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# NOTICE OF MEETING

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## SCHOOLS FORUM

**TUESDAY, 24 MAY 2022 AT 4.30 PM**

## VIRTUAL REMOTE MEETING

Telephone enquiries to 023 9283 4060  
Email: [Democratic@portsmouthcc.gov.uk](mailto:Democratic@portsmouthcc.gov.uk)

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

### **Information with regard to public access due to Covid precautions**

- Following the government announcement 'Living with COVID-19' made on 21 February and the end of universal free testing from 1st April, attendees are no longer required to undertake an asymptomatic/ lateral flow test within 48 hours of the meeting however we still encourage attendees to follow the PH precautions we have followed over the last two years to protect themselves and others including vaccination and taking a lateral flow test should they wish.
- We strongly recommend that attendees should be double vaccinated and have received a booster.
- If symptomatic we encourage you not to attend the meeting but to stay at home. Updated government guidance from 1 April advises people with a respiratory infection, a high temperature and who feel unwell, to stay at home and avoid contact with other people, until they feel well enough to resume normal activities and they no longer have a high temperature. From 1 April, anyone with a positive COVID-19 test result is being advised to follow this guidance for five days, which is the period when you are most infectious.
- We encourage all attendees to wear a face covering while moving around crowded areas of the Guildhall.
- Although not a legal requirement, attendees are strongly encouraged to keep a social distance and take opportunities to prevent the spread of infection by following the 'hands, face, space' and 'catch it, kill it, bin it' advice that also protects us from other winter viruses.
- Hand sanitiser is provided at the entrance and throughout the Guildhall. All attendees are encouraged to make use of hand sanitiser on entry to the Guildhall.
- Those not participating in the meeting and wish to view proceedings are encouraged to do so remotely via the livestream link.

## **Membership**

### Schools Members

Two head teacher representatives - primary phase  
One head teacher representative - secondary phase  
One head teacher representative - special phase  
Four academy representatives - primary proprietor  
Five academy representatives - secondary proprietor  
One academy representative - special proprietor  
One governor - primary phase  
One governor - secondary phase

### Non School Members

Four Councillors (one from each political groups)  
One 16-19 Education Providers representative  
One Early Years Providers representative

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

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

## **AGENDA**

- 1 Apologies**
- 2 Declarations of Interest**
- 3 Membership- Endorsement of Chair and Vice Chair of Schools Forum**
- 4 Minutes of the Previous Meeting. (Pages 5 - 10)**
- 5 Element 3 Top-up funding 2022-23 (Pages 11 - 30)**

### Purpose

The purpose of this report is to inform Schools Forum of proposed changes to the 2022-23 Element 3 Top-up values at:

1. The Flying Bull Academy Alternative Provision
2. Redwood Park Academy.

### **RECOMMENDATIONS**

**It is recommended that Schools Forum endorse:**

- 1. The proposal to increase the Element 3 top-up value at The Flying Bull Academy Inclusion Centre from 1 January 2023 as set out in section 4.**
- 2. The corrected Redwood Park Academy Element 3 Top-up values as set out in Appendix C.**

**6 Schools Forum Constitution 2022-23 (Pages 31 - 42)**

Purpose

The purpose of this report is to seek Schools Forum approval to retain the existing constitution attached at Appendix A. The report seeks to update the Schools Forum on the current composition which continues to provide for the appropriate representation between maintained schools and academies within the city.

**RECOMMENDATIONS**

**It is recommended that Schools Forum retains the current constitution attached at Appendix A which took effect from 25 May 2021.**

**7 Dedicated Schools Grant 2021-22 Quarter 3 Budget Monitoring (Pages 43 - 50)**

Purpose.

The purpose of this report is to inform Schools Forum of the forecast outturn position of the Dedicated Schools Grant (DSG) as at the end of December 21.

**RECOMMENDATIONS**

**It is recommended that Schools Forum:**

- 1. Notes the forecast budget position for the Dedicated Schools Grant as at 31 December 2021, together with the associated explanations contained within this report.**
- 2. Endorses the budget adjustment to the Post-16 Element 3 Top-up by £12,000.**

**8 Verbal update regarding the Government's response to the National Fair Funding consultation.**

**9 Dates of Future Meetings.**

Future dates to be agreed:

13 July 2022

5 October 2022

7 December 2022

11 January 2023

9 February 2023

Members of the public are now permitted to use both audio-visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the council's website and posters on the wall of the meeting's venue.

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# Agenda Item 4

## SCHOOLS FORUM

MINUTES OF THE MEETING of the Schools Forum held on Wednesday, 9 February 2022 at 4.30 pm as a virtual meeting.

### Present

Jackie Collins	Head Teacher (Devonshire Infant)	Primary Phase
Dave Jones	Head Teacher Craneswater	Primary Phase
Share D'All	Governor (Bramble Infant & Nursery)	Primary Phase
Sean Preston	Academies Hamwic Academy Trust	Primary Phase
Jo Cooper	Academies Stamshaw Infant	Primary Phase
Nathan Waites	Springfield School	Secondary Phase
Kara Jewell	Representative	Early Years
Judith Smyth	Councillor	Labour Group
Terry Norton	Councillor	Conservative Group

Also in attendance:

Councillor Suzy Horton, Cabinet Member for Children, Families and Education (left at 5.09pm).

### 7. Apologies

Apologies for absence had been received from:

- Laura Flitton (Academies University of Chichester Academy Trust - Primary Phase)
- Caroline Corcoran (Academies Salterns Academy Trust - Secondary Phase)
- Nys Hardingham (Academies Salterns Academy Trust - Secondary Phase)
- Sharon Burt (Academies (Solent Academies Trust) - Special Schools)
- David Jeapes (Head Teacher, Mayfield School - Secondary Phase)
- Councillor Lynne Stagg (Conservative Group).

The meeting was quorate.

**8. Declarations of interest**

There were no declarations of interests from Forum members.

Alison Egerton, Group Accountant, advised that there were outstanding declarations from Victoria Page, Anne Chapman and Chris Purnell. Ms Edgerton to action.

**9. Minutes of the previous meeting held on 19 January 2022 and matters arising**

**RESOLVED that the minutes of the meeting held on 19 January 2022 be confirmed as a correct record.**

There were no matters arising from the minutes.

**10. Election of Chair and Membership Changes**

Alison Egerton, Group Accountant informed the Schools Forum of the following membership changes:

- Simon Graham, Headteacher, Maintained secondary representative - effective from 10 February 2022.
- There is one secondary academy representative vacancy and nominations had been sought.
- A permanent post-16 representative (currently Mike Gaston as an interim appointment) is being sought.

Alison Egerton reminded Schools Forum representatives that at the meeting on 19 January 2022, David Jeapes had indicated his intention to stand down as a member of the Forum and the position of Chair following the meeting on 9 February 2022. Members of the Forum had been invited to submit nominations in advance of the meeting and had been provided with information about the role and its responsibilities.

Alison Egerton informed the Schools Forum that although nominations had been sought, none had been received. She invited any members of the Schools Forum who would be interested in taking on this important role, to stay on at the end of the meeting.

Councillor Terry Norton proposed that thanks to David Jeapes for his many years of support and work for the Schools Forum be noted. Councillor Judith Smyth added her thanks to Mr Jeapes for his work and this was endorsed by the Schools Forum.

**11. Dedicated Schools Grant Budget (DSG) 2022-23**

Angela Mann, Finance Manager, introduced the report stating that it set out the initial determination of the Dedicated Schools Grant (DSG) budget (including individual schools budgets) for 2022-23 and sought the necessary approvals and endorsements required to make an initial determination of schools budgets and give notice of that determination to the governing bodies of the schools which it maintains by 28 February 2022.

On a point of accuracy, it was noted that in Appendix 2 - Devonshire Infant School has 10 inclusion places not 11 as stated.

In response to questions the following information was provided:

- The COVID-19 pandemic will have had an impact on place numbers and the January 2022 census will provide additional information.
- The apparent drop in funding, particularly for special schools in 2024-25 (paragraph 7.2 of the report) was due to the large increases seen in 2023-24 and a part year effect.
- As far as officers were aware, there was no supplementary guidance relating to the increase in fuel costs on settings.

