

Proposal to Review Enhanced Learning Provision Guidance

Purpose of the Report

1. There is on-going pressure on the High Needs Block (HNB) of the Dedicated Schools Grant (DSG). A number of actions have been taken to address this pressure, all have focused on achieving savings and efficiency whilst at the same time achieving parity and fairness in the system and the best possible outcomes for children and young people with special educational needs and/ or disability (SEND).
2. This paper asks Schools Forum to support a proposal to review the Enhanced Learning Provision (ELP) Guidance to ensure that it;
 - Contributes to the need for financial efficiency
 - Is aligned with the reforms set out in the Children and families Act 2014
 - Is in accord with the new Wiltshire SEN Banding arrangements
 - Facilitates the best transitions for Wiltshire's young people

Main Considerations

Background:

3. Children and young people with SEND in Wiltshire can attend a range of school settings to support their education and well-being, from mainstream through to specialist.
4. Currently in Wiltshire about 16% of all pupils have a SEND and 2.8% have an EHCP or statement.

Primary Provision:

5. In primary school provision is predominately (52%) in a mainstream school, funded via named pupil allowance (NPA), or in a Resource Base in a mainstream school (22%). Children can also attend one of Wiltshire's Special schools (20%) or, less likely, a special school run by an independent organisation (2%).
6. To be eligible for NPA, or to access to a resource base or special school, a child must have an Education Health and Care Plan (EHCP)¹.

Secondary Provision:

¹ For the purposes of this paper the term EHCP includes Statements of SEN that have not yet been converted.

7. At secondary level Resources Bases are (for the vast majority of pupils²) replaced by access to ELP. At this level, only 9% of pupils with an EHCP are in a mainstream setting funded by a NPA, 33% are funded via ELP, and 46% attend a special school.

Funding Comparison:

8. All pupils now receive a common top up (the new Banded Funding mechanism), dependant on assessed need – so a pupil on Lower Band 1 receives the same top up whether they are placed in mainstream, a resource base or a special school³.
9. However, if a child is placed in a mainstream setting the first £10,000⁴, or place funding, is through the schools budget, whereas for a Resource Base, ELP or special school the place is funded through the HNB.

10. Table 1:

Data on school setting September 2016 (BRIGHT)	Percentage		Number of Pupils	
	Primary	Secondary	Primary	Secondary
Mainstream	53%	9%	565	90
Resource base or ELP	22%	33%	237	322
Maintained or Academy Special School	20%	46%	217	446
Independent Special School	2%	9%	18	88
Other(e.g. educated at home)	2%	2%	24	19
Total			1061	965

As shown in Table 1 above, this means that currently primary schools are funding £3,390,000 of this place funding and secondary schools £540,000⁵.

In addition, secondary schools are in receipt of an additional £850,000 of Element 1 and 2 funding to support ELP in comparison to places supported at a Resource Base⁶.

Transition from Yr 6 to Yr 7:

11. 53% of pupils with an EHCP in primary schools are supported in a mainstream provision (that is, not in a Resource base), however this decreases markedly to 9% of pupils with an EHCP in secondary schools being supported in a mainstream provision (that is, not in ELP).

² Wiltshire retains a resource Base for hearing impairment at Sheldon Academy, and there is a Resource Base for Physical Impairment at Trafalgar School.

³ In practice, there is some variation as special schools have not taken the cost saving reduction of ~20% in top ups that mainstream schools have this year (as a result of the minimum funding guarantee). Independent Schools set their own fees.

⁴ Sometimes referred to as Element 1 and 2, or AWPU + notional SEN Funding

⁵ 565 x £6K and 90 x £6k

⁶ The difference between 322 and 237 x £10k place funding

12. Table 2⁷:

Yr 6 Setting 2014/5		Year 7 setting 2015/6					
		Special School	ELP	INPA	LMFS (notional funding only)	Other	left county
Special School	35	33	2	0	0	0	0
Resource base	40	23	14	2	0	1	0
INPA+ EOPA ⁸	57	10	33	8	1	0	5
LMFS ⁹ (notional funding only)	33	14	8	0	7	3	1
Other	5	4	0	0	0	1	0
	170	84	57	10	8	5	6
Special School	21%	94%	6%	0%	0%	0%	0%
Resource base	24%	58%	35%	5%	0%	3%	0%
INPA+ EOPA	34%	18%	58%	14%	2%	0%	9%
LMFS (notional funding only)	19%	42%	24%	0%	21%	9%	3%
Other	3%	80%	0%	0%	0%	20%	0%
		49%	34%	6%	5%	3%	4%

