

Cambridgeshire

Guidance on the Allocation of High Needs SEND Funding Pilot Project Time-limited Inclusion Grant (TIG)

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Contents

Part 1: Introduction and context

The purpose and scope of this document	Page 3
Oversight and review arrangements	Page 3
The National Context: Arrangements for SEN Funding that are set nationally	Page 3
The High Needs Block	Page 3- 4
What the high needs block can fund	Page 4
Current local situation – Cambridgeshire Mainstream Schools	Page 5

Part 2: Proposed local arrangements within Cambridgeshire for allocating additional

SEND Support funding within a Time-limited Inclusion Grant (TIG)	Page 6
Principals of the Time-limited Inclusion Grant (TIG pilot)	Page 7
A New Approach	Page 8

Part 3: Meeting protocol – before, during and after Time-limited Inclusion Grant (TIG) panel meetings

The purpose of TIG panel	Page 9 - 10
Before the meeting	Page 10 - 11
Headteachers/SENCo are expected to attend	Page 11
At the meeting	Page 11 - 13
After the meeting	Page 13
Funding arrangements	Page 13

The purpose and scope of this document

This document has been written to provide an overview of the arrangements and operational guidance for the 'Pilot' Time Limited Inclusion Grant (TIG) system for allocating additional funding for children and young people with SEN who do not have an Education, Health, and Care Plan (EHCP).

The scope of this operational guidance is to cover the aspects of SEN funding that can be determined locally – specifically, this means how funding from the high needs block for individual children and young people with SEND is arranged and allocated in a fair, equitable, transparent, effective, and sustainable way.

Oversight and review arrangements

Arrangements covering the allocation of funding at SEND Support will require regular oversight and review. It is envisaged, therefore, that the pilot project for SEN Support funding arrangements in Cambridgeshire should be reviewed after a term, and this operational guidance will then be updated as required.

Responsibility for reviewing TIG funding arrangements and this operational guidance sits with the SEND Service 0-25.

The National Context: Arrangements for SEN Funding that are set Nationally

The High Needs Block

Local areas receive an allocation of funding for supporting pupils with "high needs" through the high needs block of the Dedicated Schools Grant (DSG), which is provided to LAs by the Education and Skills Funding Agency (ESFA).

The DSG is intended to meet the educational costs for early years, primary and secondary education, as well as the additional costs of support for children requiring alternative provision (AP), and children and young people with high needs SEN from early years to post-16 (including those aged post-19 who have an Education, Health, and Care Plan, or EHCP).

The use of the DSG is governed by conditions of grant and the School and Early Years Finance Regulations, which are updated regularly. The 2022/23 conditions of grant can be found <u>here</u>.

A pupil or student is deemed to have "high needs" if the costs of providing for their special educational needs is £6,000 or above. Where pupils and students with additional needs, including those with SEN, requiring support that costs less than £6,000, the costs of their support should be met from the education setting's delegated budget. (Note that arrangements in the early years sector are slightly different.)

Detailed operational guidance about the aspects of high needs funding that are set nationally can be found in the High Needs Funding: Operational Guide, which the Department for Education publish annually. The operational guide for the 2023/24 academic year can be found <u>here</u>. Cambridgeshire's allocations of funding through the DSG overall and about the blocks of the DSG, including the high needs block, are published on our <u>Funding special educational needs</u> page.

What the High Needs Block can fund

Put simply, the high needs block can be used to fund three things:

1. Places – designated places for pupils requiring specialist provision, commissioned from special schools, resource bases, post-16 settings, as well as places in AP. LAs can decide how many of what sort of place to commission from which providers (e.g., how many places in special schools, enhanced provisions, colleges). The amount of funding for high needs places is set nationally.

