Wiltshire Council

AGENDA SUPPLEMENT (1)

Meeting: **Schools Forum**

Place: **Via Microsoft Teams**

Date: **Thursday 17 October 2024**

Time: **1.30 pm**

The Agenda for the above meeting was published on <u>9 October 2024</u>. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Lisa Pullin, Tel 01225 713015 or email committee@wiltshire.gov.uk of Democratic Services, County Hall, Bythesea Road, Trowbridge.

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

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15   **<u>Review of EHCP Top-Up Funding</u>** *(Pages 3 - 12)*

The report is now available and is attached.

DATE OF PUBLICATION: 14 October 2024

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Wiltshire Council

Schools Forum

17 October 2024

Review of EHCP Top-Up Funding – Progress Update and Principles for Consultation

Purpose of the Report

1. As part of the High Needs Block (HNB) Sustainability Plan, we have identified a need to look at the top up funding that schools receive for pupils with Education Health and Care Plans (EHCPs). This review will ensure that top-up funding is sufficient to meet need, predictable for both the school and the LA, and affordable within the budget envelope.

2. The purpose of this paper is to update on progress to date and seek views on the proposed direction of travel prior to a formal consultation with schools commencing in early November.

Background

3. The High needs funding: 2024 to 2025 operational guide - GOV.UK (www.gov.uk) defines top-up funding as *"the funding required over and above the core funding (sometimes referred to as elements 1 and 2) a school or college receives to enable a pupil or student with high needs to participate in education and learning."* The guidance states that top up funding *"can also reflect the costs that relate to the facilities required to support a pupil or student's education and training needs"* and that local authorities should *"work constructively with schools and colleges, with the aim of reaching agreement on the overall levels of top up funding required."*

4. Core funding is the funding a school or college receives through the National Funding Formula, including the Age Weighted Pupil Unit (AWPU) and notional SEND funding, or as high needs place funding for Resource Bases and Special Schools.

5. We have identified that our banded funding values have not kept pace with increases in costs and that this may be driving the increased number of re-banding requests and requests for additional support over and above band values.

6. As part of the High Needs Block Sustainability Plan, we have agreed that we need to review top-up funding for two key reasons:
   a. If our maintained and academy special schools are not financially stable, we will struggle to reduce Independent and Non-maintained special school (INMSS) placements which cost significantly more.

b. If our mainstream schools do not feel able to meet need with the funding available, then there will be more requests for banding uplifts, Alternative Provision, and ad-hoc payments. Not only are these difficult to plan for and make financial projections around, but all of this also contributes to an upward pressure and can lead to maintained and academy special school, as well as INMSS placements.

7. Our strategy 'Meeting Needs Together – Ambitious for All' sets out our vision for the right support, at the right time, and in the right place, allowing children's needs to be met within their community. This review is aligned with this priority area of work.

8. An outcome of this work will be a reduction in bespoke or ad hoc funding requests made to the local authority. Banding will be more reflective of need, enabling schools to make the provision required without the need for additional ad hoc requests.

Update for Schools Forum

9. A number of pieces of work were agreed at the Schools Forum meeting in June. Progress is summarised as follows:

Workstream	Progress to date
Conduct Needs Assessment - By 20th September, complete an evidence-led analysis of the needs of students with EHCPs across all schools, utilising both qualitative and quantitative data.	This has developed into a longer piece of work and so has not been completed by 20 September. However, this work is nearing completion. A clearer understanding of the data around needs, broken down by setting, has been produced. There have also been a series of working groups, drawing on professional expertise, to map needs and develop new descriptors.
Evaluate Current Financial Allocations – work with schools to review the costs of provision to meet need	Engagement with this work from schools and post-16 providers across Wiltshire has been very positive. 1. All Wiltshire special schools have completed templates identifying costs of individual curriculum pathways for CYP presenting with different types of need and complexity– this data is now being analysed. 2. Following the Resource Base Summit in July, a Resource Base Finance Task Group has been formed. Two meetings have been held and the costing template has been circulated to members of this group for completion.

