

Appendix 2: New Banded Model for the allocation of EHCP Top Up Funding to Schools and Providers included within the National Place-Plus System

Introduction

1.1 Top-up funding (also known as Element 3 or 'Plus' funding) is the funding required by an institution, over and above place funding, to enable a child or young person with high needs to participate in education and learning.

1.2 As with many authorities, Bradford allocates top up from the High Needs Block, to schools and providers that are included within the national 'Place-Plus' system, using a 'banded' or 'range' system. This model is used to assign EHCPs into categories of need for funding purposes. Each range has an applicable level of funding and a school or provider is allocated a set value of top up funding according to the range of the EHCP as determined by the SEND Panel.

1.4 The Authority has been working over the past 18 months with the District Achievement Partnership (DAP) on how we can improve the responsiveness of our model.

1.5 We have developed locally an amended banded approach to the delegation of funding to schools and providers for the 'top up' element of EHCPs, which we now propose to adopt. If agreed by Council, as part of the setting of the Schools Budget for 2020/21, this new Banded Model will replace our existing Ranges Model at 1 April 2020.

The Proposed New Banded Model

2.1 The new model will use at its base the [Bradford Matrix of Need](#), which outlines waves of intervention. This Matrix identifies the responsibilities of schools and providers in their use of already delegated funds in meeting the costs of support. It identifies the point at which top up funding begins, which is EHCP Band 3.

2.2 Whereas our current Ranges Model has 7 Ranges with 7 funding steps, our proposed new Banded Model has 6 bands and 6 funding steps, with values for 1 April 2020 proposed as set out in the table below. This table shows the proposed value of top up by band and the value of contribution, which schools and providers will continue as now to add to the top up from their budgets to produce the total value of funding available for supporting the costs of an EHCP.

In all steps within the model the school or provider, with the exception of EHCPs for 2, 3 and 4 year olds (in pre-reception) in mainstream not specialist provision, is expected to contribute 'element 2' funding, currently at an annual value of £6,000 per 1 FTE, to the cost of the additional needs set out in the EHCP.

	Proposed Top Up Value at April 2020	Element 2 Value FTE the school / provider adds	Total Value of Funding to support the EHCP
Band 3 Low (3L)	£1,670	£6,000	£7,670
Band 3 Medium (3M)	£3,347	£6,000	£9,347
Band 3 High (3H)	£4,974	£6,000	£10,974
Band 4 Low (4L)	£7,747	£6,000	£13,747
Band 4 Medium (4M)	£11,296	£6,000	£17,296
Band 4 High (4H)	£15,051	£6,000	£21,051

The new model is calculated on a provision-mapping approach. The additional educational needs of a child with an EHCP typically will be met through additional adult contact time. Typically this will be delivered in a combination of individual time and time in smaller groups. The overall volume of time will increase as needs increase and the proportion of this time that is delivered on a more bespoke basis will also increase as needs increase. The values of the bands have been built up on notional assumptions about the proportion of additional support given to an EHCP, with this support split between bespoke time and time in smaller groups. This is a model then for the SEND Panel to use to determine the volume and type of support required to then closely meet the needs of an individual EHCP.

2.3 Band 3 (EHCP) typically will support the cost of EHCPs placed in mainstream provisions. Band 4 (EHCP plus) typically will support the cost of EHCPs placed in specialist provisions. However, this is not an absolute position and the SEND Panel will use the model flexibly to closely meet need.

2.4 Schools and providers will receive funding at the band value that provides the closest fit for meeting the cost of the needs of the child or young person described in the EHCP. In the new model, the closest fit may also be found by combining ('stacking') more than one band value. The facility to combine values means that the SEND Panel can use the model in a flexible way to find a very close fit for the funding especially of children and young people with significant secondary needs as well as those that require additional functional support both within and outside of the standard taught school day, where this is not already funded within a single band value.

