

SCHOOLS' FUNDING FORUM

SUBJECT:	Review of High Needs Funding within Mainstream Schools
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AUTHORS:	Patrick Leeson, Corporate Director of Children, Young People and Education Julie Ely, Head of SEN Louise Langley, SEN Monitoring and Quality Assurance Manager
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SUMMARY OF REPORT: To provide Forum members with details of the outcomes of the Local Authority's review into High Needs funding for pupils within mainstream school settings	
FOR:	Approval, Information and Comment

1 Background

- 1.1 Kent's current investment in supporting SEN pupils in mainstream schools extends to an above national average targeted funding of £30.7m. This includes £7.7m for the district LIFT resource of specialist teachers and Special school outreach support, and over £23m on High Needs funding. This is as well as our commitment to providing Early Help support services for schools.

2 Local Context

- 2.1 The High Needs funding review was undertaken in response to the budget pressures of the current process, as well as in preparation for the implementation of a new national formula distribution of the High Needs block and a centrally determined formula for school funding by 2019-20.
- 2.2 In order to undertake work recommended by the DfE, *High Needs National Funding Formula and other Reforms Dec 2016*, Kent received £655,673 under the s31 grant determination for a High Needs strategic planning fund in 2016-17. This has supported the work needed to undertake this review and ensure readiness to implement funding changes.
- 2.3 Parallel preparations which relate to funding for Early Years and a new statutory duty to provide settings with access to a new SEN Inclusion Fund (SENIF) have concluded with Kent's approach implemented from June 2017, in advance of the statutory timescale of September 2017. Alignment between these two strands is essential.

- 2.4 Since implementing Kent's High Needs funding approach in 2014-15, the demand has grown at a level and pace not foreseen in any of our forecasts. The number of pupils in mainstream schools supported through HNF has risen from 900 under the previous system to over 2,500 (June 2017) at a cost of over £23m per annum. Continuing with the current arrangements and a forecast trajectory in excess of 3,000 pupils is financially unsustainable.
- 2.5 This demand has been met so far by transferring DSG from the Schools Block, but this has not been sufficient, and additional one-off funding has been utilised from the DSG reserve. This option is no longer available as the reserves have been fully depleted. Looking ahead, there is limited ability to move funds between the blocks under the new National Funding Formula arrangements. It is therefore important, in light of the above, that the budget for this element of the High Needs Block needs to be predictable and contained.
- 2.6 The High Needs funding review for schools took place between March and July 2017. Data was gathered at an individual school and pupil level, with views from Headteachers and SENCOs invited through a separate online survey. Discussions took place at the Headteacher Briefings with the Corporate Director. Site visits were arranged to 46 Primary schools and 10 Secondary schools. This paper sets out the findings from the first strand of a county wide review of the use of High Needs funding top-up available to mainstream schools and colleges. This strand focuses on schools (out of scope are mainstream specialist resource provision). A review of High Needs funding for post 16 learners to age 26, including FE College provision, is currently underway.

3 National Context

- 3.1 Dedicated Schools Grant (DSG) is provided to each Local Authority in distinctive blocks; Schools, High Needs and Early Years (and central school services from 2017-18). In order to establish whether an increasing proportion of DSG is being targeted towards High Needs, we have compared the DSG blocks of all 150 Local Authorities between 2014-15 and 2017-18. Table 1 below shows the High Needs block as a percentage of Schools block + High Needs block + Central School services block. The Early Years block has been excluded as it is a standalone block and therefore not relevant to this exercise.

Table 1 – All LA High Needs block as a percentage of Schools, High Needs and Central blocks

	2014-15	2017-18	Change
Minimum	8%	11%	+3%
Maximum	21%	22%	+1%
Average	13%	15%	+2%
Kent	14%	19%	+5%
<i>Kent's ranked position (out of 150)</i>	<i>61</i>	<i>50</i>	<i>9</i>

- 3.2 The percentage increase in Kent appears high compared to the average for all authorities. However this includes the impact of transferring £15m from Schools' notional SEN budgets to support our High Needs in mainstream schools. Purely for illustration purposes, adjusting for this would reduce the 19% down to 17.2%, which is still above average. We do not know whether other authorities have transferred funding from their schools' notional SEN budgets as there is no published information.
- 3.3 Another way of comparing local authorities is to express the High Needs block as a rate per pupil (HNB funding divided by the total school population), as shown in table 2 below.

Table 2 – All LA High Needs blocks expressed as a rate per pupil (total school population)

	2014-15	2017-18	Change
Minimum	£457	£521	+£64
Maximum	£1,831	£1,775	-£56
Average	£769	£827	+£58
Kent	£790	£978	+£188
<i>Kent's ranked position (out of 150)</i>	<i>70</i>	<i>37</i>	<i>33</i>

- 3.4 Evidence obtained from other local authorities via email indicates that many LAs are experiencing similar budget pressures on their High Needs budget.
- 3.5 In relation to Kent, table 3 below provides details of the overall increase in funding between 2014-15 and 2017-18, and also the detailed reasons for this increase.

Table 3 – Kent's High Needs Funding Block – Variation Statement

	£'m
2014-15	143
2017-18	198
Change	+55
Why?	
Additional funding provided by the DfE	
- Per capita	+19
- New responsibilities transferred to LAs	+4
Transferred from Schools Block	
- Notional SEN	+15
- Headroom	+17
Total Change	+55

4 Best Practice Identified by Review

4.1 How schools use High Needs Funding

- HNF adds to the SEN provision of the school by enabling the delivery of child specific bespoke curriculum and programmes and providing aids that have been recommended by professionals, and which could not be met by the school's core offer.
- HNF can impact on pupils by increasing progress, improving pupil's mental wellbeing, enjoyment of school and improving attendance.

