

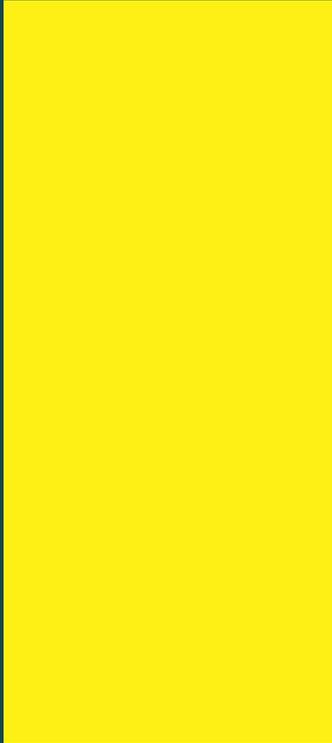
# Delivering Better Value in SEND, Workstream 2:

Review into the effective and  
sustainable use of statutory and non-  
statutory top-up funding

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February 2024

Social Finance, 87 Vauxhall Walk, London, SE11 5HJ  
PPL, St Saviour's Wharf, London SE1 2BG



# Contents

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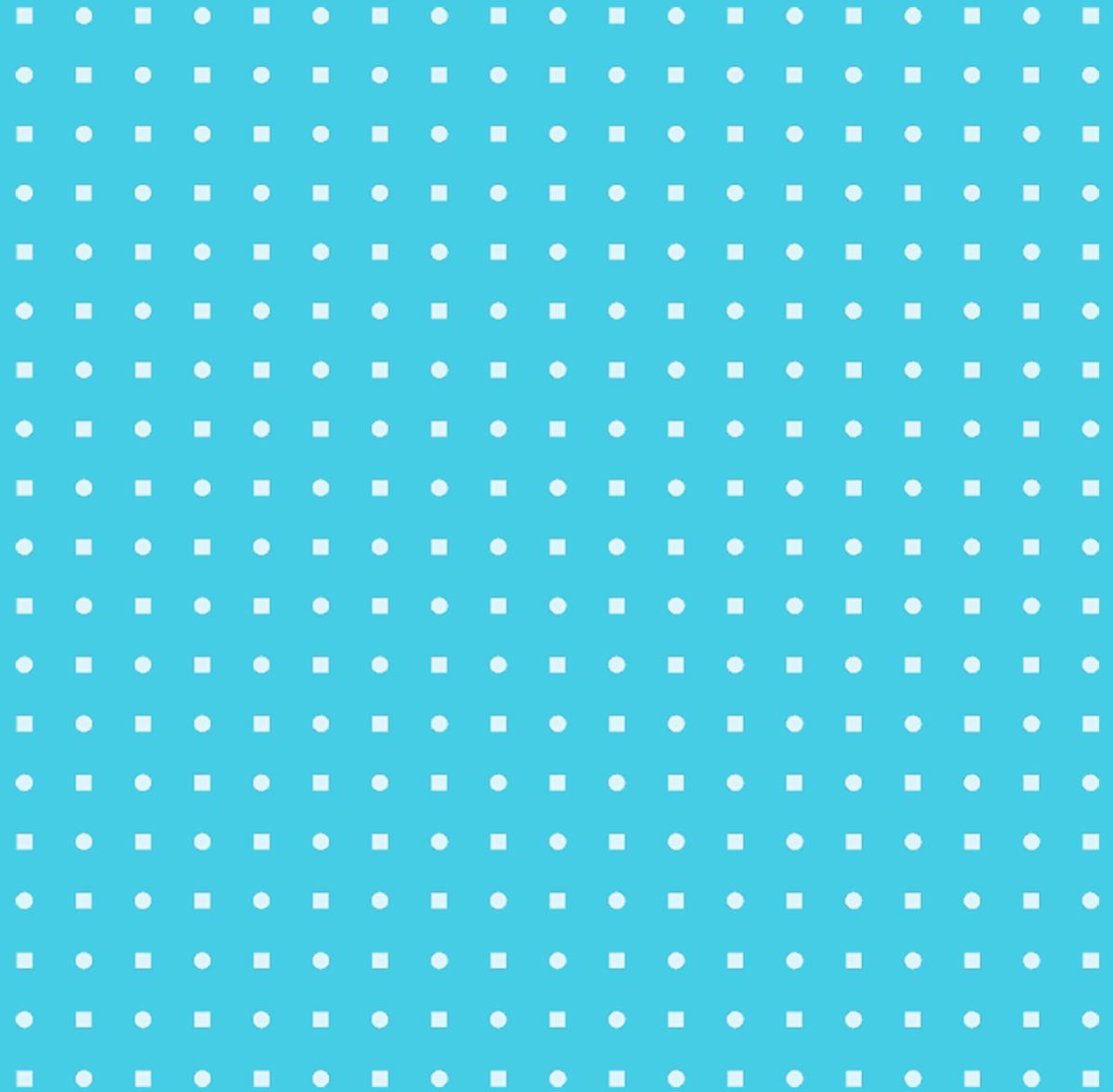
This document presents the full findings and recommendations for Workstream 2 of Bristol City Council’s Delivering Better Value in SEND programme.

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# 1. Project objective, context and approach

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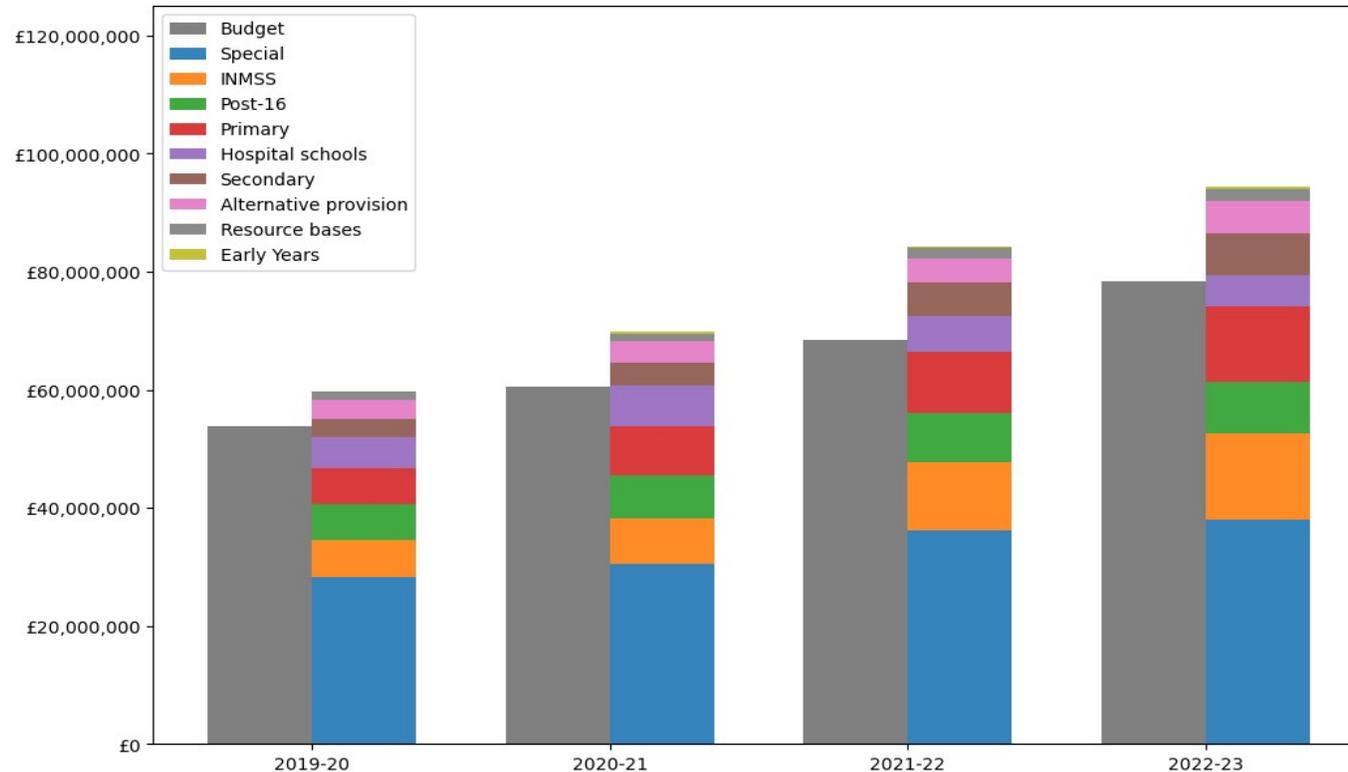
# Our objective is to reform the way Bristol uses top-up funding and help attain sustainability in the SEND system