Mindy Butler, Early Years and Childcare Manager, commented that parents had been nervous about sending children back into settings and there had been a slow start back at the beginning of the academic year. However, overall numbers are up over 2021-22 academic year.

Kara Jewell, Early Years representative, commented that many early years providers had seen a drop in numbers.

School Forum representatives were concerned about the impact of increases in fuel costs. Mike Stoneman, Deputy Director of Children, Families and Education, agreed to raise this as a concern with the Regional Schools Commissioner.

Kara Jewell (referring to paragraphs 5.1 and 5.2 in the report) informed the Forum that early years providers were facing significant additional costs and that the proposed per hour increases for 2-year olds would result in an estimated loss of 3p per hour, which the increases to the 3-4-year old funding could only partially offset. She commented that the timing of the consultation over the Christmas period had made it difficult to respond to and several settings had reported to her that they did not feel it would make a difference.

Mindy Butler commented that this is a national problem and providers are facing considerable challenges in funding including in relation to staff and fuel costs and this is a great concern. She confirmed that the team had reminded settings about need to respond to the consultation.

In response to questions about decision-making and the impact of increasing early years funding, it was confirmed that:

- The consultation period always takes place over the Christmas period which is unfortunate and is determined by the DfE funding announcements.
- Had officers received feedback on the consultation, options for consideration by the Forum would have been presented; as no feedback had been received, the proposals as consulted on have been presented to Schools Forum for endorsement.

- Cabinet Member for Children, Families and Education will make the decisions relating to the recommendations (set out at paragraphs 2.1-2.6 of the report) following consultation with the Schools Forum by way of this meeting.
- There is a statutory requirement to set the budget at inform schools about their allocations by 28 February 2022.
- The impact of any changes to hourly rates going forward would need to be considered.
- The DSG carry forward is used to help smooth out any bid issues throughout the year including increases in early years pupil numbers which tend to increase throughout the academic year.

Councillor Judith Smyth commented that early years settings are very important, especially for families where the home learning environment is not good, and she noted that the 6.6% increase to the minimum wage would be significant to settings.

Alison Egerton informed the Forum that officers had recently received an allocation adjustment following the October census which removed £1.1m of funding. The impact of the January census will not be seen until July and if hourly rates were to be increased now, a growth in pupil numbers could result in a future cut in the hourly rate.

Members of the Schools Forum expressed concern about the impact on young children and on schools in the future if early years providers were forced to close due to rising costs.

Kara Jewell proposed that an additional 1p per hour increase to 3-4-year old funding by reducing the contingency would help enormously. Angela Mann confirmed that although the mechanics would need work, it would be possible to increase 3-4-year old funding only by an additional 1p per hour from the 3-4-year old contingency. Alison Egerton confirmed this would not present a significant risk to the DSG.

After the discussion, Mike Stoneman agreed to raise Early Years funding concerns with the Regional Schools Commissioner, including that:

- Early Years settings are not able to access Supplementary Grant funding.
- The announced minimum wage increases came after the allocation of funding and may not therefore have been considered.

Kara Jewell thanked officers for all their hard work in the background.

**RESOLVED - the Schools Forum:**

- 1) Endorsed the initial determination of the Schools Budget for 2022- 23 as set out in Appendix 1.
- 2) Endorsed the 2022-23 Special School, Inclusion Centre and Alternative Provision Places as set out in Appendix 2.



- 3) Endorsed the 2022-23 Element 3 Top-up values for Special Schools, Inclusion Centres, Alternative Provision settings and Mainstream schools, as set out in Appendix 3.
- 4) Endorsed the Early Years budget as set out in Table 1 and Appendix 1 and asked for consideration to be given to adding £0.01 to the Hourly rate for 3-4 year olds and to reduce the contingency on 3-4-year olds only.
- 5) Endorsed the proposal that any carry forward of balances from 2021-22 to be used to assist with the revenue costs associated with the planned increase in high needs places, the continued introduction of the funding reform changes and fund any potential financial pressures arising during 2022-23.
- 6) Endorsed the approach to distribute the supplementary funding through agreement with special schools and alternative provision settings as set out in Section 9.

**12. Dates of future meetings**

Schools Forum representatives noted that the next meeting will take place on 25 May 2022 (confirmed).

**POST MEETING NOTE:**

Future meeting dates, to be confirmed at the next meeting, are as follows:

13 July 2022  
5 October 2022  
7 December 2022  
11 January 2023  
9 February 2023

The meeting concluded at 5.41pm.

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# Agenda Item 5



Portsmouth  
CITY COUNCIL

**Title of meeting:** Schools Forum

**Date of meeting:** 24 May 2022

**Subject:** Element 3 Top-up funding 2022-23

**Report by:** Sarah Daly, Director Children, Families and Education

**Wards affected:** All

**Key decision:** Yes/No

**Full Council decision:** Yes/No

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## 1 Purpose of report

1.1 The purpose of this report is to inform Schools Forum of proposed changes to the 2022-23 Element 3 Top-up values at:

- The Flying Bull Academy Alternative Provision
- Redwood Park Academy.

## 2 Recommendations

2.1 It is recommended that Schools Forum endorse:

2.1.1 The proposal to increase the Element 3 top-up value at The Flying Bull Academy Inclusion Centre from 1 January 2023 as set out in section 4.

2.1.2 The corrected Redwood Park Academy Element 3 Top-up values as set out in Appendix C.

## 3 Background

3.1 The Dedicated Schools Grant (DSG) is a ring-fenced grant for Education and can only be used for the purposes of the Schools Budget as defined in the School and Early Years Finance (England) Regulations.

3.2 In February 2022, the Cabinet Member for Children, Families and Education approved, and Schools Forum endorsed, the original DSG budget for the 2022-23 financial year.

3.3 The February 2022 reports advised Schools Forum and the Cabinet Member that the authority was in discussion with The Flying Bull Academy regarding a request to increase the Element 3 Top-up value paid by schools for those pupils placed at the Flying Bull Alternative Provision setting. Appendix A includes the report



setting out the background to the request and the results of the consultation with schools.

3.4 The 2022-23 budget contained Element 3 Top-up values for Redwood Park School, but when the report was presented to Schools Forum and Cabinet Member the incorrect values were quoted. This report confirms the correct values to Schools Forum and Cabinet Member for formal endorsement and approval.

**4 The Flying Bull Academy Alternative Provision Element 3 Top-up values 2022-23**

4.1 The Flying Bull Academy are seeking to increase the Element 3 Top-up rate for the Alternative Provision setting at the school from £6,160 to £8,750 from 1 January 2023.

4.2 The Flying Bull Academy is commissioned by the authority to provide an Alternative Provision offer to primary pupils in the City and in line with expected future requirements, the number of places are being increased from 16 to 32 by September 2023.

4.3 The school has stated that due to the increased size of the Alternative Provision setting the current staffing model will not provide the level of education and support required. They have provided a business case which sets out the new staffing structure and demonstrates that the level of funding currently provided will be insufficient to cover the cost of delivery. This has been scrutinised and tested by the authority. The increased funding will ensure the appropriate level of over-sight and support from the SENCO, qualified teaching staff and support staff is available to ensure the needs of this cohort of pupils, often with very complex needs, are addressed. This is seen as critical to the success of the expanded provision and to securing positive outcomes for the pupils so that they can return to mainstream provision.

4.4 The reasons behind the proposed increase were communicated to mainstream primary schools (maintained and academy) and the primary phase of Mayfield School on 22 March 2022. Schools were asked to comment on the proposal by the 8 April 2022. A copy of the consultation document and business case shared with schools can be found in Appendix A.

**Feedback from schools**

4.5 A total of 47 maintained and academy primary schools were contacted of which six (13%) responded. The table below sets out the responses by maintained and academy sectors.



