



## **NOTTINGHAM CITY COUNCIL**

### **Schools Forum**

**Date:** Tuesday, 10 December 2024

**Time:** 1.45 pm

**Place:** Zoom & livestreamed on YouTube at <https://www.youtube.com/user/NottCityCouncil>

**Members are requested to attend the above meeting to transact the following business**

**Clerk to the Forum:** Mark Leavesley

**Direct Dial:** 0115 876 4302

<b><u>Agenda</u></b>	<b><u>Pages</u></b>
<b>1 Apologies for absence</b>	
<b>2 Declarations of interests</b>	
<b>3 Minutes</b> Last meeting held on 08 October 2024 (for confirmation)	3 - 6
<b>4 Membership</b> To approve the appointment of Jamie Tee (Head Teacher, Berridge Primary) as a maintained primary representative.	
<b>5 Reports of Director for Education Services</b>	
<b>(a) DSG Outturn 2023/24</b>	7 - 12
<b>(b) High Needs Block Budget 2025/26 proposal</b>	13 - 18
<b>(c) Early Years central expenditure 2025/26 proposal</b>	19 - 30
<b>(d) Schools Block Budget submission 2025/26 proposal</b> Verbal update by Senior Commercial Business Partner	
<b>(e) De-delegated School Improvement Budget 2025/26 proposal</b>	31 - 38
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**6 Schools Forum Working Group**

Verbal update by Chair of the Working Group

**7 Work plan**

To note / discuss the work plan

95 - 96

**8 Date of next meeting**

To note that the next meeting will be held remotely at 1.45pm on  
Tuesday 14 January 2025

If you need any advice on declaring an interest in any item on the agenda, please contact the Governance Officer/Clerk to the Forum shown above, if possible before the day of the meeting

## Nottingham City Council

### Schools Forum

Minutes of the meeting held remotely via Zoom on 8 October 2024 from 1.50 pm - 2.07 pm

#### Membership

	Kerrie Fox	-	HHELC (PRUs)
✓	David Tungate	-	Secondary Academies
✓	Kerrie Henton	-	AP Academies and Free Schools
	Debbie Simon	-	Early Years PVI
✓	Judith Kemplay	)	Maintained Primary Head Teachers
✓	Alison Tones	)	
✓	Patricia Lewis	-	Maintained Special Schools
✓	Meeta Dave	)	
✓	Tim Jeffs	)	Primary Academies
	Rob Perkins	)	
✓	Jill Wilkinson	)	
✓	Andy Smith	)	
✓	Andy Gilbert	)	Secondary Academies
✓	Sandra Stapleton	)	
✓	Phil Willott	-	Special Academies
✓	Sheena Wheatley	-	Trade Unions
✓	Adam Beazeley	-	14-19 Education

✓ *indicates present at the meeting*

#### Colleagues, partners and others in attendance:

Sadrul Alam	-	Strategic Business Partner
Neil Brettell	-	Special Educational Needs Team Manager
Mark Leavesley	-	Governance Officer / Clerk to the Forum
Nick Lee	-	Director of Education Services
Donna Munday	-	Senior Commercial Business Partner (High Needs)
Susan Woodland	-	Interim Senior Commercial Business Partner (DSG)

#### 1 Appointment of Chair

Resolved to appoint Kerrie Fox as Chair for the academic year 2024-25.

#### 2 Appointment of Vice-Chair

Resolved to appoint Dave Tungate as Vice-Chair for the academic year 2024-25.

#### 3 Chair

In the absence of Kerrie Fox (the Chair), the meeting was chaired by Dave Tungate.

#### **4 Apologies for absence**

Kerrie Fox - unwell

#### **5 Declarations of interest**

None.

#### **6 Minutes**

The Forum agreed the minutes of the last meeting held on 16 July 2024 as a correct record and they were signed by the Chair presiding at the meeting.

#### **7 Membership**

Forum noted the following:

- (a) the removal as Forum representatives of Laura Patel (Nottingham Nursery) and Emma Howard (Secondary Academy) as they are no longer at the respective establishments;
- (b) that there are currently three vacancies on the Forum for a representative of each of Nottingham Nursery, a maintained primary and a secondary academy.

The Clerk requested members to forward details of any potential representatives to, or ask them to contact him direct at, [mark.leavesley@nottinghamcity.gov.uk](mailto:mark.leavesley@nottinghamcity.gov.uk)

#### **8 Constitution**

Members noted, without discussion or amendment, the 'Schools Forum Constitution and Rules of Conduct'.

#### **9 Schools Forum Working Group**

Nick Lee, Director of Education Services, presented the report and stated the following:

- a) the proposal was to re-introduce the Schools Forum Working Group (SFWG), that has historically looked at budget activity, on a more formal basis to undertake the financial reviews required to support the development of school budgets, and development of future funding models and initiatives e.g. replacement of AP model;
- b) the report sets out Terms of Reference (ToR), proposed membership and a proposed work programme that considers the current challenges faced by schools and settings within the city;
- c) the SFWG will have no formal decision-making powers and is set up as a consultative group of Forum, with findings / recommendations being submitted to / agreed at full Forum.

## **Resolved**

- (1) to approve the Schools Forum Working Group Terms of Reference (as detailed in appendix A) and membership (as detailed in section 2.2 of the report);**
- (2) to note the proposed work plan (as detailed in appendix B);**
- (3) to request that members contact Jennifer Hardy (jennifer.hardy@nottinghamcity.gov.uk) direct to volunteer for the Working Group.**

## **10 Dedicated Schools Grant 2025/26**

Sadrul Alam, Strategic Finance Business Partner, informed members that under normal circumstances, Local Authorities receive a National Funding Formula update in July of each year, ahead of the indicative funding allocations in December.

This enables consultation with schools around the Central School Services Block and De-delegation items, and consideration of local implications in applying the National Funding Formula Factors.

Unfortunately, this process has been delayed due to the calling of the General Election and, at this point in time, the City Council have not yet received any indication as to what the potential amendments could be.

As and when it is received, consultation will commence, but it may be within a shortened timescale to be able to produce papers for the December Schools Forum meeting, which informs the completion of the Authority Proforma Tool (which has a submission date of 17 January 2025).

**Resolved to note the update.**

## **11 Work plan**

Members noted, without discussion or amendment, the work plan.

## **12 Dates of 2024/25 meetings**

For the academic year 2024-25, members:

- (a) noted the previously agreed meeting dates of remotely at 1.45pm on Tuesdays 29 April and 24 June 2025;**
- (b) agreed to change the December 2024 date from 3<sup>rd</sup> to 10<sup>th</sup> and the January 2025 date from 21<sup>st</sup> to 14<sup>th</sup>, noting that remotely at 1.45pm remains for both meetings.**

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**Schools Forum – 10 December 2024**

<b>Title of paper:</b>	DSG Revenue Outturn 2023/24
<b>Director:</b>	Nicholas Lee – Education Services
<b>Report author and contact details:</b>	Donna Munday - Senior Commercial Business Partner (High Needs) <a href="mailto:Donna.Munday@Nottinghamcity.gov.uk">Donna.Munday@Nottinghamcity.gov.uk</a>
<b>Summary</b> To update Schools Forum as to the 2023/24 Financial Year Outturn position and the subsequent impact on the DSG Reserve Balance.	
<b>Recommendation:</b>	
<b>1</b>	That Forum notes the report.

**1. Reasons for recommendations**

- 1.1 To inform Schools Forum of the DSG income received for the Financial Year 2023/24, the expenditure incurred, the impact upon Statutory School Reserves and the anticipated future impact upon Reserves.

**2. Background**

- 2.1 On 17 of January 2023, Schools Forum received the Schools Budget 2023/24 Report, the recommendations in that report pertinent to this report are as follows

**DSG**

- a) *To note the overall indicative 2023/24 Schools Budget to be spent incorporating the Schools, Central Schools Services (CSS), EY's and HN's blocks is £344.944m.*
- b) *To note this is funded by:*
  - i. *£342.836m of the provisional 2023/24 DSG allocation of £344.819m;*
  - iii. *£1.438m from DSG reserves to support the additional one-off distribution to mainstream schools, from the balance earmarked for distribution in conjunction with the SF sub-group;*
  - iv. *£0.148m from DSG reserves to support the 2023/24 SEN Inclusion Fund budget, from the balance earmarked for EY/EY Disability Access Funding;*
  - v. *£0.075m from DSG reserves to support a higher 2-Year-Old Base rate for 2023/24, from the balance earmarked for EY.*
- c) *To note that the budget will be updated in year to reflect subsequent adjustments made by the ESFA to our 2023/24 DSG allocation as described in the report.*
- d) *To note that any balance remaining will be allocated to the Statutory School reserve (SSR). This includes the £1.983m balance of the provisional DSG allocation, which represents a proportion of the additional High Needs funding*

announced in the Autumn Statement. If any new HN budget requirements arise in year, over and above those planned from the HN budget outlined in this report then separate in-year approval will be sought.

### **Additional one-off DSG distribution to mainstream schools**

- a) To note that the budget presented in this report includes the distribution of an additional £85 per pupil in one-off funding for mainstream schools in 2023/24 which amounts to £3.710m. This approach required a Minimum Funding Guarantee disapplication request to the Secretary of State which was been approved on 10 January 2023

### **DSG block transfers**

- a) To note that this budget incorporates the £0.458m HN to Central School Services Block transfer approved at SF on 6 December 2022.
- b) To note that this budget incorporates a final figure of £1.907m for the HN to Schools Block transfer approved at SF on 6 December 2022.

- 1.4 To ensure transparency over the methodology and approach for the 2023/24 Schools Budget, which incorporates funding from DSG reserves in order to respond to the current level of financial pressures in schools and settings.

The DSG settlement published on 16 December confirmed £400m in additional funding for high needs linked to the Autumn Statement. This provides Nottingham City with a further £2.536m for High Needs in 2023/24 and means that there will now be a surplus on the HNB for 2023/24 even after the block transfer.

## **3. Actual Income and Expenditure**

- 3.1 The provisional DSG allocation above was £344,819,000 the actual received was £344,092,473 giving an unplanned shortfall of £726,527 following in year adjustments by the ESFA as noted in DSG c) above. In year adjustments to the DSG are expected which is why indicative budgets are issued ahead of the start of the Financial Year as they may be subject to change as allocations are amended during the Financial Year.

- 3.2 The following table provides a top-level summary by Block of Actual Income, Expenditure, and the net movement

Block	Allocated DSG funding	Expenditure	Net
Schools	260,156,782	261,613,702.00	-1,456,920.00
Central School Services	4,037,220.00	4,037,220.00	0.00
High Needs	58,282,086	59,080,995.36	-798,909.36
Early Years	21,616,385	22,076,983.70	-460,598.70
<b>Total</b>	<b>344,092,473.00</b>	<b>346,808,901.06</b>	<b>-2,716,428.06</b>

- 3.3 The most significant of these movements is the unplanned overspend in the High Needs Block (HNB), that not only removed the ability to make a contribution of £1,983,000 to the Statutory School Reserve (SSR) but also consumed the £600,000



contingency also included in the HNB Budget as set out and agreed in the Budget on the 17th of January 2023.

### 3.4 The top three overspending areas in the HNB are as follows

	Budget	Actual	Overspend
PRU - UDLC Indicative	£ 5,706,529	£ 7,461,874	-£ 1,755,345
Independent/Non Maintained Special Schools	£ 1,632,000	£ 2,547,322	-£ 915,322
PRU - HHE Indicative hospital funding excluding NEST	£ 2,243,112	£ 3,004,666	-£ 761,554

3.5 The increase seen in Permanently Excluded pupils would appear to be the main driver along with the cost of Independent and Non-Maintained Special School Placements. In 2023/24 there was also a slight drop in the amounts paid to mainstream schools for High Level Needs (HLN) which would suggest that there were some schools choosing to P'EX rather than invest in supporting pupils. This drop in HLN did offset the cost in P'EX in the last Financial Year. However, in the current financial year 2024/25 we are seeing both a growth in HLN requests and a growth in P'EX's, often at a younger age.

## 4. The Impact upon Statutory School Reserves

4.1 The planned movement in reserves in the 23/24 Budget should have increased the Statutory School Reserves (SSR) by £322,000, please see Table 1 below.

<b>Table 1</b>	
<b>Planned Impact on Reserves</b>	
Opening Reserve Balance 1/4/2023	£ 21,744,697.45
<b>Planned Draw downs</b>	
Contribution to Schools Block being £85 per pupil	-£ 1,438,000.00
To support SEN Inclusion Fund budget	-£ 148,000.00
To support a higher 2 year old base rate	-£ 75,000.00
<b>Planned Contributions</b>	
HN funding per Autumn Statement	£ 1,983,000.00
<b>Planned Position as at the 31/3/24</b>	<b>£ 22,066,697.45</b>

4.2 However, the actual movement in the Statutory School Reserves led to an overall reduction of £2,716,428 which can be seen below in Table 2.

<b>Table 2</b>	
<b>Actual Impact on Reserves</b>	
Opening Reserve Balance 1/4/2023	£ 21,744,697.45
<b>Actual Draw Downs</b>	
Contribution to Schools Block being £85 per pupil	-£ 1,438,000.00
Contribution to Schools Block for Trade Union Reps	-£ 18,920.00
To support SEN Inclusion Fund budget	-£ 91,771.64
To support a higher 2 year old base rate	-£ 93,190.06
2022/23 Early Years lagged Spring Funding adjustment	-£ 275,637.00
Overspend on High Needs Block	-£ 798,909.36
<b>Actual Contributions</b>	
Nil	
<b>Actual Position as at the 31/3/24</b>	<b>£ 19,028,269.39</b>

## 5. Statutory School Reserve Forecast

- 5.1 There are several planned uses for the current SSR that have previously been agreed at Schools Forum, such as the 2023 to 2028 SEN Sufficiency Capital Programme and the support through Mental Health Support Teams (MHST) for s19 Children and young people. Whilst the SEN Sufficiency Programme will have impact upon the DSG due to the need of funding for the additional places, without adopting and expanding the current sufficiency strategy, we risk running out of places and will ultimately have to secure more expensive placements. The aim is to keep the young person within their community as well as within their local maintained specialist provision or school.
- 5.2 Over the next short term, we do expect to see costs increase in the areas of Independent and Non-Maintained Special School Placements, Alternative Provision Costs for Permanently Excluded Pupils, HLN and Post 16 placements as these areas are already in 2024/25 showing signs of continued growth. The AP Inclusion model in its current format is due to end as of 31 March 2025, highlighting the need for a replacement form of support for mainstream schools.
- 5.3 At the time of writing, we are awaiting confirmation at the end of November as to what our allocation will be of the additional £1 billion SEND funding announced in the Autumn Statement on 30 October 2024, the DRAFT 2024/25 forecast below includes an estimated amount of £1,500,000 for this.

31/03/2024	Reserve Balance	£ 19,028,269.39	
	<b>Planned commitments for 24/25</b>		
	s19 CYP support through MHST (part year impact)	£ 622,663.42	Agreed at Schools Forum July 24
	Increase in Unity PAN	£ 673,000.00	Estimate
	<b>Anticipated overspends based on 23/24 Outturn</b>		
	INMSS Places	£ 1,900,000.00	Estimate
	Post 16	£ 1,500,000.00	Estimate
	HLN overspend	£ 1,155,000.00	Estimate
	Exclusions	£ 2,000,000.00	Estimate
	Transfer to reserves	£ -	Estimate
	Estimated allocation as per Autumn Statement 30/10/24	-£ 1,500,000.00	Estimate
31/03/2025	Estimated Reserve Balance	£ 12,677,605.97	

The above would suggest an in-year deficit of £6,350,663 which is effectively a doubling of the HNB in-year deficit of 2023/24 if growth continues at its current pace.

- 5.4 At this point in time the DRAFT forecast below for the Financial Year 2025/26 is assuming a 5% inflationary uplift in DSG HNB income as this is the Block that is under pressure and the Schools Block and Early Years Blocks are to the main “pass through” blocks. The Central Schools Services Block is also coming under pressure but that will be covered in a separate paper. The SEN Sufficiency Programme is a planned Invest to Save Opportunity.

<b>31/03/2025 Estimated Reserve Balance</b>		<b>£ 12,677,605.97</b>	
01/04/2025	SEN Sufficiency Programme	£ 203,070.00	Jan 26 delivery of 20 Secondary, 8 Primary Focused Provision Places
	s19 CYP support agreed SF July 24	£ 444,759.58	Part year impact
	Schools Block £85 requirement	£ 1,500,000.00	Estimate and year on year
	HNB Overspend as above	£ 6,882,750.00	Costs will not reduce unless interventions have an impact + 5% inflation
	Increase in Income if 5% achieved	-£ 2,736,950.00	
<b>31/03/2026 Reserve Balance</b>		<b>£ 7,273,495.55</b>	

The above would suggest an in-year deficit of £5,404,110, which is a slowing down of the growth given that 28 places are coming online for part of that Financial Year due to the SEN Sufficiency Programme with minimal outlay and a tapering of the MHST support for s19 pupils.

5.5 At this point in time the DRAFT forecast below for the Financial Year 2026/27 is again assuming a 5% inflationary uplift in DSG HNB income as this is the Block that is under pressure and 5% has traditionally been the uplift ceiling. The Schools Block and Early Years Blocks remain “pass through” blocks. The Central Schools Services Block is also coming under pressure but that will be covered in a separate paper. The SEN Sufficiency Programme is a planned Invest to Save Opportunity with an increased outlay in this Financial Year of £1,846,401 which although it does provide places part way through this financial year, the outlay takes longer to recover than the previous year’s outlay of £203,070.

5.6 It is anticipated that if the current levels of growth and P’EX continues in this Financial Year 2026/27 we will have an in-year Deficit of £7,699,491 which will consume all current SSR and enter an overall Deficit position.

<b>31/03/2026 Reserve Balance</b>		<b>£ 7,273,495.55</b>	
	SEN Sufficiency Programme	£ 1,297,776.00	30 Secondary, 16 Primary FP places and 24 Special School places
	AP Free School	£ 548,625.00	Assume Sept 26 opening and part year impact of 45 places
	Schools Block £85 requirement	£ 1,500,000.00	Estimate and year on year
	HNB Overspend as above	£ 7,226,887.50	Costs will not reduce unless interventions have an impact + 5% inflation
	Increase in Income if 5% achieved	-£ 2,873,797.50	
<b>31/03/2027 Reserve Balance</b>		<b>-£ 425,995.45</b>	<b>DEFICIT will occur in the Financial Year 2026/27</b>

	2023/24	2024/25	2025/26	2026/27
<b>Opening Reserve Balance</b>	£ 21,744,697.45	£ 19,028,269.39	£ 12,677,605.97	£ 7,273,495.55
<b>In Year Deficit</b>	-£ 2,716,428.06	-£ 6,350,663.42	-£ 5,404,110.42	-£ 7,699,491.00
<b>Closing Reserve Balance</b>	<b>£19,028,269.39</b>	<b>£12,677,605.97</b>	<b>£ 7,273,495.55</b>	<b>-£ 425,995.45</b>

## 6. Consideration of Risk

6.1 The forecasts above are based on current levels of expenditure and growth and an assumption that Nottingham City Council will continue to attract the 5% uplift in HNB income it has historically.

6.2 The purpose and intent of this DRAFT Forecast is to highlight the potential direction of travel if steps are not taken now to both control and reduce costs. The growth in demand and costs is a national picture but Nottingham City Council does have an unusually high level of Permanent Exclusions.

7. **List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

7.1 None.

8. **Published documents**

8.1 '*Schools Budget 2023/24 Report*' - Schools Forum, 17 January 2023.

