

Southend-on-Sea Borough Council

Agenda
Item No.

Executive Director of Children and Public Health
to

Education Board

On

22nd June 2021

Report prepared by:

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High Needs Top Up Funding Arrangements – Implementing a new EHCP Banding Scheme

1 Purpose of Report

- 1.1 To gain Education Board approval to the implementation of the proposed Banding Scheme to deliver high needs top up funding to all Southend schools effective from September 21.

2 Recommendations

Education Board are asked to approve:

- 2.1 Implementation of the banding scheme for all schools recognising the need for change and the drive to ensure consistent decision making which is open and transparent.

And to note:

- 2.2 The new banding scheme combined with a 2% uplift to the rates from September 21 has been applied within the following subsequent “DSG High Needs Block detailed budget allocations for 2021/22” paper.

3 Background

- 3.1 All high needs top up funding is currently determined by the Multi Agency Educational Health and Care Plan (EHCP) Panel, consisting of practitioners across the SEND partnership. Decisions taken involve allocating funding equivalent to a number of hours of Learning Support Assistant funding in mainstream schools and one of 3 bands for each special school or resource base. For historical reasons, the bands for each of these settings is different even though some of the pupils admitted have the same needs. There is no published guidance for panel to determine how much to allocate for each pupil, this is done based on the discussion and the professional experience of the panel. In order to provide a consistent way of identifying the needs of pupils

with SEN and provide a fair and equitable distribution of resources to support the provision required to meet those needs.

- 3.2 Banding descriptors have been developed and trialled at panel for an extended period. The Banding Scheme for Southend has been designed to mirror the decisions the EHCP Multi Agency Panel are currently making. The scheme looked at what combination of needs leads to a specific allocation of hours of funding in mainstream schools or a specific band within Southend special schools and replicated those decisions into the proposed bands.
- 3.3 The proposed bands are baselined against either the most frequently allocated number of hours allocated by panel or the average special school banding rate. This will allow bands to be inflated each year where the budget allows in line with current practice. It is important to acknowledge that the proposed scheme is providing clarity and structure to the way resources are currently allocated it is not fundamentally reviewing the way resources are allocated simply providing a transparent methodology recognising the ultimate decision continues to rest with the EHCP Multi Agency Panel.
- 3.4 The proposal has been consulted upon with settings, particularly special schools who remain most affected by the proposal as all pupils attending a special school have an EHCP and therefore will be in receipt of top up funding. The proposal has been agreed by both Vulnerable Learners Sub-Group and Resources Sub-Group.
- 3.5 Fundamentally the impact for schools will be minimal in that they will continue to receive element 3 high needs top up for pupils with EHCPs, the only change is the methodology used to calculate the amount of top up allocated.

4 Proposal

- 4.1 High needs top up funding (Element 3) in all Southend settings will now be allocated using the new Banding Scheme from September 21.
- 4.2 Bands are allocated using the banding descriptors grid. See Appendix 1. For each of the DfE categories of need listed in the SEN Code of Practice five levels are identified. The levels are categorised from level 0 to level 4. Each of those levels describe a range of needs that may be prevalent in a child or young person.
- 4.3 Level 0 describes how a typically developing child with universal needs would typically present.
Level 1 describes how a child with additional educational needs usually met at SEN Support with an Individual Support Plan might present.
Levels 2- 4 describe how a child with special education needs may present with increasing severity with level 4 being the most severe within that category of need.
Levels within the different categories are weighted in line with the level of support and provision typically required to meet those needs. Therefore by way of example a pupil scoring level 2 in the hearing Impairment category may

not need the same level of support as a child scoring level 2 for speech, language and communication.

4.4 Needs are mapped to the grid using a best fit methodology, so where multiple descriptors are listed within a particular level select the level that best describes the child or young person.

4.5 Once you have selected a level for each category of need the banding descriptors matrix performs a calculation using the applied weightings and suggests a band (from 0 to 10 in line with table 1 below) for the child or young person (where 0 is a child whose needs could be met using an Individual Support Plan. That band is only a guide and the final decision rests with the EHCP Multi Agency Panel. The weightings applied will be refined as more decisions are made to ensure that the Banding Matrix stays consistent with the decisions the Panel is making.

Band	20/21	21/22 2% increase from Sept 21	Equivalent to
1	£1,289	£1,315	15 hrs LSA support or equivalent in mainstream
2	£2,504	£2,554	17.5 hrs LSA support or equivalent in mainstream
3	£3,719	£3,793	20 hrs LSA support or equivalent in mainstream
4	£6,149	£6,272	25 hrs LSA support or equivalent in mainstream
5	£7,183	£7,327	Average special school Band 2 top up rate
6	£8,578	£8,750	30 hrs LSA support or equivalent in mainstream
7	£9,793	£9,989	32.5 LSA support or equivalent in mainstream
8	£11,043	£11,264	Average Special School Band 1 top up rate
9	£11,980	£12,220	37 hrs LSA support or equivalent in mainstream
10	£15,283	£15,589	Highest Special School top up for pupils with challenging behaviour or profound and multiple learning needs.