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- ▶ **Objective:** *to support the SEND local system attain sustainability by getting the greatest possible value for High Needs Block top-up funding, while also improving outcomes for children and young people.*
- ▶ **Scope:** *Top-up (Element 3) funding including: children and young people who receive funding both with and without an EHC plan; mainstream and special settings; and school age and Post-16 education.*
- ▶ **Priority:** *While our focus is top-up funding, ultimately the way Bristol will achieve sustainability is through much greater and more effective early intervention and inclusion. All our work is directed towards this goal.*

# Special educational needs have been rising faster than budget over recent years

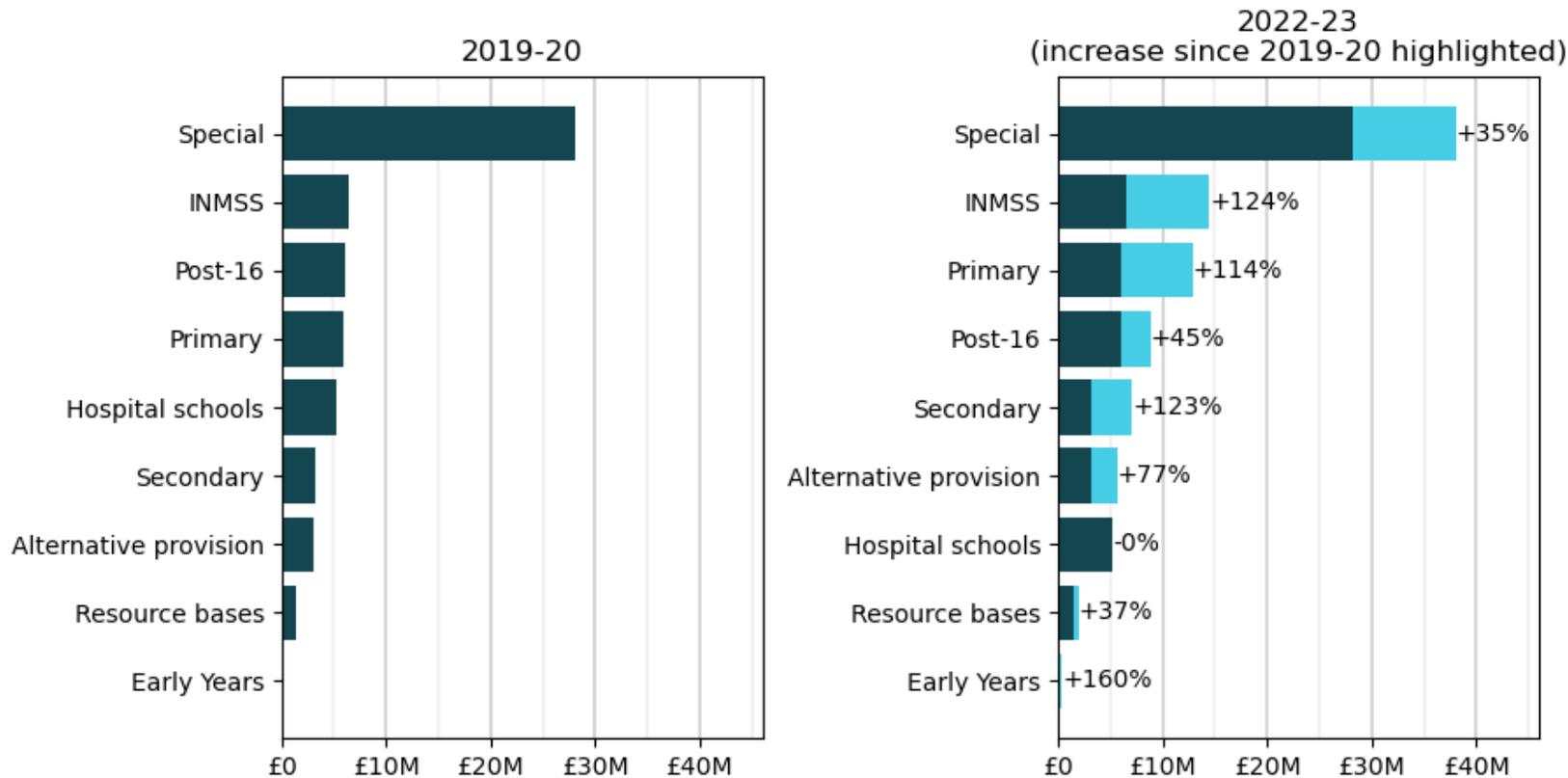
Total high needs budget and expenditure since 2019/20



- High needs budget has risen by a total of 45% since 2019/20
- However, expenditure has outpaced budget, rising by 58% in total, resulting in a cumulative deficit between 2019/20 and 2022/23 of £39.5m, forecast to reach £58.2m at the end of 23/24
- Evidence suggest that outcomes have not improved significantly despite this increased funding. For instance: the rate of exclusions in Bristol is above the national average and statistical neighbours; there is a large attainment gap between pupils with SEND and their peers; and the proportion of pupils educated in special school is growing

# Special and INMSS are the largest areas of spend, but top-up funding is rising fastest

Spending by setting 19-20 vs 22-23



- Special school funding has increased by £9.9m since 2019/20. However, this represents an increase of only 35%, slightly less than the overall increase in the high needs budget over the same period
- By contrast, spending in mainstream schools (incl. EY, primary, secondary) has more than doubled (120% increase)
- Top-up funding accounts for almost all this increase. And put together, top-up funding for all settings types (excl. INMSS) has risen by 174% over the last 3 years (£28.5m to £49.5m)

# We explored top-up funding from multiple angles to arrive at full, rounded picture

Workstream	When	Overview	Summary of activities	In this report...
<b>Stakeholder engagement</b>	August to September 2023	Conversations with stakeholders across the local SEND system to understand current challenges.	<ul style="list-style-type: none"> <li>60+ interviews with council officers, schools (SENCOs, head teachers), and VCSE orgs (e.g. parent carer forum)</li> </ul>	<b>Section 3 – Bristol’s top-up funding system: challenges with current approach.</b>
<b>Practice in other local authorities</b>	August to October 2023	Desk based research and interviews with relevant local authorities to inform possible changes.	<ul style="list-style-type: none"> <li>Research into characteristics of resilient local authorities incl. case studies on topics most relevant to Bristol – interviews with 8 other local authorities</li> </ul>	
<b>Data analysis</b>	September to November 2023	Analysis of patterns in needs, funding, and decision-making to identify priority drivers of rising demand and areas to improve.	<ul style="list-style-type: none"> <li>Analysis of pupil-level data for all recipients of top-up funding (non-stat, people with EHC plans) for last 4 years</li> </ul>	
<b>Public consultation</b>	November to December 2023	Whole-system consultation on indicative options incl. survey and follow-up focus groups.	<ul style="list-style-type: none"> <li>Public survey open for 6 weeks</li> <li>14 follow-up Information and Engagement sessions with 58 stakeholders</li> </ul>	<b>Section 3 – Public Consultation, options tested and key findings.</b>
<b>Develop &amp; test final recommendations</b>	December 2023 and January 2024	Synthesise combined findings from across workstreams to design final recommendations.	<ul style="list-style-type: none"> <li>Iterative design process incl. testing drafts with key officers for feedback</li> <li>Formal sign-off from council governance</li> </ul>	<b>Sections 5 and 6 – Final recommendations &amp; Implementation plan.</b>

