

DARLINGTON SCHOOLS FORUM

10th March 2020

ITEM NO. 4

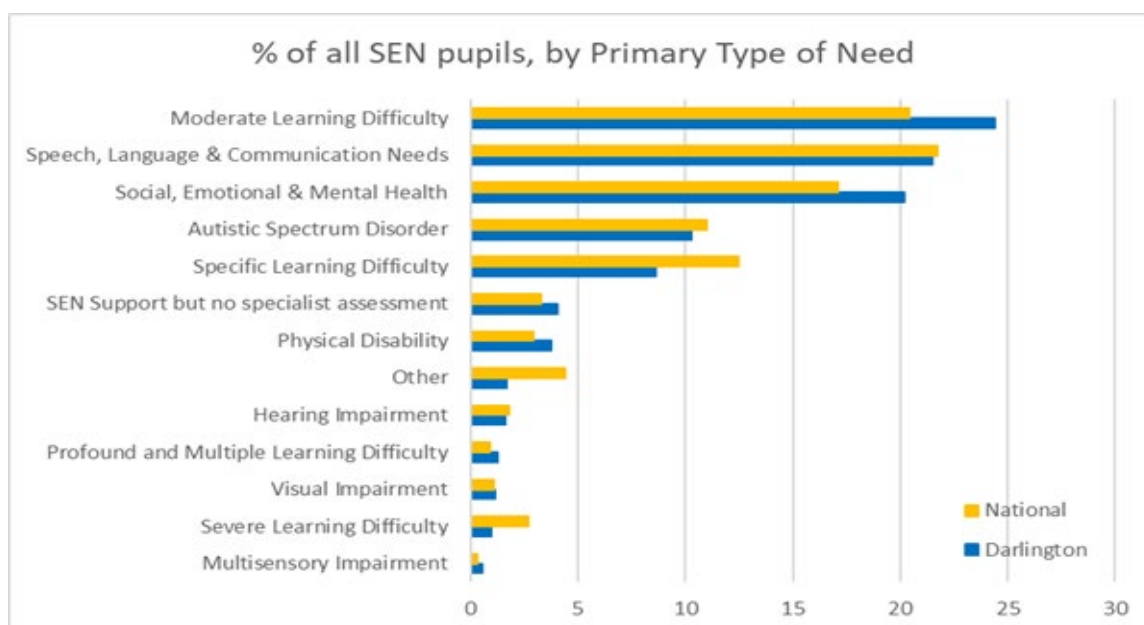
Allocation of Additional High Needs Funding to Support the High Need Recovery Plan

Purpose of the Report

1. To outline to Schools Forum the Local Authority's options for the use of the additional allocation of funding High Needs funding to support the high needs recovery plan.

Summary

2. The most recent published national data (from January 2019, published in SEN in England in July 2019) shows that 3.9% of Darlington pupils have an Education, Health and Care Plan (EHCP). This is slightly higher than the North East average of 3.3% and above the England average of 3.1%.
3. The published data for January 2019 shows the profile of primary need in Darlington is different to that seen nationally. A higher proportion of school age children have social, emotional and mental health needs (SEMH) identified as their primary need than nationally, 24% in Darlington compared to 21% across England and 16% across the North East and there is also a higher proportion of school age children identified as having MLD than nationally 28% in Darlington compared to 21% across England. This is shown in the following graph and tables.
4. **Table 1¹** below shows the % of all SEN pupils by need



Early Years / Reception – Autumn Term 2019					
	Communication and Interaction (C&I)	Social, Emotional, Mental Health (SEMH)	Sensory, Physical, Medical (SP&M)	Cognition and Learning (C&L)	Total
Total	12	1	3	6	22

