

Report to:	Schools' Forum
Date of meeting:	14 January 2022
Report By:	Alison Jeffery
Title:	Proposals for the use of High Needs Block funding from April 2022 to support mainstream inclusion
Purpose:	To provide an outline of a proposal through which uncommitted High Needs Block (from the 2022/23 financial year) could be used to support inclusive practice and address pressures in demand for specialist placements

RECOMMENDATIONS

1) That Schools' Forum:

- a) supports the allocation of £5m (to be reviewed annually) to undertake activities aimed at promoting mainstream inclusion;**
 - b) supports the proposals for working groups to be set up to explore options, following discussions with the Joint primary and Secondary Board in February; and**
 - c) identifies any other thematic areas for exploration which would contribute to this strategic agenda.**
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1 Background

- 1.1 As outlined at the last Schools' Forum, there are some significant challenges across the SEND landscape that are working against our overall aspiration to increase the number of children and young people with SEND who can attend their local mainstream schools alongside their peers.
- 1.2 This shift is evidenced in several different ways:
 - The number of requests for EHC Needs Assessments has increased by 40% overall on the same period last year;
 - The number of parents directly requesting EHC Needs Assessment has increased this year;
 - The number of requests for EHC Needs Assessments in Year 6 in particular is 40% higher this year;
 - There has been an increase (21%) in the number of parents of children in mainstream primary schools requesting special school provision at phase transfer;
 - Just 28% of mainstream phase transfer requests have been accepted by secondary schools this year.
- 1.3 There are 369 fewer children with EHCPs (i.e. the most complex needs) in mainstream schools than at the same point in 2016. Conversely, there are 339 more children in special schools (state run and INMS) this year than five years ago. In terms of national comparators, East Sussex has just 25.1% of all our EHCPs (0-25) in mainstream schools which places us 10th out of 11 in the rank of our Statistical Neighbours (who have an average of 32.4%) and 133rd out of 150 nationally (who have an average of 34.1%). This means that the threshold for placement at a special school in East Sussex is lower than most Local Authorities in the country.
- 1.5 Where children who might otherwise be able to be supported effectively in mainstream schools are placed in special schools, this has a direct impact on the availability of

specialist placements at the time of greatest need. The lack of available provision where there has been a deterioration in a child's ability to engage with mainstream provision means that more children are, therefore, being 'held' without a substantive and appropriate educational offer that meets their needs; in some cases, this will be on a very reduced timetable without access to the full curriculum. The pressure that such situations places on school staff as well as children and their families is not insignificant.

- 1.4 In line with demands from all stakeholders, East Sussex has had a policy of increasing the number of placements in specialist provision across the county over the last few years. Despite the opening of 2 new special schools (Ropemakers and Flagship), and the prospective opening of Summerdown in September 2022, the current demand for non-mainstream placements has not diminished.
- 1.5 The DfE formula for allocating High Needs Block to LA areas does not take into account demand-led factors such as the number of EHCPs nor the number of children placed in special schools and, therefore, any disproportionality in this area means an imbalance in the distribution to LAs of High Needs funding. As SEN placement funding must follow the child, in East Sussex there is proportionately less available resource going to mainstream schools than is the case elsewhere.
- 1.6 This autumn, we have begun to implement the Time-Limited Inclusion Grant (TIG) where schools are able to apply for additional resource to help maintain mainstream placements, and we have increased the value of mainstream top-ups so that the resource going to mainstream schools better reflects the costs incurred for supporting individual children with SEND. However, it is evident that further and bolder options need to be considered if we are to turn the current direction of travel.

2 Supporting information

- 2.1 The HNB settlement for ES for 2022/23 will bring an additional £5.8m to the High Needs Block; of this £0.8m will be needed to fund additional specialist placements which are already committed. There is also an additional £2.7m which is "ringfenced" by DfE for previously unforeseen costs related to specialist provision in 2022/23. This leaves a total of £5m uncommitted funding that is available to support this agenda.
- 2.2 Considering the concerns that are present in the current placement data, and in feedback from schools and parents (through complaints), it is timely to bring some proposals to Schools' Forum which have the potential to change the current trajectory and increase the number of children who are able to remain in their local mainstream school. There are three broad areas that could be looked at within this context:
 - 1) Increasing the specialist expertise to schools to improve the support available to CYP, including an enhanced offer of support around reviewing provision of children with EHCPs in a timely way to avoid placement breakdown.
 - 2) Improving inclusive practice and relationships with parents/carers, building on the conversations already underway through the secondary board to improve teaching and learning for SEND pupils in mainstream schools.
 - 3) Creating a system for the movement of children from special schools to mainstream, where this is appropriate for their needs.
- 2.3 It is essential that schools are fully involved in shaping proposals for the use of the additional £5m HNB available for 2022/23 so that plans are well aligned to address the demands that are being faced by schools and settings across the board. It is also essential that any proposals have tangible outcomes and align with the strategic priorities of the local area. Any plans would also need to include a 'roll back' clause if costs of SEND placements exceeded the budget available.
- 2.4 Subject to agreement from Schools' Forum, it is proposed that discussions are held with the joint primary and secondary board in February to agree the next steps for taking actions forward. This would include a proposal for working groups to be established over terms 3 and 4 to map out some more detailed proposals for use of HNB, under each of the broad areas in 2.2 above. By ensuring that these proposals align with the co-produced

strategic priorities in the strategy, it is envisaged that these will incentivise buy-in to the strategy and help foster a shared approach to improving inclusion.

- 2.5 Although we do not know the details yet, there are clear indications that the Green Paper on School Improvement (to be published this spring) will have a strong focus on SEND and inclusion. Furthermore, there are early indications that the outcome of the SEND Review will also lead to a Green Paper consulting on legislative changes to the SEND system. The proposals for consideration at Schools' Forum will allow us to get on the front foot of these and make use of available resources as more details on the reforms comes to light.

3. Conclusion

- 3.1 There is no reason why fewer children in East Sussex with SEND should attend their local mainstream school than national or statistical neighbour averages. The increasing demand for specialist provision will not only outstrip local capacity by 2025 but also means that the offer of provision for children and young people in East Sussex is less aligned with the principles of inclusive education than is the case elsewhere. Furthermore, the more children who are placed in special schools who would elsewhere be supported in mainstream placements, means that ES has less scope available to find special school placements for children who really need them at times of crisis.
- 3.2 However, ES is in a good place in having some HNB resource available to use to promote the inclusion agenda, and this presents an excellent opportunity to make some bold proposals to turn the tide and help keep more children in their local mainstream school.
- 3.3 Schools Forum is therefore recommended to:
- a) support the allocation of £5m to undertake activities aimed at promoting mainstream inclusion (to be reviewed annually);
 - b) support the proposals for working groups to be set up to explore options, following discussions with the Joint primary and Secondary Board in February; and
 - c) identify any other thematic areas for exploration which would contribute to this strategic agenda.

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