

Surrey Schools Forum

Minutes of Meeting

Monday 15 January 2018, 1pm at High Ashurst

Approved by members at their meeting on 1 May 2018

Present

School and academy members:

Kate Keane (Vice Chair)	Ewell Grove Infant and Nursery School	Primary Head
Donna Harwood- Duffy	Dorking Nursery School	Nursery school head
Joanne Hastings	Ottershaw CE Infant and Junior Schools	Primary Head
Tess Trewinnard	Wonersh and Shamley Green C of E Primary	Primary Head
Paul Jensen	Sunnydown School	Special school head
Geoffrey Hackett	Stepgates Community Primary	Primary Governor
Eric Peacock	Thorpe C of E Primary	Primary Governor
Fred Greaves	Oakwood School	Secondary governor
Annette Crozier	Manor Mead and Walton Leigh Schools	Special sch governor
David Euridge	Reigate Valley and other PRUs	PRU member
Roger Blackburn	Queen Eleanor's CE Junior	Academy member
Ian Hylan	Tomlinscote School	Academy member
James Malley	Therfield School	Academy member
David Monk	Pond Meadow School	Special academy member

Non school members

Sian Bath	Private, voluntary and independent nursery providers
Jayne Dickinson	East Surrey College : Post 16 provider rep
Tamsin Honeybourne	Teachers' Joint Committee
Andrea Collings	Family Voice Surrey

Cabinet Member for Education Mary Lewis

Local Authority Officers

Liz Mills (LM)	Assistant Director for Schools and Learning
Lynn McGrady (LMcG)	Head of Finance for Schools (clerk to Forum)
Paula Chowdhury	Head of Strategic Finance (Children's and schools)
David Green (DG)	Senior Principal Accountant (Schools Funding)
Frank Offer	Head of Market Strategy

1 Welcome, Introductions and Apologies for Absence

The Vice Chair welcomed Mary Lewis (Cabinet member for Education) to the meeting.

Apologies for absence had been received from:

Katie Aldred	Bagshot Infant School	Primary Head
Clare McConnell	Bisley CE Primary	Primary Head
Lynn Tarrant	Shawfield Primary	Primary Head
Rhona Barnfield (Chair)	Howard of Effingham School	Academy member
Ben Bartlett	Hinchley Wood School	Academy member
Stephanie Gibson	Bletchingley Village Primary	Academy member
Geoff Wyss	George Abbot School	Academy member
Nick Trier	Teachers' Joint Committee	
Joe Dunne	Arundel and Brighton Diocese (RC)	
Jonathan Gambier	Guildford Diocese (CE)	

2 SEND issues

LM gave a slide presentation on the national and local situation on SEND. She saw this discussion as the first of a series on the issue.

National context

Key trends included:

- An increase in overall pupil population;
- A large increase in the proportion of children/young people with EHCPs, post 2014 SEND reforms. It is still unclear to what extent that increase will continue;
- An increase in particular in the number of pupils with autism and a fall in the number with MLD;
- While the majority of pupils with high cost SEND are in mainstream schools there has been an increase in the numbers moving to specialist provision.

The Children and Families Act had a presumption in favour of mainstream education for children with SEND. Mainstream education for children with SEND was seen to have a neutral or small positive impact on those children compared to special education, and to have no significant adverse impact on children without SEND.

Surrey position

In Surrey the majority of children with SEND were male; the number of children with SEND increased up to age 15 and fell above that age. There were 7,800 children with statutory plans. The most common need was ASD, followed by SLCN and MLD. 43% were in mainstream schools, 34% in state maintained special schools and centres, 14% in non maintained and independent (NMI) special schools, and 9% in colleges or other post 16 providers.

LM shared a summary of the 2017/18 high needs budget and the areas making up the projected £8.5m overspend. She saw this as a "good estimate" but noted that some further placements would still be needed in 2017/18.

The overspend on special schools included the cost of additional places opened in special schools in September 2017. Post 16 costs were lower than budget, reflecting a shift towards FE college placements from independent

providers. The FE rep questioned how secure this underspend was, as post 16 learners could start courses throughout the year, and how it would be affected by increased five day provision in FE colleges. Officers saw the post 16 forecasts as the least accurate, because of the limited historic information available, but didn't expect any major changes.

LM shared charts showing the cost of external SEND placements by age, placement type and SEND need.

There were 915 Surrey children in NMI schools in December 2017 (a continuous increase over four years), with smaller numbers in other LAs' schools or in private alternative provision (ie not schools).

LM suggested that colleagues on Schools Forum might want to look at some of the external placements to see whether the children's needs could perhaps have been better met in Surrey schools.

One member asked whether the LA could refuse to meet the whole cost of an NMI placement if the child's needs could be better met in a Surrey state school. But another noted that pressure for NMI placements did not just come from parents but also from mainstream schools.

