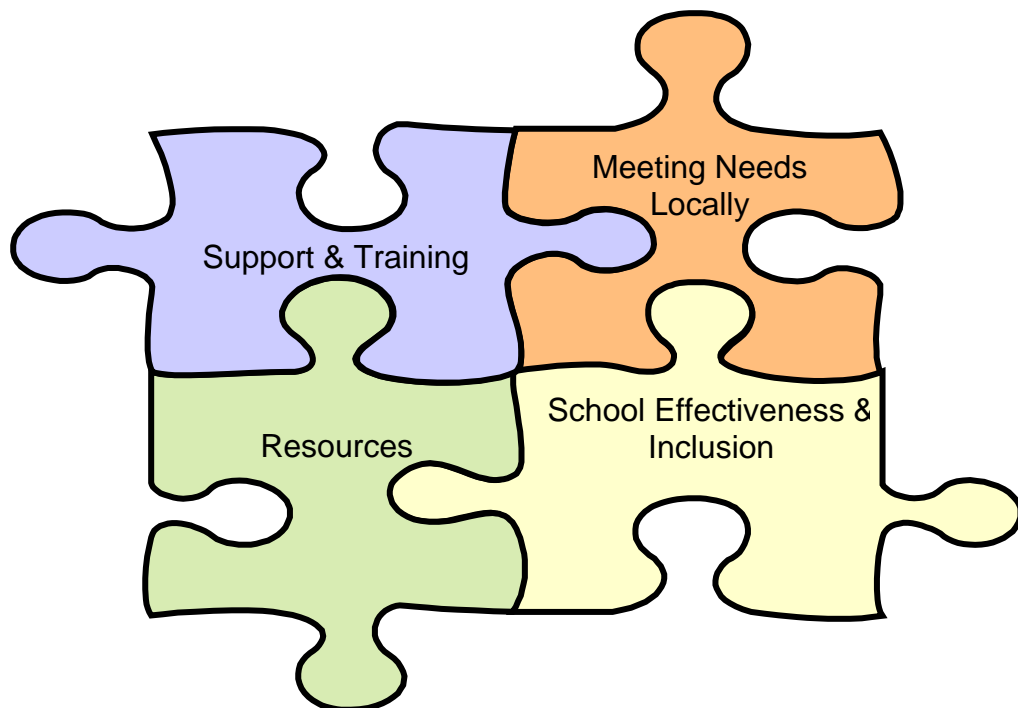


NEW MAINSTREAM SEN FUNDING FRAMEWORK:

Questions & Answers

Resourcing is one of the four inter-related themes in the HCC SEN & Inclusion Strategy



The key objective of this theme is: *'to ensure funding for SEN is transparent, equitable and supports early intervention and inclusion'*

The new mainstream SEN funding model is being introduced from April 2007 and a set of questions and answers about the new system has been prepared. These have arisen from the cross county meetings that were held in the autumn term 2006.

BACKGROUND

- **Why is Hertfordshire changing the way SEN is funded in mainstream schools?**

In May 2004, The DFES published guidance recommending that local authorities consider delegating more of their SEN funding to mainstream schools for the majority of pupils and to develop arrangements for distributing additional resources for the pupils with the most severe and complex SEN.

In order to respond to the DFES guidance and to obtain an independent perspective on the existing mainstream SEN funding arrangements in Hertfordshire, A detailed review was commissioned and took place in 2005, this included talking to a large number of professionals and other interested parties.

The proposed changes to funding pupils with SEN in mainstream schools are a direct result of the findings of this independent review.

- **Is this change being rushed through?**

In fact Hertfordshire has been hard at work since the DFES published its guidelines in 2004. The SEN/Inclusion strategy was published in 2005, and this identified 4 key themes – school effectiveness and inclusion, training and support, resourcing and meeting needs locally. In order to move forward on the resourcing theme, an independent review was commissioned in 2005 and the outcomes were disseminated at a series of meetings at the end of 2005. In spring 2006 a task group of heads, SENCos and officers was set up to develop proposals and the group has been meeting very frequently since then and progress has been disseminated at meetings across the county. Schools have been involved in dry runs of new decision-making processes in the autumn 2006 and spring 2007. The proposals have been consulted on and the changes are set to be introduced from April 2007.

