

**Report of the Director of Children and Families**

**Report to the Leeds Schools Forum**

**Date: 19 November 2020**

**Subject: 2021/22 School Funding Proposals**

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**Summary of main issues**

1. The Dedicated Schools Grant (DSG) is allocated in four blocks: schools, high needs, early years and central schools services. 2021/22 is the fourth year of the national funding formula for schools, high needs and central school services. The Education and Skills Funding Agency (ESFA) uses the national funding formula to calculate the blocks within the DSG that are allocated to local authorities. Local authorities continue to have some flexibility in how this funding is allocated to schools, within the constraints set out by the ESFA.
2. Local authorities are required to consult with schools on proposals for funding arrangements and report back to their Schools Forum. Schools Forums are then responsible for either making decisions or providing views on the various proposals, in line with the powers set out by the DfE.
3. This report presents the outcome of a recent consultation with mainstream schools on funding arrangements for 2021/22. 84% of respondents supported the council's proposal to transfer 0.5% schools block funding to the high needs block from the schools block (aprox £2.835m). 88% of maintained schools responding to the consultation also supported a contribution by maintained schools towards severance costs (to be applied as a rate of £2.50 per pupil, aprox £165k in total). In relation to the school funding formula, option one was preferred by the majority that expressed a preference (49%).

**Recommendations**

4. Schools Forum is asked to consider and vote on a proposal to transfer 0.5% (aprox. £2.835m) from the schools block to the high needs block in 2021/22.
  - All Schools Forum members may vote on this proposal.

- It is a Schools Forum decision on whether to accept this proposal. In the event that Schools Forum does not agree, the DfE are able to adjudicate if the local authority requests this.
5. Maintained school members of Schools Forum are asked to consider and vote on a proposal for a contribution in 2021/22 by maintained schools towards the severance costs of maintained school staff, to be applied as a per-pupil amount of £2.50.
- Voting on this proposal is limited to maintained primary and secondary school members.
  - It is a Schools Forum decision on whether to accept this proposal. In the event that Schools Forum does not agree, the DfE are able to adjudicate if the local authority requests this.
6. Schools Forum is asked to consider and provide their views on the schools funding formula for 2021/22.
- The local authority is required to consult with Schools Forum on the funding formula, however the local authority retains the final decision on the formula to be used.

## **1 Purpose of this report**

- 1.1 This report updates Schools Forum on the outcome of the consultation with maintained schools and academies on school funding arrangements for 2021/22, and requests decisions and views on a number of matters from Schools Forum's members in their capacity to take a strategic view across the whole education estate whilst acting as representative of the group that has elected them
- 1.2 A further report will be brought to Schools Forum in January 2021 to confirm the final school funding allocations for 2021/22.

## **2 Background information**

- 2.1 The Dedicated Schools Grant (DSG) is allocated in four blocks: schools, high needs, early years and central schools services. The ESFA uses the national funding formula (NFF) to calculate the blocks within the DSG that are allocated to local authorities. Local authorities continue to have some flexibility in how this funding is allocated to schools, within the constraints set out by the ESFA.
- 2.2 The ESFA has not confirmed the date that the NFF will be fully implemented so it is possible there could be further transitional years beyond 2021/22. However the government has reaffirmed their intention to move as soon as possible to a hard NFF, where schools' budgets are set on the basis of a single national formula and local authorities are no longer involved in this decision.
- 2.3 The council recently held a consultation on school funding arrangements for 2021/22, between 20<sup>th</sup> October and 4<sup>th</sup> November 2020. During the consultation period schools were provided with background information and figures to demonstrate the impact of the proposals, a briefing session was held and queries received from individual schools were responded to. A copy of the consultation documents issued to schools is attached as an appendix to this report.
- 2.4 It should be noted that the options and figures within the consultation and this report have been calculated based on October 2019 pupil data, which was the basis for the indicative funding published by the ESFA for consultation purposes. The final local authority allocations will be confirmed in December 2020 and will take into account October 2020 pupil data.
- 2.5 The proposals in this report are therefore subject to change prior to the deadline for confirming final funding allocations to the ESFA on 21st January 2021. A Schools Forum meeting has been arranged on 19th January ahead of this deadline, where the full final proposals will be confirmed.

