

2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

Author:	Head of Finance (Education and Innovation)
Wards Affected:	All
Locality Affected:	All
Parishes Affected:	All
Settings Affected:	As the Dedicated Schools Grant is ring-fenced specific funding provided by the Department for Education for LAs to decide on its utilisation to meet the educational needs of early years, school age and all 0 to 25 year old high needs pupils, any decisions on how the grant is allocated indirectly affects all settings.

1. Purpose and Reasons

- 1.1 The purpose of this report is to update Schools Forum Members on the latest position regarding 2014/15 High Needs DSG funding for schools and to secure support for the 2014/15 funding proposals applicable to specialist school and alternative provision settings. High needs funding for students entering and attending Further Education Colleges will be covered in a report to the July 2014 Schools' Forum meeting.
- 1.2 In July 2013 the LA established a High Needs Task Group, led by Gill Ilic, Commissioner for Education, made up of representatives from Special Schools, Special Resource Provisions (SRPs) and Alternative Provision (AP) settings to consult on the planning and implementation of a revised funding formula for high need pupils. Under the DfE's school funding reform programme all high need specialist settings must attract £10,000 (special) or £8,000 (alternative provision) of funding per planned place plus an element of funding determined by the LA (the top up value) which, together with the place funding, should provide sufficient funding to meet the costs of each high need pupil's education. The main aim for the task group was to achieve a universal approach to top up funding which would replace the existing values, which for SRPs, are largely historic and in some cases inconsistent with values payable for similar pupils in special schools. The task group has met on 5 occasions since it was established.
- 1.3 The High Needs task group was scheduled to meet to discuss this report on 5th March but as the LA had not received the results from the DfE of the High Needs DSG review, following submission of data by the LA on the 23rd December 2013, this meeting could not take place. Although the LA received an indicative High Needs DSG funding allocation in December of £23.866m to cover all pre and post 16 costs (which included no inflationary or pupil growth increases) there was a clear indication that DfE were withholding some funding and would be making additional allocations

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2014/15 High Needs Specialist Funding for Schools

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based on the High Need returns which all LAs were required to complete. There will be a verbal update at today's Forum if there is further news.

2. Recommendations

- 2.1 Under the Swindon Borough Council (SBC) scheme of delegation decisions relating to the local school funding formula are made by the Director of Children Services subject to consultation with the Schools Forum. As in previous years the LA intends to seek Schools Forum support for all such decisions.
- 2.2 Schools Forum is asked to;
 - 2.2.1 Note the revised treatment of the Nylands / Mountford Manor BESD Pathway classes and support a 2014/15 top up value of £2,550 per pupil;
 - 2.2.2 Note the need to consult during 2014 over the 2015/16 funding of the Nylands Primary Behaviour Support Team;
 - 2.2.3 Support the 2014/15 allocation of £1.200m for centrally commissioned outreach and SEN support services;
 - 2.2.4 Support the LA's proposal to reduce the 2014/15 contingency budget to £0.200m on the basis that any overspend would need to be met from the DSG balance;
 - 2.2.5 Support the proposed 2014/15 Top up and Supplement values as shown at Appendix 2 and note the impact of these rates on individual settings as shown at Appendix 3 (noting that proposed top up values may need to be marginally reduced to result in £0.2m lower spending if additional DSG is not received);
 - 2.2.6 Note the particular positions at Ridgway HI SRP, Redoaks LDD SRP, St Lukes Special School and Nylands Special School and support the allocation of temporary additional funding of £0.058m, to Ridgeway and up to £0.020m for Redoaks from the unallocated DSG balance;
 - 2.2.7 Note that the resulting unallocated DSG balance will be £0.923m;
 - 2.2.8 Reconfirm support for the LA to seek DfE exemption to the MFG protection system for specialist settings in 2014/15; and
 - 2.2.9 Support the continued review of top up and supplements values by the High Needs Task Group during 2014 to ensure value for money is being provided and to identify funding proposals for 2015/16.

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

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3. 2014/15 High Needs Funding Available

- 3.1 Swindon's data return to the DfE on the 23rd December 2013 reflected the following year on year changes relating to high need places in schools;

Table 1 – High Needs Places 2013/14 to 2014/15 (academic year)			
Type of Provision	2013/14 Funded FTE Places	2014/15 Estimated FTE Places	Year on Year change
Pre 16 in schools			
• Special Schools	426.4	442.0	+15.6
• Special Resource Provision	168.0	172.0	+4.0
Alternative Provision			
• Riverside	42.0	45.0	+3.0
• Stratton PRU	48.3	45.0	-3.3
• Nyland PRU (Pathway Assessment Class)	8.0	8.0	0
• Nyland CAMHS	8.0	8.0	0
Total Pre 16 in schools	700.7	720.0	+19.3
Post 16 in schools			
• Mainstream sixth forms (SBC)	4.0	4.0	0.0
• Special school sixth forms (SBC)	43.0	45.0	+2.0
Total Post 16 in schools	47.0	49.0	+2.0
Total High Needs pupils in schools	747.7	769.0	+21.3

- 3.2 Forum Members may recall that a query had been lodged with the EFA regarding the reporting of pupil numbers (both pre and post 16) as 20 post 16 places and 57 pre 16 places at Independent special schools and other LA mainstream and special schools could not be included as they were outside the scope of the High Needs return. Feedback from EFA was that these pupils should be included in the alternative provision census due for return to the DfE on 9th March 2014. The exception is that pupils from Swindon attending mainstream and special schools in other local authorities are included in the hosting authority's census returns.
- 3.3 Given that the LA has projected a net pupil increase of +21.3 (2.8%) in high need school places next year we were hoping this (plus a planned increase of 47 in FE college places) will attract significant extra DSG funding. During the consultation process the LA modelled the impact of trying to contain spending within a standstill budget in line with the grant announcement. It would be possible to enhance this sum due to a £0.3m reduction in pre 16 external placements but for spending to increase proportionate to the 2.8% increase in places, a budget of

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

£18.286m would need to be set - requiring additional DSG to be received (or existing funding redirected) of approximately £0.2m.

