Guidance
High needs place change process: academy year 2021 to 2022

Updated 19 January 2021

Applies to England

Contents
1. About this guidance
Section 1: the place change process
1.1 Changing place numbers
1.2 Important notes and deadlines
1.3 How to determine the number of places funded
1.4 Important dates
1.5 Change accountability agreed with the institution
1.6 Change accountability imposed by ESFA
1.7 Institutions in scope of the place change process: EHCNs, other allegations of places
Section 2: the place change process
Print this page

About this guidance

This guide is primarily for local authorities and institutions. It sets out the process for changing the number of places for high needs students aged 16 to 25 in 2021 to 2022 academic year. Information on how to complete the high needs place change workbook is also available. It should be read alongside the high needs funding 2021 to 2022: operational guide.

For changes to hospital education funding, local authorities should also read the 2021 to 2022 operational guide: hospital education funding guidance.

This guidance will be reviewed in autumn 2021.

Section 1: the place change process

The place change notification process enables provider local authorities (the local authorities responsible for commissioning places for their residents) to request a number of high needs in institutions (places) and institutions (places) at institutions to be agreed by ESFA. Through this process local authorities can also request a change to their hospital education places. This section of the guidance explains the place change notification process. The principles of the place change notification process remain largely unchanged from 2020 to 2021.

1.1 Changing place numbers

Overview

Discussions should begin as soon as possible to ensure local authorities can submit their returns by 28 February 2021 for the academic year 2021 to 2022. It is important institutions are pro-active and engage with their provider local authorities, especially if they believe they need to request a change to their place numbers for the academic year 2021 to 2022 onwards. Similarly, local authorities should be pro-active and engage with institutions to ensure they are not the provider authority should contact the institution or provider local authority to discuss their place requirements for the academic year 2021 to 2022 onwards. Institutions should also be pro-active in contacting their provider local authority.

We expect respect local authorities and institutions to reach agreement over the number of places to be funded. We recognise, however, that there may be occasions when local authorities and institutions do not agree on the number of places to be funded. In such circumstances, ESFA will use its powers to impose a place change where it is satisfied that the evidence supplied by the local authority and institution has been an informed and reasonable discussion.

ESFA will use the outcomes of the place change notification process in mid to late January. These data will be used by local authorities and institutions to carry outcomes following their publication in January.

Local government reorganisation

Northamptonshire County Council will be reorganised to form 2 local authorities on 1 April 2021. Northamptonshire County Council will be the provider local authority for local authority returns for the 2021 to 2022 academic year and outcomes published in January will reflect the new local authorities and institutions in those areas. These local authorities and institutions should be aware of the new local authority boundaries when discussing place numbers for institutions affected by the reorganisation.

Institutions in scope of the place change notification process

The following institution types are funded from a local authority's dedicated schools grant (DSG) high needs block and therefore within scope of the place change notification process:

- maintained primary and secondary academies with special units, resourced provision or SEN units
- maintained free schools with special units, resourced provision or SEN units
- maintained special schools
- university technical colleges (UTC)
- special academies
- studio schools
- alternative provision (AP) academies
- further education (FE) institutions
- independent learning providers (ILPs)

In addition, this process should be used to notify ESFA of 2021 to 2022 place numbers for:

- special post 16 institutions (SPIs) that meet the initial eligibility criteria for receiving funding from ESFA in 2021 to 2022 and have not yet been notified of funding by ESFA in 2021 to 2022 (the institutions will be notified that they should receive funding from the commissioning local authority, but may include new SPIs not previously known)
- maintained primary and secondary academies, free schools, maintained special schools, maintained nursery schools and PRUs that consent to academy status on, or by, 1 January 2021

Changes to local authority hospital education funding

As in previous years, local authorities can request changes to their hospital education places funding. Local authorities should be aware that institutions may also request a change and occur during the new funding period. Local authorities must submit a place change notification if they want to request a change to their place total. Institutions should be aware that they may be contacted by the high needs place change notification process. We have published a separate guide explaining the criteria for requesting changes to 2021 to 2022 hospital education provision funding and the evidence required.