- **What are the benefits of the proposed changes?**

- Less turbulence in schools' budgets and will support strategic planning.
- The focus will be on the needs of the pupil rather than on the bureaucracy.
- It will be equitable and transparent.
- It will support early identification.
- Funding for pupils with exceptional needs can be allocated quickly.
- Support services time freed up to be used more strategically.
- Encourages collaborative working in local clusters.
- Increases participation of schools in the decision making process.
- Builds on schools' good practice and knowledge of their pupils and families.
- Devolving predictable needs funding supports the concept of reasonable adjustments under the Disability Discrimination Act.

- **What are the main proposals?**

- The amount of SEN funding devolved to schools for predictable needs will be increased.

- This predictable needs funding will be devolved on a formula basis to differentiate between the needs of schools.
- Funding for pupils with the most severe and complex SEN - exceptional needs - will be retained centrally.
- Schools will work together in clusters to consider 'exceptional needs' allocations before making recommendations to a district panel.

PREDICTABLE NEEDS FUNDING

- **How was the predictable needs formula arrived at?**

We looked at a wide range of options and favoured a combination of factors (not just free school meals or educational attainment).

We wanted to use proxy indicators of need that would not place additional administrative burdens on schools or officers and where the data is already available/easily accessible.

The prior attainment indicator we have used is geared to pick up children scoring one level below the expected level at each key stage. We felt it was also important that the formula reflected behavioural needs and disability where the pupils' levels of attainment may not be the main concern. Hence FSM and number on roll are also included in the formula.

In the light of feedback through the consultation where there were concerns about using FSM and the relative weighting given to it in the formula, we have slightly adjusted the weightings of the proxy indicators to:

70% prior attainment
15% FSM
15% number on roll

These percentages broadly reflect the proportion of pupils currently receiving exceptional levels of support in relation to learning difficulties, behavioural difficulties and disability respectively.

- **Won't this formula disadvantage schools whose pupils are generally high attaining but who still have some pupils with significant needs, for example very challenging behaviour?**

It is important to remember that the majority of SEN funding is already distributed to schools through the AEN formula. The new predictable needs formula, which is in addition to this, is designed to distribute funding to schools for their more significant needs and all schools will receive some predictable needs funding. As indicated above, the prior attainment threshold will be set at one level below the expected level for each key stage, rather than as in the AEN formula which is simply set at below the expected level. In this way, the formula allocations reflect the more significant levels of educational need relative to each school.

Using a mixture of proxy indicators (and not simply educational attainment) means that other types of need such as challenging behaviour are also reflected in the formula.

Also, any school can apply for exceptional funding where it believes the intervention for a pupil requires an exceptional level of provision whatever his/her type of SEN.

- **What about children in nursery education?**

Pupils in nursery classes, where there is no countywide prior attainment data, will be treated as having the same average per pupil attainment score as calculated in the rest of the school.

The funding for predictable needs in nursery schools will be calculated as the average EPF allocation plus the average statement allocation for bands 1-3 (ie. up to 15 LSA hours) over the last three years. This will be allocated between the nursery schools based on their published admission number.

- **How often will the school's allocation of predictable funding be reviewed?**

Calculations will be made annually to reflect any changes and schools will be notified of their predictable funding alongside their budget share. However, the intention is that the distribution of the predictable needs funding will provide schools with a more stable budget than the current system.

- **What happens if the school uses up all its budget mid-year?**

The predictable needs funding will be devolved and it will be for the school to manage this budget throughout the year, as it would do with the majority of budgets at its disposal.

It is anticipated that the formula will deliver more predictable amounts of funding year on year to schools, thus supporting schools in their longer term planning of strategy, staffing and resources. It is important that schools are aware that no budget will be retained by the authority to provide further resources for SEN, except for the exceptional needs funding budget.

