



Leicester
City Council

MEETING OF THE CHILDREN, YOUNG PEOPLE AND SCHOOLS SCRUTINY COMMISSION

DATE: THURSDAY, 11 MARCH 2021
TIME: 5:00 pm
PLACE: Zoom Virtual Meeting

Members of the Commission

Councillor Dawood (Chair)
Councillor Cole (Vice-Chair)

Councillors Pantling, Rahman, Riyait and Whittle

1 unallocated Group vacancy
1 unallocated Non-Group vacancy

Co-opted Members (Voting)

Gerry Hirst	Roman Catholic Diocesan
Carolyn Lewis	Church of England Diocese
Mr Mohit Sharma	Parent Governor (Primary / Special Schools)
Vacancy	Parent Governor (Secondary Schools)

Standing Invitees (Non-Voting)

Janet McKenna	Unison
Joseph Wyglendacz	Teaching Unions
Vacancy	Faith Representative (Hindu)
Vacancy	Faith Representative (Muslim)
Vacancy	Faith Representative (Sikh)

Members of the Commission are invited to attend the above meeting to consider the items of business listed overleaf.

For the Monitoring Officer

Officer contacts:

Ayleena Thomas (Democratic Support Officer),
Tel: 0116 454 6369, e-mail: ayleena.thomas@leicester.gov.uk
Leicester City Council, City Hall, 115 Charles Street, Leicester, LE1 1FZ

Information for members of the public

PLEASE NOTE:

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Members of the press and public may tweet, blog etc. during the live broadcast as they would be able to during a regular Commission meeting at City Hall. It is important, however, that Councillors can discuss and take decisions without disruption, so the only participants in this virtual meeting will be the Councillors concerned, the officers advising the Commission and anyone the Chair invites to speak.

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Braille/audio tape/translation - If you require this please contact the Democratic Support Officer (production times will depend upon equipment/facility availability).

Further information

If you have any queries about any of the above or the business to be discussed, please contact: Ayleena Thomas, Democratic Support on (0116) 454 6369 or email ayleena.thomas@leicester.gov.uk

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**



USEFUL ACRONYMS IN RELATION TO OFSTED AND EDUCATION AND CHILDREN'S SERVICES

(updated November 2015)

Acronym	Meaning
APS	Average Point Score: the average attainment of a group of pupils; points are assigned to levels or grades attained on tests.
ASYE	Assessed and Supported Year in Employment
C&YP	Children and Young People
CAMHS	Child and Adolescent Mental Health Service
CFST	Children and Families Support Team
CICC	Children in Care Council
CIN	Children in Need
CLA	Children Looked After
CLASS	City of Leicester Association of Special Schools
COLGA	City of Leicester Governors Association
CPD	Continuing Professional Development
CQC	Care Quality Commission
CYPF	Children Young People and Families Division (Leicester City Council)
CYPP	Children and Young People's Plan
CYPS Scrutiny	Children, Young People and Schools Scrutiny Commission
DAS	Duty and Advice Service
DCS	Director of Children's Services
EAL	English as an Additional Language
EET	Education, Employment and Training
EHA	Early Help Assessment
EHCP	Education Health and Care Plan
EHP	Early Help Partnership
EHSS	Early Help Stay Safe
EIP	Education Improvement Partnership

ELG	Early Learning Goals: aspects measured at the end of the Early Years Foundation Stage Profile
EY	Early Years
EYFS	Early Years Foundation Stage: (0-5); assessed at age 5.
EYFSP	Early Years Foundation Stage Profile
FS	Foundation Stage: nursery and school Reception, ages 3-5; at start of Reception a child is assessed against the new national standard of 'expected' stage of development, then teacher assessment of Foundation Stage Profile areas of learning
FSM	Free School Meals
GCSE	General Certificate of Education
GLD	Good Level of Development
HMCI	Her Majesty's Chief Inspector
HR	Human Resources
ICT	Information, Communication and Technology
IRO	Independent Reviewing Officer
JSNA	Joint Strategic Needs Assessment
KPI	Key Performance Indicator
KS1	Key Stage 1: National Curriculum Years (NCYs) 1 and 2, ages 5-7; assessed at age 7.
KS2	Key Stage 2: NCYs 3, 4, 5, and 6, ages 7-11; assessed at age 11.
KS3	Key Stage 3: NCYs 7, 8 and 9, ages 11-14; no statutory assessment.
KS4	Key Stage 4: NCYs 10 and 11, ages 14-16; assessed at age 16.
KTC	Knowledge Transfer Centre
LA	Local Authority
LADO	Local Authority Designated Officer
LARP	Leicester Access to Resources Panel
LCCIB	Leicester City Council Improvement Board
LCT	Leicester Children's Trust
LDD	Learning Difficulty or Disability
LESP	Leicester Education Strategic Partnership
LLEs	Local Leaders of Education
LP	Leicester Partnership

LPP	Leicester Primary Partnership
LPS	Leicester Partnership School
LSCB	Leicester Safeguarding Children Board
LSOAs	Lower Super Output Areas
MACFA	Multi Agency Case File Audit
NCY	National Curriculum Year
NEET	Not in Education, Employment or Training
NLEs	National Leaders of Education
NLGs	National Leaders of Governance
OFSTED	Office for Standards in Education, Children's Services and Skills
PEPs	Personal Education Plans
PI	Performance Indicator
PVI	Private, Voluntary and Independent
QA	Quality Assurance
RI	Requires Improvement
SA	Single Assessment
SALT	Speech and Language Therapy
SCR	Serious Case Review
SEN	Special Educational Needs
SEND	Special Educational Needs and Disabilities
SIMS	Schools Information Management Systems
SLCN	Speech, Language and Communication Needs
SLEs	Specialist Leaders of Education
SMT	Senior Management Team
SRE	Sex and Relationship Education
TBC	To be Confirmed
TFL	Tertiary Federation Leicester
TP	Teenage Pregnancy
UHL	University Hospitals Leicester
WIT	Whatever it Takes
YOS	Youth Offending Service
YPC	Young People's Council

PUBLIC SESSION

AGENDA

LIVE STREAM OF MEETING

A live stream of the meeting can be viewed on the following link:
https://www.youtube.com/channel/UCddTWo00_gs0cp-301XDbXA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business to be discussed.

3. PETITIONS

The Monitoring Officer to report on any petitions received.

4. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

The Monitoring Officer to report on any questions, representations or statements of case.

5. RE-ALIGNMENT OF SPECIAL SCHOOL FUNDING

**Appendix A
(Pages 1 - 140)**

The Strategic Director for Social Care & Education submits this report to provide the Children, Young People and Schools Scrutiny Commission with the opportunity to provide feedback and comment on the outcome of a consultation exercise to implement a new funding formula for the six maintained special schools in the city. It is proposed the changes will take effect from 1 April 2021.

The Children, Young People and Schools Scrutiny Commission are recommended to:

- a) Provide feedback/comment on the proposed funding changes to the individual special school as summarised at paragraph 4.8.
- b) To note the responses to the consultation as detailed at Appendix 5 & 6 and to provide feedback/comment.
- c) To note the proposed funding rates as outlined in paragraphs 4.9

and to provide feedback/comment.

- d) To note the process of further discussions with the schools where their funding is to be reduced and to provide feedback/comments.

6. ANY OTHER URGENT BUSINESS

Children, Young People and Schools Scrutiny Commission Report

Re-alignment of Special School Funding

Date: 11 March 2021

Lead Member – Education: Cllr Elly Cutkelvin

Lead Strategic Director: Martin Samuels

Useful information

- Ward(s) affected: All
- Report author: Tracie Rees/Martin Judson/Clare Nagle
- Author contact details: tracie.rees@leicester.gov.uk
- Report version number: v2

1. Purpose

- 1.1. The purpose of this report is to provide the Children, Young People and Schools Scrutiny Commission with the opportunity to provide feedback and comment on the outcome of a consultation exercise to implement a new funding formula for the six maintained special schools in the city. It is proposed the changes will take effect from 1 April 2021.
- 1.2. An eight-week consultation exercise took place between October 2020 and November 2020 with the special schools and other stakeholders. A summary of the findings and the Council response is detailed at paragraph 4.8 and Appendix 5 & 6.
- 1.3. Feedback and comments from the Children, Young People and Schools Scrutiny Commission will be considered as part of the decision-making process.

2. Summary

- 2.1 The consultation exercise commenced on 2 October 2020 and ended on 27 November 2020 with six of the maintained special schools in the city, proposed a new funding structure. These schools provide for Special Educational Needs (SEN) children and young people with a range of complex disabilities. This includes children and young people with learning disabilities, autistic spectrum disorders, social and emotional mental health needs. The six schools included in the review are:
 - Oaklands School
 - Ellesmere College
 - Nether Hall School
 - West Gate School
 - Millgate School
 - Keyham Lodge
- 2.2 In addition to the six maintained special schools, there are other special schools (Ash Field Academy, Leicester Partnership School pupil referral unit and the Children's Hospital school) that were not included in this consultation exercise due to their different funding models. However, it is proposed that a review of the funding for these schools should commence in April 2021, with a further report being presented to the Children, Young People and Schools Scrutiny Commission and Executive for consideration in due course.
- 2.3 The key driver for the review of the special schools' funding relates directly to the inequality of the existing funding arrangements between the six schools. The review was not intended to reduce the overall funding, but to ensure it is redistributed in a fair and transparent manner. The current funding arrangements have been in place since 2014.
- 2.4 It is proposed to introduce a new system that will fund schools based on the current need of the individual pupils attending each school. This will be underpinned by a new system for banding pupils based on differing needs (6 bands, appendix 1). Funding will stay with the child and be reviewed on an annual basis.
- 2.5 The proposal to review the funding rates, and the principles contained within the rates review, which seeks to address the inequity of funding, has been supported by the special schools' headteacher network CLASS, with other letters of support being received from both individual schools and the Schools Forum. Appendix 7.

- 2.6 A consultation exercise was undertaken with all six schools and a wide range of stakeholders as detailed at Appendix 10. A summary of the findings and the Council's responses can be found at paragraph 4.8 and full details at Appendix 5 & 6.
- 2.7 Whilst four of the special schools will benefit from the proposal, two will see their funding reduced. Work is currently in progress with the schools to better understand the reasons for any higher costs. If the higher costs cannot be adequately justified, then officers will work with the schools to develop transitional plans in the coming months to reduce the spend over the next few years.
- 2.8 It is proposed that the changes will take effect from 1 April 2021. However, any reduction in funding rates for special schools must be agreed in advance with the Department for Education (DfE). Therefore, the two schools potentially affected by the proposals will not see their funding reduced until further consideration is given to their costs and the DfE has given approval.
- 2.9 A glossary of the terms relating to Special Educational Needs within this report is detailed in Appendix 12.

3. Recommendations

- 3.1 The Children, Young People and Schools Scrutiny Commission are recommended to:
- a) Provide feedback/comment on the proposed funding changes to the individual special school as summarised at paragraph 4.8.
 - b) To note the responses to the consultation as detailed at Appendix 5 & 6 and to provide feedback/comment.
 - c) To note the proposed funding rates as outlined in paragraphs 4.9 and to provide feedback/comment.
 - d) To note the process of further discussions with the schools where their funding is to be reduced and to provide feedback/comments.

4. Report/Background Information

- 4.1 The funding for the special schools has not been reviewed since 2014 and was undertaken in recognition of the inequality in the current arrangements, and as a means of ensuring funding is linked directly to the individual child's or young person's needs, rather than the school they happen to attend.
- 4.2 The Council has worked closely with the six special schools to develop the new funding proposals, as detailed at Appendix 2.
- 4.3 The proposed new system will fund teaching costs based on the needs of each pupil. A new system for banding pupils, using 6-bands to reflect differing needs (see Appendix 1), has been supported by the special schools. Based on the agreed model, each school banded their existing pupil cohort and it's on this basis that funding rates for teaching and teaching support costs have been calculated. This will be subject to an annual review process and adjusted yearly. All other costs of the school to be funded (including leadership teams, administration staff, premises staff and all other running costs) are calculated on a fixed rate per pupil and using the 2019/20 actual expenditure (also

Appendix 2). Overall, the proposed funding arrangements will redistribute the existing funding.

- 4.4 The proposed revised funding rates are shown in Appendix 2, prior to inflationary increases applicable from 1 April 2021, and other mitigating adjustments as outlined in paragraph 4.8. These proposed revised rates compare favourably with funding rates in other Local Authorities, see Appendix 3a and 3b.
- 4.5 A formal consultation exercise was undertaken between 2 October 2020 and 27 November 2020, to introduce and seek comment on proposals to change the Special School funding formula for the six Leicester City maintained special schools: Ellesmere College, Keyham Lodge, Millgate School, Nether Hall School, Oaklands School and West Gate School.

Consultation approach

- 4.6 The consultation exercise was launched on 2 October 2020 with a meeting of the six special school head teachers, followed by a joint meeting of school governors, and then individual meetings with each school's full governing body. Wider engagement took place through the Parent Carer Forum, Special Educational Needs Disabilities Information and Support Service, the Big Mouth Forum, and the Schools Forum. An on-line consultation document and questionnaire was used to facilitate responses from interested parties.

The consultation questionnaire is detailed at Appendix 9.

Consultation response

- 4.7 A list of all the main issues and concerns raised by special schools and Schools Forum is included in Appendix 5, together with details of the Councils response.

4.8 In summary:

- 1. **Oaklands School** – 5% proposed increase to their current funding rate. The school is in favour of the proposal and was pleased with the principles adopted in formulating the revised funding rates, although they remain concerned about the overall level of funding.

The Council's response: We recommend implementing the revised rate from 1 April 2021.

- 2. **Ellesmere College** – 16% proposed increase to their current rate. The college is in favour of the proposal and was pleased with the principles adopted, particularly the recognition of funding following the pupil rather than the institution.

The Council's response: We recommend implementing the revised rate from 1 April 2021.

- 3. **Nether Hall School** – 4% proposed increase to their current funding rate. The school was generally in favour of the proposal. However, the school raised the issue of the additional medical and health support costs they incur for their profound and multiple learning disability pupils.

The Council's response: We recommend implementing the revised rate from 1 April 2021.

Post consultation we are working with the school to understand the level of additional needs for their pupils, once the costs are fully understood, and if adequately justified,

we will look to adjust their rate. Changes can be applied retrospectively from 1 April 2021.

4. **West Gate School** – 7% proposed increase to their current funding rate. Whilst the school is in favour of the principles adopted in the proposals, they are of the opinion that the proposed increased rate is insufficient. The school has an existing deficit, and staffing ratios for teaching assistants are significantly higher when compared to other similar schools. They are willing to work with the Council and have already identified areas where they may be able to make reductions.

The Council's response: We recommend implementing the revised rate from 1 April 2021.

Post consultation we are working with the school to understand the level of additional needs for their pupils, once the costs are fully understood, and if adequately justified, we will look to adjust their rate. Changes can be applied retrospectively from 1 April 2021.

5. **Millgate School** – 22% proposed reduction to their current rate.

The proposed reduction includes £400k (8%) for the provision of overnight onsite respite support, which the Council will review as a separate cost pressure. The school has provided this service as a means of supporting up to 8 individual pupils at any one time to have overnight stays to prevent family/carer breakdown. In terms of OFSTED the school is registered as a boarding school and therefore can provide overnight stays. With this adjustment made, the proposed reduction for the main educational element would be 14%.

The school is strongly of the opinion that the proposed rate is insufficient. However, the school spends more on senior staff, when compared to other special schools and work is needed to understand the reasons for the differential.

The Council's response: We recommend implementing the revised 14% educational element rate from 1 April 2021.

Post consultation we are working with the school to understand the level of additional needs for their pupils, once the costs are fully understood, and if adequately justified, we will look to adjust their rate. Changes can be applied retrospectively from 1 April 2021.

Regarding the onsite overnight respite accommodation, the Council needs a better understanding of the purpose and access arrangements to ensure there is transparency and accountability around its use. Work will commence with the school to do this with a full commissioning review to take place 2021/22 to determine if this service is still required. Full funding for this element (£400K/ 8%) will remain in place until that process is complete.

6. **Keyham Lodge** – 8% proposed reduction to their current funding rate.

The school is not in favour of the proposal. In the same way as Millgate, the school spends more on senior staff, when compared to other special schools and work is needed to understand the reasons for the differential.

The Council's response: We recommend implementing the revised rate from 1 April 2021.

Post consultation we are working with the school to understand the level of additional needs for their pupils, once the costs are fully understood, and if adequately justified, we will look to adjust their rate. Changes can be applied retrospectively from 1 April 2021.

7. **Schools Forum** – felt that the realignment of funds was overdue and that on balance was a fairer system as funding would follow need, not institution. Forum supported the review of the High Needs Block expenditure in general. They were also keen that the Council apply a system of moderating the banding of pupils by schools to ensure parity.

Finally, whilst supporting the proposals, they wanted to ensure that there was a transition plan in place for those schools that are losing funding.

The Council's response: The transition arrangements are discussed at paragraph 4.9(g)

8. **Other general responses**

A total of 455 questionnaires were completed and returned.

In summary the majority of head teachers and governors were in favour of using the proposed new 6-band system for identifying pupil teaching needs. For teachers, the split was 48% in favour versus 37% not, with the remainder indifferent. Non-teaching school staff were evenly split.

Similarly, the majority of head teachers and governors supported the use of standardised funding for non-teaching related costs. However, the majority of teachers and non-teaching staff were against this approach.

The Council's response: we are pleased that leadership and governors are in overall favour of the principles of the funding proposals.

Proposed way forward

- 4.9 The decision to increase unit funding rates for special schools is in the gift of the Council. Following the feedback from the consultation and subject to the following, it is recommended the Executive Lead agrees to the proposed rates outlined in 4.8 and that these should be implemented from 1 April for Oaklands School, Ellesmere College, Nether Hall School and West Gate School. In addition, it is proposed:
 - a) The additional funding per pupil for medical and health support costs is reviewed with Nether Hall School and added retrospectively if appropriate with effect from 1 April 2021.
 - b) Work to continue with West Gate School to review their current support costs and that following this, to determine whether any further adjustments to the rate should apply and be retrospectively applied with effect from 1 April 2021.
 - c) Work to continue with Millgate School to understand their costs associated with the senior leadership structure and to suggest alternative options to reduce the differential, when compared to the other schools. Any changes to the proposed reductions will be added retrospectively if appropriate with effect from 1 April 2021. Also, to work with the school to understand the benefits of the onsite respite provided by the school and to agree a separate funding mechanism, pending the outcome of a commissioning review.

- d) Work to continue with Keyham Lodge to understand the costs associated with the senior leadership structure and to suggest alternative options to reduce the differential when compared to the other schools. Any changes to the proposed reductions will be added retrospectively if appropriate with effect from 1 April 2021.
- e) In regards to Millgate Schools respite facility, work will commence with the school to do a full commissioning review to take place 2021/22 which will determine if this service is still required. Full funding for this element (£400K/ 8%) will remain in place until that process is complete.
- f) Inflationary adjustments applicable are added to the proposed rates which were baselined against 2019/20 costs.
- g) To agree a transitions plan for both Keyham Lodge and Millgate School to reduce costs in line with the proposed funding rates as detailed in Appendix 2 over a period of time, if their additional costs are not adequately justified.

4.10 Nationally, the unit funding rates for special schools cannot be reduced without approval from the Department for Education (DfE). Therefore, approval will need to be sought from the Executive Lead to submit a request to the DfE to reduce unit funding for both Millgate School and Keyham Lodge to the proposed rate, subject to the ongoing work with the schools as detailed at points (c) and (d) above. It is also recommended that until we gain approval from the DfE, existing funding rates should apply from 1 April 2021 for both schools.

5. Details of Scrutiny

- 5.1 Principles of the consultation were presented and discussed at the Children and Young Peoples Scrutiny Commission on 29th September 2020
- 5.2 Correspondence was sent to all elected members, advising them of the consultation exercise in October 2020.
- 5.3 The consultation process included extensive information relating to the proposal as detailed at Appendix 9 & 10 and members of the Children, Young People and Schools Scrutiny Commission are asked to provide feedback and comments, which will be considered prior to any decision.

6. Financial, legal and other implications

6.1 Financial Implications

Pressure on the high needs budget is a recognized national issue, which is well documented across local government. The pressure on the Dedicated Schools Grant (DSG) has led to more and larger overspends in recent years with numbers of children with education and health care (EHC) plans continuing to increase nationally at around 11% pa

Locally, numbers of pupils with EHC plans have increased at an average of 12.8% over the last 5 years which has led to significant pressures on the LA's High Needs Block (HNB) in recent times. The forecast over-spend, compared to the HNB allocation is £7.1m in 2020/21 and forecast to be £4.3m in 2021/22. Whilst the DfE have provided additional funding for the HNB in 2020/21 and 2021/22, the increases have not kept pace with the continued growth in demand.

It is forecast that DSG reserve account will be in a cumulative deficit position of £2.3m at the end of 2020/21, which is due to the pressures on the HNB. Such cumulative deficits cannot be funded by the council's own resources, however the DfE expect the LA to develop and implement an action plan with a view to eliminating the deficit.

