

**SCHOOLS FORUM – 5<sup>th</sup> November 2015**

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| <b>Title of paper:</b>                           | <b>Secondary Fair Access – Review of Funding Model Pilot and Recommendations for future budget</b> |
| <b>Director(s)/ Corporate Director(s):</b>       | <b>Pat Fielding, Director of Education</b>   |
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| <b>Other colleagues who have provided input:</b> | <b>Mirth Parker, Head of Inclusion &amp; Disability</b>  |

**Summary**

**This report notifies the Schools Forum that a trial of a needs led, tiered funding model for secondary Fair Access has concluded, having taken place over the past two academic years from September 2013 to July 2015.**

**During this time the Local Authority has been working in partnership with Nottingham City Secondary Education Partnership (NCSEP) to deliver on the Fair Access Protocol (FAP). There have been a number of changes to operational practice which have significantly improved the admissions process and outcomes for the very vulnerable and complex cohort of young people who meet the FAP criteria. Amends to working practice will be reflected in the revised Protocol due for release in the Autumn Term 2015. This paper seeks to concentrate on the funding trial rather than on the amends to working practice.**

**The Local Authority conducted a review on the NCSEP led Fair Access process this academic year and the report, written by Sharon Bramwell (Commissioning Manager) in April 2015 concluded that the NCSEP model offered significant value added and that this model should be continued moving forwards. The model ensures that the Local Authority meets its statutory duties in this area.**

**All mainstream secondary schools are fully committed and engaged with the current panel which now also includes the Nottingham Free School and NUASt.**

**Recommendation(s):**

|          |   |
|----------|---|
| <b>1</b> | To <b>note</b> the Local Authorities intention to continue working in partnership with NCSEP to deliver the secondary Fair Access Protocol. <i>A service level agreement is now in place.</i> |
| <b>2</b> | To <b>note</b> the Needs Led Tiered Funding Model will continue to operate and apply to all schools.  |
| <b>3</b> | To <b>note</b> that the Fair Access budget will run on an academic years basis rather than over a financial year.   |
| <b>4</b> | To increase the annual secondary Fair Access allocation from £0.190m to £0.290m for the academic year 2015/16.  |

|   |  |
|---|--|
| 5 | To agree that the increase of £0.120m be allocated within the Statutory Schools Reserve, as set out in section 5.2, for expenditure incurred by July 2015.                         |
| 6 | To note that funding will be released on actual spend and any underspend will be unearmarked within the SSR.   |
| 7 | To agree to fund the Managed Move strand of NCSEPs work, at an annual cost of £57,000 as part of the broader Fair Access process and as a strategy to reduce permanent exclusions. |

## 1. REASONS FOR RECOMMENDATIONS

**The Local Authority has a statutory duty to have a Fair Access Protocol as part of its broader Admissions duty. As an urban authority there are high numbers of young people who require a school place outside of the normal admissions rounds and who present with complex needs. It is vital that all schools are compliant with this protocol to ensure, as much as is possible, the equitable distribution of complex and vulnerable pupils who meet the criteria of this protocol into City schools and academies. This protocol seeks to ensure that vulnerable young people, including those who are In Care or Fleeing Domestic Violence, are secured a suitable school place without delay as well as mitigating the admissions effects of multiple high needs students on schools who are below PAN.**

## 2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

Historically the Local Authority has had an annual secondary Fair Access budget of £0.190m. £1000 was allocated to a school for each pupil admitted through this protocol. Over time the degree of complexity of individual cases presenting at the FA panel has increased. The cost of providing a suitable education, particularly at Key Stage 4, to meet the needs of these students, and for whom schools were unable to budget for in advance, was a significant barrier to admission. Pupils often present at panel with significant gaps in their education and therefore there are gaps in terms of understanding their educational needs. Schools were often hesitant to admit pupils without a fuller understanding of what support would be required, and what the resource and cost implications of this support would be, to meet the needs of the student. In addition families faced financial barriers to engagement once a school was allocated, including the cost of purchasing uniform or transport costs to the allocated school, particularly for families who were eligible for but not yet in receipt of welfare benefits. The needs led tiered funding model was devised to address these barriers and increase the admissions numbers and timeframe for admission for this cohort. It was also recognised that schools who did agree to admit students from the panel had considerable difficulty in engaging these students and the overall actual admission rate for this cohort was poor.

