**Review of funding and support for pupils with special educational needs in Kingston mainstream schools and settings**

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**EXECUTIVE SUMMARY:**

**INTRODUCTION:**

1. This review was commissioned by Achieving for Children in conjunction with Kingston Schools Forum. The review report provides an external view of strengths and issues in the Borough’s current approach to funding and support for children and young people with special educational needs in mainstream and identifies practical options and ways forward, in the light of the current national and local context.

2. The review had a broad focus, extending from funding in mainstream schools’ delegated budgets to meet SEND, through to support services provided/commissioned by the Local Authority and additional funding for those with more significant needs. Reference was also made to the Borough’s current use of local specialist provision and placements in the independent/non-maintained special school sector.

3. The review involved the following strands:

1. analysis of relevant background documents and data
2. interviews with a range of stakeholders, including mainstream primary and secondary school head teachers, SEN governors and SENCos, parents, local authority officers, support service managers and practitioners, and other agency representatives. Meetings were also held with a group of early years providers and the lead for SEND/learning disabilities at the local mainstream FE college.

4. The report sets out the different levels of support and provision that tend to be available nationally (and some of the wider challenges) before moving on to a specific analysis of the Kingston picture.

**POSITIVES OF THE CURRENT SYSTEM:**

5. There is a strong collective ethos and commitment to meeting the needs of local pupils in local schools. Some processes are already in place to support this in practice. Relationships between the Authority and local schools are generally constructive.

6. The Authority has a coherent strategy for SEND improvement with a clear set of priorities for development. It is focusing not just on increasing the availability of local specialist provision (as an alternative to higher cost placements) but also on strengthening the mainstream offer and capacity for early intervention.

7. Schools Forum has established a High Needs Working Group involving head teachers and other stakeholders, to address financial sustainability issues. There is now a clearer picture of how money is being spent and of expenditure trends.

8. There are examples of inclusive mainstream practice across the age spectrum, in the early years, primary and secondary phases and post 16. There have been some attempts to reflect this through targeted HN funding in mainstream schools and the development of inclusion hubs in the early years.

9. Positive approaches have been taken to phase transition, with the provision of SCIP packages already established to support children transferring from early years settings to school and, more recently, more proactive discussions with secondary mainstream schools around pupils with EHCPs transferring from primary.

10. Decision-making has been strengthened, with clearer thresholds for EHC needs assessments and a move towards a more equitable approach (through the proposed banding system).

11. Support service inputs to mainstream schools have been coordinated and enhanced through the establishment of the Early Advice and Intervention Panel (EAIP) which aims to ensure that pupils access the most appropriate resource, help avoid duplication and develop a more common understanding of individual school needs.

12. Therapy services have been jointly reviewed, with a common commitment across Health and Education to a ‘balanced approach’ that supports capacity-building as well as individual assessment and intervention.

13. There is a dynamic approach to meeting the needs of pupils who are at significant risk of exclusion (through the work of the primary EISS, with its capacity for short-term placement at the Bridge as well as mainstream-based intervention and the availability of intervention places at Malden Oaks and its capacity for supported reintegration). Secondary heads recognise the important of this resource being collectively and equitably managed.

14. Kingston has a wide range of specialist provision, with good and outstanding special schools and a number of mainstream primary and secondary resource bases (SRPs) which provide for a range of needs. New provision is planned to address perceived gaps in local capacity.

**KEY ISSUES:**

**Financial sustainability**

15. Although many Authorities in England have experienced high needs funding pressures over recent years, Kingston has had one of the largest overspends. Involvement in the government’s Safety Valve programme will help address the cumulative deficit. However, this is conditional on future spend being brought more in line with income. The Borough’s strategy appears to be driving things in the right direction. However, the move to a more balanced position is also due to the significant growth in government funding for this area that has happened over the last 4 years. The annual increase in Kingston’s spend continues to be considerable and there are concerns that this will lead to further difficulties when income growth reverts to inflation.

16. It will be important for all parties to work together to ensure that children’s needs can be met within the available resources.

**Consistency in the quality and effectiveness of the mainstream offer**

17. A consistently strong mainstream offer is needed to ensure positive outcomes for children, that access to additional funding and services is equitable and that specialist places are uniformly targeted on those with the greatest needs.

18. A significant amount of money is included in Kingston mainstream school budgets for ‘notional SEND’ (£8.8m in total in 2022/23: £5.3m for primary and £3.5m for secondary). Amounts per school range from £59k to £347k in primary and from around £12k to £433k in secondary. Awareness of this level of funding for SEND varied across those interviewed. The focus of discussions tended to be on the use of this resource to provide the ‘first £6k’ of support for pupils with EHCPs, rather than how money is being used to support the broader range of special educational needs in schools. There appeared to be little clear evaluation of the current use of this resource and whether this was leading to the best possible impact.

19. The Authority has introduced a number of reference points to describe what provision should be ‘ordinarily available’ in mainstream. While these are a useful resource, they tend to be seen by some schools as reflecting the LA’s desire to reduce the need for statutory assessments rather than as a vehicle for promoting good practice/school improvement.

20. Mainstream schools and settings are currently experiencing some significant challenges and there may need to be more focused and coordinated training on some key aspects of SEND practice, for example: meeting the needs of children and young people with ASC, communication and collaboration with parents; effective approaches to individual planning and review; effective use of in-school resources. The focus and impact of SEN support services will also need to be strengthened.

