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## NOTICE OF MEETING

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### CABINET MEMBER FOR EDUCATION

THURSDAY, 13 OCTOBER 2016 AT 4.15 PM

THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL

Telephone enquiries to Lisa Gallacher 02392 834056

Email: [lisa.gallacher@portsmouthcc.gov.uk](mailto:lisa.gallacher@portsmouthcc.gov.uk)

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

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### CABINET MEMBER FOR EDUCATION

Councillor Neill Young (Conservative)

#### Group Spokespersons

Councillor Alicia Denny, UK Independence Party

Councillor Suzy Horton, Liberal Democrat

Vacancy - Labour

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(NB This Agenda should be retained for future reference with the minutes of this meeting.)

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**Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.**

## A G E N D A

- 1 **Apologies for absence**
- 2 **Declarations of Members' Interests**
- 3 **Future Changes to Early Years Funding (Pages 1 - 24)**

#### Purpose of report

To provide the Cabinet Member with an initial summary and impact assessment, of the proposals contained within the consultation document issued by the Department for Education (DfE) on the 11<sup>th</sup> August 2016 titled: *'An early years national funding formula - And changes to the way the three-and-four-year-old entitlements to childcare are funded'*.

**RECOMMENDED that the Cabinet Member:**

- (1) Note the Department for Education's proposed changes to the early years funding arrangements for three and four year olds and the potential impact of these changes, as set out within this report,**
- (2) Note the submission of the response to the Department for Education's (DfE's) consultation, as shown at Appendix 1.**
- (3) Note the areas of the existing local funding formula that are to be reviewed in response to the DfE's proposed changes; as set out in paragraph 7.16.**
- (4) Endorse the proposed consultation process with early years childcare providers as set out in section 11.**

#### **4 School Funding Arrangements 2017-18 (Pages 25 - 62)**

##### Purpose of report

The main purpose of the report is to inform the Cabinet Member for Education of the progress being made towards the implementation of changes to the school revenue funding arrangements for 2017-18 and to seek the necessary approvals at this stage.

**RECOMMENDED that the Cabinet Member:**

- (1) Endorse the principles proposed by the mainstream working group in Appendix 1 to guide and inform the development of the funding arrangements for 2017-18.**
- (2) Approve, that following the confirmation of the 2017-18 Dedicated Schools Grant (DSG), officers will amend the funding unit values to minimise the impact of fluctuations in funding at the school level and to maintain overall affordability. In order to provide schools with some certainty, where possible any changes will be limited to the following formula factors:**
  - Basic per pupil entitlement**
  - Prior attainment**
  - Lump Sum**
  - The percentage of the financial cap.**
- (3) Approve the proposed changes to the mainstream funding formula factors, together with choices the council has made in implementing these factors locally, as set out in section 5.**
- (4) Agree to the de-delegation of the following budgets for central administration in 2017-18 and note the proposed rates for de-delegation (as shown at paragraph 3.41 of the consultation**

document), which will be finally agreed in January:

- i. Behaviour Support - Primary Only
- ii. Special Staff Costs (Union Duties)
- iii. Schools Contingency Fund
- iv. Licences

- (5) Note that subject to the guidance awaited from the Department for Education (DfE) and the results of the work being undertaken by the Inclusion Commissioning Manager, that the authority is not proposing to make any changes to High Needs place numbers for Special Schools, Resources Units and Alternative Provision settings for 2017-18.
- (6) Note that subject to the guidance awaited from the DfE that the authority is not proposing to make any changes to the annual rates for Element 3 Top-up funding for Resource Units and Alternative Provision settings for 2017-18.
- (7) Note that as set out in paragraph 7.2, work is being undertaken by the Inclusion Commissioning Manager to review the Element 3 Top-up funding arrangements for Special Schools.
- (8) Approve the MFG exemptions submitted to the DfE by the required deadline of 30 November 2016 as set out in paragraph 7.3.
- (9) Approve the funding allocation to Redwood Park Special School as set out in paragraph 8.2.

**5 Change to SEN designation of Redwood Park School - outcome of statutory representation stage (Pages 63 - 78)**

Purpose of report

This report sets out the outcome of the statutory representation undertaken between 3rd September 2016 and 3rd October 2016 on the proposal to change the type of SEN need catered for by Redwood Park School.

The report seeks approval to move to the next stage in the process which is implementation of the proposal by 1st November 2016.

**RECOMMENDED that the Cabinet Member for Education:**

- (1) Considers the outcome of the statutory representation undertaken between 3rd September and 3rd October 2016.
- (2) Approve the proposal to change the formal designation of Redwood Park School from a school for pupils with Moderate Learning Difficulties (MLD) and / or Speech, Language and Communication Needs (SLCN) to a school for pupils with Severe Learning Difficulties (SLD) or Autistic Spectrum Condition (ASD).
- (3) Authorise the Deputy Director for Children's Services - Education

**to proceed with the implementation of the proposal.**

**6 Closure of Brambles Nursery School and replacement full day care provision at Goldsmith Infant School (Pages 79 - 92)**

Purpose of report

This report sets out the outcome of the statutory representation undertaken between 3rd September 2016 and 3rd October 2016 on a proposal to close the Brambles Nursery and for Goldsmith Infant School to operate full day care provision comprising a 0 - 4 provision alongside the infant school.

**RECOMMENDED that the Cabinet Member for Education:**

- (1) Consider the outcome of the statutory representation undertaken between 3rd September and 3rd October 2016**
- (2) Approve the proposal to close The Brambles Nursery School (Maintained) for Goldsmith Infant School to operate full day care comprising 0-4 provision alongside the operation of the Infant School from 1st April 2017**
- (3) Authorise the Deputy Director of Children's Services - Education, to proceed to the implementation stage.**

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# Agenda Item 3



Portsmouth  
CITY COUNCIL

**Title of meeting:** Cabinet Member for Education

**Date of meeting:** 13 October 2016

**Subject:** Future Changes to Early Years Funding Arrangements

**Report from:** Alison Jeffery, Director of Children's Services

**Report by:** Richard Webb, Finance Manager

**Wards affected:** All Wards

**Key decision:** No

**Full Council decision:** No

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## 1. Purpose of report

The purpose of this report is to provide the Cabinet Member with an initial summary and impact assessment, of the proposals contained within the consultation document issued by the Department for Education (DfE) on the 11<sup>th</sup> August 2016 titled: *'An early years national funding formula - And changes to the way the three-and-four-year-old entitlements to childcare are funded'*.

## 2. Recommendations

It is recommended that the Cabinet Member:

- a. Note the Department for Education's proposed changes to the early years funding arrangements for three and four year olds and the potential impact of these changes, as set out within this report,
- b. Note the submission of the response to the Department for Education's (DfE's) consultation, as shown at Appendix 1.
- c. Note the areas of the existing local funding formula that are to be reviewed in response to the DfE's proposed changes; as set out in paragraph 7.16.
- d. Endorse the proposed consultation process with early years childcare providers as set out in section 11.

### **3. Background**

- 3.1. On the 11<sup>th</sup> August 2016, the Department for Education (DfE) published a national consultation<sup>1</sup> seeking views on the proposals to change the way in which both local authorities and childcare providers are funded from April 2017 onwards. The consultation closed on the 22<sup>nd</sup> September 2016 and a copy of the response submitted is attached at Appendix 1.
- 3.2. This report seeks to provide the Cabinet Member with an initial summary and impact assessment, of the proposals contained within the consultation documents issued by the DfE. Further updates will be provided as the consultation and implementation processes develop and further details are made available.

### **4. Underpinning principles**

- 4.1. Within the consultation document, the DfE set out the case for changing the early years funding system, so that it better supports their key overarching policy objectives in the early years. These are to:
- ensure that there continues to be sufficient childcare places as they expand the free entitlement;
  - enable all children to benefit from high quality provision;
  - ensure that the specific needs of individual children are met; and
  - deliver affordable and flexible childcare that meets the needs of working parents.
- 4.2. The proposals presented by the DfE in the consultation document were based around the following principles:
- maximising funding to the front line (i.e. to early years providers);
  - allocating funding fairly to local authorities and to different types of provider;
  - distributing funding efficiently and effectively to ensure value for money;
  - allocating funding transparently so local authorities and providers can understand how their funding rates were derived;
  - targeting effectively additional funding at those children who need it; and
  - allowing adequate time to transition to the new funding arrangements.

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<sup>1</sup> [https://consult.education.gov.uk/early-years-funding/eynff?utm\\_source=EFA%20e-bulletin&utm\\_medium=email&utm\\_campaign=e-bulletin&mxmroi=2305-8620-56843-0](https://consult.education.gov.uk/early-years-funding/eynff?utm_source=EFA%20e-bulletin&utm_medium=email&utm_campaign=e-bulletin&mxmroi=2305-8620-56843-0)

## **5. The proposals**

5.1. The proposals set out within the DfE's consultation document can be summarised into the following areas:

- Changes to the funding arrangements from central government to local authorities
- Changes to funding arrangements from local authorities to early years providers
- Meeting the needs of disabled children and children with special educational needs.
- Transition to the new funding arrangements.

5.2. These four areas are analysed in the latter sections of this report.

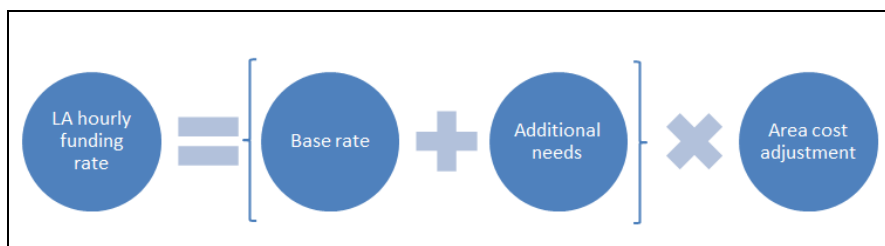
## **6. Funding from central government to local authorities**

- 6.1. Within the consultation document it is stated that the government is seeking to ensure that the distribution of the proposed additional investment in childcare is allocated in a fair, simple, transparent and evidence based way; in order to ensure that local authorities can pay their local childcare providers a sustainable rate of funding and attract new providers into the market.
- 6.2. The DfE are therefore proposing to introduce an early year's national funding formula to allocate the funding from central government to local authorities.
- 6.3. The same formula and hourly rate of funding will apply to both the existing 15 hour entitlement for all three and four year olds, as well as to the additional 15 hours for children of working parents.
- 6.4. In line with the existing 15 hour entitlement for all three and four year olds, funding for the additional 15 hours for children of working parents from September 2017 will be provided on a participation basis from the outset.
- 6.5. In developing the proposed national funding formula, the DfE states that it has drawn on evidence collected from the 'Cost of Childcare Review'<sup>2</sup> to identify the key drivers of cost variation. The proposed formula contains the following three factors:

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<sup>2</sup> <https://www.gov.uk/Government/publications/review-of-childcare-costs>

- A universal base rate of funding for each child
- An additional needs factor
- An area cost adjustment



#### Universal base rate factor

- 6.6. The universal base rate is intended to fund the core costs of childcare provision which do not vary by local area. The base rate will also not be differentiated by type of provider.
- 6.7. It is also proposed that 89.5% of the total funding for three and four year olds will be channelled through this base rate.

#### Additional Needs factor

- 6.8. The DfE are proposing that the funding formula includes an element to reflect the additional costs of providing quality early education for children with additional needs. There are three elements to this factor:
- Socio-economically disadvantaged children
  - Special educational needs and disabilities
  - Children with English as an additional language
- 6.9. The funding channelled through this factor will be based on a basket of metrics, which will consist of:
- **Free School Meal (FSM).** This is a proxy measure for the additional costs of providing childcare for children with disadvantage and low level special educational needs. As there is no FSM data for children in early years, it is proposed to use the data for Key Stage 1 and 2 as a proxy measure. *It is proposed that 8% of the total formula funding should be directed through FSM.*
  - **Disability Living Allowance.** This is a proxy measure for children with SEND. *It is proposed that 1% of the total formula funding should be directed through this metric.*
  - **English as an additional language (EAL).** This is a proxy measure for the costs of supporting children who do not have English as a first language. As there is no EAL data for children in early years, it is proposed to use the data for EAL prevalence at



*Key Stage 1 and 2. It is proposed that 1% of the total formula funding should be directed through EAL.*

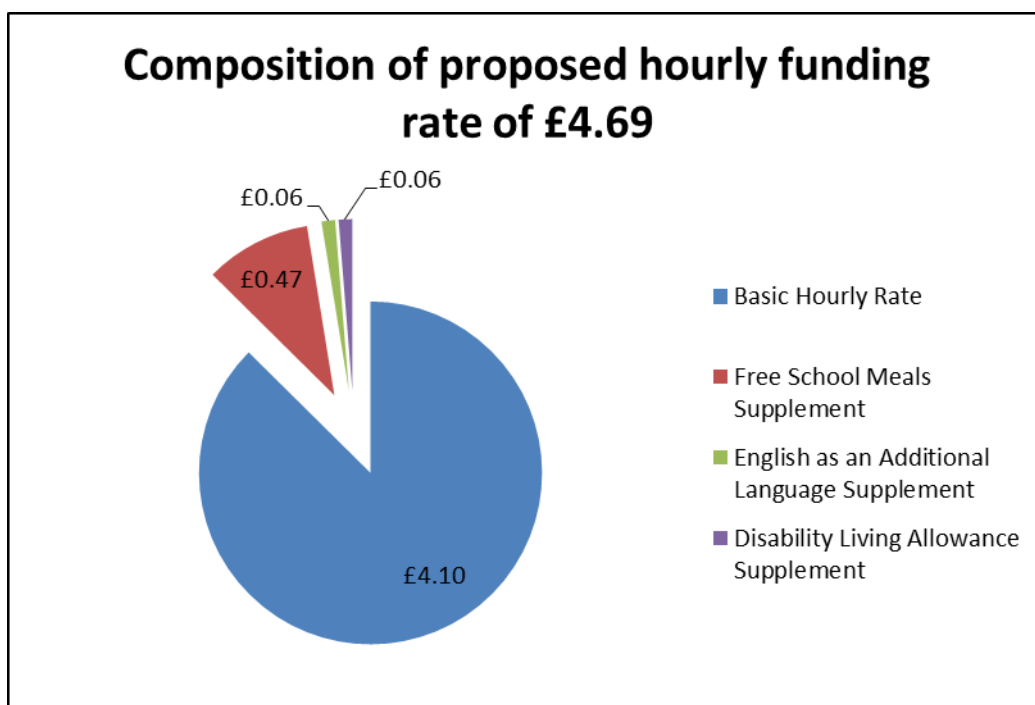
#### Area Cost Adjustment

- 6.10. It is also proposed to introduce an area cost adjustment that accounts for variations in both staff and premises costs. The adjustment will be applied as a multiplier of both the universal base rate and the additional needs factor.
- 6.11. The area cost adjustment will be calculated for each individual authority and be derived by weighting data from two sources: information on staffing costs and information on nursery premises costs.
- 6.12. The staffing costs will be based on variations in average early years wage costs, using the General Labour Market measure. For premises costs, the DfE intend to base their measure on the rateable values of nursery premises.
- 6.13. Each local authority will be allocated an area cost adjustment rate of between 1 and 1.9. Within the additional data accompanying the consultation document, Portsmouth is shown as having an area cost adjustment rate of 1.16.

#### The Funding Rate & Potential Impact for Portsmouth

- 6.14. The government have announced that the average funding rate for three and four year olds, will rise to £4.88. However, this is a composite rate and not the amount that will be received via the early year's national funding formula.
- 6.15. Appendix 2 includes an extract from the consultation document, which explains the elements that comprise the rate of £4.88. The national average funding rate for the early years funding formula is £4.71. The indicative proposed funding rate for Portsmouth is £4.69 and is a potential increase of 30 pence on the current hourly funding rate; which will need to support the proposals set out in the consultation.
- 6.16. The re-based Early Years Block funding through the Dedicated Schools Grant currently amounts to £8,578,000. This allocation is based on 3,428.2 part time equivalent pupils being funded at £4.39 per hour.
- 6.17. The DfE published illustrative funding examples alongside their consultation document, which show how Local Authorities would be funded through the proposed new national early years funding formula. Based on the DfE's illustrative examples, Portsmouth would receive £4.69 per hour for each part time equivalent pupil (without transitional

protection or capping), which is comprised of funding through the following components:



- 6.18. With funding at the rate of £4.69 per hour (which includes the area cost adjustment), the illustrative example shows that Portsmouth could see new funding allocation of £9,160,000 which would be an increase of £582,000.
- 6.19. In addition to this funding allocation, the DfE will also provide additional funding on the same basis as above, for the additional 15 hours of childcare for children of working parents from September 2017.
- 6.20. The sections below, explain the proposed changes to the way that Local Authorities fund providers through the local single funding formula, as well as proposed future requirements, constraints and expectations.

## **7. Local Authority Funding to Providers**

### Pass-Through Rates

- 7.1. To ensure that the proposed additional investment from the government reaches the early years providers, the DfE is proposing to introduce a high minimum percentage of early years funding that local authorities must pass through to providers (high pass-through).

- 7.2. It is proposed that the high pass-through rate should be set at 95%. Average central spend for three and four year olds is currently 6% nationally and they therefore believe that the 95% pass through is a realistic and appropriate level. However, in order allow authorities to transition, the rate for 2017-18 will be 93%, rising to 95% in 2018-19.
- 7.3. The high pass through rate includes all funding passed directly to providers (i.e. the base rate and supplements, as well funding for special educational needs, etc.).

#### Contingency Funds

- 7.4. The DfE recognise that it is reasonable for local authorities to hold back contingency funds for in-year demographic growth and that this should be counted in the high pass-through rate, because the money is eventually shared with providers. However, it is expected that this will be kept to a minimum in order to maximise the hourly rate to providers.

#### Single Universal Base Rate

- 7.5. It is proposed that all local authorities should be required to set a universal base rate in their local single funding formula, which is the same for all providers. Currently there is discretion to pay providers a lump sum to top-up their base rate.

