

**Proposed Funding Model
for
Education Health and Care
Plans (EHCPs)
in mainstream schools,
academies and free schools in
Harrow**

Consultation Document

November 2019

Consultation Process

This document is concerned with the proposal for allocating funding for Education Health and Care Plans (EHCPs) for pupils in mainstream provision. This affects all mainstream maintained schools, academies and free schools in Harrow. This does not affect Pupils who attend an early years provision, a special school, an Additional Resourced Mainstream (ARMS) provision or any pupil attending a Further Education College.

Harrow Council is consulting with parents / carers of children and young people who are subject to an EHCP and attend a mainstream school, with schools and with the Harrow Parent Forum. Harrow Parent Forum represents the voices of families of disabled children from birth to 25 years living in the London Borough of Harrow. Young people (over 16 years of age) may wish to respond to this consultation independently of their parent/carer.

Timetable for Consultation

The consultation period is from Monday 4 November to Friday **29 November 2019**. Harrow Council will feedback the outcome of the consultation in the week commencing 6 January 2020.

How to respond:

We can only accept one response per family.

The consultation questionnaire is available to fill out online via Harrow Council's consultation webpage www.harrow.gov.uk/EHCPS

If you have any general queries please email:-
senassessment.reviewservice@harrow.gov.uk

If you have any financial queries please email:
Jo.Frost@Harrow.gov.uk

Introduction

Harrow Council is proposing a new approach to the additional funding allocated to a Harrow mainstream school for a pupil who has an Education, Health and Care Plan (EHCP) and we would like to hear your views.

The proposal has been drawn up with representatives from schools and is a result of discussions about increasing the robustness and transparency of decision making for additional funding.

There is no saving attached to this proposal. If the proposal proceeds there will be an estimated additional investment of £1.3m in EHCP funding for mainstream schools and academies.

This proposal is rooted within the wider context of [The SEND Strategy](#) and contributes to its implementation. The proposal and SEND Strategy reflect the Council's commitment to enhance local provision, support the development of provision within our mainstream schools to meet pupil projections for future demand which will reduce the spend on out borough provision .

Presently, additional funding allocated through an EHCP is based on a number of teaching assistant (TA) hours. Harrow Local Authority is proposing a banding approach instead. A banding approach is widely used by many other local authorities, including our neighbouring boroughs.

The banding approach is designed to give schools more flexibility to support a pupil with an EHCP and to reflect the wide range of strategies and interventions that are used in schools to support a pupil's learning. We have developed a set of descriptors which are referred to as the **High Needs Banding Matrix** to support consistent and transparent decision making.

The SEND Code of Practice asks us all to encourage independence from an early age. Nationally informed research shows that some pupils with TA support alone don't make as much progress as they should and can be less independent than other pupils as they come to rely on adult support. The school will still need to consider each individual pupil and make sure that what they provide meets the outcomes in the EHCP. That could mean a change from specific TA support alone to other types of intervention, or it may mean that the support of a one-to-one TA is still necessary.

We have a duty to be specific and detailed about the type of support and help each pupil will receive and we will continue to do this. We will not be changing the format of the EHCP. In the EHCP there will still be the description of the type of support to meet specified outcomes. However, instead of stating TA hours in section F of the EHCP the Local Authority, it is proposed, will specify a band. At the annual review

the school will discuss with parents what their child is getting both in terms of support and the expected outcomes.

The consultation document sets out:

- How schools are funded for pupils with special educational needs and disabilities in mainstream schools in Harrow.
- The present system in place for allocating additional funding, which is referred to as ‘Top Up’ funding.
- How the proposed banding approach will work, including how the High Needs Banding Matrix will support decision making.
- The proposal to introduce a SEND Support Fund so schools with a disproportionate high number of pupils with EHCPs are not financially disadvantaged.

Background

1. Funding for pupils with Special Educational Needs and Disabilities (SEND) in mainstream schools comes from a combination of the Schools Block and the High Needs Block (HNB). These are two of the Blocks which form part of the Dedicated Schools Grant (DSG). The funding is as set out in the table below.

Type of provision	Core funding	Top up funding (real time)
Mainstream schools, mainstream academies and mainstream free schools	<p>Included within the per-pupil funding through the Schools National Funding Formula.</p> <p>The first £6,000 of additional support costs is delegated within school budget and academy grant derived from the Schools National Funding Formula (The Schools Block)</p>	Agreed per-pupil ‘top up’ paid by the Local Authority (The High Needs Block)

2. HNB allocations are calculated through the High Needs National Funding Formula. Local authorities decide how much to set aside in their HNB for place and top-up funding given to institutions, central high needs services and other aspects of provision related to SEND and Alternative Provision (AP).
3. Local authorities should use the high needs budget to provide the most appropriate support package and setting for an individual with SEND, taking account of parental and pupil choice. The Children and Families Act 2014 extended local authorities’ statutory duties relating to SEND across the 0 to 25 age range.

