

High Needs Block Working Group – 3rd March 2021

Present; Lisa Percy (Hardenhuish) Neil Baker (Christ Church) James Passmore (Pickwick), Mike Thomas (Springfield), Lyssy Bolton (The Mead), Sarah Garbutt (Studley Green), Siobhan Cheadle (Larkrise), Stuart Hall (WPCC), Helean Hughes, Alison Enever, Cate Mullen, Angela Everett, Marie Taylor, Grant Davis

Apologies; none received

Agenda

1. Minutes and actions from last meeting
2. High Needs Review consultation- Marie Taylor
3. F40 SEN Review response- Marie Taylor
4. HNB plan- Cate Mullen
5. High Needs budget upskilling- Grant Davis
6. AOB

Welcome & Introductions

‘Round the Room’ introductions

1. Actions from Previous Meeting

CM worked through the minutes and actions from the previous meeting with members of the group.

High Needs Recovery Plan

Action: GD/MT - Letter sent to Gemma Donnelly at the DfE regarding our DSG Deficit and Recovery Plan proposals seeking approval. A response will be presented to this group and the Schools & SEN Funding Working Groups and Schools Forum.

Subsequent meeting with Gemma and attendance at Schools Forum. Our 10-year recovery Plan has been shared and the LA is now required to complete the DSG Management Plan Template – discussed later.

Plan presented to Schools Forum in December and January, prior to submission.

LA’s who have positive HNB Position

Action: HH – requested details of any LA’s who had overcome or ‘turned around’ a DSG High Needs Block deficit to see if any lessons could be learned.

Gemma Donnelly at the DfE confirmed that Northumberland, Thurrock & Wolverhampton – all managed a DSG High Needs deficit.

Northumberland were contacted by Neil as Chair of Schools Forum and also Helean and it was noted that they would not be a suitable comparator.

CM is starting a new piece of work looking at the data provided by the f40 SEN Review. This will involve looking at the LA’s with significant overspends and their actions taken following statutory inspection.

- Of the 7 LA’s with the lowest HNB overspends, (Northampton to Lambeth on the f40 chart) only two have a written statement of action
- Of the 7 LA’s with the highest HNB overspends, (Surrey to Cambridgeshire on the f40 chart), five of these LA’s have written statements of action
- It’s also been noted that some of the overspends in the LA’s, follow an Ofsted Inspection

Notional SEN

Action: GD – to run a session at Governor conference in November on High Needs funding and to incorporate Notional SEN.

2 Sessions being run at the Governor Conference, both focussing on SEN and incorporating Notional SEN within the sessions.

CM ran SEN sessions at the Governor Conference and also incorporated the role of Notional SEN from an operational perspective.

Governor session organised by the WGA on 8th March 2021 – session is focussed on Finance and GD to cover role of Notional SEN.

Separate section on 'Upskilling' on agenda

SEN Data

Action: All - January 2020 SEN School Level Data census information

All to consider the use of the January 2020 data and how it can be used.

The January 2021 data should be available later this year and a refresh of the data will be prepared. GD to speak to Lyssy separately about this data as she missed the discussion at the previous meeting.

HNB Recovery Plan and Various Actions

CM to update the group during the meeting.

2. High Needs Review & Consultation

MT presented the HNB Consultation which had been issued by the DfE. Within the [consultation](#) five questions have been posed.

The 5 Questions

Q1 – Continued use of historic spend for 50% as a lump sum, based upon figures from 17/18.

Initial modelling suggests a reduction in funding for Wiltshire of over £1.2m. The dataset from 17/18 is very dated and builds in historic inequities and not representative of the current position. This proposal would simply push problems in the 22/23 year of £1.2m and is not welcomed. Whilst the DfE have identified that 95 LA's would benefit from this proposal, Wiltshire would be a 'loser'.

JP raised why the DfE are reducing funding. MT confirmed its more of a redistribution and 95 LA's would gain through this model, so is it a gain for the majority?

Q2 – Increase Historic spend to 60% from 17/18.

Increase the loss in funding to Wiltshire to £1.5m

NB – The DfE have previously confirmed that they are not happy with the Historic Funding Factor, so why change for the 22-23 year until SEN review completed – queried why bother changing at all??

All of the comments for Q1 apply to Q2.

Q3 – Alternative to Historic Spend factor from 23-24.

