

Response ID ANON-G377-XSXR-W

Submitted to **Funding for SEND and those who need AP: Call for evidence**

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Introduction

A Name

First name:

Andrew

Last name:

Redding

B What is your email address?

Email:

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C Response type

Are you responding as an individual or as part of an organisation?:

Part of an organisation

What is your role?:

Local authority finance officer

What is the name of your organisation?:

City of Bradford MDC - Schools Forum (this is a response on behalf of the Schools Forum)

What type of organisation is this?:

Local Authority

D Which local authority are you responding from?

Local Authority:

Bradford

E Are you happy to be contacted directly about your response?

Yes

Confidentiality

F Do you wish for your response to remain confidential?

No

If you wish for your response to remain confidential, please tell us why.:

Funding for pupils with SEN in mainstream schools

1 What formula factors are most important in providing schools with enough money to ensure they meet the needs of their pupils with SEN? Please rank the following factors in order of importance with 1 as the most important.

What formula factors are most important in providing schools with enough money to ensure they meet the needs of their pupils with SEN? Please rank the following factors in order of importance with 1 as the most important. - Age-weighted pupil unit of funding:

4

What formula factors are most important in providing schools with enough money to ensure they meet the needs of their pupils with SEN? Please rank the following factors in order of importance with 1 as the most important. - Low prior attainment†:

1

What formula factors are most important in providing schools with enough money to ensure they meet the needs of their pupils with SEN? Please rank the following factors in order of importance with 1 as the most important. - IDACI†† – a measure of area deprivation:

2

What formula factors are most important in providing schools with enough money to ensure they meet the needs of their pupils with SEN? Please rank the following factors in order of importance with 1 as the most important. - Eligibility for free school meals – a measure of deprivation relating to

individual children:

3

What formula factors are most important in providing schools with enough money to ensure they meet the needs of their pupils with SEN? Please rank the following factors in order of importance with 1 as the most important. - Mobility – additional funding for schools that have a high proportion of pupils who start at a school mid-year:

5

What formula factors are most important in providing schools with enough money to ensure they meet the needs of their pupils with SEN? Please rank the following factors in order of importance with 1 as the most important. - Standard lump sum – intended to reflect fixed costs of a school, however many pupils and teachers are required:

6

What formula factors are most important in providing schools with enough money to ensure they meet the needs of their pupils with SEN? Please rank the following factors in order of importance with 1 as the most important. - Other (please add below any other factors you think are important for ensuring that schools get an annual budget that enables them to provide appropriate SEN support):

7

Further comments:

We have welcomed under National Funding Formula the increased focus on low attainment. We support the view that this specifically targets funding to support children with special educational needs. However, we continue to have some reservations about the annual volatility of this measure. We are concerned that schools may see over the medium term life of the attainment formula the loss of the targeted funding that enabled the establishment of a stable basis for quality first teaching (a cycle of attainment reduces, funding increases; attainment increases, funding reduces). Bradford now uses the NFF at local level to calculate primary and secondary school budget shares. On the back of this, we have seen in the last year some significant swings in the levels of funding received by individual schools as a result of attainment data change. Schools require a secure base of funding year on year in order to develop high quality SEND provision. The more stable FSM and IDACI measures help to provide this base also recognising the correlation between SEND and measures of deprivation. So although supportive of current arrangements, we would guard against further increasing the value funding through the attainment factor where the proportions allocated via the FSM / IDACI measures are reduced to enable this.

We would see that FSM and IDACI are equally important measures behind prior attainment. This being said, however,

- The issue of the impact on FSM benefit registration in the primary phase as a consequence of the UIFSM policy must be addressed. Bradford's primary schools, despite active work to prevent this, have seen an erosion of FSM formula funding and Pupil Premium Grant as a consequence of this policy.
- We would strongly prefer the school's formula to use the full Index of Multiple Deprivation measure, rather than IDACI. This is a point we have made previously in NFF consultations. Prior to April 2013, we used the IMD as a more comprehensive measure of the full extent of pupil need from deprivation. The refresh of IDACI at 2015 indicated that Bradford's rank of deprivation vs. other local authorities is broadly comparable with that measured by IDACI 2010. IMD 2015 however, indicates that Bradford's pupils are comparatively more deprived than measured by IMD 2010.

