

YORK SCHOOLS FORUM

Tuesday 28th September 9.00am – 12.00noon

Agenda

1. Welcome
2. Apologies for absence
3. Election of Chair and Vice-Chair
4. Membership update (pages 2-3)
5. Minutes of the Schools Forum meeting of 6th July 2021 (pages 4-20)
6. Matters arising not on the agenda
7. Initial 2022/23 start budget (pages 21-29)
8. Deficit recovery plan / Inclusion review (pages 30-56)
9. Broadband provision update (pages 57-61)
10. Schools Forum forward plan
11. Any other agreed business
12. Date and time of meetings during the current academic year:
 - 8th February 2022 9.00am
 - 3rd May 2022 9.00am
 - 5th July 2022 9.00am

YORK SCHOOLS FORUM – MEMBERSHIP 2021/2022 – FROM SEPTEMBER 2021

		<i>Name</i>	<i>Term of office – three years in all cases</i>
Schools members: 13 Maintained school / academy representation to be reviewed regularly to ensure compliance with regulations.	Two maintained (including VA and VC) primary school members including a governor representative	James Rourke (Lord Deramore’s Primary)	23/09/20 – 22/09/23
		Jenny Rogers (Copmanthorpe Primary)	28/01/19 – 27/01/22
	Two maintained (including VA and VC) secondary school members	Governor representative – to be nominated by maintained school governors	<i>Appointment pending</i>
		Secondary school representative – to be nominated by maintained secondary school headteachers	<i>Vacancy</i>
	Six academy members	Adam Cooper (South Bank Multi Academy Trust)	06/09/21 – 05/09/24
		Helen Winn (Hope Learning Trust)	01/09/20 – 31/08/23
		Andrew Daly (Pathfinder Multi Academy Trust)	20/03/20 – 19/03/23
		Gail Brown (Ebor Academy Trust)	01/01/20 – 31/12/23
		Dee Statham (St Margaret Clitherow Catholic Academy Trust)	01/09/19 – 31/08/22
		Steve Lewis (South York Multi Academy Trust)	01/04/20 – 31/03/23
One special school member	Adam Booker (Applefields Special School)	01/06/20 – 31/05/23	
One maintained nursery school member	Claire Rigden (St Paul’s Nursery)	01/01/21 – 31/12/23	
One PRU member	Mark Richardson (Danesgate Community)	01/12/20 – 31/11/23	
Non-schools members: 2	One 16-19 representative	Lee Probert (York College)	01/09/19 – 31/08/22
	One PVI early years representative	Helen Gration	01/01/21 – 31/12/23

TOTAL MEMBERS: 15		15	
Invitees:	Executive Member for Children, Young People and Education / Appointed Member	Cllr Ian Cuthbertson	
	Corporate Director of Children's Services, Education and Skills	Amanda Hatton	
	Assistant Director, Education and Skills	Maxine Squire	
	Head of Finance	Richard Hartle	
TOTAL INVITEES: 4		4	

Updated September 2021

CITY OF YORK SCHOOLS FORUM

Minutes of the additional Schools Forum meeting held on Tuesday 6th July 2021 at 9.00am via Zoom

Present: Trevor Burton (Academy Representative and Chair), Adam Booker (Special School Representative), Gail Brown (Academy Representative), Di Gomery (Maintained Secondary Governor Representative), Helen Gration (Early Years Sector Representative), Mark Richardson (Pupil Referral Unit Representative), Claire Rigden (Maintained Nursery Headteacher Representative (VC)), Jenny Rogers (Maintained Primary Headteacher Representative), James Rourke (Maintained Primary Headteacher Representative), John Tomsett (Maintained Secondary Headteacher Representative), and Dee Statham (Academy Representative)

In attendance: Cllr Ian Cuthbertson (Executive Member for Children, Young People and Education), Maxine Squire (Assistant Director, Education and Skills, CYC), Richard Hartle (Head of Finance, CYC), Sue Day Head of SEND and Inclusion, CYC and Salli Radford (Head of Governor Services, CYC, Coordinator and Clerk)

1. Welcome

The Chair welcomed everyone to the meeting.

2. Apologies for absence

Apologies were received from Andrew Daly (Academy Representative), Steve Lewis (Academy Representative), Lee Probert (FE Representative),

and Helen Winn (Academy Representative). Amanda Hatton (Corporate Director – People, CYC) was unable to attend the meeting.

3. Election of Chair and Vice-Chair

It was noted that no nominations had been received prior to the meeting. The Chair encouraged Forum members to consider the role and to discuss with Maxine Squire prior to the beginning of the next academic year.

4. Membership update

Previously distributed. The membership update was noted. The Chair thanked Di Gomery and John Tomsett for their contribution to the Forum.

5. Minutes of the York Schools Forum meeting of 4th June 2021

Previously distributed. The minutes of the meeting were agreed to be a true and accurate record.

6. Matters Arising

There were no outstanding action points to report.

Matters arising: None.

7. Deficit recovery plan

Maxine Squire presented an update on the deficit recovery plan. It was noted that the LA was scrutinising the High Needs block element of DSG funding to identify trends relating to assessment of need, project future pressures and identify potential reductions in spend against this budget. It was noted that financial tables were being populated by Richard Hartle and Mike Barugh, with SEN Services also contributing to this process.

The narrative being prepared for submission to the DfE with the budget plan was shared on screen, with Maxine advising that this outlined the

current demographic and future trends. It was noted that a significant number of plans were currently in place for post 16 and post 19 provision, with this being an area of growth in York. Maxine advised that this trend was not in line with the experience of other LAs in the region and that the LA was considering provision pathways to ensure plans could be ended and were not maintained longer than needed. Maxine highlighted the need to identify routes out of education into employment and care packages.

Maxine advised that data had been reviewed against statistical and regional neighbours as well as national averages, with this exercise showing that the mechanisms used in York to code some provision was not in line with other LAs. It was noted that a significant number of young people with EHCPs were being supported within the Danesgate Community and that the balance towards alternative provision rather than SEN provision was currently disproportionate.

Maxine advised that benchmarking was being undertaken to identify required focus areas, though Section 251 codings were not consistent across the country. Maxine further advised of the need to understand whether this was a coding issue or whether the base spend on EHCPs was disproportionately high.

Maxine outlined the LA Central block spend, advising that this was being re-profiled to ensure High Needs DSG was allocated appropriately and that statutory costs were set against Central block funds. This would support the LA in addressing the High Needs overspend.

Maxine advised that the LA was seeking to reinvigorate responsive mainstream provision and had identified areas it would be productive to develop to support the management of pressures.

Maxine advised of major High Needs trends, with some highly complex cases being managed within the city. It was noted that these cases required extensive and intensive packages of support which could not be fully supported within York provision. Adam Booker confirmed that management of more complex cases was challenging and not always sustainable, providing contextual examples. It was noted that some young people were not attending education settings regularly due to the complexity of their cases and that the LA would need to ensure appropriate provision.

Maxine advised that the LA was working with alternative provision to improve commissioning and contract management. It was noted that a joint commissioning strategy had been developed with the CCG and that discussion could now be facilitated to allow the sharing of costs where appropriate. This would enable a contribution from health where appropriate and the joint commissioning of support. It was noted that Sue Day was working with the CCG on this project.

Maxine advised that pressure had been identified around transition points, with a growth in statutory assessment requests post-16 and post-19. Maxine advised of the need to work with providers on this process as point of place transfer was currently triggering EHCP assessments which could usefully have been undertaken earlier.

Maxine advised that Sue was leading a review of the assessment process, though nationally there were an increasing number of mediations and legal challenges arising as increased rigour was applied to assessment and review processes.

Maxine advised that a management plan was being developed to ensure the LA delivered the best possible outcomes and would be used to inform decisions on commissioning and delivery of services. It was noted that

the LA would need to increase opportunities to seek children and young people's voice. It was noted that parents were involved in processes and that the consultation had addressed children and young people's voice to a degree, though the LA would need to consider how these views would be included in each aspect of the SEND process. Maxine advised that audit work on EHCPs had revealed variability relating to the voice of the child. Maxine advised of the post-16 and post-19 pressures and the need to hear the ambitions and hopes of young people, with this being a highly complex piece of work requiring the need to understand consent and choice for young people with complex needs.

Maxine advised that stakeholder engagement, co-production and consultation would be developed, with reports to be brought to each Forum meeting to enable the sharing of progress and actions. Maxine advised that the challenge and input of the Forum was key, and that plans would also be shared with providers within the city and with established stakeholder groups. It was noted that the Parent Carer Forum had been involved at each stage of the Inclusion Review and had co-produced the outcome framework. It was noted that the Inclusion Review consultation had closed on 30th June and that an update would be provided under item 10 of the agenda.

Maxine advised that Cllr Cuthbertson's role as key Elected Member and Executive Group link would be involved at each stage, with the Children, Education and Communities Policy Scrutiny Committee retaining oversight. Maxine further advised that health partners were also involved in the process as was the SEND improvement board.

Maxine outlined the key risks and mitigations identified, including continuation of the increase in requests for statutory assessments as a risk, though this did appear to be stabilising and the demographic steadying.

Gail Brown left the meeting at 9.30am.

Maxine advised of an increase in parental requests during the pandemic, with increased anxiety following disruption to schooling and concerns regarding transition identified as drivers. Maxine advised that an increase in the rate of mediation and appeals had been anticipated but that the pandemic had further impacted. It was noted that an increase in the number of requests for out of area provision had logged during this period.

Maxine advised that primary need relating to SEMH and autism was an area of pressure, with an increase in pupils with autism with very high anxiety and autism with special need as SEMH.

Maxine advised that the LA had also experienced an increase in requests for out-of-area provision for other groups including hearing and visual impairment. It was noted that a small number of more complex cases required specific support which it was more efficient to commission externally.

Maxine advised that the low level of funding received by the LA limited options to develop a graduated response, with this to be highlighted with the ESFA. It was noted that the ability to proactively fund mainstream provision would help relieve some existing pressures.

Maxine advised of the mitigations in place, including the strong work with colleagues supporting adults to relieve post-19 pressures. It was noted that future sufficiency was being addressed by the Inclusion Review and that mainstream settings were working to develop a graduated response with support for CPD from the Teaching School Hub. It was noted that forecasting and budget management processes were also being developed.

Maxine advised that project management support was needed to manage the recovery plan, with Maxine, Sue Day and Mike Barugh needing

specialist input and a project board going forward. It was noted that the LA would draw on external specialist support.

Maxine outlined the steps being taken to manage demand pressures, including paperwork management across the People Directorate which worked across all ages. It was noted that a working group had been established with specific responsibilities for 19-25 commissioning. Maxine advised that the post-19 local offer was being looked at in detail to ensure equity and to reduce the assumption of all plans continuing to age 25. It was noted that a data management system would be used to identify and manage trends.

Maxine outlined other steps being taken to improve the sharing of best practice and streamline processes.

The update was noted and questions invited.

In response to a question regarding the reduction in overall SEND assessments and whether this had been evidenced, Maxine advised that demographic mapping was being undertaken and showed that assessments were beginning to flatten. Sue Day advised that the rate of growth was still increasing, though the speed of growth was slowing. It was noted that Section 23 notifications were in place to flag children under five with potential concerns and that four-to-nine year olds were being concentrated on to identify need and support. It was noted that it was possible that the impact of the pandemic had resulted in a slowing of the identification of needs in early years.

