

AGENDA

Agenda republished 28.10.19

Meeting: Schools Forum
Place: County Hall, Bythesea Road, Trowbridge, BA14 8JN
Date: Thursday 10 October 2019
Time: 1.30 pm

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, BA14 8JN.

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Membership:	Representing:
Neil Baker	PHF - Maintained Primary Representative
Aileen Bates	WGA - Special School Governor Representative
Andy Bridewell	PHF - Maintained Primary Representative
Rebecca Carson	PHF - Primary Academy Representative
Mark Cawley	Early Years Representative
Michelle Chilcott	WASSH - Secondary Academy Representative
Sam Churchill	PHF - Maintained Primary Representative
Phil Cook	WASSH - Maintained Special School Representative
Charlotte Corfield	Observer - Post 16, Wiltshire College
Jon Hamp	Special School Academy Representative
John Hawkins	Teaching Association Representative
Mel Jacob	WGA - Primary School Governor Representative
Lisa Percy	WASSH - Secondary Academy Representative
John Proctor	Early Years Representative (PVI)
Giles Pugh	Salisbury Diocesan Board of Education
Nigel Roper	WASSH - Maintained Secondary Representative
Trudy Srawley	Observer - Wiltshire Parent Carer Council
Fergus Stewart	Chair of WASSH - Secondary Academy Representative
David Whewell	WGA - Secondary School Governor representative
Catrina Williamson	PHF - Maintained Primary Representative

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PART I

Items to be considered whilst the meeting is open to the public

1 **Election of Chair**

To elect a Chair of Schools Forum for 2019/20.

2 **Election of Vice Chair**

To elect a Vice Chair of Schools Forum for 2019/20.

3 **Apologies and Changes of Membership**

To note any apologies and changes to the membership of the Forum.

4 **Minutes of the Previous Meeting** (*Pages 7 - 20*)

To approve as a correct record and sign the minutes of the meeting held on 13 June 2019 (copy attached).

5 **Chair's Announcements**

To receive any announcements from the Chair.

6 **Declaration of Interests**

To note any declarations of interests.

7 **Wiltshire Schools Forum Proportionality, Membership and Terms of Reference** (*Pages 21 - 32*)

The report of Lisa Pullin (Democratic Services Officer) seeks approval to the revision of the Forum's Terms of Reference by the Cabinet Member for Children, Education and Skills in light of the review of the proportionality of membership that was carried out in June 2019.

8 **Updates from Working Groups** (*Pages 33 - 36*)

The Forum will be asked to note the updates from the following:

- Early Years Reference Group meeting held on 13 September 2019.
- Joint Meeting of the School Funding Working Group and SEN Working Group held on 1 October 2019 (*which are to follow*).

9 **Schools Revenue Surplus and Deficit Balances 2018/19** (*Pages 37 - 46*)

The report of Hazel Ryan (Schools Strategic Financial Manager Adviser) presents the position of revenue balances for Wiltshire maintained schools as at 31 March 2019 and identifies those schools that are in deficit.

10 **Dedicated Schools Budget - Budget Monitoring 2019/20** *(Pages 47 - 50)*

The report of Marie Taylor (Head of Finance – Children and Education) seeks to present monitoring information against the Dedicated Schools Grant (DSG) for the financial year 2019/20 as at 31 August 2019.

11 **High Needs Update**

Marie Taylor (Head of Finance – Children and Education) will update Schools Forum on the journey so far.

Ben Bryant and Karina Kulawik will present the recommendations from the ISOS Partnership at the meeting. (The final report is confidential and included in Part II of the Agenda papers).

Helean Hughes (Director – Education & Skills) and Matt Sambrook (Consultant Headteacher for the Local Authority & Head Teacher of Exeter House Special School) will discuss the next steps at the meeting.

12 **School Revenue Funding 2020-21** *(Pages 51 - 52)*

The report of Grant Davis (Schools Strategic Financial Support Manager) seeks to update Schools Forum regarding the content of the Department for Education's (DfE) operational guidance on School Revenue Funding for the 2020 to 2021 year.

13 **Annual Schools Consultation - Delegation of Central Expenditure 2020/21 and Transfer of Schools block to High Needs Block 20/21** *(Pages 53 - 58)*

The report of Marie Taylor (Head of Finance – Children and Education) seeks to brief Schools Forum and agree a set of questions to be sent out to all schools in October 2019.

14 **Government Consultation - Implementing Mandatory Minimum per Pupil Funding Levels** *(Pages 59 - 78)*

The report of Grant Davis (Schools Strategic Financial Support Manager) outlines to Schools Forum the content of the Department for Education's (DfE) consultation on Implementing Mandatory Minimum per Pupil Funding Levels.

15 **Strategic Review of Support, Services and Provision for Children and Young People with High Needs in Wiltshire - Final report from ISOS Partnership (Part II)** *(Pages 79 - 132)*

In the spring of 2019 Wiltshire Council commissioned an independent strategic review of support, services and provision for children and young people with special educational needs (and high needs). This was prompted by growing pressure on the high needs block (the stream of funding within the Dedicated Schools Grant for the local area to support children and young people with high needs), and the need to develop a new, shared strategic approach to ensuring this collective resource is used to best effect to support young people within additional needs in Wiltshire.

The review was led by Ben Bryant (from Isos Partnership, an independent research and advisory organisation, with a track record of carrying out national research and fast paced reviews of inclusion and SEND) and Karina Kulawik (an independent consultant specialising in inclusion and SEND).

Please note this report was first published under Part 2, however is longer confidential and so this agenda has been republished to reflect that discussion was held in Part 1.

16 **Confirmation of Dates for Future Meetings**

To confirm the dates of future meetings, as follows, all to start at 1.30pm

12 December 2019
16 January 2020
26 March 2020.

17 **Urgent Items**

To consider any other items of business, which the Chairman agrees to consider as a matter of urgency.

PART II

Item(s) during consideration of which it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

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SCHOOLS FORUM

MINUTES OF THE SCHOOLS FORUM MEETING HELD ON 13 JUNE 2019 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Victoria Allison, Neil Baker (Chairman), Andy Bridewell, Sam Churchill, Phil Cook, Jon Hamp, John Hawkins, Mel Jacob, Lisa Percy (Vice-Chair), John Proctor, Neil Spurdell, Trudy Srawley, Lindsay West, David Whewell and Catriona Williamson

Also Present:

Grant Davis (Schools Strategic Financial Support Manager), Helean Hughes (Director – Education & Skills), Lisa Pullin (Democratic Services Officer), Marie Taylor (Interim Head of Finance – Children’s Services), Judith Westcott (Acting Head of Commissioning and Joint Planning), and Cllr Phil Whalley (Portfolio Holder for Education and Skills)

28 Apologies and Changes of Membership

Apologies were received from the following Forum members: Aileen Bates (Special School Governor representative), Mark Cawley (Early Years representative), Michelle Chilcott (Secondary Headteacher representative), Giles Pugh (Salisbury Diocesan Board of Education representative) and Nigel Roper (Secondary Headteacher representative).

Apologies were also received from the following Wiltshire Council Officers – Terence Herbert (Executive Director – Children and Education) and Helen Jones (Director – Commissioning).

The following changes to the membership of the Forum were noted:

Jen Jones has left Wiltshire College and Charlotte Corfield is the new representative. However, the representative today is Victoria Allison in Charlotte’s place at the meeting.

Sam Churchill will be taking over Tracy Cornelius’ role as a Primary Head rep of Schools Form due to Tracy’s ill health. Tracey was due to leave at the end of the academic year with Sam taking her place from September but as she will not be returning Sam will take on the role on from now.

We are still awaiting a Primary School Governor Rep from the WGA (to replace Sue Jiggins).

29 **Minutes of the Previous Meeting**

The minutes of the previous meeting held on 28 March 2019 were approved as a correct record.

Resolved:

That the Chairman sign the minutes of the meeting of Schools Forum held on 28 March 2019.

Marie Taylor (Interim Head of Finance – Children’s Services) wished to report that in respect of minute number 20 – f40 Questionnaire for Schools, the decision was taken not to circulate the letter and questionnaire to schools at this time due the large consultation/call for evidence from the DfE on funding for SEND and alternative provision that was launched on 3 May 2019.

30 **Chairman's Announcements**

The Chairman welcomed all to the Forum and asked all others present to introduce themselves.

The Chairman made the following announcement:

Press attendance at meetings

The meeting is not being webcast today, however we are aware that this is a public meeting that anyone can attend. The Chairman asked if any members of the press were present. Julia Hiystek confirmed that she was the Local Democracy reporter for the Gazette & Herald and the Wiltshire Times.

31 **Declaration of Interests**

There were no declarations of interest.

32 **Requirements and composition of local authorities' schools forums**

Lisa Pullin (Clerk to the Forum) referred to the responses (circulated with the Agenda) to the email from Owen Jenkins, Deputy Director of the Academies and Maintained Schools Directorate Funding Division of the Education and Skills Funding Agency which had sought to remind local authorities of the requirements they should follow with regards to their Schools Forums.

Lisa reported that in response to this, the balance of membership between maintained primary, maintained secondary and academies members (which must be broadly proportionate to pupil numbers) had been reviewed and it was proposed to amend the membership to reflect the current breakdown of the total numbers on roll in schools as at the October 2018 census.

It was recommended that there be the following primary, secondary and academy representatives:

Representatives	Total	Maintained	Academy
Primary	6	4	2
Secondary	4	1	3
TOTAL	10	5	5

This was in addition to the two existing special school representatives, which would mean the total number of 'schools' members would be six and the total number of 'academies members would need to rise from five to six. Therefore, a new Primary Academy representative would need to be elected by the Primary Heads Forum (PHF). The current Chair of PHF, Catriona Williamson confirmed that this would be added to the Agenda for the next meeting (on 18 June 2019) and hopefully there would be a representative appointed for the next Schools Forum meeting.

Resolved:

- 1. That Schools Forum note the contents of the report regarding membership and representation of Schools Forum.**
- 2. That the Primary Heads Forum be asked to appoint a Primary Academy representative for the next meeting on 10 October 2019.**

33 Updates from Working Groups

The Forum noted the update received by way of the minutes of the joint meeting of the School Funding Working Group and SEN Working Group held on 4 June 2019 that was circulated with the Agenda.

The Forum noted the update received by way of the minutes of the meeting of the Early Years Reference Group meeting held on 10 May 2018 (within Agenda Supplement (1)).

Resolved:

That Schools Forum note the minutes of the joint meeting of the Schools Funding and SEN Working Groups held on 4 June 2019 and the meeting of the Early Years Reference Group held on 10 May 2019.

34 Update on the work from the f40 Group

Grant Davis (Schools Strategic Financial Support Manager) referred to the report which outlined the current work of the f40 group which work towards a fairer funding model for schools. Grant highlighted the following:

- The group currently comprises 42 of the lowest funded authorities in England, with Wiltshire being the 7th lowest. F40 seeks fairness and equal opportunities for all children regardless of where they live;

- The additional £1.3bn which accompanied the introduction of the National Funding Formula (NFF) was welcomed, but it still does not fully address the ‘fairness’ which f40 had fought for;
- The main points being campaigned for are:
 - Removal of historical inequalities and funding protections
 - Increases in the basic entitlements for schools to cover core school costs
 - Increase in funding of £2.3bn to cover current cost pressures
 - Index-lined increases in funding each year
 - Additional £1.4bb of funding towards High Needs provision
- One of the key changes under the NFF was the introduction of the minimum funding levels (MFL) per pupil, but this application is unfair as it means that schools with medium levels of deprivation are being funded at the same levels as schools with little deprivation;
- The f40 group is trying to establish what the NFF is trying to achieve as it is not clear what the government expects of schools compared to social care, mental healthcare and other SEND needs;
- The f40 funding model looks to distribute the national school’s budget to local authorities on a clear rationale as currently there is insufficient funding to cover basic classroom costs;
- The f40 group would like to bring all funding formulas together to allocate the same flat rate per pupil across all regions and then appropriate area cost adjustments would be applied accordingly and ideally all current grant funding streams (i.e. Pupil Premium) would be in the overall proposed model;
- The Schools Block should be distributed between local authorities on six formula factors:
 - Basic entitlement (formerly age weighted pupil unit)
 - Deprivation (based on EVER 6 FSM data only)
 - Low prior attainment
 - English as an Additional Language (EAL)
 - Lump sum
 - Sparsity
- The f40 group believe that Local Authorities and their Schools Forums should continue to be able to add additional factors e.g. split sites and leases, shift funding between the three blocks and agree any de-delegations from all LA maintained schools; and

- There are no incentives to keep pupils with difficult behaviour or with SEND in school and therefore greater numbers of pupils are being 'pushed out' with the costs being borne by the High Needs Block. The £10,000 per place for special schools has not risen since 2014 – it is felt that at the very least it should be increased for inflation.

Grant took the Forum through the tables in the Agenda which was the f40 groups model formula to the 2018/19 NFF dataset to show the impact this could have on the schools funding and how the monies should be distributed.

Wiltshire have agreed to sign up and support the work of the f40 group and Grant's counterparts in Hampshire and Dorset are part of the f40 group meeting.

Resolved:

That Schools Forum note the update and support the work of the f40 group.

35 **Funding for SEND and those who need Alternative Provision: Call for Evidence**

Grant Davis (Schools Strategic Financial Support Manager) referred to report which outlined the DfE's consultation and call for evidence on funding for SEND and those who need alternative provision (AP). Grant highlighted the following:

- The 'Call for Evidence' will run from 3 May to 31 July 2019. The DfE understand that the overall amount of funding available for SEN and AP is the most pressing concern for many schools and local authorities. The total spending available for high needs will be carefully considered in the forthcoming Comprehensive Spending Review (CSR) which is due to commence in April 2020 and this call for evidence could influence future spending plans;
- All Local Authorities, schools, colleges and any other interested organisations are requested to respond to the questions and add their views;
- The call for evidence is intended to focus on how the current available funding is distributed and what improvement might be made in the future. It seeks information about whether there are aspects of the funding system that are driving up costs without improving outcomes for young people; and
- The DfE have recognised the difficulties which schools encounter in providing support for pupils with SEN, costing up to £6,000 per annum before being able to access support from the LA. The £6,000 threshold has been in place since 2009 and it felt that it should be reviewed due to its impact on schools making decisions regarding the provision for pupils with SEN.

Marie Taylor (Interim Head of Finance – Children’s Services) reported that representatives of the Schools Funding Working Group would be meeting up soon to draft model answers to the questions which would then be shared with PHF, WASSH and the WGA who could then add their responses and encourage all of their respective groups to respond to the call for evidence and questionnaire.

A Forum member noted that there was no reference to early years within the questions. Marie Taylor reported that this could be noted as part of the responses with our views being expressed about this.

Resolved:

- 1. That Schools Forum note the report.**
- 2. That Wiltshire Council, PHF, WASSH and WGA to compose a response and to encourage all schools, special schools, early years settings, governing bodies and post 16 providers to respond to the call for evidence/questionnaire.**

36 **Update on Progress - Special Schools In Wiltshire**

Judith Westcott (Acting Head of Children’s Commissioning) referred to the report that was circulated with the Agenda that sought to update Schools Forum on the proposals going forward for Special Schools in Wiltshire. Judith highlighted the following:

- A successful application was made in the last free school bidding round for special schools and this will mean that a new school for 150 children/young people with ASD/SEMH would be created in the South of the county. It was hoped that the new school will be ready for pupils at latest in 2023, but potentially as early as 2021;
- Further special school provision is needed and Cabinet at their meeting on 22 May 2019 agreed the vision for the future of special education in Wiltshire. Cabined agreed that Wiltshire Council should make plans to establish a new maintained special school, (to be renamed) with a single leadership team as soon as possible. This would involve closing St Nicholas, Rowdeford and Larkrise schools and opening them as one new school on three sites;
- All new special school places would be created at the Rowdeford site and consultation would be carried out on which other buildings and campuses may be used in the future;
- There is a technical process to follow to achieve this which includes applying to the Secretary of State for Education to have a new maintained school rather than an academy. It takes on average 6 weeks to make a decision but if we were to hear with a decision by 26 June 2019 that

permission is granted, we would issue a statutory notice and run a four-week consultation to ensure everyone understands and can ask questions about the new proposal for one school on three sites. If we do not hear by the end of June the consultation period would run from September 2019 after the summer holidays;

- Subject to the conclusions from the consultation, the Council, following a Cabinet decision in either September or October would need to present the proposal to the School's Adjudicator to open a new maintained special school;
- The building works at the Rowdeford site will start as soon as possible but be phased so that children could potentially be in the school buildings when each stage is built e.g. by school key stages. Once the new buildings are ready, the Council will consult on whether to keep all three sites open or whether only the Rowdeford site will be needed; and
- Consultation is currently underway to look to expand the capacity at Downlands School in Devizes from 68 to 90 places from September 2019.

A slide showing the proposed plans and timeline for decision was shown at the meeting and this would be shared with all parents/carers with children at the special schools involved when the consultation is launched in September.

A Forum Member asked about the proposed new school in the South. Judith Westcott confirmed that initial meetings have begun with the DfE and academies can submit expressions of interests to run this new school. A possible site has been identified next to Pembroke Park Primary School in Salisbury, although other sites would be considered.

Resolved:

That Schools Forum note the commitments made in the proposals being taken forward by Wiltshire Council.

37 **Exeter House Special School**

Grant Davis (Schools Strategic Financial Support Manager) referred to the report which outlined the proposed changes to Exeter House Special School and the funding required to accommodate the expansion of the school. Grant highlighted the following:

- Exeter House was the only special school serving the south of the county until recently, when the Springfields South provision was put in place to service the increased demand and to reduce the number of pupils travelling from the south of the county to other specialist provision in the north and west of the county;

- The agreed number of places at Exeter House has stood at 121 for a number of years although the school have frequently exceeded the number of pupils in the planned places;
- In 2016 the school decided to expand and acquired the former John Ivie Centre in Salisbury. At the point of expansion, the local authority had not requested or funded the school to expand and the decision was school-led;
- The demand for Special School places continues to grow across the whole county and there is a planned increase to 134 places at Exeter House from September 2019. Current estimates have indicated that this number will be exceeded and that there will be requests for over 140 places in September 2019;
- The local authority is now formally asking Exeter House to expand its provision to cater for the increased demand and they have expressed concerns about meeting the demand within their existing accommodation. If Exeter House are unable to accommodate these additional pupils, then the local authority will need to seek out of county places with independent specialist providers which is generally between £25,000 - £65,000 per place;
- Exeter House are being asked by the local authority to re-configure its accommodation to support the needs of the pupils over both campuses;
- To align Exeter House with other special schools operating over two sites and being expanded at the request of the local authority it is proposed that the enhanced top up rates offered to schools operating over multiple sites should be applied in this case to ensure consistency; and
- The enhanced top up rates equate to an annual extra amount of funding which would need to be funded from the High Needs Block of the Dedicated Schools Grant (DSG).

The Chairman felt that as this is now a request from the local authority to make the special school places available then the top up rates should now be offered to Exeter House to ensure that the provision is available for those that need it.

Resolved:

- 1. That Schools Forum note the contents of the report.**
- 2. Schools Forum agree to award the enhanced top up rates to Exeter House Special School, which will be reviewed annually to ensure consistency across all special schools.**

38 Dedicated Schools Budget - Budget Monitoring 2018/19

Marie Taylor (Interim Head of Finance – Children’s Services) referred to the report which gave details of the outturn position for the dedicated schools budget in 2018/19 and the Dedicated Schools Grant (DSG) reserve at the end of 2018/19. Marie highlighted the following:

- The DSG was overspent by £4.183 million at the end of the year. The overspend on the high needs block is £4.735 million and this is offset by underspends in the growth fund, early years and central blocks;
- In September 2018 the High Needs Working Group was set up to identify contributing factors and to make proposals to reduce the cost pressure on the high needs block;
- The growth fund underspent by £0.130 million which was a slight improvement on January’s forecast position of £0.080 million;
- Budgets for the free entitlement for 30 hours childcare for 2, 3- and 4-year olds were underspent by £0.324 million but it is important to note that this will have a post year adjustment from the DfE. The forecasts underspend relates to the volume of take-up of the provision;
- The biggest areas of overspend on the high needs budgets relate to Independent Special School fees, named pupil allowances and top ups in schools and alternative provision and elective home education support for pupils with SEND;
- At the Schools Funding and SEN Working Group meeting further information on high needs spending was requested and so the attached Appendix 2 is an internal management report which shows activity data across placement budgets for 2018/19;
- One of the major drivers of increased cost is volume. The number of EHCP’s was 682 more in 2018/19 than was budgeted for;
- ISOS, the external consultants who have been appointed will be updating the Forum at the next meeting in October to present their findings and recommendations. At this point Schools Forum will be given the opportunity to consider a transfer from schools block to the high needs block and plan any necessary consultation and approval required;
- The reserve brought forward of £0.846 million was reduced by the early years block adjustment of £0.035 million. Wiltshire Council Members approved a £1.3 million contribution to the DSG reserve at Cabinet on 11 June 2019 which now takes us into a healthier position;
- The overspend and adjustments to the DSG create a deficit DSG reserve of £2.072 million which equates to an overspend of 0.6% of total DSG. If

this overspend had been 1% or higher the local authority would have had to submit a recovery plan to the DfE to set out how we planned to bring the DSG account into balance within a maximum of 3 years. The deficit is a cause of concern, but action is being taken to reduce it but we accept that it will be an ongoing problem;

- There would be consultation due to be carried out in the Autumn regarding the setting of the 2020/21 budget and questions would be considered around a transfer from the Schools Block to the High Needs Block.

Forum members asked about the increase in numbers of EHCP's – it would be useful to know at what stage they are being granted and what provision is needed for them. This information would help inform schools.

Helean Hughes reminded the Forum that ISOS were hosting workshops to hear views from schools and encouraged all to attend them.

Resolved:

That Schools Forum

- 1. Note the final outturn budget monitoring position and the continued pressure on high needs budgets.**
- 2. Contribute to the ongoing work of the High Needs Working Group, a multi-agency response to the high needs pressures.**
- 3. Contribute specifically to the ISOS consultancy work on the high needs block.**

39 Admissions Appeals

Grant Davis (Schools Strategic Financial Support Manager) referred to the report circulated with the Agenda which outlined the proposed changes for charging for Admissions Appeals for all schools from April 2020. Grant highlighted the following:

- The National Funding Formula (NFF) for funding schools was introduced from the 2018/19 financial year. There are four blocks of funding under the Dedicated Schools Grant (DSG) which are: Schools block, early years block, high needs block and central schools services block. The central schools services block was designed to cover duties held by local authorities on behalf of all schools and those held specifically on behalf of maintained schools;
- The Schools Revenue Funding 2019/20 – Operational Guide states that the local authority should not be treating voluntary aided, foundation schools or academies, differently from maintained schools;

- Within Wiltshire, all school funding has been delegated to schools as part of the formula application, therefore no funding has been retained centrally for servicing admission appeals; and
- The Council's School Admissions Team has traditionally supported the appeals process wherever possible and some schools, particularly academy schools have put into place their own arrangements to manage the appeals. The admissions appeal process involves time from both the School Admissions Team and a member of the Democratic Services Team. The local authority is no longer in a position to support the appeals process without recovering the costs associated with it. Charging all schools, regardless of their status will need to be consistently applied.

Forum members asked for details of the likely costs of the admission appeals. Grant had obtained approximate costings from Democratic Services and these were shared with the Forum. The cost of the admission appeal would need to be borne by the school at which the application for a place had been made and it was noted that popular schools that are oversubscribed would be the ones to take the bigger financial hit with these charges. A member asked if maintained schools would have to use the appeals service provided by the local authority? This would need to be clarified by Officers and reported back to the Forum.

The Forum were reassured by Marie Taylor that the proposed charges for the admissions appeals were comparable with other local authorities and did not generate a profit. There was an expertise from both Admissions, Democratic Services and Panel members in administering appeals.

Some of the Forum members reported their own appeals admissions arrangements they currently had in place and there was a discussion about "buying" the service from other schools who have their own arrangements. A forum member asked what academes had in place and whether this could be investigated.

The Forum felt that they needed further information/clarity on what other options there were and if maintained schools were obliged to use the service provided by the local authority. They requested that a further report be presented at the next meeting on 10 October 2019.

Resolved:

- 1. That Schools Forum note the content of the report.**
- 2. Receive a further report at the next meeting on 10 October 2019 to clarify if maintained schools were obliged to use the admissions appeals service provided by the local authority and to consider any other options available.**

40 **Update on FACT**

Helean Hughes (Director – Education & Skills) referred to the report which provided an update on the progress of the Families and Children's Transformation (FACT) programme. Helean highlighted the following:

- FACT is a partnership programme designed to achieve whole-system change in order to significantly improve the outcomes of all our children living safely, healthily and happily in their own families and communities;
- Since the Forum's last update in October 2018 the FACT programme workstreams have been realigned to focus on the partnership priorities that were outcomes from the consultation and activity over the summer and autumn last year. There are now 6 workstreams with several projects within it;
- A shared Partnership Strategy is in the final stages and the workstreams within FACT will both inform and be informed by the Strategy which will be underpinned by the core principles;
- The good education for all workstream is focusing to ensure that all vulnerable children achieve their academic potential. The RESET project (the Council's project to align the objectives of the Education & Skills directorate with Economic Regeneration as part of its ambition to deliver improved social mobility in Wiltshire) is include within the good education for all workstream;
- The work that ISOS are doing also comes under this workstream and they are holding another workshop session on 18 June which you are encouraged to attend;
- Implementation of the second phase of the case management system which brings together and replaces multiple IT systems across early years, education, early help, SEND and safeguarding into one system is underway;
- Following the introduction of the Early Support Hub earlier this year, the FACT programme organised a number of early support roadshows in June and July to engage with partners on a wide range of topics; and
- FACT updates and newsletters are published to schools via Right Choice and there are Schools Forum representatives on the Board.

Resolved:

That the FACT update be noted.

41 **Confirmation of Dates for Future Meetings**

The Forum noted that the future meetings would be held on:

10 October 2019
5 December 2019
16 January 2020
25 March 2020.

42 **Urgent Items**

There were no urgent items.

(Duration of meeting: 1.30 - 3.20 pm)

The Officer who has produced these minutes is Lisa Pullin, Tel 01225 713015 or
email committee@wiltshire.gov.uk of Democratic Services

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Wiltshire Council

Wiltshire Schools Forum

10 October 2019

Wiltshire Schools Forum Proportionality, Membership and Terms of Reference

Summary

The Proportionality, Membership and Terms of Reference of Wiltshire Schools Forum was last reviewed at the meeting of 28 June 2018. At that meeting, Forum Members noted that no changes were required to the proportionality of the Forum following a review that was carried out by Officers.

In response to a circular from the ESFA sent out in March 2019 which reminded local authorities of the requirements they should follow with regards to the make-up of their School's Forum membership, Officers carried out a further review of the balance of membership between maintained primary, maintained secondary and academies members (which must be broadly proportionate to pupil numbers) and it was agreed that the current membership should be amended to reflect the current breakdown of the total numbers on roll in schools as at the October 2018 census. In essence, this meant that an additional Primary Academy representative needed to be elected by Primary Heads Forum. PHF agreed to seek to appoint a new representative for the next Forum meeting.

As it is now the beginning of a new academic year – 2019/20, it is an opportune time to review and appoint to any outstanding vacancies.

Proposals

That Wiltshire Schools Forum:

- a) Notes that the proportionality of the Forum has been reviewed and that minor changes are recommended.
- b) Considers the revised Terms of Reference and endorse the proposed changes, requesting that that these then be presented to the Cabinet Member for Children, Education & Skills for approval through the delegated decision process.
- c) Notes the current Membership details of the Forum.
- d) Recommends that representatives to any vacancies detailed in the report be requested to be appointed by appropriate bodies, (specifically the Wiltshire Governors Association (WGA) as soon as possible.

Reason for Proposal

To ensure that all types of Wiltshire Schools are represented on Wiltshire Schools Forum and to ensure that the Forum complies with Department for Education (DfE) guidance and relevant legislation.

Helean Hughes
(Director – Education & Skills)

Wiltshire Schools Forum Proportionality, Membership and Terms of Reference

1. Purpose of Report

- 1.1 To seek approval of the membership of the of the Forum and agree revisions of the Forum's Terms of Reference by the Cabinet Member for Children, Education and Skills in light of the review of the proportionality of membership that was carried out in June 2019.

2. Proportionality of Membership

- 2.1 The table below sets out the current proportionality of schools in Wiltshire following the changes that were agreed at the meeting 13 June 2019.

Sector	Pupil Numbers	TORS 2018	TORS 2019	Current Representation	Vacancies
Primary	24713	4	4	4	
Primary Academy	13523	1	2	1	1
Secondary	2838	1	1	1	
Secondary Academy	22052	3	3	3	
Special	373	1	1	1	
Special Academy	253	1	1	1	
Governors		4	4	3	1
Union		1	1	1	
Diocese		1	1	1	
Early Years		2	2	2	
TOTAL	63,752	19	20	18	2

- 2.2 As there has been a change to the pupil numbers and subsequently the need for an additional Primary Academy representative, the Forum's Terms of Reference will need to be amended to reflect these changes and approval be sought from the Cabinet Member for Children, Education and Skills.