In response to the pressures on the HNB and the cumulative deficits the LA will be reviewing all expenditure, with the first two strands of the review covering special school funding and the funding of SEN within mainstream schools, the two single largest areas of expenditure. This report and consultation deals with the former. The issue of SEN funding in mainstream schools will be the subject of a subsequent report.

As explained in this report the proposed revised special school rates re-distributes funding on a more equitable basis, it does not result in a reduction in the overall funding to the 6 schools. In other words, the intention was that these proposals were to be cost neutral in terms of total funding. However, to the extent that any individual school's proposed funding reductions are not implemented, this will increase the local authorities funding requirements and increase the deficit incurred within the HNB.

Martin Judson, Head of Finance

6.2 Legal implications

The proposed funding rates represent an increase in funding for 4 of the city special schools. The LA can implement these increases if the proposal is approved.

However, the proposals represent a reduction in funding for 2 of the city special schools and therefore due to the minimum funding guarantee, the only way that the new funding rates can be applied for these 2 schools is if the LA makes an application to the DfE. In the circumstances, once the further consultation outlined at 4.9 has taken place, in order to proceed with the reduction in rates for Millgate School and Keyham Lodge, an application would have to be made to the DfE.

There have been a number of recent legal challenges to local authorities seeking to make savings within the area of Special Educational Needs. When taking any decisions, the Council needs to be mindful of the welfare of the children and young people who may be affected and not simply seeking to address financial concerns. It is noted that the purpose of the revised funding rates is not to achieve savings but to re-distribute funding between schools to ensure fairness and transparency. However, if fully implemented, the proposals do result in a reduction for 2 schools and the impact of this should be considered.

Julia Slipper, Principal Lawyer, Education & Employment. Tel 0116 454 6855

6.3 Climate Change and Carbon Reduction implications

Not applicable to this report.

6.4 Equalities Implications

Under the Equality Act 2010, public authorities (including the local authority and schools), have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The proposal seeks approval to implement a new funding formula for special schools in the city. As the proposal is focused on funding for special schools, the protected characteristic of disability is highly relevant to the proposal however other protected characteristics should also be considered to ensure that there are no unintended disproportionate impacts, or if disproportionate impacts are identified, they are appropriately mitigated. The proposals have the potential to impact pupils, non-teaching staff and teaching staff.

An equality impact assessment is being carried out and should influence decision making from an early stage and throughout the decision-making process in order that the proposals can be amended to address any equalities impacts and mitigating actions identified to lessen or remove potential disproportionate negative impacts on any protected characteristic group.

The equality impact assessment is an iterative document which should be revisited throughout the decision-making process and should also take into account any consultation findings. The possible or actual impacts of continuing to provide funding in the same way as it is provided now should also be considered as a part of the impact assessment.

Schools are also subject to the PSED and have responsibilities to prevent discrimination against and ensure the fair treatment of all children and young people with disabilities. In addition, employers have duties under the Equality Act 2010 which certain schools may reflect upon in terms of the potential need to reduce their staffing costs should the proposals be agreed.

The consultation findings on the proposal will support in collating the information required to enable decision makers in paying due regard to the PSED.

Surinder Singh, Equalities Officer Tel 37 4148

6.5 Other Implications

None

7. Background information and other papers:

Summary of appendices:

Appendix 1	Special school banding descriptors
Appendix 2	Original proposed unit funding rates and resultant single weighted average funding rate per school and comparison to current rate
Appendix 3a	Other LA rates by type of need compared to 'best fit' LCC proposed rates by school
Appendix 3b	LCC proposed rates by school compared against other LA mid-point comparator rates
Appendix 4	Comparison of 2019/20 total funding by school with total funding using proposed rates
Appendix 5	Summary of consultation responses and LA response
Appendix 6	Qualitative and Quantitative consultation responses received

Appendix 6a	Head teacher, governor and parent representations
Appendix 7	Statement of support from CLASS
Appendix 8	Frequently asked questions
Appendix 9	Consultation communications plan
Appendix 10	Details of briefings, emails communicating the consultation
Appendix 11	Equality Impact Assessment
Appendix 12	Glossary of Terms

8. Is this a private report

No

9. Is this a “key decision”?

No

Appendix 1 – Banding Descriptors

Descriptor	Band 1	Band 2	Band 3	Band 4	Band 5	Band 6
Staffing Model	Typically, pupils who can manage within the overall organisation and curriculum but who, on occasions require some low-level additional supervision and intervention for others, over and above the class team e.g. Speech and Language Therapy	Typically, pupils need a small teaching group and require close supervision and interventions from staff. (approx. 4:1) (children : adults)	Typically, pupils need regular, additional time from a range of adults. They may make frequent demands for support because of their learning/behaviour difficulties. They may be dependent on adults for some aspects of their self-help/care needs. (approx. 3:1)	Typically, pupils require high levels of adult support on a daily basis to access the curriculum. They may find it difficult to interact with other pupils and staff due to learning and/or social difficulties (approx. 2:1)	Requires constant 1:1 support throughout the day and individual strategies to support learning/self-care/medical needs. May require additional adult support to be available at times of difficulty to prevent escalation of problems.	Exceptional levels of staffing required to meet bespoke needs.
TAs/child	0	0.25	0.33	0.0	1	2
Proportion of TA cost to total teaching cost	0.55	0.55	0.55	0.55	0.55	0.55
Band weighting	1	1.1375	1.1815	1.275	1.55	2.10

Appendix 2 - Original proposed unit funding rates and resultant single weighted average funding rate per school and comparison to current rate (prior to post consultation adjustments and inflationary uplifts applicable from 2021/22)

Revised 2021 funding rates (UOM £/Pupil)

Description	Oaklands	Ellesmere	Netherhall	Westgate	Keyham	Millgate
Non teaching						
Leadership	£2,745	£2,215	£2,745	£2,134	£2,745	£2,745
Other staff and non staffing	£5,677	£5,677	£5,677	£5,677	£5,677	£5,677
Transfers to capital	0	0	0	0	0	0
Total non-teaching	£8,423	£7,892	£8,423	£7,812	£8,423	£8,423
Band 1 teaching	£12,211	£12,211	£12,211	£12,211	£12,211	£12,211
Band 2 teaching	£13,890	£13,890	£13,890	£13,890	£13,890	£13,890
Band 3 teaching	£14,427	£14,427	£14,427	£14,427	£14,427	£14,427
Band 4 teaching	£15,569	£15,569	£15,569	£15,569	£15,569	£15,569
Band 5 teaching	£18,927	£18,927	£18,927	£18,927	£18,927	£18,927
Band 6 teaching	£25,643	£25,643	£25,643	£25,643	£25,643	£25,643
Teaching weighted average	£16,237	£14,984	£16,337	£17,226	£21,565	£22,091
Other income	(£1,500)	(£1,500)	(£1,500)	(£1,500)	(£1,500)	(£1,500)
Net Funding from LAs	£23,159	£21,376	£23,260	£23,537	£28,488	£29,014
Increase/(Reduction) in funding rate compared to 2019/20	£1,109	£2,947	£914	£1,463	(£2,637)	(£8,123)
	5%	16%	4%	7%	-8%	-22%
2019/20 current funding rates (including specific	£22,050	£18,429	£22,346	£22,074	£31,125	£37,137

Appendix 3a - Other LA rates by type of need compared to 'best fit' LCC proposed rates by school

Description	SLD/PMLD (Severe or profound multiple learning disability)	SEMH (Social, emotional and mental health)	MLD (Moderate learning disability)	ASD (Autistic Spectrum Disorder)
2019/20 LLC (including specific funding)	£22.1k - £22.3k	£31.1k - £37.1k	£18.4k	£22.1k
Proposed LCC	£23.3k - £23.5k	£28.5 - £29k	£21.4k	£23.2k - £23.5k
LCC schools best fit	Nether Hall/ West Gate	Keyham/ Millgate*	Ellesmere	Oaklands and West Gate/ Ellesmere

* Note the Millgate current rate includes the respite/residential provision. If this were to be removed the % difference would be reduced.

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LCC Confirmed comparatives	SLD/PMLD Severe or profound multiple learning disability)	SEMH (Social, emotional and mental health)	MLD (Moderate learning disability)	ASD (Autistic Spectrum Disorder)
Derby	£16.3k - £25.4k	£27.2k		
Nottingham City	£19.58K	£24.53k	£16.96k - £20.34k	£21.63k
Coventry		£17k - £24k		
Leicestershire		£27k		
Birmingham	£18.1k - £21.2k	£23.0k - £28.1k	£12.9k - £14.6k	£16.3k - £29.5k
Average of comparator mid points	£20.0k	£25.9k	£16.2k	£22.3k

Appendix 3b - LCC proposed rates by school compared against other LA mid-point comparator rates

The following table uses the mix of SEN characteristics of our schools and the average of the mid-point comparator rates to calculate an approximate average rate per school. This rate is then compared to our proposed LCC rate and our current LCC rate in £ per pupil and in % terms.

This comparison should be taken as a guide only as we are using average comparator data. Nevertheless, it does show that the LCC proposed rates are more in line with our comparators than the current rates. Moreover, the % variation of the LCC proposed rates to the comparator average has also been reduced.

School	Average comparator funding rate per pupil based on 2019/20 pupil characteristics	Proposed LCC funding rate per pupil post consultation	% by which LCC proposal exceeds the comparator	Current LCC funding rate per pupil	% variation of current LCC rate to comparator
Ellesmere	£20.7k	£21.4k	3.2%	£18.4k	-11.3%
Nether Hall	£20.0k	£23.3k	16.3%	£22.3k	11.4%
Oaklands	£21.7k	£23.2k	7.1%	£22.1k	2.1%
West Gate	£21.1k	£23.5k	11.4%	£22.1k	4.8%
Keyham	£24.1k	£28.5k	18.0%	£31.1k	28.8%
Millgate*	£24.9k	£29.0k	16.6%	£37.1k	49.1%

* Note the Millgate current rate includes the respite/residential provision. If this were to be removed the % difference would be reduced.

Appendix 4 – Comparison of 2019/20 total funding by school with total funding using original proposed rates

Comparison to 2019/20 Funding

Description	Oaklands	Ellesmere	Nether Hall	West Gate	Keyham	Millgate
Agreed places	109	285	105	180	112	104
Standard formula funding	£2,195,696	£5,201,820	£2,215,500	£3,973,320	£3,486,000	£3,862,248
Prior year adjustment						
Additional specific funding*	£207,788	£50,372	£130,786			
2019/20 Total Funding (standard plus specific)	£2,403,484	£5,252,192	£2,346,286	£3,973,320	£3,486,000	£3,862,248
2019/20 Funding based on revised rates	£2,524,343	£6,092,139	£2,442,260	£4,236,683	£3,190,638	£3,017,422
(Reduction)/Increase compared to current 19/20 funding	£120,859	£839,947	£95,974	£263,363	(£295,362)	(£844,826)
Percentage	5%	16%	4%	7%	-8%	-22%

*Note: *Additional specific funding* refers to bespoke funding paid in 2019/20 for identified children with needs that are in excess of the existing funding rates. The new proposed funding rates will eliminate the need for this additional funding as this will be incorporated in the new funding rates.

Appendix 5 – Summary of main issues raised in the consultation

School specific

General points raised by most schools

- 1) The majority of schools supported the need to review the funding of special schools to make it fairer and based on pupil need and not where the provision is located.
- 2) Concern was raised generally as to why the whole of the HNB was not being reviewed at the same time, rather than look at special schools first and ring-fence existing funding.

LA response

The LA is committed to reviewing all of the areas of expenditure funded from the HNB to ensure a fair distribution of funding and value for money. It is not practical to review all areas simultaneously given the need for extensive consultation. We have started with special schools as the largest single area of expenditure and where there are the most concerns regarding the fairness of funding for individual schools. As we progress through the reviews, we will determine whether or not the funding is fair by benchmarking with other LAs and adjust funding between areas accordingly. Therefore, no area will be disadvantaged by the order in which that area of expenditure is reviewed.

- 3) Similarly, there was general concern as to why Ash Field Academy in particular and to a lesser extent the secondary pupil referral unit were not included in the funding review now, rather than at a later date.

LA response

Neither Ash Field or the other special schools will be disadvantaged as a result of the reviews being separate. There was a pressing need to begin the consultation for the majority of schools as soon as possible and including Ash Field at this stage would have introduced further delay. The delays related to the availability of comparative unit costs for 2019/20 as a result of the different financial year ends for academies and there are also issues of cost comparability as a result of the wider range of need at Ash Field including the medical support which needed further work as part of the review. The review of Ash Field will commence when the outcome of this consultation is completed.

- 4) General concerns were raised over the basis of calculating the funding rate. The proposed system calculates the funding for the financial year starting in April based on the pupil bands in the previous January (ie in the same academic year). A weighted average pupil funding rate is calculated for that cohort of pupils and is applied to all pupils for that financial year. Schools were not in favour of this approach and wanted funding to be based on each pupil in real time as they enrol at the school.

LA response

The LA proposed calculating a weighted average funding rate for all pupils at a school based on the bands of the pupil cohort at a point in time and applying that rate for the whole of the following financial year. The rate would be re-calculated on an annual basis. This approach was proposed rather than the alternative of applying a specific banded rate for every individual pupil who attends the school during the financial year.

This approach has the following advantages:

- *There is a practical limitation in the capacity of the LA to moderate the bands applied by special schools to pupils in 'real time'. By reviewing the bandings by schools of all*

pupils at a pre-determined point in time we can sample check the bands selected in a peer to peer group and moderate as appropriate

- It gives the schools certainty over their unit funding levels for the following year*
- Where there are new children in year, the funding can be settled immediately*
- An annual recalculation of average rates allows the Council better budgetary control where there may be band inflation in order to better match available funding to the level of demand and remain in the overall budget envelope*
- Over the long term, schools will not be financially disadvantaged because the average banding rate will be re-calculated year on year and will therefore reflect the changing need of the schools' cohort*

We have indicated that where schools have a cohort of children at a separate site which have significantly different levels of need to the main site, then a different average funding rate will apply to each site.

We have also indicated that there may be exceptional circumstances where a pupil's need is significantly beyond the needs of our banding descriptors and this will be looked at on a case by case basis with additional funding being made available.

Ordinarily the calculation of the weighted average banded rate for the next financial year will be based on the cohort of the current academic year. For example for the financial year April 2022 to March 2023, the weighted average banded rate calculation will be based on the cohort of pupils in the academic year September 2021 to August 2022 and be used for the full financial year.

Any changes in the cohort of pupils in the academic year starting in September 2022 will not be reflected in a change to the weighted average banded rate until the April 2023 financial year. Mainstream schools are similarly funded based on a part lagged basis but unlike mainstream schools, special school will always be funded for the correct number of pupils. The only impact on special schools is the part year delay in changing the weighted average rate. We do not expect this to have a significant impact. Moreover, for the reasons outlined above it is only practical to re-band and moderate once per annum.

- 5) There were concerns that the bands selected by schools for their pupils had not been through any independent moderation process and therefore may not be comparable across schools.

LA response

For the financial year 2021/22 we will be using the pupil banding provided by schools for their January 2019 cohort. For the following financial year starting 1 April 2022 we will use the pupil banding provided by schools for their January 2022 cohort and these bandings will be subject to a peer moderation process.

The moderation process applied to the pupil cohort for 2019/20 was completed, however as the sample size was not adequate, therefore we did not feel this could be fairly used and applied to moderate all schools banding. Additionally, it was felt by moderating at this time, it was add further complexity to this review.

Once the banding rates have been agreed we want to ensure there is a robust and transparent process relying on a peer moderation model. It is important the we work collaboratively Special Schools to design and implement this process moving forward.

- 6) Concerns were raised generally about the funding for pay and pension increases both for teaching and support staff and how these would be reflected in the rates.

LA response

The DfE have now confirmed that the previously separate grants for teachers' pay rises in 2018/19 and 2019/20 and the teachers' pension increase in 2019/20 will be incorporated as part of our HNB grant allocation. As a result, the DfE have instructed LAs to add £660 per pupil to our current funding rates. The impact will be neutral for schools.

Therefore, whilst our LA funding rate from 2021/22 will increase because of this transfer, the impact will be neutral for schools because the external teachers' pay and pension grant income will reduce by the equivalent amount.

We will also adjust the funding rates for the teachers' and non-teaching staff pay and pension rises in 2020/21. Any increases for teaching and non-teaching staff for 2021/22 are not yet known and so funding will be held centrally until such time as we have confirmation.

Specific concerns raised by Keyham and Millgate

- 7) Concern was raised by Millgate and Keyham that the weighting of the banded funding should not be based on staffing support ratios as this did not accurately represent the level of need that the staff would have to address.

LA response

The pupil banding descriptors were produced and updated by the special school head teachers, following a review of those developed by an external consultant. The descriptors also provide indicative average levels of support staff required for each band. The level of additional support staffing is used as a means to weight the level of resource required at each band. We remain of the view that allocating resources in this way is the most pragmatic method available.

- 8) Concern was raised that the rate of funding for each band is insufficient to cover the costs of the support described by the band.

LA response

The teaching funding provided for each band is weighted according to the level of staffing resource required for each band. The weighting provided in the formula, which when combined with the pupil banding data provided by the school produces a level of overall funding for teaching which exceeds the actual teaching costs incurred by these schools in 2019/20 (after adjusting for the respite provision costs at Millgate) which itself is based on the actual resources required for the pupils' needs.

- 9) Concern was raised by Millgate and Keyham schools that separating out the funding of leadership grade staff and funding these at a fixed rate regardless of need of the pupils was not appropriate. This was on the basis that schools that deal with SEMH pupils need a different structure to other schools and that their leadership staff are much more heavily involved in teaching and that staff at this level are needed to deal with the behaviour of some of these pupils. Keyham and Millgate employ a total of 18 staff on leadership grades, compared to a total of 20 similarly graded staff across the 4 other schools in this consultation combined.

LA response

We recognise that Keyham and Millgate spend more (80% and 62% respectively) on non-staffing running and non-teaching staff costs per pupil than the standardised funding amount included in these proposals.

We have entered into further discussions with both schools regarding this issue and have asked that they provide more detailed information to consider whether or not additional funding is required in excess of the propose rate.

Specifically we have asked for further details of their leadership grade staff and evidence of the degree to which these staff are engaged in face to face teaching over and above what would normally be expected for this level of staff.

- 10) Keyham and Millgate were concerned that the standardised running cost and non-teaching staff funding that is being proposed is inadequate to fund the range of activities that they provide and that are necessary for their SEMH pupils. Millgate said that based on the funding proposed they would not be able to keep their respite provision (which they refer to as residential provision).

LA response

Keyham and Millgate provide a range of additional support that other special schools are not able to. Whilst schools have a significant degree of latitude in terms of deploying their resources it has to be recognised that all providers have to operate within funding constraints.

We will continue to fund the 400k required for the residential respite provision and working with Millgate, will complete a full commissioning review during 2021/22.

Specific concerns raised by Nether Hall

- 12) Nether Hall raised the concern that their PMLD pupils require additional funding for health and medical support which they provide.

LA response

We have entered into further discussions with Nether Hall regarding this issue and have asked for more detailed information to consider whether or not additional funding is required in excess of the proposed rate.

Specific concerns raised by West Gate

- 13) West Gate, whilst supportive of the revised system, remain concerned that whilst they would receive additional funding compared to their existing rate, the amount falls short of their existing expenditure. The school believe that the proposed rate is inadequate, and they are unable to reduce their costs to match the rate.

LA response

We are in further discussions with West Gate regarding the level of teaching and support staff that the school employ.

Schools Forum response

- 14) Schools Forum felt that the realignment of funds was overdue and that on balance was a fairer system as funding would follow need not institution. Forum supported the review of the HNB expenditure in general. They were also keen that we apply a system of moderating the banding of pupils by schools to ensure parity. Finally, whilst supporting the proposals they wanted to ensure that there was a transition plan in place for those schools that are losing funding.

LA Response

A transitions plan will be agreed with the two schools that see a reduction in funding and will agree this with the DfE.

General responses to the consultation

1. Charts detailing the general responses to the consultation are shown in Appendix 6
2. In summary the majority of head teachers and governors were in favour of using the 6 band system for identifying pupil teaching need. Whilst this was not the case for teachers, the split was 48% in favour versus 37% not, with the remainder indifferent. Non-teaching school staff were evenly split.
3. Similarly the majority of head teachers and governors supported the use of standardised funding for non-teaching related costs. However, a majority of teachers and non-teaching staff were against this approach.

Appendix 6 – Qualitative and Quantitative consultation responses

Details below present the qualitative feedback received during the consultation process from various stakeholders

Big Mouth Forum

A discussion took place at the Forum meeting, and why the changes were being proposed. Forum members agreed it is important students know what support they can access and the different type of options Young Person A said it is important TAs give young people the opportunity to learn independently and encourage a child not to rely on their support. It is also nice when others also receive support, some young people who need help might not get the chance to have a personal TA.

