

Public Document Pack

North Yorkshire Council Children and Young People's Service - Executive Members & Corporate Director Meetings

Tuesday, 19 March 2024 / 1.00 pm

A G E N D A

1 **Apologies for Absence**

2 **Declarations of Interest**

Items for Executive Member decision

- 3 Holiday Activity and Food Programme (HAF) Grant Acceptance (Pages 3 - 20)
(Pages 3 - 20)

To seek approval to accept a grant in the sum of £1,410,570 from the Department for Education to deliver the national Holiday Activities & Food Programme (HAF) for North Yorkshire in 2024/25.

- 4 DfE Teachers Pay Additional Grant (Special Schools and Pupil Referral Units) – Allocation Methodology (Pages 21 - 30) (Pages 21 - 30)

To agree the Teacher's Pay Additional Grant (TPAG) funding is distributed to local authority maintained Special Schools and Alternative Provision and Special and Alternative Provision Academies based on the Department for Education (DfE) methodology used to distribute the funding to local authorities for the 2023/24 and 2024/25 financial years.

Items for Corporate Director decision

- 5 High Needs Budget 2024-25 (Pages 31 - 54) (Pages 31 - 54)

To approve the High Needs Block budget

- 6 Supporting Families Programme (Pages 55 - 58) (Pages 55 - 58)

Any Other Business

- 7 Date of future formal meetings

Circulation:

Executive Members

Janet Sanderson
Annabel Wilkinson

Officer attendees

Stuart Carlton
Howard Emmett
M Sadler
Cowley
Crawford
Mel Hutchinson

Presenting Officers

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North Yorkshire Council

Children & Young Peoples Services

Executive Members

19 March 2024

Holiday Activity & Food Programme – Grant Acceptance 2024/25

Report of the Assistant Chief Executive – Local Engagement

1.0 PURPOSE OF REPORT

- 1.1 To seek Executive Member approval to accept a grant in the sum of £1,410,570 from the Department for Education to deliver the national Holiday Activities & Food Programme (HAF) for North Yorkshire in 2024/25.

2.0 BACKGROUND

- 2.1 The HAF grant is offered by the Department for Education to all upper tier authorities in England for the purpose of providing a programme of holiday activities and food for school age children, including those with Special Educational Needs & Disabilities (SEND) during the main school holiday periods of Easter, Summer and Christmas.
- 2.2 Free places are offered to all means tested free school meal eligible school age children up to the age of 16. The programme should be inclusive and accessible and will include non-subsidised fee paying places.
- 2.3 Provision should be delivered in line with the grant criteria:
- Easter - 4 hours per day for 4 days
 - Summer – 4 hours per day for 16 days
 - Christmas – 4 hours per day for 4 days

However, Councils do have the flexibility to enable providers to deliver in shorter or longer time blocks. This is particularly helpful for secondary age provision.

- 2.4 Local Authorities have flexibility regarding how the provision is delivered and in North Yorkshire the programme is delivered as a partnership between the Council and a consortia of local community based providers.
- 2.5 The North Yorkshire programme – FEAST – is coordinated in partnership with North Yorkshire Together (North Yorkshire Sport, North Yorkshire Youth and Rural Arts) with North Yorkshire Sport being the lead provider.
- 2.6 2024/25 will be the 4th year the programme has been delivered in North Yorkshire and the quality and reach is improving each year.

3.0 ACCEPTANCE OF GRANT

- 3.1 The grant offer for 2024/25 is £1,410,570. This is marginally higher than the grant received in 2023/24 (£1,378,320).

3.2 The final costs and attendance numbers for 2023/24 are still being finalised and administered however the programme grant for this year is projected to be fully spent with 55 clubs offering over 9000 free places over the Christmas holidays.

3.3 The grant is offered to the Council for the following purpose only:

“...for local authorities to make free places at holiday clubs available in the Easter, summer and Christmas school holidays in 2024. This will be made available to children in the local authority area who are eligible for and receive benefits-related free school meals.”

3.4 The proper administration of the grant is carried out in line with Council financial procedure rules by the Head of Localities as the cost centre manager.

3.5 A Programme Board governs the delivery of the programme with representation from Finance, Early Help, Public Health and Stronger Communities alongside external partners.

4.0 CONTRIBUTION TO COUNCIL PRIORITIES

4.1 This programme was established to support children in families on low incomes by providing free holiday activities and a meal over the main school holiday periods who would receive free school meals during term time.

4.2 This contributes to the following Council Health & Wellbeing priorities:

- People are supported to have a good quality of life and enjoy active and healthy lifestyles
- Reduced variations in health through tackling the root causes of inequality
- In times of hardship, support is provided to those that need it most.

5.0 ALTERNATIVE OPTIONS CONSIDERED

5.1 The decision sought is binary, whether to either accept or decline the HAF Programme grant offered by the Dept for Education.

5.2 If the Council declines to grant the FEAST programme will be withdrawn in North Yorkshire for 2024/25.

6.0 FINANCIAL IMPLICATIONS

6.1 The programme is fully funded by the Department for Education and no additional costs are incurred by North Yorkshire Council.

6.2 Any unspent grant at the end of the financial year is returned to the Department for Education.

7.0 LEGAL IMPLICATIONS

7.1 In accepting the grant the Council is accepting the set of grant conditions as set out in Annex A to this report.

8.0 EQUALITIES IMPLICATIONS

8.1 No negative implications identified. The programme purpose is to contribute to the reduction of financial inequalities.

- 8.2 Programme delivery design is inclusive and open to all with enhanced funding for:
- clubs that provide activities for children with SEND
 - free transport for children living in rural areas
 - free places for refugee children funded from refugee and asylum seeker funding
 - signposting to a range of wraparound support to parents and carers.

9.0 CLIMATE CHANGE IMPLICATIONS

- 9.1 No negative climate change implications identified. The following mitigation measures are in place:
- local delivery providers across North Yorkshire in order to reduce travel distance for children attending
 - clubs are asked to provide food from local sources wherever possible
 - children are offered environmental activities as part of the programme to enhance their knowledge in relation to environmental issues.

10.0 REASONS FOR RECOMMENDATIONS

- 10.1 The programme is fully funded and offers valued free to access activities and food to children and families on low incomes when free school meals are not available. Without the grant these activities would not be available.

11.0 RECOMMENDATION

- i) that the grant in the sum of £1,410,570 offered to North Yorkshire Council by the Department for Education for the purposes of providing holiday activities and food programme be accepted.

APPENDICES:

Appendix A: Section 31 Grant Determination for the Holiday Activities and Food Programme 2024 (Department for Education)

BACKGROUND DOCUMENTS:

North Yorkshire Council Plan

Rachel Joyce
Assistant Chief Executive – Local Engagement
County Hall
Northallerton

16 February 2024

Report Author: Marie-Ann Jackson, Head of Localities

Presenter of Report: Karen Atkinson – Stronger Communities Delivery Manager or Howard Emmett, Assistant Director of Resources

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

February 2024

Section 31 Grant Determination for the Holiday Activities and Food Programme 2024: No 31/7082

This Determination is made between:

- (1) The Secretary of State for Education and
- (2) The upper tier local authorities listed in Annex A.

The Secretary of State determines, as set out in Annex A, the authorities to which the grant is to be paid and the amount of grant to be paid.

Pursuant to section 31(3) and 31(4) of the Local Government Act 2003, the Secretary of State determines that the grant will be paid subject to the conditions in Annex B.

The Senior Responsible Owners for this grant, Hannah Streatfeild and Emily Whitehead, will require your nominated responsible officer to confirm at the end of each financial year that the funding has been properly expended.

Purpose of the Grant

The purpose of the grant is for local authorities to make free places at holiday clubs available in the Easter, summer and Christmas school holidays in 2024. This will be made available to children in the local authority area who are eligible for and receive benefits-related free school meals. The core aims and objectives of the programme are outlined in Annex B.

Before making this determination in relation to the upper tier local authorities in England, the Secretary of State obtained the consent of HM Treasury.

For all enquiries about the Holiday Activities and Food Programme, please contact HAF.Programme@education.gov.uk.

Signed by authority of the Secretary of State for Education

Hannah Streatfeild/Emily Whitehead

Deputy Directors Wraparound, Holiday Activities and Food (HAF) and Breakfast Clubs

February 2024

Annex A: Maximum indicative allocations for local authorities

LA	LA Name	Total allocation (rounded)
201	City of London	£25,000
202	Camden	£850,830
203	Greenwich	£1,253,950
204	Hackney	£1,331,730
205	Hammersmith and Fulham	£553,310
206	Islington	£998,270
207	Kensington and Chelsea	£448,760
208	Lambeth	£1,334,050
209	Lewisham	£1,052,130
210	Southwark	£1,477,490
211	Tower Hamlets	£1,694,600
212	Wandsworth	£879,180
213	Westminster	£760,930
301	Barking and Dagenham	£1,220,970
302	Barnet	£1,205,890
303	Bexley	£824,270
304	Brent	£994,060
305	Bromley	£835,440
306	Croydon	£1,733,070
307	Ealing	£1,364,930
308	Enfield	£1,626,620
309	Haringey	£961,490
310	Harrow	£679,360
311	Havering	£846,610
312	Hillingdon	£1,105,980
313	Hounslow	£1,029,890
314	Kingston upon Thames	£390,130
315	Merton	£686,730
316	Newham	£2,047,240
317	Redbridge	£929,140
318	Richmond upon Thames	£397,220
319	Sutton	£652,060
320	Waltham Forest	£1,063,830
330	Birmingham	£7,947,290
331	Coventry	£1,587,840
332	Dudley	£1,268,080
333	Sandwell	£2,031,010
334	Solihull	£989,210
335	Walsall	£1,806,210
336	Wolverhampton	£1,912,020
340	Knowsley	£901,840
341	Liverpool	£2,544,580
342	St. Helens	£744,810
343	Sefton	£1,024,090

