

| <b>West Berkshire Schools Forum</b> |  |
|-------------------------------------|--|
| <b>Title of Report:</b>             | <b>High Needs Budget Proposals 2016-17</b> |
| <b>Date of Meeting:</b>             | <b>7 December 2015</b>                     |
| <b>Contact Officer(s)</b>           | <b>Jane Seymour, Cathy Burnham</b>         |
| <b>For Decision</b>                 |  |

## **1. Background**

- 1.1 This report sets out the 2015-16 High Needs budgets, the forecast for the current year, and the latest estimates for 2016-17.
- 1.2 There is likely to be a significant shortfall in funding in the High Needs Block (HNB) in 2016/17 of approximately £2m, mainly due to the following factors:
  - No increase in funding expected for this block (other than the full year neutral effect of changing from residency to location basis for place funding – see paragraph 3.1).
  - The carry forward in funding from previous years which has supported the budget in the current year has been used up.
  - There is likely to be an overspend in 2015/16 which will need to be funded from the 2016/17 HNB allocation.
  - Continuing increase in numbers and level of support required for high needs pupils.
- 1.3 This report sets out the expected projections on expenditure for next year and highlights areas where savings could be considered, alongside likely impacts.
- 1.4 HFG Members are asked to consider the options and provide a steer on what areas they would like more detailed information on to consider as proposals at the January meeting.

## **2. High Needs Block Summary**

- 2.1 **Table 1** summarises the position on the HNB. The current forecast for 2015/16 is a shortfall of £695,780 which will need to be funded in 2016/17. The estimates for 2016/17 are based on all services continuing and at current staffing levels/contract costs, and funding rates for top ups remaining the same for the current and/or known number and funding level of pupils.

| <b>TABLE 1</b>           | <b>2015/16 Budget £</b> | <b>2015/16 Forecast £</b> | <b>2016/17 Estimate £</b> |
|--------------------------|-------------------------|---------------------------|---------------------------|
| Place Funding            | 6,285,400               | 6,285,400                 | 7,030,000                 |
| Top Up Funding           | 8,507,580               | 8,940,060                 | 9,027,880                 |
| PRU Funding              | 2,201,000               | 2,401,000                 | 2,401,000                 |
| Other Statutory Services | 1,213,860               | 1,254,650                 | 1,233,490                 |
| Non Statutory Services   | 858,570                 | 868,570                   | 1,031,730                 |
| Support Service Recharg  | 515,750                 | 401,600                   | 401,600                   |
| <b>Total Expenditure</b> | <b>19,582,160</b>       | <b>20,151,280</b>         | <b>21,125,700</b>         |
| HNB DSG Allocation       | 19,100,550              | 19,100,550                | 19,795,150                |
| HNB DSG C/F              | 344,950                 | 344,950                   | -695,780                  |
| EY DSG Allocation        | 10,000                  | 10,000                    | 10,000                    |
| <b>Total DSG Funding</b> | <b>19,455,500</b>       | <b>19,455,500</b>         | <b>19,109,370</b>         |
| <b>Shortfall</b>         | <b>-126,660</b>         | <b>-695,780</b>           | <b>-2,016,330</b>         |

### 3. Place Funding - STATUTORY

3.1 Place funding is agreed by the Education Funding Agency (EFA) and has to be passed on to the institution, forming their base budget. Academy, Non Maintained Special Schools (NMSSs), and post 16 places are included in our initial HNB allocation but the agreed place numbers are then deducted and paid to the institution direct (DSG top slice). From the 2015/16 academic year the funding includes all institutions located in the local authority rather than on residency of the pupils – so, for example, our allocation now includes all places at Mary Hare School, but not places for our pupils in NMSSs outside West Berkshire. As a result of this change there will be an additional allocation of funding in 2016/17 to cover the full year effect of this change – this should have a neutral impact.

3.2 The EFA is not funding any overall increases to places, although there is an increase in demand for places in special schools. **Table 2** currently shows no increase to special school planned places, as there is no additional planned place funding to allocate unless there is surplus planned place funding in other institutions which can be reallocated. If no place funding can be released from other institutions, and if it is decided that additional planned places should be funded at the special schools, this will be a further pressure on the High Needs Block. A bid has been made for the additional 5 places at the new resource unit at Trinity School.

| <b>TABLE 2 – Place Funding Budgets</b>    | <b>2015/16 Budget</b> |           |                              | <b>2016/17 Estimate</b>                         |           |
|---|-----------------------|-----------|------------------------------|---|-----------|
|   | <b>No. of Places</b>  | <b>£</b>  | <b>Current No. of Places</b> | <b>No. of Places to be Funded (from 1/9/16)</b> | <b>£</b>  |
| Special Schools – pre 16 (90540)          | 286                   | 2,860,000 |                              | 286   | 2,860,000 |
| Special Schools – post 16 (DSG top slice) | 79                    | 680,010   |                              | 79  | 790,000   |

