

Cabinet

15 January 2020

High Needs Block Funding for SEND and Inclusion Support

Ordinary Decision



Report of Corporate Management Team

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Electoral division(s) affected:

Countywide

Purpose of the Report

- 1 This report provides Cabinet with an update on spend and pressures on the High Needs Block (HNB) of the Dedicated Schools Grant (DSG), which supports Special Educational Needs and Disability (SEND) and inclusion support services for children and young people.
- 2 The report sets out the latest financial position and provides an update on progress with work underway to make the HNB more sustainable. It also includes an overview of findings from a three-month public consultation on proposals for reviewing key areas of work that were considered by Cabinet in July 2019.
- 3 Recommendations for taking forward key areas of work, taking into account the findings of the consultation, are presented and a proposed five-year funding strategy for 2020/21- 2024/25 is outlined.

Executive summary

- 4 There are enduring pressures on the High Needs Block (HNB) of the Dedicated Schools Grant (DSG) which provides funding for SEND and inclusion support services for children and young people.
- 5 A combination of ongoing austerity across the public sector, implementation of the SEND Reforms (2014) which has increased support to cover children and young people from birth up to 25 years of age, and changing customer needs which are becoming more complex, means that there are insufficient resources to support children and young people with SEND and inclusion needs. This position is replicated in other local authorities and the Council has continued to feedback to the Government on spending pressures and request additional government funding for these services and local schools.
- 6 The current forecast means that expenditure is likely to exceed the High Needs DSG allocation by £9.3 million in 2019/2020 (19% higher than the HNB grant). The Government has confirmed a significant increase in HNB grant for County Durham of £8.4 million for 2020/2021 and in view of this the forecast HNB overspend for 2020/2021 is around £2 million.
- 7 There is a growing deficit in the DSG account due to overspends on the HNB in recent years. The DfE now require a report from any local authority that has a cumulative DSG deficit of more than 1% at the end of the financial year. For Durham this equates to £3.9 million. The latest forecast of the overall DSG deficit position at the end of the year is £4.4 million (£6.4 million relating to the HNB minus £2 million of other non-HNB reserves). This means that the authority will need to produce a recovery plan for submission to the DfE.
- 8 Despite the increase in Government HNB funding available for 2020/2021, forecasts show there remains insufficient resources to support predicted HNB expenditure in future years, and to bring the HNB deficit back into balance. To address this a five-year financial strategy is proposed with continued work on the HNB sustainability plan following the recent consultation period. This seeks to: reduce spending on HNB activity by around £1.5 million per year; try and ensure spending is kept to within the HNB resources available each year in future years; and recover the HNB deficit by the end of 2024/2025.
- 9 Key elements of the sustainability plan work relate to the following areas which were subject to consultation after the last report to cabinet in July 2019:
 - Centrally Managed Services

- Special Schools
 - Top up Funding
 - Targeted Funding
 - Post 16 Funding
 - Funding support to Partnerships of Schools
 - Joint commissioning of therapies
 - Joint commissioning of equipment, aids and adaptations
 - Alternative Provision (AP) and the Pupil Referral Unit (PRU)
- 10 Following Cabinet approval on 10 July 2019, the Council publicly consulted on outline proposals for the above areas of review, over three months between 17 July and 17 October 2019.
- 11 The majority of respondents to the consultation were in favour of the Council adopting the following overall commitments and all but one of the proposals associated with the above nine areas of review:
- (a) To collectively support an education system within County Durham where inclusion of children and young people in their local schools is the norm, giving parents and carers confidence that their children's needs will be understood and met.
 - (b) To offer a range of specialist learning provisions for some young people who have a high level of needs.
 - (c) To make every effort to use all of the resources available to young people effectively and efficiently and to maintain spending within funding limits wherever possible.
- 12 The outcomes of the public consultation and related consultation conducted with all schools on the options for reducing future HNB expenditure are detailed within the report to inform the recommendations presented below for Cabinet's consideration. Subject to cabinet approval, it is proposed that the SEND and Inclusion Resources Board oversee the implementation of the work programme to deliver the proposed changes as set out in paragraphs 80 to 140 of the report and update on progress to Cabinet in Summer 2020.

Recommendation(s)

13 Cabinet is recommended to:

- (a) Note the updated forecast outturn position for HNB spend in 2019/20 along with the assumptions and forecast position for 2020/21 and beyond;
- (b) Note the representations of the Durham Schools Forum and the outcomes of consultation with all schools on options for reducing spending pressures on the HNB;
- (c) Note the findings of the public consultation which took place between 17 July and 17 October 2019 on the “HNB Funding for SEND and Inclusion Support”;
- (d) Agree to the proposed five-year financial strategy for 2020/21-2024/25 that is outlined at paragraph 52;
- (e) Support the development of a financial recovery plan, to be submitted to the DfE for approval, setting out how the Council plans to bring the DSG account back into balance by 2024/25;
- (f) Agree to the proposals for developing key areas of work outlined in the report at paragraphs 80 to 140, and summarised in Table 1, Appendix 6, to be progressed in accordance with the findings of the public consultation; and
- (g) Subject to recommendations d) and e) being agreed: require that the SEND and Inclusion Board (SIRB) oversee the implementation of the work programme to deliver the proposed changes as set out in paragraphs 80 to 140 and report the progress to Cabinet in Summer 2020.

Background

- 14 At its meeting on 10 July 2019, Cabinet considered a report outlining the current and growing spending pressures on the HNB of the DSG which provides funding for special education needs and disability and inclusion support services for children and young people.
- 15 The Council and our partners, including those within the education and the health sector, are continuing to face significant pressures in providing support to children and young people with SEND, and support to individuals that are at risk of exclusion.
- 16 A combination of ongoing austerity across the public sector, implementation of the SEND Reforms (2014) which has increased support to cover young people up to 25 years old, and changing customer needs which are becoming more complex, means that there are insufficient resources to support children and young people with SEND and inclusion needs.
- 17 The Council is currently spending 19% more on SEND and inclusion services than the funding it receives and is investing £5.6 million from the Budget Support Reserve to supplement HNB DSG funding in the current year. Government guidance released for consultation on 11 October 2019 by the Department for Education (DfE), indicates that councils will be prevented from contributing council reserves to cover these DSG deficits in future. While it has been confirmed by the DfE that the Council will be able to use its reserves to support the HNB in 2019/20, the Council may be prevented from doing this in future years.
- 18 Addressing the spending pressure is complex and involves collaboration across several services, County Durham Schools and with our numerous partners. This means trying to address areas of spending pressure on the HNB without significantly impacting support for individual children and young people and minimising impact on schools and other budgets. The work on reviewing services must also be done involving consultation with children, young people and their families.
- 19 Work has taken place to develop a more detailed understanding of recent trends on HNB spending, and an HNB Sustainability Plan was developed to address the spending pressures, whilst ensuring the Council continue to support children and young people with SEND support needs, and those children that have been excluded, and those whose behaviours challenge schools.
- 20 Key areas of focus were selected from the HNB Sustainability Plan to be developed into priority projects for implementation, subject to public consultation. Following a report being considered by Cabinet on 10 July

2019, a three-month public consultation was launched on 17 July 2019 on proposals relating to these areas of work. The outcomes of this consultation have informed the recommendations contained within this report.

- 21 The Council has continued to lobby the Government on the unfunded pressures facing the Council in recent years and work with other organisations such as the County Council Network and the Local Government Association in doing so. Durham County Council's Cabinet Portfolio Holder for Children and Young People's Services (CYPS) has written to the Secretary of State on several occasions¹ to continue to request additional government funding for local pressures in respect of supporting SEND and inclusion services in County Durham and resourcing schools.
- 22 In addition, the Council responded to the Department for Education's Call for Evidence launched in May 2019 and submitted views via this consultation on how SEND and alternative provision financial arrangements could be improved to help local authorities and our partners in supporting children and young people.
- 23 The Government has recognised in part the significant HNB budget pressures and increasing demands facing local authorities by signalling additional funding in the Spending Round announcement on 4 September 2019. Financial modelling based on the information available at that time, illustrated that the additional HNB funding would be insufficient to address the current overspend position and recover the deficit in the HNB which has accumulated over recent years. Since then, the Government has published provisional figures for HNB funding for 2020/21, which for Durham are almost £3 million higher than the original estimate of a £5.5 million increase in grant. In addition, recently updated Government guidance allows for more flexibility around timescales for recovering accumulated deficits within DSG reserves.
- 24 Unfortunately, however, the spending pressures being faced have continued to escalate and the additional funding to be received next year will be insufficient to cover the current forecast spending pressures.
- 25 It is recognised that the work proposed in the review will need to further transform our services and involve seeking to achieve better outcomes for children and young people, secure improved efficiency and value for money, and as such is being implemented to appropriately reflect: customer and stakeholder feedback; benchmarking with models of

¹ Letters from Councillor Olwen Gunn, DCC Cabinet Portfolio Holder for CYPS were sent to the Secretary of State in September 2018, October 2018, February 2019, May 2019 and August 2019

service provision elsewhere; the latest policy guidance and the findings of best practice research.

- 26 Through this work, the Council aims to deliver the following commitments:
- (a) To support an education system where inclusion of children and young people in their local schools is the norm, giving parents and carers confidence that their children's needs will be understood and met.
 - (b) To offer a range of specialist learning provisions for some young people who have a high level of needs.
 - (c) To make every effort to use all the resources available to young people effectively and efficiently, and to maintain spending within funding limits wherever possible.

Addressing the Challenges

- 27 A SEND and Inclusion Resources Board (SIRB) is now established to address the cumulative issues and spending pressures and ensure work is delivered to help realise the above commitments. The Board brings together colleagues from the Council's Early Help, Inclusion and Vulnerable Children, Education, Commissioning, Transformation and Finance services, and meets monthly to provide cross-council oversight of resources for SEND and Inclusion, including HNB spending and related council budgets.
- 28 Under the direction of the Board and in consultation with the Durham Schools Forum, and a specially formed Schools Forum Reference Group (SFRG)², work has been undertaken with wider stakeholders, to identify changes that will improve the lives of children with additional needs, in line with the Durham SEND Strategy³, while seeking to use HNB funding more effectively.
- 29 The work includes reviewing all service areas to reduce spending where possible, while ensuring that the right support is provided, at the right

² To support further dialogue and engagement with early years, schools and college providers regarding HNB spending, options for change and system transformation, a SEND and Inclusion Reference Group has also been established. The group links with the main Schools Forum and allows more detailed discussion and involvement in this agenda. This includes representatives from across all the sectors represented at the Durham Schools Forum.

³ County Durham's SEND Strategy 2019/2020 is available to view at:
<http://www.countydurhamfamilies.info/kb5/durham/fsd/service.page?id=vvuoPhoG4Ak&>

time, in the right place for children and young people across the county who have higher needs.

- 30 Nine priority areas for review were selected from the HNB Sustainability Plan, as areas of key focus for further development and implementation. These were identified in large part due to their current impact on HNB spending.
- 31 On 10 July 2019, Cabinet approved a public consultation on proposals relating to these key areas. The three-month public consultation was launched on 17 July 2019 and closed on 17 October 2019. The findings of this consultation have been used to inform the recommended next steps for the programme that are outlined at paragraphs 80 to 140.
- 32 Whilst recognising the budget pressures associated specifically with the HNB, it is also important to note the significant size of the budget forecast to be available and related funding which comes from school budgets, other council services and health partners to support young people with SEND. The latest financial position in relation to high needs funding is outlined below.

Financial Position

- 33 On 10 July 2019, Cabinet considered a report on the HNB Funding for SEND and Inclusion Support detailing the spend and pressures on the HNB, that were known and forecast at that time. The financial planning assumptions presented to Cabinet in July 2019, anticipated a deficit position of circa £5.6 million in 2020/2021. This assumed spending would be circa £5.6 million in excess of HN DSG grant in 2020/21, after assuming an estimate of £1 million of additional funding next year and retention of the additional funding provided in 2018/19 and 2019/20.
- 34 The impact of reducing HNB expenditure by this level in a single year was deemed to be too big a risk in terms of the potential impact to the Council being able to meet its duties towards children and young people with additional needs. It was therefore proposed to seek agreement from Durham Schools Forum (and if not supported, make an application to the Secretary of State) to transfer the sum of £1.5 million (circa 0.5% of Schools Block Funding) from the Schools Block to the High Needs Block in order to mitigate the impact and reduce the required savings target to circa £4.1 million.
- 35 As part of the Spending Round announcement on 4 September 2019, the Government confirmed an increase in high needs funding of £700 million in 2020/21. Based on this, it was estimated that County Durham would receive between £4 million and £5 million more grant than the original planning assumptions outlined to Cabinet in July 2019. The financial position set out in July 2019 also included a forecast of

spending in excess of grant in 2020/21 of £6.6 million, based on initial projections from anticipated spend in 2019/20. This was revised to a forecast £6.9 million overspend at quarter 2.

- 36 The latest expenditure forecast, based on current demographic demands and spending patterns, is that spending commitments have increased again and are now expected to exceed the HN DSG grant by £9.3 million in 2019/20. The latest updated forecast outturn would indicate that spending will be circa 19% higher than the grant received in the current year. Appendix 2 provides details of the updated forecast of HNB spending for 2019/20, together with comparative details based on the original base budget and the previous forecast based on the Government's Spending Round announcement in September 2019.
- 37 On 11 October 2019 the Government announced provisional HNB funding figures for 2020/21. Based on this, it is estimated that County Durham will see an increase of £8.382 million which equates to a 16% increase in HNB funding from the 2019/20 baseline position. This is £2.882 million in excess of the previous assumptions modelled in September 2019, which assumed that the increase in grant would be £5.5 million.
- 38 Guidance issued by Education and Skills Funding Agency (ESFA)⁴ has been updated to include more flexibility around timescales for recovering accumulated deficits within DSG reserves. It states that where a local authority has a cumulative overspend of more than 1%, producing a deficit on its DSG reserve, the recovery plan should aim to bring the overall DSG account into balance within a timely period, rather than the previously stated three years.
- 39 Furthermore, the Department for Education (DfE) in October 2019 launched a consultation⁵ on proposals to change the conditions of grant and regulations applying to the DSG. The proposals clarify that the DSG is a ring-fenced specific grant, separate from funding of local authorities and that any deficit an authority may have on its DSG account is expected to be carried forward and is not required to be covered by the authority's general reserves.
- 40 The Council agreed to supplement DSG funding from general reserves in 2019/20 to the value of £5.6 million. This was always intended to be one-off support and the Council has consistently made it clear that this wasn't a sustainable position. The DfE consultation would effectively mean that next year the Council would be prohibited from

⁴ High Needs Funding 2020 to 2021 Operational Guide, October 2019, Education and Skills Funding Agency

⁵ Clarifying the Specific Grant and Ring-fenced Status of the Dedicated Schools Grant (DSG), Government Consultation, 11 October – 15 November 2019 (DfE, October 2019)

supplementing the HNB in any event. The DfE have confirmed that the Council can still supplement the HNB in the current year, therefore, the modelling in this report includes that the Council will still contribute £5.6 million from the Budget Support Reserve to the HNB in 2019/20.

- 41 Table 1 below presents the forecast financial position identified in the July 2019 Cabinet report compared to the latest updated forecast for November 2019.

Table 1: Financial Forecast 2020/21 – as at July 2019 and November 2019

	July 2019	November 2019
	£ million	£ million
Forecast of overspend in 2020/21 based on current pattern of spend and HNB allocation	6.6	9.3
Assumption for further demographic / inflationary pressures in 2020/21 (2% of 2019/20 spending levels)	0.0	1.1
Assumption of additional funding from government to support HNB pressures in 2020/21	(1.0)	(8.4)
Forecast overspend after assumption of additional grant	5.6	2.0
Assumption of reduction in pressure agreed with Schools Forum from agreement to a top slice from DSG (estimate 0.5%) and / or agreement to other targeted reductions	(1.5)	0.0
Forecast of overspend on HNB in 2020/21 based on assumptions summarised above (and not taking into account any further savings from sustainability plan work underway)	4.1	2.0

- 42 Forecast HNB spending in 2020/21 is circa £10.4 million more than the 2019/20 base HNB grant allocation, with the Government only providing an additional £8.4 million of HNB DSG funding next year.
- 43 Table 1 shows that based on updated spending forecasts and the provisional additional funding allocations, the forecast overspend (after assumption of additional grant) has reduced from £5.6 million in July 2019 to £2.0 million.
- 44 Table 2 below shows the financial outturn position for the HNB in 2018/19 and the forecast position for 2019/20 to 2024/25. The table also shows the forecast HNB deficit position and how this is forecast to change year on year. The five-year forecast position for 2020/21 – 2024/25 is modelled based on the following assumptions:

- The provisional HNB grant for 2020/21 is confirmed and increases by 2% in 2021/22 and a further 2% in 2022/23 but that it does not increase in 2023/24 and 2024/25;
- The Council does not use the Budget Support Reserve to support the DSG position beyond 2019/20;
- The cumulative deficit at the end of 2019/20 is £6.5 million, factoring in the latest forecast overspend of £9.3 million for 2019/20;
- HNB expenditure increases by 2% year on year across the period with no service efficiencies or reductions delivered; and
- Deductions for ESFA placements remain at circa £4 million across the period.

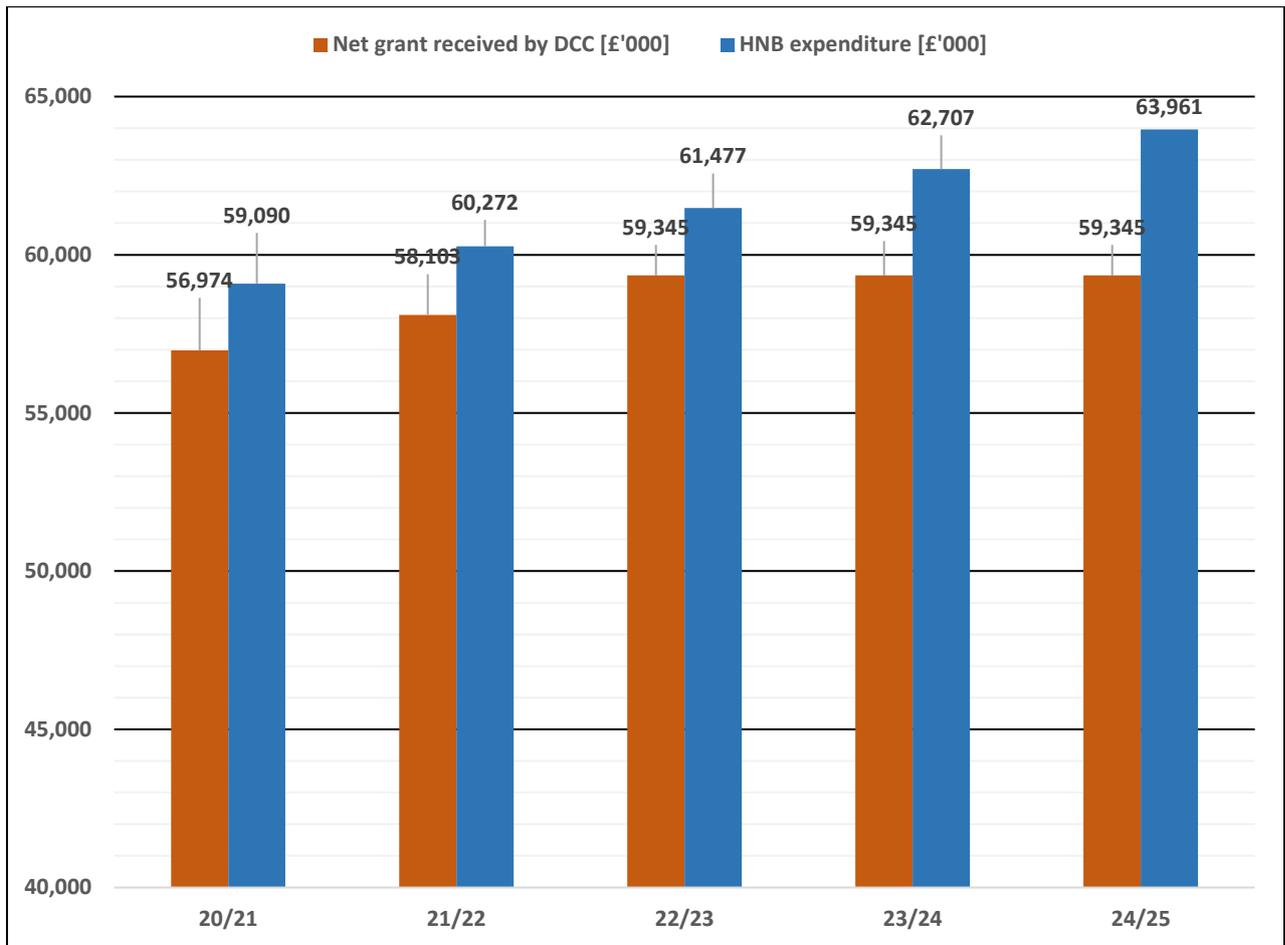
Table 2: Forecast HNB Financial Position including Deficit Position 2018/19 – 2024/25

Financial Year	HNB Grant [£'000]	ESFA deduction [£'000]	Net grant received by DCC [£'000]	HNB expenditure [£'000]	HNB over / (under) spend [£'000]	HNB expenditure change year on year [%]	HNB deficit position [£'000]
18/19	51,130	-4,400	46,730	54,141	7,411		-2,728
19/20	52,503	-3,911	48,592	57,932	9,340	7%	-6,468
20/21	60,885	-3,911	56,974	59,090	2,116	2%	-8,584
21/22	62,103	-4,000	58,103	60,272	2,169	2%	-10,753
22/23	63,345	-4,000	59,345	61,477	2,133	2%	-12,885
23/24	63,345	-4,000	59,345	62,707	3,362	2%	-16,248
24/25	63,345	-4,000	59,345	63,961	4,616	2%	-20,864

- 45 An increasing number of local authorities have been incurring a deficit on their overall DSG account, largely because of overspends on the high needs block.
- 46 With effect from 2019 to 2020, the DfE has tightened up the rules under which local authorities have to explain their plans for bringing the DSG account back into balance.
- 47 The DfE will require a report from any local authority that has a cumulative DSG deficit of more than 1% at the end of the financial year – in this case as at 31 March 2020. The 1% calculation will be based on the latest published DSG allocations for 2019 to 2020, gross of recoupment, as at the end of the 2019 to 2020 financial year, compared with the deficit shown in the authority's published draft accounts.

- 48 For Durham the 1% limit is estimated at £3.9 million and the latest forecast of the DSG deficit position at the end of the year is £4.4 million (£6.4 million in relation to HNB as shown in table 2 above reduced by £2 million of other non-HNB reserves). This means the authority will need to produce a recovery plan to submit to the DfE.
- 49 The recovery plan will need to be discussed with the Schools Forum and should set out the Authority's plans for bringing the DSG account back into balance in a timely period. The Chief Finance Officer (CFO) must also review and sign off the report before submitting to the DfE.
- 50 Diagram 1 below illustrates the forecast trends in spending and continuing shortfall between income and expenditure over the next five years.

Diagram 1: Forecast HNB Expenditure and Grant 2020/21 to 2024/25



51 The financial modelling highlights the need to achieve savings across the five-year period to bring spending in line with HNB grant and reduce the accumulated deficit.

Proposed Five-Year Financial Strategy

52 In view of the above, and the likelihood of the authority being required to submit a formal recovery plan to DfE, it is recommended that work on the HNB sustainability plan continues to seek to:

- reduce spending within the HNB by circa £1.5 million per year for the next five years – commencing in 2020/21;
- ensure spending is kept to within the HNB resources available in future years; and
- recover the HNB deficit by the end of 2024/25.

Pressures and savings within the HNB

53 Table 3 below highlights the main areas of expenditure that are currently creating increasing pressures on the HNB budget to include

Post-16 Further Education provision, Post-16 independent / non-maintained provision and Special School Top-up funding.

Table 3: Key areas of increasing HNB funding demand

Budget Area	Revised Budget 2019/20 £m	Forecast Spend 2019/20 £m	Forecast Overspend 2019/20 £m	Increase in spending from 2018/19 £m	Comments
Post-16 FE provision	£2.30	£3.99	£1.69	£1.64 (+71%)	Part of the increase (£590k) relates to changes in the way funding is paid to maintained special school for places, which took effect from August 2019 and was not included in earlier forecasts. Negotiations are ongoing with some Further Education providers and this is expected to bring down the forecast position. However, there is a base increase of numbers of 16+ year olds seeking support with their learning needs.
Post-16 Independent/ non-maintained provision	£1.80	£3.01	£1.21	£1.16 (+64%)	There has been a significant increase in the number of support packages for 16+ year olds, as well as an increase in the average cost of complex needs packages.
Special School Top-up funding payments for individual children with more complex needs	£0.50	£1.62	£1.12	£0.89m (+122%)	There are payments of c. £400k included in the forecast for 2019/20 that relate to Top-up Funding payments for a cohort of children funded prior to 2019/20. After adjusting for this the year on year increase is £90k or 8%.

54 Work continues to better understand the reasons behind these increasing demands and to monitor, report on, mitigate and manage these pressures, overseen by the SEND and Inclusion Resources Board.

- 55 Table 4 (below) identifies the direct savings to the HNB that have been achieved to date through review work. Future savings accrued will be added to this record and reported to the SEND and Inclusion Resources Board on a monthly basis. Other work has also related to the stabilisation of costs to prevent further funding pressures.

Table 4: Savings Accrued

Budget area	Revised budget 2019/2020 (£m)	Forecast 2019/2020 (£m)	Forecast Underspend 2019/2020 (£m)	Reduction in spending from 2018/2019 (£m)	Comments
Transport to PRU	£0.60	£0	£0.60	-£0.60 (-100%)	Costs transferred to LA Home to School transport budget.
COLs/Behaviour Panels	£1.75	£1.47	£0.28	-£0.33 (-18%)	Reduction in costs as a result of the implementation of business case process for allocation of funding.
LA recharges for Centrally Managed Services	£1.31	£1.31	£0	-£0.15 (-10%)	Reductions implemented following internal review.
Total saving accrued				£1.08m	

- 56 Targeted reductions in expenditure will be achieved by a focus on efficiencies, assessing value for money, clarity and consistency about support and emphasising early intervention and partnership work. Some areas of expenditure may increase to provide better value for more appropriate services. These increases in expenditure will need to be countered by larger financial reductions in areas of higher cost provision to ensure sustainability.
- 57 During September and October 2019, the Council consulted with the Durham Schools Forum and all County Durham schools on potential options for further reducing HNB spending. The findings and outcomes of this work are summarised below.

Consultation with Schools on Financial Options

- 58 At their meeting on 25 September 2019, Durham Schools Forum received a report on the updated financial position and options for addressing the spending pressures in the HNB for 2020/21. The Schools Forum were asked to consider and provide feedback on:
- a) A proposed transfer of £1.5 million (circa 0.48%) from the Schools Block to the HNB in 2020/21, to help reduce the required targeted reductions in HNB spending; and
 - b) The priority areas for targeting reduced HNB spending, from the following SEND and Inclusion support services:
 - (i) Spending on Centrally Managed Services
 - (ii) Funding and places in Special Schools
 - (iii) Joint commissioning of services to include integrated therapies and equipment, auxiliary aids and adaptations
 - (iv) Post 16 funding
 - (v) Financial support provided through partnerships of schools
 - (vi) Pupil referral unit and alternative provision
- 59 With reference to the proposed budget transfer, some members noted that they would support the request to transfer as there was confidence in the sustainability plan work, however the majority of others felt they needed more confidence from the sustainability plan which needed further development. Some members felt that if they agreed to the transfer this time, it would set a precedent for the following years. Others were concerned over the impact the transfer would have on schools, particularly secondary schools and the potential impact on possible staff redundancies as a result.
- 60 Almost all members highlighted concerns over the growing HNB deficit. The Forum noted more information of all areas of the HNB budget was required in order to understand how money is spent and come up with solutions to help address the problem. Some members felt that more pressure should be put on Central Government to lobby for more funding.
- 61 With reference to targeting HNB spending reductions, members of the Schools Forum requested that the Communities of Learning partnerships (COLs) be reviewed in terms of their impact. Members also

suggested there was an opportunity to create savings by reducing places in special schools using current vacancies, but also acknowledged the possible increased effect on more costly out of County provision. Some members felt that a focus should be on high cost expenditure items and identifying areas that need a big reduction or require protection.

- 62 The Schools Forum were due to vote on the above two proposals at their meeting of 24 October 2019. To help inform this decision, the Council consulted with all schools on the above options between 27 September -14 October 2019, enabling the Schools Forum to give a considered view⁶. It can be seen from the information presented in Appendix 3 that the majority of schools consulted did not agree with the proposal to transfer £1.5 million from the Schools Block and identified the following three priority areas for further targeted savings: Centrally Managed Services; financial support to Partnerships of Schools (Communities of Learning and Behaviour Partnerships), and Post 16 funding.
- 63 At the Schools Forum meeting held on 24 October 2019, members discussed that they no longer needed to consider a transfer of funding at this time, in view of the announcement from the Government on additional funding for high needs and feedback from schools on the preferred options. They also supported the direction of travel on HNB sustainability plan work.

⁶ ESFA guidance states that Local Authorities must consult with all local maintained schools and academies if they propose to allocate Schools Block money to other items. The Schools Forum must consider the outcome of that consultation before deciding on whether to give their consent.

Consultation on HNB Funding for SEND and Inclusion Support

Consultation Proposals

- 64 In July 2019, Cabinet agreed to publicly consult on proposals relating to the following key areas of focus, chosen largely due to their impact on HNB spend:
- (a) Centrally Managed Services
 - (b) Special Schools
 - (c) Joint Commissioning of Services: Integrated Therapies
 - (d) Joint Commissioning of Services: Equipment, Auxiliary Aids and Adaptations (EAAA)
 - (e) Top up Funding
 - (f) Targeted Support Funding
 - (g) Post 16 Funding Support
 - (h) Financial support provided through Local Partnerships of Schools
 - (i) Pupil Referral Unit and Alternative Provision
- 65 Information on each of the above areas selected for review is summarised at Appendix 5.

Consultation Approach

- 66 The consultation on “Special Educational Needs and Disabilities (SEND) and Inclusion Support Funding” was held over a three-month period between 17 July – 17 October 2019. Full details of the consultation process, proposals and findings are contained in the Consultation Report (attached at Appendix 4).
- 67 The consultation was planned and implemented in accordance with the Council’s Consultation Statement and Consultation Protocol (March 2019) and undertaken in compliance with statutory and government guidance, as well as the general requirements of public law.
- 68 In conducting the consultation, the Council have ensured the involvement of children, young people, parents and carers in shaping proposals for change and have obtained their views to feed into decisions about local SEND and inclusion support provision. This is in accordance with Section 19 of the Children and Families Act 2014 and

guidance within the SEND Code of Practice 2015⁷, which emphasise that local authorities must ensure that children, young people, parents and carers are involved in decisions about local provision.

- 69 The consultation was developed, based on previous consultation and engagement activities, including discussions with schools, and representatives from families and young people. This includes the High Needs Review (December 2017), the Social Communication and Interaction Review (2018) and discussions with County Durham schools throughout 2018/2019 including Schools Forum, SEND and Inclusion Schools Forum Reference Group, Communities of Learning and Behaviour Partnership Panels, and Leadership Teams of Special Schools (March – April 2019).

The Consultees

- 70 While the consultation was open to the general public, specific focus was given to individuals and groups that have an interest in or are affected by the SEND and Inclusion agenda to include: children and young people with SEND; schools and special schools; Post 16 providers; providers of alternative education; parents/carers; support groups; partner organisations; and professionals associated with this field of work. A full list of consultees is presented within the Consultation Report (attached at Appendix 4).

Consultation and Communication Methods

- 71 A comprehensive Consultation Plan detailing the activities undertaken and associated timescales for each part of the consultation process is presented in the Consultation Report (see Appendix 4) and summarised in Table 5 below.

⁷ The SEND code of practice (January 2015) states local authorities, CCGs and NHS England needs to have effective ways of harnessing the views of their local communities so that decisions on services for those with SEN and disabilities are shaped by users' experiences, ambitions and expectations.

Table 5: Summary Consultation Plan

Timescale	Consultation Activity
17 July 2019 (Consultation Launch)	<ul style="list-style-type: none"> • Press Release • Website consultation page launched including Questionnaire, Survey, Video and Consultation Document (including Easy Read version) • Notifications to key stakeholders: <ul style="list-style-type: none"> • Schools and colleges • Parents/carers • Voluntary Community Sector organisations • DCC Members & CYPS staff • Parent and carer support groups • Alternative providers • Independent service providers • Pupil Referral Unit • School Governors • Area Action Partnerships • Schools Forum Reference Group • SENDCo staff • Clinical Commissioning Groups • SEND strategic partnership, Integrated Steering Group for Children • Social media posts including video by Head of Service • Notice placed on Schools Extranet (and refreshed weekly) • Durham Voice Newsletter article
Aug 2019	<ul style="list-style-type: none"> • Updates to CYPS management teams, CMT Transformation Group, AHS Management Team
Sept – Oct 2019	<ul style="list-style-type: none"> • Reminders about consultation (following school holidays) – letters to schools, notice on Extranet • Meetings of professionals representing schools, special schools, alternative education providers, post-16 learning providers and independent providers • Updates to: <ul style="list-style-type: none"> • SEND Strategic Partnership • Durham Association of Primary Headteachers • Durham Association of Secondary Headteachers • Headteacher Briefings • Integrated Steering Group for Children • CMT Transformation Group

Timescale	Consultation Activity
	<ul style="list-style-type: none"> • CYPS Overview and Scrutiny Committee • Schools Forum Reference Group • Durham Schools Forum • Chairs of Communities of Learning Meeting • Chairs of Behaviour Panels Meeting • Focus groups for special interest groups which represent children and young people, as well as parents and carers: <ul style="list-style-type: none"> • Little Treasures • Rollercoaster Group • Extreme Group • Together 21 • SENDCO Networks • Making Changes Together • Durham Schools Forum (Workshop) • Buzz magazine article • Posters in local GP surgeries, community centres
17 Oct 2019	<ul style="list-style-type: none"> • Close of Consultation

72 On 17 July 2019, the consultation was launched and publicised using a range of media to include: a press release; a dedicated consultation page on the Council’s website⁸; posts issued via social media; and notifications issued to key stakeholders and customers to include parents/carers of children with SEND and inclusion needs, schools, partner organisations and other stakeholder groups.

73 Durham County Council’s consultation web page included: a written introduction to the consultation and introductory video; a Consultation Document presenting the proposals and the background to the consultation; and a Consultation Questionnaire. Over the three-month consultation period, the web page was viewed a total of 3,568 times and the introductory video was viewed 174 times from the Council’s website.

74 The programme of events, briefings, workshops and written notifications to stakeholders was delivered between 17 July and 17 October 2019 (see Appendix 4 and Table 5 above). This included: sending over 600 email notifications to over 300 members of stakeholder groups; placing articles in the schools Extranet, newsletters and magazines, and

⁸ The Consultation web page is available to view at: <http://www.durham.gov.uk/article/21797/Consultation-on-support-for-SEND-and-young-people-who-need-support-to-stay-in-education>

posters in local venues, signposting people to the consultation. The consultation reached 67,982 people and received 688 reactions, comments and shares via Facebook, from where the video has been watched over 21,000 times. The consultation appeared on Twitter over 1,000 times. Presentations were also delivered on the consultation to a wide range of professional stakeholder groups and five focus groups were held with support groups for children and young people with SEND and their families.

Number of Responses to the Consultation

- 75 Over 100 people fed back their views through face-to-face discussions on the proposals, via focus groups held with: the Durham Schools Forum; support groups for children, young people and their families; County Durham special schools headteachers; Chairs of Communities of Learning and the Council's Children and Young People's Services Overview and Scrutiny Committee.
- 76 A total of 266 people responded to the online survey. Most respondents to the questionnaire were parents or carers of children or young people with special educational needs or disabilities. Just over a quarter of respondents represented schools, to include headteachers/providers, teachers, and governors. 9.4% people responded as "other", to include local authority employees, SEND related professionals, and the general public. 4.3% of respondents represented parents/carers of children without special education needs or disabilities.
- 77 The consultation findings are detailed in Appendix 4, and outlined below, alongside associated recommendations for each area of proposed work.

Consultation Findings and Implications for Review Work

Overview

- 78 The results of the consultation set out in Appendix 4 indicate that the majority of the customers and stakeholders consulted, support all but one of the proposals for making changes to SEND and Inclusion support funding.
- 79 An update on each key area of work, analysis of the consultation findings, and the implications and recommendations for each proposed area of work is presented below. Further details of each key area for review are presented in Appendix 5, and a summary of the key recommendations for Cabinet to consider for approval is presented at Appendix 6.

Proposed Commitments

- 80 The majority of respondents agreed with the commitments set out by the Council in the consultation.
- 81 Many respondents cited the importance of an inclusive education system that: allows children to be educated locally; caters for their needs in school; parents have confidence in; promotes collaborative working between professionals; provides training and opportunities for early screening and intervention; and ensures value for money assessed through evidence of need and impact. In addition, young people with SEND emphasised the importance of having their needs understood and met within school, and for a better understanding of behaviours and needs amongst teachers, parents and students.
- 82 In view of the feedback received through the consultation it is recommended that the commitments are adopted by the Council with some minor amendments to reflect views received. The suggested revised commitments are outlined below:
- (a) To collectively support an education system within County Durham where inclusion of children and young people in their local schools is the norm, giving parents and carers confidence that their children's needs will be understood and met.
 - (b) To offer a range of specialist learning provisions for some young people who have a high level of needs.
 - (c) To make every effort to use all of the resources available to young people effectively and efficiently and to maintain spending within funding limits wherever possible.