# This final report is one of a number final project outputs

## Final report

**SOCIAL FINANCE**

### Delivering Best Value in SEND – findings from research and analysis

October 2023, **INTERNAL – DO NOT SHARE**

Social Finance, 87 Vauxhall Walk, London, SE11 5HJ  
PPL, St Saviour's Wharf, London SE1 2BG

PRIVATE AND CONFIDENTIAL

## Cabinet Report

**Decision Pathway – Report**

PURPOSE: For noting  
MEETING: Cabinet  
DATE: 06 February 2024

TITLE	Author	Job Title
Review into the effective and sustainable use of statutory and non-statutory high needs block Element 2 funding (Delivering Better Value in SEND, Workstream 2)	Tommy Jarvis Member for Children's Services, Education and Equalities	Senior Project Manager

Proposal origin: Other  
Decision maker: For noting  
Decision forum: Cabinet  
Purpose of report: The report presents the key findings and recommendations from the external review into top-up funding for children and young people with special educational needs and disabilities (SEND). The purpose of the review was to support

## Best practice review

**Experience of reforming descriptor framework in other LAs**  
Phase 1: Initial thinking and exploration (Informal for Information)

### Cheshire East profile overview

**Cheshire East profile overview**

- Overview: The SEND Code published in 2017 is a comprehensive resource (800+ page document) aimed at all educational providers and settings which support children and young people aged 0-25 years.
- Reason for developing toolkit: To develop quality guidance for SEND Co-ordinators (Co-ords) on how to deliver practice that is evidence based, person centred, and meets the needs of all children and young people.
- Development process: The toolkit was co-produced by local post-16 educational, sports and health, a wide range of educational and health, and care services.
- The document has been built up as an example of best practice by the Department for Education, Ofsted, National Association for Special Educational Needs (NASSEN) and other local authorities.

**SEND guidelines for school settings (in toolkit)**

Cheshire East's descriptor guidelines are broken into four sections based on the level of SEND needs:

- SEND Co-ordinators: funded by national ES budget
- SEND support: funded by national ES budget
- Children: Children under this category will receive eligible for top up funding
- Specialist: Resource provision and Special schools are funded separately

Each level provides detailed guidance to support with identification of need, responding to needs and suggest strategies to support the child.

## Consultation survey

**BRISTOL CITY COUNCIL**

### Bristol's SEND top-up consultation

Consultation on proposed changes to how we fund educational support provision for SEND

[View Project](#)

### Fair and Affordable Care Policy Consultation

Give your views on the Fair and Affordable Care Policy.

[View Project](#)

### Consultation on Flux Bourton Mortuary Charging Byelaw Proposal

Proposal to charge for storing a deceased person if not collected promptly from the mortuary

[View Project](#)

## Equalities Impact Assessment

**Equality Impact Assessment** Version 2.01

Title: Bristol's Top Up Funding

Policy  Strategy  Function  Service  New  Other (please state)

Directorate: Education & Skills  Already exists / review  Changing

Service Area: Special educational needs and disabilities  Lead Officer name: Reema Bhogal-Welsh

Lead Officer role: Director

**Step 1: What do we want to do?**

The purpose of an Equality Impact Statement is to assist decision makers in understanding the impact of proposals as part of their duties under the Equality Act 2010. Detailed guidance to support completion can be found here: [Equality Impact Assessments \(EIA\) \(https://www.equalityhumanrights.com\)](#)

This assessment should be started at the beginning of the process by someone with a good knowledge of the proposal and service area, and sufficient influence over the proposal. It is good practice to take a team approach to completing the equality impact assessment. Please contact the [Equality and Inclusion Team](#) early for advice and feedback.

**1.1 What are the aims and objectives/purpose of this proposal?**

Briefly explain the purpose of the proposal and why it is needed. Describe who it is aimed at and the intended aims / outcomes. Where known also summarise the key actions you plan to undertake. Please use [plain English](#), avoiding jargon and acronyms. Equality Impact Assessments are viewed by a wide range of people including decision-makers and the wider public.

## Consultation report

Bristol Council SEND Consultation summary report

## Consultation and Engagement

### Bristol's SEND Top-up – Consultation Report 2024

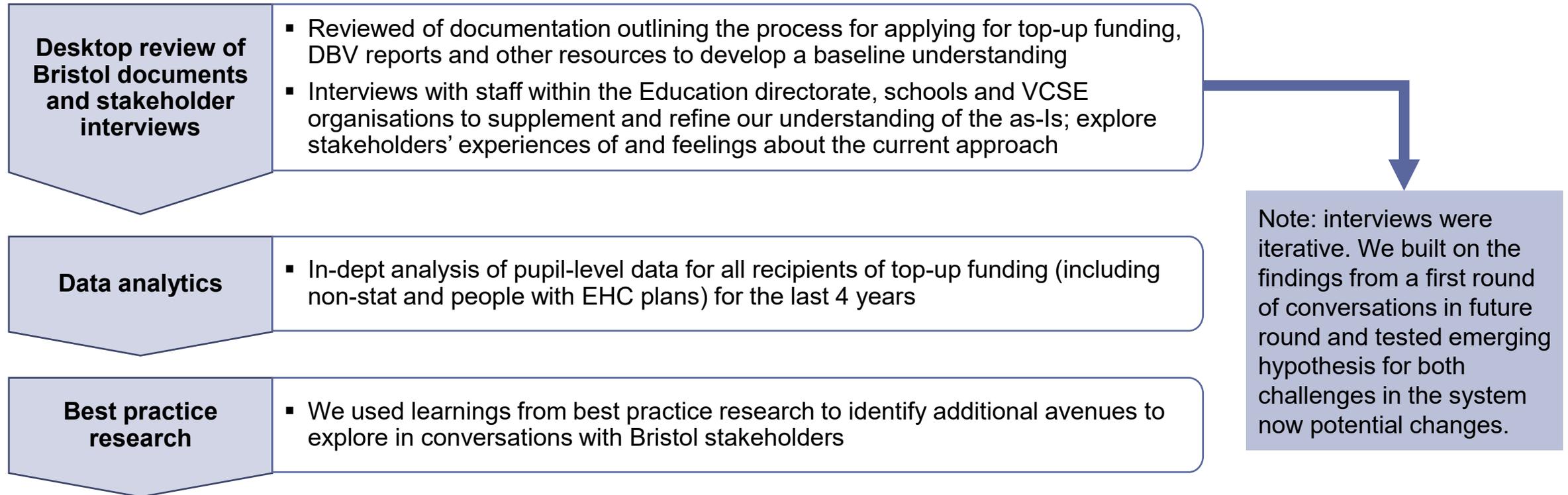
## 2. Top-up funding in Bristol: challenges with current approach

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### Subsections:

- Bristol's current approach to using top-up funding
- Issues with current top-up funding approach
- Findings from data analysis
- Practice in other local authorities

# We took a mixed-methods approach to understand the “as is” top-up funding system



# Background to top-up funding: Elements 1, 2 and 3 and statutory responsibilities

There are three 'Elements' to high needs funding...

