

	<p align="center"><b>Schools Forum</b> 19 June 2024</p>
	<p align="center"><b>Report from the Corporate Director of Children and Young People</b></p>
	<p align="center"><b>SEND Resource Allocation System</b></p>

<b>Wards Affected:</b>	All
<b>List of Appendices:</b>	None
<b>Background Papers:</b>	Previous Schools Forum papers
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## 1.0 Executive Summary

- 1.1. Schools Forum were informed on 20 February 2024 that a banding review was underway to consider moving away from the current hours led system to a needs-led, provision-based approach for mainstream schools and Additional Resource Provisions (ARPs) and early years settings. This review has been extended to include post-16 settings.
- 1.2. This report sets out how a SEND Resource Allocation System (RAS) could improve transparency and consistency of decision-making and provide some savings against the High Needs Block (HNB). This follows the findings of the reviews of HNB funding for mainstream and ARP school places and in both early years and post-16 settings.

## 2.0 Recommendations

- 2.1 It is recommended that Schools Forum agree Option 3, the introduction of the proposed RAS for all children and young people with an EHCP from age 0-25 years in mainstream schools and settings, including ARPs.
- 2.2 Subject to Schools Forum agreement to the recommendation in 2.1, consultation on a new approach will take place in the autumn term.

2.3 It is recommended that the LA and schools/ settings work in partnership to implement the RAS for all children and young people by April 2025, subject to consultation with schools and settings.

### **3.0 Detail**

#### **3.1 Contribution to Borough Plan Priorities and Strategic Context**

The development of a RAS falls within the Brent Plan priority of 'Best Start in Life' so that children and young people "receive the support they need when they need it". The recommendations specifically meet the outcome to 'raise attainment and aspirations [through] working with schools and partners [to] make sure access to education is fair and equal".

#### **3.2 Background**

3.2.1 The government's SEND and AP Improvement Plan sets out the intention to introduce a national banding system to ensure clarity and fairness across England and Wales. The Plan states that local authorities should continue to implement and review their own banding systems in the meantime.

3.2.2 Ahead of the banding matrix review and as part of the Delivering Better Value (DBV) Programme, SEND Assurance work was carried out (as a desktop exercise) to review all EHCPs of children (initially those aged up to 7, but then this was widened to all ages) allocated 26 hours or more of support. This review, which included visits to schools and meetings with SENCOs and other staff, concluded that up to 80% of these Plans (with 26 hours+) were over-allocated.

3.2.3 Benchmarking information on funding allocated to children with SEND in early years, mainstream schools and post-16 provisions was provided at both the High Needs Working Group and Early Years' Working Group meetings. This showed that Brent is broadly in line with other neighbouring authorities for school-age children. For early years, Brent fund significantly more (from the HNB) than *all* neighbouring authorities. None of Brent's neighbours transfer funding from the HNB to early years, except Camden who transfer £500,000. Brent allocates £1.1m to early years and a further £500,000 for the early years' specialist provisions (referred to as Additionally Resourced Provisions (ARPs).

3.2.4 The proposed SEND RAS would be used across mainstream and ARP placements in early years' settings, schools and Further Education institutions. The descriptors for the RAS in early years will be slightly adapted to ensure it appropriately reflects both children's needs and how need is met in settings.

3.2.5 For FE places, it is proposed that the same SEND RAS banding is applied as a young person receives at school, subject to outcomes of the young person's Year 11 (or Year 13, if they've been in sixth form) annual review. In most cases this band will be the rate paid to FE providers, reduced to 3/5 to reflect reduced FE hours where a student is not on a full 5-day week provision.

3.2.6 The new SEND RAS should ensure that schools and settings are appropriately funded to meet needs of the individual child. It does not assume reliance on 1:1

support which can reduce inclusion and progress. In addition, having one systematic funding system across all age groups will improve and support good transitions.