<b>Title of paper:</b>	Proposed High Needs Block Budget 2025/26 - update
<b>Director:</b>	Nicholas Lee – Education Services
<b>Report author and contact details:</b>	Donna Munday - Senior Commercial Business Partner (High Needs) <a href="mailto:Donna.Munday@Nottinghamcity.gov.uk">Donna.Munday@Nottinghamcity.gov.uk</a>
<b>Summary</b> To provide members with an update on the impact of the Autumn Statement upon SEND Funding, including an early indication of what the 2025/26 High Needs Block Budget may look like, and possible areas for consultation.	
<b>Recommendation:</b>	
<b>1</b>	That Schools Forum notes the report, gives its view and informs the governing bodies of all consultations.

## 1. Reasons for recommendations

1.1 As per the Schools Forum Powers and Responsibilities document, published by the Education and Skills Funding Agency (ESFA) in March 2020, it is a requirement that

*Financial issues relating to:*

- *arrangements for pupils with special educational needs, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding;*
- *arrangements for use of pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding are discussed and where a change is to be considered are consulted upon.*

1.2 The regulations also go on to state that the Local Authority decides upon the level of central spend on the high needs block provision and that it is good practice to inform forum of such decisions. The Local Authority has also re-introduced the Schools Forum Working Group as an approach to sharing information, holding informed discussions, and collaboratively developing proposals that will be consulted upon e.g., the future of the AP Inclusion Model which currently relates to Secondary Schools.

## 2. Autumn Statement Update

a) On 6 November 2024, a Summary Policy Note for schools and high needs national funding formula 2025-26 was published by the ESFA following the announcement on 30 October 2024, during the Budget, that almost £1 billion additional funding is being made available for High Needs.

- b) Of this total, £480m is being set aside for allocation through a 2025/26 Core Schools Budget Grant (CSBG) for special schools and AP, which will also combine the high needs elements of the 2024-25 Teachers Pay Additional Grant (TPAG), Teachers Pension Employers Contribution Grant (TPECG) and full-year equivalent of the CSBG. Details of this methodology are expected before the end of 2024.
- c) A further £145m is being set aside for allocations of high needs funding that are not calculated through the high needs National Funding Formula (NFF), and later NFF funding adjustments. The later adjustments include the impact of the October 2024 school census special school numbers used for the basic entitlement factor of the NFF, which is updated through the DSG allocations published in December 2024. These monies will also be received as part of the 2025/2026 Budget settlement.
- d) The remainder will be allocated through the high needs NFF.
- e) The structure of the NFF will remain the same and, with the exception of the funding floor and gains limit percentages, the same factor values and weightings will apply as in previous years (see below). This is because the government wants to take more time to consider what changes are needed to the NFF, both to make sure that they establish a fair education funding system, that directs funding to where it is needed, and to support any special educational needs and disabilities (SEND) reforms that will be taken forward.
- f) In particular, the historic spend factor will remain at the same cash value as in 2024-25, which will be equivalent to an average of 25% of local authorities' 2025-26 allocations. That percentage has reduced from 27% when the 2024-25 NFF was published.
- g) The increase in overall high needs funding has enabled the Department for Education to recognise the continuing high level of cost increases that most local authorities are experiencing. The high needs NFF therefore includes a funding floor that provides a minimum increase of 7% per head of a local authority's 2 to 18 population. Gains under the formula will be limited to 10% per head. Both calculations of the per head increases are applied to the majority of the formula allocations but exclude certain factors as in previous years.
- h) The special school's protection, known as the minimum funding guarantee (MFG), will continue to apply to maintained special schools and special academies (including special free schools but excluding non-maintained special schools (NMSS) and independent schools) in 2025-26. The MFG for 2025-26 is 0% using schools' 2024-25 funding baseline, which is equivalent to the upper end of the MFG range for mainstream schools. The operation of the MFG will be the same as in previous years and applies only to each school's place and top-up funding.

### **3. Early indication of what the High Needs Block Budget may look like**

- a) The Department for Levelling Up, Housing and Communities published the provisional local government finance settlement for 2024-25 on 18 December 2023. The consultation closed on 15 January 2024. It is anticipated that a similar date and timeframe will take place this year and that the Dedicated Schools Grant Funding allocations will be announced at the same time which had been the previous practice of the previous Government.
- b) At the time of writing, it is noted that the percentage increases spoken of are averages across England. For the purposes of this report, we will make the

assumption that Nottingham City Council will be in receipt of the same percentage uplift as last year. Please see table below: -

	HNB Gross		HNB Nett		% Increase
2023 / 2024	£	58,282,086	£	52,008,418	
2024 / 2025	£	61,199,473	£	54,701,638	5%
Estimated 2025 / 2026	£	64,262,894	£	57,439,801	5%
<b>Additional HNB Funding</b>	<b>£</b>	<b>3,063,421</b>	<b>£</b>	<b>2,738,163</b>	

The heading HNB Nett refers to the amount received by the LA following deductions for:

- Mainstream academies (SEN units and Resource provisions);
- Academy Special Schools;
- Alternative Provision academies and free schools;
- Further education and independent learning providers.

The estimated increase to the High Needs Block is £3,063,421 Gross or £2,738,163 after deductions.

- c) As noted in the 2023/24 DSG Revenue Outturn Report, the HNB is currently overspending and using up Statutory School Reserves (SSR). Going forward there are agreed plans to spend some of the SSR for expansion of places and services however it must also be noted that there are areas where the HNB is overspending which was not planned. For example, Nottingham City continues to have a high number of permanently excluded pupils which are putting increasing pressure on the budget for Pupil Referral Units (PRU's) the table below shows how much financial pressure the Permanent Exclusion of pupils is exerting on the HNB when also taking into consideration the running of the AP Inclusion model.

	Budget 2022/23		Actual 2022/23		Budget 2023/24		Actual 2023/24		Budget 2024/25		Forecast 2024/25	
Cost of PRU Provision	£	6,839,472	£	7,919,821	£	8,345,913	£	10,466,540	£	8,763,000	£	12,139,478
AP Inclusion Model	£	2,571,178	£	1,402,120	£	1,711,125	£	2,151,896	£	3,383,000	£	3,000,000
	£	9,410,650	£	9,321,940	£	10,057,038	£	12,618,436	£	12,146,000	£	15,139,478
<b>(surplus) / Overspend</b>			<b>-£</b>	<b>88,710</b>			<b>£</b>	<b>2,561,398</b>			<b>£</b>	<b>2,993,478</b>

The 2025/26 Budget setting process will consider options available to the LA to either remove, extend, or replace the current AP Inclusion model. This will be one of several key areas discussed at the Schools Forum Working Group.

- 3.4 A further area where overspends are occurring is that of the placement costs in Independent and Non-Maintained Special Schools (INMSS), a separate exercise is currently underway to investigate the make-up of these costs, in order to improve the control and commissioning of these placements. The table below shows the steady increase over the last three financial years.

	Budget 2022/23		Actual 2022/23		Budget 2023/24		Actual 2023/24		Budget 2024/25		Forecast 2024/25	
Independent/Non Maintain	£	1,582,000	£	2,232,214	£	1,632,000	£	2,547,322	£	1,714,000	£	3,784,669
<b>(surplus) / Overspend</b>			<b>£</b>	<b>650,214</b>			<b>£</b>	<b>915,322</b>			<b>£</b>	<b>2,070,669</b>

#### 4. Other options considered in making recommendations

- a) A different way of calculating the estimated increase in High Needs Block funding is to consider the amount of funds available as a proportion of the increased funds announced.

	HNB Gross	HNB Nett
<b>National High Needs funding for 2024/25</b>	£ 10,751,000,000	
<b>Nottingham City Council allocation</b>	£ 61,199,473	
<b>As a % of the total allocation</b>	0.5692%	
<b>Revised High Needs Funding for 2025/26</b>	£ 11,900,000,000	
<b>Amount set aside for CSBG, TPAG &amp; TPECG</b>	£ 480,000,000	
<b>Amount set aside for Adjustments</b>	£ 145,000,000	
<b>Amount available for Distribution</b>	£ 11,275,000,000	
<b>Nottingham City Council Estimated Allocation</b>	£ 64,182,314	£ 57,367,777
<b>Estimated increase over 2024/25</b>	<b>£ 2,982,841</b>	<b>£ 2,666,139</b>

The estimated increase to the High Needs Block under this option is £2,982,841 Gross or £2,666,139 after deductions.

## 5. Next Steps

5.1 When setting the budget for 2025/26 consideration will also be given to the following:

- a) Transfer to the Central Services for Schools Block (CSSB) the current financial year (2024/25) has a planned transfer of £508,000 to fund Inclusion Support Staff and Education Welfare Officers. The sum of £458,000 was transferred for the financial year 2023/24. A separate paper will be prepared for the January Schools Forum to confirm the amount required for 2025/26 and the breakdown of support being provided for this sum.
- b) Any other requirement for Block Transfers.
- c) SEN Transport.
- d) AP Inclusion model.
- e) Work will continue with the Schools Forum Sub Group to discuss the budget options and a paper will be brought to the January Schools Forum having received the settlement in December and therefore being aware of its actual impact.
- f) The LA has completed the Place Change Notification process this month informing the ESFA of the additional places required in Academies – as detailed in the SEN Sufficiency Strategy – In summary there are an additional 120 pre-16 places being created in Pupil Referral Units and 39 pre-16 places being created in SEN units and Resourced provisions, with a further 4 places being created for 16 to 18 year olds in an Academy Special School. Each additional place will have a call upon the HNB to fund the Top Up or Element 3.
- g) There is little likelihood of any transfer to the Statutory School Reserve from the High Needs Block at the end of the next financial year 2025/26, equally there is little likelihood of any contingency being available within the High Needs Block



budget. In all probability we will be looking at additional pressures which will result in further drawdowns from the SSR as detailed in Section 5 of the 2023/24 DSG Revenue Outturn Report.

## **6. List of background papers relied upon in writing this report**

6.1 None.

## **7 Published documents**

### **7.1 Legislation**

- The Schools Forums (England) Regulations 2012.

### **7.2 ESFA Guidance**

- Schools Forum Powers and Responsibilities – March 2020;
- Schools Forums: Operational and Good Practice Guide – September 2012;
- Summary Policy Note for schools and high needs national funding formula 2025-26 – updated 6 November 2024.

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**Schools Forum – 10 December 2024**

<b>Title of paper:</b>	Early Years Central Expenditure 2025/26
<b>Director:</b>	Nick Lee - Education Services
<b>Report authors and contact details:</b>	Kathryn Bouchlaghem - Head of Service, Early Years Kathryn.bouchlaghem@nottinghamcity.gov.uk
<b>Other colleagues who have provided input:</b>	Sadrul Alam - Strategic Finance Business Partner (Interim) Louise Hobbs - HR Consultant Ann Barrett - Team Leader Legal Services

<p><b>Summary</b></p> <p>The national Early Years (EY) funding arrangements introduced in April 2017 included a national formula for allocating the EY block to Local Authorities and regulations around the proportion of EY funding that can be retained for central spend.</p> <p>Since its introduction, this proportion of retained central spend has been capped at 5%, with 95% being passported to the sector. The proportion able to be retained for central spend is expected to be decreased to 4% in 2025/26, with 96% being passported to the sector. This is expected to change again to 3% and 97% respectively once the new early year entitlements are fully embedded (subject to no national policy changes).</p> <p>Approval is subject to compliance with this regulation when the 2025/26 Schools Budget is finalised. This paper requests approval of the Early Years Central Expenditure Budget for 2025/26.</p> <p>In addition, once the final settlement has been issued around 19 December 2024, the following actions will be undertaken:</p> <ul style="list-style-type: none"> <li>• consultations around the local funding formula for 2025/26 to be progressed by senior officers from Finance and Early Years, in discussion with Schools Forum Consultation Group;</li> <li>• base rates for 2025/26 will need to be established and confirmed by the DfE (see above) and we will be working towards ensuring that we can maintain and increase the 2024-25 mid-year base rate increase into 2025/26;</li> <li>• need to consider EY SEND elements which also affect schools (HLN and SENIF).</li> </ul>	
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<b>Recommendation:</b>	
<b>1</b>	To approve Early Years Central Expenditure of £1.025m for 2025/26.

**1 Reasons for Recommendations**

- 1.1 The requested EY central expenditure of £1.025m is at the same level as that approved for 2024/25. It is projected that this level of central expenditure is sufficient to maintain the costs of the team and the activity outlined in Section 2 of this report.

- 1.2 Retaining only the essential amount for central expenditure, within the allowed retention percentage, will allow for the maximum available funding to be passported in hourly rates as part of the local early years funding formula for 2025/26.
- 1.3 With this level of central expenditure, the LA should meet the 96% pass-through regulation. The final pass-through percentage to be published on the Section 251 Statement for 2024/25 Outturn is likely to be 95%. This is based on the same central expenditure budget of £1.025m and a contribution from all the early years entitlements funding streams available in the relevant financial year.

## **2 Background**

2.1 The funding will enable the Early Years Team to carry out the below Local Authority duties under the Childcare Act 2006/Education Act 2014/Children and Families Act 2014, primarily to focus on the sufficiency duty linked to childcare and early education places which supports economic growth, stability and better outcomes for children in their early years, preparing them for their statutory school years.

- Support provision of all the early years entitlements for all eligible children, including sufficiency of quality and accessible provision, measuring uptake and support with Ofsted requirements;
- Disseminate relevant National and Local Early Years policies and funding opportunities, strategically and operationally, including all stakeholders;
- Collect and quality assure EYFSP data for submission to the DfE, offer training in EYFS assessment, and support providers with completion of the EYFS Profile Summaries where needed, improving the outcomes for all children under 5;
- Produce robust and comprehensive Continuous Professional Development (CPD) opportunities, for the early years' workforce, that reflect demand and need based on data and consultation with the workforce, for example, a proportion of face-to-face training as well as utilising online platforms;
- In line with current statutory guidance, ensure that 100% of the Directory of Providers have a current Provider Agreement and complete the annual Early Years Census, and that accurate payments are made in a timely manner.

### **Overview of Current Position – Key Points**

#### **❖ Early Years Foundation Stage (EYFS) Profile Data 2024**

Three years into the new Statutory EYFS Framework, which covers all aspects of teaching, learning and assessment for all of those providers working within early years, the LA (Early Years Team) has continued to provide support to practitioners and settings, across the early years sectors, to ensure that quality of provision and outcomes for children have remained a priority as this new framework has been embedded.

Communication and dissemination of information continues to be critical:

- Sessions were held each term throughout the 2023/24 academic year for Head Teachers, Senior Leaders, Leaders and Managers. Private, Voluntary and Independent (PVI) and School Practitioners enable us to continue to support effective application.

- Termly Head Teacher Briefings continued to share updates relating to trends identified through the EYFSP data.
- A Summer Term Data Briefing was held to support schools to understand the implication of the 2024 Early Years Foundation Stage Profile Data with regards to the cohort transitioning into year one, and the future cohort entering into the Reception class.

**Agreement Trialling** has been an integral part of support for providers to raise outcomes for our youngest children. We have used this forum to address the trends identified from the EYFSP data and have provided targeted support around understanding, resourcing and moderating our weakest areas of attainment. In response to an identified need in addressing practitioner’s confidence to support the increasing number of children in settings with very unique needs as a result of the COVID-19 pandemic, our discussions have also incorporated SEND support in this area.

We continue to offer face-to-face training, in addition to online sessions, thus offering a blended approach.

Sessions were accessed by:

- 295 practitioners (an increase of 36 practitioners) from 74 settings (14 PVI settings and 60 schools);
- Representatives from 12 of the 13 Academy Trusts within the City including LEAD, Transform, NOVA, Raleigh, Djanogly, Flying High and Our Lady of Lourdes.

Feedback was extremely positive in 100% of evaluations with requests to repeat a similar level of training and support in the next academic year. Therefore, we will continue to offer a blended delivery approach and SEND support in these sessions in 2024/25.

**Quality Assurance Support** was offered to validate schools and PVI data to ensure accuracy of data. 7 schools received telephone or email support, and a quality assurance session designed specifically for PVIs with Rising Fives was attended by all 4 settings who were completing EYFSP for children in their setting. Two settings received an individual visit, along with two childminders. In addition to this, drop-in sessions were offered to all schools, 2 schools attended to talk through specific children ahead of submitting their data.

**Early Years Foundation Stage Profile (EYFSP) Data (Provisional)**

<b>Good Level of Development</b>											
	Old Framework							No Data	New Framework		
Year	2013	2014	2015	2016	2017	2018	2019	2020 & 2021*	2022	2023	2024 (Provisional)
Nottingham City	40%	47% (+7)	58% (+11)	63.5 (+5.5)	66.2 (+2.7)	67.6% (+1.4)	66.9% (-0.7)	N/A	60.3% (-6.6)	63.2% (+2.9)	63.6% (+0.4)
National	52%	60%	66%	69.3 (+3.3)	70.7 (+1.4)	71.5 (+0.8)	71.8 (+0.3)	N/A	65.2% (-6.6)	67.2% (+2.1)	67.7% (+0.5)
Difference	-12	-13	-8	-5.8	-4.5	-3.9	-4.9	N/A	-4.9	-4.0	-4.1

\*No data was collected in 2020 and 2021 due to the COVID-19 Pandemic.

- 2022 was the first year of the revised Statutory Framework so we are now able to make direct comparisons against previous results, along with being able to identify three year trends.

## Biggest Gaps with National

Prime:	Gap difference compared with 2023	Specific:	Gap difference compared with 2023
Speaking -3.2	+1.5	Word reading – 7.2	-0.4
Listening and Attention -2	+0.8	Number patterns -5.5	+0.7
Managing Self -2.2	+0.5	The Natural World -5.3	+1.8
Fine Motor -2.1	+0.6	Comprehension -5.1	+0.5

Throughout the Nursery/F1 and Rising 5's/F2 Agreement Trialling sessions 6 of the 7 areas of learning were covered. This has contributed to the gap narrowing with National. Although literacy was covered, last year we had a focus on developing writing and not reading – as this had been a focus the previous year. This will be an explicit focus for this year's agreement trialling sessions.

**Statistical Neighbours:** Manchester, Wolverhampton, Southampton, Sandwell, City of Bristol, Birmingham, Portsmouth, Salford, Coventry, City of Kingston Upon Hull – these have changed from previous years as Derby is no longer statistical neighbour and instead, we are now a statistical neighbour with Portsmouth.

Year	Statistical Neighbours %	Nottingham City %	Difference
2014	57.2	46.5	-10.7
2015	62.6	58	-4.6
2016	65.2	63.5	-1.7
2017	67.0	66.2	-0.8
2018	68.1	67.6	-0.5
2019	68.6	66.9	-1.7
2022	60.91	60.3	-0.61
2023	63.69	63.3	-0.39
2024	Due 30.11.2024	Due 30.11.2024	Due 30.11.2024

Following the release of this information on 30 November 2024, our goal for 2025 will be to close any gaps with our statistical neighbours.

Prior to the COVID-19 pandemic, we know that children in Nottingham City generally started school below age related expectations. Research (Coram, January 2022) has shown that areas with high deprivation were disproportionately impacted by the pandemic.

Since the pandemic, practitioners are reporting that children are entering school with greater personal, social and emotional needs, significant personal needs and poor communication and language. Some schools are also reporting an increase in children entering school with additional needs.

Taking this into account, though some children do not reach expected levels at the end of EYFS, they do make good progress from their starting points, and progress has been identified in the vast majority of areas.