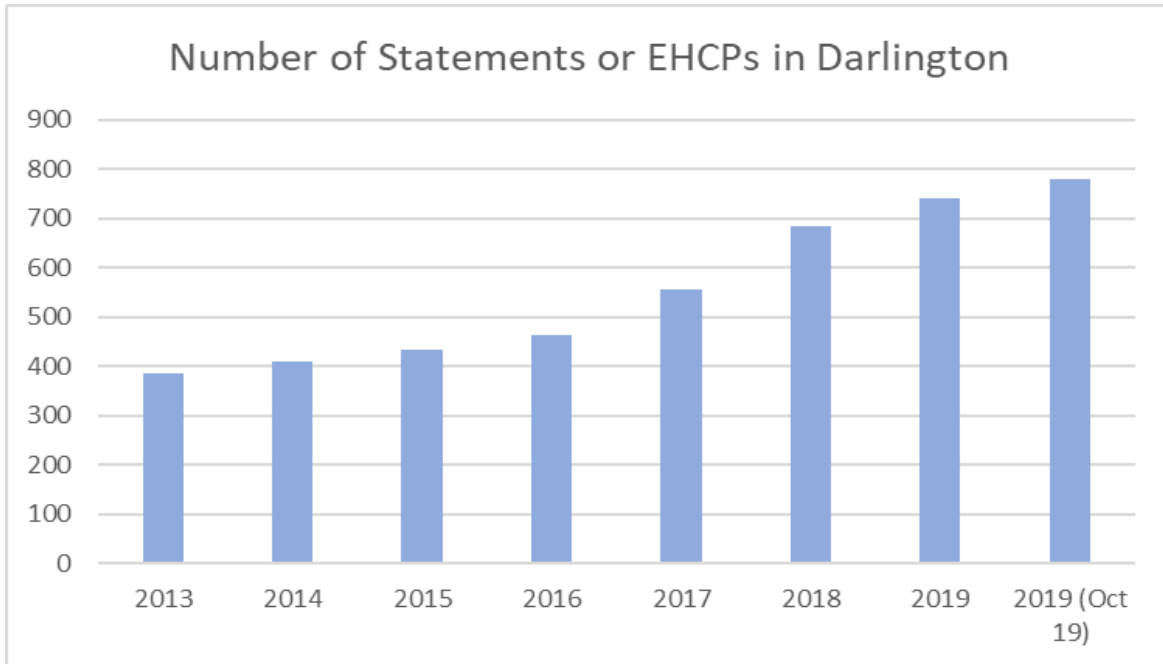
Primary – Autumn Term 2019					
	Communication and Interaction (C&I)	Social, Emotional, Mental Health (SEMH)	Sensory, Physical, Medical (SP&M)	Cognition and Learning (C&L)	Total
Total	121	37	24	73	255

Secondary – Autumn Term 2019					
	Communication and Interaction (C&I)	Social, Emotional, Mental Health (SEMH)	Sensory, Physical, Medical (SP&M)	Cognition and Learning (C&L)	Total
Total	94	80	22	104	300

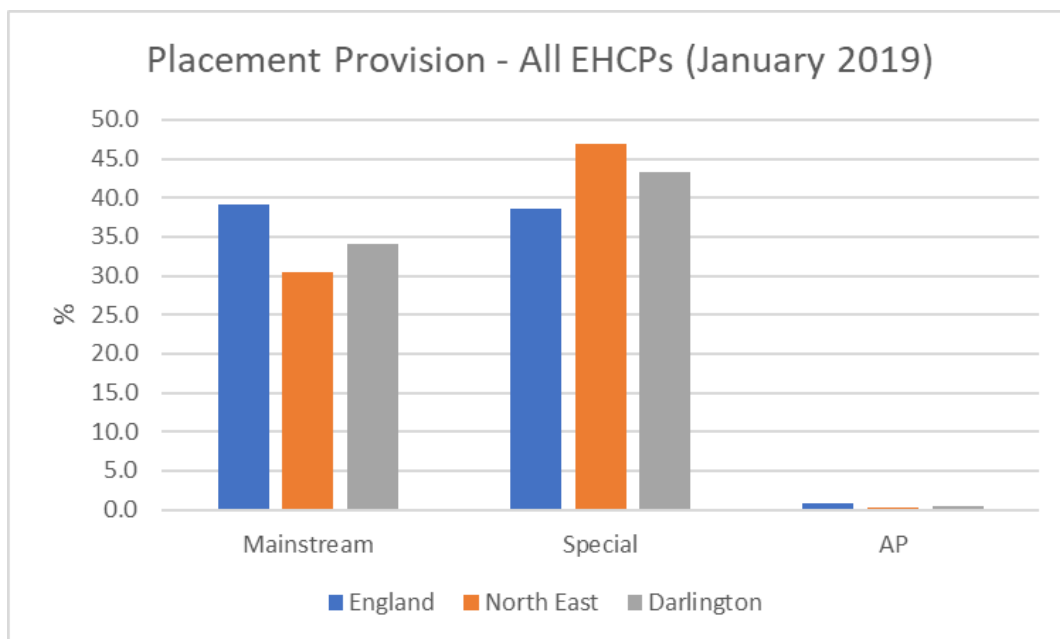
Post 16 – Autumn Term 2019					
	Communication and Interaction (C&I)	Social, Emotional, Mental Health (SEMH)	Sensory, Physical, Medical (SP&M)	Cognition and Learning (C&L)	Total
Total	35	50	11	38	134

