Dear Head Teacher/SENCo

RE: ADVICE FOR SCHOOLS IN WIRRAL ON FUNDING FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCTIONAL NEEDS

Background

The following advice brings together two important changes which have been introduced over the last two years: Firstly, the Place Plus funding system introduced by the DfE in April 2013. Secondly, Part 3 of the Children and Families Act 2014 with the focus on children and young people with Special Educational Needs or Disabilities (SEND) 0-25 and the detailed description given in the revised Code of Practice. The latter includes a significant overhaul of the processes related to assessment of, and provision for, children and young people with SEN. These processes had remained largely unchanged since the Education Acts of 1981 and 1996. While the new legislation brought significant changes, an overriding key principle remains in place: That the vast majority of children and young people with assessed SEND will have their needs met from delegated resources within their mainstream school, without recourse to formal processes administered by the Local Authority or to additional resources and that every teacher is a teacher for children and young people who have special educational needs. The 1981 Act was a result of the Warnock Committee Report which determined that approximately 18% of the whole school population would experience some form of SEN during their school career, while only approximately 2% would require provision through statutory processes. It is important to reiterate this principle in order for schools to allocate appropriate resource levels in order to maintain capacity and the confidence to achieve identified outcomes. It is important for parents and carers to have clear pathways to access appropriate advice and support for their children and for schools to meet this requirement through the SEN Information Report as part of the 2014 Act.

The Funding Elements

The great majority of children with SEN will have their needs met from within resources delegated to schools. Changes to funding arrangements and legislative requirements have not changed this fundamental principle. In order for schools to fulfil this requirement there are 3 funding elements:

Element 1: Average Weighted Pupil Unit: a sum of money for every child or young person on roll.

Element 2: schools notional SEN budget. This is allocated to meet SEN up to the nationally prescribed limit of £6,000. It is important to recognise that the majority of needs can be met with a lower level of expenditure than £6,000. It is not intended as a required figure. Element 2 should be deployed within the prescribed range using a sliding scale. Decisions on this are made by the Headteacher. Schools should also take account of the whole range of resources available to them. This may include funding for deprivation or the Pupil Premium for example.

Element 3: Top Up funding is allocated by the Local Authority where a child or young person has significant or complex needs. Schools will already be providing support from Elements 1and 2 of their budget using the Graduated Approach to SEN as required in the Code of Practice of 2014. It is expected that schools will be able to evidence that they have used in an appropriate way all of the £6000 within element 2.Element 3 funding is comprised of five bands to reflect complexity of assessed needs. The top up bands are allocated in addition to Elements 1 and 2 funding in mainstream schools and in addition to the Place funding of £10,000 in specialist settings, including PRUs and other Alternative Provision. Access to any top up band requires evidence of SEN and the expected interventions which are summarised below. The top up bands currently are set as: Band 1 £1,000, Band 2 £6,000, Band 3 £7,000, Band 4 £8,000 and Band 5 £16,000. An initial review of the top up bands has being undertaken during the Summer Term 2015 and will form the basis of a consultation during the Autumn Term 2015. This consultation paper is being developed and will be considered by a Schools Forum working group in September 2015.

SEN and Disabilities Code of Practice 0-25 2014

Areas of SEN: Cognition and Learning:

 Communication and Interaction

 Sensory and/or Physical Needs

 Social Emotional and Mental Health Needs

Section 6.37 of the Code states that high quality teaching, differentiated for individual pupils, is the first step in responding to those who have, or may have, SEN. Additional intervention and support cannot compensate for a lack of good quality teaching. Schools should review and improve teachers’ understanding of strategies to identify and support individual pupils and their knowledge of the SEN most frequently encountered. Where, despite the school having taken relevant and purposeful action to identify, assess and meet the SEN of the pupil, he or she has not made expected progress, the school or parents should consider requesting an Education, Health and Care needs assessment by the Local Authority.

To inform its decision Wirral LA require clear evidence of the action taken by the school as part of SEN support. This evidence is part of the obligation for each school, described by the DfE as ‘Best Endeavours Duties’. This includes evidence programmes of intervention, resource deployment and pupil outcomes. More broadly, best endeavours relate to SENCo accreditation through the national training programme; the implementation of the graduated approach: the ‘Assess/Plan/Do/Review’ model and the updating of the knowledge and practice of all staff.

The SEN Information Report

Section 79 of the Code of Practice states that school governing bodies must publish information on their websites about the implementation of the school’s policy for pupils with SEN. The information should be updated annually. The requirements are set out in the SEND Regulations 2014 and must include information about:

* The kinds of SEN that are provided for
* Policies for identifying children and young people with SEN and assessing their needs
* Arrangements for consulting young people with SEN and involving them in their education
* Arrangements for assessing and reviewing pupils progress towards outcomes
* Arrangements for supporting children and young people in moving between phases of education and in preparing for adulthood
* The approach to teaching children and young people with SEN
* How adaptations are made to the curriculum and learning environment of children and young people with SEN
* The expertise and training of staff to support children and young people with SEN, including how specialist expertise will be secured
* Evaluating the effectiveness of the provision made for children and young people with SEN
* Engagement between those with SEN and those who do not have SEN
* Support for improving emotional and social development
* How the school involves other bodies, including health and social care, LA support services and voluntary sector organisations in meeting children and young people’s SEN and supporting their families
* Arrangements for handling complaints from parents of children with SEN about the provision made at the school

Key Messages Emerging from the Early Implementation of the Act Regarding SEND

Brian Lamb, Chair of the Committee of Enquiry into parental confidence which reported in 2010, emphasises the importance of the Best Endeavours Duties and has encouraged mainstream schools to take account of the whole range of income streams as part of Element 2, including those related to deprivation and other proxy indicators for SEN.

The National Association for SEN (NASEN) has reported early evidence of significant variability of practice in two important areas: the identification of SEND as opposed to depressed attainment; and the adoption of a systematic and consistent graduated approach. The cessation of the systems of School Action and School Action Plus means that the waves of intervention in schools should have a renewed focus and enable all teachers to focus on outcomes linked to target setting and the efficient use of resources. The SEN Information Report should also clearly set out policy for SEND as well as a clear offer about provision. They cite some best practice examples using the sort of questions typically asked by parents with clear and detailed answers and reiterate the need to include feedback from students and parents in updated SEN Information reports. They also emphasise the key role of Governors and that strategic leadership for SEN should be central to the Senior Leadership Team in schools and clearly reflected in policy. Some positive evidence is cited of school cluster ‘peer support’ SEN activities and groups of schools using clustering or consortium arrangements to pool Element 2 funding to commission some services.

Wirral schools are encouraged to:

* Build upon current good practice through revisiting the Code of Practice as the first full year anniversary of implementation approaches.
* Evaluate practice to ensure compliance with the Best Endeavours duties.
* Ensure appropriate resource deployment to pupils with SEND.
* Work in continued partnership with the LA in order for them to fulfil the requirement of the efficient use of resources targeted to those with the most complex SEN within the scope of affordability.

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