#### Funding Supplements & Incentives

- 7.6. Currently local authorities are permitted to pay supplements in addition to the base rate. Local authorities must include a deprivation factor, but the use of other discretionary supplements is permitted.
- 7.7. Whilst the DfE recognise that the use of supplements can play an important role in local funding allocations, they want to end any potential arbitrary and unjustified differences in funding rates to different providers.
- 7.8. They are therefore proposing to restrict the use of supplements within local authorities early years single funding formula to a set of possible supplements; specifically:
- Deprivation (**mandatory**)
  - Rurality/Sparsity
  - Flexibility - to support providers to offer flexible childcare
  - Efficiency - to encourage providers to exploit the scope for efficiencies identified in the Cost of Childcare Review
  - Delivery of the additional 15 hours free childcare
- 7.9. It is also proposed that the use of supplements within the funding formula is limited 10%.

### Current Local Funding Arrangements

- 7.10. The current local single funding formula for childcare provision for three and four year olds in Private, Voluntary and Independent provision, as well as maintained Nursery Units is comprised of a universal base rate, plus a deprivation supplement and in some cases a workforce development supplement; as shown in the table below.

The Universal Base Rate is currently set at £3.77 per hour. In addition to the base rate, a deprivation supplement is also allocated to providers on an incremental scale, which recognises where more than 10% of the children attending are from the 25% most disadvantaged areas of the City. The Council has used 'The Income Deprivation Affecting Children Index' (IDACI) to calculate which band each provider is allocated to. The IDACI shows the percentage of children in families which are 'income deprived'.

<b>Band</b>	<b>% children attending from 25% most disadvantaged areas</b>	<b>Amount per child, per hour</b>	
<b>1</b>	76 - 100%	additional 12% of the base	£0.45
<b>2</b>	51 - 75%	additional 9% of the base	£0.34
<b>3</b>	26-50%	additional 6% of the base	£0.22
<b>4</b>	11-25%	additional 3% of the base	£0.11
<b>5</b>	0-10%	additional 0% of the base	£0.00

- 7.11. In addition, some providers also receive an additional funding allocation of £6,000 for 'workforce planning' which currently amounts annually to around £222,000; and will cease under the DfE's proposals.
- 7.12. In 2015-16, the actual expenditure on early years provision amounted to £8,561,200 and exceeded the funding received by £360,000. Appendix 3 shows an analysis of the 2015-16 early years' expenditure by category.
- 7.13. Portsmouth is a trial area for the additional 15 hours entitlement. The funding for this pilot is currently outside of the Dedicated Schools Grant (DSG). However, from September 2017, this funding will form part of the DSG.

### Future Local Funding Proposals

- 7.14. As highlighted above, local single funding formula used for both Private, Voluntary and Independent provision and maintained Nursery Units in Portsmouth, already has a universal base rate and additional deprivation supplement, and therefore already complies with the mandatory proposals set out in the DfE's consultation.
- 7.15. In order to ensure that Portsmouth's formula remains simple, transparent and enables providers to understand clearly the basis on which they have been funded, we are not proposing to include any additional supplements within the local formula.
- 7.16. However, in response to the consultation, we do propose to review the existing funding formula in the following areas:
- **Funding Rates** - we will review the funding rates for both the universal base rate and the deprivation factor, in light of proposal to increase the funding from central government to local government. Any proposed increase in the funding rates to providers will be conditional on the government implementing this proposal.
  - **Deprivation Factor** - currently the deprivation model is based upon the area where the children attending the centre are from. An alternative would be to base the deprivation banding on the area that the provider is located in.
- 7.17. The Early Support Service will consult with providers on any proposed changes to the current funding formula, and the feedback from the consultation will be presented to both Cabinet Member and Schools Forum. More details about the proposed consultation process are set out in section 11.

## **8. Meeting the needs of disabled children and children with special educational needs**

- 8.1. Within the consultation document, the DfE are proposing two different models for allocating additional funding to help address the funding barriers that they believe currently exist in this area.

### Disability Access Funding

- 8.2. Whilst the government is clear that the high needs block is for children aged 0-25 year, they believe that the introduction of additional targeted Disability Access Funding (DAF) will support providers to make initial reasonable adjustments and build the capacity of the setting to support disabled children.

- 8.3. The total additional funding available for this new approach is £12.5m per year. They are proposing that the DAF would be paid to all providers for each child in receipt of Disability Living Allowance (DLA) taking up a place in their setting. It is also proposed that this will be paid as a total annual sum rather than an increase on the hourly rate.
- 8.4. The funding will be paid to the Local Authority as a ring-fenced amount, which they would be responsible for passing directly to providers for each eligible child.
- 8.5. The provider will be responsible for making decisions about how the funding should be deployed. For example, to target one child's specific needs, to improve the setting for a number of children, or to increase the settings capacity to take more disabled children. Over time the DfE intends to develop an evidence base of how this additional funding is used to best effect.
- 8.6. This funding is not intended to cover the total costs of providing childcare for a disabled child in receipt of DLA.

#### Inclusion Fund

- 8.7. The DfE have identified that local authorities and providers which are delivering effective support for children with SEN, have a strategic and clear approach on how funding is allocated to meet additional needs.
- 8.8. Therefore in order to build on this best practice, the DfE are proposing that all local authorities should set up an inclusion fund in their local funding systems. They believe that such a structure will support local authorities to work with individual providers to resource support for the needs of individual children with SEN.
- 8.9. To establish the inclusion fund, the DfE are proposing that local authorities should pool an amount of funding from either one or both of their early years and high needs blocks within the Dedicated Schools Grant.
- 8.10. The diagram at Appendix 4 shows the proposed funding system for SEN and disability in the early years.

#### Existing Early Years SEN Support

- 8.11. Within Portsmouth, the Inclusion Service already has a significant range of support available for children in the Early Years.
- 8.12. The Willows Nursery is commissioned to provide 84 part time (42fte) places for children from 2 years plus with special educational needs and

disabilities (SEND). Referrals are made through the Early Years Panel and are considered in relation to a set of criteria.

- 8.13. For children attending mainstream settings there is already an 'Inclusion' type fund available to which settings can apply for additional support. Again, referrals are considered against specific criteria and funding is agreed and allocated via the Early Years Panel. The fund is designed to support settings to facilitate good outcomes for youngsters by accessing training, environmental adaptations and sometimes by providing a higher level of adult support for individual youngsters.
- 8.14. These existing arrangements will be considered as part of the overall support arrangements, in developing local response to the proposals set out in the DfE's consultation.

## **9. Transitional arrangements**

- 9.1. The DfE is proposing to phase the introduction of the funding changes, while monitoring and reviewing the impact closely, by putting in place a range of measures to minimise turbulence, help with transition and support the introduction of the 30 hours.
- 9.2. The range of transitional measures include:
- Limiting reductions in Local Authority funding, so that no Authority sees a reduction in its hourly funding rate of greater than 10% against the 2016-17 baseline.
  - In addition to the total limit of 10%, the DfE proposes to limit the annual reductions in the Local Authority hourly funding rates at 5% in 2017-18 and 5% in 2018-19.
  - To transition to the 95% high pass-through rate, starting at 93% in 2017-18 and moving to 95% in 2018-19.
  - Allow local authorities until 2019-20 to implement the universal 'per child' base rate.

## **10. 2 Year Old Funding**

- 10.1. As the funding for the most disadvantaged two year olds is already on a fair and formulaic basis, it is not covered within the DfE consultation. However they do highlight the previous commitment to uplift the average two year old funding rate from £5.09 to £5.39.
- 10.2. In setting the budget for 2017-18, the current local Portsmouth funding rate for providers will be reviewed, if the government introduces the higher funding rate.

## **11. Consultation Process**

11.1. The Early Support Service will be leading the consultation process with providers:

- A letter will be issued to providers which will set out the proposed changes to the local funding arrangements; in response to the DfE's proposals.
- The consultation with providers is expected to run until late November.
- Engagement workshops will also be held with providers during the consultation period.

11.2. The consultation process with providers will be undertaken in accordance with 'The Schools and Early Years Finance (England) Regulations'. The regulations require that where a local authority proposes to make changes to the local funding formula, which will affect early years providers in its area; it must consult those providers in relation to the factors and criteria taken into account, and the methods, principles and rule adopted.

11.3. Further reports will be presented to future meetings of both the Cabinet Portfolio and Schools Forum, to provide further updates as the DfE's proposals develop and the feedback from providers; as well as seeking approval for the necessary decisions.

## **12. Reasons for recommendations**

The purpose of this report is to provide the Cabinet Member with an initial summary and impact assessment, of the proposals contained within the early years funding consultation documents issued by the Department for Education (DfE) on the 11<sup>th</sup> August 2016. It is recommended that report is noted.

## **13. Equality impact assessment (EIA)**

This report does not require an Equality Impact Assessment as the recommendations are for noting and do not have any impact upon a particular equalities group.

## **14. Legal comments**

- 14.1 As indicated in paragraph 11, the consultation in relation to changes to local funding arrangements will comply with Regulation 9(3) of the School and Early Years Finance (England) Regulations 2015.



- 14.2      There are no further legal implications arising from the recommendations in this report.

## 15.      **Director of Finance's comments**

Financial comments have been included within the body of this report.

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Signed by: Alison Jeffery, Director of Children's Services

### **Appendices:**

1. Response to consultation
2. The £4.88 Average Hourly Funding Rate
3. Analysis of Actual Early Years Expenditure In 2015-16
4. Proposed funding system for SEN and disability in the early years

### **Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
DfE Consultation documents	<a href="https://consult.education.gov.uk/">https://consult.education.gov.uk/</a>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
Signed by:

## Appendix 1 - Response to Consultation

Q1	<i>Should there be an early years national funding formula (to distribute money from central government to each local authority)?</i>
	Yes. We welcome the proposed introduction of a simple and transparent funding mechanism for Early Years, which will align both the existing 15 hour entitlement for all three and four year olds and the additional 15 hours for children of working parents. Whilst Portsmouth is expected to see an increase in funding through these arrangements, we recognise the importance of an appropriate transitional protection arrangement for those authorities who may experience a reduction in funding.
Q2	<i>To what extent do you agree with the proposed funding floor limit, so that no local authority would face a reduction in its hourly funding rate of greater than 10%?</i>
	We agree that there should be a funding floor limit, to ensure that no local authority or childcare provider faces a sudden reduction in funding. However, we believe that the level of the floor limit should be nearer the minimum funding guarantee for schools and that the reduction be spread over a longer period than 2 years.
Q3	<i>Considering a universal base rate of funding which does not vary by local area....</i> <ul style="list-style-type: none"> <li><i>Should a universal base rate be included in the early years national funding formula?</i></li> <li><i>Is 89.5% of overall funding the right amount to channel through this factor?</i></li> </ul>
	<p>Yes. We believe that there should be a universal base rate included within the national early years funding formula, in order to reflect the fact that the core costs of delivering childcare will be similar across the country.</p> <p>In terms of the percentage of overall funding channelled through this factor, we do believe that this should be the majority of the funding allocated through the formula. However, it is difficult to confirm whether or not 89.5% is the correct percentage allocation, without more details as to how this was derived.</p>
Q4	<i>Considering an additional needs factor....</i> <ul style="list-style-type: none"> <li><i>Should an additional needs factor be included in the early years national funding formula?</i></li> <li><i>Do we propose the correct basket of metrics?</i></li> <li><i>Do we propose the correct weightings for each metric?</i></li> </ul>
	<p>Yes. We do believe that additional needs factors should be included within the formula, in order to reflect the additional drivers of cost in different areas of the country.</p> <p>Yes. Channelling additional funding through the metrics proposed does appear be reasonable.</p> <p>As there is no detailed supporting evidence within the consultation document, as to the basis on which the weightings were selected, it is difficult to make an informed response.</p>
Q5	<i>Considering an area cost adjustment....</i> <ul style="list-style-type: none"> <li><i>Should the early years national funding formula include an area cost adjustment?</i></li> <li><i>Should that adjustment be based on staff costs (based on the General Labour Market measure) and on nursery premises costs (based on rateable values)?</i></li> </ul>
	Yes. We do agree that there should be an area cost adjustment.

## Appendix 1 - Response to Consultation

	Yes. We do consider staff costs and premises costs to be appropriate measures for calculating the area cost adjustment. However, if there was a more specific labour market measure for childcare providers, then we would recommend that this is used as an alternative to the 'general labour market' rate.
Q6	<p><i>To implement the increased hourly rate for the two-year old free entitlement....</i></p> <ul style="list-style-type: none"> <li>• <i>Should we retain the current two-year-old funding formula?</i></li> <li>• <i>Should we use the additional funding secured at the spending review to uplift local authorities' allocations based upon this?</i></li> </ul>
	<p>No. It would seem logical to provide funding for two year old childcare provision on a similar basis as to that of three and four year olds.</p> <p>Yes. Whilst the current formula is in place, it seems a sensible basis on which to allocate the additional funding.</p>
Q7	<p><i>Considering the Dedicated Schools Grant....</i></p> <ul style="list-style-type: none"> <li>• <i>Should the free entitlement be capped at 30 hours for children of eligible working parents and 15 hours for all other children?</i></li> </ul>
	Yes.
Q8	<i>Should Government set the proportion of early years funding that must be passed on to providers?</i>
	<p>No. Whilst we recognise the importance of allocating as much funding directly to childcare providers as possible, an arbitrary limit removes the ability of local areas to respond to local needs. Placing an arbitrary cap on the amount of funding to be retained centrally, will also constrain local authorities in developing and providing support services to providers.</p> <p>An alternative approach would be to make it a requirement, that Schools Forum annually agree the amount of funding retained centrally in the Dedicated Schools Grant budget.</p>
Q9	<i>Do you think that 95% is the correct minimum proportion of the money that should be passed from local authorities to providers?</i>
	No. Please see response above on Question 8 regarding the proportion of funding that can be retained.
Q10	<i>Should local authorities be required to give the same universal hourly rate to all childcare providers in their area?</i>
	Yes. Portsmouth already uses a universal funding base rate for childcare provision in the Private, Voluntary and Independent sector, as well our maintained nursery units.
Q11	<i>Should local authorities be able to use funding supplements?</i>
	Yes.
Q12	<i>Should there be a cap on the proportion of funding that is channelled through supplements?</i>
	As with the national Early Years Funding Formula, we believe that the majority of funding should be channelled through the universal base rate. However, placing an arbitrary cap on the proportion of funding that is channelled through supplements; may reduce the



## Appendix 1 - Response to Consultation

	flexibility to allocate funding locally to meet local needs.
Q13	<i>If you agree that there should be a cap on the proportion of funding that is channelled through supplements, should the cap be set at 10%?</i>
	See comment above to Question 12. There should be no cap set on the proportion of funding to be channelled through supplements.
Q14	<i>Should the following supplements be permitted?</i> <ul style="list-style-type: none"> <li>• Deprivation, sparsity / rural areas, flexibility, efficiency, additional 15 hours</li> </ul>
	Yes.
Q15	<i>When using funding supplements, should local authorities have discretion over the metrics they use and the amount of money channelled through each one?</i>
	Yes. Local authorities should be given the freedom of flexibilities to use funding supplement metrics that they choose, design and define and they should also have the freedom to decide on the amount of money to be channelled through each one.
Q16	<i>If you agree that efficiency / additional 15 hours should be included in the set of supplements, do you have a suggestion of how it should be designed?</i>
	No comment.
Q17	<i>If you think any additional supplements should be permitted which are not mentioned here, please set out what they are and why you believe they should be included?</i>
	No comment.
Q18	<i>Should there be a Disability Access Fund to support disabled children to access their free entitlement?</i>
	Yes. Additional funding to providers to enable disabled children to access their free entitlement is welcomed.
Q19	<i>Should eligibility for the Disability Access Fund be children aged 3 or 4 which are a) taking up their free entitlement and b) in receipt of Disability Living Allowance?</i>
	No. We believe that all providers should be able to access the additional funding, in order to enable them to support disabled children in accessing their free entitlement. The current proposal suggests that the new Disability Access Funding will only be allocated to those providers that already support disabled children to access their free entitlement.
Q20	<i>When it comes to delivering the Disability Access Fund, is the most appropriate way the existing framework of the Early Years Pupil Premium?</i>
	No. See answer response to Q19.
Q21	<i>To what extent do you agree that a lack of clarity on how parents / childcare providers can access financial support results in children with special educational needs receiving appropriate support? (We mean children who do not already have an Education, Health and Care Plan)</i>
	We think this is best responded to by parents / childcare providers, rather than by representatives of Local Authorities.



## Appendix 1 - Response to Consultation

Q22	<p><i>When it comes to establishing an inclusion fund....</i></p> <ul style="list-style-type: none"> <li>• <i>Should local authorities be required to establish an inclusion fund?</i></li> <li>• <i>Would an inclusion fund help improve the supply of appropriate support children receive when in an early years setting?</i></li> <li>• <i>If you envisage any barriers, arising from existing practice or future proposals, to introducing a new requirement on local authorities to establish an inclusion fund, please tell us what they are and how they might be overcome.</i></li> </ul>
	<p>If local authorities are required to establish an inclusion fund, then additional resources should be provided for this. Portsmouth already has a small inclusion fund to support early years settings to support children with special educational needs. Our concern with this proposal is that it will establish an expectation among parents and professionals that this is in some way new funding and will therefore increase the demand on this very limited and already stretched resource. Local authorities should have as much flexibility as possible in the allocation of this funding as this will need to be aligned with other SEN support that is available and fits with existing local processes.</p>
Q23	<p><i>When it comes to the SEN inclusion fund, should local authorities be responsible for deciding....</i></p> <ul style="list-style-type: none"> <li>• <i>The children for which the inclusion fund is used?</i></li> <li>• <i>The value of the fund?</i></li> <li>• <i>The process of allocating the funding?</i></li> <li>• <i>Where specialist SEN or SEND services are delivered free at the point of use, should they be considered as funding passed directly to providers for the purposes of the 95% high pass-through?</i></li> </ul>
	<p>Yes. As noted above the response to Question 22, we believe that local authorities should have as much flexibility as possible in the allocation of this funding as this will need to be aligned with other SEN support that is available and fit with existing local processes</p>
Q24	<p><i>To what extent do you agree with the transition approach proposed for the Early Years National Funding Formula (money distributed from Government to local authorities)?</i></p>
	<p>Whilst we welcome additional funding being allocated as quickly as possible to those areas previously underfunded. We believe that any loss in funding to those areas previously overfunded should be spread over a longer period than 2 years in order to not adversely affect provision in those areas.</p>
Q25	<p><i>To what extent do you agree with the transition approach proposed for the high pass-through of early years funding from local authorities to providers?</i></p>
	<p>We disagree with the proposals in respect of the high pass-through rate, and the related transitional arrangements, for the reasons explained in response to Q8.</p>
Q26	<p><i>To what extent do you agree that our proposals on the high pass-through of funding from local authorities to childcare providers makes the existing Minimum Funding Guarantee for the early years unnecessary?</i></p>
	<p>If the high pass-through is implemented, the proposals remove the requirement for a Minimum Funding Guarantee.</p>
Q27	<p><i>To what extent do you agree with the transition approach proposed for introducing the universal base rate for all providers in a local authority area?</i></p>

## Appendix 1 - Response to Consultation

	Agree. As mentioned previously, Portsmouth already uses a universal funding base rate for childcare provision in the Private, Voluntary and Independent sector, as well our maintained nursery units.
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## **Appendix 2 - The £4.88 Average Hourly Funding Rate** *(extract from the DfE Consultation document)^*

Following the Cost of Childcare Review, the Government committed to deliver a new national average funding rate of £4.88 for three- and four-year olds, including the Early Years Pupil Premium (EYPP). This annex shows how the £4.88 is comprised.