Out of scope of the place change notification process

The following types of institution are outside the scope of the process:

- maintained primary and secondary schools, maintained special schools and PRUs that do not consent to academy status on, or by, 1 January 2021 (these institutions are directly funded by the commissioning local authority and ESFA does not need to be informed of changes to place numbers at a maintained institution that is not converting to academy status on, or by, 1 January 2021)
- alternative provision (AP) academies and free schools for pupils excluded, the local authority must notify the project lead of the current place numbers before opening
- AP free schools: ESFA will provide place numbers to Alexandra Limited (AL) information to determine their place funding allocations for the 2019 to 2020 academic year
- local authority commissioned places at independent schools, including non-maintained special schools and AP academies and free schools: ESFA will provide place numbers to AL for the 2019 to 2020 academic year
- 16 to 19 study programmes (16-19 SP): ESFA will provide place numbers to AL for the 2019 to 2020 academic year

Although local authorities will be required to notify place numbers for these institutions to ESFA, they should consider:

- the entitlement of high needs provision available across both mainstream and specialist institutions
- the number of places currently meeting the needs of children and young people
- what changes are necessary to meet their needs in future

This should be an important feature of local authorities' strategic planning processes and discussions with all institutions offering special provision for their young people.

1.2 Important dates and actions

22 September 2020

Department for Education:

- publishes the 'High needs funding 2021 to 2022: Operational guide'

7 October 2020

Department for Education:

- issues the annual funding workbooks and bulletins questions on the place change process and how to complete the high needs place change workbook
- issues the 2021 to 2022 place change notification process to local authorities and free schools - we will not publish the 2019 to 2020 SEF-R2 data because we have recently shared 2019 to 2020 R06 data with local authorities where we confirmed the commissioned places for 2019 to 2020 academic year (the other 2019 to 2020 R14 data will be published in January 2021 updated)
- publishes the 2020 to 2021 high needs place allocations to institutions (planned as of October 2020)

Local authorities:

- engage in discussions with institutions about future 2021 to 2022 place numbers

Institutions:

- engage with local authorities commissioning places about their high needs places for 2021 to 2022
- liaise with their provider local authority to agree the total 2021 to 2022 funded places for the institution

13 November 2020

Local authorities:

- deadline to submit a SEF-R2
- 2021 to 2022 high needs place number changes
- requests for changes to local authority hospital education funding

End November 2020

Department for Education:

- completes the initial validation of returns (ESFA may request a resubmission)

Local authorities:

- should be ready to respond to any ESFA requests to resubmit templates

Mid to late January 2021

Department for Education:

- publishes the outcomes of the place change notification process
- publishes the 2021 to 2022 ESFA data
- writes to relevant local authorities confirming outcome of hospital education funding requests

Local authorities:

- check published outcomes are correct

Institutions:

- Confirm scope of the place change notification process) should check the published outcomes are correct

Early February 2021

Local authorities:

- 2 week enquiry window closes for issues relating to the published outcomes

Institutions:

- 2 week enquiry window closes for issues relating to the published outcomes

March 2021

Department for Education:

- issues the 2021 to 2022 high needs allocations to FE institutions. Has schools, academies, NPSL, SPIs to ESFA

Institutions:

- check the 2021 to 2022 allocations are correct, inclusive of high needs places commissioned by local authorities in institutions if not previously notified through the place change notification process

April 2021

Department for Education:

- updates the 2021 to 2022 DSG to reflect the outcome of the 2019 to 2021 place change notifications and high needs place allocations (this will include allocations to updated terms for in-year academies)
- publishes the 2021 to 2022 high needs numbers at institution level

1.3 How to determine the number of places funded

As in 2020 to 2021, places funded should broadly reflect both local authorities' recent and current commissioning intentions and the number of places at institutions to meet high needs and disabilities (SEND) pupils and students' needs. Local authorities should consider how they can make best use of their existing provision. Local authorities and institutions should consider all high needs provision in their area and must take place-planning into account when considering place numbers. Local authorities should also work with their partner institutions to discuss and agree the commissioning decisions of other local authorities in their area, including those that are not in their local area, to avoid duplicating activity and plans.

Collaborative partnerships and early dialogue between local authorities and institutions play an important part in the preparations for academic year 2021 to 2022 to enable agreed place allocations of high needs places to be made and funded.

Local authorities fund places in place numbers from their high needs budgets. Institutions will receive funding for the agreed place numbers based on the place allocation of £10,000, which is in line with the national high needs funding formula.

We will publish allocations for the 2021 to 2022 high needs funding block of the DSG for each local authority (calculated using the high needs national funding formula) in December 2020.