344	Wirral	£1,464,110
350	Bolton	£1,435,750
351	Bury	£703,390
352	Manchester	£4,117,980
353	Oldham	£1,494,980
354	Rochdale	£1,221,280
355	Salford	£1,381,270
356	Stockport	£897,310
357	Tameside	£1,199,570
358	Trafford	£687,160
359	Wigan	£1,347,120
370	Barnsley	£1,057,820
371	Doncaster	£1,375,790
372	Rotherham	£1,233,510
373	Sheffield	£2,712,580
380	Bradford	£2,907,550
381	Calderdale	£921,650
382	Kirklees	£1,810,000
383	Leeds	£3,449,690
384	Wakefield	£1,363,980
390	Gateshead	£813,840
391	Newcastle upon Tyne	£1,681,420
392	North Tyneside	£826,690
393	South Tyneside	£756,500
394	Sunderland	£1,297,690
420	Isles Of Scilly	£10,000
800	Bath and North East Somerset	£470,710
801	Bristol City of	£1,829,500
802	North Somerset	£518,230
803	South Gloucestershire	£620,340
805	Hartlepool	£582,610
806	Middlesbrough	£1,060,030
807	Redcar and Cleveland	£669,340
808	Stockton-on-Tees	£902,890
810	Kingston upon Hull City of	£1,451,880
811	East Riding of Yorkshire	£936,200
812	North East Lincolnshire	£775,790
813	North Lincolnshire	£723,830
815	North Yorkshire	£1,410,570
816	York	£417,430
821	Luton	£1,076,790
822	Bedford	£633,720
823	Central Bedfordshire	£641,200
825	Buckinghamshire	£1,243,730
826	Milton Keynes	£1,111,040
830	Derbyshire	£2,934,850
831	Derby	£1,423,950
838	Dorset	£954,750
839	Bournemouth, Christchurch and Poole Council	£1,039,380
840	Durham	£2,311,670

841	Darlington	£469,170
845	East Sussex	£1,673,200
846	Brighton and Hove	£761,040
850	Hampshire	£3,530,740
851	Portsmouth	£966,340
852	Southampton	£1,205,050
855	Leicestershire	£1,606,380
856	Leicester	£1,611,230
857	Rutland	£97,360
860	Staffordshire	£2,417,590
861	Stoke-on-Trent	£1,560,330
865	Wiltshire	£1,128,750
866	Swindon	£778,320
867	Bracknell Forest	£258,830
868	Windsor and Maidenhead	£326,130
869	West Berkshire	£401,150
870	Reading	£520,720
871	Slough	£640,050
872	Wokingham	£310,890
873	Cambridgeshire	£1,927,940
874	Peterborough	£1,142,870
876	Halton	£753,970
877	Warrington	£745,860
878	Devon	£1,946,380
879	Plymouth	£1,030,730
880	Torbay	£537,200
881	Essex	£4,297,250
882	Southend-on-Sea	£719,720
883	Thurrock	£726,990
884	Herefordshire	£461,990
885	Worcestershire	£1,649,170
886	Kent	£5,604,960
887	Medway	£1,162,050
888	Lancashire	£4,273,960
889	Blackburn with Darwen	£719,720
890	Blackpool	£854,410
891	Nottinghamshire	£2,745,040
892	Nottingham	£1,824,860
893	Shropshire	£734,060
894	Telford and Wrekin	£869,380
895	Cheshire East	£906,480
896	Cheshire West and Chester	£1,034,840
908	Cornwall	£1,674,360
916	Gloucestershire	£1,650,020
919	Hertfordshire	£2,936,010
921	Isle of Wight	£427,210
925	Lincolnshire	£2,776,760
926	Norfolk	£2,772,340
929	Northumberland	£1,026,520
931	Oxfordshire	£1,546,630

933	Somerset	£1,544,620
935	Suffolk	£2,233,780
936	Surrey	£2,311,030
937	Warwickshire	£1,851,630
938	West Sussex	£1,862,380
940	North Northamptonshire	£1,115,260
941	West Northamptonshire	£1,110,520
942	Cumberland	£842,820
943	Westmorland & Furness	£463,810
	Total	£205,000,000

ANNEX B

1. In this Annex:
 - “the Programme” means the use by the Authority of as much of the grant money identified in Annex A as it deems necessary to meet the aims and objectives outlined in paragraphs 4-8;
 - “the Department” means the Department for Education;
 - “the Authority” means any local authority listed in Annex A;
 - “the Secretary of State” means the Secretary of State for Education;
2. The grant is only paid to the Authority to support eligible expenditure (see paragraphs 4 to 8 below).
3. The Authority must have regard to and follow any guidance issued by the Department, including the guidance available on gov.uk: [Holiday Activities and Food Programme](#)

Eligible expenditure

4. Eligible expenditure means payments made, or committed to, by the Authority or any person acting on behalf of the Authority, under the Programme.
5. The purpose of the grant is for local authorities to make free places at holiday clubs available in the Easter, summer and Christmas holidays 2024 to children in their local authority who receive benefits-related free school meals.
6. The holiday club places should normally be available for the equivalent of at least 4 hours a day, 4 days a week, 6 weeks a year. This covers four weeks in the summer, plus a week’s worth of provision in each of the Easter and Christmas holidays. Local authorities have flexibility about how they spend this grant and deliver this provision to best serve the needs of the children and families in their areas, but provision should remain in line with the framework of standards set out in our programme guidance. Further information for local authorities is available on gov.uk: [Holiday Activities and Food Programme](#)
7. All provision funded by the local authority through the HAF programme must meet our framework of standards (as set out in our published guidance) and meet the following core aims and objectives:
 - **Healthy meals:** holiday clubs must provide at least one healthy meal a day which must meet the [School Food Standards](#).
 - **Enrichment activities:** holiday clubs must provide fun and enriching activities that provide children with opportunities to develop or consolidate skills or knowledge. Clubs must also provide physical activities which meet the [Physical Activity Guidelines](#) on a daily basis.
 - **Increasing understanding and awareness of healthy eating:** holiday clubs must work to improve children’s knowledge and awareness of healthy eating.

- **Signposting and referrals:** clubs must be able to provide information, signposting or referrals to other services and support that would benefit the children who attend their provision and their families. This can include advice on how to source, prepare and cook nutritious and low-cost food alongside increasing awareness of healthy eating.
 - **Policies and procedures:** clubs must be able to demonstrate and explain their safeguarding arrangements and have relevant and appropriate policies and procedures in place in relation to safeguarding, health and safety, insurance, accessibility and inclusiveness. Where appropriate, clubs must also be compliant with the Ofsted requirements for working with children.
8. The free holiday club places must be targeted at children who are in receipt of benefits-related free school meals.
 9. The Authority can spend up to a maximum of 10% of its expenditure on its administration costs for the local coordination of the Programme. At least 90% of the expenditure must be spent on the provision of free holiday club places for eligible children. The Department recognises that administration costs may represent a higher proportion of expenditure for smaller local authorities and will therefore notify smaller authorities in writing of the maximum they can spend on local administration costs.
 10. The Authority can use up to a maximum of 15% of their HAF funding allocation to provide free or subsidised places for children who are not in receipt of benefits-related free school meals but who the local authority believe could benefit from HAF provision. The Authority should ensure that these places are aligned to their local priorities.
 11. The Authority must have in place a nominated HAF coordinator who takes responsibility within the Authority for the delivery of the HAF programme. This will be alongside a sufficient number of staff who are dedicated to working on HAF all year round. The level of resource in the Authority should be proportionate to the level of funding received. Each HAF coordinator must engage with the support offer provided by the Department as set out in the 'administrative costs' section of the HAF guidance.
 12. The Authority will produce and maintain a central register of all the providers they fund through their HAF programme and make this available to the Department upon request. This register should include the venue name, address, contact details and named key contacts along with an overview of the dates, times and the nature of activities during holiday periods. The register should be provided to DfE by 30th June 2024.
 13. The Authority must have a robust system for inspecting and assuring every HAF provider that receives funding through the HAF programme at least once each year and ensuring that the providers they work with adhere to the standards set out at paragraph 7 and in our programme guidance.
 14. The Authority can use funding from their grant allocation to pay for travel for official

department events connected to the HAF programme i.e. HAF awards. This must be agreed in writing with the department prior to booking.

UK Government Branding

15. The Grant Recipient shall at all times during and following the end of the Funding Period:

- i. comply with requirements of the Branding Manual in relation to the Funded Activities;
- ii. cease use of the Funded by UK Government logo on demand if directed to do so by the Authority;
- iii. adhere to the UK Government Branding Policy Guidance available at 2022-06-01-UKG-Branding-Grants-Policy-Guidance-v1.0.pdf (civilservice.gov.uk).

16. Branding Manual means the HM Government of the United Kingdom of Great Britain and Northern Ireland Branding Manual Funded by UK Government first published by the Cabinet Office in November 2022, and is available at <https://gcs.civilservice.gov.uk/guidance/marketing/branding-guidelines/>, including any subsequent updates from time to time.

Payment and reporting arrangements

17. After each holiday delivery period, the Authority will provide the Department with a data return that will set out what the cost of the programme has been for the financial year to date.

18. In advance of each holiday delivery period, the Department will inform the Authority of the date for the submission of this data return in advance of each holiday delivery period and will provide them with a template for the submission. The template will also set out what information and data the Authority is required to report on. This will include but is not limited to:

- i. the overall number of unique children who participated in the programme.
- ii. the overall number of unique children in receipt of FSM who participated in your programme.
- iii. the number and proportion of children who are in the primary school age range, the secondary school age range, and any children outside of those age ranges who attended the programme.
- iv. the number of children with SEND or additional needs who have participated in your programme.

19. The Authority must ensure that the data and information it collects and the data and information collected by the holiday clubs it funds, will be collected in strict adherence to the [General Data Protection Regulation \(GDPR\)](#).

20. The Authority must provide an annual report on their HAF programme to the Department by 30th June 2025. The report will cover several different areas, as set out in the "Annual Report" section of the programme guidance and will be published on the Authority's HAF website or webpages.

21. The above reports will be provided in accordance with guidance issued by the

Department and will include data on children attending clubs in each local authority area.

22. The Authority will work with the Department and with any support organisation appointed to work on behalf of the Department, in relation to the monitoring and delivery of the Programme.
23. The Authority must have a HAF website or dedicated pages on the Authority's website for their HAF programme. It should include:
 - i. Information about what the programme is and who it is targeted at.
 - ii. The Authority's annual reports for the HAF programme.
 - iii. Up to date information on what HAF provision is available in the Authority's area for every holiday period including links to booking systems or portals where appropriate.
 - iv. Information about the standards that the providers they work with are expected to adhere to in delivering the programme.