In addition to those pupils without a school place, or with very poor attendance, a significant group presenting at panel were pupils who already had a school place but were at risk of permanent exclusion. At the time there were no alternatives to permanent exclusion operating in the City and schools and parents/carers utilised the Protocol to avoid exclusions which often resulted in young people with complex needs moving from one school to another without appropriate intervention and support. NCSEP introduced a Managed Move Protocol to address this issue, decrease the number of pupils presenting

at panel to which this applied and ensure that young people with complex behavioural issues could transfer but that this was done in a structured, co-ordinated and supported manner.

In 2012/13 NCSEP and the Local Authority engaged in discussion and consultation about changes in practice that could improve the outcomes for this challenging cohort. NCSEP offered to trial running the secondary Fair Access Panel on behalf of the Local Authority and to work jointly to improve the quality and quantity of case information provided to schools about individual pupils. NCSEP would operate as an unbiased body that would know the individual circumstances of the majority of schools and have all the schools interests at the heart of any decision making as well as ensuring that the Local Authorities statutory duties were met. NCSEP agreed to pre-broker all bar the most complex cases, where a full multi-agency discussion at panel was necessary, and therefore reduce the timeframe for admission. NCSEP also appointed a Complex Case Co-ordinator to engage the young people and their families, facilitate admissions, co-ordinate pre-admission support and monitor initial school engagement for a period of 4 weeks.

Through transparent decision making, honest dialogue, improved information and equitable distribution exercises the panel quickly gained the trust of the schools. As a further improvement the Local Authority has addressed the issue of Support Service information sharing and panel attendance which has improved.

It was anticipated that a needs led, tiered funding model could prove more expensive than the historical budget. NCSEP utilised £200,000 of the monies secured through Executive Board to supplement the Local Authority budget over the two year duration of the trial.

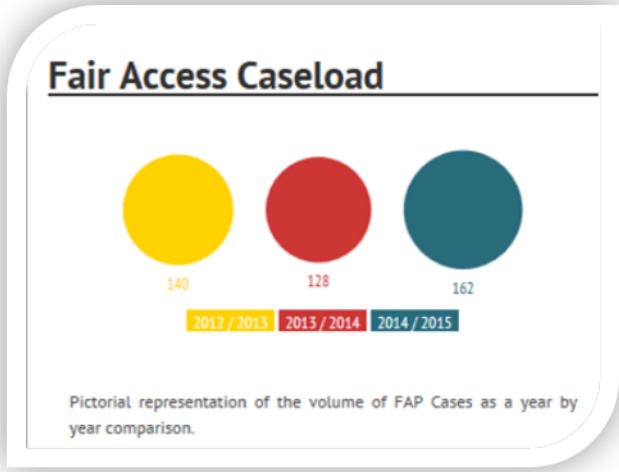
### **3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

Other options have been explored by the LA Review and the current model agreed. In addition to retaining the current arrangements to LA considered the responsibility of managing FA and the placement of pupils returning to the LA or the commissioning of a new provider. The Review showed that the NCSEP trial had shown improved outcomes for the Fair Access cohort and demonstrated value added as shown in Section 4 below.