Helen Graton advised that it was difficult for early years settings to have needs identified during the pandemic, asking how needs would be identified earlier as outlined in Maxine's update. Sue advised that needs would be identified through Section 23 notifications, though families would vary in their response to this process which would not automatically lead

to an EHCP. It was noted that other plans could be offered, with gradation at the earliest stage. Sue advised of the need to identify children with potential SEND, know where they were and how they were supported. It was noted that children and young people aged 0-25 were covered by legislation and that health screening, the NESTA early identification project and other activities were providing the LA with access to rich data. It was noted that issues were generally identified at two years and over.

In response to a question regarding in-area provision and the potential for the LA to seek an increase in funding to enable mainstream provision to take pressure off specialist and, potentially, external provision, Maxine advised that the LA was awaiting the outcome of the national SEND review to support future planning. It was noted that this process might result in recommendations to increase funding in mainstream provision. It was noted that the current funding position related to demographic make-up and the percentage of the city's population in key demographic groups. It was noted that York had low IDACI band prevalence and that the review was unlikely to bring significant additional funding.

Richard Hartle advised that the LA was most likely to secure funding to support clearance of the deficit.

In response to a question regarding the modelling of the impact of potential additional funding, Maxine advised that the LA needed to reduce the number of EHCPs being maintained, with this being one of the main strands of activity. Maxine advised that a change in demographic trend and anticipated reduction in intake to primary schools would reduce overall pressure, further advising that corrective activity across declining cohort sizes provided an opportunity to bring the management of funding into line. It was noted that primary to secondary phase transfer was a pressure point, with secondary schools experiencing significant specialist need.

Maxine advised that the LA was sharing the narrative that would accompany financial modelling and detail when submitted to the ESFA. Richard advised that LA officers had met with DfE representatives and were keen to meet again to consider the plan. It was noted that the plan needed to be robust in order to secure a write-off of the cumulative deficit, and must be deliverable. It was noted that insecure data would potentially jeopardise funding.

The Chair noted that the outlook appeared more sustainable, querying the costs relating to SEN transport which represented a significant issue for the LA in terms of financial contribution. Maxine advised of the need to consider the use of discretionary transport, with the LA having been quite generous in its approach over time. Maxine provided examples of service delivery that could be reconsidered.

In response to a question regarding the impact of transport on expenditure, Richard advised that the LA spent c£2m on High Needs transport each year, with this a significant funding commitment which had increased in recent years. Richard advised of the need to reduce this outgoing by a minimum of £1m in order to secure ESFA approval of the budget plan. This challenge was noted.

The Chair queried the approach to be taken to secure NHS funding for the health element of EHCP costs, as this was not accessible by schools. Maxine advised that this was already being addressing, with assessments for EHCP revised to ensure that therapies were being funded correctly. Sue advised that funding would not necessarily be received as a direct contribution to an EHCP but related to the costing of provision, for example for independent therapies, which the LA met but could discuss with Health colleagues. It was noted that the LA viewed personal budgets as being too low and believed that some provision could be provided more cost-effectively to give more flexibility to families. Sue advised that the

issue was being considered in the round and that support from health colleagues was required this would be pursued as the LA should not pick up unnecessary costs.

The Forum endorsed the plan and expressed support for delivery going forward.

8. DSG outturn 2020/21

Previously distributed. Richard Hartle advised that the recovery plan outlined under item 7 aimed to recover from the position set out in the outturn paper.

Central Services Block - Richard advised that the gross DSG expenditure for 2020/21 had totalled £148.067m, including an overspend of £6.061m. It was noted that income against DSG had been higher than budgeted and when combined with post-16 income had reduced the deficit to £4.075m. The Forum noted the resultant carried-forward deficit DSG of £9.940m. It was noted that the DSG deficit recovery plan sought to address the in-year position, with the request to write-off the cumulative deficit being a separate exercise.

Richard advised of the detail relating to each funding block included in the paper, with some aspects being straightforward. It was noted that the Central Services block included an underspend against the School Improvement Commissioning Fund (SICF) due to the allocation of DSG on a financial year basis with expenditure over the academic year. It was noted that the underspend of £664k would be carried-forward to 2021/22 as a financial commitment to school improvement.

Early Years Block - Richard advised that the Early Years block showed a small underspend of c185k. It was noted that this would be carried forward to fund the anticipated negative adjustment to DSG in 2021/22.

High Needs Block - Richard advised of the significant ongoing overspend, with in-year expenditure £4.266m higher than budgeted for and £5.216m higher than DSG funding provided by the DfE. It was noted that this ongoing overspend would be removed via the recovery plan. Richard highlighted the significant pressure on budgets as outlined by Maxine Squire.

Richard advised that Annex 1 provided detail of the expenditure against government grant income across the various blocks. It was noted that this showed a total deficit of £9.94m carried forward to 2021/22.

A Forum member referred to the underspend against grants for three and four year olds, asking whether this would be carried forward into the general DSG or within the Early Years Block. In response to this question and a question regarding the option to use the underspend to ensure it was not lost from the phase via a one-off payment or additional support, as some LAs were arranging, Richard advised that the LA had taken the position that the underspend would remain in the Early Years block. It was noted that the LA anticipated a reduction of DSG for Early Years in 2021/22 and that the funds would be required. It was noted that the reduction would be due to the underspend in the previous year but that it had not been confirmed that the reduction would absorb all £185k due to the complexity of the last year. Richard advised that any remaining funding would be brought to the Forum with a suggestion to allocate it to support early years or another aspect of provision. It was noted that historically the LA had recorded a small carry forward balance. Richard advised that other LAs were considering how to allocate this funding, with different budgeting approaches and some contingency provisions resulting in an underspend, though this had not been the approach in York. It was noted that the LA allocated all of the DSG block other than retaining 5% for LA overheads and that there had been no significant underspends in

the past, with this approach due to York's position at the lower end of the funding scale.

The report was noted.

9. Maintained school balances

Previously distributed. Richard Hartle advised that school reserves, including capital and revenue balances, had increased from £2.344m in March 2020 to £4.387m in March 2021, with this representing an increase of 87%. It was noted that this was not anticipated or identified in-year.

Richard advised that the report provided detail of revenue and capital balances. The Forum considered Annex 1, which provided a comparison of total reserves as a year-end position since 2016/17. The table also detailed the in-year monitoring positions for 2020/21 which illustrated the unanticipated nature of outturn positions.

The Forum noted the revenue and capital balances, noting that the revenue position was reflective of an overall increase in reserves at outturn.

Richard queried the financial planning undertaken by schools and the significant increase in reserves between autumn term monitoring and year-end. Richard highlighted the need to understand the impact of the pandemic and to build the confidence of schools to undertake effective financial planning.

Discussion followed, with the Forum noting that the government had made some funding available which schools were claiming where possible. Concerns were expressed regarding funding cuts in future years and the inclusion of teachers' pay and pension grants in the National Funding Formula. The Forum noted the need to understand how this change would impact as schools might not understand the full implications once

separation, and therefore, visibility of this funding ended. Richard advised of some concern that the DfE may take a view on increased balances and, if a pattern emerged across the country, that this might influence funding decisions in the future. Richard advised that it was positive to see that reserves were healthy but that the unforeseen nature of the increases raised other concerns.

Further discussion followed. It was noted that national funding data would be monitored to gauge the impact of the pandemic.

A Forum member reported that some savings had been made during closures, for example against heating budgets, but that some schools were not able to access Covid funding due to their reserves being above a certain level, resulting in an unequal impact.

Sue Day and John Tomsett left the meeting at 10.20am.

In response to a question regarding the difference between some school start budgets and outturn position, Richard advised that the charts included in the paper provided detail. It was noted that some primary schools had reported an outturn significantly higher than anticipated, with no primary school in deficit at the year-end despite six schools having anticipated an overspend.

In response to a question regarding the opportunity to support schools in planning to prevent a future budget deficit, Richard advised that this would partly depend whether schools were accessing LA support for financial management, as ongoing support was dependent on a setting accessing the LA's traded services. Richard advised that a setting recording an in-year surplus would need to identify whether this was due to the pandemic or other issues.

Richard highlighted the charts illustrating the total revenue balance as a percentage of core funding for the year. It was noted that the maximum

permitted carry forward balance was 8% for primary and 5% for secondary schools, with some schools above this threshold. It was noted that an analysis of balances and removal of committed balances had been undertaken to compare uncommitted balances with thresholds and that two schools had been identified as carrying balances not formally signed-off. It was noted that these were not expected to trigger clawback.

The Forum noted that the LA was not expecting to claw back reserves from 2020/21, though this would be confirmed for September. It was noted that some final confirmation of balances was awaited from schools.

Cllr Cuthbertson left the meeting at 10.30am.

In response to a question regarding the variation in savings made by secondary schools during the pandemic, Richard advised that the LA was unsure of detail at this stage, though this could be brought to a future meeting. The Forum noted the contextual differences in the operational impact of the pandemic on individual settings.

The report was noted.

10. Inclusion Review

Maxine Squire provided a verbal report, advising of 623 responses received from the consultation which had closed on 30th June. It was noted that the majority of responses were received from adults, mainly parents and professionals, with 66 responses from the under 16 group. It was noted that the Local Offer Officer had run a separate consultation with children and young people through schools. Maxine advised that 72% of respondents were female and that respondents were predominantly white British.

The Forum noted the strong engagement with questions and the provision of narrative answers.

Cllr Cuthbertson re-joined the meeting at 10.40am.

Maxine advised of the strong endorsement for early intervention, and enhanced resource and satellite provision, with comments indicating a view that all teachers in mainstream settings should receive SEND training.

Gail Brown re-joined the meeting at 10.40am.

It was noted that the term “inclusion” had been challenged by some respondents, with “appropriate inclusion” preferred.

Maxine outlined feedback relating to specialist SEMH provision, advising that the Danesgate Community had been seen to be dealing with a different type of need, with this strand clearly coming through.

It was noted that some terminology was not understood within the community and that the LA would need to consider definitions. Maxine provided examples, highlighting the broad response received which had included both those invested in the system and those with children in mainstream provision. Maxine advised that the role of SEN in mainstream education had been highlighted, with a desire for all children to learn together and the benefits of social inclusion expressed by respondents.

Maxine advised that the process had provided a clear endorsement of the need to maintain mixed provision. It was noted that responses were in the early stages of analysis and that an executive report would be shared with the minutes of the meeting to enable Forum members to see the themes and activities identified.

It was noted that activities to capture the voices of young people identifying social elements for this group were ongoing and that education recovery surveys heavily identified the social elements of school.

In response to a question regarding the SEND training for teachers and availability of a glossary for SEND terms, Maxine advised that some comments had been received supporting the idea that all secondary schools should have an ERP on site and that some mainstream teachers were keen to receive support for SEND.

In response to a question regarding the timeframe for changes to be implemented, Maxine advised that Business Intelligence would provide a full report, with this to go to the Executive during the autumn to enable consideration of in-city provision.

The update was noted.

11. Schools Forum forward plan

Richard Hartle outlined the forward plan:

September 2021

- Maintained school start budgets 2021/22
- Initial 2022/23 school and DSG budget planning
- Deficit recovery plan / Inclusion review
- Broadband contract update

12. Any other agreed business

There was no other business.

13. Date and time of future meetings

The next meeting would take place on **28th September 2021 at 9.00am.**

The meeting closed at 10.50am.

Report of the Corporate Director of Children, Education & Communities and the Head of Finance Adults, Children & Education

THE SCHOOLS BUDGET AND THE DEDICATED SCHOOLS GRANT FOR 2022/23

Summary

- 1 This report provides the Schools Forum with initial information on the Schools Budget and Dedicated Schools Grant (DSG) funding for the 2022/23 financial year. The report focuses on decisions that the forum will need to make or areas that the local authority (LA) is required to consult the forum on, in order for budgets for schools, early years providers and LA maintained services to be set.

