

# Title of report: Schools Budget 2024/25

**Decision maker: Cabinet Member for Children and Young People**

**Decision date: 6 February 2024**

**Report by: Strategic Finance Manager – Schools**

**Service Director - Education, Skills and Learning**

## **Classification**

Open

## **Decision type**

Key

**This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant. Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.**

## **Wards affected**

(All Wards);

## **Purpose**

To approve school forum's recommended budget proposals for school budgets, central school services and early years within the Dedicated Schools Grant (DSG) for 2024/25.

Dedicated Schools Grant funding for the schools block in 2024/25 is £129.9m, which is an increase of 1.9% per pupil excluding the consolidation of the £2.65m supplementary grant from 2023-24 at £118 per pupil. The funding for high needs and early years block are provisional as are subject to final adjustments for pupil numbers and commissioned places. The school funding values and formula calculations are in accordance with the national school funding formula as set by the government. The £0.65m is to be transferred to the high needs block for 2024/25 to continue the SEN protection scheme.

## **Recommendation(s)**

**That: Herefordshire's school funding proposals for 2024/25 be approved as set out in appendix 3.**

## Alternative options

1. The Schools Forum agreed in October 2017 to the strategy to implement the NFF from 2018/19. However due to national economic pressures the announced DSG funding does not provide sufficient funding to pass through to schools the full National Funding Formula entitlement and a transfer to the high needs block. In addition to the council's preferred option an alternative has been considered by the Budget Working Group (BWG) on 12 January 2024, as follows:
  - Option B: full allocation of NFF with no transfer to high needs block and no gains cap
2. Recommendations were published by the BWG in a supplementary report to the Schools Forum for consideration on 19 January 2024.

## Key considerations

3. Both Schools Forum on 19<sup>th</sup> January 2024 and the Budget Working Group on 12<sup>th</sup> January 2024 have advised on the alternatives to the council's preferred option for the School Budget for 2024/25, as set out in the autumn schools budget consultation and amended as necessary to comply with the funding constraints set by DfE in the December DSG funding announcement. The DSG funding assumptions underlying the proposed budget are set out below.
4. This report sets out the expected financial settlement for Herefordshire schools for 2024/25 and proposes to continue to implement the national funding values as set by government. There continues to be many unknowns e.g. inflation, energy prices and funding re pay awards which will make setting a balanced budget difficult for schools this year.
5. The government funding announcement announced in July 2023, as amended by the October "funding error" announcement that reduced the per pupil funding increase from 2.7% to 1.9% to recover £370m which would be overspent due to misstated national pupil numbers, sets out the key items, which are as follows:
6. Funding through the mainstream schools national funding formula (NFF) is increasing by 1.9% per pupil in 2024-25, compared to 2023-24. Taken together with the funding increases seen in 2024-25, this means that funding through the schools NFF will be 7.6% higher per pupil in 2024-25, compared to 2022-23.
7. The schools NFF continues to distribute this fairly, based on the needs of schools and their pupil cohorts. The main features in 2024-25 are:
  - i. Introducing a formulaic approach to allocating split sites funding. This ensures that split sites funding will be provided on a consistent basis across the country.
  - ii. The core factors in the schools NFF (such as the basic entitlement, and the lump sum that all schools attract) will increase by 2.4%.
  - iii. Through the minimum per pupil funding levels, every primary school will receive at least £4,655 per pupil, and every secondary school at least £6,050.
  - iv. The funding floor will ensure that every school will attract at least 0.5% more pupil-led funding per pupil, compared to its 2023-24 allocation.