## **Next Steps:**

- Continue to offer Agreement Trialling, online and face-to-face, throughout 2024/25, for all practitioners working with 3 - 5 year olds, focusing on children who are not yet on track.
- Through our free 'New to EYFSP' training and quality assurance support we will support practitioners (both schools and PVI) new to completing the profile.
- Continue to offer Summer Term support visits, drop-in sessions and set up a moderation session to support PVI settings completing the EYFSP.
- Continue to present at Head Teacher Briefings (with a focus on data outcomes for the Autumn Term)
- Hold a Leaders Briefing to present and explain the current EYFSP data to enable Senior Leaders in schools to plan effectively for their Y1 cohort using their EYFSP data to inform next steps, as well as informing development areas in Early Years.
- Hold data briefings for partners both within the LA and outside to ensure that they understand the EYFSP data.
- Hold a more in-depth data briefing for FS leads to support them to understand and unpick their own EYFSP data.
- We are planning to work with colleagues across the sectors to produce relevant research and practical resources to address the identified gender gap.

### ❖ **Early Years Entitlements Funding**

This year has seen the introduction of the new entitlements. From April 2024, working parents of 2-year-olds have been able to access 15 hours of funded early years provision and from September 2024, working parents of children from 9 months of age have also been able to access 15 hours. The final aspect of the new entitlements will be introduced in September 2025, with the increase to 30 hours of funded early years provision for all working parents of children from 9 months+.

In regard to 2-year-olds, for families who meet both the disadvantaged and the working parent element, the government continues to ensure that the disadvantaged element takes precedence – with the 15 eligible hours being claimed under disadvantaged entitlement rather than working parent entitlement. From September 2025 this will continue and for those parents who continue to be entitled to both aspects, they will be able to split their entitlement and chose where the disadvantaged element (which is to be renamed families of 2-year-olds receiving additional support) can be taken. This is particularly important if we continue to have a different hourly rate and if parents fall out of eligibility for the working parent entitlement.

Early Years Pupil Premium (EYPP) funding has also been made available for all eligible children receiving their early years entitlements this financial year, which has seen an extension in the age range of eligibility for EYPP down to 2-year-olds in April 2024 and children aged 9 + months from September 2024.

The above changes have meant that the volume of claims compared to the last financial year have steadily increased, with a notable increase in the number of childminder claims.

The early years entitlements funding for children in the in the PVI sector is summarised below, broken down by term for 2024/25 academic year;

	NEF (including supplements)	Disadvantaged 2's	Working Parent 2's	EYPP
<b>Autumn 2023</b>	£2,181,162.77	£1,379,221.44	-	£39,259.03
<b>Spring 2024</b>	£2,434,153.43	£1,112,222.89	-	£43,129.71
<b>Summer 2024</b>	£2,945,604.09	£1,237,128.31	£985,285.71	£96,305.03

The work we identified last year to support schools around eligibility checking and claiming funding for eligible children has been positive and has resulted in a small increase in schools receiving funding, with a greater awareness around implementing the correct processes. We continue to dedicate time for schools briefing sessions, just ahead of the new financial year and the portal training will continue each term to build on these improvements.

#### ❖ **Early Years EYFS CPD Training Opportunities Programme**

Early Years branded courses have continued to be in high demand to support the local early years workforce to meet their statutory duties, Ofsted requirements and EYFSP assessment. In response to sector demand, we have continued to offer a range of online, face to face and blended learning courses, offering 23 different courses during the 2023/24 academic year, covering topics such as maths, safeguarding, safer recruitment, curriculum content, SEND, funding, EYFSP and interactions as an example, with all of our blended Paediatric First Aid courses reaching maximum bookings months in advance. Our CPD offer is enhanced through a wealth of training and resources also available via our website.

In addition, we have offered specific termly Networks for SENCO's, Childminders, Room Leaders, Leadership and Designated Safeguarding Leads. Network sessions are well attended, encourage partnership working and sharing of good practice and always receive positive evaluations. Almost 70% of group-based settings signed up to our Leadership and SENCO Network Membership and our 3 DSL Networks alone saw attendance of nearly 280 delegates, representing over 60 city early years settings in the PVI sector.

Furthermore, based on demand and current local and national priorities, we also introduced tailored briefing sessions on data, becoming a childminder, the introduction of the new early years entitlements and wraparound childcare programme, in addition to our Annual Business Meeting and Schools Briefing on the early years entitlements and funding specifically.

Ongoing sector consultation and review of previous CPD opportunities supports the planning of the current and future CPD offer, which is continually reviewed and adapted to meet the emerging needs of the workforce and national policy, whilst ensuring that courses remain accessible.

#### ❖ **Sufficiency Duty**

Sufficient, accessible and high-quality childcare is significant in promoting school readiness; widening access to employment and study for parents; as well as maximising opportunities for families to benefit from the economic, social and health benefits of employment. Our aim is to work in partnership with all existing and potential providers, ensuring financial sustainability and community accountability to ensure these places are secured with a long-term plan.

In the Spring Budget 2023 the move towards provision of 30 hours childcare for every child over the age of 9 months with working parents was announced, with responsibility for delivering this agenda sitting with LA's. The delivery of this major expansion is being rolled



out in phases. In April 2024, working parents of 2-year-olds became eligible to access 15 hours childcare support, with this extending down to working parents of children aged 9 months + from September 2024. The final phase of the roll out will complete in September 2025 when working parents of children under the age of 5 entitled to 30 hours of childcare per week. Timely, accurate information and support both to providers, internal and external colleagues, wider partners and parents are all essential in ensuring effective delivery of this agenda and we are working with the sector to embed the current entitlements and prepare for the final phase of delivery.

In addition, all parents and carers of primary school-aged children who need it will be able to access term time childcare in their local area from 8am-6pm. Parents will be required to pay for this service but, support with costs will be available to eligible parents through Universal Credit childcare and Tax-Free Childcare. This wraparound agenda was initially promoted to be available from September 2026, but has been escalated from September 2024 onwards, and we continue to work to meet these prioritised requirements.

The last Full Childcare Sufficiency Assessment (CSA) was in Summer 2023, followed by a refresh in Spring 2024 which focused on ensuring sufficient childcare places in respect of the recent and current expansion of the early years entitlements for children under the age of 5 and for wraparound childcare, before and after school, for primary school aged children. This refresh indicated sufficient childcare places across all age groups, based on the number of vacancies reported and enabled us to identify priority wards where additional provision may be needed to accommodate the expansion in the early years entitlements and targeted work is underway in these areas.

Summer 2024 participation data for all 2-year-olds, both the disadvantaged 2-year-old entitlement and the working parent entitlement, was 76%. In relation to the new working parent entitlements that have been phased in during Summer and Autumn 2024, the current term has seen HMRC issue 1375 eligibility codes, 1227 of which have been validated, equivalent to 89.2%.

Full actual participation reports for all entitlements are being worked upon with colleagues in the DAISI Team and Autumn 2024 Term participation figures will be known in December 2024.

The majority of provision for children aged 2 years and under is primarily in the PVI sector, with only a handful of schools offering provision for children from the term after they turn 2 years of age. The next notable increase is in the term children turn 3 years of age, when considerably more schools begin to offer provision, with the vast majority of schools and PVI settings offering provision for 3 and 4 year olds.

Whilst there is sufficient provision for 3 and 4 year olds across both the schools and the PVI sector, slightly more children access their 3 and 4 year old provision in schools, potentially due to availability in location, whereabouts of older siblings or the assumption that accessing this provision will result in securing a school place at statutory school age.

Our latest information suggests the LA is in a strong position for having sufficient provision in the City to support the national expansion of early years entitlements for working parents. As these national childcare reforms are introduced and embedded, the Early Years Team will continue to monitor childcare sufficiency across the City, ensuring existing provision, specifically that for disadvantaged 2-year-olds and children with SEND, is not displaced by the new working parent entitlements and will work to ensure the LA continues to meet its statutory sufficiency duties.

The quality of childcare remains high in Nottingham with 99% of Day Nurseries and Pre-schools and 98% of Childminders in the private, voluntary and independent (PVI) sectors graded as newly registered, met, good or outstanding by Ofsted.

**Figure 1. Nottingham City Ofsted Grades Compared to National and Regional Data**

Most recent Ofsted data available up to 20.02.2024, released by Ofsted 31.08.2023

<b>All Early Years Settings (Day Nurseries, Pre-Schools and Childminders)</b>			
<b>Ofsted data</b>	<b>National</b>	<b>East Midlands</b>	<b>Nottingham City</b>
Outstanding	14%	7%	2%
Good	83%	89%	97%
Requires Improvement	2%	2%	0%
Inadequate	1%	2%	1%

**Figure 2. Nottingham City Ofsted Grades for Day Nurseries and Pre-Schools**

<b>Day Nurseries &amp; Pre-Schools</b>	<b>Current numbers</b>	<b>Ofsted Grade % overall</b>	
Outstanding	2	3%	87%
Good	59	84%	
New Settings (awaiting Inspection)	8	11%	11%
Requires Improvement	0	0%	2%
Inadequate	1	2%	
<b>Total</b>	<b>70</b>	<b>100</b>	

2.2 **Table 1** shows an indicative breakdown of the central expenditure budget.

<b>TABLE 1: Breakdown of Central Expenditure Budget £m</b>			
<b>Expenditure Category</b>	<b>2024/25</b>	<b>2025/26</b>	
Staffing – including on costs	0.878	0.878	See Table 2 for funded posts
Non-Staffing Costs	0.147	0.147	Facilities, managerial overheads & costs to support the activity of the Team
<b>TOTAL</b>	<b>1.025</b>	<b>1.025</b>	

2.3 Table 2 shows early years funded posts included in the staffing costs in **Table 1**:

<b>TABLE 2: Early Years Posts</b>	
<b>Role</b>	<b>FTE</b>
Head of Service, Early Years	0.8
Programme/Project Management	1.8
EYFS Support Workers	5.4

Teaching & Learning Specialists	1.6
Childcare Workforce Development/Training	1.8
Early Years Entitlements Funding Administration	2.0
Administrator	1.12
Safeguarding Co-ordinator	1.0
Family Information Officers	1.8
Family Information Directory Coordinator	1.0
<b>TOTAL</b>	<b>18.3</b>

### **3 Other options considered in making recommendations**

3.1 None.

### **4 Outcomes/Deliverables**

4.1 An agreed approach to setting the 2025/26 Early Years budget, which meets the regulations, as outlined in the Early Education and Childcare Statutory Guidance for Local Authorities (April 2024).

### **5 Consideration of Risk**

5.1 N/A

### **6 Finance Colleague Comments (including implications and value for money/VAT)**

6.1 The proposed Early Years central expenditure will be funded from allocations for the early years entitlements. The EYNFF rates for funding coming into the Local Authority in 2025/26 for all early years entitlements have not yet been announced. However, we are anticipating the government to increase the base rates and anticipate using these revised published rates for Under 2s (9 – 23 months), 2 and 3 & 4 years olds. Confirmation of the funding rates and indicative early years block allocations for 2025/26 are expected in mid-December 2024.

6.2 The proposed central expenditure budget is based on a contribution of £0.716m from the 3 and 4 year old funding, £0.209m from 2 year old funding and £0.100m from Under 2s (9 – 23 months). Based on the expected hourly funding increases, our projected 3- and 4-year-old funding allocation for 2025/26 will be similar to current year levels, 2024-25 £18.401m, our projected 2 year old funding allocation will be £8.221m and under 2s (9 – 23 months) will be £2.729m.

6.3 The pass-through calculation as set out in the regulations is based on the effective overall hourly rate planned for distribution to providers (including supplements, SEN Inclusion Fund and contingencies) as a proportion of the LA's funding rate. The additional base rates increases will be notified in December 2024, however we are anticipating an increase that will mean that the 96% pass-through requirement is able to be met and the percentage of retained central expenditure budget being slightly less than 4% (3.75%) of the projected total 3 & 4 year old funding expected to be received in 2025-26.

- 6.4 It has been assessed that the requested early years central expenditure of £1.025m will be sufficient to fund the existing staffing structure and maintain current levels of activity.

Sadrul Alam, Strategic Finance Business Partner (Interim) – 14 November 2024

## **7 Legal Colleague Comments**

- 7.1 The School and Early Years Finance and Childcare (Provision of Information about Young Children) (Amendment) (England) Regulations 2024 make provision for local authorities' financial arrangements in relation to the funding of maintained schools and providers of funded early years provision in England for the financial year 2024-2025 and the Council must ensure that it complies with its obligations in accordance with these Regulations. Financial advice in that respect is given above and in the main body of the report.
- 7.2 The Forum has decision making powers in relation to (amongst other things,) agreeing centrally retained budgets and funding for central early years expenditure and therefore the Recommendations appear to be within the Forum's decision-making powers.

Ann Barrett, Team Leader, Legal Services - 19 November 2024

## **8 Other relevant comments**

### **8.1 Human Resources**

The report requests £1.025m (made up of staffing and non-staffing values) to continue the work of the Early Years Team, at an FTE value of 18.3.

There are no direct Human Resources implications as part of this report if recommendations are approved.

If recommendations are not approved, there would be workforce implications as a direct result of this, due to all employees in the Early Years Team being on permanent contracts. If workforce reductions are required, a genuine and meaningful consultation process should commence with Trade Unions and affected staff, with the correct policies and procedures being adhered to, with HR support provided. Finance colleagues would need to take into consideration any redundancy costs in relation to this.

Louise Hobbs, HR Consultant (Education Strategy) - 20 November 2024

## **9 Crime and Disorder Implications (If Applicable)**

- 9.1 N/A

## **10 Social value considerations (If Applicable)**

- 10.1 N/A

## **11 Equality Impact Assessment (EIA)**

- 11.1 EIA not required as report does not recommend any changes to services/provisions.

**12 Data Protection Impact Assessment (DPIA)**

12.1 A DPIA is not required.

**13 Carbon Impact Assessment (CIA)**

13.1 A CIA is not required.

**14 List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

14.1 None.

**15 Published documents referred to this in this report**

15.1 Childcare Act 2006, Education Act 2014, Children and Families Act 2014, Early Education and Childcare Statutory Guidance for Local Authorities (April 2024).

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**Schools Forum – 10 December 2024**

<b>Title of paper:</b>	School Improvement, monitoring and brokerage grant – request for approval for de-delegation 2025/26
<b>Director(s)/ Corporate Director(s):</b>	Jill Colbert, Corporate Director for Children and Education Services Nick Lee, Director of Education Services
<b>Report author(s) and contact details:</b>	Nick Lee, Director of Education Services, <a href="mailto:Nicholas.lee@nottinghamcity.gov.uk">Nicholas.lee@nottinghamcity.gov.uk</a> 0115 8764618
<b>Other colleagues who have provided input:</b>	Susan Woodland, Senior Commercial Business Partner, Finance, <a href="mailto:susan.woodland@nottinghamcity.gov.uk">susan.woodland@nottinghamcity.gov.uk</a>
<p>The Department for Education confirmed in January 2022 that the grant payment to local authorities that funds the provision of school improvement services to local authority maintained schools would reduce by 50% in 2022/23 and be removed entirely in 2023/24. In Nottingham this grant forms part of the overall grant payment agreed with the Nottingham Schools Trust, who are commissioned by Nottingham City Council to deliver school improvement services to the remaining local authority maintained schools. To mitigate the adverse impact on the provision of school improvement services to maintained schools, the Department for Education has indicated it approves local authorities seeking de-delegation approval, via Schools Forum decision, for the equivalent funding from maintained schools budget share. This report sets out the background, rationale for seeking the approval and financial contribution required by maintained primary schools to fund the grant removal in the financial year <b>2025/26</b></p>	
<b>Recommendation(s):</b>	
<b>1</b>	For maintained mainstream primary schools to <b>approve</b> the de-delegation of funding to mitigate the reduction in the School Improvement, monitoring and brokerage grant received by Nottingham City Council at a rate of £11.12 per pupil. This will ensure that Nottingham Schools Trust can maintain an appropriate level of school improvement support in line with member school expectations.
<b>2</b>	Maintained mainstream primary schools to <b>note</b> that the total funding requested to be de-delegated by maintained mainstream primary schools is £0.121m.

**1. Reasons for recommendations**

1.1 The Nottingham Schools Trust (NST) has established a strong school improvement offer based upon a combination of peer led school to school improvement, a full range of curriculum subject network groups, comprehensive CPD opportunities for all levels of staff, leadership development programmes and induction support for new leaders, and the allocation to all member schools of a highly skilled and experienced School Improvement Advisor. The outcomes for Nottingham maintained primary schools in terms of Key Stage performance metrics and Ofsted grade judgements since the establishment of the NST has fully demonstrated the positive impact of this model. Maintaining the financial

security that underpins this model is of benefit to all maintained primary schools. The removal of a significant element of the grant funding available to the NST to deliver this model would severely weaken the offer available to member schools, particularly in terms of the ability to deploy high quality school improvement advisors

## **2. Background (including outcomes of consultation)**

- 2.1 In October 2021 the Department for Education (DfE) announced a consultation on the proposal to remove the Local Authority School Improvement, Brokerage and Monitoring Grant (LAMB) over a two year timetable. Nottingham City Council and the Nottingham Schools Trust both formally responded to the consultation. In total 565 responses were received.
- 2.2 Since 2017, the LAMB had been allocated to local authorities to support them in fulfilling their statutory school improvement functions under Part 4 of the Education and Inspections Act 2006 and their additional school improvement expectations as set out in the Schools Causing Concern (SCC) guidance. In summary, these activities require councils to monitor performance of maintained schools, broker school improvement provision, and intervene as appropriate.
- 2.3 The Department for Education noted that formal use of SCC powers held by Local Authorities in relation to under performing schools was uncommon. The rationale therefore in proposing to remove the grant was that given the low level of recorded instances of formal interventions the grant was being utilised for other school improvement activity that could be either offered on a traded basis or de-delegated to Local Authorities via Schools Forum decision making.
- 2.4 In their published response to the proposals (Annex1) the Department for Education note that: “we recognise the majority of respondents, in particular those from the maintained sector (councils and local authority-maintained schools), raised concerns”
- 2.5 Despite the recognition by the DfE of the majority of respondents raising significant concerns about the impact of the proposal, the grant reduction in 2022/23 was implemented. With the full removal of this grant effective from 2023/24.
- 2.6 What many respondents (including Nottingham City Council and Nottingham Schools Trust) made clear was that the successful application of the grant enabled the provision of early interventions, support and challenge that enabled schools to avoid failing in such a manner that formal use of SCC powers become required. In the case of Nottingham City maintained schools this has been demonstrated as there has been no requirement to invoke any SCC warnings or measures for maintained primary schools since the inception of the LAMB, and its delivery through the Nottingham Schools Trust.
- 2.7 The grant agreement in place between Nottingham City Council and Nottingham Schools Trust incorporates the transfer of the LAMB grant to



Nottingham Schools Trust to ensure that school improvement activity, monitoring of individual school performance and brokerage of support required is delivered to maintain and improve the performance of all LA maintained schools.

- 2.8 The current grant agreement between Nottingham City Council and the NST expires at the end of the 2024/25 financial year. A new grant agreement is currently being prepared. It should be noted that any new agreement would be predicted upon the transfer of the funding referenced in this report being incorporated.
- 2.9 The removal of the grant in 2025/26 would have a significant detrimental impact on the ability of the Nottingham Schools Trust to deploy the school improvement advisory offer it currently provides to maintained schools. As a ring fenced grant it has provided security for maintained schools of access to this professional support.

### **3. Other options considered in making recommendations**

The only other option would be to not make the request but this outcome would result in the inability of the NST to provide the level of school improvement support to maintained primary schools that they have received to date.

### **4. Outcomes/deliverables**

- 4.1 The main outcome of the de-delegation proposal is to ensure the financial viability of the arrangements in place to deliver high quality, timely school improvement support, challenge and advice to ensure Nottingham City maintained primary schools continue to offer high quality teaching and learning opportunities for their pupils.

