

WESTMINSTER CITY COUNCIL**SCHOOLS' FORUM – 14th NOVEMBER 2022****REPORT BY THE ASSISTANT DIRECTOR, SPECIAL EDUCATIONAL NEEDS
AND EDUCATIONAL PSYCHOLOGY AND LEAD STRATEGIC FINANCE
MANAGER – BI-BOROUGH CHILDREN'S SERVICES****DfE RESEARCH: HIGH NEEDS BUDGETS: EFFECTIVE MANAGEMENT IN
LOCAL AUTHORITIES**

This report compares practice in Westminster City Council with the DfE research on effective management of high needs budgets in local authorities (LAs). Some areas will be reviewed further with the high needs budget review group (HNBRG)

FOR INFORMATION

1. INTRODUCTION

- 1.1 In June 2022, DfE published a Research report: High needs budgets: effective management in local authorities produced by Peter Gray, Penny Richardson & Paul Tanton. This report compares practice in WCC with the research findings.

2. BACKGROUND

- 2.1 The research was based on authorities in surplus on their annual high needs budget for the 2020-21 financial year and focuses on 10 case study local authorities (East Sussex and Essex, Wakefield and Wigan metropolitan authorities, Barnet and Camden Boroughs, Nottingham, Portsmouth and Telford) seen to be managing their high needs budgets more effectively.
- 2.2 The authors reported a number of general features common to the case study authorities including partnership with schools and parents, supported by continuity in leadership and clear policy/strategy and underlying beliefs in meeting children's needs in their local community, wherever possible in mainstream schools. The case study authorities shared average or below average numbers of pupils with Education, Health and Care Plans (EHCPs) and in specialist provision (although Tribunal appeal rates varied). There was no evidence that the sample authorities were better funded than other similar areas. There were close links between SEND and Finance functions and data was shared more routinely with key local stakeholders. These authorities had developed or were developing:
- A stronger and more consistent mainstream SEND offer including co-produced guidance on ordinarily available provision

- school capacity as well as individual children support services
- schools working with the local authority to manage and target funding.
- Effective dialogue with parents and carers
- Capacity to meet the needs of autistic young people
- Support for phase transitions
- A clearer and broader range of pathways post-16
- New local provision to meet growing levels of need, properly focused.
- more formal commissioning and monitoring of existing provision
- Financial processes underpinned by good quality data leading in some cases to significant savings.

2.3 Some of the evidence provided by the case study areas over a three-year period (2019-2022) was acknowledged as qualitative and anecdotal indicating impact variations across the case study sample attributed partly to (COVID-19) pandemic which may have delayed implementation and temporarily suppressed demand.

3. **COMPARISON BETWEEN RECOMMENDATIONS IN DFE REPORT AND WESTMINSTER CITY COUNCIL**

3.1 **Recommendation 1: Local authorities should invest properly in SEND leadership, with dedicated time for strategic functions to avoid constant distractions from operational pressures.**

SEND Area Inspections nationally have highlighted authorities with a succession of interim appointments at senior SEND leadership level and the adverse impact this has on the trust that is needed to underpin partnership work with schools, parents and other stakeholders. In WCC's SEND Area Inspection, February 2020, Inspectors acknowledged leaders are ambitious for children and young people with SEND and work closely together to deliver improvements as demand for services increases. Through this shared ambition, outcomes have improved.

3.2 **Recommendation 2: Authorities should review their joint commissioning arrangements to support more balanced contributions to high needs provision from the three key services (Education, Health and Social Care).**

Our local arrangements include a formal joint Commissioning Group established, Chaired by Annabel Saunders, Director of Operations and Programmes and joint funding protocol (split between health, social care and Dedicated Schools Grant (DSG)). Inspectors found WCC commissions services jointly with health for the benefit of individuals and groups of children and young people. However, they recognised that more needs to be done for young people aged between 16 and 25. Since July 2022, changes in the NHS have introduced an Integrated Care Partnership; NHS commissioner led joint working to address specific children's health priorities.

3.3 **Recommendation 3: Officers with SEND and Finance responsibilities should have joint accountability for effective management of this area,**

with high priority given to effective communication and mutual support, building on the positive practice identified in this report.

There were strong links between SEND and Finance functions in the case study areas ensuring shared understandings and good communication in the effective management of high needs spend. In WCC, SEN and Finance jointly lead the High Needs Budget Review Group (HNBRG) (chaired by schools) and

- Produce the DSG deficit management plan in collaboration
- Report jointly to the Schools' Forum
- Participate jointly in regional best practice events
- Oversee the Education Banding Tool (EBT) review jointly
- Collaborate on responses to strategic regional and national consultations

3.4 Recommendation 4: Local authorities should review their capacity for SEND support (and its funding base) to help strengthen their influence on the range of relevant outcomes. They should develop clearer agreements with services which set out commissioning expectations and monitoring arrangements.

Case studies highlighted mainstream inclusion recognising the role of Educational Psychology alongside school improvement to support and challenge schools and settings with a clear expectation of their impact. In WCC, through the work of the HNBRG we have reviewed some individual budget lines within the High Needs Block (Inclusion service, SALT commissioning, SEN inclusion fund (SENI), targeted support, Alternative Provision and behaviour Support) that provide services to children and young people without EHCPs. We recognise that the next steps are for the HNBRG to consider an overview of the SEN Support expenditure and make recommendations to Schools Forum. We are developing resources to support schools which will be launched early in 2023 and this will be discussed at a following HNBRG meeting.