- v. Rolling the 2023-24 mainstream schools additional grant (MSAG) into the schools NFF ensuring that this additional funding forms an on-going part of schools' core budgets. Appropriate adjustments have been made to NFF factor values and baselines to reflect this.
8. 2023-24 was the first year of transition to the direct schools National Funding Formula (NFF) with the end point being a system in which, to ensure full fairness and consistency in funding, every mainstream school in England is funded through the same national formula without adjustment through local funding formulae. Following a successful first year of transition, the DfE will continue with the same approach to tightening in 2024-25. As in 2023-24, local authorities will only be allowed to use NFF factors in their local formulae, and must use all NFF factors, except any locally determined premises factors. Local authorities will also be required to move their local formulae factors 10% closer to the NFF values, compared to where they were in 2023-24, unless they are already mirroring the NFF.
9. Herefordshire's approach to school funding for 2024/25 will be as follows:
  - I. Seek to fund schools at the National Funding Formula values
  - II. To fund schools at the maximum permitted Minimum Funding Guarantee of 0.5%
  - III. To use the school block transfer process to fund the SEN Protection Scheme within the maximum value of £650,000 which Schools Forum can agree without the Secretary of State's permission.
  - IV. To agree a realistic budget for the SEN Protection scheme with Schools Forum in March 2024 within the constraints of the 0.5% block transfer and an appropriate mix of reduced spending and additional funding from the high needs block. This will require some compromises.
  - V. Within the high needs block, fund cost increases in independent schools, manageable increases for top-up tariffs particularly for special schools and in particular to provide the full year funding for the newly established autism resource bases
  - VI. To use the DfE high needs block funding allocation to set a balanced budget for high needs and avoid the DfE deficit escalating. Inevitably this will require some difficult compromises as the DfE funding allocation is unlikely to be sufficient to meet cost pressures.
10. Compared to most local authorities nationally Herefordshire has a small, but growing high needs deficit at £1m. The DfE has provisionally allocated £26.8m for high needs in 2024/25, an increase of approx £1.15m, equivalent to an increase of +4.5%. The initial aim is to set a balanced high needs budget and provide for a comparable 1.9% per pupil increase in top-up tariffs and special school places. Further work on the high needs budget will be undertaken during the autumn and spring terms with the Budget Working Group (BWG).
11. National growth funding, is expected to be £0.5m and £0.1m has been reserved to fund basic need secondary school growth in the Golden Valley planning area (10 places at Fairfield and 30 places at Kingstone as originally agreed in 2021/22). However early indications suggest that not all this year's planned pupil growth has materialised as expected. Advice will be sought from the BWG on an option to fund growth at the NFF minimum rate of £2,657 per academic year for academies rather than the council's current practice of using the Key Stage 3 funding rate of £5,022.
12. From 2024-25 new NFF rules apply such that local authorities will need to provide growth funding where a school or academy has agreed with the local authority to provide an extra class in order to meet basic need in the area (either as a bulge class or as an ongoing commitment). 27 Local

authorities will have to provide funding that is at least that calculated through using the following formula:

$$\text{Primary Growth Factor value (£1,550)} * \text{Number of Pupils} * \text{ACA}$$

13. Funding for maintained schools is provided to cover the period from September to March before the lagged funding system 'catches up' from the subsequent April through the subsequent year's NFF. Since academies are funded on an academic year basis, they would receive additional funding (at a rate of an additional 5/7 of the allocation) to cover a full year's growth funding before the system 'catches up'.

### **SCHOOLS BLOCK STRATEGY 2024/25**

14. Actual allocations for the schools block based on an estimated 22,492 pupils (primary 13,162 and secondary 9,330) as follows:

Actual DSG schools funding allocation	£129,938,453
Full National Funding Formula 2024/25	£129,814,706
Growth Fund	£117,180
Unallocated funding	£6,567
Funding available from 2.45% gains cap in NFF:	£643,000
To: SEN Protection scheme	£649,692