Proposals for Centrally Managed Services

- 83 Centrally Managed Services provided by Durham County Council include functions such as: support to nursery pupils and children with sensory and learning difficulties along with SEND management and support posts.
- 84 It is proposed that the Council continue to provide these services in the future to ensure a consistent approach and quality of service but continue with extensive reviews to ensure value for money and a reduction in costs where possible.
- 85 In recent years total spending on Centrally Managed Services has been below budget which has assisted in limiting the HNB overspend position.

- 86 Initial review work is underway to include the examination of recharges made to the HNB by the Council in respect of: management costs; business support service costs; and costs for centrally managed support services. The management costs and business support costs associated with Centrally Managed Services are substantially in excess of the current sum charged to the HNB and benchmarking undertaken with other local authorities in the region has indicated that Durham County Council's current recharging level is in line with that of other authorities.
- 87 Further work is scheduled to examine the recharges associated with front-line delivery and the provision of support for Early Years pupils with SEND.
- 88 Most respondents to the consultation agreed with the proposals for continuing to provide Centrally Managed Services and conducting extensive reviews to ensure value for money and a reduction in costs. Many respondents perceived Centrally Managed Services to be meeting the broadening needs of children and young people, while some mentioned the difficulty in accessing services, and this was perceived to signal capacity issues. Some respondents suggested that these services should be targeting those with acute needs. Respondents overall agreed that centrally managed services should be closely managed, monitored and quality controlled to ensure continuous improvement and that efficiency savings are achieved wherever possible.
- 89 It is recommended therefore that the proposals for continuing to provide Centrally Managed Services and conducting extensive service reviews are implemented.

Proposals for Special Schools

- 90 Ten special schools in County Durham provide specialist teaching and support for children and young people with the most complex special education needs. Funding from the HNB is provided for a set number of places in each school. Whilst there is a broad range of specialist provision in the county, there were 37 vacant places in County Durham at the time of the consultation. In contrast, places are being sought in the private independent sector (sometimes out of our county), the costs of which can often be significantly higher than a place in our special schools and incur extra transport costs.
- 91 It is proposed that the range of specialist places offered in County Durham be extended, so children can access services locally rather than attend high cost independent placements outside of the local area.

- 92 Recent review and improvement work has been undertaken to include:
- Reconciliation of all special schools placement records;
 - Recruitment of a new Pupil Place Planning Officer;
 - Analysis of all private independent placements;
 - Exploration of potential new models of delivering specialist provision throughout County Durham; and
 - More detailed work with special schools on their individual funding arrangements based on pupil forecasts.
- 93 Proposed next steps for the project include the development of a Specialist Placement Specification and engagement with the sector to better align provision to current need.
- 94 Most respondents were in favour of the proposed changes to special schools, to include increasing provision to meet children's needs locally in special schools. Some respondents noted a lack of options offered for primary children in special schools. Opportunities to increase provision and upskill staff in Social Emotional and Mental Health (SEMH) needs in mainstream schools was noted, while maintaining special schools' provision was also felt to be important. Overall there is support for provision that is close to home and for providing a high-quality alternative to costly out of county service provision. Parents and carers felt strongly that more specialist provision in mainstream schools would help to ensure children remain within their community to be closer to home and to their peers. Young people with SEND who were consulted, suggested that schools that are somewhere between mainstream and special education should be provided.
- 95 Concerns were raised through the consultation by special schools headteachers over children receiving Education Health Care Plans (EHCPs) while attending the Pupil Referral Unit (PRU), suggesting that special education was being used as a stop gap. Other issues raised included a lag in funding/budget setting with the Council, which was affecting the schools' ability to provide for children. It was suggested that consideration be given to funding schools at a base rate to provide assurance of staffing levels. Special schools also suggested that they could offer training to mainstream schools to improve the offer in local schools.
- 96 In view of the above, it is recommended that the Council continues to work with headteachers of special schools to extend the range of specialist places offered in County Durham so that children can access services locally. This should enhance the offer provided by special

schools to ensure that there is the capacity to meet current and future needs of children and young people with SEND. As part of this review, consideration should also be given to the budget setting process, and the issue of EHCPs being given to children attending the PRU, as mentioned above. In addition, it is recommended that all models for developing more consistently inclusive approaches in all mainstream schools are explored, and the preferred option identified for implementation.

Proposals for Joint Commissioning of Services: Integrated Therapies

- 97 Currently a range of organisations are involved in commissioning speech and language therapy, occupational therapy and physiotherapy for children and young people. Some young people are receiving these specialist services outside of mainstream or special schools in County Durham. This brings about an increased financial pressure to the HNB to include additional transport costs. If these services were jointly commissioned, this would clearly define the health and education offer and the assessment and ongoing treatment of children in local schools.
- 98 The Council are currently working in collaboration with the NHS to jointly commission these services and:
- (a) Bring together the resources from education, health and care to improve local access to speech and language therapy, physiotherapy and occupational therapy for children and young people.
 - (b) Develop new ways of offering therapies locally which meet the aspirations and preferences of families within the available resources.
 - (c) Make the best use of therapists to offer prompt assessments, delivery of appropriate therapy in local settings and promote the confidence of families.
- 99 Work to engage with families and obtain their views on existing services, and jointly produce a new service model, commenced in June 2019. The transformation work to fully develop the new service is scheduled to commence in June 2020.
- 100 Most respondents to the consultation agreed with the proposals to jointly commission children's therapies through the Council working with schools and Clinical Commissioning Groups. Respondents were very positive about the proposed changes citing benefits to include the speeding up of service provision, improved access to services and a focus on understanding the child's needs.

101 It is recommended therefore that the proposals for joint commissioning of integrated therapy services are implemented.

Proposals for Joint Commissioning of Services: Equipment, Auxiliary Aids and Adaptations (EAAA)

- 102 Current arrangements for providing these services are complex and regularly require input from colleagues in educational settings and health provider trusts and DCC Education Officers. A strategic review has taken place to include consultation with children and young people and their parents/carers and it is now planned to work on a clearer and more consistent approach with updated guidance and streamlined processes. This is expected to lead to better, swifter support and increased value for money which collectively will support better use of HNB funding. It is proposed that:
- (a) Assistance requested by schools from the HNB funding only be used to purchase items that are deemed to be specialist (not normally available in a school or educational setting); and
 - (b) The existing guidance is revised, so all schools apply a consistent approach.
- 103 Work is now underway to streamline the processes for the identification, assessment and purchasing of auxiliary aids, equipment and adaptations for children and young people which will make best use of resources and achieve value for money.
- 104 Most respondents to the consultation agreed to the proposals that additional funding is used to purchase specialist equipment (not normally available in school or other educational setting) to support children with significant needs; and that a new system is developed for storing and reusing equipment. Respondents felt that the proposals would: improve ease of access to equipment; increase the reuse, maintenance, monitoring and management of equipment; and help realise budget savings. It was noted by the respondents that some equipment was being privately sought and paid for by schools presently.
- 105 In review, it is recommended that the proposals for joint commissioning of equipment, auxiliary aids and adaptations are implemented and work continues to develop the proposals in collaboration with customers and stakeholders. It is recommended that consideration be given to the suggestions contained within the consultation feedback to include: the use of libraries to share less specialist equipment, linking with charities to help provide equipment, and working with parents and carers to help select equipment.

Proposals for Top up Funding Support

- 106 Top up Funding is the provision of HNB funding to schools when provision to meet an individual child or young person's SEND needs would cost more than the school's core funding budget. At present every school decides on the amount of extra funding they need for each child. This has resulted in differences in the amount of support a young person receives depending on the school's considerations and how the school completes an application.
- 107 It is proposed that a 'banding system' be applied to Top up Funding to support schools to ensure SEND needs are consistently and more appropriately met, and in a timely manner.
- 108 Recent work undertaken has included:
- (a) Implementation of a revised quality assurance process for Top up Funding requests;
 - (b) Exploration of banding systems in place in Durham and other local authorities;
 - (c) Issue of revised guidance to special schools for accessing increased funding for provision; and
 - (d) A series of focus groups held to consult and engage with parents of young people with SEND.
- 109 Through the consultation we have proposed to develop a new banding system and to introduce changes from April 2020.
- 110 Planned next steps include working with schools and parents to develop a new Top up Funding system for County Durham.
- 111 Most respondents to the consultation agreed to the proposal to continue with Top up Funding to support children with special educational needs and disabilities. Some respondents emphasised the need for more training in schools, which could help to reduce the need to apply for Top up Funding. In addition, young people with SEND emphasised that having more trained staff in school and receiving support where and when it was needed was one of the most important aspects for them.
- 112 A small majority of respondents agreed to the proposals for a banding system, many citing it should provide a clear, streamlined and fair approach, based on the child's needs, while allowing for the impact of measures to be assessed. While there were some concerns around the potential for a reduced focus on a child's individual needs, overall, it was felt that a banding system would help to ensure support is

consistent and fair. Parents and carers responding to this consultation found it difficult to navigate the current system and do not receive enough advice and information from schools on the funding and support available. Parents and carers strongly felt that better communications are needed between the parents, schools, and other professionals and expressed a request to be involved in the development of the new system.

- 113 In view of the feedback received, it is recommended that the proposal to apply a clear and consistent banding system to help schools plan how to meet the needs of children before seeking Top up Funding is implemented.
- 114 In addition, it is recommended that updated guidance is provided to help people understand the new system and ensure appropriate support is provided based on the child's needs. It is also recommended, that parents/carers and schools are consulted in the development of the new system and schools are encouraged to involve parents/carers in completing Top up Funding applications for their child and reviewing the impact of funding on their child. Promotion of the TuF system amongst parents and carers should also be conducted, with signposting to the refreshed SEND Parents Toolkit and other appropriate guidance taking place.

Proposals for Targeted Funding Support

- 115 When schools have a high number of students with Top up Funding, they are still required to provide the core funding for each pupil from the school's budget. This can mean that schools with a high number of students with Top up Funding can find that they do not have enough core funding. Therefore, Targeted Support funding is provided to help schools increase their core funding. The amount of Targeted Support funding that a school receives is currently determined by a formula and does not require schools to provide evidence of whether they need more money or what the additional money will be used for.
- 116 Through the consultation the Council have proposed to only provide Targeted Support Funding when a school applies for specific help. In addition, it is proposed that to receive funding, the school's application will have to meet a set of conditions that would be set, in consultation with schools.
- 117 A large majority of respondents agreed with the proposal to continue to support targeted funding. Most respondents also agreed that schools should be required to make an application for this funding, noting again that a clear, streamlined application process would have a positive impact for children. Some respondents raised concerns that the process

would be complicated and could delay support. Others suggested that the system should be: developed in consultation with parents/carers and schools; be based on consultation and research; and funding should be biased towards primary schools to aid early intervention.

- 118 It is recommended that the above proposals for targeted funding be developed and implemented based on best practice research and in collaboration with stakeholders.

Proposals for Post 16 Funding Support

- 119 HNB funding is provided to the Post 16 sector to support the education costs of young people over 16 years of age, with an Educational Health Care Plan (EHCP). This has created a new and growing demand on the HNB in recent years and has proved difficult to forecast in advance.
- 120 A review of all applications took place in 2018/19. Based on the findings of this review, a fair pricing model for support was drafted and discussed with providers. Within the consultation the Council have proposed to roll out the fair pricing policy and application criteria to all providers of Post 16 provision in County Durham.
- 121 Early discussions undertaken with the Post 16 sector informed the development of the fair pricing model. The model was welcomed by all main providers who subsequently agreed to be early adopters of the new approach.
- 122 Recent work has resulted in a fair pricing model now being in place across most of the sector. In addition, a revised High Needs application form and feedback process has been developed and is now in place.
- 123 Most respondents agreed that there should be a fair pricing model in place for Post 16 providers. Further clarification of this model was requested by some respondents, and it was noted that the model should allow decisions to be based on the young person's needs.
- 124 Meanwhile, most respondents disagreed with the proposal to support a three-day per week provision for Post 16 education over two years. Respondents raised concerns that the model would be restrictive, some noting that "all pupils are entitled to a full-time education" and that this should be supported by clear pathways and assessments for progression. Respondents were concerned that the proposal could discriminate against children and young people with special educational needs and / or disabilities and it could be against the law.
- 125 In review it is recommended that information on the pricing model be shared with stakeholders as appropriate, and the proposal to roll out a fair pricing model to all Post 16 providers be implemented.

- 126 It is recommended that the proposal for a typical offer of provision being three-days per week over two years in the Post 16 sector is *not* progressed, and other options are explored.

Proposals for Reviewing Financial Support Provided to Local Partnerships of Schools

- 127 In Durham, fifteen Communities of Learning (CoL) partnerships along with four Secondary Behaviour Partnerships and a Primary Behaviour Partnership exist to assist schools locally in providing the right support to children and young people with SEND and Inclusion needs. The CoLs and Secondary Behaviour Panels receive HNB funding direct. In turn, the Secondary Panels donate five Emotional Wellbeing and Effective Learning (EWEL) credits each to the Primary Panel to provide early assessment and help for young people individually or to support training for staff. It is proposed that we continue to support the work of these local partnerships.
- 128 Earlier in 2019, each CoL and BP were asked to produce a business plan outlining their funding proposals, anticipated impact and how it will be monitored and measured. The aim of this was to achieve a reduction in previously agreed funding levels whilst supporting the most valuable pieces of work in each of the partnerships. Business cases were considered by the Council in June 2019 and new funding agreements are now in place. This has achieved an 18% saving, equating to more than £330,000 for 2019/2020.
- 129 The Council has proposed through the consultation that in future funds will only be released to the partnerships on receipt of a clear business plan. It is also proposed that partnerships will be required to report back on the impact of the funding for children and young people.
- 130 Most respondents agreed with the proposal that Communities of Learning and Behaviour Partnerships should be required to produce a business plan as part of an application process for funding, and that they should be required to report on the impact of the funding that has been allocated. Many positive responses were received in support of this proposal. Respondents noted that the proposal would help to: target funding where it is most needed; ensure more effective and transparent use of money; and increased accountability. Parents and carers expressed a strong view that the business planning should involve more parental engagement.
- 131 In review, it is recommended that the above proposals for local partnerships of schools be developed and implemented. The project should produce a robust and transparent governance structure for assessing funding applications and agreeing funding allocations, and for

monitoring and conducting annual reviews of spend. It is also recommended that clear and timely guidance and support on the new system be made available to all CoL and BP Chairs. It is also recommended that consideration be given through the project to ensuring parental and/or governor involvement in the business planning process.

- 132 In addition, it is recommended that consideration be given to the benefits of establishing a CoL for special schools.

Proposals for the Pupil Referral Unit (PRU) and Alternative Provision

- 133 The Woodlands PRU is the County Council's provision for permanently excluded pupils and for those pupils identified as close to permanent exclusion. The Woodlands has an on-site capacity of 75 but with 160 permanently excluded pupils on roll (as of November 2019). As a result, 85 young people are accessing off-site alternative provision, which is putting further pressures on HNB funding.
- 134 In May 2019, a national review of permanent exclusion and alternative education found that whilst permanent exclusion is sometimes appropriate, it should be a last resort. The review calls on local authorities, schools, and other agencies to establish effective partnership working to intervene earlier to avoid exclusion. The Council have sought views through the consultation on reducing the numbers of children and young people on the roll of The Woodlands PRU.
- 135 During Summer 2019, the Council commissioned ISOS Partnership to support a review across County Durham with the aim of strengthening inclusion and the use of alternative provision.
- 136 The commissioned review has now been completed and the final written report is now being considered by the Corporate Director of CYPS and his management team. Workshops will subsequently be held with headteachers and Chairs of the Behaviour Partnership Panels to consider the recommendations and to develop a formal action plan for implementation.
- 137 The Council's proposals include: providing more resources to the Behaviour Panels so they can buy additional early interventions and therapeutic support and increase the number of young people back into school; and increasing the number of young people, particularly in years 7 and 8, to reintegrate quickly into mainstream or specialist schools from The Woodlands PRU.
- 138 Most respondents to the consultation agreed to the proposal to devolve more resources for permanently excluded pupils to locality-based panels. Consultation feedback indicated that early support provided by

the panels was essential and the proposal would assist in allowing children to remain in mainstream education longer.

- 139 A small majority of the respondents agreed to the proposal to reintegrate more permanently excluded children and young people into schools. Feedback suggested that this would need careful consideration on a case-by-case basis and schools would need support in place to reduce any disruption to other children and that support should also be provided for the child based on their needs. Parents and carers noted that the provision of more training in mainstream schools may help prevent some pupils going to the PRU, as teachers would have a better awareness and knowledge of the child's behaviours and needs.
- 140 It is recommended that the above proposals for the PRU and alternative provision be developed for implementation taking into account the comments and suggestions received throughout the consultation.

Other Work

- 141 In addition to the above projects, work commenced in the July 2019 to review, improve and streamline business processes within the SEND Casework Team. Over the last year, the Council have received an unprecedented increase (68%) in demand for services provided by this team. This increase in customer demand is recognised as an enduring demand. The Council is now reviewing the following business processes, to identify where efficiencies can be made to include the use of technology and smarter ways of working to help meet increasing demands, within the available resources:
- a) New Education and Health Care Plan requests
 - b) Annual reviews of Education and Health Care Plans
 - c) Incoming communications management
 - d) Education and Health Care Plans for pupils transferring from another local authority ("Moving Ins")
 - e) Statutory and non-statutory Top up Funding applications
 - f) Authorisation and Panel (decision making) arrangements
 - g) Enhanced Mainstream Provision
 - h) Authorisation and payment arrangements
- 142 A review of staffing requirements is also taking place, with additional temporary casework staff appointed whilst a more detailed review of future business needs takes place.

- 143 Much of the work is already underway and reflects the recommendations of an Internal Audit of the High Needs Budget conducted between January - July 2019. The audit examined:
- (a) Statutory processes and timescales in relation to Education and Health Care (EHC) Requests for Assessments and Reviews of any Education, Health and Care Plans (EHCPs)
 - (b) The types of High Need funding provided to schools and colleges and the associated processes for allocating the funding to support children and young people with high needs
 - (c) Budget pressures – to include examining the external factors impacting on the SEND budget which are outside of the Council's and budget holder's control.
 - (d) Panel arrangements and decision-making processes for authorising Education and Health Care Plans.
- 144 An action plan has been developed based on the recommendations of the Internal Audit report. Progress against this plan will be monitored by the SEND and Inclusion Resources Board with a review by audit in mid-2020.

Risks

- 145 Risks associated with the programme of work are being identified, managed and reviewed throughout the duration of the programme and overseen by the SEND and Inclusion Resources Board. Key risks of the programme are outlined below.
- (a) **Assumptions regarding levels of funding and the extent of targeted reductions possible do not manifest themselves.** The work is based on several assumptions regarding funding, pattern of demand and areas identified for savings. If these assumptions become inaccurate and funding pressures increase, the deficit may increase, the Council may reconsider the position on requesting a transfer from the Schools Block and/or further savings would be required in other areas of HNB spend in order to make the HNB more sustainable.
 - (b) **Increasing demand on the HNB may result in adverse impacts on finance and service delivery.** The programme of work outlined in this report is being developed and implemented with the aim of mitigating this strategic risk. Without a programme of work to make the HNB more sustainable, based on current HNB funding and expenditure patterns and current demographic demand, it is likely that further overspending will continue into

future financial years. Dedicated programme management resources and an agreed governance structure are in place to ensure that the programme is sufficiently resourced and planned, overseen and delivered to time, cost and quality requirements.

- (c) **Unintended detrimental impacts to services for children and young people and the customer's journey coupled with increased service costs.** A public consultation on the proposals has been conducted and a full Equality Impact Assessment has been carried out and is included within the attached Consultation Report (Appendix 4). The work we are doing also requires careful consideration of how changes in one service area may impact on another area of service provision. For example, a significant change in one element of the system such as Top up Funding provided to mainstream schools, could then lead to increased exclusions, more referrals for special school places or the PRU, commissioning external providers, additional requests for EHCPs or increased legal challenges from families. This could result in increased costs and potentially a detrimental impact to the young person on their journey through the system and the services offered. The work being done and the proposals in this report are seeking to mitigate against these potential consequences through identifying, documenting and communicating project interdependencies at programme initiation stage, and throughout the life of the programme. Close attention will be given to the end-to-end processes both within the SEND and inclusion services and links to services in the wider council and with external providers, while focussing on the journey of the child or young person.
- (d) **Allocation of financial support to SEND and Inclusion services is disproportionate to need.** The work being conducted and the initial proposals in this report are seeking to ensure the 'right support at the right time in the right place' for children and young people with SEND and inclusion support needs, within the resources available to us. The programme provides the opportunity to have oversight of current SEND and Inclusion services provision, spending and impact, and to research, identify and propose changes and preferred alternative options. The findings of reviews of current provision will be considered with feedback from the consultation to inform future funding priorities and proposed changes required to improve customer service provision, increase value for money and to try and ensure HNB funding is sustainable.

Public Sector Equality Duty

- 146 The Public Sector Equality Duty (Equality Act 2010) requires Durham County Council to have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people from different groups. Assessing impact on equality and recording this is one of the key ways in which the Council can show due regard.
- 147 As the nine priority areas of the HNB sustainability programme affect 0-25 years old with SEND and their families, parents and carers there is potential impact for the protected characteristics of age, disability, sex and ethnicity. There is disproportionate impact in relation to sex (both male and female) and ethnicity. Significantly more males have an ECHP (74%). In terms of impact on women, evidence suggests they are more likely to have caring responsibilities for children and young people. Ethnicity data shows there is potential disproportionately in terms of ethnic minorities with special education needs (SEN).
- 148 Proposals to address priorities are designed to ease funding pressures and contribute towards longer term sustainability for SEND education. Negative impact is therefore not anticipated, as proposals aim to create a more inclusive and targeted SEND education offer by addressing need yet ensuring value for money through ensuring consistency and quality of centrally managed services, linking funding to evidence of impact, extending the range of specialist places, improving staff training, joint commissioning to ensure consistency and value for money and reducing pupil exclusions. This should impact positively in terms of disability, age (children, young people with SEND and their parents or carers), sex and ethnicity.
- 149 Inclusive public consultation methods ensured that responses were heard from a wide range of stakeholders including easy read versions of documentation and specific focus groups for children and young people. Equality monitoring of consultation respondents evidences a broad consultation reach. Consultation analysis shows that the majority strongly agree/agree with proposals apart from the '3 day' provision in post 16 sector, which it is proposed not to progress.
- 150 A full equality impact assessment is attached at Appendix D. Individual equality impact assessments will be carried out for specific projects where necessary, which will include analysis of impact on staff where relevant.

Conclusion

- 151 This report sets out Durham County Council's commitments towards improving services and using funding more effectively to support

children and young people with SEND needs, and children that are at risk of exclusion. This includes supporting an education system that prioritises the inclusion of children and young people in their local schools, and one which gives parents and carers confidence that their children's needs will be understood and met. The aim is also to offer a more suitable range of specialist learning provisions for young people who have high levels of need, and to make every effort to use all available resources for children and young people, more effectively and efficiently.

- 152 The programme of work required to deliver these commitments, includes a review of nine key areas of service provision. The results of the public consultation identified that the majority of consultees support all but one of the proposals associated with these priority areas for review. It is proposed therefore that these projects now be developed and implemented to reflect the key messages conveyed by stakeholders through the consultation, which emphasise the importance of: allowing all children to be educated locally; promoting collaborative working between professionals; closer collaboration and communication with parents and carers; providing more training and opportunities for early screening and intervention; ensuring value for money is assessed through evidence of need and impact; and promoting a better understanding of pupils' behaviours and needs amongst teachers, parents and other students.
- 153 While the Government has made additional High Needs Block funding available in 2020/2021, financial modelling has shown that this will be insufficient to cover the current overspend position and bring the accumulated HNB deficit back into balance. Therefore, in reviewing the key areas of service provision the Council will aim to achieve savings of circa £1.5 million per year over each of the next five years commencing from 2020/2021, while continuing to ensure that the right support is provided, at the right time, in the right place for children and young people across the County who have higher needs.
- 154 A report on progress made against the delivery of the work programme and proposed financial strategy will be reported back to Cabinet in Summer 2020.

Background papers

- Cabinet Report on High Needs Block Funding for SEND and Inclusion Support, 10 July 2019:

<https://democracy.durham.gov.uk/ieListDocuments.aspx?CIId=154&MIId=11264&Ver=4>

- Consultation on High Need Block Funding for SEND and Inclusion Support, 17 July – 17 October 2019:

<http://www.durham.gov.uk/consultation>

- Schools Forum Report on High Needs Block Funding for SEND and Inclusion Support:

<http://www.durham.gov.uk/media/31265/Schools-Forum-Meeting-24-October-2019/pdf/SchoolsForumMeeting24October2019.pdf?m=63707418703970000>

- County Durham's SEND Strategy 2019/2020:

<http://www.countydurhamfamilies.info/kb5/durham/fsd/service.page?id=vvuoPhoG4Ak&>

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Appendix 1: Implications

Legal Implications

Sections 45-53 of the School Standards and Framework Act 1998 sets out the funding framework governing schools finance.

The Children and Families Act 2014 covers the SEND reforms and is accompanied by statutory guidance for organisations to follow through the SEND code of practice: 0 to 25 years (2015).

The overarching legal implication within the report is the Equality Act 2010 with respect to the Public Sector Equality Duty (PSED). Section 149 of the Act details the requirement when taking decisions to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups and eliminate unlawful discrimination. It is necessary the impact on those groups is fully analysed as part of the review of the consultation responses.

Finance

The report highlights the overspend and deficit position in the HNB. The outturn position for 2018/19 was a £7.4 million overspend in the HNB and the latest updated forecast would indicate an over spend of £9.3 million for 2019/20, with £5.6 million of this being supported by the Council's general fund (Budget Support Reserve).

While the Government has made additional High Needs Block funding available in 2020/2021, financial modelling has shown that this will be insufficient to cover the current overspend position and bring the accumulated HNB deficit back into balance. Therefore, in reviewing the key areas of service provision the Council will aim to achieve savings of circa £1.5 million per year over each of the next five years commencing from 2020/2021, while continuing to ensure that the right support is provided, at the right time, in the right place for children and young people across the County who have higher needs.

The report sets out several actions as part of an HNB sustainability plan which seeks to support children and young people with SEND within the resources available. Alongside this, the Council and other local authorities are continuing to lobby the Government for additional resources.

Consultation

Section 19 of the Children and Families Act 2014 makes clear that local authorities must ensure that children, young people, parents and carers are involved in decisions about local provision. The report outlines the approach to and findings of a public consultation, aimed mainly at early years settings, schools, special schools and colleges along with other stakeholders including children and families, which was conducted over a three-month period from 17 July to 17 October 2019.

Equality and Diversity / Public Sector Equality Duty

As the nine priority areas of the HNB sustainability programme affect 0-25 years old with SEND and their families, parents and carers there is potential impact for the protected characteristics of age, disability, sex and ethnicity. There is disproportionate impact in relation to sex (both male and female) and ethnicity. Significantly more males have an ECHP (74%). In terms of impact on women, evidence suggests they are more likely to have caring responsibilities for children and young people. Ethnicity data shows there is potential disproportionately in terms of ethnic minorities with special education needs (SEN).

Proposals to address priorities are designed to ease funding pressures and contribute towards longer term sustainability for SEND education. Negative impact is therefore not anticipated, as proposals aim to create a more inclusive and targeted SEND education offer by addressing need yet ensuring value for money through ensuring consistency and quality of centrally managed services, linking funding to evidence of impact, extending the range of specialist places, improving staff training, joint commissioning to ensure consistency and value for money and reducing pupil exclusions. This should impact positively in terms of disability, age (children, young people with SEND and their parents or carers), sex and ethnicity.

Inclusive public consultation methods ensured that responses were heard from a wide range of stakeholders including easy read versions of documentation and specific focus groups for children and young people. Equality monitoring of consultation respondents evidences a broad consultation reach. Consultation analysis shows that the majority strongly agree/agree with proposals apart from the '3 day' provision in post 16 sector, which it is proposed not to progress.

A full Equality Impact Assessment is attached to this report within Appendix 4. Individual Equality Impact Assessments will be carried out for specific projects where necessary which will include analysis of impact on staff where relevant.

Climate Change

An intended outcome of this programme of work, is to increase support for young people to attend local schools, rather than travel to schools that are further away, both within and outside of the county. The successful delivery of the programme will result in reduced miles travelled by pupils via car, taxi and / or public transport, thereby reducing carbon dioxide emissions and potentially a reduced contribution to local traffic congestion.

The joint commissioning of equipment and auxiliary aids will help to reduce waste and consumption of resources, through the improved oversight, management and reuse and maintenance of equipment.

It is intended that the reviews of our business processes within the SEND Casework team will result in reduced printing and paper consumption, through the increased use of digital systems and the implementation of modern ways of working. The potential for developing a customer portal within the Synergy data management system is also being explored. Implementation of a customer portal, use of video conferencing for meetings and exchanging information, should help to reduce the need for staff and customer travel to meetings. The digital mail system “Flite” is already being used by the team, and the use of this system will be promoted to other areas of the service, as necessary and appropriate.

Human Rights

None

Crime and Disorder

None

Staffing

There may be changes required in staffing based on the proposals outlined in the report.

Accommodation

None

Risk

The programme of work being overseen by the SEND and Inclusion Resources Board is being progressed as part of a programme management approach and includes developing a risk register. Key risks are summarised in the main body of this report. Careful consideration of risks and possible unintended consequences is taking place regarding each of the areas of work.

Procurement

Commissioning and procurement implications are being considered for each of the proposals in the HNB sustainability plan.

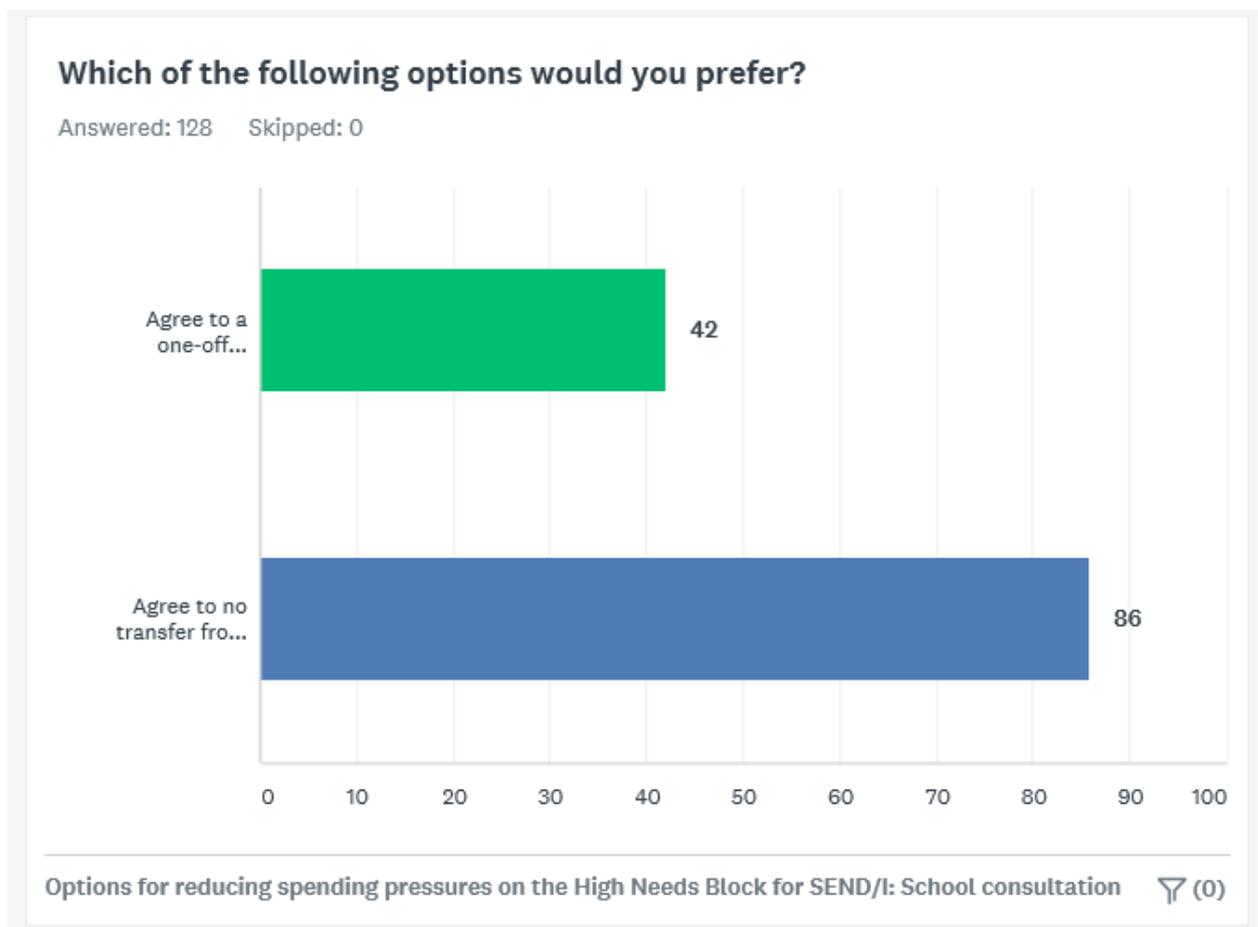
Appendix 2: HNB Forecast Outturn Position 2019/2020

DSG High Needs Block	2019/20 Original Budget £ million	2019/20 Revised Budget £ million	2019/20 Forecast Outturn £ million	Over / (Under) Spend £ million	2019/20 Previous Forecast Outturn reported to Schools Forum £ million	Change £ million
Delegated to Alternative Provision	5.500	5.515	5.515	0	5.515	0
Delegated to Special Schools	24.000	23.862	23.862	0	23.862	0
Delegated to EMP	0.776	0.683	0.683	0	0.683	0
Top-up funding-Primary	6.000	5.500	5.599	0.099	5.538	0.061
Top-up funding-Secondary	1.500	1.200	1.121	-0.079	1.303	-0.182
Targeted funding-Primary	0.800	0.600	0.600	0	0.550	0.050
Targeted funding-Secondary	0.250	0.250	0.080	-0.170	0.100	-0.020
Targeted funding-Special	0.000	0.000	0.115	0.115	0.115	0
Top-up-Special (individual pupils)	0.000	0.500	1.680	1.180	1.621	0.059
Top-up-Special (changes in no/mix)	0.000	0.500	0.500	0	0.500	0
Income from schools (turnaround)	-0.400	-0.400	-0.400	0	-0.400	0
Income from schools (perm ex)	0	-0.400	-0.450	-0.050	-0.400	-0.050
Additional EMP	0	0	0	0	0	0
Additional Alternative Provision	0	0.090	0.108	0.018	0.108	0
Communities of Learning	1.145	1.145	0.894	-0.251	0.894	0
Allocations to Schools	39.571	39.045	39.907	0.861	39.989	-0.082
Nursery Outreach	1.274	1.600	1.600	0.000	1.600	0
Equalities and Intervention Team	1.882	1.728	1.731	0.003	1.728	0.003
SEND Sensory	1.436	1.299	1.274	-0.025	1.282	-0.008
Learning Difficulties	0.823	0.531	0.482	-0.049	0.481	0.001
Management and support	0.698	0.594	0.594	0	0.594	0
Behaviour Panels	0.600	0.600	0.574	-0.026	0.574	0
Looked After Children Education	0.217	0.217	0.217	0	0.217	0
Pupil Referral Unit - Transport	0.000	0.600	0	-0.600	0	0
Equipment	0.075	0.075	0.075	0	0.075	0
LA recharges to DSG	0.825	0.711	0.711	0	0.711	0
Centrally managed	7.830	7.955	7.258	-0.697	7.262	-0.004
Independent and NMSS - pre-16	2.600	3.800	3.198	-0.602	3.174	0.024
Independent and NMSS - post-16	1.800	1.800	2.972	1.172	3.013	-0.041
Maintained schools outside of Durham	1.000	1.200	1.200	0	0.450	0.750
Further Education providers	2.200	2.300	3.997	1.697	3.210	0.787
Income from other Local Authorities	-0.600	-0.600	-0.600	0	-0.600	0
External provision	7.000	8.500	10.767	2.267	9.247	1.520
Total	54.401	55.500	57.932	2.431	56.498	1.434
Grant available	48.801	48.801	48.592	0.209	48.592	0
Budget shortfall	-5.600	-6.699	-9.340	-2.640	-7.906	-1.434
Shortfall met by council reserves	5.600	5.600	5.600		5.600	0
Shortfall charged to HNB DSG	0	1.099	3.740		2.306	1.434

Appendix 3: Results of a consultation with all schools on options for reducing HNB pressures

Question 1: Which of the following options would you prefer?