3 Terms of Reference

- 3.1 Attached as **Appendix 1** to this report is the "Proposed Terms of Reference for Schools Forum – October 2019". Minor amendments have been made to update the membership numbers and a Wiltshire Council job title.

- 3.2 Endorsement is sought for these changes to be presented to the Cabinet Member for Children, Education & Skills and for her to seek approval through the delegated decision process to confirm those changes to the Forum's Terms of Reference.

4. Membership of the Wiltshire Schools Forum

- 4.1 The current membership of the Forum is as detailed below with vacancies highlighted:

Six maintained School representatives (4 primary, 1 secondary and 1 special school)

Name	Representing	Appointed by
1. Neil Baker (Chair)	Maintained Primary	Primary Heads Forum (PHF)
2. Andy Bridewell	Maintained Primary	PHF
3. Sam Churchill	Maintained Primary	PHF
4. Phil Cook	Maintained Special School	Wiltshire Association of Secondary School Heads (WASSH)
5. Nigel Roper	Maintained Secondary	WASSH
6. Catriona Williamson	Maintained Primary	PHF

Six Academy representatives (2 primary, 3 secondary and 1 special school)

Name	Representing	Appointed by
7. Michelle Chilcott	Secondary Academy	WASSH
8. Jon Hamp	Special School Academy	
9. Lisa Percy (Vice Chair)	Secondary Academy	WASSH
10. Fergus Stewart	Secondary Academy	WASSH
11. Lindsay West	Primary Academy	PHF
12. Rebecca Carson	Primary Academy	PHF (Appointed June 2019 to fill identified vacancy)

Four elected governor representatives

Name	Representing	Appointed by
13. Aileen Bates	Special School Governor	Wiltshire Governors Association (WGA)
14. Mel Jacob	Primary School Governor	WGA
15. David Whewell	Secondary School Governor	WGA
16. Vacancy	Primary School Governor	WGA

Two Early Years representatives are the only members allowed to vote on the funding formula.

Name	Representing	Appointed by
17. Mark Cawley	Early Years	
18. John Proctor	Early Years	PVI

Two other nominated service partner representatives (1 from the Dioceses and 1 teacher representative) who both have one vote. These are the **20** voting members.

Name	Representing	Appointed by
19. John Hawkins	Teaching Association	
20. Giles Pugh	Salisbury Diocesan Board of Education	Salisbury Diocesan Board of Education

In addition to voting members, the following representatives will have **observer** status:

Name	Representing	Elected by
i. Charlotte Corfield, Assistant Principal	Post-16 (Wiltshire College)	Wiltshire College
ii. Trudy Srawley	Wiltshire Parent Carer Council	Wiltshire Parent Carer Council
iii. Vacancy (A representative has been requested but no one has volunteered)	Wiltshire Children and Families Voluntary Sector Forum	Wiltshire Children and Families Voluntary Sector Forum
iv. Peter Hutton	Local Youth Network	Local Youth Network
v. Any ESFA representative could attend SF meetings	Education & Skills Funding Agency	ESFA

- 4.4 In light of the above, the Forum is asked to note that Rebecca Carson has been appointed by the Primary Heads Forum (PHF) to fill the identified primary academy vacancy, Peter Hutton has been appointed by the Local Youth Network and that the Wiltshire Governors Association (WGA) and Wiltshire Children and Families Voluntary Sector Forum have been asked to nominate representatives to fill the vacant observer positions.

5. Proposals

5.1 That Wiltshire Schools Forum:

- a) Notes that the proportionality of the Forum has been reviewed and that in light of this a new Primary Academy representative (Rebecca Carson) has been appointed.
- b) Considers the revised Terms of Reference and endorse the proposed changes, requesting that that these then be presented to the Cabinet

Member for Children, Education & Skills for approval through the delegated decision process.

- c) Notes the current Membership details of the Forum.
- d) Recommends that representatives to the vacancies detailed in the report be requested to be appointed by the Wiltshire Governors Association (WGA) and Wiltshire Children and Families Voluntary Sector Forum as soon as possible.

6. Reason for Proposal

- 6.1 To ensure that all types of Wiltshire Schools are represented on Wiltshire Schools Forum and to ensure that the Forum complies with Department for Education (DfE) guidance and relevant legislation.

(Helean Hughes)
(Director – Education & Skills)

Report Author: Lisa Pullin

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2 October 2019

Appendices

- 1 - Proposed changes to the Forum's Terms of Reference

WILTSHIRE SCHOOLS FORUM
TERMS OF REFERENCE

1. Remit

The Schools Forum is a statutory body which the LA is required to consult on the following functions:

1.1 Consultation on School Funding Formula

- (1) The relevant LA shall consult the forum on:
 - (a) Any proposed changes in relation to the factors and criteria that were taken into account, or the methods, principles and rules that have been adopted, in their formula made in accordance with regulations made under section 47 and 47ZA of the School Standards and Framework Act 1998; and
 - (b) The financial effect of any such change.
- (2) Consultation under paragraph (1) shall take place in sufficient time to allow the views expressed to be taken into account in the determination of the relevant authority's formula and in the initial determination of schools' budget shares before the beginning of the financial year.

1.2 Consultation on Contracts

- (1) The relevant authority shall at least one month prior to the issue of invitations to tender consult the forum on the terms of any proposed contract for supplies or services being a contract paid or to be paid out of the relevant authority's schools budgets where the estimated value of the proposed contract is not less than the specific threshold which applies to the relevant authority in pursuance of Regulation 8 of The Public Contracts Regulations 2006 (SI 2006 No 5).

1.3 Consultation on Financial Issues

- (1) The relevant authority shall consult the forum annually in respect of the relevant authority's functions relating to the schools budget, in connection with the following:
 - (a) The arrangements to be made for the education of pupils with special educational needs;
 - (b) Arrangements for the use of pupil referral units and the education of children otherwise than at school;
 - (c) Arrangements for early years provision;
 - (d) Administrative arrangements for the allocation of central government grants paid to the schools via the authority.

- (2) The relevant authority may consult the forum on such other matters concerning the funding of schools as they see fit.

2. Composition

2.1 The requirements for the Schools Forum were previously set out in regulations (Statutory Instrument No 344/2010, amended by 1172/2010). These regulations have been revoked and replaced by the Schools Forums (England) Regulations 2012 (Statutory Instrument No 2261/2012) as amended. The constitution of the Wiltshire Schools Forum has been approved by the Cabinet Member for Children's Services through the delegated decision process, and any change to the constitution will require similar approval.

2.2 The majority of forum members are "schools members".

There are currently:

- 6 elected Head Teacher representatives (1 secondary, 4 primary and 1 special);
- 6 Academy representatives (3 secondary, 2 primary and 1 special); and
- 4 elected governor representatives (1 secondary school, 2 primary schools and 1 school with special provision).

These 16 members, along with the two Early Years representatives are the only members allowed to vote on the funding formula.

There are 2 other nominated service partner representatives (1 from the Dioceses and 1 teacher representative) who both have one vote. These are the **20** voting members.

In addition to voting members, the following representatives will have observer status:

- i) Education & Skills Funding Agency
- ii) Post-16 representative
- iii) Wiltshire Parent Carer Council
- iv) Wiltshire Children and Families Voluntary Sector Forum
- v) Local Youth Network.

2.3 The Forum will appoint the same number of substitutes in respect of each voting representative group as that group holds ordinary seats on the Forum. Ordinary members may be substituted by any one of the named substitutes. Substitute members will have all the powers and duties of any ordinary member of the Forum.

3. Conduct

3.1 In carrying out their functions, members of the Schools Forum are expected to act in accordance with the seven principles of public life set out in the first report of the Committee on Standard in Public Life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

- 3.2 Members of the School Forum are required to declare an interest in any individual proposal or service contract which directly affects a school at which they are a governor, member of staff, or which their children attend or in which they might have a direct pecuniary interest.

4. Term of Office

- 4.1 The term of office for members of the Schools Forum shall be three years subject to their remaining eligible. A member may resign at any time and is required to leave if he or she ceases to be eligible in the capacity in which elected/nominated.
- 4.2 There is no limit on the number of terms of office to which a member may be elected or re-nominated if still eligible. Where a member is replaced, the new member serves for the remainder of the term of office.

5. Chair and Vice-Chair

- 5.1 A chair and vice-chair will be elected annually by a majority of votes cast by individual members. Where possible, the chair and vice-chair will not be drawn from the same voting group. The term of office is for one year. A chair or vice-chair will cease to hold office if they resign by giving notice to both the Chair and clerk of the Forum, or if they cease to be members of the Forum. Both the chair and vice-chair may be re-elected. Where a casual vacancy arises, there will be a vote at the next meeting of the Forum.
- 5.2 The responsibilities of the chair and vice-chair include: chairing meetings, overseeing preparation of the record of the meeting, submitting a budget for LA approval and being accountable for expenditure against that budget.

6. Quorum

- 6.1 The quorum for the Forum is 40% of voting members. A meeting may continue if inquorate, but any advice given to the LA as a result of such a meeting would not have to be taken into account by the authority.

7. Clerk to the Committee

- 7.1 The clerk will be appointed by Democratic Services at Wiltshire Council.

8. Notice of Meetings

- 8.1 The clerk will ensure that meetings of the Forum are convened by giving a minimum notice of 5 working days in advance of the meetings, with a full agenda.

9. Proceedings

- 9.1 Each voting member has one vote and a majority decision is required.

- 9.2 The Forum may remit matters for discussion and research to sub-committees or working groups. However, any resulting advice formally passed to the LA shall have been approved by the Forum as a whole.
- 9.3 The Forum will meet at least 4 times per annum, in each financial year from April 2003.

10. Public Participation

- 10.1 Members of the public are able to ask questions or make a statement in relation to the responsibilities and functions of the Forum at each meeting. A maximum of 15 minutes will be allocated to this at the start of each meeting, and each question or statement should last no longer than 3 minutes.
- 10.2 Questions must be put in writing to the clerk of the Forum no later than 5 clear working days before the meeting, to allow a response to be formulated, and are limited to a maximum of 2 per person / organisation. A response will be given as either a direct oral answer or a written reply.
- 10.3 Statements must be given in writing and can be received up to 10 minutes before the start of the meeting.
- 10.4 Statements and questions must be relevant to the powers and duties of the Forum. They must not be defamatory, frivolous, offensive, vexatious, unlawful or otherwise improper. They must not name or identify individual service users, members of staff or members of partner agencies. Questions must not require the disclosure of confidential information.
- 10.5 The Chairman's ruling on rejection of a question is final.

11. Discrimination

- 11.1 The Committee has an explicit duty to have regard to the duties placed on Local Education Authorities and school governors by the Sex Discrimination Act 1975 and the Race Relations Act 1976. The Forum will note the DfE view that the Human Rights Act 1998 applies.

12. Dissemination of the Results of Meetings

- 12.1 A copy of the minutes of the Forum meetings will be sent to all schools and will be considered by the Children's Services Select Committee and the Cabinet if necessary.

13. Consideration of Confidential Reports

- 13.1 A report will only be considered in a confidential session when it contains confidential or exempt information. That will only apply if the report contains:
- a) Information furnished to the Council by a Government Department on terms which forbid the disclosure of the information to the public.

- b) Information the disclosure of which to the public is prohibited by or under any law or by the order of a court
- c) Information relating to any individual.
- d) Information which is likely to reveal the identity of an individual.
- e) Information relating to the financial or business affairs of any particular person (including the authority).
- f) Information relating to any consultations or negotiations, or contemplated consultations and negotiations, in connection with labour relations matters.
- g) Information in respect of which a claim to legal professional privilege could be maintained.
- h) Information which reveals that the authority proposes to serve certain Notices or make certain Orders or Directions.
- i) Information relating to action taken or to be taken in connection with the prevention investigation or prosecution of crime.

13.2 The intention to conduct Forum business in Confidential Session will be indicated by the inclusion of the following text within the agenda:

‘Exclusion of Public;

To consider passing a resolution, in accordance with the Wiltshire Council Schools Forum Terms of Reference, that the public be excluded during the remainder of the meeting, on the basis that if they were present during the business to be transacted, there would be a likelihood of disclosure to them of exempt information of the following descriptions’

13.3 The descriptions referred to above relates to the categories of confidential information listed in paragraph 13.1.

13.4 Public would relate to anyone other than members of the Schools Forum plus the Democratic Services Officer, relevant officers and Cabinet members with exceptions determined by the Chair, in consultation with the Executive Director.

October 2019

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Early Years Reference Group

Minutes of a meeting held on Friday 13 September 2019 at County Hall, Trowbridge

1.0 Welcome and Introductions

John Proctor (chair), Rosemary Collard, Russ Martin, Angela Brennan, Nicola Harris (minutes), Clare MacKinnon, Nicola McCann, Mark Cawley, Jane Boulton, Marie Taylor.

2.0 Apologies

Jennifer Harvey, Angela Everett, Grant Davis, Sarah Hawkins, Trudi Surman

3.0 Minutes of last meeting held on 10 May 2019

The minutes of the meeting were agreed as a true and accurate record.

4.0 Matters arising

AB has contacted the childminders to find a new representative for the EYRG. There are a couple of childminders who were interested but could not make today's meeting.

JH had contacted Juliette Heal to see if she would like to continue as a representative. Juliette's circumstances had changed so she should now be able to attend and was due to attend today.

Post meeting update: apologies received from Juliette with the following message: *sadly, I am unable to come again today. Given this, I believe that it is only right for me to resign from the group. I thank you for the opportunity of being part of the group and wish you all every success in the future!*

ACTION: AB and JP to review childminders interested in representing childminders on the EYRG.

5.0 Finances

MT explained that we are forecasting an overspend on the Early Years budget. This is due to the budget being reprofiled following the January 2019 census, and an increase in actual take-up of FE this year by 0.5m extra hours. When the January 2020 census completes, the funding should be adjusted accordingly.

April 2021, Government has pledged £66 million increase across early years. We will have to wait to see what this means for the FE rates.

ACTION: None

6.0 Childcare Sufficiency

The childcare sufficiency assessment report is now live on the [website](#). The team is now smaller and as a consequence the community plans that support the sufficiency report will now be produced yearly and renamed community profiles. These will be updated as changes happen throughout the year.

Across the LA we do have sufficient EY and childcare. The army rebasing has been significant, but the team has been very closely monitoring occupancy and this term there are places. The team will continue to closely monitor this. There will be a new setting opening in January in the Ashdown Estate which will support places. In the next academic year, there will also be another nursery within the new school. There is room for expansion at St Michaels. Currently monitoring the Bulford area. We are expecting some expansion in Larkhill in January 2020.

There have been some closures over the summer. This has not had an impact at this stage and parents have found alternative local provision. There are some new nurseries opening: we have one in Sherston in November and a new private provider for Old Sarum due to open for the new year.

The team will be looking at childminders to take up gaps in provision. Purton is an area will be looking at. Will also be doing a gapping and mapping task for our out of school provision.

ACTION: None

7.0 Childcare team changes

Awaiting a meeting at senior level on Monday to be able to clearly define the changes and will be able to give an update following this.

Angela presented information on:

Best Start in Life: Prioritising Speech Language and Communication (SLC).

Sally Johnson is a Public Health Strategist 0-19 and is very involved with FACT. Sally was due to attend and share the presentation and sent apologies but would like to attend at a future meeting. Focus on SLC, social mobility and being ready for school.

The plan locally is looking at what's best for the child and guided by Ofsted requirements.

Beneficial having Public Health as looking at this in a holistic way. Looking at wider health agenda from pre-conception through to transition to school.

There is a framework for progressing the work: EIF Maturity Matrix [online](#). LA has been successful regarding early development programme funding. There are specific project sub groups:

- Key messages
- Promoting universal HV contacts
- Integrated 2YO checks

It is about a working together culture and there is a statement of commitment. This is the most important part to get the EY sector working together so there is a no blame culture. Currently mapping all job descriptions in agencies to understand what they all do and remove duplication as part of the process.

JB suggested it would be good to use different language to describe the sector and professionals, as staff from the EY settings are professionals too. This is the time for cultural change and closer working together.

There will also be a Best Start in Life: Early Year's Needs Assessment (EYNA)

This will feed into a system wide EY strategy. There are provider stakeholders' events and invitations will go out to those invited at this stage:

Monday 7th Oct, morning: Ascot Room, White Horse Enterprise Centre, Trowbridge 09:30 -12:00

Tuesday, 8th Oct, morning, Pump Room Salisbury TEN (The old Fire Station, 2 Salt Lane, Salisbury, SP1 1DU) 09:30 -12:00

The group are then looking at running Service User Stakeholders events being planned. Details of these will follow. The group are also considering carrying out a survey. For more information Sally details will be on slides that will be emailed around. If would like to be involved or share any thoughts, then do get in touch with Sally.

ACTION: Email the presentation to the group with the minutes

8.0 2 year old funding – children with EAL

John has been asked: How do we discover children with EAL? AB explained when we get notification of refugee children, we can then support this as required. The DWP provide a list of eligible two year olds for the LA but this does not have information regarding EAL. RM gets information from Lucy-Anne Bryant direct from DWP which is time-specific on eligible 2-year olds. We send out postcards and the children centres do door knocking to these eligible families.

ACTION: AB will discuss with Lucy-Anne Bryant

9.0 Update on the Liquid logic IT system/portal

NM gave an update and moving to the Liquid logic system is still in development. It's a system for EY, schools and SEND system. There are a several areas needing further development and these must be addressed before we can go live with the system. We do not have a timeframe on rollout at this stage. The Project board and Liquid logic are looking at these time frames. Nothing has changed on the portals functionality – it is still an intuitive system that will automatically generate headcount and estimates. May be looking at partial rollout in January and full rollout in April. The team are conscious the Census in January will need to be right. NM will keep group updated.

The current system has limitations on spreading funding across the year. This is on the development log to have several options for the stretched part.

ACTION: NM to update group on developments

10.0 Appeals against withdrawal of funding

In the LA provider agreement there is a section on the appeals procedure when FE is terminated and withdrawn. Would like to review this as everyone at this point can appeal. However, Wiltshire do not want to be funding inadequate providers. If Inadequate across all areas of the inspection, then it is proposed will not be able to appeal if across all judgements. No objections noted today.

Recently: 1 full appeal and 1 pending currently. 9 in total over several years.

JP suggested it should say if overall judgement is inadequate then there should be no appeal process.

ACTION: NM to include updates when finalising the Local Provider Agreement

11.0 Confirmed dates for future meetings

Problematic timings of next meeting due to being in the afternoon. 10-12 would be preferable if the room can be booked.

Next meeting JP will need someone else to chair the meeting and JB has offered if this session is not in the afternoon. If still the afternoon, Clare sends her apologies for the 15th.

It was also decided to call the next meeting of the reference group for the 6th January, so decisions on funding/budget setting can be agreed and fed into the Schools Forum meeting being held on the 16th January.

If there are no urgent matters arising for the agenda prior to the November meeting, then this could be cancelled and matters picked up in the January meeting.

ACTION: NM will look at possible different dates/times for the November meeting and will liaise with JB as potential chair for this date. JH to check potential agenda items to see if the meeting needs to go ahead.

Post meeting update: Please note amended time and location of the November meeting as requested, plus venue for the January meeting:

Date	Day	Time	Venue
15 November 2019	Friday	10.00 - 12.00	Kennet meeting room, County Hall.
6 th January 2020	Monday	13.00-15.00	Lacock meeting room, County hall

12.0 Any other business

MC discussed the fact that lots of new babies are now getting small birth certificate. The implications are that when you have new starters you cannot check parental responsibility. This information is on the bigger birth certificates and you now have to pay for these. JB suggested looking at red book, however, this does not reflect who has parental responsibility.

ACTION: AB will discuss this with registration department as childcare sector need to see parental responsibility as part of childcare registration so can we ask they have full ones? Or registrar explain to parents will need full one if using childcare in the future.

Wiltshire Council

Schools Forum

10 October 2019

Schools Revenue Surplus and Deficit Balances 2018/19

Introduction

1. This report presents the position of revenue balances for Wiltshire maintained schools as at 31 March 2019 and identifies those schools that are in deficit.
2. The analysis excludes 2 schools that converted to academies during the 2018/19 financial year.
3. In October 2018, members considered a report on schools' balances and deficits as at 31 March 2018. In that report, the value of surpluses was £9.702 million and 19 schools were in deficit with a total value of £3.242 million.

Main considerations

4. The movement in net revenue balances over the last 3 financial years is shown in the following table: -

	2016/17	2017/18	2018/19	2018/19 Balances as % of 2018/19 Budget Share	Increase/ Decrease from 2017/18	Increase/ Decrease from 2017/18
	£	£		%	£	%
Primary	8,041,411	8,029,388	8,604,118	7.56	574,730	7.16
Secondary	-1,911,754	-1,802,768	-2,201,302	-1.93	-398,534	-22.11
Special	270,462	233,854	219,275	0.19	-14,579	-6.23
	6,400,119	6,460,474	6,622,092	5.82	161,619	2.5*

*NB: this represents the total percentage increase in all schools' balances between 2017/18 and 2018/19

5. Reporting of net revenue balances can obscure the underlying trend of gross revenue surplus and deficit balances. For transparency, the gross balances are identified below:

	Surplus balance			Deficit balance		
	2016/17 £	2017/18 £	2018/19 £	2016/17 £	2017/18 £	2018/19 £
Primary	8,693,506	8,575,480	9,268,943	-652,095	-546,092	-664,825
Secondary	1,020,995	882,425	721,659	-2,932,749	-2,685,193	-2,922,960
Special	270,462	244,570	299,748	0	-10,717	-80,473
Total	9,984,963	9,702,475	10,290,349	-3,584,844	-3,242,001	-3,668,258

6. As part of the dedicated school's grant (DSG) assurance framework, the DfE ask local authorities to provide additional information where:
- a) the authority has 5% of schools that have had a surplus of 15% or more for the last 5 years and the individual surplus is least £10,000 each year. Authorities will only be asked for more information where at least three schools meet the criteria.
 - b) the authority has 2.5% of its schools that have had a deficit of 2.5% or more for the last 4 years and the individual deficit is at least £10,000 each year.
- **Appendix 2** analyses the 2018/19 revenue balances to categorise those that are classified as:
 - above 15% of school budget share
 - in surplus but below 15% of school budget share
 - in deficit
 - **Appendix 3** demonstrates that the Authority would not trigger an investigation from the DfE, as described above, by identifying those schools that have had revenue balances of more than 15% for the last 5 years.
 - **Appendix 4** demonstrates that the Authority could trigger an investigation from the DfE, as described above, by identifying those schools that have had a deficit balance of more than 2.5% for the last four years.
7. At their meeting in October 2018, Schools Forum agreed that the School Strategic Financial Management statement should replace the previous School Financial Management Information Statement to assist schools with their financial management.

Key issues

8. The net revenue balance of £6.62 million in 2018/19 has increased by 2.5% from the 2017/18 balance of £6.46 million.
9. Analysis of the gross revenue surplus and deficit balances reveals that between 2017/18 and 2018/19 both revenue surplus and deficit balances increased by 6.06% and 13.15% respectively.
10. The number of schools in deficit has decreased from 19 in 2017/18 to 16 in 2018/19, however, the value of the deficits has increased from £3.24 million in 2017/18 to £3.67 million in 2018/19, an increase of £0.43 million.
11. The number of schools in surplus in 2017/18 and 2018/19 remains constant at 125 and 124 respectively, however, the value of the surpluses has increased by £0.59 million from £9.70 million in 2017/18 to £10.29 million in 2018/19.
12. **Appendix 3** identifies that as at 31 March 2019, 5 schools held revenue balances of more than 15% for each of the last five years. This equates to 3.57% of Wiltshire Schools as at March 2019 and would not trigger further enquiry from the DfE. For the 2018/19 financial year 31 schools held revenue balances of more than 15% of their School Budget Share, compared to 28 in 2017/18.

13. **Appendix 4** shows that 4 (2.86%) schools have been in deficit by more than 2.5% and £10,000 of their School Budget Share for each of the last 4 years and could potentially, trigger further enquiry from the DfE as described in paragraph 6(b). At the end of the 2018/19 financial year 14 schools were in deficit by more than 2.5% and £10,000 of their School Budget Share.

Position of the Local Authority

14. A number of support mechanisms have been put into place to support schools facing financial difficulty;
- The LA continues its support for the work of the F40 Group which campaigns for fairer funding for schools and greater funding in the overall school system
 - Increased capacity of Schools Strategic Financial Advisors to work with schools facing deficit budgets
 - A new structure within the School Improvement team to support schools facing a number of challenges
 - Collaborative work with Regional and School Improvement Advisors to ensure that any Financial Recovery Plans are fit for purpose, balanced and take account of both educational needs as well as financial needs
15. Whilst a number of schools are facing financial difficulties, there are a number that have recovered from a financial deficit and are able to share their 'story' with other schools and act as a reference point. This includes a mixture of schools, small, large, split site rural and urban schools and examples include;
- Greentrees
 - Amesbury Archer
 - Sambourne
 - The New Forest
 - Coombe Bissett
16. Wiltshire's position has been compared to other LA's across the South West and nationally to see if we are an 'outlier'. The majority of our counterparts across the South West are experiencing similar issues and volumes of schools facing deficit budgets. Nationally there are regional variations, which are reflective of the current funding structure.