Although we have recorded AWPU and lump sum funding as lower in priority, the NFF cannot resolve the issues currently present within SEND funding without looking at the base amounts of funding that schools receive. In this, it is not possible to remove the issue of the lack of response of the national SEND Place-Plus funding system – the £6,000 threshold, the £10,000 place-element for specialist provisions and the High Needs Block and Schools Block settlements - to salaries (NI; pensions) increases and other inflationary pressures since 2012.

Reflecting on the questions that are asked later in this survey, about prescribing SEND funding floors and / or adjusting the operation of the thresholds for schools in different circumstances, we would expect that the DfE will conclude without doubt from this call for evidence that the SEND Place-Plus funding system, however it is constructed and whatever the values of thresholds are, cannot operate effectively when the quantum of funding running through it is not matched to true costs. The key point here is that the flaws of the current SEND system cannot be addressed simply by tinkering with the technical construct. SEND funding must be uplifted, within both the Schools and the High Needs Blocks, to reflect current costs, in particular of salaries.

We would like to make the point that this call for evidence appears to be mainstream focused and it does not seem to easily lend itself towards discussion about how the high needs model currently works for specialist SEND provisions. One of the most significant issues in the system as it currently applies to special schools is the retention of the place-element value at £10,000 without recognition of the increases in salaries costs since 2012. Appropriate attention needs to be given to the high needs funding model as it operates for specialist provisions.

So our general opening point about the SEND funding system is that the way the system is technically constructed is relatively workable albeit it is a very complicated system and we would not support changes that significantly add to this complication. However, one of the fundamental issues is that its key trigger points have not moved upwards in line with inflation and salaries cost. This has led to underfunding and an imbalance between the Schools Block and the High Needs Block. There are 4 critical aspects in the resolution of this:

- a) The £6,000 threshold is urgently uplifted to sufficiently reflect current salaries costs. That this threshold then continues to be uplifted on an annual basis going forward in line with inflation.
- b) SEND formula funding in mainstream budgets in the NFF is uplifted so that it is accurate to say that schools have the 'first £6,000' within their delegated budgets.
- c) The place-element for specialist provisions also must be uplifted from £10,000 as a priority and then increased annually in line with inflation.
- d) The High Needs Block is uplifted annually to enable authorities to fund both the increases in the place-element as well as, through top-up funding, the cost of the gap between the uplifted threshold and the true cost of provision.

Although this call for evidence is focused on revenue funding mechanisms, we wish to continue to highlight that the insufficiency of capital funds allocated from government to support the development of increased high needs places capacity is a matter of significant concern to Bradford Schools Forum. Bradford Schools Forum is extremely disappointed with the allocation of £0.3m that Bradford has received from the additional £100m of capital announced by the Secretary of State

in his December 2018 letter. This brings Bradford's total allocation from the 'special provision fund' to £1.117m across 2018-2021. This is only 0.3% of the national pot of £365m. We do not understand how Bradford has only been allocated £1.117m or 0.3% of a national pot. The guidance published alongside the allocations does not provide sufficient information to enable us to identify how Bradford could be so poorly funded in comparison with other local authorities. We wish the government to set out how it will ensure going forward that sufficient capital resources are allocated to Bradford to support the continued expansion of SEND places capacity.

Funding for SEN through the schools funding formula

2 Would allocating more funding towards lower attainers within the low prior attainment factor help to better target funding towards the schools that have to make more SEN provision for their pupils?

Unsure

3 What positive distributional impact would this change in approach (e.g. creating tiers of low prior attainment) create for mainstream primary and secondary schools?

Comments:

We would need to see the modelling here before concluding our answer. There are pros and cons of such a weighting.

A weighting of this factor for the lowest attainers would push more funding in support of individual pupils with higher levels of SEND. Schools that have a larger number of these pupils would then receive more funding to build their support. But such a weighting might not be necessary where these schools already receive higher levels of FSM / IDACI funding.

The biggest pro may be that this weighting could mean that schools with lower numbers of higher needs pupils (that may also have generally lower levels of FSM / IDACI) are more appropriately funded for the additional costs of supporting individual pupils, reducing a reliance on SEND floor type arrangements. This is a very present stress in the current system. However, such a weighting may increase the annual volatility of funding allocated through this measure (schools will lose more funding when individual pupils with SEND move) and this might undercut the creation of a stable basis of funding universal provision.