### **Component 1: Early years national funding formula**

1. As explained at paragraphs 120-121 *[of the consultation document]*, the formula calculates the hourly rate each local authority receives for each child, based on a base rate, factors for additional needs and an area cost adjustment. The hourly rate is then multiplied by the number of hours taken to calculate each local authority allocation.

### **Component 2: Maintained nursery schools [MNS]**

2. As set out in paragraph 149 *[of the consultation document]*, we want to minimise disruption and reassure maintained nursery schools on their position.

3. In order to do this, the Government will provide supplementary funding of £55 million a year to local authorities for maintained nursery schools for at least two years. This additional funding takes account of maintained nursery schools' current costs and will provide much needed stability to the nursery school sector while they explore how to become more sustainable in the longer term, including exploiting scope for efficiencies.

### **Component 3: Quality and expertise**

4. The Government wants to fully utilise the quality and expertise that exists in the system, and give additional support to disadvantaged areas. Therefore we have set aside £5 million a year for this purpose. More details about this funding will be announced in due course.

### **Component 4: Early Years Pupil Premium [EYPP]**

5. The Early Years Pupil Premium was introduced in April 2015 and we are committed to maintaining it at £302 per eligible child per year (pro-rata for children who access less than the full 15-hour early years entitlement). This funding will continue to be channelled through the Dedicated Schools Grant, but will remain outside the early years national funding formula.

### **Component 5: Disability Access Funding**

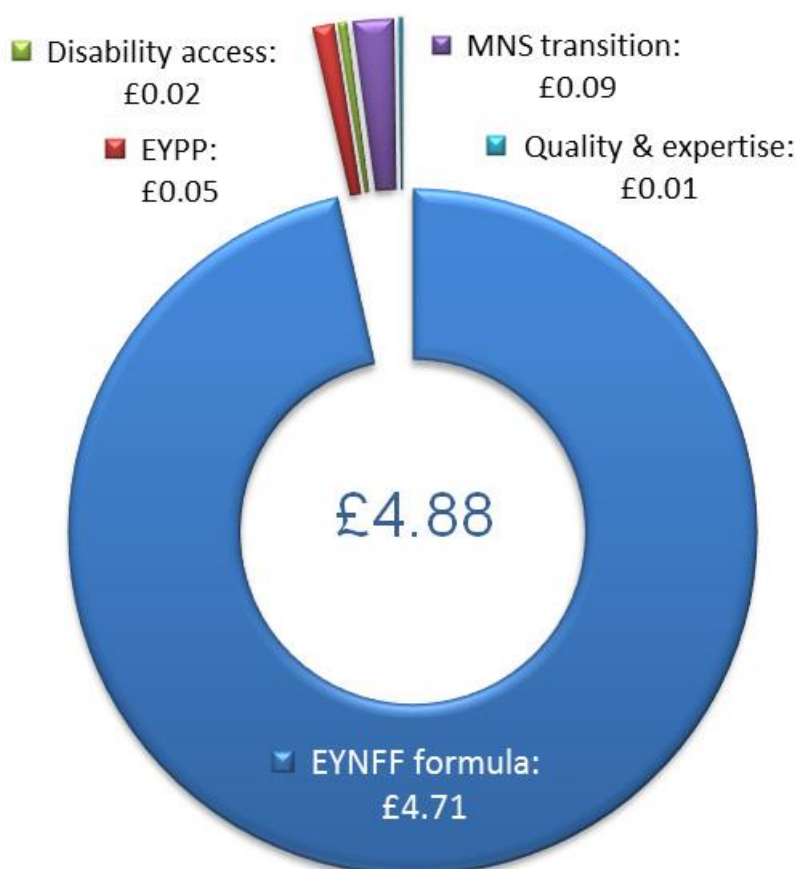
6. As explained at paragraphs 191-197 *[of the consultation document]*, we believe that the introduction of additional targeted Disability Access Funding will support providers to make initial reasonable adjustments and build the capacity of the setting to support disabled children. The total additional funding available for this new approach is £12.5 million per year. We propose that the targeted Disability Access Fund will be paid to all providers for each child in receipt of Disability Living Allowance taking up a place in their setting.

<sup>^</sup> Extract from: 'An early years national funding formula: Changes to the way the three-and-four-year-old entitlements to childcare are funded'

## Appendix 2 - The £4.88 Average Hourly Funding Rate (extract from the DfE Consultation document)^

### The £4.88 Funding Rate

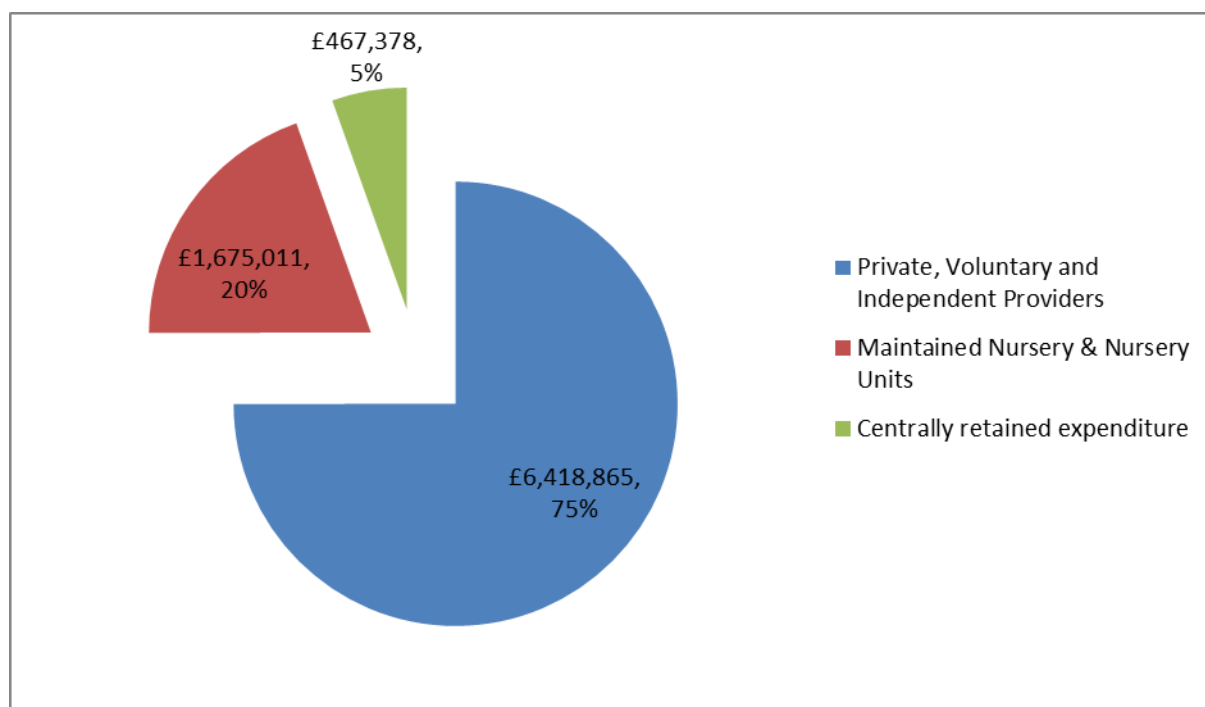
7. This diagram illustrates what makes up the £4.88 national average funding rate. The figures given are the equivalent hourly rate for all three- and four-year old children, rather than the rates applying to, for example, an individual child eligible for the EYPP or the Disability Access Fund.



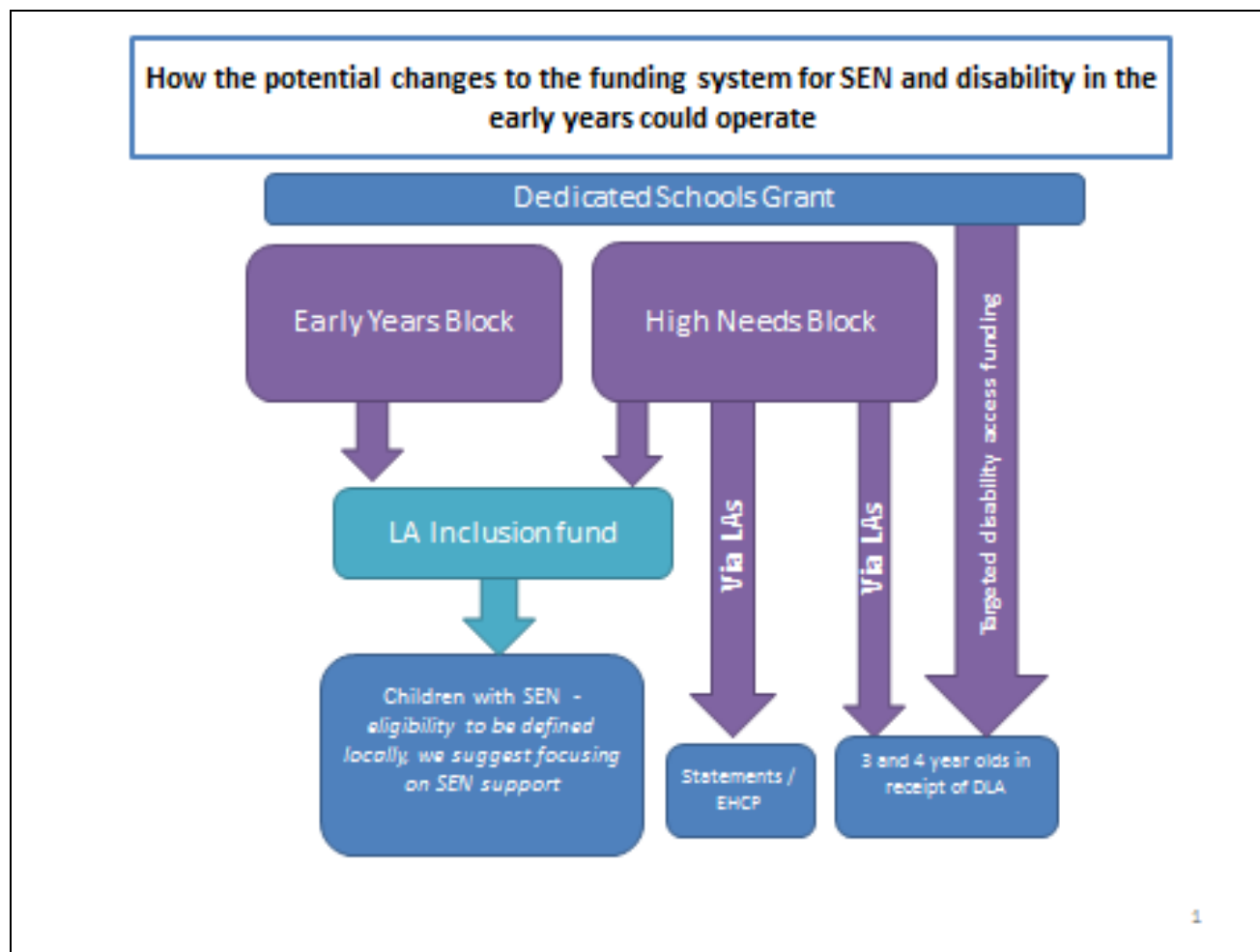
^ Extract from: 'An early years national funding formula and changes to the way the three-and-four-year-old entitlements to childcare are funded'



## Appendix 3 - Analysis of Actual Early Years Expenditure In 2015-16



## Appendix 4 - proposed funding system for SEN and disability in the early years<sup>^</sup>



<sup>^</sup> Extract from: 'An early years national funding formula - And changes to the way the three-and-four-year-old entitlements to childcare are funded'



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# Agenda Item 4



**Portsmouth**  
CITY COUNCIL

**Title of meeting:** Cabinet Member for Education

**Date of meeting:** 13 October 2016

**Subject:** School Funding Arrangements 2017-18

**Report from:** Alison Jeffery, Director of Children's Services

**Report by:** Richard Webb, Finance Manager

**Wards affected:** All Wards

**Key decision:** No

**Full Council decision:** No

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## **1. Purpose of report**

The main purpose of the report is to inform the Cabinet Member for Education of the progress being made towards the implementation of changes to the school revenue funding arrangements for 2017-18 and to seek the necessary approvals at this stage.

## **2. Recommendations**

It is recommended that the Cabinet Member:

- a) Endorse the principles proposed by the mainstream working group in Appendix 1 to guide and inform the development of the funding arrangements for 2017-18.
- b) Approve, that following the confirmation of the 2017-18 Dedicated Schools Grant (DSG), officers will amend the funding unit values to minimise the impact of fluctuations in funding at the school level and to maintain overall affordability. In order to provide schools with some certainty, where possible any changes will be limited to the following formula factors:
  - Basic per pupil entitlement
  - Prior attainment
  - Lump Sum
  - The percentage of the financial cap.
- c) Approve the proposed changes to the mainstream funding formula factors, together with choices the council has made in implementing these factors locally, as set out in section 5.

- d) Agree to the de-delegation of the following budgets for central administration in 2017-18 and note the proposed rates for de-delegation (as shown at paragraph 3.41 of the consultation document), which will be finally agreed in January:
  - i. Behaviour Support - Primary Only
  - ii. Special Staff Costs (Union Duties)
  - iii. Schools Contingency Fund
  - iv. Licences
- e) Note that subject to the guidance awaited from the Department for Education (DfE) and the results of the work being undertaken by the Inclusion Commissioning Manager, that the authority is not proposing to make any changes to High Needs place numbers for Special Schools, Resources Units and Alternative Provision settings for 2017-18.
- f) Note that subject to the guidance awaited from the DfE that the authority is not proposing to make any changes to the annual rates for Element 3 Top-up funding for Resource Units and Alternative Provision settings for 2017-18.
- g) Note that as set out in paragraph 7.2, work is being undertaken by the Inclusion Commissioning Manager to review the Element 3 Top-up funding arrangements for Special Schools.
- h) Approve the MFG exemptions submitted to the DfE by the required deadline of 30 November 2016 as set out in paragraph 7.3.
- i) Approve the funding allocation to Redwood Park Special School as set out in paragraph 8.2.

### **3. Background**

- 3.1 As reported to the Cabinet Member in May 2016, the Government consulted on the proposals to introduce a National Funding Formula for both schools and local authorities. Stage 1 of a two stage consultation closed on 17 April 2016. Stage two of the consultation was due to follow in the summer 2016.
- 3.2 During the stage 1 consultation, the Education Funding Agency (EFA) carried out a baseline exercise across all local authorities to identify how the Dedicated School Grant (DSG) was being spent compared to how the authority was funded. The results of the baseline exercise are being used to set Local Authority funding blocks for 2017-18.

- 3.3 Following the results of the European Union Referendum and the subsequent ministerial changes, the new Secretary of State for Education announced on 21 July, that stage two of the consultation would be postponed until 2017 and therefore the introduction of the proposed National Funding Formula for 2017-18 would also be postponed. On 28 July 2016 the Department for Education published the 'Operational Guide to Schools Revenue funding 2017 to 2018'; which included some changes to the funding arrangements for 2017-18.
- 3.4 This report therefore sets out the key changes to the funding arrangements for 2017-18 and seeks to update the Cabinet Member on the outcome of the work undertaken with schools in recent months, including financial modelling and the response from schools to our consultation on the proposed local formula changes.

## **4 Changes to the funding arrangements from Central to Local Government**

### DSG funding blocks and re-baseline 2017-18

- 4.1 The DfE's stage one consultation identified four proposed funding blocks, (Schools, High Needs, Early Years and a new Central Schools Block) with the Schools Block becoming ring fenced from 2017-18. The EFA have now confirmed that the ring fencing of the Schools block will not be implemented in 2017-18 and that the Central Schools Block which was to cover central services such as Admissions, Schools Forum and the retained duties element of the former Education Services Grant (ESG), would now be included within the Schools Block for 2017-18. Therefore the DSG funding blocks for 2017-18 remain as:
- Schools Block
  - Early Years Block; and
  - High Needs Block.
- 4.2 The baselining exercise carried out in early 2016 has been used by the DfE to allocate funding for 2017-18. This has resulted in a reallocation of funding between the blocks which reflects the planned expenditure of the authority for 2016-17. The table below sets out the 2016-17 funding blocks, the budgeted 2016-17 expenditure and the rebased funding allocation for 2017-18.

	<b>Funding Block</b>				
	<b>Schools</b>	<b>High Needs</b>	<b>Early Years</b>	<b>NQT</b>	<b>Total DSG</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
2016-17 funding	109,368	16,044	8,201	35	133,648
Transfers between blocks to reflect planned expenditure	(2,508)	1,776	377	(35)	(390 <sup>1</sup> )
<b>2016-17 budgeted baseline</b>	<b>106,860</b>	<b>17,820</b>	<b>8,578</b>	<b>0</b>	<b>133,258</b>
Addition - ESG retained duties	370				370
Addition - FE colleges		250			250
<b>2017-18 funding</b>	<b>107,230</b>	<b>18,070</b>	<b>8,578</b>	<b>0</b>	<b>133,878</b>

- 4.3 The 2017-18 funding above is currently based on pupil numbers as per the October 2015 census; the actual funding for 2017-18 will be adjusted for October 2016 pupil numbers.

