receive the support they need. Resource levels for this area of work have been maintained to enable us to deliver the expectations and requirements set out by national policy including the move to a monthly payment system. The number of early year's providers delivering funded education places continues to rise and there are currently 690 providers of which 51 are schools and 32 are academies registered to deliver EYE places in Lincolnshire.

Securing Sufficient, Sustainable Provision

£218,616

The government places a duty on Local Authorities to secure sufficient childcare, so far as is reasonably practicable, for working parents, or parents who are studying or training for employment, for children aged 0-14 (or up to 18 for disabled children). To ensure there is sufficient, accessible, and affordable provision available to support families, the Local Authority continues to monitor the market place and support providers to offer additional places where demand is identified.

Following publication of the Local Authority's annual sufficiency report, where any gaps are identified, the team of development consultants work with the sector to address the needs of local families. The team supports expansions and new provision where needed and encourages providers to take a sustainable business approach to place planning, this includes signposting providers to external resources to support them with future sustainability. This team supports the delivery of capital funding applications, investments, lease and rent agreements and governance arrangements where it is needed across Lincolnshire. Due to the on-going concerns from the sector regarding sustainability, business management, advice and financial planning will become a key part of the work going forward.

EYFS Quality Improvement, Support, Advice

£786,494

Changes to the statutory duty placed on Local Authorities in September 2014 means that all new early years providers are able to deliver the early years entitlement upon opening. This supports the Local Authority to meet its sufficiency duty, however the Local Authority is responsible overall for the outcomes of the Ofsted inspection. A programme of support is in place to give new providers the best chance of achieving a good or better judgement at their next inspection and thus maintaining a sufficient supply of good quality funded childcare places.

For providers with a "less than good" Ofsted outcome there are bespoke targeted quality support programmes made available in line with the Early Education and Childcare Statutory guidance for Local Authorities (June 2018).

In addition to this the statutory EYFS framework requires the EYFS profile assessment to be carried out in the final term of the year in which a child reaches age 5, and no later than 28 June in that term. The main purpose of the EYFS profile is to provide a reliable, valid and accurate assessment of individual children at the end of the EYFS. In summer term 2020, the Local Authority has the responsibility to undertake EYFS profile external moderation visits and this will be coordinated and managed by the early years quality improvement team. The outcomes for Lincolnshire children at the end of the foundation stage is below the national average and that of our statistical neighbours. In order we do the best for all of our children, this team works with the sector and schools to ensure the provision available is providing children with the best opportunities to reach their full potential, increasing their life chances as they transition to school and then move from reception to year 1.

Workforce & Training Requirements for the Sector

£147,748

Lincolnshire commissions and provides a comprehensive programme of courses at a subsidised fee to assist the sector to fulfil EYFS and Ofsted requirements, and to provide and maintain high quality provision. The training includes a range of face to face events and e-learning modules to support the learning styles of users and ensures training is accessible. Following positive feedback from the sector there will be face to face best practice days delivered free of charge each term, with a thematic approach to the events. This will reduce barriers to learning, contributing to the delivery of improved practice across the county in order that we underpin the professional development of the sector.

SEND Local Offer

£76,999

The government required all Local Authorities to establish an SEN inclusion fund following the introduction of the revised funding formula to provide top up grants to providers to support the county's children identified as having an additional need. As part of Lincolnshire's SEND Local Offer, early years inclusion funding supports the government's strategy by enabling early intervention and removing barriers to learning faced by children with SEND. The system and process for the allocation of inclusion funding has been fully reviewed and a new system implemented, in conjunction with a review of the funding allocations for children attending early years with a significant and profound SEND as assessed through the Education, Health and Care Plan assessment process. The continued co-ordination and oversight of this is within a dedicated post with management oversight.

Summary of central spend

The proposed funding to be centrally retained for all those services detailed above, that directly support the early years sector in the delivery of early years entitlement is £1.491m. This represents 4.19% of the overall early years funding of £35.614m.

This is below the threshold of 5% and a further reduction of 0.28% compared with 2019/20.

Lincolnshire therefore meets the pass-through threshold of ensuring that at least 95% of early years funding is passed onto providers in the form of the local universal base rate; mandatory deprivation funding; inclusion funding, and fluctuation contingency fund. We have achieved this level of central costs reduction by redistributing the resources and allocating responsibilities differently across the management team. The outcome is that the Improvement Advice and Sector Support functions have been brought together under one Lead Advisor for Support and Improvement and will work with the Lead for Professional Development and Workforce to support and improve the quality of provision and practice across the county. You will note that the allocation to each of the elements has changed since last year however we feel this better targets the resources available to the Local Authority while maintaining the level of support to the sector with a focus on increasing the capacity of staff and targets resources at the areas of need.

Lincolnshire's Early Years Funding Distribution for 3 and 4 year olds

Table 2

Activities	Overall Funding	Hourly Rate
3 and 4 year old funding for 15 hours early years entitlement	£25.197m	£4.38
3 and 4 year old funding for additional hours for eligible working families	£10.417m	£4.38
Total Funding	£35.614m	£4.38

Activities	Spending Plan	Hourly Rate Converted
Local Universal Basic Rate	£32.362m	£3.980
Deprivation Funding	£0.982m	£0.121
Inclusion Fund	£0.650m	£0.080
Fluctuation Contingency Fund	£0.129m	£0.016
Total Spending Plan for passing onto providers	£34.123m	£4.197
Centrally Retained Funding for Direct Early Years Services	£1.491m	£0.183
Total Spending on Early Years Activities	£35.614m	£4.38

Key government criteria met:

- Pass-through funding of 95.81% to providers in 2020/21.
- The value of all supplements and provider delegations (outside the local universal base rate), as a percentage of the total value of planned formula funding to providers is below the 10% threshold at 5.16%.

Release of one-off underspends from the DSG underspend

The Schools Forum considered the funding commitments of the DSG underspend in October 2019 from the year-end position of 31 March 2019. The Schools Forum supported the Local Authorities proposals for the remaining sum of £5.954m to be not committed against and held in reserves due to the level of financial risk facing the overall DSG, in particular the High Needs block.

The recent announcement of £700m extra for High Needs block funding is welcomed news for Local Authorities to ensure funding levels are more aligned to spending commitments, as a result of the growth and complexity of pupils requiring additional support. Lincolnshire's provisional allocation in 2020/21 is £93.027m, a rise of £7.730m from the 2019/20 funding of £85.297m. Although the trajectory of high need spending is a concern, the funding announcement has responded to this in 2020/21, and with a number of Local Authority high needs related reviews taking place and remaining reserves, the Local Authority plan to respond to an emerging challenge.

The Early Years block underspend in 2018/19 (£1.803m) contributing to the overall underspend in that year due to the Local Authority benefiting from the January snapshot methodology from the growth in the extended hours, which formed part of the overall DSG underspend at 31 March 2019. The Local Authority is seeking Schools Forum support to the proposal of releasing c.£1.000m of the DSG underspend to the early years sector during the financial year 2020/21 through a temporary rate increase of £0.12 per hour per child, which is in addition to the 2020/21 established local universal base hourly rate per pupil of £3.98. Providers will receive this funding based on their 3 & 4 year old participation hours throughout 2020/21. This temporary funding only relates to the financial year 2020/21, therefore providers should budget to receive the local universal base rate per pupil in future years.

The financial sustainability of the DSG continues to remain paramount, however the Local Authority feel that the welcomed additional funding being invested by the government in 2020/21 allow the Local Authority to respond directly to the poorer performance outcomes for Lincolnshire children at the end of the foundation stage compared to national averages and that of our statistical neighbours. This additional one-off funding will give providers greater resources to provide the best opportunities for Lincolnshire pupils to reach their potential, and increase their life chances as they transition in to school. The Local Authority will be providing guidance on how it expects providers to invest these one-off monies to improve performance outcomes and embed practice.