|   |            |                  |    |            |                  |
|---|------------|------------------|----|------------|------------------|
| Resource Units Maintained – pre 16 (90584)        | 50         | 500,000          | 37 | 50         | 500,000          |
| Resource Units Academies – pre 16 (DSG top slice) | 69         | 690,000          |    | 74         | 740,000          |
| Mainstream Maintained – post 16 (DSG top slice)   | 8          | 44,000           |    | 8          | 48,000           |
| Mainstream Academies – post 16 (DSG top slice)    | 22         | 128,000          |    | 22         | 132,000          |
| NMSS – pre 16 (DSG top slice)                     | 148        | 1,030,040        |    | 148        | 1,480,000        |
| NMSS – post 16 (DSG top slice)                    | 48         | 353,350          |    | 48         | 480,000          |
| <b>TOTAL</b>                                      | <b>710</b> | <b>6,285,400</b> |    | <b>715</b> | <b>7,030,000</b> |

- 3.3 There are few options available to reduce the place funding budget. If there are actually fewer pupils than the number of pre-16 places in any institution, then the place numbers could be reduced if it does not impact on viability in that institution. However, if any funding can be released in this way it is likely to be needed for schools which do not have enough planned places. Where there are additional places being agreed in year with schools, (over and above planned places), EFA advice and guidance states that they do not need to be funded at the full place cost of £10,000 and should be negotiated at a lower rate. However, the expectation of schools is generally that the full £10,000 should be paid.

#### 4. Top Up Funding – STATUTORY

- 4.1 Top up funding is paid to the institutions where we are placing pupils who live in West Berkshire (we do not pay our institutions for pupils who live outside West Berkshire). **Table 3** shows the budget and forecast for 2015/16 – the forecast is a £432k overspend. The forecast for top up funding in 2015/16 is based on pupils currently receiving this funding (Autumn term) and assumes no change in numbers to the end of the financial year.
- 4.2 The main areas of pressure in the top up budgets are non West Berkshire special schools, West Berkshire maintained special schools and non West Berkshire resourced units.
- 4.3 The reason for the increase in expenditure in non West Berkshire special schools is mainly the opening of a new free school for children with ASD, Thames Valley Free School. Places are never given at non West Berkshire special schools unless there is no alternative. Pupils who have been allocated places were no longer able to have their needs met in their mainstream schools and there were either no places in WBC ASD secondary resourced units, or their needs could not be met there either. It should be noted that if these pupils had not been placed at TVFS it is likely they would have needed to be placed at more expensive non maintained or independent specialist schools.

| <b>TABLE 3</b>                                       | <b>2014/15 Budget</b>          |                  | <b>2015/16 Budget</b>          |                   |                                  |                                |
|--|--------------------------------|------------------|--------------------------------|-------------------|----------------------------------|--------------------------------|
| <b>Top Up Budgets</b>                                | <b>Estimated no. of pupils</b> | <b>£</b>         | <b>Pressure Savings Agreed</b> | <b>Budget Set</b> | <b>Latest Forecast (month 7)</b> | <b>Estimated no. of pupils</b> |
| Special Schools Maintained (90539)                   |                                | 2,465,120        | 265,820                        | 2,730,940         | 2,793,280                        |                                |
| Non WBC special schools (90548)                      |                                | 663,900          | 71,340                         | 735,240           | 1,090,210                        |                                |
| Resource Units Maintained (90617)                    |                                | 335,060          | -5,830                         | 329,230           | 329,230                          |                                |
| Resource Units Academies (90026)                     |                                | 252,610          | 167,120                        | 419,730           | 419,730                          |                                |
| Resource Units Non WBC (90618)                       |                                | 15,300           | 12,560                         | 27,860            | 41,270                           |                                |
| Mainstream Maintained (90621)                        |                                | 522,830          | -62,850                        | 459,980           | 459,980                          |                                |
| Mainstream Academies (90622)                         |                                | 161,940          | 51,300                         | 213,240           | 213,240                          |                                |
| Mainstream Non WBC (90624)                           |                                | 50,700           | 11,450                         | 62,150            | 72,680                           |                                |
| Non Maintained Special Schools (90575)               |                                | 889,740          | 15,580                         | 905,320           | 914,680                          |                                |
| Independent Special Schools (place & top up) (90579) |                                | 1,476,030        | 107,820                        | 1,583,850         | 1,565,720                        |                                |
| Further Education (90580)                            |                                | 1,345,340        | -355,300                       | 990,040           | 990,040                          |                                |
| Disproportionate HN Pupils (90627)                   |                                | 50,000           | 0                              | 50,000            | 50,000                           |                                |
| <b>TOTAL</b>   |                                | <b>8,228,570</b> | <b>279,010</b>                 | <b>8,507,580</b>  | <b>8,940,060</b>                 |                                |

4.4 The 2016/17 estimate shown in **Table 4** is based on either current predicted costs or actual students for September 2016 where this information is known. The increase in the budget requirement is £520k.