<p><b>Element 3: Top-up funding</b></p>	<p>This funding comes from the LA's high needs block and is provided when a mainstream school can evidence that an individual pupil with SEN requires more than the £6,000 element 2 funding to meet their needs.</p>
<p><b>Element 2: SEN notional budgets</b></p>	<p>£6,000 per pupil with SEN is provided to schools directly to schools as part of their core budgets As part of the SEN Code of Practice 2014, schools have a statutory requirement to use their core funding to make sure that any pupil with SEND gets the support they need. Most provision will be part of the school's offer to all children and young people, often referred to as Ordinarily Available Provision (OAP). Some provision will be put in place using the school's Pupil Premium funding allocation. The pupil premium grant is funding to improve educational outcomes for disadvantaged pupils in state-funded schools in England, and should be drawn upon by schools, before they seek additional funding from the HNB.</p>
<p><b>Element 1: School core Budget</b></p>	<p>This is the amount of funding allocated to an education setting, based on actual pupil numbers, regardless if they have any SEN. This is called the Age Weighted Pupil Unit (AWPU) and differs according to whether the school is primary or secondary etc. Some of this money is for general SEN provision and could for example, include the cost of providing the Special Educational Needs Coordinator (SENCO).</p>



**Element 3 is the primary focus of this project**

Element 3 / top-up funding is typically provided to children and young people with the most complex additional needs. The council has statutory responsibilities to use this funding to:<sup>1</sup>

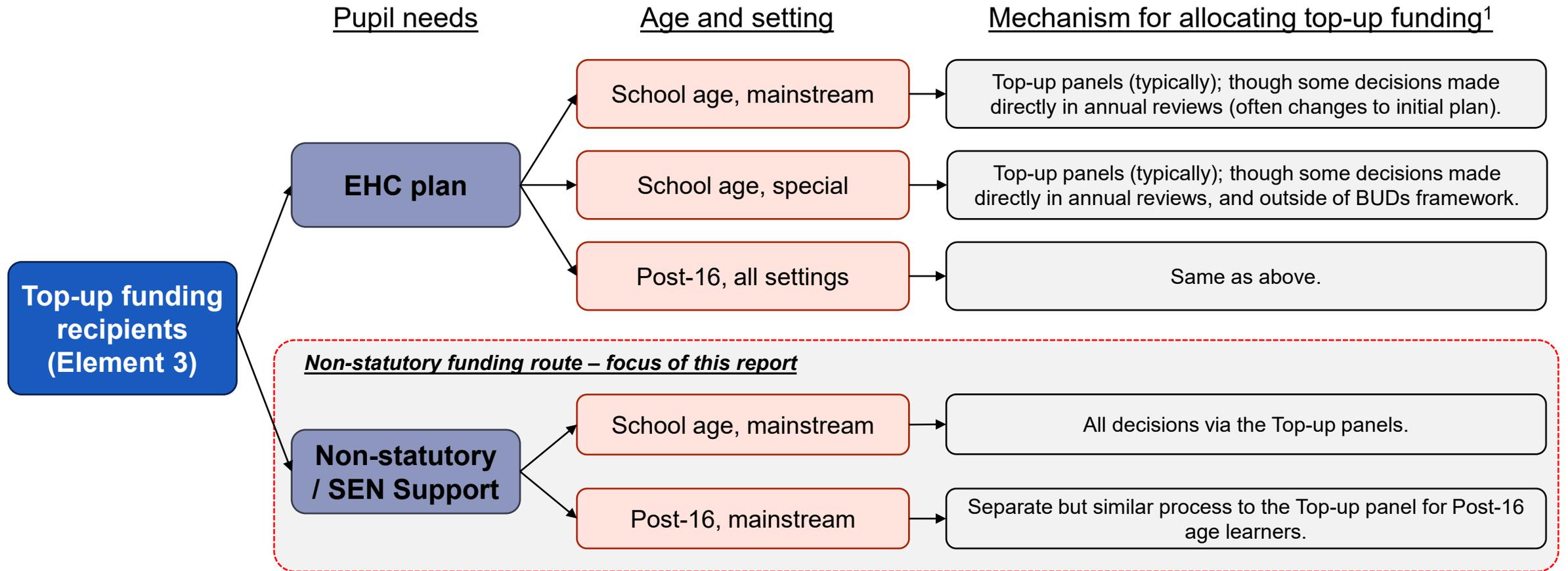
- Provide funding to children and young people with an EHC plan
- Secure special education and/or health provision in accordance with the EHC plan
- Ensure that the provisions set out in the plan are delivered

It should be noted that in Bristol the council *also* makes top-up funding available to children with SEN who *do not* have an EHC plan. This is not a statutory duty. This 'non-statutory' top-up funding is the main focus of this project.

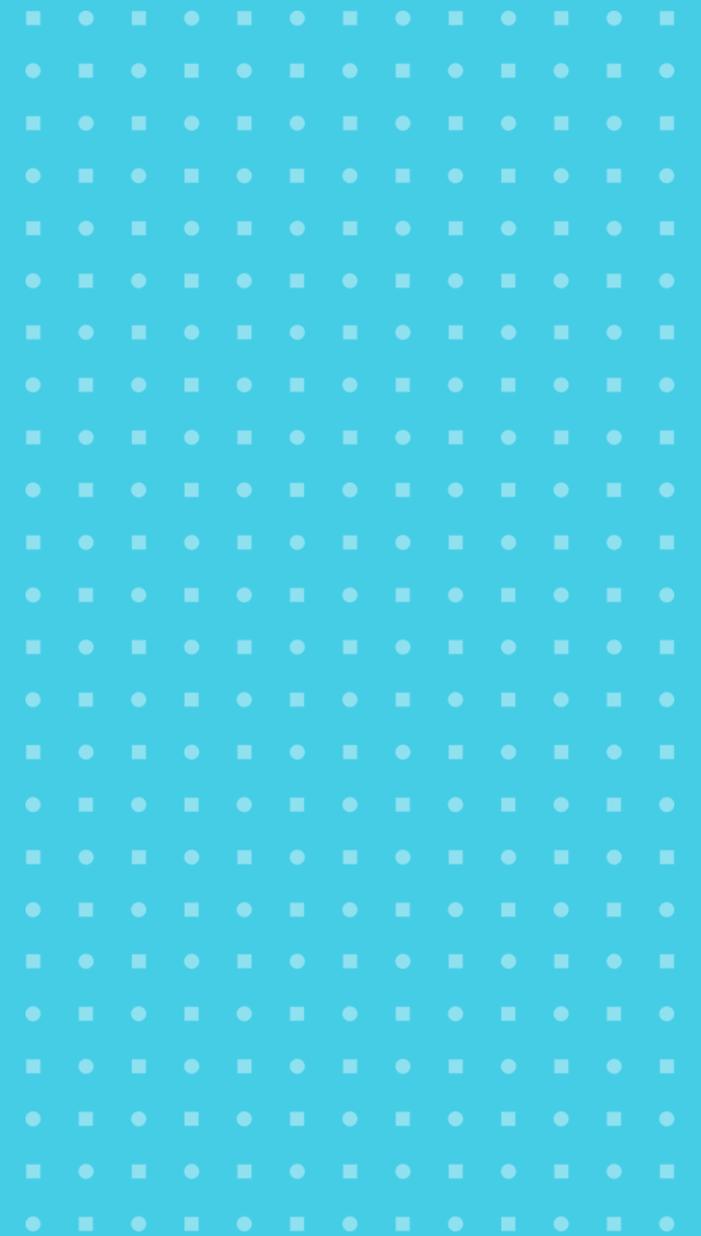
Whilst the focus of this consultation is on the sustainable use of Element 3 non-statutory top up funding (funding allocated to those without an EHC plan), successful implementation of any changes to Element 3 funding are dependent on the effective use of Elements 1 and 2 funding within schools.