13. Key points:

- 21% of the cohort had Yr6 in special school, but by Y7 49% of them are in special school.
- 34% of the cohort were on NPA in Y6 (57 children), but by Y7 only 6% (8) were on NPA. The majority went into ELP (33) and special school (10). The consequence of this is that in Y6 this group cost the HNB about £207,000 and in Y7 the same children/young people cost the HNB £584,670 (an increase of 182%).
- Of the 33 children in Y6 who were on LMFS and known to BRIGHT (funded by schools notional funding, some with EHCPs and some under assessment or on SEN Support) 14 went to a special school (5 of these Independent Special School) and 8 into ELP.

The cost to the High needs budget in year 6 was £0 and around £270,000 in Y7 (this is not including the cost of the Independent Special Schools placements¹⁰).

⁷ The yellow columns on the right hand side shows where Y6 pupils with SEND were schooled in July 2015, first as a number of pupils and then as a percentage of their group.

⁸ EOPA is a temporary banding on NPA (not all pupils on EOPA will have an EHCP)

⁹ LMFS is locally managed funds. These are mostly pupils on SEN Support but occasionally an EHCP where no additional funding is required. This data is from BRIGHT and therefore the only pupils on LMFS shown here are those who are known to a SEND lead worker.

¹⁰ This could be calculated by looking at the named pupils, but roughly placements cost at least £10,000 more in Independent Special Schools.

- Of the 40 children (21%) who were in a resource base, 23 (58%) went to special school and 14 (35%) to ELP and 2 (5%) transferred to NPA. As would be expected, on the whole, those who were on higher bands went to special school and those on lower to ELP (apart from some who went to Rowdeford Special School).
14. There are clearly a number of reasons why movement happens away from mainstream towards ELP and special school at the point at which a young person moves into secondary education, one of those being their capacity to manage a GCSE directed curriculum.

However the current guidance around ELP does not fully support this distinction and a significant number of Lower Band 1 children transfer into special school and directly into ELP. The guidance overall is based on circumstances that, while applicable in 2011, need to be altered and updated to support current arrangements and address issues of parity.

Proposal

15. Schools Forum are asked to support the proposal that - in order to support the management of the high needs budget and review some of the discrepancies between secondary and primary funding,

The Head of Commissioning and Joint Planning reviews and updates the guidance for ELP to bring it into line with the 2014 Children and Families Act and Wiltshire's new SEND Banding system (the current ELP guidance was last reviewed in 2011).

16. Resulting actions may include:

- For new intakes into secondary there is a move towards all young people on Lower Band 1 NPA moving into secondary on the same arrangement.
- That all pupils on NPA on bands above Lower 1 continue on NPA unless clear academic goals can be met by transferring to ELP.
- That the majority of pupils considered for ELP are those whose primary education has been in Resource Bases or special school.
- That while there should be a continued expectation that children currently attending a Resource Base may well need a special school as they move to secondary, that exceptional circumstances should be in place for a child on Lower Band 1 to be considered for such schooling.

17. This proposal, and any resulting actions, could impact funding in a number of ways;

- There would a reduction in pupils taking up ELP places and thus secondary schools may not receive as much funding from the High Needs Budget as a result of the current "offset" measures in place.
- However, by reducing the number of lower banded pupils moving into secondary special school places, this would lead to more pupils needing ELP, thus potentially balancing the loss to secondary schools.
- For Special Schools this is likely to mean that they have a number of empty places, this is a benefit in as much as all the schools are close to being oversubscribed. Furthermore, it could enable more higher banded pupils to attend local special schools, particularly those who currently seem to experience

significant trauma in Y6 taking them from being at most a child with a My Support Plan (LMFS in the table above) to children needing to be placed in Independent Special schools as a result of a lack of local provision.

- As such, the net impact should be a transfer of high needs funding down the system resulting in a net reduction in the use of expensive and further away independent special school places.

