

### <u>DOCUMENT QK APP 1 - INFORMATION & CONSULTATION ON THE FORMULA</u> FUNDING OF HIGH NEEDS PROVISION FOR THE 2024/25 FINANCIAL YEAR

### 1. Introduction & Summary

- 1.1 This consultation document is written to set out, and to collect views on, the formula approach that Bradford Council proposes to use to delegate Dedicated Schools Grant (DSG) High Needs Block funding to high needs providers, mainstream schools and academies and to other settings in the 2024/25 financial year April 2024 to March 2025. This is known, and referred to, as our 'Place-Plus' system and has two parts: a) core (or place-element) funding and b) top-up (or plus) funding.
- 1.2 In response to its national Special Educational Needs and Disabilities (SEND) and Alternative Provision Review, which was commissioned in September 2019, the Department for Education (DfE) published in March 2022 an outcomes and consultation document. This document can be found here. The DfE has then, most recently, published in March 2023 an improvement plan, which provides a roadmap and details on the timescales for changes, setting out the review, pilot working and implementation that will take place between 2023 and the end of 2025. Whilst the DfE has indicated that this represents a longer-term programme of change, the Review will be significant to the future of high needs provision and high needs funding. Further national consultation is expected, especially on changes to high needs funding mechanisms in future years. The DfE's High Needs Block operational guidance for the 2024/25 financial year, however, has confirmed that the values of place-element funding (£10,000 and £6,000), and the positions of the main 'levers' of the high needs place-plus funding system, remain unchanged. Local authorities continue to hold responsibility for calculating and allocating top-up funding. We would like to emphasise though that our high needs formula funding arrangements must now operate in the context of the national Review. Although the details of the future changes in funding systems, that are indicated by the Review's publications so far, are still to be known, the Review does strongly indicate, for example, an increased focus on early intervention and on mainstream inclusion, as well as the introduction of a national system of banding for the allocation of EHCP top-up funding. As such, we must ensure that our funding systems continue to support further movement in this direction, and schools, academies and other settings must begin to consider the consequences of the Review and begin to plan their provisions and budgets accordingly.
- 1.3 We would like to remind settings that our high needs formula funding arrangements continue to operate in the local context of recent and continuing wider changes in Bradford, especially the continued significant growth in the numbers of pupils with EHCPs (including in mainstream settings), the continued creation of additional specialist places, and the development and expansion of resourced provisions in mainstream primary and secondary schools and academies.
- 1.4 In introducing our consultation on our proposals for 2024/25 financial year high needs formula funding arrangements, we would like to remind all settings that Bradford Council introduced, at April 2020, a new Banded Model for the allocation of 'top-up' funding for Education Health and Care Plans (EHCPs). This model replaced our previous 'Ranges Model' and significantly uplifted the funding that is allocated for EHCPs across all settings. EHCP top-up funding has been uplifted in each year since. The Banded Model continues to include protections, which ensure that no EHCP that was in place on 1 April 2020 has reduced in value as a result of funding model change. We also introduced at April 2020 a new Day Rate Model for the funding of alternative provision for pupils permanently excluded. Funding allocated via this Day Rate Model has been uplifted in each year since.
- 1.5 It is our intention to continue to use these two established funding models to allocate top-up funding to settings in Bradford in 2024/25. In quick summary, overall, we propose the following for 2024/25. To:
- Continue to allocate top-up funding using our existing EHCP Banded Model and Day Rate Model, uplifting the values of the top-up funding allocated by these two models. Please see sections 6 and 8.

- Continue the setting-led need factors as are currently applied in 2023/24 in the funding of specialist provisions. Please see section 7.
- Continue to pass through to special schools, special school academies, PRUs and alternative provision academies, the additional "3.4% place-element" funding that was allocated in 2023/24, as required by the DfE and the 2024/25 DSG Conditions of Grant. Please see paragraph 4.13. We will discuss the allocation of this additional funding directly with the receiving settings (including via the District Achievement Partnership).
- Continue to allocate the former Teacher Pay and Pension Grants, separately from top-up funding, using the method and values we used in 2023/24. Please see section 9.
- Slightly amend our definition of Notional SEND budgets for mainstream schools and academies in 2024/25. Please see Section 10.
- Continue our existing SEND Funding Floor mechanism in support of Element 2 funding for SEND and EHCPs in mainstream primary and secondary settings. Please see section 11.
- 1.6 In presenting the values of uplifts that are proposed to rates of funding, we must add the caveat that these uplifts are still subject to a final affordability check, which will take place following the closure of this consultation and prior to asking the Schools Forum to give its final formal feedback in January 2024. As such, although we set out here the rates of funding that we anticipate will be used in 2024/25, subject to the responses to this consultation, settings should view these rates as indicative and subject to change.
- 1.7 Special schools, special school academies, PRUs and Alternative Provision academies will be aware that the DfE has established a new <u>Teacher Pay Grant</u>, which is allocated to support the September 2023 teachers' pay award. The Pay Grant will continue in the 2024/25 financial year as an additional funding stream, which will be allocated according to the methodology that the Authority will agree via separate consultation with the District Achievement Partnership and the other receiving settings, as is required by the DfE. This grant funding will be entirely separate from, and additional to, the High Needs Block formula funded allocations that are set out for consultation in this document.
- 1.8 The deadline for responses to this consultation is **Tuesday 28 November 2023**. Please address all questions and responses to Dawn Haigh 01274 433775 <a href="mailto:dawn.haigh@bradford.gov.uk">dawn.haigh@bradford.gov.uk</a>. A response form is included at Appendix 6. However, we encourage you to use the web-based questionnaire to submit your response. Please access the web-based questionnaire here.

### 2. Background - High Needs Block and National Funding Formula

- 2.1 All local authorities are following a direction of travel set by the Department for Education (DfE) towards National Funding Formula (NFF). Significant changes to the way high needs provision is funded were implemented by the DfE in the 2013/14 financial year. These changes, now well established, affected activities funded by the High Needs Block (HNB), which is a specific block of monies within the Dedicated Schools Grant (the DSG) that amounts in 2024/25 to about 17% of the overall DSG resources that will be available to Bradford Council.
- 2.2 Unlike for mainstream primary and secondary schools and academies, that are funded within the Schools Block of the DSG, the DfE's National Funding Formula reforms have not so far introduced a provider-level national formula for High Needs Block funded settings. Local authorities continue in 2024/25 to have full responsibilities for determining their own High Needs Block formula funding matters. Authorities are required however, to comply with Regulations and with the DSG's Conditions of Grant.
- 2.3 The high needs funding system supports provision for children and young people with Special Educational Needs and Disabilities (SEND), in line with the Children and Families Act 2014. High Needs Block DSG funding is also allocated to support good quality Alternative Provision for pre-16 pupils who cannot receive education in schools. The Children and Families Act 2014 extended the statutory duties local authorities hold relating to SEND across the 0 to 25 age range. Therefore, Bradford Council has a key role in determining the funding that is given to schools, academies and other providers to meet the needs of children and young people with SEND. Schools, academies and other providers also have duties under the Act, in

particular a duty to co-operate with their local authorities on arrangements for children and young people with SEND.

- 2.4 On current estimates, our High Needs Block allocation in 2024/25 is £122.10m, which is £5.20m higher than received in 2023/24. This represents an increase of 4.5% in cash terms and 5.0% in per pupil terms. This % increase is lower than received in recent years but does align with our previous forecasting, which was informed by the DfE's messaging that the current 3-year national school funding settlement has been heavily weighted towards 2022/23 and 2023/24, with reduced increases to be allocated in 2024/25.
- 2.5 The annual growth in High Needs Block funding is allocated across four main pressures, a) growth in the cost of provision (as a result of inflation and increases in salaries costs), b) growth in the number of EHCPs and in the needs of pupils with EHCPs reflected in their placement costs, c) continued expansion of high needs specialist places capacity (special school and resourced provision places), and d) expansion of central support SEND services capacity in response to increased demand. How the High Needs Block within the Dedicated Schools Grant will be allocated across these pressures will be further discussed with the Schools Forum in the autumn and early spring terms.
- 2.6 Of the £122.10m of High Needs Block funding that we estimate we will receive in 2024/25, 93% of this is estimated to be delegated or devolved to support the following:
- Children and young people with Education Health and Care Plans (EHCPs) educated in mainstream schools and academies.
- Maintained Special Schools and Special School Academies.
- Enhanced Specialist Provisions (resourced provisions) attached to maintained nursery schools.
- School-led resourced provisions within mainstream primary and secondary schools and academies.
- Local Authority-led resourced provisions within mainstream primary and secondary schools and academies.
- Young people aged 16 to 25 in Further Education Colleges, Sixth Form Colleges and placed with independent or other specialist learning providers.
- Pupil Referral Units (PRUs) and Alternative Provision Academies.
- Children and young people placed in independent provisions and in non-maintained special schools.
- 2.7 High Needs Block funding is allocated in Bradford also to support Local Authority centrally managed services relating to SEND and to Alternative Provision, as permitted by the Finance Regulations. This includes SEND teaching support services, that are accessed by schools, academies and other settings, and tuition for children and young people that are unable to attend school for medical reasons. Local authorities are permitted to separately fund additional outreach and support services that may be managed centrally or may be devolved to providers under service level agreements.

### 3. Continuation in 2024/25 of the Existing DfE-Led National High Needs Funding System

- 3.1 The existing national high needs funding system remains in place in 2024/25. Regarding the most prominent elements of this system:
- Place-element funding for specialist provisions (special schools, special school academies, PRUs and alternative provision academies) continues to be set at £10,000.
- Element 2 funding (including the value of place-element funding for places in resourced provisions that are occupied in the October 2023 Census) continues to be set at £6,000.
- Mainstream primary and secondary schools and academies continue to have responsibility for meeting from their delegated budgets the first £6,000 of the cost the additional needs of high needs children.

- Local authorities continue to hold responsibility for calculating and allocating top-up funding.
- Independent and non-maintained special schools continue to remain outside the national Place-Plus system.
- The DfE has confirmed that local authorities continue to be required to allocate the former Teacher Pay and Pensions Grant monies to specialist settings in 2024/25, separately from place-element and top-up funding.
- The DfE has also confirmed that local authorities must continue to pass through the additional "3.4% place-element" funding that special schools, special school academies, PRUs and Alternative Provision academies received in 2023/24 following the introduction of the Schools Supplementary Grant.

### 4. Place-Element (or Core) Funding

- 4.1 The national high needs funding approach in 2024/25 continues to be based on the financial definition of a 'High Needs' child or young person being one whose education, incorporating all additional support, costs more than £10,000 per annum. This threshold lays the foundation of the current national 'Place Plus' framework and is the basis of the definition of the financial responsibility that schools, academies and other settings have for meeting the needs of children and young people from their already delegated formula funding-based budgets.
- 4.2 High needs funding has two parts a) core (or place-element) funding and b) top-up (or plus) funding. The grid at Appendix 1 sets out in summary how this system operates, and how these two parts work together, for each main type of provider.
- 4.3 Core (or place-element) funding for Bradford's stand-alone maintained special schools and special school academies, and for PRUs and Alternative Provision (AP) academies, is set at the national annual value of £10,000 for all pre-16 aged placements. The value for post-16 placements in special schools and special school academies is slightly enhanced by the higher value of Element 1 funding in the post-16 national funding formula. Place-element funding is allocated on the agreed number of places commissioned both by Bradford Council and by other local authorities. A Bradford-located institution is allocated place-element funding by Bradford Council for its total number of high needs places, irrespective of where the pupil resides. This place-element funding is allocated to support the institution's core costs (Element 1) and also to contribute to the additional costs associated with meeting the additional needs of the child or young person (Element 2). However, it is not 'pupil specific'. Place-element funding is set before the start of the financial year and isn't withdrawn if an individual place is not occupied. It is up to the institution to decide how best to apportion their total allocated place-element funding across the actual number of places commissioned by the Local Authority. Additional place-element funding, where an institution's number on roll exceeds the number of places during the year, is allocated by Bradford Council. An end of year reconciliation is actioned however, where any additional place-element funding allocated to an institution will be removed if the institution has been allocated too much additional place-element funding when its actual annual composite occupancy is calculated based on the recorded occupancy each month.
- 4.4 Place-element funding for Bradford's School-led resourced provisions, Early Years Enhanced Provisions (EYESPs), and for post-16 placements in Further Education Colleges, operates on the basis set out in paragraph 4.3, but is set at the national annual value of £6,000. The value is not £10,000 because these institutions, unlike special schools and PRUs, already receive mainstream formula funding, which allocates the first part of place-element funding (known as Element 1). To explain then, how place-element funding is split into 2 parts in the national system:
- Element 1: a basic £4,000 for children and young people aged pre-16, which is the notionally defined value of funding that all pupils attract, and which has already been allocated to cover an institution's core costs, either by the Local Authority's pre-16 funding formula or by the Authority's Early Years Single Funding Formula (EYSFF). These formula allocations are derived from either the annual October Census (pre-16 formula) or from 3 termly censuses (EYSFF). For post-16 students, this Element 1 is derived from the national post-16 funding formula and typically is more than £4,000 (notionally defined at £5,600 for the 2023/24 academic year). Element 1 across the post-16 sector is funded with a year's lag in pupil

numbers. The total allocation of Element 1 for the 2024/25 academic year will be based on the number of students recruited in 2023/24.