Place funding – first £6,000

4. In 2019-20 all mainstream schools with more than 2 pupils with an EHCP, receive an allocation of an additional £6,000 per pupil with an EHCP from the centrally managed High Needs Block, based on the previous year's October count.
5. In March 2019 Harrow Council consulted with schools on the realignment of place funding £6,000 for Education Health & Care Plans (EHCPs) for pupils in mainstream schools and academies to the new National Funding Formula for Schools and High Needs from 1 April 2020
6. Through the introduction of the Schools National Funding Formula (Schools NFF) in 2017-18 the Government recognised that no funding formula – whether national or local – can match funding precisely to each individual pupil's needs. Every child is different and teachers know much more about their pupils than any dataset can tell local authorities or government. But the data about pupils can be used to target funding where it is most likely to be needed – using pupil characteristics that can be clearly linked to a likely need for additional educational, pastoral or administrative support.
7. The Schools NFF uses socio-economic deprivation, low prior attainment and English as an additional language (EAL) as factors to allocate funding for additional needs in the schools' national funding formula.
8. Deprivation is a strong predictor of future attainment and acts as a proxy for a range of barriers to education, including low parental education, low aspirations for future success and special educational needs.
9. The low prior attainment factor is commonly used by local authorities as the main factor for determining how much of the core funding a mainstream school receives is notionally intended to support its SEND provision (the 'notional' SEND budget).
10. This means that the Schools NFF notionally contains the £6,000 place element of funding of additional education that a pupil with high needs will need in order to access the school's offer of teaching and learning.

Top-up funding (Element 3)

11. Where individual pupils require additional support that costs more than £6,000, the excess should be met by top-up funding associated with the individual pupil. Top-up funding rates are for local authorities to agree with schools and academies. They should reflect the needs of the individual, and the cost of meeting those needs.
12. Top-up funding is currently paid out at an hourly rate of £10.77 over 52 weeks for the number of hours (or equivalent) agreed in an EHCP. A number of schools, through Schools Forum, have expressed the view that funding allocated on the basis of teaching hours does not reflect the complexities or the flexibility of how provision is best managed in schools.

13. This consultation proposes an alternative model of funding based on a banding approach. We have developed a proposed set of descriptors which is referred to as The High Needs Banding Matrix (Matrix) to support the decision making process relating to Top Up funding. This proposed Matrix has previously been shared with Schools Forum, SENCOs Forum, Harrow Parent Forum and managers within Education Services.
14. The Matrix is based on the 4 broad areas of difficulty described in the 2014 SEND Code of Practice. The aim of the Matrix is that funding is banded and provided at a consistent and transparent level across all mainstream educational settings. The move away from an allocation of funding based on 1-1 teaching assistant hours provides the school with a level of flexibility in how funding is used in the school to meet the provision as specified in a pupil's EHCP.

How does the High Needs Matrix work?

15. The Matrix will be used to support the decision making for all allocations of additional education funding for SEND in all mainstream schools, academies and free schools in Harrow.
16. The 2014 SEND Code of Practice describes four broad categories of SEND
- Sensory and/or Physical
 - Communication and interaction
 - Social, Emotional and Mental Health
 - Cognition and Learning
17. In the Matrix these broad categories are further subdivided to give 10 columns describing need with 5 rows relating to the severity of the need. Each row is assigned points ranging from 0 – 4 with 0 being no significant need and 4 being the highest level of need.
18. The four main categories are weighted as follows:
- Sensory and/or Physical x 4
 - Communication and Interaction x 2
 - Social, Emotional and Mental Health x 4
 - Cognition and Learning x 4

Allocating funding to a new EHCP

19. When an EHCP reaches draft stage the Local Authority must decide on the level of provision required to meet a pupil's needs. To allocate funding the following steps will be taken:
- The decision exercise will be part of the weekly SENARS panel.
 - The decision will be made based on the information gathered as part of the statutory assessment against the Matrix
 - The needs in each column are considered and a decision reached on which description best describes the pupil.

- Descriptors in more than one row can apply so best judgement should be used to decide which one is the best fit alongside the information gathered.
- On a copy of the Matrix, the columns and rows are marked to record the panel decision.
- The Matrix assigns points ranging from 0 – 4 depending upon which row the pupil’s needs are plotted against.
- The point level is worked out by adding up the scores in the columns which will be set out in a table such as Table 1 below.

