

(The Notes are attached to the Schools Forum papers 16 June 2022 for information.)

Draft (the notes are subject to approval at the next High Needs Budget Working Group meeting).

Notes of the Gloucestershire Schools Forum High Needs Budget Working Group meeting, held on Monday 7 February 2022. The meeting was held remotely.

Present:

Members: Stephen Dean (primary school headteacher), Andrew Harris (community representative), Becky Martin (special school governor), Dermot McNiffe (secondary school headteacher), Kate Merriman (primary school headteacher), Clare Steel (special school headteacher).

Officers: Philip Haslett, Head of Education Strategy and Development; Amanda Henderson, Head of SEND; Suzanne Hall, Finance Business Partner; Chris Hemingway, Finance Manager (Projects); Jo Bolton, Democratic Services Adviser and Clerk to the Schools Forum.

Apologies: Will Morgan (secondary school headteacher), Rhian Evans (primary school governor), Poppy Scott Plummer (secondary school governor).

1. Notes of the High Needs Workshop – 20 October 2021

The notes of the High Needs Workshop meeting were agreed as a correct record.

2. SEND Data Trends and its impact on funding

2.1 The Head of Education Strategy and Development explained that the key assumptions needed to inform the 5-year financial plan for High Needs were:

- The total number of additional EHCPs expected in the local system each year – EHCP Growth.
- The proportion of those additional EHCPs expected to access the different types of provision – mainstream (primary and secondary), special school and independent special school.
- The average cost of a placement at those provisions.

2.2 He emphasised that small variations in any of those areas could make a significant difference in the data and have a significant impact on the 5-year plan and the LA's ability to reach a balanced budget. The last 2 years had been heavily affected by the global pandemic, which had had an impact on level of need within the system and therefore the trends. He was seeking input from members on what the LA might expect to see over the coming years.

2.3 The Group was informed that the number of EHCPs in the local system was the main funding driver for High Needs expenditure. The number of requests for EHCP assessment increased sharply in 2020/21 and continued to rise in 2021/22. The 287 requests in the Autumn terms of 2021, compared to 207 in the same period in 2020/21. In line with this rise, the percentage of plans requested by the parent had increased, with a sharper increase seen in 2021/22.

2.4 In response to a question on whether the rise in the requests from parents had led to any reduction in the number of requests from schools, it was agreed that the Group would be provided with a further breakdown of the data.

ACTION: Amanda Henderson

2.5 In response to a question it was agreed that the Group would be provided with the data on how many of the new requests for ECHP assessments eventually translated into plans. The Head of SEND reported that there was an approximate 94% conversation rate from an ECHP request into a plan. The EHCP assessment process was becoming increasingly robust and was beginning to result in more refusals. Information on the national picture would also be brought back to the next meeting. Despite the growth that Gloucestershire was experiencing, the percentage of the population supported by an EHCP in Gloucestershire was lower than Gloucestershire's statistical neighbours, and the overall national picture. It was therefore evident that Gloucestershire was not an outlier in terms of the pressures that the SEND service was facing.

