

TO: SCHOOLS FORUM
DATE: 20 JUNE 2019

**IMPROVING LEADERSHIP AND GOVERNANCE OVER
SPECIAL EDUCATIONAL NEEDS SUPPORT AND THE HIGH NEEDS FUNDING BLOCK**
Executive Director: People

1 PURPOSE OF REPORT

- 1.1. This report is an update on the proposal to pilot a mechanism for children and young people to have prompt access to short-term additional *specialist* support from the High Needs Block (HNB) without having to wait to go through an Education Health Care (EHC) Plan statutory needs assessment to access Element 3 'top up funding'.

2 RECOMMENDATION

- 2.1 **To AGREE to continue until the end of the financial year the pilot mechanism for children and young people to have prompt access to short-term additional *specialist* support from the HNB without having to go through an EHC Plan statutory needs assessment to access Element 3 'top up funding' as summarised in paragraph 0.**
- 2.2 **To AGREE that the project is reviewed before the end of the financial year to determine on-going sustainability as well as recommendations for going forward if this is agreed.**

3. REASONS FOR RECOMMENDATION

- 3.1. To date the pilot hub work is still underway and some of the work has started recently and it will take more than a few weeks to measure the impact. Head teachers hosting the hubs have received an outcomes framework to report on, and there will be meetings arranged with each head teacher to discuss the impact of the work in relation to outcomes for children and young people. This will include capturing the voice of the children and young people who have been supported (some of this work has already begun).

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Stay as we are. We have a high level of fixed-term exclusions at SEN Support and need to tackle this. There is an existing series of panels and processes within Bracknell Forest to oversee children and young people at different stages and levels of need. However, we want to ensure we are really robust in our efforts to eradicate exclusions, identify needs and provide prompt support for those children and young people who require what is additional to what schools would be expected to provide.

5 SUPPORTING INFORMATION.

Introduction

- 5.1 A report was presented to the Schools Forum in December 2018 to propose the establishment of a pilot mechanism for children and young people to have prompt access to short-term additional *specialist* support from the HNB without having to go through an EHC Plan statutory needs assessment to access Element 3 'top up funding'.
- 5.2 The Forum agreed that the pilot should be put in place, with an update report on progress to be presented to the Schools Forum before the end of the summer term and this is attached at Annex A.
- 5.3 The pilot scheme is recommended to be extended to the end of the financial year in order to fully develop aspects of the scheme to establish.
- 5.4 The remaining paragraphs of section 5, the supporting information, summarise the content of the December 2018 report.

Background

- 5.5 The pilot scheme represents a proposal on the HNB element of the Dedicated Schools Grant (DSG) that supports pupils with special educational needs and disabilities (SEND) and is intended to fund a continuum of provision for relevant pupils and students from 0-24. Local Authorities (LAs) receive funding for these provisions from the Department for Education (DfE) and in general commission services from providers. In-house arrangements are made in a relatively small number of areas.
- 5.6 The DfE has determined that where the cost of provision is above £10,000 it will be classified as high needs. In such circumstances, a "place-plus" approach to funding will generally be used which can be applied consistently across all providers that support high needs pupils and students as follows:
 - 5.6.1 **Element 1 or 'core education funding'**: equivalent to the age-weighted pupil unit (AWPU) in mainstream schools, which the DfE has stated the national average is around £4,000.
 - 5.6.2 **Element 2, or 'additional support funding'**: a budget for providers to deliver additional support for high needs pupils or students with additional needs of up to £6,000.
Specialist and Alternative Providers (AP), such as special schools and Pupil Referral Units (PRUs) only cater for high needs pupils and therefore receive a minimum £10,000 (Element 1 funding plus Element 2) per agreed place.
 - 5.2.3 **Element 3, or 'top-up funding'**: funding above elements 1 and 2 to meet the total cost of the education provision required by an individual high needs pupil or student, as based on the pupil's or student's assessed needs. This element is paid to all provider types, for pupils with assessed needs above the £10,000 threshold.
- 5.7 Additionally, HNB DSG is also intended to be used where high needs provisions are not arranged in the form of places e.g. specialist support for pupils with sensory impairments, or tuition for pupils not able to attend schools etc.