Data Collection

24. The Authority will comply with the collection of data that the Department requires and is set out in the accompanying HAF programme guidance. This will include, but is not restricted to:
 - i. The cost of the Authority's programme
 - ii. How many children have participated in the Authority's programme including, but not restricted to:
 - a. The overall number of unique children who participated in the Authority's programme.
 - b. The overall number of unique children in receipt of FSM who participated in the Authority's programme.
 - c. The number and proportion of children who are in the: primary school age range; the secondary school age range; and any children outside of those age ranges who attended the Authority's programme.
25. The Department may require the Authority to undertake additional data collection during the Authority's programme to cross match the data with the Department's National Pupil Database, which contains a variety of information on pupil characteristics, education and family set-up. Annex C of this grant determination letter, sets out the Department's standard GDPR clauses and how personal data will be collected, processed and stored by local authorities. Please note that this Annex applies only to those local authorities who participate in this additional data collection.
26. The Department may publish data on participation and expenditure, including breakdowns of this data at local authority level.
27. If selected for this additional data collection, the Authority is expected to comply with the collection of data and the Department will notify the Authority by 29th February 2024 whether the Authority has been selected.

Financial procedures and reporting

28. If the Authority has not spent and will not spend its maximum allocation, the Department will recoup any funding which has not been spent.
29. If the Authority has not spent and does not plan to spend the Authority's funding allocation, the Department will seek to recover the unspent funding from the Authority.
30. The Secretary of State reserves the right to alter the timing or amount of grant payments accordingly.
31. The overall annual payment will not exceed the maximum allocation listed for each Authority in Annex A.
32. The Authority will not overspend on the HAF Programme, over and above their maximum funding allocation, without the prior written approval of the Department. Unauthorised overspends will not be reimbursed by the Department. Any identified overpayment of funds will be returned to the Department for Education as soon as identified.
33. The Authority's nominated responsible officer must confirm, through the submission of an annual Certificate of Expenditure, at the end of each financial year that the funding has been properly expended.
34. The Authority must maintain a sound system of internal financial controls. If the Authority has any grounds for suspecting financial irregularity in the use of any grant paid under this Determination, it must notify the Department immediately, explain what steps are being taken to investigate the suspicion and keep the Department informed about the progress of the investigation. For these purposes "financial irregularity" includes fraud or other impropriety, mismanagement, and the use of grant for purposes other than those for which it was provided.

Records

35. The Authority must maintain reliable, accessible and up to date accounting records with an adequate audit trail for all expenditure funded by grant monies under this Determination.
36. The Authority and any person acting on behalf of the Authority must allow:
 - i. the Comptroller and Auditor General or appointed representatives, or
 - ii. the Secretary of State or appointed representatives, free access at all reasonable times to all documents (including computerised documents and data) and other information as are connected to the grant payable under this Determination, or to the purposes for which grant was used, subject to the provisions in paragraph 37.
37. The documents, data and information referred to in paragraphs 34 to 37 are such which the Secretary of State or the Comptroller and Auditor General may reasonably require for the purposes of 'spot checking' administrative costs or significant amounts paid under the Scheme or a financial audit of any department or other public body or

for carrying out examinations into the economy, efficiency and effectiveness with which any department or other public body has used its resources. The Authority must provide such further explanations as are reasonably required for these purposes.

38. Paragraphs 34 to 36 do not constitute a requirement for the examination, certification or inspection of the accounts of the Authority by the Comptroller and Auditor General under section 6(3) of the National Audit Act 1983. The Secretary of State and Comptroller and Auditor General will seek access in a measured manner to minimise any burden on the Authority and will avoid duplication of effort by seeking and sharing information with local auditors.

Recovery of Grant

39. If the Authority fails to comply with any of these conditions, or if any overpayment is made under this grant or any amount is paid in error, or if any of the events set out in paragraph 39 occurs, the Secretary of State may reduce, suspend or withhold grant payments or require the repayment of the whole or any part of the grant monies paid, as may be determined by the Secretary of State and notified in writing to the Authority. Such sum as has been notified will immediately become repayable to the Secretary of State who may set off the sum against any future amount due to the Authority from central government.

40. The events referred to in paragraph 38 are:

- i. the Authority purports to transfer or assign any rights, interests or obligations arising under this Determination without the prior agreement of the Secretary of State,
- ii. any information provided in any application for grant monies payable under this Determination, or in any subsequent supporting correspondence is found to be significantly incorrect or incomplete in the opinion of the Secretary of State,
- iii. it appears to the Secretary of State that other circumstances have arisen, or events have occurred that are likely to significantly affect the Authority's ability to deliver the Scheme,
- iv. the Authority's Section 151 officer is unable to provide reasonable assurance that the Statement of Grant Usage, in all material respects, fairly presents the eligible expenditure in the Period in accordance with the definitions and conditions in this Determination, or
- v. the Authority fails to provide the delivery plans, reports or certificate of expenditure specified in this Grant Determination and its Annexes.

Annex C - Generic Standard GDPR Clauses for Local Authorities selected by the Department for additional data collection

Processing, Personal Data and Data Subjects

This Schedule shall be completed by the Controller, who may take account of the view of the Processors, however the final decision as to the content of this Schedule shall be with the Controller at its absolute discretion.

The contact details of the Controller's Data Protection Officer are:

Emma Wharram

Deputy Director - Departmental Data Protection Officer

Email: dataprotection.office@education.gov.uk

Address: Department for Education, 7 & 8 Wellington Place, Wellington Street, Leeds, LS1 4AW

1. The contact details of the Processor's Data Protection Officer will be supplied to the Controller by 21st February 2024.
2. The Processor shall comply with any further written instructions with respect to processing by the Controller.
3. Any such further instructions shall be incorporated into this Schedule.

Description	Details
Identity of the Controller and Processor	The Parties acknowledge that for the purposes of the Data Protection Legislation, the Customer is the Controller (the Department for Education) and the Local Authority (List of Local Authorities is at Annex C of this agreement) is the Processor in accordance with Clause 50.1.
Subject matter of the processing	The processing is needed: a. in order to ensure that the Processor can effectively deliver the grant to provide a service to members of the public. b. for the Controller to understand how the grant is being spent and its impacts.
Duration of the processing	September 2024 – July 2027
Nature and purposes of the processing	The local authority coordinator and their schools and childcare providers (Data Processors) will process personal data to enable the Department for Education (Data Controller) to assess the extent to which they have met the aims and objectives of the grant. A minimum amount of personal data is collected to enable the Department to ensure that public money is being spent effectively to achieve the

	<p>policy programmes. The Controller requires the Processor to make all reasonable endeavours to collect personal data on children attending the provision as well as personal data on staff delivering the programme. The data will be collected to allow the Controller to assess whether or not the Processor is meeting the aims and objectives of the programme. The data is required for the Controller (DfE) to fulfil its remit – to ensure that public money is being used to achieve the desired outcome – and supply of the data is therefore a requirement of participation on the programme being funded by the Controller. The Controller requires the Processor to collect data from: a. All attendees of wraparound childcare provision from schools and childcare providers funded through the Wraparound Childcare Programme consisting of: Child’s Name / Child’s Date of Birth / Unique Pupil Number (UPN) if known / Child’s Home Postcode / If child was attending provision prior to the funding / days & hours attended. b. Leaders and staff members at schools and childcare providers receiving funding consisting of their: Names / Contact details e.g., email addresses and telephone numbers. c. Local authority stakeholders working on the Wraparound Childcare Programme consisting of their: Names / Contact details e.g., email addresses and telephone numbers. These details will then be provided to an external, independent evaluator to perform the following tasks: a. Cross match the childcare attendee data with the Department’s National Pupil Database which contains a variety of information on pupil characteristics, education and family set-up. Data may also be cross matched with the Parent Pupil Matched Dataset (PPMD) which links pupil details to parental employment and earnings data; b. Invite school / childcare provider staff and leaders to take part in research activities such as surveys and depth interviews; Invite local authority stakeholders to take part in research activities such as surveys and depth interviews.</p>
<p>Type of Personal Data</p>	<p>Personal data: Name / Date of Birth / Unique Pupil Number / Postcode / Contact Details.</p>
<p>Categories of Data Subject</p>	<ul style="list-style-type: none"> • Attendees of wraparound childcare provision. • Leaders and staff members at participating schools and childcare providers • Local authority stakeholders working on the Wraparound Childcare Programme
<p>Plan for return and destruction of the data once the processing is complete UNLESS requirement under union or member state law to</p>	<p>Local authority coordinators to arrange for all data they hold to be securely destroyed once the final evaluation report for the Wraparound Childcare Programme is published in the Summer of 2027.</p>

preserve that type of data	
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NORTH YORKSHIRE COUNCIL

CYPS EXECUTIVE MEMBERS

19 MARCH 2024

DISTRIBUTION OF THE TEACHERS PAY ADDITIONAL GRANT TO SPECIAL SCHOOLS AND ALTERNATIVE PROVISION SCHOOLS FOR THE 2023/24 AND 2024/25 FINANCIAL YEARS

1.0 PURPOSE OF THE REPORT

- 1.1 This report asks CYPS Executive Members to agree recommendations in respect of the distribution of the Department for Education (DfE) Teachers Pay Additional Grant (TPAG) for the 2023/24 and 2024/25 financial years for Special schools and Alternative Provision (AP) schools.
- 1.2 The recommendations consider the feedback provided through consultation with Special Schools and Alternative Provision (AP) Schools

2.0 BACKGROUND

- 2.1 The DfE have announced the provision of £525 million to support schools with the September 2023 teachers' pay award, with a further £900 million in the 2024/2025 financial year. This funding is being split between mainstream schools, special schools and alternative provision (AP), early years, and 16 to 19 provision. The split reflects relative pupil numbers, and core funding amounts, across these different types of provision. The funding is being allocated through the Teachers' Pay Additional Grant (TPAG). For the 2023/24 financial year, funding through TPAG covers the 7-month period from September 2023 to March 2024. The TPAG will continue for the 2024/25 financial year. Funding allocations for 2024/2025 will be calculated by the DfE using twelve sevenths of the funding rates in 2023/2024. The DfE aim to incorporate the grant into core budget allocations for 2025/2026 as part of the schools and high needs national funding formula.
- 2.2 The TPAG funding for local authority maintained mainstream schools is paid by the DfE to local authorities, who are required to pay the funding to individual schools at the published rates. The DfE pay the grant funding directly to mainstream academies at the published rates.
- 2.3 The TPAG funding allocation for Special Schools and AP (both LA maintained and academies) is paid to local authorities by the DfE. Local authorities have flexibility in how they pass on the funding allocations for special schools and AP schools to individual providers. This flexibility recognises that the teachers' pay costs faced by special schools and AP schools may vary between individual providers, depending in part on the complexity of the pupil needs that they serve. However, the DfE require local authorities to comply with the following requirements in setting their local methodologies for how they will pass on the additional funding to schools they currently

maintain, academies they previously maintained and free schools located in their area. Local authorities must:

- pass on 100% of TPAG funding to individual eligible schools
- ensure that all eligible schools receive a funding allocation through TPAG in 2023/2024
- have transparent criteria to distribute funding to individual schools, treating academies and mainstream schools the same
- consult with eligible schools before deciding their methodology for allocating TPAG funding

2.4 The DfE TPAG funding rate for the 2023/2024 financial year for special schools and AP schools is £260 per place. The funding rate for the 2024/25 financial year is £446 per place.