### **HIGH NEEDS BLOCK STRATEGY 2024/25**

15. Final Dedicated Schools Grant (DSG) allocations for 2024/25 have been published by the government and indicate an increase in Herefordshire's high needs allocation of £1.14m, i.e. a gross allocation of £26.82m compared with a final allocation of £25.683m in 2023/24, although in-year adjustments for FE college placements make comparisons across years difficult.
16. The additional £1.15m is provisionally allocated as follows:
- I. £0.2m out-county independent schools and Complex Needs
  - II. £0.2m inflation on tariffs A - F
  - III. £0.5m full year effect for new autism places from September 2023
  - IV. £0.05m matched funding for behaviour support service
  - V. £0.14m for SEN Protection scheme
  - VI. £0.06m Expansion of VI team to prevent out-county placements at £60,000pa.
17. The SEN protection scheme was expanded to include secondary schools in 2020/21 and was supported by a transfer of £0.6m from the schools block in 2023/24. The cost of the scheme continues to grow each year and the scheme is hugely supported by schools. However the cost of the scheme is at the limit that the Schools Forum can approve without reference to the Secretary of State and expenditure is forecast to grow further in 2024/25. Compromises on expenditure will inevitably be necessary

18. The budget proposals for 2024/25 indicate the National Funding Formula is affordable with a MFG at 0.5% and capping of school gains at 2.45% will provide up to £649,692 for the SEN protection scheme such that significant reductions in spend may not be necessary. It may be possible to add a further £100,000-£150,000 from the high needs block subject to the detailed budget plan which is to be considered by the Schools Forum in March.
19. Further detailed work will be undertaken on the high needs budget during February 2024 and will be agreed with the Budget Working Group and the Schools Forum in March 2024.

20. **EARLY YEARS BLOCK**

The current offer is as follows:

**In England**, all parents and carers of 3 and 4-year-olds are entitled to 15 hours a week childcare support with registered childcare providers. Eligible working parents and carers of children aged 3-4 can also get an additional 15 hours childcare support, bringing their total up to 30 hours a week. Some eligible parents of 2-year-old children may also be entitled to 15 hours childcare support, if they receive some additional forms of government support.

Childcare hours can be used per week for 38 weeks of the year (during school term time). You may be able to use your hours for up to 52 weeks if you use fewer than your total hours per week. Check with your childcare provider to find out if this is something they offer.

21. Starting from April 2024, existing childcare support will be expanded in phases. By September 2025, most working families with children under the age of 5 will be entitled to 30 hours of childcare support. The changes are being introduced gradually to make sure that providers can meet the needs of more families. This means that:

- From **April 2024**, eligible working parents of 2-year-olds will be able to access 15 hours childcare support.
- From **September 2024**, 15 hours childcare support will be extended to eligible working parents of children from the age of 9 months to 3-year-olds.
- From **September 2025**, eligible working parents of children under the age of 5 will be entitled to 30 hours of childcare a week.

Like the existing offer, depending on the individual provider, these hours can be used over 38 weeks of the year (during school term time), or up to 52 weeks if you use fewer than your total hours per week. Full details are provided in the early years consultation with settings set out in Appendix 2.

## **CENTRAL SCHOOL SERVICES BLOCK**

22. The central block is expected to increase slightly from £810,000 to £851,810. Small inflationary increases are proposed as follows. In addition to the statutory retained duties formerly funded by Education Services Grant (£390,000), funding allocations will be the Schools Forum administration costs (£20,000), school admission costs (£169,000 including an extra £13,000 to cover the costs of appeals), national licence costs (£157,000), SACRE (£10,000), SEN Casework (£28,000) and a transfer to high needs (£77,810).

## **SEN Protection Scheme - options**

23. Expenditure in 2024-25 is estimated at £825,000 allowing for some growth in EHCPs with the existing scheme cap of £175 x NOR (i.e. payments to schools are only made above this value). There are two base options for the SEN protection scheme for 2024-25, e.g.

Option A: Transfer to high needs block of £649,600, i.e. the maximum permitted 0.05% Applying a gains cap of 2.45% to the NFF funding allocation to those schools not on the Minimum Funding Guarantee and to increase the SEN protection scheme cap to £195 to ensure expenditure remains within the £650,000 available, This would reduce payments by 15% e.g. a secondary school receiving £74,000 in 2023-24 would receive £63,000 in 2024-25 with similar percentage reductions for other schools.

Option A is the council's preferred option.