#### Education Services Grant (ESG)

- 4.4 Within the DfE stage one consultation there was a proposal to transfer the "retained duties" element of the ESG into the DSG and this has now been implemented. This element of the ESG will be paid as part of the Schools block. Further details of the services that this funding will be eligible to support will be included within the consultation on changes to the School and Early Years Finance Regulations; which are due to be published later in the Autumn.

## **5 Changes to the Local School Funding Arrangements**

### Introduction

- 5.1 We are not proposing to change the funding factors used by Portsmouth to fund mainstream schools and academies. However the DfE has changed the data sets which are used in the Deprivation (Income Deprivation affecting Children Index (IDACI)) and prior attainment funding factors. The sections below explain the impact of these changes and the Authority's proposals for the 2017-18 local funding arrangements.

### IDACI

- 5.2 In September 2015 the office of national statistics re assessed the IDACI datasets for the whole country. The data set released in December 2015

<sup>1</sup> £390,000 used from 2015-16 carry forward.



had the impact of moving a large percentage of children from the higher bands of deprivation to the lower bands, which led to schools seeing a reduction in funding before the minimum funding guarantee protection. Following the turbulence created by the change in the IDACI factor in 2016-17 the EFA have rebalanced the IDACI bands for 2017-18. The table below shows the changes.

Bands used in 2015-16 and 2016-17	IDACI score	% pupils in each band (2015-16)  Based on 2010 IDACI dataset; 2016-17 IDACI bands	% pupils in each band (2016-17)  Based on 2015 IDACI dataset; 2016-17 IDACI bands	New bands for 2017-18	IDACI score	% pupils in each new band (2015 October census) Based on 2015 IDACI dataset; new IDACI bands for 2017-18
T	U	V	W	X	Y	Z
6	Between 0.60 and 1.00	3%	1%	A	Between 0.50 and 1.00	3%
5	Between 0.50 and 0.60	6%	3%	B	Between 0.40 and 0.50	8%
4	Between 0.40 and 0.50	10%	8%	C	Between 0.35 and 0.40	7%
3	Between 0.30 and 0.40	12%	14%	D	Between 0.30 and 0.35	8%
2	Between 0.25 and 0.30	7%	9%	E	Between 0.25 and 0.30	9%
1	Between 0.20 and 0.25	8%	10%	F	Between 0.20 and 0.25	10%
0	Less than 0.20	53%	56%	G	Less than 0.20	56%

- 5.3 The initial financial modelling identified that the rebalancing of the IDACI rates would pass an additional £1,391,952 funding out to schools through this factor; which would be unaffordable.
- 5.4 The proposals for maintaining affordability were set out in section 3 of the consultation issued to schools (see Appendix 2). The preferred approach to rebalancing the local funding formula, in order to maintain affordability, is to reduce each of the IDACI funding rates by £161.00 in 2017-18.

#### Prior attainment

- 5.5 Following the introduction of the new national curriculum, the key Stage 2 tests undertaken in 2016 are expected to see nationally, a higher number of pupils who progress to year 7 in the October 2016 census, being identified as having a low level of prior attainment.
- 5.6 The Education Funding Agency intends to use a national weighting to ensure that year 7 pupils do not have a disproportionate impact on the overall total of pupils.
- 5.7 The impact of this change will not be known until December and whilst the local authority will not be able to adjust the weighting, it will be possible to adjust the funding rate in order to maintain both the level of funding at previous levels and the overall affordability of the schools budget.

### Looked After Children

- 5.8 In the DfE's first stage consultation, it was proposed that they would cease the Looked After Children factor and transfer this funding to be allocated via the Pupil Premium.
- 5.9 Within the latest operational guidance, the DfE have not proposed to cease the funding factor for 2017-18. Portsmouth currently allocates funding at a very high rate through this factor (at £2,811) and is considered an outlier when compared nationally. In light of the proposal to cease the LAC funding factor in the future, it is proposed to reduce the funding rate to £1,000 per pupil, with the funding released by the reduction, being allocated to the basic per pupil entitlement factor

### De-Delegation

- 5.10 In the first stage of the DfE's consultation it was proposed to cease de-delegation in the future. Whilst this proposal is not included within the latest operational guidance for 2017-18, we are proposing to start moving the current de-delegated services to a traded services arrangement. For 2017-18 it is proposed to move the following services to a traded service arrangement:

- Administration of free school meal eligibility - traded from April 2017
- Museum and Library services - traded from April 2017.

Paragraphs 3.40 to 3.41 of our local consultation included details of the services we are continuing to offer on a de-delegation basis, together with the proposed funding rates for 2017-18.

### Minimum Funding Guarantee

- 5.11 The EFA have confirmed that the Minimum Funding Guarantee for 2017-18 will remain at the nationally set rate of minus 1.5%.
- 5.12 The authority will still be able to set a CAP on any gains to ensure that the formula is affordable. The level of the cap will be reviewed as part of the annual budget setting process.

## **6 Local Consultation**

- 6.1 The consultation with Portsmouth maintained schools and academies was open between the 2 September 2016 and 23 September 2016. A copy of the consultation document is included at Appendix 2 together with details of the potential financial effects of the proposed changes for each school and academy as shown in Appendix 3.

- 6.2 Whilst this year the Authority is not required to submit an October proforma, we are taking advantage of the opportunity offered by the EFA to review the proposed funding formula to ensure it meets the legal requirements. A copy of the proposed proforma is attached at Appendix 4.
- 6.3 Of the 63 Portsmouth Schools and Academies, 13 schools replied to the consultation. Of those who replied 11 agreed with the proposal to reduce the IDACI unit rates by £161.00, 12 agreed to reduce the LAC unit value down to £1,000 and 10 agreed with the proposed de-delegation rates. A summary of the responses and any comments can be found in Appendix 5.

## 7 Next Steps

- 7.1 Officers are continuing to work with Special Schools to agree the number of places and top-up requirements for 2017-18. The High Needs funding information for 2017-18 was issued by the EFA on 29 September 2016. In line with the initial information received in July they are not proposing to change the current agreed place numbers with Special Schools, Resourced Units and Alternative Provision settings, but they will allow authorities to continue to have flexibility to agree place numbers locally.
- 7.2 SEND officers along with special schools in the City have been reviewing the level of need descriptors, attached to the banding system used to allocate Element 3 Top-up funding to Special schools. This may lead to a change in the number of bands and the level of funding attached to each band, and changes would be implemented from September 2017. The results of this review and any subsequent proposed changes will be taken to the Cabinet Member and Schools Forum in January 2017.
- 7.3 The authority has submitted two MFG disapplication requests:
- **Mayfield School - variation of pupil numbers.** To increase the pupil numbers to include the September 2017 primary cohort as part of the continuing conversion from a secondary school to an all through school.
  - **Mayfield School** - primary pupils are funded at a different basic per pupil entitlement to secondary pupils, therefore as the primary school grows each year the additional primary pupils will artificially reduce the per pupil rate in the MFG calculation. As in previous years, we are asking to adjust the 2016-17 baseline to ensure that the school is not overprotected in the 2017-18 MFG calculation.

## **8 Financial Support for Redwood Park School**

- 8.1 Under the School and Early Years Finance (England) regulations 2015, the Local Authority is permitted to provide additional funding to special schools in financial difficulty from the Dedicated Schools Grant budget.
- 8.2 Redwood Park Special School is coming to the end of a significant restructuring programme, which has resulted in the school accumulating a significant financial deficit. In order to support the school to move forward following the restructure and continue to provide the specialist SEN provision required in the city, it is proposed to support the school with an additional funding allocation in the region of £500,000. The Authority is working closely with the school and the Interim Executive Board to ensure that any deficit and resulting financial support requirement is minimised.

## **9 Reasons for recommendations**

Following the publication of the DfE Guidance "School Revenue Funding 2017 to 2018 - operational guidance" in July 2016, the local authority has been working closely with the School Funding Working Group. The Working Group has provided advice and guidance on the proposed changes to the local funding formula.

## **10 Equality impact assessment**

This report does not require an Equality Impact Assessment as the proposal does not have an impact upon any particular equalities group.

## **11 Legal implications**

The recommendations in this report are consistent with the requirements of the School and Early Years Finance (England) Regulations 2015 and Department for Education Operational Guidance.

## **12 Director of Finance's comments**

Financial comments are included in the body of the report.

Signed by: Alison Jeffery - Director of Children's Services.

**Appendices:**

Appendix 1: 2017-18 Working Group principles  
 Appendix 2: 2017-18 School Funding Formula consultation  
 Appendix 3: 2017-18 Indicative budgets  
 Appendix 4: 2017-18 Proforma  
 Appendix 5: 2017-18 Consultation responses

### **Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
Schools revenue funding 2017 to 2018 operational guidance, July 2016	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/541544/2017_to_2018_LA_operational_guide_FINAL_FOR_PUBLICATION_v1.2.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/541544/2017_to_2018_LA_operational_guide_FINAL_FOR_PUBLICATION_v1.2.pdf</a>
Financial Modelling	Children's Finance Team

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
 Signed by:

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**School Funding Reform 2017-18**  
**Mainstream Schools**  
**Principles for agreement by Schools Forum**

1. The Department of Education (DfE) have advised that local authorities will not see a reduction from their 2016-17 funding. Although the blocks within the Dedicated Schools Grant (DSG) have been rebased to match local spending patterns.
2. The Department of Education have advised that all primary & secondary schools will continue receive protected funding levels at minus 1.5% per pupil for 2017-18.
3. For modelling purposes funding for each phase should remain in the same proportion / percentage of overall funding as in 2016-17.
4. Ceilings on gains will continue to be imposed to allow for overall affordability (the final percentage level will need to be determined following the funding and data set announcements in December 2016). We will continue to use the current ceiling of 1.75% for modelling purposes.
5. We will seek to minimise the MFG and fluctuations in funding for schools.
6. Results of financial modelling will be shared with working groups and Schools Forum at a high level only (e.g. X schools lose more than £a or b%, Y schools gain more than £c or d%) to ensure that further proposals are informed by principles.
7. The formula factors for primary and secondary schools for 2017-18 will continue to be applied as they were in 2016-17, subject to the DfE changes to datasets.
8. Funding values for specific agreed factors will only be adjusted to ensure overall affordability.
9. Members of the working group will be expected to seek views and input from their phases and to ensure their colleagues are aware of any consultations issued by the Local Authority in respect of school funding.

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# 2017-18 School Funding Formula

Consultation



# **Funding Formula Consultation 2017-18**

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## **1 Introduction & Background**

- 1.1. In March 2016 the Department for Education (DfE) consulted on the proposed changes to the 2017-18 funding formula, this was intended to be the first stage in a two stage consultation process, setting out the proposed move to a National Funding Formula for mainstream schools along with a change in the method of funding for local authorities for both the Schools Block and the High Needs Block.
- 1.2. However following the recent ministerial changes the new Secretary of State announced on 21 July, that stage two of the consultation would be postponed until 2017 and therefore the introduction of the proposed National Funding Formula for 2017-18 would also be postponed.
- 1.3. Whilst the introduction of the National Funding Formula has been delayed the DfE have introduced a number of changes to the way the authority is funded in addition to changes in the determination of the pupil data sets used to calculate the funding for two of the current formula factors.
- 1.4. Each year the Council is required to consult on any proposed changes to the Early Years and School Funding Formula. The purpose of this consultation document is therefore to set out the changes Portsmouth City Council intends to make to the Funding Formula in implementing the revenue funding arrangements for 2017-18; and to seek your views on these proposals
- 1.5. As in previous years, Schools Forum agreed to the creation of funding working groups (see Appendix 1) to help inform the proposed changes to the funding arrangements for 2017-18. This year a mainstream group was established, however due to the timing of the publication of the 2017-18 guidance and the limited number of changes to the formula it was decided not to convene the working group but to seek their views via email; to help inform and guide the proposals contained within this document.

## **2. Early Years Funding Formula**

- 2.1. On Thursday 11 August the Department for Education published a consultation on "An early years National Funding Formula and changes to the way the three and four year old entitlements to childcare are funded". This national consultation is due to close on 22 September 2016.

- 2.2. Due to the range of proposed changes a separate early years consultation will be circulated to all schools and early years providers. However you can find both the national and local consultation information on the intranet, via the following links

<https://www.portsmouth.gov.uk/intranet/documents-internal/fin-sch-early-years-national-funding-consultation-.pdf>

- 2.3. Or for those who do not have access to the intranet the national consultation is available from the following web link.

[Early years funding: changes to funding for 3 and 4 year olds - Department for Education - Citizen Space](#)

### **3. Mainstream Schools Funding Formula**

#### **Introduction**

- 3.1. The DfE have confirmed that there will be no significant changes to the school revenue funding formula for Primary and Secondary schools in 2017-18. However the guidance sets out changes that have been made to the data sets for:
- Income Deprivation affecting Children Index (IDACI)
  - Prior attainment.
- 3.2. Further details on the adjustments and the proposed changes to funding are set out in the paragraphs below.
- 3.3. Stage one of the consultation earlier this year contained a proposal to cease de-delegation to all schools. Whilst this is not included in the 2017-18 operational guidance issued by the EFA in July 2016, it is proposed to move some of these de-delegated services to a completely traded service for 2017-18. Paragraphs 3.38 to 3.41 set out further details.

#### **Income Deprivation Affecting Children Index (IDACI)**

- 3.4. The IDACI data set is updated every five years, the last update in 2015 created considerable turbulence with the 2016-17 funding formula. The EFA recognised the turbulence created by the change in data set at a late stage in budget setting process and have for 2017-18 decided to update the IDACI banding methodology to return the IDACI bands to roughly a similar size (based on the proportion of pupils), to that prior to the 2015 uplift.

- 3.5. The revised bands are named A to G; with A being the most deprived (previously band 5 and 6). The table below shows the proportions of pupils in the previous IDACI bands for both 2015-16 and 2016-17 and the new bands and proportions for 2017-18.

Bands used in 2015-16 and 2016-17	IDACI score	% pupils in each band (2015-16)  Based on 2010 IDACI dataset; 2016-17 IDACI bands	% pupils in each band (2016-17)  Based on 2015 IDACI dataset; 2016-17 IDACI bands	New bands for 2017-18	IDACI score	% pupils in each new band (2015 October census)  Based on 2015 IDACI dataset; new IDACI bands for 2017-18
T	U	V	W	X	Y	Z
6	Between 0.60 and 1.00	3%	1%	A	Between 0.50 and 1.00	3%
5	Between 0.50 and 0.60	6%	3%	B	Between 0.40 and 0.50	8%
4	Between 0.40 and 0.50	10%	8%	C	Between 0.35 and 0.40	7%
3	Between 0.30 and 0.40	12%	14%	D	Between 0.30 and 0.35	8%
2	Between 0.25 and 0.30	7%	9%	E	Between 0.25 and 0.30	9%
1	Between 0.20 and 0.25	8%	10%	F	Between 0.20 and 0.25	10%
0	Less than 0.20	53%	56%	G	Less than 0.20	56%

- 3.6. The above table uses the October 2015 data set. When the October 2016 data set is published, the census data will be matched to the new A to G bands above.
- 3.7. When modelling the indicative budgets, in preparation for the 2017-18 consultation with schools, we used the same IDACI rates payable per pupil as in 2016-17 with the new bands A to G. The impact of the change in data set was to increase the funding requirement by £1.3m, thus making the formula unaffordable.
- 3.8. To achieve affordability, Three options were modelled:
- Return to the 2015-16 IDACI rates
  - Reduce only each IDACI factor by £161.00
  - Reduce only the basic entitlement by £58.12.

#### **Option 1 - return to the 2015-16 IDACI rates**

- 3.9. As the DfE have redistributed the proportions of pupils to the 2015-16 distribution, the first option was to re-instate the 2015-16 IDACI rates by,
- reinstating bands 1 and 2 at the 2015-16 rates
  - reducing the rates funded for the free School Meal ever 6 factors to the 2015-16 rates
  - reducing the basic entitlement for primary and key stage 3 and 4 back to the 2015-16 rates.

- 3.10. The impact of these changes is shown in the table below. Overall the total amount of funding provided via the formula to schools would reduce by £580,700.

	<b>Number of schools</b>	<b>Percentage of schools</b>
		<b>%</b>
Increase over 1.5%	12	20.7
Increase between 1% - 1.49%	4	6.9
Increase between 0.00% - 0.99%	5	8.6
Decrease between (0.00%) - (0.99%)	8	13.8
Decrease between (1.00%) - (1.49%)	24	41.4
Decrease over (1.5%)	5	8.6
<b>Total</b>	<b>58</b>	<b>100</b>

<b>Largest and smallest movements in funding</b>		
	<b>£</b>	<b>%</b>
Biggest decrease (after MFG)	(89,441)	(3.7)
Second biggest increase (After MFG) <sup>1</sup>	36,997	1.6

- 3.11. Further financial modelling of this option looked at redistributing the loss in funding of £580,700 to schools via the basic entitlement, but whilst this reduced the overall loss, 58% of schools saw a reduction in funding.
- 3.12. In light of the overall reduction in funding to schools it is proposed that this option is not pursued.

### **Option 2 - reduce only each IDACI factor by £161.00**

- 3.13. To return the formula to an affordable level, it is proposed to reduce each of the IDACI factors by a set amount of £161.00. The proposed amount was calculated by dividing the increase of £1.3m by the number of pupils who attract funding via the IDACI factor.

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<sup>1</sup> Excludes Mayfield, due to new cohort of primary pupils for September 2017 artificially increasing the gain.

3.14. The proposed reduction in the IDACI factors are set out below:

2016-17			2017-18		
Band	Rate		Band	Rate	
	Prim	Sec		Prim	Sec
	£	£		£	£
0	0	0	G	0	0
1	0	0	F	0	0
2	0	0	E	0	0
3	946.03	634.84	D	785.03	473.84
4	1,261.38	846.45	C	1,100.38	685.45
5	1,576.72	1,058.06	B	1,415.72	897.06
6	1,892.07	1,269.67	A	1,731.07	1,108.67

3.15. The proposed 2017-18 rates would bring the overall funding paid to schools via the IDACI factor to 10.01% or £10.625m of the total budget share (9.96% or £10.559m in 2016-17). This is still higher than the total funding schools currently receive under the IDACI factors for 2016-17 by approximately £49,200.