4.6 **Mainstream Schools**

- a. Existing pupils attending mainstream schools will be converted to the nearest band. A vast number of pupils will have already been banded as part of the ongoing pilot scheme. Pupil's current hourly allocations have been matched to the **nearest** new Band. This does mean a slight increase or reduction for some individual pupils however in the vast majority of schools the allocation is a slight increase over what would have been allocated under the current system. The list of all known pupils scheduled to be on roll in September 21 was shared with schools.
- b. If a pupil is attending your school and should be in receipt of high needs top up funding but is not included on the list for your school, please let the SEND Finance Team know and they will process adjustments in the normal way.
- c. Any banding decisions can be reviewed at the Annual Review of the EHCP.

- d. From September 21 EHCP Multi Agency Panel will allocate high needs top up resources using the new banding descriptors matrix. In essence nothing will change in that settings will be notified on a level of top up funding to deliver the provision and achieve the outcomes recorded in the EHCP, the Panel have been piloting the matrix for over 12 months and the matrix has been refined to reflect the decisions taken by Panel. The description of the outcomes and provision should continue to be specific.

4.7 **Special Schools**

- a. All known special school pupils have been re-banded using the banding descriptors matrix and a schedule prepared for each school showing the agreed band for each pupil and a comparison with how they were banded under the current system. It is proposed that as a rule the level of top up funding should be the same whether the pupil is placed in a mainstream or a special school however it must be recognised that special schools, particularly small special schools, carry significant infrastructure costs and must be ready to admit pupils with a range of needs across the year.
- b. Therefore it is proposed that any pupil admitted to a special school will receive a minimum of Band 5 (or Band 6 in a small special school (defined as a school commissioned for under 100 places)) funding.
- c. Any pupil who would be banded Band 5 or Band 6 in mainstream school be banded one band higher in special school. This offsets those infrastructure costs for those lower banded pupils who bring insufficient top up to fund their place if there are a number of such pupils on roll and the school is small.
- d. Pupils from other Local Authorities should be banded using the Southend Banding Descriptors and the placing authority should be informed of the band when they are consulting for a place.
- e. If the successful placement of a pupil in a Southend Special School requires in excess of Band 10 top up this must be agreed by the Head of SEND following a recommendation by the EHCP multi-agency Panel.
- f. To reflect current funding arrangements places at the SEN Trust Southend Schools will be funded in the range Bands 5 – 10 whereas places at the Parallel Learning Trust Special School will be funded in the range of Bands 8 – 10.
- g. Post 16 placements at The St Christopher School will be funded at a minimum of Band 8 to reflect ongoing agreement and to ensure the post 16 provision remains sustainable in its own right.
- h. To reiterate bands 1 to 4 are not used in Southend Special Schools. There are some pupils who have been banded 3 or 4 but will be funded at Band 5 (or Band 6 where the school is small) where it is deemed that special school is an appropriate placement, ensuring no place in a special school will be funded below the average of the current special school Band 2 rates. Small special schools i.e. those with less than 100 commissioned places, will be funded at a minimum of Band 6 where special school is deemed an appropriate placement.
- i. On agreement of the proposed scheme the SEND Service will write to each Authority with a pupil with an EHCP placed in a Southend school advising them of the new arrangements and will confirm the new bands of other Local Authority pupils. It will remain the responsibility of

individual schools to recoup high needs top up funding from the other Local Authority.

- j. Special Schools will receive top up funding in line with the banding profile detailed in their funding schedule. Place funding will continue to be in line with commissioned places with no adjustment during the year unless the flexible funding scheme is triggered. Top up funding will be adjusted as close to real time as possible with starters and leavers receiving top up funding proportionately via the new banding scheme as they join or leave the school. Termly adjustments will ensure that schools receive the correct top up funding for pupils on roll during that term.

4.8 Enhanced Provisions (Resource Bases)

- a. Enhanced Provisions attached to mainstream schools will also receive high needs top up funding via the new banding scheme.
- b. As a result of the current range of Enhanced Provisions it is proposed that pupils placed are funded in the range Band 1 to Band 7 in line with their needs.
- c. It is anticipated that future pupils admitted to the Autism Resource Bases will attract funding in the range Band 5 to Band 7.
- d. All pupils scheduled to be on roll at an Enhanced Provision in September 21 have been re-banded to the new scheme. This results in a small increase in funding for each enhanced provision. See appendix 4.
- e. The additional costs of implementing the banding scheme have been factored into the high needs budget proposal for 2021-22.

4.9 Regular Review

- 4.10 Appendices 3 – 5 in the subsequent “DSG High Needs Block detailed budget allocations for 2021/22” paper, set the 2021/22 baselines for the new Banding arrangements. Termly monitoring and reporting will ensure that any band drift is monitored and managed where appropriate. The descriptors and weightings will be kept continually under review to ensure that they reflect the decisions of the EHCP Multi Agency Panel and that the decision making is consistent. Banding values will be reviewed annual as part of the budget setting process.

5 Appendices

Appendix 1 – Southend Banding Descriptors