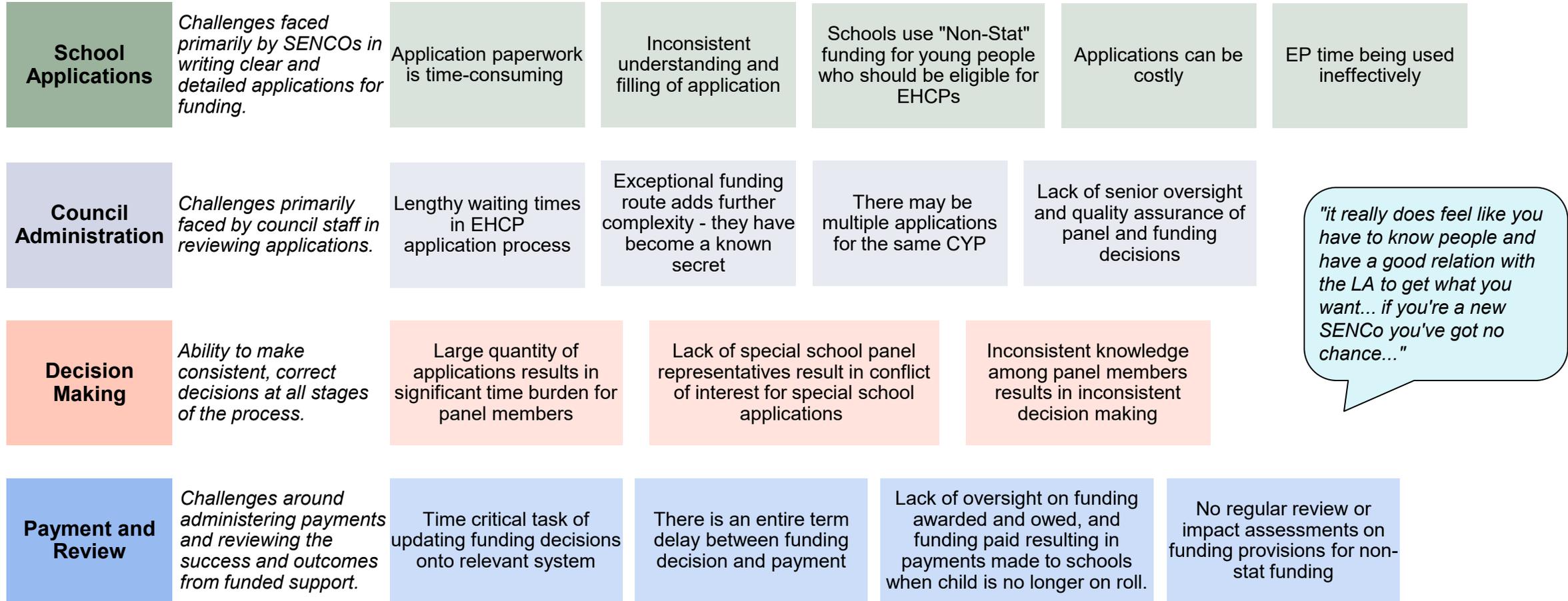
# We focused in this project on non-statutory funding, but also touched on other groups and funding mechanisms



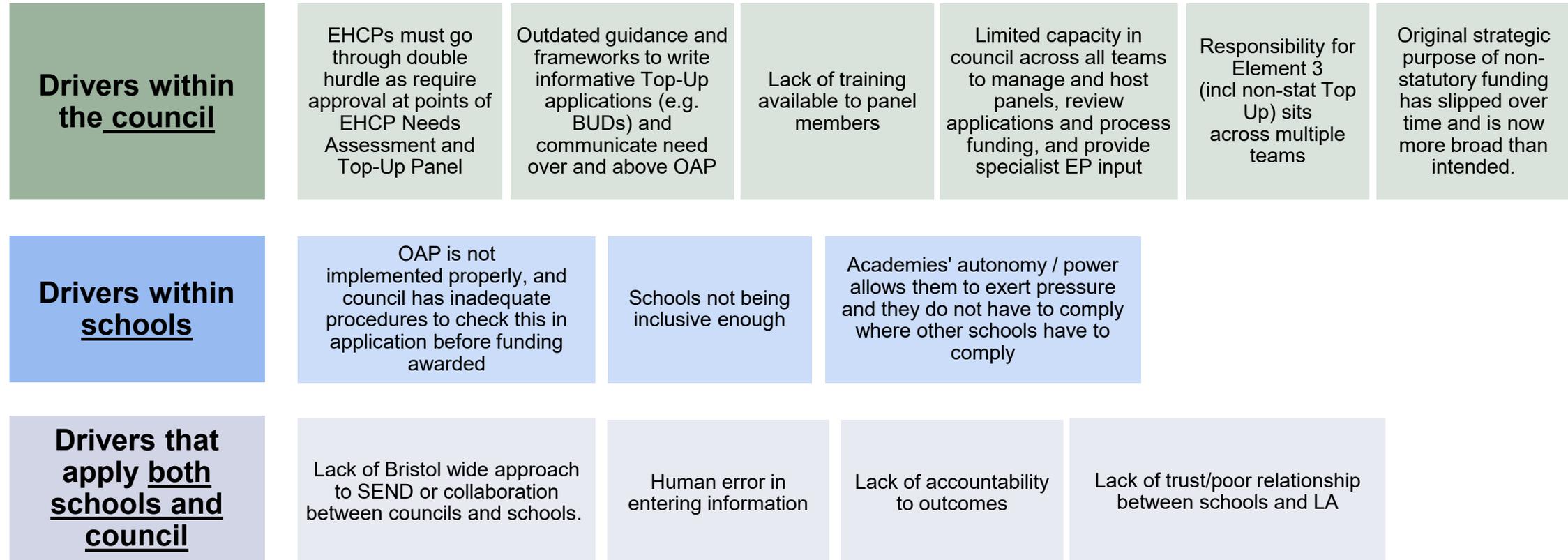
# Issues with current top-up funding approach



# Stakeholders experience four major challenges with current top-up funding arrangements<sup>1</sup>



# Several 'drivers' sit behind these challenges, which need to be addressed in any funding changes



# Other important findings from initial assessment of current top-up funding approach

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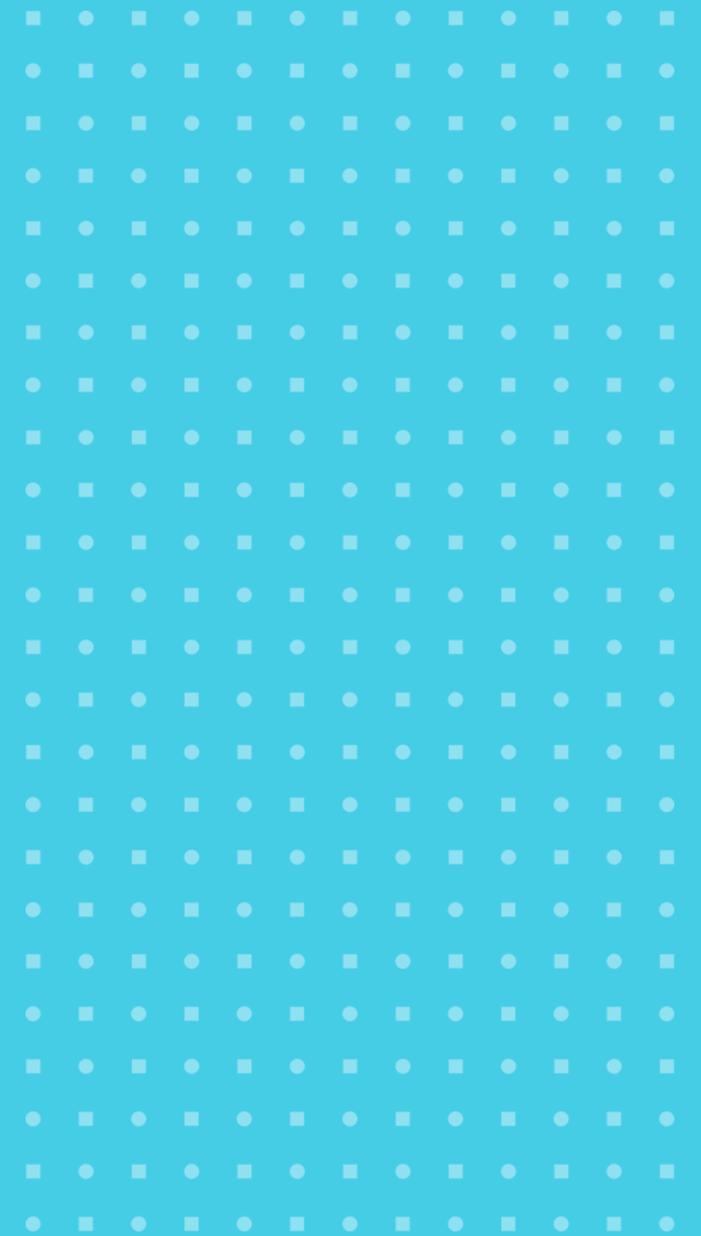
## Summary themes