LM noted that elected members favoured placing children close to home, but that there were numerous NMI schools in Surrey which might well be a child's nearest school.

David Monk asserted that comparisons with mainstream schools should include the total cost of mainstream placements, not just that borne by the high needs block (a reminder: notional SEN funding in mainstream is part of the NFF within the schools block¹). He also argued that capital spending on specialist provision had not kept up with population growth.. Paula noted that the LA had invested significant capital sums, eg relocating Portesbery School, and had secured two new free schools (ie capital funded by DfE).

LM suggested that we needed to determine how best to use DSG as a whole to meet the needs of all children. Ringfencing of DSG blocks discouraged such an approach. Some LAs were looking at whether the £6,000 school budget high needs contribution could be recovered from those mainstream schools which were not inclusive.

The number of EHCPs had increased by 1,000 in the last year, from 6,843 in Jan 2017 to 7,800 now, and many had been placed in NMIs because of a shortage of places in state maintained provision, despite opening extra places in special schools and SEN centres where possible. In part the overspends reflected the available funding being insufficient to meet expected needs,

¹ In 2017/18 the defined total Notional SEN budget for Surrey mainstream schools was £40.9m and in May 2017 there were 2,132 pupils receiving top up funding in mainstream schools (excluding SEN centres) for which in general the mainstream schools will need to find £6000 each. On that basis the total notional SEN budget supporting EHCPs might be estimated at £6,000 x 2,132 less £1.8m additional SEN funding, ie £11m. But the notional SEN budget is not meant only to support high cost pupils but also to support children with lower levels of SEND and the "SEND infrastructure" eg SENCOs.

rather than demand being underestimated. Increases in SEND placements had also been seen elsewhere in the south east.

Projections for 2019/20 showed a widening gap between expenditure and funding. £30m of current high needs funding depended on the funding floor and on protection of historic spend in the funding formula.

The Schools Block of the DSG had increased in line with pupil numbers and had also seen additional funding. The high needs block had not increased for pupil numbers in recent years, unlike the other DSG blocks, and thus there was inconsistency between blocks. Ringfencing of the School and Early Years blocks were additional constraints. The increase in the number of EHCPs meant that the average high needs funding available per high needs pupil was falling. The number of external placements had increased from 729 in 2012 to 1,135 in 2017, although average costs per placement had been reduced by 21%.

There had also been a large increase in the number of children receiving SEN transport and a 20% increase in the average transport cost per pupil. £27m was being spent on SEND transport², again emphasising the importance of educating children closer to home. A new SEND transport policy had been introduced which aimed to reduce reliance on transporting children individually in taxis; as this is unsustainable and might not be the best option for children either.

Achievements to date

£6m-£7m savings had been made through the high needs block working group in 2017/18, which should be really celebrated.

Already additional year R places had been opened in several special schools, and 300 places would shortly be provided in new free schools. Occupancy of existing Surrey provision was being increased. More supported living accommodation was being provided for 19+s.

LM proposed to concentrate further work on five areas seen as offering the largest opportunities for savings

i) Inclusion

The level of mainstream inclusion in Surrey was dramatically lower than in similar LAs- perhaps £2m-£10m savings could be made by increasing inclusion to a similar level to comparator LAs (an extra 1.7 pupils per 1000 population)³ HMI reports and the Lenehan review all emphasised the benefits of mainstream provision in local schools.. It was proposed that increasing inclusion needed to be a school led development.

The Vice Chair argued that there needed to be greater understanding of how SEND funding was used in mainstream schools and that it shouldn't be assumed that mainstream SEND funding was adequate.

² Non DSG cost

³ Based on ONS mid year population estimate of 248,126 for 2-18s in Surrey for 2017 this would mean another 420 pupils in mainstream placements

LM suggested looking at practices in comparator LAs.

ii) Transition (mainly 16+/19+)

Currently £6m was spent on high needs provision for over 19s and £3m for 16-18s. DfE guidance suggested that for most over 19s the priority should be transition to adulthood and that EHCPs should cease, although there were tribunal cases which conflicted with this.

Transition work needed to be linked to work already in progress in the LA, eg transforming care, health and social care integration and preparation for adulthood. It was important to avoid duplication. LM suggested that this area was best led by the lead authority.

iii) Provision

The aim was to enhance Surrey's own provision through reviewing designation and increasing occupancy. This included the banding review of special schools. Attempts were being made to identify places locally for children so far unplaced for September 2018 but this was not a one off problem. Future work would include reviewing demand, new SEN centres and a capital strategy

iv) Commissioning

The aim was to work with the market to achieve a common outcome framework from birth to adulthood, and also to make placements within framework contracts and reduce spot purchases. Adult social care had had success with a similar approach. This might save £2m-£4m per year.