With school funding some of the money needs to go on providing the right activities within courses and the other half of the money needs to be spent on teaching assistants. All staff need to go disability awareness training. It is important teachers know the young person's interests and the activities they enjoy because this will help the child to learn. Young Person A said students will need support to decide the right path for them. Young Person A said he had a good experience when the teachers gave him options. Young Person B said that some children may not ask for help. Its important staff check that the child is ok

Comments received

Given the large number of responses it is appropriate to capture a range of these received, which are presented below and provide context of the potential changes to the school from the settings perspective.

Ellesmere school (53 responses from all staff and governors)

'At present we have a number of students who need high levels of support to reach their potential but are funded in the same way as other students with less complex needs. This is clearly not equitable. Higher levels of staff supporting complex students mean that other students receive less support.'

'It seems fair that funding is banded to be more personalised as we strive to create personalised curriculums, but current staffing levels holds us back.'

'More flexibility to be able to more effectively and fairly meet student need, having a secondary impact on wellbeing, outcomes and variety of provision'

Keyham Lodge and Millgate Schools (77 responses from all staff and governors)

'Obviously, it is important that all SEN pupils across the city get the funding they need to be successful and to thrive. However, this should not mean reducing the funding of pupils at Keyham and Millgate schools. Our students come from some of the most deprived backgrounds economically and socially, and this must be recognised in this proposal. They require a high level of both therapeutic and academic input in order to succeed, and to take away funding that would undoubtedly affect the level of input that is available to students would be unfair.'

'The pupils we have at Keyham Lodge are so individual, with such varying needs that the only way for them to succeed and have a chance of becoming valuable members of society is to give them a broad spectrum of experience now.'

For instance, there is a pupil who is on an equestrian pathway at the school who has very complex needs, who couldn't function in a school environment at all. Who at present is on course to leave Keyham Lodge with an industry recognised qualification.

Who has after all of the riding lessons and training from various sources has just completed a week's work experience at a large riding yard with the most glowing of references!

'The proposed changes will mean significant cuts in funding for our school and for our students. The students we teach are some of the most vulnerable and underprivileged in the country. Without a well-funded network of support, starting with school, these students run the risk of experienced deficits in their progress which will never be caught up. I strongly disagree with the proposed funding cuts and the potential impact it will have on our students' lives.'

Netherhall School (42 responses from staff and governors)

'We agree to standardised per pupil funding for non-teaching costs subject to a revision to the formula that recognises that Nether Hall School has a high proportion of pupils with profound and multiple learning disabilities (PMLD).

This will also recognise that these vulnerable pupils have feeding, mobility and medical needs, which require additional resource leading to higher non-teaching costs.

These do not apply to the City's other special school, which form part of the review, and therefore the proposed standardised rate is not appropriate for Nether Hall School.'

'While we agree with the banding and weighting method to determine the allocation of teaching funds, we would like to propose a number of small changes that makes it more suitable.

'We believe that funding should be allocated based on the actual numbers in each band and the current cohort of pupils. The current proposal uses averaging over a previous year, and this is too broad.'

We also believe that the money should be allocated for each child rather than averaged. We would also like to see the banding to be independently moderated.'

'While we welcome the additional funding that the proposed funding rate gives to us, it will not be enough and Nether Hall School will continue to be underfunded by around £250,000 per year.

Each year, the School has been accepting more pupils with some of the highest and most complex needs in the City. However, the funding it has received has not kept up with the significant costs involved. As a result, it has been underfunded for the last three years'.

Oaklands School

'Standardised funding would ensure that every school is funded based on the number of pupils which would have a massively positive impact on many schools who are currently running with minimal staff.'

'As a leadership team including our governors, we are supportive of the proposed model, not simply because it provides financial improvement for Oaklands, important though that is, but because we see it as the first steps in a process that will eventually deliver a fair, transparent and

sustainable funding allocation to all of the special schools. We were pleased that all the special schools were fully consulted and Head teachers heavily involved in the robust examination of the existing funding issues to produce the resultant proposed model.

'Clearly, there will always be issues over funding and it has to be accepted there is no magic pot to solve all issues. We initially need to establish a fair allocation of the current funding and to then identify additional resources required to ensure our children receive the best provision individually. At that point we are in a position with evidence to lobby Government for additional monies'

West Gate School (66 responses from staff and governors)

'Pupils who attend Special Schools deserve the rights to appropriate funding to meet their individual needs, currently the proposal is like a lottery, some schools gain and some schools loose, how does this help to fund the best possible education for their individual needs.'

'I do agree with a banding system, it can work, but then to average it out seems to nullify the idea of a banding system itself. I appreciate that there is no perfect solution. But I am struggling with how this benefits any one student when the scale is so large between one student and another, especially here at West Gate'

'I care passionately about the pupils I teach and I know what a detrimental impact our present financial situation has on every aspect of our day to day practice, and how our pupils are affected by this. I do not have enough staff to support the complex day to day needs of my pupils appropriately, and the school cannot afford to buy the resources so desperately needed to effectively support learning. In the past we have come to terms with the fact that the funding system is unfair and we have learnt to accept this and do our best to cope, but why should we? Why should some pupils not receive adequate funding to meet their needs?'

School by school responses to the proposals

This section highlights the key points raised from each of the schools during the consultation, both through City of Leicester Special Schools (CLASS) meetings, Governor meetings, and individual school meetings.

Ellesmere College

Ellesmere have increased its pupil numbers from xx to xx over past xx years. It has historically been the lowest funded school in the city and moving into deficit

The school argues it is no longer a Moderate Learning Difficulty school, but provides provision for SEMH and SLD, therefore under the proposals any child in the city will be funded at the same level regardless of the school they are educated in.

In their response they highlighted the inequity of funding with the current model, in that all students are funded the same regardless of their needs. Furthermore, schools designations have changed, including Ellesmere additionally, whilst trying to be flexible and including more complex pupils within the school the school moves into deficit.

The school confirmed they have worked for 18months with CLASS to develop banding descriptors, including staffing as the main cost indicator, with a detailed description of need sitting below this. The school recognises the banding will be moderated every 12 months and weighted averages updated to reflect cohort changes.

Keyham Lodge

Multiple representations have been made staff, parents and governors across the federation of Keyham and Millgate School, the details below are a combination of these responses.

The governors have confirmed they cannot accept the funding review in its current form, arguing it is flawed, not equitable and not based on the needs of individual children. The governors note their concern the consultation only reviewed 6 schools, that pupils attending the school are born deprived, are vulnerable with mental health problems and that the schools provide security, hope and aspirations.

The governors also highlighted the schools flexibility in the past to take on additional pupils, however with the proposed cuts would not be able to support this resulting in potentially increased Out of Area placements which would have significant impacts on pupils.

They commented 'it is incorrect to imply that leadership skills and staffing levels, as reflected in a "standardized level of non-teaching costs", are the same for every special school, because of the significant differences in the level of challenge presented by each cohort of students. It would be better to remove this from the equation and increase the weighting of each band accordingly. Because Band 5 and 6 predominate in the KLMS cohort, it would provide additional funds to recruit and maintain leaders with that extra element of skill and expertise; and employ adequate numbers of staff'.

Another key point raised was weighting places on leadership costs, the school argue nationally other SEMH schools also provide more leaders than teachers. To note here the two schools employ 21 leaders, whilst there are a total of 25 leaders across the four other schools within this consultation.

In further responses received from the school highlighted wider comparator schools beyond the region, stating the LA should consider wider comparators than those used as examples within the consultation details.

It is suggested by the school there are a greater number of pupils with significant needs which couldn't be met within the 6-band proposals, due to complexity of need. Also due to sexual and criminal cases within the school requiring the school to find alternative provisions and deliver bespoke 1:1 education.

Furthermore, the school highlights the number of pupils its supports via the pupil premium, thus those in receipt of free school meals at primary (78%) and secondary (77%) age ranges.

The school have been clear if no changes are made they will adjust their offer that is financially viable and to ensure their staff safety, which will result in a number of Annual reviews being completed as they do not believe they will be able to continue to educate children to the same degree after April 2021 and reduce future numbers of pupils in future years.

Millgate School

It should be noted this school is for boys in the City and offers an informal residential/ respite provision for pupils, however this is not formally commissioned by the council, nor is it noted as a requirement on pupils EHCPs.

In correspondence the school state the residential provision in 2013 was funded separately, however the LA finance decided to add the total amount of residential provision on to each students average place value which resulted in the difference of funding between the schools

The school in its response have highlighted the complexity of need for its most vulnerable students, through support and interventions the school. The school also highlighted some of the mental health issues its pupils have, and additional resolved provided by staff due to wider CAMHs shortages locally.

Nether Hall School

A formal response received from Nether Hall can be found in appendix (). The school welcomed the funding review, due to *'funding allocated to Nether Hall no longer reflects the cohort of pupils it serves, and the school has been significantly underfunded for the last two years'*.

The school acknowledged the proposals identify a funding increase, however the changes proposed still do not address the school's deficit issues. There is particular concern regarding standardised rate for non-teaching costs, due to an increase in pupils with complex medical and wellbeing needs.

The school highlights a number of unwelcomed outcomes it would like considered including staff reductions, health and wellbeing of staff and pupils, acceptance of new pupils during the academic year.

The school makes representation the proposals review the funding of six special schools instead of the wider High Needs Funding Block. Also there are no comparator schools for Nether Hall and the standardised per pupil funding for non-teaching costs are unfair due to additional medical and care costs for pupils with complex needs at the school.

The school argues a banding system is acceptable, however money should be allocated for each child rather than averaged and bands should be moderated, with addition funding available for pupils with the most complex needs.

The school have suggested the current proposals would lead to a funding deficit of £200k - £300k, however by addressing non-teaching costs and adjustments to banding allocation this would mitigate this funding issues.

The school make representation regarding their cohort of pupils and the funding implications, in that they have a higher number of PMLD pupils, with 41% requiring daily health and medical care. These numbers highlight the need for additional non-teaching staff, which is not comparable to the other schools involved within the consultation. As a result the school have significant additional non-staffing costs in areas including use of the Hydrotherapy pool, mid-staffing premises costs.

The school have suggested funding should be awarded on the actual numbers in each band, and of the current cohort and requested for fairness moderation is completed independently. With the averaging not considering changes in the pupil profile at the school.

Oaklands School

Welcomed the consultation in *'responding to our long-stated concerns about the ongoing difficulties created by an historic funding system in the City that has not been fair or equitable for our children'*. The school remain frustrated that the historic underfunding will not be addressed.

The school confirmed they agreed with a six band system for identifying teaching need to ensure equity across the school. The proposed model will ensure ...which ever school they attend, the funding allocated is fair, transparent and to the benefit of all our venerable children.

The school note their concern that the moderation of pupil banding will not take place before the proposed implementation, therefore are seeking assurance this will take place in 2021/21 and the propose model is equitable and transparent.

The school have requested new pupils starting between April 2021 – April 2022 are funded according to their band rather than the school average, to ensure the school can effectively meet pupil needs.

“Having attended a number of consultation meetings and read several documents I have been impressed with the work that has gone into this new funding model. I have been a governor at Oaklands School for eight years and for the first time I feel our children will have a fair share of funding. Thank you to the team who have worked hard on developing a funding model that is transparent and works towards equal shares for all children within the high needs sector.” School Governor

West Gate School

Welcomed the consultation, *‘to ensure parity and fairness, which has become lost in recent years’*. The school caters for pupils aged 4 – 19-year olds, with complex and challenging needs including severe learning disabilities (SLD), social emotional and mental health (SEMH) and profound and multiple learning difficulties (PMLD). Identified as inadequate in 2018, requiring the school to academize, however this remains unresolved at present.

The school have been accruing a deficit budget since 2016, the council provide some additional support through the funding and skills agency with an independent advisor to review funding and develop a budget. The advisor concluded the school required additional funding to function to meet the needs of the pupils and staffing.

Whilst the funding proposals increase the rates for the school to £23,537, this remains less that was a recommended £26,000 by the advisor. Staffing budget runs at 107% rather than expected 86 – 90%. The school suggests it’s base level of funding will not be addressed with this funding review. The school have limited non-classroom staff, and cannot appoint newly qualified teacher due to their Ofsted rating, therefore employ experienced teachers, to ensure safety, safeguarding and for teaching and learning to be effective.

The school highlighted in their response it received a reduced capital budget due to its deficit budget, however an agreed grant of approximately £650,000 has been agreed the regional schools commissioner to meet the needs of the pupils.

Overall the school welcomes the consultation and the proposed increase in funding, however believed this does not reflect the needs of individual children and argue that pupils with similar needs should not be funded differently based on the school in which they are placed.

There remains a request to look at the uplift in some of the other schools, with concern if the school is not funded appropriately, there will be reduced staffing, levels of supervision which may effect children safety, development and wellbeing.

Schools Forum

An additional meeting was held to enable School Forum members to understand and discuss the proposals with the council and some of the special schools, who also made representation. The Forum submitted a formal response to the consultation (appendix 6). The opinion from a majority of the members was to agree with the proposals, recognising it as a fairer system and that children would be funded appropriately and not according to the schools they attended.

The Forum, however noted some key concerns, notably the need for more places, expertise and resources to support SEND children should have been taken into account in a greater way rather than a pure financial focus. A proposal had suggested a review of the overall High Needs Block. Concerns were raised over the complexity of the proposals.

The forum supported the need to complete moderation of the banding levels to ensure provision across the schools is not replicated, also in recognition the pupil cohort had changes over time. This exercise would also provide clarity and understanding of the needs of young people within the special schools.

Social emotional and mental health (SEMH) was also highlighted as a priority, with expansion of existing support and provision. Mainstream schools currently provide extensive provision to include pupils, however recognise there comes a point when they can no longer support these young people. The forum argues, the Leicester Partnership Schools should not be used to education pupils with SEMH needs.

The Forum agreed to support the proposals, with caveats that there is a written and agreed transition plan for schools who funding will be reduced; the rate change does not increase the cost to the High Needs Block, due to young people being sent out of the city or the funding reducing the capacity of the special schools to educate young people.

Additional queries raised during the engagement period included the possible impact on the allocation of funds should one or more of the schools move to academy status, with a request for a response and commitment form the council to ensure this is not detrimental to LA maintained schools

Quantitative Responses

Standardise Funding Proposal

Response ● No ● Not Answered ● Not sure ● Yes

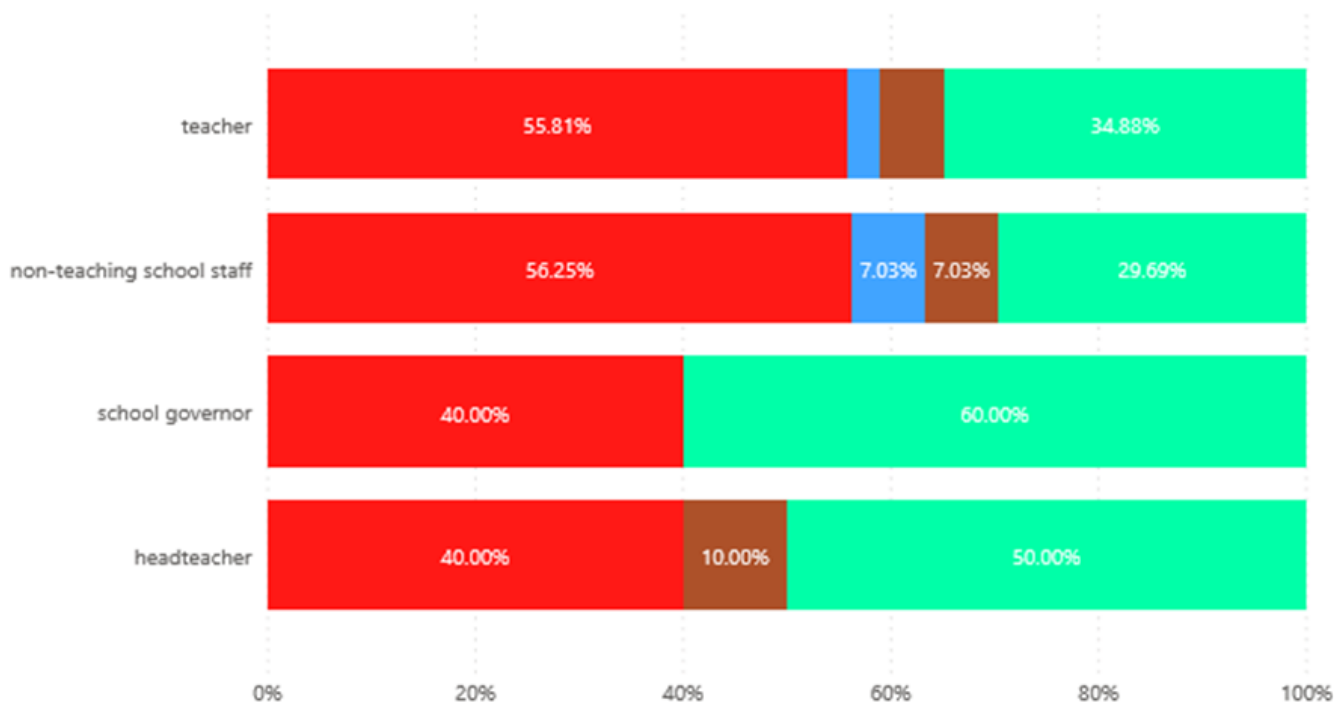


Chart 1: Breakdown of all response received from professionals relating to the standardised funding rate.

Six Band System for Identifying Pupil Teaching Need

Response ● No ● No opinion either way ● Not Answered ● Not sure ● Yes

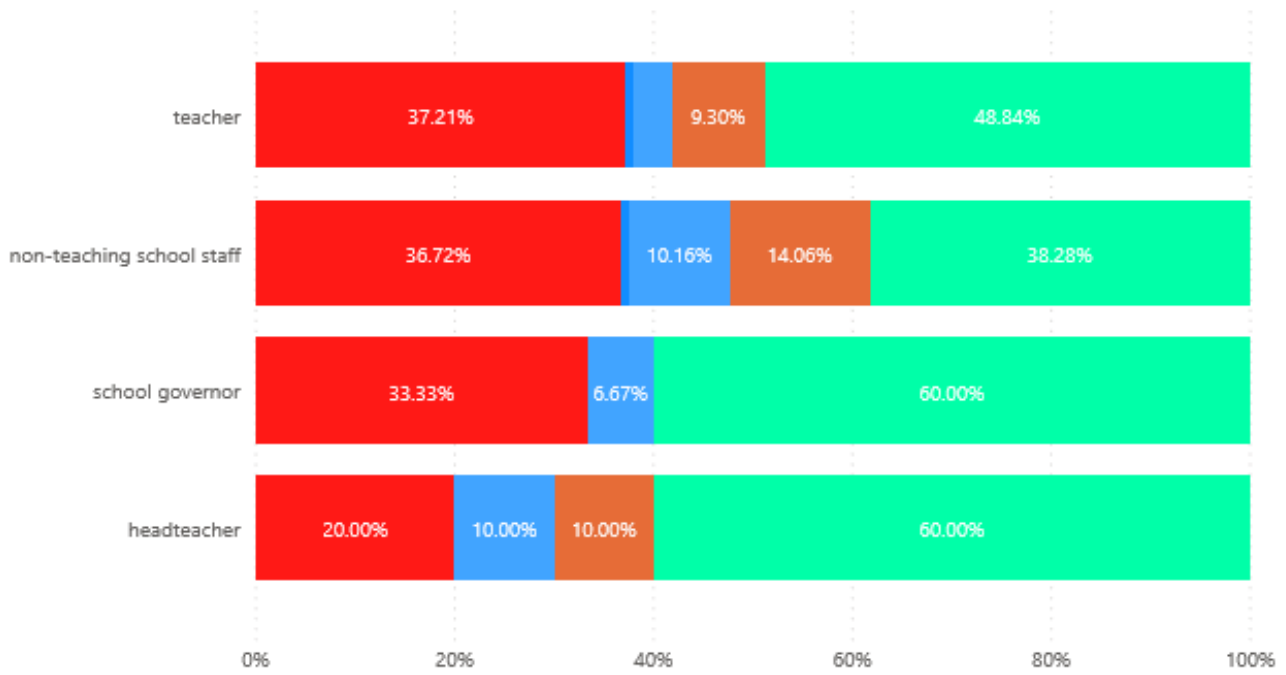


Chart 2: Breakdown of professional's response to proposed 6-band weighting funding.

Appendix 7 – Email communication

From: Sarah Naylor <snaylor2@netherhall.leicester.sch.uk>

Sent: 02 March 2020 13:26

To: Richard Sword <Richard.Sword@leicester.gov.uk>; Sarah Osborne <sosborne@oaklands.leicester.sch.uk>

Subject: RE: Banding Rate Consultation

Hi Richard,

Please find below a short statement in advance of your executive meeting. All CLASS colleagues have had the opportunity to comment on the statement including advising of any objections to me sending it. My sending it to you today speaks for itself re: support and commitment to working closely with the LA on this.

