

Frequently Asked Questions (FAQs)

Compiled by Harrow Parent Forum (HPF)

On the Proposed Funding Model for Education Health and Care Plans (EHCPs) in mainstream schools, academies and free schools in Harrow (High Needs Banding Matrix)

What is the consultation about?

The consultation document sets out:

- How schools are funded for pupils with special educational needs and disabilities in mainstream schools in Harrow.
- The present system in place for allocating additional funding, which is referred to as 'Top Up' funding.
- How the proposed banding approach will work, including how the High Needs Banding Matrix will support decision making.
- The proposal to introduce a SEND Support Fund so schools with a disproportionate high number of pupils with EHCPs are not financially disadvantaged.

This proposal forms part of the long term Harrow SEND Strategy and contributes to its implementation. The proposal and SEND Strategy reflect the Council's commitment to enhance local provision, support the development of provision within mainstream schools to meet pupil projections for future demand which will reduce the amount of funding spent on out borough provision. You can read more about Harrow's SEND strategy on the Harrow Local Offer. Visit www.harrowlocaloffer.co.uk/services/education.

Why is the local authority (LA) proposing to change the way they fund mainstream schools to meet the needs of children who have an education, health and care plan (EHCP)?

The current funding arrangements have been in place for many years. The Local Authority wants to put in place a new model of funding which takes in to account changes in the way schools are funded to meet the needs of children who have additional needs and have an EHCP. Schools wanted a model which was more consistent and transparent and reflected the wide range of strategies and interventions that are used in schools to support a child's learning.

Presently, additional funding allocated through an EHCP is based on a number of teaching assistant (TA) hours. Harrow Council is proposing a banding approach instead. This banding approach is widely used by many other local authorities, including our neighbouring boroughs, including Ealing, Hertfordshire and Brent.

Who will this affect?

Parents/carers of children (5- 18 Years) who have an EHCP and attend a Harrow mainstream school.

This does **not affect** parents/carers of children who attend:

- an early year's provision (birth up to 5 years)
- a Harrow special school (Woodlands, Alexandra, Kingsley or Shaftesbury) or (out of borough special schools)
- an Additional Resourced Mainstream (ARMS) provision
- a Further Education College (e.g. Harrow College)

What is banding?

Banding is a method for the Local Authority to give additional funding, referred to as Top Up or Element 3, to schools to meet the needs of a child who has an EHCP. There is no saving attached to this model of funding.

How does the Local Authority allocate funding?

The Local Authority decides on the Banding Level based on a child's identified special educational need/s and the provision required to meet the need/s. The Local Authority uses a set of descriptors to support decision making. The descriptors are referred to as The High Needs Matrix. The Matrix is not intended to be a perfect tool and best judgment based on evidence is used to support decision making.

The Local Authority is under a legal duty to make sure provision in an EHCP is made for a child with an EHCP. The duty is not changed by the proposed funding changes.

If agreed when will this change happen?

Subject to the consultation we plan to introduce this model of funding from the 1st April 2020.

So, from April 2020 **any new** EHCP issued will be under the Banding model.

For children who have an EHCP this will be a gradual change over a period of 12-18 months.

The Local Authority **cannot** change a child's EHCP until the annual review has taken place and therefore the change for child who already has an EHCP will take place when the annual process has finished and an amended EHCP is issued.

The Local Authority will not be changing the layout of the EHCP and will continue to specify provision and outcomes as before. However rather than stating funding is equivalent to a number of teaching assistant hours the Local Authority will allocate a Band Level.

How are Special Educational Needs and Disabilities (SEND) funded in mainstream schools?

Three 'elements' make up SEND funding in mainstream.

In Harrow, funding for pupils comes from a combination of the Schools Block and the High Needs Block (HNB). These are two of the Blocks which form part of the Dedicated Schools Grant (DSG). The funding is as set out in the table below.

Type of provision	Core funding	Top up funding (real time)
Mainstream schools, mainstream academies and mainstream free schools	Included within the per-pupil funding through the Schools National Funding Formula. The first £6,000 of additional support costs is delegated within school budget and academy	Agreed per-pupil 'top up' paid by the Local Authority (The High Needs Block)

	grant derived from the Schools National Funding Formula (The Schools Block)	
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How does the LA work out the criteria for the banding?

In the annual review meeting to discuss the EHC plan, information will be gathered from parents and young people, from the school and other professionals about the EHC plan.

When will the LA allocate funding to a new EHCP?