3.0 2023/24 & 2024/25 TPAG DISTRIBUTION TO SPECIAL SCHOOLS AND ALTERNATIVE PROVISION SCHOOL CONSULTATION

3.1 A funding consultation has been undertaken with special schools and AP schools (LA maintained and academies) on the methodology for the local authority distribution of the TPAG funding to these establishments for the 2023/24 and 2024/25 financial years.

3.2 The NYC consultation was undertaken with special schools and AP schools between 31 January 2024 and 6 March 2024. A copy of the consultation document can be found at Appendix 1 to this report.

3.3 Five responses were received to the consultation, as shown below.

LA Maintained Special Schools	2
Special School Academies	2
LA Maintained AP	1
AP Academies	0
Total	5

(Response rate: 33% of Special Schools & AP Schools)

3.4 Special schools and AP schools were asked to indicate their support for the proposed distribution methodology. The consultation results are detailed in the table below:

Proposal:	Supported (No. Responses)	Not Supported (No. Responses)
To distribute the Teacher's Pay Additional Grant (TPAG) funding to local authority maintained Special Schools and Alternative Provision and Special and Alternative Provision Academies based on the Department for Education (DfE) methodology used to distribute the funding to local authorities for the 2023/24 and 2024/25 financial year	4	0

One response did not indicate whether the proposal was supported or not supported

Additional comments provided in respect of the consultation proposal were as follows:

Establishment Type	Comment
Special Academy	Continuing the use of planned places for special schools and AP provisions provides a consistent and fair approach and certainty around the expected funding.
LA Maintained AP	As far as I am aware our school and staff have never been paid extra like Special School colleagues. So, any increase is most welcome. However, if we are supposed to have been paid extra, I would like to know how we can resolve it.

3.5 Based on the consultation responses received from special schools and AP schools, it is recommended that the Teacher’s Pay Additional Grant (TPAG) funding is distributed to local authority maintained Special Schools and Alternative Provision and Special and Alternative Provision Academies based on the Department for Education (DfE) methodology used to distribute the funding to local authorities for the 2023/24 and 2024/25 financial years.

4.0 FINANCIAL IMPLICATIONS

4.1 The required funding for the proposal is provided from the ringfenced Teacher’s Pay Additional Grant for Special Schools and AP Schools. There is no direct impact on the Council’s budget from this proposal.

5.0 LEGAL IMPLICATIONS

5.1 No specific legal implications are identified as a result of the recommendation contained within this report.

6.0 EQUALITIES IMPACT ASSESSMENT

6.1 An Equalities Impact Screening Assessment (EIA) has been undertaken in respect of the proposal contained in this report. It is anticipated that there will be no impact on any persons with protected characteristics as defined by the Equality Act 2010. The EIA is attached at Appendix 2 of the report.

7.0 CLIMATE CHANGE IMPACT ASSESSMENT

7.1 No climate change or environmental implications have been identified, through the completion of Climate Change Impact Assessments (Initial Screening Form), with the proposal outlined in this report

8.0 RECOMMENDATIONS

8.1 CYPS Executive Members, in conjunction with the Corporate Director – CYPS are asked to agree the recommendation for the Teacher’s Pay Additional Grant (TPAG) funding is distributed to local authority maintained Special Schools and Alternative Provision and Special and Alternative Provision Academies based on the Department for Education (DfE) methodology used to distribute the funding to local authorities for the 2023/24 and 2024/25 financial years.

STUART CARLTON

Corporate Director – Children and Young People's Service

Report prepared by: Howard Emmett, Assistant Director - Resources



NORTH YORKSHIRE COUNCIL

DISTRIBUTION OF THE TEACHERS PAY ADDITIONAL GRANT TO SPECIAL SCHOOLS AND ALTERNATIVE PROVISION SCHOOLS FOR THE 2023/24 AND 2024/25 FINANCIAL YEARS

A CONSULTATION PAPER

31 January 2024

Deadline for responses: Wednesday, 6 March 2024 (5.00pm)

1.0 BACKGROUND

1.1 The Department for Education (DfE) have announced the provision of £525 million to support schools with the September 2023 teachers' pay award, with a further £900 million in the 2024/2025 financial year. This funding is being split between mainstream schools, special schools and alternative provision (AP), early years, and 16 to 19 provision. The split reflects relative pupil numbers, and core funding amounts, across these different types of provision. The funding is being allocated through the Teachers' Pay Additional Grant (TPAG). For the 2023/24 financial year, funding through TPAG covers the 7-month period from September 2023 to March 2024. The TPAG will continue for the 2024/25 financial year. Funding allocations for 2024/2025 will be calculated by the DfE using twelve sevenths of the funding rates in 2023/2024. The DfE aim to incorporate the grant into core budget allocations for 2025/2026 as part of the schools and high needs national funding formula.

1.2 The TPAG funding allocation for Special Schools and AP (both LA maintained and academies) is paid to local authorities by the DfE. Local authorities have flexibility in how they pass on the funding allocations for special schools and AP schools to individual providers. The DfE require local authorities to comply with the following requirements in setting their local methodologies for how they will pass on the additional funding to schools they currently maintain, academies they previously maintained and free schools located in their area. Local authorities must:

- pass on 100% of TPAG funding to individual eligible schools
- ensure that all eligible schools receive a funding allocation through TPAG in 2023/2024
- have transparent criteria to distribute funding to individual schools, treating academies and mainstream schools the same
- consult with eligible schools before deciding their methodology for allocating TPAG funding

1.3 The DfE TPAG funding rate for the 2023/2024 financial year for special schools and AP schools is £260 per place. The funding rate for the 2024/25 financial year is £446 per place.

2.0 PROPOSED GRANT DISTRIBUTION METHODOLOGY CONSULTATION

2.1 North Yorkshire Council proposes to distribute the TPAG funding allocation for Special Schools and AP using the same funding methodology as used by the DfE in allocating the funding to the local authority for the 2023/24 and 2024/25 financial years.

2.2 For the 2023/24 financial year, the TPAG funding is proposed to be distributed as follows:

- Initial allocations will be based 2023/2024 academic year place numbers for special and AP academies (as provided in July 2023 by the LA to the DfE), and

2022/2023 financial year place numbers for maintained special schools and pupil referral units (as reported by the LA in 2022 section 251 budget returns).

- Allocations will be finalised for the special schools and AP in March 2024, in line with the finalised funding allocation received by the Local Authority from the DfE. The final allocation will be based on the 2023/2024 financial year place numbers for maintained special and AP schools (which were not available at the time of the initial allocation) and updated data on 2023/2024 academic year place numbers for academies and new special and AP free schools.
- The funding will be based on £260 per place.

(Please note: the initial 2023/24 funding allocations already made to special schools and AP are subject to update in respect to the outcome of this consultation and the final TPAG funding allocation received by the Local Authority from the DfE for the 2023/24 financial year).

2.3 For the 2024/25 financial year, the TPAG funding is proposed to be distributed as follows:

- Initial allocations will be based 2024/2025 academic year place numbers for special and AP academies (as provided by April 2024), and 2023/2024 financial year place numbers for maintained special schools and pupil referral units (as reported by the LA in 2023 section 251 budget returns).
- Allocations will be finalised for the special schools and AP in March 2024, in line with the finalised funding allocation received by the Local Authority from the DfE. The final allocation will be based on the 2024/2025 financial year place numbers for maintained special and AP schools (which were not available at the time of the initial allocation) and updated data on 2024/2025 academic year place numbers for academies and new special and AP free schools. Funding for any new special and AP free schools opening between July 2024 and February 2025 will be included in the final TPAG allocation to be made in March 2025 by the DfE.
- The funding will be based on £446 per place.

2.4 This consultation requests the views of local authority maintained Special Schools and AP and Special and AP academies within North Yorkshire on the proposed methodology to be used for the distribution of the TPAG funding for the 2023/24 and 2024/25 financial year. The consultation response document can be found at Appendix 1.

2.5 The Equalities Impact Screening Assessment related to the proposals contained within this consultation is provided in Appendix 2 to this document.

Your response needs to be submitted by: 5.00pm on Wednesday, 6 March 2024

Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Central Services		
Service area	Resources - Finance		
Proposal being screened	Distribution of the Teachers Pay Additional Grant (TPAG) to Special Schools and Alternative Provision Schools for the 2023/24 and 2024/25 Financial Years		
Officer(s) carrying out screening	Sally Dunn		
What are you proposing to do?	North Yorkshire Council proposes to distribute the TPAG funding allocation for Special Schools and AP using the same funding methodology as used by the DfE in allocating the funding to the local authority for the 2023/24 and 2024/25 financial years.		
Why are you proposing this? What are the desired outcomes?	To comply with the DfE grant conditions for the distribution of the TPAG funding.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No. The funding allocations will be contained within the ringfenced TPAG funding for the 2023/24 and 2024/25 financial years.		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Are from the Armed Forces Community		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's	No		

access to public transport)? Please give details.					
Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	The proposal is providing additional funding to special schools and alternative provision that support children and young people with SEND. The additional funding is provided by the DfE to support the establishments in meeting the additional costs of the September 2023 teachers pay award.				
Decision (Please tick one option)	<table border="1"> <tr> <td>EIA not relevant or proportionate:</td> <td style="text-align: center;">✓</td> <td>Continue to full EIA:</td> <td></td> </tr> </table>	EIA not relevant or proportionate:	✓	Continue to full EIA:	
EIA not relevant or proportionate:	✓	Continue to full EIA:			
Reason for decision	No adverse impact has been identified on people with protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics.				
Signed (Assistant Director or equivalent)					
Date					

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NORTH YORKSHIRE COUNCIL

CORPORATE DIRECTOR MEETING WITH EXECUTIVE MEMBERS

19 MARCH 2024

HIGH NEEDS BUDGET 2024-25

REPORT OF THE CORPORATE DIRECTOR - CYPS

1.0 PURPOSE OF REPORT

- 1.1 This report summarises the expected budget for the High Needs Block in 2024-25 and outlines the extent of the anticipated financial pressure.

