

Schools Forum – 27 June 2023

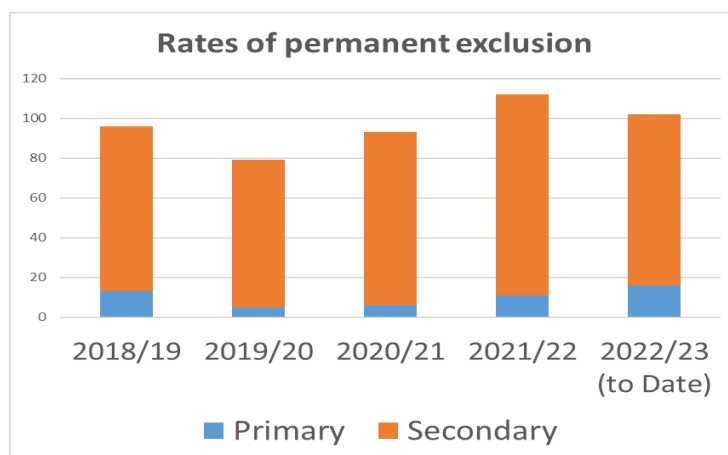
Title of paper:	Additional places at Denewood Academy
Director(s)/ Corporate Director(s):	Catherine Underwood, Corporate Director for People Ross Brown, Corporate Director for Finance and Resources
Report author(s) and contact details:	Jennifer Hardy, Acting Head of Access to Learning Jennifer.hardy@nottinghamcity.gov.uk
Other colleagues who have provided input:	Chris Ayriss, Commercial Business Partner Chris.ayriss@nottinghamcity.gov.uk
Summary 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.	
Recommendation(s):	
1	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