- 3.4 Regardless of the final funding position all the modelling undertaken inevitably results in significant changes (both increases and decreases) for individual settings as steps towards harmonisation have highlighted the historic funding anomalies. The LA is keen to move to a new funding system as soon as possible but must not put individual settings into unmanageable financial positions. The aim, supported by the Task Group and Schools Forum was to phase changes in over no more than 3 years.
- 3.5 Forum members are reminded that the following high need cost items need to be contained within the overall funding envelope available for high needs in schools and are therefore inter related;
- 3.5.1 Planned places in Special Schools, SRP's and AP settings – (DfE set the funding rates per place but LAs must determine the number of planned places and therefore the overall cost committed to fund places)
- 3.5.2 Centrally commissioned outreach and support services for SEN pupils – this is entirely a local decision on the level of funding provided for each service
- 3.5.3 PFI affordability gap contributions – these are unavoidable contractual pupil based inflationary costs applicable to Uplands and Brimble Hill which make up a relatively small element of high needs spending
- 3.5.4 External placements in non SBC specialist high need settings – These placements are local decisions made by the LAs Multi Agency Panel. Should any pupils transfer to/from external placements from/to SBC settings there would be appropriate in year budget transfers.
- 3.5.5 Contingency funds held by the LA for new pupils joining the Borough and / or increased care packages for existing pupils – this is entirely a local judgement on the likely additional demands that will need to be met
- 3.5.6 Top Up values – these are entirely a local decision but are essentially based on the value of funding available less the costs of the items listed above.

4. 2014/15 High Need Funding Allocations

- 4.1 Set out below are commentaries and updates on various issues that influence funding allocations to school based specialist settings.

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

Nylands Pathway Assessment Class / Mountford Manor SRP

- 4.2 Following a review of the nature of these provisions the EFA have agreed that the most appropriate way for them to be funded is via the place plus methodology but as a 15 place High Needs SRP Assessment class operating on split sites. At present the Nylands Class (the former Primary Pupil Referral Unit) is recognised as an 8 place primary Pupil Referral Unit (Alternative Provision setting) but in reality pupils mostly exhibit BESD and are very rarely excluded. These pupils may receive outreach support and / or move into special needs settings. Mountford Manor is currently categorised as a 7 place SRP but also forms part of the BESD graduated response service.
- 4.3 For an SRP the LA must provide £10,000 per place plus an appropriate level of top up funding. As both settings provide short term provision as part of a graduated response there is a high level of pupil turnover and to minimise bureaucracy the LA is proposing to;
- Establish a single top up value for “Assessment Class Pupils” of £2,550 which would be paid by the LA. As with any High needs pupil the LA could be requested to allocate bespoke levels of funding above the agreed band values in exceptional circumstances although this is considered unlikely for pupils attending the assessment classes.
 - Not seek to recover any BPPE or other funding from schools when their pupils are placed at the assessment classes
- 4.4 The White Horse Federation are satisfied with this level of funding as it covers annual costs (which the LA has reviewed) as summarised below;

<u>Table 2 – Assessment Class Costs and Funding</u>	
Annual operating costs	£
• Nylands Campus Pathway Assessment Class	69,305
• Mountford Manor Short Term Provision	118,510
Total Costs	£187,815
Proposed annual funding	
• 15 places @ £10,000	£150,000
• 15 top ups @ 2,550	£38,250
Total Proposed Funding	£188,250

Primary Behaviour Support Team

- 4.5 The Schools Forum was advised in January 2014 that the LA was not in compliance with the new school finance regulations in respect of its central

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

funding of the Nylands Primary Behaviour Support Outreach Team and that this would need to be the subject of de-delegation from the start of 2015/16. This will involve the LA allocating the value of its annual central funding (£232,700) across all primary settings at approximately £13 per pupil and then;

4.5.1 Seeking agreement from maintained primary schools for their share of funding to be de-delegated back to the LA

4.5.2 Seeking the contribution from primary academies of £13 per pupil via a traded services agreement

- 4.6 Should the above be agreed by a consensus of maintained schools and all individual primary academies the LA will be able to continue to centrally fund the Outreach Team which is an integral part of the overall BESD graduated response service. If this is not agreed the service, including the assessment class, may however be unsustainable. The LA believes that the existing service is highly effective and represents good value and officers will therefore canvas support for continuation of this service with both maintained schools and academies during 2014.

Impact of Indicative Top Up Values

- 4.7 At the 17th January 2014 High Needs Task group meeting the LA tabled the latest indicative top up values together with the impact on each setting of their resulting annual funding in 2014/15 compared to the current year.
- 4.8 Each setting was asked either at, or subsequent to the task group meeting, to comment on whether they felt able to maintain their services for their planned number of pupils within their 2014/15 indicative funding allocation. For the majority of settings this was confirmed including a number of SRP's which would be experiencing funding reductions. This left Eldene CLD SRP, Redoaks LDD SRP, St Luke's Special School and Nylands Special School as the settings which were facing potentially unmanageable funding positions.
- 4.9 Following the task group meeting LA officers (supported by the Headteacher at Crowdy's Hill) undertook site visits to review the Eldene CLD and Redoaks LDD SRP provisions. The most significant reductions in funding would be experienced by the two BESD special schools – St Lukes and Nylands and the LA has reviewed the funding for these settings (supported by the Headteacher at Crowdy's Hill). Set out below is a summary of the issues and proposed resolutions for each setting.