### **4. OUTCOMES/DELIVERABLES**

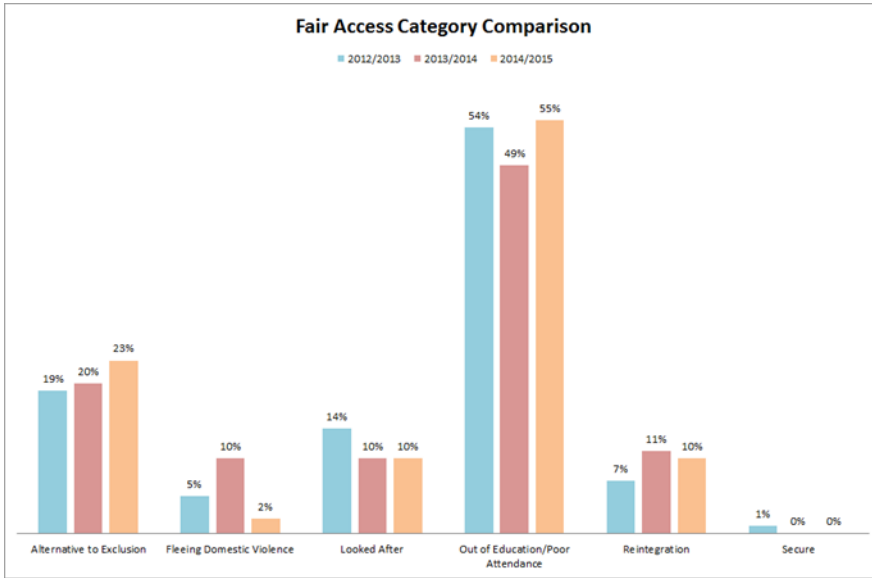
*Total Number of FAP Cases per year*

2014/15 has seen a rise in the number of cases through Fair Access compared with the previous two academic years. The level of complexity also continues to rise.



*Fair Access Cases by Category*

|                                  | 2012/2013 | 2013/2014 | 2014/2015 |
|----------------------------------|-----------|-----------|-----------|
| Alternative to Exclusion         | 26        | 26        | 37        |
| Fleeing Domestic Violence        | 7         | 12        | 3         |
| In Care                          | 20        | 13        | 16        |
| Out of Education/Poor Attendance | 76        | 63        | 89        |
| Reintegration                    | 10        | 14        | 17        |
| Secure                           | 1         | 0         | 0         |

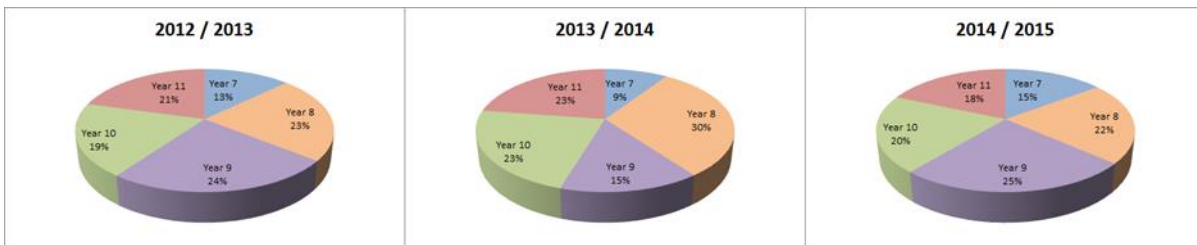


Young People without a school place are the primary cohort and account for over half of cases presented at panel. The second largest cohort is those being presented as at risk of permanent exclusion from County and City schools. These young people are now processed via NCSEPs Managed Move Protocol to ensure additional support.

### Fair Access Comparison by Year Group

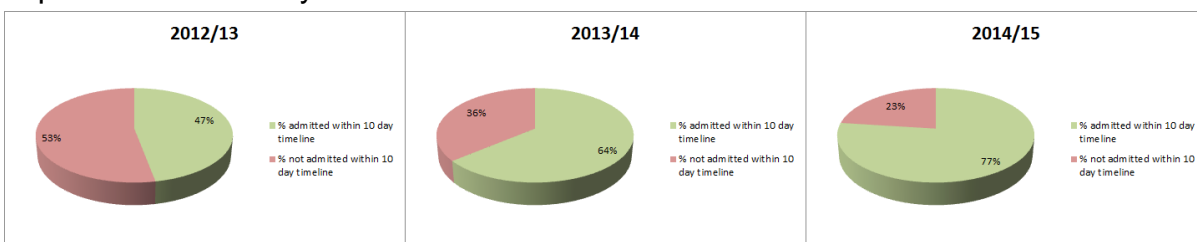
|         | 2012/13 | 2013/14 | 2014/15 |
|---------|---------|---------|---------|
| Year 7  | 18      | 12      | 24      |
| Year 8  | 32      | 39      | 35      |
| Year 9  | 34      | 19      | 40      |
| Year 10 | 27      | 29      | 33      |
| Year 11 | 29      | 29      | 30      |

Young People at Key Stage 3 account for the largest proportion of FAP cases with a noted increase in Year 7 students admitted via panel this academic year.