Alternative factors could be introduced from 23-24, but DfE are not happy to fund on numbers of EHCPs. Felt by SFWG that EHCP's is a multi-disciplinary approach and should be used, as it is a 'round the pupil' approach.

New funding drivers would be welcomed.

The SEN review due to take place later this year and we would be interested to see the proposed factors and weightings.

Q4 – Attainment Data as a funding driver

A lack of tests in 2020, feels like retrospective historic measure rather than a current measure, in other words using historic data and not projected or current data.

Q5 – Proxy Measures for SEND

Bad Health, not easily defined, other factors including health inequalities, including obesity. Use of proxies raises a question of looking at pure 'SEN' or 'under achievement'.

Where is the measure for mental health and social care needs?

Use of other agency data.

JP – provide data about small rural schools – quantify for the DfE X number of schools with less than Y pupils – the DfE like to have statistics to back up any arguments.

Discussion around 'Personal Budgets' as a delivery option for EHCP's and whether any merit in including. Felt that this may be outside the scope for now.

Next steps – Deadline is 24th March. Consultation is to be raised with Gov's, Cllr's, MP's S.151 & CE for their groups. WPCC are keen to respond and take views from their members too.

LB - Can an 'easy-read' document be prepared, useful for governors to respond?

NB – Can a standard response be prepared for Heads as a 'Schools response' for schools to cut and paste into their own letterhead.

Document with LA commentary will go to SF on 11th March

3. F40 SEN Review response- Marie Taylor

MT shared the SEN Review response from F40. Key points were noted

- Increase SEND budget by £2.4bn between now and 2023 and fund current deficits
- Provide clarity and guidance on how notional SEND funding is spent by schools
- Reduce demand for EHC plans (prevention work)
- Place greater emphasis on early intervention
- Introduce expected levels of SEND support in Mainstream schools
- Strengthen and amend the Code of Practice and Tribunal system (CM – this is meant to be part of wider SEND review)
- Ensure every teacher receives training in SEND and managing challenging behaviour

MT talked through the issues of schools being expected to fund the first £6,000 as a standard threshold and its appropriateness. The F40 response will be used to help to inform our response.

MT worked the group through the F40 PowerPoint and slides from their review.

Just over 50% of LA's responded so whilst not a complete picture, it is certainly indicative and is forward looking rather than retrospective information.

MT presented graphs from the f40 work and interpreting the graphs.

- Looking at the LA's where they are reducing the scale of the overspend.
- HH – look at the 'good' LA's and where their strategy could be aligned with Wiltshire.

F40 work also looked at transfers between blocks, Schools Block to High Needs Block

F40 work presents us with a range of LA's to work with to try and establish 'what are they doing?'

4. HNB Plan- Cate Mullen

Cate shared her screen to work through the work on the plan and actions taken.

Project leads for each area have been asked review dates, Covid delays have been experienced in some instances.

Dyslexia Friendly Schools – Ian Abbott has been working on this area and has been providing support for schools. A virtual offer has been offered to schools to support them and this area is on track. [18 schools have a progress plan in place](#)

Inclusion and School Effectiveness Project – Covid has led to the pausing of some of the work, therefore LL & CM re-prioritising areas. Much of the work is going on behind the scenes between School Effectiveness and SEN. [A plan has been produced and work will start next week, hub and spoke model LA & partners working with wider groups.](#)

ELP & Resource Base's – AE and CM – started in September with EO's looking at provision landscape (Place Planning Group) – places, strengths etc and is on-going but the work is well underway, particularly for Special Schools and ELPs. Further work on SLA's and quality of offer and provision offered is required. SEND Capital funding has been allocated and the additional places have been created in the main. The website has details of all of the places and spend. AE updated group to show places which have been delivered and are up and running.

- Avenue
- Wansdyke
- Castle & River Mead

[Delays are now being experienced due to Covid and the most recent lockdown. The Quality assurance continues to be a key area and putting in place support for RB's and ELP's](#)

SEND Assessment & EHCPs – huge area of work within SEN and needs ongoing attention to deliver the best outcomes. Funding been made available to help with this work through the FACT programme. Delays are being experienced in the main due to Covid.

[Panel process is robust and partner bodies involved including the WPCC. Local discretion will be applied about how we take this forward. An external consultant is working on this, 2 days a week, sole objective is this work, her name is Geri Kemp.](#)

[The work required includes looking at outward facing approach which needs revision. The Children & Young Persons Act is now 7 years old, so it is now an appropriate time for review](#)

ISS review – Lisa Fryer updated the group at the previous meeting

LF working hard in this area, assessment of placements, bringing pupils back where appropriate and preventing the drift of pupils into ISS.