- 3.2.7 It is proposed that ARPs are funded based on the level of need of the child, although it is expected that most, if not all, children placed in an ARP would require the RAS's highest level of top-up funding, in addition to the £6,000 funded by the LA for Element 2 ('notional SEN funding'). Vacant places in ARPs would continue to be funded at £10,000 per place.
- 3.2.8 Early Years currently have both ARPs and enhanced places across four nursery settings. It is proposed that as part of the RAS the commissioned number of places would reduce, and settings would decide whether to deliver specialised places as ARPs or enhanced placements. The commissioned specialised places would receive place funding of £10,000 and then the highest top-up for the Early Years RAS for each child considered to need a specialist placement.
- 3.2.9 In order to meet increased demand for places for children with complex needs, Early Years' PVI settings could also receive the highest top-up rate, where appropriate, to ensure they are better equipped to meet need. This approach will align early years provision with school-age provision where the principle is to first assume that children needs can be met in mainstream education. In order to support the sector with these changes, the Early Years' Inclusion Support Team and the current enhanced nursery settings would be expected to work together to deliver support, guidance and training to PVI settings across the borough.

### **3.3 Details of the Proposed Resource Allocation System**

- 3.3.1 The descriptors for both the early years and school-age RAS are currently being developed in collaboration with parents and partners in the relevant sector.
- 3.3.2 The RAS includes 12 areas to support the assessment of the child's needs and each is scored according to a ranking system:
- no additional support
  - some support
  - lots of support and
  - exceptional support.

The scores are totalled and correspond to a funding level.

### **3.4 Options considered for savings**

- 3.4.1 **Option 1** is to do nothing and leave the current banding system in place.
- 3.4.1.1 In the short term this option keeps costs broadly the same. Schools, settings and LA staff understand the current system. This would save implementation time for officers and school staff, in learning and applying a new system.

3.4.1.2 However, this would not address the significant pressures in the system for some of the school ARP placements, as the current top up levels are insufficient to meet the needs of some pupils.

3.4.1.3 Continuing with the current system would mean that the focus for support for children would continue to be based on identified hours of support, which can lead to an assumption that provision will be 1:1 time. In order to improve attainment and progression, there is a growing body of evidence to support different approaches for children and young people with SEND. This needs to be captured in EHCPs and associated funding as something that schools can determine to reach anticipated outcomes.

3.4.1.4 There would be no scope to drive efficiencies in the system, in particular for young people allocated to post-16 students which is required to address the deficit in the High Needs Block.

3.4.2 **Option 2** is to continue with the current system and apply SEND Assurance Review work to all existing and new EHCPs, over a period of two years to ensure that allocated hours of support to meet children's needs are accurate. Changes would then be implemented as part of the annual review process.

3.4.2.1 This option would not address the under-funding of some schools who have ARP placements, which continues to pose a challenge to the viability of these provisions. It also leaves in place a system that does not provide continuity across the age ranges from early years through to post-16.

3.4.2.2 Option 2 would involve local authority SEND Case Officers reviewing all EHCPs allocated a significant number of hours (26 hours or more), which accounts for approximately 74% of all plans. Due to the volume of EHCPs that would need to be reviewed, it would be necessary to add in some temporary capacity to the case officer annual review team to ensure all plans were reviewed in a timely manner over 1-2 years.

3.4.2.3 Based on reviews previously undertaken of plans with 26+ hours and post-16 plans with 19+ hours, a conservative estimate is that allocated hours could reduce in 50% of these EHCPs. This could generate savings of approximately £1.2m across schools and post-16 settings. Due to low numbers of children with EHCPs in Early Years, savings here would be minimal.

3.4.3 **Option 3** is to introduce the proposed Resource Allocation System (RAS).

3.4.3.1 Introducing a RAS would help to create a new system, based on needs-led provision, rather than an hours-led approach. The new RAS would work across all ages which would improve transition at key stages and between settings, promoting similar descriptions of levels of need. The RAS would also support conversations with parents, schools and settings about the right intervention, and creative solutions, for each child building on the Graduated Approach Framework.

3.4.3.2 Introduction of the RAS would be carried out in conjunction with the SEND Assurance work. The RAS is expected to increase top-up costs for many of the school ARPs, balanced out with some savings from mainstream EHCPs (based on annual reviews informed by SEND Assurance work), as well as early years and post-16 settings. Overall savings are expected to be similar to Option 2.

### **3.5 Options for implementation**

3.5.1 If Schools Forum agree that Option 3 - introduction of a new RAS - is the preferred way forward, then the following implementation options are available for schools and early years' settings. For Post-16, implementation would be led by the local authority only.