2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

Eldene CLD SRP

- This 8 place SRP was facing a £72,300 reduction in annual funding from £200,600 to £128,300 when pupils were funded at the indicative new band values.
- The service provides high levels of support to a relatively small number of pupils which, unlike other SRP's, are not accessing mainstream classes for their education and are not therefore eligible to attract the proposed "access to mainstream supplement"
- Current costs reflecting reasonable overhead assumptions but without any staff reductions are estimated at £158,300
- The LA is predicting increasing demand for specialist places and feels confident that an increase in Eldene CLD planned places from 8 to 10 would be appropriate. This would attract additional place and top up funding bringing the indicative total to £162,700 which, although still below current funding of £200,600, is in line with the revised SRP costings (£158,300) and would therefore make the provision sustainable.

Red Oaks LDD

- This 6 place SRP was facing a £40,400 reduction in annual funding from £156,600 to £116,200 when pupils were funded at the indicative new band values.
- This SRP was established in 2008 to provide tailor made highly individualised timetables for pupils across the learning campus with only a small dedicated base within the school. As a consequence the service did not feel it was possible to provide group teaching and all pupils therefore required one to one support which inevitably makes the provision expensive.
- The service initially felt that they could reduce Teaching Assistant hours by approximately £11,000 per year but resulting costs would still substantially exceed the proposed level of funding by approximately £30,000. The service would be most willing to expand up to 10 places but initially advised that this would require significant (unplanned) LA capital funding to provide additional accommodation on the PFI site. The school also initially advised that they would also have to increase staffing and running costs in order to absorb the extra pupils.
- Regrettably, whilst the LA views the current provision as being high quality, this is in excess of the levels that other specialist settings are able to afford from their funding for pupils with similar needs.
- This service in its current format is not therefore considered sustainable and the LA consulted further with the school to try to make

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

better use of their existing space which could operate commensurate with staffing levels and running costs in other SRP's.

- The intention is to develop a centre within the school that retains the inclusive ethos of the Learning Campus by ensuring that all of the pupils still access the mainstream or specialist areas. The effect of this will be to increase the capacity of the provision to 10 places from September 2014. This will be achieved by at least four pupils being away in other parts of the Campus (including both specialist and mainstream areas) at any one time in the mornings, and subject to recruiting sufficient part time staff, all 10 pupils will be able to be fully included in their mainstream/Brimble class in the afternoon. Internal modification in the main school and some minor works within the existing temporary structures on site would however be required at an approximate one off cost of £20,000. It is confirmed that within the Borough there are pupils who would meet the criteria for these places.
- Revised costs and funding for this provision reflecting the planned increases show that the provision is sustainable at 10 places. The SRP will attract 2014/15 funding of £169,600 – an increase over the current year but with 4 extra pupils. The proposal to increase capacity to meet identified need will need to be subject to a full business case / cost benefit analysis which recognises the PFI and logistical implications associated with the modifications to internal spaces. To support this, one off funding of £20,000 is proposed which could be funded from the DSG balance.
- The broader effect of being able to increase established SRP places if confirmed will, in addition, have a positive impact on future planned capital spend projects.

BESD Pupils

- 4.10 Based on the indicative 2014/5 band values modelled in January 2014, both St Lukes and Nylands would experience significant funding reductions of £304,400 and £183,800 respectively compared to the current year whilst place numbers remain stable. Place funding is being maintained at £10,000 per place and the reason for the reductions is therefore entirely due to reduced top up rates which have so far during the consultation process been assumed to be at the same level as other band rates.
- 4.11 When the LA consulted with ASSSH prior to the introduction of new band based funding rates for special schools in 2012/13 it was acknowledged that the two BESD special schools had historically received higher levels of funding. A decision was taken at that time (6th March 2012 Schools Forum) that a 20% premium should be added to the relevant band values

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

to recognise the additional resources required in respect of pupils with BESD. This still however represented a significant funding cut and to avoid the two BESD schools experiencing unmanageable positions it was agreed that the BESD premium would gradually reduce as follows

Table 3 – Expected BESD premium reductions	
2012/13	BESD premium at 35%
2013/14	BESD premium at 30%
2014/15	BESD premium at 25%
2015/16	BESD premium at 20%

- 4.12 This still resulted in both schools experiencing cash reductions in 2012/13 and 2013/14 with a clear expectation that further year on year reductions would be experienced through to 2015/16. These further reductions were expected to reach approximately £167,000 (St Lukes) and £88,500 (Nylands). Fundamentally however the end game was not to harmonise BESD funding with other special school pupils but to still have a BESD supplement. In 2012/13 the funding model was different to the current place plus arrangement required by DfE and now that place funding has been set by DfE at £10,000 any BESD supplement can only be applied to the top up value.
- 4.13 The LA believes that the case for providing BESD funding at higher rates than other rates still stands and the suggested way forward is to set Top Up rates which provide an additional £4,500 for Band 1, £3,200 for Band 2 and £2,000 for Band 1 BESD pupils in all settings where BESD is the prime need. This would still leave both St Luke's and Nylands with significant funding reductions of approximately £117,000 and £73,000 respectively in 2014/15 which are more in line with original ASSSH expectations but considerably lower than the January task group figures. As the latest proposed funding reductions are much less severe than was originally envisaged the LA is not proposing to allocate transitional support funding in 2014/15.
- 4.14 Although neither school is happy at the prospects of their funding being cut they acknowledge that historical anomalies need to be corrected. As Forum members may be aware St Luke's school currently requires improvement and is implementing a range of changes to achieve this. As the school implements its improvement plan, the LA is working with the school to consider whether place numbers could be expanded on the relatively large school site to meet growing demand for BESD provision. The medium term financial solution for St Lukes could therefore be a combination of additional funding from extra places and reduced operating

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

costs. There is little scope to increase capacity at Nylands and their only option will therefore be to reduce staffing and operating costs.