Background

- 2 The DSG is ring-fenced for funding the provision of education or childcare for 3 to 16 year olds in all settings. As such it covers funding delegated to individual LA maintained schools, academies and PVI providers through the LMS & Early Years funding formulae, plus funding for other pupil provision which is retained centrally by the LA to support such things as Special Educational Needs and some central education services.
- 3 The DSG allocations for schools, high needs and the central school services block have been run under national funding formulae (NFF) since April 2018. These arrangements are broadly continued for 2022/23 but with some changes to the Schools NFF and a continuing reduction in the funding allocated to the LA for centrally retained budgets.

DSG Allocations for 2022/23

- 4 The funding LAs receive in each block is now determined by a specific national funding formula (NFF). At the time of writing this report the allocations for the Early Years block had not been announced. The total DSG allocation (excluding Early Years) for 2022/23 is estimated at £141.989m, an increase of £3.709m (2.7%) from 2021/22 and broken down as follows:

	2021/22	2022/23	Increase	
	Adjusted	Provisional	£m	%
	£m	£m	£m	
Schools Block	112.597	115.397	2.800	2.5%
High Needs Block	22.917	24.211	1.294	5.6%
Central School Services Block	2.766	2.380	(0.386)	(14.0%)
	138.280	141.989	3.709	2.7%

Note – excludes Early Years block

- 6 The vast majority of the Schools Block DSG (£115.006m) is used to fund the local funding formula for mainstream schools (maintained and academies). Following a detailed consultation with all schools and the Schools Forum prior to setting the 2018/19 budget, the LA agreed to introduce the DfE's new national funding formula (NFF) at school level from April 2018. For 2022/23 the LA is again proposing to follow the NFF for schools.
- 7 The funding factors used in the 2022/23 NFF remain the same, except for the sparsity factor which is discussed later. The NFF factor values will increase by the following amounts:
 - 3% to basic entitlement, free school meals at any time in the last 6 years (FSM6), income deprivation affecting children index (IDACI), lower prior attainment (LPA), English as an additional language (EAL) and the lump sum
 - 2% to the floor, the minimum per pupil levels and free school meals (FSM);
 - 0% on the premises factors, except for PFI which has increased by RPIX.
 - £10,000 to the maximum sparsity values
- 8 Data on pupils who have been eligible for FSM6 is now taken from the October 2020 school census instead of the January 2020 census, to make the factor more up to date and bring it in line with arrangements for other NFF factors as well as the pupil premium.
- 9 In calculating low prior attainment proportions, data from the 2019 early years foundation stage profile (EYFSP) and key stage 2 (KS2) tests is used as a proxy for the 2020 tests, following the cancellation of assessment due to coronavirus (COVID-19).
- 10 Pupils who joined a school between January 2020 and May 2020 attract funding for mobility based on their entry date, rather than by virtue of the May school census being their first census at the current school (the May 2020 census did not take place due to coronavirus (COVID-19)).
- 11 Further to the consultation on changes to the payment process of schools business rates, schools business rates will be paid by the ESFA to billing authorities directly on behalf of all state funded schools from 2022 to 2023 onwards. Further details on this will be issued separately by the ESFA in the autumn.
- 12 In response to the DfE's sparsity consultation they have made two changes. Schools sparsity distances are now based on road distances, instead of straight-line distances, and a sparsity distance taper has been introduced, in addition to the existing year group size taper. Prior to these changes no York schools have benefited from sparsity funding. However, under the revised criteria it is likely that a small number of York's smallest rural schools may now trigger this funding. This will only be confirmed once data from the October school census has been analysed.
- 13 At a national level, school funding through the NFF is increasing by 3.2% overall in 2022/23 and by 2.8% per pupil. However the average increase for York schools is estimated at 2.5% as a significant number of schools are either already receiving protection through the funding floor or the minimum per pupil amounts which only increase by 2% in 2022/23.

- 14 Local authorities will continue to determine the final allocations for all local mainstream schools in 2022/23, but the DfE are in the process of consulting on how to complete their reforms to the schools NFF in the longer term.

Growth Fund

- 15 The remaining £0.391m of the Schools Block DSG is allocated to the growth fund, although this amount will be confirmed once the autumn census numbers are known. The growth fund can only be used to support increases in pre-16 pupil numbers to meet basic need, additional classes needed to meet the infant class size legislation or meet the costs of pupils in new schools commissioned to meet basic need. The growth fund may not be used to support schools in financial difficulty or general growth due to popularity; which is managed through lagged funding. The proposed criteria and formulae for allocating the growth fund are set out at Annex 1.
- 16 The amount of growth funding allocated to the LA by the DfE continues to fall, from £0.800m in 2018/19 down to £0.391m in 2021/22. The level of funding required to be allocated to schools under the current local growth criteria and formulae is difficult to predict with any certainty each year. In each of the last three years the fund has been overspent and this is likely to continue as the DSG allocation from government reduces. Therefore, for all allocations made since the 2020/21 academic year onwards, the LA has implemented a cash limit on this budget. This means that if the total of all allocations to schools in a particular year, calculated via the relevant formulae, exceeds the budget available then all allocations will be reduced pro-rata.

Early Years Block

- 17 In 2021/22 the DfE increased hourly early years funding rates to York by 6p per hour (1.4%) for 3 & 4 year olds and 8p per hour (1.5%) for 2 year olds). The LA increased provider funding rates (including deprivation) by the same percentages. We do not expect to know what increase, if any, the DfE will provide in 2022/23 until later in the autumn, but we propose, once again, to increase the basic hourly rates to providers and the hourly deprivation supplement by the same percentage as any increase in the hourly rate received by the LA from DfE
- 18 Similarly, under the formula the DfE established in 2017 to support stand-alone nursery schools, any amount received by the LA will be passed on in full to St Paul's Nursery School.

High Needs Block

- 19 The high needs block DSG increases by £1.294m (5.6%) in 2022/23. As has been previously reported, the high needs budget is already under significant pressure due to rising demand from increased numbers of SEND pupils. For 2021/22 there is a projected net outturn overspend on the high needs budget of £3m, contributing to an estimated deficit carry forward DSG balance of £13m into 2022/23.
- 20 Projections for 2022/23 show that; based on the increased funding, current numbers and expected inflationary pay and contract price increases and without any significant mitigating action, the in-year overspend should reduce to £2.5m. Significant mitigations will therefore

be required to bring the in-year pressure back down to a balanced position and to start to make inroads into the cumulative deficit.

Central School Services Block

- 21 This funding block was created in 2018/19 from elements of the previous schools block and the former Education Services Grant (ESG). As part of the DfE's strategy to remove funding within this block that directly supports exceptional expenditure previously agreed between LAs and their Schools Forums, there is a significant net reduction of 14.0% in 2022/23. This follows similar reductions in 2020/21 and 2021/22. This net reduction is made up of a 2% increase in the allocation for the ongoing responsibilities that the LA continues to have for all schools, and a 20% reduction in the allocation for historic commitments.
- 22 For 2022/23 this means allocations of £0.804m for LA on-going responsibilities and £1.576m for historic commitments. As historic commitments currently total £1.970m in 2021/22 the LA, in consultation with the forum, will need to identify budget reductions totalling £0.394m for 2022/23. A description of the historic commitments and the background to how they were created is set out below.

Termination of Employment Costs (£0.383m)

- 23 School redundancy and early retirement costs where the revenue savings achieved by the termination of employment to which they relate are greater than the costs incurred. The costs charged to this budget only relate to decisions made prior to 2013/14. For information, the total expenditure incurred by the LA on school staff redundancy and termination costs is expected to be in excess of £1m in 2021/22.

Prudential Borrowing Costs (£0.312m)

- 24 This budget is set aside to fund the repayment of loans for school building capital works where the original investment contributed towards an overall net revenue saving to the Schools Budget. Contributions to the following schemes are covered by the current budget provision:
- York High School (Merger of Lowfield and Oaklands Secondary Schools)
 - Clifton with Rawcliffe Primary School (Merger of Clifton without Junior and Rawcliffe Infants Schools)
 - Our Lady Queen of Martyrs Primary School (Merger of Our Lady's and English Martyrs Primary Schools)

Contribution to Combined Budgets (£1.771m)

- 25 Under the school finance regulations prior to 2012/13 schools could agree (through the Schools Forum) to allow the LA to use DSG funding to support certain central services that have a wider educational benefit or generate a net overall saving to the Schools Budget.
- 26 A significant proportion of this funding relates to former standards fund grants that were mainstreamed in 2011/12. At that time a total of £12m of standards fund grants were transferred into the DSG. Of this £11m was delegated directly to schools or other settings through the school funding formula or other mechanisms. As the remaining £1m of

standards fund allocations were supporting central services the Schools Forum agreed to allow this to continue in the following areas:

- School Improvement Service (£0.641m)
- Children's Centres on school sites (£0.355m)

27 The remaining funding retained under the combined budget heading relates to three specific decisions made prior to 2012/13 by the Schools Forum:

- Children Looked After (£0.400m). This is used to support a combined budget for managing education and care placement costs for the city's LAC population, and the development of a high quality local fostering programme. This followed a report on the placement strategy for LAC that was presented to the lead Member for Children's Services in 2006. This report set out the advantages both for the individual children's care and education and financially of the approach being taken. This contribution, towards a totalling fostering budget of £3.4m, allowed the LA to significantly reduce the number of children in out of city placements. Local placements and their associated education costs are significantly lower than more expensive external placements. This resulted in significant savings to the Schools Budget for the education element of these placements with an estimated on-going annual saving of over £1.8m achieved from this investment.
- Safeguarding Advisor (Schools) (£0.050m). This funding, agreed in 2009/10, allows the LA to employ an additional post within the Safeguarding Unit with a specific role of supporting schools to deliver on their safeguarding duties.
- Schools Causing Concern (£0.200m) / School Improvement Topslice (£0.125m). Although this funding is initially retained centrally by the school improvement service it is all ultimately either allocated to individual schools or spent on activity supporting improvement at individual schools.

28 The forum will note that in respect of the budgets for School Improvement (£641k), Schools Causing Concern (£200k) and School Improvement Topslice (£125k), totalling £966k, the forum has made a further set of decisions to bring these budgets together into a School Improvement Commissioning fund. Decisions on the use of this fund are subject to regular separate reports to the forum.

29 Members of the forum are asked to give their views on how the LA should manage the required £0.394m budget reduction for 2022/23, including any further information they would require, before the final decision needs to be made at the February 2022 Schools Forum meeting.

30 For completeness, the remaining budgets that fund the on-going LA central responsibilities are described below. The LA proposes no further changes to these budgets for 2021/22.

School Admissions (£0.185m)

31 This budget contributes to the costs of the LA's statutory functions in respect of the schools admissions processes.

Servicing of Schools Forums (£0.045m)

- 32 This covers the costs of the School Forum meetings including officer time in preparing reports and attendance, and other associated costs such as consultations linked to specific School Forum related decisions.