4.2 Universal Offer for SEN (normally available resources)

- The schools with proportionally smaller numbers of children with HNF identified their universal offer for SEN as a whole school response or graduated approach using the whole school budget. This included details of Quality First Teaching (QFT) and in class differentiation, as well as highlighting that the universal offer for SEN is the class teacher's responsibility.
- These schools also provided more detail of class provision mapping and interventions.

4.3 *School example: 'A wave system operates in school – wave 1 demonstrates QF and universal approaches. Differentiation and intervention happens during the lessons and class teachers are responsible for progress monitoring. Wave 2 includes limited high frequency interventions, so these interventions will be for a limited period of time and reviewed termly across the 4 areas of need. A whole school provision map covers the interventions in place. These are shared with class teachers and include strategies as well as interventions and targets (our school has no HNF pupils)'.*

4.4 *Example of the 'assess, plan, do and review' cycle provided by a school as part of the HNF Review:*

Assess:

At the beginning of each term, class teachers use their teacher assessment data to write action plans which identify individual children vulnerable to underachievement and any interventions required to support them. These are written with support from senior leaders. This information forms the basis of intervention requests which come to the SENCo. The SENCo checks these to ensure that children are all appropriately identified and that there are not too many interventions in place for one child. (They ensure the key needs are addressed) These interventions are then put into a whole school provision map.

Plan and Do:

We use the whole school provision map from which class teachers create their class provision maps, adding targets or outcomes for individual children/ groups. This is then checked by the SENCo and then teachers use the class

version to create individual provision maps which are shared with parents three times a year. Interventions are then allocated to the TA teams for timetabling. They liaise with class teachers to ensure targets are understood and the interventions are then delivered usually over 10 weeks (2 old terms). Records of each intervention session are kept.

Review:

In the last week of every term, TAs evaluate the impact of the interventions and share this with teachers. This informs teacher assessments which are made at the end of every term and then teachers use their assessment data to identify the next round of interventions using the action planning process. The SENCo monitors intervention records and the evaluation records. SLT monitor assessment data at the end of each term using Target Tracker. SLT meet with class teachers and TAs at target setting meetings in October and March. At the end of every school year, class teachers hold transition handover meetings with the next class teachers to ensure all information is passed on.

4.5 SEN Provision Planning

- In-depth provision mapping to plan SEN provision which is the responsibility of the class teacher.
- Class teachers monitoring the progress of SEN pupils and monitoring the overall effectiveness of the interventions with oversight from the SENCo and SMT.
- Pupil and parent involvement in the planning of their provision.

4.6 Example: 'All class teachers are responsible for SEN, All individual plans are reviewed as a whole school staff once a term (12 weeks), In the meantime any lack of progress during an intervention is reviewed and amended, Class teachers manage and ensure the interventions are effective and being delivered, Teachers and TAs are all qualified & trained to deliver the interventions. Expectations are modelled from the outset.'

4.7 Example: 'Parents and C/T's will meet to discuss any extra support the pupil needs and strategies and interventions are implemented accordingly. Pupils are involved in target setting and reasons why an intervention is in place is discussed with the pupil.'

4.8 SEN Support Staff

- Trained teaching assistants (TAs) delivering interventions in small groups.
- Class teachers working with children with SEN, individually or as part of a group.
- Focus on developing independent learning skills and achieving SEN progress and attainment outcomes.
- SMART targets are set and tracked for time limited interventions.

- 4.9 *Example: 'Our school uses The Best Use of TA document. Group work is encouraged. 1:1 support with pupils is not encouraged. All support staff are mobile so all pupils get support including high achievers.'*
- 4.10 *Example: 'Teachers aim to spend time each day working with all children with SEN, individually or as part of a group.'*
- 4.11 *Example: 'When allocating additional TA support to children, our focus is on outcomes, not hours: we aim to put in sufficient support to enable the child to reach their challenging targets, but without developing a learned dependence on an adult.'*
- 4.12 *Example: 'A balanced approach is used across the groups so class teachers (C/Ts) take responsibility for interventions and vulnerable groups. TAs are supported and observed to ensure they work on questioning and scaffolding learning – promoting independence. Interventions are tracked effectively with TAs taking responsibility for record keeping; progress is evaluated against clear set SMART targets. TAs work with C/Ts to plan interventions. C/Ts are first line of management for the QA of TAs – C/Ts know all pupils are their responsibility.'*
- 4.13 SEN Training
- Whole school universal training on all SEN need types and training on the effective use of TAs and in class differentiation.
 - The Mainstream Core Standards Audit Tool being used to inform staff's SEN training and development needs.
 - Utilising the district resource by accessing whole school training from the Local Inclusion Forum Team (LIFT).
 - Modelling of intervention delivery to colleagues from other schools.
- 4.14 *Example: 'We use TAs with particular expertise to model a 'good intervention' to other/new TAs. The SENCO encourages teachers to observe good practice. Through LIFT I have arranged for our TAs to go to other schools to observe TAs delivering a similar intervention.'*
- 4.15 *Example: 'ASD Awareness, Dyslexia, Dyscalculia and Dyspraxia training is given to all new staff. LIFT training will also be requested in response to individual pupils needs.'*