Recommendations

17. Schools Forum members are invited to comment on this report.

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ANALYSIS OF REVENUE BALANCES 2018/19

School Phase	Balances above 15% of School Budget Share				Balances below 15% of School Budget Share				Deficit Balances			
	Number	Balance Value	2018/19 Budget Share	Balance as % of Budget	Number	Balance Value	2018/19 Budget Share	Balance as % of Budget	Number	Balance Value	2018/19 Budget Share	Balance as % of Budget
Primary	31 *2	£4,617,678	£23,196,121	19.9%	88	£4,651,265	£64,460,811	7.2%	13	-£664,825	£7,768,556	-8.6%
Secondary	0	£0	£0	0.0%	2	£721,659	£6,815,663	10.6%	2	-£2,922,960	£7,952,935	-36.8%
Special	0	£0	£0	0.0%	3	£299,748	£2,910,000	10.3%	1	-£80,473	£690,000	-11.7%
Total	31	4,617,678	23,196,121	19.9%	93	£5,672,671	£74,186,474	7.6%	16	-£3,668,257	£16,411,491	-22.4%

*Indicates the number of schools that have converted to academy status since 31 March 2018

Analysis of LA schools(as at 31st March 2019) that have had revenue balances in excess of 15% of their total School Budget Share (excluding Pupil Premium Grant) in the last 5 years

DfE No	School Name	Type	2014/15 %	2015/16 %	2016/17 %	2017/18 %	2018/19 %	2018/19 Balance
2003	Fynamore	Primary	17.3	18.6	15.6	-	-	-
2005	Nursted	Primary	-	-	-	-	16.0	£ 127,174
2008	Fitzmaurice	Primary	18.2	19.4	-	-	17.3	£ 195,058
2022	Ivy Lane	Primary	16.0	-	-	-	-	-
2023	St Paul's	Primary	-	16.6	15.9	-	-	-
2027	Marlborough St Mary's	Primary	-	-	-	-	16.2	£ 257,497
2029	Lypiatt	Primary	31.5	48.4	34.5	61.2	52.2	↓ £ 72,815
2136	Westbury Infants	Primary	-	16.5	15.1	22.1	-	-
2137	Westwood with Iford	Primary	-	-	-	17.9	22.6	↑ £ 97,769
2162	Noremarsh Junior	Primary	-	-	15.2	15.6	-	-
2168	Priestley	Primary	-	17.4	16.0	15.8	-	-
2180	Redland	Primary	-	-	-	-	16.5	£ 184,026
2191	Manor Fields	Primary	16.9	19.7	19.9	-	-	-
2198	Ludwell	Primary	18.0	17.9	19.8	-	-	-
2226	Charter	Primary	-	-	-	19.3	16.0	↓ £ 144,617
3013	Box Primary	Primary	48.0	31.9	34.2	25.0	21.4	↓ £ 140,289
3015	Christ Church	Primary	-	-	-	17.0	19.6	↑ £ 284,993
3018	Broad Hinton	Primary	-	-	16.7	-	16.2	£ 71,709
3020	St Nicholas CE VC	Primary	21.9	17.6	-	-	16.3	£ 65,564
3023	St Katharine's	Primary	-	16.3	-	-	-	-
3035	Cherhill	Primary	-	-	17.5	16.1	-	-
3036	Chirton	Primary	-	21.4	23.5	19.2	16.4	↓ £ 49,075
3045	St Sampson's	Primary	-	19.7	-	-	-	-
3047	Crockerton	Primary	20.5	20.6	16.5	21.7	28.7	↑ £ 116,643
3049	Collingbourne CE	Primary	20.3	24.9	26.9	16.6	-	-
3091	Hullavington	Primary	-	-	18.2	25.8	31.0	↑ £ 174,961
3096	Kington St Michael CE	Primary	19.9	-	-	-	-	-
3102	Langley Fitzurse	Primary	-	-	-	-	18.1	£ 71,635
3135	North Bradley	Primary	-	-	-	-	21.5	£ 163,741
3149	Preshute	Primary	-	-	-	18.0	-	-
3150	St Mary's CE	Primary	15.6	18.5	-	-	-	-
3166	Southwick CE	Primary	16.0	22.5	21.5	24.6	23.6	↓ £ 165,255
3170	Staverton	Primary	-	-	-	15.1	-	-
3186	Urchfont CE	Primary	17.2	18.0	29.1	33.3	42.5	↑ £ 193,124

DfE No	School Name	Type	2014/15 %	2015/16 %	2016/17 %	2017/18 %	2018/19 %	2018/19 Balance
3190	St John's CE	Primary	22.0	17.6	-	-	-	-
3191	The Minster CE	Primary	17.8	17.7	-	-	18.9	£ 154,296
3308	Bishop Cannings	Primary	-	18.0	-	-	-	-
3355	St Nicholas	Primary	-	20.8	23.6	19.1	20.7	↑ £ 101,433
3381	Rushall CE VA	Primary	27.7	29.3	23.1	17.5	-	-
3387	St Martin's CE	Primary	17.3	21.5	18.3	16.4	17.8	↑ £ 137,950
3396	St Thomas A Beckett	Primary	-	-	-	15.5	19.4	↑ £ 57,375
3402	Whiteparish	Primary	-	15.8	19.5	16.3	19.6	↑ £ 104,262
3405	Winterslow	Primary	-	-	-	-	15.3	£ 104,563
3418	St Joseph's Catholic	Primary	20.0	-	-	-	-	-
3435	Wardour	Primary	-	15.2	-	-	-	-
3453	Chilmark	Primary	-	-	-	16.8	-	-
3461	Kennet Valley	Primary	-	-	-	-	18.9	£ 81,332
3467	Churchfields	Primary	-	15.4	17.4	16.3	15.7	↓ £ 88,707
3468	Amesbury	Primary	-	-	-	-	21.9	£ 347,010
3472	Bellefield	Primary	15.2	-	-	-	-	-
5206	Studley Green	Primary	22.0	28.3	29.1	27.9	20.6	↓ £ 223,867
5215	Castle	Primary	-	-	-	-	16.9	£ 165,629
5218	Clarendon Juniors	Primary	-	-	-	-	15.3	£ 190,029
5219	Clarendon Infants	Primary	18.3	22.1	21.0	21.3	26.9	↑ £ 285,280
5415	Matravers	Secondary	-	-	19.4	17.6	-	-
7007	Downland School	Special	16.4	-	-	-	-	-
7009	St Nicholas	Special	16.6	29.7	-	-	-	-
Total number schools			24	30	25	27	31	£4,617,678

% of schools with revenue balances over 15% of school budget share for the last 5 years

The number of LA maintained schools as at 31st March 2019 is 140 with 5 schools over 15% of school budget share for the last 5 years

% of schools in 2018/19 over the 15% for the last 5 years = 3.57%

Analysis of schools that have been in a deficit position in the last four years, 2015/16 to 2018/19

DfE No.	School Name	Type	2015/16		2016/17		2017/18		2018/19	
			Deficit £	As a % of SBS	Deficit £	As a % of SBS	Deficit £	As a % of SBS	Deficit £	As a % of SBS
2004	Greentrees	Primary	-33,318	3.4	-108,167	9.3	-33,463	2.2	0	-
2159	Kiwi	Primary	0	-	0	-	-12,132	1.5	-60,625	6.9
2170	Grove	Primary	-16,301	1.2	-94,111	7.1	-60,445	4.4	0	-
2190	Woodlands	Primary	0	-	0	-	-6,962	0.8	0	-
3017	Longford CE	Primary	-110,323	48.3	-122,310	48.0	-125,197	43.1	-96,417	26.3
3100	Lacock	Primary	0	-	0	-	-21,283	6.8	-19,000	5.6
3134	Newton Tony	Primary	0	-	0	-	-18,309	7.7	-23,533	10.0
3140	Oaksey CE VA	Primary	0	-	0	-	0	-	-2,029	0.6
3172	Stratford Sub Castle	Primary	0	-	0	-	0	-	-86,062	-14.7
3193	Westbury Leigh	Primary	0	-	0	-	0	-	-114,997	8.2
3199	Winsley	Primary	0	-	-2,642	0.5	0	-	0	-
3205	Warminster Sambourne	Primary	-17,215	3.2	-23,278	4.2	-425	0.1	0	-
3222	St. Barnabas	Primary	-11,992	3.8	-44,559	14.5	-48,961	17.3	-16,302	5.2
3229	Combe Bissett	Primary	0	-	-11,437	2.9	0	-	0	-
3318	Chilton Foliat CE	Primary	-2,956	1.0	-41,424	12.6	-90,944	25.6	-75,801	18.4
3372	The New Forest	Primary	0	-	-9,637	1.4	-4,836	0.7	0	-
3383	Sarum St Paul's	Primary	-3,482	0.4	-42,779	5.5	-57,656	7.1	-103,187	12.4
3412	Christ the King	Primary	0	-	0	-	-24,569	2.5	-40,893	4.0
3435	Wardour	Primary	0	-	0	-	-4,106	1.0	0	-
3459	Hindon	Primary	0	-	0	-	-17,353	7.8	-24,564	10.5
3460	Alderbury & West Grinstead	Primary	0	-	-22,792	3.6	0	-	0	-
3462	Amesbury Archer	Primary	-79,707	6.5	-67,750	5.5	-19,450	1.5	0	-
3468	Amesbury Primary	Primary	-50,877	4.4	0	-	0	-	0	-
3471	Lyneham Primary	Primary	-26,556	3.3	-61,209	6.0	0	-	0	-
5201	Downton	Primary	0	-	0	-	0	-	-1,415	0.2
4000	Abbeyfield	Secondary	-1,199,023	31.7	-1,916,116	48.5	-2,216,744	55.4	-2,510,112	57.9
4070	Stonehenge	Secondary	-283,947	9.4	-437,946	14.9	-468,449	14.8	-412,848	11.4
7007	Downland	Special	0	-	0	-	-10,717	1.55	-80,473	11.7
Total value of deficits			-1,835,697		-3,006,157		-3,242,001		-3,668,258	

% of schools with deficit balances over 2.5% of school budget share for the last 4 years

4 of the 140 LA maintained schools, as at 31st March 2018, has held a deficit of more than 2.5% and £10,000 for the last 4 years

% of schools in 2018/19 with deficit balances over 2.5% for the last 4 years = 2.86%

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Wiltshire Council

Schools Forum

10 October 2019

DEDICATED SCHOOLS BUDGET – BUDGET MONITORING 2019-20

Purpose of the Report

1. To present budget monitoring information against the Dedicated Schools Grant (DSG) for the financial year 2019-20 as at 31 August 2019.

Main Considerations

2. Appendix 1 to this report outlines the budget monitoring summary as at 31 August 2019.
3. An overspend of £4.864 million is currently projected against the overall schools budget. This is the first report of the new financial year although the on-going pressures on the high needs block is known and understood.

Early Years Budgets

4. Budgets for the free entitlement for 15 and 30 hours childcare for 2, 3 & 4 year olds are currently forecast to be overspent by £0.978 million. This is because the take up of hours has increased above the budgeted hours which was based on the average take up of the past three years.

	Budgeted FTE	Forecast FTE	Forecast FTE Variance	Budgeted Spend £M	Forecast Spend £M	Forecast spend Variance £M
2 year olds	385	355	(30)	2.335	2.155	(0.180)
3 & 4 year olds	4791	5001	210	22.938	23.946	1.008
ISF	447	673	226	0.357	0.539	0.182

5. The 18/19 adjustment based on the January 2018 census data was a reduction of £0.359 million. The forecast is included to follow the accounting principle of prudence however, the increased take up should be reflected in the January census and allocation increased as such.

High Needs Budgets

6. High Needs budgets are projected to overspend by £3.958m. The biggest areas of overspend are Independent Special School packages, Named Pupil Allowances and top ups in non-Wiltshire provision.
7. The major driver of the increased cost is volume. Activity (volume) is measured in FTE – full time equivalent pupils. At the last meeting, Schools Forum requested more granular detail around the activity and this has been provided in Appendix 2. There is much management information, but it is important to note that the number of EHCPS being requested has not slowed at all and is rising at a similar rate as 2018/19.

	Children with an EHCP in Wiltshire
Number as at 1 April 2019	3,433
As at September 2019 (to reflect new the academic year)	3,639
Current Year to Date Variance	213 (5.98% increase)

8. Much work has been done, Schools Forum members will recall we set up the High Needs Block Working Group (August to December 2018) to collect views on the drivers for increased spend including EHCP and banding review funding requests from schools. Recommendations from this group included an external review and this was commissioned through ISOS. ISOS have worked with the local authority, WPC, schools, children & young people and parents and carers through the Spring and Summer of 2019 to examine processes and systems of support and inclusion. ISOS will be presenting their findings & recommendations later in the agenda today and the next steps will be outlined.

DSG Reserve

9. The reserve brought forward of £2.060 million is reduced by the early years block adjustment of £0.206 million. The forecast overspend would take the reserve into a deficit position of £7.130 million.
10. With effect from 2018-19, the department tightened the rules governing deficits in local authorities' overall DSG accounts, under which local authorities have to explain plans for bringing DSG account back into balance. The DfE intend to require a report from any local authority that has a DSG deficit of more than 1% as at the end of any financial year. The current DSG reserve stands at 0.6% and so no report was required for 2018/19.
11. The forecast DSG deficit reserve would take the % to over the DfE's 1% and would require a recovery plan. The ISOS findings and new SEN Strategy will feed into a recovery plan and SEN Strategy currently in draft which will be used as an operational tool to take the school budget forward.

	DSG Reserve £ M
2018/19 Brought Forward	(2.060)
2018/19 Early Years Adjustment	(0.206)
2019/20 Forecast Overspend	(4.864)
2019/20 Forecast DSG Reserve Deficit	(7.130)

Proposals

12. Schools Forum is asked to note the budget monitoring position at the end of August 2019 alongside the ISOS findings and recommendations presentation and Schools Budget 2020/21 Consultation report.

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Appendix 1 – Schools Budget Forecast Position as at 31 August 2019

a	b	c	d = (c-b)	e = (d/b)	f
Service Area	Current Annual Budget £m	Period 5 Forecast £m	Period 5 Forecast Variance £m	Period 5 Forecast Variance %	18/19 Outturn Variance
Three to Four Year Olds Free Entitlement Funding	22.938	23.946	1.008	4.39%	-0.399
Two Year Olds Free Entitlement Funding	2.335	2.155	(0.181)	-7.74%	0.074
Early Years Inclusion Support Fund	0.357	0.539	0.181	50.79%	0.009
Early Years Pupil Premium & DAF	0.357	0.357	0.000	0.00%	0
Early Years Central Expenditure	0.422	0.392	(0.030)	-7.06%	-0.008
Early Years Block	26.410	27.388	0.978	3.70%	-0.324
Schools Budget Shares Primary & Secondary	106.862	106.862	0.000	0.00%	0
Licences and Subscriptions	0.052	0.043	(0.009)	-16.92%	0
Free School Meals	0.020	0.020	0.000	0.00%	0
Staff Supply Cover (Not Sickness)	0.597	0.571	(0.026)	-4.32%	0
Behaviour Support Team	0.616	0.616	0.000	0.00%	0
Ethnic Minority and Traveller Achievement	0.518	0.501	(0.017)	-3.28%	0
De Delegated Total	1.803	1.751	-0.052	-2.86%	0.000
Growth Fund	0.827	0.827	0.000	0.00%	-0.130
Schools Block	109.492	109.441	-0.052	-0.05%	-0.130
Special School Place Funding	3.840	3.840	0.000	0.00%	0
Resource Base (RB) Funding	0.809	0.809	0.000	0.00%	0
Enhanced Learning Provision (ELP) Funding	0.283	0.283	0.000	0.00%	0
High Needs Block ISB Maintained	4.932	4.932	0.000	0.00%	0.000
Named Pupil Allowances (NPA)	4.346	5.562	1.216	27.98%	1.207
Special School Top-Up	7.731	7.775	0.044	0.57%	0.165
Resourced Base (RB) Top-Up	1.790	1.958	0.168	9.39%	0.455
Enhanced Learning Provision (ELP) Top-Up	1.508	1.069	(0.440)	-29.16%	0.219
Secondary Alternative Provision Funding	2.791	2.791	0.000	0.00%	(0.035)
Non Wiltshire Pupils in Wiltshire Schools	0.000	0.000	0.000	0.00%	0.000
Devolved to Maintained Total	18.166	19.155	0.988	5.44%	2.011
Wiltshire Pupils in Non Wiltshire Schools	1.953	1.998	0.045	2.32%	0.979
Post-16 Top-Up	3.695	3.659	(0.036)	-0.98%	(0.829)
Independent & Non-Maintained Special Schools	8.825	10.692	1.868	21.16%	2.212
SEN Alternative Provision, Direct Payments & Elective Home Education	0.250	1.372	1.123	449.21%	0.788
Education Other than at School (EOTAS)	0.484	0.378	(0.106)	-21.90%	(0.252)
High Needs Top Up Funding	15.207	18.100	2.893	19.03%	2.898
High Needs in Early Years Provision	0.422	0.422	0.000	0.00%	0.012
Speech & Language	0.519	0.525	0.006	1.15%	0.032
0-25 Inclusion & SEND Teams	1.654	1.654	0.000	0.00%	(0.104)
Specialist Teacher Advisory Service	1.078	1.170	0.092	8.49%	0.066
Other Special Education	0.216	0.196	(0.021)	-9.65%	(0.157)
Commissioned & SEN Support Services	3.890	3.967	0.077	1.97%	-0.151
High Needs Block	42.195	46.153	3.958	9.38%	4.758
Central Licences	0.373	0.373	0.000	0.07%	-0.003
Central Provision (Former ESG)	1.005	1.005	0.000	0.00%	-0.074
Admissions	0.411	0.390	(0.021)	-5.22%	-0.007
Servicing of Schools Forums	0.003	0.003	0.000	0.00%	0.000
Central Provision within Schools Budget	1.792	1.771	-0.021	-1.20%	-0.084
Education Services to CLA	0.103	0.103	0.000	0.00%	-0.037
Child Protection in Schools & Early Years	0.041	0.041	0.000	0.00%	0
Prudential Borrowing	0.300	0.300	0.000	0.00%	0
Historic Commitments	0.444	0.444	0.000	0.00%	-0.037
Central School Services	2.236	2.215	-0.021	-0.96%	-0.121
Total Schools Budget	180.333	185.197	4.864	2.70%	4.183
Pupil Premium (academy & maintained)	15.314	15.314	0.000	0	
6th Form Funding Maintained Schools (LSC Grant)	1.182	1.182	0.000	0	
UI Free School Meal Grant Provisional (academy & maintained)	3.345	3.345	0.000	0	
PE Grant (revenue)	0.942	0.942	0.000	0	
Teachers Pension Grant	0.401	0.401	0.000	0	
Other Schools Grants	to follow	to follow			
DfE Revenue Grants passed to all Schools	21.185	21.185	0.000	0	

TOTAL DfE SCHOOLS FUNDING
201.518
Appendix 1 - the service forecasts of expenditure as at 31st March 2020 - this is an estimate of net expenditure on the schools budget
Appendix 2 - the service forecasts of planned activity in FTE (full time equivalent pupils) as at 31st March 2020 - this is a measure of volumes of pupil placements / support arrangements
Appendix 2 - Variance Analysis

h	i	j	k = (j-i)	l = (k/i)	m	p	q
Volume analysis	Budgeted Activity FTE	Period 5 Forecast Activity FTE	Period 5 Forecast Variance FTE	Period 5 Forecast Variance %	18/19 Outturn Volume	18/19 Outturn Price	Unit
Three/Four Year Olds FE	4,791	5,001	210	4%	4802	£4.16	p/hr
Two Year Olds FE	385	355	-30	-8%	479	£5.32	p/hr
ISF	447	673	226	51%		£615	pa
						£0.53	p/hr
Early Years Block ACTIVITY DRIVER DATASET	5,623	6,029	406	7%	5,281		
Sp Sch Place Funding	384	384	0	0%	360	£10,000	pa
RB Funding	135	135	0	0%	148	£6,000	pa
ELP Funding	47	47	0	0%	59	£6,000	pa
	566	566	0	0%	567		pa
NPA	819	1,031	212	26%	1011	£5,739	pa
Special School Top-Up	762	797	35	5%	780	£10,189	pa
RB Top-Up	325	367	42	13%	324	£5,510	pa
ELP Top-Up	431	330	-101	-24%	389	£3,697	pa
	2,337	2,525	188	8%	2,504	£7,879	pa
Non Wiltshire Schools	199	193	-6	-3%	192	£10,133	pa
Post-16 Top-Up	381	354	-26	-7%	360	£9,716	pa
Ind & Non-Maint Sp Sch	187	214	27	14%	201	£46,694	pa
SEN AP, DP & EHE	37	137	100	267%	n/a	n/a	pa
	804	898	93	12%	753	£21,418	pa
High Needs Block ACTIVITY DRIVER DATASET	3,707	3,988	281	8%	3,824		

The total activity FTE is higher than total no of EHCPS as children in SS, ELP & RB may also have top ups
SS, ELP & RB places above those agreed with the DfE are costed to top ups

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Wiltshire Council

Schools Forum

10 October 2019

School Revenue Funding 2020-21

Purpose of report

1. To outline and update Schools Forum regarding the content of the Department for Education's (DfE) operational guidance on School Revenue Funding for the 2020 to 2021 year.

Background

2. Each year the DfE issue updated operational guidance regarding schools revenue funding. The DfE then go on to issue Technical Guidance, containing any policy changes which offer further details. As part of the Operational Guidance, the key changes between funding for the 2019-20 year and the 2020-21 year are outlined.
3. Any update to the National Funding Formula (NFF) funding rates will be announced in the DfE's Technical Note, due to be issued in October.

Key Funding Changes in 2020-2021

4. The DfE have confirmed that the following key elements of the NFF are to be in place for 2020-21 for mainstream school funding;
 - a. The Minimum per pupil Funding Levels to be set at £3,750 in Primary and £5,000 in Secondary schools.
 - b. A 4% increase in the formula's core factors, except for Free School Meal (FSM) factor which will be increased by inflation.
 - c. Premises factors (rates, PFI, split site, rents) will be funded at the local authority level without inflationary increases.
 - d. No mandatory NFF gains cap, but Schools Forum may continue to apply one.
 - e. Introduction of a new formulaic approach to the mobility factor.
 - f. Growth funding to be based upon the same methodology as in 2019-20. (Protection provided to ensure that no LA will lose funding of greater than 0.5% of its Schools Block allocation, should its growth be significantly lower year on year).
 - g. Teachers Pay and Pension Grants to continue for the 2020-21 year, with rates to be published later in the year.

5. The High Needs NFF will see the following;
 - a. An increase to all LA's funding of at least 8%, taking account of changes to their 2 to 18-year-old population and the additional £1.1m announced as part of the £125m uplift for 2019-20. This would equate to a minimum increase of £3.76m).
 - b. A gains cap of 17%, which is the maximum increase any LA could gain. This would equate to a maximum increase of £7.99m.

Role of Schools Forum and the Local Authority

6. The government has confirmed its intention to move to a single 'hard' national formula to determine every schools budget. For the 2020-21 year, the DfE have confirmed it will be another 'soft' year, with each LA along with its Schools Forum being able to determine its school funding formula.
7. The only mandatory factor for 2020-21 will be the application of the minimum per pupil funding levels, being £3,750 and £5,000 in Primary and Secondary respectively.
8. The formula will be presented to the LA for political ratification and approval in February 2020.

Consultation

9. As in previous years, the LA will engage in consultation with schools in the County, including any changes to the formula, movement between blocks and any de-delegation for maintained schools.
10. The DfE have committed to providing indicative funding allocations, based upon the October 2018 census, to reflect the 2020-21 formula changes in October 2019.

Proposals

11. Schools Forum to note the content of the report.

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Wiltshire Council

Schools Forum

10 October 2019

Annual Schools Consultation
Delegation of Central Expenditure 2020/21
Transfer of Schools block to High Needs Block 20/21

Purpose of report

1. To brief Schools Forum and agree a set of questions to be sent out to all schools in October 2019.

Background - De-Delegation of Central Expenditure

2. In order to give schools greater choice over how to spend their budgets LAs are required to work on the basis that services within the notional Dedicated Schools Grant (DSG) Schools Block, and the funding for them, should be delegated to schools in the first instance. This means that a number of DSG funded budgets that have previously been retained centrally must now be delegated to schools. There are a number of exceptions to this and there are also a number of budgets that maintained primary and/or secondary schools can agree to de-delegate so that they continue to be provided centrally.
3. De-delegation cannot be applied to amounts delegated to academies or to special schools. Delegation or de-delegation cannot be agreed on an individual school basis for maintained schools but can be agreed by phase so a different outcome can be agreed for primary and secondary schools. Approval for de-delegation is by the relevant phase members of Schools Forum following responses to this consultation.
4. A consultation document will be sent out to all maintained schools in the middle of September to seek views on the delegation of central budgets. The budgets/services being consulted on are as follows:
 - Schools contingency
 - Free School Meal Eligibility Service
 - Licences and Subscriptions (including SIMS, HCSS)
 - Trade Union Facilities costs
 - Maternity costs
 - Ethnic Minority Achievement Service
 - Travellers Education Service
 - Behaviour Support Service
5. There are a number of outcomes that could flow from the proposals to delegate the budgets. These include:
 - a. Following consultation with all schools, maintained schools agree that budgets should be de-delegated and retained centrally with services provided to all maintained schools;

- b. Schools agree that budgets should be delegated and schools make/purchase their own provision as appropriate;
 - c. Schools agree that budgets should be delegated and they then cluster together to purchase or deliver services.
6. Under scenario (a) the LA would be able to retain a level of service to provide to maintained schools, this service may be reduced from current levels unless there is also buyback from academies. The size of the service may also need to reduce over time as the number of academies increases.
7. Under scenarios (b) and (c) the LA would not be able to continue to deliver a service unless there is sufficient buy back on a traded basis from schools (maintained or academy) to enable retention of sufficient staff. This will be difficult to predict and the LA will need to decide whether it can afford to continue to deliver services centrally on a fully traded basis with full cost recovery. This would require a risk assessment.
8. **Appendix 1** lists the consultation questions.

Background – Transfer of Schools Block to High Needs Block 20/21

9. Schools Forum will recall a transfer of 0.8% (£2.2m) of School Funding was agreed to contribute to the High Needs Block recovery plan in 19/20 financial year. Schools Forum will recall that £1.2m of this came from the growth fund which, was estimated to be at a lower level of need than the DfE assessment.
10. The Update of Schools Revenue Funding 20/21 outlines the recent announcements regarding significant national increases in Schools Funding and funding for High Needs and Early Years blocks. More information around local authority allocations are anticipated in October. Whilst we welcome these announcements (summarised at national level in the table below) it must be treated with caution until the December Funding allocations are received. No further information on what this will mean for Wiltshire has been received at the time of writing this report.

	20/21 National Increase	21/22 National Increase	22/23 National Increase	TOTAL	Notes
Schools Funding	£2.6bn	£4.8bn	£7.1bn	£14.5bn	5-16 schools
Inflation / Schools Teacher Pay & Cond				£3.2bn	Nationally quoted: £34.6 > £52.2 bn
High Needs Block	£700m				Actual allocations due Oct 2019
Early Years Block	£66m				No detail received

11. The High Needs Block update section of the agenda today has covered the journey so far and the presentation from ISOS has shown the detailed work and recommendations together with an overview of the next steps.

12. The overspend for 2018/19 was £4.8m and this correlates to the continuing rise in request for new EHCPS and banding / funding increases from heads. The DSG reserve is in a £2.6m deficit position which, requires a recovery plan.

	Number of EHCPS	Increase	% Increase
Sept 2019	3646	386	12%
Sept 2018	3260	332	11%
Sept 2017	2928	298	11%
Sept 2016	2630		

13. The forecast overspend for 2019/20 is £4.864m. Should this come to fruition the DSG deficit reserve will be £7.130 million which is unsustainable and requires a recovery plan.
14. For this reason, it is recommended that we seek views of all schools on the questions in **Appendix 2** which cover a range of options ranging from transferring funding from Schools Block – using the growth fund estimated surplus in the first instance to reducing the unit values of direct funding levels of support for children and young people. The pledge from the Government is not yet quantified or confirmed for Wiltshire and so we must aim to plan for the unknown quantity.

Proposals

15. That Schools Forum decide on the consultation questions for maintained schools around delegation/de-delegation of budgets for central services within the schools' block. Appendix 1.
16. That Schools Forum decide on the consultation questions for all schools around setting the 20/21 Schools Budget. Appendix 2.

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Appendix 1 – De-Delegation Questions

DfE Heading	Wiltshire Budget	Delegate?	Retain Centrally?
Free school meals eligibility	Free School Meals Eligibility Service		
Licences/subscriptions	HCSS Licence		
Staff costs – supply cover	Trade Union Duties		
	Maternity Costs		
Support for minority ethnic pupils and underachieving groups	Ethnic Minority Achievement Service (EMAS)		
	Traveller Education Service		
Behaviour support services	Primary Behaviour Support Service		

Appendix 2 –2019 Schools Consultation:

Background

- *The High Needs block overspent by £4.8m in 2018/19 and is forecast to overspend by £4.864M in 2019/20.*
- *There is a £2.6M deficit DSG reserve in the Council's balance sheet – the forecast 19/20 overspend will push this up a deficit of £7.130m which needs to be part of a recovery plan.*
- *EHCPs are still rising by an average of 14.85 EHCPs per month, 11-12% per annum which is above the national level.*
- *An external review and report from ISOS form the basis of a collaborative approach and action plan (detail will be attached.) Many of these actions require a partnership approach and require planning and change management in order to achieve long term success.*

The DSG is ringfenced and therefore to manage this overspend, it is suggested an amount is transferred from the Schools Block, initially the growth fund (as 19/20)

Q1 a) Taking the factors above into account, do you support a transfer of funding from the School Block to the High Needs Block?

Yes	
No	

b) If you support a transfer, please indicate the amount (based upon 2019-20 funding)

£1.0m (0.36%)	
£1.5m (0.545%)	
£2.0m (0.72%)	
£2.5m (0.901%)	
£3.0m (1.08%)	
£3.5m (1.27%)	

c) No transfer of funding from the Schools Block to the High Needs Block for 2020-21 on the understanding that devolved budgets to schools including top-up and Named Pupil Allowance (NPA) funding levels would have to be reduced to keep the High Needs Block within budget?

Yes	
No	

d) Would you prefer to see a hybrid of the above with a transfer from Schools Block to top up the High Needs requirements of pupils in school together with reduced values of devolved funding for vulnerable pupils e.g. named pupil allowances and top ups?

Yes	
No	

2) If you do not agree to the transfer of funds or the reduction of top-up funding levels, how else do you suggest that we fill the funding gap that we have for High Needs?

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Wiltshire Council

Schools Forum

10 October 2019

Government. Consultation – Implementing Mandatory Minimum per Pupil Funding Levels

Purpose of report

1. To outline the content of the Department for Education's (DfE) consultation on Implementing Mandatory Minimum per Pupil Funding Levels.

Background

2. The Minister of State for School Standards, the Rt Hon Nick Gibb, set out in his statement on 9 September 2019, the key aspects of next year's funding arrangements for schools. The full statement is included as Appendix 1 to this report.
3. The Department for Education (DfE) will publish provisional funding details in October 2019 (based upon 2018 census details) and full and final details of the funding allocations, as normal, in December 2019.
4. As part of the proposals, the DfE have released a consultation focussing on how best to implement the minimum per pupil funding levels. The consultation raises questions on both technical and operational arrangements and provides an opportunity for respondents to raise wider issues and concerns.
5. Primarily the consultation is aimed at local authorities, maintained schools and academies and anyone with an interest in school funding.