| <b>TABLE 4</b>                     | <b>2015/16 Budget</b>          |           |                               | <b>2016/17 Estimate</b>        |           |                               |
|------------------------------------|--------------------------------|-----------|-------------------------------|--------------------------------|-----------|-------------------------------|
| <b>Top Up Budgets</b>              | <b>Estimated no. of pupils</b> | <b>£</b>  | <b>Average cost per pupil</b> | <b>Estimated no. of pupils</b> | <b>£</b>  | <b>Average cost per pupil</b> |
| Special Schools Maintained (90539) |                                | 2,730,940 |                               |                                | 2,793,280 |                               |
| Non WBC special schools (90548)    |                                | 735,240   |                               |                                | 1,119,729 |                               |
| Resource Units Maintained          |                                | 329,230   |                               |                                | 329,230   |                               |

|   |  |                  |  |  |                  |  |
|---|--|------------------|--|--|------------------|--|
| (90617)   |  |                  |  |  |                  |  |
| Resource Units<br>Academies<br>(90026)                        |  | 419,730          |  |  | 439,830          |  |
| Resource Units<br>Non WBC (90618)                             |  | 27,860           |  |  | 55,600           |  |
| Mainstream<br>Maintained<br>(90621)                           |  | 459,980          |  |  | 459,980          |  |
| Mainstream<br>Academies<br>(90622)                            |  | 213,240          |  |  | 213,240          |  |
| Mainstream Non<br>WBC (90624)                                 |  | 62,150           |  |  | 55,530           |  |
| Non Maintained<br>Special Schools<br>(90575)                  |  | 905,320          |  |  | 885,010          |  |
| Independent<br>Special Schools<br>(place & top up)<br>(90579) |  | 1,583,850        |  |  | 1,636,410        |  |
| Further Education<br>(90580)                                  |  | 990,040          |  |  | 990,040          |  |
| Disproportionate<br>HN Pupils (90627)                         |  | 50,000           |  |  | 50,000           |  |
| <b>TOTAL</b>  |  | <b>8,507,580</b> |  |  | <b>9,027,880</b> |  |

4.5 The LA has a statutory duty to pay top ups according to a pupil's statement or EHC plan. The only option for reducing spend on top ups in West Berkshire schools is to reduce the value of top up bandings. This would impact on individual school budgets. It would also have statutory implications as Statements and EHC Plans include either a number of hours of TA support or a funding band value.

4.6 It should be noted that the predictions for independent and non maintained schools are based on current pupils, adjusted for known leavers and joiners. It is not possible to predict all pupils who may need placements in 2016-17.

## 5. Pupil Referral Units (PRU) & Home Tuition – STATUTORY

5.1 Table 5 shows the budget and forecast for the PRU budgets in 2015/16. In 2014/15 the budget for top ups was overspent by £436k. The decision by Schools' Forum was to change to a single top up rate in 2015/16 to reduce actual spend, and only a minimal increase in the budget was agreed. The latest forecast for 2015/16 is that the budget will overspend by £200k. Whilst this is a significant reduction in the overspend compared to last year, this is mainly due to an increase in the number of pupils, and using the average of the old rates. The single average rate seems to be costing more at the Alternative Curriculum, as a greater proportion of pupils were previously on a lower rate.

| <b>TABLE 5</b>                     | <b>2014/15 Budget</b>           |                  | <b>2015/16 Budget</b>          |                   |                                  |  |
|------------------------------------|---------------------------------|------------------|--------------------------------|-------------------|----------------------------------|--|
| <b>PRU Budgets</b>                 | <b>Estimated no. of pupils</b>  | <b>£</b>         | <b>Pressure Savings Agreed</b> | <b>Budget Set</b> | <b>Latest Forecast (month 7)</b> | <b>Estimated no. of pupils</b>                                       |
| PRU Place Funding (90320)          | 84                              | 840,000          | 0                              | 840,000           | 840,000                          | <b>AC: 48<br/>RS: 36</b>   |
| PRU Top Up Funding (90625)         | <b>AC: 46<br/>RS: 89 pupils</b> | 1,037,500        | 23,500                         | 1,061,000         | 1,261,000                        | <b>AC: 53<br/>RS: 80</b> (based on slightly lower figures this term) |
| Non WBC PRU Top Up Funding (90626) | 0                               | 0                | 0                              | 0                 | 0                                | 0  |
| Home Tuition Service (90315)       | <b>34</b>                       | 282,000          | 18,000                         | 300,000           | 300,000                          | <b>37 estimated</b> (Nov 2015: 18 +5 pending)                        |
| <b>TOTAL</b>                       |                                 | <b>2,159,500</b> | <b>41,500</b>                  | <b>2,201,000</b>  | <b>2,401,000</b>                 |  |