Report Author: Susan Tanner, Head of Commissioning & Joint Planning

Tel: 01225 713563

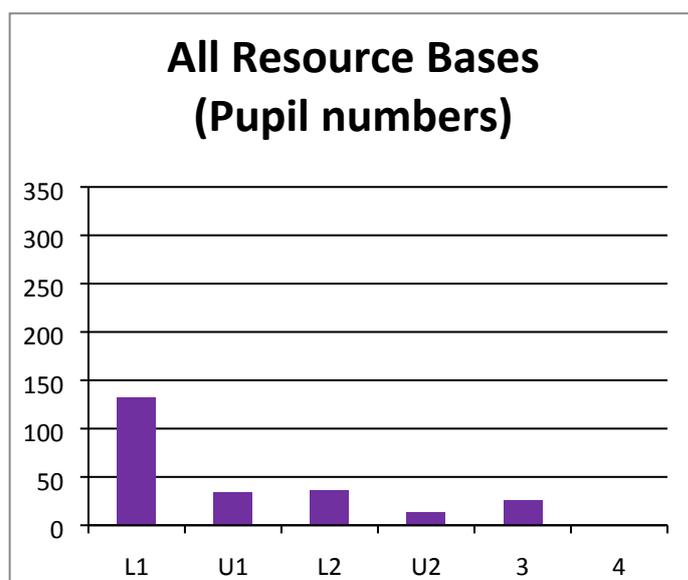
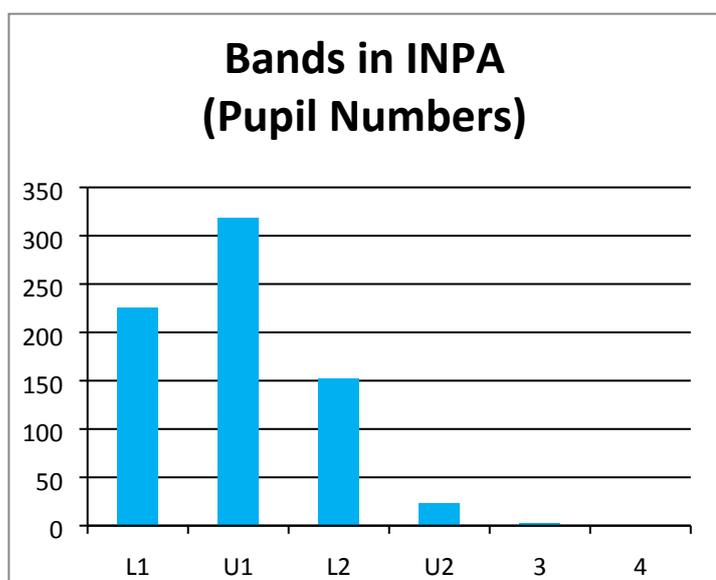
e-mail: susan.tanner@wiltshire.gov.uk

Appendix 1

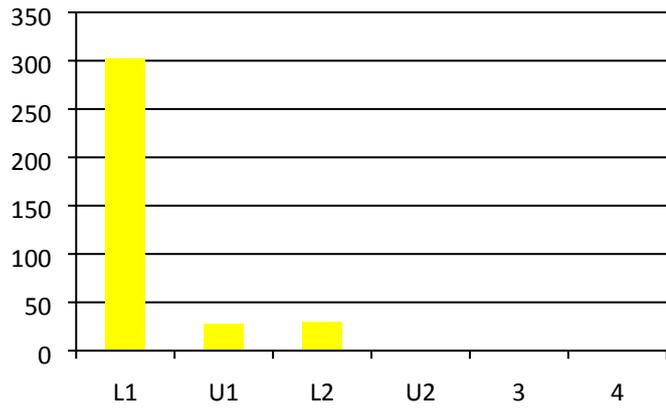
Charts showing distribution of Bands

The data (from July 2016) suggests:

- We have greater use of Band Upper 1 in NPA, if this is automatically transferred to ELP costs will rise.
- The majority of pupils in ELP are on Band Lower 1, there are still about 65 pupils not listed here who have no EHCP/statement and are accessing ELP
- There is, as expected, greater use of higher bands by special school but still a significant use of Lower Band 1.
- The Resource Bases have quite an even distribution, and, while there is still significant use of Lower Band 1, this is the most mobile group who may go on to ELP, NPA or Special school.



**Bands in ELP
(Pupils numbers)**



**Bands in Special Schools
(Pupil numbers)**