Option B: Full allocation of NFF with no transfer to high needs block

This option would require a the virtual closure of the SEN protection scheme and would have a significant impact on the most inclusive schools whilst providing a small budget increase for all schools, for example.

Comparison

Option A: A large primary school: Would receive £64,000 from the SEN protection scheme under option A and a budget reduction of £17,500 providing for a net £46,500 to fund 20 pupils in receipt of top-up funding equivalent to 6% of pupil on roll.

Option B: the school would receive the extra £17,500 in their base budget but lose £64,000 from the SEN protection scheme;

24. An independent report has been commissioned to provide research on the effectiveness of the SEN protection scheme which will provide useful back ground information for Schools Forum and choosing between these options. This report will be discussed by the Budget Working Group on 12 January and will be available for the Schools Forum on 19 January 2024.

## **De-delegation proposals**

25. De-delegation and Education Management proposals for locally maintained schools by a small inflation allowance (1.9%) as follows:
- I. Computer licences for the school budgeting software to increase to £431 from £420;

- II. Free school meals eligibility checking, primary to increase to £1.33 per pupil (from £1.31) and secondary to increase to £1.01 per pupil (from £0.99)
- III. Support for underperforming ethnic minority groups and bilingual learners to provide EAL services for initial assessments, YR observations and follow-up advisory and monitoring visits funded by de-delegation costs as follows;
  - a. Increase per pupil amount to £1.19 from £1.17
  - b. increase per Ever6 FSM pupil to £7.06 from £6.93
  - c. change to EAL 3 year factor at £37.19 per pupil from £36.50
- IV. A small increase to Trade union facilities agreement by 5p to £2.70 per primary pupil to reflect expected cost pressures.
- V. Education Management – a small increase to £12.74 from £12.48 for local authority maintained schools.
- VI. School Improvement Services at £6.11 per pupil (small increase from £6) to include
  - a. Headteacher support
  - b. Ofsted/School Improvement support
  - c. General education management advice and support
- VII. Contingencies at £1.02 per pupil (increased from £1) to fund unexpected costs such as pupil census errors, unavoidable redundancies from small school closures and costs from Employment Tribunals.

## 26. **New de-delegation proposals**

- Behaviour support services – an additional £1 increase on the proposed current £4.15 per pupil for primary schools (with a corresponding SLA at £5.15/pupil for primary academies) and a matched budget increase of £12,500 from HNB subject to review by the BWG in January 2024 – required to fund a modest increase in behaviour support in primary schools to reduce demand/need for nurture groups, resource bases and ultimately out-county places.
- The Health and Safety team in Herefordshire Council is proposing that all maintained schools are signed up to Membership of CLEAPSS (the Consortium of Local Education Authorities for the Provision of Science Services). The most cost effective way of doing this is to deduct the membership fee, currently 16p per pupil between the ages of 5 and 19, from delegated budgets and join the consortium as a Local Authority. Schools can also purchase membership of CLEAPSS directly for between 25-33p per pupil, but the discounted rate can only be given if all maintained schools in the LA agree to the deduction and are signed up through Herefordshire Council. Once the LA is a member of CLEAPSS, other schools in Herefordshire would also be able to sign up to CLEAPSS through the LA at a discounted rate.
- CLEAPSS provides a wide range of resources for Primary and Secondary schools covering Science, D&T and Art lessons. Resources include access to the CLEAPSS telephone and email helpline, model risk assessments, advice on equipment and facilities, Hazards and Recipe sheets, HSE recognised guidance and standards, and accredited CPD. CLEAPSS membership is recommended by both the HSE and the DfE. The majority of Local Authorities in England, Wales and Northern Ireland are already members of CLEAPSS.

