

ESTABLISHING A COST RECOVERY MECHANISM FOR NOTTINGHAMSHIRE PRIMARY SCHOOLS FOR PERMANENTLY EXCLUDED PUPILS.

Purpose of the Report

1. To seek approval to establish a cost recovery mechanism for Nottinghamshire Primary Schools for permanently excluded pupils.

Information and Advice

- 2.1 In June 2013, the Schools Forum approved the introduction of a cost recovery mechanism (CRM) for Nottinghamshire secondary schools for permanently excluded pupils. At this time primary schools were not included in these arrangements. As the arrangements for primary SEBD partnerships develop, it is now considered an appropriate time to introduce a similar scheme for primary schools. This report describes the proposed arrangements which will standardise cost recovery mechanisms for all phases of education.
- 2.2 A Cost Recovery Mechanism (CRM) is the way in which the Local Authority will recover the cost of provision made for pupils who are permanently excluded from schools when the exclusion occurs outside agreed arrangements with partnerships of schools
- 2.3 Representatives of all primary partnerships have established a development group to progress arrangements for pupils with SEBD in primary schools. This group of primary head teachers has recommended a number of actions to support the work of the partnerships, one of which is the introduction of the CRM.
- 2.4 In implementing the County Council's SEBD strategy a new model of collaborative working has emerged. This will involve the devolution of resources centrally retained by the County Council and the transfer of responsibility and accountability for these resources to partnerships of schools. The devolution of resources will be subject to a Memorandum of Understanding (MOU) between the County Council and partnerships of schools.
- 2.5 The devolution of resources and responsibilities for pupils with SEBD to partnerships of schools is in line with the national direction of travel and the Government's preferred approach on exclusions. This approach allows schools to continue to permanently exclude. However, all schools will be expected to work in partnership to explore and develop alternative options in order to achieve positive educational outcomes for this

vulnerable group of learners. The success of partnership working will require the need for schools to work collaboratively using resources more effectively through greater 'economies of scale' which enable a more flexible response to a range of needs and remove the need for permanent exclusions. Following the transfer of resources to partnerships of schools, it will be necessary to ensure that these are well managed in order to reduce the risk of escalating costs.

- 2.6 It is proposed to manage this risk by introducing a Cost Recovery Mechanism (CRM), in order that provision which falls outside partnership agreements may be funded and commissioned appropriately and responsibly.

The Cost Recovery Mechanism

- 2.7 Where resources for pupils with SEBD have been devolved to partnerships of schools, the County Council has relinquished its capacity to make provision for young people who are permanently excluded from school. If partnerships then continue to permanently exclude pupils, the County Council will need to recover from the excluding school a contribution to the cost of any provision that the County Council is then required to commission.

- 2.8 The number of pupils excluded from schools varies from year to year. The instance of permanent exclusions in primary schools is currently extremely low. It is acknowledged that schools will only permanently exclude where no other option is available. Partnership working will be instrumental in developing alternative local options for primary schools thus avoiding the need for permanent exclusion. Although it will still be possible for schools to permanently exclude, this will only be likely in exceptional circumstances. In such cases, the Local Authority and partnerships will work together to identify alternative courses of action.

- 2.9 The conditions attaching to the cost recovery mechanism are described below:

Who does the cost recovery mechanism apply to?

- 2.10 It is proposed that the CRM applies to all primary schools irrespective of status when a child is permanently excluded.

What will the recovered money be used for?

- 2.11 The money will be used by the County Council to purchase educational provision for the excluded pupil from external providers.

How much will schools pay?

- 2.12 Primary Schools will be expected to pay a contribution towards the cost of provision which will be at a rate of £10,000 per year. This will be charged pro rata where pupils are reinstated in alternative placements or provision. The existing arrangement for transferring the AWPU between the excluding school and receiving school will continue.

How long can schools be expected to fund the cost of provision?

- 2.13 Schools will be expected to contribute funding as long as the pupil attends provision commissioned by the County Council.

Can schools exclude?

- 2.14 It will remain possible for schools to permanently exclude pupils.
- 2.15 There will clearly be advantages for schools working in partnerships as this will allow for flexibility and capacity to develop alternative solutions.

What mechanism will the local authority employ to recover the cost of additional provision?

- 2.16 The County Council will invoice primary schools for the cost of the provision made for permanently excluded pupils on behalf of schools.

RECOMMENDATIONS

That the Schools Forum:

- 1) Endorses the proposal to introduce a cost recovery mechanism with immediate effect for permanently excluded pupils as described in this report.
- 2) Agrees to a charge of £10,000 per year on a pro rata basis, as appropriate, for primary schools.

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