



Report Submission Form and Template

This form and the attached outline are to help authors preparing reports for Cabinet (including individual Cabinet Members acting under delegated powers), Committees and Sub-Committees. The form includes notes for guidance on drafting the report; authors do however need to fill in the boxes where shown, using the Tab key to move through the form. The completed form must accompany the report when submitted to Democratic Services for processing and publication.

The whole document, including the report outline, may be saved locally as a template (.dot) and called up for use as required.*

Part A: Basic Information

Please complete all the boxes in this section.

Report Title	<i>This should be brief and (where applicable) should be consistent with the Cabinet Forward Plan, Scrutiny Work Programme etc.</i> SPECIAL SCHOOLS FUNDING PAPER
Target Date(s)	<i>Insert the expected date(s) for consideration by the Cabinet, Cabinet Member or [Sub-]Committee. For the Meetings Calendar see Intranet>About the Council>Corporate Governance Library>Reporting to Cabinet.</i> MEETING DATE EDUCATION SCRUTINY - N/A CABINET - 19 JANUARY 2021
Main Contact Officer	<i>Please give the name, job title, directorate and telephone number of the officer to whom any enquiries about the report should be addressed in the first instance.</i> Good, Hayley - Children's Services tel: (07551) 680562
Any Exempt or Confidential Information?	<p><i>If Yes, please also indicate whether all or only part of the report is recommended not to be published. For guidance see Part D.</i></p> <p><input checked="" type="checkbox"/> No exempt or confidential information is involved</p> <p><input type="checkbox"/> Yes – “Exempt” <input type="checkbox"/> Yes – “Confidential” { <input type="checkbox"/> Whole report private <input type="checkbox"/> Main report public, annex(es) private <input type="checkbox"/> Main report public, oral report private</p>

Attachments	<p><i>Please list any annexes and other documents to be published with the report. For guidance see Part D.</i></p>
	Annex 1: n/a
Background Papers	<p><i>Please list any unpublished documents relied on and where they will be kept. For guidance see Part D.</i></p>
	n/a
Other Documents Produced	<p><i>Please list any other documents referred to and where they may be seen. For guidance see Part D.</i></p>
	n/a

Part B: Corporate Policy, Financial and Other Implications

The following must be completed for all reports. The issues must be assessed in good time, with advice taken from relevant specialist staff (eg on behalf of the Chief Finance Officer as Section 151 Officer or the County Solicitor & Monitoring Officer) and taken into account before the report is finalised and submitted to Democratic Services. An indication as to who is responsible for the assessment (eg the report's author), and which specialist officer was consulted, should always be included.

Corporate Policies and Priorities	<i>In addition to any relevant plans and policies specific to the service area concerned, the report should explain how any proposals in the report support the Vision, Values, Objectives and Strategic Priorities in the County Council's Corporate Plan (see Intranet>Staff>Managing People>Managing Change>Vision and Desired Results), identifying the outcomes that are intended for the benefit of service users and the wider community.</i>
<i>Outcome of Assessment [indicate method and consultee(s)]</i>	<input type="checkbox"/> Links with corporate policies and priorities are discussed in the report OR <input type="checkbox"/> Procedural item - no such policies/priorities have been identified as applicable. This assessment has been undertaken by
Financial and Staff Implications	<i>This section must be included in every report unless purely procedural. It must identify what revenue and/or capital and/or staff resources would be involved in the course of action (or alternative courses of action) discussed in the report. It should state how these are expected to be funded, eg: within programme allocations already agreed; from identified savings; by transferring staff resources. If there are no new or additional implications, this should be specifically stated and explained.</i> <i>Where the School Forum is a statutory consultee please complete the relevant additional boxes below and tick to confirm.</i>
<i>Outcome of Assessment [indicate method and consultee(s)]</i>	<input checked="" type="checkbox"/> Financial and staffing implications are discussed in the report OR <input type="checkbox"/> The report is not considered to raise any financial or staffing issues <input checked="" type="checkbox"/> Schools Forum is a statutory consultee And where yes above <input type="checkbox"/> Confirm that consultation has taken place and the views of the Schools Forum are reflected in the Cabinet Paper. This assessment has been undertaken by
Legal Implications	<i>It is the author's responsibility to ensure that any potential legal implications of new proposals have been explored, in consultation with the County Solicitor as appropriate. If assessment highlights legal issues which should be taken into account by the decision maker, these need to be spelt out in the report.</i>
<i>Outcome of Assessment [indicate method and consultee(s)]</i>	<input type="checkbox"/> Legal implications are discussed in the report OR <input type="checkbox"/> The report is not considered to raise any legal implications. This assessment has been undertaken by