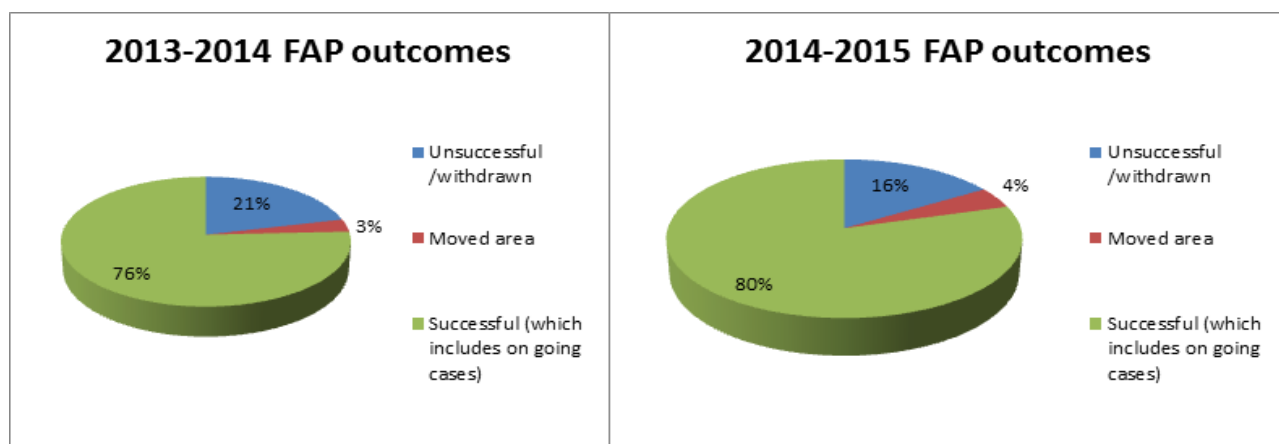
### FAP Cases Admitted within 10 day timeframe

Through the intervention and support provided by NCSEP and with the support of Schools and Academies, the % of FAP cases admitted to schools within the timeline of 10 days has improved dramatically.

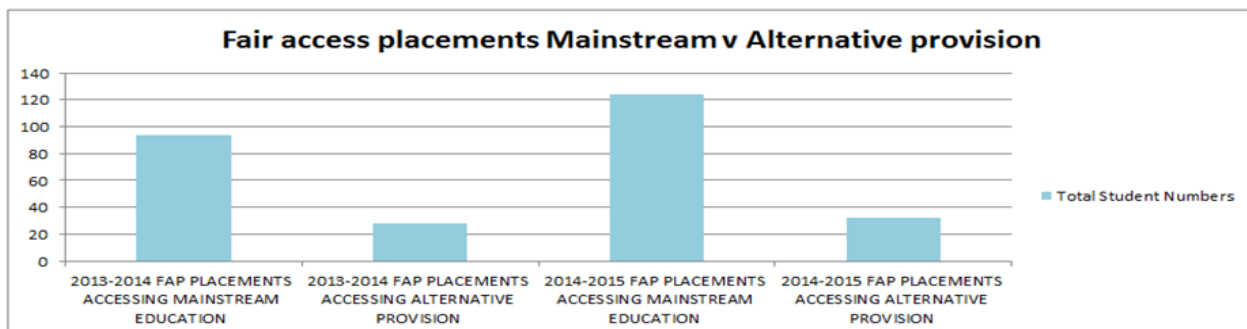


In 2012/13 over half of the cases that were admitted to schools were admitted outside of the 10 day timeframe following panel. Some of these cases were considerably outside the timeframe. Last year this reduced significantly with nearly two thirds of cases being admitted within the timeframe due to the appointment of the NCSEP Complex Case Co-ordinator engaging and supporting families and facilitating the admission alongside targets for schools. 2014/15 has seen a continued improvement with 77% of cases admitted within 10 days of panel meetings.