The City of Leicester Association of Special Schools (CLASS) is wholly committed to working with the Local Authority on the current banding rate consultation to secure an appropriate and equitable funding structure for pupils with SEND across Leicester City.

Kind regards,

Sarah

Appendix 8 – Frequently Asked Questions

Special Schools Funding Formula Consultation – FAQ's

No.	Question	Response	Update comments
1.	Could you share the calculations sitting behind how the banding rates were reached?	Please see attached powerpoint presentation and explanation. Please note this is only for schools and should not be shared outside with other parties.	
2.	Could you also share with me the names and numbers in each band for Millgate and Keyham Lodge used as when we initially sent information to Jane, without allocated finance there were a proportion that we identified as 6+.	Shared directly 02/10/20 with Chris, Sarah and Victoria	
3.	Millgate School's Residence has not been considered in this funding model. How are the LA suggesting to fund this moving forward?	<p>We have received confirmation from SES none of the pupils within Millgate have reference to or requirement of a residential placement of a 38/52-week nature.</p> <p>If you would like to provide information regarding identified residential need for pupils please can you provide details such as frequency of use, demand, level of resource deployed in this provision etc. as part of your response to the consultation?</p> <p>This is something the Council would need to discuss with you further to what options may need to be considered in the future.</p> <p>The same question has been asked in question 74. Please provide this information as soon as possible so that we can consider.</p>	Work will commence with the school to do a full commissioning review to take place 2021/22 which will determine if this service is required. Full funding for this element (£400K/ 8%) will remain in place until that process is complete.
4.	I presume that the PowerPoint shared today can now be shared with staff,	This is only for school and your staff as its an aid to the consultation, it is not a formal consultation document.	

No.	Question	Response	Update comments
	students and parents in order to inform the consultation.	<p>The main formal consultation documents are available online which is now live on the Council's website. We would ask you to direct parents, students and staff to the site to share their views and thoughts</p> <p>We would also like to request sight of communications you're planning to share with parents and pupils to ensure the consultation and information remains fair and equitable.</p>	
5.	At no point has there been any moderation of the banding model. When can we presume that this will take place?	<p>As discussed during the presentation on 02/10/20, the Council are proposing to undertake moderation of bandings once we have completed the consultation regarding the funding formula proposals.</p> <p>We would anticipate the moderation of bandings to take place during 2021/22.</p>	<p>The moderation process applied to the pupil cohort for 2019/20 was completed, however as the sample size was not adequate, we did not feel this could be fairly used and applied to moderate all schools banding. Additionally, it was felt by moderating at this time, it was add further complexity to this review.</p> <p>Once the banding rates have been agreed we want to ensure there is a robust and transparent process relying on a peer moderation model. It is important the we work collaboratively</p>

No.	Question	Response	Update comments
			Special Schools to design and implement this process moving forward.
6.	Given the 25% of my cohort are new to roll since completing the banding exercise, when are you proposing that we band these students?	<p>As discussed during the presentation we would look to allocate these pupils according to your 2019/20 cohort banding figures.</p> <p>It is anticipated your new pupil cohort would also align to your cohort 2019/20, therefore in the case for Millgate these were within banding 5 – 6.</p> <p>If this is not the case, please can you submit details with the consultation information?</p>	
7.	Could you also identify and send me the final banding descriptors used in calculations as I seem to have different documents.	Included within the presentation noted above.	
8.	Can I also confirm that emailing you is a good method of raising questions as I have a few as you will have guessed, I presume you will then forward to the relevant person to respond and share wider as you build a bank of FAQs.	Yes, please send your queries directly to me and I will liaise with colleagues from within the Council.	
9.	Please can I clarify whether the meeting for Governors was for Heads to attend too (I got the feeling it was not but please can you just confirm this?)	Yes, the meeting is for Governors rather than Head Teachers	
10.	As you would like to see correspondence that goes out	Yes, it would be helpful if we could see any correspondence before it is sent out. I've not yet drafted any letter/ wording as appreciate you will know your parents better than	

No.	Question	Response	Update comments
	<p>relating to the consultation, is there a standard letter that could go to parents ie you may have one already for parents at the Parent Carer Forum? or is there one on the LCC website? Otherwise, I am happy to prepare one for Oaklands parents, but if you had one ready with particular wording, I would be happy to use that</p>	<p>us, I'm more than happy to work with you if that's of help? I will be attending the PCF to present the consultation proposals next week.</p>	
40	<p>11. Can I please gain some clarity on a slide that was part of the presentation in regards to consultation timeline. It says on the 14th October there is a presentation to the Parents Carer Forum, is this something already happens, or is this something that we can inform our parents carers about? If so do you have details more about this?</p>	<p>Parents with young people with EHCPs in special and mainstream schools participate in this forum. The agenda varies and covers a range of topics during the meeting It is a parent led forum with support from the council, you can gather further details from the link below. https://families.leicester.gov.uk/send-local-offer/your-voice/parent-carer-forum/</p>	
12.	<p>I recognise from the Special School Funding Consultation that there is £15 million from the £56,919 million HNB that is being distributed between the special schools. Can I ask how is it decided what that special school amount is from the HNB budget? Is there a specific percentage that it should be that is advised from Dfe/Gov or is that</p>	<p>The £15.6m that was mentioned in the pre consultation meeting with heads was the baseline funding level for teaching funding alone. This £15.6m was the total 2019/20 actual teaching expenditure for all special schools in the consultation. In other words this was the amount of money being spent on teaching for the numbers of pupils in 2019/20 with the level of need identified from the pupil bands. We have not reduced the total teaching funding available for all schools and have maintained it at the total expenditure seen in 2019/20. We have used the pupil banding information provided by schools to re-allocate that funding across schools based on the numbers of pupils in each band.</p>	

No.	Question	Response	Update comments
	£15million total allocated to special schools decided locally?	No, there is no standard or recommended percentage allocation for special schools or indeed any other provision type from the HNB – these are local decisions.	
13.	<p>I just wanted to ask about Capital Maintenance Fund. Please could I ask how it is calculated? Is it based on sqm and does it take account of the age of the building??</p> <p>Also, this may be a question we need to put to Clare as part of the funding consultation, but will we receive CMF funding per pupil in addition to the proposed funding per pupil?</p>	<p>The funding associated with CMF was added to your per pupil funding in 2018/19 to reflect the fact that you were now responsible for those elements of the capital maintenance that had previously been the city council's responsibility. The funding was distributed on an area basis.</p> <p>The proposed new funding rates are to be used to cover all types of expenditure including general repairs and maintenance</p>	
14.	How will special schools funding be calculated in line with census dates, top up rates and commissioned places?	<p>The average weighted funding per pupil will be split into the £10k for commissioned places and the balance paid as a top-up. Payments for commissioned places are guaranteed regardless of actual occupancy over the commissioning period. If the school is not planning to grow in the financial year then the commissioning period will be for the financial year.</p> <p>If the school is growing and additional places are being commissioned from the start of the new academic year for example, then there will be more than one commissioning period – in this example one for April to July and another from August to March. Place funding of £10k per commissioned place will be guaranteed for the separate commissioning periods.</p> <p>Top up funding is paid by the LA in which the pupil lives, unless they are a looked after child in which case it is the LA who is the corporate parent that pays the top up. Top up funding payable by Leicester City Council will be paid based on the number of pupils in the census in each term that are the responsibility of LCC.</p> <p>Other LAs will need to be charged by the school for the top up relevant to their pupils for their period of occupancy.</p>	

No.	Question	Response	Update comments
15.	With this proposal and with financial responsibility as our local authority, LCC will be fully aware of the in-year £2,000,000 deficit for 2021.2022 across Millgate and Keyham Lodge, what plans have you already created as you knew this was going to happen 6 months ago when you kept the details confidential and away from our school leaders?	<p>Special schools are responsible for their own delegated budgets. The LA commissions places and has to work to satisfy the demand for SEN in all of its forms within the resources available from the HNB alone. As part of that process the LA has to agree appropriate funding with individual providers within these financial constraints.</p> <p>Where there are significant changes in funding to specific providers then we will work with those providers to agree a transitional plan to move to the new funding level over a time period to be agreed.</p>	We always look to provide additional financial advice and support with our schools where we know they are struggling. As described in 4.9(g) in the main report, we will work with schools to agree a transitions plan
16.	Considering the huge reduction expected for both Keyham Lodge and Millgate, do LCC propose a minimum funding guarantee, something along the lines that was proposed by DfE in line with a minimum funding guarantee.	<p>We will work with the schools to implement a transitional plan to move to the new funding levels over a time period to be agreed.</p> <p>Reductions in unit funding to special schools require approval by the DfE. The standard MFG for special schools in 2021/22 is 0% per pupil, ie the per pupil funding should not reduce, unless agreed by exemption with the DfE.</p>	
17.	How do you envisage our Millgate and Keyham Lodge Schools' managing this staggering reduction of £2 million for the next financial year, literally five months away?	As discussed, when presenting the consultation proposal, the Council will work with individual schools to agree any transition period regarding funding changes.	The LA remains committed to working with the school to agree a transition period.
18.	When considering calculations for the modelling of this redistribution of special school funding why was leadership factor heavily weighted, schools are	<p>Schools are free to develop their own management arrangements using the overall funding available.</p> <p>The proposed funding formula identifies teaching and non-teaching components and proposes a level of funding for non-teaching which is independent of student need. The amount of funding for each non-teaching component is based on average levels of expenditure for the majority of schools.</p>	Following the consultation, we requested additional information from several schools to

No.	Question	Response	Update comments
	<p>managed in extremely different way and considering mean pay is the same across all our special schools it seems targeted to focus on the leadership percentage of a schools delegated budget?</p>	<p>If schools, feel the level of funding is inappropriate then they must respond as part of consultation and <i>provide evidence</i> as to why the school needs to spend more than the majority of other schools on leadership for example. They should also be able to demonstrate what the impact is of the additional spend on the outcomes for the pupils.</p>	<p>understand/analyse budget requirements. We are proposing to work with each school to review and determine if further adjustments are required</p>
<p>19.</p>	<p>The methodology in calculating the revised funding rates are not representative of any student's individual need within any school, there has been no recognition of provision required as identified in EHCP's. Why was the work completed by Jane Friswell, an external advisor, commissioned for 18 months to carry out a funding review of high needs spend in relation to students needs and grade descriptors discarded for a simplified one designed by LCC officers.</p>	<p>The methodology in calculating the level of teaching funding uses the banding system which provides funding proportionate to the level of need as indicated in the banding descriptor. Pupils have been banded by special schools themselves.</p> <p>The work of completed by Jane Friswell has not been abandoned and will be used when moderation takes place in 2021/22.</p> <p>The banding descriptors were produced and updated by the Special School Head Teachers, following a review of those developed with Jane Friswell.</p>	
<p>20.</p>	<p>The rationale and modelling seem to be around shifting funds towards the lower bands of special educational needs, it seems that money is being moved away from the more complex, disadvantaged students with</p>	<p>The funding model distributes the teaching funding in proportion to the level of need of each pupil as described in the banding descriptors. Schools have placed their pupils in each of the bands and therefore the funding has been distributed based on the assessed level of need.</p>	

No.	Question	Response	Update comments
	mental health issues, can you share your rationale and explain why there is this purposeful shift in funding?		
21.	Why is there such a significant redistributing of funding, in excess of £1,000,000 from Millgate (band 5/6) to Ellesmere College (band 4), why is it not proportionate to complexity SEN and what is anticipated as a result with regard student outcomes, subsequent 4 years SEN place planning, OOA costs, NEET figures?	Please see question 20	
22.	This new modelling of special school funding is targeting the most vulnerable, disadvantaged and those from poverty-stricken families with complex mental health issues, can you reassure everyone that this reduction in funding and reduction in capacity and quality provision will not have a negative impact?	Please see question 20	
23.	While all other provisions remain within a 5%-7% difference from initial LA comparison funding our city MLD provision is over 20%	Within the comparator table we have tried to use schools which best fit into these categorises, however, the Ellesmere example was difficult as the cohort is split significantly due the breadth of the need the school meets. For example within their current cohort of children 34.8% is ASD (£23.2k – £23.5k) 8.62% is SEMH (£28.5k -	

No.	Question	Response	Update comments
	higher than the average considered LA comparatives?	<p>£29k), on that basis nearly 42% of the schools cohort sit in other categories and therefore the proposed average rate band for the school recognises this.</p> <p>It should also be recognised that the highest MLD rate is £20.34k, against a proposed rate of £21.34k, and therefore a 20% comparison is used based on the lower end of the centile medium. It should also be recognised that the highest rate for SEMH comparison is £28.1k, with centile average of £24.39k, however, the LA is proposed £29,014.</p> <p>Finally it should be recognised that the rate system is designed to go with the child, regardless of which school they attend, and the rating system is designed to ensure the needs of the child are recognised through the banding they are awarded and therefore the proposed average rate system is based on the cohort in the school, linked back to the funding that child is awarded under the banding rate system.</p>	
45 24.	Why is it that the only two schools facing a reduction are those who have submitted an academy order?	The proposed funding formula distributes funding on the basis of need regardless of the status of the institution.	
25.	What were DfE initial comments when you approached as you said they have been considered?	The ESFA indicated that they would consider the matter in detail at the point when the LA submits a formal request to reduce funding rates. Until such time they would not provide any opinion which would pre-judge the outcome of the consultation. They did acknowledge that other LAs have submitted similar requests.	
26.	Ultimately the DfE have to approve any changes in schools' revenue, can I ask you to outline what the criteria is for this and how any decision is made?	See question 25	
27.	Shouldn't the funding of residential settings be considered separately. A significant impact of this provision relates to improved	Please refer to question 3	Work will commence with the school to do a full commissioning review to take place

No.	Question	Response	Update comments
	social outcomes for children, young people and their families and should therefore also be considered in the context of social care and not education alone.		2021/22 which will determine if this service is required. Full funding for this element (£400K/ 8%) will remain in place until that process is complete.
46 28.	Why won't the review of all strands of the HNB funding lead to an increase in the funds allocated to special schools? Currently the special school element is approx. £29 million from a total HNB of £56 million. Several years ago, all strands were under review but we are unaware of the outcomes of this piece of work.	All areas of the HNB are in the process of being reviewed. We cannot pre-judge the outcome of these reviews but we would look at re-distribution of any funds released as a result.	
29.	Ash Field Academy need to be part of the review alongside the other schools. If, as has been suggested, they are reviewed separately, what will happen to any funding that may be saved as part of that review?	<p>As we explained at the meeting, Ash field's funding will be reviewed following the completion of this consultation. Ash field is also funded from the HNB.</p> <p>It is important to stress that neither Ash Field or the other special schools will be disadvantaged as a result of the reviews being separate. There was a pressing need to begin the consultation for the majority of schools as soon as possible and including Ash Field at this stage would have introduced further delay. The delays related to the availability of comparative unit costs for 2019/20 as a result of the different financial year ends for academies and there are also issues of cost comparability as a result of the wider range of need at Ash Field including the medical support which needed further work as part of the review. We cannot pre-judge the outcome of this review.</p>	
30.	The proposed model is based on an average cost per pupil	The model has not moved away from assessing individual pupil needs. The weighted average funding per place is calculated directly from the banding assessment of all	

No.	Question	Response	Update comments
	<p>place. From the outset, the intention was to produce a banding model where each child was funded according to their individual level of need. Not dissimilar to the system that has continued to operate successfully at Ash Field. Why has the proposed model moved away from this?</p>	<p>individual pupils at a point in time in the school year. This weighted average funding per place will be used to fund places in the following financial year.</p> <p>The weighted average funding rate will be re-calculated prior to the start of the following financial year and where there is a significant change in the banding mix of pupils in the school, the weighted average funding may change.</p> <p>We have indicated that where schools have a cohort of children at a separate site which have significantly different levels of need to the main site, then a different average funding rate will apply to each site.</p> <p>We have also indicated that there may be <i>exceptional</i> circumstances where a pupil's need is significantly beyond the needs of the banding descriptors and these instances will be looked at on a case by case basis.</p>	
47 31.	Teacher Pay queries	<p>Email sent to all CLASS Headteachers by Richard Sword 15/10/20</p> <p>All, As part of the rates review, a number of you have rightly raised the issue of teacher pay rises. I therefore felt it was right to write out to you on the specific point, however, in accordance with the consultation this response will be formally recorded within our Q&A responses.</p> <p>To give context, the special school funding rates proposed in the consultation were prepared so that a direct comparison could be made between unit costs in 2019/20 and current funding rates per pupil. Any technical changes to the HNB for 2021/22 were unknown at the time of preparing the proposed rates.</p> <p>Nevertheless, we do recognise that if there were any technical changes to the HNB then we would adjust the proposed funding rates for 2021/22 accordingly. The DfE have now confirmed that the previously separate grants for teachers' pay rises in 2018/19 and 2019/20 and the teachers' pension increase in 2019/20 will be incorporated as part of our HNB allocation. In other words, we will adjust the proposed funding rates to include what the DfE add to our HNB allocation which will need to reflect the grants previously received separately by schools.</p>	

No.	Question	Response	Update comments
		<p>Therefore, whilst our LA funding rate from 2021/22 will increase because of this transfer, the impact will be neutral for schools because the external teachers' pay and pension grant income will reduce by the equivalent amount.</p> <p>We also have confirmation from DfE that they will not be providing any separate additional funding for the 2020/21 teachers' pay rise or any future years' increases. Therefore, we will fund the teachers' pay increase for the financial year 2021/22 by applying a 2.75% uplift to the teaching and leadership elements of the funding rates as shown in the table 1 below:</p>	
48	<p>32. LCC have always funded our (Millgate) residence and it was LCC that decided to increase the average weighted allocation in 2014 to take account of previously additional allocated funds. At no time have you or those setting up this consultation and modelling explained this although it is the same finance offices involved that made these decisions. I would really appreciate some acceptance of this, the provision has not just been developed internally.</p>	<p>We have checked our records and can find no reference to changing the funding rates specifically for residential provision at Millgate.</p>	<p>Funding arrangements with the school in 2013 remain unclear. Work will commence with the school to do a full commissioning review to take place 2021/22 which will determine if this service is required. Full funding for this element (£400K/ 8%) will remain in place until that process is complete.</p>
33.	<p>In line with the consultation, this is linked to the parity of funding between all schools. In this regard I would like to know how the funding for Keyham and Millgate has been over the last 3-4 years and if there has been any</p>	<p>Email response sent by Richard Sword 19/10/20</p> <p>Keyham and Millgate have made the following transfers of revenue funding to capital as per their CFR (consistent financial reporting) returns. These transfers are coded by the schools themselves on the CFR code E30 "Direct Revenue Financing (Revenue contributions to capital).</p>	

No.	Question	Response	Update comments																		
	<p>significant movements between revenue and capital. I feel it's important to understand the financial situation of the schools which will be affected most by the consultation as this information will help me to form that view.</p>	<table border="1" data-bbox="640 145 1854 376"> <thead> <tr> <th>Year</th> <th>Keyham (£)</th> <th>Millgate (£)</th> </tr> </thead> <tbody> <tr> <td>2015/16</td> <td>125,000</td> <td>0</td> </tr> <tr> <td>2016/17</td> <td>200,000</td> <td>75,000</td> </tr> <tr> <td>2017/18</td> <td>225,000</td> <td>150,000</td> </tr> <tr> <td>2018/19</td> <td>75,000</td> <td>75,000</td> </tr> <tr> <td>TOTAL</td> <td>625,000</td> <td>300,000</td> </tr> </tbody> </table> <p>Of these amounts transferred to capital in previous years, the balances at 1 April 2020 were as follows:</p> <ul style="list-style-type: none"> • Keyham £601,123 • Millgate £272,485 <p>These balances are held on the Council's balance sheet, and for clarity are quite separate from the revenue carry forwards of the two schools. I hope this answers the question posed, however, if it does not please do let the team know.</p>	Year	Keyham (£)	Millgate (£)	2015/16	125,000	0	2016/17	200,000	75,000	2017/18	225,000	150,000	2018/19	75,000	75,000	TOTAL	625,000	300,000	
Year	Keyham (£)	Millgate (£)																			
2015/16	125,000	0																			
2016/17	200,000	75,000																			
2017/18	225,000	150,000																			
2018/19	75,000	75,000																			
TOTAL	625,000	300,000																			
34.	<p>From the information that you have given me I have made the following calculations based on the numbers of pupils in your consultation documents and the current and proposed per pupil allocations. I attach the worksheet in case I have made an error in calculation. There seems to be a large difference between the amounts going to the Special Schools and the total from the breakdown of the High Needs Block. Can this all be Ashfield? If not where am I going wrong? See table 2</p>	<p>The difference for 2019/20 is the hospital school, Ash field and the placements in other LAs special schools. The £29.248m in the HNB is the forecast for this year's expenditure at current rates and includes growth in pupil numbers.</p>																			

No.	Question	Response	Update comments
35.	How have you decided on the rate per pupil for Other Costs and Non-Teaching Staff. You are reducing Nether Hall by £1,085 per pupil which means a cut of at least £114,000. How have you factored in our extra costs of lunch time assistants because of the needs of our pupils particularly those who are tube fed?	The rate per pupil for non-teaching was based on actual costs from 2019/20, which would have included any additional lunch associated costs for additional support.	
36.	What is LCC's rationale for the proposal?	This is explained in the consultation document and in the presentation made to special schools	The rationale for the proposals remains to address the inequity in funding arrangements between the special schools and ensure it is redistributed in a fair and transparent manner.
37.	Leicester's HNB is increasing by 9.11% provisionally estimated at £62,667,897 for 2021.2022 (from approx. £55,450,227). Why not use this additional £7,000,000 to finance the historical underfunding of Westgate, Oakland's, Netherhall and Ellesmere special schools?	<p>The HNB provisional allocation for 2021/22 shows an increase prior to recoupment of £5,923,024 and £5,655,024 post recoupment.</p> <p>In 2020/21 we are forecasting a shortfall in the HNB allocation compared to expenditure of £5.65m. Even allowing for the increase in the 2021/22 allocation the increase in demand for places means that we are forecasting a further £2.7m deficit.</p>	

No.	Question	Response	Update comments
38.	What is the potential impact of this proposal on LPS, Ashfield School and the Hospital School who also are funded predominantly from HNB?	As explained Ash Field's funding will be reviewed following the completion of this consultation. Hospital school funding whilst part of the HNB is separate and passported to the school. LPS funding will be subject to a review in due course, but it is also currently block funded.	
39.	Considering the varying array of LA and special school funding comparisons, which show different pictures of over or under funding, it is important to ask why LCC are proposing an in year reduction of £1,000,000 in revenue funding for Millgate School? LCC earlier this week shared an average annual total carry forward of £75,000 over the past 5 years, this is obviously NOT over funding of a school.	<p>The method of allocating funding has been explained in detail as part of the consultation and moreover in responses to additional questions which have been circulated.</p> <p>We are not proposing a £1m reduction in one year. As explained previously we will work with the schools to develop a transitional plan to move the schools the lower funding levels.</p> <p>To be clear, LCC shared information on the extent to which funding had been transferred from revenue to capital by Millgate and Keyham, not the revenue carry forwards of each school. Total funding transferred by both Keyham and Millgate is £925,000 in the four years 2015/16 to 2018/19, £873,608 remained unspent at 1 April 2020.</p>	
40.	Have LCC considered the impact on mainstream schools already finding meeting needs of SEMH students extremely challenging and in serious crisis around finding suitable provision?	We have systems in place for the provision of additional SEN top funding to support mainstream schools. We are increasing our SEMH provision significantly through DSPs and working with other special schools who already deliver this provision. The rates review will not restrict or reduce the availability of SEMH places	
41.	Have LCC considered the impact of these reductions in other services provided centrally and funded using the schools HNB?	We do not consider that there will any significant impact on centrally provided services is these proposals are implemented.	