School Copyright Licence Agreements (£0.125m)

- 33 This budget is retained centrally to fund the costs of a number of school copyright licence agreements that are now negotiated nationally by the DfE for all publicly funded schools and charged to LAs rather than to individual schools. For 2019/20 these are:
- The Copyright Licensing Agency licence
 - The School Printed Music licence
 - The Newspaper Licensing Agency Schools licence
 - The Educational Recording Agency licence
 - The Public Video Screening licence
 - The Motion Picture Licensing Company licence
 - The Performing Right Society licence
 - The Phonographic Performance licence
 - The Mechanical Copyright Protection Society licence
 - The Christian Copyright Licensing International licence

Former ESG Retained Budgets (£0.377m)

- 34 This reflects the services formerly funded by the education services grant (ESG). LAs are able to retain funding centrally within the schools budget for services which they provide for all schools, including academies (previously funded by the “retained duties” element of the ESG). The services covered include; education welfare service, management of the LA’s capital programme, management of private finance transactions, general landlord duties for buildings including those leased to academies, the director of children’s services and office, planning for the education service as a whole, revenue budget preparation and accounts, external audit, formulation and review of local authority schools funding, internal audit and other tasks related to the LA’s chief finance officer’s responsibilities under Section 151 of LGA 1972, consultation costs and Standing Advisory Committee for Religious Education.

LA Maintained School De-delegations

- 35 LAs can fund some services relating to maintained schools only from maintained school budget shares, with the agreement of maintained school members of the forum. The relevant maintained schools members of the forum (primary, secondary, special, and pupil referral units (PRUs)) will need to agree any amounts that the LA will retain.
- 36 The number of de-delegations has reduced significantly over the last few years, and the only remaining de-delegation in 2021/22 is in relation to the Behaviour Support Outreach service for primary schools provided by Danesgate. A separate paper on the future plans for this service is expected to be presented to the forum at its next meeting.

Recommendations

- 37 Members of the forum are asked to note and comment on the report, and;

- support to the continuation of the pupil growth & infant class size funds under their existing arrangements (as at Annex 1), including cash limiting the budget as described at paragraph 16,
- support an increase in Early Years funding rates to providers in proportion to any increase in the Early Years funding allocated by government to the LA (paragraphs 17 & 18),
- give their views on how the LA should manage the required £0.394m budget reduction in centrally retained historic commitment budgets for 2022/23, including any further information they would require, before the final decision needs to be made at the February meeting (paragraphs 22 to 29),

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Annexes

Annex 1 - Pupil Growth Funding

Pupil Growth Funding

Infant Class Size Funding

- a) To maintain class sizes at no more than 30 pupils, Infant Class Size funding will be allocated based on the actual autumn census numbers for each school, i.e. autumn 2020 for an allocation for the 2020/21 academic year. Schools will be allocated a sum equivalent to the class teacher element of the primary AWPU to provide funding to support a teacher for each infant class, with reductions to take account of the economies of scale available to larger schools.
- b) The total number of reception, year 1 and year 2 pupils at each school is divided by 30. The remainder (after whole classes of 30 have been accounted for) is deemed to be the size of the “last class”. The amount of funding for the “last class” then depends on its size.
- c) The formula calculates the total amount of class teacher funding already allocated to the school within the AWPU sum for each pupil in the “last class” (for 2020/21 £1,330 is assumed to be included in the primary AWPU for class teachers). This sum is then deducted from the assumed cost of a class teacher. The result of this calculation is the top-up amount to support a full time equivalent teacher for the “last class”. The table below shows the amount of the top up depending on the size of the “last class”:

Size of “Last Class”	Top-up Funding £	Size of “Last Class”	Top-up Funding £	Size of “Last Class”	Top-up Funding £
0	0	10	21,362	20	8,061
1	33,333	11	20,032	21	6,731
2	32,003	12	18,702	22	5,401
3	30,672	13	17,372	23	4,071
4	29,342	14	16,042	24	2,741
5	28,012	15	14,711	25	1,411
6	26,682	16	13,381	26	81
7	25,352	17	12,051	27	0
8	24,022	18	10,721	28	0
9	22,692	19	9,391	29	0

- d) Each school then receives a proportion of this top-up funding depending on the total number of infant pupils in the school (this is to try and recognise that larger schools are likely to have more flexibility in organising class structures than smaller schools). The following table shows the percentage of the top-up funding actually received:

Number of Infant Pupils	Funding Percentage
1 to 90	100%
91 to 120	80%
121 to 150	60%
151 to 180	40%
181 and above	20%

e) No retrospective adjustments are made even if pupil numbers change during the year.

Example:

- Autumn Census = 100 infant aged pupils
- Size of “last class” = remainder of 100 / 30
= 10
- Top-up funding from table 1 = £21,362
- Percentage of top-up from table 2 = 80%
- Infant Class Size Funding = £21,362 x 80% = **£17,090**

Pupil Growth Funding

- a) Additional funding for basic need growth will be made available to schools that are subject to a significant (i.e. >1%) increase in pupil numbers under the following circumstances:
- the LA (or the school at the request or with the support of the LA) carries out a formal consultation and approves an increase in the capacity of a school
 - the LA requests a school to increase or exceed its published admissions number
 - the LA requests a school to admit significant additional pupils as part of a reorganisation or school closure
- b) Funding will not be allocated to a school in the following circumstances:
- the school has surplus places and then takes additional pupils up to its PAN outside of the circumstances described above
 - the school admits pupils in excess of their PAN at their own choice
 - the school is directed/requested to admit additional pupils as a result of errors, appeals, fair access protocol, SEN, LAC etc.
- c) Depending on the circumstances, funding will be calculated based on the number of relevant (i.e. whole school, specific year groups, geographic areas etc.) additional pupils admitted as per the autumn census data for each year, multiplied by the appropriate AWPU value and pro-rated for the period that the pupils will be unfunded (normally 7 months for maintained schools and 12 months for academies) in the main school funding formula allocation. Whatever the circumstances, the maximum pupil growth allocation will be capped at an amount equivalent to that attributable to the school’s total increase in reception to year 11 pupils in excess of 1%.

York Schools Forum

28th September 2021

Report of the Assistant Director, Education and Skills

The Dedicated Schools Grant (DSG) Recovery Plan and the results of the Inclusion Review Consultation

Summary

1. The City of York Council is required to submit a plan showing how it proposes to reduce the current deficit in the dedicated schools grant. All local authorities that have a cumulative DSG deficit of 1% or more at the end of a financial year are required to submit a recovery plan outlining how they will bring their deficit back into balance in a three-year time frame. The draft DSG recovery plan has identified a number of mitigating actions these will also include the development of recommendations to inform the Inclusion Review Implementation Plan.
2. This report provides the members of School Forum with an update on the development of the DSG recovery plan and asks them to provide feedback on the draft plan (annex A). It also shares the feedback from the Inclusion Review consultation with the members of School Forum and asks them to note that the development of the implementation plan will require further financial stringency in order to manage the pressures in the DSG.

The DSG Recovery Plan

3. The City of York Council currently has a cumulative deficit of £10 million on its DSG and in 2020-21 had an in-year deficit of £5 million. The council is required to submit a recovery plan to the Education and Skills Funding Agency to outline how it intends to bring the DSG in to an in-year balanced situation over a three year period. The Schools Forum is required to monitor the progress of actions in the recovery plan.
4. Prior to the Covid19 pandemic local authorities were required to submit their recovery plans to the EFSA by 30th June. From 2020-21 the timeline on the submission of plans has changed and the guidance states that: *Any local authority that has an overall deficit on its DSG account at the end of the 2019 to 2020 financial year, or whose DSG surplus has substantially reduced during the year, must co-operate with the Department for Education (DfE) in handling that situation. In particular, the local authority must: 1. Provide information as and when requested by the department about its plans for managing its DSG account in the*

2020 to 2021 financial year and subsequently. 2. Provide information as and when requested by the department about pressures and potential savings on its high needs budget. 3. Meet with officials of the department as and when they request to discuss the local authority's plans and financial situation. 4. Keep the schools forum regularly updated about the local authority's DSG account and plans for handling it, including high needs pressures and potential savings.

5. In developing the DSG recovery plan local authorities are required to consult with a wide range of stakeholders and partners and the plan should be shared with schools forum and signed off by the council's Chief Financial Officer.
6. The draft plan is shared as annex A of this report. The plan outlines the pressures that have contributed to the deficit and the mitigating actions to reduce the in-year deficit over the next three years. If the EFSA accepts the plan then it may agree to cancel the cumulative deficit on the DSG.

The Inclusion Review Consultation

7. This report summarises the feedback received from the city- wide Inclusion Review consultation, which ran between 10th May and 30th June 2021. The purpose of the consultation was to gain feedback about the current city-wide provision for children with special educational needs and/or disabilities (SEND) in order to inform proposals about future provision.
8. The consultation asked questions about mainstream and specialist provision and the perceived sufficiency gaps in our current provision. The consultation ran for a period of 4 weeks and in total over 600 people accessed the consultation documents, with between 488-490 responses to each question. Annex B provides a summary of the responses received.
9. Phase 3 of the Inclusion Review began in March 2019 and has focused on identifying the sufficiency gaps in the current provision for children and young people with SEND in York. A review of the changes in primary need identified in education, health and care plans between 2016 and 2021 has highlighted an increase in autism and social, emotional and mental health needs. Between 2016-2021 there was a 5% increase in the number of EHCPs with a primary need of autism and in the same period a 4% increase in SEMH as the area of primary need in EHCPs. This means that in 2021 428 children and young people have an EHCP with the primary need identified as autism and 192 children and young people have a primary need of SEMH identified in their EHCP.
10. These changes in primary need was reflected in the responses to the consultation. Over 80% of respondents agreed that there is a need for additional provision for children and young people with communication and interaction needs (including those with complex autism). In 2020-21 this has been seen through the process of primary/secondary phase transfer with parents of children with EHCPs who have attended mainstream primary schools increasingly requesting specialist provision in the secondary phase. In 2020/21 50% of children with an EHCP who had attended a mainstream primary requested places in specialist secondary provision.

Comments submitted as part of this consultation illustrate the perception that there are concerns about SEND provision in mainstream secondary schools. The comments suggested different approaches to resolving this with some respondents feeling that mainstream schools could not meet all needs and other suggesting that mainstream schools should have more specialist staff rather than opening additional special schools.

11. The responses to the consultation have confirmed firm support for enhanced resource provision (ERP) and highlighted the value placed on the early years enhanced resource provision. Less than 5% of respondents agreed that early years enhanced resource provision was no longer needed. The comments did highlight the need to have more enhanced resource provision places available in the secondary phase to support the transition of children who had been in primary ERP provision.
12. The sufficiency of both enhanced resource and special school provision in the secondary phase was a common theme in the responses received, as was the need to provide additional support and training for teachers in mainstream schools.
13. The next steps will be to develop recommendations based on the feedback received to address the current sufficiency gaps. There is a need to ensure that all current enhanced resource provision has been reviewed and recommissioned so that the outcomes are clear and include the co-produced SEND outcomes framework, which has been developed through the written statement of action.
14. A high percentage of respondents (58.8%) were supportive of children attending mainstream schools with appropriate additional support. Many comments referred to the importance of ensuring that mainstream school staff received appropriate training to be able to meet needs. Some comments also referenced concerns about class size (particularly in secondary schools) as being a factor which had an impact on successful inclusion in mainstream. A number of comments referenced home /school communication as an important aspect of satisfaction or dissatisfaction with current school provision.

Recommendations

15. Members of the forum are to note the progress made on the draft DSG recovery plan and to provide feedback on the contents of the plan.
16. Members of the forum are to note and consider the feedback from the Inclusion Review consultation and the implications this has for the implementation of actions to address the sufficiency of provision for children and young people with special educational needs and disabilities.