## Transfers of funding from Schools Block to High Needs

27. After fully funding the National Funding Formula for schools, and after allocating growth funding, it is proposed to use the available £0.65m available funding from the schools block as follows:
28. transfer £650,000 from the schools block to support the schools SEN protection scheme within the high needs block. This would provide for the continuation of the scheme albeit with a revised funding cap at £195 x Number on Roll for 2024/25. The SEN protection scheme expenditure is currently forecast (with a cap of £175) to spend £775,000 significantly over the budget at £616,000 per year due to a 10% increase in Education, Health and Care Plans since September 2021 and costs are expected to continue to increase in 2024/25. The cap in the SEN protection scheme will need to increase to at least £195 to ensure expenditure remains within the proposed budget. This will be reviewed at the March meeting of Schools Forum when the high needs budget is set.
29. In order for the Schools Forum to be fully informed in considering a request from the local authority to transfer funding from the schools block to the high needs block, the DfE suggest the evidence presented to the schools forum should include:
  - I. Details of any previous movements between blocks, what pressures those movements covered, and why those transfers have (together with the increased high needs funding for 2020 to 2021 and future years) not been adequate to counter the new cost pressures; A transfer of £324,000 (0.3%) was agreed for 2018/19, a transfer of £215,000 (0.2%) was agreed for 2019/20, a transfer of £300,000 (0.3%) was agreed for 2020/21, a transfer of £300,000 (0.3%) was agreed for 2021/22 and a transfer of £517,000 in 2022/23 and £616,000 in 2023/24 to support the SEN protection scheme.
  - II. A full breakdown of the specific budget pressures that have led to the requirement for a transfer. This should include the changes in demand for special provision over the last three years, and how the local authority has met that demand by commissioning places in all sectors. Budget pressures on the complex needs budget and out county placement budget are such that a £1m overspend was incurred in 2019/20. The high needs budget is forecast to overspend by £105,000 in 2021/22 and further provision of £2m has been made to provide for the costs arising from known pupils expected to receive placements in 2022/23. Without a funding transfer to the high needs block in 2023/24, the high needs deficit will continue to increase and the SEN Protection scheme will have to be cut back. Herefordshire special schools are full. The new Beacon College Special Academy has opened with 50 places, aged from 16 to 19, with severe and complex learning difficulties. A further bid for a new free school has been submitted to the DfE for a potential opening in 2025. New autism resource bases have opened from September 2023 to provide more high needs places. However special schools are largely full.
  - III. It's particularly important that any changes in the provision for mainstream school pupils with high needs are highlighted so that those schools can understand both why a transfer of funds from the schools block might be needed, and how future transfers might be avoided. The funding transfer is necessary to avoid a high needs block deficit and to continue funding the high needs protection scheme which is judged as essential by primary schools in particular. Without the block transfer reductions would have to be made to the protection scheme, which the council considers would have a negative impact on inclusion and would further increase spend
  - IV. A strategic financial plan setting out how the local authority intends to bring high needs expenditure to levels that can be sustained within anticipated future high needs funding levels.



A DSG deficit management plan is on School Forum's agenda. The council considers that an appropriate level of funding to meet need is essential from the DfE to ensure a balanced high needs budget in future. A modest transfer will ensure as far as possible that Herefordshire keeps the current deficit as small as possible.