No.	Question	Response	Update comments
42.	What do LCC see the impact being on the schools receiving a reduction above MFG?	We will work with those schools that see a reduction in unit funding to develop a transitional plan to reduce expenditure over an agreed time period	
43.	Which schools' benefit from the proposal and what other possibilities were considered?	We are consulting on the proposals outlined in the consultation document. Changes to the proposals may arise following the completion of the consultation and discussion with the DfE.	As noted above in Q18, additional information was highlighted to the LA during the consultation and we are working with individual schools to review and address those points
44.	Have LCC fully informed schools, counsellors, unions and our local communities on the implications you acknowledged through developing this proposal and also that subsequently learned from those involved?	We are consulting with all interested parties and the groups identified are included.	
45.	Is LCC treating this change in funding for the six schools as a local reorganisation of SEN provision? If so can LCC share the wider plans for this reorganising of SEN provision, timelines and expectations on completion?	No, we do not consider this a local reorganisation of SEN provision. The local offer will not be changed as a result of these proposals	

No.	Question	Response	Update comments
46.	<p>These changes to bandings have not been attributed to types of need and the proposed bandings do not reflect students on roll in 2019.2020. The present funding set by LCC in 2019 has been attributed to and at present meets students' special educational needs with regard SEMH, how do LCC propose needs can continue to be met at Keyham Lodge and Millgate School's with this reduction in over £1,000,000?</p>	<p>As explained previously the special schools have allocated the 2019/20 pupil cohort to one one of the six bands which in turn allocates funding according to the resource need identified in each band.</p> <p>Average teaching funding per pupil under the proposals for Keyham and Millgate are as follows:</p> <p>Keyham – current £20,318 proposed £21,565 Millgate – current t £23,201 proposed £22,091</p> <p>The reduction in funding proposed for Keyham and Millgate as a result of the new banding system is substantially related to non-teaching costs.</p> <p>Funding for teaching for both Keyham and Millgate remains substantially higher than most other special schools as a result of identifying need following the banding of pupils. Keyham would receive an increase in funding for teaching compared to the level of expenditure in 2019/20. Millgate's proposed teaching funding is lower than the total expenditure in 2019/20 but remains the highest level of funding in these proposals. Since the funding being made available for teaching under these proposals is either higher or similar to that spent by these two schools on the same cohort of pupils on which the banding is based, then there is sufficient funding available to address the pupil need identified in the EHC plan if these proposals are implemented.</p>	
47.	<p>LCC need to confident that the proposed "final allocation of funding must be sufficient to secure the agreed provision specified in any EHC plan" (section 80 HN operational guide) for students at Keyham Lodge and Millgate School, what evidence have you that this level of funding in sufficient?</p>	<p>The evidence that there is sufficient funding for Keyham and Millgate is provided in the answer to question 11 above. Moreover, it should be noted, the funding rates proposed for Keyham and Millgate is significantly above other regional comparators, which operate very good SEMH school and this clearly demonstrates that provision can be provided to meet the needs of children.</p> <p>Currently no child has respite provision named on their EHCP</p>	

No.	Question	Response	Update comments
48.	LCC will be aware that the MFG is breached as the proposal will to fund both Keyham Lodge School and Millgate School below their guaranteed level of funding, do LCC anticipate applying for an exemption to the MFG using the disapplication request form?	As explained previously if the proposals in this consultation go forward we will be approaching the ESFA to obtain their permission to reduce unit funding levels, ie to obtain an exemption from the current 0% MFG protection.	
49.	Must be sufficient to meet EHCP "the final allocation of funding must be sufficient to secure the agreed provision specified in any EHC plan"	See response to question 11 and 12	
54 50.	Is LCC confident that this proposal complies with section 149 of the Equality Act 2010? Can LCC identify and assess the potential equality impact of this proposal and provide the analysis?	A full equality impact analysis is ongoing and will be completed and analysed following the closure of the consultation to ensure compliance with the Equalities Act 2010.	The EIA is a tool and is continuously developed during the course and following a consultation. Information has been gathered on the protected characteristics. We cannot fully understand the impact until a final decision is made on funding changes and we work with the schools to understand the impact.

No.	Question	Response	Update comments
51.	How does this proposal fit with the wider Authority Proposal Tool?	We assume you mean the Authority Proforma Tool or APT. The APT is used to calculate mainstream school funding and has no relevance to special school funding.	
52.	My question number 35 related to how the other staff and non-staffing cost per pupil had been calculated for the proposed funding rate. As it is the same for each school at £5,677, it cannot be based on the actual expenditure for each school. As you can see Nether Hall had a rate higher than this average in 2019/20 and my point is that averaging across the special schools isn't fair. You accept that the leadership costs for smaller schools is higher than the average so this should also apply to other costs that are fixed regardless of the size of school roll. The funding rate also needs to take account of the different requirements of the pupils as I said in my question how have you factored in the need to employ extra lunchtime staff for tube feeding, the number of PMLD pupils etc.?	<p>The rational for adjusting leadership costs is very clear in that there are economies of scale for larger schools.</p> <p>For other staffing costs and other costs, we have taken an average, because whilst there will be variations across schools, there is no reason why on average these costs should vary with need.</p> <p>You can provide further evidence as part of the consultation to justify why Nether Hall and no other school should have additional funding for this element</p>	As note above reflecting on the feedback we have requested additional information from several schools relating to their staff costs and will work with schools to understand the points raised during the consultation.
53.	You have ended up with a teaching rate for 2020/21 similar to the 2019/20 actual. As you know there has been substantial increases in	Please see above Q31	

No.	Question	Response	Update comments
	<p>teacher and teaching assistant pay and employer pension contributions between those two periods. These increase in costs have not been met by the Government contribution. How do you expect the school to meet these increased costs?</p>		
54.	<p>There has been an issue with Nether Hall funding not increasing to meet our increase in costs for several years and I wrote to you in July 2018 with my concerns, the review carried out by Jane Friswell and the data the school submitted on costs per pupil seems to have been ignored. Is this the case?</p>	<p>Bespoke funding has been provided to Nether Hall in 2018/19 and 2019/20 over and above the standard funding rate. These proposals and this consultation supersede previous work.</p>	
55.	<p>The reply to question 34 was "The difference for 2019/20 is the hospital school, Ash Field and the placements in other LAs special schools." Can you give the actual figures for those three?</p>	<p>The figures would not be helpful because they are a combination of top up funding only for Ash Field and other LA provision (the ESFA recoup the place funding for Ash Field from us and other LAs pay the place cost for our placements in their provision) and full cost provision for the Hospital school which covers ward based, school based and outreach.</p>	
56.	<p>The other part of the reply was "The £29.248m in the HNB is the forecast for this year's expenditure at current rates and includes growth in pupil numbers." What are the pupil numbers for each</p>	<p>Growth in numbers of commissioned places have been agreed with schools individually for 2020/21.</p>	

No.	Question	Response	Update comments
	<p>school that you are using to forecast the cost including the three areas (hospital school; Ashfield and placements with other Local Authorities). In other words, how is the forecast split between the schools and other placements?</p>		
57	<p>Included in the High Needs Block indirect costs are Special Needs Teaching Service and overheads. What considerations have been given to ceasing the Service and letting the schools buy in expertise as required? How are the overheads allocated to this block determined?</p>	<p>There are significant benefits and economies of scale from having a centrally provided SEN teaching service and we are not looking to end that arrangement.</p> <p>Overheads are allocated using standard corporate rates. The extent of the overhead charges are also being reviewed along with other elements of the HNB.</p>	
58	<p>Over the five years actuals Special School expenditure has increased from £20,054 to £26,830 an increase of £6,776 or 34%, Mainstream top ups have increase from £3,792 to £9,870 an increase of £6,078 or 160%. Doesn't this indicate that your problem is the mainstream top ups being out of control rather than special schools?</p>	<p>No, it does not indicate that costs are out of control. What it does indicate is that there is increasing demand for additional support for those pupils with high levels of SEN who remain within mainstream schools. We will be reviewing the mainstream top up funding methodology in the near future.</p>	
59	<p>Clare</p> <p>In your reply to my question about the substantial cut in</p>	<p>In response to your question, yes can you please submit information via the consultation platform.</p>	

No.	Question	Response	Update comments
	<p>funding to Nether Hall in respect of other staffing and other costs your replied</p> <p>"The rationale for adjusting leadership costs is very clear in that there are economies of scale for larger schools.</p> <p>For other staffing costs and other costs, we have taken an average, because whilst there will be variations across schools, there is no reason why on average these costs should vary with need.</p> <p>You can provide further evidence as part of the consultation to justify why Nether Hall and no other school should have additional funding for this element"</p> <p>Would you prefer a separate paper from the school on this or just part of the overall response via the website? I have no idea of the costs the other schools incur. If you want me to make a comparison with other schools then I will need a full breakdown of their costs. I can justify our costs but how else am I suppose to claim no</p>	<p>The total teaching and leadership costs for the schools were in the original tables we shared during presentation to the schools. Please let me know if you need a copy, although Sarah will have the details from the presentation.</p>	

No.	Question	Response	Update comments
	<p>other school should be funded at this level?</p> <p>I find it interesting from your reply that leadership has economies of scale whose rational is very clear but these economies of scale do not apply to roles such as premises staff and business managers.</p> <p>Thank you for your help as we develop a solution which addresses the City Council problems and is fair to the schools.</p>		
60.	<p>I am sorry to keep pestering you with questions but this is very important to the school as it will determine whether we can continue to provide the standard of teaching and care to the children of the City with the most complex needs. As you can see from my previous emails I am looking in detail at the other staffing and non staffing costs. In an earlier reply you said that the figure of £5,677 per child was calculated by adding together the spend by each school and dividing by the number of pupils. Yet</p>	<p>The rate for non-staffing and other staff has been calculated from the average 2019/20 expenditure of the schools, excluding the two schools whose unit costs in 2019/20 are significant outliers.</p> <p>We have used a standardised rate for income of £1500 per pupil. The mix of income will vary from school to school but includes:</p> <ul style="list-style-type: none"> • Pupil premium • Teachers pay grant • Teachers pension grant • PE and sports grant • Catering income <p>The gross costs for schools including pupil premium related cost have been accounted for when we derived the funding rates. All we have done is offset the pupil premium funding (and the other income) against the gross costs to leave a net funding requirement from the LA.</p>	



No.	Question	Response	Update comments
	<p>as far as I can see each school apart from Oakland is spending more than this per pupil. How does the maths work on this?</p> <p>You have also included an income per pupil of £1,500 what is this intended to be made up of? Is Nether Hall going to have to hold fund raising events or send each child home with a fund raising target? The various grants such as pupil premium income and PE support are ring fenced for specific expenditure and not available to disperse against general school running costs. Any funding raising activity such as pool hire has been curtailed due to the pandemic.</p>	<p>In 2021/22 the historic teachers' pay and pension grants will not be paid by the ESFA, they will be paid by the LA as the associated funding will be included in the High Needs Block.</p> <p>Effectively we will reduce the standard income level of £1500 and increase the amount paid by the LA by an equal amount. There will be no net impact for the school. We will provide details of the adjustment when we have the final figures from the ESFA.</p> <p>By standardising income the school can keep any additional funding over and above the standard amount.</p>	

No.	Question	Response	Update comments																																																																																																		
61.	<p>'considering Keyham Lodge and Millgate Schools' historical funding is being shared through consultation could I ask that for the period 2015.2016 – 2019.2020, to ensure there is parity of understanding of funding, all special schools revenue carry forward is shared alongside any revenue to capital (E30) as you have done so below. Many thanks Chris.'</p>	<p>Please see table below the details of the transfer to revenue.</p> <p>Ellesmere have confirmed the £180k remains in place to fund a replacement to a BSF CHP which does not work with 2 boilers for the school.</p> <table border="1"> <thead> <tr> <th></th> <th>OAKLANDS</th> <th>ELLESMERE</th> <th>NETHER HALL</th> <th>WEST GATE</th> <th>KEYHAM</th> <th>MILLGATE</th> </tr> <tr> <th>E30 - Revenue to Capital Transfers</th> <th>£</th> <th>£</th> <th>£</th> <th>£</th> <th>£</th> <th>£</th> </tr> </thead> <tbody> <tr> <td>2015/16</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>125,000</td> <td>0</td> </tr> <tr> <td>2016/17</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>200,000</td> <td>75,000</td> </tr> <tr> <td>2017/18</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>225,000</td> <td>150,000</td> </tr> <tr> <td>2018/19</td> <td>0</td> <td>180,000</td> <td>0</td> <td>0</td> <td>75,000</td> <td>75,000</td> </tr> <tr> <td>2019/20</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th></th> <th>OAKLANDS</th> <th>ELLESMERE</th> <th>NETHER HALL</th> <th>WEST GATE</th> <th>KEYHAM</th> <th>MILLGATE</th> </tr> <tr> <th>Revenue CFWD Surplus/(deficit)</th> <th>£</th> <th>£</th> <th>£</th> <th>£</th> <th>£</th> <th>£</th> </tr> </thead> <tbody> <tr> <td>2015/16</td> <td>247,123</td> <td>690,171</td> <td>456,651</td> <td>214,588</td> <td>232,024</td> <td>3,815</td> </tr> <tr> <td>2016/17</td> <td>206,948</td> <td>526,376</td> <td>415,795</td> <td>327</td> <td>304,352</td> <td>(47,825)</td> </tr> <tr> <td>2017/18</td> <td>7,993</td> <td>717,269</td> <td>428,820</td> <td>(148,952)</td> <td>571,964</td> <td>(126,346)</td> </tr> <tr> <td>2018/19</td> <td>135,853</td> <td>497,034</td> <td>352,584</td> <td>(514,589)</td> <td>359,670</td> <td>18,882</td> </tr> <tr> <td>2019/20</td> <td>160,763</td> <td>259,877</td> <td>379,427</td> <td>(1,369,348)</td> <td>64,102</td> <td>(18,622)</td> </tr> </tbody> </table>		OAKLANDS	ELLESMERE	NETHER HALL	WEST GATE	KEYHAM	MILLGATE	E30 - Revenue to Capital Transfers	£	£	£	£	£	£	2015/16	0	0	0	0	125,000	0	2016/17	0	0	0	0	200,000	75,000	2017/18	0	0	0	0	225,000	150,000	2018/19	0	180,000	0	0	75,000	75,000	2019/20	0	0	0	0	0	0		OAKLANDS	ELLESMERE	NETHER HALL	WEST GATE	KEYHAM	MILLGATE	Revenue CFWD Surplus/(deficit)	£	£	£	£	£	£	2015/16	247,123	690,171	456,651	214,588	232,024	3,815	2016/17	206,948	526,376	415,795	327	304,352	(47,825)	2017/18	7,993	717,269	428,820	(148,952)	571,964	(126,346)	2018/19	135,853	497,034	352,584	(514,589)	359,670	18,882	2019/20	160,763	259,877	379,427	(1,369,348)	64,102	(18,622)	
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62.	<p>The response to FAQ 14 indicates a change to our funding process, as part of this consultation can the agreed funding process for special schools be presented relating to this year and next, can historical amendments also be highlighted and how consultation was carried out each time.</p>	<p>The funding process has not changed.</p>																																																																																																			
63.	<p>Is this a re-distribution or cost cutting exercise and can more detailed understanding</p>	<p>The consultation document and subsequent presentations and governor meetings have explained the rationale. This is redistribution of funding within the HNB.</p>	<p>As noted above in Q36 The rationale for the proposals remains</p>																																																																																																		

No.	Question	Response	Update comments
	be shared around the rationale identified in FAQ 36.		to address the inequity in funding arrangements between the special schools and ensure it is redistributed in a fair and transparent manner
62 64.	Throughout FAQs there is constant reference to working with individual schools in implementing a transitional plan; can you outline what this might look like, the process, timescales, and early thoughts considering the massive reduction in funding. Can a dedicated session, as a matter of urgency, be arranged with Millgate and Keyham Lodge School Governors to explore what this plan might look like?	The transition plan will be agreed between the school and the LA if the proposals in the consultation go ahead. It would be pre-emptive to arrange transitional plan meetings prior to the closing of the consultation period.	<p>The LA continues to be committed to working with individual schools and agreeing a transition plan. Defining what this may look like would happen once a formal decision is taken and agreement is reached with the DfE.</p> <p>We have met with and asked for further detailed information following the consultation to review budgets.</p> <p>Also as noted above the funding will remain in place for the residential/respice until the LA have</p>

No.	Question	Response	Update comments
			completed a commissioning review, this therefore reduces some of the funding deficit.
65.	<p>FAQ Qu 18; What evidence do you need in addition the rationale already sent through via email with regard our schools' leadership; I have previously outlined how our leaders are instrumental in delivering an education program and are timetabled face with students, on the ground making the difference. In addition to details already passed on it is important that we highlight how the figures LCC presented for leadership costs are inflated by 25% to what they are today?</p>	<p>If leadership costs are lower now than recorded in 2019/20, (the reference year on which the proposals have been based) then this will contribute to the transition to the proposed funding levels.</p> <p>With reference to the claim that the assistant head teachers have 70% of their hours timetabled in front of a class teaching, can you provide the list of staff, grade, annual costs and actual front of class timetabled hours for the current and previous years as evidence.</p>	Following the consultation and feedback we have requested information from the school to review information regarding leadership costs.
66.	<p>It is extremely worrying that misleading information is being shared as accurate and true through this consultation process;</p> <p>a. "We have checked our records and can find no reference to changing the funding rates specifically for residential provision at Millgate" Attached is a copy of the section 251</p>	<p>The funding schedule from 2012/13 referred to in this question uses a funding formula which pre-dates the national funding formula changes of 2013/14 when place and top up funding was introduced. It also pre-dates the involvement with special school funding formulae of the current head of finance.</p> <p>If, as suggested, the difference in the current rates between Millgate and Keyham is due only to the respite provision then this suggests a current respite provision cost of £625k.</p>	As noted above in Q3, Q16, Q27, Q32. We have reflected on the information and agree funding was awarded, it was not formally commissioned/ defined. The LA will undertake a full commissioning review in 2021/22.