Proposals

6. The key proposals set out by the Secretary of State are;
 - Primary - minimum per pupil level of funding increases from £3,500 to £3,750 (mandatory from 2020-21)
 - Secondary - minimum per pupil level of funding increases from £4,800 to £5,000 (mandatory from 2020-21)
 - Other funding factors increased by 4% except;
 - FSM factor (increased by inflation)
 - Premises factors (split site, PFI, rents)
 - Schools Forum to still have discretion over the funding formula in 2020-21
 - Continue to move to a 'hard' NFF in future years
 - Setting a positive MFG of between +0.5% and +1.84%
 - Teachers Pay Grant and Pension Grant to continue in 2020-21

Calculation of the proposed minimum per pupil funding level

7. The minimum per pupil funding factor refers to the level of per pupil funding that schools receive and differs from the minimum funding guarantee (MFG) which provides for minimum increase over current funding.
8. To determine whether a school attracts additional funding as a result of the minimum per pupil factor and will be 'topped up', a comparison between the schools current funding per pupil and the minimum funding level needs to be made.
9. The proposed calculation is set out below using a Primary School and a Secondary School funding for the example, using the 2019-20 funding rates;

	Primary	Secondary
Number on Roll	220	1100
Pupil-led Funding		
- AWPU	2,747	4,072
- Deprivation / Prior Attainment / EAL	498	520
School-led Funding*		
- Lump Sum (£110,000 / NOR)	500	100
Total per Pupil funding	3,745	4,692
Minimum per Pupil Funding Level	3,750	5,000
Over / (Under) Funding per pupil	(5)	(308)
Extra funding through the Minimum per pupil Factor	1,100	338,800

* - excludes the other Premises Factors

10. The calculation is set out below using a Primary School and a Secondary School funding for the example, using the proposed uplifted 2020-21 funding rates

	Primary	Secondary
Number on Roll	220	1100
Pupil-led Funding		
- AWPU	2,857	4,235
- Deprivation / Prior Attainment / EAL	518	540
School-led Funding*		
- Lump Sum (£114,400 / NOR)	520	104
Total per Pupil funding	3,895	4,879
Minimum per Pupil Funding Level	3,750	5,000
Over / (Under) Funding per pupil	145	(121)
Extra funding through the Minimum per pupil Factor	0	133,100

* - excludes the other Premises Factors

11. The table below sets out details of the number of schools which would gain in funding through the introduction of the minimum funding level factor. This is based upon the 2019-20 core funding, after the application of the 4% uplift to all Pupil and School led factors, using the October 2018 census data.

Primary & Secondary Schools gaining through the Minimum per Pupil Funding Level, after uplifting Pupil & School Led factors by 4% using October 2018 census data

	<u>Primary</u>	<u>Secondary</u>
Total No. of schools	202	30
No. of Schools gaining through Minimum Funding Level	18	15
% of schools to receive funding through the MFL	9%	50%
Smallest School to Gain (NOR)	187	696
Largest School to Gain (NOR)	626	1,433
Average size of Gaining School	388	1,034
Range of Gains through the MFL		
Smallest gain	£1,218	£70
Largest Gain	£111,833	£411,335
Average Gain of those schools gaining	£41,175	£209,319
Highest Uplift of MFL per pupil	£257.68	£551.39
Lowest Uplift MFL per pupil	£6.52	£0.06
Average Uplift of MFL per pupil	£100.04	£213.04
Projected Total Value of MFL funding in 2020-21	£741,145	£3,139,779

Consultation

12. The Department are keen to seek views from local authorities and other stakeholders and have launched a short consultation, which closes on 22 October 2019. Full details of the consultation are available at Appendix 2.

13. The questions forming the consultation are detailed below;

Question 1

- Do you agree that, in order to calculate the mandatory minimum per pupil funding levels, all local authorities should follow the NFF methodology? If not, please explain your reasons.

Question 2

- Do you agree that any requests from local authorities to disapply the use of the mandatory minimum per pupil levels should only be considered on an exceptional basis and in the context of the grounds above? If not, please explain your reasons.

Question 3

- Please provide any additional comments you wish to make on the implementation of mandatory minimum per pupil levels.

Question 4a

Do you think that any of our proposals could have a disproportionate impact, positive or negative, on specific pupils, in particular those who share a protected characteristic? Please provide evidence to support your response.

Question 4b

How could any adverse consequences be reduced and are there any ways we could better advance equality of opportunity between those pupils who share a relevant protected characteristic and those who do not? Please provide evidence to support your response

14. Schools Forum to note the content of the report and give consideration to both the distribution of, and responses to the consultation.

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Appendix 1

School Funding Update :Written statement - HCWS1828

WS Department for Education Made on: 09 September 2019

Made by: **Nick Gibb** (The Minister of State for School Standards)

 HCWS1828

School Funding Update

Today I am confirming detailed aspects of schools and high needs funding arrangements for 2020-21. This follows a statement by the Secretary of State for Education on 3 September, which confirmed to Parliament that the funding for schools and high needs will, compared to 2019-20, rise by £2.6 billion for 2020-21, £4.8 billion for 2021-22, and £7.1 billion for 2022-23.

In 2020-21, this funding will be distributed using the Schools and High Needs National Funding Formulae (NFF). We will be publishing provisional NFF allocations at local authority and school level in October, including local authorities' final primary and secondary units of funding for the Schools Block. Alongside this, in the usual way, we will publish technical documents setting out the detail underpinning the formulae. We will then publish final schools and high needs allocations for local authorities in the Dedicated Schools Grant (DSG) in December.

The Schools NFF for 2020-21 will continue to have the same factors as at present, and we will continue to implement the formula to address historic underfunding and move to a system where funding is based on need. The key aspects of the formula for 2020-21 are:

- The minimum per pupil funding levels will be set at £3,750 for primary schools and £5,000 for secondary schools. The following year, in 2021-22, the primary minimum level will rise to £4,000.
- The funding floor will be set at 1.84% per pupil, in line with the forecast GDP deflator, to protect per pupil allocations for all schools in real terms. This minimum increase in 2020-21 allocations will be based on the individual school's NFF allocation in 2019-20.
- Schools that are attracting their core NFF allocations will benefit from an increase of 4% to the formula's core factors.
- There will be no gains cap in the NFF, unlike the previous two years, so that all schools attract their full core allocations under the formula.
- As previously set out, we will make a technical change to the mobility factor so that it allocates this funding using a formulaic approach, rather than on the basis of historic spend.
- Growth funding will be based on the same methodology as this year, with the same transitional protection ensuring that no authority whose growth funding is unwinding will lose more than 0.5% of its 2019-20 schools block allocation.

The Secretary of State confirmed on 3 September the government's intention to move to a 'hard' NFF for schools – where budgets will be set on the basis of a single, national formula. We recognise that this will represent a significant change and we will work closely with local authorities, schools and others to make this transition as smoothly as possible.

In 2020-21 local authorities will continue to have discretion over their schools funding formulae and, in consultation with schools, will ultimately determine allocations in their area. However, as a first step towards hardening the formula, from 2020-21 the government will make the use of the national minimum per pupil funding levels, at the values in the school NFF, compulsory for local authorities to use in their own funding formulae.

In addition, two important restrictions will continue:

- Local authorities will continue to set a Minimum Funding Guarantee in local formulae, which in 2020-21 must be between +0.5% and +1.84%. This allows them to mirror the real terms protection in the NFF, which is the Government's expectation.
- Local authorities can only transfer up to 0.5% of their School Block to other blocks of the DSG, with schools forum approval. To transfer more than this, or any amount without schools forum approval, they will have to make a request to the Department for Education, even if the same amount was agreed in the past two years.

The High Needs NFF for 2020-21 will also have the same factors as at present. With over £700 million of additional funding, the formula will:

- Ensure that every local authority will receive an increase of at least 8% per head of 2 to 18 population through the funding floor. This minimum increase in 2020-21 allocations will be based on local authorities' high needs allocations in 2019-20, including the additional £125 million announced in December 2018.
- Above this minimum increase, the formula will allow local authorities to see increases of up to 17%, again calculated on the basis of per head of population.

The teachers' pay grant and teachers' pension employer contributions grant will both continue to be paid separately from the NFF in 2020-21. We will publish the rates that determine the 2020-21 allocations in due course.

This statement has also been made in the House of Lords: [HLWS1791](#)

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Department
for Education

Implementing mandatory minimum per pupil funding levels

Government consultation

Launch date: 10 September 2019

Respond by: 22 October 2019

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Introduction

The Department for Education is consulting on how to implement the minimum per pupil funding levels in the National Funding Formula (NFF) on a mandatory basis in 5 to 16 school funding. This means that every local authority will have to use the factor in their local funding formulae from 2020-21, which we intend to reflect in the School and Early Years Finance (England) Regulations following this consultation.

About the change

The government recently [announced](#) that funding for schools and high needs will rise to over £52bn by 2022-23. This considerable investment will benefit every school. It will ensure that per pupil funding for all schools can rise at least in line with inflation next year; and faster than inflation for most. The majority of schools – those attracting their core NFF allocations – will benefit from a 4% increase to the basic per pupil factors and the funding the formula provides for additional needs. We will remove the cap on gains for schools not yet attracting their full gains under the NFF, so that funding flows through in full. The investment also delivers on the Prime Minister’s pledge to ensure every secondary school receives at least £5,000 per pupil, and every primary school will be allocated at least £3,750 – putting primary schools on the path to receiving at least £4,000 per pupil the following year.

The government has also confirmed that it plans to implement a ‘hard’ NFF as soon as possible, whereby schools receive what they attract through the national formula, rather than through different local authority funding formulae. This will complete our reforms to make the funding system fair, consistent and transparent for every school in the country. We will work closely with local authorities and other stakeholders in making this transition, including to carefully consider the issues that we would need to resolve under a hard formula, such as where funding relies on local intelligence or is tied to local duties. Further detail will be announced in due course, but we will be mindful not to introduce any significant change without adequate lead-in times.

Currently, local authorities have flexibility over how they distribute the funding they receive through the NFF locally, in consultation with schools. This has allowed them to manage the transition towards the NFF, which we have seen significant progress towards in its first two years. The majority of local authorities have chosen to move towards the NFF locally, with 81 authorities this year moving every one of their factor values in their own local formulae closer to the national formula since its introduction. 121 authorities chose to use the factor for minimum per pupil funding levels this year.

In 2020-21, while local authorities will continue to have discretion over the design of the majority of their funding formulae, we have [announced](#) that we intend to make the minimum per pupil funding levels a mandatory factor to use. This factor supports the

lowest funded schools by ‘topping up’ any school that, under funding formulae, would otherwise receive below the minimum levels. Through the NFF, all local authorities receive at least the minimum levels for every school in their area – the majority of schools attract above these levels. By making this factor mandatory, the minimum levels that are provided for in the NFF will be delivered locally, reassuring school leaders and parents that every school will receive at least this funding.

While it is important that the NFF supports the lowest funded schools, it will rightly continue to provide significant extra funding for schools that have more pupils with additional needs, using measures of deprivation and low prior attainment. The minimum levels recognise that there are pupils requiring additional support in every school in the country, including in the lowest funded schools. This is a message we heard in consultation ahead of the introduction of the NFF, and have heard from schools and educational professionals since.

About this consultation

Local authorities and schools should plan on the basis that the minimum per pupil levels will be mandatory this year. This consultation focuses on how best to implement this change, seeking views on technical and operational arrangements, while also providing an opportunity for respondents to raise any wider issues. The consultation questions cover:

- the methodology used to calculate the minimum per pupil levels in local funding formulae;
- the circumstances in which local authorities can request to disapply the use of the minimum per pupil levels;
- any other considerations for delivering this change at local level;
- with regard to the public sector equality duty, the impact of the proposals on different groups of pupils, particularly those with protected characteristics.

Who this consultation is for

This consultation welcomes views from anyone with an interest in school funding. However, it specifically focuses on how we implement the minimum per pupil funding levels in 5 to 16 school funding, through local authority funding formulae. It will therefore be most relevant to local authorities, who hold responsibility for those formulae, and maintained schools and academies, as recipients of the funding.

For more detailed information about 5 to 16 school funding arrangements you can refer to the Operational Guide for 2020-21, to be published on GOV.UK shortly.

Responding to this consultation

Online

To help us analyse the responses please use the online system wherever possible. Visit www.education.gov.uk/consultations to submit your response.

By email

Minimum.FUNDING@education.gov.uk

By post

Funding Policy Unit, Department for Education
4th floor, Sanctuary Buildings
Great Smith Street
SW1P 3BT

Enquiries

If your enquiry is related to the policy content of the consultation you can contact the department's Funding Policy Unit by email:

Minimum.FUNDING@education.gov.uk

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by email:

Coordinator.CONULTATIONS@education.gov.uk or by telephone: 0370 000 2288 or via the [DfE Contact us page](#).

Additional copies

Additional copies are available electronically and can be downloaded from GOV.UK DfE consultations.

Deadline

The consultation closes at 11.45pm on 22 October 2019.

The response

We will publish the results of the consultation on GOV.UK in November 2019.

We are mindful of the need to confirm final arrangements with as much notice for local authorities as possible.

Consultation questions

1. Calculating the minimum per pupil funding levels

For information: how the calculation works in the NFF

The minimum per pupil funding factor refers to the level of per pupil funding that schools receive. It differs from the funding floor in the NFF, or the minimum funding guarantee in local formulae, which provide a minimum increase over individual school baselines.

To calculate whether a school attracts additional funding as a result of the minimum per pupil factor (i.e. if it needs to be ‘topped up’) we compare the minimum per pupil funding levels to the school’s per pupil funding (before the minimum per pupil funding levels and funding floor are applied). This calculation is set out in Figure 1 below.

Figure 1. Calculation of the minimum per pupil funding factor in the NFF

Calculation step	Description	Example
1) Pupil-led funding (before the minimum per pupil factor and funding floor)	We start with the pupil-led funding before applying the minimum per pupil funding or funding floor.	A secondary school’s pupil-led funding (before the minimum per pupil factor and funding floor) is £4,500 per pupil.
2) School-led funding	We need to add together the total funding through the pupil-led and school-led factors to calculate total funding (before the minimum per pupil factor and funding floor). Premises factors are exempt from the school-led factors	The school-led funding for the school is £110,000 Lump Sum.
3) Adjusted pupil count in the Local Authority funding formula submission (i.e. the Authority Proforma Tool)	We use this to calculate the per pupil funding for the minimum per pupil funding factor calculation.	Secondary school’s pupil count is 1,200.

<p>4) Per pupil funding used for the minimum per pupil funding calculation</p>	<p>The per pupil funding (before the minimum per pupil factor and funding floor) is equal to:</p> <p>Pupil-led funding (before the minimum per pupil factor and funding floor) (Step 1)</p> <p>Multiplied by APT adjusted pupil count (Step 3)</p> <p>Plus school-led funding (Step 2)</p> <p>Divided by APT adjusted pupil count (Step 3).</p>	<p>School's per pupil funding (before the minimum per pupil factor and funding floor) is equal to:</p> <p>£4,500 multiplied by 1,200 (£5,400,000)</p> <p>Plus £110,000 (£5,510,000)</p> <p>Divided by 1,200, which equals £4,592.</p> <p>i.e.</p> $(([1] \times [3]) + [2]) \div [3]$ $= ((£4,500 \times 1200) + £110,000) \div 1200$ $= £4592$
<p>5) School's individual minimum per pupil funding level</p>	<p>The calculation of the minimum per pupil funding level for each school is set out below (p.8)</p>	<p>School is a secondary with three KS3 year groups and two KS4 year groups, so minimum per pupil funding level is £5,000.</p>
<p>6) Does the school receive funding through the minimum per pupil funding factor?</p>	<p>If a school's per pupil NFF funding (Step 4) is less than the school's individual minimum per pupil funding level (Step 5), then the school receives extra funding through the minimum per pupil funding factor.</p>	<p>School's per pupil funding (before minimum per pupil factor and funding floor) is £4,592.</p> <p>This is less than the school's individual minimum per pupil funding level, £5,000. Therefore, the school receives a funding uplift through the minimum per pupil funding factor.</p> <p>This is equal to £408 per pupil (£5,000 minus £4,592).</p> <p>i.e.</p> $= IF [4] < [5], \text{ then } [5] - [4], \text{ ELSE } 0$ $= £5,000 - £4,592$ $= £408$

7) Per pupil funding after applying the minimum per pupil funding factor	We add per pupil funding through the minimum per pupil funding factor (step 6) to the NFF per pupil funding (step 4), and multiply by the proportion of the financial year for which the school is open.	School is open for the full financial year. The NFF per pupil funding is £4,592 plus £408 multiplied by 100%, i.e. the minimum £5,000. i.e. $= ([6] + [4]) \times 100\%$ $= £5000$
8) Pupil-led funding per pupil (after the minimum per pupil funding but before the funding floor).	For the NFF funding floor calculation, we take the NFF per pupil funding reached in Step 7, then multiply this by pupil numbers (Step 3), and subtract the school-led funding (Step 2). We then divide this by pupil numbers (Step 3) to reach a per pupil value to use before the application of the funding floor	School's NFF per pupil funding minimum per pupil is £5,000. The per pupil value of £5000 is multiplied by the pupil count of 1,200, i.e. 6,000,000. We subtract the school-led funding of £110,000 and divide by the pupil count of 1,200. i.e. $= ([7] \times [3] - [2]) \div [3]$ $= £4,908.$

For information: changes to the calculation in 2020-21

Compared to the NFF of the previous two years, in 2020-21 there are two technical changes which will affect the minimum per pupil calculation.

Firstly, to ensure consistency for all schools, including those with non-standard year groups, this year we have simplified the calculation for a school's individual minimum per pupil levels within the NFF, i.e. Step 5 in Figure 1 above. For all schools, we will now apply the following calculation:

$$\frac{(\text{No. of primary year groups} \times \text{£3,750}) + (\text{No. of KS3 year groups} \times \text{£4,800}) + (\text{No. of KS4 year groups} \times \text{£5,300})}{\text{Total number of year groups}}$$

Total number of year groups

This calculation will provide per pupil funding of at least £3,750 for each primary school, and £5,000 for each secondary school with standard structures of 7/5 year groups respectively. For middle schools, all-through schools and other schools with a non-standard year group structure this will produce a specific minimum per pupil value that relates to the number of year groups in each phase.

Secondly, from 2020-21 we are introducing a formulaic approach to the mobility factor in the NFF, rather than funding this on the basis of historic spend. We confirmed this intention in response to our consultation on the introduction of the NFF in 2017, and have since worked closely with local authorities and other stakeholders on its development. Further detail will be provided in the 2020-21 NFF technical note, which will be published shortly. For the purpose of the minimum per pupil levels, it means that mobility is now included in the calculation as part of per pupil funding before applying the minimum per pupil factor and funding floor, i.e. Step 4 in Figure 1 above. The only factors not included in per pupil funding for the purpose of the calculation are premises and growth funding. Further detail on premises and growth funding is available in the 2020-21 Operational Guide.

Proposal

We propose that the simplest and most effective way to implement mandatory minimum per pupil funding levels is for every local authority to follow the same methodology used in the NFF, described above, in their local funding formula.

This means that local authorities would calculate the minimum per pupil levels on the basis of the school's total core funding – that is all the funding they receive from the schools block – excluding funding through the premises and growth factors. As explained above, in 2020-21 we are formularising the mobility factor in the NFF, so mobility funding will be included in the calculation of the minimum per pupil levels both in the NFF and in local formulae.

The Authority Proforma Tool (APT), which we ask local authorities to use in order to specify and model their funding formulae, will allow authorities to check that each school's funding per pupil is above the relevant minimum per pupil funding level. Any capping and scaling would not be able to take the school below the minimum values.

The only further calculation that authorities would be able to make once their formula has provided the minimum per pupil level for a school is, for maintained schools only, to deduct funding for de-delegated central services if the schools forum has agreed this can be taken from their budget shares in 2020-21. Further detail on de-delegation is available in the 2020-21 Operational Guide.

Question 1: Do you agree that, in order to calculate mandatory minimum per pupil funding levels, all local authorities should follow the NFF methodology? If not, please explain your reasons.

2. Disapplying the mandatory minimum per pupil funding levels

All local authorities will receive at least the minimum per pupil levels for every school in their area through the NFF. The principle of making the levels mandatory is that we expect local funding formulae to ensure that no school receives less than these per pupil amounts. We therefore intend to set out in the School and Early Years Finance (England) Regulations that all local authority funding formulae must use the minimum per pupil factor, set at the values in the NFF.

However, we recognise that there may be exceptional circumstances in which a local authority finds it difficult to deliver the minimum per pupil funding levels at the same value provided in the NFF. We therefore propose to stipulate in the School and Early Years Finance (England) Regulations that authorities can make a request to the department to disapply the use of the full NFF per-pupil values.

While we would consider each disapplication request on its own merit, we would expect such requests to be exceptional. Our proposed policy is that affordability would be the only acceptable circumstance in which a local authority could disapply the use of the mandatory minimum per pupil levels. The only clear reasons that an authority would be in this position are:

- if they do not use all the funding they receive through the NFF in their local schools funding formula, having transferred funding from the schools block to another DSG block or held back more funding for their growth fund than the NFF has provided for growth;
- if the more recent pupil characteristics data used in their local formula has changed significantly enough from the data used in the NFF that the use of national factor values becomes unaffordable.

In addition, it will not always be the case that an authority experiencing *any* pressure as a result of the above would be unable to afford the minimum per pupil levels – it would need to be a significant enough pressure in the context of the authority's own formula. We would consider evidence in disapplication requests that the authority had designed their formula on the presumption of using the full minimum per pupil levels. We would expect them to have considered a range of alternative options with their schools forum on how to implement them, including modelling the impact on all schools, but concluded that they could not do so without having a significant adverse impact on other schools in the area. Furthermore in 2020-21 we expect there to be less need to make transfers from the schools block in light of the considerable additional high needs funding that each local authority will receive.

We will confirm details for disapplication related to the minimum per pupil levels in the response to this consultation.

Question 2: Do you agree that any requests from local authorities to disapply the use of the mandatory minimum per pupil levels should only be considered on an exceptional basis and in the context of the grounds described above? If not, please explain your reasons.

3. Additional comments

We want to give respondents to this consultation the opportunity to raise any additional points which have not been covered above, with regards to potential issues that need to be considered when local authorities implement mandatory minimum per pupil funding levels in 2020-21.

You are not required to provide additional information if you do not have any further comments.

Question 3. Please provide any additional comments you wish to make on the implementation of mandatory minimum per pupil levels.

4. Public Sector Equality Duty

The Public Sector Equality Duty places a legal obligation on the department to consider how its decisions impact differently on different people. The relevant protected characteristics under the duty are:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race (including ethnicity)
- religion or belief
- sex
- sexual orientation

Under Section 149 of the Equality Act 2010, the Secretary of State is under a duty to have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, in particular the need to:
 - remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic

- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, in particular the need to:
- tackle prejudice
 - promote understanding.

We are committed to ensuring equality of opportunity for all children and it is important for us to consider the possible impact that consultation proposals could have on different groups. We are seeking views through this consultation on whether any of the proposals would have a disproportionate impact on specific pupils, and if so, what could be done to mitigate this impact.

Question 4a: Do you think that any of our proposals could have a disproportionate impact, positive or negative, on specific pupils, in particular those who share a protected characteristic? Please provide evidence to support your response.

Question 4b: How could any adverse consequences be reduced and are there any ways we could better advance equality of opportunity between those pupils who share a relevant protected characteristic and those who do not? Please provide evidence to support your response.



Department
for Education

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Strategic review of support, services and provision for children and young people with high needs in Wiltshire

Page 79
Final report
Summer 2019



Agenda Item 15

Introduction

Background to the review

- In the spring of 2019, Wiltshire Council commissioned an independent strategic review of support, services and provision for children and young people with special educational needs (SEND) and high needs. This was prompted by growing pressure on the high needs block (the stream of funding within the Dedicated Schools Grant for the local area to support children and young people with high needs), and the need to develop a new, shared strategic approach to ensuring this collective resource is used to best effect to support young people within additional needs in Wiltshire.
- The review was led by Ben Bryant (from Isos Partnership, an independent research and advisory organisation, with a track-record of carrying out national research and fast-paced reviews of inclusion and SEND) and Karina Kulawik (an independent consultant specialising in inclusion and SEND). They were supported by Beth Swords (Isos).

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Scope of the review

- This was a strategic review, with a focus on how well the current arrangements in Wiltshire supported children and young people with SEND and high needs, and what was needed to build a shared strategy for the future. The review was not intended to provide an “inspection” of aspects of day-to-day operational practice in Wiltshire.
- When we talk about “the local system of support, services and provision for children and young people with SEND and high needs”, we mean –
 - ✓ children and young people aged from birth to 25 (referred to as ‘young people’ in this report for brevity);
 - ✓ arrangements to support them that include support in mainstream education settings and universal services, targeted services to support inclusion and specific needs, and specialist provision; and
 - ✓ support that is provided from a range of agencies including education, health and care.

Introduction

Aims of the review

- The aims of the review were to:
 1. build an evidence base and collective understanding of how effectively the local system supports young people with SEND and high needs;
 2. engage a broad range of partners to build consensus, harness collective expertise and shape solutions; and
 3. work co-productively to develop a shared strategic approach for the future.

Our approach

We approached the work in three distinct phases.

- ✓ Phase 1: Initial scoping (Jan-Mar 2019) – we undertook some desk-based work to review key data (published national datasets and internal data) and local strategic documents to build up a picture of the current context in Wiltshire and identify themes to explore further through further evidence-gathering activities.
 - ✓ Phase 2: In-depth evidence-gathering (Apr-May 2019) – we undertook a range of visits and individual conversations with schools, early years settings and key services, workshops with parents and carers, and discussions with strategic leaders from the local authority (LA). We also undertook an online survey, which was completed by 56 parents / carers (referred to as ‘parents’ in this report) and 160 professionals.
 - ✓ Phase 3: Testing findings and shaping recommendations (June-July 2019) – we facilitated five workshops for parents, professionals and strategic leaders to share and test our findings and shape recommendations.
- We are grateful to all colleagues who have contributed to this review, both in terms of sharing their perspectives and helping to shape solutions. We hope the process of the review and this summary report provide the foundation for a robust and effective shared strategy for supporting young people with SEND and high needs in Wiltshire.

Contents of this report

Part 1: The current context of support for young people with SEND and high needs in Wiltshire

Part 2: Six themes that this review has explored – key findings and recommendations

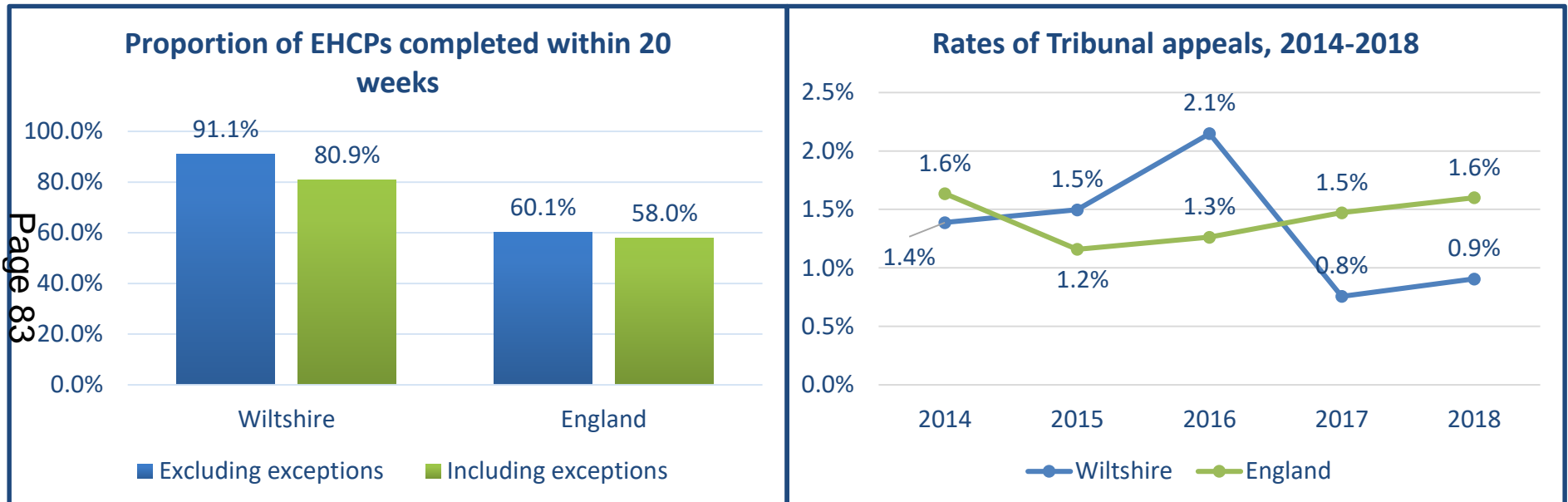
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Part 3: Implications for the use of the high needs block

Conclusion: Overarching messages and taking this agenda forward

Part 1: Current context – (a) system performance and outcomes

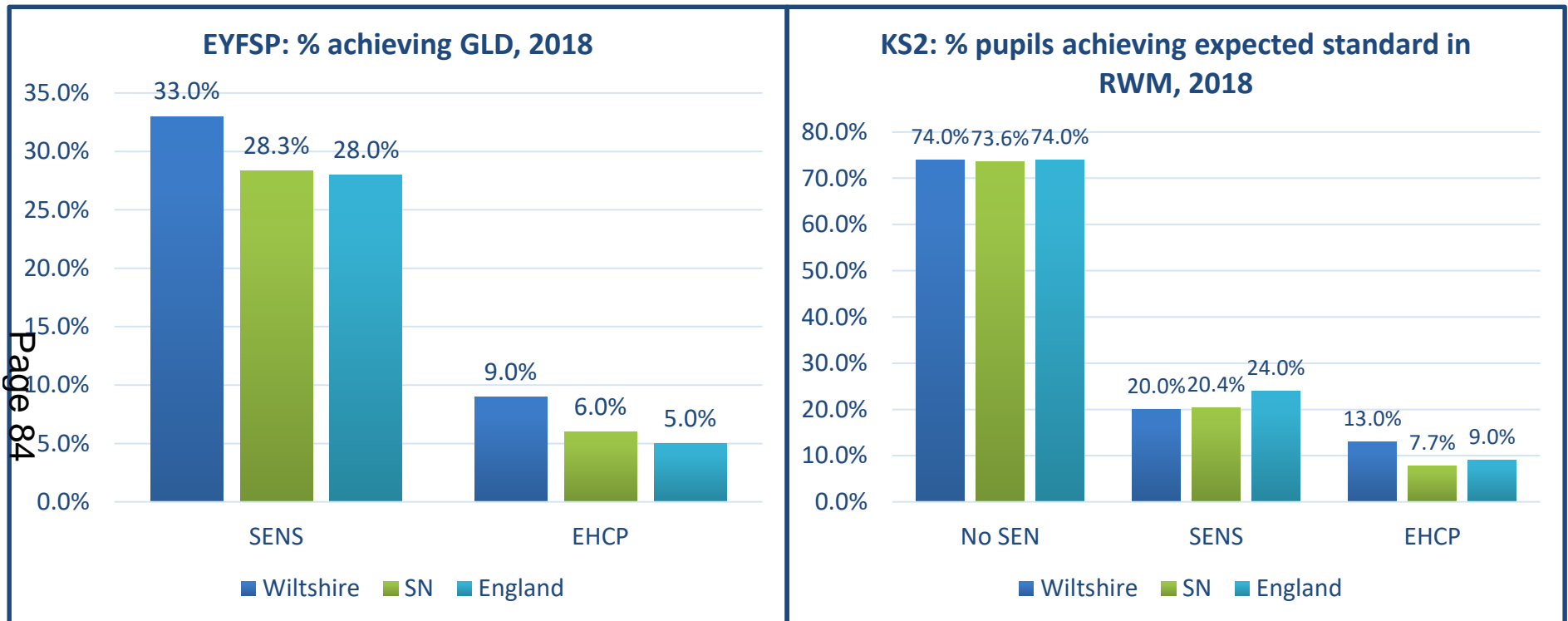
In this section, we provide a brief overview of the local system in Wiltshire, with key points drawn from internal and published data. This provides the context for the findings from this review, while also allowing us to benchmark Wiltshire against similar local areas and national trends. We have structured this section into three main areas: (a) system performance and outcomes, (b) the level and profile of need, and (c) resources and the financial context.



