



## **Response to Schools and Early Years Resourcing Consultation**

### **1. Background**

This consultation response is a **group response** from parents and carers of children and young people with disabilities and/or SEN.

It was developed by staff and volunteers of the Sheffield Parent Carer Forum and amended after being circulated to the Forum's email list for commenting (365 families).

Our response relates to question 2 (main form), question 8 (additional questions), and the questions regarding the High Needs Block.

### **2. General**

We welcome the aspiration to create a fairer and more transparent system which increases parental choice.

We also welcome the increased focus on outcomes and sharper accountability for schools in relation to their spending on pupils with High Needs.

### **3. Delegated SEN budgets**

We support the funding model whereby £40m of ex-grant funding would be redistributed by transferring around £20m to simple pupil numbers and around £20m to AEN/SEN allocation factors, causing average delegated funding per SEN pupil to rise from £2,000 in 2012/13 to £3,600 in 2013/14. However, we are concerned about the lack of accountability in relation to this funding (see point 4).

We support the proposal that the local authority could target additional funding at mainstream schools whose formula funding does not adequately reflect the number of High Needs pupils they have on roll, particularly for very inclusive schools which can attract large numbers of pupils with High Needs from outside their catchment area. (Question 9 in Q&A document on Banded Funding for High Needs Pupils)

#### 4. Accountability

We are concerned that it is currently very difficult for parents to see how schools are spending their delegated SEN budgets. We feel that with greater autonomy for schools should come greater accountability – not just towards OFSTED and school governors, but towards **all** parents.

We think it would be dangerous to rely on OFSTED to pick up problems because the inspections are too infrequent (just once in a five-year period for better-performing schools). School governing bodies vary in terms of their SEN expertise and their willingness to challenge school leaders. There are limits to what Governors can do as volunteers, and without a formal framework there is no clear way for them to progress problems upwards about how SEN funding is spent within a school.

We therefore believe that schools should be required to publish annual accounts detailing their income and expenditure under a number of headings, including SEN.

In addition, it is important that the respective responsibilities of schools and the local authority are clearly articulated, so that parents know what schools are expected to provide from delegated SEN budgets and top-up funding, and what the Council will provide from its centrally held budget. This information should be developed in cooperation with parents and could contribute to the “local offer” which local authorities will be required to publish from 2014.

**Example:** We are aware of a number of families whose children are unable to attend school due to illness (including mental health issues) or who are waiting for a new placement following breakdown of their previous placement. Families in this situation need to know who is responsible for arranging and funding alternative provision, e.g. home tutoring, until the child can return to school or until a new placement has been found.

#### 5. High Needs Block

We feel that there are a number of issues with the proposal to allocate £1.5m from the High Needs Block to mainstream schools (£500k from the Exceptional Needs pot and £1m from the *Families of Schools* pilot):

- Only around a third of Sheffield’s mainstream schools are currently participating in the *Families of Schools* pilot.
- The Exceptional Needs pot in Sheffield is very small compared to similar local authorities. It is likely that many mainstream schools are currently supplementing the relatively small amounts of Exceptional Needs funding available by using their delegated SEN budgets to fund provision for individual High Need pupils above the threshold of £10k per year.

- Around half of all pupils with statements of SEN in Sheffield attend a mainstream school.

Bearing these factors in mind, it looks unlikely that the allocation of £1.5m to High Needs in mainstream would be sufficient to create a level playing field and give parents a genuine choice between specialist and mainstream settings.

We disagree with the proposal to allocate £300k from the High Needs block to support a “strategy for newly arrived families”. Current legislation states that a child or young person is **not** considered to have a learning difficulty or disability solely because the language in which he or she is taught is different from their home language. In addition, it appears highly unlikely that many new arrivals would meet the definition of “High Needs”, i.e. requiring additional educational provision in excess of £6,000 per year. This money should instead be spent on supporting pupils with High Needs in mainstream and increasing the capacity of specialist support services.

## **6. A banded approach to funding High Needs**

We agree that funding bands should reflect the provision required to meet a pupil’s identified needs. However, we are not convinced that the cost of meeting those needs would necessarily be the same in any setting. This is because the provision required will vary depending on the type setting attended. Consequently, the cost of meeting a pupil’s needs could vary quite significantly between settings (particularly between mainstream and specialist settings).

We believe that banding decisions will inevitably affect provision, particularly for those pupils whose statements do not clearly specify and quantify the provision required to meet their needs, and for those who do not have a statement.

Parent Carer Forum representatives on the ILS Steering Group have repeatedly expressed concerns about the lack of portability of funding from the *Families of Schools* pilot for pupils who transfer to a school outside the pilot. We welcome the proposal to audit and band these pupils individually, which should help to ensure that the funding will follow them to any school in Sheffield.

## **7. The auditing and banding process**

We believe that schools should be required to make banding decisions in partnership with parents. Whilst we accept that schools are best placed to assess a child’s needs *in relation to other children* at the school, parents are still the experts in their children and should be given an opportunity to say whether they feel that the support currently provided by the school is adequate.

Parents should also routinely receive a copy of the paperwork submitted by their child's school to the Banding Moderation Panel, including a breakdown of the support costs. This would provide the transparency which so many parents tell us they want.

When parents are informed about their child's funding band, they should also be informed about the rationale behind that decision. Parents often tell us how frustrated and disenfranchised they feel when important decisions about their child are made by anonymous panels behind closed doors.

Crucially, there should be a local process available to parents who wish to challenge either a banding decision, or a school's refusal to put their child forward to the Banding Moderation Panel for top-up funding. Parents should be able to access support from Parent Partnership in this matter.

In many local authorities, SEN Panels include a parent carer representative. We believe that both the SEN Panel and the Banding Moderation Panel should have a parent carer representative (not necessarily a school governor). This representative should be:

- recruited through a formal process with parent carer involvement;
- required to cooperate formally with local parent carer groups (including the Sheffield Parent Carer Forum);
- a full and active member (not observer) of their panel;
- reimbursed for their time and expenses.

Regarding the suggestion that the banding approach should be applied "from Reception onwards", we would like to highlight the need for children to be statemented and banded well **before** they enter into Reception, order to avoid delays in accessing specialist placements.

We are extremely concerned that the Council's Q&A document on Banded funding for High Needs appears to suggest that pupils with statements of SEN who require less than £6,000 of additional educational provision per year should have their needs "reassessed" – presumably with a view to ceasing to maintain the statement (Question 21). In the absence of information about criteria for the new Education, Health and Care Plans, this appears very premature. We urge the Council to reassure parents that, just as banding will not be linked to statements, access to statements will not depend on banding decisions.

## **8. Funding bands and descriptors of need**

We will comment on these in a separate submission.

## **9. Support Services**

Parents often tell us that specialist support services are overstretched and underfunded. This affects both local authority services (such as the Autism Team) and NHS services (particularly Speech and Language Therapy). We know that some children are only seen once a year, usually just before their Annual Review. It is difficult to see how such infrequent visits can serve anything other than monitoring purposes. In order to have “world-class” support services, we must increase their capacity to respond adequately to local need.

In this context, the requirement that pupils must have “regular and active involvement of external agencies” in order to be placed on School Action Plus is a cause for concern. We feel that this could create a vicious circle, where the lack of capacity of a service would influence a child’s SEN category, and the SEN category (rather than their needs) would in turn affect their access to external services.

**Questions or feedback** regarding this response should be addressed to:

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