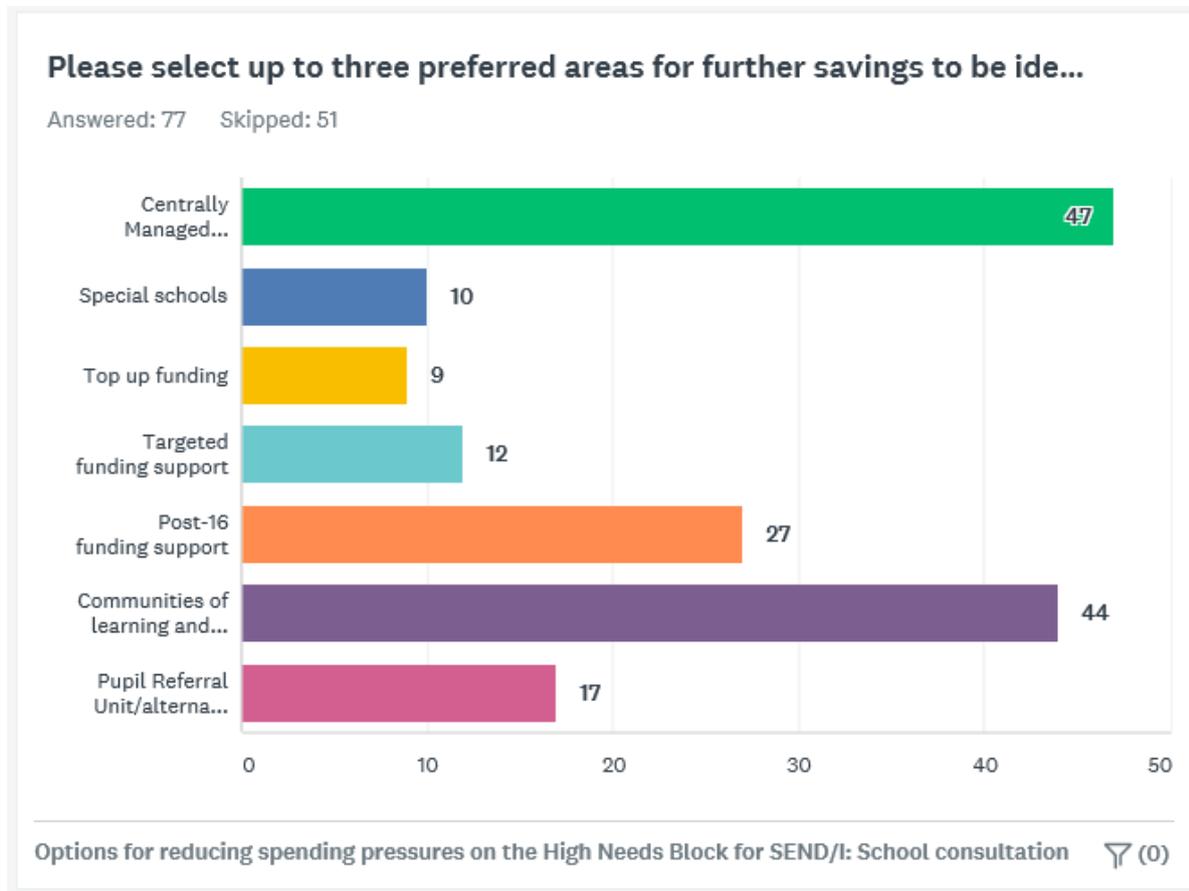
- Agree to a one-off transfer of £1.5 million from the Schools Block to HNB in 2020/21, representing a transfer of circa 0.48% to support the identified funding pressures in the HNB and the deficit position which needs to be recovered, or:
- Agree to no transfer from Schools Block to HNB in 2020/21. Support instead further work on additional targeted reductions to make the HNB more sustainable and recover the deficit position.



A total of 128 leaders responded to the survey.

86 people, or around two thirds (67%) of the respondents did not agree to a transfer from the Schools Block. One third of respondents, 42 (33%) agreed to a transfer from the Schools Block.

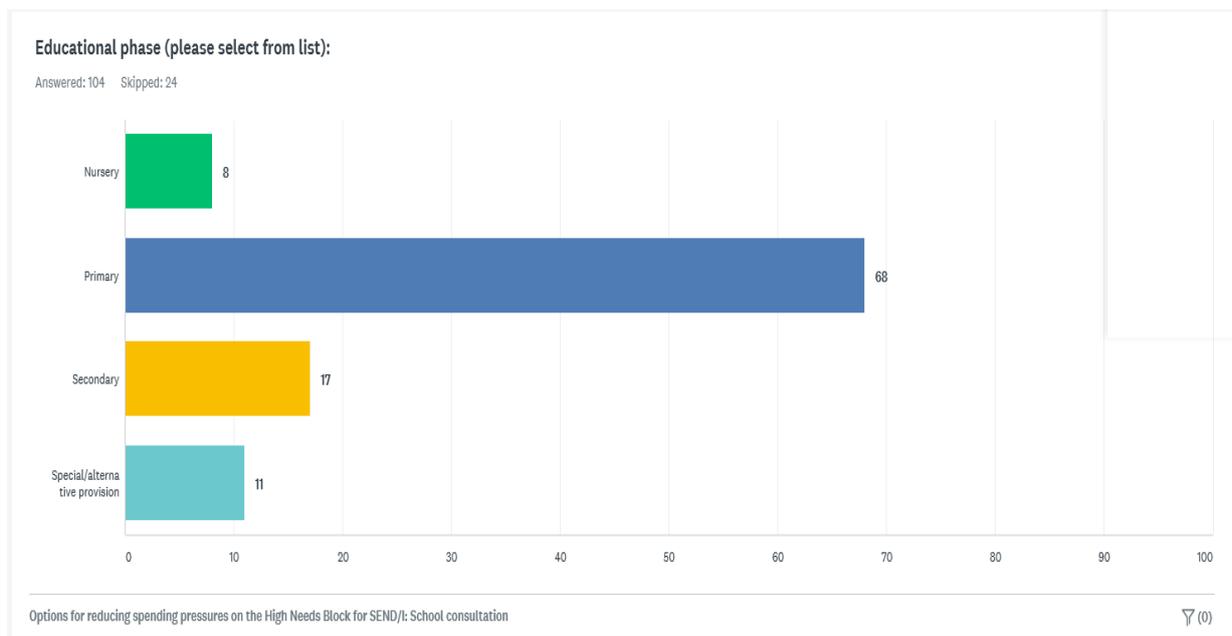
Question 2: If choosing Option B, please select up to three preferred areas for further savings to be identified from the list below along with your comments:



Out of the 86 respondents that chose not to transfer from the Schools Block, 77 selected their preferred areas for further savings to be identified.

Respondents identified Centrally Managed Services (61%); Communities of Learning and Behaviour Partnerships (57%) and Post 16 funding (35%) support as the top three preferred areas for further savings to be identified, followed by the Pupil Referral Unit (22%); Targeted Funding (16%); Special Schools (13%) and Top up Funding (12%).

Number of respondents by educational phase:



104 respondents identified the educational phase that they represented. Most respondents were from primary schools (65%), followed by secondary schools (16%), special schools / alternative providers (11%) and nursery provision (8%).

Appendix 4: Consultation Report

Cabinet

15 January 2020

Findings of a Consultation on the High Needs Funding for SEND and Inclusion Support

Ordinary Decision

Report of Corporate Management Team

**John Pearce, Corporate Director of Children and Young People's
Services**

John Hewitt, Corporate Director of Resources

**Councillor Olwyn Gunn, Cabinet Portfolio Holder for Children and
Young People's Services**

Electoral division(s) affected:

Countywide

Purpose of the Report

- 1 This report details the process and findings of a public consultation on "Special Educational Needs and Disabilities (SEND) and Inclusion Support Funding", conducted by the Council between 17 July – 17 October 2019.
- 2 The findings of the consultation outlined within this report will help to inform decision making on proposed changes to support funding for children and young people with SEND and inclusion needs.
- 3 This document is scheduled to be considered by Durham County Council's Cabinet as part of a wider report on "High Needs Block (HNB) funding for SEND and Inclusion Support" on the 15 January 2020.
- 4 This Consultation Report will subsequently be updated to incorporate the decisions made by Cabinet and will be used to provide feedback on

the consultation to stakeholders, to include consultees and partner organisations during Spring 2020.

Recommendation(s)

5 Cabinet is recommended to:

- (a) Note the overall findings of the public consultation set out within this report;
- (b) Note the indicated levels of customer and stakeholder support for proposed changes to funding and reviews of service provision for children and young people with special educational needs;
- (c) Consider for approval the recommendations stemming from analysis of the findings of the consultation, as set out in paragraphs 187 - 215; and
- (d) Consider this consultation report alongside the recommendations within a report to Cabinet, on “HNB Funding for SEND and Inclusion Support”, which proposes a five-year financial strategy and actions for change in SEND and Inclusion service provision, reflecting the findings of this consultation and the latest forecast HNB financial position.

Background

- 6 At its meeting on 10 July 2019, Cabinet considered a report outlining the growing spending pressures on the High Needs Block (HNB) of the Dedicated Schools Grant (DSG) which provides funding for special education needs and disability (SEND) and inclusion support services for children, young people and young adults.
- 7 As a result of ongoing austerity and increasing customer demands and needs which are becoming more complex, the Council is currently spending 19% more than available budget on SEND and Inclusion provision.
- 8 By working collaboratively across several services, County Durham Schools and with numerous partners, the Council intends to address the spending pressures without adversely affecting support for individual children and young people, or on schools and other budgets.
- 9 The work includes reviewing all areas of spending to reduce expenditure where possible, while seeking to secure increased value for money, and ensuring that we continue to provide the right support, at the right time, in the right place for children and young people across the county, who have higher needs, within the resources available.
- 10 Nine priority areas for review have been identified through work undertaken with key stakeholders to date, for further development and implementation. These areas have been chosen in large part due to their impact on HNB spend:
 - (a) Centrally Managed Services
 - (b) Special Schools
 - (c) Joint Commissioning of Services: Integrated Therapies
 - (d) Joint Commissioning of Services: Equipment, Auxiliary Aids and Adaptations (EAAA)
 - (e) Top up Funding
 - (f) Targeted Support Funding
 - (g) Post 16 Funding Support
 - (h) Financial support provided through Local Partnerships of Schools
 - (i) Pupil Referral Unit (PRU) and Alternative Provision

- 11 Subject to Cabinet approval in January 2020, proposals on the above key areas of focus will be developed to deliver outcomes that reflect the views of our customers and stakeholders, which have been identified through a formal consultation.
- 12 The consultation on SEND and inclusion support funding was held over a three-month period between 17 July – 17 October 2019.
- 13 This report details the proposals set out within, and process and outputs of the consultation. It outlines the consultation approach to include the: targeted stakeholder groups; consultation and communication methods used; and the measures taken to ensure equality and accessibility considerations have been addressed.
- 14 Detailed analysis of the results of the questionnaire issued through the consultation is then presented, highlighting the: number of responses received; types of respondents; results from the closed questions; and individual comments received in response to each of the nine areas for review. Analysis of the feedback obtained through stakeholder focus groups, and written correspondence received throughout the consultation, is then outlined, and the findings and implications, including any impacts to equality, are drawn out.
- 15 The findings and recommendations stemming from the information set out below will inform the next steps for a programme of work and five-year financial strategy that will be fully developed subject to Cabinet approval in January 2020.

Development of the Proposals

- 16 The consultation was developed based on engagement work previously undertaken by the Council with a range of stakeholders to include:
- (a) Schools Forum Reference Group (SFRG)
 - (b) Durham Schools Forum
 - (c) Durham Association of Primary Headteachers (DAPH)
 - (d) Durham Association of Secondary Headteachers (DASH)
 - (e) Head Teacher Briefing Groups
 - (f) Communities of Learning partnerships (CoLs 1-15)⁹
 - (g) Behaviour Partnership Panels in North Durham, South West Durham, East Durham, Central Durham and Primary Panel
 - (h) Parents working with Making Changes Together (MCT)
 - (i) Children and young people through the Extreme Group; and
 - (j) Special Schools Leadership Teams
- 17 Development of the proposals was also informed by the recommendations stemming from previous engagement and participation exercises to include:
- (a) High Needs Review (December 2017);
 - (b) Social Communication and Interaction (including ASC) Review (2018); and
 - (c) Consultation with County Durham schools and special schools throughout 2018/2019.
- 18 In order to address the spending pressures in the HNB for County Durham, a SEND and Inclusion Resources Board (SIRB) was established within the Council earlier this year. The Board brings together colleagues from the Council's Children and Young People's Services, Commissioning, Finance and Transformation services to

⁹ Communities of Learning (CoLs) and Behaviour Partnerships (BPs) are partnerships between schools and Durham County Council to assist the inclusion of children who require support and interventions that are additional to, or different from, most of their peers. There are 15 CoLs in County Durham, comprising clusters of nursery, primary, secondary and special schools, 4 secondary Behaviour Panels and a Primary Panel.

provide cross council oversight of resources for SEND and Inclusion, including HNB spending and related council budgets.

- 19 Under the direction of the SIRB and in consultation with the Durham Schools Forum and Schools Forum Reference Group (SFRG), the Council have been working with wider stakeholders, to identify proposed changes that will improve the lives of children with additional needs, in line with the County Durham SEND Strategy 2019-2020¹⁰, while seeking to use HNB funding more effectively.
- 20 The Council aims to continue working with its customers and stakeholders to further develop and implement these proposals in line with the findings of the consultation.
- 21 It is envisaged that reductions in spending and service improvement will be achieved by focussing on efficiencies, securing increased value for money, improved clarity and consistency around service provision that better matches changing customer demands, and emphasising early intervention and partnership working.
- 22 The proposals for change resulting from work conducted to date, are set out alongside supporting information about the consultation, within the Consultation Document¹¹, and are summarised below.

The Proposals

- 23 The Council aims to improve services and use funding more effectively by meeting the following commitments:
 - (a) To support an education system where inclusion of children and young people in their local schools is the norm, giving parents and carers confidence that their children's needs will be understood and met.
 - (b) To offer a range of specialist learning provisions for some young people who have a high level of needs.

¹⁰ County Durham 's SEND Strategy is available to view at:
<http://www.countydurhamfamilies.info/kb5/durham/fsd/service.page?id=vvuoPhoG4Ak&>

¹¹ The Consultation Document: "High Needs Block funding for Special Educational Needs and Disabilities (SEND) and Inclusion Support, Consultation Information, 17 July – 17 October 2019" is available to view on the Council's website at:

<http://www.durham.gov.uk/media/30363/SEND-High-Block-consultation-supporting-document/pdf/SENDHighBlockConsultationSupportingInformation.pdf?m=636989737785300000>

- (c) To make every effort to use all the resources available to young people effectively and efficiently.
- 24 The Council's proposed approach to the changes is defined within the Consultation Document as:
- (a) Transforming the ways in which we work, whilst ensuring the best outcomes for children and young people using the services.
 - (b) Reviewing all areas of spending to identify ways to improve efficiency, promote early support, working in partnership, and change what we offer where possible, whilst also recognising the: specific needs of individual children and young people; the overall volume of young people with SEND needs; and the changing pattern of demand on different service areas.
- 25 Overall, the proposals:
- (a) suggest a new approach to meeting needs more effectively for children and young people;
 - (b) suggest how the Council might be able to support children with very high needs, with less reliance on placements a long way from home;
 - (c) look at how the Council might make specialist support available to children in mainstream schools who would benefit;
 - (d) outline new ways of meeting the needs of children who are excluded or for whom mainstream school is not the best option; and
 - (e) suggest how the Council's approach to Post 16 education might help young people with SEND progress towards employment and independent living.
- 26 In line with the above, the Council have consulted on proposals for each of the following key areas of focus, through this formal consultation:

(a) Centrally Managed Services

Local authorities use their HNB to pay for central services relating to SEND and alternative education provision, as permitted by government regulations. Centrally Managed Services¹² provided by Durham County

¹² Information on the full range of services can be viewed in the: Support and Services for Schools and Settings 2019-20.pdf directory at:
https://search3.openobjects.com/mediamanager/durham/fsd/files/support_and_services_for_schools_and_settings_2019-20_2.pdf

Council include functions such as: support to nursery pupils and children with sensory and learning difficulties; services provided by the Equalities and Intervention Team; and SEND management and support positions.

It is proposed that the Council continue to provide Centrally Managed Services in the future to ensure a consistent approach and quality of service and carry out extensive reviews to ensure value for money and a reduction in costs where possible.

(b) Special Schools

Six generic special schools and four special schools specialising in Social, Emotional and Mental Health (SEMH) needs, exist in Durham to provide specialist teaching and support for children and young people with the most complex special education needs. Funding from the HNB is provided for a set number of places in each school. Whilst there is a broad range of specialist provision in the county, there are currently 37 vacant places in County Durham, resulting from over planned placement in generic schools and under planned placement in SEMH schools. In contrast, places are being sought in the private independent sector (sometimes out of County Durham), the cost of which can often be significantly higher than a place in local special schools and can include extra transport costs. This is placing a higher cost demand on the available funding.

It is proposed that the range of specialist places offered in County Durham is extended, so children can access services locally rather than attend out of area, high cost independent placements. It is also proposed that the number of existing SEMH places are reduced to be in line with placement trends over the last three years.

(c) Joint Commissioning of Services: Integrated Therapies

Children and young people can require access to therapies to meet a clinical health need, or a special educational need or both from a range of providers. The current system of provision can be confusing and can lead to delays in service. It is proposed that commissioning activity across the Durham Clinical Commissioning Groups, Durham County Council and schools is brought together into one streamlined system. This would enable children to receive a prompt assessment to determine the level, frequency, type and focus of therapy tasks required and identify how these can be delivered in accessible settings by education, health and care staff. Through the consultation, the Council has sought views on the following proposals:

- i. To bring together the resources from education, health and care to improve local access to speech and language therapy,

physiotherapy and occupational therapy for children and young people.

- ii. To develop new ways of offering therapies locally which meet the aspirations and preferences of families within the available resources.
- iii. To make the best use of therapists to offer prompt assessments, delivery of appropriate therapy in local settings and promote the confidence of families.

(d) Joint Commissioning of Services: Equipment, Auxiliary Aids and Adaptations (EAAA)

Current arrangements for providing EAAA are complex and regularly require input from colleagues across education, health and care settings. A strategic review has taken place and it is now planned to work on a clearer and more consistent approach with updated guidance and streamlined processes. This is expected to lead to better, swifter support and increased value for money which collectively will support better use of HNB funding.

It is proposed that, assistance requested by schools for HNB funding in future will only be used to purchase items that are deemed to be specialist (not normally available in a school or other educational setting). In addition, it is proposed that a review of the existing guidance is undertaken in order that all schools apply a consistent approach.

(e) Top up Funding Support

Top up Funding is the provision of HNB funding to schools when provision to meet an individual child or young person's SEND needs would cost more than the school's Core Funding budget. At present every school decides on the amount of extra funding they need for each child. This has resulted in differences in the amount of support a young person gets depending on how the school completes an application.

It is proposed that in future, the Council apply a 'banding system' to Top up Funding to support schools, to ensure SEND needs are consistently and more appropriately met, in a timely manner. It is also proposed to refresh the SEND planning tools currently available on The Local Offer SEND Planning Tools webpage, to communicate the new system.

(f) Targeted Support Funding

When schools have a high number of students with Top up Funding, they are still required to provide core funding for each pupil from the school's budget. This can mean that schools with a high number of

students with Top up Funding can find that they do not have enough core funding. Therefore, Targeted Support Funding is provided to help schools increase their core funding. The amount of Targeted Support Funding that a school receives is currently determined by a formula and does not require schools to provide evidence of whether they need more money or what the additional money will be used for.

The Council have proposed to provide Targeted Support Funding when a school applies for help. To receive the funding, the school's application would have to meet conditions, to be set in consultation with schools.

(g) Post 16 Funding Support

This provides support to the education costs of young people over 16 years of age with an Educational Health Care Plan (EHCP). This has created a new and growing demand on the HNB in recent years since the SEND reforms were introduced in 2014. A review of all applications in 2018/19 took place and from this, a fair pricing model for support was developed and discussed with providers.

It is proposed to roll out the fair pricing policy and application criteria to all providers of Post 16 provision in County Durham.

(h) Financial Support Provided Through Local Partnerships of Schools

In Durham, fifteen Communities of Learning (CoL) partnerships along with four Secondary Behaviour Partnerships (BP) and a Primary Behaviour Partnership (BP) exist to assist schools locally in providing the right support to children and young people with SEND and Inclusion needs. The CoLs and Secondary Behaviour Panels receive HNB funding direct. In turn, the Secondary Panels donate five Emotional Wellbeing and Effective Learning (EWEL) credits each to the Primary Panel to provide early assessment and help for young people individually or to support training for staff.

It is proposed that the Council continue to support schools and key providers to work in local partnerships to identify and meet the needs of children and young people with SEND and other vulnerable learners in their area. It is also proposed to only release funds on receipt of a clear business plan and for partnerships to report back on the impact of the funding for children and young people.

(i) Pupil Referral Unit (PRU) and Alternative Provision

The Woodlands PRU is the County Council's provision for permanently excluded pupils and those identified as close to permanent exclusion. The aim of The Woodlands is to deliver a tailored academic, social, emotional and therapeutic programme to support young people to move on successfully to their next steps in education, employment or training. The Woodlands has an on-site capacity of 75 but routinely has more than twice this number of permanently excluded pupils on roll. Off-site alternative education provision supported by the HNB fund is used to accommodate this enduring additional demand. This has caused increasing budget pressures, which is replicated nationally.

In May 2019, a national review¹³ of permanent exclusion, alternative provision and PRU provision found that whilst permanent exclusion is sometimes appropriate, it should be a last resort. The review calls on local authorities, schools, and other agencies to establish effective partnership working to intervene earlier to avoid exclusion. The Council are seeking views through the consultation, on reducing the numbers of children and young people on the roll of The Woodlands PRU.

It is proposed that more resources are provided to the Behaviour Panels so they can buy additional early interventions and therapeutic support to reduce the number of permanent school exclusions, and help increase the number of young people, particularly in years 7 and 8, being reintegrated more swiftly into mainstream or specialist schools from The Woodlands PRU.

Planning the Consultation

- 27 The consultation on the above proposals was planned and implemented in accordance with the Council's Consultation Statement and Consultation Protocol (March 2019) and undertaken in compliance with statutory and government guidance, as well as the general requirements of public law.
- 28 A Consultation Task Group comprising lead officers from the Council's CYPS, Commissioning, Finance and Transformation services was established to develop and implement the consultation plan, and ensure key messages were conveyed to all stakeholders involved, in a timely manner.

¹³ Timpson Review, May 2019 can be viewed at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807862/Timpson_review.pdf

- 29 In conducting this consultation, the Council have ensured the involvement of children, young people, parents and carers in shaping proposals for change and have obtained their views to feed into decisions about local SEND and inclusion support provision. This is in accordance with Section 19 of the Children and Families Act 2014 and guidance within the SEND Code of Practice 2015, which emphasise that local authorities must ensure that children, young people, parents and carers are involved in decisions about local provision.

The Consultees

- 30 Although the consultation was open to the general public, specific focus was given to individuals and groups that have an interest in, or are affected by the SEND and inclusion agenda, to include:
- (a) Children and young people with SEND and inclusion support needs, and their families.
 - (b) Leadership teams of: schools, special schools, nursery schools, other Early Years providers, Post 16 providers including colleges, the Pupil Referral Unit (PRU) and providers of alternative education.
 - (c) Parent and carer support groups
 - (d) Integrated Steering Group for County Durham
 - (e) Durham Schools Forum
 - (f) Schools Forum Reference Group (SFRG)
 - (g) Durham Association of Primary Head Teachers (DAPH)
 - (h) Durham Association of Secondary Head Teachers (DASH)
 - (i) SEND Information, Advice and Support Service
 - (j) Area Action Partnerships (AAPs)
 - (k) SEND Strategic Partnership
 - (l) SEND Co-ordinators in schools (SENDCo)
 - (m) SENDCO Networks
 - (n) Chairs of School Governing Bodies
 - (o) Chairs of Communities of Learning (CoLs) and Behaviour Partnerships (BPs)

- (p) Clinical Commissioning Groups (CCGs)
- (q) Elected Members of Durham Council
- (r) Senior Officers in Durham County Council
- (s) Durham County Council employees

Consultation and Communication Methods

- 31 A comprehensive programme of events, briefings, workshops and written notifications to stakeholders was delivered between 17 July and 17 October 2019 as detailed in Table 1, Appendix A. This included:
- (a) The launch of a consultation web page¹⁴ containing: an introductory video; the Consultation Document setting out details of the consultation; and the Consultation Questionnaire. The web page was viewed a total of 3,568 times and the introductory video was viewed 174 times from the Council’s website, over the three-month consultation period.
 - (b) Writing to all partners to advise of the consultation launch and how to take part. Over 600 email notifications were sent to members of over 300 stakeholder groups to include: all education providers and suppliers of alternative education provision; and a broad range of other partner organisations. All schools were initially contacted in July 2019 and then again in September 2019, as a reminder about, and to encourage participation in, the consultation.
 - (c) Issuing a press release and placing posters in GP surgeries and other venues, publicising the consultation and links to the web page. A notification was also placed on the Schools Extranet and refreshed weekly to maximise coverage. Articles were also placed in the SENDCO newsletter, Durham Voice and the Council’s staff magazine “Buzz”.
 - (d) Posting information via social media, incorporating the link to the website, questionnaire and the video to reach over 67,982 people via Facebook and Twitter. These posts received 688 reactions, comments and shares and the video has been watched over 21,000 times, via Facebook during the consultation period.

¹⁴ The Consultation web page is available to view at:
<http://www.durham.gov.uk/article/21797/Consultation-on-support-for-SEND-and-young-people-who-need-support-to-stay-in-education>

- (e) Over 100 people feeding back their views through face-to-face discussions on the proposals during meetings, presentations and workshops held with the professional organisations and support groups (listed at Appendix A). Five focus groups were also held with children, young people, parents and carers at meetings of the: Little Treasures, Rollercoaster, Extreme, and Making Changes Together (MCT) support organisations.
- (f) Providing information to senior officers, elected Members and School Governors via: CYPS Overview and Scrutiny Committee; Corporate Management Team (CMT), CYPS Medium Term Financial Planning Board, Resources Management Team, Transformation CMT Group, Adults Management Team; the SEND and Inclusion Board and Chairs of School Governing Bodies via the School Governor Support Service.

Equality and Accessibility Considerations

- 32 An “Easy Read” version¹⁵ of the Consultation Document was made available on the consultation web page to ensure messages could be understood by consultees with additional needs. Presentations to children and young people with special educational needs were adapted using suitable questions and presentation materials based on the Easy Read version of the Consultation Document.
- 33 Paper copies and alternative formats of the consultation documents were made available and promoted via the website, all correspondence, leaflets, posters, press releases, social media, presentations and formal documents.
- 34 The introductory video¹⁶ included a transcript, aiding accessibility for consultees with a hearing impairment.

The Questionnaire Respondents

- 35 A total of 266 people responded to the questionnaire, the majority (91%) of which were female, aged between 35 and 54 years (71%) and of white British origin (96%).

¹⁵ The Easy Read version of the Consultation Document is available to view at:

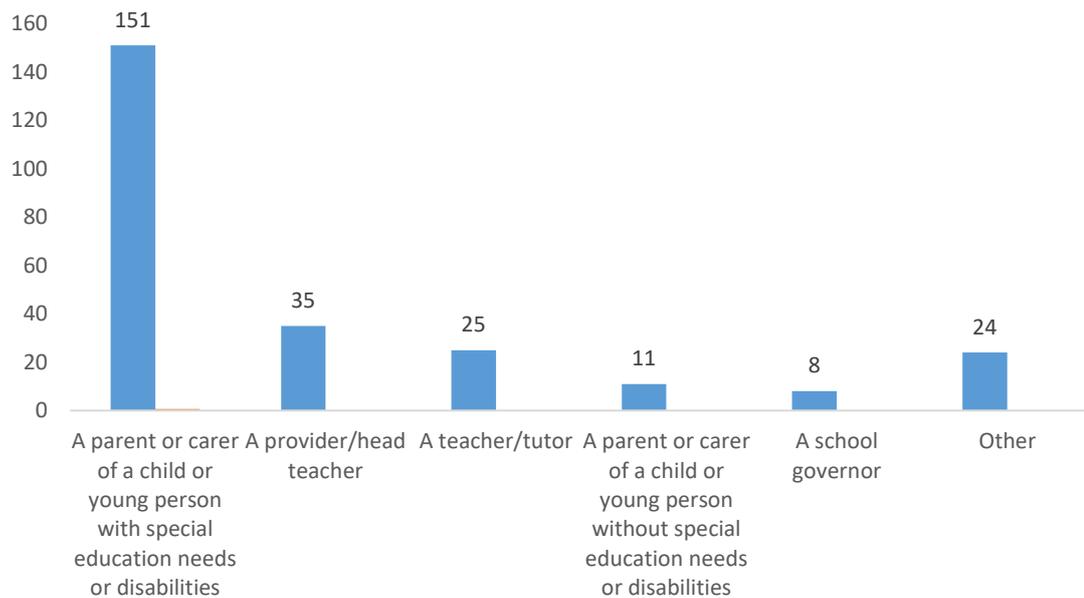
<http://www.durham.gov.uk/media/30850/SEND-Consultation-easy-read-version-pdf/SENDConsultationEasyRead.pdf?m=637033678768700000>

¹⁶ The introductory video is available to view at:

<http://www.durham.gov.uk/article/21797/Consultation-on-support-for-SEND-and-young-people-who-need-support-to-stay-in-education>

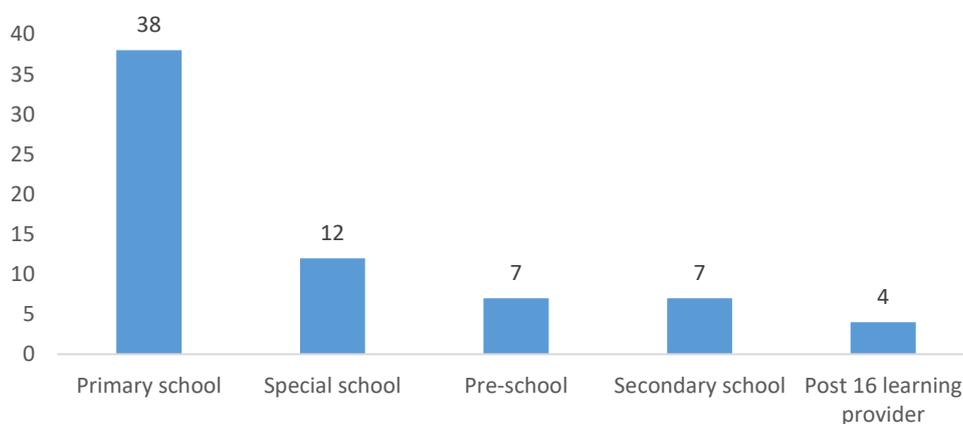
36 Most of the respondents (59.4%) were parents or carers of children or young people with special educational needs or disabilities. Just over a quarter (26.7%) of respondents represented schools, to include headteachers/providers, teachers, and governors. 9.4% people responded as “other”, to include local authority employees, SEND related professionals, and a small number of members of the general public. Only 4.3% of respondents represented parents/carers of a child or young person without special education needs or disabilities.

Diagram 1: Number of Responses by Respondent Type



37 Over half of the responses received from education providers represented primary schools (55%), followed by: special schools (18%); pre-schools (10%); secondary schools (10%) and Post 16 education providers (5.9%).

Diagram 2: Number of Responses by Sector

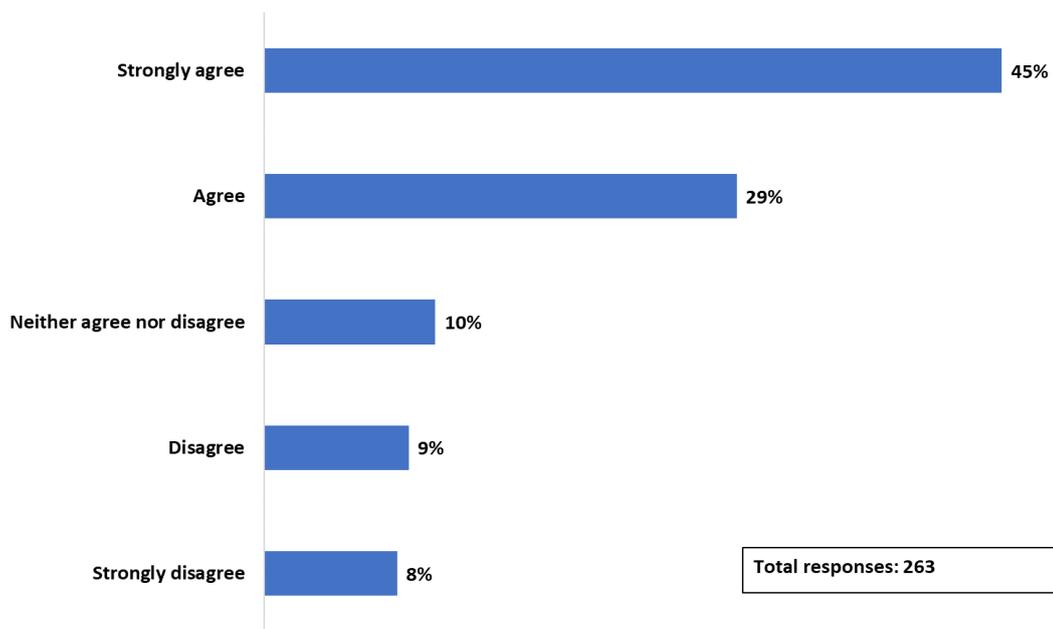


Questionnaire Results

Questions 1 - 3: Beliefs and Commitments

- 38 Almost three quarters of respondents (74%) either strongly agreed or agreed with the Council's commitments set out within the consultation (see paragraph 23 of this report).

Diagram 3: Question 1 - Do you agree or disagree with our beliefs and our commitments?



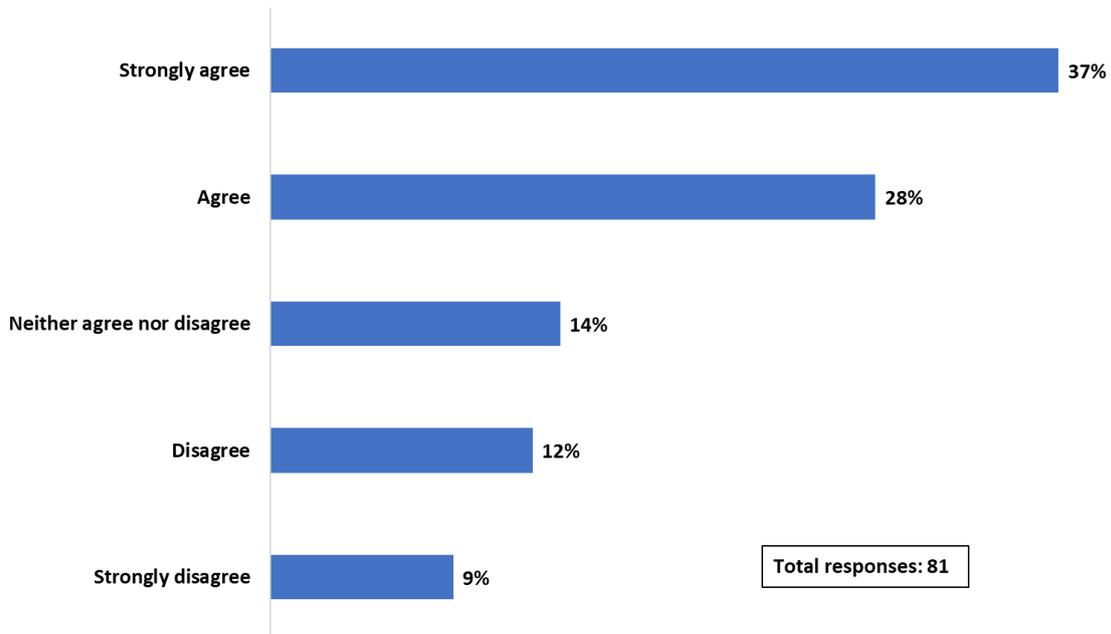
- 39 Question 2 enquired as to what impact these commitments would have upon the respondent, their child or organisation. In response to this question, a total of 320 comments were received, from which the following key messages emerged (see also Table 2, Appendix B):
- i. Funding cuts/underfunding will have negative impact on services (49 related comments were received)
 - ii. Trained professionals (including teachers/TAs) are needed to support children in schools including those with mental health needs (41 related comments were received)
 - iii. Support the proposals (40 related comments were received)
 - iv. Supports a more inclusive education system (39 related comments were received)
 - v. More funding is needed to support children in school (37 related comments were received)

- vi. Provision should meet the needs of all the young people that require it (31 related comments were received)
 - vii. SEND education provision should be in all schools (19 related comments were received)
 - viii. SEN schools should remain (17 related comments were received)
 - ix. Early intervention is key (11 related comments were received)
- 40 Other comments relating to the perceived impacts of this proposal included the need for: “parents to continue to fight for funding”; a fairer system; consideration of the impact of family and carers; value for money through a clear banded system; meeting the needs of young people below the level of need threshold; more collaborative working between professionals; more support for Post 16 education; and allowing children to be educated locally.
- 41 Question 3 asked respondents that disagreed with the commitments of the Council, to provide suggestions for further proposals. In response, 81 suggestions were received that centred around the most common themes listed below (see also Table 3, Appendix B):
- i. More funding is needed - the Council should apply for more funding from central Government (18 related comments were received)
 - ii. Value for money of provision should be assessed against individual need or impact (15 related comments were received)
 - iii. Training is needed on SEND for staff in schools and for parents / volunteers (11 related comments were received)
 - iv. Early screening and intervention is needed to identify children with additional needs (9 related comments were received)
 - v. Cuts should be made elsewhere (8 related comments were received)
 - vi. Provide inclusive schools, local to the child (4 related comments were received)
- 42 Other comments included the following suggestions, to: streamline services so that parents deal with fewer providers; remove the red tape that surrounds access to SEND provision; make more provision available for Post-16 / young people transitioning into education; provide better quality assurance processes for funding; divide funding locally, to be allocated through a board; and set up more SEND schools.

Questions 4 - 6: Centrally Managed Services

- 43 In response to question 4, almost two thirds (65%) of respondents either strongly agreed or agreed with the proposals for maintaining Centrally Managed Services.

Diagram 4: Question 4 - Do you agree or disagree with the proposed approach of maintaining Centrally Managed Services?