5.2 The 2016/17 estimates shown in **Table 6** assumes that the rates and numbers of pupils remain the same as 2015/16.

| <b>TABLE 6</b>                     | <b>2015/16 Budget</b>          |                  |                               | <b>2016/17 Estimate</b>        |                  |                               |
|------------------------------------|--------------------------------|------------------|-------------------------------|--------------------------------|------------------|-------------------------------|
| <b>PRU Budgets</b>                 | <b>Estimated no. of pupils</b> | <b>£</b>         | <b>Average cost per pupil</b> | <b>Estimated no. of pupils</b> | <b>£</b>         | <b>Average cost per pupil</b> |
| PRU Place Funding (90320)          | 84                             | 840,000          | 10,000                        | 84                             | 840,000          | 10,000                        |
| PRU Top Up Funding (90625)         | AC: 53<br>RS:80                | 1,061,000        |                               | AC: 53<br>RS: 80               | 1,261,000        | 9,481                         |
| Non WBC PRU Top Up Funding (90626) | 0                              | 0                | 0                             | 0                              | 0                | 0                             |
| Home Tuition Service (90315)       | 37                             | 300,000          | 8,108                         | <b>37</b>                      | 300,000          | 8,108                         |
| <b>TOTAL</b>                       |                                | <b>2,201,000</b> |                               |                                | <b>2,401,000</b> |                               |

5.3 Place funding is fixed and agreed with the EFA, though the number of places if not being used could be reduced. Options for reducing the top up budget in 2016/17 are reducing the current top up rate and reviewing the contributions made by schools for each pupil they place. In the longer term the Strategic Review will inform funding arrangements from September 2017.

5.4 The Home Tuition Service is a statutory service providing home tuition to children with medical conditions and illness that prevent them accessing full time school. It might be possible to reduce this budget by offering more e-learning packages and reducing external support packages but pupil numbers are predicted to increase due to the increase in mental health issues in our school population.

5.5 The impact of a reduction is likely to be:

- A reduced rate of funding per student

- outcomes for pupils could be poorer with fewer managing to reintegrate into mainstream school, and lower attainments
- Increased pressure on other specialist support services

## 6. Other STATUTORY Services

6.1 **Table 7** details the changes made to statutory services budgets between 2014/15 and 2015/16 and the latest forecast. The main change between 2014/15 and 2015/16 was recognising therapy services needed to be funded by the HNB (previously centrally funded). The pressure in the current year is mainly due to hospital tuition placements.

| <b>TABLE 7</b>                     | <b>2014/15 Budget</b>          |                | <b>2015/16 Budget</b>          |                      |                                  |                                |
|------------------------------------|--------------------------------|----------------|--------------------------------|----------------------|----------------------------------|--------------------------------|
| <b>STATUTORY SERVICES</b>          | <b>Estimated no. of pupils</b> | <b>£</b>       | <b>Pressure Savings Agreed</b> | <b>or Budget Set</b> | <b>Latest Forecast (month 7)</b> | <b>Estimated no. of pupils</b> |
| Applied Behaviour Analysis (90240) |                                | 138,630        | -27,900                        | 110,730              | 110,730                          |                                |
| Sensory Impairment (90290)         |                                | 227,440        | 0                              | 227,440              | 238,800                          |                                |
| Engaging Potential (90577)         | 14                             | 459,110        | 81,150                         | 540,260              | 540,260                          | 14                             |
| Equipment for SEN Pupils (90565)   |                                | 38,470         | -18,470                        | 20,000               | 21,070                           |                                |
| Therapy Services (90295)           |                                | 0              | 315,430                        | 315,430              | 324,430                          |                                |
| Hospital Tuition (90610)           |                                | 0              | 0                              | 0                    | 19,360                           |                                |
| <b>TOTAL</b>                       |                                | <b>863,650</b> | <b>350,210</b>                 | <b>1,213,860</b>     | <b>1,254,650</b>                 |                                |

6.2 **Table 8** details the current budget compared to the estimate for 2016/17, overall growth of £20k for hospital tuition:

| <b>TABLE 8</b>                     | <b>2015/16 Budget</b>          |          |                               | <b>2016/17 Estimate</b>        |          |                               |
|------------------------------------|--------------------------------|----------|-------------------------------|--------------------------------|----------|-------------------------------|
| <b>STATUTORY SERVICES</b>          | <b>Estimated no. of pupils</b> | <b>£</b> | <b>Average cost per pupil</b> | <b>Estimated no. of pupils</b> | <b>£</b> | <b>Average cost per pupil</b> |
| Applied Behaviour Analysis (90240) |                                | 110,730  |                               |                                | 90,000   |                               |
| Sensory Impairment (90290)         |                                | 227,440  |                               |                                | 238,800  |                               |
| Engaging Potential (90577)         | 14                             | 540,260  | £38,590                       | 14                             | 540,260  | £38,590                       |
| Equipment for SEN Pupils (90565)   |                                | 20,000   |                               |                                | 20,000   |                               |
| Therapy Services                   |                                | 315,430  |                               |                                | 324,430  |                               |

|                             |  |                  |  |  |                  |  |
|-----------------------------|--|------------------|--|--|------------------|--|
| (90295)                     |  |                  |  |  |                  |  |
| Hospital Tuition<br>(90610) |  | 0                |  |  | 20,000           |  |
| <b>TOTAL</b>                |  | <b>1,213,860</b> |  |  | <b>1,233,490</b> |  |

### 6.3 **Applied Behaviour Analysis (ABA)**

6.3.1 This budget supports a small number of statemented children for whom the Authority has agreed an ABA programme as part of their statement. ABA is an intensive intervention programme for children with autism which aims to modify behaviours which are typical of ASD in order to allow children to function more successfully in school and in society.