4 Would such a change in approach introduce any negative impact for mainstream primary and secondary schools?

Comments:

Please see our response to question 3

Targeted funding and support for SEN provision in schools

5 Please indicate whether you agree or disagree with the statements below, and in the comments box give the advantages and disadvantages of your preferred approach.

Please indicate whether you agree or disagree with the statements below, and in the comments box give the advantages and disadvantages of your preferred approach. - Local authorities should retain the flexibility to develop, in consultation with their schools, their own method of targeting extra SEN funding to schools that need it.:

Neither agree nor disagree

Please indicate whether you agree or disagree with the statements below, and in the comments box give the advantages and disadvantages of your preferred approach. - Central government should provide more guidance for local authorities on how they should target extra SEN funding to schools, but local authorities should remain responsible for determining the amounts in consultation with their schools.:

Agree

Please indicate whether you agree or disagree with the statements below, and in the comments box give the advantages and disadvantages of your preferred approach. - Central government should prescribe a consistent national approach to the targeting of additional funding to schools that have a higher proportion of pupils with SEN and/or those with more complex needs.:

Agree

Comments:

There absolutely needs to be some mechanism and / or flexibility within the system to enable sufficient funding to be allocated to meet the needs of pupils in all circumstances.

We would hold the view that, under hard National Funding Formula arrangements, where the national high needs funding system uses prescribed thresholds, there should be a consistent approach to SEND funding floor / additional funding arrangements. This is especially so in the interests of managing complexity and understanding including where multi academy trusts operate across different local authorities areas. This being said, there perhaps will always still need to be some allowance for local authorities to respond to circumstances not identified by a national approach.

We would be very interested to consider a further consultation from the DfE on how a national approach could work.

We have recently carried out some research on arrangements for SEND Funding Floors and the variability of these arrangements across authorities is significant. So, at the very least, we would see that further guidance, and a move to promote consistency, would be helpful.

We would also expect SEND Floor arrangements to be appropriately funded within the High Needs Block (or Schools Block) NFF, rather than being funded by local top-slice of existing funds. Currently the Floor arrangements employed by local authorities are to some extent compensating for the weaknesses in the

national system and this is for the national system to resolve. The modelling around the weighting of the attainment factor comes into this (our response to question 2) but so does the Schools Block formula settlement and the extent to which schools are accurately funded for salaries costs, which uplift each year. We would see the need for SEND Floor arrangements to be exceptional rather than widespread. The quality of the NFF approach is critical to this.

Notional SEN Budget

6 Is it helpful for local authorities to continue to calculate a notional SEN budget for each school, and for this information to be published, as now?

Very helpful

7 For those responding from a school, who in your school(s) is involved in decisions about spending from the school's notional SEN budget?

Other (please comment):

n/a - this is a Schools Forum level response

8 Should the national funding formula for schools include a notional SEN budget, or a way of calculating how much of each school's funding is intended to meet the costs of special provision for pupils with SEN?

Yes

Do you have any further comments on the notional SEN budget?:

Similar to our response to question 5, we would hold the view that, under hard National Funding Formula arrangements, where the national high needs funding system uses prescribed thresholds, there should be a consistent approach to the definition of notional SEND. This is especially so in the interests of managing complexity and understanding.

We have recently carried out some research on arrangements for notional SEND and the variability of these arrangements across authorities is very significant. So, at the very least, we would see that further guidance, and a move to promote consistency, would be helpful.

The £6,000 threshold

9 Please indicate whether or not you agree with the following statements.

Please indicate whether or not you agree with the following statements. - The level of the threshold makes little or no difference to the system for making special provision: it is the level of funding available to schools and local authorities that is crucial.:

Agree

Please indicate whether or not you agree with the following statements. - The £6,000 threshold should be lower, so that schools do not have to make as much provision for pupils with SEN from their annual budgets, before they access top-up funding from the local authority.†:

Disagree

Please indicate whether or not you agree with the following statements. - The £6,000 threshold should be higher, so that schools have to make more provision for pupils with SEN from their annual budgets, before they access top-up funding from the local authority.††:

Disagree

Please indicate whether or not you agree with the following statements. - The operation of the £6,000 threshold should take account of particular circumstances.:

Disagree

10 If you have agreed with the final statement in question 9, please indicate below which circumstances you think would be relevant for a modified threshold or different funding arrangement.