Equality & Inclusion Implications	<p><i>The report must show how “in planning, delivering, monitoring and evaluating our work, equality and diversity issues are [being] appropriately considered from the outset”. New proposals must be screened for relevance against our statutory duties to promote equality and where relevant an impact assessment (SCIA) must be completed. For guidance see Intranet>About the Council>Equality and Cohesion>Service and Community Impact Assessment Guidance.</i></p>
<i>Outcome of Assessment [indicate method and consultee(s)]</i>	<p><input checked="" type="checkbox"/> Equality and inclusion implications are discussed in the report and a service and community impact assessment (SCIA) has been completed OR</p> <p><input type="checkbox"/> The report is not considered to raise any equality or inclusion issues.</p> <p>This assessment has been undertaken by</p>
Sustainability Implications (Environmental Impacts – Reducing our Climate Impact)	<p><i>Please outline whether this paper has any sustainability implications, particularly relating to Climate Action (for example consider positive or negative implications for emissions from transport, electricity and gas emissions from the built environment, emissions associated with waste, embodied emissions from construction and implications on natural carbon management from land use changes).</i></p>
<i>Outcome of Assessment [indicate method and consultee(s)]</i>	<p><input type="checkbox"/> Sustainability implications are discussed in the report OR</p> <p><input checked="" type="checkbox"/> The report is not considered to raise any sustainability issues.</p> <p>This assessment has been undertaken by HG</p>
Risk Management	<p><i>The report needs to show how risks and opportunities to the Council have been considered as part of the development work - particularly for a policy decision, strategy or project involving major change. The report needs at least to include a summary of the assessment and of any action to be taken to minimise risks. A more detailed risk assessment for major change or complex proposals should be made available (eg in the Members’ Resource Centre). For guidance on the scope and process of risk management see Intranet>Support and Guidance>Risk Management.</i></p>
<i>Outcome of Assessment [indicate method and consultee(s)]</i>	<p><input checked="" type="checkbox"/> An assessment of risk is included in the report OR <input type="checkbox"/> No actions are proposed which are considered likely to pose any material risk</p> <p>This assessment has been undertaken by HG</p>

Part C: Agenda Summary

This should identify the main subject matter of the report in about 200-300 words. It should explain why the report and decisions are required and indicate the main themes of the report. The report's recommendations should not be included.

This report sets out the background to how SEND (High Needs) top-up funding currently operates for special schools in Oxfordshire and how, with Cabinet's approval, a transfer of Dedicated Schools Grant High Needs funding will help support an increase in top-up funding in line with that agreed in September for mainstream schools, in order to better meet the needs of children in these schools.

Part D: Drafting Checklist

This section provides practical guidance on the drafting of the report. The report should be created using the attached outline as a template. (The format should be adapted as appropriate for special types of documents, such as project appraisals.)

General Approach	<p>The report should be aimed at the general reader but assuming a reasonable knowledge of the service and budget and of the local government context. Keep in mind in drafting the report that it will have several purposes: as well as giving the body or individual a sound basis on which to make a decision, it will serve to inform interested observers both direct and through the media; it will form part of the permanent record of the Council's proceedings for future reference; and (in the event of challenge of a decision) it may be cited as evidence that the right matters were taken into account in reaching the decision.</p>
Format	<p>The template provides defaults to the appropriate house conventions: general layout, fonts and font sizes, heading styles, paragraph numbering, indents, etc.</p> <p>The basic font (12pt Arial) is the Council's corporate standard for publications and is now adopted for Cabinet and committee documents also. It should be used for all run of text (14pt for main headings), but the size may be reduced in tables, graphs, plan legends etc if necessary for presentational purposes,</p>
Division(s)	<p>This box should identify those county electoral division(s) <u>directly affected by the subject matter of the report</u>. If there are more than six enter ALL; if the report is not division-specific enter N/A. To confirm which divisions are affected use the Planweb system – see Intranet>Applications/Planweb.</p>
Introduction	<p>This should explain briefly why the report and the recommended decisions are required. It should provide essential background and history. Ensure any previous reports referred to are the versions which were finally agreed and published and that previous decisions are quoted accurately.</p>
Exempt and Confidential Information	<p>If either category applies, the precise grounds must be stated in the report, by reference to the special circumstances that apply. If no potentially exempt or confidential information is involved, omit this section from the report. For guidance see Intranet>About the Council>Corporate Governance Library>Reporting to Cabinet</p>
General Content	<p>Set out the relevant facts, policies, options, arguments for and against and conclusions. Be as brief as possible (advisory limit: 4 sides of A4) while ensuring that the essential factors are covered.</p> <p>Give structure with headings/sub-headings. Use plain English. Explain any technical terms and abbreviations where first used (using brackets or footnotes) or in a separate glossary. Use annexes for illustrative material, large amounts of data, comments on consultation responses etc.</p>

