

# Consultation Report

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## 1. Introduction

If a child or young person, between the ages of 0 to 25, has Special Educational Needs or Disabilities (SEND) they may require additional support. For most children and young people that support can be given in a mainstream classroom, with small changes. But in some cases, an Education Health and Care Plan (EHCP) may be needed, it sets out what support the child or young person needs to be able to access their education.

Additional costs to meet the needs of children with EHCPs are funded by local councils. Schools cover the first £6,000 of support from their own budgets then if a child needs more help, the council provides top-up funding to cover the extra costs. This ensures all necessary support is available to meet the child's needs.

Councils are responsible for deciding how this top-up funding is allocated, and in Wiltshire we use a "Banding" system which was introduced in 2016. This system has not kept pace with rising costs and evolving needs, leading to financial pressures on schools and support that can be inconsistent.

Our primary objectives in this project are to:

- align financial allocation to the relative need of students
- ensure equity and simplicity in funding
- support the financial stability of our SEND education sector

The consultation process was designed to gather input from key stakeholders, including parent carers, SENCOs, Headteachers, Schools Business Managers, and professionals in health and social care.

There was a seven-week consultation process, during which we conducted an online survey, and held three consultation events to facilitate more in-depth feedback.

The insights gathered from the consultation will inform the development of this new funding framework reflecting the assessed needs and financial realities of schools.

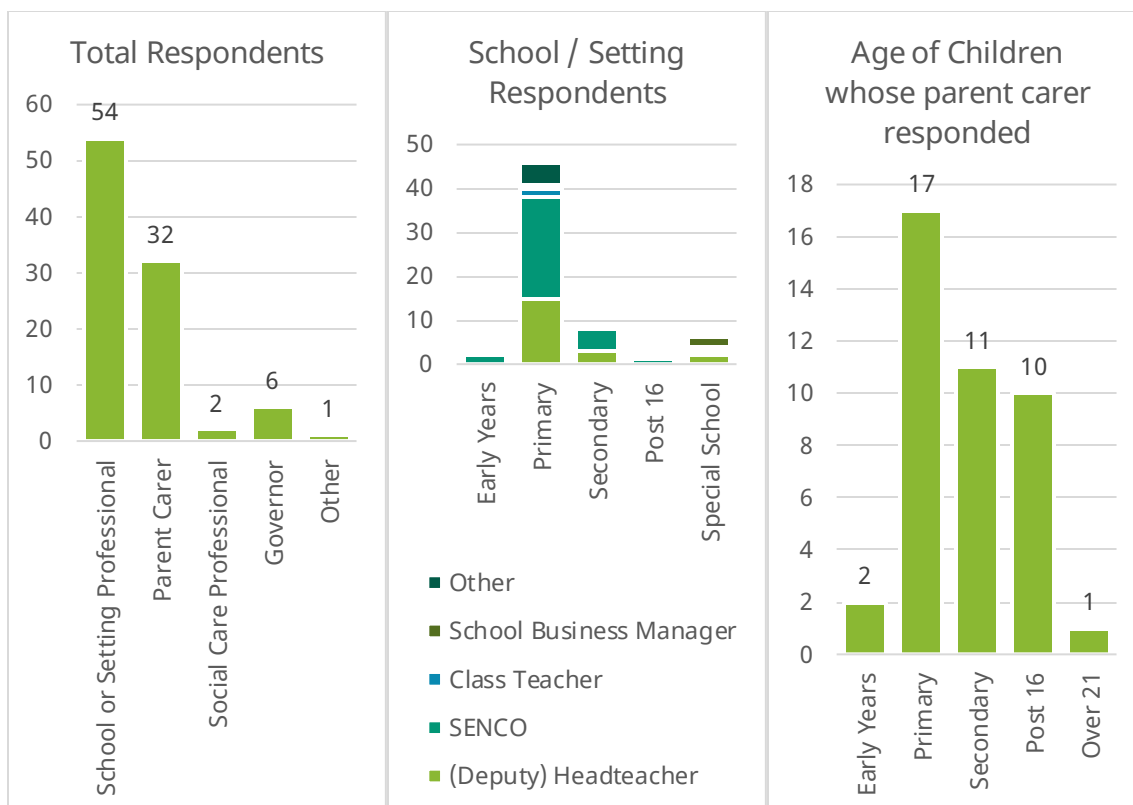
## 2. Methodology

We designed the consultation process to try and ensure we could get a diverse range of perspectives. The consultation process ran for seven weeks, opening on the 14<sup>th</sup> November 2024 and closing on the 5<sup>th</sup> January 2025.

We primarily collected feedback through an online survey, which included numerical responses and free text responses. This survey document (appendix 1) contained information about the current funding scheme as well as the proposed funding scheme. Participants were given the option to comment on the new descriptors of need, and could select the primary needs they were most interested in.