- V. The local authority should demonstrate an assessment and understanding of why the high needs costs will be at a level that exceeds the increased levels of high needs funding that all local authorities will receive in 2020 to 2021, and that can be anticipated in subsequent years, and that plans are in place to change the pattern of provision where this is necessary, as well as to achieve greater efficiency in other ways. Herefordshire does not intend to spend at a level that exceeds high needs block funding allocated by the DfE. Modest transfers from the schools block will be proposed when surplus funding is available over and above that required to fully implement the NFF in schools.
- VI. The schools forum can only give approval for a one-off transfer of funding out of the 2024 to 2025 schools block. This is clearly understood and with sufficient funding provided in DSG by the DfE, such transfers of funding from schools block to high needs would not be necessary.
- VII. The local authority should give details of whether the cost pressure is such that they would anticipate the need to seek schools forum approval for a transfer in subsequent years, if this is permitted, and how they are planning ahead to avoid such transfers in the longer term. Herefordshire does not intend to spend at a level that exceeds high needs block funding allocated by the DfE. Modest transfers from the schools block will be proposed when surplus funding is available over and above that required to fully implement the NFF in schools.
- VIII. As part of the review and planning process, the extent to which collaborative working is being developed as a means of securing suitable high needs placements at a cost that can be afforded. Collaborative working with the National Star College, based in Cheltenham, has secured local places at affordable cost. The National Star College is an independent specialist further education college for people with physical disabilities, acquired brain injuries and associated learning difficulties.
- IX. We expect effective partnership between the local authority, those institutions offering special and alternative provision (including mainstream schools), and parents; and between the local authority and neighbouring authorities. Herefordshire works closely with its partner schools to effective high needs provision. The avoidance of a deficit to date is a result of this close working relationship with schools and providers.
- X. Any contributions from health and social care budgets towards the cost of specialist places. Herefordshire Council has a section 75 agreement with the local CCG that provides for joint funding of pupils with complex needs on in a ratio of 3:3:1 from DSG, Social Care and health. Herefordshire's model is in line with national best practice.
- XI. How any additional high needs funding would be targeted to good and outstanding primary and secondary schools that provide an excellent education for a larger than average number of pupils with high needs, or to support the inclusion of children with special educational needs in mainstream schools. Herefordshire's SEN protection scheme is already seen by the DfE as good practice for supporting the inclusion of children with SEN in mainstream schools although we make no distinction between any school. The Herefordshire tariff matrix provides for the child's needs to be met in either their local mainstream school or a special school without any financial penalty. It is the child's needs that are funded not the establishment.
- XII. Examples of schools that illustrate how the local authority would support such inclusive practice are also useful. Herefordshire is spending £350,000 pa on introducing preventive

initiatives to support a number of schools on a nurture group basis to provide further support for children to attend their local school. Nurture groups are founded on evidence-based practices and offer a short-term, inclusive, focused intervention that works in the long term. Nurture groups are classes of between six and 12 children or young people in early years, primary or secondary settings supported by the whole staff group and parents. Each group is run by two members of staff. Children attend nurture groups but remain an active part of their main class group, spend appropriate times within the nurture group according to their need and typically return full time to their own class within two to four terms.

- XIII. Details of the impact of the proposed transfer on individual schools' budgets as a result of the reduction in the available funding to be distributed through the local schools funding formula. No reduction will be made to the national funding formula for Herefordshire schools as it is the surplus above the NFF entitlement that is intended to be shared between schools and high needs. It is extremely unlikely that funding above the NFF will be retained by schools in the long term.
  - XIV. The extent to which schools more generally support the proposal, including details of the outcome of local school consultations, the options or proposals that were subject to consultation, how many schools agreed, disagreed or did not respond. Previous consultations with schools have been very supportive of proposals for a modest transfer from the schools block to high needs in order to fund the SEN protection scheme. The COVID-19 pandemic has significantly reduced the responses from schools for the 2022/23 budget consultation, although the few replies received continue to be very supportive of the block transfer to support the SEN protection scheme. Herefordshire will not ask the Secretary of State, for approval to continue with a transfer that the school forum oppose. However, the Schools Forum will be asked to support the proposals in the consultation paper to reduce expenditure on the SEN protection scheme to ensure that the high needs budget for 2024/25 is a balanced budget in accordance with existing policy of ring fencing the separate DSG blocks.
30. Further more detailed work will be undertaken on the high needs budget during the spring term, and an updated budget plan will be discussed with the Budget Working Group in March 2024. The final high needs budget plan will be agreed with the Schools Forum in March 2024. A detailed review of the effectiveness of the SEN protection scheme has been commissioned and will be available for the Schools Forum meeting on 19 January 2024.

