

**Schools Forum 24 February 2009**

**Report of the Interim Director of Children's Services**

**Recommendations following the Consultation on the De-commissioning of Individual Needs Centres (INCs)**

**Purpose of Report**

1. To present to Schools Forum a summary report of the responses received to the consultation regarding the decommissioning of the Individual Needs Centres (INCs) located in mainstream schools and re-direction of funding to new specialist provision in mainstream schools.
2. To endorse the Interim Director of Children's Services intention to accept the recommendations contained within the summary report.

**Budget Working Group Discussed**

3. Yes - 23 February 2009.

**Action for Schools Forum**

4. To endorse the Interim Director of Children's Services intention to accept the recommendations outlined at paragraph 19- 20 of Appendix A.

**Attachments to Report**

5. Summary report of Consultation on the De-commissioning of INCs - Appendix A.

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2. To endorse the Interim Director of Children's Services intention to accept the recommendations contained within the summary report.

**Background**

3. Following a review of the Dudley mainstream school provisions for SEN (Special Educational Needs) and a needs and trends analysis of future requirements for SEN provision, reported to the Director of Children's Services in February 2008, proposals for the decommissioning of INC provision and a plan for the commissioning of new provision were made in a consultation paper.
4. The consultation paper proposals centred on ensuring a cost effective and value for money flexible range of specialist SEN provisions in mainstream schools to meet the current and future diversity of special educational needs within Dudley. The proposals took account of local and national developments in SEN policy and strategy.
5. The consultation period was from November to December 2008 using a questionnaire and follow-up meetings with key stakeholders.
6. The proposals contained in the consultation document will, if implemented, have an impact on the resource allocation formula for schools from 2009/10 and therefore Schools Forum has a statutory function in this regard and must be consulted by the Council in respect of any such changes. The consultation document was presented to the December 2008 Schools Forum meeting
7. A summary report of the consultation responses received is attached at Appendix A. The recommendations are detailed at paragraph 19 to 20.
8. Paragraph 14 of the report relates to the Minimum Funding Guarantee (MFG). Schools Forum is requested to approve, as an excluded item, the removal of the INC funding from the Minimum Funding Guarantee base calculation from 2009/10;

otherwise this funding will be protected in the base of the schools with former INC provision. Regulation 25 of the School Finance (England) Regulations 2008 delegates authority to Schools Forum to allow "re-determination of school budget shares" to be used in calculation of the MFG (i.e. allow additional excluded items), where these affect 50% or less of pupils. If the proposal to decommission the INCs is approved from 2009/10 then funding through the Local Management of Schools (LMS) funding formula will cease from April 2009, it would therefore be inappropriate to continue to protect this funding under the terms of the MFG.

9. On the basis of the responses received and recommendations presented in the summary report attached at Appendix A, the Interim Director of Children's Services is proposing acceptance. Schools Forum is requested to endorse this proposal.

### **Finance**

10. The funding of schools is prescribed by the DCSF through the School Finance (England) Regulations 2008.
11. Schools Forums are regulated by the School Forums Regulations 2002 as already amended by the Schools Forums (Amendment) Regulations 2004 the Schools Forums (Amendment) 2005 Regulations and the Schools Forums (England) (Amendment) Regulations 2008.
12. From 1<sup>st</sup> April 2006, the Schools Budget has been funded by a direct DCSF grant: Dedicated School Grant (DSG).

### **Law**

13. Councils' LMS Schemes are made under Section 48 of the School Standards and Framework Act 1998. The Education Acts 1996 and 2002 also have provisions relating to school funding.

### **Equality Impact**

14. The Council's Equal Opportunities Policy is taken into account when considering the allocation of resources.

### **Recommendation**

15. In line with the recommendations contained in paragraphs 19-20 of the summary report at Appendix A, Schools Forum is requested to endorse the Interim Director of Children's Services proposal to:
  - a. Implement changes to the Resource Allocation Formula as a result of decommissioning the INCs located in mainstream schools; and

b. Re-direct funding to new specialist provision in mainstream schools.

16. Schools Forum is requested to approve as an excluded item, the removal of the INC funding from the Minimum Funding Guarantee base calculation from 2009/10 (paragraph 8 of main report).

A handwritten signature in black ink, appearing to read 'Jane Porter', with a horizontal line underneath.

**Jane Porter**

**Interim Director of Children's Services**

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