2.5 To highlight then the main differences between the new proposed Banded Model and the current Ranges Model:

- The new model does not have a 7th step (the equivalent of our current Range 7). It is expected that stacking would deliver a level of support higher than the single band 4H where this is necessary. Specific transition arrangements will be required for current Range 7 EHCPs and transition to the new model is set out further below.
- The SEND Panel can 'stack' values (meaning a school or provider can be allocated more than one band value for an EHCP) in order to find a close fit.
- The new model does not use primary need as a marker for the placement of an EHCP into a band. Placement is based on level of need.
- Whereas the current Ranges Model defines need in terms of 1:1 hours of support, the new model uses a provision mapping approach and a combination of bespoke time and time in smaller groups.
- The values proposed to be allocated by the new model are increased. The values of the 1st two steps in Band 3 increase the most.
- The new model will work alongside a clarified and amended approach to the sharing of the cost of specialist equipment.

2.6 To highlight how the new proposed Banded Model is the same or similar to the current Ranges Model:

- Decisions on the application of the Banded Model – which of the 6 bands a new EHCP is placed in and whether an EHCP is given more than one band value - will continue as now to be taken by Bradford Council's SEND Panel with reference to the evidence submitted through the EHCP assessment process. Appeals and disputes will also continue to be resolved through the Panel process.
- In all steps within the model, the school or provider, with the exception of EHCPs for 2, 3 and 4 years olds (pre-reception) in mainstream not specialist provision, is expected to contribute element 2 funding currently at an annual value of £6,000 to the cost of additional needs.

- The bottom 'threshold' for the 1st step of Band 3 (3 Low) is 16 hours of support a week, which is the same as the current model. The new model itself does not change the threshold at which EHCP top up funding can initiate nor does it change the points of access to an EHCP. It purely changes the options that are available to the SEND Panel to use to ensure that an EHCP is appropriately and accurately funded.
- The relationships between the 6 steps in the new model (the size of the gaps between them) remain similar to the current model, with the exception of the 1st two steps in Band 3, which are uplifted.
- For the top-up funding of post 16 high needs students with EHCPs in the Further Education sector, it has been agreed previously with the relevant providers that, as, on average, colleges deliver around 60% of the hours delivered by schools, colleges are funded for the vast majority of students at 60% of the Banded Model value for the primary need of the student. The exceptions are students with the primary need of sensory impairment (Hearing / Visual), where funding continues to be allocated on an actual cost basis. We propose to continue this approach in the application of the new Banded Model from April 2020.
- We are not adjusting at this time in 2020/21 notional SEND or SEND Floor arrangements in respect of mainstream formula funding and its relationship with the EHCP model. Adjustment may take place in the future.
- We will apply the same 'technical framework' as now for the operation of the model during the year e.g. the monthly re-calculation of EHCP funding from the census of EHCPs on roll on 10th of each month.

Proposed Implementation / Transition at 1 April 2020

3.1 The Authority aims to adopt the proposed new model as quickly as possible and to use this as a vehicle to release additional High Needs Block that is allocated to Bradford in 2020/21. The Authority also will ensure that the values of top up funding schools and providers receive for existing EHCPs will not reduce as a result of funding model change.

3.2 Our proposed transition process is as follow:

- The top up funding of all existing EHCPs will transfer on to the new system at 1 April 2020 as follows:

Current	Current Value		New Band	New Value	£ Diff	% Diff
Range 4A	£952	Will become	Band 3L	£1,670	+ £718	+ 75.4%
Range 4B	£3,000	Will become	Band 3M	£3,347	+ £347	+ 11.6%
Range 4C	£4,597	Will become	Band 3H	£4,974	+ £377	+ 8.2%
Range 4D	£7,160	Will become	Band 4L	£7,747	+ £587	+ 8.2%
Range 5	£10,440	Will become	Band 4M	£11,296	+ £856	+ 8.2%
Range 6	£13,910	Will become	Band 4H	£15,051	+ £1,141	+ 8.2%
Range 7	£22,857	Will become	Protected 7	£24,732	+ £1,875	+ 8.2%

- We would expect most existing EHCPs on an on-going basis to remain within the band they have been transferred to. The SEND Panel will review, through the annual review process, individual EHCPs where the banding may be disputed, where there are obvious existing inaccuracies or where the needs of the child or young person have changed.