### **5. Consideration of Risk**

- 5.1 The key risk should the de-delegation recommendation not being approved lies with the inability of the City Council to adequately monitor and intervene in a timely fashion any schools where performance may lead to poor outcomes, including adverse Ofsted judgements. This in turn may lead to schools becoming subject to formal intervention by the Secretary of State for Education, including direction to covert to academy status against the will of local governing bodies.

### **6. Finance colleague comments (including implications and value for money/VAT)**

- 6.1 In the financial year 2024/25, maintained primary schools approved de delegation to support the school improvement function at a rate of £10.69 per pupil. This provided a total budget of £116,000
- 6.2 Approval from schools' forum for any de delegation has to be gained on an annual basis. In line with regulations, this report is seeking approval from

maintained primary schools to de-delegate funding in the financial year 2025/26 at a rate of £11.12 per pupil. This proposal would generate income of £121,800, an uplift of 5% on the previous year, and would ensure that the same level of funding is available for the Local Authority to pass onto the NST to enable them to undertake the responsibilities outlined in 2.7.

- 6.3 The rate per pupil has been calculated based on the number of pupils in maintained primary schools on the October 2023 school census (10,952). Once we have the pupil data from the October 2024 census the allocation will be updated to reflect any changes. As pupil numbers may differ from the ones used in the modelling and the final Oct 2024 census, we seek approval to make slight adjustments to the rate to ensure the pot is sufficient to meet the needs of the service. It is not anticipated that any changes in either pupil numbers or the rate will be significant. **Appendix A** shows the impact on each school using the current data available.
- 6.4 If approved, the charge attributable to each maintained primary school will be deducted from each schools 2025/26 Post Minimum Funding Guarantee (MFG) budget.

Susan Woodland, Senior Commercial Business Partner  
14 November 2024

7. **Legal colleague comments**

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8. **HR Comments**

9. **Crime and Disorder Implications (If Applicable)**

9.1 N/A

10. **Social value considerations (If Applicable)**

10.1 N/A

11. **Equality Impact Assessment (EIA)**

11.1 Has the equality impact of the proposals in this report been assessed?

No   
An EIA is not required because:  
(Please explain why an EIA is not necessary)

Not a change of policy or direct citizen impact

Yes

Attached as Appendix x, and due regard will be given to any implications identified in it.

**12. Data Protection Impact Assessment (DPIA)**

12.1 Has the data protection impact of the proposals in this report been assessed?

No

A DPIA is not required because:

(Please explain why a DPIA is not necessary)

There is no requirement for data to be shared with a third party

Yes

Attached as Appendix x, and due regard will be given to any implications identified in it.

**13. Carbon Impact Assessment (CIA)**

13.1 Has the Carbon impact of the proposals in this report been assessed?

No

A DPIA is not required because:

(Please explain why a DPIA is not necessary)

No carbon impact as a result of the proposal

Yes

Attached as Appendix x, and due regard will be given to any implications identified in it.

**14. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

14.1

**15. Published documents referred to in this report**

## Appendix A

School Name	Phase	NOR	2025/26
<b>Rate per pupil</b>		<b>October 2023 Census</b>	<b>£11.12</b>
<b>Total</b>		<b>10,952</b>	<b>£121,800</b>
Berridge Primary and Nursery School	Primary	571	£6,350
Seely Primary School	Primary	498	£5,538
Fernwood Primary School	Primary	1,038	£11,543
Cantrell Primary and Nursery School	Primary	394	£4,381
Carrington Primary and Nursery School	Primary	200	£2,224
Dunkirk Primary and Nursery School	Primary	359	£3,992
Melbury Primary School	Primary	204	£2,268
Middleton Primary and Nursery School	Primary	594	£6,605
Heathfield Primary and Nursery School	Primary	636	£7,072
Walter Halls Primary and Early Years School	Primary	404	£4,492
Southwold Primary School and Early Years' Centre	Primary	194	£2,157
Rise Park Primary and Nursery School	Primary	408	£4,537
Crabtree Farm Primary School	Primary	338	£3,759
Welbeck Primary School	Primary	314	£3,492
Mellers Primary School	Primary	411	£4,570

Haydn Primary School	Primary	414	£4,604
Hempshill Hall Primary School	Primary	386	£4,292
Glade Hill Primary & Nursery School	Primary	390	£4,337
Claremont Primary and Nursery School	Primary	392	£4,359
Snape Wood Primary and Nursery School	Primary	130	£1,446
Forest Fields Primary and Nursery School	Primary	568	£6,316
Dovecote Primary and Nursery School	Primary	320	£3,558
Greenfields Community School	Primary	206	£2,291
Southglade Primary and Nursery School	Primary	401	£4,459
Westglade Primary School	Primary	205	£2,280
Henry Whipple Primary School	Primary	191	£2,124
Robin Hood Primary School	Primary	418	£4,648
Rufford Primary and Nursery School	Primary	368	£4,092
<b>Totals</b>		<b>10,952</b>	<b>£121,786</b>

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**Schools Forum – 10 December 2024**

<b>Title of paper:</b>	De-delegation of funding for Trade Union time off for Senior Representatives for 2025/26
<b>Directors:</b>	Nick Lee, Education Services and Lee Mann, Director of HR and EDI
<b>Corporate Director:</b>	Stuart Fair, Corporate Director of Finance and Resources
<b>Report author and contact details:</b>	Susan Woodland, Senior Commercial Business Partner, Finance <a href="mailto:susan.woodland@nottinghamcity.gov.uk">susan.woodland@nottinghamcity.gov.uk</a>
<b>Other colleagues who have provided input:</b>	Elaine Harrison, HR Consultant (Employee Relations), Human Resources <a href="mailto:elaine.harrison@nottinghamcity.gov.uk">elaine.harrison@nottinghamcity.gov.uk</a>  Alexa McFadyen, Senior Solicitor, Legal Services <a href="mailto:Alexa.mcfadyen@nottinghamcity.gov.uk">Alexa.mcfadyen@nottinghamcity.gov.uk</a>  Helen Varey, Solicitor, Legal Services <a href="mailto:helen.varey@nottinghamcity.gov.uk">helen.varey@nottinghamcity.gov.uk</a>
<b>Summary</b>	
<p>The purpose of this report is to outline the proposed funding arrangements for trade union facility time for senior trade union representatives from schools to attend negotiations and consultation meetings and to represent their members in schools from 1 April 2025 to 31 March 2026.</p> <p>Under the Schools and Early Years Finance Regulations 2023, maintained schools can agree to de-delegate funding for trade union facility time. This has been done by maintained schools since the financial year 2013/14. To reduce the cost on maintained schools, the arrangement is also offered to academies. The income generated pays for the salaries of the trade union representatives whilst carrying out trade union facility time duties. Maintained schools and academies are reimbursed the salaries of the representatives who are employed by them. This is done so that no school loses out as a consequence of a member of their staff carrying out trade union duties.</p>	
<b>Recommendation(s):</b>	
<b>1</b>	<p>For maintained mainstream primary schools to approve the de-delegation of funding for senior trade union representatives at a rate of £2.35 per pupil and a lump sum of £2,188 per school. These charges will generate a projected income of £0.225m based upon 72 maintained schools and academies opting into the scheme.</p> <p>The projected income from maintained primary schools, buy-back income of £0.225m should generate sufficient income to achieve a breakeven position.</p>
<b>2</b>	Maintained mainstream primary schools to note that the total funding requested to be de-delegated by maintained mainstream primary schools is £86,957.

**1. Reasons for recommendations**

- 1.1 Under the school funding arrangements, costs which relate to teachers and non-teaching support staff who are employed by schools and are engaged as Senior Trade Union Representatives can be centrally retained on the behalf of maintained

primary schools if de-delegation is approved. Funding for facility time forms a part of the school formula. However, funding can also be retained centrally by Nottingham City Council on behalf of maintained mainstream primary schools if de-delegation is approved.

- 1.2 The decision made by primary maintained schools at Schools Forum on 5 December 2023 to de-delegate from 1 April 2024 to 31 March 2025 related to that year only, so a new approval is required for de-delegation to continue from 1 April 2025 to March 2026. Schools Forum members of maintained mainstream primary schools must decide whether this service should be provided centrally, and the decision will apply to all maintained mainstream primary schools in that phase. Funding for this service will then be removed from the individual school budgets of maintained mainstream primary schools before their school budgets are issued.

In October 2013 Schools Forum agreed that Academies could be approached to ascertain whether they would like to be part of the Local Authority's (LA) arrangements in relation to the funding of senior trade union representatives. We are yet to write to Academies asking them to buy into the service from April 2025 and this will be based on the costing decision taken at Schools forum on 10 December 2024.

- 1.3 **Table 1** shows the number of schools participating in the trade union arrangement from 2016/17 to 2023/24.

<b>Table 1: Number of maintained schools and academies in the trade union cover arrangement and trade union allowance for each financial year</b>									
	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Maintained primary schools	39	36	30	29	29	29	29	29	29
Academies, maintained special schools and pupil referral units	34	20	34	36	37	40	41	43	43
<b>Total</b>	<b>73</b>	<b>56</b>	<b>64</b>	<b>65</b>	<b>66</b>	<b>69</b>	<b>70</b>	<b>72</b>	<b>72</b>

It is anticipated that the same number schools and academies (72) will take part in the arrangement in the 2025/26 de-delegation period.

- 1.4 The allowance allocated for 2025/26 to schools Trade Unions, which has remained the same for the last two years, will be increased by one day to 3.9 which equates to 19.5 days per week.

**Table 2** shows the rates applied over the last six financial years to schools and academies.

	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Per Pupil rate	£1.52	£1.52	£1.55	£1.45	£1.52	£1.64	£1.63	£1.75	£1.77
Lump sum per school	£1,587	£1,590	£1,622	£1,368	£1,538	£1,693	£1,653	£1,766	£1,746

## 2. Background (including outcomes of consultation)



2.1 Time off for local workplace representatives is currently funded by the schools in which they work, but there is central funding for senior TU representatives from the main unions that represent teachers and support staff in schools namely:

- National Association of School Masters and Union of Women Teachers (**NASUWT**)
- National Association of Head Teachers (**NAHT**)
- **UNISON**
- **UNITE**
- **GMB**
- National Education Union (**NEU**) from 1 September 2017 (Previously National Union of Teachers and Association of Teachers and Lecturers)

These senior representatives meet with officers of the LA to participate in the schools collective bargaining machinery, negotiating and engaging in consultation on terms and conditions of service and HR policies and procedures as well as representing their members on a range of employment matters. If this funding were not available, senior TU representatives would be asking for time off to attend meetings with the Council and this would have to be funded by the school in which they work as there is an entitlement under the Trade Union and Labour Relations (Consolidation) Act 1992 (TULR(C)A) for reasonable time off for trade union officials to represent their members.

2.2 Academies are in a similar position; some of their employees are senior TU reps and are asking for release to represent employees in maintained schools and other academies. The current funding method means that academies will be reimbursed for time spent away from school on TU duties.

2.3 There are benefits and economies of scale for maintained schools and academies from contributing to the LA's arrangements for trade union consultation. They do not have to duplicate effort when negotiating policies and procedures. Schools can then use such policies, if they buy back HR services, in the knowledge that the senior trade union representatives have been consulted and any issues resolved. Senior TU representatives are also more experienced in policies and procedures, when representing their members, which can be helpful.

2.4 Schools and academies that do not contribute to the TU costs will have to have their own arrangements for negotiating and consulting trade unions on terms and conditions of service and will have to release TU representatives from their own school to undertake collective bargaining and to represent their employees.

### 3. **Other options considered in making recommendations**

3.1 If de-delegation is not supported, schools and academies will have to the delegated budget to make their own arrangements for negotiating and consulting with the trade unions on changes to HR policies and procedures which will lead to duplication of effort and inconsistencies across schools.

3.2 Senior TU reps have a legal right to time off to participate in the collective bargaining arrangements of their employer and to represent their members. If the de-delegations are not agreed, individual schools and academies would have to bear the cost of the time off for the senior TU reps nominated by their union to participate in these discussions. TU's may also decide that they each wish to appoint reps in individual

schools and, therefore, schools may also have to pay additional costs for the training and CPD of each TU rep.

#### 4. Outcomes/deliverables

4.1 The money requested is based on average salaries of the senior TU representatives (in UPS grades 1, 2 and 3) who have time off therefore those schools including academies who have senior TU representatives with time off will receive the actual cost of the absence of that employee. The amount of time off per union is based on the per capita membership per union and the actual cost of the senior TU reps' salaries.

#### 5. Consideration of Risk

5.1 None

#### 6. Finance colleague comments (including implications and value for money/VAT)

6.1 In 2025-26 local authorities will continue to be funded based on the schools national funding formula. Included within this approach is for local authorities to be able to continue to request approval from maintained primary and secondary school representatives on Schools Forum for de-delegated services.

6.2 New decisions are required annually before the start of each financial year for any service to be de-delegated.

6.3 As stated in 4.1 the cost of trade union facility time is reimbursed to their place of employment. The de delegation of funding for Union duties is for the school where the union rep is employed is so that the school where the union rep is employed can use this funding to provide cover for when the rep is undertaking union duties. The reimbursements will be actioned by the Local Authority at the end of each financial year (March) once the actual costs have been confirmed they have been incurred. Based on the estimated 2025/26 salary projections and forecast income from maintained schools, academies and maintained special schools, and PRU's who buy into the service based on a provisional rate of £2.35 per pupil and a lump sum of £2,188, would generate funding of £225,055 to cover the costs of the salaries in the financial year 2025/26.

6.4 It is estimated that this approach should enable the facility time to be funded for 2025/26 to a breakeven position.

**Table 3** shows the forecast projection for 2024/25.

<b>Table 3: Forecast projection for the financial year 2025/26</b>		
Forecast income from maintained primary schools	£86,957	
Forecast income from academies and maintained special schools, Hospital and Home Education PRU	£138,098	
Forecast income		£225,055

Less Forecast expenditure		-£225,055
<b>Net Surplus/(Deficit)</b>		<b>£0</b>

- 6.5 Due to the additional work required at both a school and authority level to obtain salary details, it is proposed for 2025-26 that an average salary for a M6, UPS1, UPS2 and UPS 3 are used. Table 1 shows the calculation for this.

<b>Scale</b>	<b>Annual Salary 2024-25 including the 5.5% pay award (excl. on costs)</b>	<b>Annual salary 2025-26 including a contingency for another 5.5% pay award (excl. oncosts)</b>
M6	£43,606	£46,004
UPS 1	£45,646	£48,157
UPS 2	£47,338	£49,942
UPS 3	£49,084	£51,784
<b>Average</b>	<b>£46,419</b>	<b>£48,972</b>

It is hoped that this will simplify the process and speed up the payments to schools. In obtaining information and the funding being given to the schools.

Susan Woodland  
Senior Commercial Business Partner

28 November 2024

## 7. Legal colleague comments

- 7.1 The schools' forum's powers here derive from the School and Early Years Finance (England) Regulations 2023 ("SEYFR"), made by the Secretary of State for Education in exercise of powers under the School Standards and Framework Act 1998 and the Education Act 2002.
- 7.2 Chapter 2 of Part 2 of the SEYFR is entitled "Further Deductions and Variations to Limits Authorised by School Forums or the Secretary of State" and it contains regulation 12 of the SEYFR. Under regulation 12 of the SEYFR, on the application of a local authority the schools forum may authorise the redetermination of schools' budget shares by removal of any of the expenditure referred to in Part 6 (Items That May Be Removed From Maintained Schools' Budget Shares-Primary and Secondary Schools) of Schedule 2 [of the SEYFR] from schools' budget shares where it is instead to be treated by the authority as if it were part of central expenditure, under regulation 11(5) (SEYFR, regulation 12(1)(d)). Part 6 of Schedule 2 to the SEYFR contains paragraph 43, which states, amongst other things: -

Expenditure on making payments to, or in providing a temporary replacement for, any person who is –

- (a) carrying out trade union duties or undergoing training under sections 168 and 168A of the Trade Union and Labour Relations (Consolidation) Act 1992;
- (b) taking part in trade union activities under section 170 of the Trade Union and Labour Relations (Consolidation) Act 1992;

7.3 Therefore, provided the proposals fall within the above legislation, Nottingham City Schools Forum has the power to approve the recommendations in this report. This power should be exercised lawfully. Provided the amounts sought through use of this power have been correctly and lawfully calculated, the exercise of this power will be lawful.

7.4 Moreover, it should be noted that any decision taken by the Schools Forum here does not obviate an employer's requirement to consult with staff via their trade union representatives. As employers of their own staff, academies (and the governing bodies of voluntary aided schools) will still have substantive legal obligations to consult, even if their proposals align with those of Nottingham City Council in relation to the authority's own staff in maintained schools.

Helen Varey  
Solicitor (Employment & Dispute Resolution)  
10 December 2024

## 8. **HR comments**

8.1 The relevant HR issues are included in the above report.

8.2 The existing 'pot' set up by the LA for academies to pay into, continues to be supported by a number of academies having previously recognised the value of the expertise provided by TU officials via effective JCNC mechanisms.

8.3 Our ambition for City schools to be less atomised by encouraging and supporting joined up working between organisations is supported by having organisations that 'join them up' and the TUs are a primary example of this in practice.

## 9. **Crime and Disorder Implications (If Applicable)**

9.1 Not applicable

## 10. **Social value considerations (If Applicable)**

10.1 Not applicable

## 11. **Equality Impact Assessment (EIA)**

11.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because these proposals have a very broad scope across many schools and academies and are focussed on financial matters. It is not possible to accurately assess how this directly impacts on individuals employed within schools.

## 12. **Data Protection Impact Assessment (DPIA)**

12.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because there are no data protection risks associated with this proposal.

**13. Carbon Impact Assessment (CIA)**

13.1 Has the Carbon impact of the proposals in this report been assessed?

No



The Carbon impact assessment is not required because it is not applicable.

**14. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

14.1 None

**15. Published documents referred to in this report**

15.1 Schools and Early Years Finance Regulations 2022

15.2 The national funding formulae for schools and high needs 2023-24 Policy document – July 2022

15.3 Schools Forum report 6 December 2022: De-delegation of funding for Trade Union time off for senior representatives

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**Schools Forum – 10 December 2024**

<b>Title of paper:</b>	De-delegation of 2025/26 Health and Safety Building Inspection Funding
<b>Director:</b>	Nicholas Lee - Education Services
<b>Report author and contact details:</b>	Trevor Bone, Head of Building Services and Facilities Management <a href="mailto:trevor.bone@nottinghamcity.gov.uk">trevor.bone@nottinghamcity.gov.uk</a>
<b>Other colleagues who have provided input:</b>	Susan Woodland, Senior Commercial Business Partner, Finance David Thompson, Schools Health and Safety Manager

<p><b>Summary</b></p> <p>The purpose of this report is to update Schools Forum (SF) on the statutory and legislative health and safety responsibilities of the Local Authority (LA) in relation to maintenance and testing of maintained school properties and how the funding, requested be de-delegated, is used to support this, in summary:</p> <ul style="list-style-type: none"> <li>• Previously, maintained schools expressed a preference to be able to organise their health and safety tests and inspections themselves. During discussion between Pat and Sarah Fielding (Nottingham Schools Trust) with Nicholas Lee (Director of Education Services) and David Thompson (Schools Health and Safety Manager) it was agreed that a report requesting the de-delegation of funding would be brought to SF annually. This report asks maintained primary schools if they would like to approve the de-delegation of funding for health and safety tests and inspections for the financial year 2025/26.</li> <li>• The LA are required to seek approval on an annual basis in accordance with the ‘Schools and Early Years (England) Finance Regulations 2024’.</li> </ul>	
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<b>Recommendations:</b>	
<b>1</b>	To note the statutory and legislative health and safety responsibilities of the LA in relation to building maintenance of maintained primary and secondary schools and the type of costs that the requested funding will be used to fund, as detailed in paragraph 1.2.
<b>2</b>	<b>For maintained mainstream primary schools to approve</b> the de-delegation of health and safety building inspection funding for 2025/26 based on a rate of £8.58 per pupil, with a total estimated funding requirement for mainstream maintained primary schools of £0.094m, and to note an additional income of £0.003 will be sought from buy back from maintained special schools, maintained pupil referral Unit and maintained nursery, making a total budget of £0.097m.