Costs of £250k on an individual pupil are being investigated.

Prevention of future costs forms part of this work - 'Cost Avoidance'. Therefore, whilst there are cashable savings from bringing pupils back in, cost avoidance is less tangible.

Post-16 Transition –CM noted that there is ongoing work around PFA and the work in this area. Further work around transition to be reflective of direction of the LA and to incorporate pre-16 too. Less developed than other areas, but work is underway

SEND AP Project - work progressing with Vicki Dunncliffe but has been delayed due to Covid. Work is underway with Theresa and Vicky. CM confirmed that we need to recognise our innovative AP model in Wiltshire which encourages schools to take 'ownership' of their pupils.

Early Intervention Project - Wave 1 completed helping with transition and strategies. AE is progressing well with the project and meeting health colleagues this month. Re-constitution of Health and EY learners with SEND needs. Clear transition path required into school. Health embracing the working together and joint approach.

Questions –

LB link between line 10 and 7 – SEND Assessment and AP. Lockdown issues for some of pupils with SEN which is being exacerbated.

SH – observations – needing to be holistic and include links from Social Care etc. Parents Often push for ISS as they don't see the local offers.

Requests often caused by challenging behaviour which could be stemmed with earlier support and intervention. Parenting courses show that some parents are unsure of what they should expect in terms of behaviour. Behaviour Support through Health requires a Learning Disability to access support which may not always be appropriate.

Mike – pressure of post-16, hard to place pupils coming through and how we will meet their needs. They are likely to be heading for ISS and staying beyond 18 or 19. From the school's perspective they can see this being an issue going forwards.

Siobhan – lots of pupils staying to 19, but packages not available to take them to 25. Family concerns and 'cliff edge' of what happens next. Lack of places for post-19.

CM – a commissioner is employed for 'whole of life' pathways to avoid the cliff edge at aged 19

SH – linking of work with post 16 AP.

SH - Families still believe that ISS is the best and only provision for their child and don't consider the local offer e.g. Want National Star College and don't see the alternatives

HH – very aware of the need to take this forward for post-16. Funding is still an issue and cost avoidance is critical as savings are harder to achieve.

5. High Needs Funding Upskilling

GD explained how he'd received requests from a couple of Academy Trusts (both directly and through Education Officer colleagues) about common misunderstandings and general lack of awareness of High Needs Funding around the County. A number of workshops had been run 3-4 years ago which were very successfully attended and it was discussed about running these again.

The group was all in favour and the sessions would be extended to SENCO's, Heads, Finance Officers and 'Head Office' teams in MATS, where appropriate. The area's to be covered would include;

- Place funding
- Top Ups
- NPA's
- Notional SEN
- Core school funding

Action: GD to look at arranging programme / sessions

6. AOB

MT – Annex 3 – see items in yellow about EHCP- Guidance for 21-22 sections of an EHCP

Extract

ANNEX 3: Health & social care costs – this is a completely NEW annex

Section A: the views, interests and aspirations of the child and his parents or the young person;
Section B: the child or young person's special educational needs ("SEN");
Section C: health care needs which relate to their SEN;
Section D: social care needs which relate to their SEN or to a disability;
Section E: the outcomes sought for the child or young person;
Section F: the special educational provision required to meet their SEN;
Section G: any health care provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN;

The costs of securing health provision (specified in section G of an EHCP plan) should be met by either the CCG or NHS England.

Section H: any social care provision required from social services under the Chronically Sick and Disabled Persons Act 1970, and/or reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN;

The costs of securing social care provision (specified in section H1 & H2 of an EHCP plan) should be met by the local authority from their social care budgets.

Section I: the name of the school or other institution to be attended by the child or young person, and the type of that institution (or just the type if no specific institution is named);
Section J: details of any direct payment which will be made;
Section K: copies of all of the advice and information obtained as part of the EHC needs assessment

MT – some sections G&H are not always completed by Health colleagues.

LB – ask schools to complete now as we don't want there to be missing information and will also avoid delays in the reviews process.

CM – shared the role of the DISCO – Designated Social Care Officer – similar to DCO and is conduit between social care and education. Will help strengthen the relationship between the two areas

Action: MT to Report back to SF

MT also take Legal's advice about the changes highlighted in yellow

HH – share at SEND Board