

	<p align="center">Schools Forum 14 November 2024</p>
	<p align="center">Report from Corporate Director of Children and Young People</p>
<p align="center">SEND Resource Allocation System (RAS)</p>	

Wards Affected:	All
List of Appendices:	Two Appendix 1: SEND and AP Improvement Plan matrix/ banding for funding guidance Appendix 2: Consultation pack sent to all Brent EY, Primary, Secondary and post-16 providers October 2024
Background Papers:	Previous Schools Forum papers
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1. Executive Summary

- 1.1. Schools Forum received a report on 19 June 2024 on a proposed banding SEND Resource Allocation System (RAS) to move away from the current hours led system to a needs-led, provision-based approach for mainstream schools and Additional Resource Provisions (ARPs), early years settings and post-16 settings. It was agreed that consultation would be undertaken with schools and settings in the autumn term on the proposed new approach.
- 1.2. Consultation has been undertaken with mainstream schools and post-16 colleges on a proposed RAS for mainstream schools and post-16. Further work is being undertaken on application of the RAS for children in ARPs and Early Years. This paper therefore sets out proposed changes to the way that Brent allocates resources for children and young people with Education, Health and Care Plans (EHCPs) for children aged 0-25 in mainstream schools and post-16 colleges only following consultation.

2. Recommendations

- 2.1 It is recommended that Schools Forum agree to the introduction of a RAS for all children and young people with an EHCP in mainstream schools and settings.
- 2.2 It is recommended that the LA and mainstream schools and settings work in partnership to implement the RAS for all children and young people commencing with new EHCPs from December 2024.
- 2.3 Schools Forum are asked to note that a report on the adoption of the RAS for ARPs and Early Years settings will be brought to a future meeting following consultation in the new year.

3.0 Detail

3.1 Contribution to Borough Plan Priorities and Strategic Context

- 3.1.1 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" (Appendix 1).

3.2 Background

- 3.2.1 The previous government's SEND and AP Improvement Plan published in March 2023 sets out the intention to introduce a national banding system to ensure clarity and fairness across England and Wales. The Plan stated that local authorities should continue to implement and review their own banding systems in the meantime. The local authority will follow this policy until the new government issues any revised guidance.
- 3.2.2 Currently, Brent allocates financial resources based on the number of hours of one-to-one teaching assistant (TA) support that a child is considered to need by the SEND advisory panel, in accordance with their EHCP. Brent is an outlier in allocating resources in this way. The proposed SEND RAS would move Brent to a system of allocating resources to children with an EHCP based on an assessment of the child's level of need, as determined through the use of banding matrices applied to their EHCP at the SEND advisory panel. There is one banding matrix proposed for children aged 5-25 and another for children in early years aged 0-5. 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
- high level of support and
- exceptional level of support.

The scores are totalled and correspond to a funding level.

- 3.2.3 The proposed banding matrices have been developed as part of Brent's engagement with the Department for Education's (DfE) 'Delivering better Value' (DBV) programme. The matrices were co-produced with members of Brent Parent Carer Forum (BPCF) and representatives from Brent early years (EY), primary and secondary providers and relevant professionals within the Inclusion Service (Educational Psychology, Early Years Inclusion and SEND 0-25 teams), as well as the Schools Forum High Needs Block Working Group and the Early Years Working Group.
- 3.2.4 Modelling the impact of changes on a sample of primary and secondary schools has informed the banding rates, alongside benchmarking information on funding allocated to children with SEND in mainstream schools and post-16 provisions. This showed that Brent is broadly in line with other neighbouring authorities for school-age children.
- 3.2.5 In June 2024 Schools Forum agreed to consultation on a new RAS. All Brent primary, secondary and post-16 providers have been consulted on the proposed RAS for children in mainstream schools, with the consultation period opening on 11 October 2024 and closing on 1 November 2024. Education providers were sent an email on the 11 October 2024 notifying them of the consultation process, with details of the proposed changes and how to feedback via Microsoft Forms. A copy of the email sent to providers is provided in Appendix 2 for reference. A reminder email was sent to providers on the 28 October 2024.
- 3.2.6 The feedback received from providers as part of the consultation can be summarised as follows. 16 responses were received, of which 5 were from secondary schools and 11 from primary schools. In answer to the question "Do you understand the proposed changes?", 13 participants stated that they understood the proposals and 3 responded "maybe". In answer to the question "To what extent do you agree with the proposed changes?" (scored 1-10, with 1 being strongly disagree and 10 being strongly agree) the average (mean) response was 5.38 (marginally positive), the average (modal) response was 7 (positive) and the response range was 1-8.
- 3.2.7 In terms of qualitative data, overall respondents supported the move away from resources being allocated in terms of 1:1 TA hours and towards a needs-based system (which was the central question of this consultation). Respondents commented that the proposed new system of resource allocation would be clearer and more consistent. However, one respondent expressed concern that parents may be made anxious by the move away from 1:1 TA hours and that this proposed change must be communicated carefully. Many participants commented positively on the implementation of Band 7 funding for children in mainstream awaiting a place in special. Two respondents requested more information and training on the matrix (should it be implemented), especially for SENDCos. Of the respondents who scored the proposal at 1 and 2 (3 participants in total), feedback referred to concerns that the proposal would not solve the issue of high needs funding failing to match the cost of meeting the needs of some children with SEND. It was not intimated that the proposal would make the funding situation worse; only that it would not resolve it.