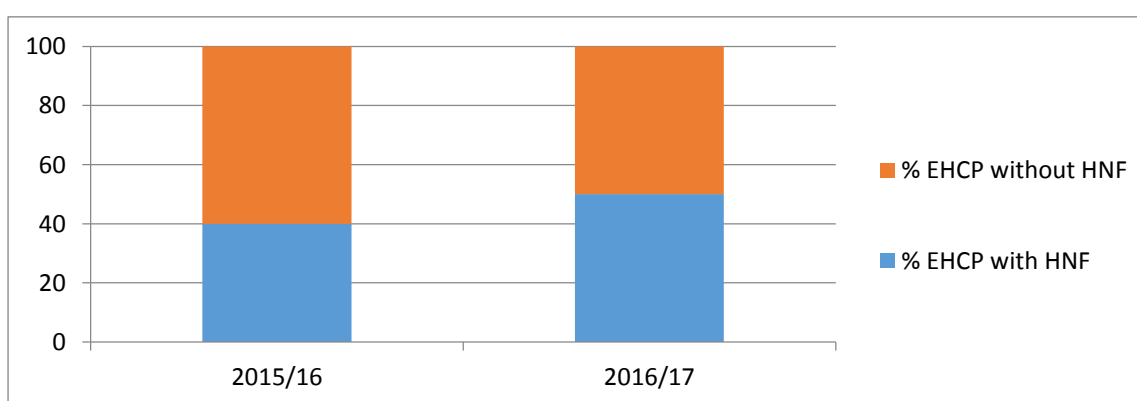
5 Findings of the Review

5.1 Statutory Assessment and High Needs Funding

- 38% of schools that responded to the HNF Review said that the personalised provision that they were able to provide with HNF has helped to reduce the need for Statutory Assessment. However, 18% of schools

said that the additional provision provided via HNF has helped to demonstrate that Statutory Assessment is needed.

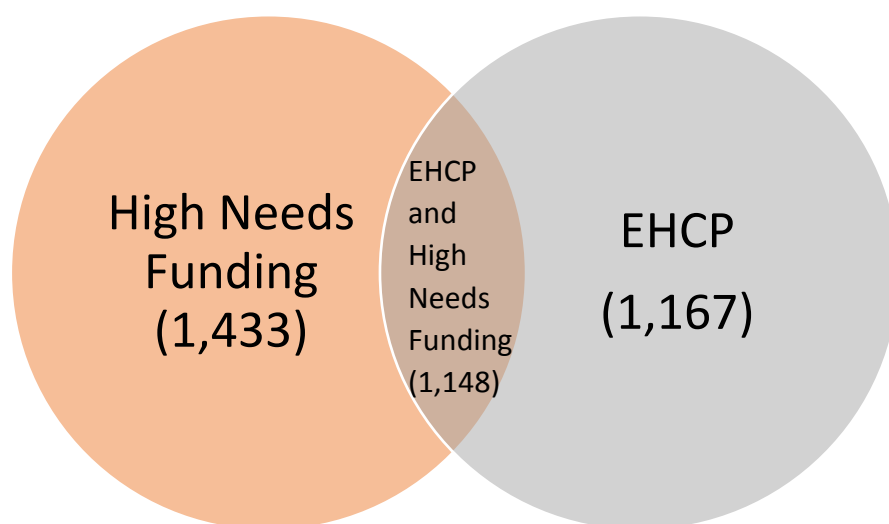
- For all the pupils in receipt of HNF without an EHCP around 35% go on to request Statutory Assessment (SA).
- The origin of all SA requests from September 2014 to April 2017 shows an overall average of 62% from parents and 34% from schools and colleges.
- Parental requests have increased from 49% in 2014/15 to 69% in 2016/17. While requests from schools have decreased from 47% in 2014/15 to 28% in 2016/17.
- Between September 2016 and April 2017 requests for statutory assessment data shows that the most requests were for Primary aged school pupils (45%), 28% were for Secondary school aged pupils, 25% are for pre-school children and 2% for post 18 students.
- Parental drivers for Statutory Assessment, as identified by schools in the HNF review were concerns regarding the transition to Secondary school; wanting a level of Speech and Language Therapy support that is only available if the child has an EHCP; or wanting a Special school placement for their child. The main driver for schools was lack of progress for the pupil.
- A sample of EHCPs issued between September 2016 and April 2017 showed that 60% of Primary school aged pupils continued to be educated in a mainstream school and 24% were placed in a Kent Special school (an EHCP is required for placement). The benefits of an EHCP are therefore questionable for many pupils in mainstream schools.
- For Secondary school aged pupils issued with an EHCP, 26% continued to be educated in a mainstream school and 35% were placed in a Kent Special school. (The rest were placed in other educational providers like independent schools or alternative curriculum providers).



- Over the last year the number of pupils in mainstream with an EHCP in receipt of HNF has increased from 40% to 50%.
- Out of the 20,300 pupils identified by Kent schools as being SEN Support in January 2017 census, 7% received HNF in July 2017. This is an increase from 4% in May 2016.

- Therefore, the increase in the number of HNF applications has been for pupils with and without an EHCP.
- For all pupils in receipt of HNF, 45% have an EHCP and 55% do not have an EHCP. The proportion of HNF for pupils with and without an EHCP has remained approximately the same over the last two years.