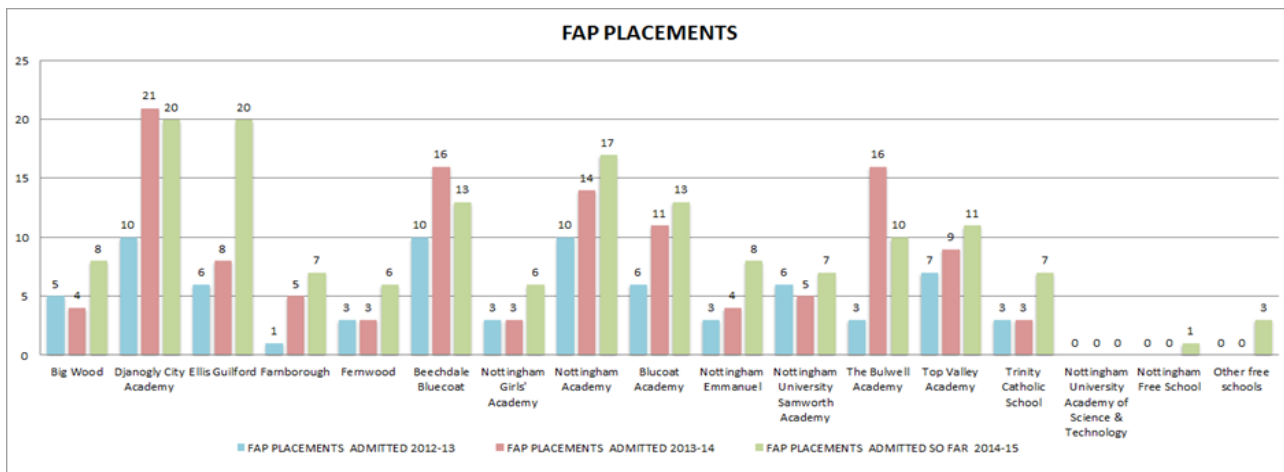
### Panel Destinations



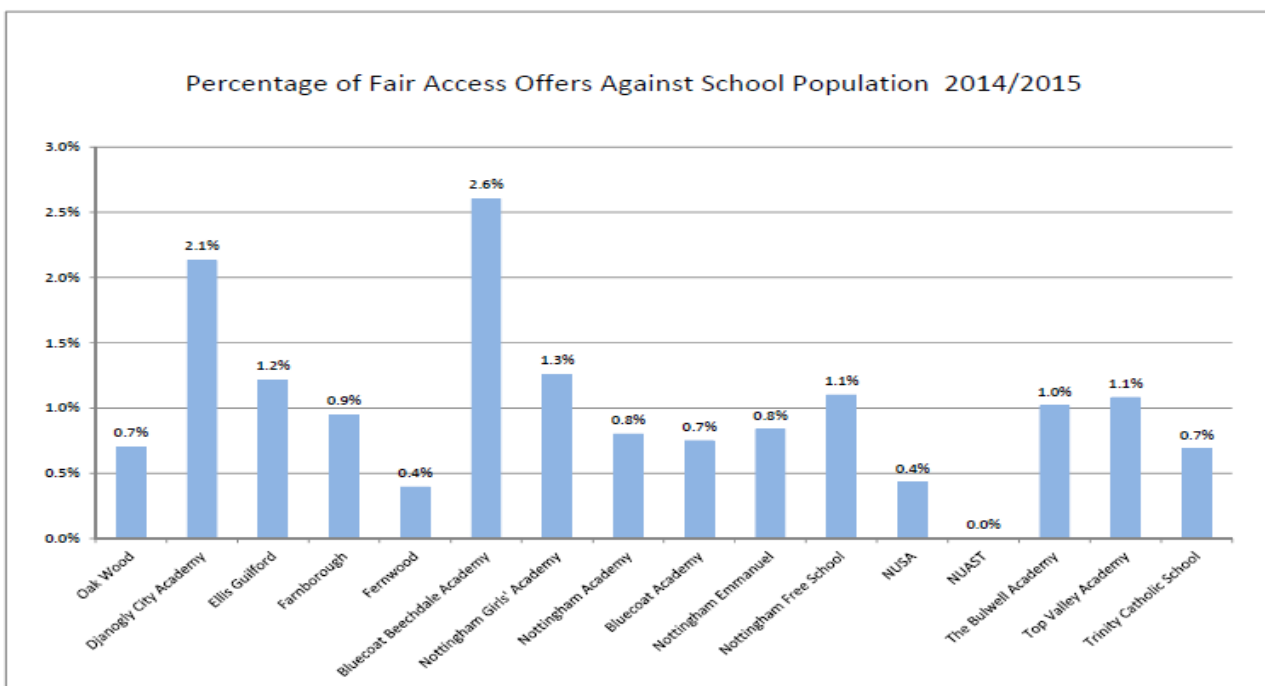
There have been fewer cases withdrawn from panel in the last year. This is partly due to cases being processed via the Managed Move Protocol. The reasons for withdrawal are mostly that it is deemed in the best interests of the pupil to remain at their current school and a recommendation may be made to access alternative provision, that a Managed Move has terminated or that parents/carers do not wish to engage with the process. There remain a small percentage of cases withdrawn from panel as the family move out of the area between submitting an admissions request and this being heard at panel. There has been a significant increase in the number cases and subsequent admissions into mainstream schools this year compared to last. The number of pupils accessing alternative provision remains similar over the past two years.