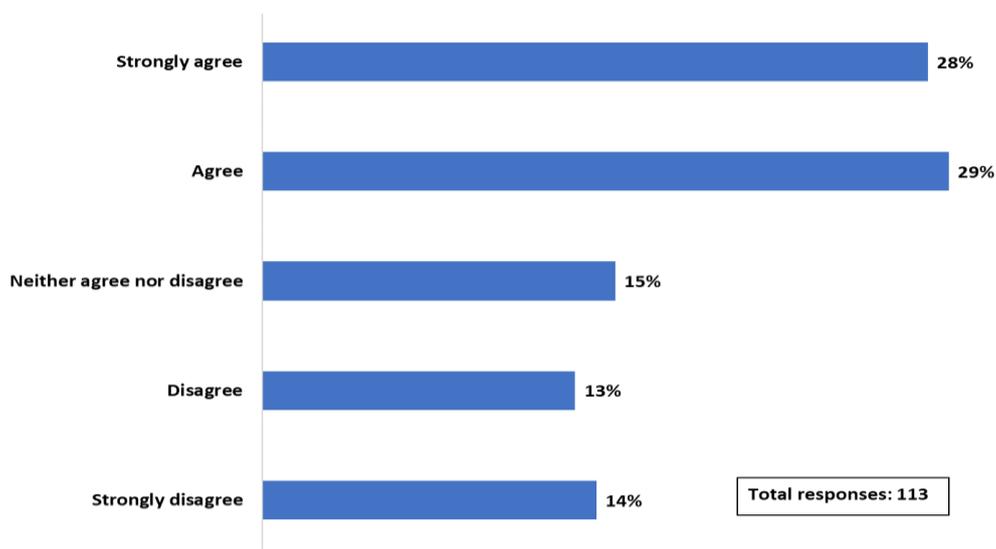
- 44 Question 5 enquired into the perceived impact of the proposals on the respondents, their child or organisation. A total of 60 comments were received in answer to this question, from which the following most common messages were identified:
- In favour of Centrally Managed Services to meet the broadening needs of children (22 related comments were received)
 - Not in support of Centrally Managed Services / it is unfair / more difficult to get funding (17 related comments were received)
 - Reductions should not have a negative impact on the case / support provided (7 related comments were received)
 - Centrally Managed Services can be managed/monitored/quality controlled (5 related comments were received)
- 45 Other comments received in response to this question included suggestions that the review should focus on: improving efficiency and value for money, while providing support to children in need (see Table 5, Appendix B).

- 46 Respondents that disagreed with the proposals for Centrally Managed Services were then asked through question 6, to provide suggestions for alternative proposals. In response, 20 comments were received based around the following most common themes:
- i. Additional support staff, including specialists and volunteers are needed in schools (9 related comments received)
 - ii. Centrally managed budgets are not suitable (3 related comments were received)
 - iii. Additional funding is needed / need to seek funding from Central Government (2 related comments were received)
- 47 Further comments included suggestions relating to: streamlining the processes; having a designated SEND professional in each establishment; and using local knowledge for allocating services where they are required. One respondent commented that cost reductions could have a negative impact on children.

Questions 7 – 8: Special Schools

- 48 In response to question 7, over half of the respondents (57%) either strongly agreed or agreed with the proposed changes to special schools (see Diagram 5 below).

Diagram 5: Question 7- Do you agree or disagree with the proposed changes to special schools?



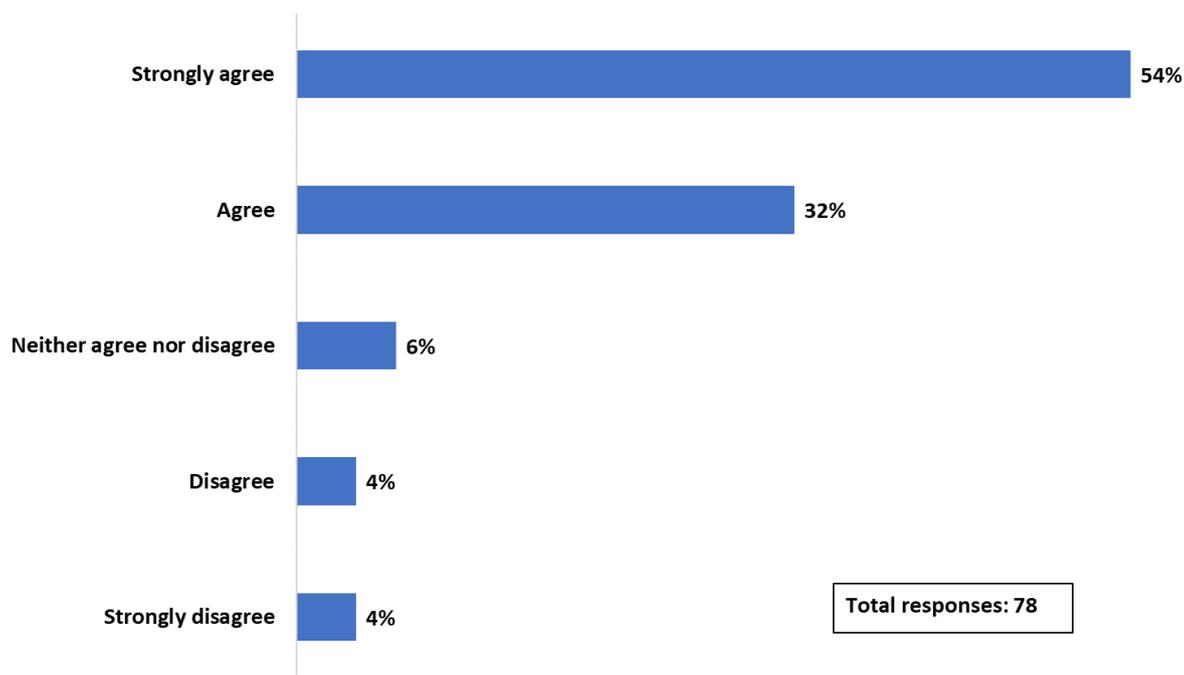
- 49 Question 8 enquired into the impact that the proposed changes to special schools would have on the respondent, their child or organisation. A total of 131 comments were received in response to this question, from which the following key messages emerged:

- i. Do not reduce Social Emotional and Mental Health (SEMH) places / increase places (37 related comments were received)
 - ii. Increase provision to meet the child's needs including in mainstream schools (37 related comments were received)
 - iii. Support the proposals, provision must be child centric (16 related comments were received)
 - iv. Support should be offered close to home (14 related comments were received)
 - v. There are gaps in provision of the current service (8 related comments were received)
- 50 Other comments received in response to this question related to a need for: additional information on the proposals; training for school staff and GPs; the provision of more special education schools; and early assessment and referrals / access to the educational psychologist (see also Table 8, Appendix B).
- 51 Where respondents disagreed with the proposals for special schools, a total of 36 comments were received, centred around the following most common themes:
- i. Do not reduce provision for SEMH (9 related comments were received)
 - ii. Training/investment in schools/staff in SEMH is needed (5 related comments were received)
 - iii. Deal with cases on an individual basis (4 related comments were received)
- 52 Other responses received to this question, included suggestions such as: seek further funding from Central Government; improve referral / assessment protocols; allocate funding more appropriately; mainstream SEMH provision into schools; ensure transparency of school budgets; and hold joint meetings with schools and the local authority to plan future needs and obtain support (see Table 9, Appendix B).

Questions 10 – 12: Joint Commissioning of Services: Integrated Therapies

- 53 In response to question 10, a large majority of respondents (86%) either strongly agreed or agreed with the proposals to jointly commission children’s therapies across County Durham, as is illustrated in Diagram 6 below.

Diagram 6: Question 10 - Do you agree or disagree with the proposal to jointly commission children’s therapies across County Durham?



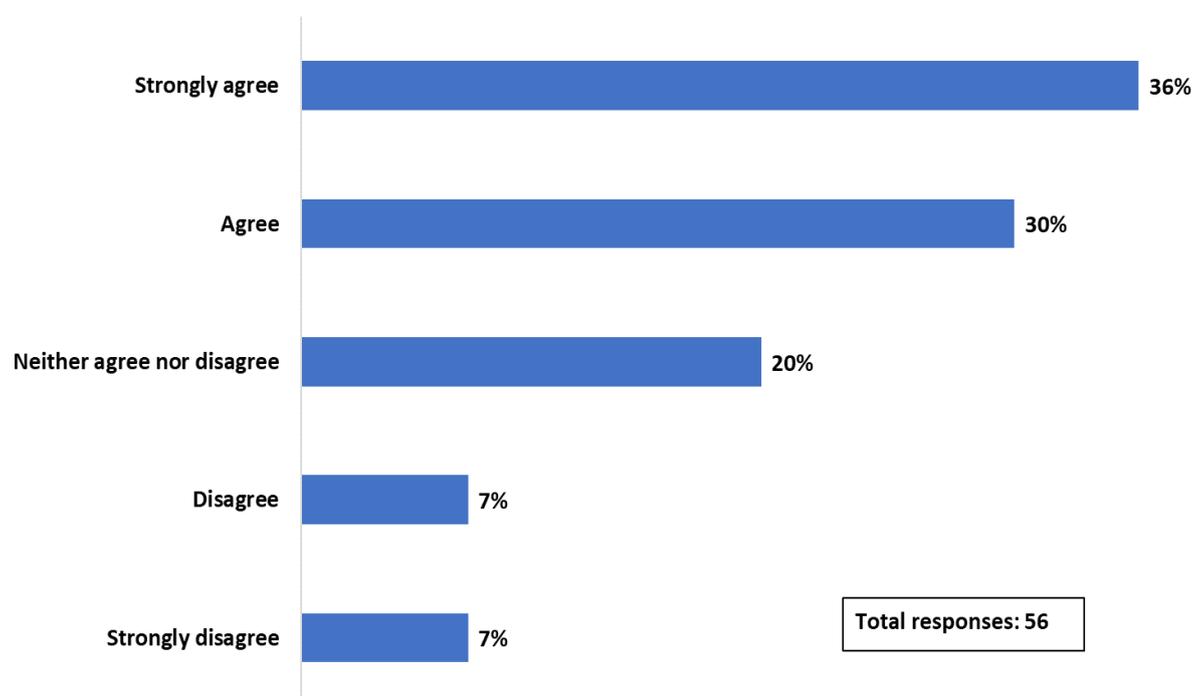
- 54 Question 11 asked respondents to identify the impact this change would have on them, their child or their organisation. A total of 69 comments were received in answer to this question. The majority (47) of comments, pointed to the joint commissioning of services being a positive change, with benefits to include: the speeding up of service provision; ensuring better access to services; and a focus on understanding a child’s needs.
- 55 Other feedback received, included suggestions to provide: additional support in schools, along with training for staff and therapists; an improved system that benefits the family; a service based on the child’s needs; and improved communication with families (see also Table 11, Appendix B).
- 56 Where respondents disagreed with the proposals, a total of 7 comments were received in answer to question 12, relating to 3 key messages: specialist services need to be accessible; additional therapists and

support staff are required; and more support is needed for integrated therapies overall.

Questions 13 – 18: Joint Commissioning of Services: Equipment, Auxiliary Aids and Adaptations (EAAA)

57 Question 13 asked whether respondents agreed or disagreed with the proposal that high needs funding should only be used to purchase items that are deemed to be specialist (not normally available in school or another educational setting). It can be seen from Diagram 7, that two thirds of respondents (66%) either strongly agreed or agreed to this proposal.

Diagram 7: Question 13 - Do you agree or disagree with the proposal that high needs funding only be used to purchase items that are deemed to be specialist (not normally available in school or educational setting)?

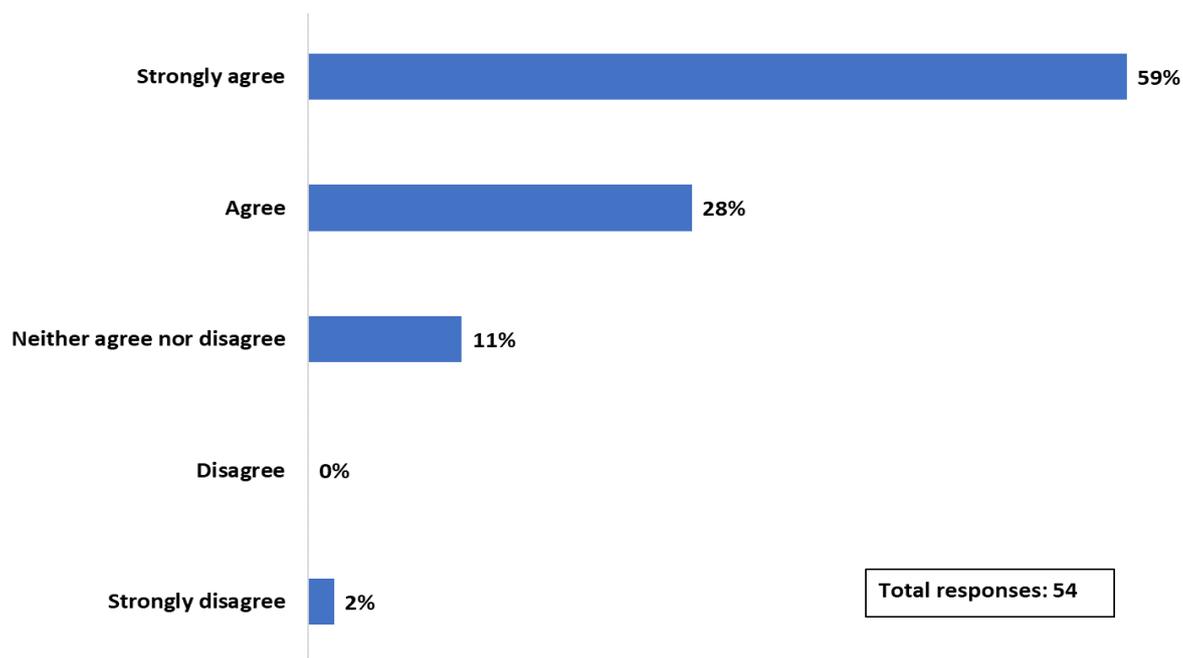


58 Question 14 asked about the impact that this proposal would have upon the respondent, their child or their organisation. In response, a total of 32 comments were received, from which the following key themes emerged:

- i. Explanation is needed of what is defined as “specialist” equipment (6 related comments were received)
- ii. Funding should be targeted at pupils’ needs (4 related comments were received)
- iii. The proposal would result in inappropriate allocation of funding (3 related comments were received)

- iv. The proposal is not possible in practice (3 related comments were received)
 - v. Target funding to specialist equipment / alterations of space (3 related comments were received)
- 59 Other comments received in response to this question suggested a perceived need for: ringfenced funding for this provision; funding from the health sector; transparent and fair procedures; and training for teachers. Some respondents noted their support for the proposal and others mentioned it may result in a reduction in costs. Meanwhile, one other respondent noted the proposal could have a negative impact on the child and the school budget (see Table 14, Appendix B).
- 60 Question 15 asked respondents to provide alternative suggestions on how to reduce costs in this area of provision. 18 responses were received and centred around the following common messages:
- i. Extra funding is needed for equipment and staff (4 related comments were received)
 - ii. There is insufficient detail to comment (3 related comments were received)
 - iii. Therapists to spend more time with children (3 related comments were received)
 - iv. Share non specialist equipment through a mobile lending library (3 related comments were received)
- 61 Other responses to this question included suggestions such as: parent and carers to help in selecting the equipment; centralising SEND funding; linking with charities to provide equipment; and schools to be made accountable for decisions around funding equipment (see also Table 15, Appendix B).
- 62 In response to Question 16, a large majority of respondents, (87%), either strongly agreed or agreed with the proposal to develop a new system to store and reuse equipment, auxiliary aids and adaptations (see Diagram 8).

Diagram 8: Question 16 - Do you agree or disagree with the proposal to develop a new system to store and reuse equipment, auxiliary aids and adaptations?



63 Question 17 enquired into the impact that this proposal may have on the respondent, their child or organisation. A total of 56 comments were received in answer to this question, from which the following most common messages emerged:

- i. Easy access to equipment and service (13 related comments were received)
- ii. Reuse and monitoring of equipment (12 related comments were received)
- iii. Budget savings (6 related comments were received)
- iv. Support for the proposal (6 related comments were received)

64 Other themes emerging from the responses to this question were positive and included: more funding for education and equipment would be available; technology / software would be kept up to date; health and safety would not be compromised; timescales for use of equipment would need to be provided; and resources could be shared with other authorities (see Table 17, Appendix B).

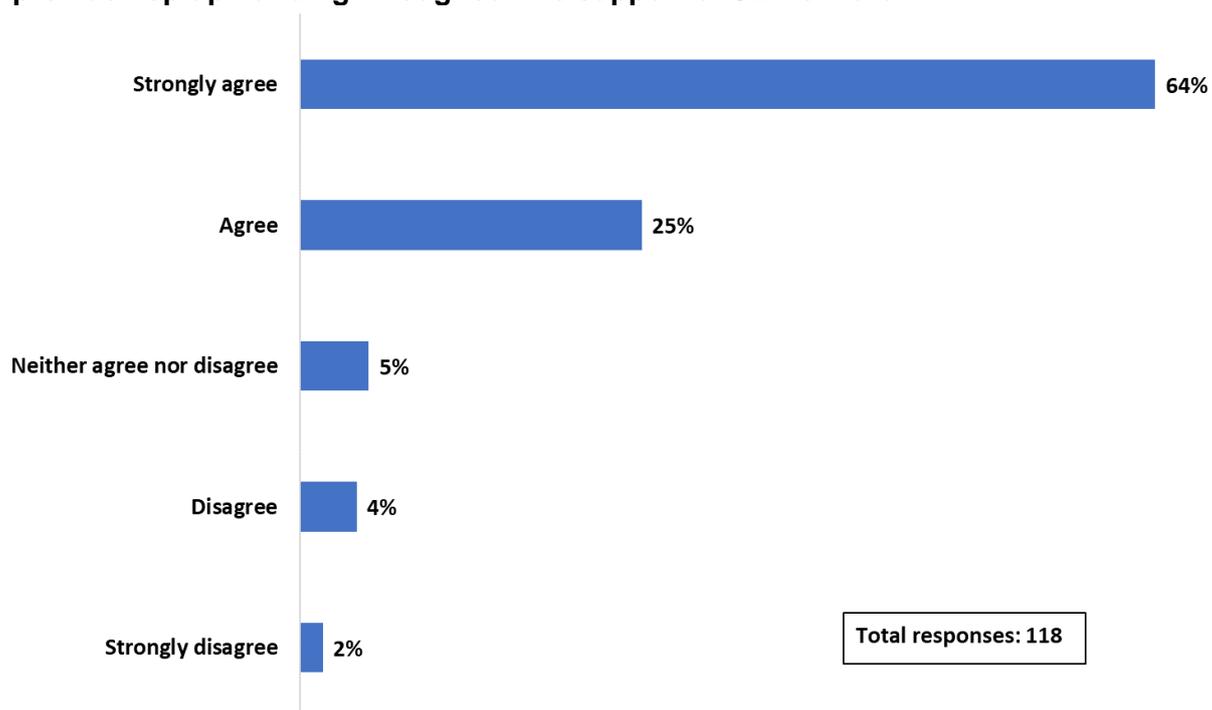
65 Question 18 asked respondents who disagreed with this proposal, to provide any alternative suggestions on how to reduce the costs. 9 comments were received to include: invest in employee training on

using equipment; monitor the use of equipment; service the equipment; issue the right equipment first time round; and apply for more funding.

Questions 19 – 26: Top up Funding and Targeted Funding

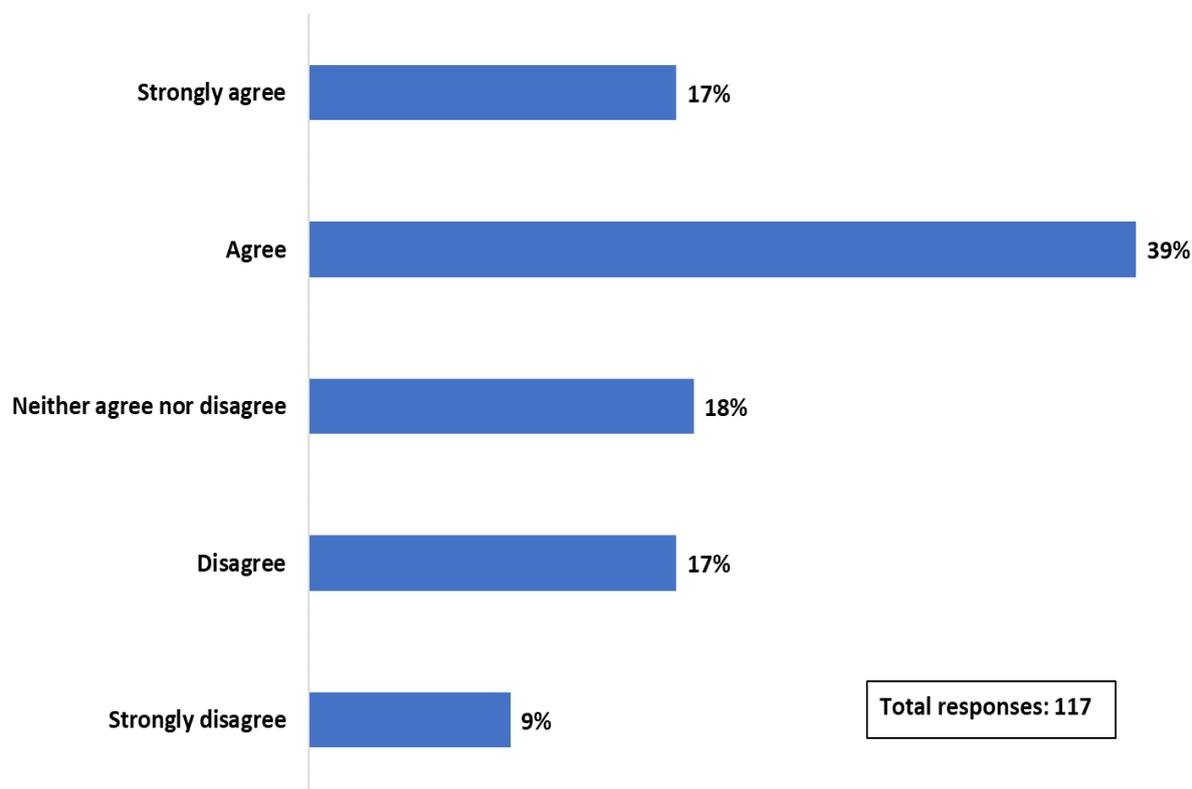
- 66 In response to question 19, a large majority of respondents (89%) either strongly agreed or agreed with the proposal to continue to provide Top up Funding throughout the support of SEN children (see Diagram 9 below).

Diagram 9: Question 19 - Do you agree or disagree that we should continue to provide Top up Funding throughout the support of SEN children?



- 67 In response to question 20, over half of respondents (56%) either strongly agreed or agreed with the proposal to align Top up Funding to a banding system which is set through consultation with schools (see Diagram 10 below).

Diagram 10: Question 20 - Do you agree or disagree that Top up Funding should be aligned to a banding system which is set through consultation with schools?



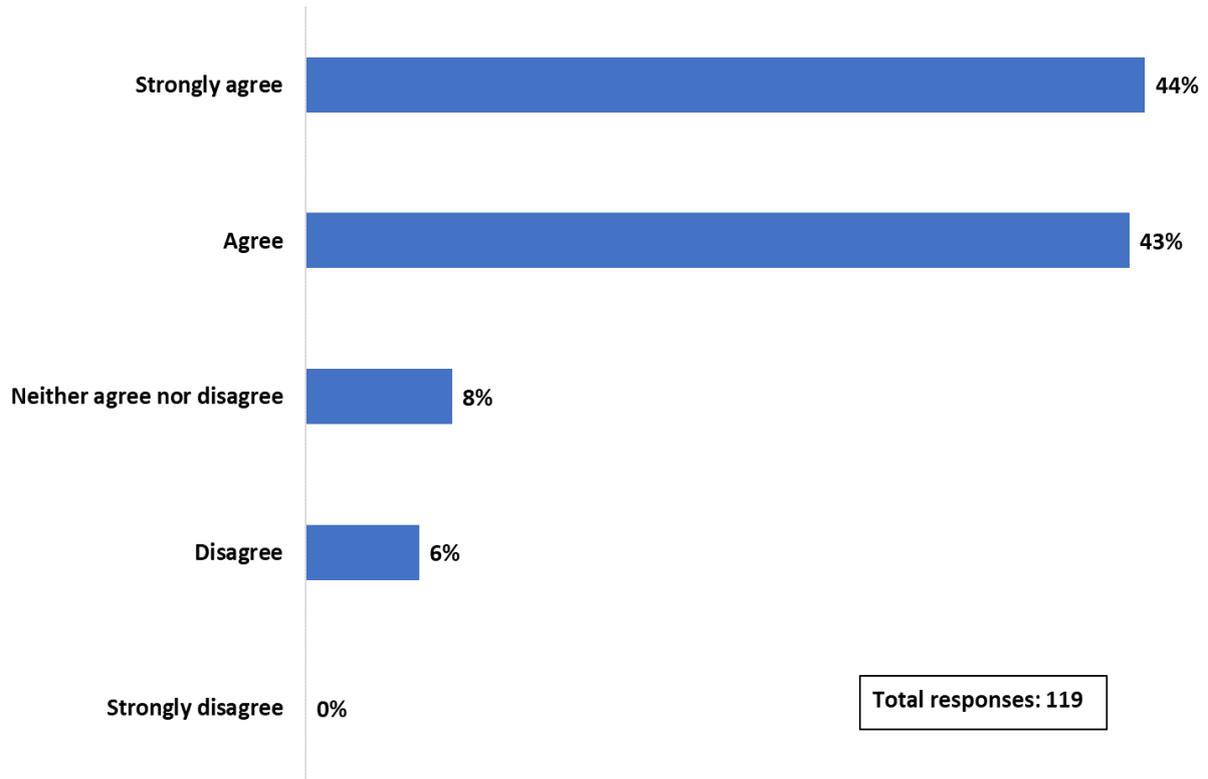
68 Question 21 enquired into the perceived impact that the above proposal would have on the respondent, their child or organisation. A total of 166 responses were received, based around the following key themes:

- i. Implement a clear streamlined approach that is fair, with follow up to assess impact (33 related comments were received)
- ii. Funding would be based on the child's needs (19 related comments were received)
- iii. Risk of under / over funding issues (18 related comments were received)
- iv. More information is required around categorising the banded system (17 related comments were received)
- v. Children may fall through the system (16 related comments were received)
- vi. Lack of focus on the child's individual needs (15 related comments were received)

- vii. A banding system would keep support consistent (15 related comments were received)
- 69 Other comments received in respect of this proposal related to the perceived need for: communication with the family; a system that accounts for the emotional needs of the child; a flexible banding system; and the development of the banded system being based on consultation and research. Some respondents were not in favour of the proposed system and some felt it could cause conflict. Meanwhile other respondents noted that a banding system could speed up the responses to funding applications (see Table 21, Appendix B).
- 70 Question 22 requested that respondents who disagreed with the proposal, provide any alternative suggestions for reducing costs and making funding arrangements consistent. A total of 32 comments were received in response, to include the following key messages:
- i. Funding should be based on a child's needs (7 related comments were received)
 - ii. Funding should be based on the specific needs of the child and the school (5 related comments were received)
 - iii. More information is needed on the proposed banding system (5 related comments were received)
 - iv. Monitoring the use of funding and children's progress should be put in place (4 related comments were received)
 - v. Communication should take place with those who apply for the funding (3 related comments were received)
- 71 Other responses centred around suggestions to include: invest time in engaging and obtaining the support of carers and family; require providers to provide proof of need of more funding; schools should work together; and invest in software to help meet children's needs (see Table 22, Appendix B).

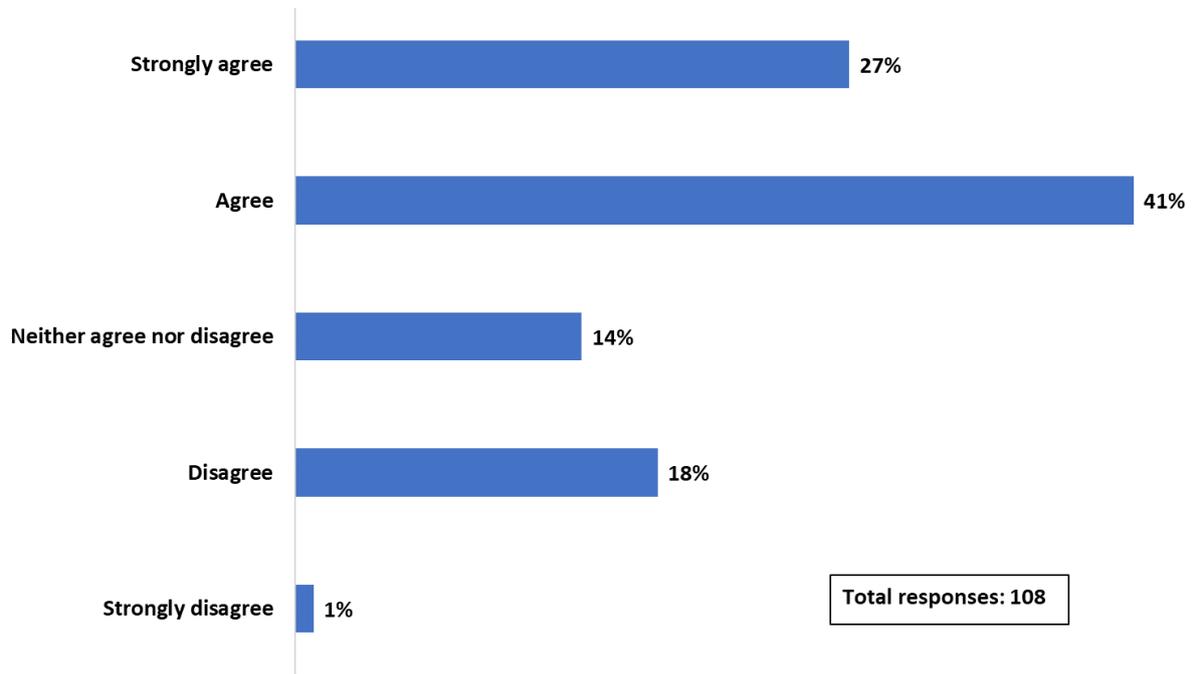
72 Question 23 asked respondents whether they agreed or disagreed with the proposal that the Council should provide targeted support funding. The majority (87%) of respondents either strongly agreed or agreed with this proposal (see Diagram 11).

Diagram 11: Question 23 - Do you agree or disagree that we should provide targeted support funding?



73 In response to question 24, over two thirds of respondents (68%) agreed or strongly agreed with the proposal that targeted funding should be provided through schools making an application for this funding, (see Diagram 12 below).

Diagram 12: Question 24 - Do you agree or disagree that targeted support funding should be provided through an application process?



74 Question 25 enquired into the impact that the above proposal may have on the respondent, their child or organisation. A total of 91 responses were received to this question, from which the following common messages emerged:

- i. Need a clear, fair, streamlined application process (27 related comments were received)
- ii. It would be time consuming (16 related comments were received)
- iii. It would make a positive impact (14 related comments were received)
- iv. The application process would be complicated (11 related comments were received)
- v. It would cause a delay in support being provided (10 related responses were received)

75 Other feedback from the respondents suggested that the process should involve the input of those affected (e.g. the school, parents) and that a working group should be consulted in developing the proposals (see Table 25, Appendix B).

76 Question 26 asked respondents who disagreed with the proposal, to provide any alternative suggestions on how to reduce the costs associated with targeted funding and ensure that funding goes to

schools where it is needed most. In response, 22 comments were received, centred around suggestions for a system that is based on:

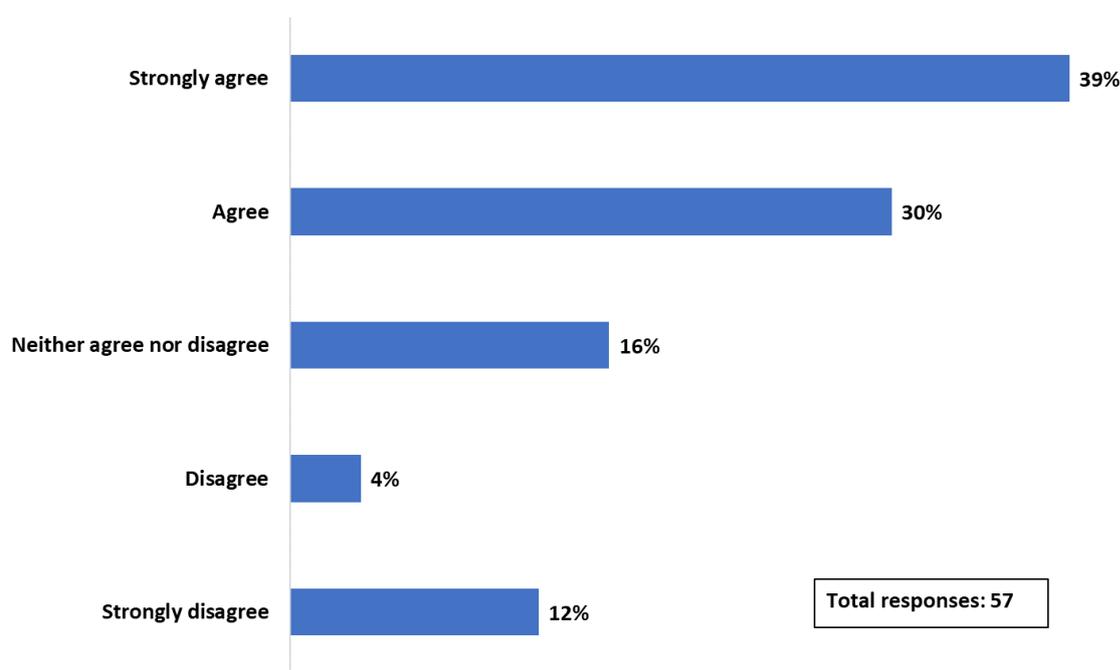
- i. A simple, fair, streamlined application process (6 related comments were received)
- ii. The child's needs (5 related comments were received)
- iii. Research, data and recommendations (4 related comments were received)

77 Other suggestions received in answer to this question related to: including families/carers and schools in the process; providing a set amount of funding with an option for schools to apply for more, based on needs; and evenly distributing pupils across the schools.

Questions 27 – 32: Proposals for Post 16 Funding Support

78 Question 27 asked respondents whether they agreed or disagreed with the roll out of a fair pricing model to all Post 16 providers. Over two thirds of respondents either strongly agreed or agreed to this proposal (see Diagram 13 below).

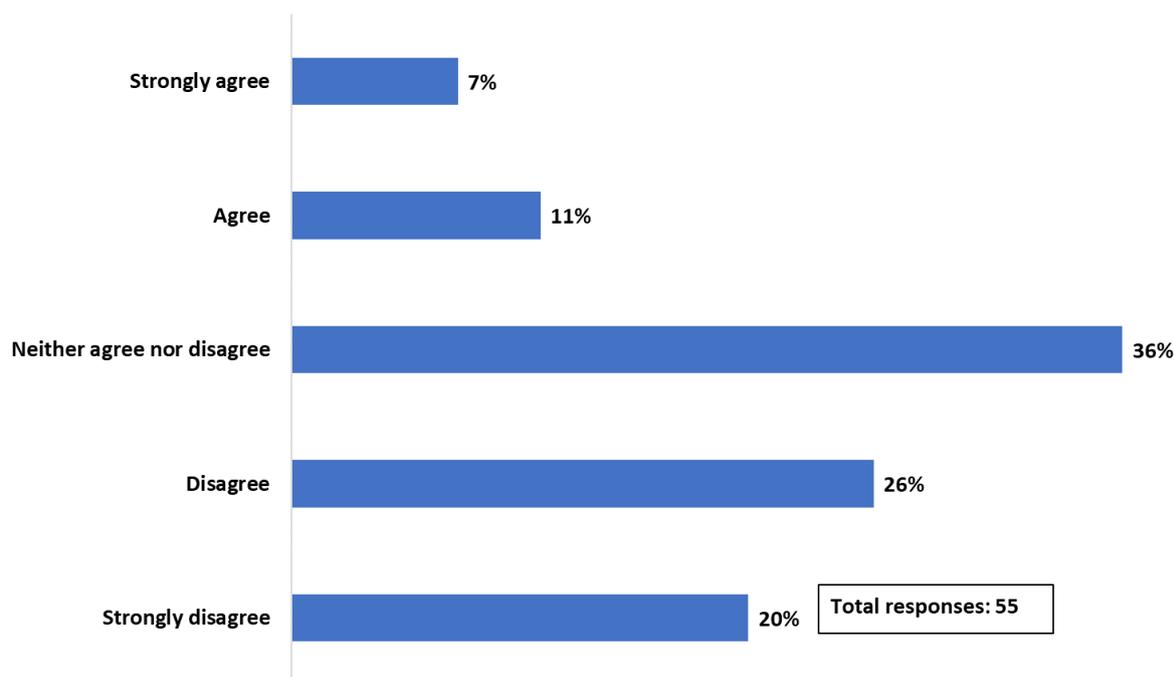
Diagram 13: Question 27 - Do you agree or disagree with the roll out of a fair pricing model to all Post 16 providers?