**1. Reasons for recommendations**

1.1 The overall responsibility for health and safety lies with the employer. The Health and Safety Executive state that in England the Local Authority (LA) is the employer in community schools. The Health and Safety at Work Etc. Act 1974 (section 4) imposes duties on an individual or body who has control of the premises. This

includes those with obligations for maintenance or repairs and control of access. There can be multiple duty holders within a school context. In schools, the management of health and safety on the estate is delegated by the employer to Head Teachers and school Governing Bodies.

The Health and Safety at Work Etc. Act 1974 and subsequent legislation places a general duty on employers to ensure so far as is reasonably practicable the health, safety, and welfare at work of all their employees and non-employees. To assist meeting schools' statutory building health and safety responsibilities, Property Maintenance, situated within Corporate Landlord Services at the LA ensure that the statutory and legislative maintenance and testing regimes are undertaken within Nottingham City Council's portfolio of properties, to ensure that all property facilities with health and safety implications listed on the schedule.

1.2 The funding requested to be de-delegated in this report in 2025/26 is to be used by Property Maintenance to fund the tests and inspections in maintained primary schools. These tests and inspections include, but are not restricted to:

- Air Conditioning Units;
- Asbestos surveys;
- Automatic doors and gates;
- Boilers;
- Electrical circuit testing;
- Emergency lighting;
- Fire alarms;
- Heat pumps;
- Legionella risk assessments;
- Lifts;
- Lightning protection;
- Pressure sets;
- Stage lighting.

1.3 Approval of the de-delegation of Health and Safety inspections is required for maintained mainstream primary school sites to assist the LA to deliver its statutory obligation regarding the health and safety of these sites. Maintained special schools, pupil referral units and nursery schools are not allowed to de-delegate funding, these establishments are required to buy-back services. Therefore, these schools will be invoiced for the cost of their tests and inspections based on the same rates applied to maintained mainstream primary schools.

1.4 Approvals for de-delegations are annual regardless of the statutory nature.

1.5 The calculation of the rate for the financial year 2025/26 has been solely based upon the forecast income from maintained primary schools, maintained special schools, Hospital and Home Education and Nottingham Nursery. The October 2023 census data has been used to forecast the budget, but this will be updated once we have the latest census data for October 2024. An uplift of 3% has been added to manage inflationary increases within the service. A rate of £8.58 per pupil would be required to breakeven in the financial year 2025/26.

## 2. **Background (including outcomes of consultation)**



2.1 In order to achieve a competent level of functionality the LA will consider the relevant legislation and documentation, which may include:

- Legislation and regulation;
- Industry Standards;
- Approved Codes of Practice;
- Manufactures Guidance and recommendations;
- Best practice.

A policy has been produced by the Corporate Landlords Property Maintenance Team "BS 019 - Stat Testing Statement rev 1.2F April 2024 CL". This document confirms Nottingham City Council's responsibilities in relation to tests and inspections carried out in Nottingham City properties, in line with corporate policies. The aim of the document is to give support and advice and ensure clarifications of property related health and safety responsibilities are understood. This document can be found in the Schools Safety Manual.

Property Maintenance Team using SFG 20 industry guidance have put in place a timetable for tests and inspections, which reflect a combination of statutory guidance and appropriate practice. The LA uses internal and external contractors to carry out the tests and inspections. The timetable for tests and inspections, undertaken in-house or by contractors, range from daily to up to every five years dependent on the test or inspection.

- 2.2 Note that the funding does not include the Property Maintenance advisory service on such remedial matters, this service is available via an Education Services Nottingham contract.
- 2.3 Where tests and inspections are required as part of a health and safety management system, such as asbestos, legionella or fire safety, separate policies relating to these items are found on the Corporate Safety Advice intranet site.

### **3. Other options considered in making recommendations**

- 3.1 If the health and safety inspections were undertaken by the school (i.e. the LA does not organise them on the schools' behalf) then according to health and safety legislation the LA would still retain the overall responsibility that they are undertaken. Therefore, the LA would need to monitor the schools to ensure that they are taking place. In the event that they do not take place in a timely fashion to the relevant standard, the LA has the legal responsibility to instruct the school to act and/or undertake the inspection and tests automatically and recharge the school. The LA may choose to add officer time to this recharge.
- 3.2 It should be noted that the option is against Corporate Landlord Policy which mandates that only the Corporate Landlord undertakes statutory testing and inspection across all applicable Council properties.

### **4. Outcomes/deliverables**

- 4.1 To de-delegate this funding will enable the LA to fulfil its statutory duties in relation to Health and Safety on maintained mainstream primary school sites.

4.2. Schools Health and Safety Team will be provided in good time the details of any services where the contractor has changed, so this information can be shared with schools and schools will be given access to the Concerto database where the schedule of tests and the most recent report will be held.

## 5. Consideration of Risk

5.1 Predominately this report focuses on adhering to the management of the LA Health & Safety risk, but also ensures that all aspects of risk management are managed within the LA constitutional requirements.

## 6. Finance colleague comments (including implications and value for money/VAT)

6.1 Approval to de-delegate funding must be sought on an annual basis.

6.2 This report is seeking maintained primary schools approval to de-delegate funding for the cost of health and safety tests and inspections in the financial year 2025/26. This service is also going to be provided to Rosehill Special School, Hospital and Home Education and Nottingham Nursery on a buy-back basis.

6.3 It is estimated that this combined approach should enable the health and safety tests and inspections budget for 2025/26 to achieve a breakeven position. This calculation has been based on the number of pupils on the October 2023 census and would require a rate of £8.58 per pupil to ensure a breakeven position is achieved.

<u>Table 1:Forecast projection for the financial year 2025/26</u>		
	£m	£m
Forecast income from maintained primary schools 2025/26	93,730.00	
Forecast income from maintained establishments who buy back the service 2025/26	3,090.00	
Toral Forecast income		96,820.00
Less forecast expenditure	96,820.00	
Net surplus/(deficit)		0.00

The estimated cost of health and safety tests and inspections for the financial year 2024/25 was £94,000. In order to be prudent, the projected costs for 2025/26 have been inflated by 3%.

6.4 **Table 2** shows the forecast funding that would be deducted if maintained primary schools were to agree to de-delegation in 2025/26.

<b>Table 2:Forecast range of costs to be de delegated</b>	
<b>Pupil number ranges</b>	<b>Costs range from and to</b>
100 to 199	£858 to £1,707
200 to 299	£1,716 to £2,565
300 to 399	£2,574 to £3,423
400 to 499	£3,432 to 4,281
500 to 599	£4,290 to £5,139
600 to 699	£5,148 to 5,997
700 to 1100	£6,006 to £9,438

6.5 Any underspend at the end of the financial year 2025/26 will be reported back to school's forum.

Susan Woodland, Senior Commercial Business Partner - 14 November 2024

## 7. **Legal colleague comments**

7.1 The Council retains primary responsibility for health and safety for those schools where it is the employer however, governing bodies also have health and safety responsibilities arising from their control and use of the school premises and their management of the school staff.

7.2 Regulation 12(1)(e) of the School and Early Years Finance and Childcare (Provision of Information about Young Children) (Amendment) (Regulations) 2024 ( The 2024 Regulations) allows the Schools Forum to authorise “the redetermination of schools' budget shares by removal of any of the expenditure referred to in Part 7 of Schedule 2 from schools' budget shares where it is instead to be treated by the authority as if it were part of central expenditure, in accordance with regulation 11(6)”. Part 7 paragraph 69 relates to “Expenditure in relation to compliance with the authority's duties under the Health and Safety at Work etc. Act 1974 and the relevant statutory provisions as defined in section 53(1) of that Act, in so far as compliance cannot reasonably be achieved through tasks delegated to the governing bodies of schools; but including expenditure incurred by the authority in monitoring the performance of such tasks by governing bodies and, where necessary, giving them advice”.

7.3 Schools Forum therefore appears to have the power to approve the recommendations in this report. By virtue of regulation 8 (9C) of the Schools Forums (England) Regulations 2012 (as amended) only the following representatives may vote on this matter:

- representatives of primary schools other than nursery schools;
- representatives of secondary schools;
- representatives of special schools, where there are any such schools in the authority's area;
- representatives of pupil referral units, where there are any such schools in the authority's area.

Ann Barrett, Team Leader Legal Services - 19 November 2024

## 8. **Other relevant comments**

8.1 None.

## 9. **Crime and Disorder Implications (If Applicable)**

9.1 N/A

## 10. **Social value considerations (If Applicable)**

10.1 N/A

## 11. **Equality Impact Assessment (EIA)**

11.1 An EIA is not required.

**12. Data Protection Impact Assessment (DPIA)**

12.1 A DPIA is not required.

**13. Carbon Impact Assessment (CIA)**

13.1 A CIA is not required.

**14. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

14.1 None.

**15. Published documents referred to in this report**

15.1 Nottingham City Council Policy: 'Statutory Testing & Inspection of Fixed Installations in Nottingham City Council Properties – Policy statement & Testing Procedures October 2013 v 1.2b)'.  
15.2 Legislation:

- The School and Early Years Finance (England) Regulations 2024;
- The Health and Safety at Work etc. Act 1974 and associated legislation;
- DfE: Good estate management for schools.

## Equality Impact Assessment (EIA) Tool

### Document Control

<b>Control Details:</b>	
Title of EIA/ Decision (DDM):	De-delegation of 2024/25 Health and Safety Building Inspection Funding.
Budget booklet code (if applicable):	N/A
<b>If this is a budget EIA, please ensure the title and budget booklet code is the same as the title used within the budget booklet</b>	
Name of author (Assigned to Pentana):	Trevor Bone
Department:	Corporate Landlord Services
Director:	Nicki Jenkins
Division:	Growth & City Development
Contact details:	<a href="mailto:Trevor.bone@nottinghamcity.gov.uk">Trevor.bone@nottinghamcity.gov.uk</a>
Strategic Budget EIA:	No
<a href="#">Exempt from publication:</a>	No (If Yes, please provide reasoning)
Date decision due to be taken:	November 2024

### Document Amendment Record

Version	Author	Date
001	Trevor Bone	18/11/2024

### Contributors/Reviewers (Anyone who has contributed to this document to be named)

Name	Title role	Date
Trevor Bone	Head of Building Services & FM	15/11/2024
Rosey Donovan	Equality and Employability Consultant	18/11/2024

### Glossary of Terms

Term	Description
SF	Schools Forum
LA	Local Authority
CAFM	Computer Aided Facility Management
EIA	Equality Impact Assessment

## Section 1 – Equality Impact

(NCC staff/ Service users/ Citizen/ Community impact)

### 1. a. Brief description of proposal/ policy/ service to be assessed

The purpose of this report is to update Schools Forum (SF) on the statutory and legislative health and safety responsibilities of the Local Authority (LA) in relation to maintenance and testing of maintained school properties and how the funding, requested be de-delegated, is used to support this, in summary:

- Previously, maintained schools expressed a preference to be able to organise their health and safety tests and inspections themselves. During discussion between Pat and Sarah Fielding (Nottingham Schools Trust) with Nicholas Lee (Director of Education Services) and David Thompson (Schools Health and Safety Manager) it was agreed that a report requesting the de-delegation of funding would be brought to SF annually. This report to SF asks maintained primary schools if they would like to approve the de-delegation of funding for health and safety tests and inspections for the financial year 2025/26.
- The LA are required to seek approval on an annual basis in accordance with the 'Schools and Early Years (England) Finance Regulations 2023 [The School and Early Years Finance \(England\) Regulations 2023](#).

### 1. b. Information used to analyse the equalities implications

No consultation exercise nor duty to consult is required due to the type of maintenance being a statutory requirement for schools to undertake. If not undertaken, then schools would have to close as they couldn't prove they were safe to use. Without statutory maintenance it's envisaged that all citizens of Nottingham would be impacted upon as the LA education portfolio would not be compliant with statutory, legislative and insurance requirements and therefore assets would have to close or if they decided to remain open they would be in breach of legislation and would potentially become a risk to all citizens and colleagues using them.

1. c. Who will be affected and how?

Equality group/ individual	Impact type	Positive	Negative	None
<b>People from different ethnic groups</b>	<input type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input type="checkbox"/> Citizens <input type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reasons for your assessment (Including evidence)	The Local Authority (LA) has a statutory duty regarding Health and Safety of maintained school sites. To ensure that the LA is able to carry out its statutory duty it has to on an annual basis request Schools Forum to approve the de-delegation of this funding.			
Details of mitigation/ actions taken to advance equality	<p>By implementing this proposal, it will stop the likelihood of schools incurring unnecessary budget pressures caused by having to fund health and safety maintenance costs in relation to their sites. If schools had to fund this and the costs were higher than they had budgeted it may require them to move resources from the education of their pupils to cover health and safety maintenance costs of the site.</p> <p>By retaining this funding centrally, it will enable a consistent approach as to how money is spent pupils by resources not being taken away from the education of pupils in some schools and not in others.</p> <p>There are no staffing issues generated by this decision Fully managed statutory compliance testing through a CAFM system</p>			
Details of any arrangements for future monitoring of equality impact (Including any action plans)	There is no specific monitoring arrangement required as this EIA and report are annual to release education funds for Building Services to undertake their Statutory maintenance			
Equality group/ individual	Impact type	Positive	Negative	None
<b>Men</b>	<input type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input type="checkbox"/> Citizens <input type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reasons for your assessment (Including evidence)	As per 'ethnic groups'			
Details of mitigation/ actions taken to advance equality	As per 'ethnic groups'			
Details of any arrangements for future monitoring of equality impact (Including any action plans)	As per 'ethnic groups'			
Equality group/ individual	Impact type	Positive	Negative	None
<b>Women</b>	<input type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input type="checkbox"/> Citizens <input type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reasons for your assessment (Including evidence)	As per 'ethnic groups'			
Details of mitigation/ actions taken to advance equality	As per 'ethnic groups'			
Details of any arrangements for future monitoring of equality impact (Including any action plans)	As per 'ethnic groups'			
Equality group/ individual	Impact type	Positive	Negative	None



<b>Trans</b>	<input type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input type="checkbox"/> Citizens <input type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reasons for your assessment (Including evidence)	As per 'ethnic groups'			
Details of mitigation/ actions taken to advance equality	As per 'ethnic groups'			
Details of any arrangements for future monitoring of equality impact (Including any action plans)	As per 'ethnic groups'			
Equality group/ individual	Impact type	Positive	Negative	None
<b>Disabled people/ Carers</b>	<input checked="" type="checkbox"/> NCC staff <input type="checkbox"/> Service users <input type="checkbox"/> Citizens <input type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reasons for your assessment (Including evidence)	As per 'ethnic groups'			
Details of mitigation/ actions taken to advance equality	As per 'ethnic groups'			

Details of any arrangements for future monitoring of equality impact (Including any action plans)	As per 'ethnic groups'			
Equality group/ individual	Impact type	Positive	Negative	None
<b>Pregnancy and maternity</b>	<input type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input type="checkbox"/> Citizens <input type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reasons for your assessment (Including evidence)	As per 'ethnic groups'			
Details of mitigation/ actions taken to advance equality	As per 'ethnic groups'			
Details of any arrangements for future monitoring of equality impact (Including any action plans)	As per 'ethnic groups'			
Equality group/ individual	Impact type	Positive	Negative	None
<b>Marriage/ Civil Partnership</b>	<input checked="" type="checkbox"/> NCC staff <input type="checkbox"/> Service users <input type="checkbox"/> Citizens <input type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reasons for your assessment (Including evidence)	As per 'ethnic groups'			

Details of mitigation/ actions taken to advance equality	As per 'ethnic groups'			
Details of any arrangements for future monitoring of equality impact (Including any action plans)	As per 'ethnic groups'			
Equality group/ individual	Impact type	Positive	Negative	None
<b>People of different faiths/ beliefs and those with none</b>	<input type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input type="checkbox"/> Citizens <input type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reasons for your assessment (Including evidence)	As per 'ethnic groups'			
Details of mitigation/ actions taken to advance equality	As per 'ethnic groups'			
Details of any arrangements for future monitoring of equality impact (Including any action plans)	As per 'ethnic groups'			
Equality group/ individual	Impact type	Positive	Negative	None
<b>Lesbian/ Gay/ Bisexual people</b>	<input type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input type="checkbox"/> Citizens <input type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reasons for your assessment (Including evidence)	As per 'ethnic groups'			
Details of mitigation/ actions taken to advance equality	As per 'ethnic groups'			
Details of any arrangements for future monitoring of equality impact (Including any action plans)	As per 'ethnic groups'			
Equality group/ individual	Impact type	Positive	Negative	None
<b>Older</b>	<input type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input type="checkbox"/> Citizens <input type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reasons for your assessment (Including evidence)	As per 'ethnic groups'			
Details of mitigation/ actions taken to advance equality	As per 'ethnic groups'			
Details of any arrangements for future monitoring of equality impact (Including any action plans)	As per 'ethnic groups'			
Equality group/ individual	Impact type	Positive	Negative	None
<b>Younger</b>	<input type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input type="checkbox"/> Citizens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<input type="checkbox"/> Community			
Reasons for your assessment (Including evidence)	As per 'ethnic groups'			
Details of mitigation/ actions taken to advance equality	As per 'ethnic groups'			
Details of any arrangements for future monitoring of equality impact (Including any action plans)	As per 'ethnic groups'			
Equality group/ individual	Impact type	Positive	Negative	None
<b>Care Experience</b> (Please refer to the guidance notes for further information)	<input type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input type="checkbox"/> Citizens <input type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reasons for your assessment (Including evidence)	As per 'ethnic groups'			
Details of mitigation/ actions taken to advance equality	As per 'ethnic groups'			
Details of any arrangements for future monitoring of equality impact (Including any action plans)	As per 'ethnic groups'			
Equality group/ individual	Impact type	Positive	Negative	None
<b>Other</b> (E.g. Cohesion/ good relations, vulnerable children/ adults), socio- economic background (e.g. financial vulnerable)	<input type="checkbox"/> NCC staff <input checked="" type="checkbox"/> Service users <input type="checkbox"/> Citizens <input type="checkbox"/> Community	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reasons for your assessment (Including evidence)	As per 'ethnic groups'
Details of mitigation/ actions taken to advance equality	As per 'ethnic groups'
Details of any arrangements for future monitoring of equality impact (Including any action plans)	As per 'ethnic groups'

**1. d. Summary of any other potential impact**

(Including cumulative impact/ human rights implications):

The LA are recommending this delegation proposal to reduce the likelihood of a negative impact on the pupils of maintained primary schools.