## **3 Main issues**

### **3.1 Summary of consultation**

- 3.1.1 Of the 265 schools consulted with, 63 responses were received (compared to 84 the previous year). Comments and key themes from the responses have been

summarised in the relevant sections below. Not all response forms included an answer to every question, so the number of responses against each proposal below varies.

3.1.2 The council consulted on the following proposals:

- a) A 0.5% transfer between from the schools block to the high needs block in 2021/22 estimated to be £2.835m.
- b) Two options for funding formula for 2021/22, taking into account the proposed transfer out of the schools block of approx. £2.835m.
  - Option 1: A cap on gains of 3.18%. All other factors are in line with the national funding formula, including the minimum funding guarantee of 2.0%.
  - Option 2: A reduced minimum funding guarantee of 1% and an increased cap on gains of 3.40%. All other factors are in line with the national funding formula.
- c) A contribution in 2020/21 by maintained schools to be applied as a per pupil amount of £2.50 estimated to be a total of £165k.

3.1.3 84% of respondents supported the transfer from the schools block to the high needs block. 88% supported the contribution by maintained schools towards severance costs in 2021/22. In relation to the funding formula, the majority (49%) voted for option one.

3.1.4 Further detail on each of the proposals and consultation responses are provided below.

## **3.2 Transfer from the schools block to the high needs block**

### Background

3.2.1 The council consulted on a 0.5% (aprox £2.835m) transfer from the schools block to the high needs block. Detailed information was provided to schools on the background to our proposals as part of the consultation document and the briefing session. The full consultation document is attached as an appendix to this report, but in summary the key points were:

- The ESFA expects most movements from schools block will be due to pressures on high needs budgets.
- The high needs block in Leeds, in common with many around the country, is under considerable pressure due to increasing demographic growth and complexity of children's needs.
- The latest high needs block projections for 2020/21 show an anticipated £7.0m overspend.
- Although the provisional 2021/22 high needs block allocation for Leeds shows an increase in funding of £11.5m compared to 2020/21, there is still a cap on gains in place. If the cap on gains was not in place the council would gain an additional £3.9m.

- The local authority can transfer up to 0.5% (approximately £2.835m) from the schools block with Schools Forum approval, with the option to transfer more with approval from the DfE.
- As the increase in the provisional 2021/22 schools block allocation for Leeds is expected to be approximately £43.6m compared to 2020/21 (before any pupil growth which will be confirmed in December), the transfer of 0.5% out of the schools block in 2021/22 will still leave a significant increase in the schools formula of over £40m.
- The transfer to the high needs block will not be funding council services and will instead be redistributed to schools and settings through the funding mechanisms associated with that block.

### Consultation responses

3.2.2 63 responses were received to this proposal. 53 (84%) supported the proposal and 10 (16%) did not. Some respondents provided comments, in general these acknowledge the continued pressure on the High Needs Block and the need to support this as essential. Some respondents did note however that as we move closer to a hard NFF this will no longer be a viable option and as such questioned whether we are providing the right message to government with this transfer. In response to consultation feedback, a letter will be prepared and sent to the DfE representing both the Council and Schools Forum to demonstrate the continued pressure on high needs funding and the case for removing the funding cap.

### 3.2.3 Proposal

3.2.4 The majority of respondents supported our original proposal, and therefore the local authority is still proposing to transfer 0.5% (approximately £2.835m) from the schools block to the high needs block.

3.2.5 The movement of up to 0.5% from the schools block is a Schools Forum decision. In the event that Schools Forum does not agree with our proposals, the DfE can adjudicate if the local authority wanted to request this.

3.2.6 The proposed transfer from the schools block to the high needs block only relates to proposals for 2021/22. In 2022/23 it is possible that a further request could also be made to transfer funds from the schools block to the high needs block. This would depend on the savings that can be made through other means or if additional funding was forthcoming. If a further transfer was required it would form part of a separate consultation during the next financial year.