2. Top-ups – the high needs block can be used to provide additional resource, over and above an education setting's "core funding" (its delegated budget or place funding), hence being called "top-up" funding, for individual children and young people with high needs. While it is good practice for LAs and settings to work together to agree approaches to organising top-up funding, LAs have the ultimate responsibility for making decisions about top-up funding since they are accountable for the spend from the high needs block. While top-up funding must be sufficient to secure the special educational provision specified in a child's or young person's EHCP and decisions must be based on the assessed needs of individual children and young people, the DfE high needs operational guidance explains that having a framework (often called "banding") that indicate levels of top-up funding that might be allocated at different levels of need can be an efficient, fair and transparent way for LAs and education settings to organise decisions about SEN top-up funding. (The high needs block also funds the cost of placements in the independent sector, which are not split into place funding and top-up funding). Cambridgeshire's SEND 'banding' can be found here.

3. Services – the high needs block can also be used to fund SEN and inclusion support services that seek to work with education settings to help them support and include children and young people with additional needs.

Mainstream schools receive their equivalent of elements 1 and 2 as "core funding" in their delegated budgets, and then receive additional top-up funding for individual pupils with high needs SEN via an Education, Health, and Care Plan.

Element 1

Mainstream primary and secondary schools receive per-pupil funding through the national schools funding formula in the form of what is called "basic entitlement". The exact amount varies from year to year and between LAs, to reflect local factors, but is on average around £4,000 per pupil per year. As a guide, in Cambridgeshire, in 2022-23, the basic entitlement values were £3,390 (primary, Reception to Year 6), £4,779(Key Stage 3), and £5,386 (Key Stage 4). Mainstream schools may also receive additional funding as part of their delegated budget, such as the lump sum or Pupil Premium funding.

Element 2

Mainstream schools are expected to meet up to the first £6,000 of support costs for pupils with SEN from within their delegated budgets. This means that mainstream schools are expected to use their delegated budgets, both to cover the cost of support for pupils with SEN who require support costing less than £6,000 as well as the first £6,000 of the support costs of pupils with an EHCP. Within their delegated budget, a proportion of that will be highlighted as their "notional SEN budget". This is to provide an indication that there is funding within schools' delegated budgets from which to meet the needs of pupils with SEN – the funding is notional, rather than being strictly ring-fenced, and schools are expected to use their delegated budgets to cover the costs of support for pupils with SEN up to £6,000. LAs do have the scope to allocate additional funding outside the main school funding formula to schools that have a disproportionate number of pupils with SEN.

Element 3

Element 3 funding is additional funding to meet the assessed needs of pupils with more complex SEN requiring support costing more than £6,000 (or overall provision costing more than £10,000, based on basic entitlement funding of c.£4,000 plus £6,000 of additional support). In Cambridgeshire, this currently comes via an EHCP. Funding is provided by the LA responsible for the pupil and is paid to the school where the pupil is on roll and moves with the pupil when they leave the setting.



Part 2: Proposed local arrangements within Cambridgeshire for allocating additional SEND Support funding within a Time-limited Inclusion Grant (TIG)

Consultations with schools, parent/carer forums and Local Authority (LA) staff took place during the academic year 2022/3 to consider alternative ways of supporting children with SEND. Whilst some parents were concerned that using high needs funding (HNF) prior to an EHCP could take away funds from the most complex children, or that schools may use the funding to 'plug budget holes', the majority felt that additional funding without the need for an EHCP would reduce bureaucracy and ensure resources were provided quickly. Schools were positive about SEND Support additional funding and shared how it could be used to support groups or develop projects that would positively impact on outcomes for many children.

The use of High Needs Funding to support children without an EHCP is not new and occurs in other Local Authorities. Cambridgeshire is also being supported by the DfE Safety Valve, the DfE has proposed the use of HNF in this way.

Principles of the Time-limited Inclusion Grant (TIG pilot)

Universality: There should be a consistent set of principles and methodology for allocating SEN top-up funding across all phases and settings. This will be considered during the Pilot phase and built upon if rolled out county wide.

Fairness: It is recognised that the high needs block allocation for Cambridgeshire is finite, and that the different parts of the SEND system form an interdependent 'ecosystem': decisions about funding in one area, phase or sector affect the resources available to another.

As such, strategic and operational decisions about SEN, funding – between and within sectors – should be made transparently, consistently, and fairly, to ensure resources are targeted where there is greatest need.