**Section 2 – Equality outcome**

Please include summary of the actions identified to reduce disproportionate negative impact, advance equality of opportunity and foster good relations. Please pull out all the mitigations you have identified and summarise them in this action plan

<b>Equality Outcome</b>	<b>Adjustments to proposal and/or mitigating SMART actions</b>	<b>Lead Officer</b>	<b>Date for Review/ Completion</b>	<b>Update/ complete</b>
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Eliminate unlawful discrimination, harassment, victimisation, and any other conduct prohibited by the Equality Act 2010.	Not applicable as this EIA is an annual task to ensure Education can release funds to Building Service to undertake statutory maintenance.			
Advance equality of opportunity between those who share a protected characteristic and those who don't	As above			
Foster good relations between those who share a protected characteristic and those who don't	As above			
(Please add other equality outcomes as required – e.g., mitigate adverse impact identified for people with a disability)	As above			

**Outcome(s) of equality impact assessment:**

<input checked="" type="checkbox"/>	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

Please note: All actions will need to be uploaded onto Pentana

**Section 3 – Approval and publishing**

<b>The assessment must be approved by the manager responsible for the service /proposal.</b>	<b>Date sent for advice: 15/11/2024</b>
<b>Approving Director details</b> (name, role, contact details):	<b>Trevor Bone</b> Head of Building Services <a href="mailto:trevor.bone@nottinghamcity.gov.uk">trevor.bone@nottinghamcity.gov.uk</a>

Approving Director Signature:	Trevor Bone
Author Signature:	Trevor Bone
Equality Team Signature: <i>Rosey Donovan</i>	Date of final approval: 18/11/2024

For further information and guidance, please visit the [Equality Impact Assessment Intranet Pages](#)

Alternatively, you can contact the Equality and Employability Team by telephone on 0115 876 2747

Send document or link for advice and/ or publishing to: [edi@nottinghamcity.gov.uk](mailto:edi@nottinghamcity.gov.uk)

**PLEASE NOTE: FINAL VERSION MUST BE SENT TO EQUALITIES OTHERWISE RECORDS WILL REMAIN INCOMPLETE.**



**Schools Forum – 10 December 2024**

<b>Title of paper:</b>	Proposed pupil growth allocation for 2025/26
<b>Director:</b>	Nick Lee - Education Services
<b>Report author and contact details:</b>	Lucy Juby, Pupil Place Planning & School Organisation Manager <a href="mailto:lucy.juby@nottinghamcity.gov.uk">lucy.juby@nottinghamcity.gov.uk</a>
<b>Other colleagues who have provided input:</b>	Susan Woodland, Interim Senior Commercial Business Partner Alexa McFadyen, Senior Solicitor (Employment)

**Summary**

As part of the budget setting process for the financial year (FY) 2025/26, this report outlines the proposed requirements of the Pupil Growth Contingency Fund (PGCF) for next year and seeks Schools Forum's approval to allocate £0.540m for this purpose. The funding will be used to fund pupil growth in both maintained schools and academies.

As part of the budget setting process for 2025/26, the School Funding team must inform the Education and Skills Funding Agency (ESFA) on 22 January 2025 on the level of funding allocated for pupil growth for academies for the period April to August 2025, from the pupil growth contingency fund.

Growth Funds are an established mechanism nationally, to support expanding schools. The Department for Education (DfE) Schools Forums: Operational and good practice guidance document from March 2021 identifies the creation of a fund and the agreement of criteria for pupil growth as one of the functions Schools Forum's are responsible for deciding on.

<b>Recommendations:</b>	
<b>1</b>	To approve the allocation of £0.540m to support pupil growth in 2025/26 (as detailed in appendix 1 - current commitments and projected requirements for pupil growth in 2025/26 based on the current PGCF criteria, and appendix 2 for secondary growth).
<b>2</b>	To note the: <ul style="list-style-type: none"> <li>(a) ESFA requirement to allocate funding to academies for the period April to August 2025, but which will be reimbursed to the LA's Dedicated Schools Grant (DSG).</li> <li>(b) amount to be allocated (and reimbursed) is £0.230m.</li> <li>(c) total amount of academies' individual school budget shares will be netted off against the pupil growth given out for this period, and the Authority's Dedicated Schools Grant for 2025/26 will be adjusted accordingly.</li> </ul>

**1 Reasons for recommendations**

1.1 The Pupil Growth Contingency Fund is not currently required for primary growth payments, as all previous funding commitments for primary growth have been met.

But it continues to provide funding to schools to meet the need for secondary school places.

- 1.2 The City's significant pupil growth started to impact on the secondary sector from 2017; therefore, an appropriate funding model was implemented to support this. In April 2018, Schools Forum approved the criteria and methodology under which funding can be allocated to secondary schools (as detailed in appendix 2). Both primary and secondary criteria are updated annually to reflect the pay increases.
- 1.3 The LA retains a statutory duty to ensure school place sufficiency. A centrally held pupil growth fund allows the LA to manage the process of supporting schools to meet Basic Need and address the funding lag when pupil numbers increase. Collaborative and strategic coordination and cooperation between all Nottingham City learning settings continues to be required, to meet the secondary sufficiency needs.
- 1.4 Financial support for schools that are providing significant additional capacity to meet this need is essential to avoid schools being at a financial disadvantage until the increased pupil numbers are reflected in their budgets. This will encourage the efficient deployment and allocation of resources as a school grows, while protecting the growth fund against long-term, non-sustainable funding commitments.
- 1.5 For maintained schools, there is usually a funding lag period of 7 months, between September and March, if schools have to provide additional staff for an extra class of pupils, but the increased number on roll are not reflected in their budget until the following April. The PGCF is used to support schools to address this funding lag.
- 1.6 Academies' Financial Year runs from September to August therefore, academies receive a full 12 months of PGCF. This is paid in two separate payments: 7/12ths of the annual amount is paid in September (to cover the period September – March). The other 5/12ths is paid in April (to cover the period April to August). This additional 5/12ths element for academies is then reimbursed to the LA's Dedicated School's Grant by the ESFA.
- 1.7 Funding will be allocated to schools, where they have agreed with the LA to admit an extra class (or more) to meet Basic Need in the area, either on a temporary basis or as an ongoing commitment or formal expansion. If a school is admitting more than one additional class to meet Basic Need, the funding allocation per class will be tapered on a sliding scale, as set out in the full funding criteria included at appendix 2.
- 1.8 A new requirement of the 2024/25 Pupil Growth Funding criteria was that an extra class (i.e. between 25-30 pupils) will be funded regardless of whether it is within or above PAN. Whereas the previous criteria were only to fund increases which are over PAN. This new requirement is set out in the DfE Growth and falling rolls fund guidance: 2024 to 2025 (August 2024).
- 1.9 Schools will receive funding for every year that they admit the additional class, which in the case of a permanent increase is normally 5 years for a secondary school. If a school increases their capacity by a temporary bulge year, they will receive funding for that year / or temporary period only.
- 1.10 The forecast expenditure for 2025/26 has been costed on the basis of the current and anticipated level of growth at the secondary phase. This includes both existing commitments for secondary growth, as well as an estimated contingency based on potential additional capacity needs for the September 2025 academic year.

## 2 Background

- 2.1 For 2025/26, the level of funding for pupil growth requested from Schools Forum is £0.540m. Table 1 below demonstrates how the fund is projected to be allocated. A full breakdown of known and projected expenditure by school is shown in appendix 1.

Agreed expansions / PAN increases / bulge classes	£0.149m
Additional funding for academies to fund full FY	£0.230m
Contingency for an additional 3 FE	£0.161m
<b>TOTAL</b>	<b>£0.540m</b>

Table 2 below shows the level of funding approved in recent years, which has been gradually reducing and for 2025/26 it reduces significantly:

2024/25	£0.909m
2023/24	£0.935m
2022/23	£1.116m
2021/22	£1.282m
2020/21	£1.394m
2019/20	£1.324m

- 2.2 For 2025/26, the known requirements that are already committed or projected for the pupil growth fund total £0.379m.
- 2.3 A further sum of £0.161m has been set aside to allow for contingency, to support other schools accommodating additional pupils (if it meets the funding criteria attached). Which has been calculated on the basis of an estimated 3 additional classes potentially required in September 2025, which includes extra capacity for Year 7 entry as well as allowing for some additional capacity for in-year admissions across other year groups.
- 2.4 Ensuring that the supply of school places meets demand is, and remains, a statutory duty of Local Authorities, even though LAs are no longer able to open new schools. As commissioners of education working with a range of providers, Nottingham City is striving to meet school place needs in a way that promotes parental choice, diversity and enabling access to good or outstanding local schools.
- 2.5 To recap on the significant additional capacity we've implemented in collaboration with secondary academies since 2017, this has been through a variety of measures - permanent expansions across Trinity School, NUA and Fernwood Academy creating an extra 8 forms of entry (FE). Additionally, the new 1200 place Bluecoat Trent Academy secondary school opened on a temporary site in September 2021, providing a further 8 FE. The expansion of Bluecoat Wollaton Academy (subject to planning approval) will create another 2 FE increase. Additional places have also been agreed at other academies through a combination of increased PANs and temporary bulge classes.
- 2.6 Despite this significant investment, secondary capacity remains tight for the 2026-28 Year 7 admission years. The LA continues to work with academies to utilise existing

physical capacity and explore PAN increase options for this period to manage the pressure.

- 2.7 The LA's ambition is for all pupils in Nottingham to attend a good local school. We aim to promote parental choice and to maximise the number of pupils securing their preferred school. For September 2024 secondary school admissions, 89% of pupils were offered their first or second choice secondary school. This was a 1% percent increase on the previous year and was supported by the LA and some academies agreeing collaborative solutions to increase capacity where it is needed most.
- 2.8 The full breakdown and annual updates to Pupil Growth Contingency Fund spend will continue to be reported to Schools Forum.

### **3 Other options considered in making recommendations**

- 3.1 None.

### **4 Outcomes / Deliverables**

- 4.1 To address the need for additional capacity in the secondary sector, in line with the LAs statutory requirement to provide school places. The provision of this revenue funding in a timely manner supports schools to effectively meet the needs of pupils and to maintain standards and performance, without sustaining a significant funding shortfall.

### **5 Finance colleague comments (including implications / value for money / VAT)**

- 5.1 In 2019-20, the DfE introduced a formulaic approach to allocating growth funding to local authorities. In 2025/26 funding will continue to be allocated using the same methodology. This means it will be based on the growth in pupil numbers between the October 2023 and October 2024 censuses in each middle super output area (MDSOA) within the authority.
- 5.2 In 2025/26 local authorities will continue to be responsible for managing their pupil growth funding locally and setting their pupil growth criteria's.
- 5.3 The growth fund can only be used to:
  - support growth in pre-16 pupil numbers to meet basic need;
  - support additional classes needed to meet the infant class size regulation;
  - meet the revenue cost of new schools.

From 2024 to 2025 local authorities will need to provide growth funding where a school or academy has agreed with the local authority to provide an extra class to meet basic need in the area (either as a bulge class or as an ongoing commitment).

The growth fund must not be used to support:

- schools in financial difficulty - any such support for maintained schools should be provided from a de-delegated contingency;
- general growth due to popularity; this is managed through lagged funding. This includes cases where academies have admitted above pupil admission numbers (PAN) by their own choice.

- 5.4 As per paragraph 2.1, this report seeks approval to allocate £0.540m for pupil growth for both maintained schools and academies in the city in 2025-26. The estimated funding requirement for 2025/26 has been calculated based on the principles included in the Pupil Growth Contingency Fund Criteria set by Schools Forum on 24 April 2018.

The data set used in the calculation of the rates for pupil growth in 2025-26 are reflective of the October 2023 census. The final growth fund for 2025-26 will be updated to reflect the October census for 2024 so that the data is the most up to date information available and aligns with the data used to calculate school's budgets for 2025-26.

- 5.5 As stated in Table 1 (at 2.1 above), £0.149m has been allocated for maintained schools and academies pupil growth for the period September 2025 to March 2026, £0.230m for academies for the period April 2025 to August 2025, plus an additional contingency of £0.161m for any further expansions or increases that may be required in 2025-26. If approved the funding will be included in the 2025/26 budget.
- 5.6 The 2025/26 pupil growth for academies relating to April 2025 to August 2025 (£0.230m) will be included in the submission of the 2025/26 school budgets to the ESFA. This funding will then be reimbursed to the Local Authority in 2025/26.
- 5.8 An update on the financial position on the Schools Block will be provided to Forum in the 'Schools Budget 2025/26' report, to be submitted to 14 January 2025 meeting.
- 5.9 As in 2024 to 2025, the ESFA will be allocating funding based on both growth and falling rolls in 2025-26.

Falling rolls funding will be distributed on the basis of the reduction in pupil numbers that local authorities experience for each year. It is based on the observed differences between the primary and secondary number on roll in each local authority between the October 2023 and October 2024 school censuses. Falling rolls are measured at the MSOA within each local authority – these are areas used by the ONS based on population data, which allow us to capture falling rolls in small geographical areas within local authorities. The falling rolls allocation for each local authority will be £140,000 per MSOA which sees a 10% or greater reduction in the number of pupils on roll between the two census years. This allocation will be subject to an Area Cost Adjustment (ACA figures have not been published for 2025-26).

The Local Authority does not anticipate that it will receive any falling rolls funding in 2025-26 as it is anticipated that the falling rolls will not meet the 10% threshold.

In 2025-26 local authorities will continue to have discretion over whether to operate a falling rolls fund. Where local authorities operate a fund, they will only be able to provide funding where school capacity data 2023 (SCAP) shows that school places will be required in the subsequent three to five years. This SCAP requirement replaces previous guidance that funding may only be used where local planning data shows that the surplus places will be needed within the next three financial years.

The requirement that schools must be Ofsted rated 'good' or 'outstanding' to be eligible for falling rolls funding was withdrawn in 2024-2025 financial year.

At present the pupil forecasts are not showing that the schools places will be required in the next three to five years where schools are experiencing falls in pupil numbers so a falling rolls fund cannot be set up.

Susan Woodland, Senior Commercial Business Partner - 28 November 2024

## **6 Legal colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)**

### **6.1 Legal Implications**

6.1.1 The budgetary framework for the financing of maintained schools is contained in Chapter IV of Part II of the School Standards and Framework Act 1998 (“SSFA”). This chapter of the SSFA includes sections 45A (determination of specified budgets of a local authority) and 47A (the duty on a local authority to establish a schools’ forum for its area).

6.1.2 Section 45A(2) of the SSFA states that for the purposes of Part II of the SSFA, a local authority’s “schools budget” for a funding period is the amount appropriated by the authority for meeting all education expenditure by the authority in that period of a class or description prescribed for the purposes of this subsection (which may include expenditure incurred otherwise than in respect of schools). Section 45A(2A) of the SSFA states the amount referred to in subsection (2) includes the amount of any grant which is appropriated, for meeting the expenditure mentioned in that subsection, in accordance with a condition which:

*(a) is imposed under section 16 of the Education Act 2002 (terms on which assistance under section 14 of that Act is given) or any other enactment; and*

*(b) requires that the grant be applied as part of the authority's schools budget for the funding period.*

6.1.3 This means that the designated schools grant (“DSG”), which is paid to local authorities under section 14 of the Education Act 2002 (“EA 2002”) essentially on condition imposed by the Secretary of State under section 16 of the EA 2002 that it is applied as part of an authority’s schools budget for the funding period, is part of the schools budget. Indeed, the DSG is the main source of income for the schools budget (Education and Skills Funding Agency (“ESFA”) guidance *Dedicated schools grant Conditions of grant 2024-2025* (Updated 20 November 2024) states that local authorities can add to the schools budget from local sources of income (*ibid*, paragraph 3.1), subject to certain provisions. Local Authorities retain responsibility for setting the overall individual schools budget in accordance with the local schools’ funding formula, subject to The School and Early Years Finance and Childcare (Provision of Information About Young Children) (Amendment) (England) Regulations 2024, SI 2024/66 (“SEYFR”).

6.1.4 The detail is prescribed by regulations.

6.1.5 Amongst other things, regulation 1 of SEYFR states the following:

*(4) In these Regulations:*

- “1996 Act” means the Education Act 1996;
- “2003 Act” means the Local Government Act 2003;
- “2023 Regulations” means the School and Early Years Finance (England) Regulations 2023;
- “capital expenditure” means expenditure of a local authority which falls to be capitalised in accordance with proper accounting practices, or expenditure treated as capital expenditure by virtue of any regulations or directions made under section 16 of the 2003 Act;
- “CERA” means capital expenditure which a local authority expects to charge to a revenue account of the authority within the meaning of section 22 of the 2003 Act.

6.1.6 Amongst other things, regulation 8 of SEYFR states the following:

- (5) *Except as provided for in paragraphs 4 [growth fund] to 6 of Schedule 2 ... unless the criteria for determining the expenditure have been authorised by its schools forum under regulation 12(1), or from the Secretary of State under regulation 12(3).*
- (6) *Where a local authority agrees with a maintained school (other than a special school, pupil referral unit or nursery school) or an Academy school (other than a special Academy) in its area to provide an extra class to meet a need due to significant growth in pupil numbers in its area, the criteria referred to in paragraph (5) must include provision such that the amount allocated to that school is at least £1,550 in respect of each pupil to be accommodated in the extra class, multiplied by the ACA applying in relation to the area in which the school is situated.*
- (7) *Except as provided for in paragraphs (8), (15) and (16) [not relevant here], a local authority must obtain authorisation from its schools forum under regulation 12(1), or from the Secretary of State under regulation 12(3), before deducting the expenditure referred to in Schedule 2.*

6.1.7 Amongst other things, regulation 12 of SEYFR states the following:

- (1) *On the application of a local authority, its school’s forum may authorise;*
  - (c) *the making of deductions from the authority's schools budget of expenditure under regulation 8(7).*

6.1.8 Schedule 2 to SEYFR sets out the following expenditure relevant to this report:

- 1** - *CERA incurred for purposes not falling within any other paragraph of this Schedule or Schedule 1.*
- 3** - *Any deductions under any of paragraphs 1 and 2(a) to (e) must not exceed the amount deducted under each of the corresponding paragraphs of Part 1 of Schedule 2 to the 2023 Regulations for the previous funding period.*
- 4** - *Expenditure due to a significant growth in pupil numbers as a result of the local authority's duty under section 13(1) of the 1996 Act to secure that efficient primary education and secondary education are available to*

*meet the needs of the population of its area, including expenditure resulting from the additional costs associated with establishing a new school.*

6.1.9 Therefore, the expenditure proposed here is potentially expenditure to be made from the schools budget for Nottingham City Council (“NCC”) and NCC’s DSG at that. This is provided if the money is to be spent in the way proposed in this report, that it is either spent as CERA as defined by SEYFR and in accordance with SEYFR, or it is spent due to a significant growth in pupil numbers as a result of NCC’s duty under section 13(1) of the 1996 Act to secure that efficient primary education and secondary education are available to meet the needs of the population of its area. That last point is particularly important where it is envisaged that any such expenditure would be made to assist the expansion of an Academy since any expenditure of NCC’s schools’ budget on an Academy without a clear legal duty or power enabling NCC to do so would be unlawful. The reasons for recommendations and the background sections to this report set out that a significant growth in pupil numbers means that section 13(1) of the 1996 Act is potentially engaged here, and the proposed expenditure would be lawful on that basis alone.

6.1.10 Lastly as expenditure caught by Schedule 2 to SEYFR, regulation 8(7) of SEYFR requires NCC to seek the approval of Nottingham City Schools Forum under regulation 12(1)(c) of SEYFR for the expenditure referred to in this report, hence this report.

Alexa McFadyen, Senior Solicitor (Employment) - 26/11/2024

## **7 HR colleague comments**

7.1 Not required.

## **8 Equality Impact Assessment**

8.1 An EIA is not required because this annual funding approval request does not require a change to policy or practice.

## **9 List of background papers other than published works or those disclosing confidential or exempt information**

9.1 None.

## **10 Published documents referred to in compiling this report**

- 10.1 Pupil Growth Contingency Fund criteria setting – 24 April 2018 & 15 January 2019.
- 10.2 ESFA - Schools operational guide 2024 to 2025 – Updated 11 October 2023.
- 10.3 DfE - The School and Early Years Finance (England) Regulations 2023.
- 10.4 ESFA - Schools Forum – Operational and good practice guide – 2021.
- 10.5 Growth and falling rolls fund guidance: 2024 to 2025 – Updated 11 October 2023.