<b>Table 1 - Summary consultation results</b>		
	<b>Question 1</b>	
	<b>Do you accept the proposed increase in the Element 3 Top-up value</b>	
	<b>Yes</b>	<b>No</b>
Maintained Primary schools*	3	1
Academy Primary Schools	2	0
<b>Total</b>	<b>5</b>	<b>1</b>
Percentage of total responses	83%	17%

\*Includes Mayfield Primary

4.6 Of the six schools that responded five agreed with the proposal and one didn't. It must be assumed that the remaining schools that didn't respond are either in agreement with the proposal or don't feel that they could influence the decision.

4.7 In addition to schools confirming whether they agreed or disagreed with the proposal, they were invited to raise any comments regarding the proposal, and these are set out in Appendix B. Officers have responded to individual schools regarding any questions and Appendix B details the questions and the authority responses.

**5 Redwood Park Academy Element 3 Top-up values 2022-23**

5.1 The 2022-23 budget report contained Element 3 Top-up values for Redwood Park School in Appendix 3, but when the report was presented to Schools Forum and Cabinet Member the incorrect values were quoted.

5.2 The approved budget for 2022-23 was calculated using the correct Element 3 Top-up values for Redwood Park and the school was informed of the correct values in February 2022 along with their budget share and have been receiving payments based on these values from 1 April 2022.

5.3 Appendix C sets out the corrected Element 3 Top-up values for 2022-23 implemented from 1 April 2022.

**6 Reasons for recommendations**

6.1 Element 3 Top-up funding does not form part of the budget share and therefore can be updated with Cabinet Member approval after the DSG budget has been set. The authority has consulted with Schools to seek their views the outcome of which is included in this report. Schools Forum are asked to consider the proposals and endorse the recommendations, before going to Cabinet Member for approval and implementation.

**7 Integrated impact assessment**

7.1 An integrated impact assessment is not required as the recommendations do not have a positive or negative impact on communities and safety, regeneration and culture, environment and public space or equality and diversity.

**8 Legal implications**

8.1 There are no legal implications arising directly from the recommendations in this report.

**9 Director of Finance's comments**

9.1 Financial comments and implications are included in the body of this report.

Signed by: Sarah Daly, Director of Children Families and Education

**Appendices:**

Appendix A: Flying Bull Consultation Document

Appendix B: Questions and responses from consultation responders

Appendix C: Redwood Park Academy Element 3 Top-up values for 2022-23.

**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
School and Early Years Finance (England) Regulations 2022	<a href="#">The School and Early Years Finance (England) Regulations 2022</a>

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

.....  
Signed by: **Sarah Daly Director Children Families and Education**

# The Flying Bull Academy request for additional Element 3 Top-up

Consultation  
Spring 2022

**The Flying Bull Academy request for additional Element 3 Top-up 2022-23**  
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## 1 Introduction

### 1.1 Who is the consultation for?

1.1.1 The consultation is for all Portsmouth City Council mainstream primary schools, maintained and academy and the primary phase of Mayfield School.

### 1.2 Background

1.2.1 The Flying Bull Academy is commissioned by the authority to provide an Alternative Provision offer to primary pupils in the City.

1.2.2 Following the publication of the SEND Strategic Review in 2018, Portsmouth commissioned further work looking at the accommodation requirements from 2021 onwards. The Portsmouth SEND Accommodation Strategic review (November 2020) identified a need for further Alternative Provision places in the City by September 2022.

1.2.3 The authority has been in discussion with The Flying Bull Academy and agreed to fund an extension of the current Alternative Provision from the Education Capital Programme, which will increase the number of places available from 16 to 32 by September 2023.

1.2.4 The school has stated that due to the increased size of the Alternative Provision setting the current staffing model will not provide the level of Education and support required. They have provided a new staffing structure, but the level of funding currently provided will be insufficient to cover the cost of delivery. They have therefore asked for an increase in the Element 3 Top-up value and will ask placing schools to provide any pupil premium funding attached to the placed pupil, as per the Department for Education (DfE) guidelines<sup>1</sup>.

1.2.5 As schools are responsible for paying the Element 3 Top-up to the Alternative Provision setting when they place a pupil at the setting, we are contacting schools to explain the educational reason for the increase, the financial background and to seek their comments to inform the proposal to schools Forum and Cabinet Member in May 2022.

### 1.3 Current Funding

1.3.1 Funding for alternative provision settings is on a place plus basis.

- a **Places** are funded at £10,000 per place, regardless of whether the place has been commissioned directly by a school or the local authority. The school receives the funding whether the place is occupied or not. This is funded by the Local Authority's High Needs Block.

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<sup>1</sup> [Using pupil premium: guidance for school leaders - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/using-pupil-premium)

b **Plus**, this is known as Element 3 Top-up and is paid for the period a pupil attends the Alternative Provision setting. Funding for Element 3 Top-up will come from two sources.

- **Single registered pupils** - Portsmouth City Council, High Needs Block
- **Dual registered pupils** - from the school where the pupil is main registered.

1.3.2 Most of the pupils attending Flying Bull are dual registered and therefore Element 3 Top-up funding is paid by the school where the pupil is main registered.

1.3.3 The Element 3 Top-up value for 2022-232 is £6,610 per annum. As Element 3 Top-up does not form part of the School Budget Share, the authority can go back to Schools Forum and the Cabinet Member for a change in Element 3 Top-up rates as part of the Revised Budget.

#### 1.4 Proposed changes - Element 3 Top-up

1.4.1 The increase in place numbers is expected to start from 1 January 2023, with a further increase to full capacity of 32 places in September 2023, as set out in the table below.

2022-23			2023-24			2024-25		
Place numbers			Place numbers			Place numbers		
Apr 2022 to Dec 2022	Jan 2023 to Apr 2023	Average Total	Apr 2023 to Aug 2023	Sept 2023 to Mar 2024	Average Total	Apr 2024 to Aug 2024	Sept 2024 to Mar 2025	Average Total
16	24	18	24	32	26	32	32	32

1.4.2 The proposal is to increase the Element 3 Top-up value to £8,750 from 1 January 2023 in line with the implementation of the new staffing structure and the additional places.

1.4.3 The school has provided a business case for the extended service which can be found at Appendix 1. They have also provided financial modelling demonstrating the impact on the budget if the Element 3 Top-up remains at £6,610 and compared to the requested increase to £8,750. This is summarised in Appendix 2.

1.4.4 This identifies that the current Element 3 Top-up values do not cover the costs per pupil. The table below summarises the costs and income per pupil, using the current Element 3 Top-up value and the proposed Element 3 Top-up value.

<sup>2</sup> From April 2022

	<b>Element 3 Top-up value £6,610</b>			<b>Element 3 Top-up value £8,750</b>		
	<b>Academic Year</b>			<b>Academic Year</b>		
	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Cost per pupil	16,261	18,731	19,036	16,261	18,731	19,036
Income per pupil	(15,806)	(17,053)	(17,038)	(15,806)	(18,658)	(19,044)
<b>(Surplus)/Deficit</b>	<b>455</b>	<b>1,679</b>	<b>1,998</b>	<b>455</b>	<b>74</b>	<b>(8)</b>

- 1.4.5 It should be noted that the financial modelling includes an element of inflation in the future costs for both pay (4% average) and non-pay (1.3% average). The income does not include any inflationary increase.
- 1.4.6 In recent years the authority has proposed a percentage increase to Element 3 Top-up values paid either by the authority to Special Schools and Inclusion Centres or by Schools to the Alternative Provision settings in line with the percentage increase for mainstream school budgets. There is no guarantee that this increase will happen in future years as it is dependent on the funding received from central government. Should the increase in the Element 3 Top-up value be agreed by Schools Forum and the Cabinet Member for implementation in January 2023, then schools should be aware there is potential that the rate may increase in April 2023 following the 2023-24 national funding formula announcements.
- 1.4.7 Schools are asked to consider the request by The Flying Bull Academy to increase the Element 3 Top-up value to £8,750 from 1 January 2023 to enable them to implement the new staffing structure to provide the required educational support to the additional pupils.
- 1.4.8 The responses will be reported to Schools Forum for discussion and endorsement at the meeting in May 2022. The Cabinet Member for Education will take into consideration the outcomes of the consultation and the discussion at Schools Forum before making a final decision regarding the proposed increase.