Disability Access Funding (DAF)

The Local Authority must comply with the provisions of the Equality Act 2010 in finding suitable provision for eligible disabled children.

The Disability Access Fund (DAF) was introduced in April 2017 to support disabled children's access to the 3 and 4 year old entitlements. Providers receive £615 per eligible child per year. The funds can be used to support providers in making

reasonable adjustments to their settings and / or helping with building capacity, be that for the child in question or for the benefit of children as a whole attending the setting.

Children do not have to take up their full early education entitlement in order to receive the DAF. Children will be eligible where they take up any period of free entitlement and receive Disability Living Allowance.

Early years providers are responsible for identifying eligible children and are encouraged to notify the Local Authority using the online Early Years Provider Hub to ensure they receive funding at the earliest opportunity.

Early Years Pupil Premium (EYPP)

The Early Years Pupil Premium (EYPP) gives providers additional funding to support disadvantaged 3 and 4 year olds. The EYPP remains distinct from the EYNFF.

Local Authorities will continue to fund all providers with eligible children at the national rate of £0.53 per pupil per hour for 38 weeks up to a maximum of 570 hours (or £302.10 per year). In the small number of cases where a child is also eligible for the additional 15 hours entitlement for working parents, EYPP is paid on the universal 15 hours only, up to a total of 570 hours in the year.

2 Year Old Funding

Lincolnshire's funding for the most disadvantaged 2 year olds in 2020/21 has increased by £0.08 per hour to £5.28 per hour per child.

Lincolnshire's indicative allocation for 2020/21 is £5.395m.

There is no 'pass-through requirement' for 2 year olds as s.251 data demonstrates that the vast majority of such funding is already being passed through to providers. There are no compulsory supplements for 2 year olds, and Local Authorities are encouraged to fund providers on the basis of a flat hourly rate for all providers. In addition, Local Authorities are not required to establish a SEN Inclusion Fund for 2 year olds.

Fluctuation Contingency Fund

The Local Authority has retained funding for a contingency fund before determining the funding rate to providers to avoid overspends occurring on this budget.

The 2 year old entitlement does not replicate the same participation trends across the year in the same way as the 3 and 4 year old entitlement, therefore the January census count that determines the level of funding to Local Authorities is not always representative of the allocations made to providers for 2 year old participation. In fact, Lincolnshire's analysis continues to identify an increase in take up in the summer and autumn terms, but a lower take up in the spring term. It is therefore necessary to hold back funding to act as a contingency fund for fluctuations in

Consultation

a) Have Risks and Impact Analysis been carried out?

No. Funding increase per hour per child planned for 2020/21.

b) Risks and Impact Analysis

N/A

Background Papers

Document title	Where the document can be viewed
Early Years National Funding Formula (Technical Note 2020/21)	https://www.gov.uk/government/publications/early-years-funding-2020-2021/early-years-national-funding-formula-technical-note-for-2020-21
Early Years National Funding Formula Operational Guidance 2019-20	https://www.gov.uk/government/publications/early-years-national-funding-formula-allocations-and-guidance
Early Education and Childcare Statutory Guidance (June 2018)	https://www.gov.uk/government/publications/early-education-and-childcare--2

This report was written by Michelle Andrews Head of Early Years, who can be contacted on 01522 553269 or michelle.andrews@lincolnshire.gov.uk and Mark Popplewell, Head of Finance – Children's Services, who can be contacted on 01522 553326 or mark.popplewell@lincolnshire.gov.uk

Open Report on behalf of Heather Sandy, Interim Director Children's Services Education

Report to:	Lincolnshire Schools' Forum
Date:	16 January 2020
Subject:	Progress Report on the Building Communities of Specialist Provision Strategy

Summary:

The purpose of this report is to provide Schools Forum with an update on the implementation of the Building Communities of Specialist Provision Strategy, approved by Executive Council on 6 November 2018. The report summarises the progress made within the Capital Programme and in all supporting system areas.

Recommendation(s):

Schools Forum is asked to note the contents of this report.

Background

In March 2017, the DfE announced the High Needs Strategic Review, instructed all Local Authorities (LA) to review provision for pupils with SEND in order to ensure that there are sufficient good school places which meet the changing needs of pupils with SEND. The review required LA's to work in close collaboration with special schools and parent and carer groups to co-produce a strategic plan which delivers sustainable, good quality provision to meet current and future needs.

Locally, Education Leaders recognised significant challenges within the existing provision and all agreed that the status quo could not remain. Increased demand on a limited number of school places, excessively long journeys for a significant number of pupils, the potentially detrimental impact of some Out of County placements on families and the need for significant improvements to some special school buildings have all led to sector leaders identifying the need for change.

A shared response was required to these significant challenges and collaboration of School Leaders and the Parent/Carer Forum was identified as the foundation for developing an effective solution. With a commitment to developing a sustainable, inclusive and localised special education system, Special School Leaders, Lincolnshire Parent Carer Forum (LPCF) and the LA co-produced the Building

Communities of Specialist Provision Strategy and have formed a collaboration to oversee the strategy's implementation (Lincolnshire SEND Alliance).

In November 2018, the Executive granted approval to implement the Building Communities of Specialist Provision Strategy. Implementation of this strategy commenced in January 2019 and will take place over the next five years with the final school changes being made in September 2024. This date differs from the original proposed completion date due to the outcome of DfE decision making around the proposed new free school, which will be outlined later in this report.

Once fully implemented, the strategy will make significant changes to the existing special education provision, creating an integrated and sustainable school system where pupils can attend their nearest special school, confident that their education and health needs can be fully met.

In order to achieve this ambition, the strategy will provide a locality-based, sector-wide approach to special education which will enable all special schools to meet the wide range of needs of pupils within their local community. As existing special schools are designed to meet specific designations of need, each school has obtained approval to change its designation to enable them to meet All Needs. In addition, the strategy will significantly increase the special school estate to address existing overcrowding issues and the growing demand, through capital investment to support expansion, in line with projected need. The allocated capital investment will be utilised to improve premises and facilities, enabling each school to offer places to pupils from within their local communities with All Needs.

All special schools have committed to making significant changes to the type of need catered for and expansion where this has been identified and these are outlined in the strategy. All 14 Special Schools will be able to meet “all needs” once fully implemented.

Progress Update

1. Capital Programme

This report provides an update on the first year of delivery of the capital programme. The majority of schemes are still in their infancy with feasibility and early stages of design being the focus for the first cohort of schools. Corporate Property is delivering this element of the strategy and LCC directorates are working closely in partnership with schools and contractors to bring each scheme to fruition.

An overview of the capital programme timeline can be viewed in Appendix A.

Boston John Fielding School

In line with projected need, the new Boston John Fielding School will provide a specialist education for 140 students, providing an increase of 84 special school places for children and young people with SEND in the Boston area. A site located adjacent to the current Boston St Nicholas Primary School has been identified as the location for the new school. Development work between LCC, the Contractor

and the Academy Trust has commenced to ensure the school design will deliver a suitable building which will ensure all needs provision can be delivered.

Feasibility and design for this scheme has been undertaken and planning permission was approved in November 2019. The Contractor will begin work on site in early 2020, with the new building due to be completed by June 2021, for September 2021 opening.

Please see Appendix B for an image of the new school building.

In preparation for planning, pre-planning engagement sessions for local residents and families of children attending both The John Fielding School and St Nicholas Primary School was held. In addition, families with children who live in Boston but attend a special school other than The John Fielding School were invited to raise awareness of the plans and future additional places. Responses from the event were included in the planning application.

Bourne Willoughby School

In line with projected need, Bourne Willoughby School will expand to a capacity of 148 on its existing site, providing an additional 68 special school places. Building plans include a new classroom block, some internal remodelling, enhanced car parking facilities and improvements to school bus drop off and pick up.

Feasibility and design for this scheme has been completed and planning permission submitted with the outcome expected in January 2020. If approved, the Contractor is forecasting to be on site from Spring 2020 and completing all works by June 2021.