Table 1 – Matrix scoring template

Column Heading	Score	Weighting	Points
Physical disability and/or medical conditions	0	x4	0
Hearing	0	x4	0
Vision	0	x4	0
Speech and Language	0	x2	0
Communication and Interaction	0	x2	0
Emotional Wellbeing	0	x4	0
Social behaviour	0	x4	0
Learning behaviour	0	x4	0
Cognitive ability	0	x4	0
Specific learning difficulty	0	x4	0
Total points	xxx		xxx

- The columns are weighted.
- Under the Cognition and Learning category, the final two columns: Cognitive Ability and Specific Learning Difficulty are capped at a maximum of 16 points.
- The points total converts to a point band in the funding table to establish the top-up funding amount.

Table 2 – Matrix Banding and Funding

Band	Points Band	Total Place & Top-up (Schools & High Needs Block)	Place funding (Included in School Budget)	Top-up (Paid from High Needs Block)
A	0-15 points	school budget	school budget	school budget
B	16-26 points	£10,949.19	£6,000.00	£4,949.19
C	27-42 points	£12,796.76	£6,000.00	£6,796.76
D	43-53 points	£15,594.82	£6,000.00	£9,594.82
E	Over 54 points	£19,271.96	£6,000.00	£13,271.96

20. Table 2 sets out the funding attached to each banding. At present funding is paid at £10.77 per hour over 52 weeks. Under the Matrix proposal top up funding will no longer be based on an hourly rate. Instead funding will be allocated through the Matrix as set out at Table 2
21. The Authority's proposals, under the banding system and the rates set out in Table 2, increase the overall funding available for Top Ups by approx. £750k compared with top up funding paid out in 2019-20.
22. Under this proposal changes will be applied to any new EHCP issued from 1st April 2020.
23. Current EHCPs will be transferred to the Matrix through the Annual Review process. The banding level will apply from the date the Authority completes the process of the Annual Review and issues the final letter and amended EHCP to the parents and the school. It is anticipated therefore that the conversion process will take up to one year.
24. From the 1st April Top Up funding will be paid at an hourly rate of £12.36 over 52 weeks.
25. It is proposed that if the Matrix is agreed assessment of banding levels will apply from the point of response to the consultation Therefore for EHCPs amended through the annual reviews process between the period January –March 2020 TA hours will be stated and a banding level. The banding level will apply from 1st April 2020.

When is top up funding allocated or amended?

26. The Authority will allocate Top Up funding using the High Needs Matrix:
- When issuing a final EHCP following a Statutory Needs Assessment based on the information provided
 - When issuing an amended EHCP following the Annual Review process

How else may the High Needs Matrix be used?

27. The Matrix may be used by schools when considering submitting a request for a Statutory Needs Assessment or submitting an Annual Review of an EHCP.

Exceptions to the Matrix

28. The Matrix is used to support decision making. It is not intended to be definitive, although the sampling carried out during the development of the Matrix indicated that it was accurate in determining an appropriate level of additional funding in the majority of sampled cases. Special Educational Needs Assessment and Review Service (SENARS) has continued to sample cases and have in place more detailed sampling to support and inform the consultation.

29. There are exceptions where the Matrix does not reflect the level of need for example a pupil who has a significant sensory impairment (visual impairment/hearing impairment) a pupil who has a significant physical need but no special educational learning need. In such cases a more detailed discussion will be held before determining the allocation of additional funding to take in to account the support the pupil will require to access the curriculum.

SEND Support Fund

30. Local authorities should provide additional funding outside the main funding formula for mainstream schools and academies on a consistent and fair basis where the number of their high needs pupils cannot be reflected adequately in formula funding. They should define the circumstances in which additional funding will be provided from their high needs budget.

31. Local authorities should have a formula or other method, based on their experience of distributing additional funding to their schools and academies. This should be agreed with schools. 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 difficulties because of their disproportionate number of high needs or SEND pupils or their characteristics

32. It is proposed to introduce a SEND Support Fund which will provide £6,000 element 2 funding to schools which have a disproportionate number of EHCPs calculated each year based on the October census, for the following financial year. Funding for 2020 -21 will be based on the October 2019 census.

33. This figure **excludes** pupils with EHCPs who are in Additionally Resourced Mainstream (ARMs) units, pupils in nurseries and sixth form pupils. There will be no in-year adjustments to reflect starters and leavers.

34. This funding will be allocated to schools whose number of ECHPs as a percentage of numbers on roll exceeds the average percentage of EHCPs for primary and secondary schools and based on the October census.

35. As an example, the average percentage of EHCPs for primary and secondary schools and based on the October 2018 census was 1.46% and 1.68% respectively. Under this methodology 16 of 43 primary schools and 7 of 12 secondary schools would have received funding ranging between £6,000 and £66,000 with a total fund of £546k. Under this methodology the threshold will be determined annually based on the October census.

36. Thank you for taking the time to read this consultation document. We would like to hear your views. Please complete the consultation questionnaire.