ACTION: Amanda Henderson

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- 2.6 The Head of SEND explained that there were variations in how schools approached the provision of additional support for children with SEND. Some schools were more proactive in finding solutions to provide support outside of an EHCP process (when appropriate), and others were geared towards making a request for an EHCP assessment in the first instance. She was also aware that some schools encouraged parents themselves to make the request for assessment, believing that as the parent had made the request, rather than the school, it would move through the process more expediently, however this is not the case.
- 2.7 In response to a question, it was explained that a higher percentage of requests for assessment made by the parent were refused, than those made by schools. This was often due to parents not including sufficient evidence. In some cases, parents would only include a completed template letter taken from the IPSEA website. Schools would generally use the graduated pathway assessment and planning process to provide evidence.
- 2.8 A member informed officers that based on her own experience, parents were no longer supported as well as they once were when going through the EHCP assessment process. A decade or so earlier, parents would have received support from a special school SEND assessment centre, and from social care, which included help with writing the plans. She stressed that parents were now being let down by having to navigate the system with little support; she felt strongly that parents should not be put in the position of having to make their own EHCP assessment request for their child.
- 2.9 A member pointed out that many parents, particularly those with a child in year 6 transferring to secondary school, felt that due to the short timescales involved, they had to just get the request done and submitted. Parents were now aware that if the LA refused the request then they could appeal to the SEND Tribunal and it was more than likely that their appeal would be upheld. As there was less LA support available than in previous years, parents were increasingly looking to others who had already gone through the system for their help and support. The parent forums were very active in supporting parents especially in providing advice on the EHCP process. She was aware that many parents were of the opinion that every step of the process was an uphill battle. A member added that parents were often very well informed having undertaken their own research and were well aware of alternative options.
- 2.10 The Head of SEND agreed to liaise with Gloucestershire Parent Carer Forum (a strategic partner of GCC) to seek the forum's perspective on why the number of requests for EHCP assessments was continuing to rise, particularly the number received from parents.
ACTION: Amanda Henderson
- 2.11 A member commented that the assessment process had changed from how it operated a decade or so ago, previously a child would have been assessed at an Early Years SEND centre to determine whether a place should be allocated at a mainstream or special school. It now seemed that more children were placed in a mainstream school first, to see if they could cope, before consideration was given as to whether a special school place would be more suitable for the child. The Head of SEND acknowledged that the process should be child-led, however the challenge was that there were not enough special school places in the county to cope with the current level of demand. The LA planned to address this by developing the existing special school capacity in the county, and by building new schools in the future, to meet the rising levels of need. She added that a child could still be placed in a special school straight away; for some parents/carers their preferred option was to try a mainstream school first. The Head of Education Strategy and Development acknowledged that further consideration was needed on whether, due to children no longer being assessed at SEND assessment centres, this had been a factor in the increase in the number of EHCP requests over the years.
- 2.12 A member pointed out that some primary schools had a centre attached that catered for children with additional needs, effectively serving as the middle ground between a mainstream and a special school. He suggested that expanding this approach to other primary schools could be an option to explore further.

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- 2.13 The Head of Education Strategy and Development acknowledged that the SEND Tribunal system was an issue. He suggested that as approximately 95% of all appeals heard by SEND Tribunals were found to be favour of the parents, the public money allocated to those tribunals could be put to better use. He hoped that this would be tackled as part of the Government's SEND review.
- 2.14 In response to concerns expressed by members that there were not enough 16-19-year-old special school places in the county, officers acknowledged that an audit of the current 16-19 specialist provision was needed to establish whether Gloucestershire's offer was sufficient. It was recognised that this would be an important piece of work given that the number of pupils with High Needs in the 16-19 age group had increased, and there would be a continued increase in the need for post-16 support in the coming years as the bulge in mainstream filtered through.
ACTION: Amanda Henderson.
- 2.15 The Head of Education Strategy and Development drew the Group's attention to the table in the report which showed a backward look at the funded plans that sat within the core High Needs budget areas. It showed the growth in funded plans since 2018/19, and it also showed a forward look for the next 5 years. This was based on the historic growth trends and attempted to forecast the number of plans in each budget area that the LA might expect to support in the coming years.
- 2.16 He explained that there had been a progressive rise in the number of plans in the secondary sector, however, this was over an extended period of time so was not too much of a concern. The key concern was the continued significant rise in the Early Years and Primary sectors. He explained that before the global pandemic the number of new requests for EHCPs in those sectors was beginning to plateau. Officers were looking to gain an understanding of the reasons behind the recent rise in order to make informed funding decisions on whether the rise would continue in future years. He wanted to establish whether it was solely due to children being out of school for extended periods of time, which had resulted in a learning deficit and/or behavioural issues, and hence the need to access additional support. He stressed that a short-term need created by the pandemic should not create such a prevalence in the need for long-term statutory support. Officers wanted to consider whether, through enhancing funding provision within the mainstream, it would be beneficial to develop a system of providing short-term non-statutory support to avoid locking into statutory plans. Once an EHCP plan was in place for a child in the Early Years and Primary sectors it was often the case that the annual reviews were not as robust as they should be in ceasing the plans when appropriate.
- 2.17 The Head of Education Strategy and Development explained that detailed modelling to inform the 5-year forecasts had been undertaken in all of the different elements of the High Needs budget. Officers were now looking to bring all the different elements together to get a clearer picture. Now that the underlying model had been developed the assumptions regarding EHCP growth would be critical for the local authority to lay out an effective 5-year plan that could bring the High Needs budget back into a balanced in-year position. He drew the Group's attention to the tables in the report which showed the impact on the 5-year plan should the number of EHCPs increase. The tables showed the full annual impact and the cumulative impact of increases in EHCPs.
- 2.18 He explained that there were currently 351 EHCP plans in the pipeline (i.e. agreed to assess but haven't issued a final plan) and 108 awaiting decision to assess. Based on the current data, the LA was looking at a net increase of around 1000 funded plans over a three-year period. That would equate to a rise of around 330 funded plans a year. He explained that if the number of EHCPs rose by 350 plans a year, this would add an extra £6.1M cumulative deficit across the 5 years. He recognised that 350 plans might be a conservative estimate and the figures may end up being higher, on the other hand the numbers might plateau relieving pressure on the budget. In response to a question, he confirmed that the financial team had based the modelling on historic data over the past few years, and therefore this had not taken into account the spike in numbers currently being seen right now.
- 2.19 The Head of Education Strategy and Development explained that the aim was to take an informed position to the June Schools Forum meeting to set the budget for 2022-23 and to layout the 5-year forecast based on how it was currently seen to be evolving. It was important that an informed