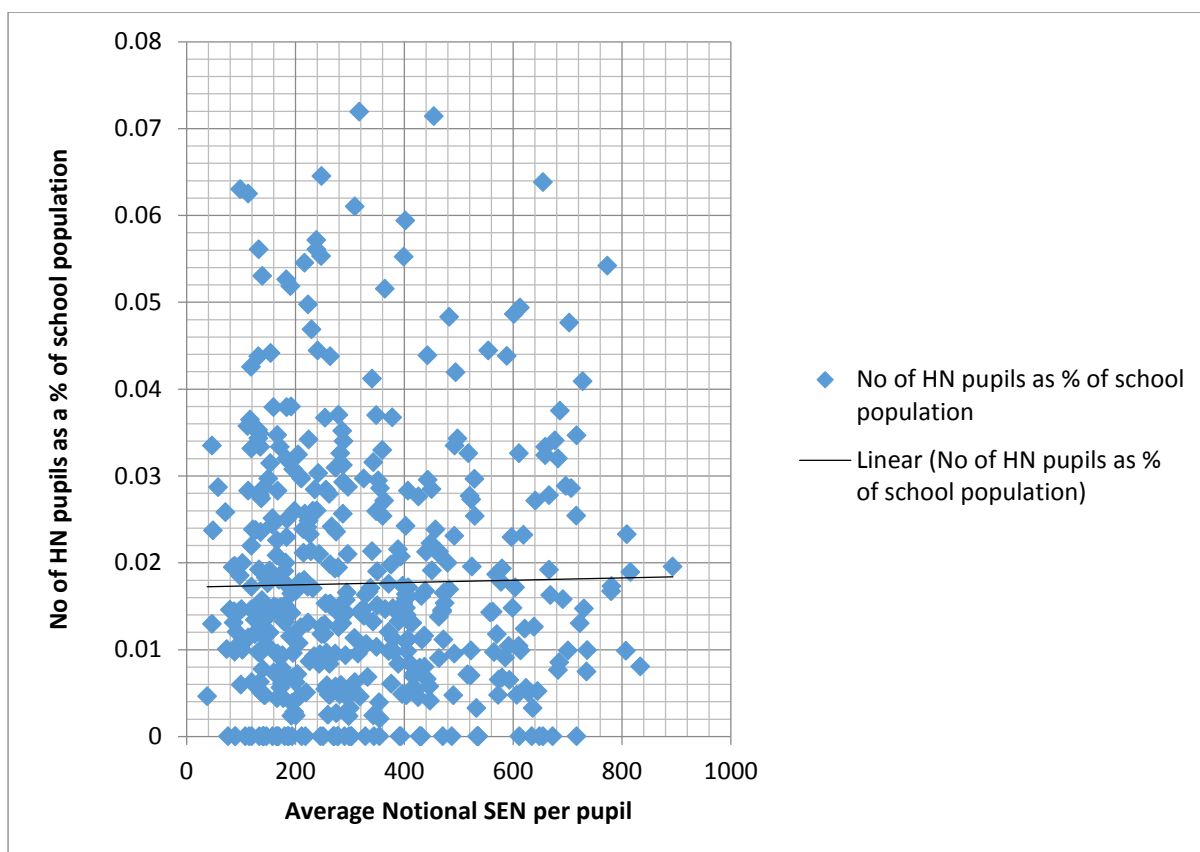
Diagram Showing the Number of Pupils in Mainstream School with High Needs Funding only, High Needs Funding and an EHCP and those with an EHCP and no HNF (August 2017).



- From the tracking of pupils transferring between Year 6 to Year 7 in 2016, only 33% of pupils in Year 7 in receipt of High Needs Funding received HNF in Year 6. Therefore, most of the Year 7 pupils in receipt of HNF did not receive top up funding the previous year. However, a larger proportion of the Year 7 HNF pupils had an EHCP (67% compared with 42% in year 6).
- The HNF Review indicated that there were occasions when HNF and Statutory Assessment were suggested by other agencies including Health professionals, Early Help, VSK, KPPS and LIFT.

5.2 The current distribution of HNF

5.2.1 From a county data analysis of the individual schools and pupils receiving the highest levels of funding (upper quartile) in relation to all other schools there was no correlation between the number of HNF pupils and the combined factors of notional SEN within school budgets, (IDACI and prior attainment). This was the same for the school size.



The chart above shows that as the average Notional SEN per pupil increases, so does the average number of High Needs pupils, but only marginally. A stronger relationship between these points would be a steeper gradient.

Average per Pupil IDACI and PA (appendix 1)