In preparation for planning, a pre-planning engagement session was held for local residents, staff and families of children attending Bourne Willoughby School. In addition, families with children who live in Bourne area but attend a different specialist school were invited to raise awareness of the plans and future additional places. Responses from the event were positive and have been included in the planning application.

The Eresby School, Spilsby

In line with projected need, The Eresby School, Spilsby will benefit from remodelling and redevelopment which will enable a minimum of 84 pupils with all needs to attend this school.

Feasibility and design for this scheme has been completed, which will provide the school with a new teaching block and some internal remodelling. It will also benefit from a new entrance that will allow a one way flow of traffic to significantly enhance the drop off and pick up of pupils and increase parking numbers for staff and visitors.

Planning permission has been submitted with the outcome expected in early 2020. If approved, the contractor will be on site from Spring 2020 and completing works

by June 2021. A pre-planning engagement session was held October 2019 which generated support from students, families and local residents alike and all responses included in the planning application.

St Lawrence School, Horncastle

In line with projected need, St Lawrence School will be expanded to provide spaces for an additional 70 pupils on the existing site.

Feasibility and design for this scheme are due to be completed in early January 2020, with the school benefitting from a new teaching block and significant internal remodelling. It will also benefit from enhanced parking and drop off and pick up facilities.

It is intended that all proposed works at St Lawrence School will be completed by December 2021, enabling the school to be operational from January 2022.

St Bernard's School, Louth

In line with projected need, St Bernard's School will benefit from an expansion to enable a minimum of 100 pupils to be educated on the existing site.

A feasibility report has been produced which proposes the demolition of a defunct boarding block in the centre of the school and replaced with new teaching accommodation. The Short Breaks provision sited at St Bernard's School will be retained during the project.

It is intended that this scheme will be completed by August 2022.

Lincoln Free School/ Lincoln St Christopher's School

Lincolnshire's application for a new special free school submitted to the Department for Education in October 2018 was unsuccessful. This information was received by the LA in March 2019 and, as a result, it has been necessary to consider all alternative options available, to create increased specialist school capacity for Lincoln City. An extensive options appraisal was undertaken and this report concluded that the most suitable option to ensure Lincoln City has sufficient special school places, is to expand the current Lincoln St Christopher's School over two sites, with a new capacity of 333 overall. In order to ensure adequate space and facilities for this number of pupils, it would be necessary to develop a new primary facility on a second site (proposed to be the former Usher School site, Skellingthorpe Road) with a capacity of 130 and provide extensive remodelling and development to the existing St Christopher's School to create a secondary provision with a capacity of 203.

As this involves an LA maintained school, Lincolnshire County Council is both the proposer and the decision maker of any significant changes. In October 2019, Executive Councillor approved a recommendation to proceed to Statutory Notification and Representation Period for formal consultation, which was held in October and November 2019. The outcome of the consultation and subsequent

recommendations will be presented to Children and Young People's Scrutiny Committee for consideration on 17th January 2020 before proceeding to Full Council for final decision on 4th February 2020.

Subject to approval, it is intended that the primary school will be completed by September 2022. The existing school will then be remodelled to provide secondary education. It is anticipated that all the works will be completed by September 2024. These dates represent a delay of up to 12 months due to the unsuccessful free school application and the requirement to reconsider and consult on a new proposal.

All other LCC delivered schemes will come on line as the implementation of the strategy progresses, as can be seen in Appendix A.

Community Inclusive Trust (CIT) Self Delivery Projects

The following schemes (excluding The Priory) have all received Condition Improvement Funding (CIF) from the Department for Education (DfE) and self-delivery by the Trust has been approved. The Local Authority has made an additional financial contribution to the self-delivery projects to ensure all needs can be met at all CIT Academies. Condition Improvement Funding for these schemes has been allocated for specific aspects of development, including the building of a hydrotherapy pool at the Sandon site. Additional LA funding was required to address the areas of development essential to meet all needs, which CIF monies were not permitted to address.

The Trust is working with Corporate Property to ensure their expansion plans are in accordance with the SEND strategy. Project Managers from LCC provide regular monitoring and support to these schemes.

Grantham Ambergate Sports College / The Sandon School

Projected need dictates a requirement for a minimum of 229 specialist school places in the Grantham area and the approved strategy cited that The Sandon School and Ambergate Sports College would become one school operating over two sites with sufficient places to meet all needs.

During the design phase, CIT identified that the two school sites were not large enough to deliver all needs provision for 229 pupils. An additional site in Grantham (Stornoway which is owned by CIT) was identified as a potential solution to the limited site size. A comprehensive options appraisal was undertaken which identified the development of a post-16 provision for Grantham, on the newly proposed site, allowing existing post-16 spaces to be used for primary and secondary education. This will ensure the Trust can meet all needs education for its pupils. Feasibility for this third site is currently underway and the Trust and LA will be considering the outcome in early 2020.

Expansion of the Ambergate Sports College site is due for completion in Spring 2020 with the developments at the Sandon school site due to be completed later in the year.

The Garth School / The Priory School, Spalding

CIT will also be self-delivering the development of The Garth School, Spalding whilst Corporate Property will be delivering the solution for The Priory School, Spalding as this is a more complex and costly scheme.

In line with the approved strategy, these two schools will become one operating over two sites with a capacity of 177. Both schemes are due for completion by September 2022. CIT have commenced feasibility for The Garth School whilst the implementation of The Priory scheme will commence in due course.

2. Children and Young People with Social Emotional and Mental Health Needs (SEMH)

In July 2019, a residential was held to progress the development of a clear strategy for the educational provision for children and young people with SEMH. This residential provided sector leaders with the opportunity to consider how far the approved strategy met the needs of this cohort and what, if any, additional provision is required to ensure pupils with a primary need of SEMH can fulfil their potential in Lincolnshire schools. The residential was well-attended and generated aspirational thinking and a strong sense of commitment to ensuring all SEMH needs can be met.

In response to the residential, all existing workstreams have been tasked to reconsider their original brief from the perspective of a child with SEMH and ensure their proposals can fully meet the needs of this cohort. A writing group has also been established to develop Lincolnshire's strategy for SEMH needs which will be developed in line with the already approved Building Communities of Specialist Provision Strategy. This group will develop a model of provision which ensures children and young people with SEMH can access education, health and care at the right time, in the right place, as close to home as possible.

These groups have been tasked to produce Lincolnshire's SEMH strategic vision and the committee will be updated of progress in due course.

3. Satellite Provision

The proposed model for satellite provision is being developed within the Design workstream. Representatives from mainstream and special education and LA Officers have collaborated to develop an aspirational model for satellite provision which will enable children and young people attending special school to have access to a wider curriculum and greater mainstream opportunities. The proposed model for satellite provision will also support greater transition from special school to mainstream school for those pupils who have the potential to achieve academic qualifications, with more tailored support.

The satellite workstream has been tasked with considering the possible utilisation of satellite provision for children and young people with SEMH needs. Once this

task is complete, a final paper will be submitted to the Project Board proposing the preferred satellite model for approval.

4. Community Led Panels

The Design workstream has been tasked with creating a mechanism for sector-led challenge to ensure that Lincolnshire children have access to the right education, health and care at the right time, in the right place as close to home as possible. At present, children and young people with SEND may be placed on Home Tuition or be educated in Out of County provision, as there are not enough school places or local special schools state that they cannot meet need. In order to ensure that this does not continue, it was agreed that each locality needed to ensure that all schools acknowledge ownership and responsibility for this group of children and should work together to ensure school places were available to all students as close to home as possible.

A model of delivery has been approved, namely the development of Specialist Community Led Panels for each locality to meet the needs of children and young people requiring a special school place at the right time as close to home as possible.