3.16. The impact of the above proposed adjustments ensures that the budget is affordable overall. The impact on individual schools is summarised in the table below and shown in the indicative budget share that accompanies this consultation.

	Number of schools	Percentage of schools
		%
Increase over 1.5%	13	22.4
Increase between 1% - 1.49%	5	8.6
Increase between 0.00% - 0.99%	13	22.4
Decrease between (0.00%) - (0.99%)	17	29.3
Decrease between (1.00%) - (1.49%)	8	13.8
Decrease over (1.5%)	2	3.5
<b>Total</b>	<b>58</b>	<b>100</b>

Largest and smallest movements in funding		
	£	%
Biggest decrease (after MFG)	(59,458) <sup>2</sup>	(1.8)
Second biggest increase (After MFG) <sup>3</sup>	37,461	2.1

### Option 3 - reduce only the basic entitlement by £58.12

<sup>2</sup> Financial decrease of £59,458 relates to a Secondary school, with a percentage reduction 1.44%

<sup>3</sup> Excludes Mayfield; due to a new cohort of primary pupils for September 2017 artificially increasing the gain.

- 3.17. The basic entitlement could be reduced by £58.12 (£1.3m divided by total pupils), whilst this would also achieve affordability it reduces the overall funding available via this factor by £1.2m when compared to 2016-17. The impact on schools has been summarised in the table below:

	<b>Number of schools</b>	<b>Percentage of schools</b>
		<b>%</b>
Increase over 1.5%	15	25.9
Increase between 1% - 1.49%	1	1.7
Increase between 0.00% - 0.99%	11	18.9
Decrease between (0.00%) - (0.99%)	8	13.8
Decrease between (1.00%) - (1.49%)	20	34.5
Decrease over (1.5%)	3	5.2
<b>Total</b>	<b>58</b>	<b>100</b>

<b>Largest and smallest movements in funding</b>		
	<b>£</b>	<b>%</b>
Biggest decrease (after MFG)	(59,458) <sup>4</sup>	(1.89)
Second biggest increase (After MFG) <sup>5</sup>	32,048	1.64

- 3.18. Whilst the number of schools that lose funding under this option is similar to option 2 (28 compared to 27), there are more schools that lose more than minus 1% of funding under option 3 than option 2. Therefore in light of this it is proposed to reduce the IDACI Factor by £161.00 per pupil for 2017-18.

### **Prior Attainment**

- 3.19. There are no changes to the primary data set, which continues to use pupils who have not achieved the expected level of development within the early years foundation stage profile EYFSP.
- 3.20. The secondary data set will from October 2016 contain the Key Stage 2 Assessments against the new more challenging national curriculum. At a national level the EFA are expecting a higher number of the year 7 cohort to not to have achieved level 4 in English or maths. They are therefore going to use a national weighting to ensure that this cohort does not have a disproportionate influence on the overall data set.
- 3.21. Whilst the authority will not be able to adjust the weighting we will be able to adjust the rate payable under the secondary prior attainment factor.

<sup>4</sup> Financial decrease of £59,458 relates to a Secondary school, with a percentage reduction 1.44%

<sup>5</sup> Excludes Mayfield, due to new cohort of primary pupils for September 2017 artificially increasing the gain



3.22. The weighting and the impact on the October 2016 data set will not be known until December therefore we are proposing to treat any adjustments under this factor as an affordability adjustment as covered under paragraphs 3.36 and 3.37.

### Looked after Children

3.23. Portsmouth currently pays £2,811 per Looked After Child (LAC) which provides funding of approximately £282,178 for 100.10 pupils. In the first stage consultation issued by the DfE, it was proposed to cease using the LAC factor and remove the funding from the DSG and increase the funding provided via pupil premium. Whilst it is not clear if the LAC factor will continue in the future, Portsmouth does pay a very high rate for this factor and is considered an outlier by the DfE as we pay the second highest rate in the Country.

3.24. Of those authorities that do use the LAC factor 75% pay less than £1,250 and on average pay approximately £832.72.

3.25. In light of the proposal to cease using the factor in the future, we have considered the potential impact on schools and would like to offer two options regarding the 2017-18 formula.

- Cease using the LAC factor altogether
- Reduce the factor down to £1,000 a rate nearer to the national average.

Both options would see the funding being transferred to the basic per pupil entitlement,

3.26. Financial modelling of these options provided the following results.

	Option 1 Remove LAC factor		Option 2 Reduce LAC to £1,000	
	No. of schools	% of schools	No. of schools	% of schools
		%		%
Increase over 1.5%	0	0	0	0
Increase between 1% - 1.49%	0	0	0	0
Increase between 0.00% - 0.99%	50	86.2	50	86.2
Decrease between (0.00%) - (0.99%)	8	13.8	8	13.8
Decrease between (1.00%) - (1.49%)	0	0	0	0
Decrease over (1.5%)	0	0	0	0
<b>Total</b>	<b>58</b>	<b>100</b>	<b>58</b>	<b>100</b>

Decreases and increases in funding				
	£	%	£	%
Largest decrease (after MFG)	(16,557)	(0.4)	(10,666)	(0.4)
Largest increase (after MFG)	7,604	0.3	4,900	0.2

- 3.27. Option 1 will see the £282,178 currently funded via the LAC factor, being transferred to the basic entitlement factor. This option sees 8 schools see a reduction in funding with the maximum amount being lost being £16,557.
- 3.28. Option 2 sees the overall funding provided by the LAC reduce to £100,384, and the basic entitlement increased, with the impact of MFG, this option sees 8 schools see a reduction of funding, with the maximum amount of £10,666 being lost by a secondary school.
- 3.29. Of the two options modelled above neither had a particularly large impact on overall affordability and all the schools that either gain or lose funding fall between the MFG of minus 1.5% and the CAP of 1.75%.
- 3.30. Whilst it is hoped that the above proposals will protect the schools block funding. It is unclear at this time if or how the DfE is going to implement the proposed removal of the LAC factor in 2018-19.
- 3.31. Whilst the impact is relatively small, if implemented it will also be combined with the IDACI impact. In light of this and the proposal by the DfE to remove this factor in the future it is proposed to phase the impact on schools by reducing the funding through the LAC factor to £1,000 per pupil for 2017-18.

### **MFG & Capping**

- 3.32. The Minimum Funding Guarantee (MFG) for primary and secondary schools will remain at minus 1.5% for 2017-18.
- 3.33. The capping mechanism will also be retained again in 2017-18. As part of setting the budget for 2017-18 it will be necessary to re-determine the level at which the capping on the gains will be applied. For the purposes of consulting with schools, the indicative budgets have assumed that the cap remains at plus 1.75%.

### **Budget Share Financial Modelling**

- 3.34. An indicative 'budget share' spread sheet has been prepared to accompany this document which will provide you with an understanding of the impact of these proposals on your schools funding allocation. The indicative budget share contains the impact of the following proposals:
- Reducing each of the IDACI rates by £161.00

- Reducing the LAC rate to £1,000 and put the additional funding in to the basic per pupil entitlement.

3.35. The indicative budget share allocation is calculated using the October 2015 pupil data provided by the DfE.

The following points should be noted:

- The comparison to the current 2016-17 budget share is shown before the de-delegation of any centrally held funding.
- The final budget share for 2017-18 may differ as a result of the change in pupil numbers and characteristics and will be based on the October 2016 pupil census.
- The budget share excludes any funding for resourced units or early years nursery provision.
- The budget share includes changes relating to the National Non Domestic Rates corrections for 2016-17 payments and adjustments relating to schools that have converted or are expected to convert to Academy status.
- Changes to pupil numbers to reflect the third year (September 2017 cohort) of Mayfield School becoming an all-through school
- The removal of any prior year adjustments paid in 2016-17.

### **Maintaining Overall Affordability**

3.36. In setting the final budget for 2017-18 for Primary and Secondary schools, updated pupil data based on the October 2016 census will be provided by the DfE. As a result of the change in pupil numbers and pupil characteristics and growing pressures in other areas of the DSG budget, it may be necessary to amend the final unit values attached to the funding formula factors, in order to maintain overall affordability.

3.37. In order to provide schools with some certainty, it is proposed that any changes to the unit values (over and above that proposed in the IDACI factor as set out in paragraph 3.18 above) attached to funding factors will be limited to the following formula factors:

- Basic Per Pupil Entitlement
- Prior Attainment
- Lump sum
- Percentage of the financial cap.

## De-Delegated Budgets

3.38. In setting the budget for 2016-17, Schools Forum agreed to de-delegate the following budgets to central control as shown in the table below.

### *Current De-Delegation Arrangements:*

Expenditure Item	De-delegation for 2016-17
Administration of free school meals eligibility	De-delegate from maintained primary & secondary schools.
Licences	De-delegate from maintained primary & secondary schools.
Special Staff Costs: Union Duties.	De-delegate union duties from maintained primary & secondary schools.
Behaviour Support	De-Delegate from maintained primary schools only.
Museum & Library Services	De-delegate from maintained primary schools only
Schools Contingency Fund	De-delegate from maintained primary & secondary schools.

3.39. Due to the number of schools moving to academy status and the proposal by the DfE<sup>6</sup> to cease de-delegation in future it is proposed to move the following expenditure items from a de-delegation basis to traded arrangements in 2017-18.

- Administration of free school meals eligibility
- Museum & Library Services.

3.40. To enable services to plan for the proposed move to cease delegation and to ensure that maintained schools still have access to the schools specific contingency it is proposed to continue to de-delegate for the following services for 2017-18:

- Behaviour Support - primary schools only
- Special staff costs: Union Duties
- School Specific contingency
- Licences.

3.41. The proposed de-delegation rates for 2017-18 are set out below. The rates have been calculated to ensure that the total sum de-delegated from maintained schools meets the proportion of costs associated with maintained schools based on pupil numbers. The proposed changes to the de-

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<sup>6</sup> [Stage 1 consultation March 2017](#)

delegation rates for 2017-18 are an increase of 1% to cover the cost of salary increases and price increases (licences) from April 2017. In a change from previous years it is proposed to agree the de-delegated pupil rates in October 2016, to enable schools to estimate the impact on their funding of any decisions.

Expenditure Item		2016-17 rates		2017-18 proposed rates	
		Primary £	Secondary £	Primary £	Secondary £
Behaviour Support	Basic entitlement	13.52	n/a	13.65	n/a
	FSM	40.14	n/a	40.54	n/a
Special Staff Costs: Union Duties.	Basic entitlement	3.53	3.53	3.57	3.57
Schools Contingency Fund	Basic entitlement	0.00	0.00	1.00	1.00
Licences	Basic entitlement	0.12	0.28	0.13	0.29

## **4. High Needs**

### **Resourced Units**

- 4.1. The place funding for resourced units will remain at £10,000 per place. There are currently no proposals to amend the resourced unit top-up rates for 2017-18.

### **Special Schools**

- 4.2. The place funding for Special Schools will remain at £10,000 per place.
- 4.3. The Council's 'SEND Team' will be in discussion with each of the schools to confirm the number of places required for September 2017.
- 4.4. The SEND team is working with the City's special schools, to review the current banding system used to allocate a level of need to individual pupils. The outcome of this review is likely to impact on the Element 3 top-up rates paid from September 2017. Any proposals to change the Element 3 top-up rates will be discussed with the special schools and then be brought to both the Executive Member for Education and Schools Forum for agreement before 28 February 2017.
- 4.5. The current legislation continues to provide protection for the top-up funding at minus 1.5% per pupil in 2017-18.

### **Alternative Provision**

- 4.6. The place funding for Alternative Provision (AP) places will remain at £10,000 per place.
- 4.7. It is not proposed to change the Element 3 Top up rate for Local Authority commissioned places in 2017-18.

## **5. Responding to the Consultation**

- 5.1. A consultation response is attached at Appendix 3 for schools to complete. The consultation will close on the Friday 23<sup>rd</sup> September 2016.
- 5.2. Please send your completed response forms to [schoolsfinancialsupport@portsmouthcc.gov.uk](mailto:schoolsfinancialsupport@portsmouthcc.gov.uk)
- 5.3. The responses to this consultation will be reported to both the Cabinet Member for Education and Schools Forum meetings in October.

## Funding Working Group Membership

### Mainstream Working Group

	<b>Mainstream</b>	
	<b>Primary</b>	<b>Secondary</b>
Head Teacher	Vacant	Simon Graham St Edmunds RC Secondary
Governor	Clive Good Manor Infant	Bev Pennekett Mayfield
Finance	Anita Phillimore Arundel Court Primary	Sue Ravenhall Kind Richard Secondary
Academy	Claire Stevens Newbridge Junior Academy	Nys Hardingham Admiral Lord Nelson



**Questions:**

<b>Funding Formula Proposals</b>			
1	Do you agree with the proposal to reduce the IDACI factors by £161.00 to enable affordability	Y	N
Please add any further comments			
2	Do you agree with the proposal to reduce the LAC factor from £2,811 to £1,000 and increase the basic entitlement to reflect the reduction in funding on the LAC factor	Y	N
Please add any further comments			
3	Do you agree with the proposed de-delegation rates for 2017-18 as set out in paragraph 3.41	Y	N
Please add any further comments			

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## 2017-18 Funding Formula Consultation

## Estimated Primary and Secondary Budget Shares 2017-18

Schools who have converted or expected to convert to Academy status by 8th January 2017 are shown as Academies

All calculations have been based on the **October 2015** Census and are subject to change

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		2016-17		Basic Entitlement						2017-18												
LAESTAB	School Name	Number on Roll - October 2015 Census	Post MFG 2016-17 Budget Share (before de- delegation)	Primary	Secondary	Total Deprivation	English as a Second Language	LAC	Low Attainment	Lump Sum	NNDR Rates adjustment 2016-17	2017-18 NNDR Rates	Rates	PFI	Total Allocation Before MFG or CAP	17-18 MFG Budget	17-18 MFG Adjustment	17-18 Post MFG Budget	Variation to 2016-17 Budget	Percentage variation to 2016 17 budget	Notinal SEN	
			£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	£	
8512005	Arundel Court Primary School	518	2,591,166	1,515,425	0	756,172	27,615	5,068	117,114	115,000	0	26,093	26,093	0	2,562,487	2,421,395	0	2,562,487	(28,679)	(1.11)	358,681	
8512006	Milton Park Primary School	391	1,480,304	1,143,882	0	107,273	12,702	980	110,378	115,000	0	27,832	27,832	0	1,518,047	1,375,215	(14,337)	1,503,710	23,406	1.58	199,411	
8512008	Copnor Primary	677	2,295,293	1,980,584	0	82,532	2,295,293	11,961	0	122,076	115,000	0	39,636	39,636	0	2,351,789	2,197,154	(19,035)	2,332,754	37,461	1.63	255,823
8512637	Goldsmith Infant School	172	740,079	503,191	0	41,144	18,216	961	37,840	115,000	0	7,381	7,381	0	723,733	601,352	7,111	730,844	(9,235)	(1.25)	76,385	
8512645	Meredith Infant School	260	1,083,918	760,638	0	120,022	16,021	0	66,728	115,000	0	18,315	18,315	0	1,096,724	963,409	(3,619)	1,093,105	9,187	0.85	135,384	
8512648	Devonshire Infant School	177	784,938	517,819	0	39,270	14,435	2,855	51,496	115,000	1,088	10,561	11,649	0	752,524	625,876	23,610	776,134	(8,803)	(1.12)	91,251	
8512653	College Park Infant School	356	1,269,810	1,041,489	0	46,688	8,603	0	77,809	115,000	0	18,265	18,265	0	1,307,853	1,174,589	(18,154)	1,289,699	19,890	1.57	149,176	
8512654	Meon Infant School	180	724,773	526,595	0	11,811	5,931	0	54,183	115,000	0	12,798	12,798	0	726,318	598,521	0	726,318	1,545	0.21	87,941	
8512658	Northern Parade Junior School	382	1,371,774	1,117,552	0	94,217	5,308	3,361	37,641	115,000	0	14,662	14,662	0	1,387,741	1,258,080	0	1,387,741	15,967	1.16	124,081	
8512659	Northern Parade Infant School	298	1,126,340	871,808	0	54,690	10,771	1,108	61,185	115,000	0	11,431	11,431	0	1,125,993	999,562	0	1,125,993	(347)	(0.03)	124,312	
8512665	CUMBERLAND INFANT SCHOOL	174	762,490	509,042	0	47,625	11,965	0	35,324	115,000	0	6,413	6,413	0	725,369	603,956	27,531	752,900	(9,590)	(1.26)	75,103	
8512666	Solent Junior School	363	1,218,578	1,061,967	0	15,606	1,078	0	35,833	115,000	2,361	20,874	23,235	0	1,252,719	1,114,485	(20,851)	1,231,868	13,290	1.09	102,337	
8512673	Medina Primary School	197	927,995	576,329	0	186,757	843	1,903	39,947	115,000	0	18,513	18,513	0	939,293	805,780	0	939,293	11,298	1.22	112,188	
8512674	Highbury Primary School	360	1,382,162	1,053,191	0	86,602	10,352	1,065	70,981	115,000	0	22,986	22,986	0	1,360,176	1,222,190	3,323	1,363,499	(18,663)	(1.35)	150,943	
8512679	Solent Infant School	272	988,445	795,744	0	7,420	2,701	0	40,034	115,000	0	30,069	30,069	0	990,967	845,899	0	990,967	2,523	0.26	89,186	
8512680	Southsea Infant School	175	705,332	511,968	0	22,686	19,395	0	23,545	115,000	0	10,810	10,810	0	703,404	577,594	0	703,404	(1,928)	(0.27)	58,510	
8512689	Cottage Grove Primary School	375	1,757,790	1,097,074	0	321,615	50,390	5,000	84,013	115,000	(4,364)	20,220	15,856	0	1,688,948	1,558,092	38,692	1,727,640	(30,149)	(1.72)	214,667	
8512694	LANGSTONE INFANT	253	964,706	740,159	0	33,628	7,275	0	46,267	115,000	0	17,147	17,147	0	959,475	827,329	0	959,475	(5,231)	(0.54)	96,891	
8512697	Penhale Infant School	251	1,118,334	734,308	0	193,207	28,019	0	67,983	115,000	0	9,319	9,319	0	1,147,837	1,023,518	(12,107)	1,135,730	17,395	1.56	149,857	
8512698	Stamshaw Infant School	261	1,085,593	763,563	0	157,101	12,055	1,012	61,350	115,000	0	11,680	11,680	0	1,121,761	995,081	(19,386)	1,102,374	16,781	1.55	138,370	
8512699	Wimborne Infant School	206	793,700	602,659	0	31,380	9,122	3,000	61,649	115,000	0	10,064	10,064	0	832,874	707,810	(27,473)	805,401	11,701	1.47	105,271	
8512700	Langstone Junior School	358	1,299,961	1,047,340	0	56,414	4,673	0	59,062	115,000	0	20,626	20,626	0	1,303,114	1,167,489	0	1,303,114	3,153	0.24	132,036	
8512705	Wimborne Junior School	349	1,274,315	1,021,010	0	74,890	7,548	3,017	37,951	115,000	0	16,525	16,525	0	1,275,942	1,144,417	0	1,275,942	1,627	0.13	114,772	
8512709	Moorings Way Infant School	126	559,999	368,617	0	12,914	8,404	0	33,445	115,000	0	6,655	6,655	0	545,035	423,380	8,415	553,451	(6,548)	(1.17)	57,913	
8512714	Fernhurst Junior School	349	1,366,374	1,021,010	0	132,766	10,424	0	61,959	115,000	0	18,863	18,863	0	1,360,022	1,226,159	0	1,360,022	(6,352)	(0.46)	148,567	
8512715	Meon Junior School	344	1,218,571	1,006,382	0	41,627	3,595	0	40,539	115,000	0	14,289	14,289	0	1,221,431	1,092,142	0	1,221,431	2,860	0.23	108,475	
8512716	Craneswater Junior School	376	1,368,252	1,099,999	0	67,005	10,424	2,130	47,122	115,000	0	17,768	17,768	0	1,359,448	1,226,680	0	1,359,448	(8,804)	(0.64)	126,637	
8512719	Manor Infant School	234	1,022,209	684,574	0	157,700	17,763	1,918	73,260	115,000	0	24,229	24,229	0	1,074,443	935,215	(36,783)	1,037,661	15,452	1.51	145,978	
8512765	Portsdown Primary School and Children's Centre	368	1,713,940	1,076,595	0	407,486	6,783	1,092	92,057	115,000	0	16,525	16,525	0	1,715,539	1,584,014	0	1,715,539	1,598	0.09	236,810	
8513212	St Jude's C.E. Primary	414	1,611,961	1,211,169	0	152,471	34,765	1,030	74,358	115,000	0	19,135	19,135	0	1,607,928	1,473,794	0	1,607,928	(4,033)	(0.25)	177,119	
8513214	St George's Beneficial Primary School	266	1,388,250	778,191	0	331,852	17,423	1,039	61,630	115,000	0	19,259	19,259	0	1,324,394	1,190,135	38,848	1,363,242	(25,008)	(1.80)	173,802	
8513420	Corpus Christi Catholic Primary School	316	1,183,945	924,467	0	121,301	21,876	0	54,360	115,000	0	5,069	5,069	0	1,242,074	1,122,004	(39,511)	1,202,563	18,618	1.57	133,650	
8513422	St. John's CC Primary School	210	969,896	614,361	0	173,756	25,581	0	30,556	115,000	0	3,454	3,454	0	962,709	844,255	0	962,709	(7,187)	(0.74)	101,546	
8513423	St. Swithun's Catholic Primary School	310	1,148,869	906,914	0	57,693	17,240	0	43,747	115,000	0	3,951	3,951	0	1,144,545	1,025,594	0	1,144,545	(4,324)	(0.38)	109,412	
8515207	St Paul's Catholic Primary Sch	388	1,670,246	1,135,106	0	383,247	9,105	3,031	86,536	115,000	0	4,970	4,970	0	1,736,995	1,617,025	(39,618)	1,697,376	27,130	1.62	231,541	
Total Maintained Primary Schools		10,706	42,970,310	31,320,724	0	4,628,571	480,365	39,571	2,099,957	4,025,000	(916)	556,384	555,468	0	43,149,656	38,569,188	(103,345)	43,046,311	76,000	0.18	4,894,030	
8514301	Springfield Secondary School	1,127	5,201,339	0	4,480,621	79,654	9,108	2,018	389,805	139,150	0	103,376	103,376	0	5,203,732	4,961,206	0	5,203,732	2,393	0.05	674,166	
8514302	King Richard School	653	3,728,170	0	2,610,144	493,282	10,929															

