

Schools Forum 24th February 2015

Report of the Interim Director of Children's Services

Special Educational Needs and Disability (SEND) Implementation Funding

Purpose of Report

1. To present to Schools Forum an update in respect of the Special Educational Needs and Disability (SEND) Implementation and future DfE changes and to report on the latest financial funding profile.

Budget Working Group Discussed

2. Yes – 11th February 2015.

Schools Forum Role and Responsibilities

3. From 1st April 2006, the Schools Budget has been funded by a direct Department for Education (DfE) grant: the Dedicated School Grant (DSG).
4. Schools Forum is the 'guardian' of the local Schools Budget, and its distribution among schools and other bodies, and therefore must be closely involved throughout the development process.
5. The local authority is required to consult Schools Forum annually in respect of the financial issues relating to arrangements for pupils with Special Educational Needs (SEN), this is usually provided within the Dedicated Schools Grant planning budget. This is a further report as an update in respect of SEND developments.

Action for Schools Forum

6. To note the progress to date in respect of the SEND implementation and the latest financial funding profile.
7. To support Dudley's response to the DfE consultation in respect of longer term changes to funding for children and young people with special educational needs and disabilities (SEND).

Attachments to Report

8. Appendix A – Table 1 Financial Profile for SEND Implementation.
9. Appendix B - DfE Consultation SEND Longer-term changes and call for evidence.

Laura Jones-Moore/Huw Powel
Principal Accountant/Acting Assistant Director for Education Services
6th February 2015

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Special Educational Needs and Disability (SEND) Implementation Funding

Purpose of Report

1. To present to Schools Forum an update in respect of the Special Educational Needs and Disability (SEND) Implementation and future DfE changes and to report on the latest financial funding profile.

Background

2. There have been and still remain a number of changes both nationally and locally impacting on the arrangements for pupils with Special Educational Needs and Disabilities.
3. The 2014 Children and Families Act introduced key changes for children with Special Educational Needs and their families. The changes from 1st September 2014 include:
 - Introduced a revised Code of Practice;
 - Places a requirement on health services and local authorities to jointly commission and plan services for children, young people and families;
 - Replaces Statements of Special Educational Needs with a single assessment process and an Education, Health and Care Plan and provides statutory protection comparable with those in Statements for young people who are in education or training up to the age of 25;
 - Obliges the Local Authority to publish a local offer;
 - Gives parents or young people the right to a personal budget for their support.
4. The Department for Education (DfE) provides non ring fenced grant funding to local authorities to provide support with the implementation of the SEND reforms via two funding streams.
5. The DfE announced the introduction of the SEN Reform Grant in December 2013, to assist in the implementation of the changes detailed in paragraph 3, indicating that £70m would be available nationally to support the agenda; Dudley's allocation for 2014/15 is £360,784.
6. An additional grant, the SEND New Burdens Grant, was introduced during 2014/15. The national funding is £45.2m for 2014/15 and it has recently been announced that £31.7m is available for 2015/16. The purpose of this grant is to provide support to local authorities towards additional expenditure incurred in

implementing the SEND reforms, including the transfer of children and young people from statements and young people in further education or training who had Learning Difficulty Assessments to Education, Health and Care Plans. This grant also supports the implementation of the key changes detailed in paragraph 3. The allocation for Dudley for 2014/15 is £259,415 and £175,346 has been confirmed for 2015/16.

Budget Implications

7. The 2014/15 grant funding is profiled to support the implementation of the Reforms. The funding in Dudley will support:
 - The transition from Statements to Education, Health and Care Plans;
 - The Local Offer, which has and will require additional staff to support the process;
 - The facilitation of the Local Authority's involvement with voluntary and community groups;
 - Raising awareness with all stakeholders, including parents and training for a range of professionals;
 - The implementation of new software to support Education, Health and Care Plans.

10. The grant funding financial profile is attached at Appendix A, Table 1. The Table details proposed expenditure and the associated funding for the period 2014/15 to 2017/18.

