



School and Early Years Finance (England) Regulations Local Authority Application to Disapply Regulations Form

1 Please complete this form to apply to the Secretary of State for Education to disapply the School and Early Years Finance (England) Regulations, or to vary conditions in the Dedicated Schools Grant. Please complete all relevant fields and return the completed form via an attachment on the [ESFA contact form](#):

When submitting this form via the ESFA contact form please ensure that you select **LA Funding Formula – Disapplication / exceptional factor request** from the drop-down list in the **2. Enquiry Details** screen

2 You may wish to include brief supporting attachments with your request such as forum minutes (if links not available) or spreadsheet calculations. Attachments should only be included as supplementary evidence and referenced in the 'details of the request' box.

3 In the 'details of request' box, you should include, where appropriate:

- What is the impact on the schools concerned?
- Do the schools benefit from the proposal?
- Will maintained schools and academies be affected in the same way?
- What is the rationale for the proposal?
- What is the potential impact on other schools in the area?
- What is the potential impact on other educational functions and services in the area?

4 In the 'Assessment of the equalities implication' box:

- You are under a duty to comply with section 149 of the Equality Act 2010. Please identify and assess the potential equality impact of your request in the 'assessment of the equalities information box' and provide us with the analysis. If you do not do so, or if we consider that you have not complied with section 149, we may reject your request.

Local Authority number	343
Local Authority	Sefton
Funding year request relates to	2019/20
Type of request	School Block Movement
Which requirement in the Regulations does this request relate to?	Determine or redetermine budget shares of schools maintained by it;
Which requirement in the conditions of grant does this request relate to?	To transfer up to 0.5% of School Block allocation to High Needs Block to support significant cost pressures in 2019/20
Number of schools affected	The additional transfer of approx. £346k to increase the contribution up to the maximum 0.5% would impact on all primary schools and 15 secondary schools (out of 18) as the LA would wish to reduce the Lump Sum amount per school by £2.5k across both phases - however schools would be protected by MFG as the LA would not be applying for MFG disapplication for lump sum reduction from 2018/19 allocation. The LA would also reduce the Cap on winning schools and MFG would be set at -1.5% (Appendix M) provides a breakdown by school of potential changes in funding if full 0.5% contribution from School Block is agreed
Have the schools affected by this request been consulted?	Yes

What are the views of the schools affected by this request?	Schools feel that government should allocate more funding to schools and high needs. Sefton schools are funded below the national average per pupil and are under pressure financially. They feel making the request to the Secretary of State will raise awareness of the challenges faced across the whole school sector. Schools Forum has agreed to the movement of £0.450m (or 0.29% of the Schools Block allocation) which was agreed in 2018/19 but did not agree a further increased contribution in 2019/20 of approx. £0.346m to take this up to the maximum level of contribution (£0.796m) i.e. 0.5%
Does schools forum agree with this request?	No
If yes, please provide link(s) to the minutes showing schools forum agreement	
If this has not yet been discussed with Schools forum, what date will this be?	

5 Please see the 'Block Disapplication Evidence' tab for information on what evidence is required for disapplication requests to move funding from the schools block to the high needs block.
Please additionally complete the 'Early Years Pass-through' tab to provide additional information on disapplication requests for the pass-through requirement for the three and four year old entitlements.

Details of request (2,500 characters maximum)

Please note that if attached files are more than 2.5mb in size then please email them separately to academy.questions@education.gov.uk

In 2017/18, the outturn on High Needs ended with an overspend of £1.8m. The major contributors to the overspend were the commissioning of additional new places at two Special Schools for extra pupils and for the provision of extra resources and support to other schools for children and young people with very complex needs.

This year, a further 8 children (a class) with SEN have been placed at a maintained special school in order to continually meet need. However even with this additional in-house commissioned provision we are still facing significant increases in the number of children apply for independent special school places. Pressures on schools' budgets in recent years, caused by lower than average per pupil funding and unfunded cost pressures has meant schools are often unable to meet the demands placed on them in managing children with low incidence special needs and disabilities. This in turn has led to growing requests through our SEN panel for additional High Needs funding to support their provision.

On 24 September 2018, Schools Forum were presented with a statement report indicating that High Needs was forecast to overspend by £2.3m in 2018/19.. At the same meeting the LA presented a further report seeking schools ongoing support for a contribution of £0.450m (or 0.29% of the Schools Block allocation) towards High Needs cost pressures in 2019/20, in line with their contribution towards 2018/19 funding. Forum were also asked to consider a further contribution in 2019/20 of £0.346m to take this up to the maximum level of contribution of £0.796m or 0.5% of the SB allocation (based on the latest funding allocation subject to the October 2018 pupil census). Schools Forum members agreed to support a similar sum to that allowed in 2018/19 (£0.450m) but not the additional amount.

The Local Authority agreed to consult all schools on the need to increase the contribution from the schools block up to 0.5% in 2019/20 and a meeting was held on the 5th November 2018 and this was followed up with a communication of the presentation to all schools the next day asking for individual feedback from each school on their preferred option. Following a consultation with schools a formal request was made to Schools Forum on 19 November 2018. School Forum supported the view of consulted schools which was not to agree the request for an additional £0.346m transfer from the schools block to the high needs block. The request is therefore for the SoS to determine the additional allocation of funding from the schools block to the high needs block to bring it to 0.5%. The Local Authority expressed concerns that if the SoS did not agree to the disapplication request then any reductions to High Needs funding in 2019/20 would impact on the most inclusive schools and children with the highest levels of need.

Sefton Schools Forum asked the local authority to make the point that they felt is to be exceptionally unfair that there was no mechanism to top slicing post 16 funding when there has been an significant increase in the numbers of students in this sector.

Assessment of the equalities implication (2,000 characters maximum)

Please note that if attached files are more than 2.5mb in size then please email them separately to academy.questions@education.gov.uk

Please identify and assess the potential equality impact of your request and provide us with the analysis. In particular, s.149 of the Equality Act 2010 requires you to have due regard to the need to:

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

Sefton has 1307 children and young people with EHCP's (profile below)

SEN 2 date 2018

Under 5 41

5-10 316

11-15 555

16-19 307

20-25 88

Total 1307

As well as 1138 children and young people who receive top up funding to support their needs.

2018/19 (Sept 2018) No. of Children

Mainstream Primary 366

Mainstream Secondary 150

Mainstream Special 622

If the request is not granted the local authority will need to significantly reduce the levels of funding available for top ups to schools which will have an impact on this cohort.

Name of requestor	Mike McSorley
Job Title	Head of Schools and Families
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Date	30/11/2018

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Request number	
ID	
Decision outcome	
Details of the Decision (including any conditions)	

Name	
Date	
Type of Notification	
if this notification type is listed as 'intention to approve' the Department will notify you when the regulations are laid.	