## **1.5 Proposed changes - Pupil Premium grant**

- 1.5.1 Currently Flying Bull Primary Academy does not ask schools to provide the pupil premium grant for the period of time the pupil is placed in the Alternative Provision.
- 1.5.2 Whilst the Department for Education (DfE) guidance<sup>3</sup> no longer states that the funding must follow the pupil, it states that Alternative Provision settings are able to

<sup>3</sup> [Using pupil premium: guidance for school leaders - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/using-pupil-premium-guidance-for-school-leaders)

"include a pro-rata pupil premium sum in the cost of a place for pupils placed in AP settings".

- 1.5.3 Flying Bull Primary Academy are proposing to request the pupil premium funding for those pupils who are eligible for free school meals or have been eligible in the past six years. This will reflect the DfE guidance, and the practice seen in other Alternative Provision settings in the City.
- 1.5.4 To enable schools to plan for the change, Flying Bull Primary Academy is proposing to request pupil premium funding from the beginning of the 2022-23 academic year.
- 1.5.5 Schools are asked to note the change and to comment on the proposed dates of implementation.

## 2 Responding to the Consultation

- 2.1.1 A consultation response is attached at Appendix 3 for schools to complete. As in previous consultations, we have asked if you agree with the proposal and if you have any comments.
- 2.1.2 The consultation will close on **Friday 8 April 2022**.
- 2.1.3 Please send your completed response forms to: -

[schoolsfinancialsupport@portsmouthcc.gov.uk](mailto:schoolsfinancialsupport@portsmouthcc.gov.uk)

### 3 Appendix 1: - Education rationale Chichester Multi Academy Trust



Title of meeting: Schools Forum

Date of meeting: tbc

Subject: School Specific Financial Request

Report by: Carl McCarthy – Consultant Headteacher, The University of  
Chichester Multi-Academy Trust

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## The Hewett-Dale Centre

### 1 INTRODUCTION

- 1.1 The Flying Bull Primary Academy is a school in the Heart of Portsmouth that caters for children aged 2 to 11, and currently includes a 16-place alternative provision for children with Social, Emotional and Mental Health difficulties for pupils from Reception to Year 4. The alternative provision was driven by the dedication of Deamonn Hewett-Dale and has a strong track-record of offering a high-quality provision and successful placements built on strong relationships between Portsmouth schools, PCC and Flying Bull staff. There has always been a genuine sense of education professionals working in partnership to secure positive outcomes for our most vulnerable children across the city. Our aim is to continue to promote this model and build on this successful partnership for the benefit of the children
- 1.2 The increasing number of children with SEMH in the city has led to PCC funding the expansion of the provision at Flying Bull so that it is able to double its capacity and provide for 32 children from reception to year four.



## **2 SUMMARY OF CHANGE**

- 2.1 In February 2022 building work began to expand the Flying Bull alternative provision unit to establish a new, 32 place inclusion centre. The centre will be named The Hewett-Dale Centre which is a fitting legacy to our much-loved Headteacher who sadly died in the summer and was a great champion for the most vulnerable.
- 2.2 The current provision has a single classroom and a single teacher for 16 children but with children with increasingly complex needs the mainstream school has had to provide considerable additional support to meet the children's needs. This is no longer sustainable and is taking funding and resources away from the mainstream school with the provision running at a deficit if this contribution is considered within the costs.
- 2.3 The current provision has no dedicated leadership time. SENCO time, or administrative support and is currently using school leadership resources to meet these needs. Over the recent months it has become clear that the time needed to manage and lead the provision has grown significantly with the complexity of children and will also grow again with the increase in size of the provision. The school is no longer able to provide the level of resource required.
- 2.4 There has been significant change in the client group of children over the last four years. Four years ago, only two of the 14 children had an EHCP and needs for these children could be met in a single group with additional 1:1 support provided for the two children. Now, 13 of the children have an EHCP and many of them need full-time 1:1 support with additional staff also needed when they are distressed, to prevent them harming themselves or others. The original funding agreement and staffing model was not designed with this high level of SEND need in mind. As a result, we need to staff the centre differently to meet the increased level of need and the requirements of an expanding number of pupils on roll.

## **3. NEED FOR FUNDING INCREASE**

- 3.1 Dedicated leadership time needs to be available in order to provide day-to-day support for the increased levels of staffing and increased numbers of pupils. In addition, increased leadership capacity will offer more opportunities for liaison and communication between commissioning schools as required by Ofsted. It will also enable increased liaison with parents, as well as enabling an enhanced provision of outreach and training support.
- 3.3 Currently, the school has a single SENCO who provides SEND support for the school and the alternative provision and is funded by the school budget. This was an acceptable workload when there were only one or two children with EHCP in the provision but is no longer manageable with 13. If the current situation continues with almost all children having an EHCP, the work to manage potentially 32 EHCPs requires dedicated SENCO support.
- 3.4 The new centre will have three classrooms each for a group of between eight and twelve children and will need three teachers once it reaches its full capacity to meet the needs.



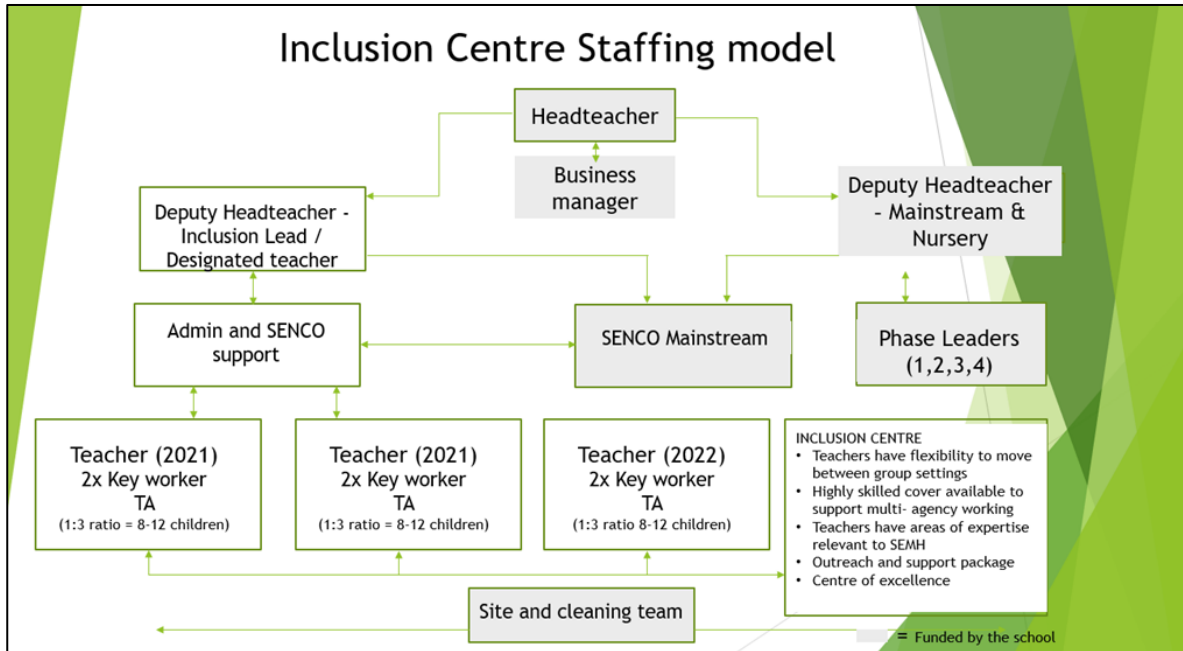
With flexible and creative use of these staff they will not only be available within the Centre but would also be available to provide outreach and transition support for home schools.

#### **4 CONCLUSION**

- 4.1 The Flying Bull Academy wishes to continue working with Portsmouth schools in the spirit of partnership to support some of the most vulnerable children in the City. Currently the school is subsidising the running of the alternative provision and this subsidy is increasing significantly because of the increased complexity of needs of the children who are attending the provision. If we are to provide a greater number of places and high quality provision to meet the needs of the children and to support the home schools with transition and re-integration, we are seeking a funding increase as identified in the consultation paper.

