

Response ID ANON-XYDA-G11X-Q

Submitted to **High needs funding reform**

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Introduction

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C Response type

Please select your role from the list below::

Other

Please select your organisation type from the list below::

Representative body

Organisation name::

f40

Local authority area::

N/A

D Would you like your response to be confidential?

No

Please give your reason for confidentiality::

Principles for a reformed funding system

1 Do you agree with our proposed principles for the funding system?

Yes

Please provide any further comments::

We agree in principle, but the definition of 'fair' has yet to be defined and will not be transparent until the second stage consultation is launched. The weightings that are to be applied to the national funding elements need to enable all schools to educate all pupils as well as enabling them to support pupils with additional needs so that all pupils have the opportunity to achieve their potential: no group should be supported to the detriment of any other.

Distributing high needs funding to local authorities

2 Do you agree that the majority of high needs funding should be distributed to local authorities rather than directly to schools and other institutions?

Yes

Please provide any further comments::

f40 believes that LAs should be the commissioners of high needs places for all of their pupils and, therefore, that place funding should be paid to providers directly by LAs, removing the EFA from this part of the system. Having more than one institution involved in distributing high needs funding to schools is confusing, unnecessary, adds no value and could lead to duplication of payments.

The current process is too rigid and locks in place funding too far in advance of knowing where some learners will actually be.

A mechanism to reflect growth in SEN must be included in the formula.

Additionally f40 believes that there should be a greater national definition of bandings or criteria used for payments to providers.

3 Do you agree that the high needs formula should be based on proxy measures of need, not the assessed needs of children and young people?

Yes

Please provide any further comments::

f40 does not wish to see any perverse incentives for potential indicators as this would lead to inflation of needs and inflation of costs associated with it. Thus a funding system based on proxy indicators is likely to provide the fairest method.

But the second stage consultation must provide clear evidence of the correlation between proxy measures and all special education needs and also evidence as to how the balance of indicators has been formed into the relative weightings.

Formula design

4 Do you agree with the basic factors proposed for the formula?

Yes/No - Basic entitlement:

Agree

Yes/No - Population:

Agree

Yes/No - Child health:

Agree

Yes/No - Child disability:

Agree

Yes/No - Low attainment at key stage 2:

Agree

Yes/No - Low attainment at key stage 4:

Agree

Yes/No - Deprivation - free school meal eligibility:

Agree

Yes/No - Deprivation - income deprivation affecting children index:

Agree

Yes/No - Adjustments - for "imports/exports":

Agree

Please provide any further comments::

But consideration must be given to an assessment of the growing high needs populations and LA pressures in this area. The High Needs Block has been based upon historical spend for too many years without any account having been taken of the growing numbers of pupils with high needs especially in the post-16 and post-19 sectors.

All LAs are currently experiencing pressure on the High Needs Block and the new formula for high needs must start at a reasonable funding levels rather than a redistribution of current levels.

LAs cannot support pupils with high needs in a fair way without sufficient funding and the ring-fencing of the Schools Block will take away any flexibility to manage the costs. There is concern that the separation of the Schools and High Needs blocks will lead to unintended changes in provision in some areas that may restrict opportunities for some of the most vulnerable children and young people.

The formula needs to continue to take account of ongoing demographic changes in the high needs sector.

The population factor needs to take account of pupils between 2 and 18, but also include those that are high needs up to the age of 25 (to reflect LA responsibilities for these young people).

The data that is currently updated every ten years needs improvement. We must have a mechanism to provide more timely information for that data (e.g. children in poor health). There are also continuing concerns over the IDACI data and the changes that might occur as the data is updated (as occurred with the 2010 to 2015 data update).

As f40 highlighted in its Schools Block consultation response, consideration must be given to the reliability and consistency of the low prior attainment data, to the financial impact of changes to the methodology and application of the factors due to changes in data definitions at the various points in time.

Prior attainment data in the primary phase is about to go through its third change and there are three different data sets currently being used in the primary phase.

For all the factors it is difficult to comment without seeing the proposed balance of the factors in the proposed distribution. This is especially true for AP where

only two factors are proposed.