If you have agreed that the £6,000 threshold should be modified so that particular circumstances are taken into account., please indicate below which circumstances you think would be relevant for a modified threshold or different funding arrangement. - Schools that are relatively small.:

If you have agreed that the £6,000 threshold should be modified so that particular circumstances are taken into account., please indicate below which circumstances you think would be relevant for a modified threshold or different funding arrangement. - Schools that have a disproportionate number of pupils with high needs† or EHC plans.:

If you have agreed that the £6,000 threshold should be modified so that particular circumstances are taken into account., please indicate below which circumstances you think would be relevant for a modified threshold or different funding arrangement. - When pupils with EHC plans are admitted to a school during the year, which may create unintended consequences.††:

If you have agreed that the £6,000 threshold should be modified so that particular circumstances are taken into account., please indicate below which circumstances you think would be relevant for a modified threshold or different funding arrangement. - Other (please specify below):

Comments:

The level of the threshold makes little or no difference to the system for making special provision, it is the level of funding available to schools and local authorities

that is crucial: Mostly Agree - it is the value of the threshold in relation to the true cost of SEND provision and the sufficiency of funding within the Schools Block and High Needs Block that are more important than its absolute value. Please also see our opening response to question 1 - We would expect that the DfE will conclude without doubt from this call for evidence that the SEND Place-Plus funding system, however it is constructed and whatever the values of thresholds are, cannot operate effectively when the quantum of funding running through it is not matched to true costs. The key point here is that the flaws of the current SEND system cannot be addressed simply by tinkering with the technical construct. SEND funding must be uplifted, within both the Schools and the High Needs Blocks, to reflect current costs, in particular of salaries. This being said, a change to reduce the £6,000 would push more pressure onto the High Needs Block. A change to increase the £6,000 would push more pressure onto the Schools Block (and SEND Floor arrangements). Prior to the introduction of the national £6,000 threshold Bradford used a threshold value of £5,000, so we saw some consistency with our previous arrangements. Unlike the national threshold however, we uplifted our threshold for inflation / salaries costs annually in order to keep the system in balance.

The £6,000 threshold should be lower, so that schools do not have to make as much provision for pupils with SEN from their annual budgets, before they access top-up funding from the local authority: Disagree - unless this change is accompanied by additional funding into the High Needs Block, we would strongly disagree with the statement.

The £6,000 threshold should be higher, so that schools have to make more provision for pupils with SEN from their annual budgets, before they access top-up funding from the local authority: Disagree - unless this is accompanied by additional funding into the Schools Block, and additional funding in support of more nationally consistent SEND Floor arrangements, we would disagree with the statement.

The operation of the £6,000 threshold should take account of particular circumstances:

Disagree – high needs funding arrangements are already complicated. A system whereby the threshold could be adjusted for different circumstances would add to this. We would see that the route for allowance for different circumstances, and the protection of schools that may have disproportionately large numbers of pupils with EHCPs, should be the SEND Funding Floor. An SEND Floor that is re-calculated during the year (we update ours monthly) for the movement of pupils between schools, for the intake of new pupils with EHCPs, or review of EHCPs, will allow such arrangements to remain responsive.

Provision for pupils with SEN in mainstream schools

11 If you are responding on behalf of a school, do you have a clear understanding about what provision is “ordinarily available” to meet pupils’ special educational needs in your school?

Not Answered

Comments:

no response (this is Schools Forum level response)

12 How is this determined?

Not Answered

13 How is this offer communicated to parents?

If the offer is publicly available, please provide a web link.:

14 Does your local authority make it clear when a child or young person requires an education, health and care (EHC) plan?

Not Answered

15 How is this articulated?

If this is publicly available, please provide a web link.:

Funding for pupils who need alternative provision (AP) or are at risk of exclusion from school

16 Please indicate your agreement or disagreement with the following statements.

Please indicate your agreement or disagreement with the following statements. - The current funding arrangements help schools, local authorities and AP to work together and to intervene early where such action may avoid the need for permanent exclusion later:

Somewhat agree

Please indicate your agreement or disagreement with the following statements. - The current AP funding arrangements help schools and AP to reintegrate children from AP back into mainstream schooling where this is appropriate:

Somewhat agree

17 How could we encourage more collaboration between local authorities, schools and providers to plan and fund local AP and early intervention support?

Comments:

Agree – there is sufficient flexibility within the current arrangements to enable this.