Frank Offer was leading some work on sustainability and market management and on centralised commissioning of external provision.

Starting placement discussions earlier should also be helpful in improving placement decisions.

v) Early years

Earlier identification of need was important in order to improve outcomes but might require initial investment.

For 2018/19 the Forum had opposed a transfer from schools block to high needs block and the Cabinet had agreed with that position. But the problem of managing high needs spend within the HNB remained challenging. Lobbying DfE was important, but the DfE could see that the level of inclusion in Surrey was less than elsewhere. Currently the LA is allowed to balance overspends and underspend across DSG blocks.

One member asked for information on outcomes to be added to the slide on placement numbers, describing outcomes from the state sector as "phenomenal" despite funding constraints. LM agreed that outcomes from NMIs were variable.

LM noted that occupancy of state maintained special schools was generally high (although there were two particular exceptions).

Other LAs were charged the cost of a placement in a Surrey school (although therapy costs were currently not charged) but this might not cover the opportunity cost of additional NMI placements. Surrey's extensive residential provision also drove imports. Surrey had now brought forward its admissions process, which might increase the scope for placing Surrey pupils. Some Surrey schools whose provision no longer matched Surrey's needs had filled their places by importing pupils.

The new free schools were intended to meet the most common unmet needs being located as close as possible to the main areas of unmet need, but would not be able to meet all of the unmet needs.

David Monk questioned whether the saving from inclusion took into account the full cost of a mainstream placement, arguing that a mainstream placement was not necessarily cheaper than a specialist placement. The Vice Chair argued that the full cost of inclusion to a mainstream school had not been identified.

Other points raised in discussion included:

- Whether there was potential for the use of community transport providers for home to school transport: this was being looked at but there were procurement complexities;
- education beyond age 18 might be appropriate for children who had missed school earlier for medical reasons;
- should the LA be more consistent in its approach to tribunals?: For example the LA had opposed several families' preference for mainstream placements, and the LA lost 90% of tribunals;
- mainstream schools which wanted to be more inclusive were often constrained by space (eg for nurture groups). Capital funding for additional space would help, yet all of the SEND capital had gone to special schools. LM noted that this issue was important for future discussions on provision;
- One member had been very impressed by the new Portesbery School and suggested that the LA should publicise its provision more, including the forthcoming free schools. Others countered that the schools were (or were expected to be) full anyway.

The Vice Chair thanked Liz and her team for doing so much work on the presentation in such a short time.

3 Additional SEN Funding (item 8c deferred from previous meeting)

(This is the additional funding given to mainstream schools where the proportion of "high cost" SEND pupils is disproportionately high relative to the level of their additional needs funding. Currently primary schools receive additional funding if the cost of the first £6,000 additional support per pupil exceeded 68.4% of level 2 SEN funding. No change was proposed for secondary schools, for which the threshold is currently 100% of level 2 SEN funding and very few schools receive additional funding).

If the number of EHCPs rose in 2018/19 at the same rate as in 2017/18 a significant overspend was likely unless the threshold for additional funding was raised

There was some consistency year on year in the schools receiving funding.

Around 110 schools were funded. DfE expected this funding to go only to a minority of schools.

LM advised members to think of the overall impact of a decision on the threshold, and to see it in the context of the overall high needs savings target.

Members expressed the following views in discussions:

- the funding was meant to support inclusion and it was important to support inclusion;
- if a school had a disproportionate number of EHCP pupils, pupils with lower levels of SEN could receive very little additional support.
- Other children in mainstream would lose out if the threshold was increased;
- Notional SEN allocations to individual schools can differ appreciably from year to year.

One member suggested that the estimated increased cost of “additional SEN funding” was small in relation to the overall high needs shortfall.

The majority of members present supported maintaining the current threshold of 68.4% for primary schools (ie not increasing it)

4 Any other business (if agreed by Chair in advance)

There was no other business.

Meeting ended 2.45pm

Dates of next meeting:

Tuesday 1 May 2018 1pm at NASUWT, Send

Post meeting questions and discussion

Lobbying-this should focus on amending the high needs funding formula, including using national bodies and local MPs.

As large areas of the country were experiencing similar demand pressures there was a need for an overall increase in SEND funding.

The need for capital investment to reduce NMI placements was also a national issue.

The Council had agreed unanimously that educating children closer to home should be a priority but recognised the importance of analysing outcomes. Some children’s needs justified NMI placements outside Surrey.

LM anticipated a two year (or even three year) timeframe for balancing the high needs budget, with a £15m overspend in 2018/19 and perhaps a £25m overspend in 2019/20. But doing nothing was not an option.

David Monk argued that it was difficult to measure value for money in the high needs block. Frank was happy to work with schools to identify expected impacts of provision and to measure whether it was achieved.