Wiltshire completes a high proportion of EHCPs within 20 weeks – over nine in 10 excluding exceptions, and eight in 10 including exceptions. This is an important foundation for a local SEND system. Wiltshire also has a low rate of appeals to the Tribunal – both in absolute and proportionate terms, appeals and mediations have fallen since a peak in 2016. Tribunal appeals have fallen from 57 in 2016 to 25 in 2018. At the same time, the number of so-called “appealable decisions” (statutory assessments refused, decisions not to issue education, health & care plans (EHCPs), numbers of plans, numbers of plans ceased) in Wiltshire has increased from 2,018 in 2014 to 3,422 in 2018.

Sources: Left, *Statements of SEN and EHC Plans: England 2019*; right, *Tribunal Statistics Quarterly: January to March 2019*.

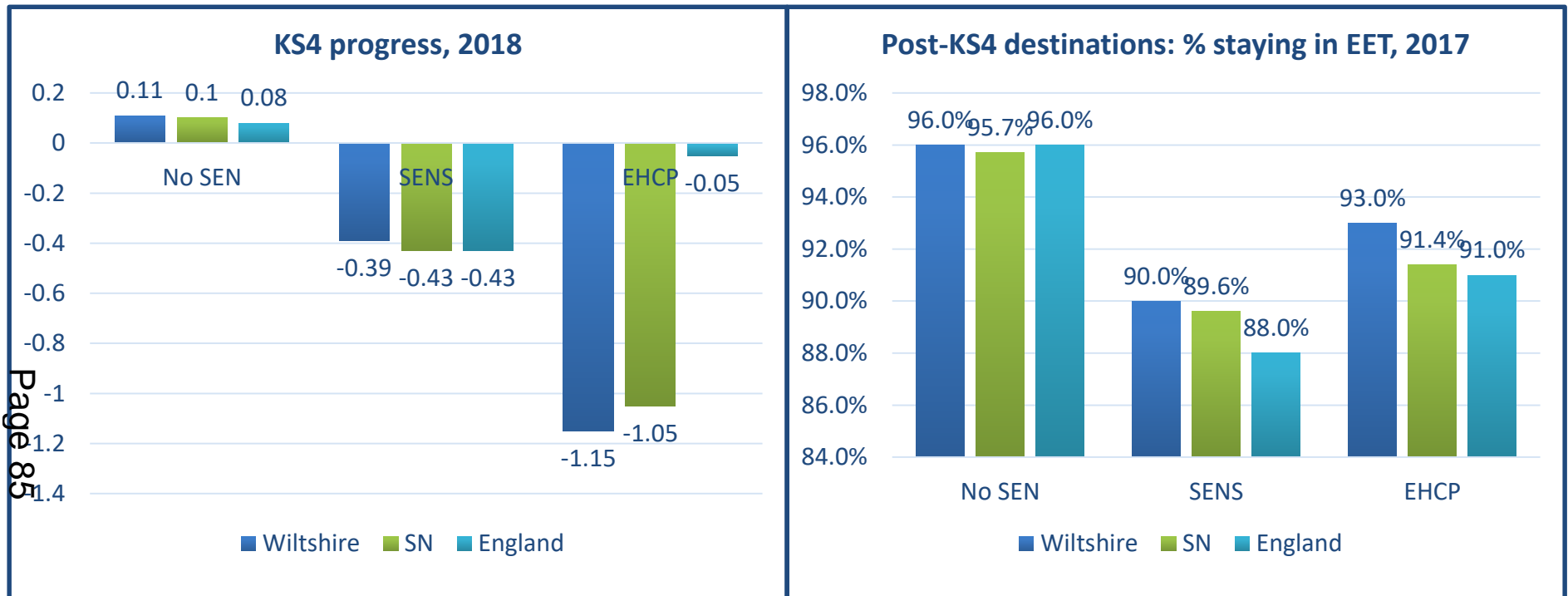
Part 1: Current context – (a) system performance and outcomes



Children in the early years and primary-age pupils with SEND achieve well in Wiltshire compared to the averages of similar LAs (statistical neighbours, abbreviated to 'SN' above) and across England. A higher proportion of children with SEN support (SENS) and EHCPs achieve a good level of development (GLD) in the early years foundation stage profile (EYFSP) than their peers in similar LAs and nationally. Similarly, a higher proportion of pupils with EHCPs achieved expected standards in reading, writing and maths (RWM) at Key Stage 2 (KS2) than their peers (although a smaller proportion of those with SENS achieved the expected standard than is the case nationally). Primary pupils with SEN also make more progress in reading, writing and maths at KS2 than their peers in other areas.

Sources: Left, *Early years foundation stage profile results: 2017 to 2018*; right, *Statistics, Key Stage 2, 2018*.

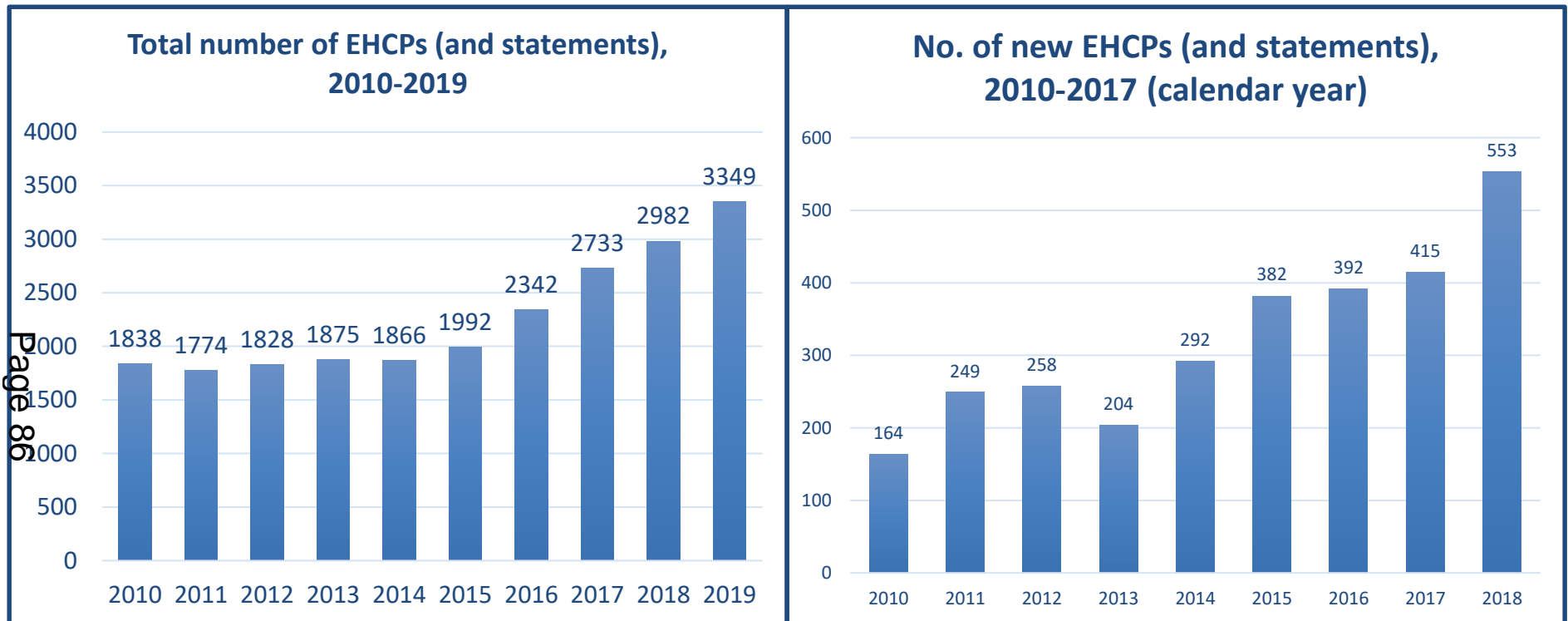
Part 1: Current context – (a) system performance and outcomes



While pupils with SEND achieve at KS4 at a similar level to their peers in similar local areas and nationally (attainment 8 scores for Wiltshire pupils with EHCPs are slightly higher than the national average and similar LAs, but slightly lower for pupils with SENS), pupils with EHCPs make less progress (progress 8 scores shown in the left-hand table above) than their peers in similar local areas and nationally. After KS4, a higher proportion of pupils with SEN (both SENS and EHCPs) go to stay in education, employment of training (EET) after the end of KS4. Not shown on the chart above, but a higher proportion of pupils with SEN and with no SEN achieve Level 2 qualifications by the age of 19 than is the case in similar local areas and nationally.

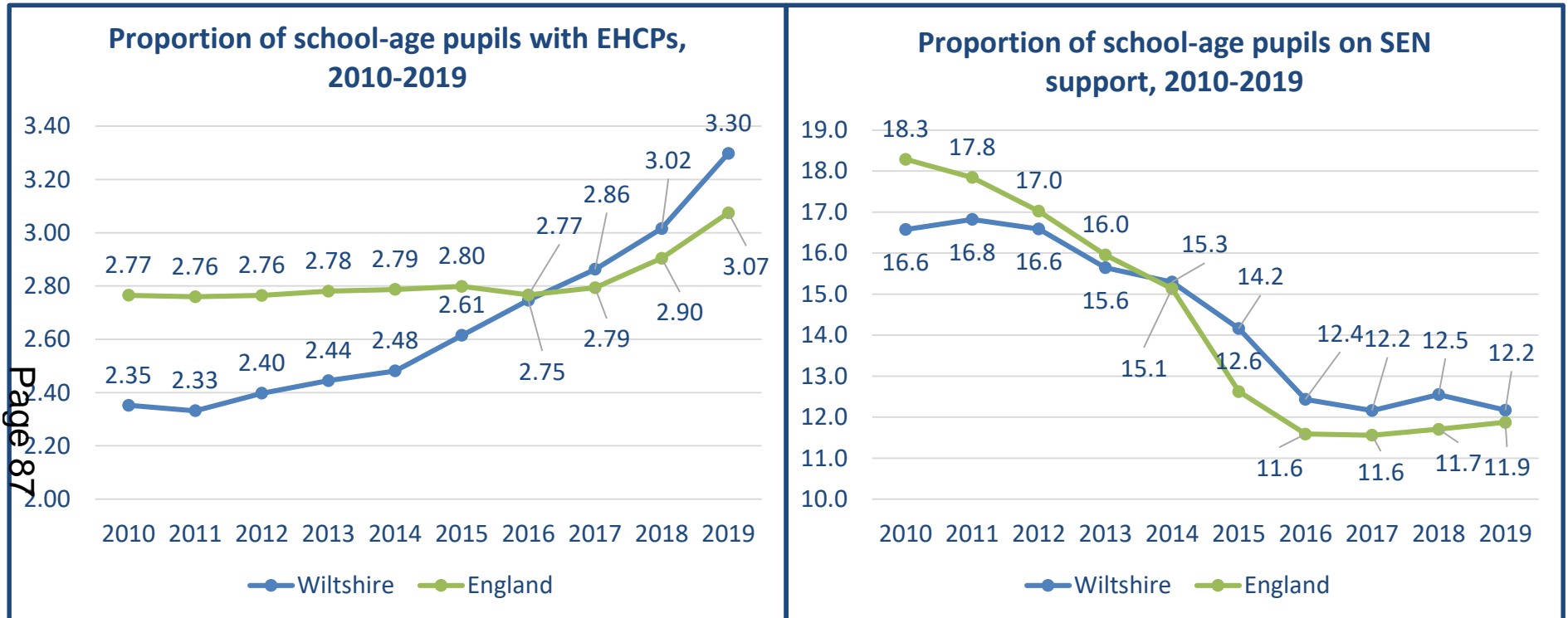
Sources: Left, *Statistics: GCSEs (Key Stage 4)*; right, *Destinations of KS4 and KS5 pupils, 2017*.

Part 1: Current context – (b) level and profile of identified need



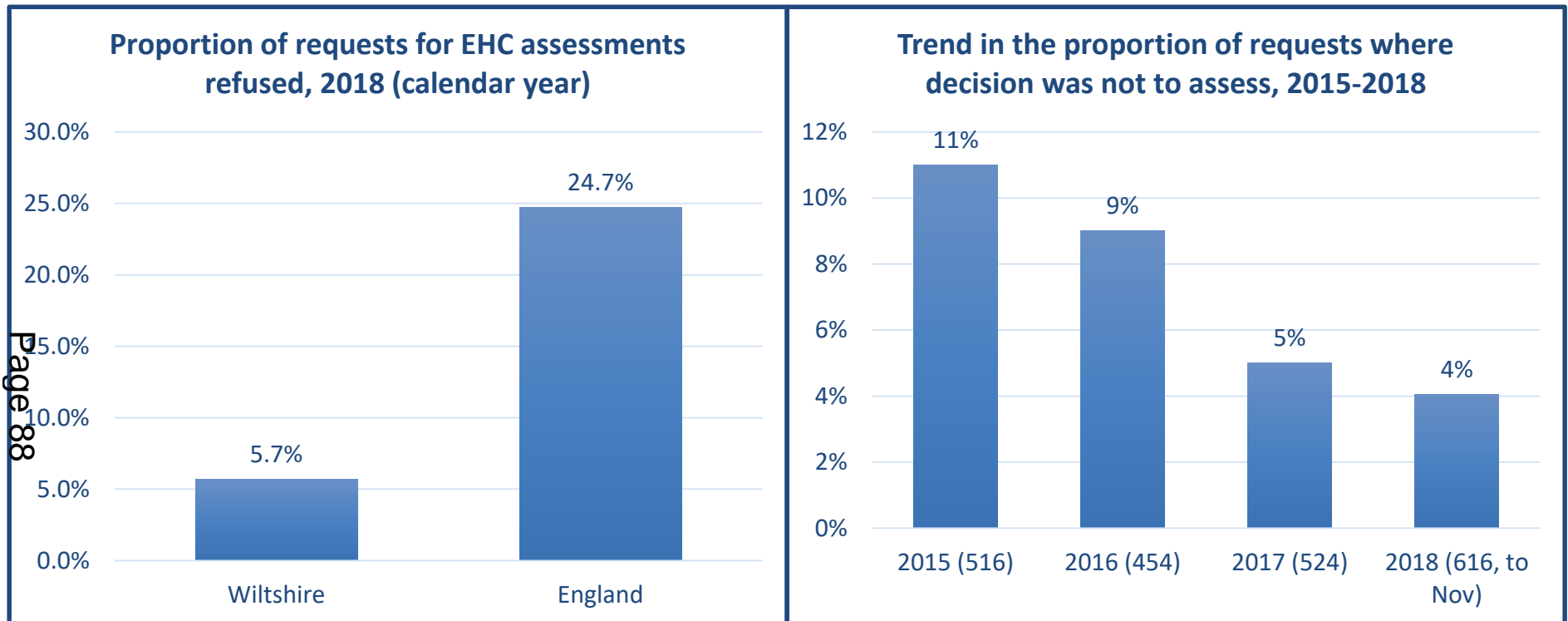
Wiltshire has seen a significant increase in the number of EHCPs (or previously statements) since the introduction of the SEND reforms. While this is a trend seen nationally, the rate of increase has been more pronounced in Wiltshire. Nationally, EHCPs have increased by 52% since 2013, whereas Wiltshire has seen a 79% increase. In terms of the number of new EHCPs made each year, the rate has increase by 68% nationally, but by 171% in Wiltshire. The right-hand chart above shows that the number of new EHCPs made has increased significantly in the last calendar year (2018) – the rate of increase in Wiltshire was 33%, compared to 16% nationally. In other words, while England as a whole is experiencing rising numbers of EHCPs, the rates in Wiltshire are increasing faster than is the case nationally.

Part 1: Current context – (b) level and profile of identified need



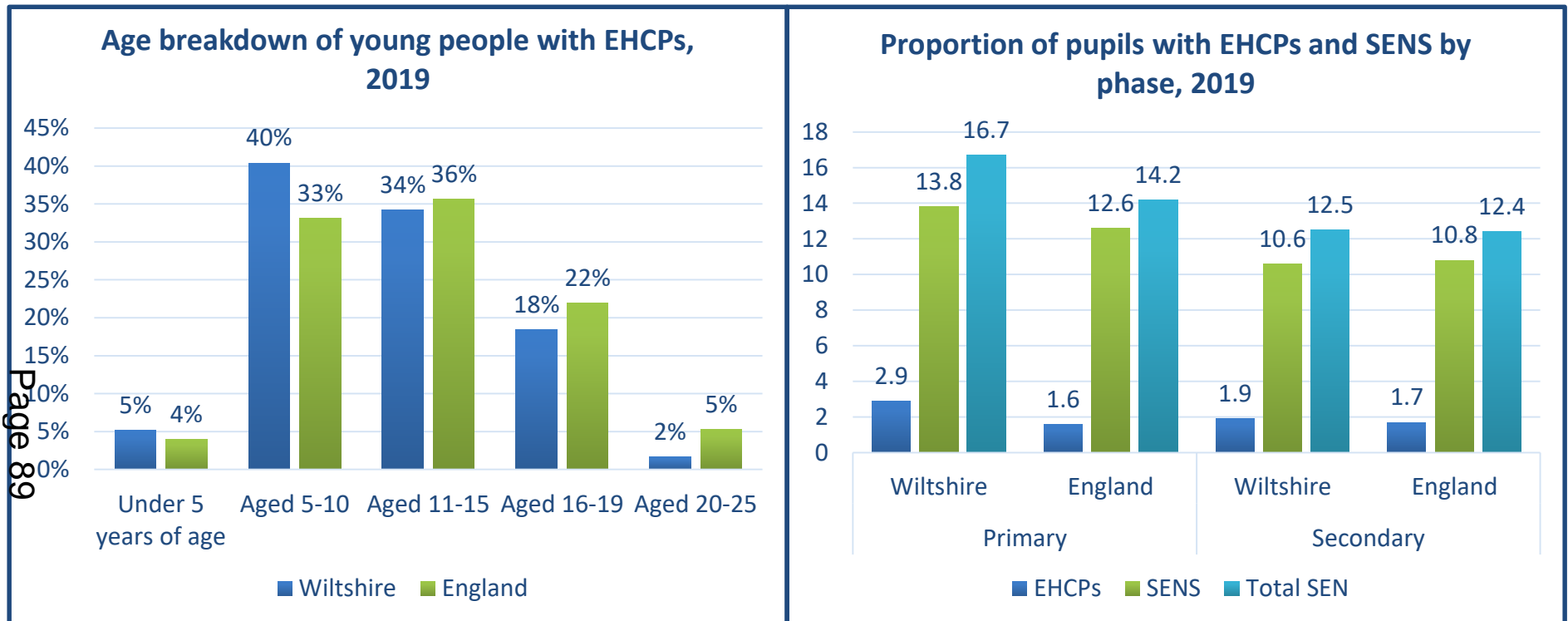
Turning to consider the proportion of school-age pupils with SEN, the data show a similar story. With regard to pupils with EHCPs, the rates have increased nationally over the last two years, having previously hovered around 2.8% of pupils, now rising to 2.9% and 3.07%. Rates in Wiltshire were previously below the national average, but have increased at a faster rate since 2016, overtaking the national average and rising to 3.02% in 2018 and 3.3% in 2019. Wiltshire has followed the national trend of a decline in the proportion of pupils with SEN support, but the decline has been slightly slower. Currently, Wiltshire has a slightly higher proportion of pupils with SEN support (12.2%) than England (11.9%).

Part 1: Current context – (b) level and profile of identified need



Published data shows that in 2018 Wiltshire refused to carry out assessments in a smaller proportion of requests for EHC assessments than is the case nationally (5.7% compared to 24.7% nationally). These trends were similar in the previous calendar year (in 2017, Wiltshire refused 5.7%, the average for England was 22.6%). One might expect a lower rate of refusing to assess to be linked to a higher rate of refusing to issue plans, but in fact Wiltshire also has a lower rate of refusal to issue plans (5% compared to 5.2% across England in 2018). Internal data show that the rate of refusal to assess has decreased at the same time as the total number of requests has increased (from 516 in 2015 to 616 in 2018).

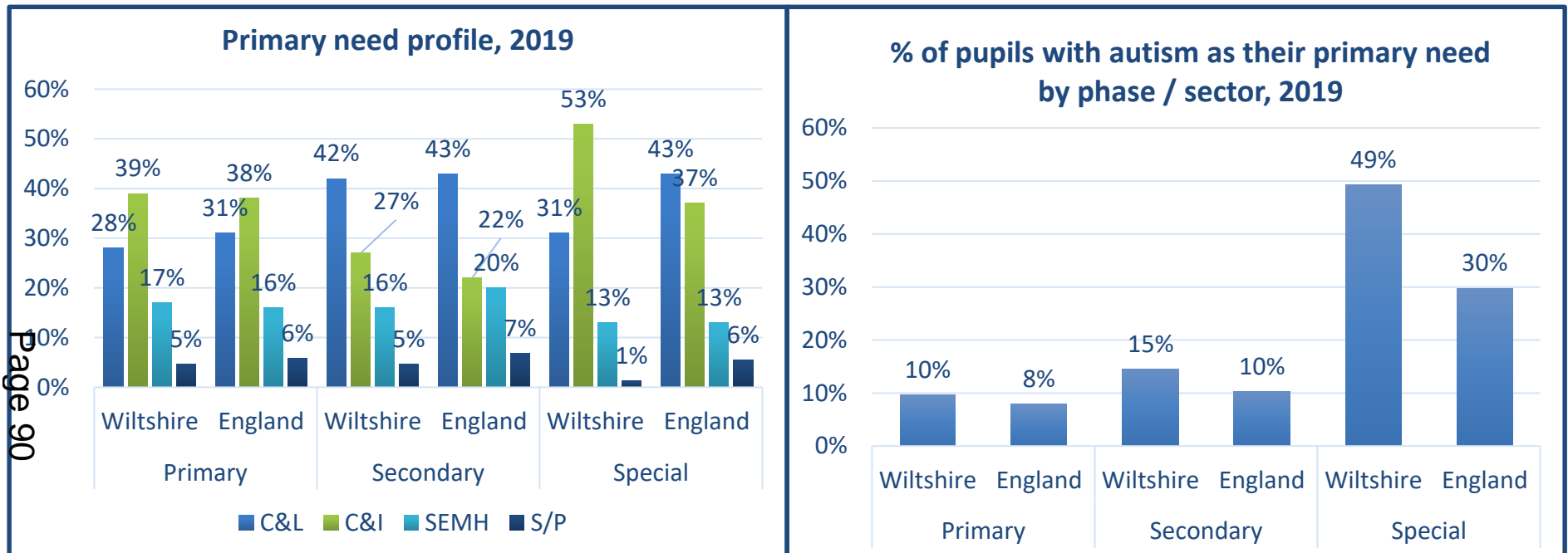
Part 1: Current context – (b) level and profile of identified need



As well as having numbers of EHCPs growing at a faster rate than is the case nationally, Wiltshire also has a higher proportion of younger children with EHCPs. This is shown in two ways above. On the left, the data show the age breakdown of the cohort of all children and young people with EHCPs. In Wiltshire, a higher proportion of children and young people with EHCPs are in the 5-10 age-bracket (40% compared to 33% nationally) and under 5 (5% compared to 4% nationally). In the chart on the right, the data show the proportion of all pupils in primary and secondary schools who have EHCPs. Wiltshire has almost double the proportion of primary-age children with EHCPs (2.9% compared to 1.6% nationally). If this trend continues, it could cause considerable pressure on local resources, support and provision.

Sources: Left, *Statements of SEN and EHC plans, 2019*; right, *SEN in England 2019*.

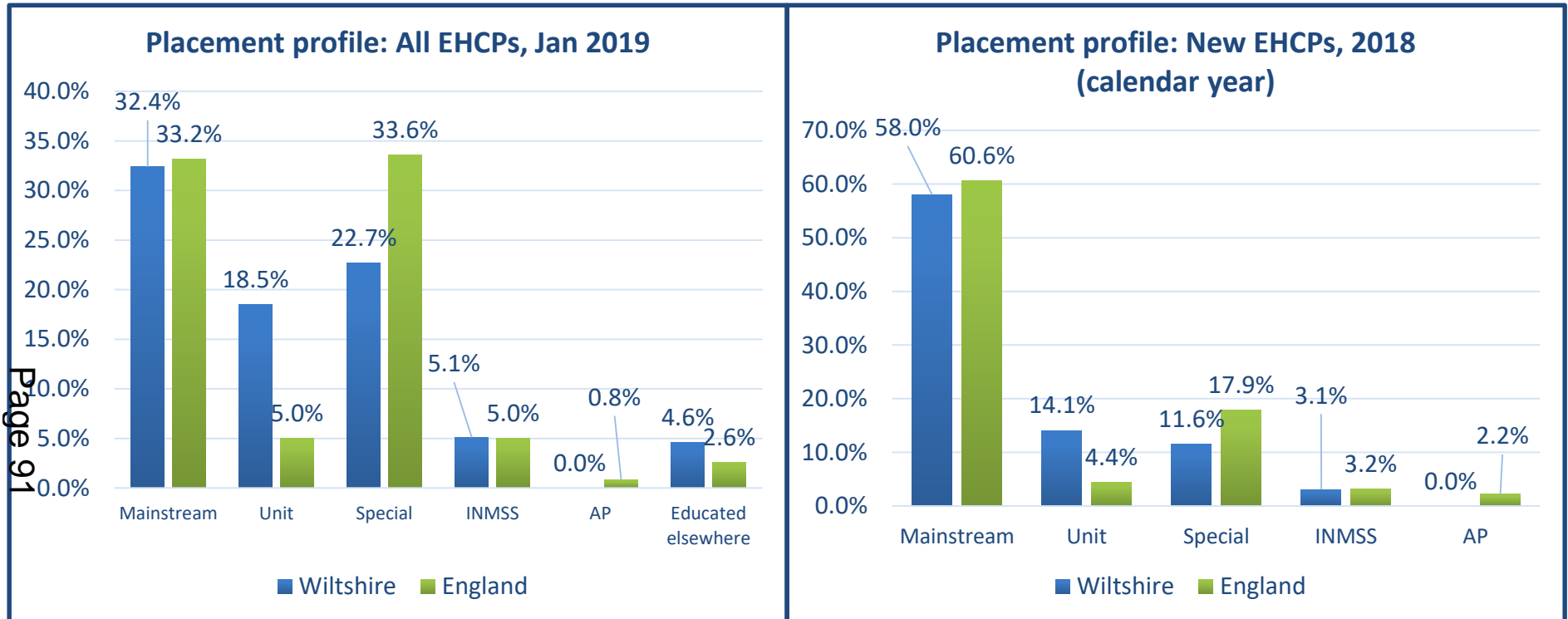
Part 1: Current context – (b) level and profile of identified need



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Looking at the data on the primary need of school-age pupils – and we recognise this does not necessarily tell the full story in terms of the nature and combinations of pupils needs – we can compare the profile of identified needs in Wiltshire to the profile nationally. In terms of the four main categories of primary need, Wiltshire is broadly in line with the national profile in the primary phase (slightly lower cognition and learning (C&L), and slightly higher communication & interaction *C&I) and social, emotional & mental health (SEMH) needs, but within 1-3% difference). At secondary, Wiltshire has a larger proportion of pupils with C&I (27% vs. 22% nationally) and a lower proportion with SEMH needs (16% vs. 20% nationally). Underneath this data, the main trend that struck us was the fact that Wiltshire has a higher rate of pupils with SEN (SENS and EHCPs) with autism as their identified primary need, including almost half (49%, compared to 30% nationally) of all pupils in special schools.