3.5 Recommendation 5: Local authorities should review their current staffing levels and structures for SEND casework and enhance these where necessary, as part of their broader strategy for improving management of high needs expenditure and quality of service delivery.

In WCC, a review of our capacity to improve the timeliness of annual review has highlighted a staffing pressure. As a bi-borough service the DfE Delivering Better Value (DBV) in Kensington and Chelsea will help us to strengthen our monitoring of how funding is being used to ensure it is used effectively. This may also present opportunities for visiting schools and improving practice. We have been testing out the impact of a dedicated post to complete EBT calculations and support our plans to introduce regular moderation by headteachers.

3.6 Recommendation 6: Local authorities should review and further develop their approaches to partnership with key stakeholders, taking into account some of the positive practices described in this report (in addition to any broader policy emphasis on this area).

- Schools are engaged in the high needs budget review group (HNBRG) and Schools Forum in WCC which is leading to greater transparency regarding budgets and costs eg EBT value implications including the required transfer from the schools block to the HN Block of the DSG.
- Officers are working with Adult social care to develop a bridging offer to support effective transition. A funding contribution to high cost placements has already been secure from adult social care.
- We have developed a data digest to share with headteachers
- There is a strong emphasis on listening and responding to parents' views and concerns, particularly through Make it Happen, WCC's Parent Carer Forum.
- In WCC inspectors found agencies work well together to ensure that emerging needs are identified and assessed quickly, and suitable provision is put in place.

3.7 Recommendation 7: When creating new specialist provision, local authorities should be clear about the expected range and levels of need that this will cater for. They should also consider the potential impact on future demand and whether this can be financially sustained. The case for any proposed development should include detailed projections on the balance between investment and savings.

- In WCC we have devised a commissioning strategy to ensure that where we are developing provision it is addressing forecast and known demand
- We have developed written service level agreements for each host school's provision
- We recognise that we must ensure that the mainstream offer is as strong as possible and available earlier for nursery children and those with speech and language needs
- There are challenges, including access to start-up funding to recruit or train up existing staff to become specialists. NHS providers do not have the capacity to support expansion of local provision particularly re therapy offer.

3.8 Recommendation 8: With regard to developments in local mainstream provision, investment should be targeted at strengthening inclusion, with impact monitored and evaluated at that level.

- WCC has become a low excluding authority and remains ambitious about further reducing exclusions through its Inclusion Strategy.
- For our specialist provision we have an expectation of a multi-agency steering group regularly reporting to the Council on impact
- Annual commissioning conversations take place with every host school
- We have established EWAL group (Educators working with autistic learners) as a good practice group. It is led by the Inclusion Service
- We are investing capital resources in improving the physical accommodation of our alternative provision to support greater links for pupils at risk of exclusion
- Whilst we have targeted funding to support the most inclusive schools, we recognise that authorities, such as Telford, have a 'Fairer Share' fund to distribute a fixed budget (£100,000) to schools with higher numbers of EHCPs than the school demographics would usually be associated with.

A formula is used which ranks schools by deprivation, low prior attainment and (the first 15 hours of each EHCP only). We propose discussing the Telford model at the HNBRG during this academic year.

3.9 Recommendation 9: Local authorities should set out more clearly their expected pathways for young people with different levels of need, ensure that these are presented earlier and more clearly to young people and their parents, and evaluate quality and outcomes on a more regular basis. Pathways should be realistic but ambitious

- We recognised the importance of a breadth of post 16 provision in our refreshed, new SEND Strategy in 2021.
- We have been successful in promoting our supporting internship
- Our pathway planning work is under-developed but it is a priority. It is informing our bridging project work with adult social care.

3.10 Recommendation 10: Local authorities should learn from positive examples of innovative approaches to mainstream funding (including the option of greater devolution of resources to individual schools/ groups of schools with clear expectations of outcomes

The case study authorities with the biggest impact on managing growth in numbers of EHCPs were characterised by greater involvement of heads in funding decisions. A number had developed banding systems which initially supported greater consistency in decision-making about funding. However, some of those interviewed felt that they might contribute to further inflation. Through the DfE DBV we want to try and identify examples of where this works well to understand what makes it successful along with the risks and issues. We recognise that there are some perverse incentives and we want to tackle them e.g. access to therapy

- We are active participants in London Strategic Managers Network, sharing practice.
- We are going to review our strategic approach to ordinarily available provision and funding at SEN Support and consider whether schools would support an innovation funding. We will also explore whether the DfE DBV will allow us to create an ongoing innovation budget to pump prime changes.

4. RECOMMENDATIONS

4.1 Schools Forum is asked to note:

- 4.1.1 the comparison between practice in Westminster City Council and those included in the DfE research report; and
- 4.1.2 further issues and areas identified within this report will be considered further at the HNBRG.

Julie Ely
Assistant Director, SEN and EPS - Bi-Borough Children's Services

Anita Stokes
Lead Strategic Finance Manager – Bi-Borough Children's Services

Sarah Newman
Bi-Borough Executive Director of Children's Services