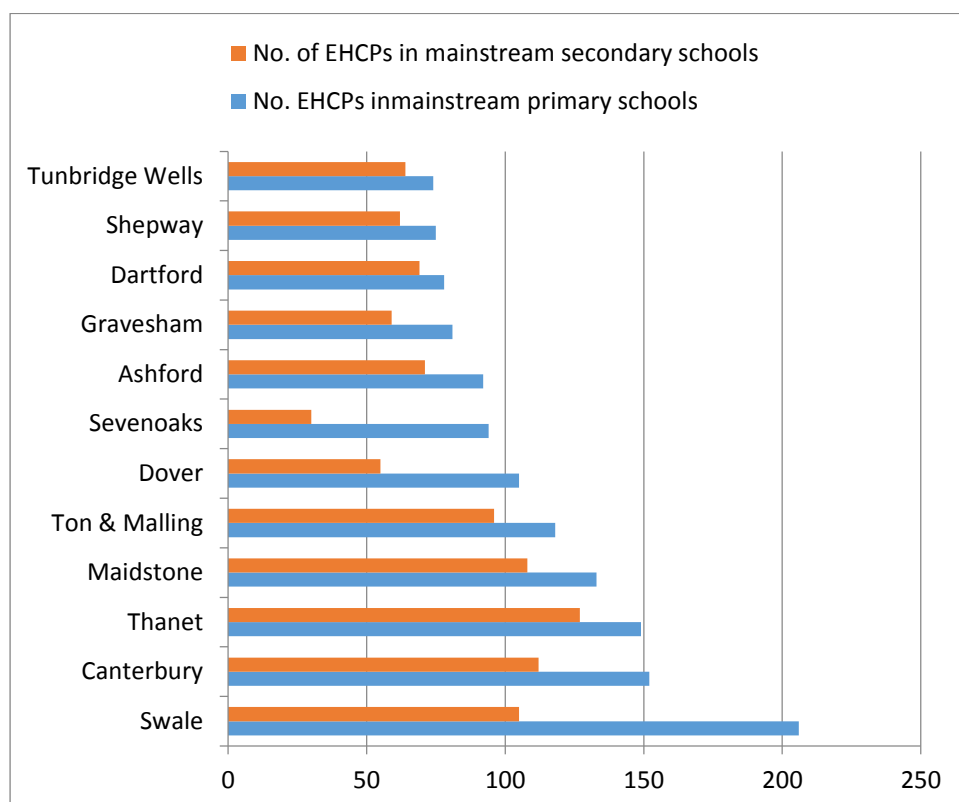
- The average per pupil deprivation factors (IDACI and PA) ranges from £163 (Tunbridge Wells) to £477 (Thanet). Swale has the second highest with £413.

From a district data analysis;

Percentage of HNF Pupils by District (appendix 2)

- The number of Primary HNF pupils as a percentage of the school population per district ranges from 1.2% (Dartford) to 2.6% (Canterbury/ Swale).
- The number of Secondary HNF pupils as a percentage of the school population per district ranges from 0.2% (Dartford/ Dover) to 0.9% (Swale).
- This shows that as of August 2017, the **Primary** schools in the districts of Canterbury and Swale, and the **Secondary** schools in the district of Swale, have the highest percentages of the school population in receipt of High Needs funding.

Percentage of EHCPs by District (appendix 3)



- The number of mainstream school **Primary** aged pupils with an EHCP as a percentage of population per district ranges from 0.8% (Dartford) to 1.6% (Swale).
- This shows that the highest number and percentage of mainstream Primary aged pupils with EHCPs is in the district of Swale, which corresponds with one of the highest percentage of Primary aged pupils with HNF. Canterbury had the second highest percentage of EHCPs and the same high percentage of Primary pupils with HNF.
- The number of mainstream **Secondary** aged pupils with an EHCP as a percentage of population per district ranges from 0.7% (Tunbridge Wells, Dover & Dartford) to 1.5% (Thanet).
- The highest number and percentage of mainstream Secondary aged pupils with EHCPs is in the district of Thanet, which has the second highest percentage of HNF in Secondary schools (0.6%) and the highest pupil deprivation factor (IDACI & PA).
- Sevenoaks has the lowest number of pupils with EHCPs in Secondary schools but this is the second highest percentage of the school population (1.3%). This means that a higher than average proportion of the Secondary aged pupils have an EHCP. This is also in contrast to Sevenoaks having the lowest % SEN Support in Primary schools. This was raised at a Sevenoaks headteachers meeting, who identified parental pressure as a potential reason for these percentages.

Percentage of Pupils at SEN Support per District (appendix 4)

Pupils are identified as being at SEN Support level by individual schools using the SEN Code of Practice 2015 and KCC guidance on Kelsi.

- The percentage of pupils at SEN Support level in **Primary** schools per district ranges from 7.5% (Sevenoaks) to 13.2% (Swale).
- This shows that the highest percentage of mainstream Primary aged pupils identified as SEN Support is in the district of Swale, which corresponds with the highest percentage of Primary aged pupils with HNF and EHCPs.
- The percentage of pupils at SEN Support level in **Secondary** schools per district ranges from 5.8% (Maidstone) to 11.8% (Gravesham).
- Gravesham's high percentage Secondary school pupils at SEN Support level is in contrast to a below average percentage of pupils with HNF (0.3%) and with EHCPs (0.8%).

5.3 Current use of High Needs Funding

How are schools using HNF?

- When schools were asked in the HNF Review, what HNF adds to the SEN provision of the school, 66% said it should be provision, learning programmes and aids recommended by professionals, which are child specific and cannot be met by the school's core offer.
- 50% of all the schools that responded to the HNF Review said HNF enabled there to be more teaching assistant (TA) support for an individual pupil, 38% said it enabled there to be a bespoke package/ curriculum to be delivered and 18% said it ensured that more interventions were delivered for an individual pupil. (Schools provided multiple responses).
- Schools identified the impact of the HNF to be increased progress (50%), the pupil to remain in a mainstream placement (41%), positive impact on pupil's mental wellbeing and enjoyment of school (20%) and improved attendance (18%).(Schools provided multiple responses)
- 44% of schools said that HNF should not fund additional staff if there is no evidence of the school utilising their universal offer and Quality First Teaching being in place.

Universal Offer for SEN (normally available resources)

- 68% of schools identified their universal offer for SEN as a whole school response or graduated approach, using the whole school budget. However, only 53% detailed Quality First Teaching (QFT) and in class differentiation and 35% highlighted that the universal offer for SEN is the class teacher's responsibility.