Over the 7 weeks, we had 88 individual participants. Participants could self-identify into multiple categories, and so the sub-groups do not total 88. However, they do allow us to understand the comments broken down by subgroup.

54 respondents indicated they were education professionals from a school or setting, 32 indicated they were parent carers, 6 said that they were school governors.



To support this consultation survey, we also held three online consultation sessions:

- SENCO focussed session – This webinar session sought views on how the current funding scheme helps support children and young people with SEND, and how the revised proposals can improve this. For this SENCO session the focus was on supporting SEND and time was spent on the descriptors of need. We used Mentimeter to collect and collate views, and these are included in the final analysis. There were 36 attendees to this session, and the recording was made available on RightChoice.
- School Finance focussed session – This webinar session sought views on the current funding scheme and on how the revised proposals could improve financial stability in the SEND system. We used Mentimeter to collect and collate views, and these are included in the final analysis. There were 41 attendees to this session, and the recording was made available on RightChoice.
- Parent carer session – We recognised that parent carers were likely to be less familiar with EHCP funding processes than our schools and so the focus of the parent carer workshop was on explaining the proposals and giving them an opportunity to ask questions, rather than asking questions of the parent carers. An average of 17 parent carers were on the webinar, and the recording on YouTube has been viewed around 45

times. The concerns and questions raised by parent carers have been included in the analysis.

### 3. Consultation Document Overview

The EHCP top-up funding consultation seeks views on a proposed model for EHCP funding. The consultation document is appendix 1.

This new model has 2 key elements:

1. Dividing the top-up funding. The proposed model splits the top-up funding into two bits. One part is based on the type of placement the child has. The second part is linked to the individual need of the child, considering the level of need and the support required for them to access education.
2. Nine-box grid model of need. The proposed model aims to assess the level of SEN need (Low, Medium, High) alongside the level of support required to access education (Low, Medium, High). This should give a fairer assessment of the funding required.

### 4. Consultation Events

#### SENCOs Event:

##### **Date and Venue:**

27<sup>th</sup> November, online webinar – recording available on RightChoice.

##### **Attendance:**

36 SENCOs. 78% of them were from primary schools, 17% were from secondary schools.

##### **Key Discussions:**

- The numerical questions were answered:
  - I understand the principles described in the proposal: 3.8 / 5
  - The model will help my school support CYP better: 3.3 / 5
  - It makes sense to assess need and impact on access: 4.3 / 5
  - I can see how this would apply in my school: 3.4 / 5
  - The format of the descriptors is clear: 4.2 / 5
  - The language used is clear: 3.3 / 5
  - The descriptors cover things I would find helpful: 3.9 / 5
  - I understand the need to improve EHCP top-ups: 4.9 / 5

- I agree with the proposal: 3.6 / 5
- I think the proposal will contribute to the aims: 3.6 / 5
- The proposal will improve things for CYP with SEND: 3.1 / 5
- Participants were asked how they would describe the current banding and funding scheme. The most common word was inconsistent, followed by insufficient, frustrating, confusing, inaccurate and unclear.



- Participants were asked what they liked about the proposals. Responses covered the advantages of assessing needs and impact, improvements to transparency, clarity and fairness.
- Participants were asked what could be improved about the proposals. Responses covered school funding challenges including concerns about notional SEN, the need to write a good Section F, and the need for the system to be nuanced enough.
- Participants were asked about the new approach to writing descriptors of need. Responses highlighted the need to be clear in the descriptions to avoid subjectivity, and to ensure it was explained what would happen where there are multiple needs.

## Headteachers and School Business Managers Event:

### Date and Venue:

5<sup>th</sup> December 2024, online webinar – recording available on RightChoice.

### Attendance:

41 headteachers, deputy headteachers and school business managers. 65% were from primary schools, 20% were from secondary schools, 10% were from special schools, 5% were from post 16.

## Key Discussions:

- The numerical questions were answered:
  - I understand the principles described in the proposal: 2.6 / 5
  - The model will help make funding more predictable: 2.9 / 5
  - The model will improve the stability of funding: 2.9 / 5
  - The model will help my school support CYP better: 2.8 / 5
  - It makes sense to assess need and impact on access: 4.2 / 5
  - The format of the descriptors is clear: 3.2 / 5
  - I can see how this would apply in my school: 3.1 / 5
  - I understand the need to improve EHCP top-ups: 4.6 / 5
  - I agree with the proposal: 3.0 / 5
  - I think the proposal will contribute to the aims: 3.0 / 5
  - The proposal will improve things for CYP with SEND: 3.0 / 5
- Participants were asked to describe the current banding and funding system. The most prominent responses were “insufficient”, “inadequate” and “unfair”.