- **Will schools actually get more funding? I'm concerned that many schools are going to lose out – particularly in my sector.**

These new developments are supported by an overall increase of £1.7million for mainstream SEN funding in Hertfordshire. Approximately £900,000 of this new funding will be added to the amount to be distributed through the new predictable needs formula. This amounts to a 14% increase in each sector.

The majority of schools across the authority will gain from the new arrangements. However, because funding is being redistributed, there are inevitably variations and some schools will experience a reduction in overall funding.

The changes do not impact differentially on any particular school sector or phase, in comparison to another and transitional protection will be provided to limit losses and the impact on individual schools.

It should also be noted that historically EPF and funding for statements have shown very substantial fluctuation from year to year at school level. The new arrangements are intended to provide resources which are sufficient for schools to meet the predictable needs of pupils, provide more stability in that funding and distribute the funding equitably to reflect the differences between schools.

EXCEPTIONAL NEEDS FUNDING

- **How much money is there for exceptional funding?**

The budget 'pot' for exceptional needs has been based on the existing funding for primary and nursery statements over 15hrs of LSA per week and funding for secondary statements over 20hrs per week.

In addition, to ensure a smooth introduction to the new processes, an extra £250,000 has been added to the pot. This means the total exceptional needs funding budget is £3.15million.

- **How many children will require exceptional funding?**

The calculations for the exceptional needs budget, based on the figures above, show that currently approximately 600 pupils across the county may require this level of provision. Although the districts vary in size, it may be helpful to therefore think of approximately 50-70 pupils per district who might require exceptional funding at any one time.

- **Will each local cluster of schools have a pot of exceptional funding to use?**

No. Because of the relatively small number of cases involved at cluster level and to ensure consistency, a notional exceptional funding budget will be managed at district level.

Each district will have a panel of school cluster representatives and officers who will agree allocations from the budget to meet the exceptional needs in the district.

- **What happens if there are so many cases and the exceptional needs budget is not enough? Is the exceptional needs budget unlimited?**

As indicated above, an additional £250,000 has been added to this part of the budget, which represents a 10% increase in the funding for both primary and secondary exceptional needs. There should therefore be more than sufficient to provide for exceptional needs based on the pattern of data we have examined.

There will be no other budget for mainstream SEN retained by the authority to provide further resources. If the exceptional budget did overspend the authority

would have no option other than to topslice the amount devolved to schools through the predictable needs formula which would mitigate against the potential benefits of the new system.

We are however committed to evaluating the new arrangements and the pattern of needs and demands over time.

- **How much exceptional funding will be allocated to an individual school to support a pupil?**

This would depend on the individual pupil's needs and would be for the district panel to decide, following the school cluster's recommendation. The district panel will need to ensure decisions are made consistently across local clusters and there will also be a county process to moderate the decisions and allocation of funding across the districts.

- **What happens if a case is not deemed exceptional but the school has very little predictable needs funding and is finding it difficult to meet the needs of the pupil?**

We want there to be good quality feedback about individual decisions and suggestions of further actions (ie. not just yes or no). We recognise that a case may not be considered exceptional by the cluster or district but may still present a significant teaching and learning challenge to the school.

Feedback from the dry run of the cluster process indicated that schools found it beneficial to share ideas and expertise with each other about difficult or complex cases.

We also want to link support services more closely with clusters so that they can provide support in a more coordinated way and respond promptly where schools face particular challenges.

- **How long will an allocation of exceptional funding be given for?**

It is anticipated that most allocations will be made for the duration of a key stage. However, there may be circumstances where it is appropriate to make an allocation for a shorter period and the district panel would have flexibility to make this decision.

- **Does exceptional funding follow the child? (ie. if the child moves schools within Hertfordshire)**

Yes. Exceptional funding will follow the child. Of course, all exceptional funding allocations will be subject to review, the timing of which would depend on the allocation period (see above).