3.2.8 Following consultation responses, officers recommend that Schools Forum approve implementation of the proposed new resource allocation process for children with an EHCP in mainstream schools. The new process will be implemented from 1 December 2024, with it being applied initially to new plans and at phase transfer annual reviews. The aim is for all Brent EHCPs to have been placed onto the new bands by September 2025.

3.2.9 The new bands do not represent in themselves a change to the level of financial resources that children will receive (see Table 1 below). As can be seen, the only financial changes that are proposed are as follows:

- a) A 'rounding' of amounts attached to each band. Three bands have been rounded down, two have been rounded up, the overall financial impact of this on funding allocated to schools and colleges will be negligible.
- b) The introduction of the higher Band 7 funding. This band is only for children who are in mainstream school whose EHCP states that special school would be an appropriate setting. In response to headteachers raising concerns about the increasing complexity of children they are supporting whose EHCP states that special school would be an appropriate setting, this change was implemented in from 1 September 2024 with headteachers notified of this via the Headteachers Bulletin on the 3 October 2024. The implementation of Band 7 will replace any previous funding arrangements for this cohort.

The introduction of Band 7 reflects the preference of many Brent families for their children with SEND, including significant SEND, to attend mainstream provision. In this context and, given the current capacity issues within special schools that means there are children in mainstream schools waiting for special school places, it is appropriate that mainstream schools are provided with the support to meet the needs of this cohort.

The introduction of Band 7 funding has placed an in-year pressure on the high needs budget (HNB) of £380k. However, failure to implement Band 7, or something similar, would lead to an increased rate of placement breakdown. Placement breakdown carries a significant emotional cost for all parties and can have significant financial implications if, for example children become unplaced and need to be placed within the independent sector. The current average per place cost of Brent children placed in the independent sector is £59k.

Table 1: The new banding system

Old banding			New banding		
Band	Hours	Top-up	Band	Points	Top-up
Band A	Up to 15hrs	£0	Band 1	0-97	£0
Band B	Up to 19.5hrs	£6,378	Band 2	98-125	£6,400
Band C	Up to 22.75hrs	£8,441	Band 3	126-153	£8,400
Band D	Up to 26hrs	£10,504	Band 4	154-170	£10,500

Band E	Up to 29.25hrs	£12,567	Band 5	171-205	£12,600
Band F	Up to 32.5hrs	£14,630	Band 6	206+	£14,600
			Band 7 – only for those awaiting special school place		£19,000

3.2.10 Consultation has not yet taken place on the use of the Resource Allocation System for the funding of ARPs or non-statutory early years funding. This delay has been caused by a decision, since the report to Schools Forum in June 2024, to remodel some of the initial DBV data set assumptions given the changing needs profile of children placed in ARPs and in the presenting needs in early years cohorts. Further analysis is aimed at ensuring need is not underestimated to ensure that appropriate funding is allocated.

3.2.11 A consultation on ARP and EY funding is anticipated to commence January 2025, which will be informed by modelling of the impact of proposed rates and benchmarking information. For early years, Brent provides significantly more funding from the High Needs Block than *all* neighbouring authorities. The only neighbouring local authority that provides any funding from the HNB to early years is Camden (£500k), whereas Brent allocates £1.1m to early years and a further £500k for early years' specialist provisions (referred to as early years additionally resourced provisions). A report will be brought to Schools Forum after consultation in January 2025 has been completed.

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, as well as a range of professionals within the Inclusion Service.

4.3 Formal consultation with schools and settings was undertaken in October 2024 as set out above.

5.0. Financial Implications

5.1 As discussed above, the financial implications of the new bands (determined by application of the new proposed banding matrices) are in themselves negligible. However, the introduction of Band 7 funding has caused an in-year pressure of £380k on the HNB and an estimated forecast cost of £650k in the next financial year. This pressure must be taken in context in view of the cost avoidance that would be achieved if a child was to be otherwise placed in an independent setting averaging a cost of £40k more per pupil. The in-year pressure will be mitigated by spend controls within the SEN Services budget of the DSG.

6.0 Legal Considerations

6.1 The proposed banding matrices are consistent with the Children and Families Act (2014) and the SEND Code of Practice (2015).

7.0 Equity, 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 with all stakeholders, including parents, will be a key part of the successful introduction of the new RAS.

Report sign off:

Nigel Chapman

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