Reporting on Consultations	<p><i>Care must be taken to report and respond to all points of substance made by consultation respondents. They should be summarised either in the body of the report or (if extensive) in an annex. Current Data Protection advice is that individuals should not be identifiable (by name or by address).</i></p> <p><i>Copies of the original responses should normally be placed in the Members' Resource Centre. See also Intranet>About the Council>Staff Consultation.</i></p>
Recommendations	<p><i>Each decision sought should have a separate recommendation. The wording should allow adoption of each recommendation without changing its wording. Referring back to details set out in the report may be desirable to ensure certainty of effect. Care should be taken to ensure that recommendations depending on some other event, are made subject to an appropriate caveat. Generally avoid open recommendations and recommendations that merely invite "noting".</i></p>
Attachments	<p><i>See also General Content and Reporting on Consultations above. Additional documents, plans, illustrations and tables to be circulated with the report must be produced at A4 size (preferably in portrait format) and in electronic form (all agendas and supporting public documents are included on the Council's web-site.) Generally such attachments should be labelled as "Annex 1, Annex 2 etc"; this may not be necessary for plans and major free-standing documents. Colour must be avoided.</i></p>
Background Papers	<p><i>Any unpublished documents on which the report has been substantially based must be specifically listed. A copy must be kept and made available for public inspection at 24 hours' notice for at least 4 years from the date of the report. See further Access to Information Rule 8 in Section AA of the Constitution - Intranet>Shared Info>Support>Reporting to Cabinet and Committees.</i></p>
Other Documents Produced	<p><i>Any other document made available to members for reference in connection with the report should be identified in the report with an indication of where it may be seen (eg in the originating directorate or the Members' Resource Centre.) It must be available by the time the agenda is circulated and a copy must be available for public inspection. Any documents for the Members' Resource Centre or for public inspection should be sent via Committee Services.</i></p>
Contact Details	<p><i>Contact officer details should be given for each service whose Director or Head is named as a signatory to the report.</i></p>
Report Submission	<p><i>The report and completed form should be e-mailed to the Committee Reports mailbox when all consultations on the report (including CCMT if appropriate) have been completed and the report has been finalised. The deadlines for submitting reports are specified in Meeting and deadline timetables - see Intranet>About the Council>Corporate Governance Library>Reporting to Cabinet</i></p>

Division(s): Children, Education and Families

CABINET – 19th January 2021

Funding for Special Schools

Report by Hayley Good, Deputy Director for Education

RECOMMENDATION

The Cabinet is RECOMMENDED to:

- a) Approve a one-off increase in top-up funding for Special Schools for 2020/21 funded through the High Needs Block (HNB) of the Dedicated Schools Grant (DSG), in line with the increase provided for mainstream primary and secondary schools in September 2020.

Executive Summary

1. Top-up funding is the funding required over and above the core or place funding the setting or school receives to enable a pupil or student with high needs to participate in education and learning.
2. In September 2020, Cabinet approved an allocation of £1.3m funding to uplift top-up funding for mainstream primary and secondary schools. This represented a 16% increase. Currently, Oxfordshire special schools are funded below the national average. This paper outlines a proposal which would provide the equivalent 16% uplift for special school's top-up funding.
3. This paper outlines the current method of SEND High Needs top-up funding for special schools in Oxfordshire, how a one-off transfer of DSG to be used for an increase in top-up funding for 2020/21 would help support schools to better meet the needs of pupils and students.
4. There will be an ongoing impact to the HNB budget from 2021/22 onwards. Officers are working with schools to determine an equitable way of funding SEND for all schools within the financial parameters of the HNB from 2021/22 onwards.