Therapy Supplements

- 4.15 Although therapy costs form a relatively small part of overall SEN provision it is necessary for the LA to separately identify elements of funding for Speech and Language Therapy (SALT), Physiotherapy (PT) and Occupational Therapy (OT) which is required for those pupils whose Statements of Special Educational Needs (SEN's) identify these needs. This is currently required to satisfy legal requirements and it is likely that, under the SEND reforms, decisions on how they are spent may in future be determined by parents as part of the personalisation agenda.
- 4.16 Prior to 2013/14 the LA contributed £165,000 DSG funding from centrally retained budgets towards the annual costs of the SBC/NHS Integrated SALT and PT and OT services operating from Saltway. This funding was aimed at meeting the educational element of statemented pupils to supplement any Health funded provision. From 2013/14 the central budget was reduced to £100,000 and the element of central funding relating to pupils in specialist settings (special schools and SRPs) estimated at £65,000, was delegated to them in accordance with the requirements of the school funding reform programme. This was achieved by enhancing top up rates in the settings which were directly receiving services which were deemed to have been funded from the central budget as follows;
- Ruskin Junior SLCD SRP received £1,350 per pupil for SALT
 - Lydiard Academy, Kingsdown and Ridgeway ASD SRP's received £400 per pupil for SALT
 - Even Swindon SRP received £1,800 per pupil for SALT
 - Uplands Special School and Brimble Hill Special school received £220 per pupil for PT
 - Commonweal PD SRP received £400 per pupil for PT
- 4.17 The above allocations effectively provided each setting with sufficient funding to cover the costs of the previously centrally funded services provided by the SALT, PT and OT teams to specialist settings. Due to pupil increases in these settings and to improve consistency the total value of additional therapy related delegations in the current year total £101,050. With hindsight the problems with this approach were;
- The values per pupil were inconsistent as they reflected historic adhoc decisions made by the Providers about which settings received centrally funded education services and the level of provision also varied
 - The SALT team was (and still is) also providing

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

- some settings such as Red Oaks HI SRP and Uplands Special school with a free i.e. fully Health funded service
 - some settings such as Brimble Hill special school, The Chalet special school and Crowdy's Hill special school with a partly free (Health funded service) but these schools are also being charged for extra days from their delegated budgets without any additional SALT funding having been delegated to them
 - The PT and OT services were (and still are) similarly providing an inconsistent mixture of free and partially free services.
- 4.18 It is therefore not a level playing field if some settings are receiving a free service, some are charged (but additional funding has been delegated to them) whilst others are charged (without additional funding having been delegated to them) and other settings may be making their own arrangements to provide/access therapy services rather than pay for SBC/Health services. As an added complication the charges levied by the Integrated Services team (for SALT in particular) are substantially below "market rates" and substantial increases have been proposed from 2014/15.
- 4.19 A summary describing the new position is as follows;
- Funding for all Therapy services (SALT/OT/PT) which are needed to access education for statemented / high need pupils should be provided by the Dedicated Schools Grant and not by the Health Service
 - For SEN pupils in mainstream schools the LA will continue to provide annual funding of £105,000 (2014/15) from the centrally retained DSG budget towards the costs of the SALT/PT/OT teams operating from Saltway. The level of central funding will be subject to annual review and any proposed changes will be reported to the Schools Forum in January prior to the start of each financial year. Mainstream schools will not be charged for any therapy services provided up to the level specified in their pupil's statements but may choose to purchase additional support from their delegated mainstream budget. In circumstances where the LA SENRAP panel agrees that a mainstream school has incurred above £6,000 per year on additional SEN needs, additional top up funding may be allocated from the centrally retained high need SENRAP budget to pay for additional therapy services.
 - For specialist settings (Special Schools, SRPs and Alternative Provision settings) all Therapy services must be paid for by them from their delegated budgets and the LA is taking steps to allocate specific elements of funding as Therapy supplements in 2014/15 based on High or Low needs as identified in statements. This is in line with the

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

school funding reform programme which requires specialist high need settings to meet the full costs of meeting their pupil's education from delegated budgets. Current funding allocations for therapy services, which are based on an inconsistent historical basis linked to levels of service determined by past commissioning arrangements will be replaced from 1st April 2014. The types of service which will typically need to be secured (either from the Integrated Services Team, other providers or by in house staff) are described as follows