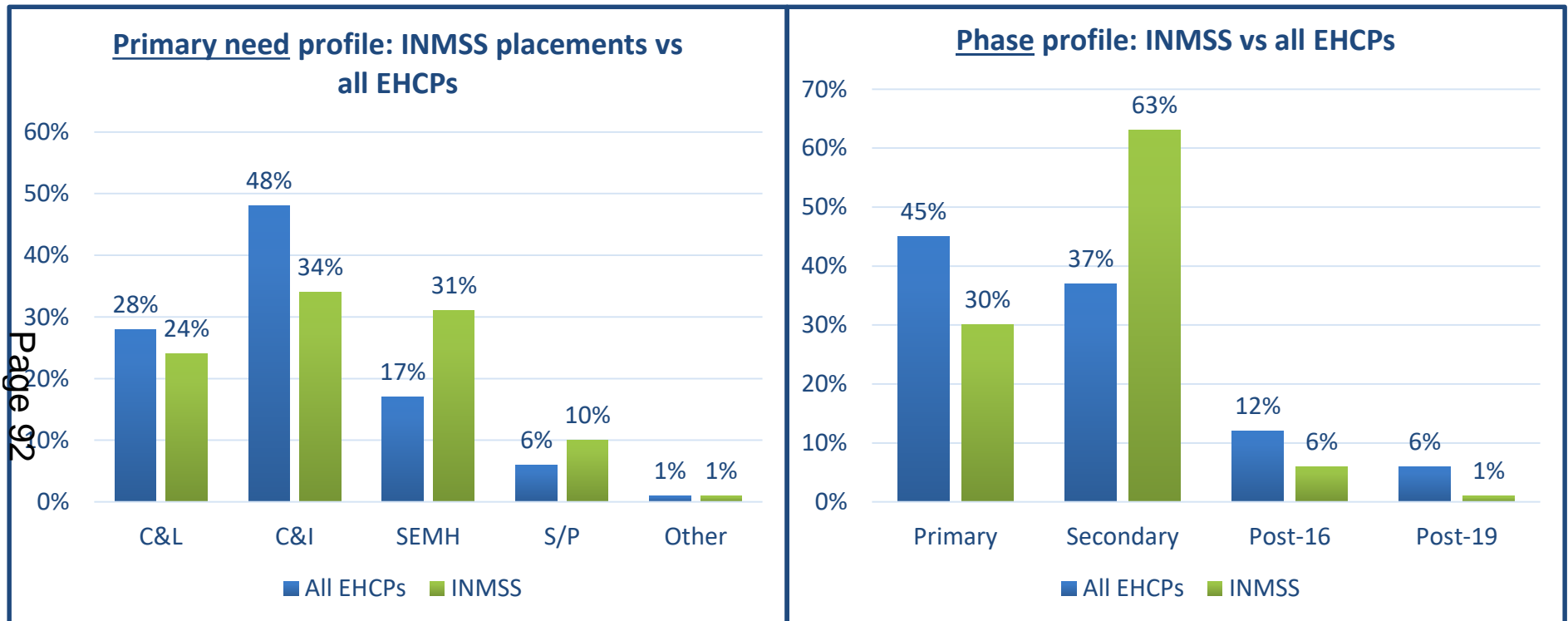
Part 1: Current context – (b) level and profile of identified need



The data above show the breakdown of the types of provisions where Wiltshire young people with EHCPs are placed, both for all EHCPs (left) and new EHCPs made during the 2018 calendar year (right). Compared to the national average:

- Wiltshire places a similar proportion of young people with EHCPs in mainstream settings and schools;
- Wiltshire places a similar proportion in specialist provision – Wiltshire has a lower proportion in special schools, but has a higher proportion in units (this includes resource bases and enhanced learning provisions). The proportion placed in independent or non-maintained special schools (INMSSs) is similar, but has grown in previous years; and
- Wiltshire also has a higher proportion of young people with EHCPs educated other than at school (4.6% vs. 2.6%).

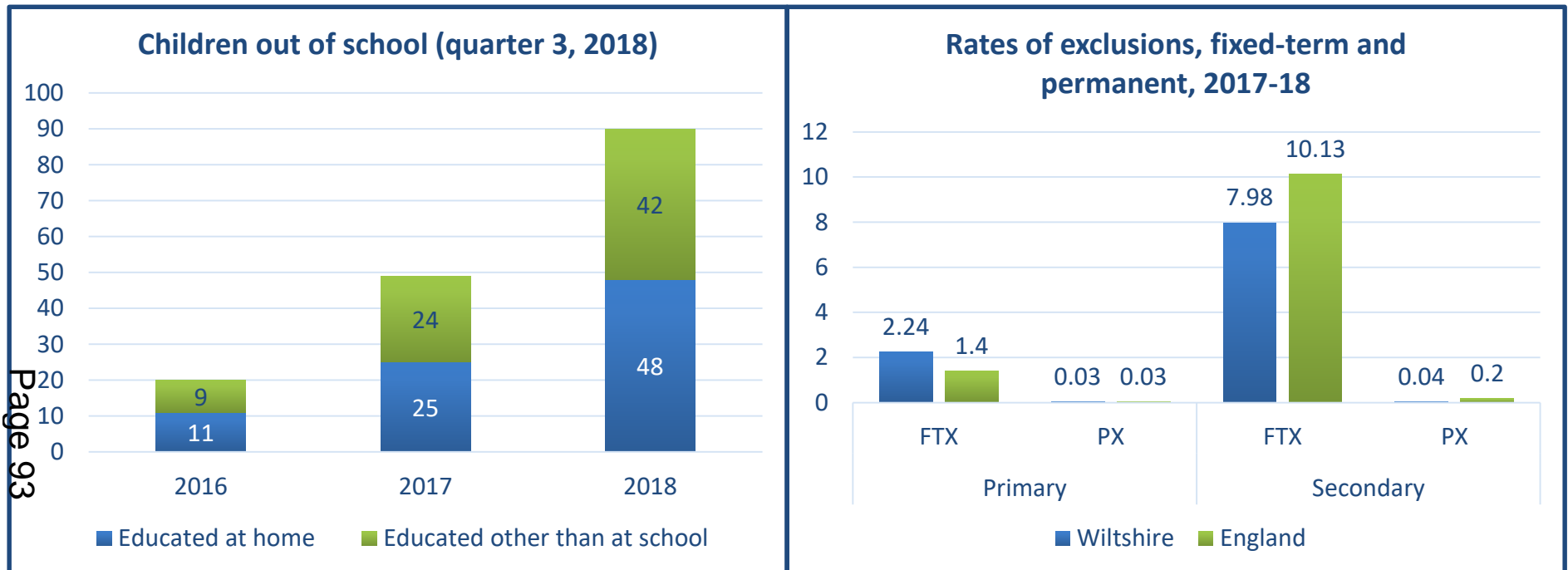
Part 1: Current context – (b) level and profile of identified need



Wiltshire currently has 182 young people placed in INMSSs (170 was the figure in January 2019, taken from the published data; 182 was the figure taken from internal data in February 2019). The data show that young people placed in INMSSs are more likely to have SEMH as their primary need (31%) than is the average for all young people with EHCPs (17%) and are more likely to be of secondary age (63% compared with 37% of all young people with EHCPs). (We also know that 73% are boys, which is the same as the proportion of all young people with EHCPs.) Wiltshire has seen a 32% drop in post-16 INMSS placements between 2016 and 2018, but a 50% increase in pre-16 INMSS placements. There has also been a small increase in residential placements (from 24% to 28%) during the same period (2016-2018).

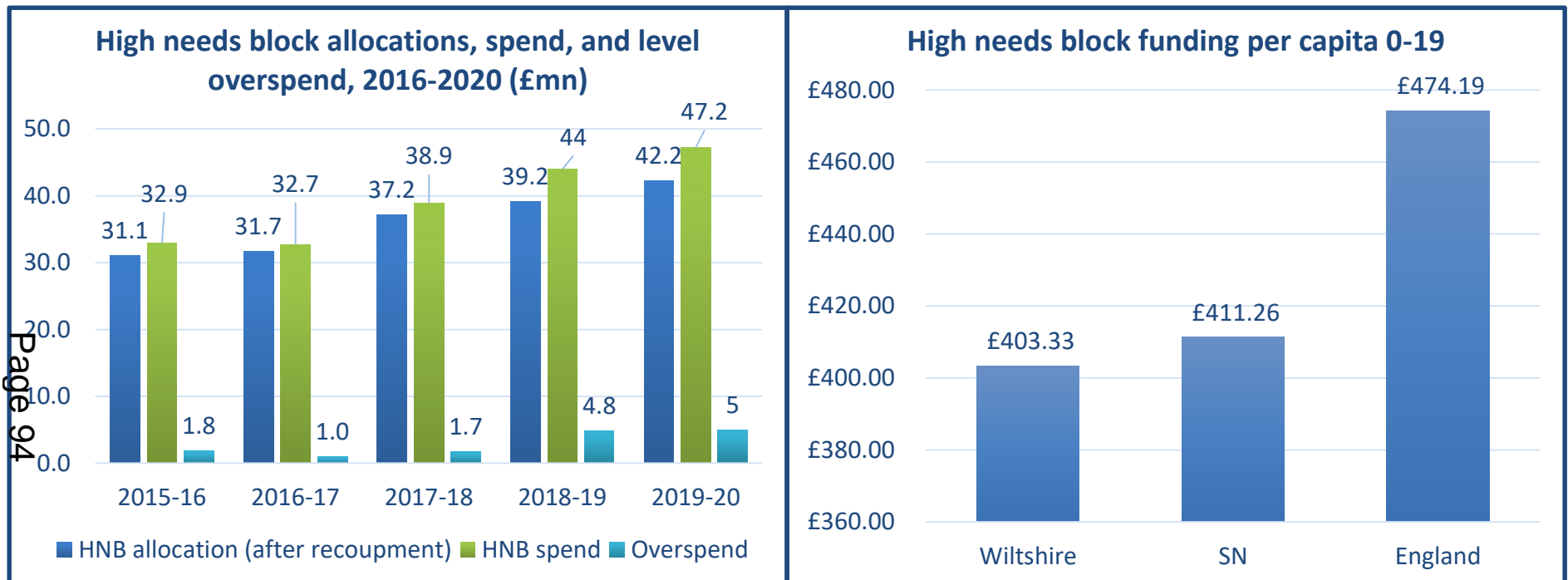
Part 1: Current context – (b) level and profile of identified need

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Building on the points from the previous pages, internal data (left) suggest that Wiltshire has also seen a rise in children with EHCPs being educated at home or other than at school (from 20 in 2016 to 90 in 2018). Wiltshire has an arrangement whereby funding from the high needs block is devolved to mainstream schools for pupils at risk of exclusion and who require support from alternative provision (AP). Published data (right) show low rates of permanent exclusion at both primary and secondary phases, although these have increased in the last academic year for which there is data: in 2017/18 and 2018/19, respectively there were 13 and 20 permanent exclusions at primary and 13 and five at secondary. The data also show that in Wiltshire pupils with SEN are more likely to receive fixed-term exclusions than their peers with no SEN at both primary and secondary.

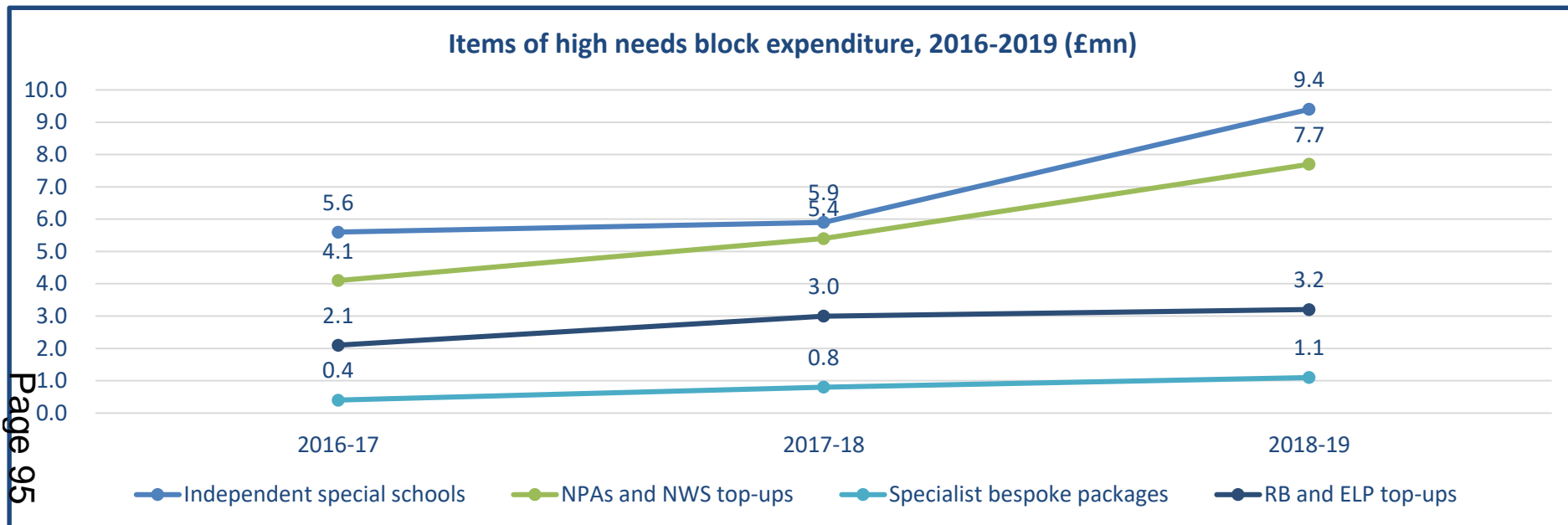
Part 1: Current context – (c) resources



Wiltshire has experienced significant pressure on high needs block resources in the last five years. While the allocations in the high needs block (HNB) of the Dedicated Schools Grant, or DSG, have been increasing (shown above after recoupment, and including agreed transfers from within the DSG for 2019-20), these have not kept pace with increased spending on high needs. Spend has risen from £32.9m in 2015-16 to £44.9m in 2018-19. (Projections for the current financial year, 2019-20, are of a rising level of spend.) The overspend has grown from £1.7m in 2017-18 to £4.8m in 2018-19, and is projected to be around £5m in the current financial year. As the chart on the right shows, Wiltshire receives slightly less high needs block funding per capita than similar local areas and the national average (taking high needs block allocations before recoupment and dividing them by the number of young people aged 0-19).

Sources: Left, internal data; right, data on high needs block allocations from *Dedicated schools grant (DSG): 2019 to 2020*, and data on 0-19 population numbers from *Section 251: 2019 to 2020*.

Part 1: Current context – (c) resources



While Wiltshire is less well-funded than similar local areas and the national average, and indeed is due to gain under changes to the high needs funding formula, this should not detract from a focus on the areas and causes of pressure on the high needs block. The evidence we have gathered suggests that the overspend on high needs has not been caused by the fact Wiltshire is less well-funded than it ought to be, but rather that there are systemic trends and factors that are driving the increased expenditure, which need to be addressed. If these are not addressed, any gains in funding allocations are likely to be outstripped by increased demand. The chart above shows four main areas of expenditure that have grown over the last three full financial years – (a) placements in independent special schools, (b) top-ups in mainstream (named pupil allowances or NPAs) and non-Wiltshire schools (NWS), (c) specialist bespoke packages of support for pupils not in school, and (d) top-ups for pupils in resource bases (RBs) and enhanced learning provisions (ELPs). These are all areas that are driven by factors within the Wiltshire system.

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Six broad themes that we are planning to use to structure our discussions and evidence-gathering

- 1 Co-production with parents / carers and young people
- 2 Partnerships working across education, health and care
- 3 Information, identification and access to support
- 4 Building inclusive capacity in mainstream schools and settings, and providing targeted support for inclusion
- 5 Developing responsive, effective local specialist provision
- 6 Preparation for adulthood

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Overarching messages

There are aspects of Wiltshire's local system for SEND and high needs that are highly regarded. Wiltshire has been at the forefront of key national developments relating to SEND and high needs, including the SEND reforms pathfinder programme and the National Exclusions Trial. Wiltshire recently received a positive report from Ofsted and the Care Quality Commission following its local area SEND inspection. There are aspects of Wiltshire's practice, including its work with the Wiltshire Parent Carer Council (WPCC) and in developing post-16 pathways, that we have featured in case studies of effective practice. As noted in the previous section, the data show that Wiltshire completes a high proportion of EHCPs within 20 weeks (which is key to avoiding disputes about support and placements) and that, on average, a higher proportion of younger children and young adults achieve good outcomes compared to their peers in other, similar local areas.

The system is, however, facing considerable pressures. While there are positives, these are not necessarily reflective of the day-to-day experiences of families and professionals. As the survey results show, there are significant concerns about how effectively the Wiltshire system works to support young people with SEND and high needs. As we described in the previous section, requests for EHC assessments and numbers young people with EHCPs are increasing. The fact that Wiltshire has a higher proportion of younger children with EHCPs suggests these pressures will continue to be felt throughout the system. Rising levels of EHCPs, and in turn rising numbers of specialist placements, are putting further pressure on the high needs block, which is now significantly overspent. These trends – rising numbers of requests for EHCPs, reducing rates of refusals to assess, rising numbers of EHCPs, greater spend on top-up funding (which rose from £12m to £16 between February 2017 and November 2018, with most of the increase coming in the lower bands), which the data suggest date to 2016, when a new structure and banding framework were introduced – are unsustainable, and should prompt a rethink of the local system.

There is a willingness to forge a new, collective ethos, strategy and relationships around inclusion and support for high needs. The appointment of a new Director of Education and Skills, and the willingness to engage professionals and parents has been welcomed, but colleagues also stressed the need to develop a new shared vision and strategy and to build confidence in the rigour, consistency and effectiveness of the local SEND and high needs system in Wiltshire.

Overarching messages

In the course of this report, we make a series of recommendations – both immediate and longer-term actions – under our six main themes. Here, we want to emphasise three overarching points that underpin many of the recommendations we make.

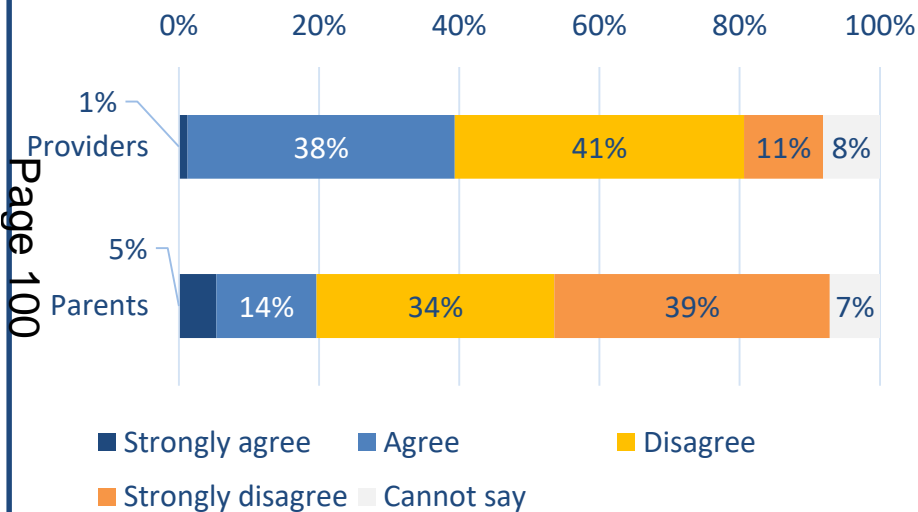
1. **There is the need to build strong, strategic and co-productive relationships and partnerships with all key partners in the local system.** It would be a mistake to see the overspend on the high needs block as something that results from poor financial planning or is the responsibility of any one organisation. Instead, the factors that are driving the pressures giving rise to the overspend are multiple and complex. By the same token, taking forward an agenda of strengthening inclusion and support for young people with SEND and high needs will require a genuine partnership approach. There are some areas of strong partnership working within Wiltshire, but there are not systematic, strategic engagements with parents, schools and settings, and partner agencies to build shared ownership of the issues the system is facing, and develop a shared vision and strategy for how the local system will support young people with SEND and high needs.

2. **There is the need to ensure core processes that govern the day-to-day operation of the system are working effectively, are transparent, and have the confidence of families and professionals.** Throughout this review, we have heard concerns about a lack of confidence on the part of parents and providers in the consistency of some of the core process that cover access to support. This includes requests for EHC assessments, the issuing of EHCPs, and the provision of banded funding, and centre around a perceived lack of consistency in chairing, application of criteria, and decision-making, as well as an absence of peer-level moderation, on the main SEN panel. This panel oversees the use of c.£40m of public money: it is important to get this right. At the same time, changes are also needed with regard to the leadership structure around SEND. The current separation of operational, commissioning, funding and strategic leadership has not helped to foster a coherent and effective oversight of the system. Aligning these functions and establishing robust system governance are much needed.

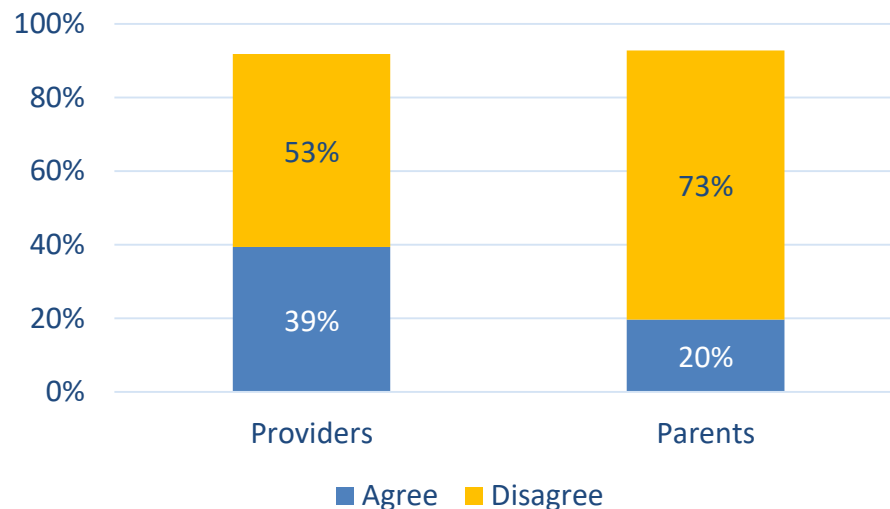
3. **There needs to be a strategically planned continuum of SEND and high needs support, services and provision.** This will involve ensuring that there are clear and complementary roles for all forms of support, services and provision, how they contribute to the overall strategy and outcomes for the system, which keep pace with changing needs and deliver consistently.

Overarching messages

‘Overall, the current offer of support, services and provision for SEND and high needs in Wiltshire works well.’



‘Overall, the current offer of support, services and provision for SEND and high needs in Wiltshire works well.’



In our online survey (160 responses from professionals – early years providers, schools, colleges and other services; 56 responses from parents and carers), we asked whether respondents agreed with a statement to the effect that, overall, the current offer for SEND and high needs in Wiltshire worked well. The responses show that over half (53%) of providers disagreed (either ‘strongly disagreed’ or ‘disagreed’) with this statement, while almost three quarters (73%) of parents disagreed with this statement. This pattern of more negative responses from parents was replicated across the three similar statement-style questions we posed in the survey. As we have noted, while there are positive aspects of the local system in Wiltshire, this is not necessarily reflected in how families and professionals experience the system.

PART 2: FINDINGS AND RECOMMENDATIONS



There is a strong mechanism for strategic engagements with parents, through WPCC. WPCC is highly regarded, both by the LA and by other providers. It is seen as an example of forward-thinking and strategic investment in building the capacity of an organisation to enable parents to act as strategic partners in the local system. It is also highly valued by the parents who responded to our survey and attended our workshops (organised by WPCC) as a valuable source of information, advice and support. In parallel with this review, parents have been involved in a consultation about the future shape of specialist provision in Wiltshire. Involvement with the consultation may have reduced the numbers of parents who contributed to this review. Nevertheless, it will be important to ensure that a broad group of parents and carers continue to be directly involved in shaping how the findings of this review are taken forward.

Parents raised concerns about the quality and consistency of communication. There was positive feedback from parents about communication with some key individuals, including SEN workers and within education providers. There were, however, two sets of concerns that parents raised. First, there was concern about a lack of transparency and poor service-to-family communication (a number of parents of older children were critical of communication from adult services). Parents reported that they did not feel listened to by professionals and services. Second, there was concern about a lack of service-to-service communication. Parents argued that professionals could provide information about their service, but had a lack of knowledge and were less able to provide advice about other parts of the local system. Parents described how they had to ‘battle’, ‘project manage’ and act as a ‘lynchpin’ of the system when seeking to get services to work together.

There are opportunities to strengthen co-productive working with parents through this review. The parents we engaged through this review, as well as describing their experiences of the system, had clear ideas both about what was needed to improve the experience of families in seeking and receiving support. These included improving communication, the quality of information, consistent expectations of mainstream schools, and pathways into adult life. Parents emphasised the importance of taking these areas forward through genuine coproduction with parents, as well as other partners.

PART 2: FINDINGS AND RECOMMENDATIONS

Co-production with families

EHC partnership working

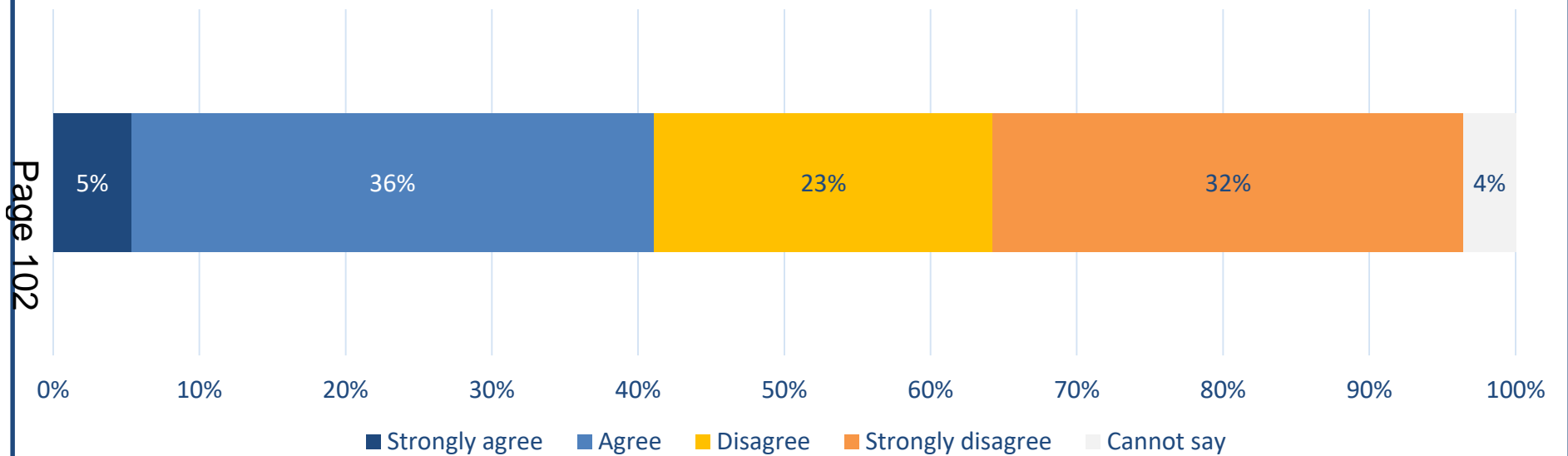
Information, identification, & access

Building inclusive capacity

Specialist provision

Preparation for adulthood

'Overall, I have been able to access right support that has met the needs of my child.'



We asked parents whether they agreed or disagreed with the statement 'Overall, I have been able to access the right support that has met the needs of my child'. We found that 41% of parents agreed with the statement, and 53% disagreed (4% could not say). It is noteworthy that a higher proportion of parents agreed with this statement (41%) than with the statement about whether the overall offer worked well (20%). This suggests that a higher proportion of parents feel that the support they have eventually received has met the needs of their child, but the process for accessing this (as we show on an subsequent page) and their experience of the system overall has felt less satisfactory.

PART 2: FINDINGS AND RECOMMENDATIONS



Under each theme, we set out our recommendations in terms of quick wins (actions that can be taken and completed quickly) and longer-term actions (those that should be started now, but will require ongoing work to implement and see impact).

Recommendations: Quick wins

- **Co-production** – start a series of discussions with parents about how to take forward the findings from this review. Build a broad understanding and ownership of the challenges facing the system (since the trends we described in the first section of this report affect parents and their children), confront the data about the pressures in the system, and work with parents to identify priorities where their expertise could be used to find solutions. Use this to strengthen the engagement of parents across the county, including but not exclusively those who are active within WPCCC.
- **Young people’s voice** – use existing networks of professionals, providers and families to identify “young people advocates”, who can describe their experience of the Wiltshire system, and what did and did not work for them. Start to develop a network of young people who can be engaged on strategic developments and improvements to support.