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Local Authority Funding Reform Proforma

LA Name:

Portsmouth

LA Number:

851

Pupil Led Factors

1) Basic Entitlement Age Weighted Pupil Unit (AWPU)	Reception uplift	Yes	Pupil Units		21.00						
	Description	Amount per pupil		Pupil Units		Sub Total	Total	Proportion of total pre MFG funding (%)	Notional SEN (%)		
	Primary (Years R-6)	£2,925.53		15,607.00		£45,658,747	£79,150,797	42.80%	6.00%		
	Key Stage 3 (Years 7-9)	£3,734.16		5,046.00		£18,842,571		17.66%	6.00%		
	Key Stage 4 (Years 10-11)	£4,343.16		3,373.00		£14,649,479		13.73%	6.00%		
	Description	Primary amount per pupil	Secondary amount per pupil	Eligible proportion of primary NOR	Eligible proportion of secondary NOR	Sub Total	Total	Proportion of total pre MFG funding (%)	Primary Notional SEN (%)	Secondary Notional SEN (%)	
2) Deprivation	FSM6 % Primary	£237.25		5,147.60		£1,221,268	£10,651,534	9.98%	16.00%		
	FSM6 % Secondary		£299.83		3,057.10	£916,610				16.00%	
	IDACI Band F			2,392.11	1,251.88	£0				20.00%	20.00%
	IDACI Band E			1,235.09	637.34	£0				20.00%	20.00%
	IDACI Band D	£785.03	£473.84	1,983.46	883.38	£1,975,654				20.00%	20.00%
	IDACI Band C	£1,100.38	£685.45	1,153.57	577.41	£1,665,152				20.00%	20.00%
	IDACI Band B	£1,415.72	£897.06	1,647.92	827.74	£3,075,527				20.00%	20.00%
	IDACI Band A	£1,731.07	£1,108.67	771.28	416.88	£1,797,323				20.00%	20.00%
	Description	Primary amount per pupil	Secondary amount per pupil	Eligible proportion of primary NOR	Eligible proportion of secondary NOR	Sub Total	Total	Proportion of total pre MFG funding (%)	Primary Notional SEN (%)	Secondary Notional SEN (%)	
3) Looked After Children (LAC)	LAC X March 16	£1,000.00		100.38		£100,384	£1,111,535	0.09%	50.00%		
4) English as an Additional Language (EAL)	EAL 3 Primary	£359.45		1,701.43		£611,578		0.95%			
	EAL 3 Secondary		£1,821.55		219.36	£399,574					
5) Mobility	Pupils starting school outside of normal entry dates			358.93	912.45	£0		0.00%			
	Description	Weighting	Amount per pupil	Percentage of eligible Y1-3 and Y4-6 NOR respectively	Eligible proportion of primary and secondary NOR respectively	Sub Total	Total	Proportion of total pre MFG funding (%)	Primary Notional SEN (%)	Secondary Notional SEN (%)	
6) Prior attainment	Low Attainment % new EFSP	100.00%	£740.00	36.56%	4,039.09	£2,988,928	£7,566,087	7.09%	100.00%		
	Low Attainment % old FSP 73	12.41%									
		Secondary pupils not achieving (KS2 level 4 English or Maths)		£2,000.00		2,288.58			£4,577,159		

Other Factors

Factor	Lump Sum per Primary School (£)	Lump Sum per Secondary School (£)	Lump Sum per Middle School (£)	Lump Sum per All-through School (£)	Total (£)	Proportion of total pre MFG funding (%)	Notional SEN (%)	
7) Lump Sum	£115,000.00	£139,150.00			£7,050,650	6.61%		
8) Sparsity factor					£0	0.00%		
Please provide alternative distance and pupil number thresholds for the sparsity factor below. Please leave blank if you want to use the default thresholds. Also specify whether you want to use a tapered lump sum for one or both of the phases.								
Primary distance threshold (miles)		Primary pupil number average year group threshold		Fixed or tapered sparsity primary lump sum?	Fixed			
Secondary distance threshold (miles)		Secondary pupil number average year group threshold		Fixed or tapered sparsity secondary lump sum?	Fixed			
Middle schools distance threshold (miles)		Middle school pupil number average year group threshold		Fixed or tapered sparsity middle school lump sum?	Fixed			
All-through schools distance threshold (miles)		All-through pupil number average year group threshold		Fixed or tapered sparsity all-through lump sum?	Fixed			
9) Fringe Payments					£0	0.00%		
10) Split Sites					£0	0.00%		
11) Rates					£1,004,735	0.94%		
12) PFI funding					£155,065	0.15%		
13 ) Exceptional circumstances (can only be used with prior agreement of EFA)								
Circumstance					Total (£)	Proportion of total pre MFG funding (%)	Notional SEN (%)	
Additional lump sum for schools amalgamated during FY16-17					£0	0.00%	0.00%	0.00%
Additional sparsity lump sum for small schools					£0	0.00%		
Exceptional Circumstance3					£0	0.00%		
Exceptional Circumstance4					£0	0.00%		
Exceptional Circumstance5					£0	0.00%		
Exceptional Circumstance6					£0	0.00%		

Total Funding for Schools Block Formula (excluding MFG Funding Total) (£)

£106,690,403

100.00%

£14,410,119

14) Minimum Funding Guarantee (MFG is set at -1.5%)				£853,573		
Apply capping and scaling factors? (gains may be capped above a specific ceiling and/or scaled)				Yes		
Capping Factor (%)	1.75%	Scaling Factor (%)	100.00%			
Total deduction if capping and scaling factors are applied				-£449,199		
				Total (£)	Proportion of Total funding(%)	
MFG Net Total Funding (MFG + deduction from capping and scaling)				£404,373	0.38%	
High Needs threshold (only fill in if, exceptionally, a high needs threshold different from £6,000 has been approved)						
Additional funding from the high needs budget						
Growth fund (if applicable)				£365,000.00		
Falling rolls fund (if applicable)				£0.00		
Total Funding For Schools Block Formula				£107,094,777		
% Distributed through Basic Entitlement				74.19%		
% Pupil Led Funding				92.30%		
Primary: Secondary Ratio				1 :	1.28	

Total funding for schools block formula contains funding from outside of the Schools Block?

No

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## Appendix 5:- 2017-18; School funding formula consultation response

Reponses	
Primary	9
Secondary	3
Special	0
Academy Trust	1
<b>Total responses</b>	<b>13</b>

Funding Formula Proposals				
		Y	N	Neither
<b>1</b>	<b>Do you agree with the proposal to reduce the IDACI factors by £161.00 to enable affordability</b>	<b>11</b>	<b>2</b>	
<p><b>Academy Trust 1</b></p> <ul style="list-style-type: none"> <li>31 schools see an increase in funding in option 2 compared to 27 schools under option 3.</li> </ul> <p><b>Primary 2</b></p> <ul style="list-style-type: none"> <li>This primary school could be approx. £47K decrease - although capped this year a further decrease could happen next year.</li> </ul> <p><b>Secondary 2</b></p> <ul style="list-style-type: none"> <li>Portsmouth IDACI rates are still considerably higher than EFA published MFLs so this seems the most appropriate way forward.</li> <li>Consider asking EFA for an MFG exclusion for IDACI funding since some schools will have received inappropriate funding last year due to the shift in the bandings.</li> </ul> <p><b>Primary 8</b></p> <ul style="list-style-type: none"> <li>Agree, on the basis this is equitable as effects all schools</li> </ul> <p><b>Secondary 3</b></p> <ul style="list-style-type: none"> <li>The authority's modelling demonstrates that this methodology has the smallest impact on the smallest number of schools and so is the best way forward. This said I am concerned that using this methodology means the impact of reductions in funding will be felt most acutely in schools with high levels of deprivation. This situation could be exacerbated by changes to the prior attainment factor. Forum will need to monitor closely the impact of these decisions on particular schools.</li> </ul>				

		Y	N	Neither
2	<b>Do you agree with the proposal to reduce the LAC factor from £2,811 to £1,000 and increase the basic entitlement to reflect the reduction in funding on the LAC factor</b>	12	1	
<p><b>Academy Trust 1</b></p> <ul style="list-style-type: none"> <li>Looked after children needs are significant and diverse. In order to fund manpower and resources, any reduction in funding would have a significant detrimental effect on the outcomes of this group of children.</li> </ul> <p><b>Primary 2</b></p> <ul style="list-style-type: none"> <li>Keep in line with national funding</li> </ul> <p><b>Secondary 2</b></p> <ul style="list-style-type: none"> <li>Portsmouth currently provides 5<sup>th</sup> highest value nationally for LAC. This is protected by MFG even if LAC moves schools, so the reduced amount seems more appropriate</li> </ul> <p><b>Primary 8</b></p> <ul style="list-style-type: none"> <li>Agree, on the basis that monies can be used flexibly for pupils who are looked after by family members and not just for LAC pupils.</li> </ul>				
		Y	N	Neither
3	<b>Do you agree with the proposed de-delegation rates for 2017-18 as set out in paragraph 3.41</b>	10	3	
<p><b>Primary 1</b></p> <ul style="list-style-type: none"> <li>The difference in deprivation amounts between primary schools is outstanding – the highest amount being £756k NOR 518 compared to other large primary schools £83k NOR 677, £64k NOR 488, £41k NOR 473. No wonder schools are financially struggling in low deprivation areas. Could some of deprivation be redistributed to basic entitlement?</li> </ul> <p><b>Academy Trust 1</b></p> <ul style="list-style-type: none"> <li>Increase in line with 1% increase in salaries.</li> </ul> <p><b>Primary 2</b></p> <ul style="list-style-type: none"> <li>Happy with central control.</li> <li>Not sure what and why there is a school contingency.</li> <li>Note: If traded STGBS would buy into FSM admin and Library services.</li> <li>We are happy with centrally delegated money for FMS admin and Museums and library. However the new 'contingency' was a matter of discussion. What do you want this for? It doesn't seem to be a large sum to be of any good as a contingency.</li> </ul> <p><b>Primary 5</b></p> <ul style="list-style-type: none"> <li>We are concerned by the plan to de-delegate eligibility for free school meals.</li> </ul>				



We do not feel that the school is equipped to do this work itself and we are concerned that the cost to the school will increase considerably if it becomes a traded service.

**Secondary 2**

- De-delegation is a matter for HTs and governors to discuss and agree by phase. Given the government's aim to discontinue de-delegation and the increase in the pace of academisation, it may be more appropriate to offer all as traded services and let maintained schools and academies make up their own minds.

**Primary 8**

- Agree

**Secondary 3**

- This seems like a sensible move although I would like to see detail of the traded service costs for FSM administration to judge this fully.

**Additional Comments:**

**Primary 2**

- Would have liked to look at figures regarding number / percentage of pupils affected by the cuts.

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# Agenda Item 5



**Portsmouth**  
CITY COUNCIL

**Title of meeting:** Cabinet Member for Education

**Date of meeting:** 13<sup>th</sup> October 2016

**Subject:** Change to SEN designation of Redwood Park School - outcome of statutory representation stage

**Report from:** Alison Jeffery, Director of Children's Services

**Report by:** Mike Stoneman, Deputy Director of Children's Services - Education

**Wards affected:** All

**Key decision:** No

**Full Council decision:** No

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## **1. Purpose of report**

- 1.1 This report sets out the outcome of the statutory representation undertaken between 3<sup>rd</sup> September 2016 and 3<sup>rd</sup> October 2016 on the proposal to change the type of SEN need catered for by Redwood Park School.
- 1.2 The report seeks approval to move to the next stage in the process which is implementation of the proposal by 1<sup>st</sup> November 2016.

## **2. Recommendations**

- 2.1 It is recommended that the Cabinet Member for Education:
  - i. Considers the outcome of the statutory representation undertaken between 3<sup>rd</sup> September and 3<sup>rd</sup> October 2016
  - ii. Approve the proposal to change the formal designation of Redwood Park School from a school for pupils with Moderate Learning Difficulties (MLD) and / or Speech, Language and Communication Needs (SLCN) to a school for pupils with Severe Learning Difficulties (SLD) or Autistic Spectrum Condition (ASD)
  - iii. Authorise the Deputy Director for Children's Services - Education to proceed with the implementation of the proposal.

### **3. Background**

- 3.1 Local Authorities have a duty to ensure a sufficiency of provision for pupils with special educational needs and / or disabilities. Local Authorities can meet this duty by providing places in maintained special schools, ensuring that mainstream schools can meet the needs of pupils with SEN or by procuring places in special academies or independent special schools.
- 3.2 Redwood Park is a special school which caters for up to 140 pupils aged 11 to 16 who have an Education Health Care Plan (EHCP) or statement of special education needs (SEN). The school is officially designated as a school for pupils with Moderate Learning Difficulties (MLD) and/or Speech, Language and Communication Needs (SLCN). The current cohort of pupils have a range of needs from MLD through to more complex needs and autism spectrum conditions (ASD). There are two specialist classes for students with challenging ASD. A large proportion of current Redwood Park pupils previously attended Cliffdale Primary academy.
- 3.3 In recent years there has been an increase in the number of children with more complex SEN needs in the City and the needs of pupils attending Redwood Park School reflect this change. This in turn has meant that at it is increasingly difficult to find suitable placements for pupils with complex needs in the City.
- 3.4 Portsmouth mainstream schools are better resourced and enabled to deliver inclusive practice and make provision for pupils with Special Educational Needs and Disabilities (SEND). The development of more inclusive mainstream education enables many pupils with MLD to be appropriately educated in a mainstream setting.