- All stakeholders were broadly supportive of providing non-statutory funding to mainstream schools, which is felt to strengthen their ability to respond to needs and be inclusive
- However, there is consensus that the current top-up funding process and approach is not fit for purpose and needs to change: non-statutory funding has moved away from its original intent (designed to be much more limited and targeted than now); capacity to manage the process and guidance for schools is limited placing the whole approach under strain; and funding is ultimately not used as effectively as possible in schools
- There is apprehension around the possible impact of removing non-statutory top-up, namely schools' ability to support and include children and young people with SEND

## What this could mean for top-up funding...

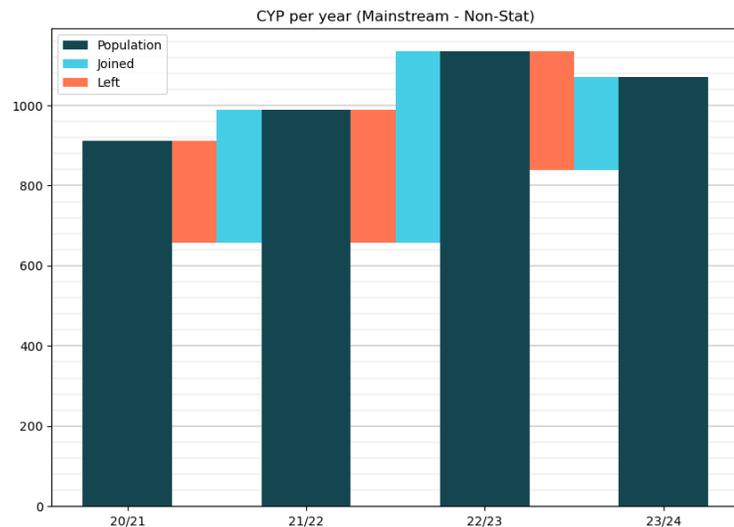
- Tighter guidance around process, eligibility, and funding available will provide clarity and streamline the process overall.
- Funding must be used in a way that better challenges and support schools to prioritise early intervention, and improves the quality and consistency of OAP and inclusion.
- Bristol will ensure compliance with statutory requirements set out within the Children and Families Act 2014 on transparency and timescales for providing funding.

# Findings from data analysis



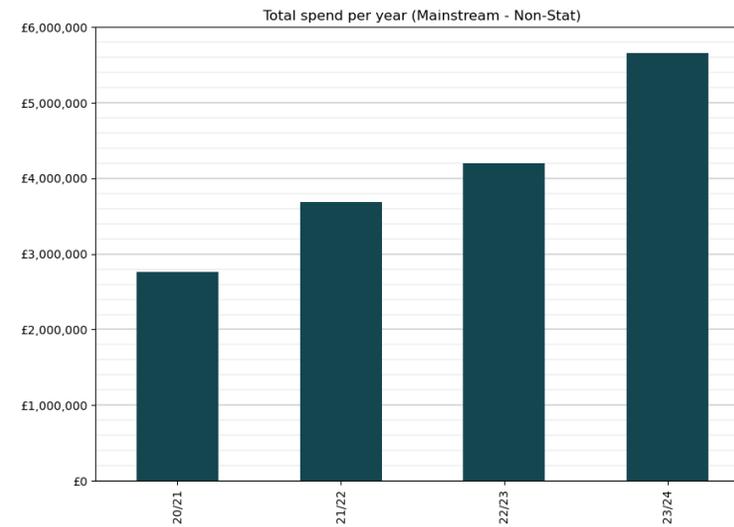
# Non-statutory funding has risen rapidly over recent years, nearly doubling since 2020/21 to £5.5m as of this year<sup>1</sup>

## The number of pupils receiving non-statutory funding has risen since 2020



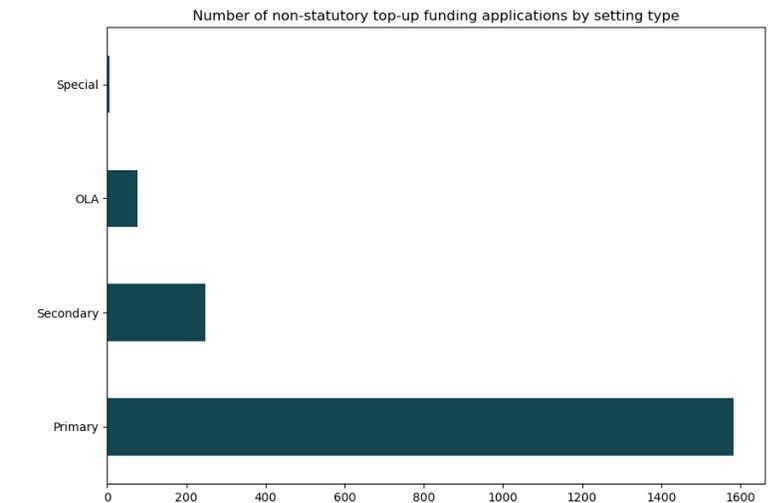
- It is typically pupils identified as SEN Support who receive non-statutory top-up funding
- While the rate of children with EHC plans is similar in Bristol to statistical neighbours, the rate of children identified as SEN Support is higher – 3 more people in 100 than stat neighbours

## Over this period expenditure has increased by 51%



- This suggests non-statutory funding has moved away from its original intent – small, targeted funding for exceptional circumstances – and is now used to support a wider array of needs
- Average level of need (indicated by needs band) has also increased over this period

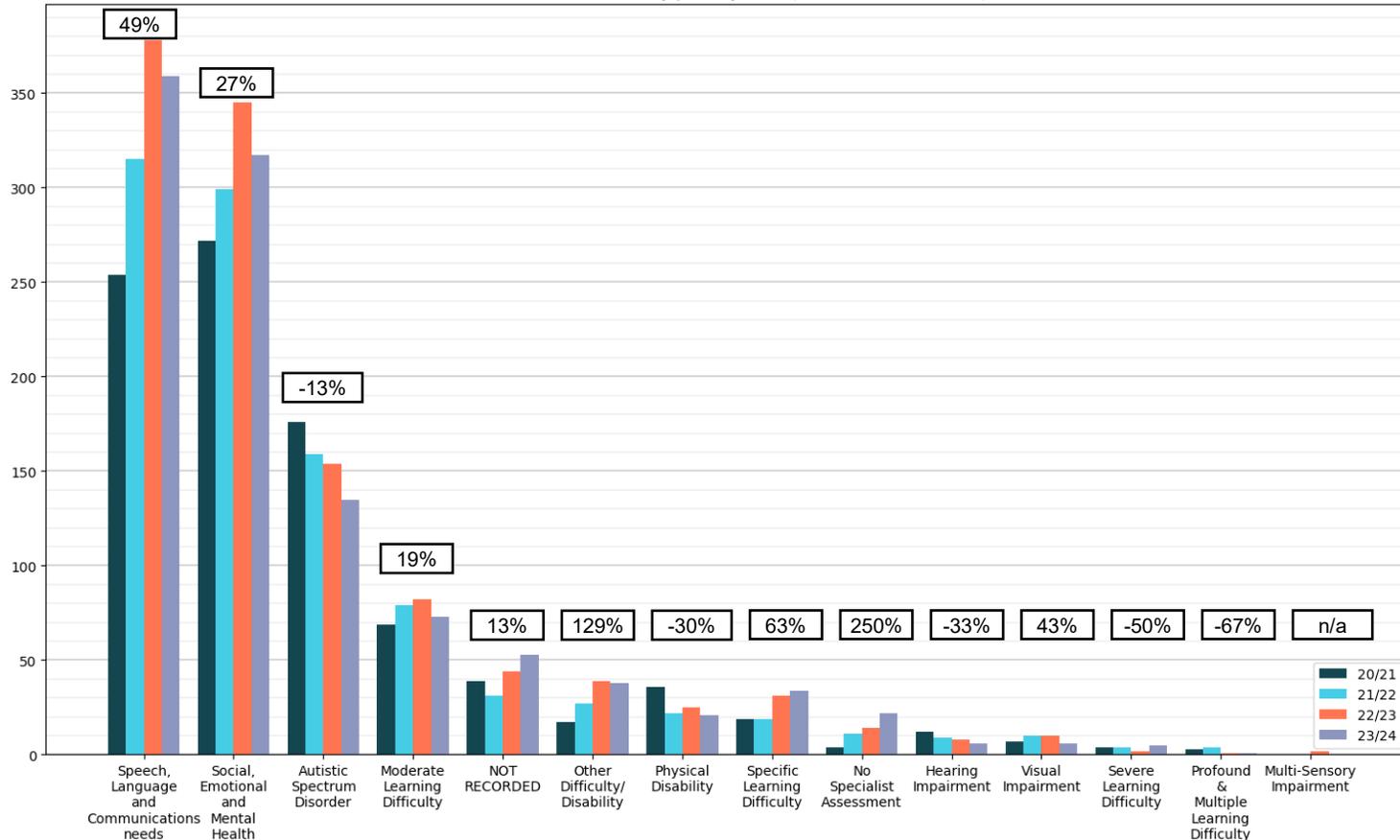
## 85% of successful applications are for primary school age pupils