- Participants were asked what they liked about the proposed funding scheme. Responses covered the needs led approach, the recognition of an outdated system and more bespoke approach.
- Participants were asked what concerns them about the proposed funding scheme. Responses covered concerns that the changes may not be sufficient, the lack of financial figures at this stage, and the need to recognise escalating costs in mainstream schools.
- Participants were asked to suggest what could be improved about the proposals. Provision of the financial figures and greater specificity around special school and AP funding were the key points.

## Parent Carers Event:

### **Date and Venue:**

5<sup>th</sup> December 2024, online webinar – [recording available here](#).

### **Attendance:**

Average of 17 parent carers.

### **Key Discussions:**

We talked to parent carers about the proposals and gave them the opportunity to ask questions or express views. The key points were:

- Concerns about what these changes could mean for children and young people on a day-to-day basis.
- Need for assurance that this is not about cost-cutting, it is about improving support.
- There were questions about the principle of banded funding and whether it was appropriate.
- There was a request to ensure that energy limiting disabilities, like M.E., are sufficiently covered in the descriptors.
- There were concerns expressed about assessing need and impact on access to education, with a view that the children with the highest need should just get the most money regardless.

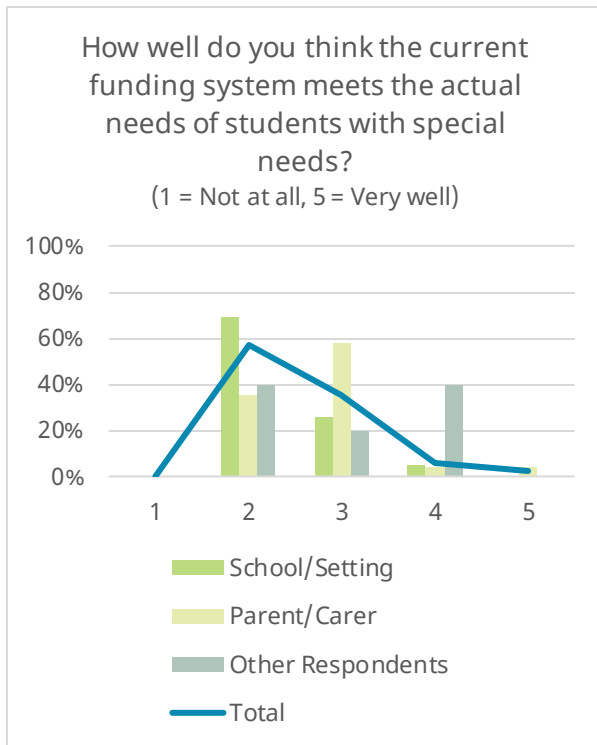
## 5. Survey Results

There were 88 responses from a range of perspectives.

### **Current scheme**

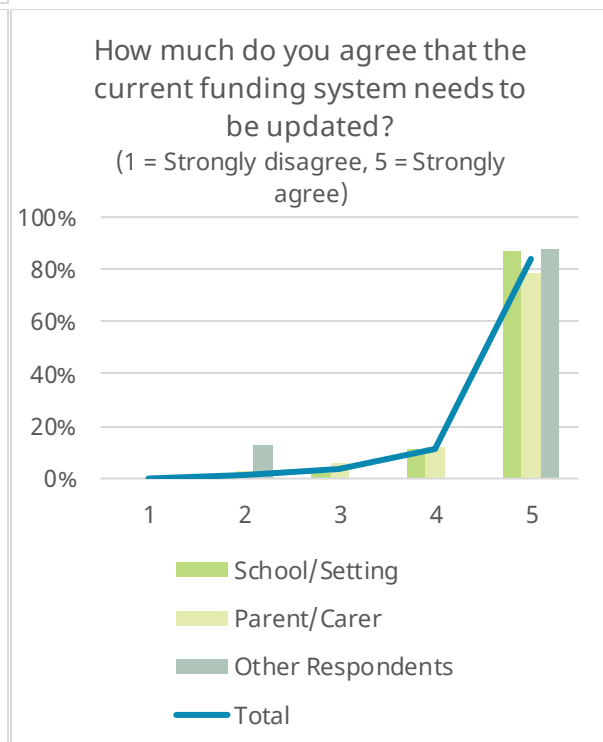
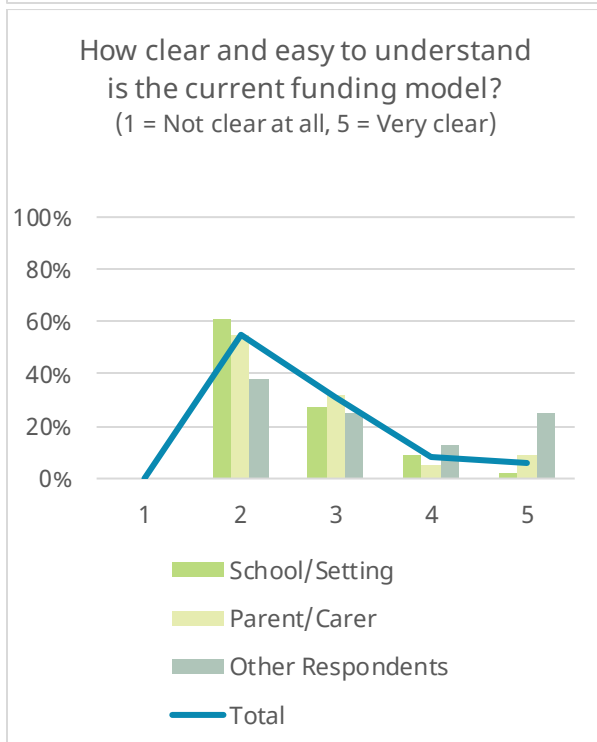
We asked respondents 3 numerical questions about the current funding scheme. Respondents did not feel that the current system adequately supports children and young people with SEND and felt that the system is opaque.