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Annex A: Draft DSG recovery plan

Annex B: Inclusion Review Consultation Summary of Feedback

1) Summary and financial plan narrative

Our plan for managing the pressures on the Dedicated Schools Grant (DSG) focuses on mapping current and future sufficiency and ensuring that care and health costs are re-profiled and are not taken from the High Needs DSG. All post 19 EHCPs are being reviewed to ensure that an ambitious plan for adulthood has been implemented in a timely way. In city sufficiency is being consulted on through our Inclusion Review and a plan is being developed to ensure sufficient in-city provision is available both to reduce post 19 out of city placements and to ensure sufficient specialist provision is available to support primary/secondary transfer. A review of the current High Needs funding formula is taking place to re-benchmark against national, regional and stat neighbours. This will benchmark the current cost of places in York and ensure that they are in line with national and regional averages across all aspects of SEND funding. The process and protocols for annual review are being revised and requests for in-year top up funding is being rigorously monitored and challenged through the weekly EHCP panel. The current use of the banding documents is being reviewed to ensure that the link between banding and the allocation of funding is delivering improved outcomes for all children and young people with SEND. The costs of the LA central SEND service is being reviewed to ensure that statutory posts are profiled in to the council's general fund and non-statutory posts reviewed to identify costs benefits and to be the focus of future joint commissioning decisions where appropriate. Work with mainstream schools is taking place to confirm the graduated response and to improve school's commissioning of alternative provision.

2) High Needs Trends and our strategy for managing pressures

We are continuing to experience pressures caused by an increase in the number of low incidence highly complex children and young people who have required expensive packages of education and care. Our strategy is to improve the commissioning and contract management of specialist provision for these young people and that commissioned support is aligned with accurate identification of need. We have developed a joint commissioning strategy as part of our SEND improvement work and this is being used to create a culture where shared resources across education, health and care are being used to resource plans for complex individuals. We are reviewing in city sufficiency to ensure that the majority of children can be supported in mainstream particularly at points of phase transfer and transition and that we have sufficient appropriate specialist education to meet needs. We are also currently consulting on a revised process for requests for statutory assessment of SEN, which requires all schools and settings to indicate effective graduation and effective intervention and strategies at SEN support. We have revised terms of reference for our EHCP panel so we have separated the resource allocation from the decision to assess. We are providing additional challenge to requests for in-year adjustments; where any request for in year adjustment is made that this is evidence based. We have implemented an SEND cost control panel and there is a council cost control process which is providing check and challenge. We are reviewing all post 19 plans and ensuring that provision remains

appropriate. The increased rate of mediation and appeals is as result of the further rigour we are applying. We are re-procuring transport contracts to deliver efficiencies and reduce DSG spend.

3) How our management plan will ensure the best possible outcomes for children and young people with SEND in York

Our management plan will ensure that the use of resources is equitable and is outcomes led. As part of our SEND improvement journey we have co-produced an outcomes framework which is being used across education, health and care to ensure that decisions about the use of resources focus outcomes on to ensure that children and young people with SEND are able to live their best life in the City of York. This will prioritise building independent living skills to ensure that children and young people with SEND are able to achieve their ambitions and build secure friendships and relationships as they move to adulthood. Through the Inclusion Review we are planning to have less children and young people educated outside of York and this will allow them to be supported in their local communities. Through our joint commissioning arrangements we will take every opportunity to have jointly funded plans with health and care. We are looking to promote the use of personal budgets in education including transport, health and care to increase choice and flexibility to promote greater parental choice. We are committed to improving our use of children and young peoples voice in decisions about the commissioning and delivery of services. We want to ensure that more young people with SEND secure employment and that we increase the number accessing apprenticeships and traineeships.

4) Stakeholder engagement, co-production and consultation

Schools Forum has received regular reports which have made them aware of the pressures in the DSG. Evidence of the consultation with Schools Forum can be seen through the published minutes. Schools Forum have also received regular reports on the Inclusion Review and members are being consulted through the city-wide consultation which closes on 30th June 2021. Schools Forum will continue to receive regular monitoring reports throughout 2021-22 and are being consulted on the recovery plan at their meeting on 5th July 2021.

The plan will be shared with all **Early Years providers, schools, colleges and other education institutions** through a process of engagement meetings including the meetings of maintained schools headteachers, the York Schools and Academies Board and Higher York. The Inclusion Review consultation has been shared with all education providers. The review focuses on sufficiency of provision and the consultation results will be used to inform the development of the city provision map. Separate consultation events have been held with schools and settings regarding the proposed changes to the assessment documentation and associated systems.

The parent/carer forum has been engaged with to inform the development of the Inclusion Review consultation and the outcomes framework has been co-produced with parents. A specific engagement event to share the DSG recovery plan is planned.

The Inclusion Review consultation has involved a specific consultation with **children and young people**. Work taking place to develop the process of annual review and the quality of EHCPs has a specific focus on ensuring that the voice of children and young people is strengthened.

The lead member and the council's Executive group are receiving regular briefings on the pressures in the DSG and the recovery plan. The children, education and communities scrutiny committee are also keeping oversight of the plan.

Health Partners in the CCG have been informed about the pressures on the DSG and the requirement to develop a recovery plan. Health partners have been fully engaged with the improvement journey in our written statement of action which was co-produced with CCG and have led on the priority to develop joint commissioning, the outcomes framework and the quality of health advice in EHCPs. Health are well sighted on the pressures within SEND and this is an priority area for the children's work within the Integrated Care System. The JSNA has been used to develop the joint commissioning strategy. The DSG recovery plan will be presented to the SEND Improvement Board which is jointly chaired by the local authority and the CCG.

5) Key risks and mitigations

Key risks include: a continuing rise in requests for statutory assessment (there are signs that this is beginning to plateau) , an increase in parental requests and an increase in the rate of mediations and appeals this is compounded by the pandemic as a result of the impact of covid19. An increase in requests for out of area provision both amongst school age and post 19 cohorts. In city sufficiency of places particularly for those with complex communication and interaction needs with presenting need as SEMH is creating pressures at phase transfer between the primary and secondary phases. There has also been a spike in requests for out of area provision from low incidence, high need groups, in particular HI and VI. The development of more robust check and challenge through our panel processes is leading to more formal mediations and legal challenge through tribunal. Mainstream schools are struggling to maintain the graduated response due to low pupil funding - York is an F40 member and York's schools are third lowest funded in England.

Mitigations include: the work taking place to support stronger preparation for adulthood, particularly to develop independent living skills through a co-ordinated local offer. The Inclusion Review is focused on future sufficiency and will bring forward proposals to address in city sufficiency. Work with mainstream schools is taking place to re-establish the understanding of the graduated response and to support teacher CPD. Early intervention and identification in the early years will help to inform better forecasting and budget management.

6) What support do we need to manage the recovery plan effectively?

Additional project management support is needed to ensure that the plan is delivered effectively as this is a major project for the council and involves the development and monitoring of a complex project plan across a number of different but interconnected workstreams. These include workforce, transport, finance and work with partner agencies (including joint commissioning). This is also at a time when the implementation of recommendations from the Inclusion Review need to be implemented and we are awaiting the publication of the findings from the DfE SEND review. This is a significant and complex project at a time when the local authority has been managing an improvement journey following the local area SEND inspection in December 2019. We are exploring specific support via NDTI to support our work on preparation for adulthood and reaching out other local authorities to gain better understanding of how funding pressures are being managed in other areas.

7) What are we doing to manage demand pressures?

As part of the SEND improvement work we have consulted on changes to the request for statutory assessment process and paperwork to ensure that the graduated response is embedded prior to requests for assessment to ensure that children are receiving effective support at SEN support. We are now an all age People Directorate which gives greater opportunities for information sharing, joint working and strategic planning.. There is an established working group with a specific priority for 19-25 with adult commissioning. The funding of the post 19 local offer is being looked at and we are working with the parent carer forum's young peoples group to assist with this. We are strengthening our work to map pathways to employment post 19. We are implementing a data management system to increase our oversight of emerging trends.

8) Sharing best practice and effective practices

As part of the Yorkshire and Humber SEND regional network we are actively engaged in sharing best practice and learning across the region. We are fully engaging with support from the DfE SEND Adviser as part of our improvement journey. Our multi-agency SEND Improvement Board has an external scrutineer and the meetings of the board are used as a vehicle for sharing practice across health, education and care. We are also securing exemplars of best practice from children's and adults social care e.g. to improve our auditing and review practice. As part of the new directorate we have a newly appointed Director of Commissioning who has experience of commissioning for outcomes across health, education and care.

9) Assumptions and Projected numbers

Demographic data is now clearly showing that the birth rate in York has peaked and actual births are showing a steady decline. This is reflected in the decline in demand for reception places in the primary sector in York as a whole. Although previously there were some areas of York where demand for places was forecast to be higher, in part due to new housing developments in the area, this demand is no-longer forecast to continue in the short-term. At secondary level, larger primary cohorts continue to push demand for secondary places up over the short to medium term. This has created some pressures related to phase transfer for children with SEND in terms of requests for out of area and in city specialist places. The pressure on secondary school places in some areas of the city has meant that there has been an increase in requests for specialist rather than mainstream provision. The Inclusion Review is focused on addressing sufficiency issues to ensure that appropriate provision is in place to support primary/secondary phase transfer.

<u>EHCPs by age (July 2021)</u>	Number	Percentage
Pre- School & Nursery	18	1.5%
Reception	30	2.6%
Key Stage 1	94	8%
Key Stage 2	285	24.4%
Key Stage 3	223	19.1%
Key Stage 4	143	12.3%
Post 16	190	16.2%
Post 19	184	15.8%
Total	1167	

<u>EHCPs by primary need (July 2021)</u>	<u>Number 2021</u>	<u>Percentage 2021</u>	<u>Percentage 2016</u>	<u>Percentage change 2016-21</u>
SLCN	126	11%	10%	+1%
ASC	428	37%	32%	+5%
SpLD	41	3%	4%	-1%
MLD	187	16%	20%	-4%
SLD	53	4%	7%	-3%
PMLD	31	3%	4%	-1%
SEMH	192	16%	12%	+4%
VI	12	1%	1%	0%
HI	28	2%	3%	-1%

CITY OF YORK COUNCIL DSG RECOVERY PLAN

MSI	1	0.25%	0.1%	-
PD	65	5%	7%	-2%
OTH	3	0.75%		
Total	1167			

Question - is the distribution of need different post 19?

<u>EHCps by primary need</u>	<u>Percentage all age 2021</u>	<u>Percentage post 19 2021</u>
SLCN	11%	5%
ASC	37%	35%
SpLD	3%	6%
MLD	16%	23%
SLD	4%	11%
PMLD	3%	3.4%
SEMH	16%	12%
VI	1%	0.4%
HI	2%	2%
MSI	0.25%	0.4%
PD	5%	3%
OTH	0.75%	

The data from the last two tables shows, the proportion of CYP in York with a primary need of MLD/PMLD/SLD etc is reducing over time. Within the current caseload the proportion of young people post 19 with these primary needs are significantly higher than the younger age groups. This suggests that over time the post 19 cohort of young people with a plan will look very different to the current cohort, with a significant increase in the proportion of post 19 with a primary need of Communication and Interaction difficulties. This has implications for the future development of the post 19 local offer. Ensuring that this is reflected in future commissioning plans will reduce the need for the use of specialist out of area provision.

Tracking Requests for Education Health and Care Needs Assessment (EHCNA)

	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020 to 22.6.21	projected 2020-21*	projected 2021-22*
Requests Received	87	107	122	165	184	213	197	222	244
Proceeded to EHCNA	77	87	107	146	149	191	167	188	207

% of Requests Received	89%	81%	88%	88%	81%	90%	85%	85%	85%
Rate of change		23.0%	14.0%	35.2%	11.5%	15.8%		4.2%	10%

*based on summer data from 2019-20 *Fluctuating rates of change make projections very difficult.