	3. A costing template has been circulated to Wiltshire College and Fairfield College as key Local Offer partners in the Post 16 space. 4. A methodology to capture costs in mainstream provision is still to be finalised. This will include Named Pupil Allowance (NPA) and Enhanced Learning Provision (ELP). An initial review of costed provision maps from mainstream schools has taken place as part of the primary needs work and this will be taken forward, initially with a small group of schools, to develop a proposal.
Develop a New Funding Framework - In time for October Schools Forum, design a new scheme for allocating SEND funding that reflects the assessed needs of CYP with EHCPs. This will enable consultation through the autumn term	Development of a new funding framework which can be applied across all types of provision is nearing completion. The information collected from the costing template is being used to inform the development of a new banding framework. To date, information from Special Schools has been prioritised. This will be aligned with the output from the Primary Need Working Groups to align need to funding values. The descriptors that support need are being refreshed to reflect latest best practice. It is proposed that the descriptors will reflect areas of need and what will be required to enable access to education. The goal is to develop a simpler and clearer approach, with accompanying guidance and processes. These groups are working on a timeline for finalising their output by mid-October, and this is the same timeline as the completion of cost templates by resource bases and post-16 providers. New descriptors will still be grouped under the four main areas of SEND need defined in the SEND Code of Practice, but we are providing more specificity about the individual needs. Descriptors have been drafted for: • Social Communication with differing behaviours that impact daily functioning • Speech Language and Communication Needs (SLCN)

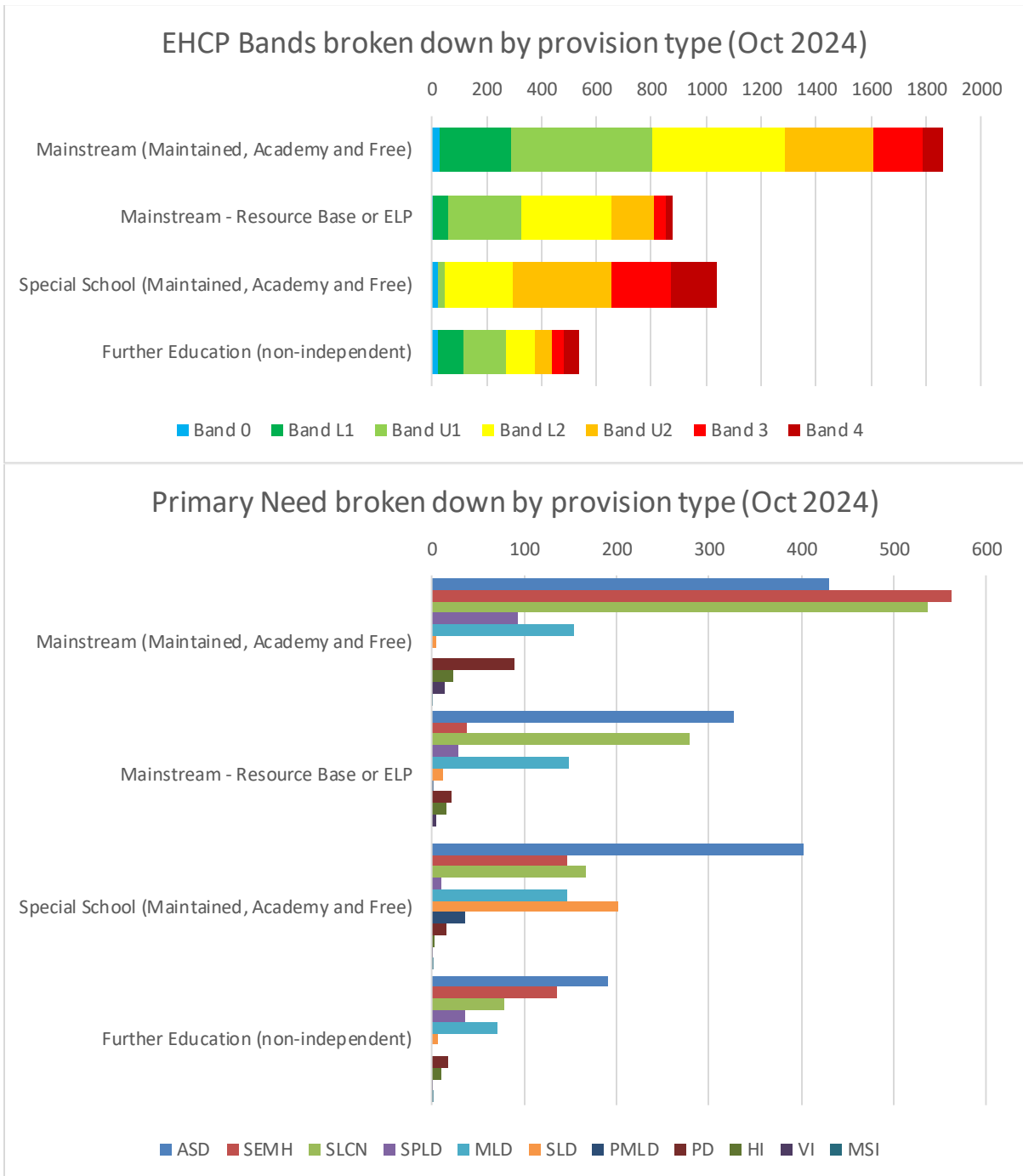|		• Social, Emotional and Mental Health (SEMH) • Visual Impairment (VI) • Hearing Impairment (HI) • Physical Disability and Medical • Cognition and Learning • Specific Learning Difficulties (SpLD) Descriptors for PMLD are still to be completed but this working group has met and developed ideas.
	Engage and Communicate with Stakeholders - Implement an engagement strategy involving at least 4 consultation sessions with parent carers, teachers, and other stakeholders, and provide bi-monthly updates on the project's goals, progress, and outcomes through multiple communication channels to ensure transparency and alleviate concerns.	On track – plans are evolving around how we approach this during the consultation phase. This will include online consultation events with parent carers, and with schools and settings.
	Bring updated information and example financial values - December Schools Forum	On track
	Confirm proposed financial values – January Schools Forum	On track