## **Appendix 1 – breakdown of schools due to receive funding from 2025/26 pupil growth contingency fund**



(Exact funding values to be confirmed on receipt of awaited data from the ESFA)

School	Amount £	Funding criteria	Funding start date	Funding end date (up to and including)
<b>Secondary expansions / PAN increases – Sept 2025 intake</b>				
Bluecoat Wollaton Academy	97,715	Staffing/IDACI/classroom resources	Sept 2024	Sept 2028
Nottingham Girls Academy (TBC)	51,690	Staffing/IDACI	Sept 2025	Sept 2028
Secondary contingency Sept '25-March '26 (based on estimated 3 FE increase)	161,011	Staffing / deprivation funding	Sept 2025	Sept 2025
<b>DSG required Sept 25-March 26</b>	<b>£310,416</b>			
<b>Additional funding for secondary academies - Sept 2024 intake, to fund April 25 – August '25 (reimbursed by ESFA)</b>				
NUSA	41,065	Staffing/IDACI	April 2023	April 2025
Bluecoat Wollaton Academy	69,797	Staffing/IDACI/classroom resources	April 2025	April 2029
Nottingham Girls Academy	36,922	Staffing/IDACI	April 2025	April 2029
The Fernwood School – 3 FE expansion	82,178	Staffing / deprivation funding / classroom set up	April 2021	April 2025
<b>Subtotal to be reimbursed by ESFA</b>	<b>£229,962</b>			
<b>Estimated total forecast expenditure for 2025/26</b>	<b>£540,378</b>			

**Appendix 2 – criteria for secondary phase pupil growth**

## **Conditions / principles of funding**

- Funding will be allocated to schools, where they have agreed with the LA to admit an extra class (or more) to meet Basic Need in the area, either on a temporary basis or as an ongoing commitment or formal expansion.
- An additional class (i.e. between 25-30 pupils) will be funded regardless of whether it is within or beyond PAN.
- If a school is admitting more than one additional class to meet Basic Need, the funding allocation per class will be tapered on a sliding scale as detailed below.
- Period of funding – 5 years for a permanent increase, based on the school growing year on year from Years 7-11, or when the school is full, whichever is the earliest. 'Bulge' years – funding for the relevant year only.
- Consideration will also be given to the increase of overall Number on Roll (NOR) across the school, and whether the extra class can be covered within the existing staffing structure, i.e. accounting for the difference in NOR leaving Year 11 and joining Year 7.
- Funding will only be allocated if additional costs are incurred, i.e. for staffing a full class and classroom resources.
- All decisions on the rationale for funding will be assessed by the Council's Place Planning Manager, on a case by case basis in accordance with the criteria agreed by Schools Forum and in consultation with the school.
- Growth fund is not used for: schools admitting an additional class by their own choice and without agreement with the LA to meet Basic Need in the area.

## **Criteria and funding values**

- Staffing funding based on an M6 teacher (including on-costs).
- Deprivation funding based on each school's proportion of pupils eligible for the FSM, FSM6 and IDACI band factors.
- Classroom set up costs, up to a maximum of £8,933 per additional class / 25-30 pupils. This element is only payable in justifiable circumstances, e.g. if the school has physically expanded to create brand new additional classrooms that require furniture and equipment. It will not apply where there is already existing space / surplus capacity within the school.
- All three of the above criteria payable for each additional class (per class of 25-30 pupils) but tapered on a sliding scale as follows:
  - 1 class = 100% funding
  - 2 classes = 80% funding
  - 3 classes = 60% funding
  - 4 classes = 40% funding
  - 5 classes = 20% funding

**Funding values for 2025/26 are not yet available due to the delay in information from the ESFA – to be confirmed in January 2026.**

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**Schools Forum - 10 December 2024**

<b>Title of paper:</b>	Nottingham City SEND Sufficiency - update
<b>Director:</b>	Nicholas Lee – Education Services
<b>Report author and contact details:</b>	Neil Brettell - SEND Service Manager <a href="mailto:Neil.Brettell@nottinghamcity.gov.uk">Neil.Brettell@nottinghamcity.gov.uk</a>
<b>Summary</b> To update members on SEND capital projects and sufficiency plans and Specialist School Place Numbers.	
<b>Recommendations:</b>	
<b>1</b>	To note progress made on SEND capital projects, and towards SEND Sufficiency plans.
<b>2</b>	To agree to continue to the adopt the SEND Sufficiency Strategy 2023-28 (as detailed in the appendix to the report).

**1. Reasons for recommendations**

- 1.1 In Nottingham, children with additional needs benefit from good and outstanding mainstream and special school provision. However, as is the case nationally, we are experiencing considerable growth in the numbers of young people identified as having special educational needs and/or disabilities and there is insufficient capacity to meet this growing need in primary and secondary settings in the coming years.
- 1.2 At the current time, virtually all places in special schools and Specialist Resourced Provisions within mainstream school (SRPs) are currently full. We are committed to supporting our schools and settings within the city as we believe that local provision offers the best outcomes for our children and young people.
- 1.3 The growing SEND cohort also brings financial pressure to the Council’s revenue budget. However, with adequate long-term evidence-based planning, the Council can mitigate the impact on its revenue budget through invest to save capital investments that develop the SEND estate and create the capacity within our education system to continue to meet children and young people’s needs effectively and as locally as possible.
- 1.4 Since the launch of the SEN sufficiency strategy 2023-2028, Nottingham’s high needs DSG revenue position has changed. In 2023/24 financial year the council overspend in its high needs budget and was not able to commit any funds to reserves. A DSG funding paper is to be submitted which provides greater details on the DSG revenue position and its impact on the Sufficiency Strategy.

**2. Background (including outcomes of consultation)**

- 2.1 In 2023, we consulted on the following proposals to expand Specialist SEND provision in Nottingham City.

Age range / type of provision	Type of need and scheme	Number of high needs places added and indicative date
Primary Specialist Resourced Provision	Specialist Resourced Provision to meet the needs of primary aged pupils with <b>Autism and moderate learning difficulties</b> . <b>Expansion and improvement</b> of existing on site provision will enhance the support and environment available to children who benefit from a mainstream environment but require additional intensive support.	8 primary aged places  Sept 2024
Primary Specialist Resourced Provision	Specialist Resourced Provision to meet the needs of primary aged pupils with <b>Autism and moderate learning difficulties</b> . This <b>new provision</b> will enhance the support and environment available to children who benefit from a mainstream environment but require additional intensive support.	8 primary aged places  Sept 2024
Secondary Specialist Resourced Provision	Specialist Resourced Provision to meet the needs of secondary aged pupils with <b>Autism and moderate learning difficulties</b> . This <b>new provision</b> will enhance the support and environment available to children who benefit from a mainstream environment but require additional intensive support.	24 secondary aged places  Sept 2024
Secondary Specialist Resourced Provision	Specialist Resourced Provision to meet the needs of secondary aged pupils with <b>Autism and moderate learning difficulties</b> . This <b>new provision</b> will enhance the support and environment available to children who benefit from a mainstream environment but require additional intensive support.	24 secondary aged places  Sept 2024
Special School expansion	Increasing special school provision for young people with complex learning needs. Whilst the proposals above for Specialist Resourced Provisions will enable more children and young people to be effectively supported in mainstream settings, there are still a number of children whose needs can best be met in special schools.	80 special school places  2024/25
NEST / Hospital & Home Education	New location for an existing facility	Existing provision is approx. 50 places

Age range / type of provision	Type of need and scheme	Number of high needs places added and indicative date
Alternative Provision	A full commissioning review of Alternative Provision will be undertaken, which is also likely to identify need and opportunities to improve provision for young people with significant Social Emotional and Mental Health challenges. There will be a focus on early intervention, intensive outreach support and reintegrating young people back into mainstream.	To be confirmed asap

- 2.2 The consultation showed that there was a high level of support for the priorities set out in the draft strategy document (attached). Respondents also generally felt that the actions presented in the consultation document to achieve the priorities were the right ones, while commenting that how they are implemented is key.
- 2.3 81% of respondents agreed with our broad priorities to enhance facilities in mainstream schools to ensure that young people with SEND have the best environment and resources to meet their needs, close to home within their local community. Also, to build on the special school expansions and additional Specialist Resourced Provisions within mainstream school, which have already been delivered in recent years.
- 2.4 11% neither agreed or disagreed, with a few comments stating that more detail is needed on what, where and how this will be delivered.
- 2.5 8% disagreed. The main points made by respondents who disagreed with the proposals were that schools are finding it very hard to recruit good quality support staff to enable the SEND pupils to access mainstream education, without disrupting the learning of the rest of the class. Existing support staff do not necessarily want to be 1-1 with SEND children. SEND pupils deserve the best possible education. So do the other 29 pupils in the class. Teachers are already stretched and being asked to do more than ever with less support.
- 2.6 Other points raised were:
- There needs to be more than the proposed extra capacity and the time frame is not sufficient because children and young people are being left behind in the meantime so there needs to be an emergency short term plan.
  - We work very hard in mainstream to accommodate SEND learners and feel that once we have decided that we can no longer meet needs, there should be an appropriate alternative rather than simply extending an already exhausted offer at mainstream.

- We need more specialist schools with specialist flexible tailored teaching - not units within mainstream settings which will still be trying to crowbar children into a mainstream agenda.

2.7 The feedback generally related to the following 6 overarching themes. Although there is clearly some overlap, a summary of the main points raised is set out below under each theme:

- Capacity, funding and other resources;
- Training, recruitment and retention (in line with regional & national trends);
- Support services for schools and pupils;
- Diagnosis, EHCPs and access / pathways;
- Alternative Provision and Exclusion;
- HHELC.

2.8 As an outcome of consultation the following projects make up the SEND Capital Programme including actual and forecasted costs:

Schemes	Funding		Total Scheme Cost	Comments
	Section 106	Hign Needs Capital Contribution		
Nethergate 2023		460000	£ 460,000.00	Complete
Djanogly Strelley	£779,313	400000	£ 1,179,313.00	Complete
Whitemoor Academy	£10,865	939135	£ 950,000.00	Complete
Contingency		115013	£ 115,013.00	
Nottingham Girls Academy	£1,084,950	£895,050	£ 1,980,000.00	RIBA 3
Fernwood Academy	£540,159	£2,209,841	£ 2,750,000.00	RIBA 3
Rise Park Primary	£58,165	1141835	£ 1,200,000.00	RiIBA 3
Glade Hill Primary	£58,165	1791835	£ 1,850,000.00	RIBA 3
Milford Academy		800000	£ 800,000.00	Feasibility
Greenfields Primary School	£302,818	57182	£ 360,000.00	
Rosehill Special School		£10,500,000.00	£ 10,500,000.00	Early Design
HHELC		£715,000.00	£ 715,000.00	Approved
Nethergate 6th form		£500,000.00	£ 500,000.00	Estimate
Nethergate classroom		£200,000.00	£ 200,000.00	Complete
AP free school		£500,000.00	£ 500,000.00	Estimate
Contingency		£319,289	£ 319,289.00	
	£2,834,435	£21,544,180	£24,378,615	
Available Funding		21544180		
Capital Balance		0		

### 3 Other options considered in making recommendations

3.1 Without adopting the current sufficiency strategy, we risk continued rises in permanent exclusions, greater numbers of pupils out of education and higher numbers of pupils being placed in expensive independent specialist placements or alternative provision.

3.2 Interim solutions to grow capacity have been adopted year on year since 2021, such as agreements with specialist schools to accommodate additional children. Opportunities to continue to grow provision via such arrangements have been exhausted.



## 4 Outcomes/deliverables

- 4.1 The SEND Capital works are due to deliver the following capacity, please note, that the capacity is listed as total capacity once the provision is full. Each setting will adopt a gradual increase from their opening date to offer supported transitions to new pupils.

### Primary Phase

School/Academy Name	Opening Date	Provision Capacity	LA commissioned places
Djanogly Strelley Academy	Sep-24	16	8
Whitemoor Primary Academy	Jan-24	10	0
Milford Primary Academy	Sep-25	16	8
Glade Hill Primary School	Nov-25	16	8
Rise Park Primary Academy	Oct-25	10	0
Greenfields Primary Academy	TBC	8	0

### Secondary Phase

School/Academy Name	Opening Date	Provision Capacity	LA commissioned places
The Fernwood School	Jan-26	24	20
Nottingham Girls Academy	Jan-26	20	10

### Specialist

School/Academy Name	Opening Date	Provision Capacity	LA commissioned places
Rosehill	Sep-26	80	80
Nethergate Academy	Sep-25	24	24

In total, these phases of the SEND Capital program will create access to specialised educational provision for 224 pupils, with 158 of those high need's placements, commissioned for pupils with Education, Health and Care Plans.

## 5 Consideration of Risk

- 5.1 Each project has a contingency built into the build; however escalating building costs risk us needing to use 2025 capital allocations to complete these schemes of work.
- 5.2 From a revenue perspective, the risk of not completing these projects will require more pupils to be placed in expensive independent school placements at higher costs to the high needs' revenue budget. See point 6 below.

## 6 Finance colleague comments (including implications and value for money/VAT)

- 6.1 High Needs Revenue expenditure relating to these capital projects is from a planned use of DSG Reserves. Please refer to the '2023/24 DSG Revenue Outturn Report to

be presented at Schools Forum on the 10/12/24' for revenue financial comments impacting this report.

## **7 Legal colleague comments**

7.1 No comments sought due to this paper being an update for Schools Forum.

## **8 Other relevant comments**

8.1 No comments sought due to this paper being an update for Schools Forum.

## **9 Crime and Disorder Implications (If Applicable)**

9.1 N/A

## **10 Social value considerations**

10.1 N/A

## **11 Equality Impact Assessment (EIA)**

11.1 An EIA is not required.

## **12 Data Protection Impact Assessment (DPIA)**

12.1 A DPIA is not required.

## **13 Carbon Impact Assessment (CIA)**

13.1 A DPIA is not required.

## **14 List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

14.1 SEND Sufficiency Strategy 2023-2028.

14.2 SEND Sufficiency consultation report.

# **Nottingham City Council SEND Sufficiency Strategy 2023 - 2028**

## **1. INTRODUCTION**

The Council as an education authority has a duty to promote high standards of education and fair access to education. It also has a general duty to secure sufficient schools in their area, and to consider the need to secure provision for children with Special Educational Needs (SEND). These are referred to as the school place planning duties.

The Department for Education (DfE) has announced local authority capital funding to support the provision of new places for children and young people with special educational needs and disabilities (SEND) and those requiring alternative provision (AP). This is collectively referred to as high needs provision.

Nottingham City Council's allocation of this funding for the financial years 2021-24 is just under £18m. Funding allocation beyond this date is unknown.

The capital funding is intended to create new places and improve existing provision for children and young people with special educational needs and / or disabilities or requiring alternative provision.

The SEND Sufficiency Strategy aligns to the principles of the Nottingham City SEND Strategy. It will also be updated once the Government has published the outcomes of the green paper consultation on the future of the SEND and alternative provision system.

### **1.1. Purpose of this document**

- To outline the Special Educational Needs & Disabilities (SEND) context in Nottingham City, to provide a greater understanding of need;
- To set out the City's existing SEND provision and capacity;
- To provide data and evidence to inform the strategy and support the Council's decision making as it seeks to fulfil its sufficiency duty and deliver high quality inclusive provision;
- To develop a SEND Sufficiency Plan to support the SEND Strategy and priorities, by increasing high quality inclusive provision, improving existing provision and supporting all schools and settings to be inclusive.
- To set out the guiding principles for implementing the SEND Sufficiency Plan.

## **2. Context**

- 2.1 In Nottingham, children with additional needs benefit from good and outstanding mainstream and special school provision. However, as is the case nationally, we are experiencing considerable growth in the numbers of young people identified as having special educational needs and/or disabilities and there is insufficient capacity

to meet this growing need in primary and secondary settings in the coming years. At the current time, virtually all places in special schools and Specialist Resourced Provisions within mainstream school (SRPs) are currently full. We are committed to supporting our schools and settings within the city as we believe that local provision offers the best outcomes for our children and young people.

- 2.2 The growing SEND cohort also brings financial pressure to the Council's revenue budget. However, with adequate long-term evidence-based planning, the Council can mitigate the impact on its revenue budget through invest to save capital investments that develop the SEND estate and create the capacity within our education system to continue to meet children and young people's needs effectively and as locally as possible.
- 2.3 The LA is forward planning for the High Needs revenue implications associated with the HN capital plans outlined in this strategy. This involves budgeting for the High Needs place and top-up funding associated with the creation of additional specialist high needs places. Other than one Primary Specialist Resourced Provision already approved, it is anticipated that the very earliest any new provision could be agreed, built and ready to open is September 2024. Places in the new provision would be phased in, taking in an extra year group cohort each academic year until full. Over the last 5 years, High Needs revenue funding has been increased at unprecedented levels, but from 2024/25 onwards HN funding increases are expected to be much lower. The LA is therefore earmarking £2.5m from the 2023/24 HN funding allocation for short-term purposes only, in order for this to be available to use to fund the additional high needs places as they come on stream.
- 2.4 The sufficiency strategy will build on the special school expansions and additional Specialist Resourced Provisions (SRPs) within mainstream school, which have already been delivered or are underway. Further increases in both special school provision and SRPs are required to meet growing demand, increase local provision and choice and to maintain the limited number of out-of-city placements commissioned.
- 2.5 It is important that there is a strategic approach to developing proposals to ensure there is appropriate provision across all age groups and needs. The aim is to ensure a continuum of good/outstanding provision for children and young people with SEND, that offers choice and progression and to reflect changing demand. The proposals in the capital plan will be reviewed further in the context of data and affordability.
- 2.6 This strategy is an evolving document and will be reviewed annually or sooner, dependant on the outcomes of the High Needs green paper consultation, to ensure it reflects the changing context and demands. The Council will continue to work with schools, partners, families, children and young people and other stakeholders to deliver high quality inclusive provision, to ensure individual needs are being met and to ensure the best possible experience and outcomes for all children and young people.

### **3. Guiding Principles**

To realise the vision, the implementation of the SEND Sufficiency Strategy will be guided by the following principles:

- Aim to enable children and young people to access high quality education in their local area, close to their home and community, whilst providing best value for any investment.
- Work in partnership and consult with education providers in the development of the Capital Plan.
- Ensure that the voices of parents/carers and young people's voice are central to the SEND provision proposals.
- Use all available data effectively to identify the need to inform the Sufficiency Plan.
- Target increased provision in key areas where pressures exist.
- Work closely with providers to ensure that the significant majority of children and young people can have their needs met in their local inclusive mainstream school. For children with the most complex needs the LA aims to develop a range of specialist resourced provisions in mainstream schools and additional special school capacity within its local area.
- Ensure that the findings of the SEND Local Area Inspection and the recommendations from the Government's SEND Review Green Paper consultation, are an integral element of the Sufficiency Plan and that progress towards implementation is monitored over time.
- Alongside the Sufficiency Strategy, develop a "local inclusion plan", clearly communicating to providers and parents/carers about the provision that is available in the local area, including units within mainstream, specialist and AP.