- An LA-led process would move all EHCPs onto the new matrix by April 2025, informed by SEND Assurance review work. This would be implemented by a temporary local authority team of 2-3 case workers to systematically undertake annual reviews. This could be undertaken on a priority basis, e.g., focussing on key transition ages to start and working down the year groups from there.

This process would ensure the learning from SEND Assurance work is applied and would reduce any burden on schools and settings. However, the additional resource required would impact on overall savings for the 1-2 years that the small team is in operation. The funding would initially need to come from DSG/HNB which would add to cost pressures. However, for the medium to long term this would produce significant savings, at least twice the cost of a small team.

- School/setting and LA-led partnership to move all EHCPs onto new matrix by April 2025. Schools and settings would work in appropriate pairs, alongside the local authority, to assign banding to children with EHCPs (including implementing recommendations from the SEND Assurance work). Schools and settings would work in pairs to peer moderate the implementation of the system, which would encourage further peer support and learning.

This approach will build on existing partnerships with schools and promote understanding of levels of needs and creative solutions across clusters and Brent as a whole. It will also improve understanding of the new system through all partners working together.

- Longer-term implementation of the new system at key transition points, and at annual reviews, as they occur and immediate implementation for all new EHCPs. Aim to have all EHCPs on new system by April 2027.

This approach would prolong the period of time during which two different systems would be running concurrently, which would be likely to be confusing for professionals and parents. However, it would also reduce the impact on workloads for both school/ setting staff and LA officers.

3.5.2 The preferred approach is that the LA and schools/ settings work in partnership to implement the RAS for all children and young people by April 2025. This will be subject to consultation with schools and settings on the proposed RAS (see below 4.3).

#### **4.0 Stakeholder and ward member consultation and engagement**

4.1 Both the High Needs and Early Years Working Groups have provided direction and support for the banding matrix review. Views of parents and carers have been sought through Brent Parent Carer Forum.

4.2 More detailed work on the descriptors and the functionality of the RAS has been undertaken with school and setting leaders and SENCOs. The banding descriptors are being revised based on feedback from early years and school SENCOs, and with parent carer input. Further support on the descriptors will be provided by the local authority's Principal Educational Psychologist and team.

4.3 A formal consultation with schools and settings will be undertaken in September 2024, if agreed by Schools Forum.

#### **5.0 Financial Considerations**

5.1 There was an 8% increase in the number of children requiring EHCPs in Brent from 3,309 as at March 2023 to 3,576 as at March 2024 and this has placed additional pressures on the HN Block budget.

5.2 The top-up funding budget allocated for the education of pupils with EHCPs in Brent mainstream schools and ARPs for 2024/25 is £11.8m. This budget was increased by £2.3m, in line with the final outturn in the 2023/24 financial year and based on the projected number of pupils with EHCPs who are set to attend these settings.

5.3 Brent is a part of the DfE's programme called Delivering Better Value (DBV) in SEND to provide dedicated support and funding to help local authorities reform their high needs systems. The introduction of a RAS system which would ensure that top-up rates are needs led than hours based would facilitate one of the DBV programme initiatives to reduce the number of hours for new and existing EHCPs and drive additional savings to go towards ensuring a more sustainable High Needs block of the DSG.

#### **6.0 Legal Considerations**

6.1 There are no direct legal considerations from this report.

#### **7.0 Equality, Diversity & Inclusion (EDI) Considerations**

7.1 It is considered that there have been no changes in equality implications of the proposals set out in this report compared to the current systems for

funding that are in use. In addition, there is no disproportionate effect on any protected characteristic group and no adverse equalities implications.

## **8.0 Climate Change and Environmental Considerations**

8.1 These changes will not impact on the Council's environmental objectives and climate emergency strategy.

## **9.0 Communication Considerations**

9.1 Communications will be a key part of the successful introduction of a new RAS. Significant stakeholder engagement has already taken place (see section 4.0). Schools Forum may want to also offer a formal consultation period for schools and settings with key information provided concurrently to clarify how the system would work.

9.2 Parent carers have also been involved in development of the RAS but further communications about what it means would be available on the Local Offer and through Brent PCF meetings.

**Report sign off:**

***Nigel Chapman***  
***Corporate Director for Children and Young People***