Recommendations: Longer-term actions

- **Co-production** – identify some specific, dedicated co-productive projects to undertake with parents and carers. There will be plenty of opportunities to co-produce solutions to some of the challenges highlighted by this review. The feedback we gathered suggests that (a) introductory information about the local SEND system, (b) effective mainstream inclusion and (c) working with families to prepare for adulthood could be the focus of some initial co-productive projects.
- **Young people’s voice** – linked to the ‘preparation for adulthood’ theme, develop a set of core routines for having systematic conversations with young people about their aspirations, capture this, and use this to inform planning of individual pathways as well as shaping future commissioning priorities.

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PART 2: FINDINGS AND RECOMMENDATIONS



There were mixed views about the quality of support provided across education, health and care. There were positive comments about the support from a number of services, including speech & language therapy (SaLT) and the educational psychology (EP) service. There were, however, three sets of concerns. First, there were concerns about services where the support provided was seen as good, but there were difficulties accessing support. This included SaLT (strong feedback, particularly from early years providers) and disability social workers (improving communication, but a lack of consistent understanding of the needs of autistic children). Second, there were concerns about the join-up with and lasting impact of support from certain services, including early help (the feedback from schools was that the family keyworker model worked well, but impact was not sustained after their involvement had ended). Third, there were concerns about services where access was difficult or there was a gap in the local offer, which included child & adolescent mental health (CAMHS), occupational therapy (OT, particularly around sensory needs) and physiotherapy (PT).

There is the need to strengthen joint commissioning across agencies at a strategic level. As noted above, colleagues highlighted gaps in commissioning of OT and PT services. Overall, parents and professionals argued that joint commissioning had become more fragmented, linked to the loss of the jointly-funded commissioning lead post across the LA and Clinical Commissioning Group. While there have been improvements in the autism diagnostic and support pathway, acknowledged by professionals, there were also concerns that there was not a clear pathway of jointly commissioning services for SEMH.

There is a perceived lack of join-up between services on a day-to-day level. This manifested itself in three ways. First, there were concerns about the input from health and social care services into the EHC process and into the diagnostic and referral tool (DART). Second, there were concerns about the consistency of messages about the local system provided to parents by some health professionals. Anecdotal examples of GPs advising parents that all children with SEN need an EHCP, or advising parents to “play the game” and push for a medical diagnosis, were relayed to us. Third, there is not a clear route for accessing support for young people with health needs but not SEN – at present, as a result, EHCPs are used to access support.

PART 2: FINDINGS AND RECOMMENDATIONS



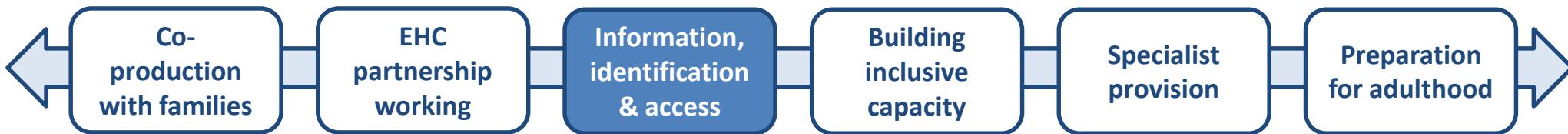
Recommendations: Quick wins

- **The EHC process** – revisit and set out clearly how all agencies will contribute to EHC assessments, plans and annual reviews. Ensure this is agreed – or better still, co-produced – with parents and professionals. Ensure professionals from all agencies understand how their feedback, advice and reports are used to inform important decisions about a child’s needs, potential future placement and package of support.
- **Consistent communication** – ensure that there is a consistent understanding of and messages about the local system and how it supports young people with SEND and high needs. Set out some clear messages about how the system seeks to support young people, and embed these across professions and services so that professionals are able to advise and signpost parents, and families receive a single set of consistent messages.
- **Support for young people with health-related needs** – develop and agree a protocol across agencies for how young people with health-related needs, but not SEND, can access additional support.

Recommendations: Longer-term actions

- **Joint commissioning** – strengthen joint commissioning in areas where there are identified gaps in the continuum of support, most notably SEMH, OT and PT. Building on the work that has been well received around the autism pathway, focus on “pathways” for specific needs. Does the local offer set out clearly the whole offer around emotional wellbeing and mental health support, regardless of which agency provides support? Is it clear to a parent or professional at what level and how they should access this? Use these questions as prompts to develop a seamless joint pathway of support.
- **Holistic family support** – strengthen the links between the early help offer and the offer of inclusion, SEND and high needs support, so that there is a clear offer of holistic support for families to avoid issues and needs escalating.

PART 2: FINDINGS AND RECOMMENDATIONS

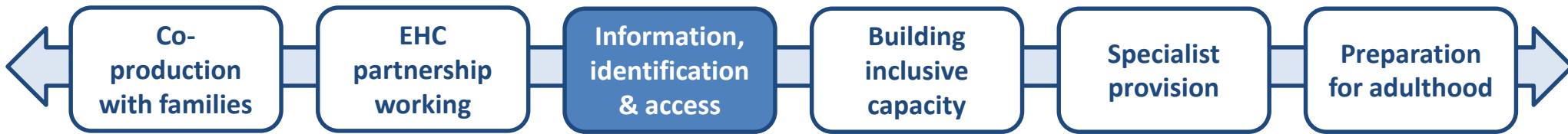


Professionals were positive about the quality of information, but parents less so. First, providers were largely positive about the availability of information through sources such as the local offer (as the survey results shown on the next page). Parents, however, were less positive. They considered that the local offer worked well if you knew what you were looking for, but did not necessarily provide an introduction to and overview of how the continuum of support sought to meet the needs of young people with SEND in Wiltshire. As noted earlier, parents also considered that professionals knew their own service, but were not in a position to inform parents about other parts of the local system. As a result, parents argued that it felt like “luck” whether you found the right support or service, and that information was “ad hoc” if you did not know what to look for.

There were some concerns about the core systems for identifying young people’s needs. There were particular concerns about the consistency and accuracy of systems used to identify young people’s needs. Many professionals raised concerns about the accuracy of autism diagnoses. They considered that many younger children were being diagnosed with autism (the research suggests it can be harder to differentiate autism from other needs in younger children), and there were examples described to us of young people having been diagnosed without full consideration being given to their school environment, and where the diagnosis of autism had been recorded as the child’s primary need when it was not the main barrier to learning. As we noted in the preceding section, Wiltshire has higher proportions of pupils with SEN (SEN support and EHCPs) with autism as their primary need than is the case nationally. This includes almost half of all pupils in special schools – five of the six Wiltshire special schools cite autism as one of the needs in which they specialise. Given that international evidence suggests that the prevalence of autism is relatively consistent within geographical areas, the data and fieldwork messages suggest that there would be value in considering the inter-relation between access to support and autism diagnosis.

There were strong concerns that the system is geared towards accessing support through medical diagnoses and EHCPs. Parents acknowledged that medical diagnoses were a “hoop” they had to jump through to get support, and one summed it by saying ‘everything seemed to fall into place when we got the diagnosis’.

PART 2: FINDINGS AND RECOMMENDATIONS



(Continued) Professionals, likewise, acknowledged that seeking EHCPs was the way settings and schools accessed support for young people with SEND, and that the statutory assessment process now largely driven by requests for additional funding. As one headteacher put it, ‘a statement of SEND was a statement of need, an EHCP is a statement of funding’. Some schools acknowledged that they used the process for requesting an EHC assessment as a means of getting access to an EP (the service recently became traded). Professionals working in inclusion support services considered that, in some schools, a focus on EHCPs and extra top-up funding was replacing a focus on quality-first teaching and high-quality SEN support. Given the high and rising rates of EHCPs, it is hard to argue against these conclusions.

There were also concerns about the consistency, robustness and transparency of decision-making about access to support. A key means for ensuring that high needs resources are used effectively to provide access to support where it is most needed is the SEN panel. This panel is responsible for the use of around £40m of public money (what comes to the local area as part of the high needs block, after recoupment), and its decisions have implications for other budgets, such as transport, which is also under pressure. As such, it is vital that decisions it takes about EHC assessments, plans, placements and top-up funding are consistent, fair and transparent. We heard strong concerns that the current panel arrangements are not consistent or effective. The current banding framework (for calculating top-up funding) seeks to ensure parity across provider types, but the descriptors appear to be based on both provision and needs. Furthermore, the evidence we gathered suggests that the framework is not applied consistently. The chairing of the panel rotates, and we heard evidence that this leads to inconsistent decision-making. Decisions are not transparent, and there is a lack of moderation from SENCOs. (Moderation ended in 2016, when the new banding framework was introduced. The data suggest that this is the point where demand starts to rise.)

There were also concerns about the paperwork and processes for accessing support. Schools argued not for core processes to be made less exacting, but rather for paperwork to be made less duplicative and cumbersome (particularly the link between SEN support plans and EHCPs). There were also concerns about DART – that it was time-consuming, that not all services were included (e.g. SaLT), and that it actually made it harder to access support from a known single service.

PART 2: FINDINGS AND RECOMMENDATIONS

Co-production with families

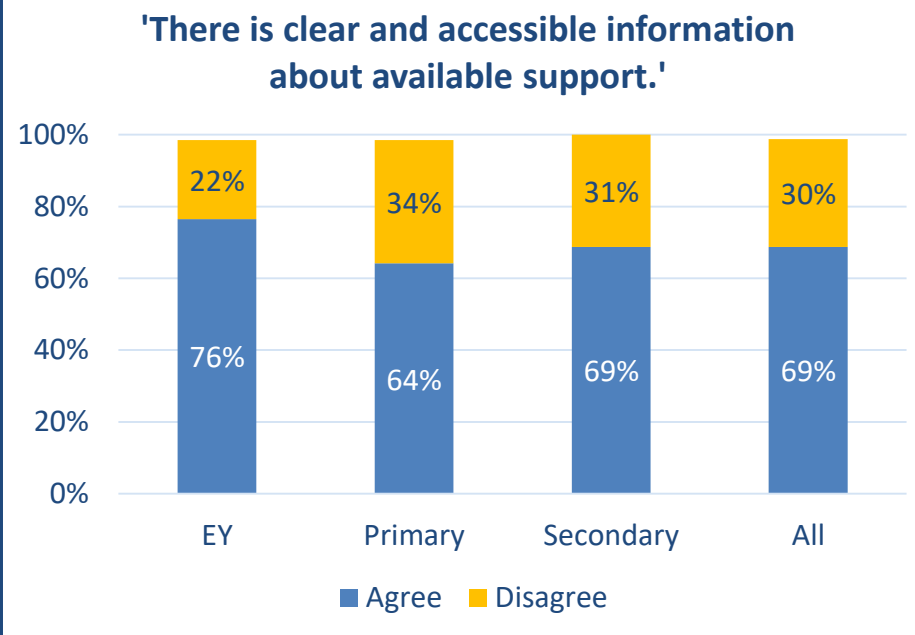
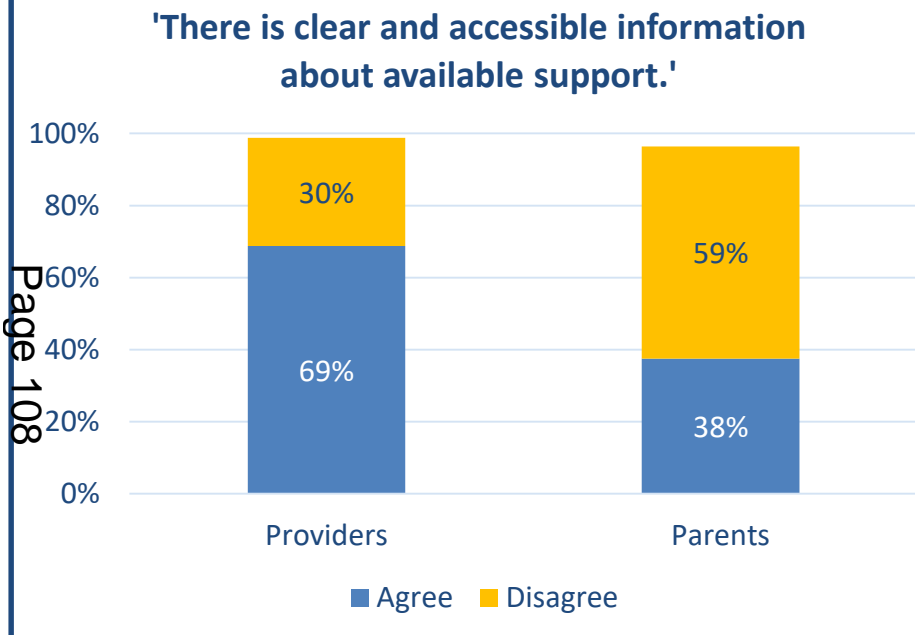
EHC partnership working

Information, identification, & access

Building inclusive capacity

Specialist provision

Preparation for adulthood



We asked both parents and professionals if they agreed or disagreed with the statement 'There is clear and accessible information about available support'. As the chart on the left shows, over two thirds (69%) of professionals agreed with this statement, but over half of parents (59%) disagreed. As noted earlier, this was a theme throughout the three parallel questions we asked in both the parents and providers surveys. As the chart on the right shows, we see some differences between different providers, with early years providers more likely to agree (76%) with the statement than colleagues from primary schools (64%) and secondary schools (69%).

PART 2: FINDINGS AND RECOMMENDATIONS

Co-production with families

EHC partnership working

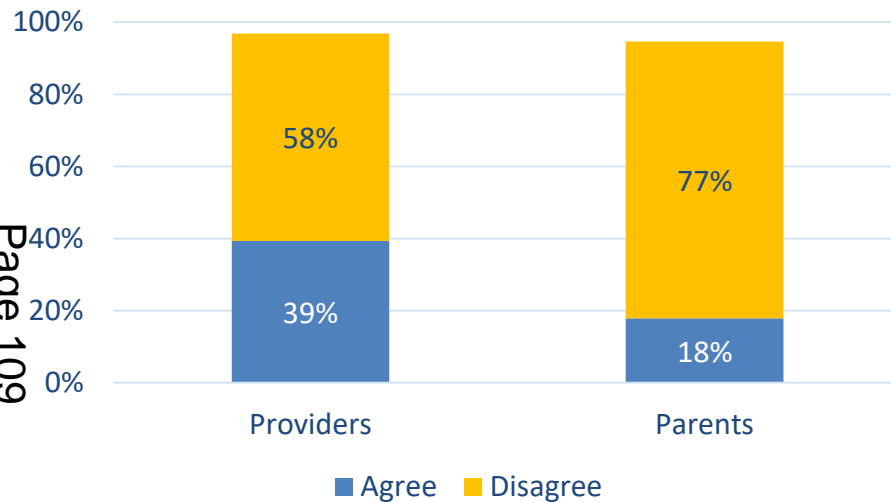
Information, identification, & access

Building inclusive capacity

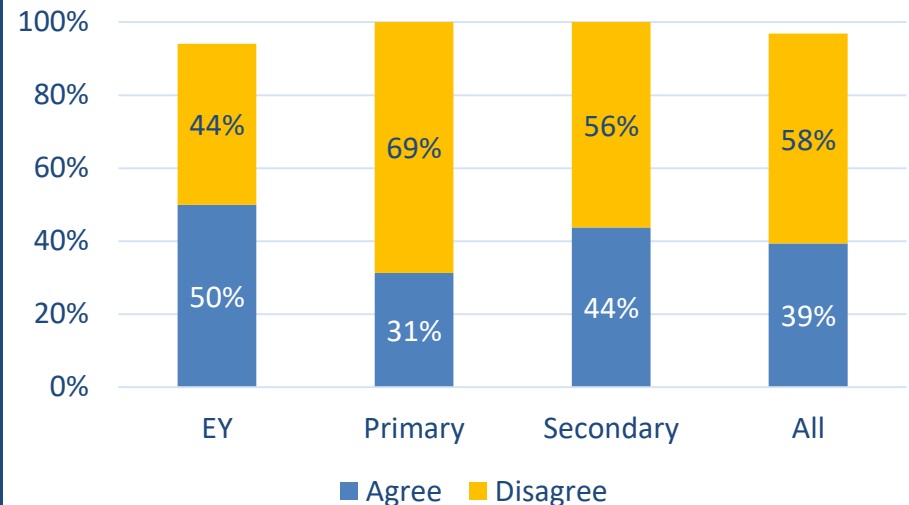
Specialist provision

Preparation for adulthood

'The process for accessing additional support works well.'



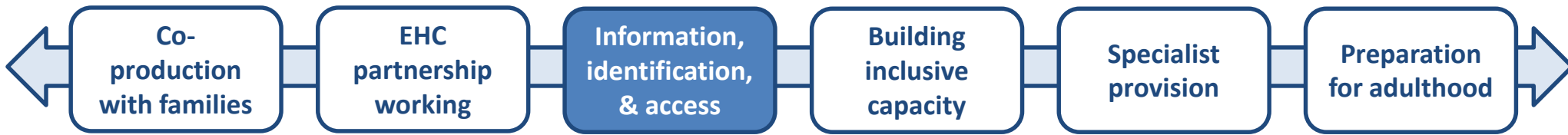
'The process for accessing additional support works well.'



We also asked both parents and professionals if they agreed with the statement 'The process for accessing additional support works well'. Again, parents (77% disagreed) were more negative than professionals (58% disagreed), reflecting what we described in our summary of key messages under this theme: namely that professionals valued the local offer, but parents felt it was harder to be sure you had found information about the right service, both from the local offer and professionals, if you did not know what you were looking for. Again, amongst professionals, early years were more likely to agree (50%), while primary school colleagues were the most likely to disagree (69%). This pattern – more positive responses from early years, more negative from primary schools – is consistent across the survey responses.

Source: Survey data collected during the review.

PART 2: FINDINGS AND RECOMMENDATIONS

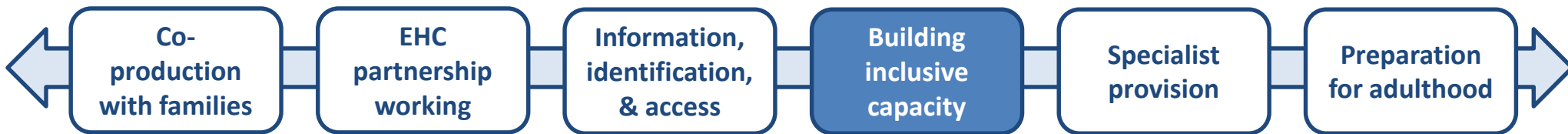


Recommendations: Quick wins

- **Information** – while professionals were largely positive about the availability of local information, parents argued the local offer and advice from professionals did not always give them a clear or consistent overview of how support and services were organised in Wiltshire, what pathways of support existed, and what could be accessed and when. There is an opportunity to work with parents to co-produce a refined local offer that would build on the information that is already available, but would also provide a more strategic overview of the system to give parents confidence when navigating local support. This would provide further opportunities to co-produce and define what good inclusion and SEN support looks like, as well as clear pathways for how the system seeks to support young people with specific needs.
- **Access to support** – as we have noted, the panel that looks at EHC assessments, plans, placements and top-up funding is responsible for spending around £40m of public money each year. There are some immediate changes that we suggest are required to strengthen the panel’s work – these include consistent chairing, refining and agreeing a consistent application of the banding descriptors, reintroducing peer-to-peer moderation from SENCOs, considering thresholds (particularly the low rate of refusal to assess), and the scope of DART.

Recommendations: Longer-term actions

- **Access to support** – in the longer term, we suggest further actions are required including refining the banding framework, developing routes to access time-limited top-up funding without an EHCP, and creating a more responsive support offer.
- **Identification** – undertake further focused work with health professionals and education providers, as well as other services, to consider what accounts for the high proportion of children with autism as an identified primary need and to ensure the autism pathway is operating effectively to identify young people’s needs and bring in support at the right time.



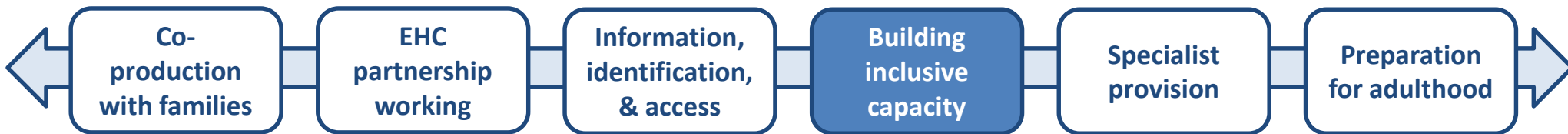
Fostering a consistently effective offer of mainstream inclusion

There are examples of positive approaches to inclusion in mainstream schools and settings, but the evidence suggests that this is not consistent. Parents and professionals described examples of holistic approaches to inclusion, led by skilled staff, identifying needs accurately, and putting in place effective support and adjustments. Our evidence suggests that this is not consistent across the county. Parents argued that approaches to inclusion varied between schools, depending on the attitude of the headteacher and skills of the SENCO. Some parents put this down to a lack of understanding of specific needs (autism, communication & interaction, mental health). Other parents and professionals, however, considered that there were instances of poor practice (a number reported some schools telling parents “we don’t have children with SEN, so your child would not fit in here”), that were not being picked up and challenged. As a result, parents lacked confidence in the offer of inclusion support in mainstream schools and settings. The data suggest that this is one of the factors driving the rise in requests for EHCPs: requests from parents have risen in absolute terms from 48 in 2016 to 94 in 2018 (or 10% to 15% of requests).

Networks required to challenge poor practice and build inclusive capacity need to be strengthened. It is welcome that county-wide SENCO networks are being re-established. Without formal, co-ordinated and strategic SENCO networks, there has been no consistent engagements with the county’s SENCOs to inform and drive a shared strategic approach, no systematic way of inducting new SENCOs into the practices and expectations of the Wiltshire system, and no means of ensuring a consistent understanding of and set of skills for responding to new and emerging needs. Likewise, there has been a lack of join-up between support for school improvement and inclusion, which is also now being addressed. In future, it is vital that there are systematic means for building the capacity of SENCOs and school leaders, as well as challenging poor whole-school inclusion.

Transition was also a concern. Secondary schools argued that primary schools “contained” children with high needs, who were consequently not ready for secondary school. Leaving aside the question of whether pupils need to fit secondary schools or schools need to adapt to pupils’ needs, primary schools argued that the alternative to “containing” pupils was exclusion.

PART 2: FINDINGS AND RECOMMENDATIONS



Access to targeted inclusion support to add to and build mainstream inclusive capacity

There was mixed feedback on the offer of targeted services that support inclusion. Some services were highly regarded, particularly those offering swift access to professional advice without a paper-based referral, preventative support, and sharing skills to build capacity. There were concerns expressed about some services regarding quality (schools being told to do things that they had already done, suggesting the “currency” of the offer of support had not kept pace with changing levels of knowledge in schools), difficulty in being able to access support (particularly therapeutic services), sustained impact (early help and family support) and cost (the EP service). There was also an overall concern that only one service (Specialist SEN Service) could provide support to pupils at SEN support – i.e. those without an EHCP or diagnosis, which is further evidence of the claim that support in Wiltshire is geared too much around having a formal plan and diagnosis.

- **EPs** – schools valued inputs from EPs, but felt the service had been priced at a level that was too expensive for them. Schools were having to prioritise EP time to support requests for EHCs, rather than in more developmental work.
- **Behaviour support** – this was highly praised for its holistic approach, capacity-building and impact.
- **SEMH** – overall, schools were concerned that they needed access to additional support that could maintain mainstream placements and build capacity. There are some individual projects, but these are not yet being systematically rolled out.

Overall, there is both the opportunity and the need to reframe the offer of targeted support. We noted earlier that Wiltshire invests a smaller proportion of its high needs block in targeted services than the national average. Providers clearly value services that provide swift access to professional advice (without having to complete a specific referral form), having a named point-of-contact, being able to access support and resource when required, and working with professionals that share skills and build capacity. Providers were also clear about the areas with which they are less confident – mental health and emotional wellbeing, trauma, attachment and challenging behaviour. We would argue that these steers should be used to re-develop the offer of targeted support for inclusion across education, health and care, with clear purposes, aims, roles and outcomes.

PART 2: FINDINGS AND RECOMMENDATIONS

Co-production with families

EHC partnership working

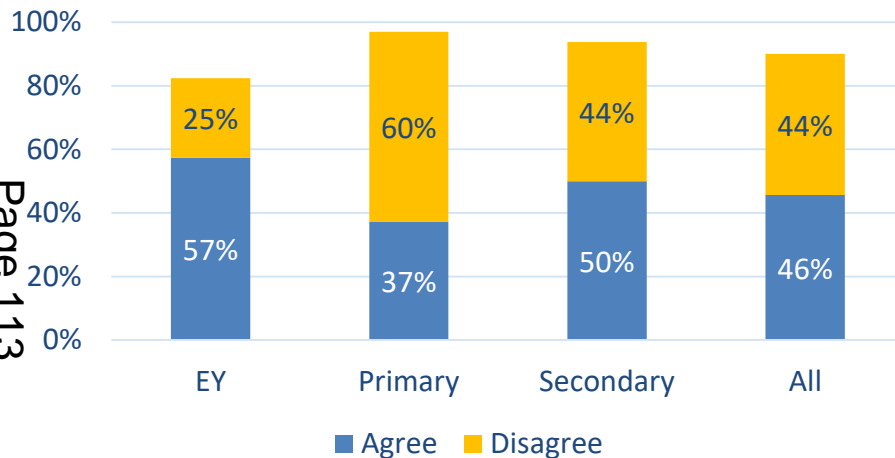
Information, identification, & access

Building inclusive capacity

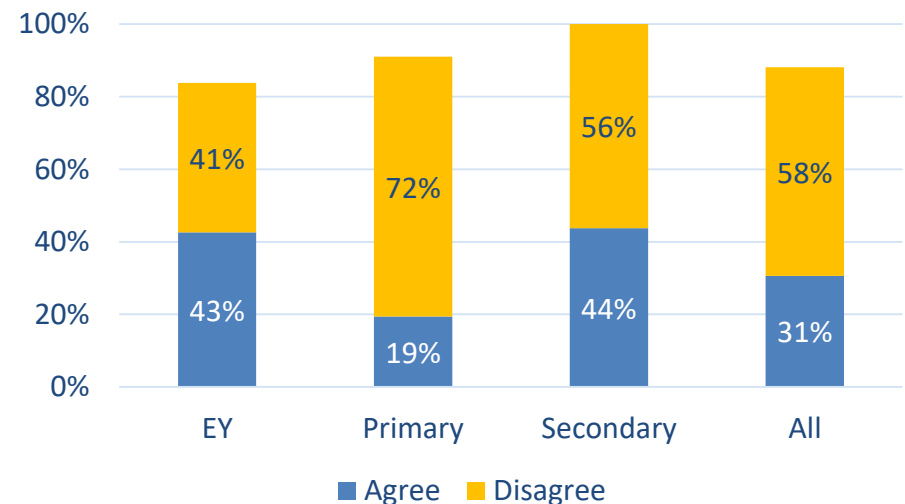
Specialist provision

Preparation for adulthood

'There is currently a clear, consistent and effective offer of universal support in mainstream settings, schools and colleges.'

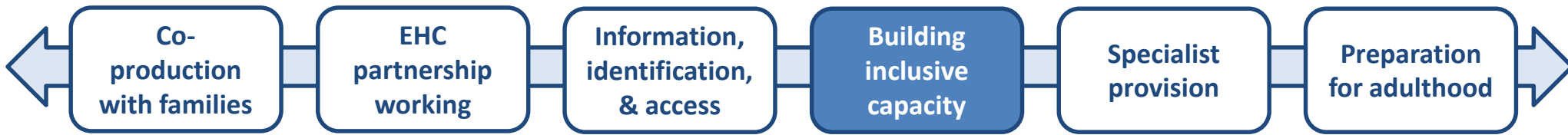


'There is currently the right offer of targeted education, health and care support.'



In our online survey, we asked professionals whether they agreed or disagreed with statements regarding whether there was (a) a consistently effective offer of mainstream inclusion support, and (b) the right offer of targeted support. We can see that providers were largely split on the question of the consistency of mainstream inclusion (46% agreed, 44% disagreed), but we can also see that early years providers were generally more positive (and commented on the fact the offer of support for their sector included access to advice, top-up funding and linked professionals), and primary schools were more negative. Providers were, on the whole, less positive about targeted services (58% disagreed), with a similar pattern of early years and secondary schools more likely to agree, and primary schools more likely to disagree.