2.0 SUMMARY

- 2.1 On 21 February 2024, Full Council approved a recommendation (13.1f) from a Joint Report of the Chief Executive and the Corporate Director, Resources that:

“...the Corporate Director – Children and Young People’s Service is authorised, in consultation with the Corporate Director, Resources and the Executive Members for Schools and Finance, to take the final decision on the allocation of the [High Needs Block].”

- 2.2 This paper outlines the high-level High Needs Block funding position, the anticipated expenditure and projected in-year deficit position. The outline includes information on the current and projected accumulated deficit position. The paper also refers to decisions made by Executive on 9 January 2024 in relation to Special School budgets and E3 top-up banding payments as well as mitigating actions that the local authority is exploring in order to reduce the unfunded financial pressure.

2.0 HIGH NEEDS BLOCK FUNDING

- 2.1 The anticipated overall High Needs Block allocation available for North Yorkshire in 2024-25 is £82.150m. This allocation is inclusive of the additional funding announced in the Government Autumn 2022 Spending Review to support increased financial pressures within High Needs, which has now been incorporated into the baseline funding allocation for 2024-25. This initial value includes an anticipated import/export adjustment (made to reflect cross-border movement of pupils living in one local authority who attend provision in another). Adjustments for 2024/25 will be finalised by the DfE in early Summer 2024. The total allocation figure is then reduced by the Education Skills and Funding Agency (ESFA) in relation to funding provided directly to academies and for some post-16 provision. North Yorkshire is currently estimating place deductions of £7.403m resulting in a net funding allocation to the local authority of £74.747m. This provides an estimated overall cash increase of £3.281m compared to the adjusted baseline figure for 2023/24. Our assessment is that, following the incorporation of ESFA deductions (for those areas of activity where they have direct

funding responsibility), the allocation represents a +4.6% increase in funding compared to the 2023-24 baseline allocation. The final High Needs Block figure will not be known until June 2024 following confirmation of the import/export adjustment. **Table 1** summarises the anticipated funding position.

Table 1: HNB Funding Position

	2023-24	2024-25	Variance
	£m	£m	£m
High Needs Block allocation	77.859	82.150**	4.291
ESFA Deductions	(6.393)	(7.403)*	(1.010)
North Yorkshire LA allocation	71.466	74.747	3.281

* These figures are the LA's latest prediction as at 27/02/2024

**Latest High Needs DSG funding position provided by DfE

2.2 Changes in government regulations since January 2020 prohibit the local authority from using its general resources to fund any overspend in the High Needs Block (and any other DSG blocks). However, the local authority has chosen to set aside a provision to mirror any projected in-year High Needs Block deficits in order to adhere to its sound and prudent financial management principles. The intention is to continue to ensure provision will be held in place until such a time that the overall cumulative High Needs Budget deficit has been fully recovered.

2.3 The level of increase in the national funding quantum is insufficient to enable local authorities to respond to the combination of pay and price inflation and increased demand for support. Inequities in the distribution of resources between local authorities need to be addressed. An assessment of this scenario has been developed into a “fact sheet” that was distributed to school leaders and Governors in January 2024 (**see Appendix 1**). Some of the key issues highlighted in that document are:

- The way that the Department for Education determine how much each local authority receives depends on a number of factors, including:
 - Historic spend factor – this bears no resemblance to the needs of today and means local authorities with similar SEND responsibilities can receive different funding levels
 - Deprivation factors – which do not mirror demand in North Yorkshire
- North Yorkshire’s High Needs funding is ranked 142 out of 151 local authorities (per head of population aged 2-18)
- To put this into context, North Yorkshire gets £644 per pupil; the top-funded local authority gets £1,154 per pupil

3.0 HIGH NEEDS BUDGETS

3.1 The proposed budget for High Needs has been prepared building in provisional estimates for increased numbers of children and young people assessed as requiring Education, Health and Care Plans. This reflects recent trends, known planned movements and best estimates of future demand. The proposed High Needs Budget for 2024-25 is outlined in **Table 2** below:

Table 2: High Needs Budget

	2024-25
	£k
High Needs Commissioning	75,024
Alternative Provision	1,842
Inclusion	1,781
Hubs & SEN Provision	3,709
Financial Support	54
DSG Overheads	420
Estimated Spending	82,830
Estimated Funding	74,748
School's Block Transfer (0.5%)	2,183
Estimated In-year Deficit	5,899
Projected In-year Deficit	5,899
Projected Accumulated Deficit B/f	13,644
Projected Accumulated Deficit C/f	19,543

- 3.2 In total, anticipated expenditure in 2024-25 amounts to £82.8m with a provisional projected shortfall of £5.9m. It should be noted that c.90% of anticipated spend is within High Needs Commissioning. This principally funds special school commissioned places and top-up funding, mainstream Element 3 top-up funding, independent and non-maintained special school commissioned places and special provision institution (SPI) commissioned places. The figures included in section 3.1 reflect the latest estimates and will be closely monitored throughout the year.
- 3.3 For financial planning purposes, the 2024-25 High Needs Commissioning budget supports approximately 5,100 FTE children and young people assessed as requiring Education, Health and Care Plans (EHCPs). In reality, the number of children currently supported is in excess of this. The financial planning assumptions indicate that there will be an increase of approximately 545 children and young people financially supported through EHCPs in 2024-25 in different types of provision. This represents an expected increase in demand of 12% in the next year alone.
- 3.4 The High Needs Commissioning Budget of £75,024k represents the single largest area of spending; most of the financial pressure in the last three years has been in this area. The budget, outlined in **Table 3**, comprises:

Table 3: High Needs Commissioning Budget 2024-25

	£k	%
North Yorkshire Special Schools	24,823	33.1
Independent and Non-maintained Special Schools	16,145	21.5
North Yorkshire Mainstream School E3 Top-up Funding	12,255	16.3
Other Local Authority provision	3,408	4.5
PRU's	3,320	4.4

Pooled Budget	3,160	4.2
Special Provision Institutions	2,777	3.7
FE Colleges	2,416	3.2
Personalised Learning Pathways	2,143	2.9
Targeted Mainstream Provision	1,336	1.8
Early Years	1,263	1.7
Education Other Than at School (EOTAS)	941	1.3
Independent Learning Providers (ILP's)	812	1.1
Other	225	0.3
Total	75,024	100

3.5 49.4% of the High Needs Commissioning is spent directly with schools and academies in North Yorkshire, with 33.1% targeted at supporting the ten special schools in North Yorkshire to develop and deliver provision to meet the needs of children and young people locally. However, £16,145k is spent on approximately 250 places in independent and non-maintained special schools. This represents over 20% of the High Needs Commissioning Budget and represents an increase in absolute cost and an increase in overall share of the total spend compared with 2023-24. This continues to represent a high per pupil cost to the overall budget.

3.6 The budget shown in **Table 2** and **Table 3** contains a number of initiatives which have been developed through the SEN Programme Board and the Delivering Better Value in SEND programme (discussed in **section 6** below). **Table 4** details the mitigating actions identified for 2024-25; a total of £3.8m of financial mitigations have been factored into the budget presented in **Table 1**, the additional £1m are being considered in addition to the budget projections presented.

Table 4: High Needs Programme Board and Delivery Better Value in SEND programme financial mitigations

Description	2024-25 £k
Transfer of 0.5% Schools Block funding to High Needs Block for 2024-25	2,180
E3 Banding increases at 1.9%	500
Targeted Mainstream Provision	117
SEN Inclusion Fund within the Early Years Block	1,050
Total confirmed in Budget	3,847
Additional "stretch" mitigations (see section 6.5)	1,067
TOTAL POTENTIAL SAVINGS	4,914

3.7 The in-year projected deficit of £5,899k outlined at **section 3.1** is, therefore, potentially reduced by 'stretch' mitigations of up to £1,067k. If confirmed, this would reduce the in-year deficit to £4,832k.

3.8 Whilst the local authority cannot fund the high needs deficit directly (**see section 7**), a prudent and responsible financial management approach has resulted in Full Council agreeing to establish an equal and opposite 'mirror' reserve. For 2024-25, a local authority provision for high needs has been set at £4.8m.

4.0 SPECIAL SCHOOLS

4.1 The Special schools funding formula for 2024-25 was agreed by Executive on 9 January 2024, taking into account the following specific aspects of the budget allocations:

- The specific operation of the Minimum Funding Guarantee (MFG) for special schools;
- The requirements placed on local authorities by the DfE for the allocation of the additional High Needs funding in 2023/24;
- The inflationary uplift factors applied to banding allocations (for top-up funding) and contextual funding

4.2 The Minimum Funding Guarantee (MFG) is a protection for special schools against seeing a reduction in funding from year to year assuming that the number and type of places remain the same. The authority has determined that this rate should be set at +0.5% for Special schools for the 2024-25 financial year.

Table 5: Element 3 Banding Allocations

	Funding Rates 2023-24	Funding Rates 2024-25
Band 3	£0	£0
Band 4	£1,810	£1,850
Band 5	£3,990	£4,070
Band 6	£5,770	£5,880
Band 7	£8,820	£ 8,990
Band 8	£10,530	£ 10,740
Band 9	£14,620	£ 14,900
Band 10*	£20,000*	£20,000*

*actual allocations dependent on Placement Resource Panel evaluation

4.3 The Executive confirmed approval for Banded Funding allocations to increase at a rate of +1.9% for the 2024-25 financial year. As has been the case in previous years, the same rate of increase will also be applied to Element 3 allocations for pupil referral units and alternative provision settings.

4.4 Executive approval was also provided to increase the factor elements within the Special Schools Contextual Funding by +1.9% for the 2024-25 financial year, as well as the applying that rate of increase to residential placements in Special schools

4.5 Special school funding statements have been prepared and shared with North Yorkshire special schools reflecting the above decisions, alongside accompanying guidance on how the formula allocations have been determined and incorporating the assessment of the commissioned places for the 2024-25 academic year.

4.6 The Special School budget for 2024-25 is based upon a combination of 1,203 commissioned places for the 2023/24 academic year and 1,289 commissioned places for the 2024/25 academic year. However, as has been well rehearsed within the SEN Capital programme, there is an acute need to enhance capacity, both in terms of the overall level of capacity in the sector and meeting specific gaps in the existing range of provisions. Furthermore, the development of significant additional capacity (through the development of the two free schools in Selby and Northallerton, the development

of a new Secondary Autism provision in Harrogate, and the significant expansion of Springwater Special school) are a cornerstone of our High Needs programme as we are forecasting that we will be able to support a significant number of young people in our specialist provisions who would otherwise need support through an independent sector placement.