- Element 2: a further £6,000 for additional needs, which is not already allocated:
  - 1. Within the formula funding received by Bradford's mainstream schools and academies that have School-led resourced provisions where the Local Authority commissions high needs places.
  - 2. Within the formula funding received by Bradford's maintained nursery schools that have resourced provisions where the Local Authority commissions high needs places. £6,000 is the value for 1 FTE place. Therefore, a 15-hour place = 0.6 FTE (£3,600) and a 30-hour place = 1.2 FTE (£7,200).
  - 3. Within the formula funding received by Bradford's Further Education Colleges where the Local Authority commissions high needs places post-16.
- 4.5 The national funding system includes an additional complexity in the calculation of place-element funding for School-led resourced provisions in mainstream primary and secondary schools and academies. As explained above, the value of a place is set at £6,000, where that place was occupied at the time the October Census in the previous year was taken. Where a place is not occupied at this census however, local authorities are required to fund this place at £10,000 in the following year. This is because the school or academy will not receive Element 1 funding specifically for this place in the following financial year via its normal delegated formula funding. Following a similar principle, for maintained nursery schools, an adjustment is made to the funding allocated via the EYSFF to add Element 1 funding for the resourced places that are not occupied in the 3 termly censuses.
- 4.6 Place-element funding for Bradford's Local Authority-led resourced provisions operates on the same basic principles as for School-led provisions, but with a couple of technical differences relating to the fact that the Local Authority retains Element 2 funding, whereas, for School-led provisions, Element 2 funding is retained by the school or academy. These technical differences are highlighted in Appendix 1.
- 4.7 The physical payment by Bradford Council of place-element funding, where this is delegated and where it is the Council's responsibility to pay it (rather than the Education Skills and Funding Agency's responsibility), takes place on a monthly basis and is combined with the monthly payment of top-up funding, which is described further in sections 6, 7 and 8. Bradford Council publishes monthly funding and payment statements for settings to access on <a href="Bradford Schools Online">Bradford Schools Online</a>. For some institutions, such as for academies and for Further Education Colleges, place-element funding is not directly paid by Bradford Council. Instead, the Education Skills and Funding Agency (ESFA) deducts place-element funding from the Council's Dedicated Schools Grant to pay this across to these settings directly.
- 4.8 Apart from when placed in resourced provisions that have been established by the Local Authority, mainstream primary and secondary schools and academies do not receive additional place-element funding for children and young people on roll that have Education Health and Care Plans (EHCPs). The national high needs funding system works on the basis that mainstream primary and secondary schools and academies have sufficient funding already within their delegated formula funding allocations to enable them to meet the additional costs of the SEND needs of their pupils, up to the threshold of £6,000. Local authorities are required to define for each primary and secondary school and academy the value of their formula funding that is 'notionally' allocated for SEND, which is to be used to meet the first £6,000 of needs of pupils with EHCPs, as well as the needs of pupils without EHCPs. The value of each maintained school's notional SEND budget is set out in the annual S251 budget statements that are published by Bradford Council. A separate statement, showing the notional SEND allocations for all maintained primary and secondary schools, as well as for all academies, is published annually on Bradford Schools Online. Please see Appendix 3 for more technical information regarding our current 2023/24 definition of notional SEND. Further discussion on notional SEND for 2024/25 is presented in section 10.
- 4.9 In 2021/22, we amended our separate additional 'SEND Funding Floor' mechanism, which applies to mainstream primary and secondary schools and academies, initially for year in trial pending review. We have continued this new Floor mechanism in 2022/23 and in 2023/24. How the Floor has operated in 2023/24 is explained in more detail in Appendix 3. The SEND Funding Floor is re-calculated on a monthly basis for changes in the numbers of Education Health and Care Plans (EHCPs) on roll. The SEND Funding Floor is

currently aimed at ensuring that no mainstream primary or secondary school or academy will have to manage, from their own mainstream delegated formula funding, an above phase-average cost pressure in respect of their commitment to meet the cost of Element 2 £6,000 for their EHCPs. As well as supporting provision for pupils with EHCPs, a purpose of the Floor is to help protect the funding used by schools and academies to support their wider Additional Educational Needs, SEND and Alternative Provision activities. Further discussion on SEND Floor for 2024/25 is presented in section 11.

- 4.10 For providers delivering the entitlements to early education to 2, 3 and 4 year olds (maintained nursery schools, nursery classes in primary schools and academies, and Private, Voluntary and Independent providers), Bradford Council allocates Element 1 funding using our Early Years Single Funding Formula (EYSFF), which is funded by our Early Years Block within the Dedicated Schools Grant. Element 2 however, is not allocated within the EYSFF. As a consequence, all early years children that have EHCPs, that are not placed in the EYESPs within maintained nursery schools, are allocated Element 2 funding in addition to the top-up funding provided by the EHCP Banded Model. Bradford Council also has in place an Early Years SEND Inclusion Fund (EYIF), funded by the Early Years Block, which enables Element 2 funding to be allocated to support children in early years settings who have low level emerging SEND and who do not have EHCPs. In addition to EYIF, all early years providers of the 3&4-year-old entitlement are entitled to receive a one-off payment for children eligible for the Disability Access Fund (DAF). Further details on the SEND Inclusion Fund (EYIF) and on the Disability Access Fund (DAF) can be found in our Early Years Technical Statement here.
- 4.11 Place-element funding for education in hospital provision, nationally, has still to be brought into the Place-Plus methodology. Currently, local authorities are required to maintain prior-year place funding values. Bradford's hospital provisions closed as separate PRUs on 31 August 2019 and Tracks closed as a separate entity on 31 August 2020. Provision is continuing as a single Local-Authority service. Funding of this centrally managed service now operates outside the Place-Plus mechanism, working within the discrete allocation provided by the DfE within our High Needs Block.
- 4.12 The funding of independent schools has not yet been brought into the national Place-Plus funding system. The basis of funding of placements in these settings, therefore, is not 'formularised'. Placement costs will be influenced by a number of factors, including the needs of the child and the availability of places.
- 4.13 In the DSG settlement for 2023/24, that was announced on 16 December 2022, an additional £400m of High Needs Block funding was allocated to local authorities and an additional DSG Condition of Grant was established by the DfE. The purpose of the Condition was to require local authorities to pass through to Special Schools, Special School Academies, PRUs and Alternative Provision Academies an additional + 3.4% in funding per place in 2023/24. The increase was set at 3.4%, as this is the average additional % increase in funding that mainstream primary and secondary schools and academies have received via the Mainstream Schools Additional Grant (MSAG). The DfE set the methodology that was required to be used, with this being slightly different for special schools than for PRUs / AP Academies. However, the purpose was the same: to allocate an additional 3.4% funding per place, in addition to 'normal' core place and top-up funding. 2023/24 allocations can be viewed on Bradford Schools Online. The 2024/25 DSG Conditions of Grant now require local authorities to pass through this funding to settings at the same funding per place in 2024/25 as they received in 2023/24, calculated on 2023/24 academic year commissioned places. The DfE has provided updated figures for local authorities to use in respect of PRUs / AP Academies. We will comply with the 2024/25 conditions and will discuss the allocation of this additional funding directly with receiving settings, including via the District Achievement Partnership.

### 5. Commissioned High Needs Places in Bradford-located Settings

- 5.1 It is helpful to provide sight of the number of high needs places that are currently being commissioned in specialist settings by Bradford Council and that are planned to be commissioned in 2024/25. It is also helpful to show the distribution of these places across different types of settings. A draft schedule of places is presented in Appendix 4.
- 5.2 Whilst understanding that places commissioning work is still taking place, and that the numbers presented in Appendix 4 for 2024/25 are subject to change, the draft place numbers do take account of:
- The continuation and full year impact of places that have been recently created and that are planned to be created during 2024/25.

- Additional adjustments to individual settings for changes in places capacity that are already confirmed.
- The numbers of post-16 places brought forward from the 2023/24 academic year that will be the starting point for commissioning from the Further Education Colleges for the 2023/24 academic year. The 2024/25 numbers are currently still being discussed and finalised with the Colleges themselves.
- The consolidation and expansion of provision for pupils permanently excluded in alternative provisions.
- The amalgamation of the hospital education and Tracks services within a single Local-Authority managed service, meaning that the places presented in Appendix 4 are now 'notional'.

### 6. Top-Up Funding for EHCPs 2024/25: Pupil-Led Need

- 6.1 Top-up funding (also known as Element 3 or 'Plus' funding) is the funding required by an institution, over and above place-element funding, to enable a child or young person with high needs to participate in education and learning. Top-up funding is expected to reflect the cost of additional support an institution incurs related to the individual needs of the child or young person. In this document this is called 'Pupil-Led Need' and this is discussed further in this section. Top-up funding can also reflect costs (and differences in costs) related to the setting that the child or young person is placed at. In this document this is called 'Setting-Led Need' and this is discussed further in section 7. How top-up funding is allocated to PRUs and to Alternative Provision Academies, for provision for pupils permanently excluded rather than specifically for children and young people with EHCPs, is discussed in section 8.
- 6.2 Across all local authorities, most children and young people receiving high needs top-up funding will have an Education Health and Care Plan (EHCP), resulting from the statutory assessment process. Local authorities do have the flexibility to allocate high needs funding outside the statutory assessment process for children and young people up to the age of 19. An example of this might be where a local authority provides funding from their High Needs Block to support schools, or clusters of schools, to commission alternative provision for pupils that remain on the schools' rolls. With Bradford's Schools Forum, Bradford Council has previously agreed for the High Needs Block in Bradford to 'step back' from supporting the cost of placements for children and young people that are placed by schools (rather than by the Local Authority) in alternative provisions. In these instances, the schools commissioning the alternative provision places (including through the Behaviour Attendance Collaborative in the secondary phase) are expected to meet the placement costs fully using their delegated formula funding allocations. This position is retained for the 2024/25 financial year. How this position may develop for future years, as a result of the changes to the approach to alternative provision funding that are proposed in the DfE's national SEND and AP Review, will be considered more closely as further details are published.
- 6.3 Top-up funding for children and young people with EHCPs is paid by the placing local authority. Bradford Council is responsible for paying the top-up for children and young people with EHCPs that are resident in Bradford and that we place either in Bradford-located settings or elsewhere. Institutions in Bradford should directly recover the top-up for their pupils with EHCPs that are placed with them by other local authorities.
- 6.4 As stated in section 1, we introduced at April 2020 a new Banded Model for the allocation of our top-up funding for EHCPs. This model replaced our previous 'Ranges Model' and significantly uplifted the funding of EHCPs across all settings. The Model continues to include protections, which have ensured (and which will continue to ensure) that no EHCP in place on 1 April 2020 will reduce in value as a result of this funding model change.
- 6.5 We do not propose to make any technical changes to our EHCP Banded Model for the 2024/25 financial year. We propose simply to continue to allocate top-up funding using this existing EHCP Banded Model, uplifting the values that this model allocates. How the Banded Model works, how it is applied currently, and how it is proposed to work and be applied in 2024/25, are set out in more detailed in Appendix 2.
- 6.6 The total value of top-up funding owed to an institution by Bradford Council, calculated using the EHCP Banded Model, will continue in 2024/25 to be calculated and paid as now, on a monthly basis. The calculation will be based on the institution's occupancy recorded on the 10<sup>th</sup> day of each month. Where a child or young person is admitted after the 10<sup>th</sup>, top-up funding begins from the next month. In addition:

- Retrospective adjustments will be made in the subsequent month's calculations for any inaccuracies in
  the data for a single month, or where the position has been estimated due to the most up to date data not
  being available (for example, at September, picking up all changes for the new academic year). How the
  Local Authority publishes EHCP information and then manages data checking, queries and inaccuracies
  that might be identified is explained <a href="here">here</a>.
- Funding for August will repeat the position recorded for July, except for Further Education placements, where August's funding is based on the new academic year's position.
- A ready reckoner will continue to be available, which will help settings predict the impact on top-up funding of movements in pupil numbers / bands on a monthly basis.
- Bradford Council will also continue to publish on Bradford Schools Online monthly funding and payment statements for providers to access. These statements are published <a href="here">here</a>.
- 6.7 The process for placing children and young people with EHCPs into the Banded Model will continue to be led by Bradford Council via the established SEND Panel and using the application and assessment processes this Panel manages. Appeals (or disputes) will be managed by the Panel through its resolution procedure. Information, guidance and documentation on EHCP Panel processes and on SEND assessment is available on Bradford Schools Online here.
- 6.8 The table below shows the actual top-up rates that were funded in 2019/20 (under our previous Ranges Model), in 2020/21 (in the first year of our new Banded Model), in 2021/22, 2022/23 and that are funded now in the current 2023/24 financial year. The table also then shows, in the right-hand column, the rates that are proposed for 2024/25. These rates would be used from 1 April 2024, subject to the outcomes of this consultation and the final affordability check.

	£ Top-up	£ Top-up	£ Top-up	£ Top-up	£ Top-up	£ Top-up
	Value 2019/20	Value 2020/21	Value	Value	Value	Value
			2021/22	2022/23	2023/24	2024/25
Band 3L	£952	£1,670	£1,900	£2,236	£2,318	£2,401
Band 3M	£3,000	£3,347	£3,626	£4,036	£4,136	£4,237
Band 3H	£4,597	£4,974	£5,302	£5,783	£5,900	£6,019
Band 4L	£7,160	£7,747	£8,435	£9,218	£9,411	£9,605
Band 4M	£10,440	£11,296	£12,235	£13,270	£13,524	£13,780
Band 4H	£13,910	£15,051	£16,148	£17,377	£17,678	£17,983
Protected 7	£22,857	£24,732	£26,534	£28,553	£29,048	£29,548

6.9 The table below shows the % uplifts in values between 2020/21 and 2024/25 and, in the right-hand column, the cash uplifts between 2024/25 and 2023/24, as proposed.

	% Increase	£ Increase				
	Top-up	Top-up	Top-up	Top-up	Top-up	Top-up
	2020/21 vs.	2021/22 vs.	2022/23 vs.	2023/24 vs.	2024/25 vs.	2024/25 vs.
	2019/20	2020/21	2021/22	2022/23	2023/24	2023/24
Band 3L	+ 75.4%	+ 13.8%	+ 17.7%	+ 3.7%	+ 3.6%	+ £83
Band 3M	+ 11.6%	+ 8.4%	+ 11.3%	+ 2.5%	+ 2.5%	+ £101
Band 3H	+ 8.2%	+ 6.6%	+ 9.1%	+ 2.0%	+ 2.0%	+ £119
Band 4L	+ 8.2%	+ 8.9%	+ 9.3%	+ 2.1%	+ 2.1%	+ £194
Band 4M	+ 8.2%	+ 8.3%	+ 8.5%	+ 1.9%	+ 1.9%	+ £256
Band 4H	+ 8.2%	+ 7.3%	+ 7.6%	+ 1.7%	+ 1.7%	+ £304
Protected 7	+ 8.2%	+ 7.3%	+ 7.6%	+ 1.7%	+ 1.7%	+ £500

6.10 The table below shows the proposed % uplifts in 2024/25 values on 2023/24 values when Element 2 (£6,000) and Element 1 (£10,000) are included.

	(1) % Increase in	(2) % Increase in	(3) % Increase in
	Top-up Only	Top-up plus	Top-up plus
		£6,000	£10,000
Band 3L	+ 3.6%	+ 1.0%	+ 0.7%
Band 3M	+ 2.5%	+ 1.0%	+ 0.7%
Band 3H	+ 2.0%	+ 1.0%	+ 0.7%
Band 4L	+ 2.1%	+ 1.3%	+ 1.0%
Band 4M	+ 1.9%	+ 1.3%	+ 1.1%
Band 4H	+ 1.7%	+ 1.3%	+ 1.1%
Protected 7	+ 1.7%	+ 1.4%	+ 1.3%

### 6.11 To explain what these tables present:

- The total value of funding that is allocated to support an individual EHCP is derived by adding Element 2
  (at a fixed value of £6,000 per 1 FTE pupil) to the value of the top-up that is allocated through the Banded
  Model.
- The total value of support for each of the three steps in Band 3 (Band 3L, 3M and 3H), when Element 2 £6,000 is added to the top-up value, is proposed to be uplifted by 1.0%. This 1.0% uplift is demonstrated in column (2) in the table in paragraph 6.10.
- The total value of support for the three steps in Band 4 (Band 4L, 4M and 4H), when Element 2 £6,000 is added to the top-up value, is proposed to be uplifted between 1.3% (Band 4L) and 1.4% (Band 4H). These uplifts are demonstrated in column (2) in the table in paragraph 6.10. The uplift of Band 4 values is guided by two additional considerations:

Firstly, the desire to follow as closely as possible the existing ratio between the top-up value allocated by Band 3H versus the value allocated by Band 4L, so that the transition between Band 3 and Band 4, as currently applied following the guiding calculations that our model was originally established on, is retained.

Secondly, that it is important to set the uplifts to Band 4 top-up values with reference to the full £10,000 place-element value, not just to the Element 2 £6,000 value. This is so that we consider the total funding available per occupied place in specialist settings. The vast majority of children and young people with EHCPs assessed at Band 4 are placed in special schools, in special school academies and in resourced provisions. These settings receive £10,000 per occupied place. We propose to uplift the top-up value at the bottom of Band 4, at Band 4L, so that, when this top-up is added to the £10,000 place-element figure, the total value of funding allocated per occupied place increases by 1.0% on 2023/24. This ensures that the total value of funding that is allocated per occupied place at Band 4L increases in line with the 1.0% of the Band 3 Model. The 1.0% uplift per occupied place at Band 4L is demonstrated in column (3) in the table in paragraph 6.10. The calculations within the model, that form the basis of the Band 4 values, then adjust from the Band 4L reference point to provide slightly higher increases at Band 4M and Band 4H.

• We have approached the uplifting values in 2024/25 in the same way as we have since the new model was introduced at April 2020. One of the key features of this approach is adjusting for the lack of movement in the value of Element 2, which remains at £6,000, and the value of the place-element for specialist settings, which remains at £10,000. As a consequence of this lack of movement, the values of the top-ups allocated through the Banded Model must increase by greater percentages in order to achieve the total overall increases in available funding that we propose.

This is the reason why the % increases in top-up, as shown in the table in paragraph 6.10 column (1), are higher. This is also a primary reason why the % increases in top-up in the different steps in the model are not the same; the Element 2 value of £6,000 as a proportion of the total cost of provision decreases as the steps get higher. Therefore, the extent to which the top-up has to compensate for Element 2 not increasing in value also decreases as the steps get higher. Recognising this feature, it would not be appropriate for us simply to provide a blanket % increase in top-up funding across all steps. Column (2) in the table in paragraph 6.10 gives the true real position of the increase in total funding available at each step – Element 2 plus top-up - to support the cost of EHCP provision. Column (3) shows the true real position of the increase in total funding per occupied place in specialist settings.

• The Banded Model retains a transitional 'Protected 7' step, which will continue to fund EHCPs that were graded at Range 7 under the old model in place on 1 April 2020. We have guaranteed that the value of Protected 7 will be uplifted each year by the same % that is applied to Band 4H. The tables above evidence this.

6.12 As we stated in section 2, the annual growth in High Needs Block funding that the Authority has received from the DfE in 2024/25 is reduced on recent years - an estimated increase of £5.20m, which is an increase of 4.5% in cash terms. Our current 2024/25 modelling indicates very clearly that our growth in high needs spending in 2024/25 will substantially exceed our growth in funding. Therefore, within our 2024/25 budget, we must prioritise meeting the substantial additional costs that have come from the recent growth, and continuing growth, in the numbers of EHCPs in Bradford and from the essential continued expansion of high needs specialist places capacity. As a consequence, we need to exercise 'restraint' in how we uplift top-up funding rates, and a proposed 1.0% increase in 2024/25 is reflective of this. We wish to emphasise, as shown in the table in paragraph 6.9, that top-up funding rates have been substantially increased by Bradford Council since April 2020. We would ask that settings view the 1.0% increase in this wider context. 1.0% is greater than the 0.5% increase in the Minimum Funding Guarantee (MFG) that the DfE is providing within the Schools Block (mainstream primary and secondary school and academy) National Funding Formula. 1.0% also delivers a higher than minimum level of increase that is encouraged by the DfE through the Special School Minimum Funding Guarantee.

6.13 We have explained in this section how we propose to approach uplifting the EHCP Banded Model in 2024/25. More details of the Model itself are presented in Appendix 2. As final point, our approach to uplifting values in 2024/25 does not intrinsically adjust the quantity of support that is funded by each step. We have deliberately not sought to alter this, as we wish the Model to continue to work alongside our published SEND provision matrices and SEND Panel guidance. The Banded Model itself essentially simply provides a 'toolbox' for the SEND Panel to use to find the best funding fit for meeting the needs of children and young people with EHCPs. We will keep this Model under review, and we may look to adjust the provision mapping assumptions on which it is based. The DfE's national SEND Review may also (is very likely to) have implications for the workings of our Banded Model at a point in the future - the DfE has stated within its SEND Review documentation, in order to improvement consistency, that work will be done to develop a national banding framework for defining top-up funding. The timescales for this however, are currently unclear.

Question 1 – Do you agree with the approach that is proposed for uplifting the values of the EHCP Banded Model in 2024/25? If not, please can you explain why not.

Question 2 – Do you have any comments (including technical comments) on the EHCP Banded Model you would like the Authority to consider for 2024/25?

### 7. Top-Up Funding for EHCPs 2024/25: Setting-Led Need in Specialist Settings

- 7.1 Top-up funding can be allocated also to reflect costs (and differences in costs) related to the specialist setting that a high needs child or young person with an EHCP is placed at. In this document this is called 'Setting-Led Need'.
- 7.2 Place-element funding is expected to meet a specialist setting's basic core costs. However, our current high needs funding model for specialist settings recognises that there are certain differences in a setting's cost base that are influenced by the features of the setting. Two simple examples are that the setting is small and requires additional funding to meet core costs of a fixed nature, and that the setting operates across a split-site and therefore, has certain duplicated and additional costs.
- 7.3 Appendix 3 sets out in more technical detail the setting-led need factors that are included within Bradford Council's proposed funding approach for 2023/24, and how and where they are applied.
- 7.4 These factors, in summary, are:
- Maintained special schools and special school academies: split sites; post-16 Element 1 enhancement; new services delegation; small setting protection; 3% cash budget protection.