- **How often will the local clusters and district panels meet? Won't this be a lot more work for schools?**

The clusters and district panels would meet once a term. There needs to be a robust system of decision-making around exceptional needs but it is anticipated that the administrative demands on schools in particular will be reduced under the new system in comparison to the existing processes connected with EPF and statutory assessments. As indication under an earlier question, the number of children requiring 'exceptional' funding under the new arrangements is much smaller than the existing numbers for EPF and statements.

- **What about children moving into Hertfordshire who require an exceptional level of funding to support their provision?**

The same processes would apply. However, there may need to be some contingency arrangements to deal with emergencies. (For example, two or three district representatives could meet in between panels). However, we think it is important for districts to keep such contingency arrangements to a minimum. Too many will make the system reactive when we are trying to get more funding out to schools in a more 'predictable' way.

MAKING JUDGEMENTS AND CRITERIA ABOUT EXCEPTIONALITY

- **What evidence is needed to make these judgements?**

A proforma has already been trialled during the cluster dry run exercise. Generally, schools found this helpful and appreciated it being quite brief and simple.

There were some suggestions for improving it and we will also ask for further feedback from the district panel dry run exercise taking place early this term.

- **There is a lack of clarity about what constitutes exceptional. Can we have more guidance and some examples?**

Again, feedback from the dry run indicated that schools found the guidance and prompt questions a helpful start to understanding exceptionality. However, we are aware that there is the potential for misunderstandings and different expectations about this concept.

In our view, the best way to develop common understandings is by schools working together and by being actively involved in the decision-making processes.

Further guidance will be provided through the district panel dry run and through the clusters. We will be providing ongoing training for clusters and will include examples through this.

STATEMENTS

- **How does this all fit in with statements? Will they still exist?**

The new resourcing arrangements will not require statements in order to access support in mainstream. This includes resourcing for both 'predictable' and 'exceptional' needs.

There is no intention to get rid of statements, but they may well reduce as the new system becomes embedded.

- **What happens to existing statements? Will we have to take them all to the clusters for funding?**

No. The funding to support pupils with statements will either be in the school's devolved predictable needs budget or in the exceptional needs budget.

We do not want to place a large administrative task on the clusters and districts by expecting them to consider all existing cases that might be exceptional in April 2007.

We have therefore decided that existing statements with more than 15 LSA hours (primary) and more than 20 hours (secondary) will automatically receive funding from the exceptional needs budget, subject to review. Existing statements below these levels will be supported by schools through their devolved budget. Transitional protection will ensure that in 2007-08 each school receives at least the funding in their predictable needs budget equivalent to the sum of statements that were in force at December 2006 with funding allocation of 15 hours or below (primary) and 20 hours or below (secondary). Transitional protection arrangements will be reviewed in the Autumn 2007.

- **What about new statements? Will the criteria change?**

The criteria for statutory assessment will not change in the immediate future and any requests will continue to be considered on its individual circumstances. However, as indicated above, it will no longer be necessary to have a statement in order to access resources in mainstream and the number of requests for statutory assessments may reduce as the new system comes into operation, enabling a reduction in administrative demands.

Where there are new statements, the funding will either be within the school's devolved predictable needs budget or accessed through the cluster/district decision-making process if the case is deemed exceptional. There will not be a separate resourcing system for statements.

- **What happens about reviews of statements under the new system?**

Where there are statements there will continue to be a statutory requirement for an annual review.

- **How will this fit with reviews of exceptional needs funding allocations? Surely this is adding to bureaucracy?**

As indicated above, annual reviews of statements are a legal requirement for schools and the authority and will need to continue to take place.

Under the new arrangements, even exceptional levels of funding can be accessed without a statement. There will need to be a robust and transparent system of reviews but we think there will be a significant reduction in school level SEN administration as a result of resourcing for most children with SEN being determined at school rather than individual pupil level.

For the smaller number of children in each district who will be supported by the exceptional needs budget, their support will need to be reviewed towards the end of each allocation period. As indicated previously, it is anticipated that allocations will be made for a key stage in most cases.