Broad consensus was shared across all subgroups without any significant differentiation. Schools and settings were marginally more critical of the current funding system than parent carers.



Respondents were given the opportunity to describe why they thought the SEND funding system needed to change. There was broad agreement over the issues:

- Concerns about funding adequacy – especially around resource bases and mainstream schools.
- Clarity for parents – especially around the pressures in schools.
- Fairness – ensuring the model meets need equitably.
- Needs to be child-centred
- Support for reducing the number of independent special school places.



There were concerns expressed that this review would be used to cut costs, instead of providing the best funding model possible.

Additionally, respondents took the opportunity to raise concerns not directly in the scope of this project. These covered the school’s block transfer consultation, the need to overhaul the whole SEND system at a national level, and the inadequate notional SEN funding.

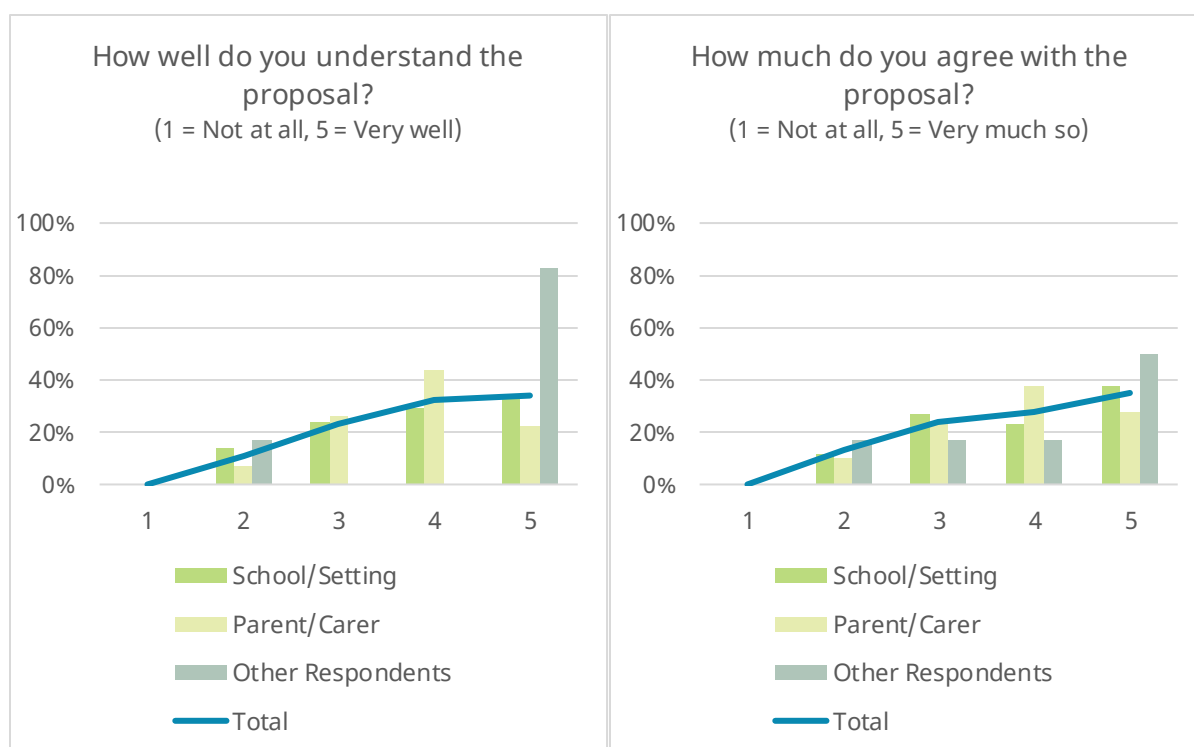


## Proposed Scheme

Next, respondents were given information about the proposed scheme and asked to give an initial reaction to the proposals. While the response was muted, the reaction was much more positive than the views expressed about the current scheme. Broadly people felt that the scheme was clearly explained, two-thirds of respondents scoring it a 4 or 5 out of 5, and broadly people were in agreement with the proposal (63% scoring it 4 or 5 out of 5).