10. Implementation of the new funding scheme was scheduled for April 2025, However, to give schools time to access briefings and become familiar with the new model, we are now proposing to have all EHCPs on their new funding value from September 2025. This will give us time to accurately allocate children and young people to their new funding level.

11. It is also proposed that the implementation will be phased, with all new EHCPs granted from April 2025 being allocated their new funding value based on the new Descriptors and Guidance.

12. At the same time, working with newly created Moderation Groups, the process to allocate all existing EHCPs onto the new values will begin as soon as the model receives sign off from School's Forum and Cabinet (February 2025).

13. Further detail will be provided in January 2025 to support schools with this process.

Current data
14. We have undertaken some analysis to better understand our current cohort, what primary needs they have, and at what band.

15. This has helped give us a much clearer picture of how EHCP Top-Up funding is spread across our system, and who it supports.

EHCP Bands broken down by provision type (Oct 2024)

Legend: Band 0, Band L1, Band U1, Band L2, Band U2, Band 3, Band 4

Categories: Mainstream (Maintained, Academy and Free), Mainstream - Resource Base or ELP, Special School (Maintained, Academy and Free), Further Education (non-independent)

Primary Need broken down by provision type (Oct 2024)

Legend: ASD, SEMH, SLCN, SPLD, MLD, SLD, PMLD, PD, HI, VI, MSI

Categories: Mainstream (Maintained, Academy and Free), Mainstream - Resource Base or ELP, Special School (Maintained, Academy and Free), Further Education (non-independent)

Principles of a New Model

16. Whilst work to finalise this new funding model is not yet complete, there are a number of key principles that we would like to seek the views of Schools Forum on.

Primary Need Descriptors

17. The proposed model aims to reflect the complexity of SEND by including the level of need, and also the impact on access to education for CYP.

18. This will allow the revised values to reflect that some children can have relatively low levels of need but high levels of support to enable to them to access education. Examples of this in practice include:
    a. A child with profound hearing loss, who has used a cochlear implant since early life, has a high level of need, but a low impact on access to education.
    b. A child with low level anxiety and depression which is manifesting in persistent school avoidance has a low level of need, but a high impact on their access to education.

19. Primary Needs working groups have been working on defining Low-Medium-High categories for need and impact. These have been broken down by the eleven DfE primary needs which are reported on annually via SEN2.

20. The aim with these descriptors was to create something shorter and clearer than the existing banding guidance, while still reflecting the breadth of need. An example grid for SLCN is appended to this report.

21. The aim is then to have a clearer set of three bands, which can be identified by using a nine box grid. Each primary need will have a different grid to reflect the different support required (e.g. SpLD is likely to mainly be green, PMLD is likely to mainly be red, most others will be a mix, similar to the example grid.
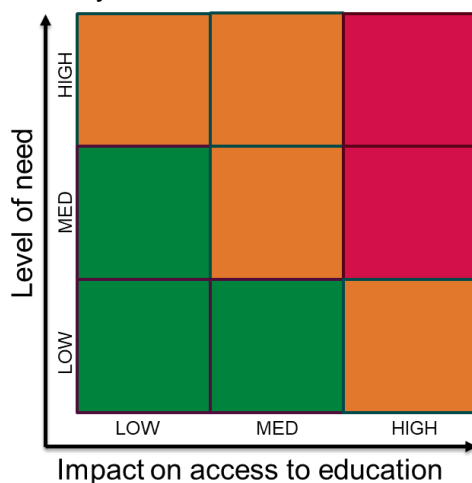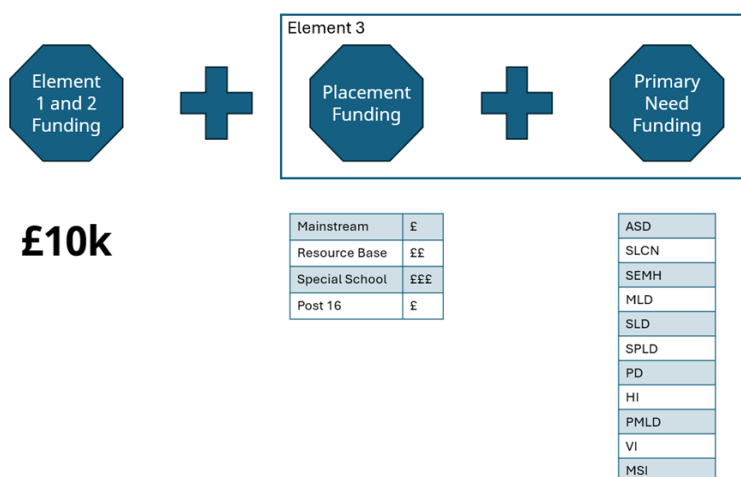

