

Notes of High Needs Funding Sub Group

8 January 2024 – 15.30 – 17.00

Present: Paul Walker (Chair), Kellie Knott, Zoe Heywood, Adrian Fox, Mat Thorpe, Adrian Hines, Rob Gammon, Jamie Stone, Rob Gasson, Alan Blackburn, Keith Bennett, Sarah Pickering, Penny Hammett, Gemma Rolstone, Christopher Tribble, Heidi Watson-Jones (notes)

Apologies: Alex Walmsley, Fay Bowler

		Actions:
1	<p>Finance Update - Month 8</p> <ul style="list-style-type: none"> £40.6m adjusted DSG overspend at year end, which is an in-year overspend of £13.4m, assuming £11.6m management action savings. Noted ongoing increase in EHCP requests, however refusals rate at 6 and 16 weeks also increasing. Month 8 position shows an increase of £660k from month 7, predominantly in independent special school settings. Savings are being identified around commissioning activity and ceasing independent placements where appropriate. Allocations of plus packages are reducing. Noted impact of delays in opening new resource bases in terms of savings but also unrealised management action savings. The programme is being driven forward for openings in Sept 2024. Discussed the financial impact of the strategy to educate children with special needs within the maintained and academy special schools and mainstream where appropriate. Members felt that complexity of SEN need has increased significantly over time. High Needs Block top out expected at £207m in 2026/27, moving back to a balanced position by 2027/28. Members sought assurance on achieving the full amount of projected management savings. Noted that £6m has already been achieved, but understand there may be slippage towards the year end which will hopefully be offset by other actions elsewhere. EHCP refusal rates are increasing as requests are not meeting the threshold, however the most significant impact is that incoming requests for assessment continue to increase. Noted that approximately one third of requests are directly from parents. Would be helpful to consider how schools can impact on this trend. Discussed whether data was available to explore a correlation of refused EHC assessment and subsequent exclusion. Appropriate early support services for schools are not currently in place at the right level, and it is hoped that this will be developed further in the coming year. Discussed parents' and other professionals' perceptions that an EHCP will provide access to specific additional support and resource which is not always the case. The group considered how the EHCP application could outline more clearly how the EHCP can or cannot impact on the child's education. Further work to improve the quality and accessibility of information, advice and guidance for parents is currently being explored. The group discussed the strength of the parent voice and the need to ensure education professionals' advice is also heard. <p>ACTIONS:</p> <ul style="list-style-type: none"> AF to include EHCP refusal rates in future reports, to include number of refusals are as a result of inappropriate requests from schools. 	AF
2	<p>Update on Safety Valve Submission</p> <ul style="list-style-type: none"> Proposal submitted to the DfE on 15.12.2023 	

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	<ul style="list-style-type: none">• Deficit top out of £207m projected in 2026/27 with an in-year balance achieved from 27/28.• Exploring options for DCC to fund its contribution. Understand that DfE contribution will not exceed £80m.• LA is looking at addressing the deficit balance over a 10 year period.• Discussed reports of Bournemouth, Christchurch and Poole (BCP) proposal that an 11% block funding transfer would be required to fund a DSG Deficit Management Plan through the Safety Valve Intervention Programme. DCC have been clear to the DfE that is not minded to follow this route, and is keen to maintain a strong relationship with schools.• Friday 12 January is deadline for final proposal; no further information around delivery plan has been requested by the DfE. Expecting further feedback by the end of January / Early February ahead of a formal announcement in March.	
3	0.5% Block funding transfer (Schools Funding Consultation) <ul style="list-style-type: none">• DEF decision on the 0.5% block funding transfer deferred to 24 January meeting.• Powerpoint presentation on the Early Help proposals was shared with DSLs and circulated to schools for them to indicate support for the proposal.• Finance colleagues confirmed the DfE expectations of an annual request within the Safety Valve proposal. Disapplication has been submitted to the Secretary of State, awaiting decision at DEF.• Members requested that DEF finance report provides clarity around the assumptions linked to the funding transfer request and the DfE expectations.• Schools requested earlier consideration of the proposals around an annual request for the funding transfer. The lack of this early preparation seems to lead to lengthy discussion and delayed decision, impacted in recent years on leadership changes and also in this year the development of a strong strategy later in the consultation process.• The group felt that the 3-5 year strategy proposed is a strong approach, which should be achievable in a collaborative environment.• Noted that the DfE expects that any transferred funds will be directly allocated to the High Needs deficit but DCC want to work with schools on using the money to drive improvement in the system	
4	Commissioning Alternative Provision <ul style="list-style-type: none">• The LA is currently exploring opportunities to work more strategically with schools to more effectively commission AP provision.• A strong commissioning framework is required to ensure appropriate spend on good quality resource and support, reducing reliance on the use of unregistered provision.• Need to understand what schools and the LA need to commission, and what unregistered AP is actually being used, to achieve effective outcomes for each child.• A joint commissioning strategy will outline a shared understanding of need for the most vulnerable children, achieved through a collective and strategic education community-wide approach.• ZH was clear that an early intervention approach is required, to prevent children reaching the crisis point at which AP intervention is required.	

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	<ul style="list-style-type: none">• DSLS requested information on AP use by schools. 155 returns indicated that over 200 children are being supported by a range of unregistered providers which are charging a range of rates to different schools.• Investment of this identified spend in better quality, planned provision is the aim. ZH to establish a task group to progress this strategy, which all phase associations were keen to support. <p>ACTION – for next meeting:</p> <ul style="list-style-type: none">• Update report to be brought to the next meeting on the AP strategy (ZH)• Report requested on the EHCP Process review and data findings (KK)	ZH KK
5	<p>MP Briefing for F40 House of Commons Debate on SEND</p> <ul style="list-style-type: none">• F40 has secured a debate at the House of Commons Debate on SEND. Schools have been invited to contribute any issues for local MPs to raise:• Appropriate levels of funding for SEND coming into Devon, including through Safety Valve.• Prioritise the publication of a new SEND Code of Practice.• Any further comments please to kellie.knott@devon.gov.uk by close of play 9th Jan 2024.	ALL

Future meetings:

Monday 12 February – 15.30 – 1700 (Teams)

Monday 20 May – 15.30 – 17.00 (Teams)

Monday 24 June – 15.30 – 17.00 (Teams)