- Non-statutory funding is predominantly directed towards primary schools, as you would expect for earlier or emerging needs
- A significant minority of applications (c. 20%) are however for funding *increases* rather than new applications

# SLCN and SEMH are by far the most common needs amongst funding recipients

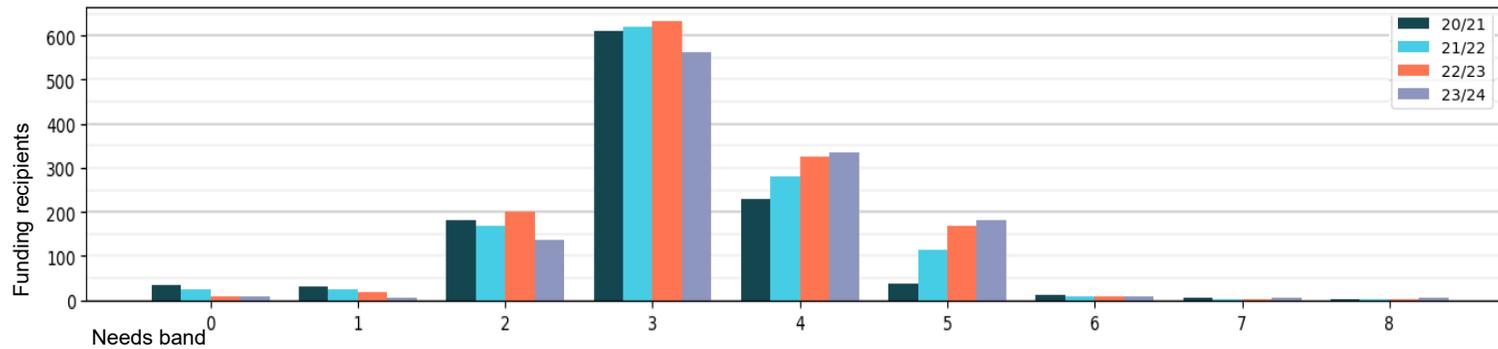
Number of individuals by primary need (Mainstream - Non-Stat)



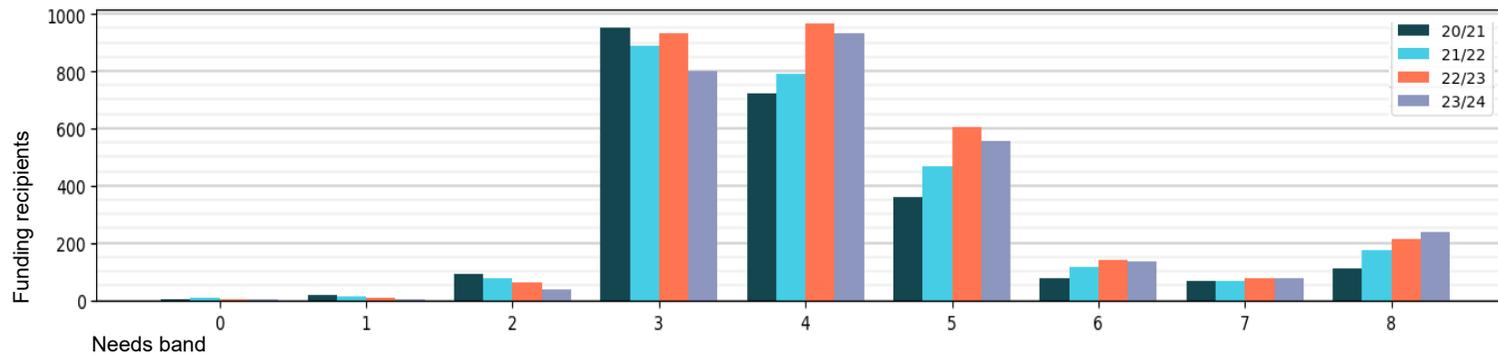
- SLCN and SEMH are the most common needs for non-statutory funding. These needs have risen rapidly in recent years
- Along with ASD, pupils with these needs now represent nearly 80% of all non-statutory funding recipients
- In Bristol, it is striking that SEMH is being identified very frequently amongst primary age pupils. This is out of sync with other similar areas
- Lower level SEMH and SCLN needs can often be supported effectively through timely, specific intervention (e.g. speech and language therapy, targeted social and emotional learning interventions).
- *Note: figures for % change are between 20/21 and 22/23*

# Pupils are assessed as having higher needs now compared with 4 years ago

Needs band of pupils receiving non-statutory top-up (20/21 to 23/24)



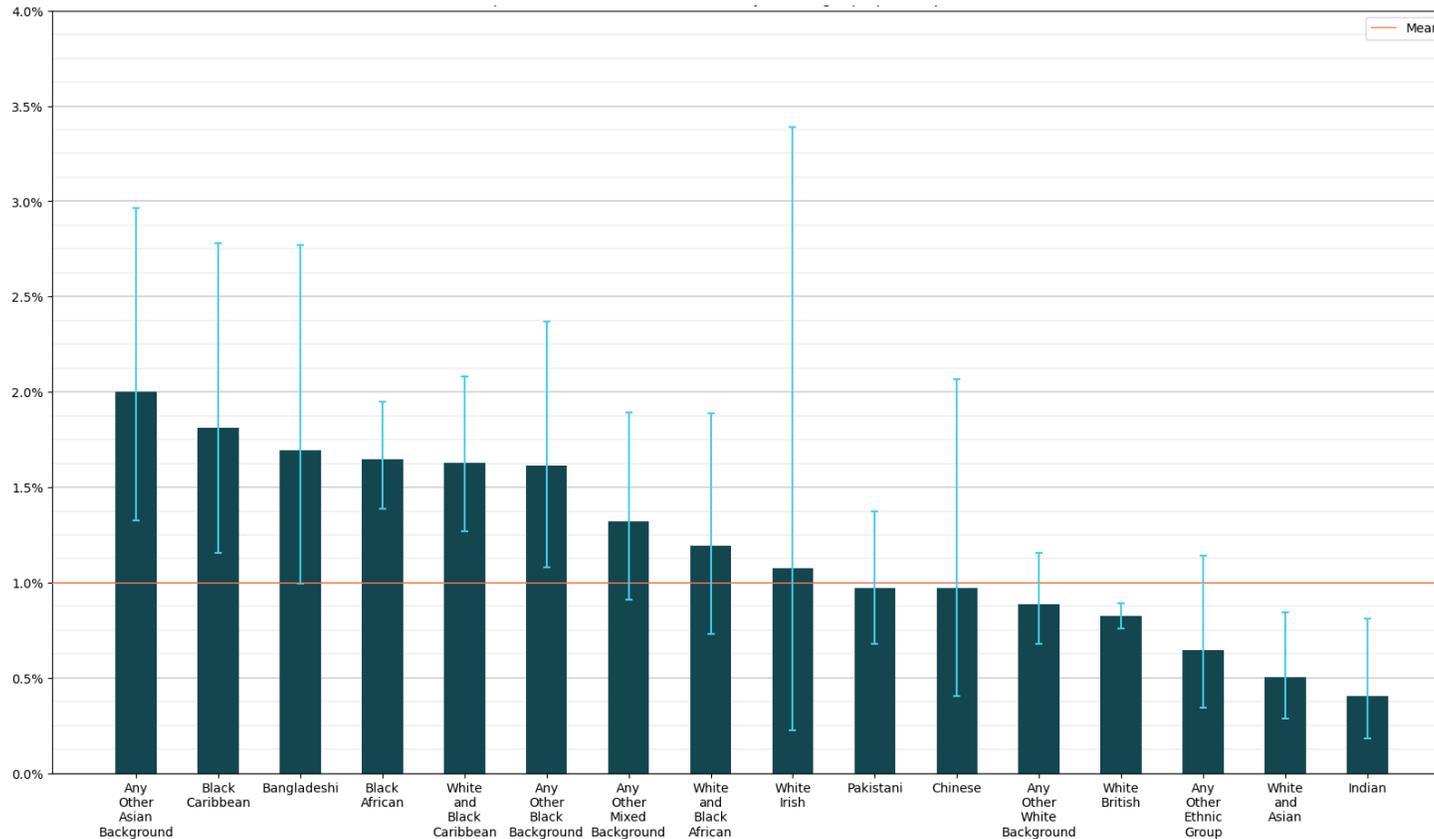
Needs band of pupils with an EHC plan (20/21 to 23/24)