### **The Proposal**

- 3.5 The proposal is to formally change the SEN designation of Redwood Park School. The School will become a school for pupils with complex needs and will continue to maintain specialist classes for students with autistic spectrum conditions and associated challenging behaviour. The formal designation will be as a school for pupils with severe learning difficulties (SLD) or autistic spectrum condition (ASD).
- 3.6 It is important to note that all pupils currently attending Redwood Park School will continue to be placed there so long as the school continues to meet their educational needs. This is irrespective of their category of need.

- 3.7 A change in the type of need catered for by a special school is a prescribed alteration which requires a statutory process. At the Cabinet meeting on 21<sup>st</sup> July 2016 the Cabinet Member for Education considered the outcome of a pre-statutory consultation on the proposal and authorised the Deputy Director of Children's Services - Education to proceed to the representation stage of the statutory process by publishing a statutory proposal.
- 3.8 On 3<sup>rd</sup> of September 2016 a public notice in regard to this proposal was published and the statutory representation period ran from 3<sup>rd</sup> September until 3<sup>rd</sup> October. During this time any interested party could comment on the proposal. All parents and carers of pupils attending Redwood Park School received a copy of the statutory proposal (refer to [Appendix 1](#)).

#### **Representations received**

- 3.9 Following publication two representations have been received in writing. These representations and a response to the issues raised in the first response are detailed in [Appendix 2](#). In addition another parent phoned to seek assurance that her child would continue to be educated at the school. No further representations were received.

#### **4. Reasons for recommendations**

- 4.1 The main reason for the recommendation is to ensure that the SEN provision provided by special schools reflects the needs of pupils in the City.
- 4.2 The proposed change fits with the priorities of the Children's Trust Plan 2014-17 and in particular Priority 2: Improve Education Outcomes for School Age Children.

#### **5. Equality impact assessment**

- 5.1 A preliminary EIA has been completed. A full EIA is not required. The change of designation will not have a negative impact on any of the equality groups. The re-designation will improve access to schools for all equality groups, particularly with regard to those pupils who have learning difficulties and / or a disability.

#### **6. Legal implications**

- 6.1 Section 14 of the Education Act 1996 places a general duty on local authorities to secure that there are sufficient schools for providing primary and secondary school education, sufficient in number, character

and equipment to provide for all pupils the opportunity of appropriate education and requiring them in particular to have regard to the need to secure that special educational provision is made for pupils with special educational needs.

- 6.2 Section 315 of the Education Act 1996 requires local authorities to keep the arrangements for SEN provision made by them under review.
- 6.3 A change in the type of special educational needs for which a school is organised to make provision for is a prescribed alteration for a maintained special school which a local authority may propose and implement. The statutory process is set out in the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2013.
- 6.4 The legislation sets out a 4 stage process, which includes the publication of statutory proposals and allows for a 4 week representation period. The requirements of these stages have been complied with.
- 6.5 A local authority, as the proposer of the alteration, is also the decision maker in the process. The decision whether or not to make this alteration must be made within 2 months of the end of the representation period and implemented in accordance with the dates in the published notice.
- 6.6 When making the decision whether to implement the proposal, the decision-maker must have regard to the statutory guidance contained in the "School Organisation Maintained Schools - Guidance for proposers and decision-makers" and in particular Annex B - Guidance for Decision-makers.
- 6.7 The options for the decision-maker are:
- Reject the proposal;
  - Approve the proposal without modification;
  - Approve the proposal with modifications, having consulted the local authority and/or governing body (as appropriate); or
  - Approve the proposal (with or without modification) subject to certain prescribed events being met.
- 6.8 Under Part 2, Section 3, of the City Council's constitution the Cabinet Member for Children & Education has the authority to approve the recommendations set out in this report.

## **7. Director of Finance's comments**

- 7.1 The funding for special schools and pupils with special educational needs is provided through the Dedicated Schools Grant (DSG) and governed by the Schools and Early Years Finance (England) regulations. The regulations set out that the funding for special schools is based on £10,000 per place plus a "top-up" that reflects the level of need of each individual child.
- 7.2 For Portsmouth the top-up funding according to need is based on a banding system of A to H, with A being the highest need, each band has a specific level of funding attached. Currently the pupils attending the school receive funding at the lower end of the banding scale. The current average top up funding per pupil is a band H.
- 7.3 The report does not propose to increase either the number of places at Redwood Park School or the level of funding attached to each band of need.
- 7.4 It is expected that the change in status of the school will see an increase in cost charged to the DSG for top-up funding and this will phase in over a number of years. However these increases are expected to be offset by a reduction in the costs associated with placing High Needs pupils in expensive out of City provision. It is recognised that the decrease in out of city costs may take longer to materialise than the increase in "top-up" costs and provision will need to be included within future budgets.

Signed by: Alison Jeffery, Director of Children's Services

## Appendices:

Appendix 1- Statutory Proposal  
Appendix 2 - Representations received  
Appendix 3 - Preliminary EIA

## Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Making 'prescribed alterations' to maintained schools - DfE Statutory guidance for proposers and decision-makers	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514548/16-04-06_FINAL_SO_Guidance_PA_Regs.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514548/16-04-06_FINAL_SO_Guidance_PA_Regs.pdf</a>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
Signed by:





## **SECTION 19 (1) OF THE EDUCATION AND INSPECTIONS ACT 2006**

### **Statutory proposal to change the type of need catered for by Redwood Park School, Wembley Grove, Portsmouth, PO6 2RY**

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Redwood Park is a community special school which caters for up to 140 pupils aged 11 to 16 who have an education, health and care (EHC) plan (or statement of special educational need (SEN)).

The school is designated as a school for pupils with moderate learning difficulties (MLD) or speech, language and communication needs (SLCN). The current cohort of pupils at Redwood Park School has a range of needs from MLD through to complex needs and autism. There is a range of specialist provision for students with autism and associated challenging behaviour.

A large proportion of current Redwood Park pupils previously attended Cliffdale Primary Academy.

#### **The Proposal**

The proposal is to change the type of special educational need (SEN) that Redwood Park School caters for in recognition of the increasingly complex profile of need of pupils attending the school.

The school would become a school for pupils with complex needs and Autism (i.e. pupils with severe learning difficulties (SLD) or autistic spectrum condition (ASC)) from 1<sup>st</sup> November 2016.

All pupils currently attending Redwood Park School would continue to be placed there as long as the school continues to meet their educational needs, irrespective of their category of need.

The school would continue to be funded for 140 places for pupils aged 11 to 16 (in school years 7 to 11).

#### **Description of alteration and evidence of demand**

Special educational needs are defined as follows: 'A child or young person has SEN if they have a learning difficulty or disability which calls for special provision to be made for him or her'. SEN Code of Practice 2014.

Around 2-3% of children and young people require a higher level of support to access education than is 'ordinarily available'. For these children a statutory assessment resulting in the issuing by the local authority of an EHC plan sets out the provision that they are entitled to receive to enable them to access the curriculum.

Educational provision can be made for children with Special Educational Needs and Disabilities (SEND) in the following ways:

- within mainstream schools and settings,
- within specialist additionally resourced provision attached to mainstream schools,
- within special schools.

Pupils in special schools will have an EHC plan (or statement of SEN). Children and young people with SEND in mainstream do not necessarily have an EHC plan, but will have access to a level of support appropriate to their needs.

Portsmouth currently maintains a higher percentage of pupils with EHC plans (or statements of SEN) than the national average (3.1% compared to 2.8%). Portsmouth also has a higher percentage of pupils with an EHC plan in specialist provision than the national average (49% compared to 40%).

The prevalence of SLD, SLCN and ASD are growing while traditional diagnoses of Moderate Learning Difficulty (MLD) are falling.

Portsmouth mainstream schools are better resourced and enabled than ever to deliver inclusive practice and make provision for pupils with SEND. Underpinning pedagogical approaches such as quality first teaching and the waves of SEN interventions are now well embedded in school culture to enable good teaching. Since 2009, all school Special Educational Needs Co-ordinators (SENCOs) have been required to achieve accreditation at masters degree (MA) level and be recognised as senior leaders within their schools. Portsmouth's SEN funding formula (in line with Department for Education guidance) now makes resources available to schools in order to make up to the first £6,000 of 'ordinarily available' SEN Support. The local authority commissions specialist teaching advice to mainstream schools and academies from the city's maintained and academy special schools which offers a broad menu of specialist teaching advice and training.

Pupils with SEND achieve better outcomes, in general, when educated in mainstream schools alongside mainstream pupils<sup>1</sup>. The converse is only true for pupils who require specialist provision because they have significant or complex needs. However, more than half of Portsmouth's pupils with statements are educated in special schools or resourced provision. A local culture has grown among professionals and parents of an expectation that pupils with identified SEND would be placed in special schools.

In recent years there has been an increase in the number of children with more complex SEN needs in the City and the needs of pupils attending Redwood Park School reflect this change in demographic. The school has developed specialist provision for pupils with complex needs and ASD.

The Local Authority (LA) is seeking to formally change the SEN designation of Redwood Park School. The School will continue to maintain specialist classes for students with autistic spectrum conditions and associated challenging behaviour.

At the same time the LA will continue to develop a more inclusive mainstream education which would include pupils with MLD being educated in mainstream settings where appropriate.

In order to support the move towards providing education for pupils with more complex needs the LA has identified funding for some building works to provide some additional space. These works together with some adaptations to the existing accommodation would also provide some smaller spaces for group or 1-2-1 sessions.

### **The effect on other schools within the area**

Pupils with MLD where possible, would be educated in local secondary provision. There will be a related proposal to change the category of need for Cliffdale Primary Academy.

### **How to comment**

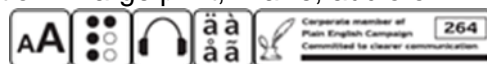
You can comment on these proposals until Monday 3<sup>rd</sup> October 2016

by post to: Janet Andrews, Education, Portsmouth City Council, Floor 2, Core 6, Civic Offices, Guildhall Square, Portsmouth, PO1 2EA.

or

by email to: [eandsc@portsmouthcc.gov.uk](mailto:eandsc@portsmouthcc.gov.uk) (please title your email Redwood Park Proposal)

You can get this Portsmouth City Council information in large print, Braille, audio or in another language by calling 9284 1717.



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<sup>1</sup> Inclusive education and students without special educational needs: (Nienke M. Ruijs, Ineke Van der Veen & Thea T.D. Peetsma, 2010)

## APPENDIX 2 - Representations Received

### Representation 1

Road  
Portsmouth

08<sup>th</sup> September 2016

REF:AJ007 Change in designation of Redwood Park School – statutory consultation

To Janet Andrews

Hello my son [REDACTED] started Redwood Park yesterday.

I have been shocked and disappointed regarding the letter I received yesterday (his first day at the school) ref:AJ007 dated 1<sup>st</sup> Sept 2016.

I chose Redwood over Mary Rose as I was informed that Mary Rose was for more physical and complex needs, and that [REDACTED] would be correctly placed at Redwood, I even made a point of speaking to the Head teacher at Cliffdale to make sure.

I'm unsure as to why we would need another school for more complex needs as Mary Rose already offers this, and this proposal seems to benefit the majority SLD and ASC and ignore the minority MLD.

My son did attend mainstream up until approx. 2 years ago.

The main reasons I decided to change his school, firstly his home tutoring was cut back, and then stopped within a very short time. This then left his whole education in the hands of Langstone Juniors. He did have a one to one, with a very nice lady, but she didn't have the qualifications to teach [REDACTED] and although in [REDACTED] statement he should have had an hour a day of qualified teaching this just didn't happen, and with all the will in the world the teacher just wouldn't of had the time to do so in such a full busy class. My son's grades just didn't move and was still at a P level when he left the school. I felt like I didn't have a voice and that he was stuck. The school didn't even have the facilities for PE lessons and at one point my son was told by a sports tutor I have a job for you [REDACTED] you can hold the pencils and paper during the PE lesson, my son told me what had happened after school the same day, I did contact the school about the matter. Over the months I saw changes in my son, he would come out of school very lethargic, as if he hadn't been educationally stimulated all day and wouldn't really tell me much about his day. I again called yourselves and spoke with [REDACTED] on several occasions, I tried to get [REDACTED] into Cliffdale but was told, no space available at the time and then I could appeal, which I did. Because things were getting desperate [REDACTED] mentioned about outreach teachers going into langstone to help and support the teachers, a lady called [REDACTED] came out to Langstone and on the same day I have a call to say that [REDACTED] needed to be in Cliffdale. Hope this gives you a rough account of things.

The whole of point of writing to you, is finding out what happens to the children like my son with MLD. As reading your letter tells me that you be closing the doors on the children like my son and moving them into mainstream. (Which we are living proof it just doesn't work)

Your letter reference AJ007 states Redwood park school pupils will continue to be placed at the school and will continue to have all their educational needs met.

However the proposal states that pupils would continue to be placed there as long as the school continues to meet their educational needs. (THESE ARE TWO DIFFERENT SENTENCES WITH TWO DIFFERENT OUTCOMES) .

So what you are stating is when you have enough pupils with SLD and ASC the school will not meet children with MLD needs and move them out to mainstream as the school will not meet their educational needs.

At present [REDACTED] class has eight children, how will this work with the changes will the school place children into his class with more complex needs.

I feel like I have been completely kept in the dark about these changes and on the first day have this proposal which has obviously in the pipeline for some time, It should have been discussed and mentioned on the open day, all I have told that it was changing to an academy.

So within less than two months (1st November 2016) this could all be implemented.

So what are you proposing for my son [REDACTED] that is not mainstream?

Please feel free to look at my son's statement.

A worried parent.

[REDACTED]

### *Response to representation 1*

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#### **Director of Children's Services**

01 September 2016

Floor 2, Core 5/6  
Civic Offices  
Guildhall Square  
Portsmouth  
PO1 2EA  
Phone: 023 9284 1226  
Ref: AJ007-2

Dear [REDACTED]

#### **Re: Change in designation of Redwood Park School - statutory consultation**

Thank you for your letter regarding the proposal to change the type of need that Redwood Park caters for.

The proposed change in the designation of Redwood Park School to a school for children with complex needs and autism has been put forward partly because the children who are already attending the school have more complex special educational needs and are more likely to have autism spectrum conditions than when the school was originally designated.

Mainstream schools are funded, supported and skilled to educate the vast majority of children, including many with special educational needs. Around half of the children with an Education Health and Care Plan will continue to be educated within a mainstream school and most will make good progress in these settings.

I am sorry to hear that your son's experience of mainstream was not a positive one.

At each annual review of any Education Health and Care Plan it is important to consider whether the educational placement remains appropriate, however I want to reassure you that we are not seeking to move any children who are currently placed at Redwood Park School, just because of a change in designation of the school.

The school will continue to offer education suitable to meet the needs of pupils with a variety of special educational needs.

Yours faithfully

## Representation 2

Dear Ms Andrews

Regarding the above. Having read the paperwork sent out to parents early in September my overriding feeling is that this has been handled very secretively. I can understand the council feels the need to change the designation and the reasons behind it, even if they are misguided but the way in which this consultation has been handled is very disappointing. The first Redwood parents knew was one and a half days before the end of the summer term with a letter coming home (from those children who manage to bring a letter home intact) then no mention all summer holidays, with plenty of time for parents to stew about it all then as soon as school starts (year 7 parents!) who won't have known anything about it would have been very shocked to receive your letter. There has been no attempt by the School to offer any explanations or discussion.


I read that the proposal is inexorably linked to Redwood becoming an academy under Solent Academy Trust but bearing in mind parents WERE consulted about that, it's very underhand to say now, that it's inexorably linked when this would have been known all along.

Cliffdale, I'm reliably informed, has not been part of the consultation, therefore I can only assume the council sees no need to prepare parents for what's ahead, which again is secretive.

The fact is that many mainstream schools are woefully ill prepared for an influx of MLD children and to state that they are is I feel just wishful thinking.

After everything that families have been through this last year or so with the disruption, rumours and upset that has been Redwood, we were starting to feel at last things were being turned around in a positive manner. I feel the way this consultation is being handled is a big step back and will only serve to make parents distrustful of the Portsmouth special schools system. I'm afraid this an opportunity missed to build trust.

Yours sincerely

 Redwood parent and  
Co-chair of Empowering Children and Families Forum

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# Equality Impact Assessment

Preliminary assessment form v5 / 2013

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

The preliminary impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies which require a full EIA by looking at:
  - negative, positive or no impact on any of the equality groups
  - opportunity to promote equality for the equality groups
  - data / feedback
- prioritise if and when a full EIA should be completed
- justify reasons for why a full EIA is not going to be completed

**Directorate:**

Director of Children services & education

**Function e.g. HR,  
IS, carers:**

EDUCATION

**Title of policy, service, function, project or strategy (new or old) :**

Change to SEN designation of Redwood Park school

**Type of policy, service, function, project or strategy:**

☐

Existing

☒

New / proposed

☐

Changed

**Q1 - What is the aim of your policy, service, function, project or strategy?**

To redesignate Redwood Park school to a school for pupils with severe learning difficulties (SLD) and autistic spectrum condition (ASD)

**Q2 - Who is this policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?**

This proposal recognises the increased incidence of children with complex special educational needs (SEN) particularly SLD and ASD in the Portsmouth and increases the range of provision that can be educated in provision based in the City.

**Q3 - Thinking about each group below, does, or could the policy, service, function, project or strategy have a negative impact on members of the equality groups below?**

Group	Negative	Positive / no impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer is "negative" or "unclear" consider doing a full EIA



**Q4 - Does, or could the policy, service, function, project or strategy help to promote equality for members of the equality groups?**

Group	Yes	No	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy or maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer is "no" or "unclear" consider doing a full EIA

**Q5 - Do you have any feedback data from the equality groups that influences, affects or shapes this policy, service, function, project or strategy?**

Group	Yes	No	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Pregnancy and maternity

☐☒☐

Other excluded groups

☐☒☐

If the answer is "no" or "unclear" consider doing a full EIA

**Q6 - Using the assessments in questions 3, 4 and 5 should a full assessment be carried out on this policy, service, function or strategy?**

☐

yes

☒

No

**Q7 - How have you come to this decision?**

Appropriate educational provision will continue to be provided for pupils with all special educational needs either within mainstream school or in a designated special school.  
Pupils currently attending Redwood Park School will continue to be placed there (irrespective of their category of need) as long as the school can meet their needs.