- There was more detail of class provision mapping and interventions from schools that had fewer claims for High Needs funding.
- There was limited reference to QFT by Secondary schools but differentiation was addressed with 'setting' or a 'golden curriculum' type of approach. These groups had between 10 and 16 pupils.
- The LIFT Review also identified that individual needs of children with SEN were being well met by the LIFT but this was often not impacting on the capacity of all class teachers to provide quality first teaching or there being the most effective provision being provided for children with HNF.

SEN Provision Planning

- 75% of schools utilised provision mapping to plan SEN provision but in only 50% of cases this was the responsibility of the class teacher.
- The monitoring of progress of SEN pupils was mentioned by 85% of schools but only 29% monitored the overall effectiveness of the interventions.
- There were only two schools that mentioned pupil involvement in the planning of their provision.
- Schools that have lower numbers of pupils with HNF had more in-depth mapping and monitoring processes which were the responsibility of the class teacher.

SEN Support Staff

- The vast majority (93%) of primary schools stated in the HNF Review that they had class teaching assistants in most classrooms, for at least part of the week.
- Teaching assistants (TAs) delivered most or all of the interventions in 70% of schools but only 41% stated that the TAs had had training in that intervention.
- In the responses to the HNF Review, schools that had a large number of HNF pupils referred to 1:1 support while schools with none or a small number of HNF pupils were more likely to refer to small groups or in class differentiation.
- In comparison, there was a limited number of TAs in Secondary schools and the ones they had, tended to have either a subject or SEN specialism.

SEN Training

- Some type of whole school SEN training had been undertaken in the last two years by all the schools that responded to the HNF Review.
- 73% identified a range of universal and specialist SEN training. However, this wasn't always whole school training.
- The Mainstream Core Standards Audit Tool was only used by 20% of schools to inform staff's SEN training and development needs.

- Training to teachers on the 'Effective Use of TAs' and 'In Class Differentiation' were seen more in schools with fewer pupils with HNF.
- Most of the SEN training in Secondary schools was delivered by the school SenCo. Primary schools were more likely to access training from the STLS or other external specialist.
- As well as training, some schools identified the modelling of intervention delivery as good practice.
- The LIFT Review also identified that the training delivered by the district LIFT was mainly to individual members of staff and not whole school training.

5.4 Alternative models of HNF distribution used in other LAs

5.4.1 A number of alternative models used by other local authorities were scrutinised as part of the review. These included both bordering LAs and ones of comparable size. (Medway, Birmingham, Hampshire, Norfolk, East Sussex, Essex and Hertfordshire.)

5.4.2 Approaches included:

- Limiting the distribution of HNF to just children and young people (CYP) with an EHCP and the amount of top up funding decided at the time of issuing the EHCP.
- Limiting to CYP with an EHCP but funding only provided when applied for.
- Top up funding application with evidence of need and provision being provided. The application would then be considered in the context of either capping of an additional £6,000 for children at SEN Support level or the need for an EHCP for any funding above this level.
- The HNF being distributed to 'SEN Clusters' within the authority which then allocate it to individual schools or groups of schools on application.
- An application for funding levels is considered by using a graduated need specific approach.

5.5 Eligibility and accountability (Gatekeeping)

Process and Decision Making (school responses from HNF Review)

- 44% of schools felt the present HNF process is rigorous.
- More monitoring of HNF provision by SEN Area Provision and Evaluation Officers (PEOs) was suggested by 41% of schools. Some thought the visits should be unannounced.
- 23% of schools wanted the LA to have clearer criteria for claiming HNF.
- Schools also suggested having a self-assessment eligibility checklist and guidance on the expectations of schools before they are able to claim.
- Suggestions for changes to the application form included;
 - Removing the staff/pupil ratio to encourage more group work.
 - Reducing the length of the form.

- Agreeing funding for longer than one year for the most severe and complex pupils.
- Claims should be looked at in the context of the school's total budget and the top up funding already in place for the same need type.
- HNF Officers being able to make minor changes to the application so that the length of time it takes to agree an application is not extended by multiple deferrals.
- Packages of funding to reflect the need of a pupil rather than the level of staffing indicated on a timetable (this encourages schools to put 1:1).

6 Key Issues as a Result of Findings

- 6.1 The present level of High Needs funding is financially unsustainable and needs to be revised. This needs to be done with consideration of the outcomes from the other High Needs funding block reviews including those for pre-school settings and FE colleges.

Statutory Assessment and HNF

- 6.2 The number of Statutory Assessment (SA) requests from schools has decreased in line with an increase in applications for High Needs funding. This suggests that HNF is having a positive effect on the main driver identified by schools; lack of pupil progress.
- 6.3 However, the number of Statutory Assessment requests from parents has increased over the same period. This suggests that the drivers of parental concerns regarding transition to Secondary school, access to some therapy services and wanting a specialist school placement, are becoming more prominent.
- 6.4 Parents need to be confident that their child's special educational needs will be met by any mainstream school without the need for Statutory Assessment or a Special school placement and that they fully understand what benefits an EHCP can and cannot bring to their child's provision.
- 6.5 Clinical Commissioning Groups need to be made aware that there is an identified perverse incentive for Statutory Assessment caused by access to services being dependent on a child having an EHCP.
- 6.6 The majority of pupils being issued an EHCP in Primary schools remain in mainstream schools. We therefore, need to ensure mainstream schools have robust training and access to specialist advice and support to enable them to use their 'best endeavours' to provide the most appropriate provision and meet the SEN Outcomes of all pupils, with or without an EHCP or HNF.