PART 2: FINDINGS AND RECOMMENDATIONS



Recommendations: Quick wins

- **Mainstream inclusion** – start a co-productive dialogue with mainstream settings and schools, parents and carers, and other services about what the principles and hallmarks of good mainstream inclusion in Wiltshire should be – to provide a foundation for consistent practice and improving parents’ confidence in mainstream inclusion. Embedding this will be part of a longer piece of work, but we suggest it is important to start this process and identify some foundational principles.
- **SENCO networks** – re-establish county-wide (although potentially locally delivered) SENCO networks, offering a rolling programme of induction, training in core processes, and practice enhancement around county-wide priorities for SENCOs and other leaders involved in supporting children with SEND. Ensure the work of the networks is centrally co-ordinated, professionally supported and informed by a shared strategy / priorities – co-produce this with SENCOs.
- **Whole-school inclusion** – through work that is already in train, agree processes for sharing intelligence and joining up support for school improvement and inclusion, so that there is a focus on whole-school improvement, and support and challenge to school leaders and governors around school effectiveness and inclusion.

Recommendations: Longer-term actions

- **Mainstream inclusion** – continue to develop a set of consistent expectations of mainstream inclusion across Wiltshire, and ensure this is set out on the local offer so that there is transparency about what families and professionals can expect to be consistent across all schools. (Leaders suggested creating a Wiltshire inclusion quality mark.) Build on this and existing networks to facilitate school-to-school working. Develop a rolling programme of whole-school inclusion support.
- **Targeted support** – consider the current offer of (and potential overlaps within) targeted support. Work with SENCOs and school leaders to co-produce a new offer, with clear aims, consistent models of support, and outcome measures.

PART 2: FINDINGS AND RECOMMENDATIONS



Resourced provision

The model of “resource bases” for pupils with high needs in primary schools was seen as a strong feature of the SEND continuum. The provisions themselves are supporting young people with complex SEND. Without the bases, more pupils would require a special school place and transport away from their local area. There were concerns expressed about a lack of county oversight of the resource bases, a lack of strategic engagement about the development of the resource bases, and a lack of pro-active engagement around planning places. (The latter was a theme relevant to all forms of specialist provision.) Colleagues from the resource bases also described a lack of engagement from agencies – they considered that children we placed in resource bases and the assumption was that the resource bases would meet their needs, rather than there being any focused work from agencies on supporting cohorts of children with similar, complex needs. Primary school leaders argued that there needed to be something new, akin to the resource base model, but specifically for children with SEMH needs.

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There were, however, concerns about the join-up with the “enhanced learning provisions” (ELPs) at secondary level, and about the clarity and purpose of the ELPs themselves. First, with regard to the question of “join-up”, primary and secondary colleagues noted that there was not a consistent offer of support across the resource bases and ELPs – the ELPs did not provide an equivalent model of support to the primary school resource bases in a secondary context. Colleagues suggested that, as a result, secondary-age pupils who could be supported in a resource-base-style provision at secondary instead had to be placed in a special school. Second, there also appeared to be a fundamental lack of clarity about the purpose of the ELPs. The ELPs are funded as specialist provision (£10,000 per place plus per-pupil top-up funding). Our evidence did not suggest that, on the whole, ELPs were operating as specialist provision. Some schools were using the resource effectively, but overall there appeared to be a risk that high needs block resource is being used to subsidise mainstream inclusive practice in secondary schools. The evidence about transition from resource bases and the largely secondary-age cohort in INMSSs suggest that there would be value in considering a model more akin to a secondary equivalent of the resource bases.



Special school provision

Running parallel with our review has been a consultation about proposed changes to the shape of specialist provision in Wiltshire. Our review has not sought to cut across that consultation exercise. Instead, our review has sought to identify what needs to be in place to ensure that future specialist provision in Wiltshire, however it is organised, can be effective within the wider local SEND and high needs system. Overall, there was a strong message about the need for there to be a strong vision for special education in Wiltshire, and for there to be clarity about the role of specialist provision within that, rooted within a wider continuum of support for inclusion and a focus on long-term outcomes for young people with SEND.

In addition, there were four specific messages about current provision.

- First, special school leaders noted that levels of top-up funding for special schools were low compared to other areas, which made it difficult to support young people who required intensive 1-to-1, 2-to-1 or alternative high-level support.
- Second, there were concerns about the placement process – leaders considered there was too much focus on getting children into a provision, rather than whether it was the right provision. As a result, special schools reported that they had children rightly placed but wrongly banded, and rightly banded but wrongly placed in special school. As with the resource bases and ELPs, there was concern about the lack of pro-active engagement and strategic planning of specialist places.
- Third, there was a concern about the lack of formal mechanisms for supporting the reintegration of pupils from special schools into mainstream schools. Nationally, for every 2.5 children placed in a special school, 1 child returns to mainstream school. In Wiltshire, in 2018, 41 children moved from mainstream to special schools, but only 1 child moved from special to mainstream school. Put another way, nationally, as a proportion of all children who move from mainstream to special, the equivalent of 40.5% move the other way. In Wiltshire, the equivalent proportion moving from special to mainstream is 2.4%. Colleagues reported that there are no formal mechanisms for identifying and supporting pupils to make this move.



Special school provision (continued)

- Fourth, as we show on the next page, there was a lot of dissatisfaction from colleagues from mainstream schools about the offer of specialist places. In particular, there were lots of concerns raised about there needing to be more places in special schools. As we noted in an earlier section of this report, when counting the resource bases and ELPs (notwithstanding our point that these are funded as specialist provision, but not necessarily operating as such), Wiltshire has a similar proportion of pupils with EHCPs in specialist provision. Furthermore, we would argue that seeing the issue simply in terms of the quantity of specialist provision does not do justice to the range of factors that are driving demand for EHCPs and special school placements. If more places are commissioned without addressing these pressures, those places will simply be filled and the pressures will continue. Returning to our initial point, it is vital that there is a clear and shared understanding of the role of specialist provision *within the local system of education, SEND and high needs*.

Alternative provision (AP)

At both primary and secondary level, there were concerns about access to alternatives to exclusion. Rates of exclusion in Wiltshire are low, but have been rising gradually over the last three full academic years for which there is published data (2015/16 to 2017/18) – primary exclusions have risen from 6 to 13 (and are now level with the national average; internal figures show exclusions have risen to 20 in 2018/19), while secondary permanent exclusions have risen from 0 to 13 (yet remain well below the national average; internal data suggest this has dropped to 5 in 2018/19). Primary school leaders reported being told “other schools would have excluded” when they asked for advice about alternatives to exclusion. Secondary school leaders expressed strong concerns about the range, quality and accessibility of provision to access from their devolved high needs block funding. There were also concerns about getting parents’ buy-in to placements as alternatives to exclusion. Overall, in the context of Edward Timpson’s review of exclusions and policy changes announced by the DfE, there is the need and opportunity for strategic engagements with school leaders to revitalise and reshape the use of AP in Wiltshire.

PART 2: FINDINGS AND RECOMMENDATIONS

Co-production with families

EHC partnership working

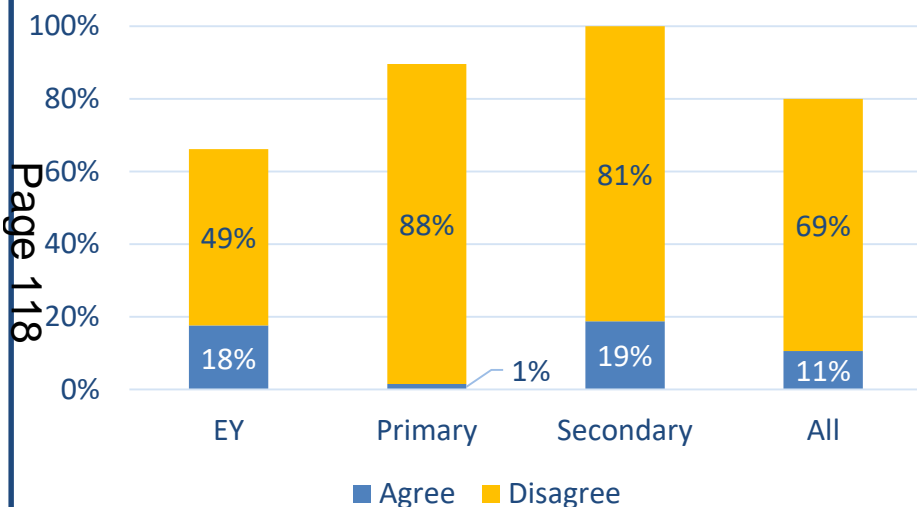
Information, identification, & access

Building inclusive capacity

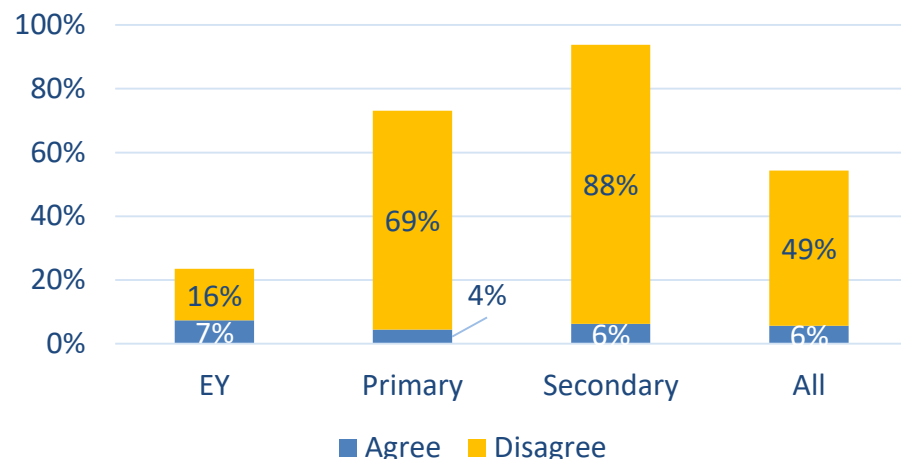
Specialist provision

Preparation for adulthood

'There is currently the right offer of specialist SEND.'



'There is currently the right offer of support and provision for children at risk of exclusion, excluded, or need alternative provision.'



As noted on the previous page, the responses to the survey questions about the current offers of specialist SEND provision (resource bases, ELPs and special schools) and AP were stark. High proportions of primary and secondary school colleagues disagreed that there was the right offer of specialist provision (88% primary, 81% secondary). Tellingly, with 88% of respondents disagreeing, the question of AP was the one that received the highest proportion of negative responses from secondary schools, and where the proportion was higher than that for those disagreeing from primary schools. While there were a high proportion of early years colleagues who responded 'cannot say', almost half disagreed that there was the right offer of specialist provision.

PART 2: FINDINGS AND RECOMMENDATIONS



Recommendations: Quick wins

- **Resourced provision** – start a discussion with secondary school leaders about the future of the ELPs. Link this to the discussion about expectations of mainstream inclusion, and seek to define the additionality a resourced provision in a secondary school should offer. Start to develop options for refining the ELP model to align it with the resource bases.
- **Special school provision and independent placements** – as part of the work looking at placement decision-making and banding, work with special schools to explore refinements to the placement process and banding framework that will enable special schools collectively to provide a strong, collective offer of support for pupils with the most complex needs. Ensure clear responsibilities and tighten time-limited, outcomes-focused commissioning of INMSS placements.
- **AP** – in light of the Timpson Review and DfE response, begin a focused discussions with primary and secondary schools about current AP arrangements, support options for pupils at risk of exclusion and with SEMH needs.

Recommendations: Longer-term actions

- **The role of specialist provision as a whole** – ensure that there is a clear vision about the overall role of specialist provision, and how the respective roles of resourced provisions and special schools (and the rest of the continuum of support) fit together, and clear processes for commissioning and adapting the offer of specialist provision based on needs. This will require co-productive work with schools to refine the ELP model and define a clear and consistent offer of resourced provision and special school provision that can support young people with the most complex needs. This will also require considering what will be needed, both from specialist provision and input from external agencies, to meet the needs of young people currently placed in or might require a placement in an INMSS, and those pupils who could be reintegrated from specialist provision into resourced provision or mainstream schools. Ensure this is understood by all professionals involved in placement decisions, and reflected in placement and banding processes.

PART 2: FINDINGS AND RECOMMENDATIONS



Recommendations: Longer-term actions (continued)

- **Specialist provision (continued)** – ensure that there is a clear and consistent process for specialist providers, mainstream providers and other agencies to work together to identify pupils who could be reintegrated into mainstream school and to support a successful transition.
- **Independent placements** – first, strengthen individual placement commissioning – ensure that there is a consistent focus on outcomes, on the specific support that is being commissioned, and on transitions, so placements are not open-ended but focus on preparing a young person to move back to local provision at their next transition-point where this is appropriate. Second, develop a process whereby specialist providers and other services can come together to consider local, bespoke alternatives to independent placements where the latter may not be the most appropriate placement. Third, consider the current in-county offer of specialist provision for pupils with SEMH needs – these pupils are disproportionately represented in the cohort placed in INMSSs.
- **AP** – working with primary and secondary school leaders and other partners, revisit and refine current arrangements around preventing exclusion and the use of AP. We understand further work on this area is planned to start shortly. We would advise this is used to explore further how decision-making around the use of AP and the offer of preventative support and AP itself should be developed in Wiltshire to foster early support and inclusion, and prevent exclusions from rising.
- **Commissioning** – develop a process of regular, pro-active, strategic discussions with specialist providers individually and collectively about current and anticipated future trends and planned need for provision (not just an operational discussion about numbers of planned places).

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PART 2: FINDINGS AND RECOMMENDATIONS



Strengthening and broadening options for young people preparing for adult life was one of the key areas of positive practice within Wiltshire.

We heard a number of strong, positive messages from those involved in supporting young adults with SEND and high needs about the work that has gone into reshaping preparation for adulthood pathways in Wiltshire. There were positive comments about the dedicated leadership and co-ordination of this agenda from the local authority (this is something we have highlighted as a hallmark of effective preparation for adulthood practice within local SEND systems), and the development of strong, strategic relationships with Wiltshire College and other providers to plan pathways and study programmes for young people. This has resulted in a wider range of options being available to young people, and to the development of specific pathways like the supported internships scheme (52% of participants go into paid employment).

This remains a developing area, with ongoing work required to ensure the local area provides good opportunities for young adults with SEND and high needs.

The positives highlighted above should not be read as suggesting that all young people with SEND and high needs now have the right range of options and are on good pathways into adult life. While recognising the work that has been done to develop options in Wiltshire – and this is often an area of the local system that is less strong in other localities – we would also highlight the ongoing need to broaden the offer to ensure that it is suitably flexible and responsive to the needs and aspirations of all young people with SEND and high needs. As one parent put it, it felt to them that options for young people with SEND and high needs seemed to narrow as they approached the end of their formal education, while for their peers options about further study, work and independent life seemed to widen. Some parents described a lack of flexibility within the offer for some young people with more complex combinations of needs. Furthermore, professionals reflected that there was further to go to strengthen the transition between school and college, so that young people were supported to make the transition from school to a more independent style of learning at the appropriate time. Professionals also reported a lack of early identification, planning and joining-up of an offer of support across adult services, children’s services, SEND and education services for young people with the most complex needs.

PART 2: FINDINGS AND RECOMMENDATIONS

Co-production with families

EHC partnership working

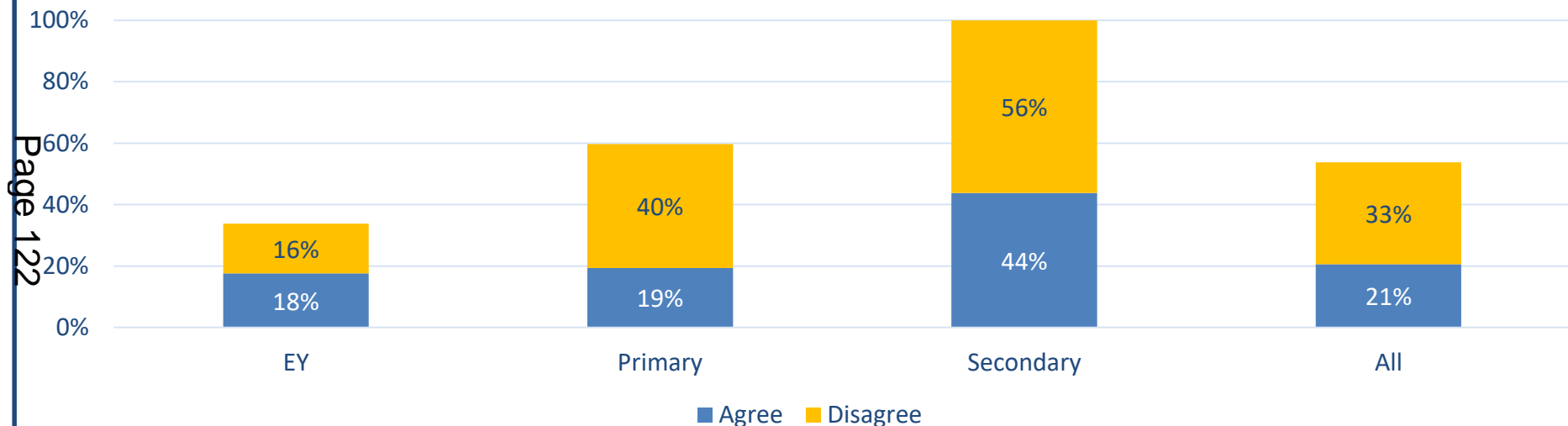
Information, identification, & access

Building inclusive capacity

Specialist provision

Preparation for adulthood

'The current continuum of support, services and provision is effective in preparing young people with SEND and high needs for a fulfilling, independent adult life.'



What is noteworthy first and foremost about the responses to the survey question about whether the current continuum of support is effective in preparing young people with SEND and high needs for adult life is the high proportion of “cannot say” responses – almost half overall, with particularly large proportions in the early years and primary schools. It is, perhaps, to be expected that professionals working with younger children feel less qualified to comment on how well the system prepares children for adulthood. Nevertheless, this does also suggest that, as a system, there are not the mechanisms for tracking through young people’s pathways, capturing the overall impact of the system in enabling young people to make a successful transition to adult life, and ensuring the impact and learning is fed back into the system.

Source: Survey data collected during the review.

PART 2: FINDINGS AND RECOMMENDATIONS



Recommendations: Quick wins

- **Developing pathways** – continue to build on the work that has been done so far in the context of education study programmes and supported internships. Continue to develop pathways and programmes that fit with the needs and aspirations of young people who are about to make the transition to young adulthood. Focus specifically on broadening routes into employment, strengthening the transition between post-16 education in special schools and college, and drawing in the expertise and offer from adult social care services.
- **Planning processes** – start to develop routines for identifying young people with the most complex needs, including those who are likely to require some additional transitional / ongoing support with their care needs. Start with young people in Years 9 and 10, particularly those in specialist provision and/or those who may require the most support with the transition to adulthood, and test / trial ways of capturing their aspirations and future plans – e.g. through annual reviews or specific, dedicated planning conversations.

Recommendations: Longer-term actions

- **Joint offer of support** – pull together a broader offer of joined-up, seamless support drawing on inputs from education, social care, health and community services. Ensure that this offer is well co-ordinated and jointly owned by professionals – rather than each individual service defining their offer but nobody taking responsibility for how these come together as a coherent package of support for a young person.
- **Young people's voice** – as we described under the 'co-production with families' theme, develop a set of core routines for having systematic conversations with young people about their aspirations, capture this, and use this to inform planning of individual pathways as well as shaping future commissioning priorities. Embed this process so that it is being used to drive planning of future pathways and the shape of the future preparation for adulthood offer in Wiltshire.

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Conclusion: Overarching messages and taking this agenda forward

Part 3: Implications for the use of the high needs block

How our recommendations link to the immediate focus on reducing the high needs block overspend

As we noted in the first section of this report, we recognise that high needs block resources in Wiltshire are under severe pressure, with and overspend that has been growing since 2016-17. In this report, we have made a series of recommendations that revolve around the themes of embedding a collective strategy and approach based on partnership working and co-production, strengthening core processes, and ensuring that there is a responsive, strategically planned and collectively understood continuum of support, services and provision.

None of these recommendations necessarily entail investing lots of additional resources; rather, their focus is on creating the conditions for a future strategy to be successful and how available resources could be used to best effect. This is because the overspend on the high needs block should not be seen as purely a financial matter. Instead, it should be understood as the symptom of a mismatch between expectations, demand and support, to which the solution is as much about partnership and strategy as it is about budget management.

Nevertheless, addressing the high needs block overspend should be a strategic priority for all partners in the local SEND and high needs system in Wiltshire. As such, in this penultimate section of the report, we have set out how strategic leaders and partners could address the high needs overspend. In so doing, what we have set out is not a set of projections for immediate cashable savings – the causes of the overspend are systemic, and will require a long-term, system-wide approach to turn around. Instead, we have sought to identify the areas of greatest pressure on the high needs block, on the basis that this is where there may be scope to reverse those pressures and address needs in a more cost-effective manner, and illustrate what would be required in order to bring the high needs block back into balance.

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Part 3: Implications for the use of the high needs block

How our recommendations link to the immediate focus on reducing the high needs block overspend (continued)

To do this, as a first step, we have looked at areas of spend that account for a significant proportion of the high needs block and where there has been growth in spending the last three full financial years. This reveals four areas:

1. independent special schools (2018-19 spend = £9.4m; 67% increase in the last three financial years);
2. top-up funding for pupils in mainstream schools (2018-19 spend = £7.7m; 90% increase in the last three financial years);
3. specialist bespoke packages (2018-19 spend = £1.1m, 183% increase in the last three financial years); and
4. top-up funding for resource bases and ELPs (2018-19 spend = £3.2m, 51% increase in the last three financial years).

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These are the four areas of pressure that we described on p.17, in Part 1 of this report. Taken together, these four areas accounted for £12.2m of spending, or 32% of high needs expenditure, in 2016-17. By 2018-19, spending had risen in absolute terms to £21.4m, and accounted for 46% of high needs expenditure. In total, these four areas combined have seen an increase in expenditure of 75%.

Many of our recommendations touch on these four areas, specifically:

- strengthening commissioning and develop local alternatives to independent special school placements;
- strengthening decision-making to address the high proportions of young people with EHCPs and top-up funding;
- addressing the fact that there are significant numbers of children with EHCPs out of school, and being funded with bespoke specialist packages as alternatives to accessing full-time, formal education; and
- addressing the inconsistencies in the offer of resourced provision, particularly the lack of clarity around the ELPs.

In focusing on these four areas, we have sought to illustrate what would be required to reduce the high needs overspend.

Part 3: Implications for the use of the high needs block

	Scenario 1		Scenario 2	
	Young people	Amount	Young people	Amount
Top-ups	171	£ 1,047,033.00	250	£ 1,530,750.00
INMSSs	50	£ 2,351,250.00	70	£ 3,291,750.00
Specialist bespoke packages		£ 500,000.00		£ 500,000.00
ELPs		£ 250,000.00		£ 250,000.00
Total		£ 4,148,283.00		£ 5,572,500.00

The table above shows the four areas of expenditure on which we have focused. We have set out two scenarios to illustrate what might be required to address the pressure on the high needs block – these are illustrative, rather than predictive. Scenario 1 shows figures totalling £4.1m, while scenario 2 is more ambitious and totals £5.6m.

Top-ups

The average per-pupil top-up for a school-age pupil in Wiltshire is £6,123. Currently Wiltshire has 2,449 pupils who have EHCPs, which represents 3.3% of 74,862 pupils (as of January 2019). The national average is 3.07%. If the proportion of school-age pupils with EHCPs in Wiltshire matched the national average, there would be 2,298 school-age pupils with EHCPs in Wiltshire. This would be a reduction of 171. Scenario 1 illustrates that, if those children were supported through alternatives to an EHCP and top-up funding, that would be the equivalent of c.£1m of high needs block resources. Scenario 2 illustrates that reducing EHCPs by 250 (which would be the equivalent of having 2.96% school-age pupils with EHCPs) would equate to just over £1.5m. Our calculations above are an attempt to illustrate the impact on the high needs block pressures of bringing the proportion of school-age children with EHCPs into line with national average levels. (The alternative to reducing the *number* of top-ups would be to reduce the *average amounts* of top-up funding per pupil, which we do not think would be an effective approach.) We would argue that, as part of the future strategy, there needs to be a strong focus on ensuring there is robust decision-making about appropriate access to EHCPs and top-up funding.

Part 3: Implications for the use of the high needs block

	Scenario 1		Scenario 2	
	Young people	Amount	Young people	Amount
Top-ups	171	£ 1,047,033.00	250	£ 1,530,750.00
INMSSs	50	£ 2,351,250.00	70	£ 3,291,750.00
Specialist bespoke packages		£ 500,000.00		£ 500,000.00
ELPs		£ 250,000.00		£ 250,000.00
Total		£ 4,148,283.00		£ 5,572,500.00

INMSS placements

Wiltshire currently has 182 young people placed in INMSSs, as described in Part 1. The average cost of a Wiltshire placement in an INMSS is £62,700, of which 75% on average comes from the high needs block. Based on our knowledge of other local areas, it is possible to reduce placements in the independent sector through a combination of tighter, outcomes-focused commissioning, and the development of local alternatives allowing pupils to be supported in less specialist forms of provision. We have suggested that it would be useful to think about a cohort of 50 children who could be supported in less specialist provision across the whole continuum. In other words, this would require the identification of 50 children in INMSSs who could, at an appropriate point, be supported in local specialist provision (special schools or resourced provisions) with the right support. This then requires thinking about the same number of children currently in specialist provision who could be supported in a resourced provision or a mainstream setting with intensive support. In other words, by taking a whole-system approach and thinking about specific cohorts of children who could be supported in less specialist forms of provision, it is possible to reduce unnecessary INMSS placements. Our suggestion here is not that this is a cost-free exercise – developing local alternatives may require some of the resource spent on INMSS placements to be recycled. Nevertheless, the table above shows that a reduction of 50 INMSS placements would equate to c.£2.4m of high needs block resources; for illustrative purposes, a reduction of 70 would equate to c.£3.3m.

Part 3: Implications for the use of the high needs block

	Scenario 1		Scenario 2	
	Young people	Amount	Young people	Amount
Top-ups	171	£ 1,047,033.00	250	£ 1,530,750.00
INMSSs	50	£ 2,351,250.00	70	£ 3,291,750.00
Specialist bespoke packages		£ 500,000.00		£ 500,000.00
ELPs		£ 250,000.00		£ 250,000.00
Total		£ 4,148,283.00		£ 5,572,500.00

Specialist bespoke packages

Internal data from November 2018 shows that there are 90 children with EHCPs who are not currently in formal, full-time education. Published data from January 2019 suggests that 4.6% of all young people with EHCPs in Wiltshire (154) are 'educated elsewhere'. High needs block data shows the spend on specialist bespoke packages for young people who are not in school has risen from £380k in 2016-17 to £1.1m in 2018-19. The circumstances for each young person not in school will be different, and we would not argue for a blanket approach. Nevertheless, we would argue that it would be beneficial to focus on reducing the number of children with EHCPs who are 'educated elsewhere', securing them places in schools, and reducing high needs block on spend on these bespoke packages. In the table, we set out a c.50% reduction.

ELPs

As we noted in Part 2, there are some fundamental questions about the purpose and shape of resourced provision in the secondary phase. One option that could be considered is using the existing funding for ELPs in a way that both supports a stronger and more consistent offer of mainstream inclusion in secondary schools, while also creating a smaller number of specialist resource bases. It is difficult to quantify what this would mean in terms of reducing pressures on the high needs block. For illustrative purposes, in the table above, we have included the figure of £250,000, which is the equivalent of a reduction of 25 high needs funded places.

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Conclusion

We acknowledge that local areas across the country are facing rising demand and high needs cost pressures. We also acknowledge that Wiltshire receives less high needs funding than its statistical neighbours and the national average. Throughout this report we have cautioned against conflating these points with a distinct set of factors that are contributing to demand rising at a faster rate in Wiltshire than is the case across England. Unless these underlying issues that are driving demand, particularly for EHCPs and specifically for younger children, are addressed, the pressures the local system in Wiltshire is facing will only continue, and will only swallow up any extra resources that become available.

In this report, we have made a series of recommendations that revolve around the themes of:

- embedding a collective strategy and approach based on partnership working and co-production;
- strengthening core processes; and
- ensuring that there is a responsive, strategically planned and collectively understood continuum of support, services and provision.

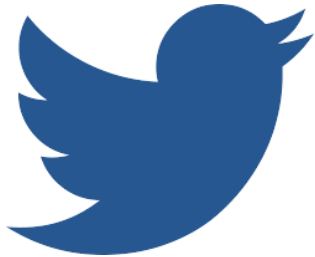
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These recommendations focus on creating a shared understanding of the current context and causes of pressures within Wiltshire, creating the conditions within which a shared strategy and stronger partnership working can be effective. We have argued strongly against interpreting the challenge of the overspend on the high needs block as a purely financial matter, and in favour of seeing it as something requiring a strategic approach, shared across all partners. Within this context, we have also highlighted four areas that should be the focus of strategic, partnership-based discussions about the use of resources and how to bring the high needs block back into balance. These are:

- strengthening commissioning and develop local alternatives to independent special school placements;
- strengthening decision-making to address the high proportions of young people with EHCPs and top-up funding;
- addressing the fact that there are significant numbers of children with EHCPs out of school, and being funded with bespoke specialist packages as alternatives to accessing full-time, formal education; and
- addressing the inconsistencies in the offer of resourced provision, particularly the lack of clarity around the ELPs.

The team that carried out the review



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