It is also worth noting that the Pearson correlation co-efficient between the two results was 0.75, indicating that the more a respondent understood the proposals, the more likely they were to indicate agreement with them.

There is clearly still work to be done to articulate the proposal to key stakeholders, and the implementation plan will need to be focussed on this.



Respondents were asked what they thought the impact would be of assessing both the level of need, and the impact on a child's access to education. In general respondents were enthusiastic about the idea, seeing it as more child-centred.

Positive responses suggested that the new approach:

- Could lead to better outcomes by ensuring the funding matches the educational needs more accurately.
- Could be fairer by providing a more holistic view.

- Could provide improved access by ensuring that children with complex needs are given a chance to access an education.

Respondents were then asked what could make the scheme better. School respondents, particularly, picked up the issue of notional SEN and the need to address that shortfall. There were also comments about the need to ensure the scheme is efficiently administered and meets needs.

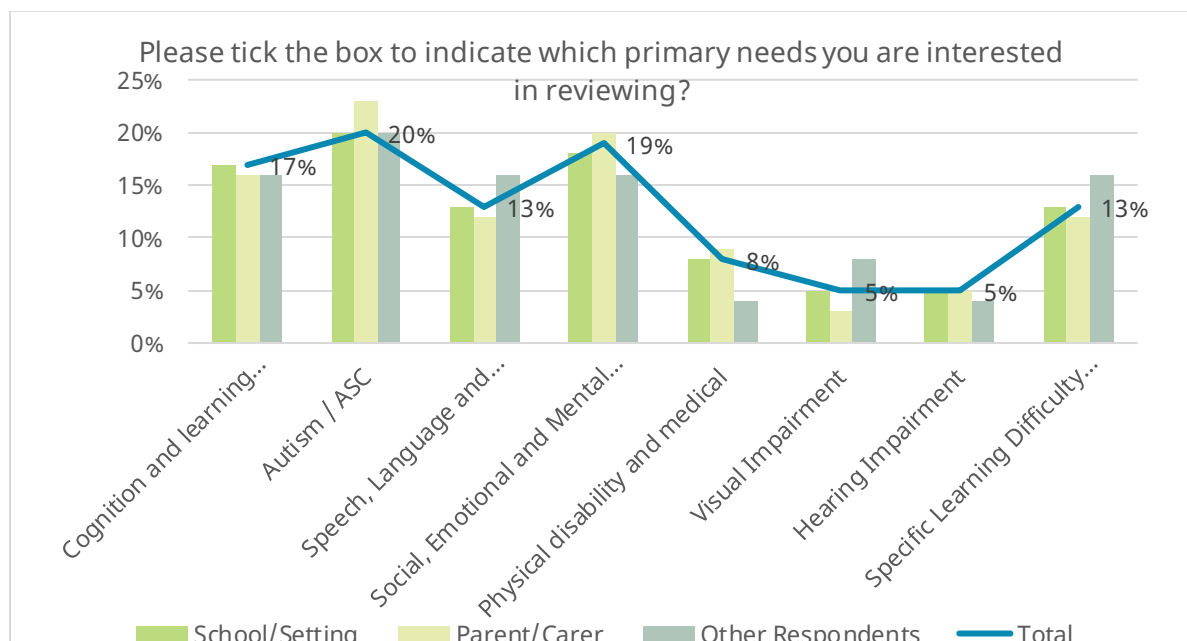
Schools were also keen to point out that, without specific financial figures to respond to, it was impossible to answer questions about whether the new scheme would be sufficient.

Aspects of the banded funding model were questioned, particularly the terms 'low, medium and high' which were not felt to be appropriate. Equally respondents were not sure that 3 bands would give the level of personalisation required.

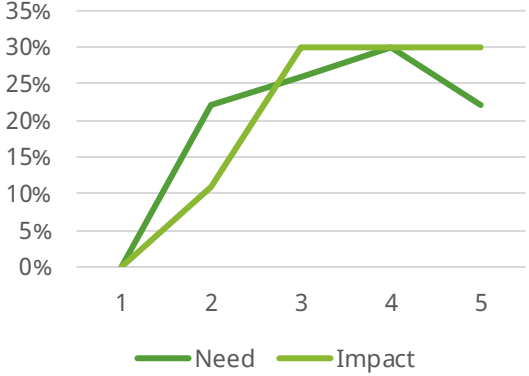
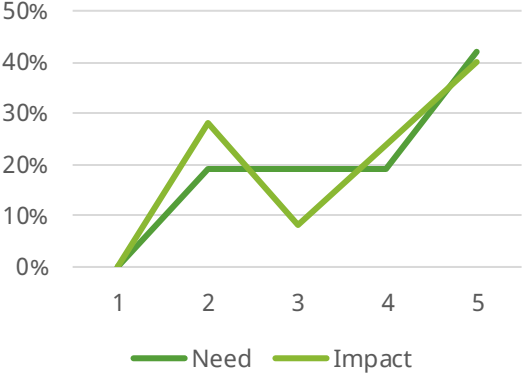
There were also questions about the suitability of any banded funding system and a suggestion that parent-carer should receive the money directly to commission support from schools.