No.	Question	Response	Update comments
	<p>(2013) for Millgate School, this was used in preparation for the new weighted pupil funding rate in 2013, the difference in the rate across the only two SEMH schools is the amount Millgate was funded in 2013 for its residence and extended day provision. Martin Judson and I were present when LCC identified and subsequently approved these new rates at both schools. Why a lack of knowledge can this oversight be recognised immediately through consultation and the Millgate residential and extended day be considered separately to the proposed funding per pupil across special school as no other has residential provision and such is not comparable.</p> <p>b. LCC selected funding comparison data is being used in a misleading manner; “the funding rates proposed for Keyham and Millgate is significantly above other regional comparators, which</p>	<p>As indicated in earlier responses, the LA does not commission residential places with Millgate.</p> <p>As per question 3, can you please provide full details of the current costs of the respite provision (including which CFR code these costs are coded to), how many pupils use the provision and for how many days each in a year, the reasons why and the benefits. We will then be able to assess whether this is a provision which the LA wishes to commission.</p> <p>We have used benchmark data from local authorities in the information provided to date. The DfE’s schools financial benchmarking tool provides the following information on per pupil grant funding (which includes pupil premium) for the schools mentioned specifically in this question for 2018/19 (2019/20 data is not available):</p>	

No.	Question	Response	Update comments																																																						
	<p>operate very good SEMH school and this clearly demonstrates that provision can be provided to meet the needs of children.”</p> <p>Listed below is a alternative selection of schools that could have been selected, there are many other LA’s that fund on average over £37,000;</p> <ul style="list-style-type: none"> • Derby; Kingsmead School @ £50736 Holy House Special @ £37,818 • Milton Keynes; Romans Field School @ £37,118 Stephenson Academy @ £36,272 • Bedfordshire; Oak Bank School @ £33,354 • Cambridge; The Harbour School @ £34,817 • Northampton; The Gateway @ £32,772 <p>c. I do not agree with the statement in FAQ 18, I do not believe it reflects the true provision at both SEMH schools’; “The reduction in funding proposed for Keyham and Millgate as a result of the new banding system is substantially related to non-teaching costs”...“Keyham – current £20,318</p>	<p>Grant funding total  Save as image  Add to your charts ?</p> <table border="1"> <thead> <tr> <th>School name</th> <th>Hide details ▶</th> <th>Local authority</th> <th>School type</th> <th>Number of pupils</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Stephenson Academy</td> <td></td> <td>Milton Keynes</td> <td>Academy special sponsor led</td> <td>81</td> <td>£39,000</td> </tr> <tr> <td>Millgate School</td> <td></td> <td>Leicester</td> <td>Community special school</td> <td>100</td> <td>£38,422</td> </tr> <tr> <td>Keyham Lodge School</td> <td></td> <td>Leicester</td> <td>Community special school</td> <td>112</td> <td>£34,300</td> </tr> <tr> <td>The Gateway School</td> <td></td> <td>Northamptonshire</td> <td>Community special school</td> <td>62</td> <td>£30,063</td> </tr> <tr> <td>Oak Bank School</td> <td></td> <td>Central Bedfordshire</td> <td>Academy special converter</td> <td>104</td> <td>£29,788</td> </tr> <tr> <td>Romans Field School</td> <td></td> <td>Milton Keynes</td> <td>Community special school</td> <td>55</td> <td>£27,651</td> </tr> <tr> <td>The Harbour School</td> <td></td> <td>Cambridgeshire</td> <td>Community special school</td> <td>75</td> <td>£27,402</td> </tr> <tr> <td>Kingsmead School</td> <td></td> <td>Derby</td> <td>Community special school</td> <td>89</td> <td>£25,162</td> </tr> </tbody> </table> <p>Clearly there is a variation in this list but the proposed revised rates for Keyham and Millgate are at still at the top end of the range, excluding the one outlier school, Stephenson Academy, however, it should be acknowledged that this school is an Academy.</p> <p>This proposal does vary funding for teaching according to need. In fact for Keyham and Millgate the funding proposed for teaching is within +6% and -5% respectively. The argument being put forward is that leadership teams required for SEMH provision should be substantially higher than for any other provision – in the case of Keyham 2.28 x the per pupil average of the other schools and in Millgate’s case 2.82 x. It has been suggested that all SEMH provision has this level of leadership scale staff – in the case of Keyham and Millgate this includes a total of 9 assistant headteachers all of which it is claimed spend the bulk of their time teaching in a classroom. We have asked for further information and evidence as part of question 65.</p> <p>It has also been claimed that the level of expenditure per pupil for non-staffing for Keyham and Millgate being twice the average of the other schools is justified. We understand some of this non-staffing costs relate to:</p> <ul style="list-style-type: none"> • Extended day and afterschool clubs 	School name	Hide details ▶	Local authority	School type	Number of pupils	Amount	Stephenson Academy		Milton Keynes	Academy special sponsor led	81	£39,000	Millgate School		Leicester	Community special school	100	£38,422	Keyham Lodge School		Leicester	Community special school	112	£34,300	The Gateway School		Northamptonshire	Community special school	62	£30,063	Oak Bank School		Central Bedfordshire	Academy special converter	104	£29,788	Romans Field School		Milton Keynes	Community special school	55	£27,651	The Harbour School		Cambridgeshire	Community special school	75	£27,402	Kingsmead School		Derby	Community special school	89	£25,162	
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No.	Question	Response	Update comments
	<p>proposed £21,565, Millgate - current £23,201 proposed £22,091”</p> <p>All of the funding reductions relate to teaching and learning, per place funding at Millgate reduces by £5,180 and at Keyham Lodge £1,864, it shows a complete lack of understanding to separate leadership costs as we are successful as we are one community that work to the same goal which is to change our students lives</p>	<ul style="list-style-type: none"> • In house mental health support • Family Support • Vocational placements and therapeutic placements. • Areas like food lessons funded by parents • School uniform being paid for by parents • Those that are not eligible for free school meals having to pay for their children’s food • Equipment and technology that extends the possibilities of learning • Food parcels and support • Hardship funding for clothing and footwear • Leavers vouchers for further education and support for leavers • Millgate school transport to collect and drop off your children when needed • Summer fete • Study camps • Residential visits/overseas trips • Prize cabinet and rewards system • Gold trips <p>We would ask that the two schools provide further quantified details of the additional non staffing expenditure which they feel is necessary to deal with the specific needs of SEMH pupils at their school.</p>	
67.	<p>Qu 33 FAQs; Millgate School and Keyham Lodge School were advised by LCC finance to secure capital of at least £75,000 each year as part of lifecycle and refresh. Can LCC share that this was the case, expecting this level of good practice from all maintained schools and that each year both Keyham Lodge and Millgate schools have submitted detail with for this capital funding in line with LCC procedures.</p>	<p>Firstly the historic transfers of revenue funding to capital far exceed the £75k a year mentioned in this question and these were not agreed with the LA prior to them being actioned.</p> <p>Moreover, as a general point the setting up of funds for future capital maintenance may have once been desirable, however given the shortfalls in the HNB revenue allocation this is no longer realistic.</p>	

No.	Question	Response	Update comments																												
68.	<p>This proposal of modelling around staffing ratios and not student's needs, alongside an inconsistent understanding of needs through having three different SEN descriptors for just 7 special schools and the complete lack of moderation are concerning and I would urge that the consultation re-start with clarity, consistency understanding implications for our students and long term effect of these proposals.</p> <p>Moderation is important and it is crucial that before we re-distribute funding at the levels proposed. In FAQ 23 where one school meets needs of such a wide population of students and their banding reflects this "34.8% is ASD (£23.2k – £23.5k) 8.62% is SEMH (£28.5k - £29k), on that basis nearly 42% of the schools cohort sit in other categories". Surely this highlights the necessity to ensure we moderate before any change in funding takes place so that this and other schools receive the finance that supports those children they have in their school.</p>	<p>As explained previously, staffing ratios have been used to weight the funding for each band.</p> <p>If the proposed banding system was not an accurate reflection of need then the proposed average teaching rates per pupil would be significantly different from the actual teaching costs incurred by schools in 2019/20.</p> <p>A comparison of the actual teaching cost per pupil in 2019/20 and the proposed average teaching cost per pupil for each school illustrates that whilst there are variations the banding is reasonably reflective of the actual resources deployed by schools:</p> <table border="1" data-bbox="651 584 1816 1011"> <thead> <tr> <th>School</th> <th>Total final effective proposed teaching funding per pupil</th> <th>Current teaching cost</th> <th>Variation</th> </tr> </thead> <tbody> <tr> <td>Oaklands</td> <td>£16, 237</td> <td>£16,198</td> <td>-4%</td> </tr> <tr> <td>Ellesmere</td> <td>£14,984</td> <td>£13,017</td> <td>15%</td> </tr> <tr> <td><u>Netherhall</u></td> <td>£16,337</td> <td>£16,443</td> <td>-1%</td> </tr> <tr> <td>Westgate</td> <td>£17,226</td> <td>£20,000</td> <td>14%</td> </tr> <tr> <td>Keyham</td> <td>£21,565</td> <td>£20,318</td> <td>6%</td> </tr> <tr> <td>Millgate</td> <td>£22,091</td> <td>£23,201</td> <td>-5%</td> </tr> </tbody> </table>	School	Total final effective proposed teaching funding per pupil	Current teaching cost	Variation	Oaklands	£16, 237	£16,198	-4%	Ellesmere	£14,984	£13,017	15%	<u>Netherhall</u>	£16,337	£16,443	-1%	Westgate	£17,226	£20,000	14%	Keyham	£21,565	£20,318	6%	Millgate	£22,091	£23,201	-5%	
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No.	Question	Response	Update comments
69.	<p>What is the process for agreeing exceptional circumstances and how will we ensure there is a level of independence and constancy. “We have also indicated that there may be <i>exceptional</i> circumstances where a pupil’s need is significantly beyond the needs of the banding descriptors and these instances will be looked at on a case by case basis”.</p>	<p>A formal process will be proposed and consulted upon separately.</p>	
69 70.	<p>Can LCC clarify whether there is additional revenue available to that what was identified when consultation was launched in October, both with regard allocated HNB revenue and also the delay in anticipated spend for EHCP provision on the ground? Can LCC share funding intentions for our HNB in relation to EHCP’s across the city and in OOA placements? It would also be useful sharing the last three years spend in OOA placements.</p>	<p>Details of the HNB expenditure has been provided covering the last 5 years of actual expenditure and the 2020/21 budget. Please refer to question 37 with regards to additional HNB funding. In summary, despite additional funding for the HNB we the LA will incur a deficit in 2020/21 and in 2021/22 based on current growth projections.</p>	
71.	<p>Considering we are not involving all special schools and PRUs who all have students with EHCP’s, 60 places planned in the new</p>	<p>We have already indicated that we will be reviewing other areas of expenditure funded from the HNB following the completion of this consultation. As stated before, the PRUs are funded on a different model, due to the way the funding works and roles.</p>	

No.	Question	Response	Update comments
	<p>year...we also have seen that there is real variance of comparative funding data, can we make the common sense decision and re-visit this funding proposal and involve all stakeholders in making this something that will truly make an impact across all provisions.</p>		
69	<p>72. Can any impact analysis or equality reviews being developed be shared as mentioned in FAQ 50, can the implications of this funding both for the two schools facing financial challenges and the wider impact on mainstream sector be outlined.</p>	<p>The findings from the consultation should then be used to further inform the equality impact assessment and in identifying any mitigating actions that are required to lessen or remove any disproportionate negative impact.</p>	<p>As mentioned in Q50 above the EIA is a tool and is continuously developed during the course and following a consultation. Information has been gathered on the protected characteristics. We cannot fully understand the impact until a final decision is made on funding changes and we work with the schools to understand the impact.</p>
73.	<p>In 6 years, staff have taken Millgate from 'Requires Improvement' to 'Outstanding' (with no improvement points given) through their sheer</p>	<p>The context of the consultation has been explained already. We will work with schools to agree a plan to transition to the proposed funding rates.</p>	<p>Thank you and as part of our meetings with schools we recognised your</p>

No.	Question	Response	Update comments
	<p>hard work and dedication to the school and the students who attend it, often working evenings, weekends and holidays, giving everything to ensure the wellbeing and safety of our students. We consistently go above and beyond for our boys to give them the best outcomes we possibly can, both in terms of their education and their development as people. We have literally doubled our roll in 4 years (56 in Nov 2016 when I started to 113 now) taking on ever more complex students with a wider range of needs, and at the same time have gone from 1 or 2 students getting qualifications, to all of our 2020 leavers getting qualifications. We are currently in the midst of a pandemic with staff who are already on their knees having worked solidly throughout the first lockdown and the summer holidays, and who are now falling ill with Covid (or like me, terrified of getting Covid) and exposing their own families to that risk. I have 2 questions:</p>		<p>outstanding Ofsted judgement. Reflecting the discussion, we will be reviewing the residential/respite provision and undertake a full commissioning review during 2021/22.</p>

No.	Question	Response	Update comments
	<ol style="list-style-type: none"> 1. We would like to know about the timing of this review - why now? 2. Can you understand that staff now feel a sense of betrayal at the proposal of a staggering 22% cut in funding that could put their jobs at risk? 		
74.	<p>Across the Federation, our students are some of the most complex and disadvantaged children in the city and we become a lifeline for them and their families. At Millgate a significant part of this lifeline is the Residence, where our students can stay to either get respite from difficult (sometimes unsafe) home environments, or to give families respite from difficult behaviours. Just last week we made a difference to a 15-year-old student who stayed in, when the alternative would have been that he was again homeless having been abandoned by his entire family (Social Care having been unable to place him). Students who stay in get to do age-appropriate activities that allow them to play and be children, and as they get older to develop independence skills. Staff</p>	<p>In question 3 we have asked for detailed information on the respite provision at Millgate in order that we can make an informed judgement on whether this should be commissioned and if so by whom. Please refer to question 3.</p>	<p>As note above we will complete a separate exercise to complete a fully commissioning review during 2021/22</p>

No.	Question	Response	Update comments
	<p>have the opportunity to be more nurturing and parental than during the school day, and the relationships built with staff in Residence can be the most important ones for our students - we see positive impacts on their attendance, their behaviour in school (and out of school with reductions in levels of criminality), their education and even their relationships at home. The Residence has also been rated as 'Outstanding' by Ofsted each year for the last 3 years (prior to that it was Good). Please can you explain why there has been no provision made in the proposal for the Residence, meaning that this valuable resource would inevitably have to close?</p> <ul style="list-style-type: none"> ❖ As a Federation, we take children from the PRU and Carisbrooke and see them through to leaving school at the age of 16. <ol style="list-style-type: none"> 1. Please could you explain why their funding is protected under this review, and Millgate and Keyham's is being cut so hugely? 		

No.	Question	Response	Update comments
	<p>2. How do you expect both schools to continue to operate at the highest level without being willing to adequately fund it?</p>		
75.	<p>There was some confusion during the Keyham governors call held on the 9th November and this was linked to the banding criteria used at the time of the data collection from the Special School Heads. During the phone call it was made clear that Richard and Ellie thought that the Banding information was based on the whole 'needs based banding' document; however this was not the case. On the 18th November 2019 Clare Nagle asked the Special School Heads to band students, based on only the following criteria:</p> <p>As outlined in this document, the main focus is on staffing levels/ratios not on student needs. My questions relate to the following:</p> <p>If a student is in band 5 and requires a staffing ratio of 1:1 – how can this be achieved within the average weighting</p>	<p>The banding system re-distributes the total actual teaching resources deployed by schools in 2019/20 based on numbers of pupils in each band, with each band weighted according to the resources required. The mechanics of this have been explained in a power point slide provided separately.</p> <p>The resultant weighted average teaching funding per pupil for each school produces some re-distribution but the rates remain broadly in line at an individual school level with the actual teaching expenditure per pupil seen in 2019/20.</p> <p>Please see question 68.</p> <p>For example for Keyham, the level of funding per pupil for teaching under the banding system is £21,565 compared to the <i>actual</i> level of expenditure which was £20,318. So the banding system is, in this case, providing more than the current level of teaching expenditure.</p> <p>The cost of admin and catering for example are funded from the non-teaching funding component.</p> <p>The staffing ratios in each band are being used as a proxy factor for the need described in each band to fairly distribute the resources spent by schools on teaching in 2019/20. The bands are not intended to provide the full theoretical funding implied by each band on a pupil by pupil basis. We know this is an effective approach because the variation in the redistributed teaching funds and the actual expenditure by school is within the range +/-15%. The bands cannot provide the full funding implied by staffing ratios because this would mean an additional £5m of teaching expenditure would be</p>	

No.	Question	Response	Update comments
74	<p>of £28,488 per pupil when the costs of staff are as follows:</p> <p>SEN TA LB - (32.5 hrs 39 weeks per year) - £29,462 SEN TA LC - (32.5 hrs 39 weeks per year) - £22,835 MPS 6 Teacher + SEN - £53,680 UPS 3 Teacher + SEN - £60,106</p> <p>Costs for staff members are with on-costs This means that at best a pupil can be costed to have access to a TAc if within Band 5 or part of a teacher. However at Keyham Lodge and Millgate school we do not have pupils in Band 4 or below and moreover, for Band 6 students, who require additional staffing beyond 1:1, how can this be achieved within this financial proposal? How can schools actually work with students in Band 5/6 within the Banding costs? Where is the money to pay admin/Kitchen/run the school building/pay for resources? Whilst it is costed within the proposal, how do these costs translate into the actual cost of staff within the Banding criteria used for data collection?</p>	<p>required over and above that which was spent in 2019/20, ie an increase of 33% which is clearly not realistic or necessary.</p>	

No.	Question	Response	Update comments
	If this was not LCC's intention to band in this way is the information that has been the basis for reducing money or increasing money allocated to schools based on accurate information?		
75	<p>Question 78 can the revenue be shared in response to this question? 'considering Keyham Lodge and Millgate Schools' historical funding is being shared through consultation could I ask that for the period 2015.2016 – 2019.2020, to ensure there is parity of understanding of funding, all special schools revenue carry forward is shared alongside any revenue to capital (E30) as you have done so below.</p>	Added details to question 61 to which this relates as there is no question 78.	
77.	Question 75 not answered, and the example is misleading and inaccurate as have previously outlined	Additional text provided, see above.	
78.	Question 74 – not answered and residence continues to be left out in all questions	<p>Please reference to question 3 and question 66 – we have repeatedly asked for detailed information.</p> <p>We are not ignoring this issue but unless information is provided, we cannot consider it. The respite provision is not directly an issue for this consultation, in order to take account of it we need the information requested.</p>	Noted above we will review the commissioning requirements in 2021/22

No.	Question	Response	Update comments
		Please read the responses that are provided rather than repeatedly ask the same question.	
79.	Why do you 'think the level of funding proposed is a fair and equitable amount' what evidence have you around how this proposal will affect the provision and needs of young people?	We believe the re-distribution is fair and equitable based on the methodology outlined in the consultation.	
80.	During Schools forum Richard Sword mention that PRUs were funded differently through a 'passport system' could this be shared wider and also in Qu 74 when will our PRU's be subject to a review.	<p>PRUs will be subject to a review at a date to be determined following the completion of this review and Ash Field's review.</p> <p>It was explained at schools forum and in question 38 that the Pru is funded on a block basis (not a 'passport' basis).</p>	
81.	Qu 73 - what does 'we will work with' actually mean, this statement is being used a lot and yet after asking for clarity nothing is forthcoming. We have asked for a meeting and feel waiting until after consultation is a little late.	<p>We cannot meet with schools to discuss transitional arrangements as this would imply that the outcome of the consultation was pre-determined.</p> <p>We will meet with those schools who see a reduction in funding once a decision has been made regarding the outcome of the consultation. as we indicated there will be transitional funding made available to the affected schools over the transitional period.</p>	
82.	Question 72 – not answered, can you share understanding in preparing this proposal around possible impact to the wider system and quality of provision for SEND	The final EIA will be published once this has been completed.	The EIA is iterative and will continue to be updated as it has done so through and following the consultation and in light of more information being

No.	Question	Response	Update comments
			available following formal decisions are made.
83.	Question 71 – not answered	The responses to this consultation will be reviewed and the outcome shared in due course. Comparative data has been provided and responses made regarding the alternative comparatives provided by Chris Bruce (see question 66)	
84.	Question 69; schools already have exceptional cases why are these students needs being ignored, with no process yet designed, therefore in many cases leaving needs of pupils being unmet for up to 24 months	We are aware of no cases of pupils being left with unmet needs for up to 24 months – please provide examples of any such cases	
75.	Question 68 – “comparison of the actual teaching cost per pupil in 2019/20” this has been used frequently and is misleading all as ACTUAL TEACHING cost in 2019/2020 were reduced significantly in the two schools receiving a reduction in funding, the leadership factor being taken out when leaders deliver education and are instrumental in education of all students! The comparison is not accurate and is miss-leading, accurate figures have been shared and an overview of how leaders deployed sent at the beginning of the consultation as requested, with no	Similarly, to the issue regarding respite provision, we have asked for detailed information regarding claims that leadership grades have extensive timetabled teaching hours – please provide the detailed information requested in question 65 asap.	We have asked for additional information to review and understand leadership costs

No.	Question	Response	Update comments
	feedback or meetings arranged to discuss.		
86.	Question 67 – It is unfair and deviates from the real issue as LCC criticise the schools for doing something that LCC felt and supported was desirable because we are presently under financial challenges, LCC have always been aware and also are the funding body for our schools, the lack of consistency and clarity to what our year-end balance will be is the issue and LCC have changed their funding process without sharing over the past 4 years.	The funding process has not been changed over the past 4 years. The response to question 67 remains.	
87.	Question 66 – Our present LCC head of finance was the lead on funding reviews in 2013 when the funding of extended day and residential places was built into the average weighted pupil figure at Millgate. LCC would have been fully aware of why such a significant difference in average weighted pupil funding at Millgate and Ashfield to others due to residential provision and subsequent implications of these cuts. I would have hoped for more transparency	<p>Questioning the honesty, integrity and transparency of council officers is an unwelcome addition to this consultation process and completely without justification.</p> <p>As has been explained above we will deal with the respite provision issue separately but, once again, please actually respond to our requests for the detailed information outlined in question 66 and question 3.</p>	We will complete a formal commissioning review of residential/respite during 2021/22

No.	Question	Response	Update comments
	and honesty from the beginning of the consultation		
88.	Question 64 – we are being asked to agree this reduction and then trust that we will be supported in reducing budgets over a three-year period to achieve the targets outlined through this proposal. Will this gradual change be the case for those schools seeing an increase, will this be transitional as we are redistributing, or will funds be sought from elsewhere?	Increased rates will apply from 1 April 2021 if the proposals are approved. The HNB is the only source of funding.	
89.	Question 62 – the funding process has changed and this was last minute and is only this year different to what has been the case for previous years.	The funding process has not changed.	
90.	Can I also ask if OOA spends are to be shared wider?	The expenditure on this and all other HNB elements for the past 5 years have been shared previously.	