Background

5. **Mainstream Primary and Secondary schools**
 - In January 2020 after the National Funding Formula unit rates had been implemented in full for all schools, Schools Forum agreed the OCC recommendation to move the balance of the unallocated funding to the HNB to allocate directly to Special Educational Needs & Disabilities (SEND) budgets in mainstream schools to specifically support High Needs

students. £1,300,000 was moved from the Schools Block of the DSG to the HNB of the DSG to support a one-off, one-year only SEND top-up funding increase for mainstream Primary and Secondary schools.

- This funding move was approved by Cabinet in September 2020 and will apply for the academic year 2020/21 only.
- There will be an ongoing impact to the HNB budget from 2021/22 onward if this is maintained.
- Special schools were not included in this arrangement.

6. **Special Schools**

The Special School funding is agreed annually. The uplift for Special Schools mirrors the guaranteed funding uplift set by the DfE for mainstream schools, this is 1.5% for 2020-21, and 0.5% in the previous 2 years.

- The basis of the formula has not been reviewed for a number of years and comparative data indicates that Oxfordshire special schools are funded below the national average.

7. **How top-up funding currently works**

Top-up funding to schools and settings is paid from the High Needs Block of the DSG. The way this is calculated differs between mainstream primary/secondary schools and special schools:

- Top-up funding for special schools is based upon a formula. At the point in time that the formula was introduced, the top-up was calculated and averaged for each child. The current formula therefore pays the same amount for each child regardless of the number of hours and type of support/therapies that each child requires in order to support the provision detailed within their Education Health and Care plan. The formula was designed to give stability of funding.
- Funding levels need to be reviewed as they do not cover the costs the schools face and the formula has not been reviewed/increased for a number of years. Special school headteachers have raised their concern about this situation on a number of occasions and believe that the current funding level is dangerously low, leaving schools unable to fulfil their statutory duty in delivering the identified support for children and young people. Officers have reviewed comparative data and evidence and have spoken at length with headteachers. It is agreed that the current funding situation is impacting upon the curriculum which the schools are able to offer.

8. **Proposal**

Officers will work with Schools over the next 6 months to develop an equitable way of funding all schools, including special schools within the financial parameters of the council's HNB budget from 2021/22 onwards.

It is recommended that top-up funding for special schools will increase by 16% (mirroring the uplift awarded to mainstream schools' SEN Funding), representing an increase of £1321 per pupil. This is a one-off increase for the 2020/21 academic year and will be provided in two tranches, one before the end of the current financial year and one in the 21/22 financial year

9.

Exempt Information n/a

10.

Financial and Staff Implications

The one-off payment from the DSG HNB will support a funding increase to special schools for 2020/21 academic year only.

Additional pressure will fall on the HNB budget from 2021/22 onwards if the increase is to be maintained.

The one-off payment will be in line with that agreed for mainstream primary and secondary schools in September 2020. It equates to a 16% increase, that is an additional £1,321 per pupil and totals £1.58m. Although this is less funding than the headteachers have requested, it should be noted that this is an interim solution, pending a systemic review of the funding formula for all schools and the completion of the DSG recovery plan for submission to the Department for Education. This uplift has been forecast by officers within the reported in-year deficit on the HNB for 2020/21 of £11m.

Under the DSG Conditions of grant for 2020-21, any local authority with a DSG deficit of any size should have a plan for managing its DSG account going forward and must keep its school forum regularly updated about its plan, including high needs pressures and potential savings. It must also respond to enquiries from the DfE about the plan.

11. Equalities Implications

This increase in payments to special schools will support the education of Children with Special Educational needs and Disabilities. They may face significantly greater challenges in learning than their peers or have a disability which hinders their access to the teaching, curriculum and facilities typically found in mainstream educational settings.

Hayley Good, Deputy Director for Education

Background papers: n/a

Contact Officer: Hayley Good