5.0 PUPIL REFERRAL SERVICE

- 5.1 The Pupil Referral Service / Alternative Provision budget for 2024-25 has been constructed on the basis that planned commissioned places at all settings will be at the same level of local authority commissioned places in the 2024-25 academic year as in the 2023-24 academic year (i.e. 168 places). Top-up funding allocations (Element 3 funding) and preventative place funding allocations will be increased in line with the inflationary uplift described in **section 4** above.
- 5.2 The Local Authority has maintained the number of preventative places for the 2024/25 academic year at the same level as in the 2023/24 academic year. The uptake of these preventative places does vary between establishments and whilst some establishments have made significant positive progress in increasing the number of young people through this route, that position is not universal. Therefore, the Inclusion Team will be undertaking a review of the position during the summer term to inform the commissioning of these places for the 2025/26 academic year.
- 5.3 One area which is currently being reviewed for the financial year 2024-25 relates to the introduction of revised funding responsibilities for pupils unable to attend schools because of medical needs from April 2024. The new guidance from the DfE, issued in December 2023, outlined the scope for local authorities to discuss with host schools a potential contribution from the host school. The local authority has considered this to mean either AWPU funding or AWPU plus some other direct funding elements within the national funding formula. Consideration is underway to assess whether the local authority will seek to recover funding from schools where pupils are referred into the Medical Education Service during the 2024-25 financial year (in line with the principle that funding should follow the child).
- 5.4 This issue was discussed at the High Needs Funding sub-group in February 2024. The group provided appropriate challenge as to how the DfE guidance should be implemented and the local authority has reflected on those challenges:
- Any arrangements should be simple and easy for schools to follow;
 - Concern that funding adjustments should be predictable and that, if possible, there should not be in-year adjustments (as schools have already formulated their budget plans for the financial year in question);
 - Concern that there are specific and significant resource implications for schools associated with supporting young people being supported by AV
- 5.5 Consequently, if revised arrangements are introduced, the local authority is minded that:
- New arrangements would be introduced with appropriate communications in advance to schools (potentially from 1 June 2024) – but would only apply to new referrals to the medical education service after the planned implementation date;

- Funding recovery would be applicable from Day 1 of the Medical Education Service providing support to the young person;
- Where young people are being supported through the deployment of an AV1 (robot), there are resource implications for the school in overseeing how that young person interacts with the curriculum. Therefore, the local authority would be minded to operate a discount on the level of AWPU recovery in these circumstances – and because of the positive opportunity that the AV1 devices represent, that discount rate would be set at 100%.

6.0 NEXT STEPS – DEFICIT MANAGEMENT PLAN, DELIVERING BETTER VALUE AND HIGH NEEDS BUDGET IMPROVEMENT PLAN

- 6.1 The overall financial position on the High Needs budget is such that the local authority needs to continue to work to identify potential efficiency improvements and opportunities to support young people more cost effectively, which will complement the initiatives already in place within the SEND Strategic Plan.
- 6.2 During the course of the second half of 2023, the local authority has worked intensively with the Delivering Better Value in SEND programme, sponsored by the Department for Education. Regular updates have been shared with both the North Yorkshire Schools Forum and the Forum’s High Needs Sub-group – and the process has resulted in:
- the development of the ‘Developing Inclusive Communities’ workstream to the High Needs Improvement programme, and;
 - the Delivering Better Value in SEND grant application (currently awaiting feedback on whether this application has been approved by the DfE)
- 6.3 As part of the Delivering Better Value grant application, local authority officers have worked intensively upon updating the local authority High Needs Budget Deficit Management Plan. Analysis indicates that without any mitigating actions, the demand and cost pressures on the High Needs Block would result in an accumulated deficit of c.£96 million by the end of the 2027-28 financial year. With a range of mitigating actions, including the anticipated outcomes from the Delivering Better Value workstreams, the assured mitigations of our approved SEN Capital programme and accelerated expansion of the TMP programme, and the further initiatives within the high needs improvement programme, it is currently estimated that the accumulated financial deficit could be reduced by £51 million - reducing the anticipated accumulated deficit to c.£45 million by the end of the 2027-28 financial year. The above analysis has been predicated upon the assumption that High Needs DSG will only increase by 3% per annum – in line with the current DfE published policy position and that North Yorkshire will see no financial benefit from any redistribution within the high needs national funding formula for local authorities.
- 6.4 Work will continue to refine the local authority Deficit Management Plan. In addition, work will continue on the four key workstreams within the High Needs Improvement programme, and that work will inform the updated version of the Deficit Management Plan.

Workstream 1: Funding Issues
 Workstream 2: Delivering Inclusive Communities
 Workstream 3: Provision related issues
 Workstream 4: SEN Casework

- 6.5 As discussed in **section 3**, the budget forecast includes potential additional financial mitigations in 2024-25 of circa £1.1m from other initiatives across the workstreams. Amongst the areas under consideration are the precise impact in 2024-25 of the Delivering Better Value in SEND workstreams and the potential to reduce expenditure on independent sector placements through the reintegration of young people into specialist or mainstream school places.
- 6.6 Throughout the Delivering Better Value in SEND programme, the local authority has sought to evidence how it is committed to working collaboratively with partners, school leaders, parents, and carers to both identify and research any opportunities to utilise available resources and assets more effectively. The evidence-gathering and review of practice within the DBV in SEND process was considerably enhanced by the commitment and input from the North Yorkshire school community and partners across the High Needs system. The local authority will continue to reach out to network groups and work closely with the Schools Forum and the Forum's High Needs Sub-Group.

7.0 FINANCIAL IMPLICATIONS

- 7.1 The detailed financial implications High Needs Block budget position is outlined in sections 3 through to section 6. The summary position is that, following a block transfer of 0.5% of the Schools Block to the High Needs Block of £2.18m, there is a projected in-year deficit of £5.9m. There is potential to reduce this pressure to £4.8m through further mitigating actions. This compares with a mirror in-year LA provision of £4.8m.
- 7.2 Whilst sufficient and prudent provision has been made to mirror the projected High Needs deficit, it is essential that there is robust financial and programme governance to ensure clear management oversight of financial arrangements. The Corporate Director – CYPS, will chair a monthly programme board to review and manage progress against the Deficit Management Plan.
- 7.3 Any accumulated overspend on the High Needs budget will be required to be repaid from future High Needs Block funding allocations. In 2020, the government introduced a statutory override for a period of three years (up to end of March 2023) that meant that local authority DSG deficits could be separated from their wider accounts. The government has agreed an extension of the DSG statutory override for a further three years (up to end of March 2026) to provide time to work with local authorities to implement sustainable change, underpinned by (i) wider reform through the publication of the Department for Education's (DfE) SEND and AP Improvement Plan in early 2023, and (ii) Safety Valve and Delivering Better Value in SEND intervention programmes. The Statutory Instrument (SI): Local Authorities (Capital Finance and Accounting) (England) (Amendment) (No.2) Regulations 2022 came into force in December 2022.
- 7.4 Whilst the 2024-25 local authority budget provision for high needs of £4.8m mirrors the projected high needs deficit, ensuring that there is sufficient LA reserve provision to meet any accumulated high needs deficit is dependent on:
- the final 2023-24 high needs block outturn position;
 - refinement, agreement, and delivery of the Deficit Management Plan for high needs;
 - demand remaining in line with budgeted assumptions;

- close management oversight of demand and cost pressures to ensure that they remain consistent with budgeted assumptions.

8.0 LEGAL IMPLICATIONS

- 8.1 The Council is under statutory duties to deliver special educational provision contained in a pupil's Education, Health and Care Plan for those pupils that live within our area.
- 8.2 The Council is under a statutory duty to ensure that it keeps education and social care provision under review for children and young people who have special educational needs or a disability. The Council must consider the extent to which the provision is sufficient to meet the educational needs, training needs and social care needs of the children and young people concerned.
- 8.3 The Council is also under statutory duties regarding the authority's finances, and how it manages the High Needs Budget.

9.0 EQUALITIES IMPLICATIONS

- 9.1 The Council must demonstrate that it pays due regard in developing budget proposals and in its decision-making processes to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities with regard to the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. This includes taking account of the additional compounding factors such as the rural nature of the Council's geography and the cumulative impact of proposals on groups with protected characteristics. The impact of proposals and decisions on the Council's activities as a service provider and an employer must be considered.
- 9.2 The Council has carried out an equality impact assessment (EIA) to highlight which protected groups may be affected by the proposed High Needs Budget in 2024-25, to identify any emerging themes and cumulative impacts, and to consider them within evidence gathering and more detailed EIAs. Executive Members are required to read the EIA to inform their decision-making and ensure legal compliance with the public sector equality duty under the Equality Act 2010. There must be conscientious consideration by Executive Members, as decision-makers, of the impact of the proposed High Needs Budget on the relevant groups. This duty cannot simply be discharged by officers and due regard must be paid by Executive Members.
- 9.3 Pursuant to Section 149 Equality Act 2010, the Council 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 the Equality Act 2010;
 - (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.
- 9.4 An Equality Impact Assessment has been completed in respect of the proposed High Needs Block Budget for 2024-25 and it can be found at **Appendix 2**. It is anticipated

that there will be no impact on any persons with protected characteristics as defined by the Equality Act 2010. Any potential adverse impacts will be mitigated by the fact that the Council has statutory duties to deliver all special educational provision in a pupils Education, Health and Care Plan (see **section 8**). Any further proposals brought forward will be reviewed and assessed and individual EIAs will be undertaken as appropriate.

10.0 CLIMATE CHANGE IMPLICATIONS

- 10.1 No climate change or environmental implications have been identified, through the completion of a Climate Change Impact Assessment (CCIA) (Initial Screening Form), with the High Needs Block Budget 2024-25 proposals outlined in this report. The CCIA can be found at **Appendix 3**.

11.0 REASONS FOR RECOMMENDATIONS

- 11.1 As outlined in **section 2**, it is the responsibility of the Corporate Director – CYPS, in conjunction with the Corporate Director, Resources and the Executive Members for Finance and Schools to take a decision on the High Needs Budget for 2024-25. Recommendation 13.1f in a Joint Report of the Chief Executive and Corporate Director, Resources which was approved by Full Council on 21 February 2024 sets out the delegated authority for this decision.