Table 1

Pay rise impacts	Oaklands	Ellesmere	Nether Hall	West Gate	Keyham	Millgate
Teaching funding	£16,237	£14,984	£16,337	£17,226	£21,564	£22,091
Leadership	£2,745	£2,215	£2,745	£2,134	£2,745	£2,745
Total	£18,982	£17,199	£19,082	£19,360	£24,310	£24,836
2.75%	£522	£473	£525	£532	£669	£683

Table 2

Description	Oaklands	Ellesmere	Nether Hall	West Gate	Keyham	Millgate	Total	High Needs Block	Unexplained difference
Pupils-Banding	111	288	105	179	112	104			
Pupils Cost	109	285	105	180	112	104			
Proposed	23,159	21,376	23,260	23,537	28,488	29,014			
Current	22,050	18,429	22,346	22,074	31,125	37,137			
Proposed	2,570,649	6,156,288	2,442,300	4,213,123	3,190,656	3,017,456	21,590,472	29,248,000.00	-7,657,528.00
Current	2,403,450	5,252,265	2,346,330	3,973,320	3,486,000	3,862,248	21,323,613	26,830,000.00	-5,506,387.00

Completed 8 December 2020

Updated 02 March 2021 – with additional commentary following review of consultation responses and information

Clare Nagle

Appendix 11 – Equality Impact Assessment

For an accessible version of this document contact Surinder.singh@leicester.gov.uk

Equality Impact Assessment (EIA) Tool:

Title of proposal	Review of Special School Funding Rates
Name of division/service	Social Care and Education
Name of lead officer completing this assessment	Clare Nagle
Date EIA assessment completed	28.01.21
Decision maker	Lead Member
Date decision taken	

EIA sign off on completion:	Signature	Date
Lead officer	C Nagle	28/01/21
Equalities officer	S Singh	28/01/21
Divisional director	T Rees	

Please ensure the following:

- That the document is **understandable to a reader who has not read any other documents** and explains (on its own) how the Public Sector Equality Duty is met. This does not need to be lengthy but must be complete and based in evidence.
- That available support information and data is identified and where it can be found. Also be clear about highlighting gaps in existing data or evidence that you hold, and how you have sought to address these knowledge gaps.
- That the equality impacts are capable of aggregation with those of other EIAs to identify the cumulative impact of all service changes made by the council on different groups of people.

- d) That the equality impact assessment is started at an early stage in the decision-making process, so that it can be used to inform the consultation, engagement and the decision. It should not be a tick-box exercise. Equality impact assessment is an iterative process that should be revisited throughout the decision-making process. It can be used to assess several different options.
- e) Decision makers must be aware of their duty to pay 'due regard' to the Public Sector Equality Duty (see below) and 'due regard' must be paid before and at the time a decision is taken. Please see the Brown Principles on the equality intranet pages, for information on how to undertake a lawful decision-making process, from an equalities perspective. Please append the draft EIA and the final EIA to papers for decision makers (including leadership team meetings, lead member briefings, scrutiny meetings and executive meetings) and draw out the key points for their consideration. The Equalities Team provide equalities comments on reports.

1. Setting the context

Describe the proposal, the reasons it is being made, and the intended change or outcome. Will the needs of those who are currently using the service continue to be met?

In response to cost pressures exerted on the High Needs Block (HNB) of the Dedicated Schools Grant (DSG) the Local Authority (LA) is undertaking a review of the funding in two strands top-ups for pupils with Special Educational Needs in mainstream settings and special schools. This EIA is concerned with the latter strand, special school funding.

The special school funding rates have not been reviewed since 2014 and there is agreement amongst the majority of special schools that funding is not being distributed equitably in line with the need of pupils. The proposal put forward is intended for funding to be distributed equitably based on pupil need for teaching and non-teaching costs. The new funding rates involve a standard level of per pupil funding for non-teaching costs and a teaching rate based on a 6-banded system, which would result in a new revised single weighted average funding rate. Under the proposals the distribution of funding for schools would change.

The schools under review include; Ellesmere College, Keyham Lodge, Millgate School, Nether Hall School, Oaklands School and West Gate School, and does not include Ash Field, the Primary PRU, LPS and the Hospital School. The reasons for not included these schools are as follows: Ash Field as part of an academy has a different reporting timeframe to the maintained schools, they also have an increased range of medical needs which needs to be factored into a consultation. The Primary Pupil Referral Unit and the Leicester Partnership School are funded different as is the Hospital School.

Under these proposals revised unit funding rates will change significantly, with Keyham and Millgate losing 17% and 22% respectively and the remaining schools gaining between 4% and 15%.

The process to consult on these proposals commenced on 2 October, with the consultation originally planned to close 13 November, it was however agreed to extend the timeframe through to 27 November to enable School Forum to meet and hear representation from some of the Special Schools and ask further questions of the LA to provide a formal response to the consultation. Once the consultation closes all evidence will be gathered and reported to the Lead Member for Education, before a report with recommendations are taken the Education Scrutiny Committee in January 2021. Upon the decision made at this committee and formal report with recommendations will be submitted to the Department for Education (DfE) in February 2021. Any formal decision from the DfE will be communicated to schools as soon as possible and the LA will work closely with all schools to deliver any changes to be made to the formal funding arrangements.

2. Equality implications/obligations

Which aims of the Public Sector Equality Duty (PSED) are likely be relevant to the proposal? In this question, consider both the current service and the proposed changes.

a. Eliminate unlawful discrimination, harassment and victimisation

- How does the proposal/service ensure that there is no barrier or disproportionate impact for anyone with a particular protected characteristic?
- Is this a relevant consideration? What issues could arise?

The proposal is to deliver changes to funding arrangements across 6 city maintained special schools. The proposal put forward is intended for funding to be distributed equitably based on pupil need for teaching and non-teaching costs.

All schools provision for pupils with disabilities across a wide spectrum of need. There isn't at present a fair and equitable method for funding schools within the funding envelope available within the High Needs Block for special schools.

The proposed changed identify significant changes to funding arrangements for 2 special schools for children and young people with Social Emotional and Mental Health.

The EIA will need to ensure consideration is given to ensure there is no discrimination in relation to age, disability, sex and race as part of the proposed changes.

b. *Advance equality of opportunity between different groups*

- How does the proposal/service ensure that its intended outcomes promote equality of opportunity for people?
- Identify inequalities faced by those with specific protected characteristic(s).
- Is this a relevant consideration? What issues could arise?

The aim of the review is to reform the funding rates so as to support the life chances of our most vulnerable children and young people; a fairer funding system will help provide all schools and all areas with the resources needed to provide an excellent education for all pupils.

Initially analysis of the demographics/ equality monitoring information of both staff and pupils across the affected schools will be collated and analysed, in addition to evidence of how schools can continue to meet pupils' needs.

The possible or actual impacts of continuing to provide funding in the same way as it is provided now will be considered as a part of the impact assessment.

Consultation questions have been designed to draw out any potential equality implications along with a better understanding of how the schools might manage the changes were to be agreed will provide a clearer sense of how it might impact on the pupils, teaching staff and non-teaching staff.

c. *Foster good relations between different groups*

- Does the service contribute to good relations or to broader community cohesion objectives?
- How does it achieve this aim?
- Is this a relevant consideration? What issues could arise?

We believe that all pupils will benefit from the clearer and fairer distribution of funding.

Proposals for the changes had been worked on initially with the special schools headteacher group (CLASS), specifically to identify teaching costs (banding elements) on the proposals.

Extensive consultation and engagement will take place to gather views from a wide range of stakeholders and communities whether these proposals may have an impact.

A final report will capture all information gathered from the different stakeholder groups, in addition feedback will be provided on the outcome and decisions made to all stakeholders.

3. Who is affected?

Outline who could be affected, and how they could be affected by the proposal/service change. Include people who currently use the service and those who could benefit from, but do not currently access the service.

Those affected will be the Leicester City Council Special Schools under review, including Ellesmere College, Keyham Lodge, Millgate School, Nether Hall School, Oaklands School and West Gate School.

Within these schools the teachers and approximately 1,128 pupils may be affected, with a significant number positively with their school receiving additional funds and approximately 244 pupils where the school may lose funding/resources.

4. Information used to inform the equality impact assessment

- What **data, research, or trend analysis** have you used?
- Describe how you have got your information and what it tells you
- Are there any gaps or limitations in the information you currently hold, and how you have sought to address this? E.g. proxy data, national trends, equality monitoring etc.

Data includes:

- Local Area SEND report Leicester 2019

- Workforce Census 2018
- Census Reports – School 2019
- Local Authority Schools financial data
- Local Authority Schools HR data
- Data provided by the Special Schools, identifying pupils in proposed banding, and data from the Local Authorities Education, Health and Care Plans

Much of the information is available via Leicester Schools extranet, as per schools' statutory returns: these provide details on pupil numbers in schools, in addition primary needs, those eligible and accessing free school meals.

The LA holds records of school budgets for maintained schools therefore details of income and expenditure for each of the schools within the review.

Data on pupils against proposed banding was supplied by schools, as way of implementing a banding system to meet pupils teaching needs. This information is currently being moderated by independent consultants, which may have minor implications on pupil costs, subject to the funding allocations for pupils' bandings.

The Census reports, provides an overview from 2018 on staff within the schools, including BAME. Further information has been received from LA HR data, which breaks down schools staff roles, by gender, ethnicity and age as identified in tables 1 – 4 below

5. Consultation

What **consultation** have you undertaken about the proposal with people who use the service or people affected, people who may potentially use the service and other stakeholders? What did they say about:

- What is important to them regarding the current service?
- How does (or could) the service meet their needs? How will they be affected by the proposal? What potential impacts did they identify because of their protected characteristic(s)?

- Did they identify any potential barriers they may face in accessing services/other opportunities that meet their needs?

The consultation we have undertaken to date (as of 17/11/20):

- Nov/Dec 2019 – Jan 2020 Special School Headteachers (and governing bodies), meetings were held throughout to review pupil banded rates descriptors which were developed and updated during this period
- Jan 2020 – Schools provide details of numbers and pupils for each of the bands, to enable Independent consultants to review and verify consistency in placements of pupils within the bandings against the identified need with pupils EHCP. A report was received in April 2020 with details of the findings from Independent consultants.
- 26/02/20 – With Department for Education.
- 02/10/20 – Consultation formally launched with Special Schools, presentation given to Headteachers
- 02/10/20 – Briefing provided to City Cllrs notifying of the consultation
- 02/10/20 – Communication sent to Schools Forum to notify of the consultation
- 02/10/20 – Letters sent to Chair of Governors of Special Schools to notify of the consultation
- 02/10/20 – Briefing sent to PCF Chair to notify of the consultation launch
- 02/10/20 – Briefing sent to SENDIASS to notify of the consultation launch
- 02/10/20 – Communication send to all Leicester City Schools via schools extranet communication
- 05/10/20 – Briefing set to Education unions to notify of the consultation
- 08/10/20 – Meeting held with all available school governors to present and discuss the consultation
- 14/10/20 – Presentation to Parent Carer Forum to explain consultation
- 22/10/20 – Discussion with BMF regarding Consultation
- 3/11/20 – 10/11/20 – Individual meetings with Special School Governing Bodies
- 13/11/20 – Extra Schools Forum meeting to enable discussions

All information submitted to the council will be taken into consideration and presented in a report to the Lead Member for Education before being submitted to the Scrutiny Committee in January 2021 and a final report submitted to the Department for Education.

At the time of writing this current EIA, there are very mixed views from across the Special Schools regarding the proposals

6. Potential Equality Impact

Based on your understanding of the service area, any specific evidence you may have on people who use the service and those who could potentially use the service and the findings of any consultation you have undertaken, use the table below to explain which individuals or community groups are likely to be affected by the proposal because of their protected characteristic(s). Describe what the impact is likely to be, how significant that impact is for individual or group well-being, and what mitigating actions can be taken to reduce or remove negative impacts. This could include indirect impacts, as well as direct impacts.

Looking at potential impacts from a different perspective, this section also asks you to consider whether any other particular groups, especially vulnerable groups, are likely to be affected by the proposal. List the relevant groups that may be affected, along with the likely impact, potential risks and mitigating actions that would reduce or remove any negative impacts. These groups do not have to be defined by their protected characteristic(s).

Protected characteristics

Impact of proposal:

Describe the likely impact of the proposal on people because of their protected characteristic and how they may be affected. Why is this protected characteristic relevant to the proposal? How does the protected characteristic determine/shape the potential impact of the proposal? This may also include **positive impacts** which support the aims of the Public Sector Equality Duty to advance equality of opportunity and foster good relations.

Risk of disproportionate negative impact:

How likely is it that people with this protected characteristic will be disproportionately negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?

Mitigating actions:

For disproportionate negative impacts on protected characteristic/s, what mitigating actions can be taken to reduce or remove the impact? You may also wish to include actions which support the positive aims of the Public Sector Equality Duty to advance equality of opportunity and to foster good relations. All actions identified here should also be included in the action plan at the end of this EIA.

a. Age

Indicate which age group/s is/ are most affected, either specify general age group - children, young people working age people or older people or specific age bands

What is the impact of the proposal on age?

The consultation is with 6 Leicester City Council Special Schools who provide education for pupils aged 4 through to 19 years old, Whilst this consultation is unlikely to impact on an individual level, should a reduction in funding take place within two of the schools as proposed, there may be staffing implications and possible placement issues within the schools.

Within schools, there was a workforce of over 700 staff, including a leadership group of 40 people, with over 50% of this number within 2 of the schools who would potentially be impacted by the proposed changes.

Only 4 of the schools have submitted details on staff over the age of 50, with 3.3% - 36% of their staff at this age.

What is the risk of disproportionate negative impact on age?

It is unclear at this stage what the risk of a negative impact would be in relation to age at this stage, as any decisions regarding staff losses would be taken by the schools in order to manage their budgets.

Age is be a relevant characteristic in considering school's duties in their role as an employer but not in relation to pupils.

What are the mitigating actions?

If a decision is taken to reduce funding in the identified schools, work will need to be done to understand the possible impacts on redundancies and staff ages.

b. Disability

If specific impairments are affected by the proposal, specify which these are. Our standard categories are on our equality monitoring form – physical impairment, sensory impairment, mental health condition, learning disability, long standing illness or health condition.

What is the impact of the proposal on disability?

What is the risk of disproportionate negative impact on disability?

The two schools impacted by these proposals provide education for approximately 244 pupils with SEHM, it is unclear at this time what the impact will be until any final decision is made, and if agreed a transition plan and timeline is agreed with the school.

It should be noted one other school in the City provides some SEHM provision, but not to the extent of the two schools who will be significantly affected by these proposals.

What are the mitigating actions?

Further information is needed from the schools regarding the impact on their pupils with SEMH of the proposed changes, which has been requested as part of the consultation process, in terms of the respite provision and leadership costs.

It remains unclear from the proposed funding changes what the impact will be for the pupils within these provisions.

c. Gender reassignment

Indicate whether the proposal has potential impact on trans men or trans women, and if so, which group is affected.

What is the impact of the proposal on gender reassignment?

No impact identified for this equality group.

What is the risk of disproportionate negative impact on gender reassignment?

Not applicable

What are the mitigating actions?

Not applicable

d. Marriage and civil partnership

What is the impact of the proposal on marriage and civil partnership?

No impact identified
for this equality group.

What is the risk of disproportionate negative impact on marriage and civil partnership?

Not applicable

What are the mitigating actions?

Not applicable

e. Pregnancy and maternity

What is the impact of the proposal on pregnancy and maternity?

No impact identified for this equality group.

What is the risk of disproportionate negative impact on pregnancy and maternity?

Not applicable

What are the mitigating actions?

Not applicable

f. Race

Given the city's racial diversity it is useful that we collect information on which racial groups are affected by the proposal. Our equalities monitoring form follows ONS general census categories and uses broad categories in the first instance with the opportunity to identify more specific racial groups such as Gypsies/Travellers. Use the most relevant classification for the proposal.

What is the impact of the proposal on race?

Please see below demographics for school staff (tables 1 & 3) and pupils (table 6), until any final decision is made and further information is received from schools that maybe affected by to proposals it is unclear which of the school would be affected.

We have received communications from Keyham Lodge and Millgate School they may have to make a number of redundancies as a result of the proposed funding cuts.

What is the risk of disproportionate negative impact on race?

As above it is unclear of the risk of negative impact

What are the mitigating actions?

To review race information and data for the schools potentially impacted by the proposals with the schools as part of the formal engagement and review of information when looking at the Respite provision and Leadership costs. Once a decision is taken and any transition period agreed, it will be clearer to understand what mitigations will be required regarding staffing impacts

g. Religion or belief

If specific religious or faith groups are affected by the proposal, our equalities monitoring form sets out categories reflective of the city's population. Given the diversity of the city there is always scope to include any group that is not listed.

What is the impact of the proposal on religion or belief?

It is unclear on the proposals on religion or belief of the staff/pupils at the affected schools

What is the risk of disproportionate negative impact on religion or belief?

This information is yet to be confirmed and needs to be reviewed during further formal discussions with the affected schools

What are the mitigating actions?

To gather information on religion or belief of the staff/pupils at the affected schools as part of the formal discussions

h. Sex

Indicate whether this has potential impact on either males or females

What is the impact of the proposal on sex?

This may have an impact on pupils within Keyham Lodge School, as the school provides education provision for male only pupils, therefore should the school receive reduced funding rates and not be able to manage their budgets, pupils may be moved to other placements within the City or out of area.

What is the risk of disproportionate negative impact on sex?

The risk of a negative impact is yet to be confirmed and will need to be established throughout the consultation process.

What are the mitigating actions?

We would need to understand better the potential impact of the proposals on this group to identify mitigating actions.

Through the consultation process we have requested information on the impacts to pupils from which mitigations can be discussed.

It has also been confirmed if any changes are agreed a transition plan and timeline would be agreed with the schools.

7. Summary of protected characteristics

a. Summarise why the protected characteristics you have commented on, are relevant to the proposal?

The protected characteristics are relevant to this proposal due to reduction in funding proposed my result in redundancies in schools, it is not clear which aspect of the workforce (if any would be affected).

Furthermore, the areas of Disability and Sex are key as the proposals are reviewing Special Schools who make provision for Children and Young People with Disabilities across a wide spectrum of need.

Additionally, one of the two schools which may be impacted by the proposal provides specific provision for boys

Further work is required to understand any impact on race within schools which may be impacted from the proposals

b. Summarise why the protected characteristics you have not commented on, are not relevant to the proposal?

We have not commented on gender reassignment, marriage and civil partnership, pregnancy and maternity, and religion and belief as we believe there are no direct links between the funding reform and these protected characteristics.

8. Other groups

Other groups

Impact of proposal:

Describe the likely impact of the proposal on children in poverty or any other people who we may consider to be vulnerable, for example people who misuse substances, ex armed forces, people living in poverty, care experienced young people, carers. List any vulnerable groups likely to be affected. Will their needs continue to be met? What issues will affect their take up of services/other opportunities that meet their needs/address inequalities they face?

Risk of disproportionate negative impact:

How likely is it that this group of people will be negatively affected? How great will that impact be on their well-being? What will determine who will be negatively affected?