**4 Appendix 2: - Staffing Structure and Financial Modelling of the new provision.**

**4.1 Staffing Structure - Extended Provision**



New structure (white background).

**4.2 Financial modelling of the impact of the extended provision and new staffing structure.**

	Current structure and Element 3 Top-up values			New structure and Element 3 Top-up values		
	Academic Year			Academic Year		
	2021-22	2022-23	2023-24	2021-22	2022-23	2023-24
	£	£	£	£	£	£
<b>Income</b>						
High Needs funding	(250,659)	(349,793)	(518,300)	(250,659)	(384,033)	(582,500)
Other income	(2,235)	(13,995)	(26,900)	(2,235)	(13,995)	(26,900)
<b>Total income</b>	<b>(252,894)</b>	<b>(363,788)</b>	<b>(545,200)</b>	<b>(252,894)</b>	<b>(398,028)</b>	<b>(609,400)</b>
<b>Expenditure</b>						
Teaching staff	77,595	160,026	271,456	77,595	160,026	271,456
Teaching Support staff	169,512	176,693	246,621	169,512	176,693	246,621
Other staff	2,861	23,910	36,117	2,861	23,910	36,117
Non staffing costs	10,210	38,973	54,945	10,210	38,973	54,945
<b>Total expenditure</b>	<b>260,177</b>	<b>399,602</b>	<b>609,139</b>	<b>260,177</b>	<b>399,602</b>	<b>609,139</b>
In year (Surplus)/Deficit	7,283	35,814	63,939	7,283	1,574	(261)
Brought forward		7,283	43,097		7,283	8,857
Net (Surplus)/Deficit	7,283	43,097	107,036	7,283	8,857	8,596





**5 Appendix 3: - Consultation response**

**School name:**

**Date:**

1	To support the extended provision and enhanced educational support, do you accept the proposed increase in the Element 3 top-up value at Flying Bull Primary Academy Alternative Provision Centre?	Y	N
Please add any further comments			
2	Do you have any other comments on the proposals?	Y	N
Please add any further comments			

**Appendix B: Consultation - Comments and responses.**

1	<p>To support the extended provision and enhanced educational support, do you accept the proposed increase in the Element 3 top-up value at Flying Bull Primary Academy Alternative Provision Centre?</p>
<p><b>Comments - from responders</b></p> <p><b>Primary 2</b> With increasing numbers of children with high SEMH needs across the city, high quality provision is important. The cost to mainstream schools supporting children with SEMH needs would be more than this increase.</p> <p><b>Primary 3</b> It is not that I don't think FB don't need or would make good use of an increase in the amount of funding, but I believe that argument can be applied to all settings as we all have these very needy children in our schools that are not funded at that level. Any increase in element 3 should be looked as a whole and within the context of what is being given to a mainstream schools.</p> <p><b>Response to Primary 3</b> <i>The authority introduced an Element 3 top-up banded funding system from across all mainstream schools from 1 April 2021. The rates were increased by 3% from April 2022 in line with the mainstream budget increases. At this stage it is too soon to understand the full impact of the introduction of a banding system on both school and local authority budgets. There is no immediate proposal to review mainstream Element 3 Top-up bands, until the impact of the national SEND review is understood. But a percentage uplift will be considered when setting the annual budget, subject to overall affordability</i></p> <p><b>Primary 4</b> If I am understanding the proposal correctly, this is due to the change in staffing structure needed to facilitate this increase. It would be useful to understand the change in structure that is being put in place as this will support the understanding a little further.</p> <p><b>Response to Primary 4</b> <i>The provision will be doubling its size. There has been an increase in complexity of need and in the numbers of pupils with an EHC plan in place. There will an increase to three classes each requiring a qualified teacher plus teaching assistants. Until now there has been no dedicated leadership time allocated to the AP provision and the SENCO has covered the school and AP provision. Additional SENCO time is required to manage the provision and processes associated with EHC plans, the staff and pupils and liaise with external professionals. In addition, more time will be required for liaison with and support for parents and for transition/reintegration to mainstream school (as also highlighted in the recently published SEND and AP green paper).</i></p>	



**Primary 5**

I can fully understand the need to increase top up funding. Also, it makes sense for PPG to follow the child.

**Primary 6**

If the element 3 top up rate (1.4.6) does increase, would we revisit this in order to maintain a fair and equitable arrangement?

**Response to Primary 6**

*The authority reviews the Element 3 Top-up rates annually as part of the budget setting process. Any increases to Element 3 Top-up rates are subject to overall affordability and in-line with any increases to per pupil funding on mainstream school budgets. As part of the approval process, Schools Forum are consulted on any proposed increase to Element 3 Top-up rates and the Cabinet Member for Children, Families and Education takes the views of Schools Forum into consideration before making a decision on any changes.*

2

Do you have any other comments on the proposals?

**Comments - from responders**

**Primary 2**

Could there be further clarification about how schools will fund the increase if the child is not entitled to the pupil premium grant?

With mainstream schools having to manage challenging children, can the time frame for the centre to be at or closer to capacity be brought forward? Mainstream schools are having to support children in very challenging circumstances and therefore the sooner children can access more appropriate support the better.

**Response to Primary 2**

***Pupil premium***

*If the pupil is not entitled to pupil premium grant the placing school will not be required to provide the pupil premium funding to Flying Bull. Funding for the increase in the Element 3 Top-up, would be funded via the schools mainstream budget as it is now.*

***Opening date***

*The expansion of the Alternative Provision at Flying Bull requires substantial building work. This started in February 2022 and is expected to be completed **by January 2023.***

**Primary 3**

We do accept the proposal that pupil premium funding attached to a child should follow that child and therefore go to FB if the child is there on a pro rota basis. FB would need to provide the evidence of how that was spent for school to incorporate into their PP return.



### **Response to Primary 3**

*Pupil premium grant is only payable to the alternative provision setting if the pupil is entitled to pupil premium for the period that the pupil is attending the alternative provision setting.*

*Where schools are placing pupils with pupil premium, **Flying Bull** will provide the placing school with the information necessary to fulfil reporting requirements.*

### **Primary 4**

The proposal also includes the payment of pupil premium to FBA. As present, with school budgets as they are, with increased to energy bills etc... could it be considered that the pupil premium funding allocated to the pupil pays for part of the place, rather than it being additional.

For example;

1 child in receipt of pupil premium attends FBA as a dual registered child

- Pupil premium of £2,450 is given to FBA
- School contributes £6,300

### **Response to Primary 4**

*Pupil premium is not designed to pay for running costs within schools and the same should apply for Alternative Provision. Not all pupils attending the Alternative Provision will be eligible for pupil premium but where they are it should be recognised this is due to additional needs and vulnerabilities which must be addressed.*

*The Flying Bull Academy business case circulated as part of the consultation sets out the income required to meet the costs associated with staffing the provision to meet the needs of the pupils, this includes pupil premium where the pupil is eligible.*

### **Primary 5**

I am pleased that number of places are being expanded.

I assume the control over the provision remains with the LA and not the academy.

### **Response to Primary 5**

*Yes, control remains with the local authority, via the Fair Access Protocol.*



**Appendix C - Redwood Park Academy Element 3 Top-up values 2022-23**

<b>Solent Academies Trust - Element 3 Top-up values 2022-23</b>		
<b>Redwood</b>		
	<b>Element 3 Top up rates 2021-22</b>	<b>Element 3 Top up rates 2022-23</b>
	<b>£</b>	<b>£</b>
Band A	22,300	All Pupils are now on the new bands as set out below
Band B	12,550	
Band C	10,630	
Band D	9,050	
Band E	7,080	
Band F	4,360	
Band G	3,410	
Band H	1,690	
Core	4,130	4,250
Enhanced	9,540	9,830
Exceptional	19,720	20,310

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# Agenda Item 6



**Portsmouth**  
CITY COUNCIL

<b>Title of meeting:</b>	Schools Forum
<b>Date of meeting:</b>	24 May 2022
<b>Subject:</b>	Schools Forum Constitution 2022-23
<b>Report by:</b>	Sarah Daly, Director of Children, Families and Education
<b>Wards affected:</b>	All
<b>Key decision:</b>	Yes/No
<b>Full Council decision:</b>	Yes/No

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## **1 Purpose of report**

- 1.1 The purpose of this report is to seek Schools Forum approval to retain the existing constitution attached at Appendix A. The report seeks to update the Schools Forum on the current composition which continues to provide for the appropriate representation between maintained schools and academies within the city.