- Consultative programme development, monitoring and evaluation and staff training
 - Group therapy
 - Individual therapy
 - Equipment assessment, prescription, provision and training
 - The Swindon Clinical Commissioning Group provides annually determined level of Health funding to the SALT, PT and OT teams operating from Saltway (currently £898,300 in total). This is aimed at providing Therapy services to all children in the Borough for their general health needs and is not intended to specifically fund access to education (in SALT's case this includes a high number of pre-school children.) This Health funding does however act as a subsidy to the Integrated Services Teams which enables them to set traded service charges to schools which are approximately 40% lower in the current year (2013/14) than they would need to be without the subsidy.
- 4.20 A new approach to more consistently provide appropriate levels of funding based on individual pupil needs which gives consistent spending power and choices to schools is therefore required and this is reflected in the new 2014/15 top up rates. The LA has reviewed the SALT and Physiotherapy and Occupational Therapy requirements as recorded on the Statements of Special Educational Needs of all current pupils. This indicates that needs fall into two categories;
- Low Needs – where pupils need annual, six monthly or termly visits and the provision required is assessment, monitoring, review, developing programmes and supporting school staff to deliver the SALT / PT / OT programmes
 - High Needs – where pupils need monthly or weekly support and the provision required is a combination of group and individual therapy delivered by the SLT or the TA.
- 4.21 Where such therapies are necessary to access the curriculum, additional supplementary funding will be allocated as follows:

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

- SALT will be provided in the following levels of intensity:
 - Low Needs at £150 per pupil
 - High Needs at £1,250 per pupil
 - Physiotherapy will be provided in the following levels of intensity:
 - Low Needs at £100 per pupil
 - High Needs at £825 per pupil
 - Occupational Therapy will be provided in the following levels of intensity:
 - Low Needs at £100 per pupil
 - High Needs at £825 per pupil
- 4.22 To further improve consistency the Integrated Services teams have reviewed their arrangements and from the start of 2014/15 all specialist settings will be treated the same. They will be offered SALT, Physiotherapy and Occupational Therapy as traded services but at subsidised rates which recognise that an element of core funding is being provided by the Health Service. It is however for individual schools to determine how best to meet the needs of their pupils and they could directly employ specialist staff or procure services from other sources.

Centrally Commissioned Outreach & Support Services for High Need Pupils

- 4.23 As previously reported to the Schools Forum the LA will need to agree 2014/15 funding for the 11 SEN outreach and commissioned services which currently receive a total of £1.225m per year. The level of funding allocated to these services is largely historic and some requests for increased funding to meet potential service developments arising from increasing demands were received by Commissioners. These bids were discussed at the January task group on the basis that any increases needed to be carefully considered as they would effectively reduce the level of funding available for top up rates.
- 4.24 Having considered the relative merits of each bid and after reflecting on feedback from the task group the proposed 2014/15 funding allocations are shown in the table below. Notes relating to the proposed increases are also provided;

2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

Table 4 – Funding for High Need Outreach and Commissioned Services

Service	2013/14 Actual	2014/15 Indicative
Nylands - Primary Behaviour Support Team	£220,400	£232,700
Uplands – Visually Impaired Support Service (£15,550 increase)	£225,100	£240,650
Even Swindon - Speech and Language	£22,200	£22,200
Ruskin Junior – Autistic Spectrum Disorder	£87,000	£87,000
Ridgeway - Education Audiologist	£11,100	£11,100
Redoaks Hearing Impaired Support Service	£239,700	£239,700
Commonweal Physical Impairment Advisory Service (£13,000 increase)	£64,100	£77,100
Millbrook Specific Learning Difficulties Support Service	£66,900	£66,900
Ruskin Junior Autistic Spectrum Condition Support Service	£135,800	£135,800
Issambard BSL Provision	£50,000	£0
Nylands outreach service for emotionally vulnerable pupils	£102,685	£87,410
Totals	£1,224,985	£1,200,560

Notes to support proposed increases

- 1) Bids were received from four of the commissioned outreach services Hearing Support Team, Visual Impairment Advisory Service, Swindon Autism Support Service and the Physical Disability Advisory Service. Each bid was presented at the High Needs Task and Finish Group and two proposals: Visual Impairment (Uplands) and Physical Disability (Commonweal) were prioritised for allocation of additional resource.
- 2) Both of the supported bids centre on additional staffing resource highlighting a significant increase in demand on each service over time with the VI service needing to support two totally blind pupils in Primary School settings and the PD service having to respond to a high level of increased demand placing unsustainable pressure on the Advisory Teacher.
- 3) For the budget year 2014/15 the Visual Impairment bid is for an additional £15,550 and the Physical Disability bid is for £13,000 - a total of £28,550 which is less than the funding expected to be have been allocated to the new Isambard BSL provision. Support for the Commonweal bid is subject to the LA being satisfied that existing funding is being utilised as this has been challenged and remains unresolved.

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

External Placements

- 4.25 The LA's aim is, wherever possible, to provide places for high need pupils in Swindon settings but there are a number of pupils for which external placements are agreed following consideration by the LA's Multi Agency Panel. Over recent years there has been a significant reduction in the number of external placements due to more places being offered by Swindon schools which, even with bespoke levels of funding, are usually at an overall lower cost to the DSG and therefore of benefit to all schools. In effect external placement budgets have reduced whilst specialist setting budgets have increased by a lower value to reduce pressure on the DSG.
- 4.26 At the January Schools Forum a 2014/15 centrally retained budget of £1,560,000 was agreed for external placements and schedules of external placements are attached at Appendix 1. Projected costs (Independent Non-Maintained Special Schools @ £1.268m and Other Local Authority schools @ £0.289m) remain broadly in line with the January estimates and Forum members are advised that LA Commissioners are assuming that no inflationary increases will be requested throughout 2014/15. This may prove unrealistic in which case there would need to be scope to draw on the high needs contingency budget. Conversely, should it prove possible to move any pupils from external placements to SBC settings, funding can transfer to Special Schools or SRPs over and above the current high need settings schools funding envelope.