Post 19 – Autumn Term 2019					
	Communication and Interaction (C&I)	Social, Emotional, Mental Health (SEMH)	Sensory, Physical, Medical (SP&M)	Cognition and Learning (C&L)	Total
Total	25	4	4	35	68

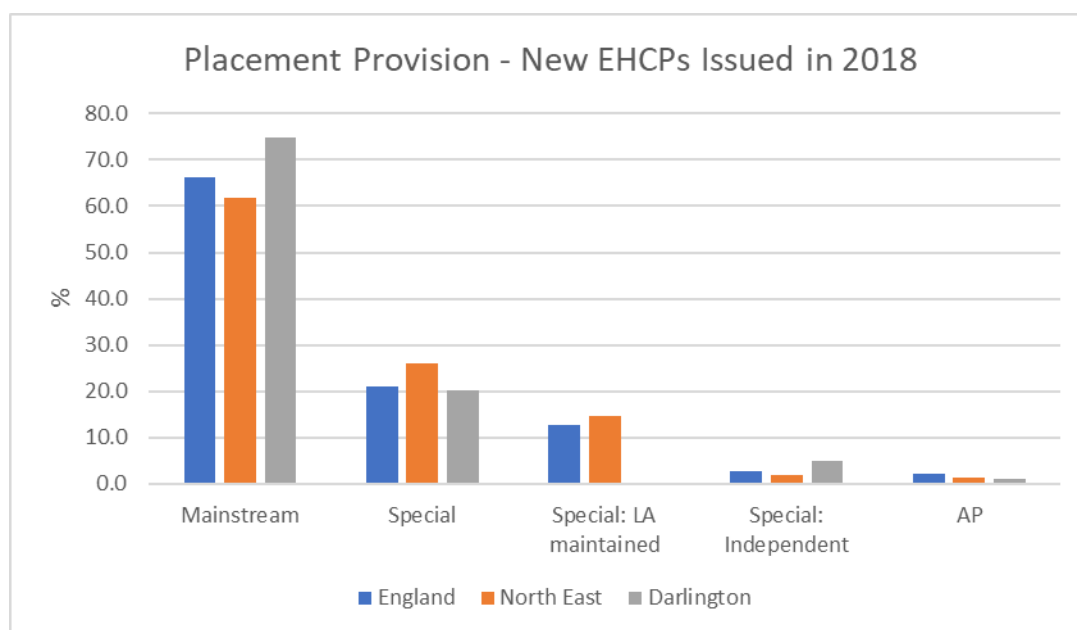
- Darlington has seen a significant rise in the total number of EHCPs in the last 5 years. The number of plans has risen from 385 in January 2013 to 741 in January 2019 and is currently at 779 (October 2019). This equates to a rise of 102% throughout this period. This is shown in the following graph.



- In England 39.2% pupils with EHCPs are placed in mainstream schools compared with 34.0% in Darlington, evidencing that a smaller proportion of young people are educated in mainstream schools. Darlington also places a higher proportion of young people with EHCPs in Special Schools (43.3% compared to 38.6% across England). This is shown in the following graph.



