

SEND

Funding Arrangements

Consultation Summary

Introduction

The changes detailed in this consultation focus on revising the current Resource Level arrangements to ensure that funding for special education needs or SEND is sustainable and that those children and young people with the greatest needs are supported.

Why are we consulting?

We want to find out what parents and teachers think about proposals to change the way high needs 'top-up' funding is distributed. These proposals will give schools the option to access funding more quickly and with less red tape, to help support pupils who perhaps do not need an Education Health Care Plan (EHCP).

Currently, it can take up to 20 weeks for ECH Plan funding to reach schools, but by introducing the new Additional Funding model, we could speed this up, meaning funding could be available within six weeks of the request being made. ECHPs will still be available for children with more serious needs through Exceptional Funding.

We think this will help to provide better outcomes for young people, and it has been successful in a number of other local authorities across London. We also think it will help to ensure our limited funds are spent on those who need them most.

The Council's Deputy Mayor recently wrote to the Secretary of State for Education, raising concerns about the funding of SEND support. Since 2011/12, this funding has effectively been frozen and as a result of reforms the Borough has seen a 34% increase in the number of young people who are eligible to receive support. Hackney also funds a higher than average number of places in independent schools.

This has led to a shortfall in London of over £100m with a shortfall of £6m in Hackney. We have been taking this funding from reserves and other areas of spending but this is not sustainable. As a result of this, we need to look at ways we can continue to provide high quality support for SEND students, while working within our budget.

This consultation relates to Hackney's maintained schools only and does not cover independent or out of borough settings.

How are SEND pupils funded?

Maintained schools receive most of their funding based on the number of pupils in the school. Every pupil in a school attracts a pot of money which can vary from one authority to another with secondary schools receiving more money than primary schools. There are three ways students with SEND are currently funded. These are called elements.

Element 1

This is the core budget and it's used to provide education and support for all pupils in the school including those with SEND. Nationally this is set at £4,000, but Hackney usually receives more as a result of the Borough's particular needs. For 2017-18 this was:

- The Primary average: £4,676
- The Secondary average: £ 6,350

Element 2

In addition to element 1, schools receive an amount of money to help make special provision for children with special education needs. This is called the 'notional SEND budget'. Schools have a duty to identify, assess and make special provision for all children with special education needs and disabilities.

The amount in this budget is based on a formula which is agreed between schools and Hackney Council at the Schools Forum.

In Hackney the average Notional SEN per pupil is:

- The primary average is £6,093 per pupil
- The secondary average is £7,774 per pupil

Element 3

Whilst the needs of almost all children can be met through the school's core and notional SEND budgets, there will always be a small number of pupils whose needs are so complex or exceptional that they cannot be met from the resources normally available to schools. This is called Element 3.

Currently, Element 3 funding for pupils with complex or exceptional needs is allocated to a school after a statutory assessment has been carried out and the pupil given an Educational, Health and Care Plan (EHC Plan). The EHC Plan sets out the educational, health and social care needs of the pupil and how they should be supported with extra funding beyond the core and notional budgets. This lengthy process can take up to 20 weeks for a Plan to be finalised and this funding to reach the school.

Within Element 3, Hackney currently operates a 5 Resource Level system, this provides schools with a 'top-up' to meet statutory requirements outlined in a Statement/ EHCP to fund a pupils provision. The levels are as follows:

- **Level 1, £4,985**
- **Level 2, £6,397**
- **Level 3, £6,842**
- **Level 4, £12,034**
- **Level 5, £16,951**

The proposals

We have developed a new model for funding children with SEND which would allow the local authority to respond quickly to pupils needs early and help use the resources available more effectively and efficiently.

The proposed changes in the current arrangements involve introducing:

1. An Additional Funding (AF) model to replace current Resource Level 1 to 3 **and**;
2. An Exceptional Funding (EF) model to replace current Resource Levels 4 and 5.

1 Replacing Resource Levels 1-3 with the **ADDITIONAL FUNDING MODEL**

We know that not all pupils will have their needs met by the notional budget funding (£6,093) and will not meet the criteria for an Education Health Care Plan. The Additional Funding Model will plug this hole.

If the school can show that a pupil with SEND needs more than £6,093 worth of special education support, it can ask the local authority to provide additional 'top-up- funding to meet the cost of that provision without having to conduct an EHC needs assessment and wait for an EHC Plan.

The amount for Additional Funding agreed by Schools Forum are increments of £500 up to £4000 depending on the pupils needs. 'With a potential turn-around time of just 6 weeks, this support can be provided much quicker than through the standard EHC assessment process of 20 weeks.

Where the local authority agrees to Additional Funding, the cost is provided from funding held by the local authority in their High Needs Block (HNB Budget).

2 Replacing Resource Level 4 - 5 with the **EXCEPTIONAL FUNDING MODEL**

The Exceptional Funding Model is the funding provided for pupils with the most complex and 'exceptional' needs. It will operate in the same manner as the statutory Education, Health and Care (EHC) Plan.