The panels will seek to identify a local special school place for the following cohort, through solution-focused discussion and peer challenge:

- A child/young person residing in Lincolnshire with an EHCP who is at the local special school setting but school states they are struggling to meet need.
- A child/young person has a recently finalised EHCP recommending specialist provision and, following consultation, the local special school feel unable to meet need.
- A child/young person has an EHCP and moves in from another area and local special school queries being able to meet need.
- A child/young person is identified as requiring an Out of County placement as local special school queries being able to meet need.
- A child/young person is at risk of permanent exclusion from a local special school.

This model is currently being reviewed to ensure that children and young people with SEMH needs are incorporated into Specialist Community Led Panels. A pilot of this panel is to be launched in the coming months.

5. Health

The Health workstream has sought to develop robust partnership working across the Local Authority, Health Trusts and Clinical Commissioning Groups to ensure an effective health offer can be provided to all special schools. This workstream has made significant progress in developing the health offer including the creation of a Memorandum of Understanding (MOU) between schools and health providers, setting out clear expectations around provision.

6. Specialist Equipment Contract

In order to ensure the most effective use of specialist medical and therapy equipment, all special schools have, in principle agreed to join the existing contractual arrangements held by the Local Authority with specialist equipment providers. This is currently under review, with financial implications for both special schools and the LA are being considered. The model being considered would require all special schools to agree a baseline contribution to the existing contract; this contribution is currently being analysed based on existing spending patterns and will be discussed further at the Special Schools Project Board.

7. Workforce Development

The Workforce Development workstream was established to develop a coordinated, sector-led approach to professional development to ensure all pupils with SEND can access a quality education in the right place, as close to home as possible. The group has been tasked with developing a learning model which can provide all school staff with access to a training framework for SEND, mapping existing SEND training provision to ensure they are aligned to the proposed framework and consider how recruitment and retention can be improved to support the increase in special school places.

A proposed model has been developed in collaboration with Learn and Inspire Teaching Schools, special and mainstream school leaders and key stakeholders. This model was considered by the July 2019 Project Board and further recommendations have been made. One key recommendation is to ensure all training needs around SEMH issues are included. The board also tasked the workstream to consider further evidence-based practice and quality assurance along with ensuring families have access to the training platform. The model is being reviewed to incorporate all recommendations and will be resubmitted to Project Board in due course.

Financial Context

Implementing the capital programme of works to ensure all special schools have the facilities and premises to meet all needs, with appropriate inflationary increases in line with a 5 year delivery plan, is projected to cost circa £50m. As surveys and requirements to the schemes progress, the financial needs are being regularly reviewed. Where variations to projected costs are identified, options are being considered, including how any potential increases can be financed. In a project of this magnitude there is ample opportunity to address building schedules to minimise any potential overspend and to seek additional funding opportunities.

Funding Allocations

Amount	Source
£25.1m	Maintenance Grant
£3.2m	Basic Need Grant
£0.84m	Internal Capital

£2.852m	DfE SEND Capital
£2.525m	Condition Improvement Fund (CIF)
£16.12m *	Future Basic Need Grant (* indicative)
£50.637m	

Source: Executive report dated October 2018

*The future basic need allocation is indicative at this stage, as allocations are only provided for the next 3 years. The amount determined is based on the LA capital return for 2021/22 and 2022/23 and final funding allocations will be subject to confirmation from central government.

The Council is firmly committed to implementing this strategy to improve the lives of pupils with SEND and their families whilst recognising there is a financial risk due to future basic need being indicative. All financial risks are understood, and the funding requirements have been identified through the LA capital return submission and are substantiated through the strategy to increase the special school estate by over 500 places.

The Academy Trusts within the strategy have committed to ensuring all future CIF bids are consistent with the vision outlined in the strategy and £2.525m has already been allocated through CIF funding. There are a number CIF bids submitted in this financial year's application process in line with the wider strategy.

Government treasury are expected to release further SEND capital opportunities over the coming year either through direct allocations or bidding rounds, which Lincolnshire will be wishing to explore.

As highlighted previously in this report, the LA's application for a free school was unsuccessful. Approval to capitalise £5m from the Dedicated Schools Grant revenue underspend has been granted through Schools Forum and a request has been submitted to the Secretary of State for this to occur. If approved, this allocation will be utilised to support the development of the new primary site for St Christopher's, facilitating sufficient special school places for the Lincoln area, with additional funding identified through Basic Need allocations once confirmed.

Revenue funding of £2m has been allocated to support the implementation of the SEND vision through the Dedicated Schools Grant reserve. These one-off brought forward monies will be utilised to develop the revenue elements of the strategy including implementation of the workforce development framework, and supporting schools with planned growth in places. Monies from this allocation will fund fixtures and fittings for 57 new classrooms costing approx. £527,000 with fixtures and fittings for all **new** non-teaching spaces still to be agreed. This allocation will also support the implementation of Specialist Community Led Panels (SCLP) and Satellite provision based on approved models from the Design workstream. At present, only the model for the SCLP's has been approved and, once piloted, confirmed financial requirements will be explicit.

Indicative costings for the workforce development model required for special schools have been established and once the model has been approved by Project Board, projected costs will be shared with Schools Forum.

It is recognised that, as with all school expansions, a planned reorganisation will need to take place through incremental increases in place numbers (tailored to each individual school) to ensure integration of pupils is sustained. This will be subject to a policy that is currently being developed by the LA. Government funding is lagged in funding special school places, therefore the LA will be required to support a funding gap, which the funding resource identified will facilitate. The Schools Forum will be updated on the spending attached to this allocation as the programme progresses.

Conclusion

In the initial implementation period, significant progress has been made across the capital investment programme with eight out of fourteen schools actively engaged in feasibility and design of their planned development. In accordance with the outlined programme, six schools will be all needs operational by Autumn term 2021 with at least two more schools coming on line in 2022. Whilst there has been a delay identified to the final delivery on St Christopher's School due to the unsuccessful special free school bid, the whole strategic vision will still be implemented in five years from approval as set out in the original strategy.

In order for all schools to be all needs operational, the identified support systems of workforce development, health offer and SEND design must be established in advance of the first all needs school opening. It is therefore essential that the proposed models developed by the workstreams come to fruition over the next academic year to ensure that are well-established and embedded into the system. The supporting systems have been developed collaboratively with sector experts from the Local Authority, mainstream and special schools and LPCF to ensure that they fully meet the needs of all Lincolnshire children with SEND and their families.

Consultation

The outcome of the consultation for the Building Communities of Specialist Provision Strategy was considered by Children and Young People's Scrutiny Committee in October 2018.

Further consultation regarding the proposed amendments to the strategy involving Lincoln St Christopher's School will be presented to Children and Young People's Scrutiny Committee in January 2020, following formal consultation on the aforementioned proposal.

a) Have Risks and Impact Analysis been carried out??

Risk and Impact Assessments for capital schemes are held with Corporate Property.

b) Risks and Impact Analysis

Appendices

These are listed below and attached at the back of the report

Appendix A Capital Programme Summary

Appendix B Design - Boston John Fielding School

Background Papers

Document title	Where the document can be viewed
Building Communities of Specialist Provision Strategy	SEND Project Office

This report was written by Eileen McMorrow, who can be contacted on 01522 552632 or Eileen.mcmorrow@lincolnshire.gov.uk.

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	2020				2021				2022				2023				2024			
	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec
Bourne Willoughby																				
Spilsby Eresby																				
Boston John Fielding																				
Lincoln St Francis																				
Grantham Sandon / Stornoway (CIT)																				
Grantham Ambergate (CIT)																				
Horncastle St Laurence																				
Louth St Bernards																				
Spalding Priory																				
Spalding Garth (CIT)																				
Lincoln St Christopher's (Primary)																				
Lincoln St Christopher's (Secondary)																				
Sosborton House																				

RIBA 1-4. Preparation, brief and design.

 RIBA 5 & 6. Construction and hand over.