Mitigating actions:

For negative impacts, what mitigating actions can be taken to reduce or remove this impact for this vulnerable group of people? These should be included in the action plan at the end of this EIA. You may also wish to use this section to identify opportunities for positive impacts.

a. Children in poverty

What is the impact of the proposal on children in poverty?

A number of pupils across the city in Special Schools are eligible for Free School Meals (FSM) according to school census – see below appendix from breakdown of these details.

It should be noted 68% of pupils from Millgate and 58% of pupils from Keyham are eligible for FSM

What is the risk of negative impact on children in poverty?

Further work will need to be completed to analyse the risk of negative impact on Children in poverty as a result of the proposals which are under consultation.

What are the mitigating actions?

Work will need to be done prior to any final decision making, with the schools in question to analyse data and information regarding children in poverty that may be impacted by the proposed changes.

b. Other vulnerable groups

What is the impact of the proposal on other vulnerable groups?

No other vulnerable groups identified

What is the risk of negative impact on other vulnerable groups?

Not applicable

What are the mitigating actions?

No further actions required at this stage

c. Other (describe)

What is the impact of the proposal on any other groups?

Not applicable

What is the risk of negative impact on any other groups?

Not applicable

What are the mitigating actions?

Not applicable

9. Other sources of potential negative impacts

Are there any other potential negative impacts external to the service that could further disadvantage service users over the next three years that should be considered? For example, these could include:

- other proposed changes to council services that would affect the same group of service users;
- Government policies or proposed changes to current provision by public agencies (such as new benefit arrangements) that would negatively affect residents;
- external economic impacts such as an economic downturn.

There are possible proposed changes to the council services which may affect some of the services users, this being possible amendments to the Transport Policy, however details are yet tbc.

Government (Department for Education) launched a SEND review in September 2019 and will look at the how the system has evolved since then, how it can be made to work best for all families and ensure quality of provision is the same across the country. Recognising the importance of joined-up support, it will also explore the role of health care in SEND in collaboration with the Department of Health and Social Care.

Timeframes for outcomes and actions from this review are not known at present, however it is anticipated once the consultation closed on 27 November, a full and detailed report will be presented to the Lead member for Education, before recommendations are discussed at a LA Scrutiny committee in March 2021, and a final report submitted to the Department for Education and final decisions made regarding the funding allocations.

10. Human rights implications

Are there any human rights implications which need to be considered and addressed (please see the list at the end of the template), if so please outline the implications and how they will be addressed below:

Protocol 1, Article 2: Right to education

No person shall be denied a right to an education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions.

We do not believe this proposal has any implications on human rights.

11. Monitoring impact

You will need to ensure that monitoring systems are established to check for impact on the protected characteristics and human rights after the decision has been implemented. Describe the systems which are set up to:

- monitor impact (positive and negative, intended and unintended) for different groups
- monitor barriers for different groups
- enable open feedback and suggestions from different communities
- ensure that the EIA action plan (below) is delivered.

If you want to undertake equality monitoring, please refer to our [equality monitoring guidance and templates](#).

It is proposed the impacts will be monitored by the SEND Delivery Board and more broadly by the SEND Improvement Board.

Additionally, it is proposed the LA will continue to work closely and jointly with CLASS Headteachers to monitor the impacts, barriers and facilitate feedback and suggestions from communities in Leicester.

DRAFT

12. EIA action plan

Please list all the equality objectives, actions and targets that result from this assessment (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

Equality Outcome	Action	Officer Responsible	Completion date
This EIA will be updated during and following the consultation responses should this be required.	Update EIA during and following closure of the consultation	Clare Nagle	Ongoing
Service users with protected characteristics are not negatively impacted by the proposed changes	Gather further information and data on protected characteristics including Age, Disability, Sex and Race to analyse any potential impacts from the proposed changes	Martin Judson/ Clare Nagle	Ongoing during an agreed transition period to be agreed with the individual schools
Funding increase Netherhall School proposed funding increase of 4% however concern raised this would not meet medical support needs of pupils	To work with the school to quantify and additional funding factor for pupils medical and health support costs	Martin Judson	Anticipated completion date Q1 2021/21
Westgate School proposed funding increase 7%, with this funding it still does not matching current expenditure rates of the schools	To work with the school to look at staffing structure and levels of support	Martin Judson	TBC – The local authority Finance and SEND Support Services Teams will work with the school to review needs

Equality Outcome	Action	Officer Responsible	Completion date
Millgate School – proposed reduction of 22% funding	We would work with Millgate School and Keyham Lodge management teams to address outstanding items and agree any transition plan	Martin Judson	TBC – following the formal discussions
Keyham Lodge– proposed reduction of 8% funding			
Data sources	To add links to data sources where available	Clare Nagle	31/03/21
Religion or belief	Look to gather information on religion or belief of those schools impacted by the proposed changes	Clare Nagle	31/03/21

Appendix A – School Staff Data tables

School	Total School Workforce (Headcount)	Total Number of Classroom Teachers (Headcount)	Total Number of Teachers in the Leadership Group (Headcount)	Total Number of Teachers (Headcount)	Total Number of Teaching Assistants (Headcount)	Total Number of Non Classroom-based School Support Staff, Excluding Auxiliary Staff (Headcount)	Total Number of Auxiliary Staff (Headcount)	Percentage of All Teaching Staff who Work Part-time (%)	Pupil: Teacher Ratio	All Teachers who Are Male (%)	All Teachers from Minority Ethnic Groups (ie Non-white British) (%)	Teachers Aged 50 or over (%)	All Teaching Assistants from Minority Ethnic Groups (ie Non-white British) (%)	All Non-classroom Based School Support Staff from Minority Ethnic Groups (ie Non-white British) (%)	Auxiliary Staff from Minority Ethnic Groups (ie Non-white British) (%)
Nether Hall School	107	14	4	18	46	7	36	38.9	6.7	SUPP	11.1	36.0	21.7	57.1	41.7
Millgate School	109	19	12	31	43	26	9	22.6	3.5	41.8	8.7	0.0	17.6	20.0	25.0
Oaklands School	85	13	4	17	59	6	3	29.4	7.2	SUPP	29.4	0.0	36.2	50.0	33.3
Ellesmere College	163	41	5	46	79	19	19	26.1	6.9	22.2	17.4	24.7	33.3	10.5	21.1
Keyham Lodge School	106	23	10	33	47	22	4	21.2	3.7	50.3	18.2	3.3	25.5	19.0	0.0
West Gate School	146	27	5	32	86	11	17	12.1	5.8	25.4	20.0	18.7	13.4	0.0	25.0

Table 1: School workforce census 2018

School Name	Roles	Gender		Grand Total
		Female	Male	
Ellesmere College	Leadership	7	1	8
	Other Support Staff	31	5	36
	Teacher	35	11	46
	Teaching Assistant	97	15	112
Ellesmere College Total		170	32	202

Keyham Lodge School	Leadership	4	6	10
	Other Support Staff	27	23	50
	Teacher	14	15	29
	Teaching Assistant	17	5	22
<hr/>				
Keyham Lodge School Total		62	49	111
<hr/>				
Millgate School	Leadership	5	6	11
	Other Support Staff	27	18	45
	Teacher	16	9	25
	Teaching Assistant	29	18	47
<hr/>				
Millgate School Total		77	51	128
<hr/>				
Nether Hall School	Leadership	6	1	7
	Other Support Staff	40	4	44
	Teacher	16	1	17
	Teaching Assistant	53	1	54
<hr/>				
Nether Hall School Total		115	7	122
<hr/>				
Oaklands School	Leadership	4		4
	Other Support Staff	11	2	13

	Other Support Staff	2	2		1			3			2	26			36	
	Teacher	2				1		1	3		5	31	1	2	46	
	Teaching Assistant	11	4	3	1	1	1	1	1	2	19	64	1	3	112	
Ellesmere College Total		15	6	3	2	2	1	1	7	1	2	26	129	2	5	202
Keyham Lodge School	Leadership	1						1				8			10	
	Other Support Staff	3				2		4				41			50	
	Teacher	5	1					1		1		20	1		29	
	Teaching Assistant	2								1		19			22	
Keyham Lodge School Total		11	1			2		6		2		88	1		111	
Millgate School	Leadership	1						1				9			11	
	Other Support Staff	4			1	1		2	5		1	31			45	
	Teacher	2							7			16			25	
	Teaching Assistant							1	16	1		28		1	47	
Millgate School Total		7			1	1		4	28	1	1	84		1	128	
Nether Hall School	Leadership	1	1									5			7	
	Other Support Staff	14	1	1	1							27			44	

	Teacher		1									16		17
	Teaching Assistant	1	14	1	1	1			1	1		34		54
Nether Hall School Total		1	30	3	2	2			1	1		82		122
Oaklands School														
	Leadership											4		4
	Other Support Staff		4		3							6		13
	Teacher		2			1	1		1			11	1	17
	Teaching Assistant	1	14	2	2	1			2	1		35	2	60
Oaklands School Total		1	20	2	5	2	1		3	1		56	3	94
West Gate School														
	Leadership		1						1			4		6
	Other Support Staff	1	2						1	2		26	1	33
	Teacher		1		1					1	3	23	1	30
	Teaching Assistant		7				1	1	1	7	3	78	2	100
West Gate School Total		1	11		1		1	1	3	10	6	131	1	3
Grand Total		3	94	12	11	7	7	2	1	24	39	7	33	570

Table 3: School staff by role and ethnicity provided by LCC HR December 2020

School Name	Roles	Age					Grand Total
		16-25	26-35	36-45	46-55	56+	
Ellesmere College	Leadership		1	4	2	1	8
	Other Support Staff	1	4	4	12	15	36
	Teacher	1	15	16	11	3	46
	Teaching Assistant	10	38	26	20	18	112
Ellesmere College Total		12	58	50	45	37	202
Keyham Lodge School	Leadership		1	6	2	1	10
	Other Support Staff	5	18	13	11	3	50
	Teacher		18	10	1		29
	Teaching Assistant	3	6	3	8	2	22
Keyham Lodge School Total		8	43	32	22	6	111
Millgate School	Leadership		1	7	3		11
	Other Support Staff	3	10	10	15	7	45
	Teacher	5	10	6	2	2	25
	Teaching Assistant	13	14	7	10	3	47

Millgate School Total		21	35	30	30	12	128
Nether Hall School	Leadership			3	2	2	7
	Other Support Staff		13	12	10	9	44
	Teacher		6	6	4	1	17
	Teaching Assistant	5	10	16	16	7	54
Nether Hall School Total		5	29	37	32	19	122
Oaklands School	Leadership			2	2		4
	Other Support Staff		4	5		4	13
	Teacher	3	6	4	4		17
	Teaching Assistant	5	27	8	16	4	60
Oaklands School Total		8	37	19	22	8	94
West Gate School	Leadership			3	3		6
	Other Support Staff	3	6	11	8	5	33
	Teacher		9	10	9	2	30
	Teaching Assistant	21	24	15	21	19	100
West Gate School Total		24	39	39	41	26	169
Grand Total		78	241	207	192	108	826

Table 4: School staff by role and age provided by LCC HR December 2020

Appendix B Pupil Census Data – Autumn 2020

School	NOR Total	FSM Eligible	Universal Infant Free School Meal	UIFSM Taken & FSM Eligible	NOR Year R/F2, 1 & 2	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19+	FSM Eligible 5-11 year olds	NOR 5-11 year olds	FSM Eligible 11-15 year olds
Ellesmere College	306	136	15	5	19	0	0	0	3	3	2	10	4	7	14	10	16	17	19	13	13	5	0	43	95	76
Keyham Lodge School	97	63	0	0		0	0	0	0	0	0	0	0	0	1	15	10	17	20	0	0	0	0	1	2	63
Millgate School	113	95	0	0		0	0	0	0	0	2	6	7	12	7	15	13	18	15	0	0	0	0	34	38	68
Nether Hall School	111	41	10	3	12	0	0	0	2	1	3	2	1	2	3	3	3	6	3	4	4	4	0	14	49	18
Oaklands School	101	43	21	8	22	0	0	0	3	6	8	9	6	11	0	0	0	0	0	0	0	0	0	43	101	
West Gate School	178	78	13	2	17	0	0	0	0	3	5	5	6	7	6	9	4	6	11	7	4	5	0	32	76	36
Total	906	456	59	18	70	0	0	0	8	13	20	32	24	39	31	52	46	64	68	24	21	14	0	167	361	261

Table 5: Number of pupils receiving free school meals by School

School	Total	African Asian	Bangladeshi	Indian	Pakistani	Other Asian	Black Caribbean	Black Somali	Other Black African	Any Other Black Background	White & Asian	White & Black African	White & Black Caribbean	Any Other Mixed Background	Gypsy/Roma	Irish	Traveller of Irish Heritage	White British	White European	White Other	Chinese	Any Other Ethnic Group	Information Not Obtained	Information Refused	No information recorded
Ellesmere College	306	1	2	44	9	25	1	8	10	6	4	3	2	8	2	1	0	150	6	4		12	7		1
Keyham Lodge School	97					1	1			0	3	1	7	3			1	77		1				1	1
Millgate School	113		1	1			2	1		1	1	3	8	4				87					1		3
Nether Hall School	111	2	5	30	11	5	2	8	6	1	1		2	3	1	1		27	3			1		2	
Oaklands School	101	1	4	20	4	5	1	5	6	2		5	2					24	8	7	3	3			1
West Gate School	178	1	2	27	5	4	3	10	13	6	3	5	3	4				73	10	3		6			
Total	906	5	14	122	29	40	10	32	35	16	12	17	24	22	3	2	1	438	27	15	3	22	8	3	6

Table 6: Pupil Ethnicity by School

Human rights articles:

Part 1: [The convention rights and freedoms](#)

Article 2: [Right to Life](#)

- Article 3:** Right not to be tortured or treated in an inhuman or degrading way
- Article 4:** Right not to be subjected to slavery/forced labour
- Article 5:** Right to liberty and security
- Article 6:** Right to a fair trial
- Article 7:** No punishment without law
- Article 8:** Right to respect for private and family life
- Article 9:** Right to freedom of thought, conscience and religion
- Article 10:** Right to freedom of expression
- Article 11:** Right to freedom of assembly and association
- Article 12:** Right to marry
- Article 14:** Right not to be discriminated against

Part 2: First protocol

- Article 1:** Protection of property/peaceful enjoyment
- Article 2:** Right to education
- Article 3:** Right to free elections

Appendix 12 - Glossary of Terms

Acronyms in relation to education and special education needs and disabilities

Acronym	Meaning
ASD	Autism Spectrum Disorder
APT	Authority Proforma Tool
BMF	Big Mouth Forum
BSF	Building Schools for the Future
CAMHS	Child and Adolescent Mental Health Service
CHP	Combined Heat and Power
C&YP	Children and Young People
CLASS	City of Leicester Association of Special Schools
CFR	Consistent financial reporting
CYP	Children and Young People
DfE	Department for Education
DRF	Direct Revenue Financing
DSG	Dedicated Schools Grants
EHCP	Education Health and Care Plan
EIA	Equality Impact Assessment
EFSA	Education Funding and Skills Agency
HNB	High Needs Block
FAQs	Frequently Asked Questions
FSM	Free School Meals
JSNA	Joint Strategic Needs Assessment
KLMS	Keyham Lodge School and Millgate School

LA	Local Authority
LAC	Looked After Children
LCC	Leicester City Council
LPS	Leicester Partnership School
MFG	Minimum Funding Guarantee
MLD	Moderate Learning Disability
NEET	Not in Education, Employment or Training
OFSTED	Office for Standards in Education, Children's Services and Skills
OoA	Out of Area
PCF	Parent Carer Forum
PRU	Pupil referral unit
PSED	Public Sector Equality Duty
PMLD	Profound Multiple Learning Disability
QA	Quality Assurance
SEMH	Social Emotional and Mental Health
SEN	Special Educational Needs
SEND	Special Educational Needs and/or Disabilities
SLCN	Speech, Language and Communication Needs
SLD	Severe Learning Disability
SMT	Senior Management Team
TA	Teaching Assistants
TBC	To be Confirmed



<http://schools.leicester.gov.uk>

Friday 2 October 2020

**For the attention of all Headteachers/Principals and Senior Leaders
All Schools, Academies, Independent Schools and Colleges**

✦✦ **Update from Sue Welford, Principal Education Officer**

Dear all

It was good to see so many of you at yesterday's KiT session. For those who were not able to attend we discussed staff access to the flu vaccination and the top-up funding/school census issue.

We continue to explore with the CCG as to whether flu jabs can be provided for school staff. In the meantime, it was suggested that those of you who already have arrangements in place should continue with these. This included using a private supplier or a local pharmacist.

You should by now have received via AnyComms+, a list of children who are in receipt of top-up funding. Please accept our apologies that this was so late. There was a timing conflict between using census to determine which children are on roll and the need for the top-up funding information to be included on census! The lists you have received include those children who were allocated to you through admissions process as well as those you have already on roll. Your office has been asked to let us know if you get information about a child who is not on your roll.

Positive cases have dropped slightly this week in schools. We know this from your online forms so please do keep us updated.

✦ **Reminder - Attendance reporting**

Early Years form:

We are still required to submit Early Years attendance to the DfE on a weekly basis. Schools who have early years children attending their nursery classes are reminded to complete the

[EY attendance reporting form](#) at the end of each week. Please share with your attendance leads.

Education settings status DfE form:

Please continue to [complete the DfE form](#). The information that it provides is used by the DfE to monitor attendance of all children, those with EHCP and those with social workers. It also flags to them where there are Covid cases and partial closures. The DfE use this to open up access to digital devices.

SEND – Special Schools Funding Formula Consultation

The council has begun a consultation to review funding arrangements for council-maintained special schools. We are proposing a change to funding formula methods and the aim of the proposal is to ensure a fair and equitable funding to meet pupil needs.

The special schools whose funding is being reviewed are: Ellesmere, Keyham Lodge, Millgate, Netherhall, Oaklands and West Gate. Children’s Hospital School and Pupil Referral Units are not included in this review due to the specific nature of their provision. A single funding rate is not appropriate for Ash Field Academy pupils due to their much wider range of needs.

The funding has not been reviewed since 2014, and government policy changes means the council are no longer able to support the High Needs Block from its reserves. The consultation proposals seek to provide fair and equitable funding rates to meet pupil needs across our maintained special schools and the rates proposed are broadly comparable with those in other local authorities.

The [consultation is now open](#) on Leicester City Council’s Citizen Portal and will be open until 13 November. Recommendations following consultation will be reported to the city council’s Executive, special schools and the DfE.

Finance: Schools Autumn Outturn Statement 2020 (LA Maintained Schools)

Please share the following with your Business Managers and Bursars.

Under the Scheme for Financing Schools, Schools are required to provide a projection of their expected end of year financial situation in an Outturn Statement, once in the Autumn Term and once in the Spring Term.

The Autumn Outturn statement is now due and is required back electronically **by Friday 30 October**.

- [Visit the Schools’ Extranet to find out more](#).

📌 **Frequently asked questions updated**

Our FAQs have been updated to support schools:

Q. An employee has tested positive for covid and they self-isolate for 10 days and get the self-isolation certificate to cover the 10 days. At what point should they supply a fit note if they continue to be unwell with covid? After 7 days (as per our procedure) or after 10 days?

Q. What is the situation if a member of staff hasn't followed guidance and has been in contact with someone outside of their household who has symptoms or is awaiting Covid test results and the member of staff now needs to self-isolate. Should this be paid or unpaid. In this situation, would this also be considered as misconduct? .

Q. You have been informed that a member of staff who lives in Leicester City, has met with a friend from outside their household in their friend's garden. They knew the person they went to see was awaiting COVID test results. The employee now contacts the school and informs you that they need to self-isolate. What do you do?

To view the answers, visit: <https://schools.leicester.gov.uk/covid-19faqs>

📌 **Video – testing your child for coronavirus**

The Department of Health and Social Care have made a how to video on testing your child for coronavirus. This is for the throat and nose swab test.

- <https://www.youtube.com/watch?v=Xaw8DsF2lqc>

You may wish to share this with your school community.

📌 **Keeping in touch sessions**

We will be joined by Clare Mills from Public Health and by Pauline Killoran Head of SEND service.

Thursday 8 October 2pm to 3pm	Join Microsoft Teams Meeting Learn more about Teams Meeting options
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I'm sure you will have seen the latest information about remote education which the DfE published yesterday. Union colleagues had raised their concerns about teaching staff managing both remote and face-to-face education. We ask that schools are mindful of staff workload whilst providing the best learning opportunities for children. We will review

this further.

Have a good weekend,

A handwritten signature in black ink, appearing to read 'Sue Welford', with a horizontal line underneath.

Sue Welford
Principal Education Officer

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All updates can be viewed at: <https://schools.leicester.gov.uk/coronavirus>

If you have any queries regarding this bulletin please call 0116 454 1120.

Keep up to date with the latest information on COVID-19 through [Leicester City Council's Your Leicester newsletter](#). You can also follow us on [Twitter](#) and [Facebook](#)