To bolster this, within the SEN Support HNF system there should be a strong element of peer moderation built in, and scope for genuinely exceptional circumstances to be considered. Furthermore, the use of HNF funding prior to an EHCP should be overseen, reported on, and reviewed regularly by senior leaders and partners to ensure transparency and effectiveness.

Needs-based: For there to be an effective, fair, and transparent allocation of SEN Support HNF, decisions need to be made consistently and with reference to the same methodology.

In Cambridgeshire, the key tool for guiding decisions about SEN will be a banding framework and application form.

Ease of use: The approach to SEN funding in Cambridgeshire, and the tools used to inform and reach decisions, should be straightforward to explain, concise and easy to use. They should be available to all practitioners and professionals working with children and young people with SEND, as well as wider partners in the local system (including parents and carers).

Mutually-reinforcing of the wider SEN system: The SEN funding system should align with and support strategic priorities for the SEND system in Cambridgeshire and operational guidance for when to carry out EHC needs assessments, "Requesting an Education Health and Care Needs Assessment". It should also link to the Cambridgeshire SEND "ordinarily-available provision" (OAP) toolkit.

Time bound funding to meet a specific need without an EHCP (e.g., up to a year).

A new approach

TIG will be a faster and more flexible, peer moderated funding arrangement, that reduces reliance on the EHC needs assessment as a route to access funding.

A panel of Head Teachers/SENCos or senior staff will decide whether to issue a TIG and for how long. It is for children with the same level of need as might otherwise have had to wait for an EHC needs assessment and would sit within Band 3 of the Cambridgeshire Descriptors of need.

It is expected that this will reduce the demand for EHCNA where funding to deliver interventions is the key driver, providing a speedier response to meeting pupils' needs.





Part 3: Meeting protocol – before, during and after Time-limited Inclusion Grant (TIG) panel meetings

The purpose of the TIG panel is to:

Make decisions on funding applications for element 3 HNB top-up funding for any Cambridgeshire resident child. **Provide information**, advice, and guidance on good practice to all members of the group, including as part of feedback to schools making requests for funding. **Manage the distribution** of High Needs Block spend in Cambridgeshire mainstream schools.

The panel will consist of:

- A pool of 13 Headteachers/SENCos or senior leaders.
- There must be 7 Headteachers/SENCos/senior leaders to be quorate.
- There will be at least one Local Authority representative who will advise the group who does not have a vote.
- Every school represented has one vote; no other attendee has a vote.

The use of High Needs Funding to support children without an EHCP is not new and occurs in other Local Authorities. Cambridgeshire is also being supported by the DfE Safety Valve, the DfE has proposed the use of HNF in this way.

Representatives from the local authority might include:

- A representative who can provide advice about SEN funding, for example SEND Finance Manager.
- A representative who can provide advice about SEND in schools, for example, SEND District Manager, SEND Specialist Teacher, or Principal or Senior Educational Psychologist.
- The SEN team will be responsible for providing administrative support for the meetings.

The panel will meet half-termly.

All children transferring between primary and secondary schools, who need it, will have TIG agreed for at least the autumn term of the year in which they transfer. This will enable receiving schools to plan provision from day 1 of the new academic year when a child starts school, and to collate evidence over the first term to be able to request an extension of the grant for a further period if required.

All members are expected to attend all meetings they are scheduled for.

All panel members will vote on whether each application describes an exceptional level of need that warrants funding over and above £6k of notional SEND funding. The Local Authority Administrator will collate votes in advance of the meeting.

Before the meeting

Schools will complete the application form and ensure that information is anonymised other than the child and family contact details recorded on page 1. Schools are responsible for ensuring that parents/carers consent to the request prior to submitting the request.

Schools will send their application by secure email to TIG@cambridgeshire.gov.uk before the closing date for the agenda (see appendix 1 for all meeting dates and the deadline date for referrals). Please write 'TIG request' in the subject line and send securely to avoid a data breach.

The Local Authority will set up an MS Team for this Panel so members can access the agenda and papers securely by the agreed date in advance of the meeting (see appendix 1). Panel members will receive an email and link to notify them the papers are ready.