However, in the absence of root and branch review of financial responsibilities between schools and local authorities, we would press for strengthening of the

regulations to enable local authorities to enforce a 'local agreement' whereby both maintained schools and academies can be 'charged' for permanently excluding pupils. This will help ensure a balanced system.

18 What changes could be made to improve the way that the AP budget is spent, to better enable local authorities, schools and providers to use the local AP budget to provide high quality AP, intervene early to support children at risk of exclusion from school, or reintegrate pupils in AP back into mainstream where appropriate?

Comments:

We would press for strengthening of the regulations to enable local authorities to enforce a 'local agreement' whereby both maintained schools and academies can be 'charged' for permanently excluding pupils. This will help ensure a balanced system.

19 Please use the box below to share any examples of existing good practice where local authorities, schools and AP settings have worked together effectively to use the AP budget to provide high quality AP, intervene early to support children at risk of exclusion from school, or reintegrate pupils in AP back into mainstream where appropriate.

Comments:

Funding for students with SEN in further education

20 Are there aspects of the operation of the funding system that prevent young people from accessing the support they need to prepare them for adult life?

Yes

Comments:

The Element 2 funding is allocated on a pseudo lagged model, and whilst this allows for flexibility and negotiation between the Local Authority (LA) and providers in year, it has led to some colleges refusing a place for young people with an Education Health and Care Plan (EHCP) until the LA has "agreed" to the additional Element 2 funding. This has on occasion delayed the transition between provisions and had a detrimental impact on the young person's education.

21 Notwithstanding your views about the sufficiency of funding, please describe any other aspects of the financial and funding arrangements that you think could be amended to improve the delivery of provision for young people with SEN.

Comments:

Complexity of the system – FE colleges in large urban centres are dealing with multiple systems of allocating Element 3 funding. There are multiple providers, and several local authorities placing High Needs Students across LA boundaries, which imposes an additional administrative burden on providers.

Real time budgets and planning of provision – The real time nature of Element 3 and the pseudo lagged nature of Element 2 allocations causes uncertainty in levels of funding to support additional needs in FE, and can have a detrimental impact on staffing and capacity in the sector. This is not about the level of funding, but the unpredictability of budgets, which impacts on their ability to plan provision effectively with a variability in funding caused by the fluid nature, and education choices, of the cohort in large urban areas.

22 If you are able to provide any examples where local authorities and colleges have worked together effectively to plan provision to meet the needs for SEN support and high needs, please describe these below.

Comments:

The LA has worked with year 10 and 11 students in local alternative provision and FE colleges to start transition to college early. The young people spend some, or all of their time, in the college, and the result in year 12 is a smooth and sustained transition to full time provision in college. This approach has shown a sustained reduction in this group becoming NEET over the previous three years it has been in operation.

Improving early intervention at each age and stage to prepare young people for adulthood sooner

23 Are the current funding or financial arrangements making early intervention and prevention more difficult to deliver, causing costs to escalate?

Not Answered

Comments:

no response

24 If you can you provide examples of invest-to-save approaches with evidence that they can provide value for money by reducing the costs of SEN support, SEN provision or other support costs (e.g. health or social care) later, please describe these below.

Comments:

no response

25 If you think there are particular transition points at which it would be more effective to access resources, please indicate below those you believe would be most effective to focus on.

Please indicate below any other transition points that you think we should look at.:

no response

Effective partnership working to support children and young people with complex needs

26 Please describe as briefly as possible below changes that you think could be made to the funding system nationally and/or locally that would foster more effective collaborative approaches and partnership arrangements.

Comments:

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/education-committee/special-educational-needs-and-disabilities/written/85259.html>

We would refer to section 1 and the 1st recommendation in the written evidence to the Select Committee (link above), which was presented in response to the now critical issue of the distribution / definition of financial responsibilities for children with continuing care needs between local authorities, schools and health agencies:

1.11 The National Institute for Health and Care Excellence is given a commission to review the medical and health services provided to children with NHS care plans in specialist educational settings, and produce guidance about national standards in the commissioning and delivery of health and care services to children in these sub-clinical settings.

this is a matter that requires urgent attention

Other aspects of the funding and financial arrangements

27 Are there any aspects of the funding and financial arrangements, not covered in your previous responses, that are creating perverse incentives?

Comments:

no response

28 What aspects of the funding and financial arrangements are helping the right decisions to be made, both in securing good provision for children and young people with additional needs, and in providing good value for money?

Comments:

no response