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baseline was set so as to enable the effective monitoring of the impact of changes in the local system and make informed adjustments to the LA's long-term financial planning.

- 2.20 A question was asked on whether consideration was being given to the potential increase in numbers of children coming into the system, due to the new housing developments taking place within Gloucestershire. In response, the Head of Education Strategy and Development explained that the financial modelling was based solely on historic trends, he recognised however that population growth may have an impact on the trends in future years and that this would need to be closely monitored. It was also explained that any additional expenditure resulting from an increase in the number of pupils in the school population, due to demographic growth, would be off-set by a corresponding increase in the funding received by the LA through the Dedicated Schools Grant.
- 2.21 The Group was informed that the cost to support a High Needs pupil in a mainstream school ranged from £10,000 per year to £17,000 per year. The average cost of a place in a special school was £25,000, and the average cost of a place in independent provision was £73,000 for jointly funded places and £45,000 for non-jointly funded places. There was a small number of jointly funded places that were residential and extremely high cost at upwards of £100,000 per year. The Head of Education Strategy and Development made the point that the only way High Needs expenditure could reduce would be through a decrease in the number of children coming into the system, and by addressing the reliance on expensive independent specialist provision. In response to a question, it was agreed that the Group would be provided with a breakdown of the number of pupils by age range that were attending independent specialist provision.
- ACTION: Phil Haslett**

- 2.22 The Head of Education Strategy and Development explained that the plan was to develop the collective thinking into a wider consultation for all schools. He felt it was important that the consultation set out what was happening in regard to the trends, what the assumptions were, and the expectations about what would happen over the next 5-year period. In particular, he would be looking to ascertain views on whether the funding being allocated to the mainstream to provide additional support outside of the statutory process, should be increased, and whether this would have a material impact on reducing the numbers going into specialist provision. He would also be seeking views on providing funding to address short-term need resulting from the impact of Covid, specifically whether this would likely reduce the reliance on accessing support through the statutory process. It was acknowledged that there were already active lines of communication with headteachers and SENCOs around those issues, and therefore care would need to be taken to avoid any duplication.

- 2.23 A member emphasised that if additional funding was going to be allocated to the mainstream sector, then this needed careful planning, including a statement of intention from the LA to set out how the funding should be used to reduce the pressures in the system and benefit the children with additional needs. The LA would need to ensure that mainstream schools were held accountable for how the funding was used.

- 2.24 The Head of Education Strategy and Development agreed that he would share an action plan setting out the way forward at the next meeting of the working group.
- ACTION: Phil Haslett**

3. Developments in SEND casework

- 3.1 The Head of Education Strategy and Development provided the Group with an update on developments in SEND casework. He reported that the key aim was to ensure that the right support was provided for the child and that it was kept within a sensible budget. There would be an increased focus on ensuring that the annual reviews of the children transitioning to Post 16 were undertaken effectively.
- 3.2 The casework team had a high turnover of staff and there had been difficulties in recruiting staff to posts. An additional 17 members of staff were needed for a fully resourced team. There was recognition that the team was not currently sufficiently resourced to undertake casework as effectively as it should be; investment was being made this financial year to address this and ensure

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that a well operated and effective casework system was in place. The system was also being digitalised and would operate through the Capita online portal platform, enabling both professional and parent/carer engagement in a much more efficient manner.

- 3.3 A member emphasised just how critical it was to get the EHCP assessment right, at the beginning of the process, as this would affect all subsequent processes and determine the support provided. Consequently, it was important that the staff were sufficiently trained in order to carry out those assessments. The Head of SEND acknowledged that getting the right workforce in place was key to the effective operation of the system. There had been changes to the staffing structure so that the posts involved with a range of casework posts were at higher pay grades. This was to reflect the way in which casework had evolved - moving away from solely overseeing the process to the provision of a much more in-depth casework exercise. There was a workforce development bid in place for the continued professional development of staff members.

Ends.