The Distribution of HNF

- 6.7 High Needs funding needs to be appropriately allocated to support the delivery of the more expensive provision for the pupils with the highest level of need.
- 6.8 Schools want the system to be as fair and equitable as possible. There is acceptance of the need for schools to be accountable for the use of this element of public funds.
- 6.9 HNF needs to continue to be specific to the provision required to meet the needs of individual pupils, however, this needs to be within the context of the best use of TAs guidance that highlights the benefits of group interventions rather than 1:1 support.
- 6.10 There continues to be an expectation that the percentage of pupils with HNF in each school will differ due to the specificity of each pupil's needs. There should be no expectation by any school to have a target percentage in their school and HNF should not be considered part of the whole school budget for forecasting.
- 6.11 For pupils with the highest levels of SEN there needs to be longer term HNF arrangements.
- 6.12 To ensure successful transition between educational providers for pupils in receipt of HNF, a more flexible use of HNF needs to be considered.

The Use of HNF

- 6.13 The expectations by schools of how they utilise their normally available resource before requesting top up funding varies enormously. Schools with embedded high quality SEN differentiated teaching in every class tended to have fewer pupils with High Needs funding. We therefore, need to define the criteria for funding and what we mean by normally available resource and quality first teaching (QFT).
- 6.14 A clear school process for the 'assess, plan, do and review' cycle in partnership with parents and pupil was identified as paramount to making effective provision. The class teacher being responsible for provision mapping to plan SEN provision and monitoring the pupil's progress was identified as an essential element to good practice, especially when combined with the school's strategic monitoring of the effectiveness of SEN interventions. The HNF process needs to utilise the evidence of this good practice to ensure the pupils with the highest needs are effectively supported.
- 6.15 Unfortunately HNF has become synonymous with a high level of 1:1 TA support which does not reflect the Education Endowment Foundation's best practice guidance on the use of TAs. Clear guidance on the expectations of adult support needs to be embedded into the HNF process.
- 6.16 The LIFT Review identified that the core county training from the district LIFT must include more whole school training to improve the level of SEN Quality

First Teaching, especially in delivering support for ASD, SLCN and differentiation. It also recommended that every district needed to offer training on the Effective Use of TAs.

Eligibility and Accountability

- 6.17 Schools' expectations of the eligibility of which pupils and provision will be funded are frequently challenged by LA officers. Our criteria and eligibility for funding will need to be clearer and take account of the totality of SEN resources provided for mainstream schools and ensure all elements are fully utilised to meet the needs of individual pupils.
- 6.18 The application process has evolved over the last two years in response to feedback from schools but it still can be time consuming to complete and requires some duplication of information on provision plans. Therefore, the application process needs to be stream-lined. An amended version will need to incorporate the recommendations from the HNF review. Schools will also be able to fully utilise the evidence which they have built up as part of the 'assess, plan, do review' cycle.
- 6.19 The average length of time between submitting an HNF application and a decision being made varies between 10 and 20 working days during the year in line with the academic year. The request for more information or an adjustment to the provision requested can lead to delays in the final agreement of funding. Therefore, the process needs to have more evidence up front that would already be held by the school and the HNF officers need the ability to alter requests.
- 6.20 There needs to be a clear limit to the length of time that is acceptable for backdating funding when additional information is requested from a school.
- 6.21 Schools felt that the monitoring by the SEN Area Provision Evaluation Officers was useful to ensure funds were being used appropriately and many identified that this also supported the development of SEN practice in their schools. Unannounced visits were suggested by a number of schools.

7 Proposals

7.1 Eligibility Criteria for High Needs Funding Applications (appendix 5)

7.1.1 Eligibility criteria are in line with the expectations in the SEN Code of Practice 2015 and the DfE HNF Operational Guidance 2016 2017.

- The pupil will have an EHCP or be SEN Support with severe and complex needs. (as evidenced by the school implementing the 'assess, plan, do, review' cycle in accordance with the SEN Code of Practice 2015)
- The pupil will be on the school roll and in full time attendance (except in exceptional cases).
- The school will have identified the pupil's SEN needs with the support of external professionals.
- The school will have fully utilised their normally available resources to address the needs of the pupil. (appendix 6)
- The pupil's provision to meet their SEN Outcomes will be in line with the Personalised/ Individualised Learning descriptors in the KCC Mainstream Core Standards. (appendix 6)
- The school will have sought advice and further guidance from the district offer of support through LIFT as part of the 'assess, plan, do & review' cycle.
- Recommendations from professionals will have been implemented and evaluated to evidence an increasingly personalised provision.
- Training relevant to the need type of the pupil will have been undertaken by the school and suitably implemented within the last two years.

Evidence

7.1.2 To ensure the pupil meets the criteria above, schools will be expected to provide the following evidence;

- Reports that identify the SEN needs of the pupil.
- Evidence of the use of the district offer eg. LIFT outcome sheet.
- Previous two reviewed personalised /provision plans that show the implementation of recommendations from professionals and the 'assess, plan, do and review' cycle. (For new pupils to the school; a copy of the transition plan and the last reviewed provision plan from the previous educational provider).
- School provision map.
- Present costed provision plan. (appendix 7)
- Risk assessment (if appropriate).
- Signed parental consent form.