When an EHCP reaches draft stage, the Local Authority must decide on the level of provision required to meet a pupil's needs. To allocate funding the following steps will be taken:

- The decision exercise will be part of the weekly SENARS panel.
- The decision will be made based on the information gathered as part of the statutory assessment against the Matrix
- The needs in each column are considered and a decision reached on which description best describes the pupil.

When is top up funding allocated or amended?

The Authority will allocate Top Up funding using the High Needs Matrix:

- When issuing a final EHCP following a Statutory Needs Assessment based on the information provided
- When issuing an amended EHCP following the Annual Review process

How does the High Needs Banding Matrix work?

The Matrix will be used to support the decision making for all allocations of additional education funding for SEND in all mainstream schools, academies and free schools in Harrow.

The Matrix is based on the 2014 SEND Code of Practice, which describes four broad categories of SEND

- Sensory and/or Physical
- Communication and interaction
- Social, Emotional and Mental Health
- Cognition and Learning

In the Matrix these broad categories are further subdivided to give 10 columns describing need with 5 rows relating to the severity of the need. Each row is assigned points ranging from 0 – 4 with 0 being no significant need and 4 being the highest level of need.

- Physical disability and/or medical conditions
- Hearing
- Vision
- Speech and Language
- Communication and Interaction
- Emotional Wellbeing
- Social behaviour
- Learning behaviour

- Cognitive ability
- Specific Learning Difficulty

Table 2 – Matrix Banding and Funding Band	Points Band	Total Place & Top-up (Schools & High Needs Block)	Place funding (Included in School Budget)	Top-up (Paid from High Needs Block)
A	0-15 points	school budget	school budget	school budget
B	16-26 points	£10,949.19	£6,000.00	£4,949.19
C	27-42 points	£12,796.76	£6,000.00	£6,796.76
D	43-53 points	£15,594.82	£6,000.00	£9,594.82
E	Over 54 points	£19,271.96	£6,000.00	£13,271.96

What are the exceptions to the Matrix?

The Matrix is used to support decision making. It is not intended to be definitive, although the sampling carried out during the development of the Matrix indicated that it was accurate in determining an appropriate level of additional funding in the majority of sampled cases. Special Educational Needs Assessment and Review Service (SENARS) has continued to sample cases and have in place more detailed sampling to support and inform the consultation.

There are exceptions where the Matrix does not reflect the level of need for example a pupil who has a significant sensory impairment (visual impairment/hearing impairment) a pupil who has a significant physical need but no special educational learning need. In such cases a more detailed discussion will be held before determining the allocation of additional funding to take in to account the support the pupil will require to access the curriculum.

What happens if a parent/carer disagrees with the allocated Band Level?

Parent/s Carer/s can talk to the school SENCO and the Local Authority SEN caseworker about the decision. The Local Authority must consider any requests made but does not have to agree.

There is no change to a parents' right of appeal.

As before Parents should read through the draft EHC plans when issued as part of the statutory assessment. Parents should prepare for annual review meeting and read amended EHCP (with the Band). **Contact Harrow SENDIAS Service on 020 8428 6487**

Email: harrow.sendias@family-action.org.uk Website: www.family-action.org.uk/harrowsendias

How is the Banding helpful?

A range of professionals' opinions says:

- *It simplifies and streamlines the task of allocating 'top-up' funding. Banding provides some potential benefits for flexibility and quality of provision.*
- *The banding approach is designed to give schools more flexibility to support a pupil with an EHCP and to reflect the wide range of strategies and interventions that are used in schools to support a pupil's learning.*
- *Banding could enable schools to use EHCP hours more creatively. For example, teachers could deploy TAs to work with other pupils while they spend time with individuals or small groups with high level SEND*

Is it legal?

The Independent Parent Advice Service (IPSEA) says:

Under s.42 Children and Families Act 2014, the LA must secure all the special educational provision in the EHC plan. Therefore, LAs should make sure that the funding allocated to an EHC plan is sufficient to do so. The LA remains ultimately responsible for making the provision if school cannot or will not do so. Banding should be allocated once the special educational provision has been determined and not the other way around.

If the LA fails to secure the provision in the plan, then this would be a breach of its duty and you can complain and ask the LA to secure the provision.

For more information contact www.ipsea.org.uk

How can I get more information if I have more questions or concerns?

- Contact Harrow SENDIAS Service for impartial advice on tel: 020 8428 6487
Email: harrow.sendias@family-action.org.uk
Website: www.family-action.org.uk/harrowsendias
For a direct link: <https://www.family-action.org.uk/what-we-do/children-families/send/harrowsendias/>
- Also speak to your child's school SENCO