- Darlington places 5.5% of young people with ECHPs in Independent Special Schools, compared to 3.9% across England and only 2.7% across the North East.



- Darlington placed 5.1% of new EHCPs in Independent Special Schools in 2018 compared to 1.9% across the North East and 2.8% in England.

National Landscape

- In mid-2019 the long-awaited Timpson Report on Exclusions and 'off rolling' was published. The report makes 30 recommendations to Government and highlights variation in exclusions practice across different schools, local authorities and certain groups of children, including those with additional vulnerabilities and SEND needs. The report demonstrated that vulnerable groups of children are more likely to be excluded, with 78% of permanent exclusions issued to children who had special educational needs (SEN), or classified as in need or eligible for free school meals. This has led to a clear desire and focus at national strategic level to promote more inclusive schools at both Primary and Secondary phases.
- In the autumn of 2019, the House of Commons Education Committee published its SEND Report. A central theme throughout the report is a concern regarding local authority oversight of Primary, Secondary and Specialist settings legal compliance with the SEND Regulations and SEND Code of Practice and a recommendation that authorities do more to support settings to be more inclusive, promoting improved outcomes for SEND learners. Both these key reports instruct local authorities and education settings to do more to promote inclusive practice and, where possible, the education of children within their own communities.
- There is currently a government led DfE SEND review underway. It is likely that this review will call for evidence in the spring. It has been indicated in both the Timpson Report and the Commons Education Committee Report that the government are committed to a review of the SEND Code of Practice in 2020.
- Following a national consultation in mid-2019 LA's are currently awaiting a report from the DfE and ESFA on the structure of Financial Arrangements and processes for SEND and AP. The key focus of this report is likely to relate to the 'nominal' budgets given to schools for SEND and the confusion on the deployment of this funding within schools offer.

Additional Allocation of Funding

13. There has been a provision of an uplift to the High Needs Budget in local authorities for 2020/21, of which Darlington is due to receive £1,575,987. Although it has not been confirmed if this is a single year allocation, or a longer-term increase in year on year funding, it is expected that this increase will be the same for 2021/22 and possibly beyond. For this paper this has been the assumption.
14. The allocation of the additional funding and the 'Top Slicing' of DSG is being scrutinised by DfE and ESFA and it has been communicated that the additional money should not be simply used to offset budget pressures and should be deployed to address local areas of need and reduce future budget pressures moving forward.
15. The Local Authority has identified several options as to how the additional funding could be used to support SEND practice in Darlington and contribute to the High Needs recovery block which are outlined below.

Budget Overview for HNFF Up Lift 2020 – 2022-Indicative costs			
Additional High Needs Block Allocation	2020/21 (Confirmed)	2021/22 (Expected)	Total
	£1,575,987	£1,575,987	£3,151,974
Supplemental HN Cost Recovery Items	2020/21	2021/22	Total
14-16 Alternative Provision SEND placements	£200,000	£200,000	£400,000
Inclusion Support 2 -year pilot	£210,000	£210,000	£420,000
SEN Unit Revenue Start Up	£200,000	£0	£200,000
TOTAL EXPENSES	£610,000	£410,000	£1,020,000
Total Off Set to HN Cost Recovery	£965,987	£1,165,987	£2,131,974

14 – 16 Alternative Provision SEND placements

- a. The introduction of the additional SEMH resource bases and the introduction of the Tees Valley Free School will provide additional local placement capacity to Darlington, but significant capacity challenges remain. A lack of enough high-quality local alternative provision remains a challenge to addressing local need.
- b. There are currently 32 year 10 and 11 pupils being educated out of area with the current 2019/20 expenditure for these children totalling £1,338,084, equating to an average of £41,815 per pupil.
- c. There are currently 34 year 8 and 9 pupils being educated out of area. These are the future 14 – 16 cohort. This is an area of increasing need for alternative provision and bespoke education packages. There have been 6 children and young people between 14 – 16 years who have failed to engage in formal education. These children and young people require a nurturing and flexible offer to ensure that they can reengage and remain engaged in education and training.