7.2 Affordability

7.2.1 Schools should not submit costed provision plans that do not exceed the £6,000 threshold. The staffing of the provision on the plan should be in line with the Best Use of TAs document.

7.2.2 The local authority will not be able to guarantee that all the costed elements of the personalised/ provision plan will be funded if parts of the provision are considered quality first teaching or the staffing levels are not appropriate for the CYP's SEN needs.

7.2.3 The school's total number of High Needs funded pupils by need type will also be taken into account when considering an application. There will be an expectation that schools utilise group work for pupils with similar needs.

7.2.4 After the actual costs are agreed, a need specific graduated funding response will be applied. The notional top up for smaller schools will continue.

Need Specific Top Up arrangement

7.2.5 The Local Authority is proposing to introduce Need Specific Top Up payments from 1 April 2018. We are moving to this new arrangement, as opposed to a pupil specific top up, for the following reasons:

- It is recognised by the DfE as best practice
- To improve equity and consistence of payments between schools for children with similar levels of need
- To improve transparency of top up payments to schools which will aid with predictability for school budget purposes
- So that top up payments can be set at a level that is affordable within the overall DSG funding available within the High Needs block

7.2.6 The value for each Need Specific Top Up will be calculated and published in early December, after the 1 December Schools' Funding Forum meeting, and these values will be regularly reviewed.

7.2.7 Our intention is to provide each school that is currently in receipt of High Needs funding with a letter confirming what their new Need Specific Top Up payment for each pupil will be from 1 April 2018. These letters will also be sent out in early December to provide schools with adequate time to plan and manage any changes in the amount of funding received.

Exceptions

7.2.8 Higher levels of funding outside of the Need Specific Top Up arrangements may be agreed in exceptional circumstances. For example:

- A child with an EHCP in the process of moving to a special school placement.
- Tribunal decision for exceptional provision in a mainstream placement.
- Extremely unstable or complex medical condition that requires a high level of adult support to administer elements of a care plan.

7.3 Process

- 7.3.1 There will be a revised online application form that will remove the need to duplicate the timetable of provision that schools evidence on a personalised/ provision plan.
- 7.3.2 Schools will be asked to provide more evidence to ensure the 'assess, plan, do and review' cycle has been appropriately followed and needs of the pupils have been identified.
- 7.3.3 Costings, including those for resources, will be included on the pupil's personalised/ provision plan by the school. As previously stated the local authority will not be able to guarantee that all the costed elements of the personalised/ provision plan will be funded if parts of the provision are considered quality first teaching or the staffing levels are not appropriate for the pupil's SEN needs.
- 7.3.4 If an application has to be deferred due to the need for additional information from a school, there will be an expectation that this is provided within two weeks. (School holidays will also be taken into account). If the information is not provided in this time the application will only be backdated to the date the information is finally provided rather than the initial submission date.
- 7.3.5 Schools and parents will be informed by email that top up funding will be provided and the length of the agreement. There will not be a timetable generated and sent by the system. There is an expectation that schools will review the provision with parents at least three times per year.
- 7.3.6 As part of the agreement there may also be recommendations for accessing other sources of support, for example, advice from LIFT and staff training or resources. The LIFT District Co-ordinators will meet on a regular basis with the HNF Officer and Area SEN PEO to share information on the pupils in receipt of HNF and discuss possible packages of support. To support schools to build their capacity to meet the needs of all pupils with SEN, all District LIFTs will develop a range of resources and assessment tools that can be accessed by the local schools. This is to ensure there is a more co-ordinated approach to meeting the needs of pupils with the highest level of SEND.
- 7.3.7 HNF monitoring visits will continue to be in response to concerns raised but there will also be a number of sample HNF monitoring visits undertaken by the Area SEN Provision Evaluation Officer. In order to strengthen the capacity to monitor and review the implementation of top up funding, it is proposed to increase the current number of Area PEO posts from 4 to 8. This increased resource will cost an additional £250k for which we are seeking Forum approval.

7.4 Timescale

- 7.4.1 Changes which do not require consultation with all schools via Schools Funding Forum can be implemented as soon as possible. Those changes which do require consultation will go out in November 2017 prior to implementation in April 2018.

8 Summary

- 8.1 The increasing demand for HNF is unsustainable and in order to continue to support the pupils with the most complex needs, a new model of distribution is urgently needed to ensure all resources are used effectively to get the best outcomes for pupils.
- 8.2 Schools, regardless of size, with the most effective SEN practice clearly identify their whole school response and overall effectiveness of the interventions; highlighting the class teacher's responsibility for in-depth provision mapping with oversight from the SENCo and SMT. The recent review of current resource deployment identified inappropriate practice including the use of HN funding to underpin general adult child ratios.
- 8.3 Proposals for better targeting of HNF focus firstly on ensuring eligibility of pupils with the most complex needs, particularly those who would otherwise warrant statutory assessment, and secondly on affordability; equitable and transparent resource allocation; clarifying all resources available to schools. The proposed approach will introduce a need specific graduated top up funding arrangement, to support pupils with the most severe and profound levels of need in mainstream schools.
- 8.4 Proposals include arrangements to strengthen the LA capacity to monitor the implementation of top up HN funding.

9 Recommendation

- 9.1 Members of the Forum are asked to **note** and **comment** on the general content of this report. They are also asked to **approve** the following specific changes to the process:
- a) the transfer of an additional £250k to support the more rigorous gate keeping processes necessary
 - b) the change in process to Need Specific Top Up funding arrangements