- School-Led Resourced Provisions attached to mainstream primary and secondary schools and academies: small setting protection; 3% cash budget protection.
- Early Years Enhanced Specialist Provisions attached to maintained nursery schools: small setting protection.
- 7.5 For 2024/25, we do not propose to make changes to these factors. All setting-led need factors are proposed to be calculated in 2024/25 using the same formulae and same factor values as used in 2023/24. Please note, therefore, that we are not proposing to uplift the values of these factors in 2024/25.
- 7.6 Setting-Led Need top-up is calculated and re-calculated alongside Pupil-Led Need top-up on a monthly basis following the same timetable set out in paragraph 6.6.

Question 3 – Do you agree with the approach to setting-led need factors in 2024/25 that is proposed? If not, please can you explain why not.

Question 4 – Do you have any comments (including technical comments) on the setting-led need factors you would like the Authority to consider for 2024/25?

### 8. PRUs and Alternative Provision Academies 2024/25 – Day Rate Top-up Funding Model

- 8.1 This section sets out the proposed approach to the continuation of the Authority's calculation of top-up funding to support the cost of provision for pupils permanently excluded and placed by the Authority in Park Aspire and in Bradford Alternative Provision Academy Central (BAPA). The methodology and principles set out here also extend to the Authority's funding of top-up for pupils permanently excluded that may be placed in other provisions, where such extension is appropriate.
- 8.2 Park Aspire and BAPA both receive place-element funding from the High Needs Block, at £10,000 a place, as explained in section 4. These settings then also then receive top-up funding from the Authority for places that are occupied, following the placement of pupils permanently excluded. We introduced at April 2020 a Day Rate Model for the calculation of this top-up. A formulaic basis, such as this, follows the DfE's current expectation that, as top-up funding for alternative provision institutions is not usually related to an assessment of SEND, a standard predictable top-up rate can be set, which reflects the overall budget needed by the institution. This budget should be built up with the understanding that a level of capacity is needed to be retained during the year, recognising that numbers on roll in PRUs and in alternative provision academies can fluctuate.
- 8.3 Using our Day Rate Model, top-up funding is allocated on an agreed £value per day, multiplied by the number of days of provision expected to be delivered weekly / monthly / termly / annually. The total number of annual days is 195. The value of the day rate adjusts according to the PRU's / AP academy's overall occupancy to ensure that a minimum level of funding is allocated to enable the PRU / AP academy to meet fixed costs (largely related to the setting) and to retain sufficient staffing capacity for the Authority to use. The model is informed by annual review, which includes checking actual against expected occupancy. In situations where there are significant differences in occupancy, which are more permanent, the number of places to be commissioned by the Authority will be reviewed for the following year.
- 8.4 We propose to uplift the value of the day rate in 2024/25 in line with the uplifts that are proposed to the Band 4 values allocated by the EHCP Banded Model. The day rate in 2023/24 was £79.13. We propose to uplift this, subject to the warnings given in section 1, to £80.49. This is the 2023/24 rate plus 1.71%, which uses the mean average Band 4 increase proposed for the EHCP Banded Model of 1.85%, but reduced to recognise that the small setting protection factor within the calculation is not uplifted. The calculation of the day rate is set out further in the table below. Together with the fixed £10,000 per place, a 1.71% increase in the day rate results in an overall 1.04% increase in funding per pupil for each occupied place (the total annual per pupil funding in 2024/25 will be £10,000 + (195 days x £80.49) = £25,696 compared with £10,000 + (195 days x £79.13) = £25,430 in 2023/24).
- 8.5 The £80.49 is made up of the following factors and values. These factors are the same as used in 2023/24. All factors but the small setting protection have been uplifted by 1.85%. The small setting protection factor is retained at the 2023/24 value, as is the case for all other parts of high needs formula funding that

include a small setting protection factor, because this factor protects place-element funding and place-element funding is not uplifted in value in 2024/25.

Factor	£Day Rate Value
Main pupil-need led provision	£67.26
Small Setting Protection	£5.55
Business Rates	£2.02
New Services Delegation	£2.45
Pupil Mobility	£3.21
Total	£80.49

8.6 The equivalent annual per pupil value, based on 195 days, is as follows:

Factor	£Day Rate Value
Main pupil-need led provision *	£13,115
Small Setting Protection	£1,082
Business Rates	£394
New Services Delegation	£478
Pupil Mobility	£627
Total	£15,696

<sup>\*</sup> this element is the equivalent of the top-up funding allocated to EHCPs through the Banded Model. This value sits between bands 4L and 4M.

- 8.7 We propose to continue to apply the Day Rate Model, as we applied it in 2023/24, with the calculation of a minimum top-up funding value based on each setting's agreed commissioned places number. In this way, the funding model continues to support both Park Aspire and BAPA to retain their unique capacities to deliver the number of places the Authority plans to commission.
- Where Park Aspire and BAPA are close to full occupancy throughout the year, they will be funded at £80.49 per day per pupil / £15,696 per year per pupil.
- The basic day rate value of £80.49 will be adjusted however, where necessary should occupancy fluctuate, to ensure a minimum level of funding to enable capacity retention, meaning that Park Aspire and BAPA will not receive an annual cash total value of top-up funding lower than:
  - (£1,082 + £394 + £478 + £627) x no. of places (for setting-based costs), plus
  - o 88% of £13,115 x no. of places (for main pupil-led need provision)

8.8 We will continue the following two technical features, which relate to the application 'in year' of the Day Rate Model in 2024/25:

- We will continue to use the 10<sup>th</sup> of the month census to count (and re-count) occupancy, which is the process followed for the re-calculation of Banded Model funding for EHCPs. We will continue to recalculate the funding of Park Aspire and BAPA on a monthly basis as now, taking the 10<sup>th</sup> of the month census as the actual occupancy for that month. We will keep this approach under review for future years. The DfE has signalled, in the national SEND and Alternative Provision Review, that there will be a move towards 'fixed' budgets for PRUs and alternative provision academies, where funding allocations will not be affected by 'in year' occupancy. Whilst we await further details, and the timing of any directed changes, we propose to continue our current arrangements. We would emphasise that we already employ a factor, as explained above, which does guarantee settings a minimum level of top-up funding, based on the number of commissioned places, without reference to actual occupancy during the year.
- We will continue to calculate and profile top-up funding across 12 months. In previous consultations, we
  have indicated that we could be more specific about the number of days delivered and funded each
  month, taking account of the profile of holidays. We indicated that this would be a more significant matter
  to consider if the numbers on roll in the PRU / AP academy are significantly different at different times of
  the year. Again, in the context of the national SEND and Alternative Provision review, it does not make

sense for us now pursue review work, which would take our approach to funding further away from the 'fixed' budget approach that the DfE has proposed for the future.

Question 5 – Do you agree with the Day Rate mechanism that the Authority proposes to use to fund the PRU and Alternative Provision Academy in 2024/25? If not, please can you explain why not.

Question 6 – Do you have any comments (including technical comments) on the proposed Day-Rate mechanism you would like the Authority to consider for 2024/25?

### 9. Continued Replication of the Former Teacher Pay and Teacher Pensions Grants 2024/25

9.1 Since April 2021 we have been required to add into our formula funding arrangements for specialist settings the allocation of the former Teacher Pay Grant (TPG) and the Teacher Pension Grant (TPECG). This change was required, in response to these grants, that are allocated in respect of special schools, special school academies, PRUs, alternative provision academies and mainstream primary and secondary pre-16 provisions, being transferred into the Dedicated Schools Grant (DSG). Please can we emphasise that these grants are not the same as the new pay grant, which has been introduced to support the September 2023 teacher pay award. Please see section 1. These grants have existed since 2019 and were transferred into the DSG for the 2021/22 financial year. They need to be continued within our formula funding arrangements for 2024/25. The new pay grant, however, will continue to be allocated separately from the DSG in 2024/25 and is not included in what is said below.

9.2 We allocated these former TPG and TPECG monies in 2023/24, separately from both place-element and top-up funding, as follows:

- To maintained special schools and special school academies, Park Aspire and BAPA: a minimum fixed value of £733 per place, with place numbers fixed at the original agreed commissioned number for the 2023/24 financial year. These commissioned numbers included the planned expansion of provisions. Where a setting, prior April 2021, received an amount per place that was higher than the minimum value, and where their amount per place, uplifted by 5% in 2021/22 and by 5.8% in 2022/23, was still higher than the minimum £733 for 2023/24, the setting has been allocated their uplifted pre-April 2021 amount per place. This 'protection' was applied to 4 of 10 settings. Payment has been split so that 5/12ths of the annual value was paid in a lump sum in April 2023 and 7/12ths was paid in a lump sum in September 2023.
- To school-led resourced provisions and Early Years Enhanced Specialist Provisions: based on place numbers fixed at the original agreed commissioned number for the 2023/24 financial year, a fixed value of £733 per place, where a place was not occupied in the October 2022 Census, and either a value of £548 (primary) or £460 (secondary) where a place was occupied in the October 2022 Census. The values of £548 (primary) and £460 (secondary) were derived from the differences between the £733 and the value of TPG and TPECG monies that have been transferred to be allocated already through the mainstream primary and secondary funding formula. All places in the EYESPs were recorded as unoccupied for the purposes of this calculation. Commissioned places numbers for all resourced provisions included planned expansion during 2023/24. Payment has been split so that 5/12ths of the annual value was paid in a lump sum in April 2023 and 7/12ths was paid in a lump sum in September 2023.

9.3 We propose to continue to allocate these former grant monies in 2024/25 following the same approach as we used in 2023/24, and using the same values, as follows:

- Funding will be calculated and fixed on the original agreed commissioned places number for each setting for the 2024/25 financial year, with these numbers incorporating the planned expansion of provisions. This funding will not be adjusted for over or under occupancy during the year.
- The basic rate of funding per place for 2024/25 is proposed to be retained at £733.
- The protection of pre-April 2021 per place funding values for individual special schools, special school academies and PRUs / Alternative Provision academies, will continue to be applied, as this was in 2023/24. We expect this to continue for 4 out of 10 settings, where these settings will be allocated the greater of £733 or their 2023/24 protected per place value.

- School-led resourced provisions will continue to be allocated a fixed value of £733 per place, where a
  place was not occupied in the October 2023 Census, and either a value of £548 (primary) or £460
  (secondary) where a place was occupied in the October 2023 Census.
- All places in the EYESPs will continue to be recorded as unoccupied for the purposes of the resourced provision calculation.
- Payment will be split so that 5/12ths of the annual value will be paid in a lump sum in April 2024 and 7/12ths will be paid in a lump sum in September 2024.

Question 7 – Do you agree with the methodology that the Authority proposes to use to allocate the Teacher Pay Grant and Teacher Pensions Grant in 2024/25? If not, please can you explain why not.

### 10. Notional SEND Budget Definition for Mainstream Primary & Secondary 2024/25

10.1 We propose to slightly amend our definition of Notional SEND budgets within mainstream primary and secondary school and academy formula funding allocations in 2024/25. This follows, and is in keeping with, the amendments that were made in 2023/24 and the explanation that we gave in our consultation this time last year, that we will continue to review and to incrementally amend our definition in the run up to the establishment of the hard National Funding Formula.

10.2 Local authorities are required to define for each primary and secondary school and academy the value of its mainstream formula funding that is 'notionally' allocated for Special Educational Needs and Disabilities (SEND) - for meeting the first £6,000 of the cost of the additional needs both of pupils with EHCPs and also of pupils without EHCPs. This not additional funding, but a definition of how much funding, that is already allocated, is available to support SEND. How Bradford now defines notional SEND (the %s of funding within each formula factor that make up this budget) is shown in the table below. We have also explained our current Notional SEND budget approach in Appendix 3. This reflects the amendments that we made to our definition in 2023/24, where we adjusted the %s as well as brought a % of Minimum Level of Funding (MFL) top-up into our definition for the first time. These changes were aimed at improving the fairness of our definition and bringing our definition closer into line with other similar authorities, which is felt to be especially important in the run up to the implementation of the hard National Funding Formula, where the DfE has stated that a consistent national SEND budget definition will be established.