Y11+ RSA	2019/20	2020 to 22.6.21
Requests Received	25	32
Proceeded to EHCNA	20	26
% of Requests Received	80%	81%

Post 19 RSA	2019/20	2020 to 22.6.21
Requests Received	4	6
Proceeded to EHCNA	1	3
% of Requests Received	25%	50%

RSA processed	Not to proceed to NA	Not to proceed to plan	other reason plan not issued	Plans issued
2020-21	22.1%	5.9%	1.5%	70.6%
2019-20	10.3%	1.9%	1.9%	85.9%

10) Early Years

These are our key strategies to support the Early Years:

- Creation of an integrated SEN service
- Closer alignment between early years quality improvement and school effectiveness
- Early Talk for York supports early identification of speech, language and communication needs
- Use JSNA to identify priorities in the early years
- Implementation of section 23 notifications which supports early identification and support
- Implementation of the integrated 2 year old check
- Reviewing the processes and systems for using the Inclusion Fund to improve impact on outcomes

11) Governance and commissioning arrangements with the CCG

Joint governance and commissioning arrangements have been established through the SEND Improvement Board which is jointly chaired by the local authority and CCG. The work to create the Integrated Care System at place level is being progressed through the Health Alliance Board which sits under the Health and Well Being Board.

12) Capital Investment

Current capital investment has been used to support growth in special school placements. The need to increase places has been driven by a demographic bulge working through the secondary phase and parental preference at phase transfer.

Future capital projects will be influenced by the results of the Inclusion review.

13) SEN transport

SEN transport costs make up the most significant part of the home to school transport costs. The majority of journeys are delivered through the contract with Streamline taxis and in 2020/21 the total costs of the contract was £2.15million. This was an increase of £600K on the previous year.

The contracts for Hob Moor Oaks and Applefields have both seen average costs per pupil rise by £2K per pupil. From September 2021 costs on these contracts are predicted to reduce as the number of routes has been reduced.

Taxi costs for out of area pupils have seen a rise of £1400 per pupil, whilst pupil numbers have remained steady there has been an increase in the number of journeys.

These costs pressures are being looked at through the re-tendering process for 2022/23 contracts and through agreeing an annual transport budget with the Danesgate Community, which provides specialist SEMH and PRU provision.

14) Placements and our strategy to manage demand

Strategy and approach to manage demand	Assumptions	Impact (Potential savings over 3 years)	Can Savings be achieved (RAG)
Maintain more children with ASC/SEMH as primary need in mainstream settings and schools. Reduce number of children in specialist provision through improved	By September 2022 we will have re-profiled provision in York as a result of the Inclusion Review.	£1.5 million	Green

primary/secondary transition			
Improve the post 16 local offer to reduce number of out of area placements and improve the pathway to employment	<p>Implement Phase 2 of the JSNA to inform future commissioning decisions to develop the post 16 local offer.</p> <p>Ensure that all plans to cease have been implemented in a timely way.</p> <p>Post 16 local education offer to be determined by guided learning hours with the default position being a three day education offer for post 16 by September 2022.</p>	£2 million	Green
Reduce SEN transport costs	<p>Consult on changes to 16-19 transport.</p> <p>Increase the use of personal transport budgets.</p> <p>Ensure that the criteria for eligibility are robustly applied.</p>	£1million	Amber

	<p>Reduce, where appropriate use of single taxi journeys Reduce, where appropriate use of personal transport assistants. Re-procurement of transport contracts to ensure best value. Devolve an annual transport budget to the Danesgate Community. Remove funding for transport to Kestrel provision</p>		
<p>Consult on revised SEND banding arrangements and implement place based funding arrangements with specialist settings including ERPs to reduce top-up funding</p>	<p>The level of top up funding for specialist places is very high and ensuring a place based funding formula is in place will help to reduce the total spend on top ups</p>	<p>Annual saving of between £200k-£300k</p>	<p>Amber</p>



City of York Council

SEND - Inclusion Review - August 2021

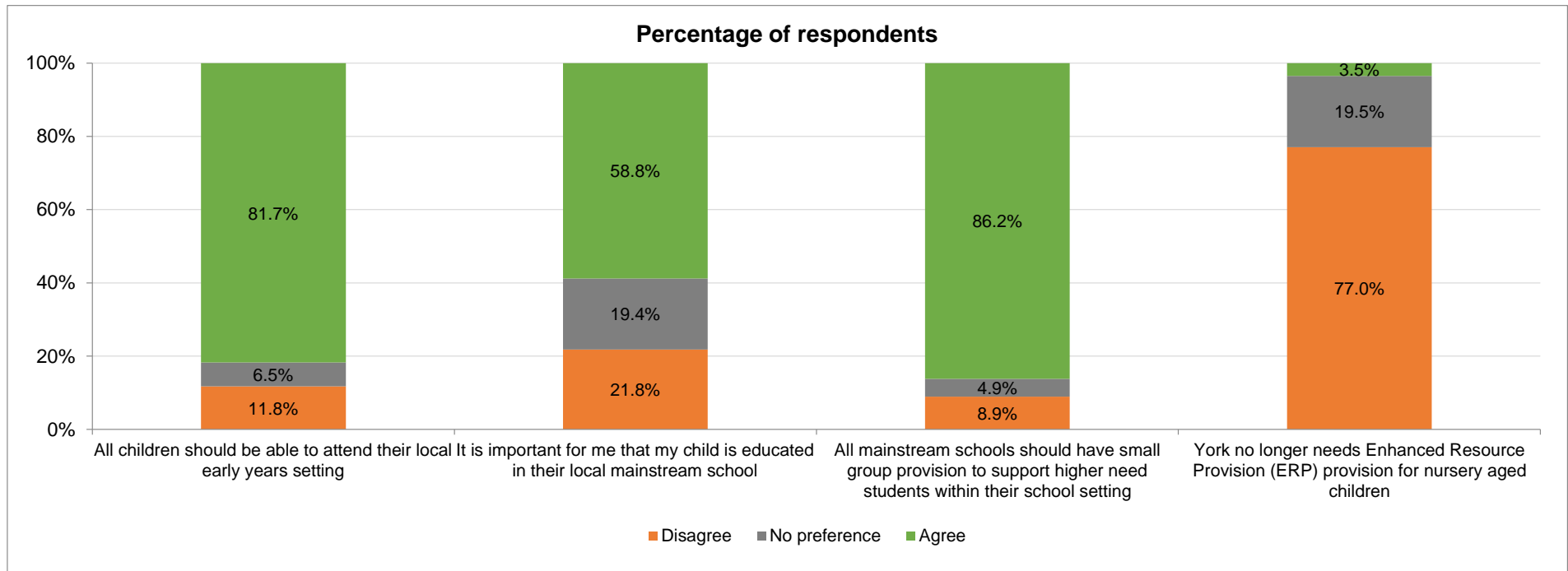
- This survey ran during May and June 2021.
- This report and all associated raw data from the survey will be made available in machine-readable format through the Council's open data platform at www.yorkopendata.org. A full list of redacted comments received will also be available.
- Most survey questions gave respondents an opportunity to provide further comment. These comments have been categorised into common themes and the percentage of responses per theme are also presented. Some comments mentioned more than one theme.

Results Headlines

- More than 600 people looked at the survey, and we received around 490 responses.
- Respondents were in favour of pupils attending mainstream settings, with additional support, both in their answers to the questions and in additional comments.
- Less than 5% of respondents agreed with the statement "York no longer needs Enhanced Resource Provision (ERP) for nursery aged children". Comments were particularly supportive of the existing ERP in York, and that the suggestion of a 10-place Secondary ERP would not suffice.
- A high proportion of respondents had no preference in relation to the questions about Danesgate Pupil Support Unit.
- A high proportion of respondents felt that the statements in question 4 were important, with comments about more staff and upskilling staff particularly evident.
- There were many comments about the need for individualised approach, based on children's needs.

Question 1: Read the statements below and tick whether you agree or not

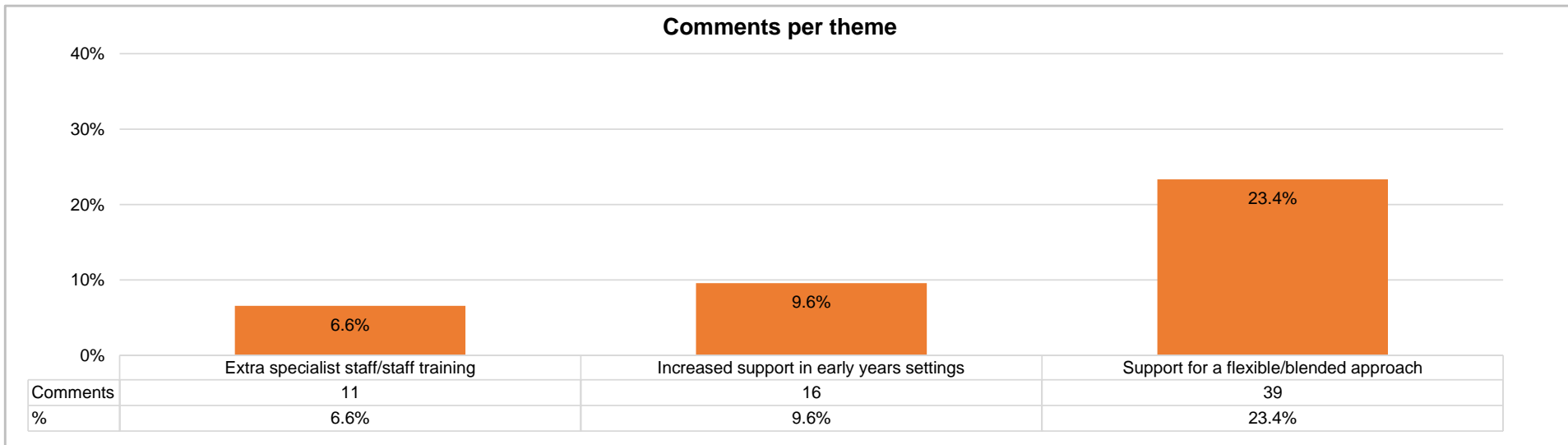
	Strongly disagree		Disagree		No preference		Agree		Strongly agree		Total
All children should be able to attend their local early years setting	4.7%	23	7.1%	35	6.5%	32	35.5%	175	46.3%	228	493
It is important for me that my child is educated in their local mainstream school	7.1%	35	14.7%	72	19.4%	95	29.8%	146	29.0%	142	490
All mainstream schools should have small group provision to support higher need students within their school setting	4.1%	20	4.9%	24	4.9%	24	29.2%	144	57.0%	281	493
York no longer needs Enhanced Resource Provision (ERP) provision for nursery aged children	54.3%	265	22.8%	111	19.5%	95	2.5%	12	1.0%	5	488



Question 1: Read the statements below and tick whether you agree or not

Comments: Please use the space below for any additional comments you would like the Local Authority to take into account with any future planning

- 161 respondents left a comment, which have been categorised into common themes.
- This question was difficult to categorise into common themes due to the specificity and detail of some of the comments left by the respondents.
- "Support for a flexible/blended approach" relates to comments from respondents believing there should be opportunities for children with SEND to access to both mainstream and additional provision, depending on the individual needs of the child.