79 Question 28 enquired into the impact that the above proposal may have on the respondent, their child or organisation. A total of 45 comments were received in response to this question, from which the following themes emerged:

- i. Positive and agree about the pricing model (14 related comments were received)
 - ii. Concerns over support with a 3-day week (9 related comments were received)
 - iii. Clarification is needed around the pricing model (6 related comments were received)
 - iv. The proposal needs to be developed further (5 related comments were received)
- 80 Other comments received in response to this question centred on a requirement for the model to be based on the child's needs. A small number of respondents felt that the proposal would have a negative impact, while the same number felt that there would be very little or no impact. (See Table 28, Appendix B).
- 81 Question 29 asked those respondents that disagreed with the proposal to provide any alternative suggestions. A total of 7 comments were received in answer to this question relating to the following common themes:
 - i. Need to consider the child's individual needs (3 related comments received)
 - ii. Need to consider levels of funding for different needs (2 related comments received)
 - iii. Consider a 5-day funding model (1 related comment received)
 - iv. Provide additional equipment and software to support needs (1 related comment received)
- 82 Question 30 asked if the respondent agreed or disagreed with the typical offer of provision being three days for a period of two years in the Post 16 sector. Diagram 14 shows that only 18% of respondents agreed to this offer of provision and almost half of the respondents (47%) either disagreed or strongly disagreed with it.

Diagram 14: Question 30 - Do you agree or disagree with the typical offer of provision being three days for a period of two years in the post-16 sector?



83 In response to question 31, 45 comments were received, based mainly around the following key themes:

- i. The proposed offer of provision would be restricting (15 related comments were received)
- ii. There would be no / very little impact (9 related comments were received)
- iii. Support should be based on the child's needs (8 related comments were received)

84 Other comments received suggested that the offer of provision: could lead to less pressure for the student and provide more time for the young person to engage in other activities; and help to ensure improved financial planning and consistency across the sector. Meanwhile, two respondents felt that the 3-day offer would discriminate against SEN children and perceived that the proposal could be against the law.

85 Question 31 asked those respondents that disagreed with the proposal to provide any alternative suggestions. In answer to this question, a total of 32 comments were received from which the following key messages emerged:

- i. The proposed offer of provision would be restrictive (9 related comments received)

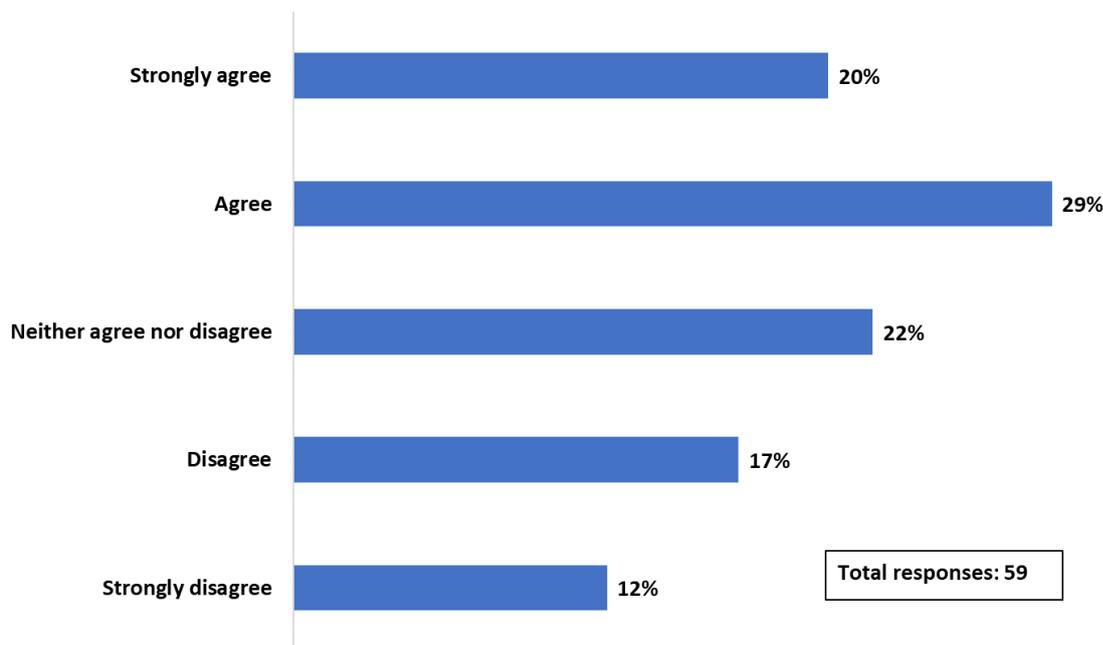
- ii. Increase the length of time / days they can attend (6 related comments were received)

86 Other comments that were received included: a need to distinguish between Post 16 and Further Education; that pupils are entitled to a full-time education; and provision should provide clear pathways and assessments for progression (see Table 32, Appendix B).

Questions 33 – 38: Proposal to review financial support through local partnerships of schools: Communities of Learning (CoLs) and Behaviour Panels (BPs)

87 It can be seen from Diagram 15 that just less than half of respondents (49%) either strongly agreed or agreed with the proposal that CoLs and BPs should be required to develop a business plan before the money they require is allocated. Meanwhile 29 % disagreed or strongly disagreed with this proposal.

Diagram 15: Question 33 - Do you agree or disagree that behaviour panels and communities of learning should be required to develop a business plan before the money they require is allocated?



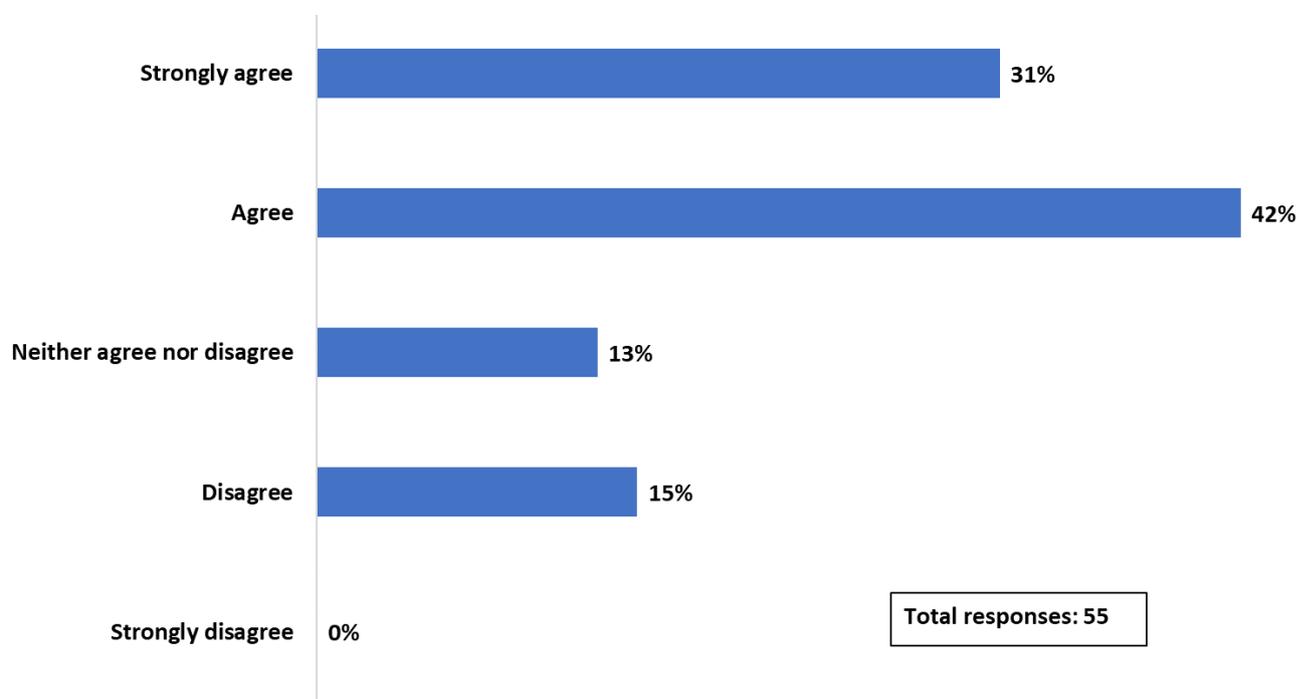
88 Question 34 enquired into the impact that the above proposal may have on the respondent, their child or organisation. A total of 48 comments were received in answer to this question, from which the following key messages emerged:

- i. It would increase teacher workload / paperwork (9 related comments were received)

- ii. It would ensure targeted support funding (5 related comments were received)
 - iii. It would mean the money is spent effectively (4 related comments were received)
 - iv. Remove CoL funding and instead invest in schools (4 related comments were received)
 - v. It would make the process clearer (3 related comments were received)
 - vi. Provides help and support according to need (3 related comments were received)
- 89 Other responses to this question related to concerns over: children potentially missing vital support as a result of the proposal; the system being too complex; and possible delays in provision. A small number of respondents suggested that: support should be made available for panel chairs to develop the plan; and a need for governance / accountability structures to be in place to ensure cost effective use of spend (see Table 34, Appendix B).
- 90 Question 35 asked those respondents that disagreed with the proposal to provide any alternative suggestions. 22 comments were received from which the following most common messages emerged:
- i. Process would be too time consuming (3 related comments received)
 - ii. Reduce paperwork (2 related comments were received)
 - iii. Reduce funding for CoLs (2 related comments were received)
 - iv. Consider the individual child's needs (2 related comments were received)
- 91 Other feedback received included the following suggestions: allocate money directly to schools; require schools to complete an annual review; trust the CoLs to develop plans and support children; use funding to increase inclusion in mainstream schools; provide support for panel chairs to develop a plan; make mainstream schools accountable for reducing exclusions; schools to work together to seek solutions to issues; and train staff to ask questions as to why pupils are not attending school (see Table 35, Appendix B).
- 92 With reference to question 36 and Diagram 16 below, the majority (73%) of respondents either strongly agreed or agreed to the proposal

that BPs and CoLs should be required to report on the impact of the funding on children and young people.

Diagram 16: Question 36 - Do you agree or disagree that behaviour panels and communities of learning should be required to report on the impact of the funding on children and young people?



93 When asked about the impact that the above proposal may have on the respondent, their child or organisation (question 37), a total of 44 comments were received, from which the following key messages emerged:

- i. Would result in accountability (8 related comments were received)
- ii. Time and money implications in the extra reporting (8 related comments were received)
- iii. Would provide evidence of impact (7 related comments were received)

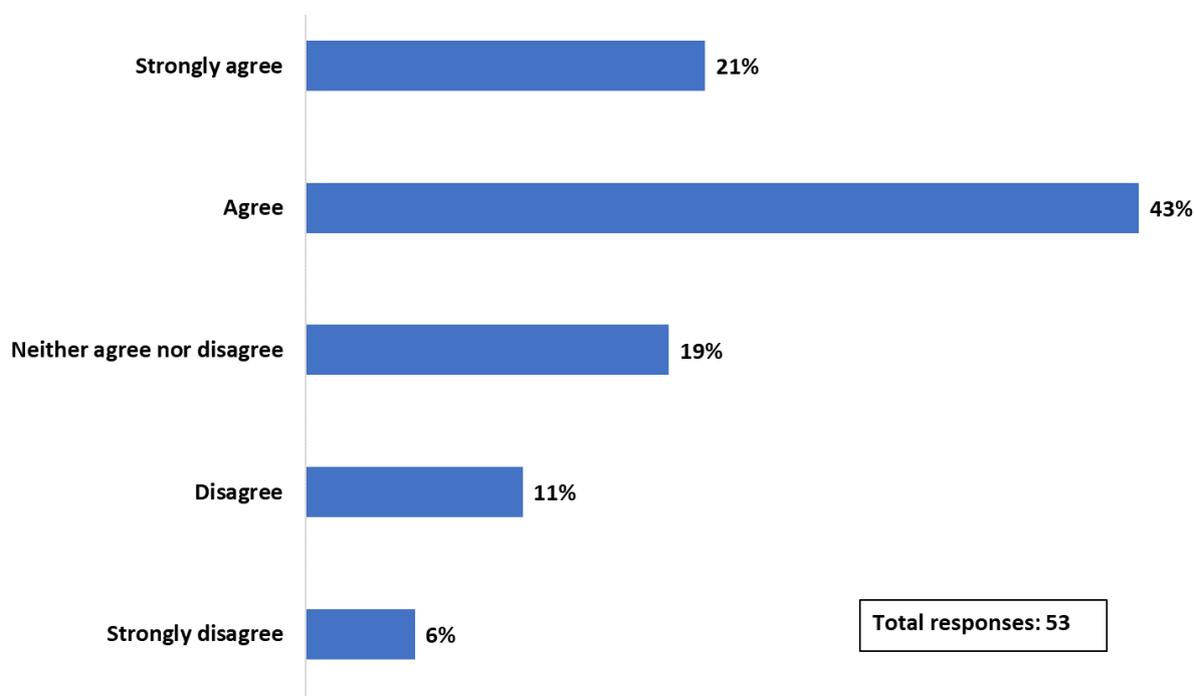
94 Other comments received on the perceived impacts were positive and included: increased visibility of spending; ensuring the right provision; ensuring better managed support; ensuring CoLs report on their impact; improved quality of alternative provision; good practice would be supported; need to ensure correct training in school for staff; and would ensure value for money. A small number of responses were negative to include: it would be hard to report on the impact; and children will not get the help that they need (see Table 37, Appendix B).

95 Where respondents disagreed with the proposals, question 38 invited any alternative suggestions on how to ensure value for money. The 9 responses included: review attendance records; use methods to gauge child's happiness / feeling of support; approach the Secretary of State for more funding; reduce management posts; do not employ panels; talk to parents and children; and discontinue the CoLs.

Questions 39 – 44: Proposals for the Pupil Referral Unit (PRU) and Alternative Provision

96 In response to question 39, almost two thirds of respondents (64%) either strongly agreed or agreed with the proposal to devolve more resources for permanently excluded pupils to locality-based panels (see Diagram 17 below).

Diagram 17: Question 39 - Do you agree or disagree with the proposal to provide more resources to the behaviour panels?



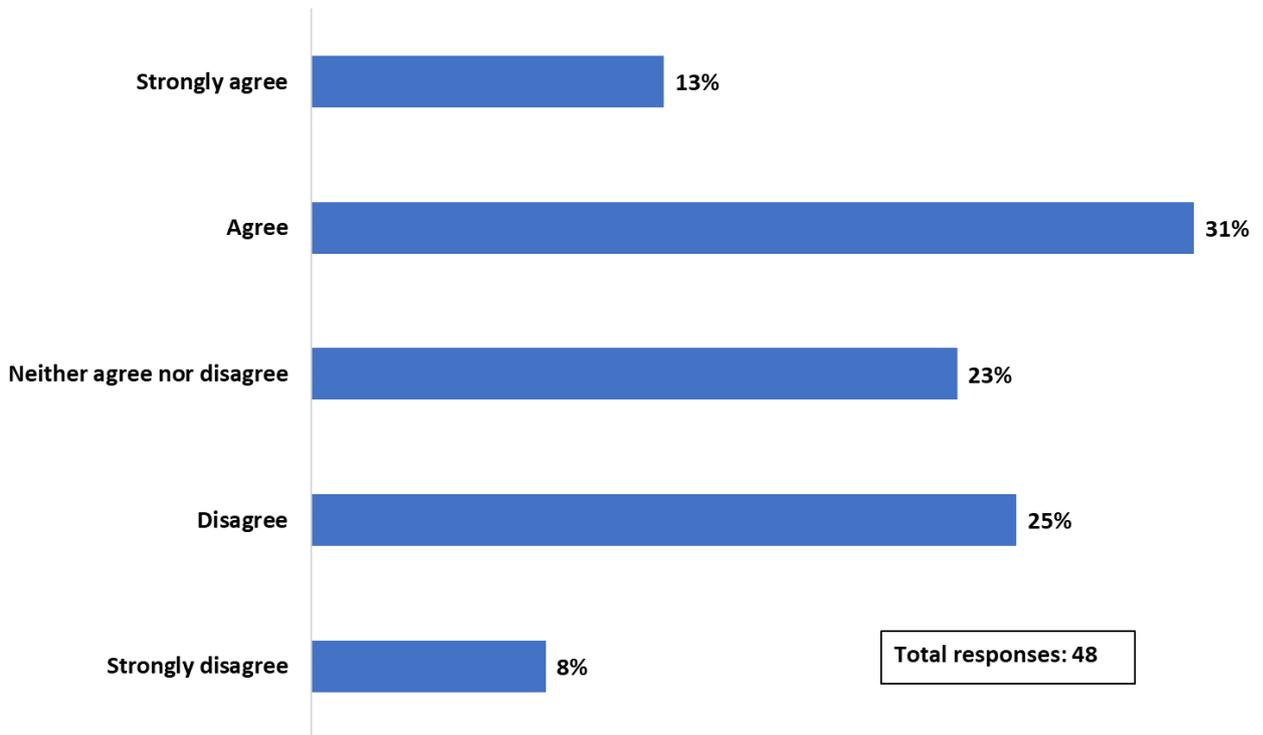
97 When asked about the impact that the above proposal may have on the respondent, their child or organisation (question 40), a total of 36 comments were received, from which the following key messages emerged:

- i. Early support is essential / need to provide earlier holistic support (7 related comments received)
- ii. Agree with the proposal (3 related comments received)

- iii. Allow the child to remain in mainstream education longer (3 related comments received)
- 98 Other responses referred to a need to: support young people rather than isolate / exclude them; provide pastoral support; invest more in the PRU; collaborate with social care and mental health services as a priority; allow children to transition back into mainstream education; and prevent the use of the PRU as a 'stop gap' for children with SEN (see also Table 40, Appendix B).
- 99 Question 41 asked those respondents that disagreed with the proposal to provide any alternative suggestions. 7 responses were received to include (see also Table 41, Appendix B):
- i. Make representation to the Secretary of State for an increase in funding
 - ii. Do not change the system unless it is better for the child
 - iii. Fundraise with schools
 - iv. Pool of funding to support schools in short term e.g. supply staff
 - v. Not sure if will affect the number of exclusions
 - vi. More permanent alternative provision is needed
 - vii. Centrally fund places through the local authority not the Behaviour Panels

100 In response to question 42, over one third of respondents (44%) either strongly agreed or agreed to the proposal to reintegrate more permanently excluded children and young people into schools, while one third of respondents (33%) disagreed with the proposal (See Diagram 18 below).

Diagram 18: Question 42 - Do you agree or disagree with the proposal to reintegrate more permanently excluded children and young people into schools?



101 When asked about the impact that the above proposal may have on the respondent, their child or organisation (question 43), a total of 34 comments were received, from which the following key messages emerged:

- i. Depends on the situation/needs careful consideration on a case by case basis (4 related comments were received)
- ii. Schools need to have support (including financial) in place to reduce disruption to other children (3 related comments were received)
- iii. Agree with the proposal, providing the child has the right support based on child's needs, and a designated support staff member (3 related comments received)
- iv. Schools should not be put under pressure to re-integrate a child (2 related comments received)

- v. Every child should be given opportunity to attend mainstream school (2 related comments received)
 - vi. Excluded children are normally disruptive to other children (2 related comments were received)
 - vii. The sooner pupils are found a permanent school the easier it will be to integrate them (2 related comments were received)
- 102 A range of other comments are presented in Table 43, Appendix B. Positive responses included: agree with proposals, provided that all stakeholders agree; exclusion and / or alternative provision should be the last resort; and reintegrate years 7 and 8 in smaller local settings. Negative comments included: children who are already struggling will be left to struggle further; mainstream schools are not always equipped to provide the right support; it would be detrimental to the service that schools provide to children; spreads disruption and danger; puts pressure on other pupils and staff; and the proposal undermines the rights of a headteacher to exclude.
- 103 Question 44 asked those respondents that disagreed with the above proposal to provide any alternative suggestions. In response, 13 individual comments were received (see Table 44, Appendix B), to include:
- i. This is not always the answer, it depends on the individual case
 - ii. Separate smaller class sizes
 - iii. Provide support and funding for home schooling
 - iv. Only reintegrate child when they have a formal behaviour diagnosis
 - v. Need a radical improvement in support within mainstream schools
 - vi. Make a representation to Secretary of State for further funding
 - vii. Maintain and expand current provision
 - viii. Greater liaison between schools and PRU
 - ix. Does not address issues facing vulnerable children

Feedback from Focus Groups and Stakeholder Meetings

Chairs of Communities of Learning (CoL) Meeting, 30 September 2019

- 104 Fifteen CoLs exist in County Durham and are funded from the HNB budget to develop support and provision to meet the needs of children and young people with SEND. Funding is used to enable children's needs to be assessed, focused plans and support to be put in place, and to run intervention programmes and train school staff.
- 105 At their meeting held on 30 September 2019, Chairs of each CoL partnership received a presentation on the consultation proposals for HNB funding for SEND and inclusion Support. Subsequently the Chairs discussed the proposals and provided feedback on the proposals that is summarised below.

Proposals for Top up Funding

- 106 Overall the group agreed with the proposals to change the Top Up Funding system and agreed that the system needs clarity, consistency and transparency. The Chairs conveyed that more accountability is required in order to identify the impact of the funding. All Chairs agreed that this should be supported by a robust quality assurance process. Some noted that the paperwork for applying for this funding often gets more focus than the needs of the child.
- 107 The group also noted the waiting times for the current Top up Funding process as being too long and that this can have a detrimental impact on the child.
- 108 It was expressed that where there are complex cohorts of pupils, and it was suggested that cohort-led Top-up Funding would be a good use of resources.

Proposals for Communities of Learning (CoLs)

- 109 Overall the group agreed with the proposals that COLs and BPs should be accountable.
- 110 It was also agreed that there is a role for CoLs and BPs to stimulate innovative practice and that they have an important early intervention role.

Proposals for Centrally Managed Services

- 111 Discussion turned to some of the services provided within this area and the groups questioned if there was enough capacity. Some individuals spoke of the difficulty in accessing these services.
- 112 Some groups felt there was a need to target services to individuals with more acute needs.

Proposals for Special Schools

- 113 Overall, the group agreed with the proposals to extend the range of specialist provision in the County and agreed that in-county provision needs to be as good as out of County provision. It was recognised that there is a gap between mainstream and specialist provision.
- 114 Some of the group conveyed that there was limited availability and options for primary places in special schools and without enhanced provision, primary schools struggle to meet the needs of pupils with SEND. The group emphasised that schools should be upskilled to support SEMH issues.

Proposals for Joint Commissioning of Services

- 115 Overall, the group agreed to supporting the proposals for commissioning of services for both integrated therapies and equipment.
- 116 Some noted that a lot of these services are being privately sought and paid for by schools or delivered by schools.
- 117 Discussions around recycling of equipment took place and all attendees confirmed that they believed this proposal to be a good idea.

Durham Schools Forum Meeting, 25 September 2019

- 118 Thirty-three members of the Durham Schools Forum attended this meeting, where they received a presentation on the consultation proposals. Forum members subsequently discussed the proposals in small focus groups and provided feedback, which is summarised below.

Do you agree or disagree with the Council's beliefs and commitments?

- 119 One group noted that they agreed with the first statement (see paragraph 23) noting the potential conflict that can arise between parental choice and the needs of the child.

- 120 Another group noted confidence was growing from seeing a plan where savings can be made whilst still meeting the requirements set out by the SEND Code of Practice.
- 121 Some participants mentioned a feeling of “groundhog-day” in respect of the consultation. One member inferred that the outcomes of previous consultations had been ignored and it was perceived that the Council’s Cabinet would not act upon the views of the schools and the Durham Schools Forum.
- 122 One group felt that the beliefs are worded in such a way that no one could disagree with.
- 123 One group suggested adding in “To ‘collectively’ support...” to emphasise partnership working and a collective approach.
- 124 The group also suggested adding: “within County Durham” to emphasise that the approach would, in the first instance, be to make every effort to use in-county resources primarily, before going out of the county to seek and secure appropriate provision.

Proposals for Joint Commissioning of Services

- 125 Overall, the groups welcomed more joined-up working between schools and health professionals, however they also requested that clarity be provided around the process for a recommendation of needs. The groups cited inconsistencies in schools where they make recommendations for items, including for example, for pupils with hearing impairments.
- 126 It was also noted that due to the slow speed of access to, costs of, and waiting lists for cognitive learning / sensory support services, schools are purchasing more comprehensive and more timely support from private/external providers.

Proposal for Special Schools Provision

- 127 Some groups agreed with the proposal for special school provision and one group noted the need to consider enhancing specialist provision in mainstream schools.
- 128 Some participants stated they understand that some parents are choosing to go out of the county as they believe County Durham’s provision does not provide the suitable placements they need, and/or they do not understand that needs can be met within mainstream schools.

- 129 It was noted that a strong focus should be given to the transition between primary and secondary schools for children with SEND.
- 130 It was perceived that funding reductions were being proposed for special schools, and some participants believed that these savings could be met through improved targeting, to avoid paying for empty places.
- 131 One group enquired as to whether special schools could accommodate more people for the same funding and be asked to look at value for money. The group conveyed that special schools should be made to look at how they meet their quotas. It was suggested that funding should be reduced where vacant places were not filled. One group suggested that special schools with accumulated reserves could proportion them out. The question as to whether this would be possible was also raised.

Proposal for Top-Up and Targeted Funding Support

- 132 Some groups felt that the application process currently in place for Top up Funding is ineffective.
- 133 Some groups suggested providing more finances to the primary sector to provide early intervention and help mitigate issues arising later in secondary schools.
- 134 Some groups suggested considering training around SEN in schools to reduce the requirement for Top-up Funding. It was felt that this should be based on best practice for SEND provision, shared across all schools.
- 135 One group noted that Top up Funding and targeted funding are very similar types of funding and queried whether they could be combined to provide clarity and reduce confusion.
- 136 One group noted that where schools can't offer suitable support for children with SEND, they often discourage families from sending their child there, rather than using Top up Funding. It was suggested that the availability of the Top up Funding needs to be more visible to parents so that they understand what schools can do. It was acknowledged that there is now a SEND Parents Toolkit which can help to provide information and advice.

Proposal for Pupil Referral Unit (PRU) and Alternative Provision

- 137 The groups noted that the PRU is oversubscribed, and most pupils on roll are attending alternative provision, which was perceived by some members to be "often very good". However, some groups generally

acknowledged that the outcomes for pupils need to improve. Concerns were raised over lack of quality assurance for independent providers.

The groups agreed a need for an increase in the number of pupils who are reintegrated into schools from the PRU. It was suggested that schools “need to change too” when receiving these pupils back to avoid further exclusions.

CYPS Overview and Scrutiny Committee Meeting, 26 September 2019

- 138 On 26 September 2019, Durham County Council’s CYPS Overview and Scrutiny Committee received a report and presentation on the consultation, from the Council’s Head of Early Help, Inclusion and Vulnerable Children. Members of the committee raised questions and received answers to their questions about the consultation during the committee meeting. CYPS Overview and Scrutiny Committee also provided the below written response to the consultation following the meeting:
- 139 “The Children and Young People’s Overview and Scrutiny Committee welcome the opportunity to respond to the consultation as they welcome ways to improve services.
- 140 Members of the committee received a presentation outlining the aim of the consultation, the proposal and the areas of consultation. Comments made by members at the meeting have formed the committee response below.
- 141 Children and Young People’s Overview and Scrutiny agreed the importance of ensuring that we provide the right support at the right time, in the right place in a sustainable and affordable way to children and young people with special educational needs and disabilities.
- 142 Members indicated that an announcement by the Government for additional funding for children with special educational needs would be welcomed as it would reduce the costs and ease pressures, but at this stage it is only an announcement and not a settlement and therefore cannot be relied upon.
- 143 Members indicated that there is a bond of trust between children, young people, their families and carers with the department that delivers the service and it is important that the voice of the child is retained within the services delivered.
- 144 Members indicated that currently the Top up Funding process was very stressful and would benefit from a smoother process”.

Parents and Carers Focus Groups, 10 September – 17 October 2019

145 Consultation on the proposals took place via focus groups held with members of the following parent and carer support groups:

- **Little Treasures** - a volunteer run charity who support autistic adults and children right across the North East. Two focus groups were held on: 10 September 2019 at the Oakes Leisure Centre, Peterlee; and on 20 September 2019 at Lanchester Community Centre.
- **The Rollercoaster Group** - a support group for parents/carers who are looking after a child or young person with any kind of emotional or mental health problem. A focus group session was held with members of this group on 2 October 2019 at The Riverside, Chester-Le-Street.
- **Making Changes Together (MCT)** - a group of parent carer volunteers from County Durham who represent the interests of parents and carers of children and young people with SEND in County Durham. They work in partnership with the Council and health and other organisations (locally, regionally and nationally) to influence service provision and highlight the issues and needs of the families they represent. A focus group was conducted with MCT at Lee House, Peterlee on 17 October 2019.

146 The feedback received from all five groups is summarised below.

Proposals for Top up Funding

147 Overall, the groups supported the introduction of banding levels for Top up Funding and welcomed a review to provide clearer guidance and funding accountability for all settings. Some parents/carers highlighted their struggle to navigate the system and therefore need to rely on staff in schools for advice on the funding available. However, they stated that they often felt let down by the support and knowledge of some staff. They would therefore welcome increased training for both school staff and parents.

148 There was a very strong request from all groups to be involved in the development process for this proposal should it be implemented, and to ensure schools review support plans with parents and inform them of the impact of the money that has been spent on their child. Parents strongly felt that improved communication was needed between schools, parents and professionals.

- 149 Some parents felt that the Council needed to take on more of an active role in assessing the quality of reviews of Educational Health Care Plans (EHCPs).

Proposals for Special schools

- 150 A lot of support emerged from each group for providing specialist support in mainstream schools, particularly to ensure children remain within their local community and to be closer to home and to their peers. Some parents welcomed increased provision of specialist units attached to mainstream schools to help ensure children and young people remain in mainstream provision.
- 151 Some parents referred to what they considered to be good practice models in some mainstream schools and noted an opportunity for sharing this knowledge and experience with other mainstream schools, as it is believed to be very successful.
- 152 It was highlighted that there is not enough specialist provision in secondary schools, especially in respect of the sensory environment and the need to accommodate children and young people with sensory processing needs. The subject of sensory support was also raised as an issue by other parents as being an area for improvement in all schools, complemented by appropriate sensory training for teaching staff.
- 153 Some parents felt that a review should be carried out of special school provision to assess what is lacking in the current specialist provision.
- 154 Some parents would welcome a curriculum that prepares children for adulthood earlier than is currently being delivered.

Proposals for Joint Commissioning of services: Integrated therapies

- 155 Overall the groups support the proposals for combining services and integrating them into schools. Some parents were able to identify where integrated therapies were being delivered well in some special schools and would welcome sharing the learning from this approach with other schools.
- 156 Parents welcomed the opportunity for increased communication between parents/carers and professionals.

Proposals for Joint Commissioning of Services: Equipment, auxiliary aids and adaptations (EAAA)

- 157 Overall the groups supported the proposals for joint commissioning of EAAA.
- 158 Some parents proposed an idea for the local authority's libraries to provide a service for shared equipment.

Proposals for Pupil Referral Unit (PRU) and Alternative Provision

- 159 Parents felt that providing more training for staff in schools would save money and prevent children from going to the PRU if teachers had more awareness and knowledge of the child's behaviours and needs.
- 160 The groups agreed that exclusion of children needs to stop as it has an impact on parent and sibling mental health. It was agreed that a family approach is needed.
- 161 The groups expressed that there should be an opportunity for SEN and mainstream schools to share best practice.

Proposals for Communities of Learning (CoLs) and Behaviour Partnerships (BPs)

- 162 Overall, all groups agreed with the proposals to ask COLs and BPs for business cases to show the expected impact.
- 163 Some parents suggested that the business planning aspect also involved parental engagement.

Other areas discussed:

- 164 Parents expressed a view that a review of home to school transport costs should be conducted as there are potential inconsistencies with pricing and some parents felt it was an area that could create savings.
- 165 The groups also suggested that instead of giving money to taxi firms to pay for transport, money should be given to the families to allow them to organise their own transport.
- 166 Parents and carers also felt that more awareness is needed around summer born babies. Participants suggested that teachers should have more training to identify if a child can be deferred by a school year.
- 167 Ideas were also discussed around providing community funding for short breaks for families living in areas that no longer receive this service.

The Extreme Group, 14 September 2019

168 A focus group session was also conducted with the Extreme group involving seven young people with SEND. This organisation provides a representative voice for children and young people with SEND living in County Durham. Facilitated by Investing in Children, the group work together to share their views and to identify how services can make positive changes based on the experiences of children and young people with SEND. The consultation session was held on 14 September 2019 at the Sjovoll Centre, Pity Me, Durham. Discussion held with this group of young people focussed upon the questions which are set out below alongside the responses received.

What things are most important to young people in County Durham? What have been your experiences of schools/colleges?

169 The group felt that the following things are most important to young people in County Durham:

- Provide support where it is needed
- More teaching assistants. The group noted that some young people need one-to-one support and there aren't enough teaching assistants to cope with their needs and support other students too.
- Supporting children with autism or other disabilities – the group felt that this could be achieved through a better understanding of young people's needs.

170 The group expressed their view that teachers sometimes are not able to spot the needs of a young person. An example from the group cited a community special school which has a class for Autism that could not be accessed without a diagnosis of autism. Staff were not able to identify this need, which leads to young people missing out on care and support.

171 Young people experience some staff being unaware of personal needs and limitations. This was exemplified in the following experience: "Staff used to shout at me for not being able to dress myself. I need support due to my condition to get dressed".

172 The group noted that bullying isn't addressed by staff.

What do you like about school/college?

173 In response to this question, the following responses were received:

- School and college – the friendships.

- Some of the teaching staff, good members of staff make a big difference.
- I like isolation. I would choose it because I can escape from being around too many people.

What has been really helpful for young people with SEND?

174 Responses to this question included:

- “A teacher / support assistant understanding how to support young people and their SEND needs. There needs to be a better understanding in schools/college as they will not support without a statement.”
- “College friendships have been encouraged by staff.”
- “If lessons were spread out a little more for me, I would find that helpful because I need extra time because of my condition. I need support with spelling etc. which takes me more time than I have between lessons”.
- “More understanding of the reasons why I am behaving this way is needed, staff don’t understand that I act this way because of my condition”.
- “Smaller class sizes would be helpful for me, I struggle when there are too many people in my class”.
- “Better explanation of tasks too, sometimes I can’t understand instructions if they aren’t clear”.

175 Other responses included: the need for a greater focus on encouraging the development of life skills and independence; and a need for a better understanding of individual abilities .

What would I change first?

176 The group identified the following priorities for change:

- Provide schools for students who are between mainstream and special education.
- Address bullying that targets children and young people with SEND and illness.
- Increase the understanding of teachers and students.

Special School Headteachers Meeting, 16 October 2019

- 177 Headteachers of 7 special schools in County Durham were presented with information on the consultation at their meeting held 16 October 2019. Discussion subsequently took place and the following feedback was obtained.
- 178 The headteachers raised concerns that vocational, health and social care services have “gone over night”. It was noted that more children are surviving at 24 weeks of age with a high complexity of needs, and these children have now reached school age. Anxiety and mental health issues are increasing, more pupils are being diagnosed with autism, and parent’s expectations have changed. Once their child has been diagnosed, it was felt that there is a belief amongst parents that they can be “cured”. It was agreed that this context is creating a much more complex picture.
- 179 In addition, the headteachers noted that the NHS is no longer providing speech, Occupational Therapy or other services and community services are unable to provide the training that they used to.
- 180 The group expressed a view that it is falling more and more on to the schools to buy-in or provide, through staff training, these services. All of which are costs that are coming from the education budget. It was noted by the group that they experience Children and Adults Mental Health Services (CAMHS) in crisis with a minimum 4 month waiting list in County Durham, resulting in no report from the one service holding all the information.
- 181 Concerns were expressed by the group about the consultation and whether it has gone to right people. It was felt that some parents the schools work with don't tend to get involved in focus groups, won't respond to schools, let alone a consultation call. The headteachers also expressed a view that the consultation is based on facts and figures from the financial statements (which are often wrong) and with a lack of understanding of the reasons behind the figures.
- 182 The group discussed planning and placement. It was acknowledged that schools appear to have under used spaces, but for example if there are only spaces in years 7 & 8, they can't use these spaces to accommodate a year 11 pupil. It was also expressed by the headteachers that special schools cannot decide not to run a year - schools need to staff all years, whether they are full or not. The special schools require an operating capacity that covers all years.
- 183 The group discussed concerns in respect of young people being admitted to the PRU and then leaving the PRU with an EHCP, that

requires a special school place. The group noted that EHCPs serve to meet an educational need and should not be used to fill a gap in provision. The group repeatedly expressed that a child should not be at special school if they are a danger to the school or themselves. The headteachers agreed that they don't feel they are being listened to in this regard. The group noted that they are finding that often parents had had to fight to get their child into a school and are not prepared to allow their child to go elsewhere even if it's no longer the right place for them.

- 184 In relation to CoLs, the group felt that special schools need their own CoL as currently there is no short-term crisis support offer for them. The group expressed that they had the finances taken away from them, to fund a purely advisory partnership. They considered it had become more a "monetary partnership".
- 185 The group suggested that consideration be given to special schools offering training and advice for special needs, to mainstream schools. It was noted that there is currently a gap in specialist knowledge, and mainstream schools are poaching employees from the specialist schools.
- 186 The group agreed that the priority should be about meeting children's needs, not stripping the money out of the sector. The group also agreed that a current lag in funding / budget setting information is currently affecting a school's ability to provide for children and there are no staff to meet any extra needs. The group recommended that consideration be given to how to fund schools at a base rate that will give assurance for staffing levels.

Analysis and Implications

- 187 The results of the consultation illustrate that the majority of the respondents support all but one of the proposals (relating to a 3-day week Post 16 provision) for making changes to SEND and inclusion support funding.
- 188 The information contained within this report has informed the recommendations within a wider report on "HNB Funding for SEND and Inclusion support" scheduled to be considered by Cabinet on 15 January 2019. The common messages, ideas and suggestions received through the consultation will also be used by the SEND and Inclusion Board to shape, plan and deliver the programme of work that is required to ensure our services meet the needs of our children and young people within the resources available. Analysis of the consultation findings, and the implications for each proposed area of work are summarised below.

