

SCHOOLS FORUM

Meeting date: 8 June 2022

**From: Daniel Barton
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SEN TRANSITIONAL PROTECTION 2023/24

1.0 EXECUTIVE SUMMARY

- 1.1 *This paper updates the Schools Forum on the modelling undertaken to extend the SEN Transitional Protection funding beyond 31 March 2023 following consideration by the combined Schools Forum SEN and Budget working groups.*
- 1.2 *The combined SEN and Budget Working group recommend that Schools Forum support the proposal that transitional protection is applied on the basis of Model 2.*

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

- 2.1 *The utilisation of the High Needs block within the Dedicated Schools Grant is supportive of the Council Plan outcome that 'People in Cumbria are healthy and safe'.*

3.0 RECOMMENDATION

- 3.1 *The Schools Forum is recommended to note this paper and support the combined SEN and Budget Working Group's recommendation that the SEN transitional protection is implement in financial year 2023/24 on the basis of Model 2.*

4.0 BACKGROUND

- 4.1 At the combined SEN and Budget working group meeting held on 9 February 2022 a number of options to address the impact of removal of Targeted SEN funding on those schools with high levels of inclusivity were discussed and put forward for potential modelling. These included:

- Restoring targeted SEN, lower threshold/amount available
- New thresholds and amounts based on type or size of school
- New set of EHCP top up bandings thresholds

- Alternative ways to consider RP places – treating separately to pupils in mainstream places with and EHCP
 - Levels of EHCPs within schools/notional SEN proportion
- 4.2 Subsequent to this meeting the government's SEND and AP Green Paper has been published and is out for consultation with a closing date of 22 July 2022. There are a number of proposals which impact on the proposed modelling work such as a national standardised calculation of the notional SEN budget, planned review of the current notional SEN threshold value of £6,000 and a national banding system. It has not been confirmed by government when the proposed changes will be implemented as they are still in the consultation period however it is expected that local authority flexibility within the funding system will be limited going forward.
- 4.3 Therefore, it was recommended that the combined SEN and Budget working groups consider extending the current SEN transitional protection funding which is due to end on 31 March 2023 rather than implementing a new local SEN funding system. Modelled options were presented to the working group on 20 May.
- 4.4 As agreed by Schools Forum, transitional protection funding for 2022/23 was allocated on the basis that no school would be any worse-off following the restoration of the notional SEN threshold to £6,000 and the removal of the Targeted SEN funding which came into effect from 1 September 2021. Where schools were worse-off full transitional protection has been provided to restore them to their original position. A total of 103 schools have received transitional protection in 2022/23 totalling £0.777m, this represents 34% of all mainstream schools/academies.

5.0 ***SEN TRANSITIONAL PROTECTION MODELLING***

- 5.1 Included at Appendix 1 are the three proposed modelled options for extending the SEN transitional protection beyond 31 March 2023 into 2023/24 which have been considered by the combined SEN and Budget working groups. These are summarised as follows:
- Model 1 – proposes that the level of protection is reduced to 50% in 2023/24. For example, a school/academy that would be £3,000 worse-off under the changes brought in from 1 September 2021 would receive £1,500 in transitional funding. Under this scenario indicative modelling shows that 103 schools/academies would continue to attract the protection funding at a cost of £0.389m.
 - Model 2 – proposes that schools that have **more than 6%** of their total pupils (Reception to Year 11) with EHCPs would receive full protection funding. Under this scenario indicative modelling shows that 42 (14%) schools would attract the protection funding at a cost of £0.460m. This conforms to the current DfE guidance that says that additional SEN funding should only be targeted at a minority of schools which have particular challenges because of their disproportionate number of pupils with SEND or high needs.

- Model 3 – proposes that schools that have **more than 8%** of EHCPs would receive full protection and those with **over 4% up to 8%** would receive 50% protection. Those below 4% would not receive transitional protection. Under this scenario 82 (27%) of schools would attract protection funding at a cost of £0.500m.

5.2 At the combined SEN and Budget working group meeting held on 20 May, the group provided feedback on the options presented and recommended that the Schools Forum supports the proposal that Model 2 is implemented in 2023/24 financial year. This option provides the maximum protection to those schools with high inclusivity.

5.3 It is important to note that modelling has been based on 2022/23 actual funding allocations and pupil numbers to show a like for like comparison between the current transitional protection funding and the modelled funding. Actual allocations for 2023/24 will be dependent on the proportion of pupils with EHCPs and value of EHCP top-ups at each individual school as calculated at the time. Therefore, the Schools Forum is asked to recommend the principle that that will be applied to allocate the SEN transitional protection funding in 2023/24 financial year.

5.4 Any additional SEN funding beyond 2023/24 financial year would be subject to the outcome of the government's SEND review and separate decisions made by each of the two new unitary authorities in consultation with their respective Schools Forum.

6.0 OPTIONS

6.1 The Schools Forum is asked to consider this paper and support the combined SEN and Budget working groups recommendation to implement Model 2 to allocate SEN transitional protection funding to mainstream maintained and academy schools in financial year 2023/24. The Schools Forum can recommend:

- Model 2 is implemented as recommend by the working group;
or
- An alternative Model is implemented;
or
- Not to implement SEN transitional protection funding to mainstream schools and academies in financial year 2023/24.

7.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

7.1 Resource and value for money implications are considered throughout this paper.

8.0 CONCLUSION

8.1 This presents the proposed SEN transitional protection funding for financial year 2023/24 which the Schools Forum is asked to consider and make a recommendation on which option to implement.

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Accompanying Documents:

1. *Indicative SEN Transitional Protection Funding 2023/24*

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