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Open Report on behalf of Heather Sandy, Interim Director of Children's Services Education

Report to:	Lincolnshire Schools' Forum
Date:	16 January 2020
Subject:	School Admissions Appeal Charges for Maintained Schools

Summary:

When a child or young person is refused a place at a school, there is a right of appeal against the decision to refuse a place. Admissions authorities must provide appropriate paperwork and a presenting officer for the appeal and ensure there is an appropriate venue, clerk and trained panel to hear the appeal.

This right of appeal is the same whether the application is made for when a child traditionally starts at the school in Reception or Y7 or if the application is mid-year in any year group.

Academies can purchase this service from LCC (admissions team and Legal services) and currently there is sufficient capacity to meet demand. Not all academies use this service at present.

Currently, maintained schools do not pay for this service, which is historic and the Academy schools are invoiced retrospectively.

In 2018 the operational guidance for academies was updated to state that maintained schools and academies must be treated equally when it comes to the expenditure of DSB budgets (full details below) The payment of admissions appeals was identified as an anomaly and therefore the LA's cannot adopt a position of not charging maintained schools for appeals services but charging academies if financing through a Dedicated Schools Grant (DSG) funded budget.

A consultation occurred between 9 December 2019 and 10 January 2020 asking schools about their opinions on charging all schools for this service, inviting them to suggest alternative arrangements they see fit. These are discussed in Appendix A, alongside alternatives discussed prior to consultation by LCC officers.

If Schools Forum do not agree permission for School Admissions Appeals to be a chargeable service, they will need to consider how costs for all schools would be met, considering capacity limits under current structures and the implications for an alternative solution.

Recommendation:

It is recommended that representatives of maintained schools agree School Admissions Appeals services to be permitted as a chargeable service.

Background

Schools Admission Authorities are responsible for all matters regarding appeals, as outlined in the School Admissions Code (2014). This includes arranging an appeal with appropriate clerks and independent panel members, providing a statement concerning the decision and presenting the case at appeal (School Admissions Code 2012).

Lincolnshire Local Authority (LA) is the admissions authority for 2 of the 54 secondary schools in Lincolnshire and 158 of the 281 primary/infant/junior schools. These schools are not currently charged for any aspect of the appeals service (either from admissions or legal services). These appeals are financed through the centrally held DSG budget.

Admissions authorities are able to purchase appeal services from LA's (or any other agency) or are able to deal with these themselves providing that the requirements of the School Appeals Code (2012) are met.

Admissions authorities can purchase support with the schools case from the admissions team at LCC (written case and presenter at appeal) and all other support from Legal Services.

In 2014 The DfE consulted to make it possible for LA's to charge maintained schools for appeal services. This was due to the abolition of specific budgets provided to academies for admissions purposes which resulted in inequality between types of school.

The DfE now require that LA's must treat all maintained schools and schools that are their own admission authorities equally in respect of centrally retained DSG funding. In essence, if a LA holds funding through the Central Schools Services Block of the DSG to provide an admission appeals service without charging to community and voluntary controlled schools, they must also provide this service without charging academies, voluntary aided and foundation schools, although these schools may instead choose to make their own, self-funded arrangements.

When this was brought into effect, LA's could charge maintained schools Academies, voluntary aided and foundation schools could also buy back into an

appeals service provided by the LA if they wished to or to make their own arrangements. The Schools operational guidance was updated, stating:-

- 156.1. Local authorities should not be treating voluntary aided schools, foundation schools or academies, differently from maintained schools in the services they provide to them; this is set out in the DSG conditions of grant.
- 156.2. Schools such as voluntary aided schools, foundation schools and academies, cannot be charged for services that are provided free of charge to community and voluntary controlled schools, and paid for out of the centrally held DSG. For example, although admissions appeals are not a duty that the local authority holds in relation to all schools, we would still expect all schools to be treated fairly and equitably by the local authority.
- 156.3. This does not include funding that has been retained centrally from maintained school budgets only (as set out in schedule 2, parts 6 and 7), where some statutory duties relate to community and voluntary controlled schools only. However, in these situations authorities should not charge voluntary aided and foundation schools if requested to provide services to these schools and where there is no charge to community and voluntary controlled schools for the same service.

It is stipulated in the guidance that if a LA wished to make use of the additional flexibility [to charge for appeals], a change to the local scheme would be needed. LA's must consult all schools in their area and receive the approval of the members of their Schools Forum representing maintained schools.

In 2013/2014 during the funding reforms the £100,000 budget for appeals services for maintained schools was devolved to schools through the age weighted pupil unit funding (AWPU).

Academies can apply for funding through the ESFA to fund any appeals they receive after the first 20 appeals. They cannot apply for this if their LA does not charge for this service. Maintained schools cannot apply for this support.

Should this be agreed, there would not be change to practice with regard to admission appeals, however the school would be invoiced for the service retrospectively.

Alternatives were considered as outlined in Appendix A and the benefits and drawbacks of each are discussed. If agreement was not reached to allow this service to be chargeable to all schools then an alternative funding source would be required or additional funds allocated to school admissions to cover costs for all schools. Resources in relation to the capacity to provide all appeals services would also need to be carefully considered.

Conclusion

It is recommended that Schools Forum agree the LA's proposal for appeals to be charged for maintained schools so that LCC can ensure that practices fair and equitable as outlined in the above operational guidance. Consideration will be

given to any points raised by schools during the consultation period if permitted to charge schools for this service.

Consultation

The Lead Member and Director of Children's Services have been consulted.

The consultation was conducted between 9 December 2019 and 9 January 2020 and was communicated to all schools.

There were 11 respondents to the consultation, 10 from maintained schools and one from an academy school. One respondent was a secondary school, the remainder were primary school respondents.

One maintained school was in favour of agreeing the charge, two schools (one academy) did not express an opinion and the remaining eight schools do not agree to the consent for the charge.

The concerns were:

1. This would create cost pressures for the school and other services may have to be cut as a result (five schools).
2. The lack of ability to anticipate the number of appeals would make budgeting for this difficult (four schools).
3. Holding appeals in the school to save money is not fair to parents who have been denied a place at the school. (two schools).
4. The impact would be felt most (in their opinion) by small rural schools who couldn't use their school as a venue. These schools would have perhaps larger transport costs to cover than other schools (two schools).
5. Appeals due to a schools popularity when subject to infant class size restrictions should not be felt by the school (two schools).
6. Appeals due to place planning discrepancies should not be felt by the schools (one school).
7. Accepting students to avoid appeals would lead to larger classes and a decline in standards (one school).

a) Have Risks and Impact Analysis been carried out? Yes, this is attached at Appendix B.

b) Risks and Impact Analysis

There is no disproportionate impact on any group with protected characteristics.

Appendices

These are listed below and attached at the back of the report	
Appendix A	School Admissions options for charging appeals.

Background Papers

Document title	Where the document can be viewed
School Admissions Code (2014) -	https://www.gov.uk/government/publications/school-admissions-code--2
School Admissions Appeals Code (2012) -	https://www.gov.uk/government/publications/school-admissions-appeals-code
Operational Guidance for Academies –	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/767607/Operational_guide_2019_to_2020.pdf

This report was written by Emily Nicholls, who can be contacted on 01522 553304 or emily.nicholls@lincolnshire.gov.uk.

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Options considered for school appeals charging

3.1. Do Nothing:

Benefits

- There are no budgetary pressures or changes for schools.

Drawbacks

- School colleagues have enquired informally as to why there is a disparity between the information so this will likely be raised higher if no change occurs in the near future.
- Current practice is out of step with the operational guidance.

3.2. Consult with schools to consider charging all schools for appeals services.

Benefits

- Clear, equal and transparent as required by the operational guidance.

Drawbacks

- Own admissions authority schools with 20+ appeals would be liable for these costs. Academy schools can apply for assistance from ESFA.
- Schools not accustomed to paying this charge may experience budgetary pressure as a result.
- Due to the unpredictable nature of appeals this is difficult to budget for this cost appropriately, this is especially the case with midyear appeals.
- Maintained schools have no direct influence on the admissions policy, which is used county wide. LCC decisions about policy (e.g. whether to include nearest school as a criteria) may have a larger impact on the number of appeals for a school in one area than another.