Implementation Progress

8. Dudley is in the first of three years of the transfer process to Education, Health and Care Plans (EHCPs). The Local Authority is providing additional funding to Dudley Special Schools to assist with the transfer review and to ensure that the Education, Health and Care Plans comply with the current guidance and legislation. The funding has been calculated based on £150 for each Severe Learning Difficulty (SLD) pupil and £120 for each Moderate Learning Difficulty (MLD) pupil. The allocation to each Special School is based on the current number of pupils on roll.

9. The Local Offer has been published on the website, this sets out relevant the information in respect of the provision available in the local area for children and young people to access, including those that do not have Education, Health and Care Plans.

10. A range of training has already taken place to cover all aspects of the transition.

11. The Tribal Information Technology software has been installed and is operational.

Next Steps

12. The immediate priorities are to continue to communicate with all stakeholders and provide a strategy for joint working. This will also support the requirement to provide personal budgets.

13. A child or his/her parents can request a personal budget once the local authority has completed the assessment and confirmed that it will prepare an Education, Health and Care Plan. Children's Services are undertaking project work with Adult Services to review their personal budgets process, in order to develop and implement a working model for Children's Services.

Next Steps – SEND Funding – Longer-term changes and call for evidence

14. In July 2014, the Minister for Schools David Laws, announced changes to the distribution of funding for mainstream schools within local authorities' Dedicated Schools Grant for next year to address some of the unfairness in the current allocations. The Minister acknowledged that there will not be a completely fair education funding system until the DfE also reform the distribution of funding for pupils with high cost SEND, and explained that this would be a priority for reform during the next Parliament.

15. The DfE issued a consultation document in November 2014, inviting interested parties to help with this work and to provide answers to some other questions about how SEN funding can be distributed more fairly. There are eighteen questions within two categories which cover:

- National to local level funding distribution
- Local to institution level funding distribution

16. The DfE require responses to the published questions by 27th February 2015. The questions will be presented to Headteachers Consultative Forum- Budget Working Group for comments at the February meeting and the final submission will be presented at the Forum meeting.

17. The DfE consultation document is attached at Appendix B.

Finance

18. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2014.

19. Schools Forums are regulated by the regulated by the Schools Forums (England) Regulations 2012 as amended by the 2013 and 2014 School and Early Years Finance (England) Regulations.

20. From 1st April 2006, the Schools Budget has been funded by a direct grant; Dedicated School Grant (DSG).

Law

21. Councils' LMS Schemes are made under Section 48 of the School Standards and Framework Act 1998. The Education Acts 1996 and 2002 also have provisions relating to school funding.

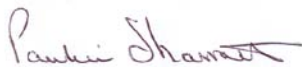
Equality Impact

22. The Council's Equal Opportunities Policy is taken into account when considering the allocation of resources.

Recommendation

23. For Schools Forum to note:

- the progress to date in respect of the Special Educational Needs and Disability implementation and the latest financial funding profile;
- The Local Authority submission in respect of the DfE's consultation for funding children and young people with Special Educational Needs and Disability.



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Interim Director of Children's Services

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Table 1 – Financial Profile of Dudley’s SEND Implementation Funding and Planned Expenditure

	2014/15 £	2015/16 £	2016/17 £	2017/18 £	Total £	
<u>Expenditure</u>						
Staffing Costs	127,600	191,700	156,400	89,100	564,800	Temporary posts to support case work and building the local offer.
Training & Awareness	16,695	6,000	0	0	22,695	Training programme and website development
IT Software	92,750	0	0	0	92,750	Set up costs of Information Technology Tribal software
Other Agency and Transition Support	0	10,000	10,000	0	20,000	To support Health and other agencies with transitional support.
Special School Transitions	95,300	0	0	0	95,300	Funding to support transitions over the three year period.
Total Expenditure	332,345	207,700	166,400	89,100	795,545	
<u>Funding</u>						
SEN Reform Grant	360,784				360,784	No additional funding confirmed
SEND Burdens Grant	259,415	175,346			434,761	Funding confirmed for 2015/16
Total Funding	620,199	175,346			795,545	
Balance carried forward	(287,854)	32,354	166,400	89,100	0	