Section 2: outcomes

ESFA will publish the outcomes of this process in January 2021. If an institution does not agree with the published outcome, they should contact the commissioning local authority in return and the 2020 to 2021 academic year place numbers will not forward fund. Places are funded for one year only and will be reviewed in the following year.

Local authorities and institutions need to check these to ensure the place numbers are correct. If an institution does not appear on the published outcomes, they will continue to be funded on the place numbers as in 2020 to 2021.

2.1 Changes recorded as agreed with the institution

ESFA will publish an institution's 2021 to 2022 place funding to reflect the numbers notified by the local authority where recorded as 'agreed' with the institution. This will include new institutions and those with a change of status.

Where post 16 place numbers are recorded as increasing from 2020 to 2021 in mainstream academies, have been agreed by exception not funded in 2020 to 2021, ESFA will fund the 2021 to 2022 place numbers. Institutions should be aware that this process is an ESFA out-turn process and is not intended to be used as a mechanism to fund as agreed, subject to approval of such proposals through the forward process for making changes to 2021 to 2022 place numbers. Institutions should be aware that 2020 to 2021 place allocations are not guaranteed.

Special post 16 institutions (SPIs) will be agreed subject to the due diligence process described in section 2.3.

2.2 Changes recorded as not agreed with the institution

Mainstream academies, free schools and AP academies

Where place number changes are marked as 'not agreed' for mainstream academies, free schools or AP academies, we will make a change in place numbers and the institution will be notified and remain on the 2020 to 2021 place numbers for the place numbers funded.

We expect there to be continuing dialogue between the relevant local authorities and institutions to resolve any disagreements. Local authorities and institutions should then use the process to notify ESFA of changes in place numbers that are agreed after 10 November 2020.

Special academies, special free schools, 16 to 19 academies, FE institutions and ILPs

Where place number changes are marked as 'not agreed' or 'not agreed' with a special condition, special free schools, 16 to 19 academies, FE institutions and ILPs (colleges, 6th form, AT, 16-19 sixth form and free schools) will receive the place numbers requested in the place change notification process, unless ESFA has a reasonable doubt that the number of places the institution is seeking.

We will use the principles set out below to determine the 2021 to 2022 academic year place numbers (published in January 2021), where place numbers are marked as 'not agreed' or 'not agreed with a special condition' for special free schools, 16 to 19 academies, FE and AT institutions. Institutions will be informed by the publication of the 2021 to 2022 outcomes on 20 to 29 January 2021 (individual overview Record (IOR) data will be published on the 20 January 2021 and will be updated on the 29 January 2021).

These principles are based around expectations and can be used to review any discrepancy.

We fully consider 2021 to 2022 place change notifications that are not agreed with the institution, where the change is either:

- at least 10% of the 2020 to 2021 academic year places for an institution with more than 50 high needs places
- at least 5 places for institutions with less than 50 high needs places in the 2020 to 2021 academic year

For these changes that do not meet the place thresholds, we will use the 2020 to 2021 place numbers. For institutions with less than 50 high needs places, we will consider a change in place numbers where it is at least 5 places. For 16 to 19 academies, FE and 16 to 18 academies and free schools returning SP data and the January 2020 to December 2020 census data, we will use the 2020 to 2021 academic year place numbers, where:

- where the notification and SR in a school census data confirm a reduction to the 2020 to 2021 place data, we will change the place number to the current year place and the 6 School census data or the verification
- where the notification and SR in a school census data confirm an increase to the 2020 to 2021 place data, we will change the place number to the lower of the 6 School census data or the notification
- where the notification and SR in 2020 to 2021 place data is not confirmed by the school census data, we will change the place number to the 2020 to 2021 place numbers and the 2020 to 2021 numbers will be used

Examples of how this will apply for these institutions are shown below:

	Institution 2020 to 2021 place numbers	High needs notified place numbers	Change in place numbers	Place numbers for 2021 to 2022	Reason for ESFA decision
Increase to 90 in 2020 place numbers	0	100	100	100%	Notification and data confirmed the increase in place numbers. Institution has more than 50 high needs places and the change in place numbers is more than 10%
Increase to 60 in 2020 place numbers	0	100	100	100%	Notification and data increase to high needs places but not to place numbers. Institution has more than 50 high needs places.
Decrease from 90 to 2020 to 2021 place numbers	0	50	50%	50	Notification and data confirm a reduction in high needs places
Decrease from 90 to 2020 to 2021 place numbers	0	80	10%	90	Change notification is not consistent with the school census data. Institution has more than 50 high needs places
Increase from 10 to 2020 to 2021 place numbers	0	15	5	15	Change notification is in line with the school census data. Institution has less than 50 high needs places