High Needs Contingency Budget

- 4.27 At the January Forum meeting an LA proposal was supported to reduce the overall pre 16 high need contingency budget by 1/3 from £1.028m to £0.700m (of which £0.350m was notionally assumed to cover potential additional special schools and SRP places). This was agreed on the basis that the LA could draw on the DSG balance should this provision prove inadequate. At that time the unallocated DSG balance was estimated at £0.711m and, as reported elsewhere on today's agenda this has increased to a projected £1.001m although detailed proposals to use some of this are included at paragraph 4.34 below.
- 4.28 In order to free up further funding that can be made available for high need setting top ups, the LA is proposing to reduce the contingency budget further to leave a provision for specialist settings of only **£0.200m**. This means that the LA is effectively budgeting for known pupils only and this strategy may need to be reviewed in future years. It would however be highly unlikely for the LA to fully spend both the £0.2m contingency budget and the entire £1m DSG balance during 2014/15. The planned placements of 2 additional pupils at Eldene SRP and 4 additional pupils at

2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

Redoaks LDD SRP should reduce uncertainty and calls on the contingency budget.

Specialist and Alternative Provision Places

- 4.29 The number of 2014/15 planned places in each setting was reported to the January Forum meeting and remain largely unchanged other than increases of 2 places at the Eldene CLD SRP from April 2014 and an increase of 4 at Red Oaks LDD SRP from September 2014. The 8 place Nylands and 7 place Mountford Manor Assessment class numbers have been reclassified but remain unchanged and the cost of funding 2014/15 places is therefore estimated as follows

- 492 (unchanged) Special School places @ £10,000 = £4.920m
- 168.1 (from 170.8) SRP places @ £10,000 = £1.681m
- 90 (unchanged) AP secondary places @ £8,000 = £0.720m
- 0 (from 8) AP primary places @ £8,000 = -
- 15 Nylands / Mountford Manor places @ £10,000 = £0.150m
- Total place funding (765.1 places) will therefore be = **£7.471m**

- 4.30 Given that the LA is proposing a very much reduced contingency budget in order to maximise top up values, all high need settings will be expected to, where possible, accept additional pupils above their planned place numbers with only an allocation of top up funding i.e. without an increase to place funding. This is in line with DfE guidelines which reflect the fact that some elements of costs are fixed and do not necessarily increase proportionately when pupil numbers increase and is particularly applicable to larger settings which are more able to absorb additional pupils than smaller SRPs.

Specialist and Alternative Provision Top Up values

- 4.31 At the January 2014 Schools Forum meeting the key components of a new universal banding system applicable to all specialist school settings were agreed as follows;
- Pupils will be assessed according to their primary SEN need against a range of 6 locally defined bandings
 - Different funding values will be attached to recognise the different costs of meeting the needs of different SEN prime needs although the LA was aiming to restrict this as far as possible
 - A range of necessary supplementary enhancements will be identified which will attract funding over and above band values

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

- Age adjustments will apply
 - Early Years pupils will attract lower pro rata funding based on the primary rate reflecting hours spent in school (typically an early years pupil will receive 15 hours education = 0.6FTE)
 - Secondary pupils will attract marginally higher funding than primary pupils in line with the long standing principle of different mainstream sector funding levels
 - 16-19 age pupils in schools will attract secondary level funding where students are accessing 25 hours teaching per week with pro rata adjustments where provision is less than 25 hours.
- Funding changes will be phased in over no more than 3 years to allow settings time to adapt to lower funding.

4.32 The LA has continued to refine proposed top up funding rates in light of the overall high needs funding envelope available which is now estimated at £18.286m (see section 3) assuming that further DSG of £0.2m is received and latest costs are estimated as follows,

Table 5 – Indicative value of 2014/15 High Needs Setting Funding		
Cost Item	£m 2013/14	£m 2014/15
Places		
Special School places @ £10,000	£4.704	£4.920
SRP & Assessment Class places @ £10,000	£1.620	£1.681
Nylands Campus / Mountford Manor Pathway Places @ £10,000	£0.124	£0.150
EOTAS Alternative Provision places @ £8,000 – Stratton & Riverside	£0.722	£0.720
Sub total – high need school places	£7.170	£7.471
PFI Affordability Gap contributions (unavoidable cost)	£0.264	£0.274
EOTAS Great Western Hospital (cash funded to cover costs)	£0.191	£0.202
EOTAS Marlborough House Provision (cash funded to cover costs)	£0.276	£0.271
Sub total – Places and Fixed Funding	£7.901	£8.218
Top Ups		
Nylands Campus / Mountford Manor Pathway top ups @ £2,550	£0.059	£0.038
EOTAS Riverside Top ups @ £7,500 - funding delegated to secondary schools in 2014/15	£0.399	£0.338
EOTAS Stratton Top ups @ £10,700	£0.471	£0.482
Specialist Setting To Ups	£7.746	£8.074
Sub total – Total School Top Ups (balance available = £8.932m)	£8.675	£8.932
Less OLA top ups	(£0.201)	(£0.264)
Sub total – Total SBC School Top Ups	£8.474	£8.668
Total High Needs Funding For Schools	£16.375	£16.886

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

Table 5 – Indicative value of 2014/15 High Needs Setting Funding

Cost Item	£m 2013/14	£m 2014/15
Outreach and commissioned services	£1.225	£1.200
Contingency Requirement	£0.188	£0.200
Grand Totals	£17.788	£18.286
This increased year on year spend of £0.498m can be part funded by reduced pre 16 external placement budgets (£0.298m) plus an assumed additional DSG allocation (£0.2m)		