## SEND Descriptors

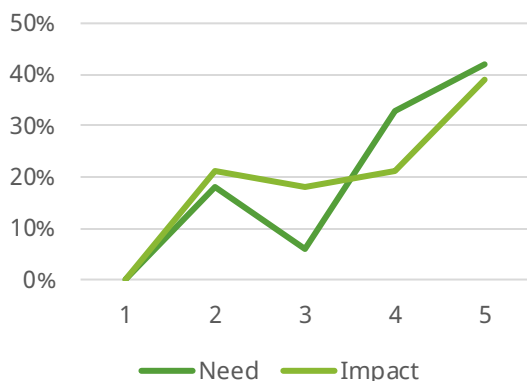
The next set of questions concerned the descriptors of need, categorised against primary needs. Respondents could answer as many or as few as they wanted to.



Overall, the descriptors were well received, over 50% of respondents scoring every one of them either a 4 or a 5. The descriptors were broken into two parts, the first describing the level of SEN 'need', and the second describing the 'impact' on access to education.

| Cognition and Learning  | Speech, Language and Communication Needs  |            |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
|---|---|------------|------------|---|---|---|---|----|----|---|----|----|---|----|----|---|----|----|--|-------|----------|------------|---|---|---|---|----|----|---|----|---|---|----|----|---|----|----|
|  <table border="1"> <caption>Estimated Data for Cognition and Learning</caption> <thead> <tr> <th>Score</th> <th>Need (%)</th> <th>Impact (%)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>0</td> <td>0</td> </tr> <tr> <td>2</td> <td>22</td> <td>10</td> </tr> <tr> <td>3</td> <td>25</td> <td>30</td> </tr> <tr> <td>4</td> <td>30</td> <td>30</td> </tr> <tr> <td>5</td> <td>22</td> <td>30</td> </tr> </tbody> </table>  | Score   | Need (%)   | Impact (%) | 1 | 0 | 0 | 2 | 22 | 10 | 3 | 25 | 30 | 4 | 30 | 30 | 5 | 22 | 30 |  <table border="1"> <caption>Estimated Data for Speech, Language and Communication Needs</caption> <thead> <tr> <th>Score</th> <th>Need (%)</th> <th>Impact (%)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>0</td> <td>0</td> </tr> <tr> <td>2</td> <td>20</td> <td>28</td> </tr> <tr> <td>3</td> <td>20</td> <td>8</td> </tr> <tr> <td>4</td> <td>20</td> <td>20</td> </tr> <tr> <td>5</td> <td>42</td> <td>42</td> </tr> </tbody> </table> | Score | Need (%) | Impact (%) | 1 | 0 | 0 | 2 | 20 | 28 | 3 | 20 | 8 | 4 | 20 | 20 | 5 | 42 | 42 |
| Score   | Need (%)  | Impact (%) |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
| 1   | 0   | 0          |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
| 2   | 22  | 10         |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
| 3   | 25  | 30         |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
| 4   | 30  | 30         |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
| 5   | 22  | 30         |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
| Score   | Need (%)  | Impact (%) |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
| 1   | 0   | 0          |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
| 2   | 20  | 28         |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
| 3   | 20  | 8          |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
| 4   | 20  | 20         |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
| 5   | 42  | 42         |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |
| <p><b>Positive:</b> Many responses appreciate the clear and specific descriptions of needs and support required. This clarity helps stakeholders understand the expectations and align needs with the correct level of support.</p> <p><b>For Improvement:</b> A common concern is that the descriptions may be too rigid and broad, making it difficult to fit the unique needs of individual children. There is a need for more flexibility to accommodate the diverse and specific needs of each child, ensuring that support can be personalized effectively.</p> | <p><b>Positive:</b> Many responses appreciate the clear and well-structured descriptions of need. The use of bullet points and scaled responses makes it easier to understand and follow the criteria for different levels of need.</p> <p><b>For Improvement:</b> A common concern is the need for more specific definitions and examples of what constitutes "moderate" and "severe" needs.</p> |            |            |   |   |   |   |    |    |   |    |    |   |    |    |   |    |    |  |       |          |            |   |   |   |   |    |    |   |    |   |   |    |    |   |    |    |