21. The report introduces the concepts of ‘exceptional and predictable needs’ to help guide more collective thinking around the range and levels of need for which schools/ settings should routinely expect to provide (even if these are greater than those of the majority of other pupils). It raises the possibility that a greater proportion of high needs funding and resources could be devolved to schools/groups of schools to help strengthen capacity at this level

**Dominance of the ‘EHCP agenda’**

22. A common issue raised by parents was the importance of having an EHCP to ensure that children’s needs are met. This was partly being reinforced by social media and involvement with formal/informal advocacy networks and partly through experience of professional recommendations (particularly Health). Some of the mainstream heads and SENDCos interviewed shared this view. However, there were frustrations on occasions in cases where schools felt statutory assessments were unnecessary, either because, in their view, pupil needs were being adequately met or because their level of needs did not make them a priority for additional support.

23. Support services were concerned that the increasing numbers of EHCN assessment requests were skewing their focus and decreasing their capacity for prevention (which was leading to further levels of demand).

24. Part of the problem in Kingston is that EHCPs are currently required to access most types of additional funding. This is not the case in all LAs, with an increasing tendency to develop mainstream funding approaches that are not dependent on statutory assessment.

25. Some parents felt that having an EHCP was the only way they could get a proper ‘voice’ or that their child’s needs would be recognised. There was evidence of variable experience of communication and parental involvement in review and planning.

26. While EHCPs tend to be associated with the notion of ‘longer-term entitlement’, there is evidence that using these to access additional funding in mainstream has some considerable downsides.:

1. Funding allocations tend not to be actively reviewed. This means that some pupils/schools hold on to resources longer than they need to, while others miss out on funding that could have prevented escalation of issues. This system also encourages a view that support should be provided individually (as a ‘1:1’)
2. Statutory assessments are susceptible to demand pressures, for example from parents who are more familiar with the system/have the personal resources to negotiate it
3. Some schools can request assessments because they have less experience of dealing with particular needs/levels of need. This can disadvantage schools that would expect to meet these through their ordinarily available provision
4. Under the EHCP system, requests for additional support are relatively private, with limited opportunities for peer moderation, support and challenge. Greater involvement of schools/settings in collective decision-making helps heads and SENDCos reflect on their practice and expectations and learn from others

27. The proposal to apply a new banding system to mainstream funding may reassure schools, officers and parents that resourcing will be more equitable and matched to children’s needs. However, it is likely that levels of need and provision for some groups of pupils (particularly ASC and SEMH) will continue to be subjectively defined. There is also evidence that continuing use of ‘pupil-led’ indicators is associated with a number of perverse incentives (eg having to prove greater deficits to access larger amounts of money). Collective management of resources is more likely to be associated with equity and financial sustainability.

**WAYS FORWARD:**

28. The report identifies a number of ways forward to help address these issues, building on some of the positives that are already in place. It recommends that information on school notional SEND budgets should be more widely available and be a reference point for heads, SENDCos and governors in schools and for key local authority services. This is likely to be consistent with government proposals following the 2022 Green Paper.

29. The Authority is encouraged to consider a new approach to mainstream school SEND funding involving a higher level of devolution of resources to schools/groups of schools, alongside more collective targeting of any centrally held funding to those pupils with the most significant/complex (exceptional) needs. One option will be the use of cross-phase clusters of schools (involving both primary and secondary, with the potential for future extension to local early years settings and FE).

30. There would be considerable advantages in the Kingston context to move in this direction:

1. It would build on existing strengths in relationships between schools and commitment to meeting the needs of the local community
2. It would help extend good practice across all mainstream schools and achieve a more consistent and high quality mainstream offer
3. It would provide a more dynamic system for additional funding, in which schools had a greater ‘stake’
4. It would help identify more consistently those pupils with more significant/complex needs who should be a priority for additional support or placement in specialist provision
5. It would strengthen relationships between local schools and support practitioners and free up more capacity for supported intervention
6. It would support better phase transitions, with the potential for greater alignment between funding systems operation in different sectors (early years/school/FE college)

31. The report also recommends further strengthening of external support for pupils with ASC, given the growing pressures in this area and the high percentage of EHCPs where ASC is the primary need. It will be important to ensure capacity across the mainstream school system as well as targeted support for those pupils where there are the most significant concerns.

**NEXT STEPS:**

32. System change is a complex process and requires active engagement of all stakeholders, as well as strong and consistent leadership. There are time and budget constraints for both schools and the Authority, but experience elsewhere has shown that this can lead to improvements for professionals and families but also, more fundamentally, for children and young people themselves. The current system, as it stands, may not be delivering the best outcomes for the funding available and is unlikely to be financially sustainable.

33. It is recommended that a task and finish group is established to consider some of the practical options being suggested (including practice already happening in other local authority areas). This would need to involve mainstream heads and SENDCos and relevant LA personnel (SEN and Finance). Parents will be an important group to consider in moving forward and it is recommended that they are represented through the involvement of SENDIASS/PCF.

34. The group should be established as soon as possible with a clear agenda and timelines. The aim should be to develop a new approach to mainstream funding that could be shared with all schools and other relevant stakeholders as a model worthy of serious consideration.