5.8 The key features of the proposal are:

- 5.8.1. To establish a multi-agency hub as a pilot until the end of the financial year to provide prompt, short-term and **specified** additional resource/support to children and young people through the High Needs Block, in the form of 'top-up funding'.
- 5.8.2. A school representative would attend the hub to present the child's case, alongside a social worker if the child's case is open to social care. This face-to-face presentation would be in addition to a simple form sent to the hub beforehand setting out the child/young person's needs, **if these are not already captured in any other existing form** on the child/young person- a CAF, EHC assessment request etc... which would be welcomed instead.
- 5.8.3. The impact of the additional resource/support on outcomes for the child/young person to be reviewed at the end of the time-period set by the hub and the hub would decide the next step.
- 5.8.4. Where it is decided that no additional support/resource is necessary, guidance and signposting to appropriate services would be provided by the hub.
- 5.8.5. To initially work with 5 schools
- 5.8.6. An evaluation report will be presented to the Schools Forum to consider towards the end of the summer term to agree the future of the project

5.9 The key benefits of the proposal are expected to be:

- 5.9.1 Improving **outcomes for pupils** across underperforming schools (starting with a small pilot of 5 schools, then increasing to 10)
- 5.9.2 Reducing fixed term exclusions at SEN Support.
- 5.9.3 Modelling **value for money use of 'top-up funding** (from the High Needs Block) to impact on outcomes for pupils who are at risk or in crises in relation to their progress and attainment as learners. This is the **eligibility criteria** at the 5 selected schools.
- 5.9.4 **Outcomes to be measured** in relation to each child/young person's starting point.
- 5.9.5 **Modelling good practice**, by specifying and quantifying interventions and support that have evidence-based proven impact on pupil outcomes. Providing **consistency, transparency and equity** in relation to funding allocations and interventions according to need.

5.10 In terms of anticipated financial implications, these are difficult to predict until the hub is in operation and the impact can be properly measured. Starting with a time limited pilot, restricted to a maximum of 10 schools will ensure that should a cost increase occur, this will be relatively small. The Schools Forum has previously agreed that the SEN Strategic Reserve with a balance of funds of £.439m would be used to finance any identifiable additional costs.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Director of Finance

- 6.1 The supporting information details the unknown nature of potential financial implications from the proposals, however, these are expected to be relatively low due to the limited time and restricted scope of the proposal. Should any costs emerge from the pilot, there are expected to be sufficient funds in the SEN Strategic Reserve to finance them.

Borough Solicitor

- 6.2 The Council has the legal powers to use the High Needs Budget in the way proposed in the report.

Equalities Impact Assessment

- 6.3 This would not disadvantage children and young people with SEND who have unmet needs but would pilot a mechanism to ensure we meet their entitlements to have their needs met.

This would remove or minimise disadvantages suffered by pupils who have identified or unidentified SEND (protected characteristic under the public sector equality duty)

Strategic Risk Management Issues

- 6.4 The main risks are:
- Outcomes for pupils across under performing schools will not sufficiently improve.
 - Fixed term exclusions arising from SEN support will not reduce.
 - Ensuring specialist support has the capability and capacity to deliver.

These risks will be mitigated by the pilot scheme which will help to determine medium term solutions. The identified risks are where we are now in relation to the current system for allocation of High Needs Funding on EHC plans, as we are moving towards specifying and or quantifying quality skilled specialist support and evidence-based interventions.

Principal Groups Consulted

- 7.1 People Directorate Management Team. Discussion with representative Head Teachers.

Method of Consultation

- 7.2 Written report to People Directorate Management Team; informal discussion with representative head teachers

Representations Received

- 7.3 Included in body of the report.

Background Papers

Report on the pilot hub programme

Contacts for further information

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Report on the pilot hub programme Jackie Ross May 2019

The aim:

The aim of the pilot hub project was to look at developing a means to ensure that children and young people have prompt access to short-term additional specialist support from the High Needs Block without having to wait for an EHC needs assessment and Plan.

The criteria for a child/young person to be presented to the hub was to be that they are 'at risk' or 'in crises' in relation to making less than expected progress as learners (based on the SEND Code of Practice)-whether they were on SEN Support in school or not.

Drivers:

National Context -High Needs Funding Operational Framework:

'Although many of the pupils and students receiving high needs funding will have EHC plans, local authorities have the flexibility to provide high needs funding outside the statutory assessment process for all children and young people with high needs up to the age of 19.' *High Needs Funding Operational Guide 2019-2020*. Education and Skills Funding agency.

Local Context:

The pilot hub project was established in response to:

- Our high rate of fixed-term exclusions at SEN Support (higher than national and statistical neighbour averages), in the context of our overall increasing number of fixed and permanent exclusions for all children and young people.
- Concerns about identification of children/young people's needs as well as lack of specialist capacity to work in schools to model and cascade support and interventions in schools.
- The High Needs Block review 3 years ago reported that head teachers wanted improved arrangements for children/young people with SEN and greater transparency of High Needs Block funding and its allocation.

Findings

The schools:

Six schools were selected to host the pilot hubs, of which three are primary schools, three are secondary schools and three are academies:

- Jennetts Park CE Primary School
- Great Hollands Primary School
- Sandy Lane Primary School
- Brakenhale School
- Easthampstead Park Community School
- Garth Hill College

The children and young people:

Of the 36 children and young people who were presented across the age range, from primary to secondary phases:

- The majority were identified as SEN and five have EHC Plans.
- There is variance across cognitive levels.