The graphs below show how the increased scrutiny over equitable distribution is having a positive effect. Despite the total number of cases increasing and that there are limiting geographical factors, those schools who were the highest receivers of pupils via this admissions process last year have seen a decrease in FA admissions this year. FA Admissions have increased for schools who have historically taken far fewer pupils. The new free schools are also part of the process. The second graph shows the impact that these complex admissions have statistically on school rolls.



FA Admissions remain significant for Djanogly but slightly reduced on last year. Bluecoat Beechdale Academy has been most significantly impacted this year.



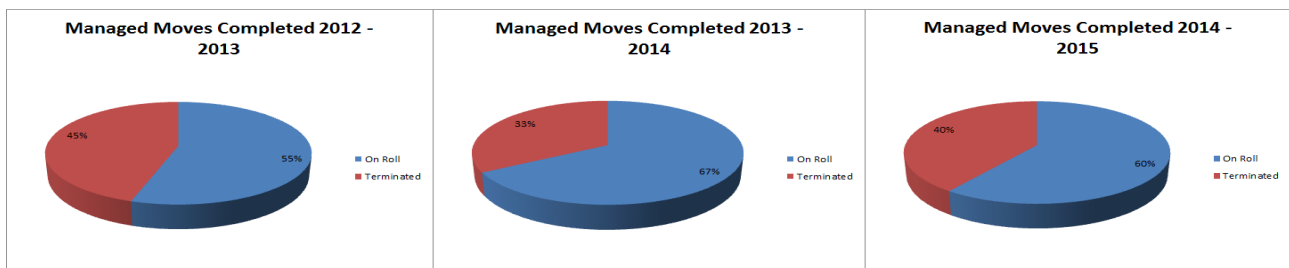
*Managed Move Protocol embedded within Fair Access process*

The NCSEP Managed Move Protocol has been aligned closely with the Fair Access Protocol to ensure students at risk of permanent exclusion who transfer via this process are attributed to a school's fair access admission total. Pupils do not need to wait until a panel meeting to commence the managed move. The percentage of managed moves that meet fair access criteria has increased year on year (35.45% of all moves this academic year) illustrating the increased level of complexity and challenge and need for this strategy as an alternative to exclusion.