6.3.2 This budget also covers the cost of statemented children accessing other “miscellaneous” educational programmes, such as The Lighthouse Project where this is the most appropriate and cost effective way of meeting their needs.

6.3.3 A small reduction of £28k was made to this budget in 2015/16 based on the number of children accessing these services at that time.

6.3.4 It has been possible to reduce the budget slightly for 2016-17 due to a small reduction in the number of children accessing ABA or other alternative packages of support. The budget for 2016/17 is based on existing children with Statements of Special Educational needs who will still be in their placement in 2016-17 and therefore funding cannot be withdrawn or reduced.

6.3.5 The impact of reducing or removing this budget in the future would be:

- Breach of statutory duty as the Local Authority would be unable to make provision set out in Statements / EHC Plans
- High likelihood of judicial reviews and appeals to the SEN and Disability Tribunal
- Children accessing alternative provision such as The Lighthouse needing other provision such as PRU places or having to be returned to mainstream schools.

### 6.4 **Sensory Impairment**

6.4.1 Support for children with hearing, visual and multi sensory impairments is purchased from the Berkshire Sensory Consortium Service. This includes support from qualified teachers of HI and VI, audiology and mobility support. The service supports both statemented and non statemented children.

6.4.2 West Berkshire Council has a contract with the Sensory Consortium Service which is due for renewal in April 2017.

6.4.3 The budget has needed to increase slightly for 2016-17 as a result of a small number of children leaving specialist schools for the deaf, such as Mary Hare, and moving in to mainstream schools. This has reduced expenditure on non maintained special schools. However, these students need a fairly high level of teacher of the deaf support in order to access the mainstream curriculum, which is outside of the existing contract. (The overall cost for these students, including their mainstream placements and teacher of the deaf support, is lower than the cost of their previous specialist placements).



6.4.4 The impact of reducing or removing this budget from April would be:

- The service supports both statemented and non statemented pupils with sensory impairment. If the service was reduced, schools would receive less support in meeting the specialist needs of these pupils and the attainments and progress of pupils would be likely to suffer
- If support for statemented pupils were to be withdrawn or reduced, there would be statutory implications as this provision is usually written in to the child's Statement. In these circumstances, the Local Authority would be in breach of its statutory duties and there would be a high likelihood of judicial reviews and appeals to the SEN and Disability Tribunal.
- There may be some scope to reduce support for non statemented pupils, although this carries a risk that parents and schools will then seek EHC Plans in order to access the service, so could be counterproductive.
- A review of the SCS is currently being undertaken to establish if it is providing value for money and whether there is scope for efficiency savings. However, changes to the contract could not be made before April 2017.

## 6.5 **Engaging Potential**

6.5.1 Engaging Potential is a commissioned service providing alternative educational packages for 14 young people in Key Stage 4 with statements for behavioural, emotional and social difficulties whose needs cannot be met in any other provision. An increase in this budget was agreed during 2014-15 because of the need for the project to employ more specialist teaching staff as the group dynamics are such that several students need to be taught on a one to one basis rather than in small groups. Premises costs have also increased since the project was moved to more suitable accommodation.

6.5.2 West Berkshire Council's contract with Engaging Potential was renewed in July 2015 for 3 years. When the contract was retendered, the only organisation which put in a bid was Engaging Potential.

6.5.3 The impact of reducing or removing this budget from April would be:

- Alternative placements would have to be found for 14 young people with severely challenging and anti social behaviours. Unless they could be accommodated in PRUs or mainstream schools, they would require placements in independent or non maintained special schools at significantly greater unit cost.
- It is not realistic to reduce the unit cost given the nature of the client group and the fact that Engaging Potential already offers significantly better value than its competitors. There may be scope to negotiate an in year reduction to the contract on the basis that post 16 students are no longer taken. However, these students would then require placements elsewhere, in PRUs, mainstream schools or FE Colleges, which would all have associated costs in the HNB (and securing such placements may not be feasible in some cases).

## **6.6 Equipment for SEN Pupils**

6.6.1 This budget funds large items of equipment such as specialist chairs and communication aids for statemented pupils.

6.6.2 This budget was reduced to £20k in 2015/16. Equipment is now only purchased for children attending mainstream and resourced schools, and special schools are expected to fund these large items of equipment from their own budgets. The forecast for 2015/16 is £21,070. There has been one exceptionally expensive piece of equipment purchased for an individual child this year which has inflated costs.

6.6.3 The proposed budget for 2016-17 is £20,000. It is hoped that the demand for specialist equipment will not exceed this level of expenditure, based on this year's forecast.

6.6.4 The impact of removing or reducing this budget from April would be:

- There would be some children who would either not receive the specialist equipment they require or schools would have to fund the equipment.
- Parents may appeal to the SEN Tribunal if equipment is not provided, in order to get the equipment written in to the Statement or EHC Plan.