## **Community impact**

- 31. The government's national funding formula determines the allocation of funding to schools and the DSG is essential in helping the council achieve its priority to keep children and young people safe and give them a great start in life. The school funding formula must meet the national requirements of the DfE. Within these national guidelines the funding is targeted to support the achievement of improved outcomes for all Herefordshire pupils in accordance with a carefully considered strategy that is subject to annual consultation with schools and governors.
- 32. Governing bodies of schools are responsible for decisions to commit expenditure according to meet pupils' individual needs. Funding for Looked after Children is no longer included in the national funding formula and is now fully included in the pupil premium plus grant for Looked after Children. The pupil premium plus is £2,300 per qualifying pupil and will be better targeted to provide help to Looked after Children. Schools are asked to report termly how they have spent the Pupil Premium Plus and what the impact is on learning. During 2019/20 pupil premium funded 757 'interventions' (across 238 children) and 47% had the expected impact on

progress, 5% had less than expected impact on progress (and payments were stopped), 7% had more than expected impact on progress and 41% of interventions have not yet been measured (i.e. still too early to measure).

## **Environmental Impact**

33. This is a consultation with the Schools Forum on school and high needs funding and will have no direct environmental impacts. School governing bodies and trustees are responsible for deciding on expenditure and they will be encouraged to minimise waste and resource use in line with the council's environmental policy.

## **Equality duty**

34. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

35. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As it is a legal requirement to implement the government's national funding formula for schools, we do not believe that it will have an impact on our equality duty.
36. The DfE's equality assessment published in September 2017 is that the introduction of the national funding formulae will create a fairer and consistent distribution of funding that is more closely aligned to need and is essential to supporting opportunity for all children, irrespective of their background, ability, need, or where in the country they live. Our funding system will target funds to those pupil groups where the evidence is clear that they need additional support. It does not seek to target funding by reference to particular protected characteristics under the Equality Act 2010, but instead targets funding to those groups which the evidence demonstrates face barriers to their educational achievement. The DfE believe that all pupils will benefit from the clearer and fairer distribution of funding that these reforms will produce.

## **Resource implications**

37. The recommendations, if agreed, aim to set Individual School Budgets and the School Block budgets within the available funding of £129.9m whilst continuing to provide support for school inclusion through the SEN Protection scheme. This requires a transfer of £0.65m from the Schools Block to the High Needs Block for 2024-25. Additional DSG high needs funding of £1.1m has been allocated by the DfE for 2024/25 to meet cost pressures within the high needs block and this will be considered further by the Schools Forum on 15 March 2024, prior to determination by the Cabinet Member for Children and Young People. The Early Years Block

and Central School Services Block budgets are set within the DSG allocations announced by the DfE.

38. Herefordshire will retain the current practice of ring fencing the DSG blocks and allocating spend accordingly, the only exception being to ask the Schools Forum to approve a £0.65m block transfer to ensure the SEN protection scheme remains fit for purpose. The DSG grant income is noted within the council's Medium Term Financial Strategy but is not included in the council's forward financial planning. DSG is planned jointly with the Schools Forum.

### **Legal implications**

39. The Schools Forum Regulations 2012 states that the School Forums generally have a consultative role. However, there are situations in which they have decision-making powers, as detailed in Regulation 10. The Regulations state that the council must consult the Schools Forum annually in connection with amendments to the school funding formula, for which voting is restricted by the exclusion of non- school members except for private, voluntary, independent representatives. Voting on de-delegation and the education functions for maintained schools is restricted to maintained school members only.
40. The decision making powers of the Schools Forum are limited, as detailed in the Education and Skills Funding Agency guidance sheet 'School Forum Powers and Responsibilities' published in March 2020.
41. This budget has been set in accordance with the Schools and Early Years Finance (England) Regulations 2023.

### **Risk management**

42. The Budget Working Group (BWG) reviews proposals in detail prior to making recommendations to the Schools Forum. This two stage process helps to ensure greater scrutiny of budget proposals and mitigate against any risks that may be identified. Any identified risks will be monitored and managed by the Children and Young People directorate jointly with the Schools Forum.

### **Consultees**

43. All maintained schools and academies in Herefordshire have been consulted on the final budget proposals for 2024/25. 10 responses were received prior to the 28 November 2023 deadline.