3.2.7 The council is required by the DfE to present a range of evidence to support our proposal to transfer funding from the schools block to the high needs block. The local authority has carried out a self-assessment against the requirements in order to demonstrate how these criteria have been met, and a copy of this is attached as an appendix.

### **3.3 Schools funding formula**

#### Background to the proposal

- 3.3.1 The council is required to apply a funding formula in order to allocate schools block funding to schools. The ESFA sets a range of factors we are able to use in the formula. Within each of these factors there are also certain restrictions that can apply, for example the weightings that can be used for each factor, minimum funding levels and a cap on gains.
- 3.3.2 If the council implements the 0.5% transfer from the schools block, we cannot fully move to the national funding formula as not enough funding will remain. However as previously noted due to the increases in the councils provisional schools block allocation there would still be over £40m additional funding available for schools in 2021/22 compared to 2020/21 inclusive of the Teachers pay and pension grants.
- 3.3.3 Given the complexity of the possible formula factors there are a significant number of formula options that it would have been possible to model and the council looked at a number of alternative options. Using the principles established in previous years for the formula we have modelled two options for 2021/22 which vary the minimum funding guarantee and cap on gains. These are:
- Option 1: A cap on gains of 3.18%. All other factors are in line with the National Funding Formula (see table below), including the minimum funding guarantee of 2%.
  - Option 2: A reduced minimum funding guarantee of 1% and an increased cap on gains of 3.40%. All other factors are in line with the National Funding Formula (see table below).
- 3.3.4 In 2021/22 the government is expecting that the minimum funding levels will be provided to all schools and it is intending to make this a mandatory requirement. There may be a route for local authorities to apply for permission to set lower levels if this is unaffordable locally, however we have been advised that it is unlikely that such a request would be granted.
- 3.3.5 Under both options consulted on there is an increase in per-pupil funding for all schools compared to 2020/21. The options are summarised in the table below, with school level information provided in the appendix.

Funding formula factor	2020/21 (for comparison)		2021/22		
	National Funding Formula	Leeds funding formula	National Funding Formula	Leeds option 1	Leeds option 2
Minimum funding guarantee <sup>1</sup>	1.84% per pupil	1.84% per pupil	2.0% per pupil	2.0% per pupil	1.0% per pupil
Cap on gains <sup>1,2</sup>	No cap	3.83% per pupil	No cap	3.18%	3.40%
Minimum per pupil funding level <sup>1,2</sup>	Secondary £5,000 Primary £3,750	Secondary £5,000 Primary £3,750	Secondary £5,415 Primary £4,180	Secondary £5,415 Primary £4,180	Secondary £5,415 Primary £4,180

<sup>1</sup> Excluding premises based funding

<sup>2</sup> The minimum per pupil funding level cannot be subject to the cap on gains

3.3.6 Our final funding allocation for 2021/22 will be confirmed by the ESFA in mid to late December 2020. The funding increases built into our current proposal are based on the ESFA's indicative local authority allocations which use October 2019 pupil data. As a result the affordability of our proposal could change once the final allocation is confirmed, if there is a significant change in pupil demographics.

#### Consultation responses

3.3.7 63 responses were received on the funding formula:

- 31 (49%) preferred option one
- 27 (43%) preferred option two
- 5 (8%) made no preference

3.3.8 The schools benefiting most from each of the options are as follow:

- Option one is significantly better for 21 schools (8%)
- Option two is marginally best for 106 schools (40%)
- There is no difference between the options for 138 schools (52%)

3.3.9 Comments from schools generally either supported option one on the basis that this delivered a 2% minimum funding guarantee in line with the national funding formula and that this appeared to benefit those schools most in need, or option two on the basis that this benefitted most schools.