## **6.7 Therapy Services (Area Health Contract)**

6.7.1 Therapy Services covers the costs for children with SEN who have speech therapy or occupational therapy in their Statements or EHC Plans. This budget moved to the HNB in 2015/16, and the current forecast for 2015/16 is £324,430.

6.7.2 It has been necessary to make a slight increase in this budget for 2016-17. This is mainly due to the need to provide additional physiotherapy at The Castle School for children who were subject to appeals to the SEN & Disability Tribunal. The Council was successful in defending these appeals and avoiding two very expensive placements in a non maintained special school.

6.7.3 Therapy services are provided by the Authority solely to children who have the need for a service stipulated and quantified in their Statement or EHC Plan.

6.7.4 The impact of removing or reducing this budget from April would be:

- Breach of statutory duty and high likelihood of litigation including judicial reviews
- Appeals to the SEN & Disability Tribunal
- There may be some scope to review with the therapy service whether more children could be discharged from the service and have therapy provision removed from or reduced in their Statement / EHC Plan. However, there would need to be evidence that therapy was no longer required, or that less was required. Even where this evidence is available, amending Statements to reflect reduced provision will open up a right of appeal to the SEN & Disability Tribunal.

## 7. NON STATUTORY SEN Services

7.1 **Table 9** details the reductions made to non statutory services budgets in 2015/16 and the latest forecast. £202k savings were agreed by the Schools' Forum and the forecast is that in the majority of cases these budgets should be on-line.

| <b>TABLE 9</b>                               | <b>2014/15 Budget</b>          |                  | <b>2015/16 Budget</b>          |                   |                                  |  |
|--|--------------------------------|------------------|--------------------------------|-------------------|----------------------------------|--|
| <b>NON STATUTORY SERVICES</b>                | <b>Estimated no. of pupils</b> | <b>£</b>         | <b>Pressure Savings Agreed</b> | <b>Budget Set</b> | <b>Latest Forecast (month 7)</b> | <b>Estimated no. of pupils</b>                 |
| Language and Literacy Centres LALs (90555)   | 48                             | 134,600          | 0                              | 134,600           | 134,600                          | 48   |
| Specialist Inclusion Support Service (90585) |                                | 105,650          | -35,650                        | 70,000            | 70,000                           |  |
| SEN Pre School Children (90238)              |                                | 50,210           | 0                              | 50,210            | 60,210                           |  |
| Cognition & Learning Team (90280)            | N/A                            | 318,300          | -56,350                        | 261,950           | 261,950                          | N/A  |
| ASD Advisory Service (90830)                 |                                | 153,460          | -17,970                        | 135,490           | 135,490                          |  |
| SEN Inclusion (90965)                        | N/A                            | 28,780           | 540                            | 29,320            | 29,320                           | N/A  |
| PRU Outreach Service (90582)                 | 52                             | 197,000          | -80,000                        | 117,000           | 117,000                          | (Nov 2015: 17 pupils supported)<br>Estimate 40 |
| Vulnerable Children (90961)                  | 66                             | 80,000           | -20,000                        | 60,000            | 60,000                           | 55   |
| <b>TOTAL</b>                                 |                                | <b>1,068,000</b> | <b>-209,430</b>                | <b>858,570</b>    | <b>868,570</b>                   |  |

7.2 **Table 10** shows the budget for these services in 2016/17 assuming that these services continue and there are no changes to staffing levels. These services are non statutory so there is more potential scope to make savings, although reductions in any of these budgets could increase pressure on statutory budgets.

| <b>TABLE 10</b>                              | <b>2015/16 Budget</b>          |          |                               | <b>2016/17 Estimate</b>        |          |                               |
|--|--------------------------------|----------|-------------------------------|--------------------------------|----------|-------------------------------|
| <b>NON STATUTORY SERVICES</b>                | <b>Estimated no. of pupils</b> | <b>£</b> | <b>Average cost per pupil</b> | <b>Estimated no. of pupils</b> | <b>£</b> | <b>Average cost per pupil</b> |
| Language and Literacy Centres LALs (90555)   |                                | 134,600  |                               |                                | 134,600  |                               |
| Specialist Inclusion Support Service (90585) |                                | 70,000   |                               |                                | 70,000   |                               |
| SEN Pre School                               |                                | 50,210   |                               |                                | 50,210   |                               |

|   |    |                |       |    |                  |       |
|---|----|----------------|-------|----|------------------|-------|
| Children (90238)                        |    |                |       |    |                  |       |
| Cognition & Learning Team (90280)       |    | 261,950        |       |    | 270,440          |       |
| ASD Advisory Service (90830)            |    | 135,490        |       |    | 139,720          |       |
| SEN Inclusion (90965)                   |    | 29,320         |       |    | 29,760           |       |
| PRU Outreach Service (90582)            | 40 | 117,000        | 2,925 | 40 | 117,000          | 2,925 |
| Vulnerable Children (90961)             | 55 | 60,000         | 1,090 | 55 | 60,000           | 1,090 |
| Pre School Teacher Counselling Service  |    | 0              |       |    | 85,000           |       |
| Learning Independence for Travel (LIFT) |    | 0              |       |    | 75,000           |       |
| <b>TOTAL</b>                            |    | <b>858,570</b> |       |    | <b>1,031,730</b> |       |

### 7.3 **Language and Literacy Centres (LALs)**

7.3.1 This budget funds the primary LALs at Theale and Winchcombe schools. The LALs provide intensive literacy support for primary children with severe specific literacy difficulties. 48 places per year are available across the two LALs.