3.3 Remove charges for all schools.

Benefits

- Clear, equal and transparent as required by the operational guidance.

Drawbacks

- Depending on the take up from academies, there is likely to become a resource issue for Legal Services with regard to availability of independent panel members, clerks and officers to undertake the administrative duties involved in organising appeals.
- LCC would face budgetary pressures as there is not sufficient funding currently to cover appeals for all schools. During the 2019 block appeal period, Legal Services received 425 secondary and 58 primary school appeals from academies which would have to be funded by the DSG. An alteration to the DSG apportionment for school admissions would likely be required.
- There are likely to be practical issues of an increased number of appeals and the timing of these during the block period. This may make it difficult for schools to be aware of pupil numbers arriving in the following September in a timely manner.
- Two staff members currently have appeals presenting and preparation of paperwork in their job description. Remaining demand is met by having a number of staff members who are paid an honorarium to complete the work. It may not be possible for the admissions team to meet demands with the staff available should demand for the service increase.
- As times, schools wish to operate refuse places to pupils even though those actions are against the schools policy or the School Admissions Code (2014). The school admissions team remind these schools of their duties but it is often only when the appeal is lodged that a school offers the place. There is little incentive for academy schools operating in this way to offer these places for mid-year admissions if they are not charged for appeals as a direction from secretary of state is often not appropriate. As the LA is the admissions authority for maintained

schools and can seek a direction much quicker, this rarely becomes an issue for maintained schools.

- As the LA has little influence over the policy of an academy school, appeals due to flaws in policy would still need to be covered by DSB if covering all appeals. This could be a high volume of appeals depending on the popularity of the school and the schools policy.
- Schools may be more willing to refuse places if not financing the appeal themselves. An increase in the number of midyear appeals would lead to longer periods out of school for potentially vulnerable students.
- Academy schools with more than 20 appeals will not be able to apply for funding through ESFA.

3.4 Develop a buy back service for schools to cover appeals costs (maintained and those who wish to participate).

Benefits

- Would be equal for schools wishing to participate as required by the operational guidance.
- Schools would not be exposed to large unexecuted costs due to a high number of appeals.
- Schools would be able to plan for these appeals costs

Drawbacks

- As above, reduced incentive for schools to accept pupils and many schools may force through appeal rather than accept LA advice if there is no financial charge.
- Schools who do not receive appeals are going to pay for a service they do not require. These are traditionally undersubscribed and therefore likely to receive less funding.
- Demand may exceed the amount that either Legal Services or school admissions can supply without additional resource if all schools opt in to the service.
- This is not an agreed de-delegatable charge.

3.5 Fund appeals for LA maintained schools appeals through an alternative source which is not DSG.

Benefits

- Legally complaint.
- Schools are not charged for decisions over which they have little influence.
- Incentive remains for schools to offer places up to PAN due to likelihood of successful appeals.
- There will be no change for maintained schools

Drawbacks

- Income source will be required and an appropriate source has not been identified.

Alternative suggestions made during the course of the consultation

All of these suggestions require Schools forum to agree to include admissions appeals as a chargeable service. They are included for information purposes.

Introduce a subscription charge for all schools so that the cost is spread across more schools which may or may not use the service.

- This is not an agreed charge which can be top sliced so this cannot happen (as above).

Allow schools to book slots in advance of appeals so that they can budget for appeals effectively.

- It is not possible to anticipate how many students will appeal during the block appeals season, or when they will lodge these appeals.
- There is not sufficient capacity to leave days free if they are not needed.
- Schools would potentially pay for slots that are not needed which would be an unnecessary cost.

Allow schools to set up own panels to reduce the cost.

- This would not be possible as the LA, as the formal admissions authority has a legal duty to ensure that panels and clerks are appropriately trained and this would not be possible if schools were to organise their own panels.

Cap amounts that schools can be charged for appeals to allow schools to budget effectively.

- This could happen, providing sufficient funding was retained centrally to cover this. It would be difficult to anticipate exact demand.
- Schools which do not currently use the service but are above the cap could wish to use the service which would cause capacity issues.
- If this charge were extended to mid-year admissions, there would be little incentive for academy schools to accept pupils once these appeals are not charged.

Introduce a discount for schools where the number of appeals per pupil exceeds a certain amount.

- This could assist schools with budgetary planning
- This could still cause demand issues as schools may wish for a reduced service.

Do not charge for infant class size appeals.

- As there are more admissions officers able to conduct these appeals, there may not be as much issue with being able to meet demand for these appeals.
- This would still require forum to agree the introduction of charges.
- Budgetary pressures may still be felt by those schools that do not operate to infant class size limits and it could be argued that this is not 'fair' as outlined in the guidance.

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Equality Impact Analysis to enable informed decisions

The purpose of this document is to:-

- I. help decision makers fulfil their duties under the Equality Act 2010 and
- II. for you to evidence the positive and adverse impacts of the proposed change on people with protected characteristics and ways to mitigate or eliminate any adverse impacts.

Using this form

This form must be updated and reviewed as your evidence on a proposal for a project/service change/policy/commissioning of a service or decommissioning of a service evolves taking into account any consultation feedback, significant changes to the proposals and data to support impacts of proposed changes. The key findings of the most up to date version of the Equality Impact Analysis must be explained in the report to the decision maker and the Equality Impact Analysis must be attached to the decision making report.

****Please make sure you read the information below so that you understand what is required under the Equality Act 2010****

Equality Act 2010

The Equality Act 2010 applies to both our workforce and our customers. Under the Equality Act 2010, decision makers are under a personal duty, to have due (that is proportionate) regard to the need to protect and promote the interests of persons with protected characteristics.

Protected characteristics

The protected characteristics under the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Section 149 of the Equality Act 2010

Section 149 requires a public authority to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by/or under the Act
- Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share those characteristics
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The purpose of Section 149 is to get decision makers to consider the impact their decisions may or will have on those with protected characteristics and by evidencing the impacts on people with protected characteristics decision makers should be able to demonstrate 'due regard'.

Decision makers duty under the Act

Having had careful regard to the Equality Impact Analysis, and also the consultation responses, decision makers are under a personal duty to have due regard to the need to protect and promote the interests of persons with protected characteristics (see above) and to:-

- (i) consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms,
- (ii) remove any unlawful discrimination, harassment, victimisation and other prohibited conduct,
- (iii) consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics,
- (iv) consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

Conducting an Impact Analysis

The Equality Impact Analysis is a process to identify the impact or likely impact a project, proposed service change, commissioning, decommissioning or policy will have on people with protected characteristics listed above. It should be considered at the beginning of the decision making process.

The Lead Officer responsibility

This is the person writing the report for the decision maker. It is the responsibility of the Lead Officer to make sure that the Equality Impact Analysis is robust and proportionate to the decision being taken.

Summary of findings

You must provide a clear and concise summary of the key findings of this Equality Impact Analysis in the decision making report and attach this Equality Impact Analysis to the report.

Impact – definition

An impact is an intentional or unintentional lasting consequence or significant change to people's lives brought about by an action or series of actions.

How much detail to include?

The Equality Impact Analysis should be proportionate to the impact of proposed change. In deciding this asking simple questions “Who might be affected by this decision?” “Which protected characteristics might be affected?” and “How might they be affected?” will help you consider the extent to which you already have evidence, information and data, and where there are gaps that you will need to explore. Ensure the source and date of any existing data is referenced.

You must consider both obvious and any less obvious impacts. Engaging with people with the protected characteristics will help you to identify less obvious impacts as these groups share their perspectives with you.

A given proposal may have a positive impact on one or more protected characteristics and have an adverse impact on others. You must capture these differences in this form to help decision makers to arrive at a view as to where the balance of advantage or disadvantage lies. If an adverse impact is unavoidable then it must be clearly justified and recorded as such, with an explanation as to why no steps can be taken to avoid the impact. Consequences must be included.