## Proposal

- 3.3.10 The local authority is responsible for proposing the schools funding formula and for consulting on this with Schools Forum. This proposal is only for 2021/22, and the council will be required to consult again next year on the 2022/23 funding formula if the National Funding Formula will not be fully implemented at that time.
- 3.3.11 Schools Forum has previously expressed a preference to move as close as possible to the National Funding Formula, which is best represented by the first option (2.0% minimum funding guarantee and 3.18% cap on gains), which also received the majority support of those schools that indicated a preference (49%).
- 3.3.12 The final funding formula for 2021/22 will be approved in line with the council's decision making framework and we will submit details of the funding allocations for schools to the ESFA by their deadline of 21<sup>st</sup> January 2021.
- 3.3.13 In addition to providing funding based on the October 2020 census, the ESFA also provides an allocation for growth in the formula based on changes between the October 2019 and October 2020 census. This growth allocation is used to create a Growth Fund which provides support for costs incurred by schools that are being established or extended to meet basic need and where admission numbers are increased. The allocation is also used to fund estimated pupil numbers in the formula for new schools that have opened in the last seven years and are still adding year groups. The council's growth allocation for 2021/22 will not be confirmed until December. This is an area of risk as if the amount of growth funding allocated to Leeds is insufficient compared to projected demand then this may reduce funding available to be delivered to schools through the formula. If this was the case then we will report details to Schools Forum at the meeting on 19<sup>th</sup> January 2021.
- 3.3.14 In relation to PFI schools, the DfE provides additional PFI funding in the council's allocation to recognise the additional costs associated with these contracts, which the council then distributes to PFI schools through the funding formula. The council's contribution of £1m into DSG in 2019/20 to resolve PFI funding issues was baselined and included in our DSG allocation for 2020/21. For 2021/22 we will again be requesting permission from the DfE to exclude any PFI funding delivered through the formula from the calculation of the minimum funding guarantee. This will ensure that the per-pupil funding for PFI schools is calculated on the same basis as non-PFI schools and that they receive the correct amount of PFI funding to support their contributions to contract costs.

## **3.4 Contribution towards severance costs for maintained schools**

### Background to the proposal

- 3.4.1 The council consulted on a proposal for maintained schools to contribute £2.50 per maintained school pupil which is an estimated total of £165k towards the severance costs of maintained school staff, which are charged to the council
- 3.4.2 This is in line with 2020/21 when Schools Forum agreed that maintained schools would contribute £2.50 per maintained school pupil to severance costs, following

support for this proposal by the majority of maintained schools that responded to the consultation.

3.4.3 Current legislation states that premature retirement costs are chargeable to the school's delegated budget while redundancy costs are charged to the local authority's budget.

3.4.4 For 2021/22 we are proposing that maintained schools make a contribution towards severance costs as they are driven by school decisions, although we appreciate that this may be as a result of financial pressures. However this approach is equitable with the treatment of academies, who no longer receive funding for severance costs and are responsible for meeting this cost themselves

#### Consultation responses

3.4.5 32 responses were received from maintained schools to this proposal. 28 (88%) supported the proposal and 4 (12%) did not.

#### Proposal

3.4.6 As the majority of maintained schools responding to the consultation supported our proposal, the council is requesting that maintained schools contribute £2.50 per pupil (approx £165k) towards severance costs for maintained schools.

3.4.7 Maintained school members of Schools Forum are able to decide on whether to accept this proposal. In the event that Schools Forum does not agree with our proposal, the DfE are able to adjudicate if the council wanted to request this.

## **4 Recommendations**

4.1 Schools Forum is asked to consider and vote on a proposal to transfer 0.5% from the schools block to the high needs block in 2021/22.

- All Schools Forum members may vote on this proposal.
- It is a Schools Forum decision on whether to accept this proposal. In the event that Schools Forum does not agree, the DfE are able to adjudicate if the local authority requests this.

4.2 Maintained school members of Schools Forum are asked to consider and vote on a proposal for a contribution in 2021/22 by maintained schools towards the severance costs of maintained school staff, to be applied as a per-pupil amount of £2.50.

- Voting on this proposal is limited to maintained primary and secondary school members.
- It is a Schools Forum decision on whether to accept this proposal. In the event that Schools Forum does not agree, the DfE are able to adjudicate if the local authority requests this.

4.3 Schools Forum is asked to consider and provide their views on the schools funding formula for 2021/22.

- The local authority is required to consult with Schools Forum on the funding formula, however the local authority retains the final decision on the formula to be used.