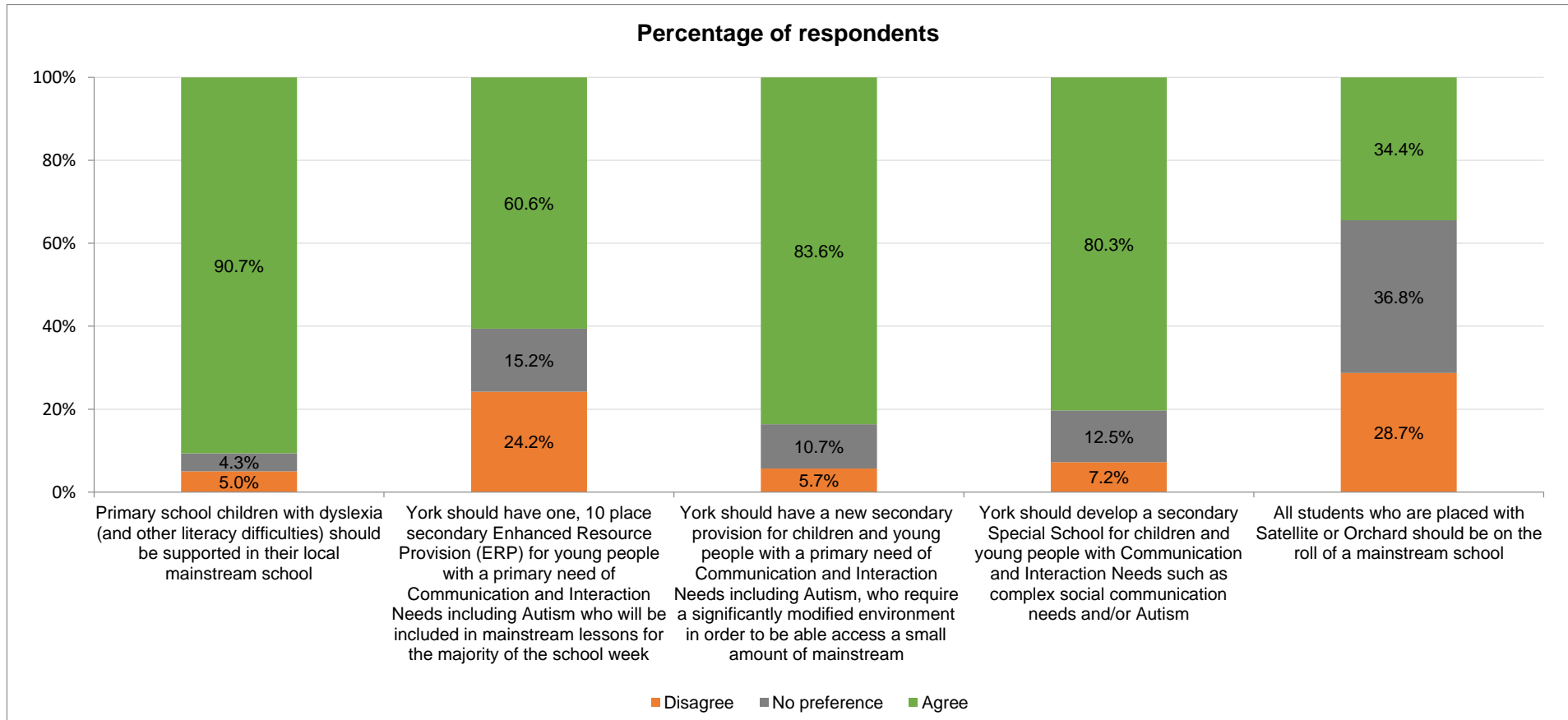


Question 2: Read the statements below and tick whether you agree or not

	Strongly disagree		Disagree		No preference		Agree		Strongly agree		Total
Primary school children with dyslexia (and other literacy difficulties) should be supported in their local mainstream school	1.7%	8	3.3%	15	4.4%	20	32.4%	149	58.3%	268	460
York should have one, 10-place secondary Enhanced Resource Provision (ERP) for young people with a primary need of Communication and Interaction Needs including Autism who will be included in mainstream lessons for the majority of the school week	10.4%	47	13.9%	63	15.2%	69	25.8%	117	34.8%	158	454
York should have a new secondary provision for children and young people with a primary need of Communication and Interaction Needs including Autism, who require a significantly modified environment in order to be able access a small amount of mainstream lessons	1.8%	8	3.9%	18	10.7%	49	31.2%	143	52.4%	240	458
York should develop a secondary Special School for children and young people with Communication and Interaction Needs such as complex social communication needs and/or Autism	2.2%	10	5.0%	23	12.5%	57	28.5%	130	51.9%	237	457
All students who are placed with Satellite or Orchard should be on the roll of a mainstream school	14.3%	65	14.5%	66	36.8%	168	20.2%	92	14.3%	65	456

Associated chart on next page

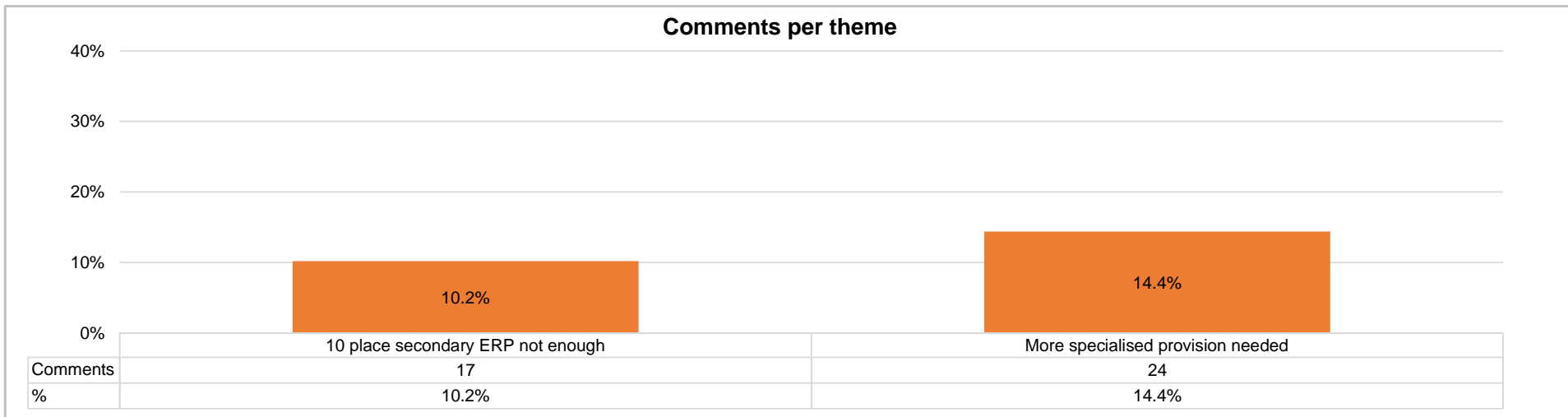
Question 2: Read the statements below and tick whether you agree or not



Question 2: Read the statements below and tick whether you agree or not

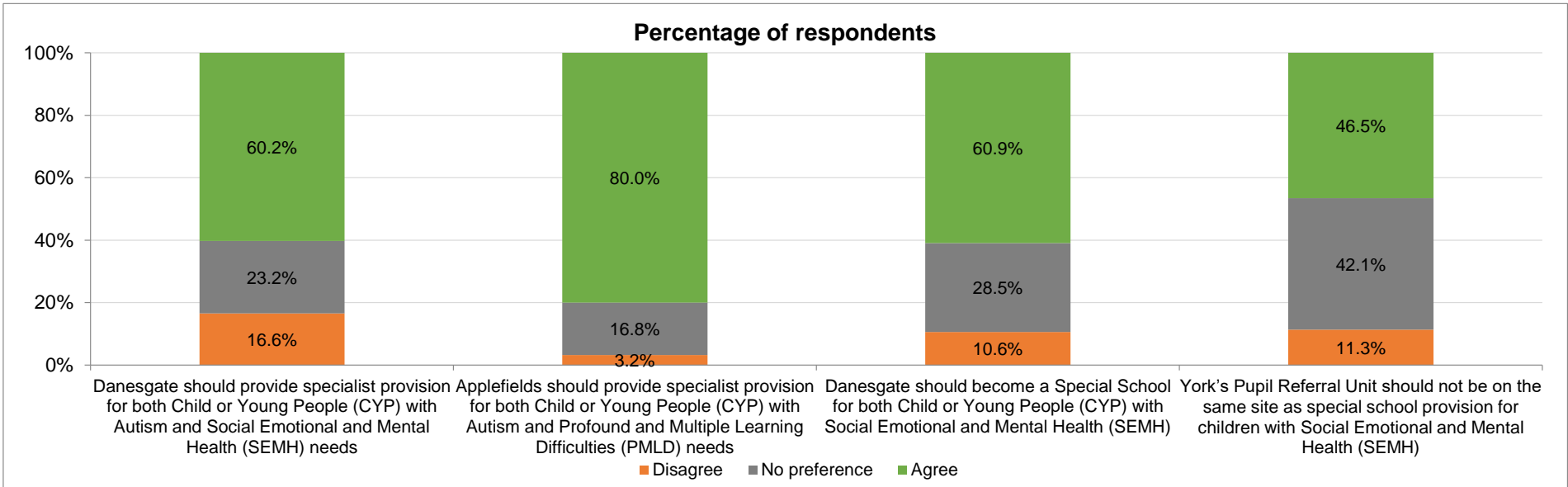
Comments: Please use the space below for any additional comments you would like the Local Authority to take into account with any future planning

- 160 respondents left a comment which were categorised into common themes.
- This question was difficult to categorise into common themes due to the specificity and detail of some of the comments left by the respondents.
- 'More specialised provision needed' and '10 place secondary ERP not enough' themes are linked to an extent. '10 place secondary ERP not enough' comments specifically mention this part of the question. 'More specialised provision needed' comments relate to a more generalised need for more provision across various settings.



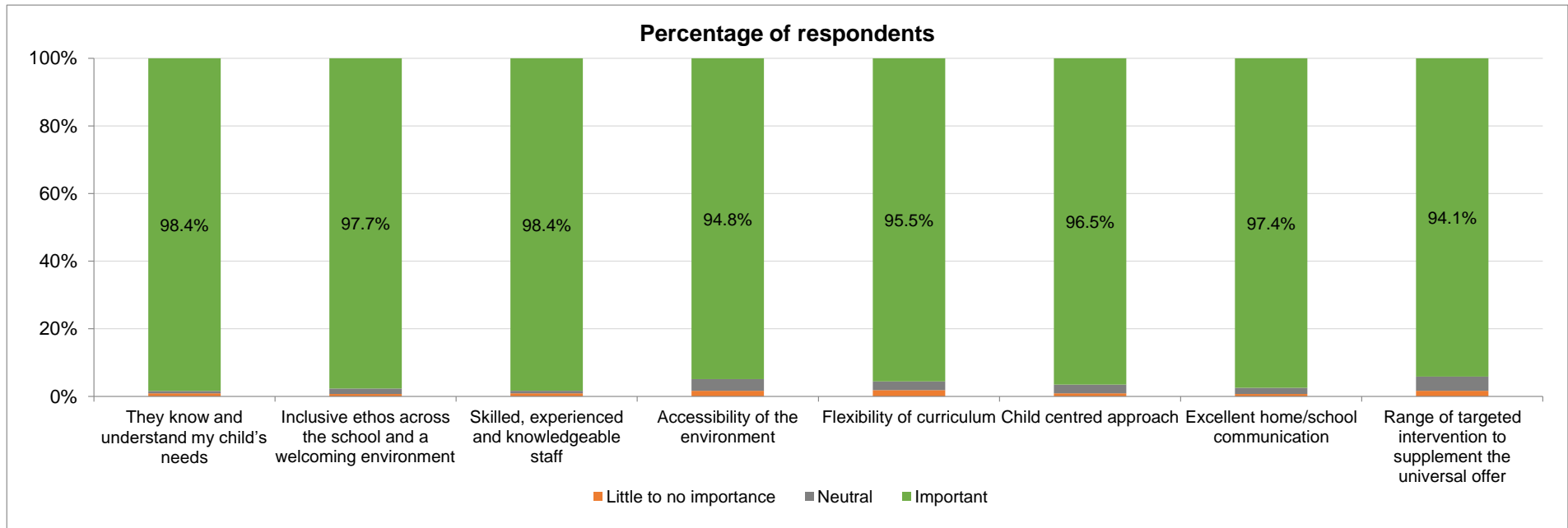
Question 3: Read the statements below and tick whether you agree or not