Each school will have one vote which will be exercised in advance of the meeting. Headteacher panel members will send their votes to TIG@cambridgeshire.gov.uk, by noon on the agreed date in advance of the meeting (see appendix 1 Panel dates and Deadlines). Please write `TIG vote' in the subject line.

All decisions will be collated prior to the meeting and reported to the chair before the beginning of the meeting.

Headteachers / SENCo are expected to attend

However, there are circumstances such as illness or an OFSTED inspection that will cause an unavoidable absence. Any delegate that cannot attend is expected to arrange an alternative representative SENCo or Senior Leader to attend on their behalf and will inform the LA (<u>TIG@cambridgeshire.gov.uk</u>) of the arrangement.

If in exceptional circumstances no-one can attend the school may vote but forfeits the opportunity to take part in the discussion at the Panel meeting.

At the meeting

Meetings will be held online, unless otherwise specified.

All members are expected to take a view about whether each funding request is agreed, and to participate in the discussion.

Meetings will last half a day.

The Chair of the panel will rotate on a voluntary basis.

Schools making requests will be excluded from the Panel discussion about their cases. This is to ensure that all decisions are made equally, based on the submitted written request, and no school should be disadvantaged by not being present.

All representatives must read the papers in advance of the panel and make a tentative decision about whether the evidence supports TIG being agreed, with reasons.

If the vote prior to the meeting is a consensus, or when the chair determines that a discussion is necessary, the application will be discussed with a view to determining:

a) The level of resource if the majority agree that the child's needs are exceptional and warrant an Exceptional Needs Grant, or

b) The feedback regarding a 'no' decision if the majority do not agree the child's needs are exceptional and warrant an Exceptional Needs Grant. A designated representative will be named to provide that feedback in writing to the applicant school's SENDCo. Feedback may include advice regarding the application and invite the school to amend their application for the next TIG panel, to give that school an opportunity to clarify the evidence before a decision can be made.

If the vote prior to the meeting is 4:3 either way, there will be two parts to the discussion:

a) Whether or not the need is deemed to be exceptional (yes or no), based on the reasons for each school's votes, followed by a second vote seeking either a consensus or 5:2 vote either way.

b) If the second vote does not agree to TIG, reasons are noted for feedback and an identified representative named to provide that feedback to the applicant school's SENDCo.

c) If the second vote agrees a TIG will be made, the panel will need to determine how much TIG will be funded per year (lower band 3 or upper band 3). This will be pro-rated by the SEN team member responsible for implementing funding arrangements with schools in accordance with the agreed timescales; and agree start date (usually date of the meeting) and end date.

Any decision voted on in the meeting may be made by majority vote (i.e., at least 4 out of 7 votes).

Decisions will always be based on the evidence in the written application.

A grant can be requested for a maximum of a year except where a child is transitioning to a new school. Where a child is due to change provision, an additional term until December of that year will be added to facilitate a good transition and ensure support remains in place until the receiving school can decide about whether to submit their own application. This will usually apply to children entering Y7. The Local Authority will provide administrative support to record:

- The decision.
- The reason for the decision.
- The budget implications.
- Start and end date of any funding agreed.
- Record follow up actions including sharing ideas about what support is available to the school / child / family, including support available from other schools, teams, and services.

The Local Authority will also provide budget monitoring information to every meeting that will at least include number of agreements in the current academic year, and total costs of decisions over that year.

After the meeting

The Local Authority will confirm the panel's decision in writing within 5 working days to the requesting school, and, if the request is not agreed, will include reasons for the decision.

The full minutes will be retained securely on the TIG MS Team (which has closed membership) and shared with panel members.

Schools can resubmit requests – at the following meeting, if invited to by the TIG panel, or after 6 months has elapsed.

The Local Authority will distribute funding in accordance with TIG decisions in the same way that EHC funding is distributed.

Funding arrangements

For the purpose of the pilot, the band 3 rates are: Low: £1,000 Medium: £2,500 High: £4,000



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