

SCHOOLS FORUM**19th June 2019****Report of the Executive Director for Children's Services****SEND Provision – DfE Call for Evidence**

1. **Purpose of the Report** - To seek the views of the Schools Forum on the DfE's recent SEND Call for Evidence.

2. **Information and Analysis**

On 3rd May 2019 the DfE published a Call for Evidence seeking the views of local authorities, schools and colleges and other interested organisations and individuals on the funding arrangements in respect of young people with special educational needs and disabilities (SEND). The consultation, which runs until **31st July 2019**, can be found at: <https://consult.education.gov.uk/funding-policy-unit/funding-for-send-and-those-who-need-ap-call-for-ev/>

The DfE make a point of stating that they are already aware of concerns about the funding allocated for young people with special educational needs and disabilities (SEND) in England, and are looking carefully at how much overall funding will be needed in future years. This call for evidence is an invitation to consider other aspects of the funding arrangements that:

- could be changed to help local authorities, schools, colleges and other providers in their support for young people with SEND, those requiring alternative provision (AP) and those at risk of exclusion from school, and
- may not be helping us get the most value from the resources available

The consultation focusses on the following:

- How current funding is distributed, including how it enables mainstream schools to make provision for their pupils with additional needs;
- The factors in the current funding system that may be contributing to the escalation of costs, without necessarily securing better long-term outcomes for pupils and students;
- The funding system for pupils who are excluded as well the funding of AP, including issues raised by Edward Timpson in his review of school exclusion; and
- The post-16 funding arrangements for young people with SEN

The consultation's stated ambition for the objectives of the financial and funding system are that it:

- supports decisions being taken centered around the needs of the child or young person, and what provision will best address those needs, rather than principally for administrative or financial reasons;
- supports early intervention, especially where that can stop problems growing, and therefore minimise future costs;
- facilitates children and young people staying in mainstream schools and colleges, where they can provide suitable provision;

- avoids creating undue financial pressure for schools, colleges and other providers where they identify a child or young person has SEN or accept a child or young person with SEN on to their roll;
- delivers value for money in the use of public funding, with appropriate transparency and accountability in the system to secure the best outcomes with the resources available; and
- helps schools, colleges and local authorities to manage within the resources available to them.

The DfE are concerned that aspects of the current system may be causing:

- decisions to be taken primarily to avoid financial pressures from falling on a particular institution, by transferring costs elsewhere;
- a continuing drift from mainstream school provision to special school and alternative provision, which is raising overall costs to the system without improving the outcomes for children;
- disproportionate pressure falling on some mainstream schools and colleges, especially if they get a reputation for providing good SEN support, or are small and so cannot easily manage exceptional costs within their budget;
- an over-emphasis on securing an education, health and care (EHC) plan to guarantee a particular level of financial support, rather than on making the special educational provision necessary to meet the needs of the child, with or without an EHC plan.

The DfE are looking for evidence about the extent to which these concerns are justified and any other effects that act to prevent children and young people with SEN, disabilities or in AP or at risk of exclusion from achieving well in school and college, find employment and go on to live happy and fulfilled lives.

A copy of the specific questions on which the DfE are seeking views is attached as Appendix 1. The Schools Forum is invited to offer any views for potential inclusion in the Authority's response to the DfE's Call for Evidence.

3. **Other Considerations** - In preparing this report, the relevance of the following factors has been considered: - prevention of crime & disorder, equality of opportunity, and environmental, health, social value, human rights, human resources, property and transport considerations.

4. **Background Papers** - Files held within Children's Services Finance.

5. **Officer's Recommendations**

5.1 The Schools Forum is invited to offer its views for potential inclusion in the Authority's response to the DfE's Call for Evidence.

Jane Parfremment

Executive Director for Children's Services

DfE Call for Evidence - SEND questions

1. What formula factors are most important in providing schools with enough money to ensure they meet the needs of their pupils with SEN? Please rank the following factors in order of importance with 1 as the most important.

- Age Weighted Pupil Unit
- IDACI Deprivation
- Mobility (mid yr starts)
- Other

- Low Prior Attainment
- Eligibility for FSM
- Lump sum

2. Would allocating more funding towards lower attainers within the low prior attainment factor help to better target funding towards the schools that have to make more SEN provision for their pupils?

Yes/No/Unsure

3. What positive distributional impact would this change in approach (e.g. creating tiers of low prior attainment) create for mainstream primary and secondary schools?

Comments

4. Would such a change in approach introduce any negative impact for mainstream primary and secondary schools?

Comments

5. Please indicate whether you agree or disagree with the statements below, and in the comments box give the advantages and disadvantages of your preferred approach.

	<i>Agree</i>	<i>Disagree</i>	<i>Neither agree or disagree</i>
Local authorities should retain the flexibility to develop, in consultation with their schools, their own method of targeting extra SEN funding to schools that need it.			
Central government should provide more guidance for local authorities on how they should target extra SEN funding to schools, but local authorities should remain responsible for determining the amounts in consultation with their schools.			
Central government should prescribe a consistent national approach to the targeting of additional funding to schools that have a higher proportion of pupils with SEN and/or those with more complex needs.			

