

**The Dudley Division  
of the  
National Union of Teachers**

**Response to the SEN Matrix Funding for Mainstream Pupils with Special Educational Needs – Consultation document**

The Dudley Division of the National Union of Teachers welcomes the opportunity to be able to respond to the above document. The Division totally endorses the underlying principles of putting in place a simple, transparent, and less bureaucratic funding system which is designed to meet the needs of pupils and which is equitably distributed.

The following represents issues and concerns which the Division feels need to be addressed:

**Time and Training for SENCOs**

The proposed model describes the means by which schools are able to receive additional funding to meet the needs of pupils with Special Educational Needs (SEN). Each school's SENCO is at the hub of the implementation of the model. Consequently, the school will receive funding based on the assessment work and subsequent returns made to the LEA undertaken by the SENCO. This will result in an additional work load for SENCOs and additional stress as an essential part of the school's budget will depend on the professional competence of the SENCO. In addition, a reduction in Statutory Assessments may be less bureaucratic for the LEA, but this may lead to increased bureaucracy and an increased workload for SENCOs. This needs to be monitored. The implications are two-fold in that adequate time must be allocated to SENCOs prior to the implementation of any new system in order to enable them to carry out their duties effectively. It is recognised that in many Primary Schools SENCOs are classroom teachers with a responsibility for the teaching and learning of a class of children in addition to their responsibilities of SENCO. Secondly, there are implications for training. All SENCOs must receive appropriate training before any new system is implemented.

**Monitoring of Delegated SEN Funding**

Schools will be funded in accordance with returns to the LEA which will be based on the children which have been identified and assessed by the SENCO. Clearly, in order that funding is better matched to pupil need and in order for schools to receive the funds equitably in relation to need, then the returns to the LEA must be a fair representation of each school's need and not inflated. In addition, the funds which are allocated to schools must be spent on the purpose for which it was allocated. It is tempting for schools to use their SEN monies on pressing financial needs e.g. to balance the books resulting from overspending, to service a department within a school which needs urgent additional funds. There is evidence of this having occurred in the past. Unless there is a robust monitoring system in place, then the money may not be allocated equitably and it may not necessarily be spent as it should be spent. This would leave pupils unsupported and teachers without the necessary resources to be able to meet the needs of their pupils. This is noted in the document, but a robust monitoring system has not been identified. This is one of the reasons why parents 'question the application of the Statement', because they perceive that their child is not in receipt of what had been prescribed in the Statement. Without a robust monitoring system, parents will continue to question whether or not their child's needs are being addressed, whether it is via the matrix model or a Statement.

**Addressing the needs of children with Medical Needs**

The model does not appear to address support for children with predominantly or specific medical needs e.g. children with an immune disorder. In addition, there are children who may require medical procedures to be undertaken e.g. a child with a tracheostomy will require barrels changing regularly and may need the tracheostomy tube re-inserted should it become dislodged. These are examples of children whom teachers have successfully included in mainstream classrooms. The method for financing the needs of children with a specific medical condition needs addressing in order that children can be safely included.

**The Descriptors for Behaviour, Emotional and Social Needs**

The descriptors for Behaviour, Emotional and Social needs do not appear to be as discrete and specific as compared with other categories of descriptors. 5.C.6. for example could be equally applied to a truculent, disaffected Year 11 pupil as well as a young child suffering emotional distress who has Special Educational Needs. It is in this area where inflated returns to the LEA could occur resulting in inequitable resourcing. It may be useful to re-consider the descriptors for this category.

**Statutory Duties**

The model aims to reduce the number of Statements of SEN. It needs to be remembered that as from 01.02.02 LEAs, schools and early years settings have to have regard to the SEN Code of Practice. Children who have Special

Educational Needs have the right to have a Statutory Assessment of their needs and if required a Statement which specifies additional resources designed to meet their needs. Any model which effectively seeks to avoid the full implementation of the graduated response as described in the SEN Code of Practice, will not be meeting its Statutory obligations. Where appropriate, the Division will continue to support its members in meeting their Statutory responsibilities. The model and the Code of Practice working in tandem may lead to the inequitable application of the graduated response, as described in the Code. Some schools may request Statutory Assessments when others may not. This would result in some children having Statements whilst others will not. This could be perceived as discriminatory practice. Parents have the right to request a Statutory Assessment. Those parents who lack trust in the model will continue to seek Statements which specifically states the additional resources to which their children will be entitled. Parents can pursue their aims through Tribunals. Pursuit of Statements by parents in order to secure specific resources will militate against the implementation of the model. Also, some schools may actively encourage parents to make requests for Statutory Assessments. On the one hand there is a Code of Practice which prescribes Statutory obligations, but a model which seeks to effectively avoid use of the Statutory procedures. Ethically this can only be supported where funding is transparently equitable and where children's needs are being met, because teachers have the necessary resources. Recourse to Statutory processes will inevitably take place where it is perceived there are insufficient resources.

#### **Meeting Special Educational Needs**

The LEA has been honest enough to state that the proposed model is finance driven. Clearly, the purpose is to distribute the available financial resources as equitably as possible. However, a pre-determined SEN budget in conjunction with increased demand will not effectively meet the needs of individual pupils. This will result in teachers having insufficient resources to support SEN children. The LEA should continue to campaign for additional funding from central Government. The Division will continue to support members in campaigning for the resources that they require to effectively meet the needs of their pupils.

#### **Conclusion**

As previously stated, the Dudley Division of the National Union of Teachers welcomes the opportunity to respond to the consultation document on behalf of its members. The Division currently represents some 1500 teachers in Dudley and the above comments and concerns have been submitted on their behalf.



James Wamer  
Division Secretary