7.3.2 Options available are closing one or both LALs, reducing capacity, lowering the level of service, or charging schools who use the service.

7.3.3 Referrals for LAL places usually exceed places available by approximately 24 per year.

7.3.4 The impact of removing or reducing this budget from April would be:

- Schools would have to meet the needs of pupils who did not get LAL places or pay for places
- There would be likely to be an increase in requests for EHC assessments for pupils who are currently non statemented, putting more pressure on the statementing budget.

### 7.4 **Specialist Inclusion Support Service**

7.4.1 This service provides outreach support from West Berkshire's special schools to mainstream schools to support the inclusion of children with learning and complex needs in their local mainstream schools.

7.4.2 This budget was reduced by £36k in 2015/16 with the special schools providing the service absorbing the cost.

7.4.3 The impact of removing or reducing this budget from April would be:

- Schools would receive no or reduced support in meeting the needs of these complex pupils
- This would be likely to put pressure on other SEN support services such as the Educational Psychology Service and CALT
- Alternatively, schools could be asked to pay for the SISS Service.

## **7.5 SEN Pre School Children**

7.5.1 This budget provides one to one support to enable children with SEN to access non maintained and voluntary pre- school settings.

7.5.2 In 2015/16 this budget has been supported by a £10k contribution from the Early Years DSG. In 2016/17 this block is also under severe pressure, though there is the option to move this service to be funded from this block.

7.5.3 The impact of removing or reducing this budget from April would be:

- Children who are entitled to access 2, 3 or 4 year old early education provision would be unable to do so as they would not have one to one support. This is likely to be unlawful under the Equality Act.
- We can consider whether it is possible to support fewer children and /or offer lower levels of support, although the criteria for accessing funding and levels of support have already been tightened, so there is unlikely to be much scope for this.

## **7.6 Cognition and Learning Team**

7.6.1 The Cognition and Learning Team (CALT) provides advice, support and training to mainstream schools to help them to meet the needs of children with SEN.

7.6.2 A reduction in this budget was made in 2015/16, with certain aspects of the service now being charged to schools.

7.6.3 Many primary schools are reliant on this service to supplement their own SEN provision and expertise, especially schools where the Head has to act as SENCO or where there is an inexperienced SENCO.

7.6.4 The impact of removing or reducing this budget from April would be:

- Reduced levels of support to schools to meet the needs of children with SEN
- Alternatively, making more of the service subject to an income target and / or increasing the existing charges
- Impact on quality of SEN provision in schools, if schools are unable to buy in the service
- Potential for more complaints from parents and also more requests for EHC assessments, with associated costs.

## **7.7 ASD Advisory Service**

7.7.1 The ASD Advisory Service provides advice, support and training for mainstream schools on meeting the needs of children with Autistic Spectrum Disorder. The purpose of the service is to enable children with ASD to be successfully included in mainstream schools wherever possible.

7.7.2 Savings were made to the Early Intervention budget in 2015/16 by ceasing the Early Years Language Project (early intervention for children with speech and language difficulties in pre schools, foundation stage, and KS1). The remainder of this budget (£7,550) relating to ASD support was moved to the ASD service in 2015/16.

7.7.3 The context for this service is vastly increasing numbers of children with ASD diagnoses and mainstream schools having more and more

difficulty meeting the needs of these children. The majority of our placements in non West Berkshire special schools, independent special schools and non maintained special schools are for children with ASD.

7.7.4 The impact of removing or reducing this budget from April would be:

- No or reduced support for schools in meeting the needs of children with ASD
- Pressure for EHC Assessments and Plans for children with ASD who are not currently statemented, with associated costs
- Increase in demand for placements in specialist ASD schools, with associated costs.

7.7.5 It is strongly recommended that this budget is not reduced because of the significant increase in need in relation to ASD and because of the likely impact on demand for expensive specialist ASD placements.

## **7.8 SEN Inclusion**

7.8.1 This budget supplements the Cognition and Learning Team budget, and is effectively part of the CALT budget, although it has never been formally vired.

7.8.2 See comments in paragraph 7.6 above.

## **7.9 PRU Outreach**

7.9.1 The PRU Outreach Service offers consultancy / outreach support mainly to students who have been attending the Reintegration Service and are starting to attend a mainstream school.

7.9.2 A cut of £80k was made to this budget in 2015/16, with the PRU absorbing the cost. Further savings could be made to this budget if schools were prepared to support pupils on reintegration into their schools, reduce the number of outreach sessions they received, or pay in full for these sessions. As Reintegration numbers appear to be slightly lower, outreach numbers (i.e. support for reintegration) may also be slightly lower.