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Proposals for more than one option If more than one option is being proposed you must ensure that the Equality Impact Analysis covers all options. Depending on the circumstances, it may be more appropriate to complete an Equality Impact Analysis for each option.

The information you provide in this form must be sufficient to allow the decision maker to fulfil their role as above. You must include the latest version of the Equality Impact Analysis with the report to the decision maker. Please be aware that the information in this form must be able to stand up to legal challenge.

Background Information

Title of the policy / project / service being considered	Charging schools for School Admissions Appeals	Person / people completing analysis	Emily Nicholls
Service Area	Children's Services	Lead Officer	Matt Clayton
Who is the decision maker?	Schools Forum	How was the Equality Impact Analysis undertaken?	Desktop exercise, consideration of relevant legislation.
Date of meeting when decision will be made	16/01/2020	Version control	V 0.1
Is this proposed change to an existing policy/service/project or is it new?	Existing policy/service/project	LCC directly delivered, commissioned, re-commissioned or de-commissioned?	Directly delivered
Describe the proposed change	<p>The County Council has a statutory duty to have in place arrangements to organise appeals for Community and Voluntary Controlled schools for which it is the admission authority. Academy schools who wish to use the service pay the LA on a cost recovery basis for this service and maintained schools are not charged.</p> <p>The LA are asking the members of Schools Forum to agree that the service can be charged to all schools, rather than just non maintained schools from September 2020</p>		

Evidencing the impacts

In this section you will explain the difference that proposed changes are likely to make on people with protected characteristics. To help you do this first consider the impacts the proposed changes may have on people without protected characteristics before then considering the impacts the proposed changes may have on people with protected characteristics.

You must evidence here who will benefit and how they will benefit. If there are no benefits that you can identify please state 'No perceived benefit' under the relevant protected characteristic. You can add sub categories under the protected characteristics to make clear the impacts. For example under Age you may have considered the impact on 0-5 year olds or people aged 65 and over, under Race you may have considered Eastern European migrants, under Sex you may have considered specific impacts on men.

Data to support impacts of proposed changes

When considering the equality impact of a decision it is important to know who the people are that will be affected by any change.

Population data and the Joint Strategic Needs Assessment

The Lincolnshire Research Observatory (LRO) holds a range of population data by the protected characteristics. This can help put a decision into context. Visit the LRO website and its population theme page by following this link: <http://www.research-lincs.org.uk> If you cannot find what you are looking for, or need more information, please contact the LRO team. You will also find information about the Joint Strategic Needs Assessment on the LRO website.

Workforce profiles

You can obtain information by many of the protected characteristics for the Council's workforce and comparisons with the labour market on the [Council's website](#). As of 1st April 2015, managers can obtain workforce profile data by the protected characteristics for their specific areas using Agresso.

Positive impacts

The proposed change may have the following positive impacts on persons with protected characteristics – If no positive impact, please state 'no positive impact'.

Age	None - all would still have same right of appeal
Disability	None - all would still have same right of appeal
Gender reassignment	None. all would still have same right of appeal
Marriage and civil partnership	None – all would still have same right of appeal.
Pregnancy and maternity	None - all would still have same right of appeal.
Race	None - all would still have same right of appeal
Religion or belief	None – all would still have same right of appeal

Sex	None - all would have the same right of appeal..
Sexual orientation	None – all would have same right of appeal.

If you have identified positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

There is no impact on any particular group.

Adverse/negative impacts

You must evidence how people with protected characteristics will be adversely impacted and any proposed mitigation to reduce or eliminate adverse impacts. An adverse impact causes disadvantage or exclusion. If such an impact is identified please state how, as far as possible, it is justified; eliminated; minimised or counter balanced by other measures.

If there are no adverse impacts that you can identify please state 'No perceived adverse impact' under the relevant protected characteristic.

Negative impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below. If you have not identified any mitigating action to reduce an adverse impact please state 'No mitigating action identified'.

Age	None – all would have same right of appeal
Disability	None – all would have same right of appeal
Gender reassignment	None – all would have same right of appeal
Marriage and civil partnership	None – all would have same right of appeal.
Pregnancy and maternity	None – all would have same right of appeal

Race	None – all would have same right of appeal.
Religion or belief	None – all would have same right of appeal
Sex	None – all would have same right of appeal.
Sexual orientation	None – all would have same right of appeal.

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If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

There is no negative impact for a particular group.

Stakeholders

Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders)

You must evidence here who you involved in gathering your evidence about benefits, adverse impacts and practical steps to mitigate or avoid any adverse consequences. You must be confident that any engagement was meaningful. The Community engagement team can help you to do this and you can contact them at consultation@lincolnshire.gov.uk

State clearly what (if any) consultation or engagement activity took place by stating who you involved when compiling this EIA under the protected characteristics. Include organisations you invited and organisations who attended, the date(s) they were involved and method of involvement i.e. Equality Impact Analysis workshop/email/telephone conversation/meeting/consultation. State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics please state the reasons why they were not consulted/engaged.

Objective(s) of the EIA consultation/engagement activity

The EIA is a Desktop activity at this stage, based on assumptions, to ensure that any potential positive and negative impacts are clarified, any mitigating factors are identified, and that any limits imposed by legislative requirements are made clear. The EIA is a publicly available document

This consultation activity will identify, through the provision of specific questions relating to impact and mitigation, the level of support for/against and impact of a change to the published admission number for Gonerby Hill Foot, Edward Richardson and Helpringham Schools

Who was involved in the EIA consultation/engagement activity? Detail any findings identified by the protected characteristic

Age	None identified during course of consultation
Disability	None identified during course of consultation
Gender reassignment	None identified during course of consultation
Marriage and civil partnership	None identified during course of consultation
Pregnancy and maternity	None identified during course of consultation
Race	None identified during course of consultation
Religion or belief	None identified during course of consultation

Sex	None identified during course of consultation
Sexual orientation	None identified during course of consultation
Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way? The purpose is to make sure you have got the perspective of all the protected characteristics.	Assumptions will be tested during consultation and considered during analysis.
Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?	If a decision is made to allow charges to be permitted, options for use of this flexibility will be examined.

Further Details

Are you handling personal data?

Yes

If yes, please give details.

As part of the appeals process we must capture sufficient information to conduct the appeal this will include names and addresses of parents and children and the children's dates of birth as well as sibling connections in some cases. This personal information will be managed, in line with LCC policy and GDPR

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Actions required

Include any actions identified in this analysis for on-going monitoring of impacts.

Action

Consult statutory stakeholders

Lead officer

Timescale

Version	Description	Created/amended by	Date created/amended	Approved by	Date approved
V0.1	Based on 2020 EIA considerations	Emily Nicholls	2/1/2020		
V0.2					
V0.3					

Examples of a Description:

- 'Version issued as part of procurement documentation'
- 'Issued following discussion with community groups'
- 'Issued following requirement for a service change; Issued following discussion with supplier'



Regulatory and Other Committee

Open Report on behalf of Heather Sandy, Interim Director Children's Services Education

Report to:	Lincolnshire Schools' Forum
Date:	16 January 2020
Subject:	Academies and Trust Update

Summary:

The purpose of this report is to provide information on the latest number of academies and pupils in academies, and academy trusts.

Recommendation(s):

The Schools' Forum is asked to note the contents of this report.

Background

The Schools Forum asked for an update to be provided to each meeting on the number of academy conversions.

This is the position as at the 1 December 2019. The pupil figures are based on the October 2019 census data (i.e. the latest published). The national academy trust data is the latest available from "Get Information About Schools".

Since the effective date of the last report (1 September 2019), two primary schools have converted to academy or sponsored academy status.

They are Long Sutton Primary School which joined the Keystone Academy Trust on 1st October and Spalding Parish Church of England Day School which became sponsored by Lincoln Anglican Academy Trust. This means that 37.7% (106) of primary schools are now academies and 48.4% (27,564) of FTE primary pupils are educated in academies.