10.3 The Section 251 Budget Statements for maintained schools, and the General Annual Grant (GAG) Statements for academies, show the calculation of Notional SEND budgets for individual schools / academies. We also publish on Bradford Schools Online, annually in February, the calculation of Notional SEND budgets for all primary and secondary schools and academies in Bradford for the following financial year.

10.4 Highlighting that there is still currently quite a bit of difference in how local authorities define Notional SEND budgets for schools and academies in their areas, and seeking to encourage movement towards greater consistency prior to the establishment of the hard National Funding Formula, the DfE has recently updated its published guidance. Authorities continue in 2024/25 to have flexibility to define their own Notional SEND budgets. However, the DfE has asked that authorities in particular review the sufficiency of these budgets and has stated that the DfE may intervene (to require authorities to amend their definitions for the purpose of increasing Notional SEND budgets) where these budgets are assessed to be too low. The DfE also strongly encourages authorities to look at how their definitions compare with other authorities. It is in this context that we have conducted further review of our definition and propose incremental amendments for 2024/25. We have updated our benchmarking based on 2023/24 data, looking at national median averages, but also looking at the median average of the 50 most similar High Needs Block funded local authorities. This benchmarking indicates that there has been some upward movement in these averages between 2022/23 and 2023/24 and that we should incrementally adjust our definition in response.

10.5 It is important to explain that, irrespective of whether we use the existing or amended definition, the overall total value of Notional SEND budgets is expected to increase in 2024/25, due to pupil numbers, other changes, including the merger of the Mainstream Schools Additional Grant, as well as due to the 2024/25 funding settlement. Irrespective of changes to the definition, individual schools and academies will see

differences (both up and down) due to pupil numbers and pupil circumstances changes (differences between the October 2023 and the October 2022 Censuses).

10.6 We propose to slightly adjust our definition as follows:

### Current 2023/24

Formula Factor	% Primary	% Secondary
Prior Low Attainment Factor	100%	100%
Free School Meals Factor	25.0%	25.0%
Income Deprivation Affecting Children Index (IDACI) Factor	25.0%	25.0%
Base £APP funding (AWPU)	6.5%	4.0%
Minimum Level of Funding top-up (MFL)	48.0%	48.0%

#### Adjusted 2024/25

Formula Factor	% Primary	% Secondary
Prior Low Attainment Factor	100%	100%
Free School Meals Factor	27.0%	27.0%
Income Deprivation Affecting Children Index (IDACI) Factor	27.0%	27.0%
Base £APP funding (AWPU)	6.25%	4.0%
Minimum Level of Funding top-up (MFL)	48.0%	48.0%

- 10.7 Illustrative modelling, showing the impact of these amendments on the Notional SEND budgets of individual schools and academies, is presented at Appendix 5. Please note that Appendix 5 does not show what confirmed final 2024/25 Notional SEND budgets will be. In particular, these final budgets, which will be published in February 2024, will be influenced by the changes in data that are recorded in the October 2023 Census.
- 10.8 We will continue to annually review our Notional SEND definition in the lead up to the hard National Funding Formula, including in response to any further prescription from the DfE, and may consult on further incremental changes.
- 10.9 Please note that we intend to continue to add to Notional SEND budgets 6.0% of a mainstream school's or academy's allocation from the Early Years Single Funding Formula, for mainstream primary schools and academies that have early years entitlement provision.
- 10.10 Finally, we wish to highlight that our separate consultation on Schools Block formula funding also discusses this change in Notional SEND budget definition in 2024/25. What is said in the two consultation documents is the same. All primary and secondary schools and academies are strongly encouraged to access this consultation.

Question 8 - Do you agree with the proposal to adjust our definition of Notional SEND within mainstream primary and secondary formula funding? If not, please explain the reasons why not.

### 11. The SEND Funding Floor Mechanism for Mainstream Primary & Secondary in 2024/25

- 11.1 Our SEND Funding Floor is an additional targeted SEND funding mechanism. How this mechanism works currently is explained in Appendix 3.
- 11.2 Our EHCP Banded Model (and the national high needs funding system) works on the basis that mainstream primary and secondary schools and academies are required to contribute £6,000 (Element 2) from their already delegated formula funding derived budgets to the cost of support for pupils with EHCPs on their rolls. Mainstream schools and academies must also use these delegated budgets to support the wider SEND and alternative provision needs of all their pupils on roll. Targeted SEND funding mechanism are intended / permitted to be used where a school's or an academy's level of SEND is 'disproportionate' (compared with other schools and academies) and where their already delegated formula funding is evidenced to be insufficient to meet their additional costs. The DfE's guidance states that, "Local authorities

should have a formula or other method, based on their experience of distributing additional funding to their maintained schools and academies...In all cases, the distribution methodology should be simple and transparent, and devised so that additional funds are targeted only to a minority of schools which have particular challenges because of their disproportionate number of pupils with SEND or high needs, or their characteristics."

11.3 When we initially introduced the current version of our Floor, at April 2021, we stated that this was for a year in trial, pending further review. We decided to continue this Floor in 2022/23, unchanged. In deciding to continue the Floor in 2023/24, as we set out in our consultation this time last year, we adjusted the eligibility trigger with the aim of incrementally controlling growth in cost and seeking to keep the scope of the mechanism as originally intended (including trying not to move further away from the DfE's 2023/24 guidance of funding "a minority of schools with particular challenges"). Whilst we consulted on increasing this to rounded + 3%, ultimately, in 2023/24 we increased the phase averages that are used in the calculation of 'part B' from rounded + 1% to rounded + 2%.

11.4 In our consultation documents, that have been published in the last 3 years, we have discussed the increased financial pressure on mainstream school and academy delegated budgets, as the numbers of pupils in Bradford with SEND (and EHCPs) that are educated in mainstream settings continues to grow. We have also discussed additional targeted funding mechanisms to support this pressure, in the context the DfE's national SEND Review, which we anticipate will further prescribe how such mechanisms operate in the future. As stated in section 1, the DfE's national Review focuses very strongly on supporting the inclusion of children and young people with additional needs in mainstream settings, and on universal provision / early intervention to support their needs. The Review aims to reduce the use of / reliance on Education Health and Care Plans (EHCPs), as well and on specialist places (when needs can be appropriately met in mainstream). In driving this, and in seeking greater consistency, there will be clearer guidance on what settings must do (what responsibilities they have within universal provision) and when and in what circumstances to use the EHCP and alternative provision routes of support. This review work is likely to have implications for the continuation of our SEND Funding Floor. Certainly, in the context of the national SEND Review, we should begin to consider the fact that our SEND Funding Floor calculates additional funding with reference to the number of EHCPs a school / academy has on roll. Whilst this is valid, as the outcomes of the SEND Review are implemented (with a movement away from a reliance on EHCPs), using a school's / academy's number of EHCPs to allocate additional targeted SEND funding will need review. It can also be argued that some 'perverse incentive' (and some movement in the opposite direction to reducing reliance on EHCPs) is present, where we use the number of EHCPs to assess the need for additional Floor Funding. However, whilst we do wish to look at these aspects more closely, we do not propose to amend the basis for the calculation of our SEND Funding Floor in 2024/25 being the number of EHCPs on roll.

11.5 We propose to continue to use our SEND Funding Floor mechanism in 2024/25, as described in Appendix 3, again for a further year and pending further review. Depending on the estimated cost of the Funding Floor, which will be calculated in February 2024 using data that will only be available at that this time, we are minded to uplift the trigger from rounded + 2% to rounded + 3%, in line with how we consulted this time last year.

### 11.6 We would like to emphasise that:

- The 2 elements of the 'part B' in the calculation (as explained in Appendix 3) will be updated for 2024/25 formula funding allocations and also for updated median phase spending averages. These will both be confirmed and fixed in February 2024.
- We will continue to protect the previous SEND Funding Floor allocations (allocations that were received in 2020/21) for the specific identified and named small primary schools and academies, as we have done for the current 2023/24 financial year.
- The SEND Funding Floor will continue not to apply to early years providers. This is because Element 2 funding is allocated in addition to top-up funding for children with EHCPs in early years settings. There is, therefore, no additional pressure placed on early years providers in respect specifically of having to fund £6,000 to contribute to the cost of an EHCP.
- The SEND Floor also will continue not apply to post-16 EHCPs (and Further Education high needs provision). This is because Element 2 funding is already allocated on an agreed lagged basis.

• Further review, incorporating the implications of the DfE's national Review, will determine the position of the SEND Funding Floor after 2024/25. We are only proposing at this stage to extend our existing arrangement for a further financial year.

Question 9 – Do you agree with the continuation of our SEND Funding Floor mechanism in 2024/25, as proposed? If not, please can you explain why not.

Question 10 – Do you have any comments (including technical comments) on the SEND Funding Floor mechanism you would like the Authority to consider?

Question 11 - Are there any changes that you would wish to see made to the funding models in 2024/25 that have not been proposed? Please give details.

Question 12 – Do you have any other comments on the funding model or the proposals that you have not recorded elsewhere?

### 12. Consultation Responses

- 12.1 If you wish to discuss these proposals in more detail, or have any questions for clarification, before you submit a response, please contact Dawn Haigh using the contact details shown in section 1.
- 12.2 A response form is included at Appendix 6. However, this year we have introduced a web-based questionnaire, which we encourage you to use to submit your response. Please access the web-based questionnaire here.
- 12.3 Please ensure that your response is submitted (either using the Appendix 6 form or by using the webbased questionnaire) by the deadline of **Tuesday 28 November 2023.** Any responses received after this date may not be included in the analysis that will be presented to the Schools Forum.

### 13. Next Steps

- 13.1 Following consideration of the responses to this consultation, and of the final formal view of the Schools Forum, our high needs funding approach will be agreed by Council in February 2024.
- 13.2 It is anticipated that the Schools Forum will give the Authority its final formal view on 2024/25 arrangements on Wednesday 10 January 2024.
- 13.3 Discussions on the Dedicated Schools Grant funding position, high needs funding matters for 2024/25, and the development and sufficiency of specialist places, will continue with the Schools Forum between now and January 2024. You are recommended to keep in touch with these discussions by visiting the Schools Forum webpage on the Council's Minutes site <a href="https://example.com/heres/beta/4024/25/">heres/beta/4024/25/</a>

### 14. Equalities Impact Assessment

- 14.1 The Public Sector Equality Duty (PSED) of the Equality Act 2010 requires the Local Authority to give due regard to achieving the following objectives in exercising its functions:
  - Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 14.2 We assess that our high needs funding proposals for 2024/25 will have a positive impact on equalities. We have considered the impact on persons who share any of the protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex,

sexual orientation. We have focused on the protected characteristics for which the potential impact is largest, and which are most closely tied to the formula funding proposals we put forward.