22. There are further details to be understood during the consultation process, especially where this relates to multiple-needs, Provision for Reception classes in special schools and eligibility for 'short-breaks' which is currently based on EHCP band are examples of aspects to be considered further.

23. At present, the suggestion is that there should be a "complexity supplement" applied to cases where there are significant secondary needs.

Funding Mechanism

24. Initial thoughts for Special Schools, Resource Bases, ELP and Post-16 are based on applying an additional "placement" funding element that recognises that the current £10k place funding element in the national funding formula has got out of step with fixed costs, and then a Primary Need Value that is based on need.

25. Initial thoughts are that development of a funding model for mainstream would not include the additional place funding

Mainstream	£
Resource Base	££
Special School	£££
Post 16	£

| ASD |
| SLCN |
| SEMH |
| MLD |
| SLD |
| SPLD |
| PD |
| HI |
| PMLD |
| VI |
| MSI |

Consultation

26. We expect to open the consultation at the beginning of Term 2, and it will run for 6 weeks, closing on 17 December 2024.

27. There will be an online consultation survey for schools and settings, and for parent carers. In addition, we plan to hold 4 online consultation events:
    a. Week of 25 November 2024:
        i. 1 parent carer online session
        ii. 1 SENCo online session
    b. Week of the 2nd of December:
        i. 1 parent carer online session
        ii. 1 School Business Manager / Head Teacher / Trust CEO session
    We will confirm these dates as soon as possible.

28. We will consult on the principles of the new funding mechanism seeking views on the following specifics:
    a. The principles behind the change
    b. The structure of the proposed funding mechanism
    c. The new descriptors for the primary needs.

29. At this stage, we do not propose to consult on the funding values because schools funding has not been confirmed, and because further work is required with mainstream schools to understand costs.

30. We expect to be in a position to bring proposed funding values for discussion to the December Schools Forum.

Next Steps

31. The next steps for the autumn term are:
    a. Complete the analysis of provision costs to give a clear view of the costs of curriculum pathways across Wiltshire schools.
    b. Working Groups on Primary Needs to finalise descriptors.
    c. Develop proposed funding mechanism for consultation with stakeholders.
    d. Consultation with stakeholders to run November to end of term.

Proposal

32. Schools Forum is asked to note the update and next steps for the EHCP top up review.

33. Schools Forum is asked to consider the proposed principles for consultation with stakeholders on a funding mechanism for EHCP top-ups.

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Speech, Language and Communication Needs (SLCN)

Level of Need		
Low	Medium	High
Experiences SLCN which impacts functional access to social and academic curriculum. This may include: • Moderate comprehension needs • Moderate expressive language needs • Moderate speech sound difficulties These needs can be developmental or acquired.	Experiences enduring SLCN which significantly impacts access to social and academic curriculum. This may include: • Moderate to severe comprehension needs • Moderate to severe expressive language needs • Moderate to severe speech sound difficulties These needs can be developmental or acquired.	Experiences significant, complex, persistent and enduring SLCN which significantly impact access to social and academic curriculum. This may include: • Non-verbal or predominantly non-verbal • Severe comprehension needs • Severe expressive language needs • Severe speech sound difficulties These needs can be developmental or acquired.

Impact on Access to Education		
Low	Medium	High
Needs access to modified curriculum and individualised learning plan with frequent additional adult support to access learning with high literacy/language demands.	Needs access to modified curriculum and individualised learning plan with daily additional adult support to access learning across the curriculum.	Needs access to a fully modified or alternative curriculum and additional adult support throughout the school day. Needs a total communication approach and/or SLCN targets fully integrated into the curriculum.

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