Current Status of All Lincolnshire State Schools

	Schools		FTE	
Nursery				
All	5		266	
Maintained	5	100.0%	266	100.0%
Academy	0	0.0%	0	0.0%
Primary				
All	281		56,895	
Maintained	174	61.9%	29,139	51.2%

Academy	107	38.1%	27,755	48.8%
Secondary				
All	54		46,979	
Maintained	2	3.7%	2,184	4.6%
Academy	52	96.3%	44,795	95.4%
Special				
All	20		2,031	
Maintained	7	35.0%	756	37.2%
Academy	13	65.0%	1,275	62.8%
PRU				
All	5		184	
Maintained	0	0.0%	0	0.0%
Academy	5	100.0%	184	100.0%
Total				
All	365		106,355	
Maintained	188	51.5%	32,346	30.4%
Academy	177	48.5%	74,009	69.6%

By 1 June 2020, if conversions and sponsored conversions proceed according to their current target dates the position will be:

Projected Six Month Status of All Lincolnshire State Schools

	Schools		FTE	
Nursery				
All	5		266	
Maintained	5	100.0%	266	100.0%
Academy	0	0.0%	0	0.0%
Primary				
All	281		56,895	
Maintained	172	61.2%	28,562	50.2%
Academy	109	38.8%	28,332	49.8%
Secondary				
All	54		46,979	
Maintained	2	3.7%	2,184	4.6%
Academy	52	96.3%	44,795	95.4%
Special				
All	20		2,031	
Maintained	7	35.0%	756	37.2%
Academy	13	65.0%	1,275	62.8%
PRU				
All	5		184	
Maintained	0	0.0%	0	0.0%

Academy	5	100.0%	184	100.0%
Total				
All	365		106,355	
Maintained	186	51.0%	31,769	29.9%
Academy	179	49.0%	74,585	70.1%

A further three primary schools are intended to be academies by 1 June 2020. These are Thurlby Community Primary School which will be sponsored by Keystone Academy Trust, Deeping St James Linchfield Community Primary School and Spalding St Paul's Community Primary and Nursery School which will both be sponsored by Community Inclusive Trust.

The total number of all academies will rise to 179 (49%) and 74,585 (70.1%) FTE pupils will attend those academies.

Below is a list of the academy trusts that currently have the greatest number of academies in Lincolnshire.

1	Lincoln Anglican Academy Trust	12
2	Community Inclusive Trust	11
	The Priory Federation of Academies	11
4	St Therese of Lisieux CMAT	8
	The Boston Witham Academies Federation	8
	The David Ross Education Trust	8
7	Greenwood Academies Trust	7
8	Wellspring Academy Trust	6
9	Anthem Schools Trust	5
	Infinity Academies Trust	5
	The Lincolnshire Educational Trust Limited	5

The Lincoln Anglican Academy Trust has become the largest trust operating in Lincolnshire with the addition of Spalding Parish Church of England Day School.

There are thirty-five active multi-academy trusts operating within Lincolnshire and a total of 133 Lincolnshire academies that are members of multi-academy trusts. This represents 75.6% of all Lincolnshire Academies. Forty-three (24.4%) of Lincolnshire academies are not members of multi-academy trusts. Nine multi-academy trusts have just one Lincolnshire academy as a member; three of these are single Lincolnshire academy multi-academy trusts. The other six also have academies that are not within Lincolnshire. Nine multi-academy trusts have two academies; eight of these trusts are currently based entirely within Lincolnshire.

The largest academy trusts nationally that operate within Lincolnshire are Academies Enterprise Trust (Fifty-four Academies, two in Lincolnshire), Greenwood Academies Trust has 35 academies, seven in Lincolnshire, and The David Ross Education Trust has 34, eight within Lincolnshire. The Enquire Learning Trust has twenty-nine Academies, one in Lincolnshire. There is fifty-seven academy trusts in Lincolnshire that have less than four schools.

Conclusion

The Schools Forum is asked to note the contents of the report.

Consultation

a) Have Risks and Impact Analysis been carried out??

No

b) Risks and Impact Analysis

Not relevant

Background Papers

None.

This report was written by Adrian Clarke, who can be contacted on 01522 553216 or adrian.clarke@lincolnshire.gov.uk.

Agenda Item 11

Lincolnshire Schools' Forum Work Programme

16 January 2020

National Funding Formula for Schools (2020/21)	Mark Popplewell	To consult the Schools' Forum on the Local Authority's funding formula proposals for 2020/21
School Funding Arrangements 2020/21	Elizabeth Bowes	To provide an update on school funding arrangements for 2020/21
Early Years National Funding Formula	Michelle Andrews	To provide a summary on the early years national funding formula for 2019/20, and to seek agreement relating to the allocation and distribution of the centrally retained budgets
Building Communities of Specialist Provision: Update	Eileen McMorrow	To provide the Schools' Forum with an update on the SEND Strategy
Schools Admissions Appeal Charges for Maintained Schools	Emily Nicholls	For the Schools' Forum to consider the introduction of Schools Admissions Appeal Charges for Maintained Schools
Academies and Trust Update	John O'Connor	To provide the Schools' Forum with an update on the latest position regarding the number of Maintained Schools and Academies and the pupils in them
Lincolnshire Schools' Forum – Work Programme	Katrina Cope	To provide the Schools' Forum with an opportunity to discuss potential items for future meetings, which will be subsequently, included on the Work Programme

23 April 2020

Annual Report - Special Educational Needs	Sheridan Dodsworth	To receive an annual report on Special Educational Needs
Annual Report on Early Years	Michelle Andrews	To receive an annual report on Early Years' Service
Autism Outreach Service	Laura Arden	To provide the Schools' Forum with an update on the Autism Outreach Service
Sector Led Approach for School Improvement	Gareth Hart	To provide the Schools' Forum with an update on the Sector Led Approach for School Improvement
Lincolnshire Schools' Forum Rules of Operation	Mark Popplewell	To provide the Schools' Forum with the opportunity to consider and review its Rules of Operation
Academies and Trust Update	John O'Connor	To provide the Schools' Forum with an update on the latest position regarding the number of Maintained Schools and Academies and the pupils in them
Lincolnshire Schools' Forum – Work Programme	Katrina Cope	To provide the Schools' Forum with an opportunity to discuss potential items for future meetings, which will be subsequently, included on the Work Programme

18 June 2020

Election of Chairman		
Election of Vice-Chairman		
Section 251 Budget Statement 2020/2021	Elizabeth Bowes	To provide an update to the Schools' Forum regarding the Budget statement for 2020/21
Academies and Trust Update	John O'Connor	To provide the Schools' Forum with an update on the latest position regarding the number of Maintained Schools and Academies and the pupils in them
Lincolnshire Schools' Forum – Work Programme	Katrina Cope	To provide the Schools' Forum with an opportunity to discuss potential items for future meetings, which will be subsequently, included on the Work Programme
Future Meeting Dates	Katrina Cope	For the Schools' Forum to agree their future meeting dates

8 October 2020

National Funding Formula for schools - update 2021/22	Mark Popplewell	To provide the Schools' Forum with an update on the mainstream school funding
De-delegation of Maintained Primary Schools Budgets	Mark Popplewell	To seek approval from the maintained primary school representatives approval to the Local authority's proposals
Revised Schools Budgets 2020/21	Elizabeth Bowes	To provide information on the revised Schools Budget for 2019/20 and to seek support for the proposed use of the DSG underspend
Alternative Provision Arrangements	Mary Meredith	To provide an update on how alternative provision arrangements are working
Academies and Trust Update	John O'Connor	To provide the Schools' Forum with an update on the latest position regarding the number of Maintained Schools and Academies and the pupils in them
Lincolnshire Schools' Forum – Work Programme	Katrina Cope	To provide the Schools' Forum with an opportunity to discuss potential items for future meetings, which will be subsequently, included on the Work Programme