The responses were as follows:

#### 1. Funding Strategy (10 replies)

1a) Implement the NFF values: Yes 9

1b) Transfer funds to the High Needs Block: 8 Yes 1 No

1bii) Reverse funds for pupil growth: 8 Yes 1 No

1c) Cap the gains in the NFF to transfer to the SEN Protection Scheme: 8 Yes 1 No

1d) Implement the SEN assessment: 7 Yes 1 No

#### 2. De-delegation (LA schools only) (9 replies)

2a) Increase de-delegation by 1.9% per pupil inflation: 5 Yes 1 No

2b) Increase primary behaviour support by an additional £1: Yes 4 No 3 and one secondary school answered Yes

2c) CLEAPSS: Secondary 1 Yes 1 No and Primary 3 Yes and 4 No.

Comments received from Schools have suggested an SLA rather than de-delegation, so that schools can exercise a choice.

Previously the School Forum has taken a low response rate to mean that schools are broadly in favour of the national funding formula and de-delegation proposals given the support of the Budget Working Group.

44. The early years Nursery Education Funding (NEF) consultation was circulated to providers on 20 December 2023 and closed at 5pm on 11 January 2024. In addition to a consultation meeting on 8 January, responses were received from 16 providers indicating support for the proposals with 100% in favour of the SENIF proposal and 80% in support of free in-county training. Specific comments were received from the on-line consultation meeting relating to

- The value of the 2YO deprivation supplement for disadvantaged two year olds
- The value of the retention of 34YO funding and whether it should be consistent with the 2YO retention so that the credit received for the SENIF funding from the high needs block is spread equally over the whole totality of NEF funding

The above comments will be discussed in detail with the early years NEF funding group with a view to informing the early years consultation for 2025/26.

45. The Budget Working Group were consulted at their meeting on 12 January 2024 and Schools Forum at their meeting on 19 January 2024. Schools Forum advised the cabinet member to approve the transfer of £649,000 to the high needs block.

### Appendices

Appendix 1 - School Budget Consultation paper Autumn 2023

Appendix 2 – Early Years NEF consultation for 2024/25

Appendix 3 – Schedule of recommendations for Schools Budget 2024/25

### Background papers

DfE announcement of Dedicated Schools Grant on 19 December 2023

DfE provided APT schools budget modeller for 2024-25

DfE National funding formula for schools and high needs 2024-25 published July 2023

### Report Reviewers Used for appraising this report:

Governance	John Coleman	Date 20/12/2023
Finance	Wendy Picker / Judith Tranmer	Date 03/01/2024
Legal	Pooja Nahar	Date 08/01/2024

Communications	Michala Lee	Date 08/01/2024
Equality Duty	Harriet Yelling	Date 08/01/2024
Procurement	Lee Robertson	Date 05/01/2024
Risk	Chris Tindell-Jones	Date 12/12/2023

Approved by	Darryl Freeman	Date 11/01/2024
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**Please include a glossary of terms, abbreviations and acronyms used in this report.**

BWG	Budget Working Group (of Schools Forum)
CAMHS	Children and Adolescent Mental Health Service
DSG	Dedicated Schools Grant
DfE	Department for Education
CCG	Clinical Commissioning Group
NFF	National Funding Formula
CLEAPPS	Advisory service for schools to support with science and technology
EHCP	Education Health Care Plan
NEF	Nursery Education Funding
2YO	Two year olds
34YO	Three and Four year olds
ESFA	Education and Skills Funding Agency
MASH	Multi Agency Safeguarding Hub
MFG	Minimum Funding Guarantee – a funding mechanism by DfE to provide a funding protection mechanism to smooth budget losses over a number of years
PRU	Pupil Referral Unit
H3	Home and Hospital Teaching Team (Hub, Home, Hospital)
SEN	Special Education Needs
SEND	Special Education Needs and Disability
SENIF	Special Education Needs Inclusion Fund ( Early Years)