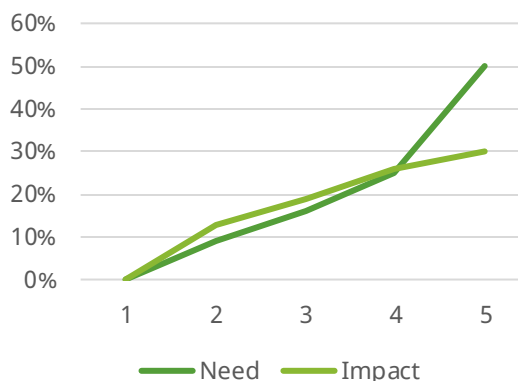
## Social communication with differing behaviour



**Positive:** The descriptions of need are clear and detailed which was appreciated by respondents. Some noted that the examples provided for each level are helpful. This clarity aids in understanding the progression of needs and the corresponding support required.

**For Improvement:** A common concern is the need for more specific definitions and examples of terms like "moderate difficulties". There is also feedback on the need to consider the impact of the environment and the differences in how boys and girls may present their needs.

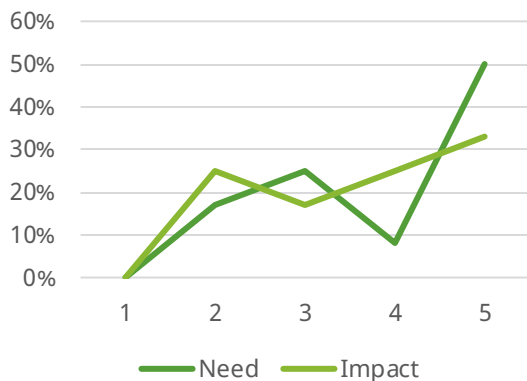
## Social, Emotional and Mental Health



**Positive:** Many responses appreciate that the descriptions take into account various aspects of SEMH, not just the manifestation of behaviour, which provides a more holistic view of the child's needs. There is a strong emphasis on how SEMH impacts access to education, which is appreciated by many respondents.

**For Improvement:** A common concern is about the potential for inconsistent application of the criteria, particularly regarding the jump between medium and high levels of need. There is also feedback on the need to consider the impact of the environment and the differences in how boys and girls may present their needs. Some respondents feel that the descriptions downplay the issues and impact faced by children with SEMH, particularly those with high levels of need. There is also a call for more language and information around trauma and how school environments can trigger or exacerbate these issues.

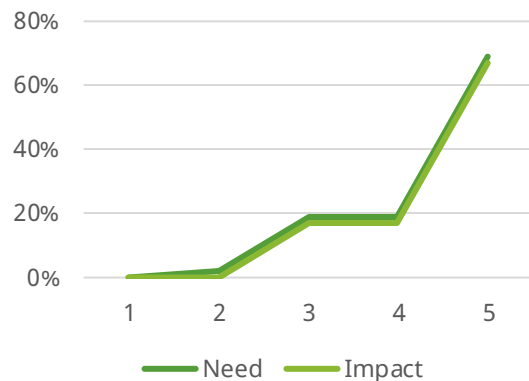
## Physical disability and medical



**Positive:** The descriptions acknowledge the need for interventions beyond academic support, such as therapies, which is appreciated by many respondents. The descriptions cover a wide range of needs, including access to adapted enrichment activities and the physical environment, which helps in providing a holistic view of the child's requirements.

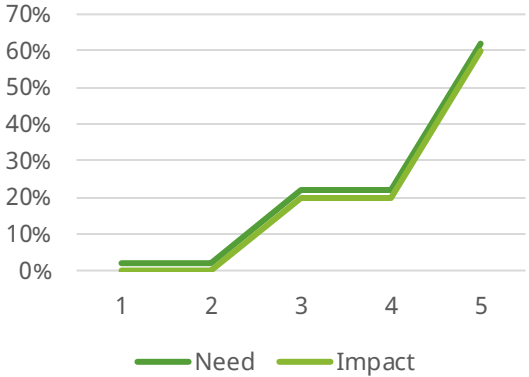
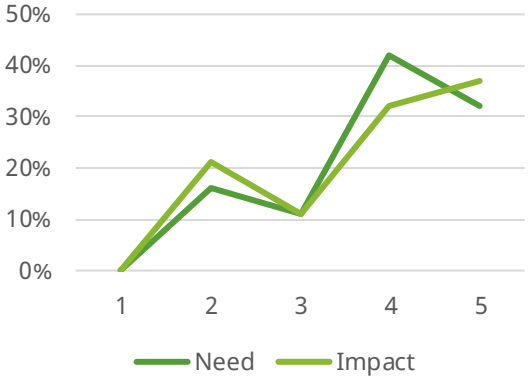
**For Improvement:** There is a call for more specific examples and definitions, particularly regarding the number of staff required and the impact of physical needs on education. There is also feedback on the need to consider the impact of chronic and complex medical conditions. There is also a call for more language and information around the impact of medical appointments and the need for adapted curricula and support following periods of absence.