Commitments

- 189 The majority of respondents agreed with the proposed commitments set out by the Council (paragraph 23). Many cited the importance of an inclusive education system that: allows children to be educated locally, caters for their needs in school; parents have confidence in; promotes collaborative working between professionals; provides training and opportunities for early screening and intervention; and ensures value for money assessed through evidence of need and impact. In addition, young people with SEND emphasised the importance of having their needs understood and met within school, and for a better understanding of behaviours and needs amongst teachers and other students.
- 190 In view of the consultation feedback, it is recommended that the commitments set out at paragraph 23 are adopted by the Council, subject to incorporating the suggested adjustments presented in paragraphs 123 and 124 of this report.

Centrally Managed Services

- 191 Most respondents agreed with the proposals for continuing to provide Centrally Managed Services and conducting extensive reviews to ensure value for money and a reduction in costs. Many respondents perceived Centrally Managed Services to be meeting the broadening needs of children and young people, while others mentioned the difficulty in accessing services and resource capacity issues. Some respondents suggested that these services should be targeting those with the most acute needs. Respondents overall agreed that Centrally Managed Services should be closely managed, monitored and quality controlled to ensure continuous improvement and efficiency savings are achieved wherever possible.
- 192 It is recommended that the proposals for continuing to provide Centrally Managed Services and conducting extensive service reviews are implemented.

Special Schools

- 193 Most respondents were in favour of the proposed changes to special schools, to include increasing provision to meet children's needs locally in special schools. Some respondents noted a lack of options offered for primary children in special schools. Opportunities to increase provision and upskill staff in SEMH in mainstream schools was noted, while maintaining special schools' provision was also felt to be important. Overall there is support for provision that is close to home and for providing a high-quality alternative to costly out of county service provision. Parents and carers felt strongly that more specialist provision in mainstream schools would help ensure children remain within their

community to be closer to home and to their peers. Young people with SEND suggested that schools that are somewhere between mainstream and special education should be provided.

- 194 Concerns were raised through the consultation by special schools headteachers over children receiving EHCPs while attending the PRU, suggesting that special education was being used as a stop gap. Other issues raised included a lag in funding/budget setting with the Council, which is affecting the schools' ability to provide for children. It was suggested that consideration be given to funding schools at a base rate to provide assurance of staffing levels.
- 195 In view of the above, it is recommended that the Council continues to work with headteachers of special schools to extend the range of specialist places offered in County Durham so that children can access services locally. This should enhance the offer provided by special schools to ensure that there is the capacity to meet current and future needs of children and young people with SEND. As part of this review, attention should be given to budget setting issues, and the issue of EHCPs being issued for children attending the PRU. Investigation into the possibility of special schools providing training and advice to mainstream schools should also be considered. It is also recommended that consideration be given to enhanced provision in local schools.

Joint Commissioning of Services: Integrated Therapies

- 196 Most respondents agreed with the proposals to jointly commission children's therapies across County Durham and Darlington, through the Council working with schools and Clinical Commissioning Groups. Respondents were very positive about the proposed changes citing benefits to include the speeding up of service provision, improved access to services and a focus on understanding the child's needs.
- 197 It is recommended that the proposals for joint commissioning of integrated therapy services are implemented.

Joint Commissioning of Services: Equipment, Auxiliary Aids and Adaptations (EAAA)

- 198 Most respondents agreed to the proposals that additional funding is used to purchase specialist equipment (not normally available in school or other educational setting) to support children with significant needs; and that a new system is developed for storing and reusing equipment. Respondents felt that the proposals would: improve ease of access to equipment; increase the reuse, maintenance, monitoring and management of equipment; and help realise budget savings. It was noted that a lot of equipment was being privately sought and paid for by schools presently.

- 199 It is recommended that the proposals for joint commissioning of equipment, auxiliary aids and adaptations are implemented. It is also recommended that consideration be given to the suggestions contained within the consultation feedback to include: the use of libraries to share non specialist equipment, linking with charities to help provide equipment, and working with parents and carers to help select equipment.

Top up Funding Support

- 200 Most respondents agreed to the proposal to continue with Top up Funding to support children with special educational needs and disabilities. Some respondents emphasised the need for more training in schools, which could help to reduce the need to apply for Top up Funding. In addition, young people with SEND emphasised that having more trained staff in school and receiving support where and when it was needed was one of the most important aspects for them.
- 201 The majority of respondents agreed to the proposals for a banded system, many citing it should provide a clear, streamlined and fair approach, based on the child's needs, while allowing for the impact of measures to be assessed. While there were some concerns around the potential for a reduced focus on a child's individual needs, overall, it was felt that a banded system would help to ensure support is consistent and fair. Parents and carers responding to this consultation found it difficult to navigate the current system and do not receive enough advice and information from schools on the funding and support available. Parents and carers strongly felt that better communications are needed between the parents, schools, and other professionals and expressed a request to be involved in the development of the new system.
- 202 It is recommended that the proposal to develop in coproduction with parents and schools a clear and consistent banding system to help schools plan how to meet the needs of children before seeking Top up Funding, is implemented.
- 203 In addition, it is recommended that clear guidance be developed in coproduction to help people understand the new system and ensure support is provided based on the child's needs. It is also recommended, that parents/carers and schools are consulted in the development of the new system and schools are encouraged to involve parents/carers in completing Top up Funding applications for their child and reviewing the impact of funding on their child. Promotion of the Top up Funding system amongst parents and carers should also be conducted with signposting to the refreshed SEND Parents Toolkit and other appropriate guidance taking place.

Targeted Funding Support

- 204 A large majority of respondents agreed with the proposal to continue to support targeted funding. Most respondents also agreed that schools should be required to make an application for this funding, noting again that a clear, streamlined application process would have a positive impact for children. Some respondents raised concerns that the process would be complicated and could delay support. Others suggested that the system should be: developed in consultation with parents/carers and schools; be based on consultation and research; and funding should be biased towards primary schools to aid early intervention.
- 205 It is recommended that the above proposals for targeted funding be developed and implemented based on best practice research, in collaboration with a working group of parents/carers and schools, and reflecting the feedback outlined above.

Post 16 Funding Support

- 206 The majority of respondents agreed that there should be a fair pricing model in place for Post 16 providers. Further clarification of this model was requested by some respondents, and it was noted that the model should allow decisions to be based on the young person's needs.
- 207 Most respondents disagreed with the proposal to support a three-day per week provision for Post 16 education over two years. Respondents raised concerns that the model would be restrictive. Some noted that "all pupils are entitled to a full-time education" and that this should be supported by clear pathways and assessments for progression. Respondents were concerned that the proposal could discriminate against children and young people with special educational needs and / or disabilities and it could be against the law.
- 208 It is recommended that information on the pricing model be shared with stakeholders as appropriate, and the proposal to roll out of a fair pricing model to all Post 16 be implemented.
- 209 It is recommended that the proposal for a typical offer of provision being three-days per week over two years in the Post 16 sector should not be implemented, and other cost saving measures are explored.

Review of Financial Support Provided to Local Partnerships of Schools

- 210 The majority of respondents agreed with the continuation of the CoL and BP Panels and with the proposal that they should be required to produce a business plan as part of an application process for funding, and that they should be required to report on the impact of funding.

Respondents noted that the proposal would help to: target funding where it is most needed; ensure more effective and transparent use of money; and increased accountability. Parents and carers expressed a strong view that the business planning should involve more parental engagement.

- 211 It is recommended that proposals be further developed and implemented to include a robust and transparent governance structure for assessing funding applications and agreeing funding allocations, and for monitoring and conducting annual reviews of spend. It is also recommended that clear and timely guidance and support on the new system be made available to all CoL and BP Chairs. It is also recommended that consideration be given to ensuring and facilitating parental involvement in the business planning process.
- 212 In addition, it is recommended that consideration be given to the costs and benefits of establishing a CoL for special schools.

Pupil Referral Unit (PRU) and Alternative Provision

- 213 The majority of respondents agreed to the proposal to devolve more resources for permanently excluded pupils to locality-based panels. Consultation feedback indicated that early support provided by the panels was essential and the proposal would assist in allowing children to remain in mainstream education longer.
- 214 A small majority of the respondents agreed to the proposal to reintegrate more permanently excluded children and young people into schools. Respondents expressed that consideration should be given on a case-by-case basis and schools would need support in place to reduce any disruption to other children and that support should also be provided for the child based on their needs. Parents and carers noted that the provision of more training in mainstream schools may help prevent so many pupils going to the PRU, as teachers would have a better awareness and knowledge of the child's behaviours and needs.
- 215 It is recommended that the above proposals for the PRU and alternative provision be developed for implementation taking into account the comments and suggestions received throughout the consultation feedback received.

Equality Analysis

- 216 As the nine priority areas of the HNB sustainability programme affect 0-25 years old with SEND and their families, parents and carers there is potential impact for the protected characteristics of age, disability, sex and ethnicity.
- 217 Inclusive public consultation methods ensured that responses were heard from a wide range of stakeholders including easy read versions of documentation and specific focus groups for children and young people. Equality monitoring of consultation respondents evidences a broad consultation reach.
- 218 Regarding the public survey, there were 266 respondents, the majority (91%) of which were female and aged between 35 and 54 years (74%) and of white British origin (96%). Most respondents (59.4%) were parents or carers of a child or young person with SEND.
- 219 Survey respondents, who were a parent or carer of a child or young person with SEND, stated their age as: under 25 years: 2.1%, 26-34 years: 22.4%, 35-44 years: 44.2%, 45-54 years: 27.2%, 55-64 years: 3.4% and, 65-74 years: 0.7%
- 220 The age of the child or young person parents/carers who responded to the survey were looking after: under 5 years: 7.3%, 5-10 years: 49.3%, 11-15 years: 32.7%, 16-19 years: 10% and, 20-25 years: 0.7%
- 221 15% of survey respondents who were a parent or carer of a child or young person with SEND considered themselves to be a disabled person which is similar to disability levels within the general population for working age groups.
- 222 A full Equality Impact Assessment is attached to this report at Appendix D. Individual Equality Impact Assessments will be carried out for specific projects where necessary.

Conclusion

- 223 The report outlines the findings of a detailed public consultation on SEND and inclusion support funding, conducted with a wide range of stakeholders between 17 July – 17 October 2019.
- 224 The consultation proposals relate to nine key priority areas for review which aim to help ease funding pressures and make the HNB more sustainable, by ensuring funding is spent more effectively and efficiently, while seeking to improve services for children and young people with additional needs.

- 225 Analysis of the consultation responses has identified that the majority of consultees either agree or strongly agree with all but one of the proposals associated with these priority areas.
- 226 It is proposed that the nine key projects are further developed and implemented to reflect the supported proposals and the key messages conveyed by stakeholders through the consultation feedback, which emphasise the importance of: allowing all children to be educated locally; promoting collaborative working between professionals; closer collaboration and communication with parents and carers; providing more training and opportunities for early screening and intervention; ensuring value for money is assessed through evidence of need and impact; and promoting a better understanding of pupils' behaviours and needs amongst teachers, parents and other students. It is proposed that the unsupported proposal for three-day provision in the Post 16 sector is not taken forward at this time, and other opportunities for savings and improvements are explored.
- 227 The consultation findings outlined within this report will inform decision making on proposed changes to support funding for children and young people with SEND and inclusion needs. This Consultation Report is scheduled to be considered by Durham County Council's Cabinet as part of a wider report on "High Needs Block (HNB) funding for SEND and Inclusion Support on the 15 January 2020".
- 228 This Consultation Report will subsequently be updated to incorporate the decisions made by Cabinet and will be used to provide feedback on the consultation to stakeholders, to include consultees and partner organisations during Spring 2020.

Background papers

- Cabinet Report on High Needs Block Funding for SEND and Inclusion Support, 10 July 2019:
<https://democracy.durham.gov.uk/ieListDocuments.aspx?CIId=154&MIId=11264&Ver=4>
- Consultation on High Need Block Funding for SEND and Inclusion Support, 17 July – 17 October 2019:
<http://www.durham.gov.uk/consultation>

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Appendix A: Consultation Plan

Action	Date
Consultation Launch	17/09/19
Press Release	17/07/19
Launch of Web Page – Consultation Document, Video and Questionnaire	17/07/19
Communications	
A5 Posters in GP surgeries, other community venues	16/08/19
Publications	
Buzz magazine	27/09/19
Durham Voice	18/07/19
Easy Read Document	06/09/19
Social Media	
DCC Facebook and Twitter	19/07/19
Notifications	
All Schools	17/07/19
Post 16 Providers	17/07/19
Voluntary and Community Services	17/07/19
DCC Members	17/07/19
CYPS staff	17/07/19
Parent and Carer support groups	17/07/19
Alternative Providers	17/07/19
Pupil Referral Unit (PRU)	17/07/19
Chairs of School Governing Bodies	17/07/19
Extranet Article	17/07/19
Schools Forum Reference Group	17/07/19
SEND and Inclusion Resources Board	17/07/19
SENDCO Staff	17/07/19
SENDCO Newsletter	17/07/19
Independent Providers	17/07/19
Clinical Commissioning Groups	17/07/19
Presentations and Updates at Stakeholder Meetings	
Transformation CMT Group	14/08/19
Adults Management Team	15/08/19
SIRB	16/08/19
SEND Strategic Partnership	10/09/19
Durham Association of Primary Headteachers	12/09/19

Action	Date
Durham Association of Secondary Headteachers	14/10/19
Integrated Steering Group for Children	16/09/19
Durham Schools Forum Reference Group	17/09/19
COL Chairs meeting	30/09/19
CYPS Overview and Scrutiny Committee	26/09/19
Behaviour Panels Chairs' Meeting	03/10/19
SENDCO Primary, Secondary and Special Schools Networks (x 6)	08 – 18/10/19
Focus Groups and Workshops	
Durham Schools Forum - Workshop	25/09/19
Little Treasures - Focus Groups x2	10 & 20/09/19
Rollercoaster Group - Focus group	02/10/19
Extreme Group - Focus group	14/10/19
Special Schools Headteachers Meeting – Focus Group	16/10/19
Making Changes Together (MCT) - Focus group	17/10/19
Open Forum for All Schools	14/10/19
Consultation reminders	16/09/19
Letters to schools and parents/carers	12/09/19
Extranet Article Refresh - weekly	17/10/19
Close of Consultation	17/10/19

Appendix B: Questionnaire Results

Beliefs and Commitments

Question 1: Do you agree with our beliefs and our commitments?

Table 1. Responses to Question 1

	Frequency	Percent
Strongly agree	117	44.5%
Agree	75	28.5%
Neither agree nor disagree	27	10.3%
Disagree	23	8.7%
Strongly disagree	21	8.0%
Total	263	100.0%

Question 2: What impact do you feel this would have upon you, your child or your organisation?

Table 2. Responses to Question 2 grouped by theme

	Frequency
Funding cuts/underfunding have negative impact on services	49
Trained professionals (including teachers/teaching assistants) needed to support children in schools including with mental health	41
Support proposals	40
Inclusive education system	39
More funding needed to support children in school	37
Provision should meet the needs of all the young people that require it	31
Education provision in all schools for SEND	19
SEN schools should remain	17
Early intervention is key	11
Parents will still need to fight for funding	5
Improve delay in identifying appropriate provision needed	5
Fair system is needed for allocating provisions to all schools	5
Further detail needed on proposals	4
Consider impact on family too/education for family/carers to empower them	4
Clear banded system needed/value for money	3
Meet the needs of young people including those below the high level of need threshold	3
Not in favour of proposals/takes away choice	3
More collaborative working between professionals	2
Not enough support for Post 16 education	1
Allow children to be educated locally	1
Total	320

Question 3: If you disagree or strongly disagree do you have any further proposals that will improve high needs provision and bring about the necessary savings to make our funding sustainable?

Table 3. Responses to Question 3 grouped by theme

	Frequency
More funding is needed/apply for funding to central Government	18
Value for money of provision, assess against individual need/impact	11
Training on SEND for staff in schools and parents/volunteers	11
Early screening and intervention of children to identify any additional needs	9
Make cuts elsewhere	8
Inclusive schools local to the child	4
More information required	3
Streamline services so parents deal with fewer providers	3
Remove red tape to accessing SEND provision	2
Support proposals	2
Hold schools accountable	2
More provision for post-16/engagement with young person who is transitioning into education	2
Better quality assurance on processes for funding	2
Audit provider costs	1
Reduce transport costs	1
Divide funding locally, allocated through a board	1
Set up SEND schools	1
Total	81

Proposals for Centrally Managed Services

Question 4: Do you agree or disagree with the proposed approach of maintaining Centrally Managed Services?

Table 4. Responses to Question 4

	Frequency	Percent
Strongly agree	30	37.0%
Agree	23	28.4%
Neither agree nor disagree	11	13.6%
Disagree	10	12.3%
Strongly disagree	7	8.6%
Total	81	100.0%

Question 5: What impact do you feel this would have upon you, your child or your organisation?

Table 5. Responses to Question 5 grouped by theme

	Frequency
In favour of Centrally Managed Services to meet broadening needs of children	22
Not in support of Centrally Managed Services/unfair/more difficult to get funding	17
Reductions should not have negative impact on care/support	7
Centrally Managed Services can be managed/monitored/quality controlled	5
Review should focus on improving efficiency but providing support children need	3
None/Not applicable	3
Need further information on changes after review	2
Value for money needed	1
Total	60

Question 6: If you disagree or strongly disagree with the proposed approach, do you have any alternative suggestions on how to reduce these costs?

Table 6. Responses to Question 6 grouped by theme

	Frequency
Additional support staff, including specialists and volunteers needed in schools	9
Centrally managed budgets not suitable	3
Additional funding needed/seek funding from Central Government	2
Streamline processes	2
Designated person in each establishment	1
Cost reductions will impact negatively on children	1
Best support possible for children not cost reductions	1
Local knowledge needed to allocate services where needed	1
Total	20

Proposals for Special Schools Provision

Question 7: Do you agree or disagree with the proposed changes to special school provision?

Table 7: Responses to Question 7

	Frequency	Percent
Strongly agree	32	28.3%
Agree	33	29.2%
Neither agree nor disagree	17	15.0%
Disagree	15	13.3%
Strongly disagree	16	14.2%
Total	113	100.0%

Question 8: What impact do you feel this would have upon you, your child or your organisation?

Table 8: Responses to Question 8 grouped by theme

	Frequency
Do not reduce SEMH places/increase places	37
Increase provision to meet child's needs including mainstream schools	37
Support proposals, must be child centric	16
Support should be offered close to home	14
Gaps in provision of current service	8
Additional information needed on proposals	6
School staff and GPs need training	5
More SEN schools are needed	4
Early assessment and referral needed/access to educational psychologist	3
None/Not Applicable	1
Total	131

Question 9: If you disagree or strongly disagree with the proposed changes to special school provision, do you have any alternative suggestions on how to reduce these costs?

Table 9: Responses to Question 9 grouped by theme

	Frequency
Do not reduce provision for SEMH	9
Training/investment in schools/staff in SEMH	5
Deal with cases on an individual basis	4
Seek further funding from Central Government	3
Improved referral/assessment protocols needed	3
None/Not Applicable	3
Allocate funding more appropriately	3
SEMH should be within mainstream schools	2
On site alternative provision needed	2
Ensure transparency of school budgets	1
Joint meetings with schools and local authority to plan future needs/obtain support	1
Total	36

Proposals for Joint Commissioning of Services: Integrated Therapies

Question 10: Do you agree or disagree with the proposal to jointly commission children's therapies across County Durham?

Table 10: Responses to Question 10

	Frequency	Percent
Strongly agree	42	53.8%
Agree	25	32.1%
Neither agree nor disagree	5	6.4%
Disagree	3	3.8%
Strongly disagree	3	3.8%
Total	78	100.0%

Question 11: What impact do you feel this would have upon you, your child or your organisation?

Table 11: Responses to Question 9 grouped by theme

	Frequency
Joining services/commissioning will be positive/speed up service/better access to services/understand a child's needs	47
Additional support needed in schools/staff training and therapist training	6
Current system inadequate	5
Current system works fine i.e. Health	3
Specific system using assessment which benefits the family	2
Not sure/none	2
Base service on child need not funding	2
Better communication needed with families	1
Further information is needed	1
Total	69

Question 12: If you disagree or strongly disagree with the proposal, do you have any alternative suggestions on how to reduce these costs or change the way these services are delivered?

Table 12: Responses to Question 12

	Frequency
Specialist services need to be accessible	3
Additional therapists and support staff	2
Support for Integrated therapies	1
Not supporting proposal	1
Total	7

Proposals for Joint Commissioning of Services: Equipment, Auxiliary Aids and Adaptations (EAAA)

Question 13: Do you agree or disagree with the proposal that high needs funding only be used to purchase items that are deemed to be specialist (not normally available in school or educational setting)?

Table 13: responses to Question 13

	Frequency	Percent
Strongly agree	20	35.7%
Agree	17	30.4%
Neither agree nor disagree	11	19.6%
Disagree	4	7.1%
Strongly disagree	4	7.1%
Total	56	100.0%

Question 14: What impact do you feel this would have upon you, your child or your organisation?

Table 14: Responses to Question 14 grouped by theme

	Frequency
Explanation of definition needed	6
Funding should be targeted at pupils needs	4
Inappropriate allocation of funding	3
Not possible in practice	3
Target funding to specialist equipment/alterations of space	3
Ringfence funding needed	2
Negative impact on school budget	2
Support proposal	2
Need transparent and fair procedures	1
None	1
Reduction in costs with proposal	1
Funding should come from health	1
Very little impact	1
Training should be given to teachers	1
Negative impact on child	1
Total	32

Question 15: If you disagree or strongly disagree with the proposal that high needs funding only be used to purchase items that are deemed to be specialist, do you have any alternative suggestions on how to reduce these costs?

Table 15: Responses to Question 15 grouped by theme

	Frequency
Extra funding needed for equipment and staff	4
Insufficient detail to comment	3
Therapists spending more time with children	3
Sharing equipment/mobile lending library of less specialist equipment	3
Equipment delays	1
Parent and carers helping select equipment	1
Centralise SEN schooling	1
Link with charities to provide equipment	1
Schools to be accountable for decisions around funding equipment	1
Total	18

Question 16: Do you agree or disagree with the proposal to develop a new system to store and reuse equipment, auxiliary aids and adaptations?

Table 16: Responses to Question 16

	Frequency	Percent
Strongly agree	32	59.3%
Agree	15	27.8%
Neither agree nor disagree	6	11.1%
Disagree	0	0.0%
Strongly disagree	1	1.9%
Total	54	100.0%

Question 17: What impact do you feel this would have upon you, your child or your organisation?

Table 17: Responses to Question 17 grouped by theme

	Frequency
Easy access to equipment and service	13
Reuse and monitoring of equipment	12
Budget savings	6
Support of proposal	6
Funding for education and equipment	3
Technology/software up to date	3
Delivery of approach	3
Little or no impact on people/organisation	3
Inefficient uses of resources	2
Invest in new system	1
More inclusive schools needed	1
Health and safety not compromised	1
Timescales on equipment provided	1
Share resources with other authorities	1
Total	56

Question 18: If you disagree or strongly disagree with the proposal to develop a new system to store and reuse equipment, auxiliary aids and adaptations, do you have any alternative suggestions on how to reduce these costs?

Table 18: Responses to Question 18

	Frequency
Invest employee training on using equipment	2
Monitoring of equipment	2
Servicing of equipment	2
Right equipment first time	2
Apply for more funding	1
Total	9

Proposals for Top up Funding and Targeted Funding Support

Question 19: Do you agree or disagree that we should continue to provide top-up funding throughout the support of SEN children?

Table 19: Responses to Question 19

	Frequency	Percent
Strongly agree	75	63.6%
Agree	30	25.4%
Neither agree nor disagree	6	5.1%
Disagree	5	4.2%
Strongly disagree	2	1.7%
Total	118	100.0%

Question 20: Do you agree or disagree that top-up funding should be aligned to a banding system which is set through consultation with schools?

Table 20: Responses to Question 20

	Frequency	Percent
Strongly agree	20	17.1%
Agree	45	38.5%
Neither agree nor disagree	21	17.9%
Disagree	20	17.1%
Strongly disagree	11	9.4%
Total	117	100.0%

Question 21: What impact do you feel a banding system would have upon you, your child or your organisation?

Table 21: Responses to Question 21 grouped by theme

	Frequency
Take a clear streamline approach that is fair with follow up	33
Funding based on child's needs	19
Under/over funding issues	18
More information around categorising banding system	17
Children falling through the system	16
No focus on individual child needs	15
Banding system to keep support consistent	15
Lack of emotional knowledge to support child	6
Banding system could cause conflict	5
Not in favour of system	5
Banding system speeds application of funding up	4
Neither agree or disagree with banding system	4
Liaise/communicate with family	3
Flexibility of the banding system	2
Working group consultation needed	1
Same amount of funding for all schools	1
Use system that meets children's needs as a collective	1
Research on previous numbers	1
Total	166

Question 22: If you disagree or strongly disagree with the proposal to introduce a banding system, do you have any alternative suggestions on how to reduce these costs and make top-up funding arrangements more consistent?

Table 22: Responses to Question 22 grouped by themes

	Frequency
Funding based on child's needs	7
Specific needs of child and school	5
More information around banding system	5
Monitoring funding and the progress	4
Communication with those who apply for funding	3
Support from carers/family	2
Apply for more funding	1
Stigmatisation	1
Time used effectively	1
Proof of need of more funding	1
Schools work together	1
Invest in software to help with needs	1
Total	32

Question 23: Do you agree or disagree that we should provide targeted support funding?

Table 23: Responses to Question 23

	Frequency	Percent
Strongly agree	52	43.7%
Agree	51	42.9%
Neither agree nor disagree	9	7.6%
Disagree	7	5.9%
Strongly disagree	0	0.0%
Total	119	100.0%

Question 24: Do you agree or disagree that targeted support funding to schools should be provided through schools making an application for it?

Table 24: Responses to Question 24

	Frequency	Percent
Strongly agree	29	26.9%
Agree	44	40.7%
Neither agree nor disagree	15	13.9%
Disagree	19	17.6%
Strongly disagree	1	0.9%
Total	108	100.0%

Question 25: What impact do you feel the application process would have upon you, your child or your organisation?

Table 25: Responses to Question 25 grouped by themes

	Frequency
Need of clear, fair, streamlined application process	27
Time consuming	16
Positive impact	14
Application process complicated	11
Delay in support	10
Include input from those affected (e.g. school parents)	6
Information unclear	4
Individual schools to apply	2
Consultation and work group	1
Total	91

Question 26: If you disagree or strongly disagree with the proposal to develop an application process, do you have any alternative suggestions on how to reduce these costs and ensure that funding goes to the schools that need the support the most?

Table 26: Responses to Question 26 grouped by themes

	Frequency
Simple, fair streamlined application	6
Based on child's needs	5
Research, use data and recommendations	4
Include families/carers and schools as part of team	3
Stronger case for funding	2
Set amount with option to apply for more based on school needs	1
Evenly distribute pupils across schools	1
Total	22

Question 27: Do you agree or disagree with the roll out of a fair pricing model to all post-16 providers?

Table 27: Responses to Question 27 grouped by themes

	Frequency	Percent
Strongly agree	22	38.6%
Agree	17	29.8%
Neither agree nor disagree	9	15.8%
Disagree	2	3.5%
Strongly disagree	7	12.3%
Total	57	100.0%

Question 28: What impact do you feel the fair pricing model would have upon you, your child or your organisation?

Table 28: Responses to Question 28 grouped into themes

	Frequency
Positive about pricing model	14
Concerns over support with a 3-day week	9
Clarification around the pricing model	6
Needs to be developed more	5
Based on child's needs	3
Negative impact	3
Very little or no impact	3
Access to further education	1
Consistent approach	1
Total	45

Question 29: If you disagree or strongly disagree with the proposal to roll out of a fair pricing model to all post-16 providers, do you have any alternative suggestions on how to reduce these costs and make funding fair across organisations?

Table 29: Responses to Question 29 grouped into themes

	Frequency
Consider child's individual needs	3
Consider levels of funding for different needs	2
Consider 5-day model funding	1
Additional equipment and software to support	1
Total	7

Question 30: Do you agree or disagree with the typical offer of provision being three days for a period of two years in the post-16 sector?

Table 30: Responses to Question 30

	Frequency	Percent
Strongly agree	4	7.3%
Agree	6	10.9%
Neither agree nor disagree	20	36.4%
Disagree	14	25.5%
Strongly disagree	11	20.0%
Total	55	100.0%

Question 31: What impact do you feel the typical provision would have upon you, your child or your organisation?

Table 31: Responses to Question 31 grouped by themes

	Frequency
Would be restricting (3 days per week for 2 years)	15
None/very little	9
Support needs to be based on child's needs	8
Would need to scale back offer	3
Support would need to be flexible	3
It discriminates against SEN children	2
Impact unknown	1
Catastrophic impact	1
Lead to less pressure	1
Would help to ensure that planning can be more forward thinking	1
3 days would give young people time to engage in other activities	1
Total	45

Question 32: If you disagree or strongly disagree with the proposed typical offer of provision being three days for a period of two years in the post-16 sector, do you have any alternative suggestions on how this should be done and how we can reduce these costs?

Table 32: Responses to Question 32 grouped into themes

	Frequency
It would be restrictive (3 days per week for 2 years)	9
Increase the length of time/days they can attend	6
Support needs to be based on child's needs	5
Need to distinguish between Post 16 & Further Education	2
Would ensure more funding	2
Pupils entitled to full time education	2
Consolidate services	1
Make representations to Secretary of State for an increase in funding	1
Requires clear pathways, progression and assessments	1
Should not consider saving money in special schools	1
Local authority central provision supported by existing SEMH schools	1
N/A	1
Total	32

Proposal to review financial support provided through local partnerships of schools: Communities of Learning and Behaviour Partnerships

Question 33: Do you agree or disagree that behaviour panels and communities of learning should be required to develop a business plan before the money they require is allocated?

Table 33: Responses to Question 33

	Frequency	Percent
Strongly agree	12	20.3%
Agree	17	28.8%
Neither agree nor disagree	13	22.0%
Disagree	10	16.9%
Strongly disagree	7	11.9%
Total	59	100.0%

Question 34: What impact do you feel the requirement to develop business plans would have upon you, your child or your organisation?

Table 34: Responses to Question 34 grouped into themes

	Frequency
Would increase teacher workloads/paperwork	9
Would ensure targeted support funding	5
It would mean money is spent effectively	4
Remove CoL funding and instead invest in schools	4
Would make the process clearer	3
Provide help and support according to need	3
Would result in children missing vital support	2
No impact	2
Already produces business plan	2
System too complex	2
It would cause even more delays/be time consuming	2
Support for panel chairs to develop plan	2
Accountability structures would need to be in place	1
Ensure proof of spend	1
Would ensure that any plans are cost effective	1
No, to a business plan for BPs	1
Yes, to a business plan for CoLs	1
It would lessen confusion	1
Money wasting	1
Achievable for them to develop business plan	1
Total	48

Question 35: If you disagree or strongly disagree with the proposal, do you have any alternative suggestions on how to ensure value for money?

Table 35: Responses to Question 35 grouped by theme

	Frequency
Process would be too time consuming	3
Less paperwork	2
Reduce funding for CoLs	2
Look at individual child's needs	2
Allocate money directly to schools	1
Ask Schools complete yearly review	1
No to a business plan for BPs	1
Yes, to a business plan for CoLs.	1
Trust CoLs to develop plans and support children	1
Already a process in place to ensure value for money	1
Partnerships & schools working closely together	1
Use funding to increase inclusion in mainstream schools	1
Stop discriminating children with Autism Spectrum Disorder (ASD) / Attention Deficit Hyperactivity Disorder (ADHD)	1
Provide support for panel chairs to develop plan	1
Hold mainstream schools accountable for reducing exclusions	1
Schools work together to seek solutions to issues	1
Train staff to ask questions as to why pupils are not attending schools	1
Total	22

Question 36: Do you agree or disagree that behaviour panels and communities of learning should be required to report on the impact of the funding on children and young people?

Table 36: Responses to Question 36

	Frequency	Percent
Strongly agree	17	30.9%
Agree	23	41.8%
Neither agree nor disagree	7	12.7%
Disagree	8	14.5%
Strongly disagree	0	0.0%
Total	55	100.0%

Question 37: What impact do you feel the requirement to report on the impact of funding would have upon you, your child or your organisation?

Table 37: Responses to Question 37 grouped by theme

	Frequency
Would mean there is accountability	8
Time and money implication in the extra reporting	8
Provide evidence of impact	7
Give everyone visibility of spending	3
Ensure the right provision	3
Hard to report on impact	3
None	3
Ensure better managed support	2
Ensure CoL report on their impact	2
Improve the quality of Alternative Provision (AP)	1
Would support good practice	1
Children will not get the help they need	1
Need to ensure correct training in schools for staff	1
Would ensure value for money	1
Total	44

Question 38: If you disagree or strongly disagree with the proposal, do you have any alternative suggestions on how to ensure value for money?

Table 38: Responses to Question 38 grouped by theme

	Frequency
None / Not Applicable	2
Review attendance records	1
Use methods to gauge child's happiness/feeling of support	1
Go to Secretary of State for more funding	1
Less management	1
Do not employ panels	1
Talk to parents and children	1
Discontinue CoLs	1
Total	9

Proposals for the Pupil Referral Unit (PRU) and Alternative Provision

Question 39: Do you agree or disagree with the proposal to provide more resources to the behaviour panels?

Table 39: Responses to Question 39

	Frequency	Percent
Strongly agree	11	20.8%
Agree	23	43.4%
Neither agree nor disagree	10	18.9%
Disagree	6	11.3%
Strongly disagree	3	5.7%
Total	53	100.0%

Question 40: What impact do you feel this would have upon you, your child or your organisation?

Table 40: Responses to Question 40 grouped by theme

	Frequency
Early support essential	5
Agree with proposal	3
Allow child to remain in mainstream education longer	3
None	3
Need to provide earlier holistic support	2
Unable to comment	2
Need a better understanding of SEN in mainstream schools	2
Support young people rather than isolation or exclusion	1
Need to provide pastoral support	1
Depends on individual case	1
Its already difficult to get behaviour support	1
Durham County Council invest more in waves or PRU	1
Collaboration with Social Care and Mental Health Services a priority	1
Allow children to transition back into mainstream education	1
Children sometimes need the support offered at Woodlands	1
Stop using PRU as a stop gap for SEN children	1
Stop discriminating against children with ASD/ADHD	1
Children need support from people who see them the most	1
Exclusion should not happen to a child with a diagnosis	1
Need to understand intentions	1
Additional cost of staff time/provision and impact on the child to integrate back into full time education after being at the PRU	1
Lack of inclusivity in mainstream schools needs to be challenged by local authority	1
It will stop children being moved around	1
Total	36

Question 41: If you disagree or strongly disagree with the proposal to provide more resources to the behaviour panels, do you have any alternative suggestions on how to reduce the consequent costs?

Table 41: Responses to Question 41 grouped by theme

	Frequency
Make a representation to Secretary of State for an increase in funding	1
Do not change system unless it is better for the child/staff	1
Fundraising within schools	1
Pool of funding to support schools in short term e.g. supply staff	1
Not sure if will affect the number of exclusions	1
Do not feel sufficiently knowledgeable to comment	1
More permanent Alternative Provision (AP) is needed	1
Child needs to be found another place as soon as possible	1
Centrally funded places through local authority not the Behaviour Panels	1
Total	9

Question 42: Do you agree or disagree with the proposal to reintegrate more permanently excluded children and young people into schools?

Table 42: Responses to Question 42

	Frequency	Percent
Strongly agree	6	12.5%
Agree	15	31.3%
Neither agree nor disagree	11	22.9%
Disagree	12	25.0%
Strongly disagree	4	8.3%
Total	48	100.0%

Question 43: What impact do you feel this would have upon you, your child or your organisation?

Table 43: Responses to Question 43 grouped by theme

	Frequency
Depends on the situation/needs careful consideration on a case by case basis	4
Schools need to have support (including financial) in place to reduce disruption to other children	3
As long as the child has the right support/based on child's needs/and designated support staff member	3
Schools should not be put under pressure to re-integrate a child	2
Every child should be given opportunity to attend mainstream school	2
Excluded children are normally disruptive to other children	2
The sooner pupils are found a permanent school the easier it will be to integrate them	2
All children need to learn	1
Agree with proposals	1
As long as all stakeholders agree	1
Children who are already struggling will be left to struggle further	1
Exclusion should be the last resort	1
Mainstream schools not always equipped to provide right support	1
Detrimental to the service schools provide children	1
Put pressure on other pupils and staff	1
Undermines the rights of a headteacher to exclude	1
Spread the disruption and danger	1
More of an issue for secondary schools	1
AP should be used as a last resort	1
Reintegrate years 7 & 8 in smaller local settings	1
Care needs to be taken as to where they are placed	1
Should not be given an EHCP whilst at the PRU	1
Train staff to understand why children behave in the way they do	1
Total	34

Question 44: If you disagree or strongly disagree with the proposal to reintegrate more permanently excluded children and young people into schools, do you have any alternative suggestions on how to reduce these costs?

Table 44: Responses to Question 44 grouped by theme

	Frequency
This is not always the answer, it depends on the individual case	1
Separate smaller class sizes	1
Provide support and funding for home schooling	1
Only reintegrate child when they have a formal behaviour diagnosis	1
None	1
No home schooling	1
Need to understand provision within schools	1
Need a radical improvement in support within mainstream schools	1
Make a representation to Secretary of State for further funding	1
Maintain and expand current provision	1
Increase life chances for children	1
Greater liaison between schools and PRU	1
Does not address issues facing vulnerable children	1
Total	13

About You

Question 45: Are you responding as:

Table 45: Types of Respondent

	Frequency	Percent
A parent or carer of a child or young person with special education needs or disabilities	151	59.4%
A provider/head teacher	35	13.8%
A teacher/tutor	25	9.8%
A parent or carer of a child or young person without special education needs or disabilities	11	4.3%
A school governor	8	3.1%
Other	24	9.4%
Total	254	100.0%

If other, please specify:

Table 46: Other respondents

	Frequency
Local Authority employee	6
Relative	4
SENDCo	4
Paediatrician	3
Interested party/member of public	2
Advisory teacher	1
Former carer of SEN children	1
Former school governor	1
Special school nurse	1
Support mainstream education/high SEND children/care leaver	1
Total	24

Question 46: What type of school/learning environment do you teach or work in?