CLUSTER/DISTRICT PROCESS

- **Where will cluster meetings be held, and how often?**

We are sure that clusters will want to meet locally. We anticipate they will need to meet once a term for the purposes of the new funding arrangements.

- **Is it possible to have either the headteacher or the SENCo at the meeting? Having both does not seem a good use of time.**

For the dry run exercise we did ask that one school representative attend, although some schools opted to send two people to the sessions.

We believe it should be the head or their representative that attends. Feedback from the dry run indicated that groups with over 12 people in them were too large to manage the process well.

- **We are worried that we will not manage to get through all the cases in our cluster at one meeting.**

For the purposes of the dry run exercise most schools brought along an existing case they thought was/might be exceptional.

Because of the anticipated numbers of exceptional cases across the authority at any one time (approximately 600) it is unlikely that every school in a cluster will in reality have a new exceptional case to present at each cluster meeting.

In addition, the dry run process was the first time that some schools had worked together to make these sort of judgements. Unsurprisingly there were differences in how much time clusters took to come to decisions. We believe that termly meetings of clusters and district panels should be sufficient to deal with the number of cases.

- **Will attendance at clusters be funded?**

The active participation of all schools in the new process is extremely important. Schools will be allocated a lump sum of £1,000 specifically to enable them to play their part.

- **What happens if a school does not send a representative to the cluster?**

The cluster meetings will be an integral part of the new SEN resourcing arrangements for mainstream. We would expect schools to attend, even when they do not have a specific case to discuss. We believe there are enormous benefits for schools supporting each other with needs they find challenging. Feedback from the dry run indicates that schools found discussing cases with colleagues a helpful source of expertise and information.

We have allocated a lump sum to each school to enable them to participate and we would want clusters to encourage all schools in their group to be actively involved.

- **What if a cluster cannot agree whether a case is exceptional?**

Making judgements about exceptionality can be difficult, particularly as this is a new process for schools. We think the best way to achieve common understandings and good decision-making is by schools working together on real cases. Some cases may be more difficult to decide than others, but this will be the role of the cluster. We are also committed to providing good quality feedback as part of the process.

- **How have these clusters been decided upon? What if we want to change?**

The clusters for the dry run were drawn up based on the extended school clusters. Where these were too large we subdivided them into smaller SEN clusters.

Following consultation, there have been some changes to the extended school clusters.

We feel it is important to dovetail the SEN clusters with these groupings. Where revised extended school clusters comprise 12 schools or less, these will also become SEN clusters. Where the extended school grouping is larger than this the schools in that cluster can decide how to subdivide, keeping to a local cross-phase group of approximately 8-12 schools as far as possible.

- **How long will the process take from the cluster meeting to getting the exceptional funding, if agreed?**

The cluster meetings and district panels will take place termly with the cluster meetings in the first half of the term and the district panels in the second half. This should mean that resourcing for agreed exceptional needs will be accessed more quickly than it has been through the statutory assessment process.

MONITORING AND ACCOUNTABILITY

- **What processes will there be for accountability?**

We want to improve this aspect through the new system. Currently there is limited awareness in Hertfordshire about the amount of SEN funding in school budgets.

Through the new arrangements the funding for SEN at school and local authority level will be much more transparent to ensure it remains focussed on SEN and pupils' overall entitlements are not diminished. We will provide clearer information to headteachers, SENCOs and governors on SEN funding for their individual schools.

Schools will also be made aware of the overall pot of SEN funding at local authority and district level and the new decision-making model involves schools and officers working more closely together to manage the exceptional needs budget effectively.

We will also be carrying out a full evaluation of the impact of the new SEN funding arrangements.

- **What monitoring processes will there be to see how schools are using their SEN budget?**

There will need to be strengthened mechanisms for monitoring and accountability with greater transparency between and within schools and across relevant services.

We believe that the most appropriate approach at school level is to incorporate this into school self-evaluation processes and general school improvement work. We are developing a standard set of questions to support this.

