

<b>Report Title</b>	Year 11 in-year placements and Fair Access Protocol
<b>Meeting</b>	Schools Forum
<b>Date</b>	05 December 2023
<b>Chair</b>	Jenny Sims
<b>Report Author(s)</b>	Jack Cutler, Acting Head of Pupil Based Commissioning
<b>Open/Exempt</b>	Open

## 1. Summary

- 1.1. In recent years, Sutton, as a local area, has had an established process in places for supporting learners arriving into the local area seeking a school place within national curriculum year 11, who have additional learning needs but do not have an EHCP.
- 1.2. This has been provided through a referral to Limes college for an assessment of need. If mainstream school is not considered appropriate, then bespoke tuition provision is put in place through Just'Learn, a tuition provider commissioned through the Limes College, and the pupil registered as on-roll at the Limes College.
- 1.3. This provision has in previous years, to date, been funded through the High Needs budget. This report proposes moving this budget from the High Needs block, to the Schools Block growth fund, and considers option for updating the policy for unplaced year 11's.

## 2. Recommendation

- 2.1. Schools forum are recommended to:
  1. Take a decision on whether the budget for unplaced year 11's should move to the growth fund of the Schools Block of the Dedicated Schools Grant, from the High Needs Block, where it currently sits.
  2. Consider and note the proposals for changing the referral and placement process.

## 3. Background

- 3.1. Sutton resident pupils being considered for an in-year, year 11 school place are in all instances referred to the Limes College, who are commissioned by the LA to provide an assessment to establish whether appropriate provision should be within a mainstream school or within alternate provision.

- 3.2. Where alternative provision is deemed appropriate, the Limes College is commissioned to provide this. This is currently provided through a commission Limes has with Just'Learn, a bespoke AP tuition provider.
- 3.3. Pupils placed into the just learn provision are not High Needs learners in the sense they will not have an Education, Health and Care Plan (EHCP), and that these are not assessment places whilst an Education, Health and Care Needs Assessment (EHCNA) is undertaken. Similarly, they are not considered Alternative Provision (AP) learners in the sense they are not Pupils who have been permanently excluded from a mainstream school, or pupils with medical needs that would ordinarily result in placement within an AP setting.
- 3.4. Historically, the LA has had a commissioning arrangement with Limes to accommodate up to 20 learners on this 'pathway'. However, in the 22/23 Academic Year, it was necessary to commission a further 10 places to meet demand.
- 3.5. Growth in demand has been as a result of higher overseas migration into the borough, and higher year 11 age pupil numbers, which combined have resulted in higher pressure on in-year year 11 admissions.
- 3.6. Currently, all learners considered for this provision are assessed by Limes, and where the assessment recommends the Just-Learn tuition offer as appropriate, these pupils are placed with Limes on the Just'Learn pathway, which is considered a reasonable school offer. Therefore families have no recourse to a mainstream school place should this wish for one other than through appeals to admission authorities, as the LA has considered it's duty to offer a reasonable school place fulfilled.
- 3.7. There have been some instances in the past year, where parents have objected to their child being placed within AP and the association with behavioural challenges this may leave on the pupils academic record. However, the Sutton admissions service has no recourse to refer this child back to the Fair Access protocol for placement into a mainstream school, as the current protocol does not allow for this (as it considers a suitable placement has already been made through the Limes College).

#### **4. Latest Position**

- 4.1. The existing Commissioning Agreement with the Limes is for 20 unplaced y11 places at a cost of £100,000 annually. For 2023/24 this number has been increased from 20 to 30 places (at a cost of an additional £50k)
- 4.2. The LA has already agreed to place a further child on top of these 20 places as a spot purchase at a cost of £5,000 per place.
- 4.3. Just'Learn has capacity for 40 learners, and as per mid November was already at 31 learners.

- 4.4. These challenges faced were discussed at Secondary Heads board on 15 November 2023, with a view to amending the Secondary Fair Access Protocol, and moving the budget for these placements the Growth Fund.

## 5. Options

- 5.1. The following options should be considered, with the Forum as the decision maker, for funding the unplaces year 11 places commissioned with Lime College:

1. Continue to Fund from the High Needs Budget.

This option is not sustainable given the financial position of the High Neds Block set out in the Revenue report considered earlier in this meeting.

2. Move the budget for unplaced year 11's to the Growth Fund

This is the recommended option. Whilst it does result in a projected overspend to the Growth Fund for 2024/25, growth funding into the Schools Block lags actual growth by 1 year - therefore as pupils numbers begin to stabilise, growth allocation will contain sufficient surplus to afford this expenditure.

- 5.2. The following options should be considered for information, and consultation, by the Forum, regarding proposed changes to the Fair Access Protocol:

1. No change to the protocol
2. Amend the protocol to reflect that should a parent express a preference for a mainstream school, having been offered an assessment through the Limes college, the child will be referred back form a mainstream school place through the protocol. The school may discuss appropriate pathways with the family for this child, which may include placenet into year 10 where the school and family are in agreement. This draft revision to the protocol is include in Appendix A.

## 6. Influence on the Council's Corporate Core Values and Objectives

- 6.1. One of the core values is partnership working. Setting the budget for the Dedicated Schools Grant, and considering related issues, is an important part of the budget process that fully involves schools as partners and particularly recognises the important role of the Schools' Forum.

## 7. Appendix

Appendix Letter	Appendix Title
A	Proposed Amendment to the Secondary Fair Access Protocol

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