- 14.3 The arrangements that the Local Authority proposes in this consultation for the 2024/25 financial year retain a significant amount of continuity on current practice, Dedicated Schools Grant High Needs Block distribution and formula funding policy and methodology. As such, our equalities impact assessment of our guiding High Needs Block formula funding policy for 2024/25 is neutral (representing no change on current positive practice).
- 14.4 The Authority proposes the continued application of the EHCP Banded Model, which was first introduced at April 2020. The impact of this model, on the funding of schools, academies and on other providers for all children and young people with EHCPs, is assessed to continue to be entirely positive. The Banded Model, as explained in Appendix 2, continues to improve the way schools and providers in Bradford are funded for children and young people with SEND with EHCPs. Although it cannot be evidenced at this stage that our change in funding model at April 2020 has directly advanced equality of opportunity for children and young people that share a protected characteristic, it is expected that this model will support this.
- 14.5 The Authority proposes to further uplift in 2024/25 the values of top-up funding allocated by the EHCP Banded Model and by the Day Rate Model, as set out in section 6. This means that the funding of all high needs children and young people, who are supported by these models, will increase on current values. A minimum 1.0% increase in all top-up funding rates (when place-element / Element 2 funding is included) is greater than the floor increase of 0.5% that the DfE has funded for mainstream schools and academies through the Schools Block settlement. Under our proposals, the funding received by special schools and special school academies will exceed the requirements of the DfE's Minimum Funding Guarantee. The proposed uplifts in 2024/25 should also be viewed in the context of the very significant increases that were applied to these models in 2020/21, 2021/22 and 2022/23. The uplifts should also be viewed in the context of the Authority's prioritisation of the £5.20m increase in High Needs Block funding in 2024/25, towards the further expansion of specialist places capacity (securing appropriate provision for high needs pupils) and of meeting the cost of the growth in the numbers of children and young people in Bradford with EHCPs via the allocation of additional top-up funding.
- 14.6 The Authority proposes to continue, unchanged, the additional setting-led needs factors for specialist settings and the additional separate former Teacher Pay and Pensions Grant funding. This represents no change on current positive practice.
- 14.7 We assess that incrementally amending our definition of Notional SEND budgets within mainstream primary and secondary formula funding allocations (section 10), as encouraged by the DfE and to bring us more in line with the common national picture in the lead up to the hard National Funding Formula, continues to support schools and academies to make effective provision for pupils with additional educational needs and with Special Educational Needs and Disabilities. It is important to stress that an adjustment of the Notional SEND definition does not materially change the value of formula funding that an individual school or academy receives.
- 14.8 The Authority proposes to continue the amended SEND Funding Floor mechanism. This Floor represents a substantial SEND funding support mechanism for the mainstream sector. As well as continuing to support provision for pupils with EHCPs, this approach will continue to protect the funding used by mainstream schools and academies to support their wider Additional Educational Needs (AEN), SEND and Alternative Provision (AP) activities. The Floor financially supports mainstream schools and academies that have higher proportions of pupils with EHCPs, in support of inclusion, combining also to support schools and academies that may have lower levels of AEN formula funding and that may be smaller in size. It supports schools and academies that may have some turbulence in formula funding as a result of in year pupil numbers changes. The impact of the Floor is assessed to continue to be positive. With the substantial growth in the number of pupils with EHCPs in mainstream settings, in addition to the Floor, more high needs funding is already being allocated (and will continue to be allocated) to the mainstream sector in support of high needs pupils, in the form of additional top-up funding.

### 15. Appendices

Appendix 1	Summary of the Place-Plus system and how this works for different providers
Appendix 2	Banded Model for Pupil-Led Need Top-up Funding
Appendix 3	Technical Annex 2023/24 Approach (including Setting-Led Need factors)
Appendix 4	Draft Planned Commissioned Places 2024/25 (Bradford-located settings)
Appendix 5	Notional SEND Modelling (presented in a separate file)
Annendix 6	Consultation Responses Form

### Appendix 1 – High level Summary of Place-Plus and how this works for different providers in Bradford

	Pre-16	Pre-16	Post-16	Post-16		
Type of Provision	Place (Core) Funding	Top-Up Funding (Pupil-Led Need)	Place Funding	Top-Up Funding (Pupil-Led Need)	Setting-Led Need Factors	Additional Support Measures
Mainstream primary & secondary (maintained schools, academies and free schools)	Element 1 is included within the per-pupil funding allocated through the local school funding formula (NFF-based).  Element 2 - the first £6,000 of additional support cost – is also already delegated with the school's formula funding allocation.  Notional SEND defines the value of funding already allocated (see section 10).	Agreed per-pupil top- up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for starters and leavers.  Uses the Banded Model (see appendix 2).  The top-up funding is allocated to and retained by the school.	Element 1 (based on the 16-19 national funding formula) plus Element 2 (£6,000) based on the number of places to be commissioned.	Agreed per-pupil top-up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for starters and leavers.  Uses the Banded Model (see appendix 2).  The top-up funding is allocated to and retained by the school.	None.	SEND Funding Floor supports Element 2 cost in pre-16 provisions (see section 11).
Mainstream early years (nursery schools, classes and PVI providers)	Element 1 is included within the per-pupil funding allocated through the local EYSFF.  Early Years SEND Inclusion Grant allocates Element 2 (£6,000) for eligible low level emerging	Agreed per-pupil top- up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for starters and leavers.	n/a	n/a	None.	Early Years SEND Inclusion Grant (EYIF).  DAF Grant.

E al	SEND (non-EHCP) as agreed by Panel. Element 2 is allocated to early rears EHCPs in addition to top-up.	Uses the Banded Model (see appendix 2).  The top-up funding is allocated to and retained by the school or provider.				
Resourced Provisions (mainstream primary & secondary)  the figure of the	Elements 1 & 2 are allocated through a combination of perpupil funding allocated through the local school's anding formula plus 26,000 per place for places occupied by pupils on roll in a cotober in the previous year and 210,000 per place for the remainder of places agreed to be commissioned.  Additional place-unding is allocated in real time where accupancy is exceeded, with an end of year econciliation to ensure no overall prepayment of additional place-led anding for the actual total composite accupancy across	Agreed per-pupil top- up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for starters and leavers.  Uses the Banded Model (see appendix 2).  The top-up funding is allocated to and retained by the school.	Element 1 (based on the 16-19 national funding formula) plus Element 2 (£6,000) based on the number of places to be commissioned.  Both Elements 1 and 2 are retained by the school.	Agreed per-pupil top-up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for starters and leavers.  Uses the Banded Model (see appendix 2).  The top-up funding is allocated to and retained by the school.	Small Setting Protection.  3% Cash Budget Protection.  See appendix 3.	Teacher Pay and Teacher Pensions Grants

Local Authority-led Sensory Need Resourced Provisions (mainstream primary & secondary).	the year.  Both Elements 1 and 2 are retained by the school.  Element 1 is set at a minimum of £4,000 per agreed place.  Elements 1 & 2 are allocated through a combination of perpupil funding allocated through the local school's funding formula plus £6,000 per place for those occupied by pupils on roll in October in the previous year and £10,000 per place for the remainder of places agreed to be commissioned.  The host school retains Element 1, set at a minimum of £4,000 per agreed place.  Element 2 funding is retained by Bradford Council. This	Agreed per-pupil top-up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for starters and leavers.  Uses the Banded Model (see appendix 2).  The top-up funding is retained by Bradford Council.	Element 1 (based on the 16-19 national funding formula) plus Element 2 (£6,000) based on the number of places to be commissioned.  The host school retains Element 1.  Element 2 funding is retained by Bradford Council. This currently requires host schools to repay Element 2 back to the Council.	Agreed per-pupil top-up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for starters and leavers.  Uses the Banded Model (see appendix 2).  The top-up funding is retained by Bradford Council.	Small Setting Protection.  New Services Delegation.  See appendix 3.	Teacher Pay and Teacher Pensions Grants
	retained by Bradford					

	Additional place- funding is allocated in real time where occupancy is exceeded, with an end of year reconciliation to ensure no overall overpayment of additional place-led funding for the actual total composite occupancy across the year.					
Local Authority-led Resourced Provisions (mainstream primary & secondary).	Element 1 is allocated through a combination of perpupil funding allocated through the local school's funding formula plus £4,000 (or the higher MFL value) for places agreed to be commissioned but not occupied by pupils on roll in October in the previous year.  The host school retains Element 1, set at a minimum of £4,000 (or the higher MFL value) per agreed place.  Element 2 funding is	Agreed per-pupil top- up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for starters and leavers.  Uses the Banded Model (see appendix 2).  The top-up funding is retained by Bradford Council.	Element 1 (based on the 16-19 national funding formula) plus Element 2 (£6,000) based on the number of places to be commissioned.  The host school retains Element 1.  Element 2 funding is retained by Bradford Council.	Agreed per-pupil top-up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for starters and leavers.  Uses the Banded Model (see appendix 2).  The top-up funding is retained by Bradford Council.	Small Setting Protection.  New Services Delegation.  See appendix 3.	Teacher Pay and Teacher Pensions Grants

	calculated at £6,000 per commissioned place and is retained by Bradford Council.					
Early Years Enhanced Specialist Provisions (maintained nursery schools)	Elements 1 & 2 are allocated through a combination of perpupil funding allocated through the local EYSFF plus £6,000 per FTE commissioned place.  Both Elements 1 and 2 are retained by the school.  Additional Element 1 funding is paid using EYSFF rates for any FTE places not occupied in the EYSFF termly censuses.  Additional placefunding is allocated in real time where occupancy is exceeded, with an end of year reconciliation to ensure no overall overpayment of additional place-led funding for the actual total composite	Agreed per-pupil top- up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for starters and leavers.  Uses the Banded Model (see appendix 2). All EYESP places funded at a minimum Band 4L (assessment places).  The top-up funding is allocated to and retained by the school.	n/a	n/a	Small Setting Protection.  See appendix 3.	Teacher Pay and Teacher Pensions Grants

	occupancy across the year.					
Maintained Special Schools & Special School Academies	Elements 1 and 2 are combined in a fixed £10,000 per place, based on an agreed number of places to be commissioned. Additional placefunding is allocated in real time where occupancy is exceeded, with an end of year reconciliation to ensure no overall overpayment of additional place-led funding for the actual total composite occupancy across the year.  Retained by the school.	Agreed per-pupil top- up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for starters and leavers.  Uses the Banded Model (see appendix 2).  The top-up funding is allocated to and retained by the school.	£10,000 per place based on an agreed number of places.  Additional place-funding is allocated in real time where occupancy is exceeded, with an end of year reconciliation to ensure no overall overpayment of additional place-led funding for actual total composite occupancy across the year.  Retained by the school.	Uses the Banded Model (see appendix 2).	Split Sites.  Post 16 Element 1 enhancement.  New Services Delegation.  Small Setting Protection.  3% Cash Budget Protection.  See appendix 3.	Teacher Pay and Teacher Pensions Grants.  Additional "3.4% Place-Element" Funding required by DfE (DSG Conditions of Grant).
PRUs & AP Academies (funding provision for pupils permanently excluded).	Elements 1 and 2 are combined in a fixed £10,000 per place, based on an agreed number of places to be commissioned.  Retained by the PRU / AP Academy.  Additional place-	Agreed per-pupil top- up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for starters and leavers.  Uses the Day Rate Model (see section 8)	n/a	n/a	No specific additional factors – setting-led need costs are to be covered within the calculation of the Day Rate.	Teacher Pay and Teacher Pensions Grants.  Additional "3.4% Place-Element" Funding required by DfE (DSG Conditions of Grant).

	funding is allocated in real time where occupancy is exceeded, with an end of year reconciliation to ensure no overall overpayment of additional place-led funding for the actual total composite occupancy across the year.	The top-up funding is allocated to and retained by the PRU / AP Academy.				
Hospital Education, Tracks and Medical Home Tuition.	The funding of the centrally managed services operates outside the Place-Plus mechanism, working within the discrete allocation provided for this service within our HNB. This will be subject to annual review to incorporate any changes in the DfE's funding methodology and requirements.	n/a	n/a	n/a	None.	Teacher Pay and Teacher Pensions Grants
Further Education Institutions, special institutions and ILPs (post 16)	n/a	n/a	Element 1 (based on the 16-19 national funding formula) plus Element 2 (£6,000) based on the number of places to be funded.	Agreed per-pupil top-up paid by the commissioning local authority.  Allocated in 'real time' during the year. Changes for	None.	None.

			Additional place- funding (element 2 only) can be allocated in year where occupancy exceeds agreed places, with an end of year reconciliation to ensure no overall overpayment.  Both Elements 1 and 2 are retained by the institution.	starters and leavers.  Uses the Banded Model (see appendix 2).  Typically, values are funded at 60% for most placements (adjusted for the additional 40 hours). Higher cost placements (low incidence high need) are typically funded on an actual cost basis.		
Independent Schools	The place funding system doesn't operate in independent schools.	Agreed per-pupil top- up paid by the commissioning local authority.	The place funding system doesn't operate in independent schools.	Agreed per-pupil top-up paid by the commissioning local authority.	None.	

