

PERMANENT EXCLUSIONS AND MANAGED MOVES

To: Cambridgeshire Schools Forum
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1.0 INTRODUCTION

1.1 Within the School and Early Years Finance Regulations there is provision for the Local Authority (LA) to remove funding from schools for excluded pupils. The guidance states:

“23.—(1) Where a pupil is permanently excluded from a school maintained by a local authority (other than a special school, a pupil referral unit, or a place which the authority has reserved for children with special educational needs) (“the excluding school”) the authority must redetermine the excluding school’s budget share in accordance with paragraph (2).”

1.2 To date, due to the relatively low number of permanent exclusions, the LA has not acted under these regulations. However these powers will now be enforced from 1 April 2017.

1.3 This paper sets out the future arrangements for the transfer of funding in relation to permanent exclusions and provides Schools Forum with further proposals around managed moves.

2.0 PERMANENT EXCLUSIONS

2.1 A proportion of the excluding schools basic entitlement / sixth form funding and pupil premium will be deducted from the schools budget share and passed onto the admitting school as per the formula set out in the School and Early Years Finance Regulations. Where a primary aged child is not in school, the funding will pass to Special Educational Needs and Disability (SEND) Specialist Services to provide tuition before the child is placed in another school.

The excluding school’s budget share must be reduced by:

$A \times (B/52) + C$ where:

- A is the amount determined by the authority in accordance with this Part that would be attributable to a pupil of the same age and personal circumstances as the pupil in question at primary or secondary schools maintained by the authority for the full funding period;
- B is either:
 - (i) the number of complete weeks remaining in the funding period calculated from the relevant date; or
 - (ii) where the permanent exclusion takes effect on or after 1 April in a school year (a) at the end of which pupils of the same age, or age group, as the pupil in question normally leave that school before being admitted to another school with a different pupil age range, the number of complete weeks remaining in that

school year calculated from the relevant date; and

- C is the amount of the adjustment made to the school's budget share under a financial adjustment order.

2.3 The table below shows the funding rates to be applied in the calculation above:

Funding Factor	2016-17 Funding Rate*
Primary Basic Entitlement (Years R-6)	£2,721
Key Stage 3 Basic Entitlement (Years 7-9)	£3,838
Key Stage 4 Basic Entitlement (Years 10-11)	£4,989
6 th Form Funding (as per DfE guidance)	£4,000
Pupil Premium Ever6 FSM – Primary	£1,320
Pupil Premium Ever6 FSM – Secondary	£935
Pupil Premium – Ever6 Service Children	£300

*Please note: These figures will be updated to reflect final 2017-18 values once finalised.

2.4 The following provides an illustrative example of how this would be applied:

- A child in Year 4 who attracts Ever6 pupil premium funding is permanently excluded on the 5th May 2016. The funding deducted from the excluding school is based on the following calculation:
 - A (Funding) = Basic entitlement £2,721 + Ever6 Pupil Premium £1,320 = £4,041
 - B (Ratio applied to funding) = complete weeks remaining 47 / weeks in the year 52 = 0.9
 - Funding recouped from the school = £4,114 x 0.9 = £3,637

2.5 Where the school subsequently reinstates the excluded pupil or where another school admits the pupil a funding adjustment will be made based on the number of complete weeks remaining in the funding period calculated from the relevant date.

2.6 The DfE's "*Exclusion from maintained schools, Academies and pupil referral units in England*" guidance state that this financial readjustment should be made within 28 days of notification of a direction from the independent review panel. Academies should be expected to make payment within the same timescale. If an Academy fails to comply with its legal requirement to pay following a direction from an independent review panel then the LA will be responsible for enforcing this requirement. However, the LA should also inform the Education Funding Agency.

2.7 Top-Up funding relating to High Needs pupils will be managed separately as part of the monthly process to reflect and relevant change in school.

3.0 MANAGED MOVES

3.1 For the purpose of this report a managed move is where the local authority intervenes and attempts to facilitate a managed move to another school prior to an official permanent exclusion.

- 3.2 Facilitating a managed move has always been about the doing the best for child and is not intended to allow the excluding school to avoid a recoupment of funding, which would have followed a permanent exclusion. It is therefore proposed to apply the same methodology to managed moves process as to the permanent exclusion process set out in section 2 above.
- 3.3 However as this is not specifically covered in the regulations it would require an agreement from the excluding school at the beginning of the managed move process to secure the funding.

4.0 RECOMMENDATION

- 4.1 ***Members of Schools Forum are asked to comment on the formalised arrangements for Permanent Exclusions and Managed Moves detailed above.***