## **2 Recommendations**

- 2.1 It is recommended that Schools Forum retains the current constitution attached at Appendix A which took effect from 25 May 2021.

## **3 Background**

- 3.1 The Schools Forums (England) Regulations 2012 (as amended), together with the 'Schools Forum: operational and good practice guide' published by the Education and Skills Funding Agency<sup>1</sup>, set out how the membership of Schools Forums should be constituted, the requirements relating to the meetings of the Schools Forum and their proceedings, as well as the financial issues on which forums must be consulted.

Schools Forum approved the current constitution in May 2021. Following a review of the current pupil numbers, as set out in section 4 of this report, it is proposed to retain the current constitution.

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<sup>1</sup>[Schools forum operational and good practice guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/544222/schools_forum_operational_and_good_practice_guide.pdf)



**4 Membership**

- 4.1 The membership structure is required to be reviewed regularly to ensure appropriate representation is maintained, particularly where there is a change in the number of academies in the city.
- 4.2 Whilst there is no specified maximum or minimum size required for a Schools Forum, it is recommended that the membership should be kept to a reasonable size. The proposals below seek to retain the overall membership at 22.

**School & Academy Members**

- 4.3 The School and Academy members together must number at least two-thirds of the total membership of the Schools Forum and the balance between maintained primary, maintained secondary and academies must be broadly proportionate to the pupil numbers in each category.
- 4.4 Since the last constitution was approved by Schools Forum, there have been further Academy conversions within the city so that currently there are 18 maintained schools and 43 academies.
- 4.5 The table below summarises the pupil numbers across the categories, (based on the October 2021 census) and shows that Academies account for 71% of the pupil population in the city.

<b>Percentage of pupil numbers in each school category as at October 2021</b>						
<b>Category</b>	<b>NOR Maintained Schools</b>	<b>%</b>	<b>NOR Academy Schools</b>	<b>%</b>	<b>NOR Total</b>	<b>%</b>
Primary	5,625	74%	10,289	55%	15,914	60%
Secondary	2,019	26%	7,862	42%	9,881	37%
Special / AP	0.00	0%	722	4%	722	3%
<b>TOTAL</b>	<b>7,644</b>	<b>100%</b>	<b>18,873</b>	<b>100%</b>	<b>26,517</b>	<b>100%</b>
%	29%		71%		100%	

- 4.6 Whilst Academies account for 71% of the total pupil population in the city, this differs by phase as shown below.



<b>Percentage of pupil population by Phase as at October 2021</b>			
<b>Category</b>	<b>% Pupils in Maintained Schools</b>	<b>% Pupils in Academy Schools</b>	<b>Total</b>
Primary	35%	65%	100%
Secondary	20%	80%	100%
Special / AP	0%	100%	100%

4.7 Whilst two primary schools converted to academy status over the last year, the proportions of pupils have not changed significantly. It is therefore proposed to maintain the structure of Schools Forum membership in respect of the "School Members" and "Academy Members" as shown below.

<b>School Members:</b>	<b>Current Structure</b>
Head teacher representative - primary phase	2
Head teacher representative - secondary phase	1
Head teacher representative - special phase	0
Governor representative - primary phase	1
Governor representative - secondary phase	1
<b>Total School Members</b>	<b>5</b>
<b>Academy Members:</b>	
Primary Academy Proprietor	5
Secondary Academy Proprietor	5
Special Academy Proprietor	1
<b>Total Academy Members</b>	<b>11</b>
<b>Total School &amp; Academy Members</b>	<b>16</b>

4.8 The summary below shows how the schools will be represented in total by phase (both maintained and Academy).

Primary Members	8
Secondary Members	7
Special Members	1
<b>Total School Members</b>	<b>16</b>

4.9 A maintained school member must stand down from membership of Schools Forum if their school converts to Academy status, as the member will no longer occupy the office by which he or she became eligible for election.



4.10 There are no proposed amendments to the remaining membership which is as follows:

Councillors	4
Post-16 representative	1
Early Years representative	1
<b>Total Other Members</b>	<b>6</b>

**5 Reasons for recommendations**

5.1 The proposals within this paper are required to ensure that the operation of the Schools Forum in Portsmouth is compliant with the relevant regulations and good practice guidance issued by the Department for Education.

5.2 In particular it is necessary to regularly review the Schools Forum membership to ensure that appropriate representation is made, particularly where there is a change in the number of Academy Schools in the city.

**6 Integrated impact assessment**

6.1 An integrated impact assessment is not required as the recommendations do not have a positive or negative impact on communities and safety, regeneration and culture, environment and public space or equality and diversity.

**7 Legal implications**

7.1 Regulation 35 of the School and Early Years Finance (England) Regulations 2021 and Regulation 8 of the Schools Forums (England) 2012 (as amended) have effect to permit, on a permanent basis, public meetings of the Schools Forum to be held by remote means.

7.2 The form of constitution attached at Appendix A continues to reflect the requirements of the Schools Forums (England) Regulations 2012 (as amended).

**8 Director of Finance's comments**

8.1 There are no financial implications contained within this report.

.....  
Signed by: Sarah Daly, Director Children Families and Education

**Appendices:**

Appendix 1: Schools Forum Constitution (including the powers and responsibilities)

**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>
The Schools Forums (England) Regulations 2012 (as amended)	<a href="#">The Schools Forums (England) Regulations 2012 (legislation.gov.uk)</a>
Schools Forums: operational and good practice guide	<a href="#">Schools forum operational and good practice guide amended March 2021.pdf</a>
School and Early Years Finance (England) Regulations 2022	<a href="#">The School and Early Years Finance (England) Regulations 2022</a>

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

.....  
Signed by: **Sarah Daly - Director of Children, Families and Education**

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## Schools forum powers and responsibilities

A summary of the powers and responsibilities of schools forums.

Function	Local authority	Schools forum	DfE role
Formula change (including redistributions)	Proposes and decides	Must be consulted [voting restrictions apply - see schools forum structure document] and informs the governing bodies of all consultations	Checks for compliance with regulations
Movement of up to 0.5% from the schools block to other blocks	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal
Contracts (where the LA is entering a contract to be funded from the schools budget)	Proposes at least one month prior to invitation to tender, the terms of any proposed contract	Gives a view and informs the governing bodies of all consultations	None

Function	Local authority	Schools forum	DfE role
Financial issues relating to: <ul style="list-style-type: none"> <li>• arrangements for pupils with special educational needs, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding</li> <li>• arrangements for use of pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding</li> <li>• arrangements for early years provision</li> <li>• administration arrangements for the allocation of central government grants</li> </ul>	Consults annually	Gives a view and informs the governing bodies of all consultations	None
Minimum funding guarantee (MFG)	Proposes any exclusions from MFG for application to DfE	Gives a view	Approval to application for exclusions

Function	Local authority	Schools forum	DfE role
De-delegation for mainstream maintained schools for: <ul style="list-style-type: none"> <li>contingencies</li> <li>administration of free school meals</li> <li>insurance</li> <li>licences/subscriptions</li> <li>staff costs – supply cover</li> <li>support for minority ethnic pupils/underachieving groups</li> <li>behaviour support services</li> <li>library and museum services</li> <li>School improvement</li> </ul>	Proposes	Maintained primary and secondary school member representatives will decide for their phase. Middle schools are treated according to their deemed status	Will adjudicate where schools forum does not agree LA proposal
General Duties for maintained schools <ul style="list-style-type: none"> <li>Contribution to responsibilities that local authorities hold for maintained schools <b>(please see <a href="#">operational guide</a> for more information)</b></li> </ul>	Proposes	Would be decided by the relevant maintained school members (primary, secondary, special and PRU).	Adjudicates where schools forum does not agree LA proposal
Central spend on and the criteria for allocating funding from: <ul style="list-style-type: none"> <li>funding for significant pre-16 <a href="#">pupil growth</a>, including new schools set up to meet basic need, whether maintained or academy</li> </ul>	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal

Function	Local authority	Schools forum	DfE role
<ul style="list-style-type: none"> <li>• funding for good or outstanding schools with <a href="#">falling rolls</a> where growth in pupil numbers is expected within three years</li> </ul>			
<p>Central spend on:</p> <ul style="list-style-type: none"> <li>• early years block provision</li> <li>• funding to enable all schools to meet the infant class size requirement</li> <li>• back-pay for equal pay claims</li> <li>• remission of boarding fees at maintained schools and academies</li> <li>• places in independent schools for non-SEN pupils</li> <li>• admissions</li> <li>• servicing of schools forum</li> <li>• Contribution to responsibilities that local authorities hold for all schools</li> </ul>	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal
<p>Central spend on:</p> <ul style="list-style-type: none"> <li>• capital expenditure funded from revenue – projects must have been planned and decided on prior to April 2013 so no new projects can be charged</li> <li>• contribution to combined budgets – this is where the schools forum agreed prior to April 2013 a</li> </ul>	Proposes up to the value committed in the previous financial year and where expenditure has already been committed.	Decides for each line	Adjudicates where schools forum does not agree LA proposal



Function	Local authority	Schools forum	DfE role
<p>contribution from the schools budget to services which would otherwise be funded from other sources</p> <ul style="list-style-type: none"> <li>existing termination of employment costs (costs for specific individuals must have been approved prior to April 2013 so no new redundancy costs can be charged)</li> <li>prudential borrowing costs – the commitment must have been approved prior to April 2013</li> </ul>	<p>Read <a href="#">establishing local authority DSG baselines</a> for more information.</p>		
<p>Central spend on:</p> <ul style="list-style-type: none"> <li>high needs block provision</li> <li>central licences negotiated by the Secretary of State</li> </ul>	<p>Decides</p>	<p>None, but good practice to inform forum</p>	<p>None</p>
<p>Scheme of financial management changes</p>	<p>Proposes and consults the governing body and Head of every school</p>	<p>Approves (schools members only)</p>	<p>Adjudicates where schools forum does not agree LA proposal</p>
<p>Membership: length of office of members</p>	<p>Decides</p>	<p>None (but good practice would suggest that they gave a view)</p>	<p>None</p>
<p>Voting procedures</p>	<p>None</p>	<p>Determine voting procedures</p>	<p>None</p>

Function	Local authority	Schools forum	DfE role
Chair of schools forum	Facilitates	Elects (may not be an elected member of the Council or officer)	None

# Agenda Item 7



**Portsmouth**  
CITY COUNCIL

**Title of meeting:** Cabinet Member for Children, Families and Education

**Date of meeting:** 24 May 2022

**Subject:** Dedicated Schools Grant 2021-22 Quarter 3 Budget Monitoring

**Report by:** Chris Ward Director of Finance

**Wards affected:** All

**Key decision:** Yes/No

**Full Council decision:** Yes/No

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## **1 Purpose of report**

1.1 The purpose of this report is to inform Schools Forum of the forecast outturn position of the Dedicated Schools Grant (DSG) as at the end of December 2021.

## **2 Recommendations**

2.1 It is recommended that Schools Forum:

2.1.1 Notes the forecast budget position for the Dedicated Schools Grant as at 31 December 2021, together with the associated explanations contained within this report.

2.1.2 Endorses the budget adjustment to the Post-16 Element 3 Top-up by £12,000.

## **3 Background**

3.1 The DSG is a ring-fenced grant for Education and can only be used for the purposes of the Schools Budget as defined in the School and Early Years Finance (England) Regulations.

3.2 In February 2021, the Cabinet Member for Children, Families and Education approved, and Schools Forum endorsed, the Original DSG budget for the 2021-22 financial year. The budget was revised and subsequently endorsed by Schools Forum and approved by Cabinet Member in October 2021.

3.3 This report provides Schools Forum with the latest forecast estimate of the year-end outturn at 31 December 2021 as set out in Table 1 below.

<b>Table 1 - Dedicated Schools Grant</b>				
	<b>Original budget 2021-22 £000's</b>	<b>Revised Budget 2021-21 £000's</b>	<b>Projected outturn 2021-22 £000's</b>	<b>Projected over / (under) spend £000's</b>
<b>Income</b>				
DSG Brought forward 2020-21	0	(5,498)	(5,498)	0
DSG and other specific grants	<u>(78,791)</u>	<u>(77,792)</u>	<u>(77,449)</u>	<u>343</u>
<b>Total Income</b>	<b>(78,791)</b>	<b>(83,290)</b>	<b>(82,947)</b>	<b>343</b>
<b>Expenditure</b>				
<b>Schools block</b>				
Primary ISB	28,859	27,554	27,554	0
Secondary ISB	13,699	13,699	13,699	0
De-delegated and growth fund	<u>1,390</u>	<u>1,603</u>	<u>1,175</u>	<u>(428)</u>
<b>Total Schools block</b>	<b>43,947</b>	<b>42,856</b>	<b>42,427</b>	<b>(428)</b>
Central School Service	810	964	958	(6)
<b>Early Years block</b>				
Nursery ISB	11,587	11,587	11,587	0
Other Early Years	<u>2,702</u>	<u>2,702</u>	<u>2,702</u>	<u>0</u>
<b>High Needs block</b>				
High Needs ISB	967	1,006	891	(115)
Other High Needs cost	19,068	19,188	18,227	(960)
<b>Total Expenditure</b>	<b>79,081</b>	<b>78,302</b>	<b>76,792</b>	<b>(1,510)</b>
<b>DSG Carried forward</b>	<b>(290)</b>	<b>4,988</b>	<b>6,155</b>	<b>1,167</b>

3.4 Overall, the budget is forecast to underspend by £1.167m, the details of which are set out in the sections below.

#### **4 DSG funding changes**

4.1 In November 2021 the authority received an update to the Early Years block allocation for the 2020-21 financial year. This reflected the change in pupil numbers following the submission of the May 2021 census and compared to the January 2021 census. This reduced the early years allocation by £355,100, which has been offset against the 2020-21 carry forward as previously endorsed by Schools Forum and approved by the Cabinet Member.

4.2 There has been an increase of £12,000 for the High Needs Block following a successful challenge on the import/export numbers for pupils in post-16 settings.



- 4.3 In March 2022 the Cabinet Member approved the update to the budget, by increasing the DSG allocation and the Post-16 Element 3 Top-up expenditure budget by £12,000.

## **5 Schools Block**

### **De-delegated budgets and Growth Fund**

- 5.1 Following confirmation that there were no bulge years that required growth funding in September 2021, the planned underspend (£304,000) on the Growth Fund has been released for use in 2022-23 for the same purpose.
- 5.2 In May 2021, Schools Forum approved a payment to Manor Infant from the schools specific contingency budget. No further expenditure is expected from this budget in the current financial year and the underspend of £124,000 will be carried forward to 2022-23.

## **6 Central Schools Services Block**

- 6.1 The small underspend follows confirmation of the licence costs purchased by the DfE for all publicly funded schools.

## **7 Early Years Block**

- 7.1 At the end of the third quarter, the authority was still awaiting the impact of the Autumn census, but whilst funding is likely to reduce in the region of £1.2m, this will not create a pressure on the Early Years budget as expenditure is expected to reduce by a similar amount.
- 7.2 Therefore, at this stage the Early Years block is forecast to be as per the original budget.
- 7.3 As in previous years, any balance (surplus or deficit) on the early years block will be carried forward as part of the DSG balance to offset the further funding adjustment to the 2021-22 early years block in July 2022.