Table 47: Number of respondents by sector

	Frequency	Percent
Primary school	38	55.9%
Special school	12	17.6%
Pre-school	7	10.3%
Secondary school	7	10.3%
Post 16 learning provider	4	5.9%
Total	68	100.0%

Question 47: What is the age of the child or young person you care for?

Table 48: Age of child or young person cared for by number of respondents

	Frequency	Percent
Under 5 years old	11	6.8%
5-10 years old	80	49.7%
11-15 years old	54	33.5%
16-19 years old	15	9.3%
20-25 years old	1	0.6%
Total	161	100.0%

Question 48: Are you:

Table 49: Number of respondents by gender

	Frequency	Percent
Male	26	10.5%
Female	221	89.5%
Total	247	100.0%

Question 49: Do you consider yourself to be a disabled person?

Table 50: Number of respondents with a disability

	Frequency	Percent
Yes	32	12.9%
No	216	87.1%
Total	248	100.0%

Question 50: What is your age?

Table 51: Age range of respondents

	Frequency	Percent
5-10	1	0.4%
20-25	2	0.8%
26-34	49	19.9%
35-44	94	38.2%
45-54	79	32.1%
55-64	16	6.5%
65-74	5	2.0%
Total	246	100.0%

Question 51: What is your religion or belief?

Table 52: Religious background

	Frequency	Percent
Christian	149	63.7%
Buddhist	1	.4%
Jewish	1	.4%
None	82	35.0%
Baha'i	1	.4%
Total	234	100.0%

Question 52: How would you describe your sexual orientation?

Table 53: Sexual orientation

	Frequency	Percent
Heterosexual/straight	221	97.4%
Gay woman/lesbian	1	.4%
Bisexual	5	2.2%
Total	227	100.0%

Question 53: What is your ethnicity?

Table 54: Ethnicity

	Frequency	Percent
White British	231	97.5%
White Non-British	2	.8%
Black or Black British	1	.4%
Mixed Race	2	.8%
Travelling Community	1	.4%
Total	237	100.0%

Format of return

Table 55: Number of responses by format of return

	Frequency	Percent
PC	115	43.2%
Mobile	139	52.3%
Tablet	12	4.5%
Total	266	100.0%

Appendix C: Key Stakeholder Groups

Durham Schools Forum

The Durham Schools Forum is a formal advisory and decision-making body on matters relating to school funding. It consists of: school and academy representatives to include headteachers and school governors; providers of education for young people aged 14-19 years; early years education providers; providers of education in the voluntary/independent sector; and diocese and union representatives.

The Forum meets at least four times a year and is open to the public.

It provides a means of communication between local authorities and schools on funding matters affecting schools. It must be consulted on any changes to the formula used to fund schools, and the financial impacts of any proposed changes.

It is consulted annually on financial issues relating to:

- Pupils with special educational needs
- Use of pupil referral units
- Early Years education
- Administration of the allocation of central government grants paid to schools via the local authority
- Contracts for provision of services to schools.

Communities of Learning Partnership (CoLs) and Behaviour Partnerships (BPs)

There are 15 CoLs within County Durham, that are allocated funding from the HNB to develop support and provision to meet the needs of children and young people with SEND. Funding is used to enable children's needs to be assessed, focused plans and support to be put in place, and to run intervention programmes and train school staff. In 2015, four Secondary Behaviour Partnership Panels were set up, followed in 2016, with a Primary Behaviour Partnership Panel to support the management of behaviour issues and to support inclusion in mainstream education.

Little Treasures

Little Treasures are a volunteer run charity who support autistic adults and children right across the North East. They aim to relieve the needs of autistic adults, children, young people and their parents, carers and siblings by providing facilities for play and recreation in the interests of social welfare in a safe and secure environment, and by providing support and practical advice to parents and carers.

The Rollercoaster Group

The Rollercoaster Group are a support group for parents/carers who are supporting a child or young person with any kind of emotional or mental health problem including:

- anxiety
- low mood
- depression
- self-harm
- eating disorders
- sleep problems
- suicidal thoughts
- obsessions and compulsions

The group offers opportunities to meet other parents/carers, obtain support and attend events offering information and advice.

Making Changes Together (MCT)

MCT are a group of parent carer volunteers from County Durham who represent the interests of parents and carers of children and young people with special educational needs and or disabilities in County Durham.

They do this by working in partnership with the Local Authority, Health and Social Care also other groups and organisations (locally, regionally and nationally) to influence service provision and highlight the issues and needs of the families they represent.

They are funded by the National Network of Parent Carer Forums (NNPCF) and the Local Authority to coordinate, promote and deliver parent participation locally. They deliver workshops, bi annual parent carer conferences and

various events within County Durham to obtain views from all parent carers and influence “Changes Together”.

The Extreme Group

The Extreme Group is a representative voice for children and young people with SEND living in County Durham.

Facilitated by Investing in Children, the group work together to share their views and to identify how services can make positive changes based on the experiences of children and young people with SEND.

Appendix D: Equality Impact Assessment

Durham County Council Equality Impact Assessment

NB: The Public Sector Equality Duty (Equality Act 2010) requires Durham County Council to have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between people from different groups. Assessing impact on equality and recording this is one of the key ways in which we can show due regard.

Section One: Description and Screening

Service/Team or Section	CYPS and Resources
Lead Officer	Martyn Stenton, Early Help, Inclusion and Vulnerable Children
Title	High Needs Block Funding for SEND and Inclusion Support
MTFP Reference (if relevant)	
Cabinet Date (if relevant)	15 January 2020 Previous Cabinet dates: 10 July 2019
Start Date	5 June 2019
Review Date	January 2020 (after Cabinet)

Subject of the Impact Assessment

Please give a brief description of the policy, proposal or practice as appropriate (a copy of the subject can be attached or insert a web-link):

There are growing spend pressures in relation to the High Needs Block (HNB) of the Designated Schools Grant (DSG) which provides funding for special education needs and disability (SEND) and inclusion services for children, young people (CYP) and young adults.

A combination of austerity across the public sector, implementation of the SEND reforms (which has increased support to cover young people and young adults up to 25 years old) and changing needs means that there are insufficient resources including from the High Needs Block (HNB) of the Dedicated Schools Grant (DSG). This is also the case in many other local authorities.

In simple terms the council is currently spending 19% more than funded for which is not sustainable. Addressing this spending pressure is complex and involves collaboration across teams and partners. This means trying to address areas of pressure from the HNB without significantly impacting support for individual children and young people and minimising impact on schools' budgets.

A SEND and Inclusion Resources Board has been established. It brings together colleagues from the council's Education Services, SEND and Inclusion, Commissioning and Finance and gives cross council oversight on resources for SEND and Inclusion, including HNB spending and related council budgets. This board now has oversight of the High Needs Block Sustainability Plan.

All areas of spending are being reviewed, making reductions in HNB spending where feasible, whilst also recognising the specific needs of individual children and young people, the overall volume of young people with SEND needs and the volatile and changing pattern of demand on different service areas.

Transport budget for pupils to pupil referral unit

One particular area of decision for Cabinet (July 2019) is the proposal for Home to Schools Transport costs for pupils attending Pupil Referral Units (PRU), currently charged to the HNB, to be charged to the CYPS Home to School Transport budget in 2019/20 and met from corporate contingencies in year. The estimated costs for 2019/20 are £600,000.

This proposed change in funding stream should not have an impact on children or their families. It will reduce pressures on the HNB but will add a pressure to the home to school transport budget in children and young people's services.

Consultation update November 2019

Public consultation took place from 17 July to 17 October 2019 and a full analysis of consultation has been undertaken as part of the report to Cabinet on 15 January 2020. Consultation analysis has been used to inform this impact assessment.

The consultation focussed on the following nine priority areas of the HNB sustainability plan:

- **Centrally managed services.** Centrally managed services include functions such as support for sensory needs and learning difficulties. It is proposed to continue with these services to ensure consistency and quality and to carry out extensive reviews to ensure value for money.
- **Special schools.** Ten special schools provide for children with the most complex needs. Some families are seeking places in the private independent sector (sometimes out of the county). It is proposed that the range of specialist places in Durham is extended so children can access services locally rather than attend out of area, high cost independent placements. It also proposed to reduce Social, Emotional and Mental Health (SEMH) places in line with placement trends.

- **Joint commissioning of services: Integrated therapies.**
Propose to:
 - Pool resources from education, health and care to improve local access to speech, language, physio and occupational therapies.
 - Develop new ways of offering therapies locally.
 - Make best use of therapists.
- **Joint commissioning of services: Equipment, auxiliary aids and adaptations (EAAA).** Plans to work on a consistent approach with updated guidance to support better use of funding. Proposed funding only to be used to purchase 'specialist' items.
- **Top up funding.** Proposed to apply a 'banding system' to funding.
- **Targeted support funding.** Specific conditions to be met, set via consultation with schools, to receive targeted funding support.
- **Post 16 funding.** Proposed to roll out a fair pricing model and application criteria to all post 16 provision.
- **Financial support provided through local partnerships of schools.** Council to continue to support schools and key providers to work in local partnerships. Funds will only be released on receipt of a clear business plan and agreement to monitoring of impact.
- **Pupil referral unit and alternative provision.** Consultation sought views on reducing numbers on roll at the Woodlands Pupil Referral Unit. Proposed more resources for behaviour panels made available to help reduce the number of exclusions and increase swifter reintegration excluded pupils.

Cabinet (15 January 2020) are being asked to agree proposals in accordance with consultation findings.

Additional equality analysis

Individual equality impact assessments may need to be developed (in addition to this overarching assessment) for specific action/proposals as the programme develops to ensure decision makers are fully aware of equality implications.

Who are the main stakeholders? (e.g. general public, staff, members, specific clients/service users):

Children, young people and young adults (0-25 year olds) with special educational needs and disabilities (SEND)

Parents and carers of children and young people with SEND

Schools, including the council's 10 special schools, post 16 providers

Council and education staff

General public

Partners – colleges, health services

Screening

Is there any actual or potential negative or positive impact on the following protected characteristics?		
Protected Characteristic	Negative Impact Indicate: Y = Yes, N = No, ? = unsure	Positive Impact Indicate: Y = Yes, N = No, ? = unsure
Age	?	?
Disability	?	?
Marriage and civil partnership	N	N
Pregnancy and maternity	?	?
Race (ethnicity)	?	?
Religion or Belief	N	N
Sex (gender)	?	?
Sexual orientation	N	N
Transgender	N	N

Please provide **brief** details of any potential to cause adverse impact. Record full details and analysis in the following section of this assessment.

Areas of work include analysis of spend and use of resources to ensure value for money which should not necessarily negatively impact children and young people with SEND and their families/carers but will ease funding pressures and contribute towards longer term sustainability.

Equality analysis for individual proposals (where necessary) will draw out specific impacts, including any potential negative impact, to ensure decision makers are fully aware of equality implications.

How will this policy/proposal/practice promote our commitment to our legal responsibilities under the public sector equality duty to:

- eliminate discrimination, harassment and victimisation,
- advance equality of opportunity, and
- foster good relations between people from different groups?

The sustainability plan aims to create more inclusive and targeted support to address need. For example, work is underway with Headteachers across the county to promote inclusive practice, making sure that young people have access to a curriculum that is appropriate to their aspirations and needs. This supports our public sector equality duty.

Inclusive public consultation methods ensured that responses were heard from a wide range of stakeholders. Access considerations included an easy read version of consultation documentation. Focussed workshops were held, including specific sessions for children and young people to ensure key stakeholder voices were heard. An introductory video presented by the Head of Early Help, Inclusion and Vulnerable Children also aided accessibility.

Evidence

What evidence do you have to support your findings?
Please **outline** your data sets and/or proposed evidence sources, highlight any gaps and say whether or not you propose to carry out consultation. Record greater detail and analysis in the following section of this assessment.

This equality impact assessment has been updated in section two with top-level consultation results with a relevance to equality however it should be read in conjunction with the consultation findings document published with Cabinet Papers (15 January 2020) which sets out detailed analysis of all consultation feedback.

Key SEND data

Durham Insight SEND data¹⁷:

<https://www.durhaminsight.info/jsna/starting-well/send/>

- The school age population in County Durham is 75,000
- 11,250 pupils in County Durham with SEN
- 8,256 pupils have needs met through SEN support
- 2,994 CYP have needs met through EHCP
- 39% of young people with an EHCP are educated in a special school
- Young people with SEND are more likely to be excluded from school
- 55% of looked after children have a recognised SEND
- 176 young people with SEND are in non-maintained provision

Consultation:

<https://www.durham.gov.uk/article/21797/Consultation-on-support-for-SEND-and-young-people-who-need-support-to-stay-in-education>

Consultation analysis shows that the majority strongly agree / agree with proposals apart from the '3 day' provision in post 16 sector.

¹⁷ <https://www.durhaminsight.info/jsna/starting-well/send/>

Related Cabinet Reports:

High needs block funding for SEND and inclusion support, 10 July 2019

<https://democracy.durham.gov.uk/documents/s111225/SEND%20HNB%20V1.0.pdf>

SEND Strategy Refresh, Cabinet, 15 May 2019

<https://democracy.durham.gov.uk/ieListDocuments.aspx?CId=154&MId=11038&Ver=4>

Mainstream Primary and Secondary Funding Formula Funding 19-20 and transfer of the High Needs Block (HNB), Cabinet, 12 December 2018

<https://democracy.durham.gov.uk/ieListDocuments.aspx?CId=154&MId=10661&Ver=4>

Screening Summary

On the basis of this screening is there:	Confirm which refers (Y/N)
Evidence of actual or potential impact on some/all of the protected characteristics which will proceed to full assessment?	Yes
No evidence of actual or potential impact on some/all of the protected characteristics?	No

Sign Off

Lead officer sign off: Head of Early Help, Inclusion and Vulnerable Children	Date: 5 June 2019, Updated 13 November 2019
Service equality representative sign off: Equality and Diversity Team Leader	Date: 5 June 2019, Updated 13 November 2019

Section Two: Data analysis and assessment of impact

Please provide details on impacts for people with different protected characteristics relevant to your screening findings. You need to decide if there is or likely to be a differential impact for some. Highlight the positives e.g. benefits for certain groups, advancing equality, as well as the negatives e.g. barriers for and/or exclusion of particular groups. Record the evidence you have used to support or explain your conclusions. Devise and record mitigating actions where necessary.

Protected Characteristic: Age		
What is the actual or potential impact on stakeholders?	Record of evidence to support or explain your conclusions on impact.	What further action or mitigation is required?
<p>The proposals will impact 0-25 years old with SEND and their families, parents/carers. It is not anticipated that proposals will impact negatively on these groups as they are designed to ease funding pressures and contribute towards longer term sustainability.</p> <p>Proposals aim to create a more inclusive and targeted SEND education offer by addressing need yet ensuring value for money, linking funding to evidence of impact/improvement, extending the range of specialist places, improving staff training, joint commissioning to ensure consistency and value for money and reducing pupil exclusions. This should impact positively in terms of age (for children, young people with SEND and their parents or carers).</p> <p>Children and young people who have needs meet through an</p>	<p>Of the 75,000 children and young people of school age in County Durham over 11,200 pupils are identified as having SEN.</p> <p>8,256 pupils have needs met through SEN support.</p> <p>2,994 children and young people have complex needs met through EHCP, age groups: Under 5 years = 92 (3.1%) 5-10 years = 937 (31.3%) 11 to 15 years = 1,132 (37.8%) 16 – 19 years = 710 (23.7%) 20-25 years = 123 (4.1%)</p> <p>55% of looked after children have a recognised SEND (Source: Durham Insight)</p> <p>266 people responded to the questionnaire, the majority (91%) of which were female and aged between 35 and 54 years (74%) and of white British origin (96%).</p> <p>Most respondents (59.4%) were parents or carers of a child or young person with SEND.</p> <p>Survey respondents who are a parent or carer of a child or</p>	<p>Based on consultation findings, Cabinet recommended to agree to all proposals apart from the '3 day' post 16 proposal.</p> <p>The proposal for a typical offer of '3 day' provision for Post 16 should not progressed and further options be explored.</p> <p>Individual equality impact assessments to be carried out for specific projects where necessary (to include impact on staff where relevant).</p>

<p>education, health and care plan (EHCP) range from 0 to 25 years, with higher proportions being within the 5 to 15 years age groups and will experience the greatest impact of proposals.</p> <p>Survey respondents who are a parent or carer of a child or young person with SEND predominately fall into the 26 to 54-year-old category which is likely to be reflective of the age group of parents/carers impacted.</p> <p>Consultation analysis shows that the majority strongly agree/agree with proposals apart from the '3 day' provision in post 16 sector. Based on consultation findings, Cabinet are requested to agree to all proposals apart from the '3 day' post 16 proposal.</p> <p>There are potential impacts on staff (potentially more likely to impact certain age groups) which may become evident as proposals develop which will be covered by individual impact assessments where necessary.</p>	<p>young person with SEND stated their age as: Under 25: 2.1% 26-34: 22.4% 35-44: 44.2% 45-54: 27.2% 55-64: 3.4% 65-74: 0.7%</p> <p>The age of the child or young person parents/carers who responded to the survey were looking after: Under 5: 7.3% 5-10: 49.3% 11-15: 32.7% 16-19: 10% 20-25: 0.7%</p> <p>Focussed workshops for various stakeholders including specific sessions for children and young people were held.</p> <p>Young people with SEND emphasised the importance of having their needs understood and met within school and for better understanding of behaviours and needs amongst teachers, parents and students.</p> <p>Consultation analysis shows that the majority strongly agree / agree with proposals apart from the '3 day' provision in post 16 sector.</p> <p>Regarding the proposal of a typical offer of 3 days for a period of 2 years in the post-16 sector respondents overall did not agree with this as it was thought to be restricting and support should be based on a young person's needs. Some thought this offer of 3 days was discriminatory.</p>	
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	See below (disability) for summary of consultation responses with relevance to equality.	
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Protected Characteristic: Disability		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
<p>The proposals will impact 0-25 years old with SEND and their families, parents/carers. It is not anticipated that proposals will impact negatively on these groups as they are designed to ease funding pressures and contribute towards longer term sustainability.</p> <p>Proposals aim to create a more inclusive and targeted SEND education offer by addressing need yet ensuring value for money, linking funding to evidence of impact/improvement, extending the range of specialist places, improving staff training, joint commissioning to ensure consistency and value for money and reducing pupil exclusions. This should impact positively in terms of disability.</p> <p>There is overall support for the council's beliefs and commitments (apart from '3 day' proposal for post 16).</p>	<p>Of the 75,000 children and young people of school age in County Durham over 11,200 pupils are identified as having SEN.</p> <p>2,994 children and young people in Durham have complex needs met through an education, health and care plan (EHCP).</p> <p>Children and young people with SEND are disproportionately represented in exclusion and are more likely to be NEET (not in education, employment or training).</p> <p>The county has 10 special schools with 39% of young people with an EHCP, educated in a special school. (Source: Durham Insight)</p> <p>Just over a quarter of questionnaire respondents (26.7%) represented schools, including headteacher or providers, teachers and governors. Over half of these responses represented primary schools (55%), followed by special schools (18%), pre-schools (10%), secondary schools (10%) and post 16 providers (5.9%).</p> <p>15% of survey respondents who are a parent or carer of a child or</p>	<p>As above</p> <p>Consideration to suggestions raised via consultation such as use of 'equipment' libraries to share less specialist equipment and use of charity sector.</p> <p>Updated guidance to be produced to help people understand top up system and ensure support is based on need.</p>

	<p>young person with SEND considered themselves to be a disabled person which is similar to disability levels within the general population for working age groups.</p> <p>Access considerations included an easy read version of the consultation documentation.</p> <p>Consultation analysis shows that the majority strongly agree / agree with proposals apart from the '3 day' provision in post 16 sector.</p> <p>Many consultation respondents cited the importance of an inclusive education system that allows children to be educated locally, caters for their needs in school, parents have confidence in, promotes collaborative working between professionals, provides training and opportunities for early intervention, and, ensures value for money assessed through evidence of need and impact.</p> <p>In terms of impact, qualitative consultation responses included:</p> <ul style="list-style-type: none"> • Underfunding will have a negative impact on services • More support is needed for children with mental health needs • The county's 10 special schools should remain • More collaborative working between professionals is positive • Support should be offered close to home • Joint commissioning is a positive change • Link with charities for specialised equipment 	
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	<ul style="list-style-type: none"> • Make access to specialised equipment easy • Work with parents to select specialised equipment • A banding system for top up funding would keep support consistent • Improved accountability for financial support through partnerships is positive • Early support from behaviour panels is essential <p>In terms of further suggestions, where respondents disagreed with proposals, comments included:</p> <ul style="list-style-type: none"> • Council should apply for more money from central government • Better/more training for staff, volunteers and parents • Additional support staff, including volunteers, needed • Better communication between parents, carers, schools and professionals • Cuts should be made elsewhere • Services need to be accessible • Funding should always be based on child's/young person's needs • Consideration of pupil reintegration should be on a case by case basis 	
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Protected Characteristic: Marriage and civil partnership		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
N/A		

Protected Characteristic: Pregnancy and maternity		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
No disproportionate impact is anticipated.	No data is available for this protected characteristic.	

Protected Characteristic: Race (ethnicity)		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
No adverse impact is anticipated in terms of race.	<p>3.7% of survey responses who are a parent or carer of a child or young person with SEND stated their ethnicity as BAME.</p> <p>Ethnic disproportionality in the identification of special educational needs (SEN) in England¹⁸ demonstrates that 4.5% of Durham's SEN pupils are from a BAME background which is disproportionately higher than the County's BAME population of 1.8% (Census 2011). However, the BAME population for younger age groups is higher when compared to the overall population of the county.</p>	As above

Protected Characteristic: Religion or belief		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?

¹⁸ <http://www.education.ox.ac.uk/wp-content/uploads/2019/01/Durham-LA-pack.pdf>

No disproportionate impact is anticipated.	Survey respondents who are a parent or carer of a child or young person with SEND stated their religion as: Christian 57.4% Other religion than Christian 2.2% None 40.4%	
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Protected Characteristic: Sex		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
<p>The proposals will impact 0-25 years old with SEND and their families, parents/carers. It is not anticipated that proposals will impact negatively on these groups as they are designed to ease funding pressures and contribute towards longer term sustainability.</p> <p>Proposals aim to create a more inclusive and targeted SEND education offer by addressing need yet ensuring value for money, linking funding to evidence of impact/improvement, extending the range of specialist places, improving staff training, joint commissioning to ensure consistency and value for money and reducing pupil exclusions. This should impact positively in terms of sex as evidence suggest that the majority of parents or carers are likely to be female.</p> <p>There are significantly more males (74%) with an ECHP, therefore proposals will have a disproportionate impact for</p>	<p>74% of children and young people who have their needs met through an ECHP are male.</p> <p>91.1% of survey respondents who are a parent or carer of a child or young person with SEND stated they were female.</p> <p>Women are more likely to undertake primary care responsibilities.</p>	As above

<p>males although negative impact is not anticipated.</p> <p>Survey respondents who are a parent or carer of a child or young person with SEND are predominately female (over 90%). This is likely to be reflective of evidence that women are more likely to undertake care responsibilities and will therefore be disproportionately impacted by proposals, although negative impact is not anticipated.</p> <p>There are potential impacts on staff (potentially more likely to impact women) which may become evident as proposals develop which will be covered by individual impact assessments where necessary.</p>		
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Protected Characteristic: Sexual orientation		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
No disproportionate impact is anticipated.	97.8% of survey respondents who are a parent or carer of a child or young person with SEND stated they were heterosexual. With 2.2% stating they were bisexual.	

Protected Characteristic: Transgender		
What is the actual or potential impact on stakeholders?	Explain your conclusion considering relevant evidence and consultation	What further action or mitigation is required?
No disproportionate impact is anticipated.	Data not collected from consultation respondents.	

Section Three: Conclusion and Review

Summary

Please provide a brief summary of your findings stating the main impacts, both positive and negative, across the protected characteristics.

As the nine priority areas of the HNB sustainability programme affect 0-25 years old with SEND and their families, parents and carers there is potential impact for the protected characteristics of age, disability, sex and ethnicity. There is disproportionate impact in relation to sex (both male and female) and ethnicity. Significantly more males have an ECHP (74%). In terms of impact on women, evidence suggests they are more likely to have caring responsibilities for children and young people. Ethnicity data shows there is potential disproportionately in terms of ethnic minorities with special education needs (SEN).

Proposals to address priorities are designed to ease funding pressures and contribute towards longer term sustainability for SEND education. Negative impact is therefore not anticipated, as proposals aim to create a more inclusive and targeted SEND education offer by addressing need yet ensuring value for money through ensuring consistency and quality of centrally managed services, linking funding to evidence of impact, extending the range of specialist places, improving staff training, joint commissioning to ensure consistency and value for money and reducing pupil exclusions. This should impact positively in terms of disability, age (children, young people with SEND and their parents or carers), sex and ethnicity.

Inclusive public consultation methods ensured that responses were heard from a wide range of stakeholders including easy read versions of documentation and specific focus groups for children and young people. Equality monitoring of consultation respondents evidences a broad consultation reach. Consultation analysis shows that the majority strongly agree/agree with proposals apart from the '3 day' provision in post 16 sector, which it is proposed not to progress.

Individual equality impact assessments will be carried out for specific projects where necessary, which will include analysis of impact on staff where relevant.

Will this promote positive relationships between different communities? If so how?

Proposals aim to create a more inclusive education offer which should lead to better integrated communities and an inclusive society.

Action Plan

Action	Responsibility	Timescales for implementation	In which plan will the action appear?
Individual equality impact assessments to be carried	SIRB	As programme develops	SEND and inclusion

out for specific projects where necessary (to include impact on staff where relevant).			resources board (SIRB)

Review

Are there any additional assessments that need to be undertaken? (Y/N)	Yes, for individual proposals/projects where necessary
When will this assessment be reviewed? Please also insert this date at the front of the template	January 2020

Sign Off

Lead officer sign off: Martyn Stenton, Early Help, Inclusion and Vulnerable Children	Date: 18 November 2019
Service equality representative sign off: Mary Gallagher, Equality and Diversity Team Leader	Date: 18 November 2019

Please return the completed form to your service equality representative and forward a copy to equalities@durham.gov.uk

Approvals trail: to be removed before Cabinet/Committee

Name	Title	Response / approval date
Contributors:		
Karin Laybourne	Team Leader, Senior Project Manager, Transformation Team, Resources	15.11.19
Kamila Coulson Patel	Solicitor – Governance, Legal and Democratic Services	15.11.19
Mary Gallagher	Equality & Diversity Team Leader, Resources	18.11.19
David Watchman	Principal Accountant, CYPS Finance, Resources	18.11.19
Mara Thompson	Consultation & Prevention Officer, Resources	08.11.19
Approvers:		
Martyn Stenton	Head of Early Help, Inclusion and Vulnerable Children	08.11.19
Paul Shadforth	Strategic Manager – SEND Strategy, Assessment and Provision, CYPS	13.11.19
Su Jordan	Strategic Manager PPMO, Transformation Team, Resources	14.11.19
Paul Darby	Head of Finance and Transactional Services, Resources	18.11.19
Resources Management Team		19.11.19
Helen Lynch, Head of Legal and Democratic Services		21.11.19
CYPS Finance Board		21.11.19
SEND and Inclusion Board		09.12.19
Corporate Management Team		11.12.19

Appendix 5: Key Projects / Areas of Review Work

Centrally Managed Services
What is it?
<p>The Education and Skills Funding Agency (ESFA) makes an allocation to local authorities for high needs as part of the dedicated schools grant (DSG). The high needs block isn't separately ring-fenced within a local authority's DSG. This means that local authorities can decide to spend more or less of the total funding than they have been allocated for high needs, although there are restrictions on how much funding can be moved from the schools and early years funding blocks that may limit how much local authorities can add to their high needs budget.</p> <p>Local authorities decide how much to set aside in their high needs budget for the place and top-up funding given to institutions. For some institutions, such as academies and FE institutions, place funding is included in local authorities' initial DSG allocation and then deducted by ESFA so that it can pay the funding direct.</p> <p>Local authorities also use their high needs budget to pay for central services relating to SEND and alternative provision, as permitted by the regulations.</p> <p>In Durham, Centrally Managed Services includes a range of functions including support to nursery pupils with SEND, equalities and intervention team, sensory and learning difficulties, support provided through behaviour panels, educational support to looked after children, Pupil Referral Unit transport costs and several SEND management and support posts.</p>
How much do we spend, what is the recent trend and forecast?
<p>In 2018/19 spending on Centrally Managed Services accounted for £8.2 million, or 15%, of the total £54.4 million spend on high needs in Durham. In recent years total spending on this area has been below budget and this has assisted in restricting the over spend position on high needs.</p>
What does this mean and how do we compare with other areas?
<p>This is a difficult area to provide comparisons for as local authorities use different models for delivering services and, for example, some deliver more services centrally whereas some authorities deliver less or none.</p>

What is being proposed and when?
The estimated spend in 2019/20 is £7.955 million, a reduction of £0.257 million on 2018/19. This is largely as a result of a reduction in recharges for management and support services of £0.218 million following an initial review (representing a reduction in these areas of 15%). A more extensive review of all internal recharges is also under way, this complements service review work and audit work which is taking place.
What is the expected impact of this?
<p>The initial work which has taken place has sought to make reductions in spend which can be accommodated without impacting on direct spend on services for children and young people with SEND being funded from the HNB.</p> <p>Several areas of spend from Centrally Managed Services are subject to more focused pieces of work, this includes support to behaviour panels and support for early year pupils with SEND.</p>
Update on Progress
<p>Recent work has focussed on examining the recharges that are made to the High Needs Block (HNB) of the Dedicated Schools Grant (DSG) by the Council in respect of management, business support and central support services.</p> <p>While, benchmarking undertaken with other local authorities in the region has indicated that Durham County Council's current recharging level is in line with that of other authorities, the costs of management and support services provided by the Council in support of HNB activity is significantly in excess of the current level of financial recharge.</p> <p>Further work is scheduled to examine the recharges associated with front-line delivery. Work has also commenced to review the provision of support for early years pupils with SEND.</p>
Feedback from the Consultation
<p>Most respondents agreed with the proposals for continuing to provide Centrally Managed Services and conducting extensive reviews to ensure value for money and a reduction in costs. Many respondents perceived Centrally Managed Services to be meeting the broadening needs of children and young people, while some mentioned the difficulty in accessing services, which were perceived by some to signal capacity issues. Some respondents suggested that these services should be targeting those with the acute needs. Respondents overall agreed that Centrally Managed Services should be</p>

closely managed, monitored and quality controlled to ensure continuous improvement and efficiency savings are achieved wherever possible.

Recommended Next Steps

It is recommended that the proposals for continuing to provide Centrally Managed Services and conducting extensive service reviews are implemented.

Special Schools

What is it?

Special schools provide specialist teaching and support for children and young people with the most complex special educational needs. County Durham has a range of special schools providing a range of specialist provision.

Name	Type	Age Phase	2018/19 Place numbers
Croft	Generic	4 to 16	130
Villa Real	Generic	2 to 19	81
Hope Wood Academy	Generic	2 to 16*	190
Durham Trinity	Generic	2 to 16*	198
The Oaks Secondary	Generic	11 to 16*	219
Evergreen	Generic	2 to 11	180
The Meadows	SEMH	11 to 16	72
Elemore Hall	SEMH	11 to 16	86
Walworth	SEMH	4 to 11	90
Windlestone	SEMH	11 to 16	110
Description of Type			
Generic	Moderate Learning Difficulties (MLD), Severe Learning Difficulties (SLD), Autistic Spectrum Condition (ASC), Profound and Multiple Learning Difficulties (PMLD) and Conductive Education (teaching of Children with physical and multiple disabilities such as Cerebral Palsy and Spina Bifida)		
SEMH	Social Emotional and Mental Health		

* also offers 6th Form Provision

Special School Funding accounts for £24 million of the High Needs Funding Block. The investment provides County Durham with a broad offer of specialist provision. Special schools are primarily funded within Durham via a banded payment per place available. Each school is funded on a predetermined range of placements over a range of bands - each band attracting differing levels of funding:

Annual banding funding available to special schools (pre-16)

Funding Band	Unit Rate
Conductive Education	£47,000
Special School Band ASC	£16,000
Special School Band ASC Disc	£19,900
Special School Band ASC W/cb	£19,900
Special School Band MLD	£10,000
Special School Band MLD W/cb	£13,900
Special School Band PACC	£24,497
Special School Band PMLD	£22,500
Special School Band SEMH	£19,900
Special School Band SLD	£12,000
Special School Band SLD W/cb	£15,900

The amounts assigned to banding for each SEND primary need has remained unchanged over the last 3 years, other than the amount assigned to SEMH which has increased from £17,350 to £19,900 in 2017/18.

In addition, further Top-up and Targeted Funding may be granted to help the school accommodate young people whose needs are not met within the usual banding structure.

In addition to Specialist School Placement in maintained Special School Provision, there are several young people who are unable to have their needs met in County Durham Specialist Schools due to a lack of offer or capacity and are consequently educated in private independent provision, some of which is out of County Durham Boundaries. These are covered through a separate HNB budget strand.

How much do we spend, what is the recent trend and forecast?

Spend in 2018/19 and forecast spend in 2019/20 on core funding for special school placements from the HNB is around £24 million per annum.

For generic special school places year to year data is not comparable due to varying factors such as pupil banding changes. As these young people have been determined to require specialist placement, the alternative for many would be private independent provision with an average cost of £42,000 which is more than double the cost of the highest band of maintained provision (other than Conductive Education which is more specialist and low in pupil number).

The impact on the HNB of the SEMH Special School placement is less complex. There are 2 bands: SEMH £19,900 and Personalised Alternative Curriculum Centre (PACC) £24,497. At the end of February 2019 there were:

- 308 SEMH places and 286 students, leaving 22 vacant places
- 40 PACC places and 25.5 students, leaving 15.5 vacant places
- Based on the figures provided the sector had capacity for 37 places

What does this mean and how do we compare with other areas?

In December 2017, Durham County Council and the National Development Team for Inclusion (NDTi) reported on high needs provision made for children and young people with special educational needs or disabilities. The High Needs Review reported that Durham has an above average number of children and young people placed in special schools, including approximately 100 placed outside of the county. The national average number of children placed in special schools was 1.07% (range 0.22%-2.06%) and for Durham it was 1.50% making it the 12th highest in England out of 152 authorities.

There are significant regional differences in the figures. The North East region has a higher than average number of children placed in special schools, whereas Yorkshire and Humber, London, East of England and the South West have lower than average.

In attempting to benchmark spending, regional and national comparisons on data are not considered to be reliable. Regional benchmarking information on special school banding showed different methods of resourcing schools in each local authority for e.g. a low banding supplemented by a high level of top up funding compared to higher banding rates and low levels of top up funding. We are working with regional colleagues to seek to establish meaningful comparison data.

A series of discussions with Special School head teachers took place in April 2019. During these discussions, accumulated reserve balances in the sector were explored. Reserves across the sector have remained consistently higher

than other schools, and at 31 March 2019 were 8% of gross expenditure for the 2018-19 financial year.

Generic special schools report to using their high levels of reserves to set their budget whilst the Local Authority determines what their final settlement will be. SEMH schools' reserves have increased annually over the last 3-year period. This is linked with surplus places in the sector.

What is being proposed and when?

The High Needs Review showed that compared with many other local authorities, Durham has a relatively extensive range of specialist provision. The review went on to acknowledge the popularity of specialist provision and the gaps in provision that lead to higher cost private independent provision.

It is proposed to build on the High Needs Review through consultation between July 2019 and the end of September 2019 on the type and number of places available in our Special Schools, taking all opportunities to ensure that all places are appropriately filled and that the offer is in line with the needs of County Durham Children. The consultation will include the leadership teams of Special Schools, SEND and Inclusion Casework Teams, children and families of young people in specialist placement including the private independent sector. A specific focus will be provided to SEMH and Generic provisions.

What is the expected impact of this?

The consultation will seek to ensure that the resourcing of special schools particularly for SEMH placement is aligned to needs providing an improved offer for placements within County Durham.

The expected impact of the consultation is:

An enhanced offer from within the SEMH sector reducing out of area placement generating savings through the reduction of high cost independent placement

And / or

A reduction in SEMH places in line with the average uptake taken over the last 3 years. There will be no impact on the children and young people in the provision as the places under review are vacant. This would release funding to support other pressures in the HNB.

Update on Progress

Draft objectives / outcomes have been identified for the project. Improvements are required to:

- a) Ensure the correct range of school specialist provision is available to meet the needs of children and young people
- b) Reduce the requirement for provision in private out of county placements
- c) Ensure that a child/young person's needs are met as close as possible to their home

Recent progress made includes:

- Work undertaken to reconcile all Special School Placement records
- Recruitment to a new Pupil Place Planning Officer
- Analysis of all private independent placements has been undertaken
- Potential new models of delivering specialist provision throughout County Durham has been explored

Next steps for this project include:

- a) Development of a Specialist Placement Specification (April 2020)
- b) Engagement with the sector to align provision to need (Sept 2020)

Feedback from the Consultation

Most respondents were in favour of the proposed changes to special schools, to include increasing provision to meet children's needs locally in special schools. Some respondents noted a lack of options offered for primary children in special schools. Opportunities to increase provision and upskill staff in SEMH in mainstream schools was noted, while maintaining special schools' provision was also felt to be important. Overall there is support for provision that is close to home and for providing a high-quality alternative to costly out of county service provision. Parents and carers felt strongly that more specialist provision in mainstream schools would help ensure children remain within their community to be closer to home and to their peers. Young people with SEND suggested that schools that are somewhere between mainstream and special education should be provided.