7.9.3 Impact:

- less support to schools in reintegrating young people who have been permanently excluded from another school
- increased likelihood of failed reintegration resulting in poorer outcomes for young people, greater costs on Reintegration Service budget

## **7.10 Vulnerable Children**

7.10.1 The Vulnerable Children Fund is a small budget used to help schools support their most vulnerable pupils on an emergency, unpredicted or short term basis.

7.10.2 The budget was reduced in 2015/16 from £80k to £60k. It is possible to remove completely or reduce the fund such as only being available for primary schools and / or if the criteria were tightened, for example, funding given for shorter periods, no funding extensions.

7.10.3 Impact: The criteria has been strengthened this year, with funding allocated for shorter periods, only one pupil per school being supported at any one time and fewer extensions.

However, the VC Fund is already under pressure. If schools, particularly smaller primary schools, cannot access this support in the future it could lead to:

- Increased movement between schools, with schools being asked to admit more pupils with behaviour difficulties
- Higher exclusion figures
- pressure on the Reintegration Service as more schools ask for primary placements at The Oaks
- Greater pressure on the costs associated with EHC plans and expensive statutory provision
- Increased pressure on the capacity of specialist support services

#### **7.11 Pre School Teacher Counselling Service**

7.11.1 This service is currently funded from the central education budget. The budget for the service is £170,000.

7.11.2 The service comprises of 3.3 teachers who are specialists in early years and SEN. Children under 5 who are identified by Health professionals as having significant SEN are referred to this service. Staff initially visit children in their homes (if they are not yet in an early years setting) in order to promote their educational development and model strategies and resources for parents to use to support their child's progress.

7.11.3 PSTCs also assist with the transition to early years settings and schools, providing support and training for staff to help them to meet the child's needs, and continuing to visit for a period of time to provide ongoing support and advice.

7.11.4 PSTCs also help to coordinate support which the family is receiving from other professionals.

7.11.5 The service is currently supporting approximately 108 children.

7.11.6 As a result of the Council's savings programme in 2016-17, this service may be reduced by 50% in order to save £85,000.

7.11.7 This service meets the criteria to be funded through DSG under the category of SEN Support Services, which includes services for children under 5.

7.11.8 It is proposed that half the cost of the service should be met from HNB or Early Years Block (£85,000) in order to avoid a reduction in service.

7.11.9 The impact if the budget were to be reduced by 50% would be:

- Significantly reduced support for children under 5 with severe SEN, impacting on their progress and development and potentially having a long term impact on their ability to reach their potential, if the right intervention is not available at this critical early stage
- Much reduced support for early years settings and schools when they take children under 5 with SEN, including no or reduced advice, guidance and training from specialist teachers
- Children with SEN being unable to attend early years settings because the settings do not have the required expertise and cannot access specialist advice and support
- Children having to leave early years settings, because staff are unable to meet their needs appropriately

- Children arriving in schools without ever having had any suitable early years support and therefore exhibiting a higher level of need than would otherwise have been the case, putting pressure on staff and on schools' SEN budgets
- Children arriving in schools without an EHC Plan in place (as PSTCs initiate these for children on their caseload), putting pressure on schools' SEN budgets
- Increase in parental requests for EHC assessments, with associated costs
- Increase in numbers of very young children needing special school placements, with associated costs.

#### **7.12 Learning Independence for Travel (LIFT)**

- 7.12.1 This service is currently funded from the central education budget. The current budget is £115,000. It is externally commissioned from the National Star College, a specialist independent FE College which has pioneered independent travel training for pupils with SEN. The LIFT service has 3 staff; a coordinator and two travel trainers, who are based at Richmond House in Newbury.
- 7.12.2 The service provides independent travel training for children with SEN, so that they are able to travel to school on public transport rather than by taxi or minibus. Not all children with SEN have the capacity to travel to school independently; however, there are some who could potentially walk to school or travel by bus or train, if provided with the right support.
- 7.12.3 The travel training programme typically takes approximately one term, at the end of which the travel mentor will make a recommendation as to whether the child is safe to travel to school independently. If so, the child will then be allocated with a bus or train pass. The programme works with secondary pupils and FE College students only and has a success rate of approximately 80%. Where children do not become independent travellers, it is usually because the route is too difficult given the rural nature of West Berkshire.
- 7.12.4 When children are successfully travel trained this not only reduces SEN transport costs, it also enhances the young person's confidence and self esteem and provides them with an important life skill which improves their opportunities to access FE, employment and social activities.
- 7.12.5 As a result of the Council's savings programme in 2016-17, this service may be lost in order to achieve a saving of £115,000.
- 7.12.6 It is proposed that consideration should be given to allocating £75,000 from the HNB to provide an independent travel training service, at a lower level of provision than the current service.
- 7.12.7 The impact if this service were to be lost would be:
- Increased costs for home to school transport
  - Children remaining dependent on taxis and minibuses who have the potential to learn to travel independently
  - Children missing out on peer contact and being seen as "different" as they come to school by taxi



- Children missing the positive impact on confidence and self esteem which tends to be associated with learning to travel independently
- Reduced life chances for children in the longer term, including reduced social inclusion.