5 We are not proposing to make changes to the distribution of funding for hospital education, but would welcome views as we continue working with representatives of this sector on the way forward.

Please provide your comments::

We believe that it is unacceptable to continue to fund LAs for hospital education based on historic spending, and instead the DfE should move to a formulaic needs-led approach like the rest of high needs, with transitional protection over three years for any reductions in funding.

6 Which methodology for the area cost adjustment do you support?

hybrid methodology

Please provide any further comments::

Managing a smooth transition

7 Do you agree that we should include a proportion of 2016-17 spending in the formula allocations of funding for high needs?

Not Answered

Please provide any further comments::

f40 considers that there should be only one protection, but until we see how it will operate it is difficult to tell whether it would be better to have MFG or historic spending.

What is the length of time of this transition – this needs to be planned otherwise how can you see the end target?

8 Do you agree with our proposal to protect local authorities' funding through an overall minimum funding guarantee?

Yes

Please provide any further comments::

f40 considers that there should be only one protection but until we see how it will operate it is difficult to tell whether it would be better to have MFG or historic spending. Until we see how much historic spend is included we cannot see the effect of the MFG.

Changes to the way high needs funding supports mainstream schools

9 We welcome views on what should be covered in any national guidelines on what schools offer for their pupils with special educational needs and disabilities.

Please provide any comments::

- Inclusivity and a strong expectation that schools will take pupils in and not divert them elsewhere.
- To have regard for funding decisions that they make both in school and what the impact of those decisions is on other budgets in the system.
- What good practice looks like and how they should achieve it. (i.e. not just a teaching assistant at the back of the class!).

f40 believes that this type of question should have been asked as part of the ISOS research.

10 Do you agree with the proposed changes to the funding of special units in mainstream schools?

Agree

Please provide any further comments::

It has been a source of confusion, but it is also likely to lead to a reduction in budget for schools unless the primary AWPU is more than £4,000. And for the older pupils it is likely that they will receive more than a special school place.

11 We welcome examples of local authorities that are using centrally-retained funding in a strategic way to overcome barriers to integration and inclusion.

Please provide any comments::

Again, f40 considers that this type of question should have been asked as part of the ISOS research.

We anticipate that individual LAs will provide local answers to this question.

12 We welcome examples of where centrally-retained funding is used to support schools that are very inclusive and have a high proportion of pupils with particular types of special education needs, or a disproportionate number of pupils with high needs.

Please provide any comments::

Again, f40 believes that this type of question should have been asked as part of the ISOS research.

We anticipate that individual LAs provide local answers to this question.

Changes to the way high needs funding supports independent special schools

13 Do you agree that independent special schools should be given the opportunity to receive place funding directly from the Education Funding Agency with the balance in the form of top-up funding from local authorities?

Not Answered

Please provide any further comments::

As already stated in our response to Question 2, f40 considers that all place funding should be paid by the relevant LA and not by the EFA. If independent special schools wish to receive place funding this can be paid by the LA, after appropriate base transfer of funds from the EFA to the LA.

f40 agrees to the principle of independent special schools receiving place funding as long as there is a publicly available list of where places have been paid for so that commissioning LAs do not have to spend time arguing as to whether £10k must be reduced from the fees, or not, with the provider.

Also, it must be clear that if all the places paid for have been taken up in that provider's school, the next LA placing a pupil is then not liable for paying £10k in addition to the top up fees.

There must be clear processes in place to ensure that this is not used as an excuse to increase fees. In fact, f40 believes that it would be better to have mechanisms in place that would ensure value for money and efficiency.

Changes to the way high needs funding supports post-16 providers

14 We welcome views on the outline and principles of the proposed changes to post-16 place funding and on how specialist provision in further education colleges might be identified and designated.

Please provide any comments::

Again, f40 believes that this type of question should have been asked as part of the ISOS research.

We anticipate that individual LAs provide local answers to this question.

We await further information in the Stage 2 consultation.

Equality analysis

15 We welcome comments on the equalities impact assessment.

Please provide any further comments::

We have no additional comment.