- 4.33 In order to provide a new fair funding model, top up values need to be set which broadly equate to costs but this cannot be an exact match. The funding system will provide an overall funding allocation which each setting will then use to set appropriate staffing levels and operating budgets to meet curriculum and running costs.
- 4.34 Attached at **appendix 2** is a table showing the proposed 2014/15 top up and supplement values which will result in costs of £8.932m. The LA believes that these rates strike an appropriate balance between achieving much more transparent and consistent rates of funding across all specialist settings whilst also recognising that there are specific differences between the costs of meeting pupils needs in different settings which is necessary for them to remain sustainable. These rates may however need to be marginally reduced by 2.2% if sufficient additional DSG is not received. Key points to note are;
- The LA has harmonised most band values so that similar levels of funding per pupil are allocated which is more in line with existing special school funding other than;
 - BESD pupils – as explained above additional funding has been added for Band 1, 2 and 3 pupils
 - MLD and SLD pupils have historically received lower levels of funding (in SRP's) and although it is not possible to increase them to the level of other rates without destabilising (i.e. reducing funding in other settings) these values are now much closer than the January proposals. The LA would wish to fully harmonise these rates in future should this prove affordable.
 - Differences between band values are in line with current special school funding i.e. band 2 funding is 90% of band 1 funding etc.
 - Supplements have been set as follows
 - A) Manual Handling where a pupil requires specialist assistance

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

- B) Medical needs where a pupil requires particular support and application of medical treatments in school
 - C) An ASC supplement for SRP pupils (where the primary need has been identified as ASC) would be payable
 - D) An ASC supplement for Band 1 Special School pupils (where the primary need has been identified as ASC) would be payable but at a lower value than SRP's
 - E) Access to mainstream supplement where it is expected that an SRP pupil will be supported to spend the majority (>51%) of their time accessing mainstream provision (This would be payable to most but not all SRP's)
 - F) Speech and Language Therapy (SALT) see above
 - G) Paediatric Therapy (PT) see above
 - H) Occupational Therapy (OT) see above
 - J) Where teaching requires British Sign Language as a result of the preferred method of communication of a child who is deaf
- Attached at **appendix 3** is a summary showing the estimated impact for each specialist setting of implementing the above top up and supplement values in 2014/15 based on their current / estimated pupils. Further issues to consider are;
 - As an added cost pressure, at the July 2013 Schools Forum members agreed the LA proposal to pay double top ups to provide pump priming funding to newly established SRPs in year 1 and a 50% uplift to top up values in year 2. This will initially apply to the Ridgeway ASC Unit in 2013/14 and 2014/15 and potentially the new HI BSL provision at Isambard from 2015/16. The 2014/15 additional Ridgeway payments are estimate at £0.058m and it is proposed to fund these costs from the DSG balance – thereby reducing the balance from £1.001m to £0.943m.
 - With regard to the Red Oaks LDD SRP, as explained earlier in this report, the LA is therefore proposing to provide one off funding of up to £20,000 to pay for premises alterations which would allow the SRP to expand to 10 places by September 2014. This would further reduce the DSG balance from £0.943m to £0.923m.

4.35 It is important for the Schools Forum and the specialist settings concerned to be aware that DfE guidance regarding year on year funding changes is as follows;

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

“In deciding on top up funding rates for the pupils it will place in special schools maintained by the LA and Special Academies formerly maintained by the LA, the authority must ensure that the rates for each school are set at no lower than such a rate or rates that, if all the pupils in the school or academy were placed by the LA, and the total number and type of places remained the same in the two financial years, the school or academy’s budget would reduce by no more than 1.5% in cash between 2013/14 and 2014/15”.

- 4.36 In essence this means that for all current pupils the total of place funding and top up funding should not reduce by more than 1.5% next year although with a move to a new banding system this would be extremely hard to track and calculate for each pupil. Furthermore, given that (unlike mainstream settings) specialist setting funding flexes throughout the year depending on occupancy and pupil changes it is difficult to see the logic of applying an MFG type protection system for specialist settings.
- 4.37 Furthermore, if MFG was applied, this would very much inhibit the LA from quickly moving to a more harmonised funding system as any MFG protection would need to be funded by capping gains (i.e. top up increases) in other settings. Task group members agreed that the LA should seek DfE exemption to the MFG protection system to allow specialist setting funding transfers to be implemented over no more than 3 years and this recommendation was supported at the 8th October 2013 Schools Forum.
- 4.38 Now that firm funding proposals are in place (subject to a potential £0.2m reduction) and the resulting impact on individual settings can be quantified the LA believes that it should be possible to fully move to the new banding values in 2014/15. In making the above proposals the LA appreciates that some settings will be experiencing funding reductions per pupil next year but they have been consulted on this and have not requested reviews of their spending.
- 4.39 Appendix 3 shows the final funding proposals for each setting compared to the figures tabled at the January task group meeting. If reduced funding per pupil is agreed the LA will not need to cap gains per pupil in other settings as was originally expected. This means that the new band values and supplements can be fully implemented and will drive the 2014/15 funding allocations for all but 2 settings (Redoaks LDD and Ridgway ASC will receive extra one off funding from the DSG balance). As it has not been possible to present final proposals to the task group the LA will ensure all settings are advised of their proposed funding as soon as possible after today’s Forum meeting.

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

5. Next steps leading up to 2015/16 funding

- 5.1 The LA is committed to ensuring value for money is achieved in all specialist settings and will be most happy to continue working with the High Needs task group during 2014 with a view to identifying opportunities to make further changes in 2015/16. This could include further site visits to better understand why some settings are able to provide provision at lower costs than other settings.
- 5.2 The LA will be advocating that from 2014/15 onwards all settings receiving high needs funding (including commissioned outreach and support services) should provide annual budget plans showing all their direct service spending. There appears to be discrepancies in the level of high need funding that schools expect should be made available to contribute to existing mainstream school costs and the LA would like to move to a system in which a defined range of costs are agreed to which a standard % uplift could be added across all settings in order to consistently quantify total costs.
- 5.3 In planning for 2014/15 the LA has focused on those settings which were facing the most significant funding cuts and it is possible that value for money could be improved from a wider rolling programme review of provision and costs in other settings.