	Strongly disagree		Disagree		No preference		Agree		Strongly agree		Total
Danesgate should provide specialist provision for both Child or Young People (CYP) with Autism and Social Emotional and Mental Health (SEMH) needs	6.0%	26	10.6%	46	23.2%	101	25.5%	111	34.7%	151	435
Applefields should provide specialist provision for both Child or Young People (CYP) with Autism and Profound and Multiple Learning Difficulties (PMLD) needs	0.9%	4	2.3%	10	16.8%	73	28.7%	125	51.3%	223	435
Danesgate should become a Special School for both Child or Young People (CYP) with Social Emotional and Mental Health (SEMH)	3.2%	14	7.4%	32	28.5%	124	27.4%	119	33.6%	146	435
York's Pupil Referral Unit should not be on the same site as special school provision for children with Social Emotional and Mental Health (SEMH)	4.6%	20	6.7%	29	42.1%	182	23.6%	102	22.9%	99	432



Question 4: Read the statements below and tick whether you agree or not

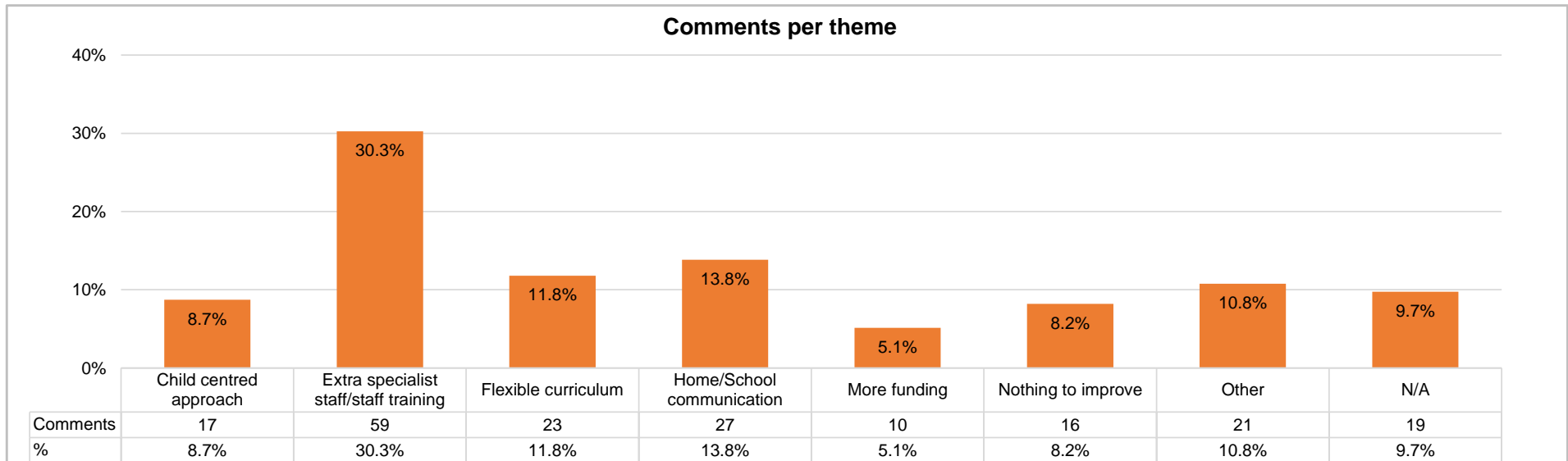
	Not at all important	Of little importance	Neutral	Important	Very important	Total
They know and understand my child's needs	0.7%	0.2%	0.7%	4.9%	93.5%	428
Inclusive ethos across the school and a welcoming environment	0.7%	0.0%	1.6%	12.9%	84.8%	427
Skilled, experienced and knowledgeable staff	0.7%	0.2%	0.7%	6.1%	92.3%	427
Accessibility of the environment	0.7%	0.9%	3.5%	19.0%	75.9%	427
Flexibility of curriculum	0.5%	1.4%	2.6%	20.4%	75.1%	426
Child centred approach	0.5%	0.5%	2.6%	13.6%	82.9%	427
Excellent home/school communication	0.5%	0.2%	1.9%	11.9%	85.5%	427
Range of targeted intervention to supplement the universal offer	0.5%	1.2%	4.2%	20.7%	73.5%	426



Question 4: Read the statements below and tick whether you agree or not

Comments: What would be the one thing you would like to see in your child's setting or school to improve outcomes?

- 185 respondents left a comment which were categorised into common themes.
- 'Extra specialist staff/staff training' comments relate to respondents believing all/more teachers should have more suitable training to be able to cater for a variety of needs. If this isn't possible then more specialised staff should be employed to cover this need.
- 'Home/School communication' relates to the need for more contact between schools/teachers with the parents of the children.
- 'Other' comments related to a range of areas including being more understanding of specific needs.



SEND - Inclusion Review - About You

Age

Answer Choices	Responses	% of total response
Under 16	66	16.3%
16-24	30	7.4%
25-39	106	26.2%
40-55	164	40.6%
56-59	18	4.5%
60-64	x	<=5%
65+	x	<=5%
Prefer not to say	x	<=5%
Total	404	

Note: Cross-tabulation of equalities monitoring and core questions is available on request

Note: Where fewer than 6 responses were received for a question, or the totals mean that response rate can be calculated for small numbers, data has been suppressed.

Gender

Answer Choices	Responses	% of total response
Male	99	24.4%
Female	292	71.9%
Non-binary/Gender Variant	x	<=5%
Prefer not to say	x	<=5%
Total	406	

Is the gender you identify with the same as your sex registered at birth?

Answer Choices	Responses	% of total response
Yes	394	97.0%
No	x	<=5%
Prefer not to say	x	<=5%
Total	406	

Ethnic Group

Groups	Responses	% of total response
White	381	94.1%
Mixed	x	<=5%
Asian	x	
Black	x	<=5%
Other ethnic background	x	<=5%
Prefer not to say	16	4.0%
Total	405	

SEND - Inclusion Review - About You

Sexual Orientation

Answer Choices	Responses	% of total response
Bisexual	x	<=5%
Gay man	0	0.0%
Gay woman/lesbian	x	<=5%
Heterosexual/straight	294	79.7%
Prefer not to say	62	16.8%
Total	369	

Religion

Answer Choices	Responses	% of total response
Buddhist	x	<=5%
Christian	170	44.5%
Hindu	x	<=5%
Jewish	0	0.0%
Muslim	x	<=5%
Sikh	0	0.0%
No religion	169	44.2%
Other	6	1.6%
Prefer not to say	34	8.9%
Total	382	

Do you look after, or give any help or support to, anyone because they have long-term physical or mental health conditions or illnesses, or problems related to old age?

Answer Choices	Responses	% of total response
Prefer not to say	16	
Yes	111	29.2%
No	253	66.6%
Total	380	

Do you have any physical or mental health conditions or illnesses lasting or expected to last 12 months or more?

Answer Choices	Responses	% of total response
Yes	134	34.8%
No	238	61.8%
Prefer not to say	13	3.4%
Total	385	

If you answered "Yes" above, please tick as many boxes below as apply:

Answer Choices	Responses	% of total response
Physical impairment	34	24.8%
Sensory impairment	17	12.4%
Mental Health Condition	38	27.7%
Learning Disability	71	51.8%
Long standing illness /health condition	46	33.6%
Total	137	

Only answer this question if you answered "Yes" to the above questions. Do any of your conditions or illnesses reduce your ability to carry out day-to-day activities?

Answer Choices	Responses	% of total response
A little	58	38.4%
Not at all	29	19.2%
Total	151	

For the attention of all schools currently using the CYC broadband service

Colleagues

The two procurements are now fully completed. North have been appointed as the MSA service provider (which provides the school broadband service) and City Fibre have been appointed to provide the dark fibre infrastructure (that underpins the service) for the Council and schools.

What does this mean for my school?

- The contract arrangements for the service are now directly between the school and North, who will manage the contract on behalf of the council and City Fibre, meaning 1 contract and invoice.
- The contract is covered by the main terms of the MSA contract between the Council and North so any issues can be escalated if needed. However it gives schools the opportunity to bespoke their contract with North.
- There is a variety of contract terms available to schools, there are options for, 5 year 4 year and 3 year contract lengths depending on the school's requirement.
- As North is the incumbent provider, the transition in the new contract will be minimal which means service continuity while new improvements and provision in this new contract are developed.
- The service already uses the leading content filtering solution Smoothwall, and it will continue to do so and support active and pro-active filtering and monitoring of the internet content.

A cloud based version of the Smoothwall filtering will be one of the new features offered under the new contract.

- A refresh of the equipment at the school end, as well as a central refresh of any equipment providing the service to schools, is taking place as part of the transition to the new contract.
- The new contract provides a one stop shop for safe and secure connectivity; easing the administrative burden on schools by ensuring that cybersecurity for the Internet connectivity is managed by North. The connectivity is actively managed and maintained , blocking hundreds of potential security breaches on a 24/7 basis. North are ISO 270001 accredited as well as certified Cyber Essentials Plus.
- North will be a single point of contact through their service desk for any internet issues and they will interact on the school's behalf with the dark fibre provider City Fibre to manage any issues with the fibre impacting connectivity.
- Schools that don't already have Voice Over IP Telephony (VOIP), who wish to take advantage of telephony savings through VOIP Telephony services can do so as an additional optional service via the North contract. Schools that already have VOIP have no additional charges.
- The main ISP egress that will be used for the North school broadband service will continue to be JANET – the Joint Academic Network ; which provides opportunities to use peripheral services provided by JISC.
- The school broadband service will still benefit from the resilience arrangements in place centrally at the Council on the

	Band	pupils	description	No in each band	
	1	< 100	very small	2	5,258
	2	< 200	small	5	7,346
	3	< 350	Medium	8	9,309
	4	> 351	Large	5	11,418
	5		special school / PRU	2	14,244
	6		Secondary	1	16,580
				23	

What is included in the service?

Security, safeguarding and Filtering

- Internet filtering by group, user or device
- Https inspection
- Layer 7 application control
- Firewall and intrusion prevention
- Configurable monitoring and reporting functions
- Anti-virus and malware protection for web content
- Transparent proxy
- Remote access
- Site to site VPN

Service and maintenance

- Service desk, including site visits by DBS checked engineer when required
- Maintained equipment
- Service Level Agreement
- A pro-active monitoring service

Optional Services

- Voice over IP Telephony

What happens next?

- The Council will be checking that all recharging for the previous contract is complete through the usual recharging mechanisms.
- The CYC service will seamlessly move across to the North service, although the contract and billing will be directly between North and the school.
- North will be in contact with schools with details of the contract including the service level agreement and details on how to contact their service desk to log faults or request new requirements.
- Any schools that have made alternative arrangements for broadband service and have not already advised the Council should please let me know by October 8th 2021. The above pricing is labelled as indicative as it is based on the current 23 schools still taking services from the Council. A change in number of schools would mean the prices would need to be remodelled based on the new number of schools in the contract.

Please contact me using the details below with any queries.

Kind regards

Laura