#### **4. NOTTINGHAM CITY HIGH NEEDS COHORT**

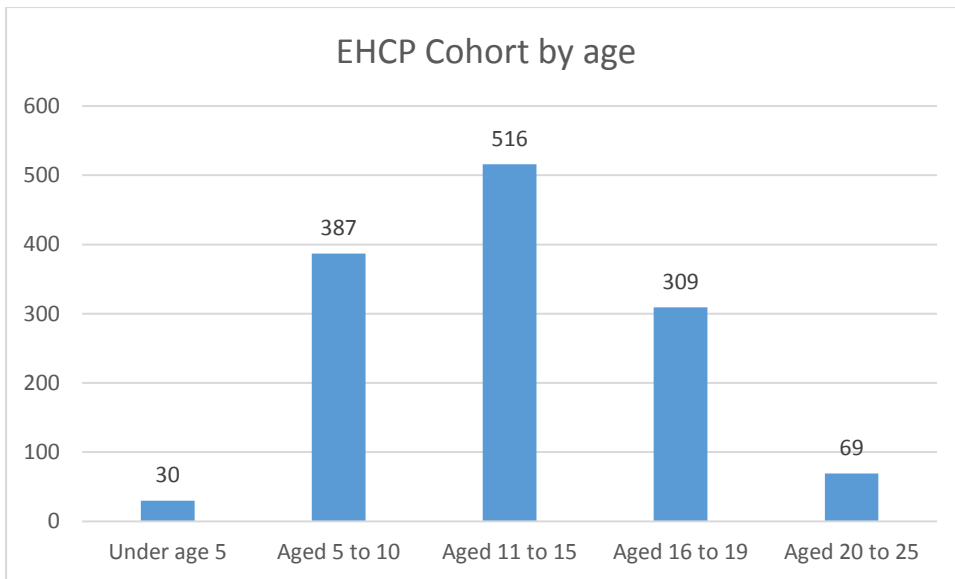
##### **4.1 SEND Support and Education, Health and Care Plans (EHCP)**

The strategy aims to meet the needs of young people both at SEND Support and with an Education, Health and Care plan, but the cohort data is set out separately below.

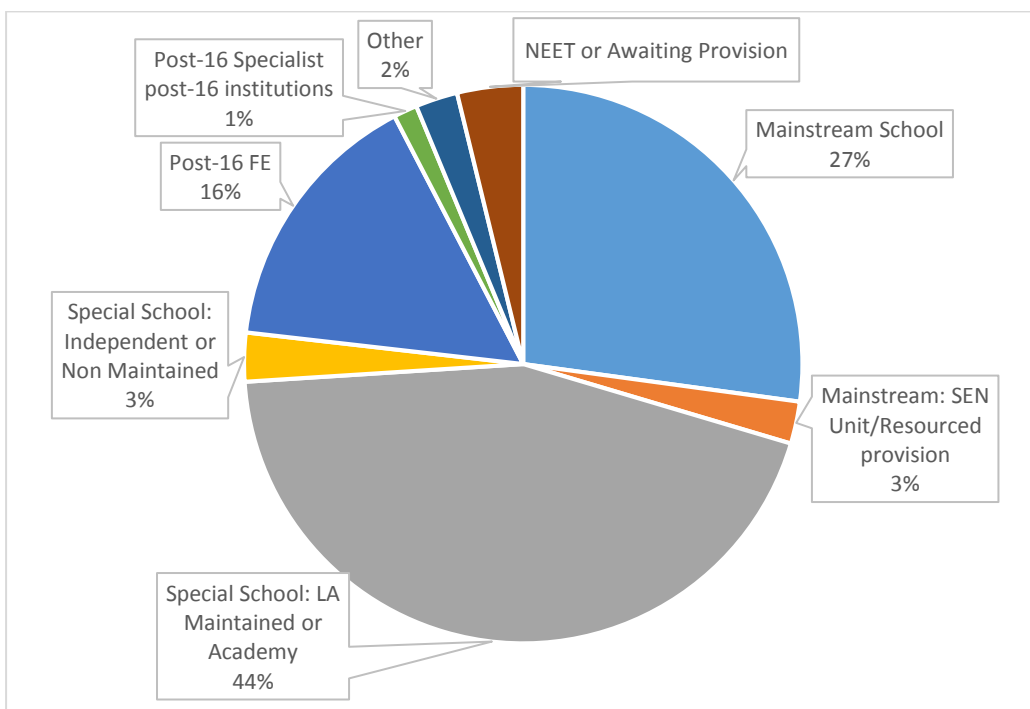
##### **4.2 Current SEND EHCP Cohort**

As at January 2022, there were 1311 children and young people for whom Nottingham City maintains an Education, Health and Care Plan (EHCP).

The graph shows the age breakdown of the EHCP cohort:



The chart below shows a breakdown of the type of establishment named on the current EHC Plans as at January 2022:



Where the Council is unable to meet needs within state school provision, children and young people may be placed in Independent Specialist Placements (ISPs) and Independent or Non-Maintained Special Schools (INMSS). These are typically highly expensive placements. As at January 2022, there were only 37 children placed in INMSS and 18 young people in Specialist Post-16 institutions. Benchmarking data for 2019/20 shows that Nottingham City spent £13 per head of 2-18 population on top-up funding for INMSS compared to a national average of £91.

### 4.3 High Needs pupils without EHCP

In Nottingham City, pupils do not require an EHC plan in order to receive high needs top-up funding. The high needs pupil cohort in Nottingham City is therefore wider than just the EHCP cohort. As at January 2022, there were 709 pupils at SEN support flagged on the school census as receiving high needs top-up funding.

### 4.4 School census high needs top-up pupils

It is useful to review the trends of high needs top-up pupils from school census data. This captures those high needs pupils attending mainstream and special schools and academies in the City.

Primary Need	Year						5 Yr Inc/(Dec)	
	2017	2018	2019	2020	2021	2022		
ASD	317	336	412	492	570	642	325	103%
HI	27	25	39	41	32	37	10	37%
MLD	65	80	70	78	88	142	77	118%
MSI	3	1	5	2	2	1	-2	-67%
NSA		1	1	1	3	4	4	
OTH	38	19	21	22	21	33	-5	-13%
PD	50	45	55	66	62	73	23	46%
PMLD	51	55	61	70	68	72	21	41%
SEMH	262	219	224	226	255	247	-15	-6%
SLCN	70	68	105	123	139	172	102	146%
SLD	158	158	126	116	114	134	-24	-15%
SPLD	18	21	48	50	57	51	33	183%
VI	15	10	12	18	16	15	0	0%
Grand Total	1074	1038	1179	1305	1427	1623	549	

As can be seen in **Table 1**, the most prevalent primary need is Autism Spectrum Disorder (ASD). Numbers of Autism top-up pupils have doubled since 2017, and this increase accounts for nearly 60% of the overall growth in top-up pupils over the 5-year period. The second highest increase, accounting for a further 19% of the growth, relates to pupils with Speech, Language and Communication Needs (SLCN).

**Table 2** above shows the age profile of high needs children:

**TABLE 2: High Needs Top-up Pupils by Year Group**

Primary Need	Year Group																	Total
	N1	N2	R	1	2	3	4	5	6	7	8	9	10	11	12	13	14	
ASD		20	47	60	70	63	50	49	42	42	48	42	49	31	16	8	5	642
HI			3	2	2	4	4	7	2	1	3		5	1	1	1	1	37
MLD		3	8	15	13	10	12	15	13	13	13	5	10	11			1	142
MSI						1												1
NSA		1		1			1	1										4
OTH		3	3	2	3	6	3	4		2	3	1	2		1			33
PD	1	4	8	7	9	6	4	3	7	2	5	5	5	7				73
PMLD		1	10	4	12	6	5	4	5	2	3	4	1	7	4	3	1	72
SEMH		2	3	4	18	17	19	27	33	22	35	21	27	18		1		247
SLCN		13	23	22	26	15	11	11	11	11	5	9	6	4		4	1	172
SLD			4	4	4	7	10	4	18	11	9	6	11	14	14	11	7	134
SPLD				3	5	4	4	3	3	9		4	7	5	2	2		51
VI				2	2	1		2	2	1	1	1				2	1	15
Total	1	47	109	126	164	140	123	130	136	116	125	98	123	98	38	32	17	1623

Children with high needs are being identified earlier and in greater numbers. As can be seen in **Table 2**, most cohorts in the primary phase are currently exceeding the cohort average of 125 demonstrating that overall numbers will continue to rise and additional secondary high needs places will be required as these children move through their education. Having sufficient local places for the growing number of high needs pupils with autism is a key strategic priority for the high needs capital strategy. **Table 2** suggests that based on the differential between the current primary and secondary cohort sizes that an extra 20+ high needs places per year group for young people with autism will be required in the secondary phase over the coming years.



**Table 3** shows the breakdown of ASD pupils by type of provision and phase in 2022 in comparison to 2017.

<b>TABLE 3: Comparison of ASD Top Up Pupils by Phase and Setting Type over Time</b>							
<b>Setting Type</b>	<b>Phase</b>	<b>2017</b>	<b>% of total</b>	<b>2022</b>	<b>% of total</b>	<b>Change</b>	<b>% Change</b>
Mainstream	Primary	122	38%	310	48%	188	154%
	Secondary	32	10%	83	13%	51	159%
	Total	154	49%	393	61%	239	155%
Special	Primary	77	24%	91	14%	14	18%
	Secondary	78	25%	156	24%	78	100%
	Total	155	49%	247	38%	92	59%
Pupil Referral Unit	Primary	2	1%	0	0%	-2	-100%
	Secondary	6	2%	2	0%	-4	-67%
	Total	8	3%	2	0%	-6	-75%
	<b>TOTAL</b>	<b>317</b>	<b>100%</b>	<b>642</b>	<b>100%</b>	<b>325</b>	<b>103%</b>
Mainstream as % of total numbers in phase	Primary	61%		77%			
	Secondary	28%		34%			
	Total	49%		61%			

**Table 3** demonstrates that in the primary phase, the majority of high needs pupils with autism are accessing mainstream provision, whilst in the secondary phase the majority attend Special Schools. An extra 92 Special School places have been allocated to pupils with autism as their primary need over the 5 year comparison period, which were mostly (78) taken by secondary aged pupils.

**Table 4** below shows the current profile of pupils on roll at City Special Schools.

<b>TABLE 4: Special School Pupils on Roll by Primary Need (Jan 22)</b>							
<b>Primary Need</b>	<b>Special School</b>						<b>% of places</b>
	<b>Nethergate</b>	<b>Woodlands</b>	<b>Rosehill</b>	<b>Westbury</b>	<b>Oak Field</b>	<b>Grand Total</b>	
ASD	92	37	113	3	2	247	40%
HI	3					3	0%
MLD	3	15		1		19	3%
OTH	1	2		1		4	1%
PD	5	1		1		7	1%
PMLD	2	3			53	58	9%
SEMH	7	14		83		104	17%
SLCN	15	5		3		23	4%
SLD	5	4			110	119	19%
SPLD	23	3		2		28	5%
VI	2					2	0%
<b>Grand Total</b>	<b>158</b>	<b>84</b>	<b>113</b>	<b>94</b>	<b>165</b>	<b>614</b>	<b>100%</b>

In the light of the increased numbers of pupils with autism requiring Special School places as identified in **Table 3**, 40% of all Special School places are now taken by pupils with this primary need. A new 40 place autism unit has been built at Nethergate Special Academy. As at January 2022, 5 of the 6 new 8-place classes had been phased in. Oak Field and Woodlands Special Schools have also both opened new autism classes and additional places have been commissioned at Rosehill School.

**Table 5** shows the current age profile of pupils in Nottingham City special schools:

<b>TABLE 5: Special School Pupils on Roll by Year Group (Jan 22)</b>																
<b>Special School</b>	<b>Year Group</b>															<b>Total</b>
	<b>R</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	
Nethergate	1	2	3	6	10	13	12	24	13	16	16	16	6	13	7	158
Woodlands			3	5	1	5	3	16	18	8	8	17				84
Rosehill		2	4	7	7	10	10	11	15	8	11	11	11	4	2	113
Westbury					3	5	6	9	20	18	19	14				94
Oak Field	8	5	12	9	12	7	20	11	12	8	8	14	17	14	8	165
Grand Total	9	9	22	27	33	40	51	71	78	58	62	72	34	31	17	614
<b>NOR by Key Stage</b>	<b>EY</b>	<b>KS1</b>	<b>KS2</b>				<b>KS3</b>			<b>KS4</b>		<b>Post-16</b>			<b>Total</b>	
	9	31	151				207			134		82			614	
<b>NOR by Phase</b>	<b>Primary</b>						<b>Secondary</b>					<b>Post-16</b>			<b>Total</b>	
	191						341					82			614	
	31%						56%					13%			100%	

As can be seen in **Table 5**, a large majority of special school pupils are secondary aged/post-16 and there has been an increasing shift towards secondary aged pupils.

Given the increase in numbers of young people with autism, development of an additional autism provision is a high priority within the capital strategy.

In addition to this, there will be a significant number of young people with autism whose needs can be met in mainstream schools with the appropriate support and training and an appropriate physical environment. The development of Special Resourced Provisions catering for 8 places per year group could help support the increasing numbers of Autism, SLCN and MLD pupils, providing local enhanced mainstream provision in the pupils' own communities.

In order to identify which areas of the City will have greatest demand for such places, numbers of pupils in the primary phase currently attending mainstream schools receiving high level needs (HLN) top-up funding in the range of B1-C1 for primary needs of autism/SLCN or MLD have been analysed. Pupil numbers are shown by year group and primary planning area in **Table 6** below:

<b>TABLE 6: HLN Pupils B1-C1 (ASD/SLCN/MLD) by Primary Planning Area</b>									
(B1 – C1 allocations are high level funding allocations reflecting the complexity of young people’s SEND)									
Primary Planning Area	Year Group								
	N2	R	1	2	3	4	5	6	Total
Bestwood / Top Valley	8	3	2	9	3	2	1	5	33
Bilborough / Broxtowe	6	10	15	22	9	6	3	5	76
Bulwell	6	10	6	5	7	2	1	4	41
Clifton	3	7	10	6	4	2	1	3	36
County	1	1	2	3	1				8
Forest Fields	11	12	14	12	3	1		3	56
Lenton	1	2	3		1	2	1		10
Meadows	2	1				1			4
Sneinton	7	3	1	3	4	1	2	2	23
St Anns	6	8	8	3	7	2	2	1	37
Wollaton	1	4	1	3	1		1		11
<b>Total</b>	<b>52</b>	<b>61</b>	<b>62</b>	<b>66</b>	<b>40</b>	<b>19</b>	<b>12</b>	<b>23</b>	<b>335</b>

The above shows that the priority areas of the City for Specialist Resourced Provisions should be:

1. Bilborough/Broxtowe
2. Forest Fields
3. Bulwell
4. St Anns

**‘Specialist Resourced Provisions’ (SRP) within mainstream schools**

In Nottingham City, we have invested in a number of SRPs within mainstream schools, enabling a greater proportion of children and young people with complex needs to access their community schools.

The table below shows the current numbers of high needs places in SRPs attached to mainstream schools:

Specialist Resourced Units	High Needs Places AY22-23				
	Pre-16	Post-16	School	LA commissioned	Total
Bluecoat Primary Academy - Autism	5			5	5
Bluecoat Aspley Academy - Autism	6	10		16	16
The Bulwell Academy - Autism	6			6	6
Mellers Primary School - Deaf	13			13	13
Nottingham University Samworth Academy - Deaf	12			12	12
Fernwood Primary – Autism/learning	2		8	2	10

## **Key strategic SEND capital priorities**

To increase capacity we have outlined out strategic priorities to meet the increasing need for places:

### **Priority 1**

Creating additional specialist capacity in the mainstream primary phase, to meet the needs of primary aged pupils with Autism and learning difficulties in Key Stages 1 and 2.

### **Priority 2**

Creating additional specialist capacity in the mainstream secondary phase, to meet the needs of secondary aged pupils with Autism and moderate learning difficulties in Key Stages 3 and 4.

### **Priority 3**

Creating additional special school capacity to meet the needs of pupils with complex needs, primarily Autism Spectrum Disorder.

## **5. SEND capital prospective schemes for consultation**

- 5.1 In line with these priorities and requirements evidenced by the data, we have identified a number of possible schemes for how we may invest the funding, which will create a combination of additional special school provision and Specialist Resourced Units within mainstream schools. Where specific settings and sites are not yet determined, proposals may invite expressions of interest from Nottingham City schools.
- 5.2 A full commissioning review of alternative provision is undertaken to inform sufficiency requirements for young people excluded from school or who require additional and different support from that available in mainstream school. This strategy will be updated to reflect any prospective schemes that are identified through the commissioning review.

## **6. Capital investment**

- 6.1 LAs are expected to make use of the High Needs capital investment to improve the suitability and sufficiency of high needs provision in their areas over the next three years. In Nottingham City we aim to enable all children and young people to access high quality education in their local area, close to their home and community, whilst providing best value for any investment.
- 6.2 In addition to our High Needs capital allocation, we will take a strategic approach to allocating funding and maximising best value for any investment. This will incorporate the use of S106 funding linked to housing developments where it can be aligned to specific proposals. Disability Access Grant from 2023/24 may also be invested to support proposals.

- 6.3 No final decisions have yet been made regarding funding for 2024-25, although it is expected that there will be a continued approach of a mix of LA capital allocations, targeted capital support and free school delivery. It is currently unknown as to whether there will be any additional capital funding allocations to support the AP system and the aims of the SEND Green Paper to make AP an integral part of local SEND system and deliver an improved service focused on early intervention.
- 6.4 Funding beyond 2025 is contingent on the outcomes of future Spending Reviews and additional capital funding beyond this period cannot be guaranteed; it is therefore critical that prudent decisions are taken now to ensure the sustainability of the system for the longer term.

This strategy has been subject to a comprehensive consultation undertaken in January and February 2023. Feedback on proposals was received from parents, carers and young people as well as schools and settings. The feedback gathered has been used to shape the priorities for capital development in the Phase 1 programme plan.

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Date of meeting (1.45pm)	Item	Contact officer	Received?
14/01/25	2024/25 Revenue Monitoring Report	Sadrul Alam	
	2025/26 Final High Needs Block Budget	Donna Munday	
	2025/26 Final Schools Block Budget	Susan Woodland	
	2025/26 Final Early Years Budget	Nick Lee	
	2025/26 Final Central Schools Services Block Budget	Susan Woodland	
	2025/26 AP Inclusion Model proposal	Jennifer Hardy	
	SF Membership (standing item if necessary)	Mark Leavesley	N/A
	Schools Forum Working Group – verbal update	TBC	
29/04/25	2024/25 Revenue Monitoring Report	Sadrul Alam	
	2024/25 Final Early Years Budget - update	Nick Lee	
	SFVS Submission Review		
	SF Membership (standing item if necessary)	Mark Leavesley	N/A
	Schools Forum Working Group – verbal update		
24/06/25	Scheme for Financing Schools Review		
	2024/25 Revenue Outturn Report	Sadrul Alam	
	2025/26 Revenue Monitoring Report	Sadrul Alam	
	Maintained School balances		
	Dates of 2025/26 meetings	Mark Leavesley	

	SF Membership (standing item if necessary)	Mark Leavesley	N/A
	Schools Forum Working Group – Verbal update		
October	Appointments of Chair & Vice-Chair	Mark Leavesley	
(Date tbc)	SF Constitution review	Mark Leavesley	
	SF Membership (standing item if necessary)	Mark Leavesley	
	2024/25 DSG Outturn Position	Sadrul Alam	
	2025/26 Revenue Monitoring Report	Sadrul Alam	
	Schools Forum Working Group – verbal update		
December	Pupil Growth Fund for 2026/27	Lucy Juby	
(Date tbc)	2026/27 Proposed High Needs Block Budget Update	TBC	
	2026/27 Proposed Early Years central expenditure	Nick Lee	
	2026/27 Proposed Schools Block Budget submission	TBC	
	2026/27 Proposed De-delegated Budget – School Improvement	Nick Lee	
	2026/27 Proposed De-delegated Budget – Trade Unions	Nick Lee	
	2026/27 Proposed De-delegated Budget - H&S Building Insp Funding	Trevor Bone	
	SF Membership (standing item if necessary)	Mark Leavesley	N/A
	Schools Forum Working Group – verbal update		