## Hearing impairment



**Positive:** The descriptions provide a clear scale of need from low to high making it easier to understand the progression of needs.

**For Improvement:** None

| Visual impairment  | Specific Learning Difficulty   |
|--|--|
|  <p><b>Positive:</b> The descriptions provide a clear scale of need from low to high, making it easier to understand the progression of needs. The descriptions are good for visual impairment, providing clear guidelines and considerations for this specific need.</p> <p><b>For Improvement:</b> The descriptions should account for children with syndromic conditions who may have multiple needs, not just visual impairment. The descriptions should recognize that visual needs can fluctuate and progress over time, and assessments should consider the child's condition at its worst to plan effectively for the future.</p> |  <p><b>Positive:</b> The descriptions are clear and thorough. Respondents appreciated that they recognised that most of these needs could be met through quality first teaching.</p> <p><b>For Improvement:</b> Respondents did not feel that the impact of SpLD was sufficiently reflected in the descriptors and the grid needed a “high” box.</p> |

## 6. Key Findings and Themes

The general sentiment of the feedback is mixed, with both supportive comments and significant concerns raised. While some respondents appreciate the proposed changes and see potential benefits, there is a sense that ‘the devil is in the detail’.

### Clarity and Understanding:

- **Complexity and Simplicity:** Some feedback suggests that the proposed model is overly complicated, while others appreciate the thoroughness but still seek more straightforward explanations.

### **Equity and Fairness:**

- **Fair Distribution of Funds:** Concerns were raised about ensuring a fair distribution of funds that addresses the needs of all students, including those in mainstream and special schools. There is a worry that the new model might not adequately reflect the varying levels of need.

### **Impact on Schools:**

- **Budget and Staffing Concerns:** Feedback indicates worries about how the proposed changes might affect school budgets, staffing, and the ability to meet student needs. There is a fear that the new model might not provide sufficient funding to cover the actual costs of supporting students with special needs.
- **Resource Allocation:** Concerns about the allocation of resources and the potential for increased administrative burden on schools were also mentioned.

### **Training and Support:**

- **Need for Additional Training:** There is a strong call for additional training and support for school staff to effectively implement the new funding model. Respondents emphasize the need for specialist training to meet the needs of children with complex needs and SEMH (Social, Emotional, and Mental Health).

### **Parental Involvement:**

- **Importance of Parental Involvement:** The feedback highlights the importance of involving parents in the decision-making process and ensuring transparency in funding allocation. There is a call for better communication and collaboration between schools, parents, and the local authority.
- **Transparency and Accountability:** Respondents emphasize the need for transparency in how funding is allocated and spent, with some suggesting that parents should have more control over a portion of the funding.

## 7. Recommendations

### Improve Clarity and Understanding:

1. **Improve the descriptors:** Ensure that all terms used in the funding model are clearly defined.
2. **Simplify Explanations:** While maintaining thoroughness, aim to simplify the explanations of the funding model to make it more accessible to all stakeholders, including parents and school staff.

### Ensure Equity and Fairness:

3. **Follow Legal Requirements:** Continue to ensure that the funding model complies with legal requirements and clearly includes input from professionals to maintain fairness and accuracy.
4. **Administrative Burden:** Ensure that the new processes associated with the funding model reduce the administrative burden on schools to allow them to focus on supporting students.

### Provide Training and Support:

5. **Specialist Training:** Outside of the EHCP top-up project, offer additional specialist training for school staff to help them meet the needs of children with complex needs and SEMH.

### Enhance Parental Involvement:

6. **Transparent Communication:** Ensure the roll-out plan includes a clear communication plan for parents to ensure they are fully informed about the funding allocation process and how decisions are made.

### Address Specific Concerns:

7. **Add a Fourth Band:** Increase the number of bands from 3 to 4 to better reflect need in the system. This additional band will help to more accurately categorize and support children with varying levels of need.
8. **Clarify the Complexity Payment:** Ensure it is clear when a 'complexity payment' would be applied to children with a strong secondary need or other complication (e.g. PMLD). This ensures that children with multiple or complex needs receive appropriate funding and support.



### Monitor and Evaluate:

9. **Regular Reviews:** Implement regular reviews of the funding model to ensure it is meeting its goals and making necessary adjustments based on feedback and outcomes.
10. **Stakeholder Involvement:** Continuously involve stakeholders, including parents, school staff, and professionals, in the evaluation process to gather diverse perspectives and insights.