| Managed Moves Data FAP Review July 2015          |             |              |             |
|--|-------------|--------------|-------------|
|  | 2012-13     | 2013-14      | 2014-15     |
| <b>Managed Moves Requested</b>                   | 86          | 136          | 110         |
| <b>FAP</b>                                       | 21 (24.42%) | 28 (20.59%)  | 39 (35.45%) |
| <b>Non Fap</b>                                   | 65 (75.58%) | 108 (79.41%) | 71 (64.55%) |
| <b>Managed Moves Accepted on Roll</b>            | 33          | 48           | 33          |
| <b>FAP</b>                                       | 8 (24.24%)  | 10 (20.83%)  | 11 (33.33%) |
| <b>Non Fap</b>                                   | 25 (75.76%) | 38 (79.17%)  | 22 (66.67%) |
| <b>Managed Moves Terminated during placement</b> | 27          | 24           | 22          |
| <b>% of completed moves on roll</b>              | 55%         | 67%          | 60%         |

Last academic year (2013/14) 48 potential permanent exclusions were avoided and this year (2014/15) an additional 33 were also avoided by the use of this Protocol. These are significant figures given the very high rates of exclusions currently experienced in the City.

The At Risk FA cohort has reduced with the implementation of this Protocol.



Over 60% of completed managed moves were successful in the academic year 2014 – 2015. This is a slight reduction on the previous year although it represents sustained improvement on 2012- 2013.

There are two distinct Managed Move categories; at risk of permanent exclusion due to a significant and serious one off event and at risk due to sustained behavioural issues over time. The success rate for Managed Moves for the first category is significantly better. The success rate for the latter category could increase with more embedded multi-agency support and is the largest group processed by the protocol.

### *Intervention and complex placement support*

A range of additional support and interventions are utilised by the Complex Case Co-ordinator either pre or post panel meetings to secure the best outcomes for vulnerable students and students exhibiting challenging behaviour. A high proportion of this time is spent making sure these students and their families are supported throughout the entire



process to ensure the best possible outcomes and success rates. Following the panel, students are monitored and additional intervention provided to support engagement for a minimum of 4 weeks.



### *Case Study 1*

Student A was a child in care previously on roll at a Nottingham school, until he moved to Derby in Jan 2014 due to being placed in foster care. Prior to his move, Student A was on the verge of permanent exclusion, was committing criminal offences and attending Alternative Provision. Derby LA took the decision to educate him in a PRU. He returned to Nottingham in April 2014 but was then rehoused in Birmingham. In Birmingham he attended a 14-19 independent school offering an alternative curriculum for learners disengaged with mainstream provision with SEBD and MLD on a part time basis. Student A attended although struggled to achieve and was not fulfilling his potential. Student A historically has a negative attitude towards his education placements and due to frequent moves has had a turbulent history.

Student A has now moved back into the City to the care of his mother, who lives in Radford. He is no longer in care and requires suitable education provision.

### **Interventions:**

- Case managed by NCSEP Complex Case Co-ordinator
- Home visits meeting the student/families
- Identifying an appropriate alternative education provision (visits to providers, completing referrals, accompanying on visits)
- Support with paperwork – including free school meals application
- Support with transport this has included picking up and dropping off to get bus pass on a monthly basis and ensuring confidence of bus route

- Monitoring attendance/behaviour for the academic year – providing intervention where needed
- Attending multi agency meetings including housing, Social Care, local councillors, Police, YOT, Futures.

**Outcomes:**

Student A successfully attended alternative provision full time. He has completed a range of qualifications and accreditations including FL English level 1, FL Maths level 1 plus a CLA Sports Award in Football Coaching. Student A was at risk of offending and has not reoffended. Student A engaged with education and support and has secured a college course for next academic year.

*Case Study 2*

Student B's family moved to Nottingham in December 2013 due to parental relationship breakdown. Father suffers from anxiety and depression. An application was made at the beginning of January 2014 for a school place. Previous school information suggested children did not meet FA criteria. Only one of the siblings was offered a school place. Student B was refused a school place as the school was full in that year group. Parent wanted the siblings to stay together and in April 2014 applied for an alternate school. There was a prolonged period of time without an offer being made as the schools requested by parent did not offer places due to extenuating circumstances and concerns over parent explanation of challenging behaviour. By September 2014 both siblings remained out of education. This was investigated and in November 2014, having been out of education for one year a new application was received for another City school and the case brought to FAP. The school requested was not near the family address.