- d. There remains a number of children currently in a range of provisions whose placements are at risk, which would leave them without a school roll as should these placements break down there is not a provision within borough with the approach required to meet many of their needs. With no alternative offer these children would likely end up being educated out of area.
- e. In order to achieve the outcomes, set out in 9.79 of the SEND Code, in the local area Children and Young Peoples plan and the SEND strategy the LA would seek to work with local providers to establish an offer for those pupils who struggle to engage in a more formal setting.
- f. The Local Authority would wish to initially explore this option with the management committee of Rise Carr College to establish if this type of offer would be viable for Rise Carr to deliver.
- g. Each pupil would have funding allocated to them through the NFF and where appropriate the High Needs Block with recourse to top up through Darlington's ranged funding model. The use of the High Needs Block top up would allow for the facilitation of a two-year set up period under pinning initial set up costs. The Local Authority would undertake a review to establish if suitable additional premises were available if required.

Inclusion Support 2- year pilot

- a. This 2-year pilot would see a newly appointed specialist team of inclusion practitioner's work directly in partnership with schools to assist in providing additional positive relationship support and promoting integrated inclusion practice. This would be a 'wraparound' intervention offer for pupils with additional needs who may need some supplemental support and operate on a Strengths Based, Relational and Restorative Approaches assisting schools to understand and embed the strengthening family's agenda and improve outcomes for children in Darlington.
- b. Development and delivery of training on positive 'relationship' support and SEND inclusion would be delivered in partnership with Whole School SEND allowing the pilot project to access regional and national support and guidance in inclusion best theory and practice.
- c. The Local Authority would wish to explore with Rise Carr College Management Committee the possibility of the college delivering such an offer alongside the viability of a long term sustainable traded offer.

Start Up Revenue Support of SEN Units

- a. While there has been capital budget agreed for the newly commissioned SEN Units it has become clear through the project management process that there is a need to support with a one off supplemental top up of start-up revenue for the initial set up of staffing for the implementation of the units.

Off Set to High Needs Budget

- a. Delivering the supplemental items above will allow for increased support of the High Needs Cost Recovery plan on an invest to save approach. Costs are indicative and a full breakdown of costs will be presented to a future forum meeting.
- b. Delivery of these items will still result in a potential off set of £2,131,974 against the High Needs Budget between 2020 and 2022. This will assist to reduce the in-year costs of high needs places supplementary to the expected projected cost recovery laid out in the High Need Cost Recovery Plan.

In addition to the proposed initiatives outlined above the following proposals seek to identify further efficiencies in the current system.

Aligned Ranged Funding for Exported Pupils:

- a. In September 2019 the Authority aligned the allocation of resources with the SEND Ranges. This was enacted for all in borough provision. Currently pupils placed in mainstream schools out of area attract a top up rate applied by the out of area local authority. It is proposed that the Darlington funding arrangements apply to all pupils attending a mainstream school whether in or out of borough. The alignment of ranged top up funding for exported pupils and students could see a potential £100,000 saving. This would take negotiation with external settings over a full academic year. Care must be taken to ensure that needs are able to be met while aligning with the DBC SEND Ranges.

Review and Scrutiny of Out of Area Placements:

- a. There are a number out of area placements which do not offer best use of resources to promote outcomes for children and young people with SEND. The SEND Regulations 2014 and the SEND Code of Practice is clear that Local Authorities must consider all placements as suitable for 'the age, ability, aptitude or SEN of the child', as compatible 'with the education of others' and as an 'efficient use of resources' duty in SEND Code of Practice. The Authority should undertake a review of all current out of area placements regarding these parameters and take appropriate action to address and provision which does not meet these duties. This will be a key aspect of the newly appointed SEND Contracts and Commissioning Managers role.
- b. A review will be undertaken of all current out of area placements by July 2020 to inform placement planning for the 2020/21 academic year.

Recommendation

16. It is recommended that Schools Forum

- note the additional allocation of HNB funding
- give initial views on the LA's proposals for the use of the additional funding
- support a wider consultation process on the proposals outlined in this paper

Tony Murphy
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