### Appendix 2

### The EHCP Banded Model for Funding Pupil-Led Need Top-up 2024/25

### 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. Top-up funding is expected to reflect the cost of additional support an institution incurs related to the individual needs of the child or young person.
- 1.2 As with many authorities, Bradford allocates top-up funding using a band model. This model is used to assign Education Health and Care Plans (EHCPs) into bands of need for funding purposes. Each band has an applicable level of funding and every EHCP assigned to a band is allocated a set value of funding.
- 1.3 At April 2020, for the 2020/21 financial year, we introduced a new Banded Model. This model replaced our previous 'Ranges Model' and quite significantly uplifted the funding of EHCPs in all settings. This model includes protections, which have ensured, and will continue to ensure, that no EHCP in place on 1 April 2020 reduces in value as a result of funding model change. We substantially uplifted the values allocated by the Banded Model in 2021/22, and uplifted again in 2022/23, and in 2023/24 as set out in our consultation published this time last year.
- 1.4 A band system is more responsive to the needs of an individual child or young person than a blanket lump sum style approach but is not quite as sensitive as an approach where the cost of the needs of a child or young person is calculated on an exact basis. Blanket, band, and individually costed systems all have pros and cons. The main positive features of band models, and of our Banded Model, are that these help promote consistency and transparency, reduce complication, support the quick assessment and release of funds, whilst also enabling the SEND Panel to find a 'close fit' for funding the needs of an individual child or young person with an EHCP.
- 1.5 In continuing to use our Banded Model in 2024/25, the Council's intention is still to retain a uniform framework for calculating top-up funding for EHCPs. The Council's expectation continues to be that this framework will enable a close fit to be found for the funding of the vast majority of EHCPs and will ensure consistency of approach in the funding of high needs across mainstream and specialist settings both pre and post 16. It is accepted that there will be a small number of children or young people that will sit outside this banded framework, most of whom will be placed in specialist independent provisions.
- 1.6 We are not proposing technical changes to our Banded Model in 2024/25. We do propose however, to uplift the rates of top-up funding that this model allocates. Please see section 6 for explanation of the uplifted values that are proposed. Below is a summary of how the Banded Model operates.

### The Banded Model 2024/25

- 2.1 The Banded Model uses at its base the <u>Bradford Matrix of Need</u>, which outlines waves of intervention:
- Band 1 (Quality First Teaching)
- Band 2 (SEND Support)
- Band 3 (EHCP) typically mainstream this is the band at which Element 3 EHCP funding begins
- Band 4 (EHCP Plus) typically specialist provision

This Matrix identifies the responsibilities of schools and providers in their use of already delegated funds in meeting the cost of support up to Band 3. It then identifies the point at which top-up funding will begin in our model, which is EHCP Band 3.

2.2 The Banded Model has 6 bands and 6 funding steps, with values for 1 April 2024 proposed as set out in the table below (subject to the warnings given in section 1). This table shows the proposed value of top-up by band and the value of Element 2 contributions, which schools and providers will 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 / 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 a value of £6,000 per 1 FTE, to the cost of the additional needs set out in the EHCP. For EHCPs for 2, 3 and 4 year olds (in pre-reception) in mainstream not specialist provision, that are only funded through the Early Years Single Funding Formula (EYSFF), because the EYSFF does not allocate Element 2 funding, Element 2 is allocated on an FTE basis in addition to the top-up value for these EHCPs until these children enter reception year. This addition does not apply to early years children that are placed in special schools or in resourced provisions as these provisions are funded on a place-led basis, which includes Element 2.

	Proposed Indicative Top-up Value at April 2024	Element 2 Value FTE the school / provider adds	Total Value of Funding to support the EHCP
Band 3 Low (3L)	£2,401	£6,000	£8,401
Band 3 Medium (3M)	£4,237	£6,000	£10,237
Band 3 High (3H)	£6,019	£6,000	£12,019
Band 4 Low (4L)	£9,605	£6,000	£15,605
Band 4 Medium (4M)	£13,780	£6,000	£19,780
Band 4 High (4H)	£17,983	£6,000	£23,983
Protected 7	£29,548	£6,000	£35,548

The 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 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 for the SEND Panel to use to determine the volume and type of support required to 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.

The Band 3 values are calculated on assumptions on additional 'support assistant' time (where bespoke means 1:1 and group time is in groups of 1:3). The cost per hour assumption within the indicative

2024/25 financial year model, on a term time only basis and incorporating assumptions about on-costs, is £17.12. This represents a 1.00% increase on the £16.95 that was used in the 2023/24 model.

The Band 4 values are calculated on assumptions on both support assistant time (where bespoke means 1:1 and group time is in groups of 1:2) and teacher time in group sizes of 1:12, 1:8 and 1:6. The cost per hour assumption for support assistant time within the indicative 2024/25 financial year model is £17.12 as in Band 3. The indicative cost per hour assumption for teacher time in the model is £50.30. This represents a 1.8% increase on the £49.42 that was used in the 2023/24 model.

2.4 Each EHCP will be funded at the band value that provides the closest fit for meeting the cost of the needs of the child or young person. In the 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 It is helpful to continue to highlight the main differences between our current Banded Model and our previous Ranges Model that was used up to 31 March 2020:

- The Banded Model does not have a 7<sup>th</sup> step (the equivalent of the previous Range 7). It is expected that stacking will deliver a level of support higher than the single band 4H, where this is necessary. Specific transition arrangements are in place for Range 7 EHCPs that existed at 1 April 2020.
- The Panel can 'stack' values (meaning an EHCP can be allocated more than one value) in order to find a close fit.
- The Banded Model does not use primary need as a marker for the placement of an EHCP into a band. Placement is based on assessed level of need.
- Whereas the previous Ranges Model defined need in terms of 1:1 hours of support, the Banded Model uses a provision mapping approach and a combination of bespoke time and time in smaller groups.
- The values allocated by the Banded Model are significantly increased on those allocated by the Ranges Model. These increases are the result of two main adjustments between 2020 and 2023; a) refreshing the assumptions about the salaries of support assistants and teachers; b) allowing the top-up model to compensate for the fixed £6,000 Element 2. Please see section 6 for explanation of this.
- The Banded Model works alongside a clarified / amended approach to the sharing of the cost of specialist equipment.
- 2.6 To highlight how the Banded Model continues to be the same or similar to the previous Ranges Model:
- Decisions on the application of the Banded Model which of the 6 bands an EHCP is placed in and whether an EHCP is given more than one band value - continue to be taken by Bradford Council's SEND Panel with reference to the evidence submitted through the EHCP assessment process.
   Appeals and disputes also continue to be resolved through the Panel process.

- In all steps within the model, the school / 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 a value of £6,000 to the cost of additional needs.
- The bottom 'threshold' for the 1<sup>st</sup> step of Band 3 (3 Low) is the same as the Ranges Model. The Banded Model itself has not changed the threshold at which EHCP funding can initiate nor has it changed the points of access to an EHCP. It simply has changed the options that are available to the SEND Panel to use to ensure that an EHCP is appropriately and accurately funded.
- 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. Due to the specific support needs of these students in Further Education, and the diverse nature of their curriculum choices, it is not possible to formularise this funding element. This approach is continued in the application Banded Model in 2024/25, adjusted for funding, as appropriate, for the delivery of the additional 40 post-16 study hours, which is part of the 2023/24 post-16 financial settlement and part of the Government's COVID-19 pandemic support response.
- The 'technical framework' is the same for the operation of the Banded Model during the year e.g. the monthly re-calculation of EHCP funding from the census of EHCPs on roll on 10<sup>th</sup> of each month.
- An assessment place (which was Range 4D) has become Band 4L. This funds EHCPs placed in specialist provisions until a final determination of band from the Panel is received. Funding is changed at this point if this is different from 4L. Band 4L also continues to be used to more permanently fund placements in the Early Years ESPs that are attached to maintained nursery schools.

### A reminder of the transition from the previous Ranges Model

3.1 It is helpful to remind providers of how we moved from the Ranges Model to the now established Banded Model and what protections continue to be in place. All EHCPs in place at 1 April 2020 were automatically transferred on to the new Banded Model system at 1 April 2020 as follows:

Range		Band
Range 4A	became	Band 3L
Range 4B	became	Band 3M
Range 4C	became	Band 3H
Range 4D	became	Band 4L
Range 5	became	Band 4M
Range 6	became	Band 4H
Range 7	became	Protected 7

- 3.2 Most existing EHCPs on an on-going basis will remain within the band they were transferred to. The SEND Panel will continue to 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.
- 3.3 The Banded Model operates under the guarantee that, for EHCPs in place at 1 April 2020, the EHCP will not ever drop to a lower valued band 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 remains until the pupil reaches the end of year 11. This guarantee does not extend to assessment places that were funded at 1 April 2020 (as these pupils did not yet have EHCPs).

3.4 The Banded Model retains a transitional 'Protected 7' band, which will continue to fund EHCPs that we graded at Range 7 under the old model. These 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 remains in place until the pupil reaches the end of year 11. The value of Protected 7 will be uplifted each year by the same % that is applied to Band 4H.

### Appendix 3 - Technical Annex 2023/24 Approach

This appendix contains more technical detail on the definitions and calculations of factors that are contained within Bradford Council's <u>current 2023/24 financial year</u> EHCP high needs funding model.

### **Notional SEND Budgets (Mainstream Schools Block Primary & Secondary)**

Local authorities are required to define for each primary and secondary school and academy the value of mainstream formula funding that is 'notionally' allocated for Special Educational Needs and Disabilities (SEND) (for meeting the first £6,000 of needs both for pupils with EHCPs and the needs of pupils without EHCPs). How Bradford currently (in 2023/24) defines notional SEND (the %s of funding within each formula factor that make up this budget) is shown in the table below.

Formula Factor	% Primary	% Secondary
Prior Low Attainment Factor	100%	100%
Free School Meals Factor	25.0%	25.0%
Income Deprivation Affecting Children Index (IDACI) Factor	25.0%	25.0%
Base £APP funding (AWPU)	6.5%	4.0%
Minimum Level of Funding top-up (MFL)	48.0%	48.0%

In addition, 6.0% of a mainstream school's or academy's allocation from the Early Years Single Funding Formula, for mainstream primary schools and academies that have early years entitlement provision, is also defined to be available for supporting SEND in early years.

### **SEND Funding Floor (Mainstream Primary & Secondary)**

The SEND Funding Floor formula is aimed at ensuring that no mainstream primary or secondary maintained school or academy will have to manage, from their own delegated mainstream formula funding, an above phase-average cost pressure in respect of their commitment to meet the cost of Element 2 (£6,000) for their EHCPs. As well as supporting provision for pupils with EHCPs, this approach will help to protect the funding used by schools and academies to support their wider Additional Educational Needs, SEND and Alternative Provision activities. It will directly financially support schools and academies that have higher proportions of pupils with EHCPs, in support of inclusion, combining also to support schools and academies that may have lower levels of Additional Education Needs formula funding (because they have e.g. lower levels of deprivation) but higher numbers of EHCPs, and also that may be smaller in size. It will also support schools and academies that may have some turbulence in formula funding as a result of in year pupil numbers changes.

Funding allocated using the Floor is re-calculated monthly for changes in the number of Education Health and Care Plans (EHCPs) on roll.

The formula for 2023/24 is as follows:

Where Part A is greater than Part B, a school / academy receives a top-up for the difference between Part A and Part B.

A = is the Full Time Equivalent (FTE) number of EHCPs on roll at a mainstream school / academy, excluding early years and post 16 students that have EHCPs, multiplied by £6,000 (which is the value of Element 2). Part A is re-calculated monthly for changes in the number Education Health and Care Plans (EHCPs) on roll.