12.0 RECOMMENDATIONS

The Corporate Director – CYPS, in conjunction with the Corporate Director, Resources and the Executive Members for Finance and Schools are asked to:

- i) note the financial position and financial projections within the High Needs Block for 2024-25
- ii) approve the High Needs Block budget set out in **Table 2** and **Table 3**

APPENDICES:

Appendix 1 – High Needs briefing to Schools Forum

Appendix 2 – Equalities Impact Assessment

Appendix 3 – Climate Change Impact Assessment

BACKGROUND DOCUMENTS:

Full Council (21 February 2024): Revenue Budget for 2024/25 & Medium Term Financial Strategy 2025/26 to 2026/27 (Joint Report of the Chief Executive and the Corporate Director, Resources: [Budget Report to Council.pdf \(northyorks.gov.uk\)](#))

Executive (9 January 2024): Mainstream Schools and Special Schools Budget (Report of the Corporate Director – Children and Young People’s Services) [Report.pdf \(northyorks.gov.uk\)](#)

Schools Forum (23 November 2023): High Needs Block Update [Item 2.1- High Needs Block Update.pdf \(northyorks.gov.uk\)](#)

Schools Forum (21 September 2024): High Needs Budget [Item 2.2 - High Needs Budget update.pdf \(northyorks.gov.uk\)](#)

Stuart Carlton
Corporate Director – CYPS
County Hall
Northallerton

Gary Fielding
Corporate Director, Resources
County Hall
Northallerton

8th March 2024

Report Author – Howard Emmett, Assistant Director – Resources (CYPS)
Presenter of Report - Howard Emmett, Assistant Director – Resources (CYPS)

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

High Needs Funding in North Yorkshire

January 2024

- North Yorkshire's headline funding is £82m in 2023-24¹
 - Over 95% of High Needs funding is paid to education providers (primary, secondary and special schools, PRS and AP, independent schools, individualised learning providers).
 - The number of EHCPs stood at 4,713 as at October 2023 compared with just c.1,750 in January 2015
 - Demand has risen consistently year-on-year since 2015 with changes to the SEN Code of Practice in 2014 and the new legislative changes set out in the Children and Families Act 2014
 - North Yorkshire receives the lowest £ per head in terms of high needs capital allocations
 - The high needs capital funding we receive is used for:
 - Expanding the number of Targeted Mainstream Provisions
 - Contributing to the costs of establishing new free special schools in Selby, Northallerton and Scarborough
 - We continue to lobby for a fairer funding deal for children and young people in North Yorkshire.
 - North Yorkshire had a cumulative deficit of £10m in March 2023 – this is expected to rise to c.£13m by March 2024
 - We are part of the f40 group of lowest-funded local authorities. f40 estimates that the cumulative local authority high needs budget deficit is estimated to be around £2.3bn and that this is expected to rise to around £3.6bn by March 2025.
- North Yorkshire is working with the DfE's 'Delivering Better Value in SEND' programme. So far, the programme has shown that although North Yorkshire manages costs well, meeting the costs of future growth and inflation is likely to negate any savings arising from mitigating actions.
 - The way that DfE determine how much each local authority receives depends on a number of factors, including:
 - Historic spend factor – this bears no resemblance to the needs of today and means local authorities within similar SEND responsibilities can receive different funding levels
 - Deprivation factors – which do not mirror demand in North Yorkshire
 - North Yorkshire's High Needs funding is ranked 142 out of 151 local authorities (per head of population aged 2-18)
 - At average levels of funding, North Yorkshire would receive an additional c.£18m per annum. Although we do not expect to be funded at average, there is a significant difference between the average funding per head of population and the amount received by North Yorkshire
 - To put this into context, North Yorkshire gets £644 per pupil; the top-funded local authority gets £1,154 per pupil
 - Special school base funding has been at £10,000 a place for around 11 years.

This briefing note is intended to provide Headteachers, Governors and SENCOs with headline information regarding High Needs funding in North Yorkshire and information on the national context.

If you require further information, please email: schoolfinancialgovernance@northyorks.gov.uk

¹ before academy recoupment and import/export adjustments

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	2024-25 High Needs Budget
Brief description of proposal	The proposal relates to the setting and approval of the High Needs budget for the 2024-25 financial year. Under the Children and Families Act 2014, the Council has a statutory responsibility to support the assessed needs of the children & young people with special education needs & disabilities (SEND). Under the School Standards & Framework Act 1998 and School Early Years Finance England Regulations 2020 the Council has statutory duties to set the non-schools education budget (including the High Needs Budget). The wider budget setting by County Council members on 21 st February 2024 delegated the decision to set the High Needs Budget to the Corporate Director - Children & Young Peoples Service, in conjunction with the Corporate Director, Resources and Executive Members for Finance and Schools.
Directorate	Children and Young People's Services Directorate
Service area	Inclusion
Lead officer	Howard Emmett, Assistant Director, Resources (CYPS)
Names and roles of other people involved in carrying out the impact assessment	Sally Dunn – Head of Finance – Schools, Early Years & High Needs

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the county council	For the county	Overall
Greenhouse gas emissions	No effect on emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate: <input checked="" type="checkbox"/>	Continue to full CCIA: <input type="checkbox"/>
Reason for decision	No environmental factor effects have been identified with the 2024-25 High Needs budget proposals.	
Signed (Assistant Director or equivalent)	Howard Emmett	
Date	4 th March 2024	



North

Yorkshire County Council

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

High Needs Block Budget 2024-25

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔



Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	North Yorkshire Council: Central Services
Lead Officer and contact details	Howard Emmett - Assistant Director – Resources (CYPS)
Names and roles of other people involved in carrying out the EIA	Janet Crawford, Assistant Director – Inclusion Sally Dunn – Head of Schools, High Needs and Early Years Finance Martin Surtees – Senior Finance – Projects Leanne Stables – Head of Finance (CYPS)
How will you pay due regard? e.g. working group, individual officer	This work has been overseen by the High Needs Funding Officer Group. Monitoring

	<p>takes place via the Children and Young People's Leadership Team.</p> <p>The High Needs Funding Subgroup of the Schools Forum and the Schools Forum itself have advisory roles.</p> <p>Changes in budget are informed by anticipated demand pressures and known changes and DfE High Needs funding policy.</p> <p>The decision on the allocation of the High Needs Block Budget has been delegated to the Corporate Director – Children and Young People's Service in consultation with the Corporate Director, Resources and Executive Members for Finance and Schools.</p>
When did the due regard process start?	Work on the High Needs Budget 2024/25 has been ongoing since Summer 2023.

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

Under the Children and Families Act 2014, the Council has a statutory responsibility to support the assessed needs of the children & young people with special education needs & disabilities (SEND). Under the School Standards & Framework Act 1998 and School Early Years Finance England Regulations 2020 the Council has statutory duties to set the non-schools education budget (including the High Needs Budget). This EIA considers the cumulative impact of changes in High Needs Budget informed by the wider budget setting by County Council members on 21st February 2024 where the decision to set the High Needs Budget was delegated to the Corporate Director - Children & Young Peoples Service in conjunction with the Corporate Director, Resources and Executive Members for Finance and Schools.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

High Needs Funding provided by central government to local authorities has remained insufficient to meet the increase in the number of children and young people assessed as requiring Education, Health and Care Plans as a result of changes in the Council's statutory duty introduced through the Children and Families Act 2014. This means the Council is now facing difficult decisions on how to ensure sufficient funding is allocated to meet the needs of every child and young person with special educational needs and disabilities (SEND), while at the same time setting a balanced budget.

Following continued unprecedented increases in the number of financially supported Education, Health and Care Plans (EHCPs), financial pressure on SEND and High Needs has continued to increase in 2023-24 with a projected underlying overspend of c.£3.5m and an accumulated deficit of c.£13.5m as at 31 March 2024. In 2024-25, the financial pressure is expected to continue. Following regulation changes in early 2020, the local authority is effectively prohibited from using

core council funding towards costs which should be properly funded from Dedicated Schools Grant. However, the local authority has made provision within the LA budget to mirror any High Needs deficit as part of prudent budget setting arrangements. The High Needs Block Budget reflects the SEND Strategic Plan which aims to improve the service offer for children & young people with SEND.

Section 3. What will change? What will be different for customers and/or staff?

The local authority has sought a 0.5% Block Transfer from the Schools Block to the High Needs Block for 2024-25 and this was supported by Schools Forum in November 2023 and formally approved by the Council's Executive on 9 January 2024. In addition, Element 3 top-up funding has been approved as a +1.9% increase. The planned roll-out of further Targeted Mainstream Provision (TMP) will deliver local specialist provision and may avoid some higher cost placements as a result. The local authority has also established a SEN Inclusion Fund (SENIF) within the Early Years Block which will mitigate the overall cost applied to the High Needs Block.

A number of reviews or developments consistent with the Strategic Plan for SEND may commence during the year and this may deliver additional 'stretch' mitigations (i.e. delivering on statutory responsibilities in a more cost effective way. This will be informed by the outcomes of the Delivering Better Value in SEND programme). Where that is the case, any savings proposal will be accompanied by an individual Equalities Impact Assessment where appropriate and changes reflected in future year budgets.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

This assessment is based on a process of consultation and equality impact assessment built into the Council's overall High Needs Block budget development process. This has included:

- Equality impact assessments (EIAs) for previous specific budget proposals where a potential equality impact has been identified;
- On-going discussions between colleagues, the High Needs Funding subgroup of North Yorkshire Schools Forum, and special school headteachers meetings;
- Additional consideration of cumulative equality and wider community impact of proposals;
- Responses to public consultation through our website, through public meetings

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

The proposed High Needs Block Budget results in planned spending of £82.8m which is c.£5.9m in excess of available funding. This reduces to c.£4.8m with a target of a further c.£1.1m cost mitigations from an emerging Deficit Management Plan arising from the local authority's participation in the Delivering Better Value in SEND programme. Local authority

provision of £4.8m has been established to mirror this deficit (approved by Full Council on 21st February 2024). It is the intention that the high needs deficit will be repaid and any local authority provision can be released back into the council's General Fund in due course.