## **8 High Needs Block**

- 8.1 Overall, the High Needs Block is set to underspend by 1.075m. Table 2 below summarises the forecast outturn position as at 31 December 2021.

<b>Table 2 High Needs Budget</b>			
	<b>Total 2021-22</b>		
	<b>2021-22 Revised Budget</b>	<b>Forecast Outturn as at 31 Dec 2021</b>	<b>Variance (Under)/Over</b>
	<b>£</b>	<b>£</b>	<b>£</b>
Individual Schools Budgets	1,006,300	891,100	(115,200)
Element 3 Top up	13,359,600	12,566,000	(793,600)
Out of City providers	3,034,800	2,738,700	(296,100)
Permanent exclusion recharge	0	(7,400)	(7,400)
EYs Complex Needs Inclusion Fund	356,200	456,200	100,000
SEN support services	963,800	994,600	30,800
Medical Education	675,000	680,900	5,900
Outreach	191,900	191,900	0
Special School Teachers Pay and Pensions	546,200	546,200	0
Fair Access Protocol	60,000	60,000	0
<b>Total High Needs Block</b>	<b>20,193,800</b>	<b>19,118,200</b>	<b>(960,400)</b>

### Individual Schools Budget

- 8.2 The authority budgeted to locally fund 34 additional Special School places for the summer term, the actual pupil numbers were 14 lower than budget. The budget was revised in October 2021 to take account of the changes in pupil numbers from September 2021. The budget revision contained a provision for an additional eight places which were being discussed with The Harbour School. Following the approval of the budget, confirmation was received that the eight places were no longer required. This has increased the underspend to £115,200.

### Element 3 Top-up

- 8.3 The table below provides a breakdown of the Element 3 Top-up funding forecast position.

<b>Table 3 - Element 3 Top-up</b>			
	<b>Total 2021-22</b>		
	<b>2021-22 Revised Budget</b>	<b>Forecast Outturn as at 31-Dec-21</b>	<b>Variance (Under)/Over</b>
	<b>£</b>	<b>£</b>	<b>£</b>
EHCP Mainstream	2,735,300	2,393,800	(341,500)
Element 3 Top Up Special Schools	8,721,900	8,345,200	(376,700)
Element 3 Top Up - Inclusion Centres	354,900	350,600	(4,300)
Element 3 Top Up - AP	263,700	163,100	(100,600)
Post 16 Special Educational Needs	904,000	933,500	29,500
Element 3 Top Up - OLA School	379,800	379,800	0
<b>Total Element 3 Top-up</b>	<b>13,359,600</b>	<b>12,566,000</b>	<b>(793,600)</b>



- 8.4 Due to the pandemic and previous lock downs, this has inevitably had an impact on the number of assessments that might have taken place to determine if an Education, Health and Care Plan (EHCP) should be put in place for a child and is a major factor for why the numbers of EHCPs have been increasing at a lower rate than previously budgeted. As we emerge out of the pandemic, we anticipate that the number of EHCPs will therefore increase at a faster rate than previous years.
- 8.5 The overall forecast position reflects that the number of pupils in receipt of Element 3 Top-up funding is lower than budget for the summer term. When setting the budget, pupil numbers were increased in line with previous year's growth, but whilst the actual numbers of EHCPs are increasing over the Autumn, it is at a lower rate than budgeted, leading to the forecast underspend.
- 8.6 When setting the 2021-22 budget for pupils in mainstream schools with an EHCP, pupil numbers at the start of April 2021 were expected to grow throughout the year in line with the growth in 2019-20 and 2020-21. Actual pupil numbers at the end of December 2021 were 650, an increase of 44 over the third quarter of the financial year. The forecast also includes estimated costs for a further 38 pupils over the remainder of the financial year, where EHCP assessments are in progress but not yet completed.
- 8.7 The Special School underspend (£376,600) reflects the 44 pupils placed in Portsmouth Special Schools by other local authorities for which Portsmouth is not responsible for paying the Element 3 Top-up, plus the associated Element 3 Top-up related to the additional places budgeted at the Harbour School that were not commissioned.
- 8.8 There is a small underspend projected for the Inclusion Centres as the numbers of pupils attending is slightly lower than budgeted, but this is offset by pupils being put on bands higher than budgeted.
- 8.9 The Alternative Provision budget is projected to underspend by £100,600 due to the authority placing less pupils than budgeted.
- 8.10 The September 2021 in-take of Post 16 pupils has been agreed and finalised with colleges following confirmation of pupil destinations. A forecast overspend of £29,500 reflects the net position which includes an increase in pupil numbers from the 2020-21 academic year (27) and a decrease in average cost per pupil.
- Out of City Placements**
- 8.11 As at the end of the third quarter, the Out of City budget is forecasting an underspend of £296,100. The total budget consists of placements in Independent and Specialist providers and those at Child and Adolescent Mental Health Service (CAMHS). The table below provides a breakdown of the forecast position.

<b>Table 4: Out of City Placements</b>						
	<b>Budget</b>		<b>Forecast position</b>		<b>Variance</b>	
	<b>£,000</b>	<b>Pupils</b>	<b>£,000</b>	<b>Pupils</b>	<b>£,000</b>	<b>Pupils</b>
Independent & Specialist providers	2,992	47	2,726	46	(266)	(1)
CAMHS	43	7	13	1	(30)	(6)
<b>Total</b>	<b>3,035</b>	<b>54</b>	<b>2,739</b>	<b>47</b>	<b>(296)</b>	<b>(7)</b>

8.12 The forecast includes several pupil movements in Independent and Specialist Providers, but the budget is still expected to underspend in 2021/22.

8.13 There is no change to the forecast cost related to those pupils in CAMHS placements.

8.14 It should be noted that there remain a few new placements within the forecast (based on average cost) where the funding has not been finalised, therefore the forecast position may change as the placements are finalised.

#### **Early Years complex needs Inclusion Fund**

8.15 The forecast overspend (£100,000) includes funding for 158 pupils where funding has been agreed to the end of the financial year, plus a provision for a further 17 new pupils for the spring term 2022.

#### **SEND Support services**

8.16 The £30,800 overspend relates to increased costs associated with the Sensory Impairment and Portage plus teams.

### **9 Carry forward balance**

9.1 As at the end of December 2021, the carry forward balance is projected to be £6.1m, but there remains uncertainty regarding the DSG Early Years Funding allocation adjustments, High Needs pupil numbers and increased levels of need for the spring term, which could have an impact on the balance.

9.2 In reporting the 2022-23 budget proposals, the authority set out the revenue impact of the planned increase in the numbers of high needs places which are required over a three year period. Along with a proposal to retain a 1% contingency to manage future in-year pressures.

9.3 The table below provides a breakdown of the movement on the carry forward balance from 01 April and future commitments against the balance.





<b>Table 5 - Estimated 2021-22 Carry forward</b>		
	<b>£m</b>	<b>£m</b>
Forecast carry forward as of 31 December 2021		6.143
<b>Impact of decisions on 2021-22 carry forward</b>		
Schools specific contingency	(0.124)	
Carry forward of Growth Fund balance	(0.304)	(0.428)
<b>Sub total</b>		<b>5.715</b>
Revenue implications of High Needs places for future years	(2.040)	
Contingency to manage in-year pressures	(1.826)	(3.866)
<b>Forecast carry forward available for use</b>		<b>1.849</b>

**10 Reasons for recommendations**

10.1 It is recommended that Schools Forum notes the contents of the report in respect of the forecast outturn for 2021-22 as at the end of the December 2021.

**11 Integrated impact assessment**

11.1 An integrated impact assessment is not required as the recommendations do not have a positive or negative impact on communities and safety, regeneration and culture, environment and public space or equality and diversity.

**12 Legal implications**

12.1 There are no legal implications arising directly from the recommendations in this report.

**13 Director of Finance's comments**

13.1 Financial comments and implications are included in the body of this report.

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Signed by: Chris Ward, Director of Finance and Resources

**Appendices:**

**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
School and Early Years Finance (England) Regulations 2021	<a href="#">The School and Early Years Finance (England) Regulations 2021</a>

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

.....  
Signed by: