



**NOTTINGHAM CITY COUNCIL**

**Schools Forum**

**Date:** Tuesday, 27 June 2023

**Time:** 1.45 pm

**Place:** Remote - To be held remotely via Zoom -  
<https://www.youtube.com/user/NottCityCouncil>

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

**Governance Officer/Clerk to the Forum:** James Lavender **Direct Dial:** 0115 8764643

**Agenda**

**Pages**

<b>1</b>	<b>Apologies for Absence</b>									
<b>2</b>	<b>Declarations of Interest</b>									
<b>3</b>	<b>Minutes</b> To confirm the minutes of the meeting held on 17 January 2023	3 - 6								
<b>4</b>	<b>Membership</b> To note that Robert White, secondary academy representative, has resigned from the Forum									
<b>5</b>	<b>2022/23 Dedicated Schools Grant - Outturn Report</b> Report of the Corporate Director for People	7 - 18								
<b>6</b>	<b>Additional places at Denewood Academy</b> Report of the Corporate Director for People	19 - 24								
<b>7</b>	<b>Dates of future meetings</b> To agree to meet remotely via Zoom at 1:45pm on the following Tuesdays for the academic year 2023/24:									
	<table><tr><td><b>2023</b></td><td><b>2024</b></td></tr><tr><td>10 October</td><td>16 January</td></tr><tr><td>5 December</td><td>23 April</td></tr><tr><td></td><td>25 June</td></tr></table>	<b>2023</b>	<b>2024</b>	10 October	16 January	5 December	23 April		25 June	
<b>2023</b>	<b>2024</b>									
10 October	16 January									
5 December	23 April									
	25 June									

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

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## Nottingham City Council

### Schools Forum

**Minutes of the meeting held at remotely, and livestreamed on YouTube on 17 January 2023 from 1.50 pm - 2.58 pm**

#### Membership

	Kerrie Fox (Chair)	-	PRUs
✓	Paul Burke (Vice Chair)	-	Secondary Academies
✓	Kerrie Henton	-	AP Academies and Free Schools
	Debbie Simon	-	Early Years PVI
✓	Judith Kemplay	)	
✓	Terry Smith	)	Maintained Primary Head Teachers
✓	Alison Tones	)	
✓	Patricia Lewis	)	
	Laura Patel	-	The Nottingham Nursery
	Meeta Dave	)	
✓	Tim Jeffs	)	Primary Academies
✓	Rob Perkins	)	
✓	Andy Smith	)	
✓	David Tungate	)	Secondary Academies
✓	Bob White	)	
✓	Phil Willott	-	Special Academies
✓	Sheena Wheatley	-	Trade Unions
	Lisa Wilson	-	14-19 Education (Caroline Sheard as substitute)

✓ indicates present at meeting

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

	Trevor Bone	-	Head of Building Services and Facilities Management
	Kathryn Bouchlaghem	-	Early Years Manager
	Julia Holmes	)	Senior Commercial Business Partner
	Kathryn Stevenson	)	
	Mark Leavesley	-	Governance Officer / Clerk to the Forum
	Nick Lee	-	Director of Education Services
	Paul Stevenson	-	Interim Strategic Finance Business Partner
	Janine Walker	-	Head of SEND and Vulnerable Pupils

#### 21 Chair

As the Chair (Kerrie Fox) had previously sent her apologies for the meeting, and the Vice-Chair was experiencing technical issues, the Forum agreed to appoint Judith Kemplay as Chair for this meeting.

#### 22 Apologies for absence

Kerrie Fox  
Debbie Simon

## **23 Declarations of interests**

None.

## **24 Minutes**

The Forum agreed the minutes of the last meeting held on 06 December 2022 as a correct record and they were signed by the Chair presiding at the meeting.

## **25 Schools Budget 2023/24**

Kathryn Stevenson and Julia Holmes (Senior Commercial Business Partners) presented the report, and stated the following:

- a) the report detailed the proposed Schools Budget for the financial year 2023/24, prepared in line with parameters agreed at a meeting of Schools Forum, and with the financial regulations issued by the Department for Education;
- b) as outlined in a report to 06 December 2022 Schools Forum meeting, for 2023/24, the LA has moved away from the standard approach of setting a Schools budget that balances the budgets by block to the Dedicated Schools Grant income received;
- c) this report incorporated further proposals in relation to the Early Years block, extending this approach in response to equivalent pressures in that sector;
- d) indicative individual school budgets, Early Years and High Needs funding allocations, along with guidance notes, would be issued by 28 February 2023.
- e) where applicable, the Local Authority's Medium Term Financial Plan incorporated the impact from the Dedicated Schools Grant.

During discussion, members requested that their thanks to Kathryn and Julia, for the work done in respect of the Schools Budget, be recorded.

### **Resolved to note:**

#### **(1) in respect of Dedicated Schools Grant (DSG):**

- (a) **the overall indicative 2023/24 Schools Budget to be spent incorporating the Schools, Central Schools Services (CSS), Early Years (EY) and Higher Needs (HN) blocks was £344.944m, funded by:**
  - (i) **£342.836m of the provisional 2023/24 DSG allocation of £344.819m;**
  - (ii) **reimbursement of £0.447m funding paid to academies for pupil growth for April to August 2023;**
  - (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;**



## **26 De-delegation of 2023/24 Health and Safety Building Inspection funding**

Trevor Bone, Head of Building Services and Facilities Management, presented the report, and stated the following:

- a) the purpose of the report was to update Schools Forum on the statutory and legislative health and safety responsibilities of the Local Authority in relation to maintenance and testing of maintained school properties, and how the funding being requested to be de-delegated was used to support this;
- b) Schools Forum agreed at its meeting on 8 October 2019 the de-delegation of £6.61 for the financial year 2020/21 and that this funding, along with the outstanding balance on the health and safety tests and inspections reserve (£0.228m), was to be used to fund the costs of tests and inspections in the financial years 2020/21 to 2022/23;
- c) at that meeting, maintained schools expressed a preference to be able to organise their own health and safety tests and inspections once the five-year cycle had come to an end;
- d) during discussions between Pat and Sarah Fielding (Nottingham Schools Trust) and Nicholas Lee (Director of Education Services) and David Thompson (Schools Health and Safety Manager), it was agreed that a report asking 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 2023/24 be submitted to this meeting;
- e) the local authority is required to seek approval on an annual basis in accordance with the 'Schools and Early Years Finance Regulations 2022'.

### **Resolved that**

- (1) the statutory and legislative health and safety responsibilities of the local authority in relation to building maintenance of maintained primary and secondary schools and the type of costs that the requested funding would be used to fund, as detailed in paragraph 1.2 of the report, be noted;**
- (2) maintained mainstream primary schools' members approved:**
  - (a) de-delegation of health and safety building inspection funding for 2023/24 of an estimated £0.082m for mainstream maintained primary schools, based on a rate of £7.40 per pupil;**
  - (b) use of the forecast balance of £0.014m at the end of the financial year 2022/23 from the health and safety tests and inspections reserve to offset the costs of tests and inspections in the financial year 2023/24.**

## **27 Date of next meeting**

It was noted that the next meeting will be held remotely via Zoom, and livestreamed on YouTube, at 1.45pm on Tuesday 28 February 2023.

## Schools Forum - 27 June 2023

<b>Title of paper:</b>	<b>2022/23 Dedicated Schools Grant – Outturn report</b>
<b>Director(s)/ Corporate Director(s):</b>	Catherine Underwood, Corporate Director for People Ross Brown, Corporate Director for Finance and Resources
<b>Report author(s) and contact details:</b>	Julia Holmes, Senior Commercial Business Partner 01158 763 733 <a href="mailto:julia.holmes@nottinghamcity.gov.uk">julia.holmes@nottinghamcity.gov.uk</a>  Chris Ayriss, Interim Senior Commercial Business Partner <a href="mailto:chris.ayriss@nottinghamcity.gov.uk">chris.ayriss@nottinghamcity.gov.uk</a>
<b>Other colleagues who have provided input:</b>	Alexa McFadyen, Senior Solicitor (Employment) Janine Walker, Head of SEND and Vulnerable Pupils Kathryn Bouchlaghem, Early Years Manager
<b>Summary</b> This report sets out the 2022/23 Dedicated Schools Grant (DSG) outturn position and the updated reserve balance and its associated commitments.	
<b>Recommendation(s):</b>	
<b>1</b>	To note that the 2022/23 financial outturn position of the DSG was an under spend of £7.569m (2% of the overall budget) against a final budget of £324.856m, as per <b>Table 2</b> .
<b>2</b>	To note that this under spend has been allocated back to the Statutory Schools Reserve (SSR) resulting in a closing balance of £21.745m for 2022/23, as per <b>Table 7</b> .
<b>3</b>	To note that the <b>uncommitted balance</b> on the SSR balance is <b>£16.449m</b> , as per <b>Table 7</b> .

## 1. Reasons for recommendations

- 1.1 Enable the formal monitoring of progress against the 2022/23 DSG budget.
- 1.2 To confirm the impact of the 2022/23 outturn on the SSR, the impact on its commitments and the robustness of this reserve to manage any future risk.

## 2. Background (including outcomes of consultation)

- 2.1 The 2022/23 initial schools budget, as reported at Schools Forum (SF) on 25 January 2022, was **£324.535m**.

The Education and Skills Funding Agency (ESFA) made in-year funding adjustments to the allocation totalling (£0.321m) resulting in a **final budget of £324.856m for 2022/23**.

An analysis of those movements are set out in **Table 1** below:

<b>TABLE 1: IN YEAR BUDGET MOVEMENTS</b>	
<b>Reason</b>	<b>£m</b>
High Needs (HN) block import/export adjustment	0.054
Early Years (EY) block adjustment to reflect updated pupil counts	0.346
Adjustment to Pupil Growth reimbursement from ESFA	(0.079)
<b>TOTAL</b>	<b>0.321</b>

- 2.2 The schools budget is allocated on a block basis; **Table 2** provides a summary of the DSG blocks comparing actual spend to budget and referencing other funding streams.

<b>TABLE 2: 2022/23 OUTTURN SUMMARY</b>				
	<b>Budget as at 25 Jan 2022 SF report</b>	<b>Final Budget £m</b>	<b>Actual Spend £m</b>	<b>(Under)/Over Spend £m</b>
Schools Block (section 2.3 and table 3)	246.699	246.620	246.022	(0.598)
Central School Services Block	4.570	4.570	4.513	(0.056)
EY Block (see section 2.4)	21.181	21.526	21.179	(0.347)
HN Block (see section 2.5)	52.085	52.141	45.573	(6.568)
<b>TOTAL SCHOOLS BUDGET</b>	<b>324.535</b>	<b>324.856</b>	<b>317.287</b>	<b>(7.569)</b>
Less funding not included in DSG allocation:				
ESFA Income	0.445	0.366		
<b>DSG ALLOCATION</b>	<b>324.090</b>	<b>324.490</b>		

The following sections provide more analysis of the variances shown in **Table 2**.

- 2.3 Schools Block variance – **Table 3** provides a further breakdown of this with detailed narrative in sections 2.3.1 to 2.3.4.



<b>TABLE 3: BREAKDOWN OF SCHOOLS BLOCK VARIANCES</b>				
	<b>Budget £m</b>	<b>Actual £m</b>	<b>(Under)/ Overspend £m</b>	<b>(Under)/ Over Spend %</b>
1. Pupil Growth Contingency Fund	1.543	0.960	(0.583)	(38%)
2. Trade Union Cover	0.071	0.056	(0.015)	(21%)
<b>TOTAL</b>	<b>1.614</b>	<b>1.016</b>	<b>(0.598)</b>	

2.3.1 The underspend of (£0.583m) on the pupil growth fund in 2022/23 is mainly due to the remaining balance on the Schools Block (£0.427m), that could not be equitably allocated to all schools through the NFF during the budget process, was allocated to the pupil growth fund. The remaining (£0.156m) is the balance on the contingency built into the budget that was not required.

This approach was set out in the SF report dated 7 December 2021 “Proposed pupil growth allocation for 2022/23”.

2.3.2 The underspend of (£0.015m) on trade union cover budget was mainly due to one union not taking up all its allotted allowance in 2022/23. The underspend will be taken into account when calculating the rate per pupil and lump sum per school for maintained schools and academies in the financial year 2024/25 if de-delegation continues in this financial year.

2.4 Central Schools Services Block variance – the overall variance on this block was an underspend of (£0.056m).

2.4.1 This underspend was mainly due to Virtual School funding being substituted by funding from the Pupil Premium Plus Grant (PPPG).

2.5 EY’s block variance - **Table 4** provides a further breakdown of this with detailed narrative in sections 2.5.1 to 2.5.7.

**TABLE 4: BREAKDOWN OF EARLY YEARS BLOCK VARIANCES**

	Budget £m	Actual £m	(Under)/ Over Spend £m	(Under)/ Over Spend %
1. 2 Year old funding for schools/providers	3.186	3.044	(0.142)	(4%)
2. 3 & 4 year old funding for schools/providers	16.677	16.777	0.100	1%
3. EY Pupil Premium	0.377	0.373	(0.004)	(1%)
4. EY Disability Access Funding	0.116	0.034	(0.082)	(71%)
5. EY Special Education Needs (SEN) inclusion fund	0.145	0.132	(0.013)	(9%)
6. EY Central expenditure	1.025	0.819	(0.206)	(20%)
<b>TOTAL</b>	<b>21.526</b>	<b>21.179</b>	<b>(0.347)</b>	<b>(2%)</b>

- 2.5.1 The (£0.142m) underspend of 2 Year old funding for schools providers is reflective of the slightly lower than expected participation rates in 2022/23 with 79% of applications being eligible with an average of 146.6 applications per month. The breakdown of applications for the year are as follows, Parents Applications 55%, FIS Team 26%, Childcare Providers 15%, Schools 4%. The Family Information Service (FIS) reported The early learning programme for 2 year olds was consistently the most frequent are for enquiries representing 53% of all FIS activity.
- 2.5.2 The final position of 3 & 4 year old funding shows a £0.100m overspend in 2022/23 which reflects the higher than the anticipated participation rate.
- 2.5.3 Early Years Pupil Premium achieved a small underspend just below budget of (£0.004m) which is close to the budgeted participation rate.
- 2.5.4 There has continued to be significantly fewer applications for early years Disability Access Funding (DAF) compared to the DfE projections underpinning our funding level. This underspend of (£0.082m) has been ring-fenced in reserves as there is an expectation from the DfE that this will be spent to support inclusion of pupils with SEND.
- 2.5.5 The underspend on the SEN Inclusion Fund (SEN IF) had been anticipated and has been ring-fenced in reserves ready for distribution to settings to help support heightened speech, language and communication needs. With the revised eligibility criteria for the SEN IF this has eliminated any significant underspends in comparison to the prior year.
- 2.5.6 Early years central expenditure was under spent by (£0.206m) in 2022/23. There were Early Years Teaching & Learning vacancies within the team. In addition, training savings were achieved in online training course delivery.
- 2.6 HN block variances - **Table 5** shows a summary of the HN Block variances.

<b>TABLE 5: BREAKDOWN OF HIGH NEEDS BLOCK VARIANCES</b>				
	<b>Budget £m</b>	<b>Actual £m</b>	<b>(Under)/ Over Spend £m</b>	<b>(Under)/ Over Spend %</b>
1. High Level Needs (HLN) support in mainstream schools – (see section 2.6.2)	12.847	8.995	(3.852)	(30%)
2. SEN resource unit funding	0.831	0.778	(0.053)	(6%)
3. Special schools	12.011	11.790	(0.221)	(2%)
4. Net cross border top ups with other LA's	0.357	0.108	(0.249)	(70%)
5. Post 16 HLN top ups in FE settings	1.848	1.149	(0.699)	(38%)
6. Independent/Non Maintained Specials	1.582	1.779	0.197	12%
7. Behaviour PRUs & devolved AP – (see section 2.6.3)	7.224	6.440	(0.784)	(11%)
8. Hospital & Home Education including NEST asylum seeker provision	2.406	2.612	0.206	9%
9. Education cost residential placements (see section 2.6.5)	1.554	1.094	(0.460)	(30%)
10. Fair access	0.300	0.088	(0.212)	(71%)
11. Outreach	0.272	0.165	(0.107)	(40%)
12. High Needs settings TPG/TPECG	0.091	0.145	0.054	60%
<b>SUB TOTAL - Demand driven</b>				(15%)
13. LA support services – (see section 2.6.6)	3.600	3.212	(0.388)	(11%)
14. SEN transport contribution	1.000	1.000	-	-
15. Disability Access – (see section 2.6.8)	0.200	0.200	-	-
<b>TOTAL HN spend (LA)</b>				(8%)
16. Places funded via recoupment	6.018	6.018	-	-
<b>TOTAL</b>	<b>52.141</b>	<b>45.573</b>	<b>(6.568)</b>	<b>(13%)</b>

2.6.1 As an LA receiving ceiling level gains under the High Needs National Funding Formula, our DSG High Needs block allocation after recoupment was £7.1m higher in 2022/23 than 2021/22.

2.6.2 An extra £4.612m was budgeted in 2022/23 for supporting high needs pupils in mainstream schools, following on from a £2.398m increase in 2021/22. Linked to the SEND strategy, this was the most significant area of underspend of (£3.852m) in High Level Needs. There was an £2.044m increase in actual allocations on 2021/22. Work has commenced on the HLN secondary phase in Summer 2022.

Special Schools Summer Term was under budget (£0.221m). The forecast was set out with continuing vacant places at Oakfield.

Net Cross Border top ups were substantially lower than forecast (£0.249m), which are overly complex to forecast.

2.6.3 Another significant area of underspend relates to funding for provision relating to pupils excluded or at risk of exclusion (£0.784m).

2.6.4 The high needs funding growth available allowed us to build increases into the budget in a number of areas that had been over-spent in previous years or where we were aware of demand pressures. This applies to the budgets shown on rows 3,5,6 and 8 in the above **Table 5**. Spend in these areas has increased compared to the previous year but remained within the revised budget allocation.

2.6.5 At 2022/23 year end, the DSG reimbursement for the education costs associated with residential placements was (£0.460m) underspent.

2.6.6 The 11% underspend on LA support services is across a range of teams of which (£0.295m) relates to the Inclusive Education Service, (£0.092k) consists of SEN equipment, EY SEND, Behaviour Support Team, and Therapy Costs. There has been significant demand for support from these teams and additional traded income from schools has exceeded the additional staffing costs to provide extra capacity. In 2022/23 the Sensory Occupational Therapy (OT) support budget £0.080m budget has shown a significant uptake in 2022/23 utilising £48k of the budget this year.

2.6.7 Hospital & Home Education including NEST asylum seeker provision £0.206m variance offsets against the variance in Fair Access (£0.212m), resulting in a minimal variation overall.

2.6.8 The underspend on disability access has been ring-fenced in the reserve within the figure in **Appendix A** row 1.

2.7 The outturn position set out in **Table 2** includes a number of further drawdowns from the SSR. These reserve commitments were outlined in the 2021/22 Outturn Report and **Table 6** below shows the detail:

<b>TABLE 6: IN YEAR RESERVE DRAW-DOWNS AND (REPLENISHMENTS)</b>	
<b>Reason</b>	<b>£m</b>
Trade union cover underspend b/f 20/21	0.008
Disability Access funding brought forward balance	0.024
Nethergate Academy expansion	0.016
Underspend on early years DF 18/19, 19/20, 20/21 & 21/22 - Used 20/21 & 21/22 underspend	0.145
EY SEN for PVI Sectors underspend 2021/22	0.145
ESFA Early Years funding adjustment 2021/22	(0.083)
Routes to inclusion Lead	0.029
<b>TOTAL</b>	<b>0.284</b>

- 2.8 The SSR balance as at 1 April 2022 was £14.460m, after in year movements during 2022/23 the balance is £21.745m. **Table 7** below summarises the position:

<b>TABLE 7: RESERVE ANALYSIS</b>	
	<b>Actual £m</b>
Opening Balance as at 1 April 2022	14.460
Less: 2022/23 Draw downs (See Table 6)	(0.284)
Add: 2022/23 Under spend (See Table 2)	7.569
<b>Closing Balance as at 31 March 2023</b>	<b>21.745</b>
Less: Future Commitments (see Appendix A)	(5.296)
<b>Uncommitted Balance as at a 1 April 2023</b>	<b>16.449</b>

**Appendix A** sets out the commitments/ring fenced funding from the SSR, which total £5.296m resulting an **unearmarked balance of £16.449m**.

The uncommitted element of the SSR is 0.5% of the DSG budget; this was 0.3% as at 31 March 2022. There is no statutory requirement for the levels of this reserve however it needs to align to any risk value which will be. This value will be captured as part of future reports.

- 2.9 All recommendations within this report align to the Schools and Early Years Finance (England) Regulations 2023. Future use of the reserve needs to align to the following expenditure categories set out in **Table 8**.

<b>TABLE 8: EXPENDITURE CATEGORIES</b>
<b>HIGH NEEDS BUDGET</b>

Top-up funding – maintained schools Top-up funding – academies, free schools and colleges Top-up and other funding – non-maintained and independent providers Additional high needs targeted funding for mainstream schools and academies SEN support services Hospital education services Other alternative provision services Support for inclusion Special schools and Pupil Referral Units (PRU's) in financial difficulty PFI/ BSF costs at special schools and AP/ PRUs and Post 16 institutions only Direct payments (SEN and disability) Therapies and other health related services
<b>EARLY YEARS BUDGET</b>
Central expenditure on early years entitlement
<b>CENTRAL PROVISION WITHIN SCHOOLS BUDGET</b>
Contribution to combined budgets School admissions Servicing of schools forums Termination of employment costs Falling Rolls Fund Capital expenditure from revenue (CERA) Prudential borrowing costs Fees to independent schools without SEN Equal pay - back pay Pupil growth SEN transport Exceptions agreed by Secretary of State Infant class sizes Other Items

2.10 The value of maintained school balances has decreased during the financial year 2022/23 from £8.702m to £8.454m.

### 3. Other options considered in making recommendations

3.1 No other options were considered as part of this report.

### 4. Outcomes/deliverables

4.1 To provide SF with the 2022/23 outturn position and to confirm the opening balance of the SSR for 2023/24.

### 5. Consideration of Risk

5.1 This is a report on the outturn position of the Dedicated Schools Grant for the financial year 2022/23. The main risk is around the increased balance on the Statutory School Reserve which is referred to elsewhere in this report.

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

6.1 The balance on the Statutory School Reserve has increased significantly in 2022/23 leading to a surplus balance of £21.745m. Commitments of £5.296m have been identified though this still leaves a balance of £16.449m of uncommitted reserves.

6.2 A review needs to be undertaken to identify the potential use of the reserve balance over the medium term taking into account all the risks relating to all the blocks within the Dedicated Schools Grant.

**7. Legal colleague comments**

7.1 The current law in force in this area is the School and Early Years Finance (England) Regulations 2023, SI 2023/59. Spend from the SSR needs to align with the requirements of the Regulations.

Alexa McFadyen, Senior Employment Solicitor - 16 June 2023

**8. Other relevant comments**

8.1 Not applicable.

**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)

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)

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)

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 N/A

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

15.1 Schools and Early Years Finance (England) Regulations 2023



**APPENDIX A**

<b>Proposed use of reserves</b>					
<b>No.</b>		<b>Date Approved</b>	<b>Funding Narrative</b>	<b>2023/24 £m</b>	<b>Other Comments</b>
1	Disability Access funding	29 March 2012 - Agenda item 12-03- 10	Remaining balance from cumulative underspends on the Disability Access Fund. To be carried forward to 2023/24	0.498	
2	Pupil growth underspend 2020/21 to 2022/23		Cumulative surplus balances on the Pupil growth contingency fund for the financial years 2020/21 to 2022/23	1.493	
3	Trade union cover underspend 2021/22	13 October 2020 - Agenda Item 8	Funding used in the calculation of the rate per pupil and lump sum per school for the financial year 2023/24 for maintained schools and academies for trade union representation	0.019	
4	Trade union cover underspend 2022/23	7 December 2021 - Agenda Item 8	Funding to be used in the calculation of the rate per pupil and lump sum per school for the financial year 2024/25 for maintained schools and academies for trade union representation	0.015	
5	Fair Access contingency	23 February 2017- Agenda Item 7	Contingency for emergency expenditure incurred by primary and secondary in year	0.025	Ongoing contingency of £25,000
6	Early Years Disability Access Funding underspends 18/19, 19/20	17 January 2023- Agenda Item 4	Underspend must be ring-fenced for purpose consistent with DAF objectives.	0.148	
7	Early Years Disability Access Funding underspend 22/23		To be used on support inclusion of pupils with SEND	0.082	

8	EY SEN Inclusion Fund underspend 2022/23		To be distributed to setting to help support heightened speech, language and communication needs.	0.013	
9	Underspend on Early Years Provision 2018/19		This balance is being kept available as an early years contingency to be drawn down in the event of future overspends.	0.558	
10	Underspend on Early Years Provision 2020/21		Balance of the underspend on EY provision for 2020/21 after final DSG adjustment and overspend on provision from 2021/22. Includes final clawback (£0.083m) following adjustment for 2021/22 by the ESFA and further contingency for future overspends.	0.756	
11	Higher 2 year old rate for 2023/24	17 January 2023- Agenda Item 4		0.075	To support a higher 2 year old base rate for 2023/24
12	Nethergate School expansion		Special School expansion does not qualify for funding from the pupil growth contingency , so is funded directly from reserves. The amount remaining allows for 1 final classroom.	0.008	
13	R2I Delivery Team			0.151	
14	Additional funding for maintained schools and academies 2023/24		Funding passed onto maintained schools and academies through the delegated budgets in 2023/24	1.438	
15	Individual School Budgets adjustment 2023/24		Adjustment made to delegated budgets for the financial year 2023/24 after the Schools Budget report dated 17 January 2023	0.019	
<b>Total commitments</b>				<b>5.296</b>	

## Schools Forum – 27 June 2023

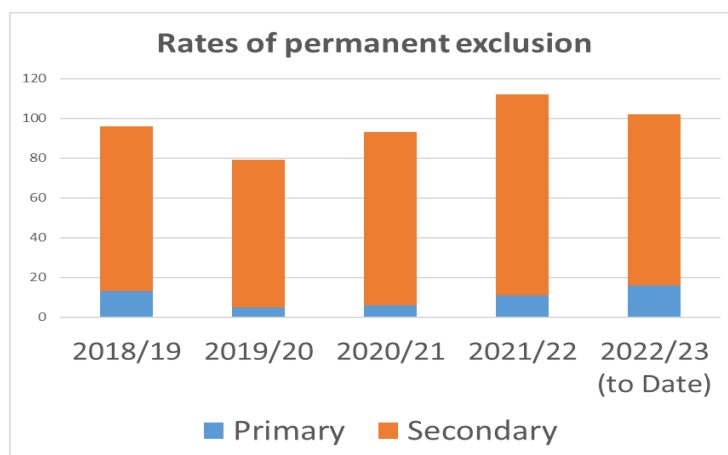
<b>Title of paper:</b>	<b>Additional places at Denewood Academy</b>
<b>Director(s)/ Corporate Director(s):</b>	Catherine Underwood, Corporate Director for People Ross Brown, Corporate Director for Finance and Resources
<b>Report author(s) and contact details:</b>	Jennifer Hardy, Acting Head of Access to Learning <a href="mailto:Jennifer.hardy@nottinghamcity.gov.uk">Jennifer.hardy@nottinghamcity.gov.uk</a>
<b>Other colleagues who have provided input:</b>	Chris Ayriss, Commercial Business Partner <a href="mailto:Chris.ayriss@nottinghamcity.gov.uk">Chris.ayriss@nottinghamcity.gov.uk</a>
<b>Summary</b> This report sets out a proposal to provide additional funding to Raleigh Education Trust to increase their onsite provision at Denewood Academy from 42 places to 50 places, on a temporary basis.	
<b>Recommendation(s):</b>	
<b>1</b>	To consult with School's Forum on the proposal to provide additional funding to Raleigh Education Trust to the value of £179,519

## 1. Reasons for recommendations

- 1.1 Permanent exclusion rates in Nottingham have risen in recent years and this, combined with an increased use of Alternative Provision (AP) across the city has put pressure on Pupil Referral Unit.
- 1.2 Levels of permanent exclusion in Key Stage 2 have increased by 31% this academic year, compared to last and Raleigh Education Trust offer the only Key Stage 2 places for permanently excluded children in the city.
- 1.3 Additional funding is sought to add places to Denewood Academy whilst the outcome of the AP Commissioning review and a Free School bid are anticipated.

## 2. Background (including outcomes of consultation)

- 2.1 Permanent exclusion rates in Nottingham city have always been high compared to national and local rates. Pre-pandemic all secondary schools signed up to the Inclusion Model and rates of permanent exclusion looked set to drop. However, in a post pandemic, cost of living era rates of permanent exclusion have increased again.
- 2.2 In 2021/22, 112 children were permanently excluded from school (11 primary and 101 secondary). To date, in 2022/23, 103 children have been permanently excluded from school (16 primary and 87 secondary) and the final figure for this academic year could be higher than last year.