- **Will district panel decisions be moderated?**

Yes. There will be a process of post-hoc moderation with feedback to ensure consistency and equity across the county.

- **Should the SENCO's salary be paid from the exceptional funding allocations?**

No, this is not the expectation. The DfES recommends that the school's Age Weighted Pupil Unit funding should be used to provide the SENCO function.

PARENTAL INVOLVEMENT

- **How will parents be informed about the changes?**

We have worked with the Herts Parents and Voluntary Organisation Advisory Group and have planned a number of sessions across the county this term for parents of children with SEN.

It will be important for schools and local authority services to work together to inform and reassure parents about the new arrangements as appropriate. We are producing a leaflet for parents and this will hopefully be something that schools will find helpful in their discussions with parents.

- **What will happen if a parent is unhappy about the level of support for their child or the decision-making process?**

Schools will continue to have the key role in keeping parents informed and maintaining their confidence in how their child's needs are being met. However, schools may feel they need support in particular circumstances and there is a range of services who can be asked to assist, including EPs, Advisory Teachers, the Special Needs Team and Parent Partnership.

SUPPORT SERVICES

- **Will this make a difference to the services that support schools?**

The new funding arrangements do not include funding for services and schools will continue to receive the same range of support as now. However, we are looking at ways in which the work of our support and outreach services can be better coordinated around clusters of schools.

Currently a considerable amount of support service time is taken up with administrative issues around resourcing. We believe the new arrangements will enable services to have more capacity for supporting schools with individual pupil interventions and broader development initiatives.

- **Will support services be involved in the clusters and district panels?**

We believe it is important for support services to be represented in the cluster meetings and the feedback from schools at the dry run supported this.

Officers/support services will also be involved at the district decision-making panels. As well as a school representative from each cluster, panel members will include representatives from the EPS, SN Teams, Advisory/Support Teachers, School Effectiveness Advisers and Parent Partnership.

- **Can schools have more training from support services?**

There is a wide range of training available in the authority, but we are working to make this better coordinated and linked to strategic SEN/inclusion developments.

We will be making more training available to schools to help with the transition to the new funding arrangements.

We also believe there could be significant benefits in providing training and development through the SEN clusters.

- **Will the role of Special Needs Officers change? Won't there be savings in terms of local authority administration?**

There will still be a need for officers to have a casework role, for example where there are significant parental concerns, and the authority still has duties in relation to children with statements and/or complex needs. There will also be an important role in the effective operation of the new district panels.

We anticipate that changes to the existing system will allow officers and support services, as well as schools, to focus more of their time on meeting needs rather than spending effort on bureaucracy.

It would be an 'act of faith' to delegate significant funds linked to central SEN administration at this stage, but this will be kept under review once we are confident the new system is working and properly embedded.

EARLY YEARS

- **Will we be able to bring ‘exceptional’ cases before children start school so that funding is in place from the beginning?**

Yes. We see this as an advantage of the new arrangements. Schools can plan in advance for the admission of children with particularly significant and complex needs and this should also be reassuring for parents.

- **What about children in the early years who we think have exceptional needs but are not yet attending full time? Can we apply for exceptional funding for them?**

Yes. If a case is agreed as exceptional the support will be provided even if they initially only attend on a part-time basis.

- **Will we continue to get support from the Early Years teams?**

Yes. The new funding system will not change this. Again we want to coordinate our services and, where appropriate, organise them to best support clusters of schools. We feel this will have benefits in terms of cross-phase working and transition planning.

SPECIAL PLACEMENTS

- **Will placements continue to be named on statements?**

Yes. Where there is a statement, this will include the name of the school or the educational arrangements.

- **Will cluster groups have the remit to recommend placements?**

No. The role of cluster groups and district panels is to make recommendations and decisions about SEN funding in mainstream schools. There will continue to be a separate decision-making process for statements and placements of children in specialist units and schools.

For further information please contact staff in your local Area office.