A school, working with parents, can ask the local authority to consider making an EHC needs assessment if:

1. It can show that a pupil has SEN needs greater than Element 2 (£6,093) worth of special education provision; and
2. that the pupil has SEND needs greater than the level of additional funding model amounts would provide

This assessment may result in an Education, Health and Care Plan, and that plan may recommend 'top-up' funding at two levels of £11,000 to replace Level 4 or £15,000 to replace Level 5.

How will this work?

	CURRENT Funding Model			PROPOSED Funding Model	
Element 1	CORE EDUCATION Mainstream funding for each pupil	£4,676	➔	CORE EDUCATION Mainstream funding for each pupil	£4,676
Element 2	NOTIONAL SEND BUDGET Funding for pupils with SEND	£6,093	➔	NOTIONAL SEND BUDGET Funding for pupils with SEND	£6,093
Element 3	TOP UP FUNDING Funding for pupils with complex or exceptional SEND needs	Level 1 £4,985	➔	ADDITIONAL FUNDING Funding for pupils with SEND whose needs are not met by Element 2.	£500 - £4,000
		Level 2 £6,397			
		Level 3 £6,842			
		Level 4 £12,034	➔	EXCEPTIONAL FUNDING Funding for pupils with the most complex and exceptional SEND needs.	£11,000 or £15,000
		Level 5 £16,951	➔		

*Example of primary level funding model

Who will this affect?

Hackney proposes to use the new model for school aged children aged 4-18 initially. Early Years and Post 16 funding is organised differently and will be considered as future areas to include so that there is a consistent model used for all children with SEND aged 0-25.

It is important to note that an EHC needs assessment may not always result in an EHC Plan. In cases where the local authority concludes that the child or young person's needs can be met within Additional Funding levels the local authority may decide to provide an Additional Funding allocation through a SEND Support Plan.

Annual reviews of EHCPs can also result in the child or young person no longer requiring a statutory EHC plan and could be allocated Additional Funding through an SEND Support Plan instead.

When and how will this be applied?

If agreed, the Additional Funding and Exceptional Funding arrangements would be introduced for all pupils for whom a request for a statutory assessment is received from 1st April 2018 at the levels described below.

- All pupils currently in receipt of funding through an Education Health Care Plan (EHCP) will remain at that Resource Level until the pupil's annual review.

If the review suggests that a plan is no longer required, funding at that level could cease at that time or could transition to the new arrangements if the pupil's needs meet the Additional Funding model.

- Pupils currently in receipt of an Education Health Care Plan (EHCP) at Resource Levels 4 and 5, will remain at that Resource Level unless annual review evidence suggests otherwise. Pupils could transition to the new Exceptional Funding arrangement following an annual review.

How would this affect my child?



Case Study No.1: Additional Funding

Sarah has cerebral palsy (right side hemiplegia) which affects her gross and fine motor skills, thinking and learning, communication as well as social and emotional needs. The school have worked closely with Sarah's family and external professionals to ensure the right support is in place to meet her identified needs.

The school has placed Sarah in a group for literacy, involving a speech and language therapist to help her with language and social conversational skills. Sarah attends the group with 5 other classmates twice a week. She also receives a 1:1 physiotherapy programme for 30 minutes daily. In addition she has a learning mentor which she works with 30 minutes a day. The school has identified the cost of the support Sarah needs is at £6,981 a year.

As this figure is above the £6,093 allocated to each school's notional budget for SEND students, Sarah's parents and school have decided to make an application for Additional Funding. Within 6 weeks of receiving the application, Hackney Council agrees to provide additional funding of £1000 to help meet Sarah's needs. The Council sends a letter to the school to confirm the agreement and ask the school to hold a review of progress in 12 months.



Case Study No.2: Exceptional Funding

Jamal is deaf and has social, communication and interaction difficulties. He also has been given a diagnosis of autism. Jamal's school has identified his needs and sought advice from a range of external professionals including educational psychologist, speech and language therapy, and child and adolescent mental health services (CAMHS).

Assessments shows he is low average cognitive skills and has difficulties with the social use of language. The school have identified that he has a delay in his learning by 2 years and has made little progress with the existing support in place. Jamal has in-class support and follows differentiated work for the core subjects. A lunch time social skills group has been set up and he has a learning mentor which he sees daily for 20 minutes.

He follows a language programme and receives small group support in a group of 6 twice a week. The school has identified the cost of the support Jamal needs is at £10,466. They make an application to the local authority for Exceptional Funding (an EHC Plan) because they are spending above £6093 notional budget and above the £4,000 limit of the additional funding model. An assessment is undertaken of Jamal and he receives his EHC Plan and funding 20 weeks later.

Taking part in the consultation

The consultation will run from **30 October 2017** to **21 December 2017**.

The easiest way to let us have your views is by completing the online survey form at:

www.consultation.hackney.gov.uk

For further information or to request a paper copy of the questionnaire, please call

020 8356 1739 or email consultation@hackney.gov.uk

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