The Council expects to receive £74.7m million in High Needs Block cash funding to deliver provision for children and young people with SEND and to fulfil our statutory duty under the Children and Families Act 2014.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age	✓	✓		<p>Things will improve as follows:</p> <ul style="list-style-type: none"> • A revised continuum of special education provision and a wider AP offer for North Yorkshire for secondary aged pupils will in the longer term mean a strengthened offer with improved early identification and intervention. This should result in a reduction in the numbers of pupils being excluded. • Lower numbers of permanent exclusion and negative impact of such in terms of attainment and life chances • The development of targeted mainstream provision will increase provision for secondary pupils with SEMH and capacity of schools to support children with SEMH • Local approaches and funding will allow for tailored approaches to meet needs for the secondary age group. <p>There will be further mitigation in that for young people with an EHCP, the LA have a statutory duty to make the provision contained in that plan and for those young people who are permanently excluded it is statutory duty upon the LA to provide education.</p> <p>Age is not a factor in determining needs in the banded approach to top-up funding. The statutory obligations only apply to children aged 0-25. However, age is not a factor in this budget as all children aged 0-25 with SEND will be able to access the funding equally according to assessed need.</p> <p>A further mitigation for age, disability and gender is that for those with an EHCP, the LA have a statutory duty to meet the needs contained within the plan and this over-rides any other considerations, policies or resources</p>
Disability	✓	✓		<p>For children and young people with a disability and special educational needs there will be a strengthened offer of special education provision</p>

				<p>which will increase the number of children and young people educated in North Yorkshire and improve their outcomes.</p> <p>Requests for assessment will be accompanied by clear evidence of need, interventions and provision, making it more clear what provision is required to meet needs. This will ensure that the young person receives exactly the provision they require.</p> <p>A further mitigation for age, disability and gender is that for those with an EHCP, the LA have a statutory duty to meet the needs contained within the plan and this over-rides any other considerations, policies or resources.</p>
Sex (Gender)	✓	✓		<p>A revised continuum of special education provision and a wider AP offer for North Yorkshire for secondary aged pupils of both genders will in the longer term mean a strengthened offer with improved early identification and intervention. This should reduce the numbers of pupils that are excluded.</p> <p>It is anticipated there would be no identifiable impact on gender as a result of setting the High Needs Budget.</p> <p>The SEND population of young people with EHCPs is higher among boys however as the LA have a statutory duty to meet the needs contained within the plan, this over-rides any other considerations, policies or resources</p>
Race	✓			It is anticipated there would be no identifiable impact on specific ethnic groups as a result of setting the High Needs Budget.
Gender reassignment	✓			It is anticipated there would be no identifiable impact in relation to gender reassignment as a result of setting the High Needs Budget.
Sexual orientation	✓			It is anticipated there would be no identifiable impact in relation to sexual orientation as a result of setting the High Needs Budget.
Religion or belief	✓			It is anticipated there would be no identifiable impact on specific religious groups or beliefs as a result of setting the High Needs Budget.
Pregnancy or maternity	✓			It is anticipated there would be no identifiable impact as a result of setting the High Needs Budget.
Marriage or civil partnership	✓			It is anticipated there would be no identifiable impact as a result of setting the High Needs Budget.

Section 7. How will this	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation
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proposal affect people who...				and/or service user data or demographic information etc.
..live in a rural area?	✓	✓		There may be a beneficial impact on those living in rural areas as a greater range of Targeted Mainstream Provision is developed. It is anticipated this will increase the range of options and the understanding of what is available in rural areas with a clear package into adulthood within the local rural community
...have a low income?	✓	✓		The proposals should have no or even a positive impact on low-income families. Children in AP will be overseen by a central officer who will monitor participation and progress and can intervene if any difficulties arise and are impacting on outcomes. It is anticipated there would be no identifiable impact as a result of setting the High Needs Budget

Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

It is anticipated the proposed budget will impact more on the following:

Young people with special educational needs and disabilities.

These groups are more likely to find change challenging if changes are made to current services they will need support to make the transition. For each child, there is a statutory process of annual reviews, which ensures that their needs are reviewed annually and the provision is reviewed to ensure it meets their special educational needs.

Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	✓
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	

The Council must set a budget for High Needs within the funding envelope available including the Council's resources approved as part of the Budget/ Medium Term Financial Strategy (MTFS) on 21 February 2024. The High Needs Budget proposal enables funding to meet projected demand, alongside provision against any deficit approved as part of the Council's Budget/ MTFS on 21 February 2024. There is a projected shortfall of up to £5.9m (reduced to £4.8m if further mitigations are identified and delivered) and the proposals acknowledge that this represents a savings gap which will require further work to identify remedial budget action. Equalities impact and consultation will be developed alongside any further proposals as appropriate.

Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

In addition to the regular monitoring and reporting of finances to the Schools Forum, the Strategic SEND Plan sets out a comprehensive countywide North Yorkshire Inclusion Partnership model which will provide a strategic vision across North Yorkshire.

We will review performance across North Yorkshire Special Schools through regular discussions with Headteachers, Inclusion and Finance staff from special schools.

Whilst this proposal incorporates decisions made by the Council on 21 February 2024 and the Executive on 9 January 2024, the proposal is principally about setting the totality of the budget available for High Needs/ SEN. The proposal has been developed with due regard to the funding made available through the High Needs Block of the DSG, and the budget provision made available through the Council. Therefore, the budget performance and system-wide performance will be reviewed by the Executive through the Quarterly performance monitoring regime.

Section 11. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements
1. Review of implementation / impact	Howard Emmett/ Janet Crawford	March 2025		Quarterly Performance and Finance Monitoring Arrangements CYPS SEND Programme Board
2. Consideration of further mitigating actions through the Deficit Management Plan	Howard Emmett/Janet Crawford	May 2024		Schools Forum CYPS SEND Programme Board

Section 12. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

At this stage of the EIA there is no evidence to suggest that the 2024-25 High Needs Budget proposals will significantly disadvantage one or more protected characteristics

Section 13. Sign off section

This full EIA was completed by:

Name: Sally Dunn
Job title: Head of Finance – Schools, Early Years & High Needs
Directorate: Resources Directorate
Signature: Sally Dunn

Completion date: 01/03/2024

Authorised by relevant Assistant Director (signature): Howard Emmett

Date: 04/03/24

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North Yorkshire County Council
Children & Young Peoples Services

Executive Members 19 March 2024

Supporting Families Programme

Report of the Corporate Director – Children & Young People’s Service

1.0 Purpose of report

- 1.1 To seek agreement for NYCC to sign up to deliver the Supporting Families Programme in 2024/2025, which will allow the Chief Financial Officer to authorise the participation of NYCC in the programme. This will enable the local authority to receive the allocated funding.

2.0 Issues

- 2.1 The government programme Supporting families, previously known as Troubled families, programme was launched in 2014 and NYCC has successfully fulfilled the requirements of the programme since 2015. Each year, the local authority is required to sign up to the programme and accept the grant.
- 2.2 The Government programme sets each local authority targets for the number of families that can be claimed for (appendix 1a). The full guidance for the Supporting Families Programme 2022-2025 can be found at [Supporting Families Programme guidance 2022 to 2025 - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/guidance/supporting-families-programme-2022-to-2025)
- 2.3 A group of local authority Internal Auditors have worked with the national Supporting Families Team to lay out four guiding principles (collaboration, proportionality, best evidence available and communication) to inform audit practice and ensure that the right balance between rigour and proportionality is struck in the wider interests of the programme’s delivery and value for money objectives. Full details can be found in the guidance document referenced above.

3.0 Performance Implications

- 3.1 The funding as in previous years is consists of two funding streams; two streams. funding for the delivery of intensive family support and developing the maturity of your Early Help system, paid at the beginning of the year as one full payment; and the other for achieving successful family outcomes with a minimum number of families, paid following each quarter’s submission of successful outcomes.
- 3.2 Whilst the total funding available in 2024/25 remains the same as initially projected, £1,833,800 the proportion of upfront funding has changed from the indicative allocations provided last year. This change will keep the proportion of funding for outcomes and the upfront investment more aligned to the current year (2023/24).

- 3.3 This funding change does not alter the expectations on achieving successful family outcomes in 2024/25 and the requirement to report all successful family outcomes remains. The first 810 successful family outcomes reported will result in £800 payments per outcome. With a maximum funding of £648,000. The subsequent 131 outcomes to achieve of total annual target will not result in further payments.
- 3.4 Local authorities' Internal Auditors will continue to verify successful outcomes before they are submitted.
- 3.5 Areas will continue to be monitored against the overall target. It is the expectation that the upfront funding received in 2024/25 is used to bolster preventative support for families through Early Help and to transform local services.

4.0 Financial Implications

- 4.1 NYCC targets and funding are as follows:-

	2024/25
Advance funding for the delivery of intensive family support and developing the maturity of your Early Help system	£1,185,800
Maximum funding available through PbR for successful family outcomes	£648,000
Number of successful family outcomes funded through PbR	810
Total successful family outcomes target	941
Total funding	£1,833,800

5.0 Legal Implications

- 5.1 This funding is subject to continued participation in the programme and commitment to the sign-up conditions which will be issued to before the start of the new financial year. The sign-up conditions set out the expectations for achieving successful family outcomes; essential resourcing of the programme; commitment to working with partners to integrate and transform local public services to embed whole family working; to re-balance the system and reduce demand on children's social care; to commit sufficient development and analytical resource to the programme; and to deliver the required milestones for increasing data maturity. As Children and Families service we have been signed up to the programme since 2015, the service delivery is fully embedded within the Early Help service. The sign-up conditions are set out in the attached letter

6.0 Equalities Implications

- 6.1 An Equalities Impact (EI) assessment has taken place and acceptance of the grant does not result in EI implications. The programme is already embedded within the Children & Families service so there is no impact. However, if the funding is not available in the future, the services may reduce. The service offers support to those that are vulnerable and in need of support, no matter what their protective characteristics. Interventions are based on need.

7.0 Environmental Impacts/Benefits

- 7.1 A climate change impact assessment has been completed. The programme has no adverse impact as the programme is already embedded within the Children & Families service, using existing systems and buildings. No changes to services are proposed. Children and Families workers work with families in line with the Early Help Strategy.

8.0 Reasons for Recommendations

- 8.1 The programme has been delivered since 2015 as part of the Early Help service. The programme brings in a financial reward.
- 8.2 As part of the budget proposals for 2024/25 which were approved by Full Council in February 2024, £750k of the Supporting Families funding will contribute towards budget savings.”

8.0	Recommendation(s)
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| 8.1 | To agree that NYCC signs up to the Supporting Families Programme for 2024/2025 |
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Corporate Director – *(Children and Young People Service)*

County Hall
Northallerton
March 2024

Author of report – Barbara Merrygold
Presenter of report – Barbara Merrygold

Background Documents – Conditions of Funding

Appendix 1

1a)  North Yorkshire
allocation letter.pdf

1b)  Ministerial Letter.pdf