- The new model will work under the guarantee that, for EHCPs in place at 1 April 2020, the value of funding a school or provider receives for an EHCP will not ever drop to a lower valued band after the transfer to the new model unless the SEND Panel agrees that the needs of the child or young person are reduced when compared against the needs presented to the Panel in the original EHCP determination. This guarantee will remain in place until the pupil reaches the end of year 11. This guarantee does not extend to assessment places funded at 1 April 2020 (as these pupils do not yet have EHCPs).
- Schools and providers will be funded for all new EHCPs after 1 April 2020 on the new model without protection.
- The model going forward will retain a transitional 'Protected 7' band, which will continue to fund EHCPs currently graded at Range 7. No new EHCPs will be placed in this band after 1 April 2020. Existing Range 7 pupils will stay funded by the Protected 7 band unless an annual review gives them a higher level of funding using the new model (via stacking), when the pupil would be transferred onto the new model at this point, or where the pupil's needs are agreed to have reduced when compared against the needs presented to the Panel in the original EHCP Range 7 determination. This guarantee will remain in place until the pupil reaches the end of year 11. At 1 April 2020, the value of Protected 7 is set at 2019/20 plus the % increase for Band 4H, which is 8.2%. This 'Protected 7' band will continue to be part of the model until there are no more EHCPs left in the system on it. Its value will continue to be uplifted each year by the same value that Band 4H increases by.
- In transferring the funding of EHCPs in the post 16 FE sector, we propose to continue the approach set out in paragraph 2.6 and to apply the same principles around the protection of current values as applied for other sectors.

Consultation and Responses

A consultation with schools and providers was conducted between 16 December 2019 and 4 February 2020. The consultation document was published on [Bradford School Online](#).

This was presented to the Schools Forum on 8 January 2020. The Schools Forum represents schools, academies and other providers, including early years and further education providers. The Forum has given its formal support to the changes proposed within the consultation document without exclusion.

The consultation was also signposted at, and presented to, other key school / provider groups, including the SENCO's Network, District Achievement Partnership, Bradford Primary Improvement Partnership, Secondary CEOs, and the Primary Catholic Partnership. The feedback from these groups has been significantly positive, referring especially to the additional flexibility that is proposed to be included within the new EHCP model as well as the increase in top up values.

Our formal consultation asked three questions relating to the EHCP Banded Model:

Question 1 – Do you agree with the new Banded Model proposed by the Local Authority? If not, please can you explain why not.

Question 2 – Do you agree with the transition approach to the new model that is proposed by the Local Authority? If not, please can you explain why not

Question 3 – Do you have any comments (including technical comments) on the proposed new Banded Model you would like the Authority to consider?

As has been the case with other consultations on school funding arrangements this year, the number of formal responses received has been quite low. Typically, responses are low (or lower) where schools are in agreement with the Authority's proposals.

We received 5 formal responses: 1 secondary school, 1 special school, 1 FE college and 2 primary schools.

Regarding Question 1: 2 responses "strongly agreed" and 3 responses "agreed on balance".

Regarding Question 2: 2 responses "strongly agreed" and 3 responses "agreed on balance".

Regarding Question 3: 2 responses made no further comments. 3 responses made similar comments:

- Asking for more detailed information to be provided about how the "stacking" function will work in practice and how Panel decisions will be taken.
- Asking for more detailed information on the Band descriptors (criteria for decision making) and the application of these by Panel.
- The necessity of the timeliness of EHCP assessment and the financial pressure on schools that comes from delayed assessment.
- The necessity to ensure that the contributory model for provision of specialist equipment is operated on a fair and transparent basis, and to ensure that the proposed 'reasonableness test' does protect individual schools against being disproportionately affected financially.
- Commenting that place-elements (the £6,000 and £10,000, which are set nationally) have not increased in value for inflation since 2012 and that this is placing financial pressure on schools and providers.
- Asking for improvement in the presentation of the EHCP funding information that is given to providers on a monthly basis to aid providers in their budget tracking and forecasting.

The feedback that has been received evidences clear support for the Authority's proposals. The Authority will respond, as we implement and embed the model, to the requests made for more detailed working information. We also expect to continue to annually review the model going forward to ensure that it remains effective. In doing this, we will continue to take on board feedback received from schools and providers.