Schools Forum is asked to;

- 1. Note the revised treatment of the Nylands / Mountford Manor BESD Pathway classes and support a 2014/15 top up value of £2,550 per pupil***
- 2. Note the need to consult during 2014 over the 2015/16 funding of the Nylands Primary Behaviour Support Team***
- 3. Support the 2014/15 allocation of £1.200m for centrally commissioned outreach and SEN support services***
- 4. Support the LAs proposal to reduce the 2014/15 contingency budget to £0.200m on the basis that any overspend would need to be met from the DSG balance***
- 5. Support the proposed 2014/15 Top up and Supplement values as shown at Appendix 2 and note the impact of these rates on individual settings as shown at Appendix 3 (Noting that proposed top up values may need to be marginally reduced to result in £0.2m lower spending if additional DSG is not received)***
- 6. Note the particular positions at Ridgway HI SRP, Redoaks LDD SRP, St Lukes Special School and Nylands Special School and support the allocation of additional funding in 2014/15 of £0.058m to Ridgeway and up to £0.020m to Redoaks from the unallocated DSG balance***
- 7. Note that the resulting unallocated DSG balance will be £0.923m.***

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

8. ***Reconfirm support for the LA to seek DfE exemption to the MFG protection system for specialist settings in 2014/15***
9. ***Support the continued review of top up and supplements values by the High Needs Task Group during 2014 to ensure value for money is being provided and to identify funding proposals for 2015/16***

6. **Planned changes in mainstream funding for High Needs pupils.**

- 6.1 The LA recognises that there is a difference in approach to funding top-ups in mainstream, specialist school settings and post 16 learning providers. The LA is resolved to harmonise these differences via the universal banding and funding system shown at Appendix 3. At this stage, it is anticipated that the process of harmonisation will be aligned to the introduction of the Education Health and Care Plans and their associated implementation period. For 2014-15, no changes are proposed for existing pupils in mainstream schools and current levels of funding will continue. For new high needs pupils, up to the 31st August 2014 the existing SENRAP process will continue, which requires bids to be submitted for additional costs above £6,000. From September 2014, in line with the anticipated new processes associated with the Education Health and Care Plans, learners subject to these plans will be assigned a band and an associated level of funding. The LA will introduce a moderation process to support the robustness of the banding assessment. These proposals are subject to the Department for Education's implementation plan for the legislation introducing Education Health and Care plans.

7. **Alternative Options**

- 7.1 The LA has a statutory duty to manage and distribute the Dedicated Schools Grant (DSG) in accordance with prevailing grant conditions and the School Finance Regulations. DfE have prescribed the options available to Local Authorities, some of which are mandatory whilst some are discretionary, but in most cases funding values are locally determined. The options available are described throughout this report and have been included in consultations with schools.

8. **Implications, Diversity Impact Assessment and Risk Management**

Financial and Procurement Implications

- 8.1 As this is essentially a financial report the implications are explained throughout the document. Schools are protected by the Minimum Funding Guarantee which for 2014/15 prevents annual losses of more than 1.5% per pupil before taking account of any Pupil Premium funding unless

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

exemptions are secured via DfE. It is important to recognise that no setting is financially protected against reduced pupils or student numbers.

Legal and Human Rights Implications

- 8.2 There are no direct legal and human rights implications arising from this report.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 8.3 The school funding reform programme is causing a degree of volatility in the distribution of DSG funding which may have implications for schools and other providers which are detrimentally affected by this.

Links to One Swindon, Strategic Objectives, Plans and Policies

- 8.4 Utilisation of the DSG has a direct link to two of the Council's five priorities – "Right skills, right jobs in the right place" and "Make the best use of Swindon's resources inside and outside the Council".

Diversity Impact Assessment

- 8.5 The DfE's school funding reform programme is aimed at simplifying fair funding and although funding changes at individual settings are inevitable the DfE believes that the MFG protection scheme for schools will be sufficient to minimise any adverse impacts. The reform programme is clearly aimed at ensuring funding is targeted at disadvantaged pupils and at pupils with low prior attainment and/or special education needs in order to narrow the attainment gap between these and other pupils.

Risk Management

- 8.6 The key risks arising from this report are that local decisions relating to school funding could lead to an overspend on the 2014/15 DSG and/or that the EFA could deem that our funding arrangements do not comply with the school finance regulations requiring budgets to be recalculated. All schools and other education providers need to prepare and maintain annual budgets and medium term financial plans which assess their sustainability.

9. Consultees

- 9.1 The Board Director Finance, Revenues, Benefits and Property (Chief Financial and Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

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2014/15 High Needs Specialist Funding for Schools

Committee: Schools Forum

Date: 11th March 2014

10. Background Papers

10.1 Various documents issued by the Department for Education since 4th June 2013 announcing the 2014/15 school funding reform changes and in particular the agenda papers provided to the 9th July, 11th October and 21st January 2014 Schools Forums.

11. Appendices

11.1 The following appendices are attached

- Appendix 1 - Anonymous schedule of pre 16 external placements
- Appendix 2 – 2014/15 Proposed Top Up and Supplement values
- Appendix 3 – Summary of impact of 2014/15 funding on individual settings