- 2.3 All secondary schools remain signed up to the Inclusion Model, with many schools due to renew the agreement in March 2024. As part of the SEND and Inclusion strategy, a revised version of the model will be developed in conjunction with schools.
- 2.4 A temporary expansion of Denewood Academy is sought through funding 8 additional places on site at the school, to be funded through the tracker. This is an alternative to a formal expansion through the Education Schools Funding Agency.
- 2.5 The Local Authority is not able to commit to a formal expansion of Denewood Academy because we are awaiting the outcome of a Free School Bid submitted by Raleigh Education Trust, supported by the Priority Education Investment Area programme. If successful, this bid would add 100 additional AP places in the city and would mean only a temporary expansion of Raleigh is required.
- 2.6 In response to the growing pressure on the AP sector, the Local Authority is launching an Alternative Provision Commissioning Review in the summer term 2023. This review seeks to understand how AP is used in the city and what the current gaps are to feed in to a market development process. Every aspect of how AP is commissioned will be reviewed and therefore, it is also not appropriate to formally expand Denewood Academy at this time.
- 2.7 However, the need for additional places for permanently excluded children now is very pressing. Adding additional places on site at Denewood would allow much needed places to support Key Stage 2 and Key Stage 3 pupils. Children who are taught on site at Denewood have greater access to the school's AP Taskforce, a multi-agency approach to supporting vulnerable young people, and are more likely to be reintegrated.
- 2.8 Increasing the levels of reintegration of permanently excluded children back in to mainstream school is a key aim of both Raleigh and the Local Authority.
- 2.9 The additional 8 places at Denewood will cost £179,519 per year and will be funded for two years through the high needs block. All permanently excluded children are funded through the High Needs Block so this money would come from the block. However, it would have been used to cover external AP providers at a higher rate than the placement rate for Denewood.
- 2.10 Currently there is no Alternative Provision available for primary aged children in the city and limited Alternative Provision available for Key Stage 3 children. The growing

numbers of primary exclusions demonstrate the need for these additional places, as do the continued high levels of KS3 exclusions. Denewood will use this capacity flexibly to support KS2 and KS3 young people, led by demand.

2.11 The average daily rate of an Alternative Provision on our framework is £136, which is £26,520 for the academic year. As a comparator, 8 places at this rate would cost £212,160 which is £32,641 cheaper than 8 additional places at Denewood. In addition, this money will fund 8 places at a registered school compared to the unregistered provision that is sometimes used currently.

2.12 In reality however, there are no Key Stage 2 places in external AP's and very few KS3 places.

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

3.1 No other options were considered as part of this report.

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

4.1 Additional 8 places at Denewood Academy.

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

5.1 None

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

6.1 The proposed additional 8 places will be funded via the High Needs Block Alternative Provision budget for the Denewood Academy in addition to the existing funding provision of the onsite 42 placements. There are no further implications that would impact the scheduling of payments if the additional funding were to be approved.

Chris Ayriss  
Senior Commercial Business Partner  
13 June 2023

### **7. Legal colleague comments**

Local Authorities (LAs) must make arrangements for the provision of suitable full-time education for a pupil of compulsory school age who is permanently excluded from a relevant school or excluded from a pupil referral unit for a fixed period, on disciplinary grounds, from the sixth school day of exclusion (Exclusion Regulations 2007). LAs are responsible for commissioning and funding high needs places.

The DfE guidance document, "Making significant changes to an open academy", makes it clear that (even where a LA has instigated a proposed change), academy trusts may still be required to go through the significant change process. There are two application routes depending on the circumstances of the proposed change – full business case or the fast track route. The Academy and the LA should be satisfied that the correct process has been followed/ will be followed. In relation to the changes of pupil numbers in a special school, the guidance states that the full business case process applies only if the increase is for 20% or more; or 20 pupils or more (whichever is the smaller number). In this case, the increase in numbers by 8

pupils (from 42 to 50) is just over 19% so would come under this threshold and would trigger the fact track process but any other aspects of the proposal should be checked to ensure they do not require a full business case under the guidance. The guidance and its contents should be flagged with the Academy if not already done so, and a condition of the funding should be that guidance is followed.

Finance advice should be sought in respect of the funding of the recommendations in this paper, via the high needs block. I would also recommend that it be made clear in the paper, the comparative figures and advantages of the recommendations in this paper compared to providing external AP provision and the recommendations should only proceed if best value is achieved via these recommendations. It is also clear that these recommendations are pending alternative bid outcomes and consideration should be given to whether or not the funding would be impacted or any funding conditions required, should that funding be granted in the interim or before the recommended 2 year funding has finished.

Raina Mason  
Interim Team Leader and Senior Solicitor  
Litigation and Dispute Resolution Team  
7 June 2023

**8. Other relevant comments**

N/A

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

None

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

10.1 None

**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)

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:  
This is not a new change to service.

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:

**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 None

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