B = is the percentage of a school's / academy's Additional Educational Needs delegated formula funding that is required to be put to the Element 2 (£6,000) cost of a school's / academy's EHCPs, before the SEND Funding Floor will provide additional financial support. There are 2 elements to the Part B calculation, the 'percentage' and what is meant by 'Additional Educational Needs delegated formula funding'. Unlike Part A, both elements of Part B are fixed at the beginning of the 2023/24 financial year and will not change.

- The 'percentage' is the phase median average percentage of Additional Educational Needs formula funding that schools / academies contribute to Element 2 £6,000 costs in respect of their EHCPs. The phase average is rounded plus 2%. Separate percentages are used for primary and for secondary phases. The averages that are used in 2023/24 are 13.0% for the primary phase and 10.5% for the secondary phase.
- 'Additional Educational Needs delegated formula funding' is calculated by taking the following funding factors that are included within the delegated formula funding allocations received by mainstream schools / academies. For academies, this funding / these factors are within General Annual Grant (GAG) funding. For maintained schools, this funding / these factors are within the Section 251 formula funding.

100% of the English as an Additional Language factor

100% of the Free School Meals factors

100% of the Prior Attainment factor

100% of the Minimum Funding Level factor

100% of the Income Deprivation Affecting Children Index (IDACI) factor

80% of Minimum Funding Guarantee factor

### <u>Setting-Led Needs Factors – Maintained Special Schools & Special School Academies</u>

- New Services Delegation an additional amount per pupil to reflect that stand alone special schools and special school academies cannot access de-delegated and centrally managed services without charge set at a flat £449.88 per pupil in 2023/24. So a setting with 100 pupils receives 100 x £449.88 = £44,988 funding.
- <u>Small Setting Protection</u> an additional sum, for stand-alone settings with fewer than 75 places, to ensure a minimum level of funding for fixed costs. The formula is:
  - A (75 x £10,000 x 20%)
  - B (setting's place funding x 20%)
  - = top-up to the value of A where B is less than A

As all special schools and special school academies are now larger than 75, this is not a factor that is currently employed.

- <u>Split Sites</u> an additional sum for special schools and special school academies that operate across split / satellite sites. The full year value of this lump sum is £226,740 in 2023/24.
- <u>Post-16 Places</u> an additional sum per Post-16 place, to allocate an additional £1,600 per place. This ensures that special schools with post-16 places receive the nationally set DfE value of element 1 for post-16 pupils, which is £5,600 for the 2022/23 and 2023/24 academic years.
- <u>3% Cash Budget Protection</u> an additional total cash budget safety net protection, which ensures that at no point during 2023/24 will the total 'Place Plus' calculated budget for an individual special school be more than 3% lower than the 2022/23 total level of funding. As most special schools are / have been increasing places, together with the uplifted Banded Model funding rates, this is not a factor that was needed in 2023/24 but remains in place to ensure a safety net.

### <u>Setting-Led Needs Factors – School-Led Resourced Provisions Mainstream Primary & Secondary</u> Schools and Academies

• <u>Small Setting Protection</u> – an additional sum for provisions with fewer than 24 FTE places, to ensure a minimum level of funding for fixed costs. The formula is:

- A (24 FTE x £10,000 x 20%)
- B (setting's place funding (where each place is worth £10,000) x 20%)
- = top-up to the value of A where B is less than A
- 3% Cash Budget Protection as special schools above.

# <u>Setting-Led Needs Factors – Local Authority-Led Resourced Provisions Mainstream Primary & Secondary Schools and Academies (both Sensory and SEMH)</u>

Please note that the Local Authority retains this top-up funding.

- <u>Small Setting Protection</u> an additional sum for provisions with fewer than 24 FTE places, to ensure a minimum level of funding for fixed costs. The formula is:
  - A (24 FTE x £10,000 x 20%)
  - B (setting's place funding (where each place is worth £10,000) x 20%)
  - = top-up to the value of A where B is less than A
- New Services Delegation as special schools above. This is allocated because the Authority's
  centrally managed services do not access services and funds that are otherwise funded for schoolled resourced provisions through de-delegation within the Schools Block.

### **Setting-Led Needs Factors – Early Years Enhanced Specialist Provisions**

• Small Setting Protection – as School-Led Resourced Provisions above.

Appendix 4 - 2024/25 Draft Commissioned Places			
Setting	Type (AP or SEND)	23/24 Initial Planned Budget AY Places (FTE)	24/25 AY Current Planned Places (FTE)
Bradford Alternative Provision Academy	AP	65.0	75.0
Park Aspire	AP	90.0	90.0
Other Alternative Provision	AP	5.0	10.0
Centrally Managed EinH, Tracks and Medical Home Tuition Service "notional" places	AP	49.0	49.0
Early Years Resourced Provision - Abbey Green Nursery School	SEND	6.0	6.0
Early Years Resourced Provision - Canterbury Nursery School and Children's Centre	SEND	16.8	16.8
Early Years Resourced Provision - Hirst Wood Nursery School	SEND	6.0	6.0
Early Years Resourced Provision - Midland Road Nursery School	SEND	6.0	6.0
Early Years Resourced Provision - St Edmund's Nursery School and Children's Centre	SEND	19.8	19.8
Early Years Resourced Provision - Strong Close Nursery School	SEND	18.0	18.0
Early Years Resourced Provision - Balance of places (flex inc. for 30 hours provision)	SEND	5.4	5.4
Resourced Provision LA Led - Girlington Primary School	SEND	20.0	20.0
Resourced Provision LA Led - Swain House Primary School	SEND	20.0	20.0
Resourced Provision LA Led - Grove House Primary School	SEND	12.0	12.0
Resourced Provision LA Led – Hanson School Special – Beechcliffe School	SEND	48.0	48.0
Special – Beechciffe School Special – Chellow Heights School	SEND SEND	248.0 250.8	248.0 250.8
Special – Chellow Heights School Special – Co-op Academy Delius	SEND	171.0	171.0
Special – Beckfoot Hazelbeck Academy	SEND	144.0	144.0
Special – High Park School	SEND	130.0	130.0
Special – Beckfoot Phoenix Primary Special School	SEND	102.0	102.0
Special – Co-op Academy Southfield	SEND	360.0	360.0
Special – Oastler School	SEND	134.0	134.0
Resourced Provision School Led – Carrwood Primary School	SEND	12.0	12.0
Resourced Provision School Led – Denholme Primary School	SEND	8.0	8.0
Resourced Provision School Led – Green Lane Primary School	SEND	24.0	24.0
Resourced Provision School Led – High Crags Primary Academy	SEND	6.0	6.0
Resourced Provision School Led – Crossflatts Primary School	SEND	16.0	16.0
Resourced Provision School Led – Beckfoot Academy	SEND	6.0	6.0
Resourced Provision School Led – Oasis Academy (Lister Park)	SEND	16.0	16.0
Resourced Provision School Led – Co-op Academy Grange	SEND	24.0	24.0
Resourced Provision School Led – Parkside School	SEND	14.0	24.0
Resourced Provision School Led – The Holy Family Catholic School  Resourced Provision School Led – Beckfoot Thornton Academy	SEND	20.0 16.0	20.0 16.0
Resourced Provision School Led – Beckhool Thornton Academy  Resourced Provision School Led – Titus Salt School	SEND SEND	30.0	30.0
Resourced Provision School Led – Bradford Academy	SEND	27.0	27.0
Resourced Provision School Led – Bradford Academy	SEND	2.0	2.0
Resourced Provision School Led – Haworth Primary Academy	SEND	12.0	12.0
Resourced Provision School Led - Crossley Hall Primary School	SEND	24.0	24.0
Resourced Provision School Led - Long Lee Primary School	SEND	16.0	16.0
Resourced Provision School Led - Worth Valley Primary Academy	SEND	8.0	8.0
Resourced Provision School Led - Parkwood Primary Academy	SEND	12.0	12.0
Resourced Provision School Led - Cottingley Village Primary School	SEND	16.0	16.0
Resourced Provision School Led - Horton Park Primary Academy	SEND	12.0	12.0
Resourced Provision School Led - Ilkley Grammar School	SEND	24.0	24.0
Resourced Provision School Led - Holybrook Primary School	SEND	16.0	16.0
Resourced Provisions LA Led - Primary Phase	SEND	104.0	98.0
Resourced Provisions LA Led - Secondary Phase	SEND	68.0	68.0
Further Education - Bradford College (subject to further review)	SEND	288.0	288.0
Further Education - Shipley College (subject to further review)	SEND	164.0	164.0
Further Education - Other (subject to further review)	SEND	36.0	36.0
SEND - Additional Places Under Development (still to go through Statutory Process)	SEND	180.0	182.0
Grand Totals Sub Totals SEND		3,127.8	3,148.8
Early Years Resourced Provision		<b>2,918.8</b> 78.0	<b>2,924.8</b> 78.0
Local Authority Led Resourced Provisions - Sensory		100.0	100.0
Maintained Special Schools and Special Academies		1,539.8	1,539.8
School Led Resourced Provisions		361.0	371.0
Local Authority Led Resourced Provisions		172.0	166.0
Further Education (Post 16)		488.0	488.0
Additional SEND Places not yet allocated		180.0	182.0
			224.0
Sub Totals Alternative Provision		209.0	224.0
Sub Totals Alternative Provision PRUs & Alternative Providers		160.0	175.0

### **Appendix 6 - RESPONSES FORM**

## **Consultation on Funding High Needs Provision 2024/25**

This form can be used to submit your response. However, this year we have introduced a web-based questionnaire, which we encourage you to use to submit your response, instead of using this paper form. Please access the web-based questionnaire here.

Name	Setting Name	
THE DEADLINE FOR RE	SPONSES TO THIS CONSULTATION IS	TUESDAY 28 NOVEMBER 2023
Please send completed quest	onnaire responses to:	
School Funding Team City of Bradford Metropolitan I 6th Floor, Britannia House, Hall Ings Bradford BD1 1HX	District Council	
Tel: 01274 433775 Email: <u>dawn.haigh@bradford</u>	<u>.gov.uk</u>	
Please complete the question you to record comments.	naire by marking the appropriate boxes. The	re is a space below each question for
EHCP Banded Model in 2	ree with the approach that is propose 024/25? If not, please can you explain w	vhy not.
	On Balance Agree (some reservations)	Strongly Disagree
If not, please provide further	explanation here:	
Question 2 – Do you hav Model you would like the	e any comments (including technical of Authority to consider for 2024/25?	comments) on the EHCP Banded
		9

rongly Agree		On Balance Agree (some reservations) Strongly Disagree	
f not, please pr	ovide furth	her explanation here:	
		ave any comments (including technical comments) on the setting the Authority to consider for 2024/25?	ng-led n
		<u> </u>	
		agree with the Day Rate mechanism that the Authority propose	
		agree with the Day Rate mechanism that the Authority propose tive Provision Academy in 2024/25? If not, please can you expla	
ongly Agree	Alternat	tive Provision Academy in 2024/25? If not, please can you explai	
ongly Agree	Alternat	On Balance Agree (some reservations)  Strongly Disagree	
ongly Agree	Alternat	On Balance Agree (some reservations)  Strongly Disagree	
ongly Agree	Alternat	On Balance Agree (some reservations)  Strongly Disagree	
ongly Agree	Alternat	On Balance Agree (some reservations)  Strongly Disagree	
ongly Agree	Alternat	On Balance Agree (some reservations)  Strongly Disagree	

	ave any comments (including te rould like the Authority to conside			osea L
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	agree with proposal to adjust id secondary formula funding? If  On Balance Agree (some reservat	not, please c		
f not, please provide fur				
Thot, please provide fair	ior explanation here.			

rongly Agree		On Bala	ince Agree (	some rese	rvations)		Strongly Disa	igree	
f not, please pr	rovide furth	ner explana	ation here:						
							4.3	OENE	
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estion 11: A 24/25 that ha						see m	ade to the fu	nding	mode
						see m	ade to the fu	nding	mode
						see m	ade to the fu	nding (	mode
						see m	ade to the fu	nding (	mode

uestion 12 – Do you have any other comments on the funding models or on the proposals to bu have not recorded elsewhere?						