Comments

6. Is it helpful for local authorities to continue to calculate a notional SEN budget for each school, and for this information to be published, as now?

Very helpful/somewhat helpful/neither helpful or unhelpful/somewhat unhelpful/very unhelpful

7. For those responding from a school, who in your school(s) is involved in decisions about spending from the school's notional SEN budget?

Governors/Headteacher or Principal/Senior leadership team/SENCO/Teachers/Other (pl comment)

8. Should the national funding formula for schools include a notional SEN budget, or a way of calculating how much of each school's funding is intended to meet the costs of special provision for pupils with SEN?

Yes/No/Unsure

9. Please indicate whether you agree or disagree with the statements below.

	Agree	Disagree	Neither agree or disagree
The level of the threshold makes little or no difference to the system for making special provision: it is the level of funding available to schools and local authorities that is crucial.			
The £6,000 threshold should be lower, so that schools do not have to make as much provision for pupils with SEN from their annual budgets, before they access top-up funding from the local authority.			
The £6,000 threshold should be higher, so that schools have to make more provision for pupils with SEN from their annual budgets, before they access top-up funding from the local authority.			
The operation of the £6,000 threshold should take account of particular circumstances.			

10. If you have agreed with the final statement in question 9, please indicate below which circumstances you think would be relevant for a modified threshold or different funding arrangement.

	Yes	No	Unsure
Schools that are relatively small.			
Schools that have a disproportionate number of pupils with high needs† or EHC plans.			
When pupils with EHC plans are admitted to a school during the year, which may create unintended consequences.††			
Other (please specify below)			

Comments

11. If you are responding on behalf of a school, do you have a clear understanding about what provision is “ordinarily available” to meet pupils’ special educational needs in your school?

Yes/No

Comments

12. How is this determined?

- On a school by school basis
- As part of a multi academy trust
- Part of a whole-local authority approach
- Part of a cluster of schools

13. How is this offer communicated to parents?

- School’s published SEN information report
- Published local offer
- Discussions between teacher(s) and parents
- Discussion between SENCO and parents
- Other

If the offer is publicly available, please provide a web link

14. Does your local authority make it clear when a child or young person requires an education, health and care (EHC) plan?

Yes/No/Unsure

15. How is this articulated?

- Published local offer
- School’s published SEN information report
- Other publicly available document
- Unpublished local authority policy

If the offer is publicly available, please provide a web link

16. Please indicate whether you agree or disagree with the statements below.

	Strongly disagree	Somewhat disagree	Neither agree or disagree	Somewhat agree	Strongly agree
The current funding arrangements help schools, local authorities and AP to work together and to intervene early where such action may avoid the need for permanent exclusion later					
The current AP funding arrangements help schools					

and AP to reintegrate children from AP back into mainstream schooling where this is appropriate					
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17. How could we encourage more collaboration between local authorities, schools and providers to plan and fund local AP and early intervention support?

Comments

18. What changes could be made to improve the way that the AP budget is spent, to better enable local authorities, schools and providers to use the local AP budget to provide high quality AP, intervene early to support children at risk of exclusion from school, or reintegrate pupils in AP back into mainstream where appropriate?

Comments

19. Please use the box below to share any examples of existing good practice where local authorities, schools and AP settings have worked together effectively to use the AP budget to provide high quality AP, intervene early to support children at risk of exclusion from school, or reintegrate pupils in AP back into mainstream where appropriate.

Comments

20. Are there aspects of the operation of the funding system that prevent young people from accessing the support they need to prepare them for adult life?

Yes/No/Unsure

Comments

21. Notwithstanding your views about the sufficiency of funding, please describe any other aspects of the financial and funding arrangements that you think could be amended to improve the delivery of provision for young people with SEN.

Comments

22. If you are able to provide any examples where local authorities and colleges have worked together effectively to plan provision to meet the needs for SEN support and high needs, please describe these below.

Comments

23. Are the current funding or financial arrangements making early intervention and prevention more difficult to deliver, causing costs to escalate?

Yes/No/Unsure

Comments

24. If you can you provide examples of invest-to-save approaches with evidence that they can provide value for money by reducing the costs of SEN support, SEN provision or other support costs (e.g. health or social care) later, please describe these below.

Comments

25. If you think there are particular transition points at which it would be more effective to access resources, please indicate below those you believe would be most effective to focus on.

The transition from early years provision to reception class in primary school?

The transition from Year 6 in primary school to Year 7 in secondary school?

The transition from secondary school to further or other tertiary education?

Please indicate below any other transition points that you think we should look at

Comments

26. Please describe as briefly as possible below changes that you think could be made to the funding system nationally and/or locally that would foster more effective collaborative approaches and partnership arrangements.

Comments

27. Are there any aspects of the funding and financial arrangements, not covered in your previous responses, that are creating perverse incentives?

Comments

28. What aspects of the funding and financial arrangements are helping the right decisions to be made, both in securing good provision for children and young people with additional needs, and in providing good value for money?

Comments