- Some have had previous fixed-term exclusions.
- The majority were at risk of fixed-term exclusions.
- Two pupils have had fixed term exclusions since the hub was held at their schools. Another pupil was already on a fixed term exclusion as work began.
- A frequent factor was home issues.

Outcomes

The outcome to be achieved: *To engage in the curriculum, and make progress as learners, through finding ways to be self-regulating.*

For the children and young people presented, ***work is still ongoing***. All host head teachers have received an outcomes framework and will be visited this term to discuss the impact of the project for children and young people against this framework. This will include capturing the voice of the children and young people who have been supported (some of this work has already begun).

A significant factor is that the main challenges for the children and young people presented to us is that there are issues in relation to the challenges of meeting their SEMH needs within the learning environment, and at the same time, a significant number have challenging home environments. We found that:

- A variety of interventions had already been tried. These varied in quality according to setting and specialist input.
- There is a need for some pupils to be on an alternative pathway - either alternative ***curriculum*** or provision, instead of differentiation. -The new Ofsted framework gives credence to this.
- There is need for greater specialist input in terms of capacity and skills for work between school and family-***in addition to work already underway*** by the schools.

Issues raised:

1. The positive experience of:

- Developing creative ways of services working together: becoming a team together, - culminating in offering our support systemically to a school needing systemic support and looking at how we could support whole school improvement.
- The creative partnership between schools and the local authority.
- The keenness of head teachers to ensure the right input for their pupils.
- The positive contextual experience of meeting in schools where the pupils are placed.

2. The need for:

- ***More readily available specialist input*** as set out in the SEND Code of Practice - do we need to create a value for money market e.g. to increase specialist outreach at SEN Support - for which schools can cluster together as commissioners?
In particular, this support would be:
 - ***Support for pupils presenting with SEMH between home and schools*** (for some there had been previous Early Help and Family Intervention Team involvement, but they still remained at risk of fixed-term exclusion).
 - Cognitive behavioural therapy and other value-for-money group work.
 - Access to alternative curriculums within mainstream school.

- A local framework to set out what is expected to be **ordinarily available**:

*‘As part of their discussions on how high needs funding is used, local authorities should work with institutions that have pupils or students with high needs to ensure there are clear processes for determining and allocating top-up funding. This should include agreeing what additional needs mainstream schools and colleges should meet from their own resources (taking account of any additional support or funding provided centrally) and where top-up funding might be provided. This information should be published as part of the local offer of SEND services and provision’.*¹

- Alternative pathways - curriculum or provision (e.g. the Forest School)
- And, at High Needs level (Element 3), to create a more specialist menu of support to meet children and young people’s more complex needs.

Costs:

Teaching Assistant support (2 x 0.5 FTE March-July)	4688
Forest School-2 pupils one term	2280
Commissioned specialist input	2845
Total	9813

These costs are **in addition to input** from current specialist teams- Autism outreach, the Support for Learning Service and the Behaviour Support Team (who follow on after our sessional worker). Plus attendance at the hubs (including the Educational Psychology Service). We were also supported by Debbie Smith (Inclusion Team), and our specialist children’s social work service.

Strategic recommendations going forward:

- Continue the hub for the rest of the financial year while longer-term recommendations are developed, if there is agreement to continue the hub.
- Recommendation for the short-term until end of March 2020:
 - a. Consider continuing the hub to be held in one location -i.e. at each school cluster-- in one school base, or centrally at Time Square. This is more resources efficient.
 - b. Operational support capacity required from September.
- Develop a pathway from universal, targeted and specialist support for children and young people with SEMH, across, education, health and social care. (Our ordinarily available and local offer and higher level of support)
- Develop support that works between home and school.

‘Many local authorities have systems which indicate the range of top-up funding which might be provided for children and young people with a particular complexity of need (sometimes referred to as ‘banded’ funding systems). This can be helpful in

¹ *High Needs Funding Operational Guide 2019-2020’. Education and Skills Funding agency.*

providing clear and transparent funding arrangements for many types of need that may be met in a range of different institutions.²

Specialist support for pupils at risk of exclusion may be commissioned by the local authority or by schools (using funding devolved by the local authority).

This work to date represents a close partnership between schools and the local authority as well as a shared keenness to move forward in the interests of children and young people.

The voice of a pupil who is supported through the hub.

What I like about the Forest School

- I like to learn there.
- Chopping wood
- Finding out about names of trees
- Working with animals
- A nice teacher who lets me decide what to do.
- Feeling safe
- Not having to wear uniform
- I look forward to going when I am back in my school and it motivates me to 'be good'.

² *High Needs Funding Operational Guide 2019-2020'. Education and Skills Funding agency.*