If you have to complete a full EIA please contact the Equalities and diversity team if you require help  
Tel: 023 9283 4789 or email: [equalities@portsmouthcc.gov.uk](mailto:equalities@portsmouthcc.gov.uk)

**Q8 - Who was involved in the EIA?**

Janet Andrews

**This EIA has been approved by:** Chris Williams

**Contact number:**

x8570

**Date:**

12/7/16

Please email a copy of your completed EIA to the Equality and diversity team. We will contact you with any comments or queries about your preliminary EIA.

Telephone: 023 9283 4789

Email: [equalities@portsmouthcc.gov.uk](mailto:equalities@portsmouthcc.gov.uk)



**Decision maker:** Cabinet Member for Education

**Subject:** Closure of Brambles Nursery School and replacement full day care provision at Goldsmith Infant School

**Date:** 13<sup>th</sup> October 2016

**Report from:** Alison Jeffery, Director of Children's Services

**Report by:** Mike Stoneman, Deputy Director for Children's Services - Education

**Wards affected:** Central Southsea

**Key decision:** No

**Full Council decision:** No

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## **1. Purpose of report**

- 1.1 This report sets out the outcome of the statutory representation undertaken between 3<sup>rd</sup> September 2016 and 3<sup>rd</sup> October 2016 on a proposal to close the Brambles Nursery and for Goldsmith Infant School to operate full day care provision comprising a 0 - 4 provision alongside the infant school.

## **2. Recommendations**

- 2.1 It is recommended that the Cabinet Member for Education:**
- (i) Consider the outcome of the statutory representation undertaken between 3rd September and 3rd October 2016**
  - (ii) Approve the proposal to close The Brambles Nursery School (Maintained) for Goldsmith Infant School to operate full day care comprising 0-4 provision alongside the operation of the Infant School from 1st April 2017**
  - (iii) Authorise the Deputy Director of Children's Services - Education, to proceed to the implementation stage.**

## **3. Background**

- 3.1 At the Cabinet Member for Education meeting held on 21<sup>st</sup> July, 2016, a decision was made to authorise the Deputy Director of Children's Services - Education, to proceed to the representation stage, by publishing statutory proposals to close the Brambles Nursery and for

Goldsmith Infant School to operate full day care provision comprising 0 - 4 provision alongside the operation of the infant school.

- 3.2 Since September 2012, the Brambles Nursery School and Goldsmith Infant School have formally operated as a hard federation under one single governing body and one senior leadership team but with separate budgets and legal identities.
- 3.3 The schools share one site and on completion of the building work that is currently in progress, will also share one building.
- 3.4 The school's Governing Body wish to further develop the relationship and benefits that have already been seen through the federation arrangements. These include:
- The benefits of cross phased leadership which have contributed to an upward trend in pupil attainment and progress
  - The sharing of staff expertise
  - The development of a rich curriculum that supports all children throughout the Early Years Foundation Stage
  - Sharing one agreed vision and set of values to continue to drive up standards and promote continuity and progression of practice
  - Continuing to build upon the access that pupils and their families have to both family learning and developing a range of inclusive services.
- 3.5 The proposal is to close The Brambles Nursery School (Maintained) and for Goldsmith Infant School to operate full day care comprising a 0 - 4 provision alongside the infant school from 1<sup>st</sup> April 2017. The proposed provision would therefore be the same size as the current organisation, maintaining one Governing Body and one Headteacher. All of the pupils attending The Brambles Nursery School will automatically transfer to the roll of the Infant school and Nursery.
- 3.6 The Governing Body has also agreed that the school should have a new name to reflect the joining together and are intending to rename the school to Bramble Infant School and Nursery. There is a historic precedent as well as geographic reason for choosing this name as until 1966 Goldsmith Infant School was called Bramble Road Infant School and the school is geographically located on Bramble Road. At the Cabinet Member for Education meeting held on 21<sup>st</sup> July, 2016, the Cabinet Member supported the School Governing Body in their decision to rename the school.

#### **4. The statutory representation**

- 4.1 In accordance with the School Organisation Regulations 2013, a statutory representation was undertaken between 3 September 2016 and 3 October 2016.
- 4.2 The full proposal (Appendix 1) was published on the Council website along with a statement setting out:
- How copies of the proposal may be obtained
  - That anybody can object to, support, or comment on, the proposal
  - The date that the representation period ends; and
  - The address to which objections or comments should be submitted
- 4.3 A notice was published in the Portsmouth News and at all entrances to the school.
- 4.4 Within one week of the date of publication on the website, a copy of the proposal was sent to the following:
- The Secretary of State
  - The local Church of England diocese
  - The local Roman Catholic diocese
- 4.5 There were no responses received during this representation period.

#### **5. Reasons for the recommendation**

- 5.1 With the coming together of the two buildings in Autumn 2016, this will provide a completely joined up provision, better supporting the developing offer to families with improved classroom space, improved circulation around the school site and shared facilities allowing for more teaching and resources to be shared across the school.
- 5.2 The day to day operation of managing one budget instead of three will improve financial and administrative duties leading to reduced bureaucracy.
- 5.3 There would be reduced inspection regimes with two Ofsted inspections instead of the current three and one financial audit instead of two.
- 5.4 There are currently 60% of pupils within the Nursery School that apply for a school place at the Infant School. Whilst parents will still have to follow Local Authority admission procedures for the Infant School, there will continue to be seamless provision on one site from 0 - 7 years old.

- 5.5 During the pre-statutory consultation undertaken between 6 June and 1 July 2016, of the 29 responses received only 1 was not in support of the proposal.
- 5.6 There were no responses received during the statutory representation stage.

## **6. Equality impact assessment**

- 6.1 A preliminary Equality Impact Assessment (EIA) has been completed (Appendix 2). A full EIA is not required as the proposals do not have any impact upon a particular equalities group because there will be no change to the admissions arrangements for the school.

## **7. Legal Services' comments**

- 7.1 A local authority has a duty contained in s.6 of the Childcare Act 2006 to secure sufficient childcare places for working parents for children aged 0 - 14 years.
- 7.2 The statutory process for the closing of a maintained nursery school is set out in the Education and Inspections Act 2006 and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013. These provide for a 5 stage process which includes pre-statutory consultation and the publication of statutory proposals. The requirements of these stages have been complied with.
- 7.3 A local authority, as the proposer of the closure of the maintained nursery school, is also the decision maker in the process. The decision whether or not to close the maintained nursery must be made within 2 months of the end of the representation period and implemented in accordance with the dates in the published notice.
- 7.4 When making the final decision, the decision-maker must have regard to the statutory guidance contained in the "School Organisation Maintained Schools - Guidance for proposers and decision-makers", and in particular Annex B - Guidance for Decision-makers.
- 7.5 The options for the decision-maker are:
- Reject the proposal;
  - Approve the proposal without modification;
  - Approve the proposal with modifications, having consulted the local authority and/or governing body (as appropriate); or
  - Approve the proposal (with or without modification) subject to certain prescribed events being met.

## **8. Finance comments**

- 8.1 The funding for nursery schools and statutory free childcare provision of up to 15 hours per week for eligible 2, 3 and 4 year olds is provided through the Dedicated Schools Grant (DSG) and governed by the Schools and Early Years Finance (England) regulations.
- 8.2 The closure of the nursery school will release funding to be used to support the 15 hours free childcare for 2, 3 and 4 year olds at the new childcare provision at Goldsmith Infant school.
- 8.3 In accordance with the regulations any closing balance on the nursery school will be taken back into the DSG

Signed by: Alison Jeffery, Director of Children's Services

## Appendices:

**Appendix 1 - Full Proposal**

**Appendix 2 - Preliminary Equality Impact Assessment (EIA)**

## Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
Opening and closing maintained schools - DfE Statutory guidance for proposers and decision-makers	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514556/16-04-06_FINAL_SO_Guidance_ED_Regs.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514556/16-04-06_FINAL_SO_Guidance_ED_Regs.pdf</a>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

.....  
Signed by:





## SECTION 15 (1) OF THE EDUCATION AND INSPECTIONS ACT 2006

### **Proposal to close the Brambles Nursery School, Bramble Road, Southsea, Portsmouth P04 ODT and for Goldsmith Infant School to operate full day care provision.**

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#### **Statutory proposal to close Brambles Nursery School (Maintained) and open Full Day Care at Goldsmith Infant School**

Following discussions with the Governing Body of Brambles Nursery School and Goldsmith Infant School and after consideration of a range of options, a pre statutory consultation was undertaken to consider the following proposal.

#### **The Proposal**

The proposal is to close The Brambles Nursery School (Maintained) and for Goldsmith Infant School to operate Full Daycare comprising a 0 – 4 provision alongside the infant school. The Infant School and Nursery will provide 180 infant places and 148 FTE childcare places for 0 – 4 year olds. The Infant School and Nursery would therefore be the same size as the current organisation, maintaining one Governing Body and one Headteacher.

All the pupils attending the two existing schools will automatically transfer to the roll of the Infant School and Nursery, which would operate on the current site of the existing schools.

This means that the Brambles Nursery School would close on **31<sup>st</sup> March 2017**, and the combined Infant School and Nursery would open on the **1<sup>st</sup> April 2017**.

At the point of federation in September 2012 the Governing Body agreed that the new organization would seek a new name to fully reflect the joining together. The time is now right to put this in place. So, alongside the closing of the Nursery School (Maintained) the school are intending to rename as **Bramble Infant School and Nursery**. There is an historic precedent as well as geographic reason for choosing this name. Until 1966 Goldsmith Infant School was called Bramble Road Infant School and obviously the school is geographically placed on Bramble Road and like many other local schools the name would reflect the location.

#### **Why close the Nursery School (Maintained) and open Full Daycare?**

The Brambles Nursery School and Goldsmith Infant have 'formally' operated as a hard federation since September 2012 under one single governing body and one senior leadership team but with separate budgets and legal identities. The schools share one site and upon the completion of the current building project (Autumn 2016) will also share one building. The time is right for the schools to be officially formalised into one entity. Through this process we are proposing to dissolve the existing 'stand-alone' maintained nursery and create Full Daycare attached to the infant school.

The process will ensure the maximisation of the organisation's growth and sustainability; it will further bring the two schools together to deliver an enhanced and more cohesive service. This process will give a greater sense of unity to both children, parents, staff and the wider community.

### **Our Joint Vision ~ Better Together**

***In an ever-changing world our vision is to work with our community to develop our provision in a way that is flexible to meet its evolving needs:***

- Working together to support children on their 0 – 7 journey and beyond
- Nurturing the growth and development of the whole child
- Ensuring excellent teaching and learning and truly effective interventions, removing all barriers to learning

With our children this means laying the foundations for them to:

- Become lifelong learners
- Develop the resilience, resources and reflectiveness they need to enable them to achieve the best they can
- Be confident and self-assured
- Be a good friend and have good friends
- Be aware of themselves; their values, strengths, feelings and choices
- Know they are valued
- Aspire to be themselves and discover the things that fulfil them
- See themselves as part of the community
- Understand how they affect others and are affected by them
- Take responsibility for themselves and their impact on others

With the parents and families of our children this means:

- Welcoming and valuing them
- Joining with them to support children to learn and develop
- Sharing the tools and information families need to enable their children to excel

Whilst both schools have already been working under a joint model of leadership and governance there are many reasons for taking this further step.

### **The Key Benefits of this Proposal will be:**

- Enabling us to continue, consolidate and further develop the successes and benefits we have already seen from federating which include:
  - The benefits of cross phase leadership which have contributed to an upward trend in pupils' attainment and progress over the last few years.
  - The sharing of expertise from the infant school e.g. Early Years Teachers and the early identification of and support for pupils with additional educational needs.
  - The development of a rich curriculum that supports all children throughout the Early Years Foundation Stage.
  - Sharing one agreed vision and set of values to continue to drive up standards and promote continuity and progression of practice.

- To continue to build upon the access pupils and their families have to both family learning and a developing range of Inclusion Services e.g. the support of our newly introduced Pastoral Support Manager.
- To make the whole organisation more sustainable for the future by:
  - Supporting the recruitment and retention of staff. Our 0-7 provision would give staff greater opportunities to work cross-phase and provide a rich environment for professional development
  - To enable the School Governing Body to make efficiencies in the running of the 'new' school, releasing more resources for staff and allowing more teaching and learning resources to be shared across the 'new' Infant School and Nursery.
  - The day to day operation of managing one budget will improve financial and all administration duties which will lead to reduced bureaucracy with one single budget instead of 3.
- Reducing the burden or duplicated inspection regimes:
  - There would be one financial audit instead of two
  - There would be two OFSTED inspections instead of the current three (Childcare, Nursery School and Infant School)
- The coming together of the two buildings by the Autumn of 2016 when the building work ends will give us a new school fit for purpose and provide new opportunities which we can make best use of in a completely joined up organisation. For example:
  - Supporting our developing offers to families in our new Community Room
  - Improved classroom spaces, corridors to ease circulation around both school buildings, one large shared staffroom, a larger reception/office space, community room, library and dedicated Early Years outside area.
- Currently, approximately 60% of children within the Nursery School apply for a school place at the Infant School. Whilst parents would still have to follow Local Authority admission procedures for the Infant School we would be able to continue our already excellent transition processes for both children and their parents. For a large majority of children there will be seamless provision on one site from 0 – 7 years old.
- The Headteacher, Nursery Manager and Governing Body have been leading both schools under the hard federation arrangements and would continue to lead and manage the 'new' Infant School and Full Daycare.

We believe therefore that there are significant benefits that this proposal will bring to the whole school community.

### **What will the new Organisation look like to Parents and Children?**

In effect, apart from the new building, outwardly very little will seem to have changed for parents and children but a lot will have changed behind the scenes which will put us in a much better position to improve and grow together over time.

### **What Happens Next?**

Council Officers consulted widely from **6<sup>th</sup> June to 1<sup>st</sup> July 2016** to hear and collect views. These were reported to Portsmouth City Council, Cabinet Member for Education, who decided at a Council Committee on 21<sup>st</sup> July 2016 (which was open to the public) to proceed to the next stage of consultation – this is the 'statutory' consultation and would involve the publication of a 'statutory' notice.

This notice will then be followed by a four-week period to allow comments or objections to be sent to Portsmouth City Council. At the end of this period, Portsmouth City Council will make a final decision.

### **How Can You Have Your Say?**

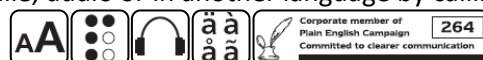
Copies of the complete proposal can be obtained from the Portsmouth City Council website, [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk) or from the Director of Children's Services at the address below or by telephoning Education School Organisation on 023 9284 1226.

Within four weeks from the date of publication (3<sup>rd</sup> September 2016) of this proposal, any person may object to, support or make comments on the proposal. This representation period ends on 3<sup>rd</sup> October

by email to: [eandsc@portsmouthcc.gov.uk](mailto:eandsc@portsmouthcc.gov.uk) (please title your email Brambles Nursery Proposal)

or by post to: Janet Andrews,  
Education  
Civic Offices,  
Guildhall Square  
Portsmouth  
PO1 2EA

You can get this Portsmouth City Council information in large print, Braille, audio or in another language by calling 9284 1717





# Equality Impact Assessment

Preliminary assessment form v5 / 2013

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

The preliminary impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies which require a full EIA by looking at:
  - negative, positive or no impact on any of the equality groups
  - opportunity to promote equality for the equality groups
  - data / feedback
- prioritise if and when a full EIA should be completed
- justify reasons for why a full EIA is not going to be completed

**Directorate:**

Director of Children services & education

**Function e.g. HR,  
IS, carers:**

EDUCATION

**Title of policy, service, function, project or strategy (new or old) :**

Closure of Brambles Nursery and replacement full day-care provision at Goldsmith Infant School

**Type of policy, service, function, project or strategy:**

☐

Existing

☒

New / proposed

☐

Changed

### Q1 - What is the aim of your policy, service, function, project or strategy?

To close the Brambles nursery school and at the same time open a replacement day-care provision at Goldsmith Infant school (which shares the site).

### Q2 - Who is this policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?

The combined proposal will benefit the children that attend the new provision and their families by developing early years provision which has a rich curriculum which supports children throughout the early years foundation stage. The combined school and day-care provision will have one agreed shared vision and set of values to continue to drive up standards and promote continuity and progression. The provision will continue to build upon the access that pupils and their families have to both family learning and developing a range of inclusive services.

### Q3 - Thinking about each group below, does, or could the policy, service, function, project or strategy have a negative impact on members of the equality groups below?

Group	Negative	Positive / no impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer is "negative" or "unclear" consider doing a full EIA

**Q4 - Does, or could the policy, service, function, project or strategy help to promote equality for members of the equality groups?**

Group	Yes	No	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy or maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer is "no" or "unclear" consider doing a full EIA

**Q5 - Do you have any feedback data from the equality groups that influences, affects or shapes this policy, service, function, project or strategy?**

Group	Yes	No	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Pregnancy and maternity

☐☒☐

Other excluded groups

☐☒☐

If the answer is "no" or "unclear" consider doing a full EIA

**Q6 - Using the assessments in questions 3, 4 and 5 should a full assessment be carried out on this policy, service, function or strategy?**

☐

yes

☒

No

**Q7 - How have you come to this decision?**

Since September 2012 Goldsmith Infant school and Brambles Nursery have been operating under a federation arrangement for with a single governing body and shared senior leadership. New day-care provision at Goldsmith Infant school will replace the provision available at the Brambles Nursery school and as nursery staff will move to the new provision and the two establishments have been operating under shared leadership there will be continuation of provision for the children and families affected.

If you have to complete a full EIA please contact the Equalities and diversity team if you require help  
Tel: 023 9283 4789 or email: [equalities@portsmouthcc.gov.uk](mailto:equalities@portsmouthcc.gov.uk)

**Q8 - Who was involved in the EIA?**

Janet Andrews

**This EIA has been approved by:** Chris Williams

**Contact number:**

x8570

**Date:**

12/7/16

Please email a copy of your completed EIA to the Equality and diversity team. We will contact you with any comments or queries about your preliminary EIA.

Telephone: 023 9283 4789

Email: [equalities@portsmouthcc.gov.uk](mailto:equalities@portsmouthcc.gov.uk)