Concerns were raised through the consultation by special schools headteachers over children receiving EHCPs while attending the PRU, suggesting that special education was being used as a 'stop gap'. Other issues raised included a lag in funding/budget setting with the Council, which is affecting the schools' ability to provide for children. It was suggested that

consideration be given to funding schools at a base rate to provide assurance of staffing levels.

Recommended Next Steps

It is recommended that the Council continues to work with headteachers of special schools to extend the range of specialist places offered in County Durham so that children can access services locally. This should enhance the offer provided by special schools to ensure that there is the capacity to meet current and future needs of children and young people with SEND. As part of this review, focus should be given addressing the funding lag / budget setting issues, and the reported issue of EHCPs being issued for children attending the PRU.

The need for training and investment in mainstream schools was also highlighted, and investigation into the possibility of special schools providing training and advice to mainstream schools should also be considered. In addition, consideration should be given to enhanced provision in local schools.

Joint Commissioning of Services – integrated therapies

What is it?

Historically, there have been a broad range of organisations involved in commissioning speech and language therapy (SaLT), occupational therapy (OT) and physiotherapy such as Clinical Commissioning Groups (CCGs), local authorities, NHS England, schools and colleges.

In County Durham the three Children's Therapy Services; physiotherapy, occupational therapy and speech and language therapy (SaLT) were procured in 2012/13 and commissioned by the former Primary Care Trust (PCT) in County Durham and Darlington. Two providers were commissioned, County Durham and Darlington NHS FT to provide Physiotherapy and OT and North Tees and Hartlepool NHS Foundation Trust to provide SaLT.

Over the past 18 months, work has been ongoing with the Children's Therapy Services to understand what the current provision is, address and explore contractual concerns/issues which have arisen and engage with children, young people and their families regarding their experiences of accessing and using the services. In this time, there have been several key pieces of work which have taken place to inform the review of all three children's therapy services.

<p>How much do we spend, what is the recent trend and forecast?</p>
<p>There isn't any direct spending on these commissioned services from the High Needs Block, however, it does inform the type of placement young people receive and some young people go out of mainstream or special schools in Durham to have their needs met with integrated therapies which adds costs to the HNB as well as additional transport costs.</p>
<p>What does this mean and how do we compare with other areas?</p>
<p>There has been some benchmarking undertaken in order to understand how much neighbouring CCG's were paying. This will assist in informing the service specification and resources available for the future new commissioning arrangements.</p>
<p>What is being proposed and when?</p>
<p>It is now being proposed to jointly commission all of these children's therapies.</p> <p>This will require the CCGs and the local authority to jointly commission children's therapies across County Durham and Darlington. It will extend the scope to focus on prevention, early intervention and a multi-disciplinary team approach. Some families are currently seeking education out of the area to access integrated therapies which not only meets their health needs but also their educational needs. If the services were jointly commissioned this would clearly define the health and education offer and the assessment and ongoing treatment of children in local schools.</p> <p>Work will commence in June 2020 to develop the new service. Families have been engaged to date in relation to providing their views on existing services. The work will build on this by working in co-production to produce new services as part of the re-commissioning. The design will also ensure close working with schools to understand needs and aspirations of the new service for integration and joint commissioning with schools.</p>
<p>What is the expected impact of this?</p>
<p>Currently some tribunals are lost, and some children are going out of the area to meet their needs as we are not always able to provide an integrated health and education offer for children.</p> <p>This model will improve a health and education offer for all children with a need for therapy whether statutory or otherwise. This may need a phased approach dependant on resource and capacity within the organisations involved.</p>

Update on Progress
Work has been undertaken to engage with families to obtain their views on existing services. Work commenced in June 2019 to co-produce with children and young people with SEND, their parents/carers and schools, a new service model for recommission.
Feedback from the Consultation
Most respondents agreed with the proposals to jointly commission children's therapies across County Durham and Darlington, through the Council working with schools and CCG's. Respondents were very positive about the proposed changes citing benefits to include the speeding up of service provision, improved access to services and a focus on understanding the child's needs.
Recommended Next Steps
It is recommended that the proposals for joint commissioning of integrated therapy services are implemented.

Joint Commissioning of Services – Equipment, Auxiliary Aids and Adaptations (EAAA)
What is it?
Schools and education authorities have had a duty to provide reasonable adjustments for disabled pupils since 2002: originally, under the Disability Discrimination Act 1995 (the DDA 1995); and, from October 2010, under the Equality Act 2010. From 1 September 2012, the reasonable adjustments duty for schools and education authorities also includes a duty to provide auxiliary aids and services for disabled pupils.
What does this mean and how do we compare with other areas?
The current arrangements for the provision of equipment, auxiliary aids and adaptations to support educational outcomes in Durham is complex and regularly requires input from colleagues in educational settings, health provider trusts and DCC Education officers.
What is being proposed and when?
One of the recommendations from this review has been to implement a consistent approach by schools in the inclusion of auxiliary aids, equipment and adaptations as part of costed provision maps and the holistic needs of the

child/young person prior to the application of any additional funding from the high needs block. A revision of the existing guidance is required to ensure consistent approach and implementation.

Further work is underway to streamline processes for the identification, assessment and purchasing of auxiliary aids, equipment and adaptations for children and young people which will make best use of resources and achieve value for money.

What is the expected impact of this?

- Children and young people are correctly identified, and families are clear on the process.
- There is appropriate identification of needs across all agencies in line with Education, Health and Care Planning processes.
- There is a streamlined assessment process that considers the needs for EAAA for children and young people across their education, health and care needs.
- A multi-agency approach is used for the approval of assessments, EAAA and funding splits by each partner.
- A procurement solution is in place which will achieve high quality EAAA and demonstrate value for money.
- Appropriate safe insurance arrangements in place across all EAAA
- Consistent multi-agency monitoring and reviewing processes.
- Effective and efficient storage and re-use of EAAA.
- Effective transition process agreed by all partners.

Update on Progress

A strategic review across all equipment, auxiliary aids and adaptations has been conducted which considered:

- Views of parent/ carers and children/young people in relation to the current arrangements.
- How children and young people are identified and assessed.
- Who approves and funds items, how these are procured, monitored and reviewed and transition arrangements.

Recommendations stemming from this review include implementing a consistent approach by schools to plan holistic provision against Education, Health and Care needs.

Feedback from the Consultation

Most respondents agreed to the proposals that additional funding is used to purchase specialist equipment (not normally available in school or other educational setting) to support children with significant needs; and that a new system is developed for storing and reusing equipment. Respondents felt that the proposals would: improve ease of access to equipment; increase the reuse, maintenance, monitoring and management of equipment; and help realise budget savings. It was noted that a lot of equipment was being privately sought and paid for by schools presently.

Recommended Next Steps

It is recommended that the proposals for joint commissioning of equipment, auxiliary aids and adaptations are implemented and work continues to develop the proposals in collaboration with customers and stakeholders. It is recommended that consideration be given to the suggestions contained within the consultation feedback to include: the use of libraries to share equipment classed as less-specialist, linking with charities to help provide equipment, and working with parents and carers to help select equipment.

Top Up Funding and Targeted Funding Support

What is it?

Top up Funding (TuF) is the provision of HNB funding to schools when provision to meet an individual child or young person's SEND needs would cost more than the school's Core Funding budget. In mainstream schools this is the first £6,000, in Enhanced Mainstream Provision this is the first £10,000 and in specialist provision this is the banding that the pupil is placed under.

TuF is provided as part of the Graduated Approach in place across Durham resourcing young people who have needs met through SEN support and those young people with an Education Health and Care Plan (EHCP). This graduated approach ensures that demand for statutory assessment is not driven by a need for resources and prevents unnecessary delay in making provision.

To request TuF, schools provide evidence of additional need through an application process with criteria as follows:

- The level of additional needs budget allocated to the school (LA may request further information on how a school is using this money, before a decision is made).
- How the £6,000 has been used to provide additional and appropriate interventions.
- Whether there are at least 3 good quality support plans demonstrating the graduated approach and the 'Assess, Plan, Do, Review' cycles.
- How outcomes have been robustly evaluated, reviewed and adapted where needed.
- How well the provision is reflected in the support timetable and costed provision map.
- Whether the costed provision map demonstrates 'eligible spend'.

It is acknowledged that the Notional SEN budget awarded to a school is a finite resource and where a school has been able to accommodate more high cost SEN placements than would normally be anticipated of a school of its size / educational phase, then additional Targeted Support can be provided to support the school.

The calculation of Targeted Support funding is a formula-based allocation that accounts for the schools SEN Budget, School Role, Educational Phase and the number of higher costs SEN pupils on roll at any time.

Targeted Support is a non-mandatory provision and its calculation is at the discretion of the local authority. If targeted support is adopted by a local authority then its application must be transparent, objective, consistent and fair.

How much do we spend, what is the recent trend and forecast?

Top-up Funding	2017/18 Final Outturn £ million	2018/19 Final Outturn £ million	2019/20 Forecast £ million
Primary	4.264	5.376	5.599
Secondary	0.805	1.086	1.121
Special	2.209	1.050	1.680
Total	7.278	7.512	8.400

What does this mean and how do we compare with other areas?

The Core Funding element of TuF is a nationally set criteria. The access to TuF beyond this is variable across the country. The variations include:

- TuF determined only by a Statutory Assessment – The impact of this is a high level of demand on statutory assessment and increased numbers of young people in specialist provision.
- Banded TuF, as with Special School bands TuF amounts are guided by bands set against age, type of SEND and type of school. This has provided schools and decision makers with clear guidance.
- Capped TuF, this is where a Local Authority has determined to pay only a certain amount of money in TuF – This has driven a risk in tribunal cases due to not being in line with Equalities Legislation.

Local comparison of TuF requests show that some schools are requesting highly variable sums to meeting similar needs. Some schools put several TuF requests in while others submit very few. Whilst quality and value assurance does provide an improved level of consistency it does not address the level of expectation in those requesting TuF.

Within Durham, Targeted Support Funding is driven by a formula which applies each time there is a request for additional top up funding or when there is a change of a school roll placement for a young person with SEND. The amount of targeted support a school receive can therefore change over the course of the year and feedback from a number of schools shows they do not understand the formula or how it works in detail. There are significant variations on how targeted funding works in other local authorities, including some using a formula and others making it a requirement to apply for 'exceptional funding' if the characteristics of a cohort are causing additional burdens on school finances which cannot be sustained from core funding and Top up Funding requests.

What is being proposed and when?

Earlier in the year we wrote to all schools about TuF and advised that a revised quality and value assurance process was being introduced to TuF requests and indicated that a wider review of TuF would take place.

It is now proposed to commence a consultation with schools on a new system for TuF and Targeted Funding Support.

The preferred option that we would like to consult with schools on is the application of a banding system to guide Top up Funding requests.

Through feedback from schools it is recognised that the current method of accessing TuF is variable and on occasions problematic, in addition it is acknowledged that it is also unsustainable within the resources available. Schools report a disparity in the allocations, specifically some schools accessing significant resource for provision that other schools consider as core to their offer. A banding system for TuF would assist in guiding schools to plan through a refreshed set of SEND planning tools (the existing tools can be found on the Local Offer under SEND Planning Tools).

Through the consultation the Council have proposed to only provide Targeted Funding when a school applies for specific help. In addition, it is proposed that to receive funding, the school's application will have to meet a set of conditions that would be set, in consultation with schools.

It is proposed to make changes effective from April 2020 to give schools time to understand these changes and adjust their budgets accordingly.

What is the expected impact of this?

Schools are supported to meet children and young people's Special Educational Needs within a sustainable TuF model through the consistent and

proportionate resourcing of needs. The new TuF model would be clearly communicated with additional clarity about the application process and timescales for requests and determinations.

This will raise the confidence of schools to meet needs and the confidence of families that schools will be able to support their community with their peers. This would sit alongside other changes in commissioning arrangements for equipment, aids, adaptations and integrated therapies.

Update on Progress

TuF requests are continuing to rise in both number and financial value.

Recent work undertaken includes the:

- Implementation of a revised quality assurance process for TuF requests
- Exploration of banding systems in place in Durham and other local authorities
- Issue of revised guidance to special schools for accessing increased funding for provision; and
- A series of focus groups have been held with parents of young people with SEND

Next steps include working with schools and parents to develop a new TuF and Targeted Funding system for County Durham and identifying how best to work with and engage schools in this process.

Feedback from the Consultation

Top up Funding

Most respondents agreed to the proposal to continue with Top up Funding to support children with special educational needs and disabilities. Some respondents emphasised the need for more training in schools, which could help to reduce the need to apply for Top up Funding. In addition, young people with SEND emphasised that having more trained staff in school and receiving support where and when it was needed was one of the most important priorities for them.

A smaller majority of respondents agreed to the proposals for a banded system, many citing it should provide a clear, streamlined and fair approach, based on the child's needs, while allowing for the impact of measures to be assessed. While there were some concerns around the potential for a reduced focus on a child's individual needs, overall, it was felt that a banded system would help to ensure support is consistent and fair. Parents and carers responding to this consultation found it difficult to navigate the current system

and do not receive enough advice and information from schools on the funding and support available. Parents and carers strongly felt that better communications are needed between the parents, schools, and other professionals and expressed a request to be involved in the development of the new system.

Targeted Funding

A large majority of respondents agreed with the proposal to continue to support targeted funding. Most respondents also agreed that schools should be required to make an application for this funding, noting again that a clear, streamlined application process would have a positive impact for children. Some respondents raised concerns that the process would be complicated and could delay support. Others suggested that the system should be: developed in consultation with parents/carers and schools; be based on consultation and research; and funding should be biased towards primary schools to aid early intervention.

Recommended Next Steps

Top up Funding

It is recommended that the proposal to apply a clear and consistent banding system to help schools plan how to meet the needs of children before seeking Top up Funding is implemented.

In addition, it is recommended that updated guidance is provided to help people understand the new system and ensure appropriate support is provided based on the child's needs. It is also recommended, that parents/carers and schools are consulted in the development of the new system and schools are encouraged to involve parents/carers in completing TuF applications for their child and reviewing the impact of funding on their child. Promotion of the TuF system amongst parents and carers should also be conducted with signposting to the refreshed SEND Parents Toolkit and other appropriate guidance taking place.

Targeted Funding

It is recommended that the proposal to develop a targeted funding application process based on criteria set in consultation with schools be developed and implemented based on best practice research and in collaboration with wider stakeholders.

Post 16 Funding Support

What is it?

Unlike schools, colleges are resourced for several high needs places as agreed by the Local Authority. A core budget is made up of 2 elements: element 1: based on 16 to 19 national funding formula and element 2: £6,000 per agreed place. Colleges are also entitled to a third element as determined by the Local Authority which is post 16 Top up Funding (TuF).

Post 16 TuF is slightly different to TuF as described for schools. Colleges will only access TuF for young people with an EHCP and will base their costs on the Year 11 review of a young person's EHCP.

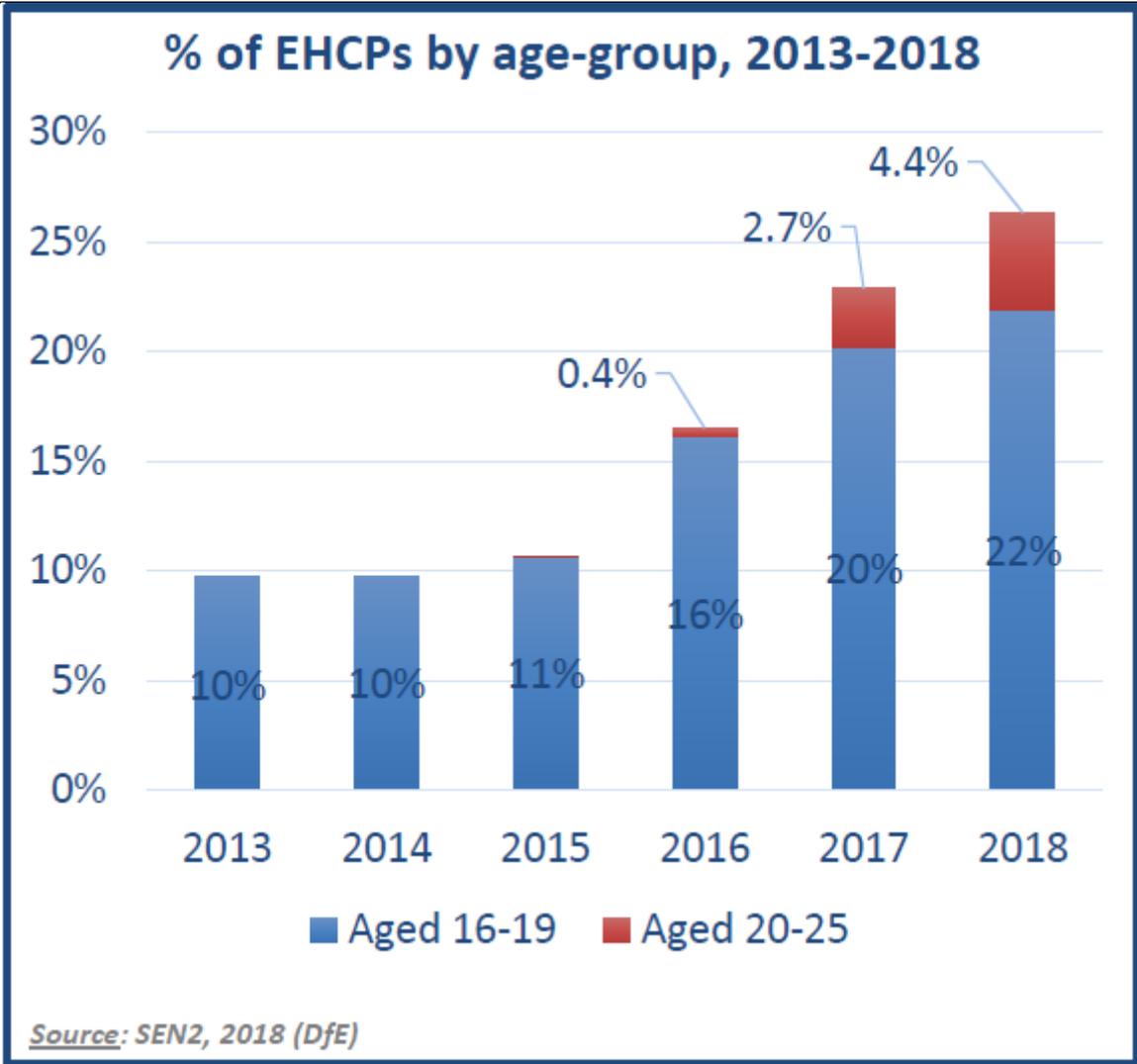
How much do we spend, what is the recent trend and forecast?

Post 16 provision is a rising burden on the HNB. This is in part the result of demand for places (a positive aspect of Durham provision) and an increased level of Top up Funding (TuF) requested by the sector since the SEND reforms were introduced.

Post-16	2017/18 Final Outturn £ million	2018/19 Final Outturn £ million	2019/20 Forecast £ million
Post-16	3.935	4.195	6.969
Total	3.935	4.195	6.969

What does this mean and how do we compare with other areas?

In previous reports about SEND a rise in young people accessing Post 16 provision was outlined. The drivers behind this rise are improved accessibility and offer and a rise in age range from 19-25 years from the SEND Reforms (2014). This has created a new demand on the High Needs Block and is locally and now nationally described as an unintended consequence of the 2014 SEND Reforms. The chart below illustrates this rise at a national level.



Following a detailed review of element 3 applications for 2019, it is evident that the increased costs are in part due to volume increases in the Post 16 sector but also the variability in pricing in the Post 16 sector. This is part driven by individual child need but also a variation in the amounts each provider attributes to the same costs e.g. learning support assistant rates ranging from £15 per hour to £25 per hour.

To address this the SEND and Inclusion Resource Board has proposed a fair pricing model to all Post 16 providers with Durham young people in provision.

The proposed fair pricing model is outlined below:

Tutor	£46.50 p/h
LSA	£17.75 p/h
Personal Care	£12 p/h (only used by Special Schools Sixth Forms for Welfare Assistants)
Specialist Tutor	£55 p/h
Reviews	£55 p/h for up to 2 hours per year (based on discussions with FE providers)
Misc Costs	E.g. Tutor Planning, Job Carving, Travel Training; Access Arrangements.
Other staff costs	Job Coach Work Experience Support (This needs to be discussed with each provider to understand which members of staff undertake this work and ensure that the rate of pay is commensurate).

All 2018/19 applications have been quality assured, and value assured using the following criteria:

- Fair pricing rates
- Number of hours that the learner is doing (540 guided learning hours, approx. 3 days a week)
- Details of the course/programme
- Are calculations accurate
- Rationale for support that the learner is receiving
- Is the EHCP up to date with supporting evidence

Where there is a variance in proposed costs to reviewed costs, providers have been requested to either bring 2018/19 costs in line with quality and value assurance criteria or to evidence why this year's costs could not be altered. This has helped to reduce HNB costs from Post 16 support in 2018/19 and will have a full year impact in 2019/20.

All Post 16 providers have welcomed the clarity provided by the fair pricing model with the main providers of Post 16 provision in County Durham agreeing to be early adopters of the model, the remaining providers will follow the model for all 2019/20 placements.

What is being proposed and when?

The High Needs Review gave recommendations for County Durham to develop pathways into adulthood covering employment, independent living,

friends, relationships and community and good health. This provides detail of what needs to happen at each stage of a young person's journey from age 14 to 25. Considerable progress has been made since the High Needs Review with Durham reporting in the Written Statement of Action 1 Year on report:

- Supported Internship Forum established resulting in 27 new internships for young people with SEND
- Tri-Work Young Persons' Supported Work Experience for Schools Pilot introduced resulting in 125 young people gaining work experience
- Reduction in young people with SEND who are not in education, employment or training reduced from 20.2% to 16.1%

It is recognised that this approach needs to continue and increase in scale to match the rising demand in Post 16 placement.

It is proposed that further consultation with the Post 16 sector, young people with SEND and their parents takes place to:

- Implement the fair pricing model fully in 2019/20 and review HNB payments to all providers
- Develop improved pathways into adulthood

What is the expected impact of this?

More young people are prepared for adulthood earlier, helping to increase their independence.

- Increased supported internships
- Increased employment
- Increased independent living
- More consistent costs and reduced TuF spend from HNB in the Post 16 sector.

Update on Progress

Work has been undertaken to result in the following deliverables:

- A fair pricing model is now in place across the sector – most providers are now adopting this model
- A revised High Needs application form process has been developed
- A new feedback format from the local authority to providers is now in place

Feedback from the Consultation
<p>Most respondents agreed that there should be a fair pricing model in place for Post 16 providers. Further clarification of this model was requested by some respondents, and it was noted that the model should allow decisions to be based on the young person's needs.</p> <p>Meanwhile, most respondents disagreed with the proposal to support a three-day per week provision for Post 16 education over two years. Respondents raised concerns that the model would be restrictive. Some noted that "all pupils are entitled to a full-time education" and that this should be supported by clear pathways and assessments for progression. Respondents were concerned that the proposal could discriminate against children and young people with special educational needs and / or disabilities and it could be against the law.</p>
Recommended Next Steps
<p>It is recommended that information on the pricing model be shared with stakeholders as appropriate, and the proposal to roll out a fair pricing model to all Post 16 be implemented.</p> <p>It is recommended that the proposal for a typical offer of provision being three-days per week over two years in the Post 16 sector should <i>not</i> be implemented, and other options are further explored.</p> <p>Upcoming actions are recommended to include:</p> <ul style="list-style-type: none"> • Development of provider / local authority contracts • Development of a forecasting model to improve input from other resource holders

Review of financial support provided through local partnerships of schools - Communities of Learning and Behaviour Panels
What is it?
<p>Communities of Learning (COLs) have been established for some time in County Durham and bring together groups of schools at a locality level. There are 15 COLs within County Durham which represents the size of the county and number of schools and communities.</p> <p>Each COL has been allocated a budget from the HNB to assist in developing provision to meet the needs of children and young people with SEND.</p>

In 2015, 4 secondary Behaviour Partnership Panels and a Primary Panel were set up to support the management of behaviour issues and support inclusion in mainstream education.

The Panels have sought to develop a collaborative approach to supporting some of the most challenging and vulnerable students by working in partnership with one another, other services and alternative education providers. The work done seeks to enhance support to reduce the number of pupils moving between local schools on managed moves, reduce the number of pupils that are fixed term excluded, particularly repeat fixed term exclusion and prevent an increase in the number of pupils being permanently excluded, adding further pressure on an already oversubscribed PRU.

How much do we spend, what is the recent trend and forecast?

The allocation to Communities of Learning from the HNB has been £1.145 million per annum and to the Behaviour Panels, £0.6 million.

Proposals to reduce this by 15% in 2019/20 to support pressures on the HNB were shared with the chairs of each partnership and business cases were requested which outline spending plans.

What does this mean and how do we compare with other areas?

There are various models in place for school-based partnerships in other areas, some operate as partnerships and networks without dedicated funding, some have a range of funding including allocations of HNB funding for SEND and Inclusion work.

What is being proposed and when?

As expected with local partnerships the use of funding has varied across localities, some partnerships have used their full allocations, and some have historically carried forward under spends. Given the pressure on HNB resources, communications with COL and BP chairs has taken place and in line with the overall budget pressure of around 15% the partnerships were asked to put together more detailed business plans for how they would use funding with a 15% proposed reduction for the period up to December 2019 outlining:

- (a) the proposals for funding and how they link to SEND and Inclusion priorities;
- (b) how the impact on children and young people with SEND and Inclusion needs will be measured and evaluated;
- (c) ongoing staffing commitments; *and*

(d) initial consideration of longer-term implications if the funding is not available or available to the same level after December 2019.

Business plans were received and assessed to seek to maximise the support available for children and young people with SEND within the resources available. Funding allocations were agreed in July 2019 with each partnership based on agreed business cases for April – December 2019.

What is the expected impact of this?

We are seeking to continue to support collaborative work across schools and ensure any HNB resource has maximum impact to support SEND and Inclusion needs which cannot be met through other means.

Update on Progress

Each Community of Learning and Behaviour Partnership have produced a business plan outlining: funding proposals, anticipated impact, and how it will be monitored and measured.

The target was to achieve overall a 15% reduction in previously agreed funding levels whilst supporting the most valuable pieces of work in each of the partnerships.

Business cases were considered by a Panel on 26 June 2019 and new funding agreements are now in place.

This has achieved a 18% saving, equating to £330,000 for 2019/2020.

Feedback from the Consultation

Most respondents agreed with the proposal that Communities of Learning and Behaviour Partnerships should be required to produce a business plan as part of an application process for funding, and that they should be required to report on the impact of the funding that has been allocated. Many positive responses were received in support of this proposal. Respondents noted that the proposal would help to: target funding where it is most needed; ensure more effective and transparent use of money; and increased accountability. Parents and carers expressed a strong view that the business planning should involve more parental engagement.

Recommended Next Steps

It is recommended that the above proposals be developed and implemented. This should include a robust and transparent governance structure for assessing funding applications and agreeing funding allocations, and for

monitoring and conducting annual reviews of spend. It is also recommended that clear and timely guidance and support on the new system be made available to all CoL and BP Chairs. It is also recommended that consideration be given to ensuring and facilitating parental involvement in the business planning process.

In addition, it is recommended that consideration be given to the benefits of establishing a CoL for special schools.

It is proposed to undertake a more detailed review, including consultation with each of the current partnerships regarding funding and support arrangements from January 2020.

Pupil Referral Unit and Alternative Provision

What is it?

The Woodlands Pupil Referral Unit (PRU) is the Durham County Council provision for both permanently excluded pupils and those identified as close to permanent exclusion. The aim of The Woodlands is to deliver a personalised academic, social and therapeutic programme to allow every individual to move on successfully to their next steps in education, employment or training.

For pupils aged 11-16 the provision is located across 2 bases 'The Elms' and 'The Maples' in Ferryhill, Durham. The Elms and the Maples have a capacity of 70 pupils.

For pupils age 5-11 the provisions are co-located within a mainstream primary school in Langley Park (The Willows) and a second primary base (The Beeches) located at Broom Cottages Primary School, Ferryhill. Each Primary base has a capacity of 15 pupils.

A further site, The Bridge, is located in Lanchester. The Bridge supports students who have been identified by their mainstream provision as being at risk of permanent exclusion due to their presenting behaviours. The Bridge currently provides 16 placements at each key stage. The length of placements varies based on the needs of the student.

85 young people who have been permanently excluded from schools to the roll of The Woodlands (Pupil Referral Unit) also currently access alternative provision, because they are unable to access on-site provision which has a capacity of 75, but with a current roll of 160 (as of November 2019).

Alternative Provision (AP) refers to any education not in a mainstream or special school or academy. Alternative education supports over 500 young people across the county. Most have been referred directly from schools or through the Behaviour Partnership Panels. These young people have struggled in mainstream school and alternative provision provides a more vocational or therapeutic pathway. Sometimes it is used to re-engage young people with education, to reintegrate them and improve attendance. Alternative provision can be anything from half a day a week accessing re-engagement programme or college place to a full-time alternative package.

Durham County Council maintains a directory of those providers with minimum standards. There are currently 14 unregistered providers on the list. Being an unregistered provider means that the provider can only offer up to three days per week. Young people who attend this sort of provision will attend school, college or another provider for the rest of the week. They remain on the roll of their home school. There are also five registered alternative education providers offering full-time education.

How much do we spend, what is the recent trend and forecast?

The HNB funds the costs of the PRU and some commissioned alternative provision places. Other funding for alternative provision comes from schools directly from their budgets or via behaviour panel funding.

Alternative Provision	2017/18 Final Outturn £ million	2018/19 Final Outturn £ million	2019/20 Forecast £ million
Alternative Provision	4.098	4.981	5.623
Total	4.098	4.981	5.605

What does this mean and how do we compare with other areas?

The PRU provision is significantly over its original capacity. There is a similar picture across the region and nationally. This means that many young people from year 7 -11 are accessing off-site alternative provision because there is no space for them at the main PRU site. This has caused increasing budget pressures, which is replicated nationally.

The Timpson review published in May 2019 covered a national review of permanent exclusion, AP and PRU provision. The report notes that whilst permanent exclusion is sometimes appropriate, it should be a last resort. It calls on local authorities, schools and other partners to establish effective partnership working to intervene earlier to avoid exclusion. In Durham, we have been developing this since 2015 when we set up four locality based Secondary Behaviour Partnership Panels and one Primary Panel. The HNB funding for these panels buys early intervention and therapeutic support from

<p>the Emotional Wellbeing and Effective Learning (EWEL) Team. This intervention supports young people back into school instead of resulting in permanent exclusion with the consequent costs.</p>
<p>What is being proposed and when?</p>
<p>We have commissioned Ben Bryant, ISOS Partnership (who has undertaken work nationally and in other local areas) to support a review across County Durham with the aim of strengthening inclusion and the use of AP. The work includes:</p> <ul style="list-style-type: none"> • A survey of secondary head teachers in June 2019 to better understand what schools see as working well and what needs to be improved. ISOS will analyse the data; • Analysis and benchmarking of the current approach to inclusion and AP in Durham, comparing this to other areas and providing validation of areas of strength and identifying areas for improvement; • Discussions with LA officers from a range of teams and representatives from behaviour panels; • Initial feedback and workshops with head teachers from July 2019. <p>We are implementing the secondment of a Secondary School Leader to take a strategic role across the Four Secondary Behaviour Partnership Panels to review alternative provision (AP). Two further posts will support the development of Quality Assurance and Curriculum Developments with AP providers and a focus on working with Bishop Auckland College on an AP pathway for schools in the South West of County Durham.</p>
<p>What is the expected impact of this?</p>
<p>This work is intended to ensure high quality support for inclusion and strong AP. It is also intended to reduce permanent exclusion and increase reintegration to mainstream schools. In turn, this is intended to reduce the pressure on the HNB. If there are fewer young people permanently excluded, there will be less need for young people to be educated off-site which will also reduce pressure on the transport budget.</p>
<p>Update on Progress</p>
<p>The ISOS review has now been completed and a final written report provided to the Council in early November 2019. Workshops are due be held with head teachers and Chairs of the Behaviour Partnership Panels to consider the recommendations and to develop a formal action plan for implementation.</p>

In the meantime, outline objectives / outcomes have been drafted for the project:

- To reduce reliance on commissioned alternative providers
- To enable early identification of pupils at risk of permanent exclusion
- To enable early preventative actions to prevent permanent exclusion
- To ensure the right provision at the right place
- To improve the transition between Primary and Secondary schools
- To provide a strategic rather than reactive service to ensure an equitable, effective and sustainable offer.

Work is underway to baseline the current provision and identify performance data against which to measure the success of the future model of provision based on:

- Attendance of pupils, before and after alternative provision
- The potential chosen pathway for Post 16 pupils
- The cost of alternative provision
- Functional qualifications achieved which allow pupils to access the next progress level

Gap analysis of the requirements for implementing the recommendations of the review will need to be undertaken, in respect of the following areas:

- Transition from Primary to Secondary schools
- Two potential models being explored:
 - Model 1 – a devolved model where schools have responsibility for pupils and a share of HNB – this would require strong oversight and quality assurance framework
 - Model 2 – to be Panel based, which all schools would be part of (to include academies as far as possible) – providing collective and individual responsibility. Funding would remain with the Council, but the Panel would be custodian of the money.
- Trial of PIP pathway plans
- Virtual Head for Alternative Provision – potential LA officer post overseeing the provision, or a team to support transition from the provision back to mainstream

The above areas will first be discussed at a meeting with head teachers, BP chairs, Academies and the local authority following consideration of the final report from ISOS.

Feedback from the Consultation

Most respondents agreed to the proposal to devolve more resources for permanently excluded pupils to locality-based panels. Consultation feedback indicated that early support provided by the panels was essential and the

proposal would assist in allowing children to remain in mainstream education longer.

A small majority of the respondents agreed to the proposal to reintegrate more permanently excluded children and young people into schools. Feedback suggested that this would need careful consideration on a case-by-case basis and schools would need support in place to reduce any disruption to other children and that support should also be provided for the child based on their needs. Parents and carers noted that the provision of more training in mainstream schools may help prevent so many pupils going to the PRU, as teachers would have a better awareness and knowledge of the child's behaviours and needs.

Recommended Next Steps

It is recommended that the above proposals for the PRU and AP be developed for implementation taking into account the comments and suggestions received throughout the consultation feedback received.

Appendix 6: Summary of Recommendations

Table 1: Summary of Recommendations

Key Area	Cabinet Report reference	Recommendations
		<i>It is recommended that the Council:</i>
Centrally Managed Services	paragraphs 83 - 89	<ul style="list-style-type: none"> Continue to provide centrally managed services in the future and carry out extensive reviews to ensure value for money and a reduction in costs where possible.
Special Schools	paragraphs 90 - 96	<ul style="list-style-type: none"> Extend the range of specialist places offered in County Durham, so children can access services locally rather than attend out of area, high cost independent placements. Reduce the number of SMEH places to be in line with placement trends over the last 3 years.
Joint Commissioning: Integrated Therapies	paragraphs 97 - 101	<ul style="list-style-type: none"> Bring together the resources from education, health and care to improve local access to speech and language therapy, physiotherapy and occupational therapy for children and young people. Develop new ways of offering therapies locally which meet the aspirations and preferences of families within the available resources. Make the best use of therapists to offer prompt assessments, delivery of appropriate therapy in local settings and promote the confidence of families.
Joint Commissioning: Equipment, Aids and Adaptations	paragraphs 102 - 105	<ul style="list-style-type: none"> Ensure assistance requested by schools for HNB funding in future will only be used to purchase items that are deemed to be

		<p>specialist (not normally available in a school or other educational setting).</p> <ul style="list-style-type: none"> • Conduct a review of the existing guidance in order that all schools apply a consistent approach.
Top up Funding	paragraphs 106 - 114	<ul style="list-style-type: none"> • Apply a 'banding system' to Top up Funding to support schools, to ensure SEND needs are consistently and more appropriately met, in a timely manner. • Refresh the SEND planning tools currently available on The Local Offer SEND Planning Tools webpage, to communicate the new system.
Targeted Funding	paragraphs 115 - 118	<ul style="list-style-type: none"> • Offer Targeted Funding Support through an application process with set criteria agreed with schools. • Make the changes effective from April 2020 to give schools time to understand these and plan accordingly.
Post 16 Funding	paragraphs 119 - 126	<ul style="list-style-type: none"> • Roll out the fair pricing policy and application criteria to all providers of Post 16 provision in County Durham. • Do not take forward a proposal to support a three-day week provision for Post 16 education over two years.
Financial Support to Partnerships of Schools	paragraphs 127 - 132	<ul style="list-style-type: none"> • Continue to support schools and key providers to work in local partnerships to identify and meet the needs of children and young people with SEND and other vulnerable learners in their area. • Only release funds on receipt of a clear business plan and for partnerships to report back on the impact of the funding for children and young people.

PRU and Alternative Provision	paragraphs 133 - 140	<ul style="list-style-type: none">• Provide more resources to Behaviour Panels so they can buy additional early interventions and therapeutic support and increase the number of young people back into school, avoiding permanent exclusion and the associated costs.• Increase the number of young people, particularly in years 7 and 8, to reintegrate quickly into mainstream or specialist schools from The Woodlands (PRU).
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