**Interventions:**

- Case managed by NCSEP Complex Case Co-ordinator
- Home visits meeting the student and family members
- Arranged school place for Student B's sibling at preferred school near home
- Identifying an appropriate alternative education provision for student B (visits to AP, pre visit contact, completion of referral forms and free school meals application)
- Support with transport this has included picking up and dropping off to get Bus pass on a monthly basis and ensuring confidence of bus route
- Monitoring attendance and behaviour for the academic year
- Attending multi agency meetings including housing, Social Care, Priority Families, MST, local councillors, Police, YOT, Futures, Frame work
- Supported parent with housing and access to new accommodation this included a number of agencies and facilitating the support the families needed
- Lead professional for the CAF

**Outcomes:**

Student B's sibling now accessing full time mainstream education. Student B accessing appropriate alternative provision where he completed a range of qualifications including FL English level 1, FL Maths level 1 and level 2, Safety at Work NVQ and an NVQ in Welding. His attendance improved to over 85% and a college course has been secured for progression for next academic year. The family have been successfully rehoused and parent is very appreciative of the extensive support received via the FA process and has shared this view with other agencies involved.

**Over duration of the trial 100% of young people processed by panel have been tracked which demonstrates significantly improved safeguarding measures for this vulnerable cohort. In addition 77% of all cases were admitted in to schools within the 10 day timeframe aimed for within the FA Protocol. The remaining cases are awaiting their start date or already in the Managed Move process.**

## **5. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)**

- 5.1 The DSG High Needs budget allocates £0.190m per annum to support Fair Access.
- 5.2 This report is requesting additional funding of £0.125m, for the 2015/16 academic year. This would need to be funded from the Statutory Schools Reserve (SSR) and a breakdown of the costs are as follows:

- £0.100m to fund the additional costs of the needs led tiered finance model and the costs to NCSEP for running the panel on behalf of the Local Authority. Of this £0.100m, £0.057m is to fund NCSEPs Managed Move strategy which is now embedded in the Fair Access protocol and is contributing to decreasing permanent exclusions across the City.

This ensures that young people with complex behavioural difficulties are not moved from school to school including from the County to the City. 24 schools are currently actively engaged with the protocol.

The breakdown of the additional £0.057m is as follows:

- £0.042m for the Strategy Co-ordinator;
  - £0.010m for administration and
  - £0.005m for the online tracking system.
- £0.025m contingency. The funding model is needs led and the cohort unpredictable, therefore it appears prudent to allow for this cost.

- 5.3 The allocation of this additional High Needs expenditure, in academic year 2015/16 will need to be approved by the Local Authority through its constitutional approval process before any funds are earmarked.
- 5.4 In accordance with other funding arrangements and the Schools & Early Years Financial Regulation's 2014 the additional funding will be allocated based on actual expenditure with any unused balances being reallocated back into the Statutory Schools Reserve.

Confirmation of actual spend will be required in July 2016.

- 5.5 Any future funding past July 2016 will need to be included in the Dedicated Schools Grant budget setting process for 2016/17, with approval sought from the Local Authority (LA) and depending on value, alignment to the appropriate procurement process.

## **6. RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)**

A service level agreement is in place between the Local Authority and NCSEP which includes monthly, termly and annual reporting including finance reporting.

The legal entity for NCSEP is the Bluecoat Multi-Academy Trust of which NCSEP is a discrete arm.

## **7. HR ISSUES**

None

## **8. EQUALITY IMPACT ASSESSMENT**

Has the equality impact been assessed?

Not needed (report does not contain proposals or financial decisions)

No

Yes – Equality Impact Assessment attached

Due regard should be given to the equality implications identified in the EIA.

## **9. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

Local Authority Review of Fair Access (Sharon Bramwell, April 2015)

NCSEP Managed Move Protocol

**10. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

Nottingham City Secondary Education Partnership (NCSEP) Inclusion Strategy (Board Report - September 2012 and March 2014)

Nottingham City Secondary Fair Access Protocol (September 2012)

School Admissions Code (January 2015)