2.3 Special post-16 institutions (SPIs): due diligence process

Local authorities should submit details of SPIs that they propose are funded directly by ESFA in their place change notification. The information they provide should be subject to assessment for receipt of funding. Local authorities should consider the return must include the total number of student places for which the SPI is to be funded, and the contribution to be funded by ESFA. Items ESFA need:

- have at least 10 student places identified for 2021 to 2022
- have a commissioning local authority identified
- be able to supply management accounts for the year

Local authorities should also include SPIs which have been unsuccessful in the due diligence process in previous years if they want them to be considered for ESFA funding in the 2021 to 2022 academic year.

The deadline for the submission is by 5 November 2020. There SPIs will be subject to a due diligence process undertaken by ESFA to assess if they are eligible to be funded directly by ESFA. Local authorities should be aware that ESFA may request clarification, or a suggestion that through the submission of the required information a place is not viable for funding.

As part of the place change notification process, ESFA will contact eligible SPIs to request a due diligence pack. Information on the process and the required information institutions must meet to become eligible for ESFA funding will be published in December 2020. Local authorities should be aware that ESFA may request further information in these SPIs that are in receipt of funding from ESFA in previous years due to due diligence. It therefore only necessary to include in the workbook details of these SPIs if local authority is requesting that place funding a post-sixteen place from ESFA for the first time.

2.4 Enquiry window

Following the publication of the place change outcomes in January 2021, there will be a 2 week window for local authorities and institutions to review the information and raise queries with ESFA. This window will be for local authorities and institutions to check if agreed in the original data has subsequently been changed. Queries received outside of the enquiry window are unlikely to be considered.

An enquiry can be raised by a local authority or an institution. This is also an opportunity for local authorities who commission places at institutions outside their local authority area to check that the place numbers they have requested are correct. Institutions should be pro-active in contacting commissioning provider local authorities and vice versa and if doubt there is the commissioning place number that has not been agreed.

ESFA will only consider enquiries in relation to place change outcomes where:

- there is clear evidence of agreement on the 2021 to 2022 place number between the local authority and institution after a place change notification was submitted
- the impact on place numbers is significant - this is a change of either:
  - at least 10% of the place number for an institution with more than 50 high place numbers
  - at least 5 places for an institution with less than 50 high places in the 2020 to 2021 academic year

To submit an enquiry about the outcome of the process, a local authority, academy or FE institution should complete the place change enquiry form. The form will be available from January 2021. Institutions should contact their local authority if they are considering raising an enquiry. The relevant local authority will need to be consulted on any enquiry and will need to provide the required supporting information for the enquiry to be considered. Please set out the reason for enquiry clearly and include any background information that provides further context to support the enquiry.

Local authorities and institutions should be pro-active in contacting each other during the window process in the exceptional circumstances that a place number change cannot be agreed. Local authorities should be pro-active in providing institutions with the relevant additional information. We plan to provide a separate guidance document on this date which considering the requested change. The 2020 to 2021 place numbers may be used as a guide for the 2021 to 2022 academic year place numbers. Local authorities should be pro-active in providing institutions with the relevant information to support allocation based on a place case number. We would make a deduction from the local authority high needs allocation on the basis of a higher place number, unless place number can be agreed.

Coronavirus (COVID-19)

Coronavirus (COVID-19): guidance and support

Brexit

Check how the new Brexit rules affect you

Services and information

Benefits
Births, deaths, marriages and care
Business and self-employed
Childcare and parenting
Citizenship and living in the UK
Crime, justice and the law
Disabled people
Driving and transport
Education and learning
Employing people
Environment and countryside
Housing and local services
Money and tax
Passports, travel and living abroad
Visas and immigration
Working, jobs and pensions

Departments and policy

How government works
Departments
Worldwide
Services
Guidance and regulation
News and communications
Research and statistics
Policy papers and consultations
Transparency and freedom of information releases

OGL All content is available under the Open Government Licence v3.0, except where otherwise stated

© Crown copyright