- Over the last 4 years there has been a significant increase in the number and proportion of pupils receiving non-statutory funding at needs Bands 4/5<sup>1</sup>
- The charts on the left suggest that pupils previously assessed as band 2/3 are now being assessed as Band 4/5
- The rise in SEMH at needs Bands 4 and 5 has been particularly sharp (18 pupils in 20/21 to 110 in 23/24). This suggests either that SEMH needs have become significantly more complex, or schools are no longer picking up on emerging needs early. The number of pupils with SLCN has risen at all levels of need, but especially Band 3.
- Banding data for pupils with EHC plans shows a similar pattern. Indeed, together the two charts on the left suggest a high degree of overlap in the needs of pupils receiving non-statutory funding and those with an EHC plan<sup>2</sup>

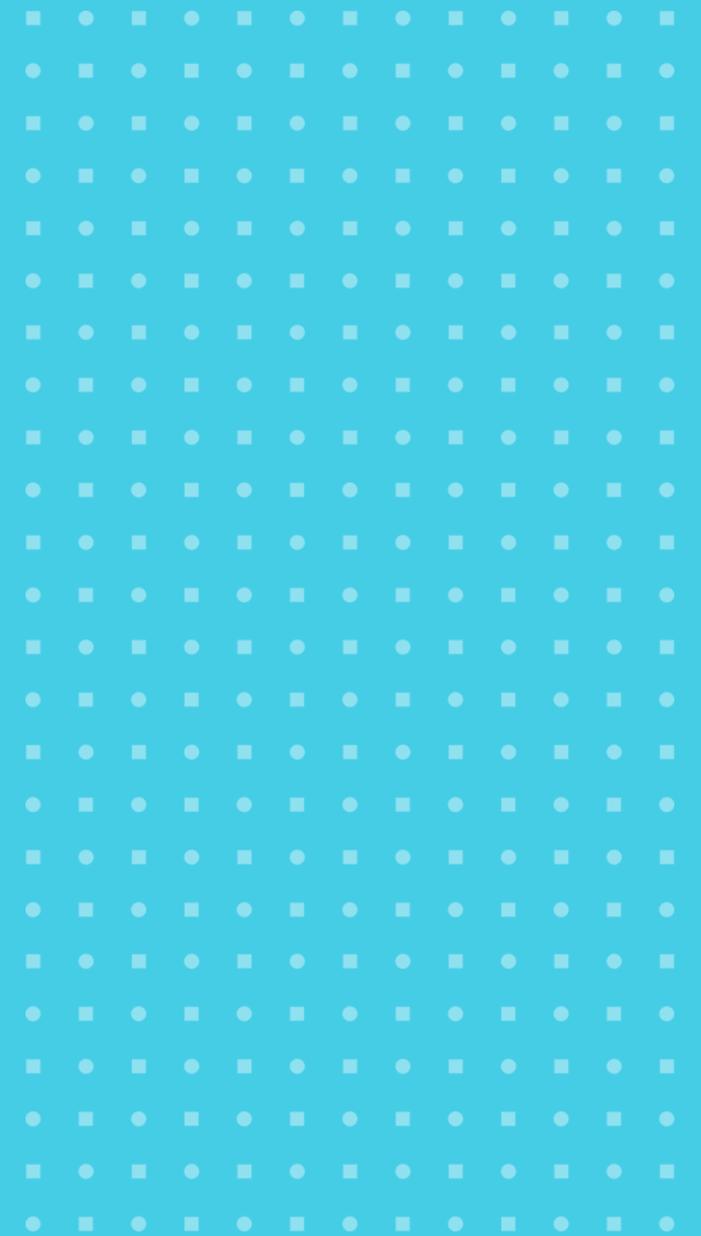
# Black pupils with SEND are overrepresented at all levels of need

Proportion of children receiving top-up funding at a special school by ethnicity



- The chart to the left shows that people from black and mixed-black backgrounds are more likely than average to attend a special school. This is indicative of a general pattern within SEND in Bristol. For example:
  - Black Caribbean children are 2.8 times more likely to receive non-statutory top-up than the average
  - Black African children are 27% more likely than average to receive non-statutory top-up at a mainstream school, and 60% more likely to be at a special school
- SEMH is a particular issue: pupils of black backgrounds are more likely than their peers to be identified as having a behavioural need
- For example, in the special school population, >50% of black and mixed-black background pupils have an SEMH need. None of the Asian pupils in these settings are identified as having SEMH.

# Practice in other local authorities



# We undertook a review of wider local authority practice to inform possible changes<sup>1</sup>

## Objective

- Identify characteristics of resilient, sustainable SEND systems
- Identify specific approaches to using Element 3 funding from relevant local authorities that Bristol could learn from
- Understand how these have been implemented so Bristol can learn lessons from both successes and failures

## What we looked at

- Desk-based research of published research / evidence to understand general characteristics of resilient SEND systems
- Targeted case studies of specific local authorities covering places:
  - i) that have made good progress in the DBV / Safety Valve programmes
  - ii) recognised as the strongest generally
  - iii) that have similar and/or especially relevant models to Bristol, incl. using high needs funding for early intervention

## Progress and outputs

- Desk-based research completed for 13 local authorities
- Conversations with 8 local authorities to explore relevant models in more detail
- The following slides summarise the key learnings and takeaways for Bristol. Detailed case studies are provided in a separate document

# Recent DfE research highlights 6 key areas that are essential to sustainable local SEND systems<sup>1</sup>

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Local authority good practice areas have holistic, coordinated approaches to SEND. They are underpinned by strong, open relationships with schools, who have a consistent approach to inclusion / OAP (led by the council) and who pull in the same direction around the sustainable and collective use of high needs funding. Key characteristics of their approaches include:

## 1. Co-production:

- Schools
- Parents/carers
- SEND children/young people

## 2. Culture:

- Early intervention
- Stable senior SEND leadership
- Engagement between council, schools and parents/carers

## 3. Strong relationships between councils and schools:

- Better communication
- Sense of collective responsibility

## 4. Coordination and stewardship:

- Strong comms between SEND and finance teams
- Multi-agency coordination (e.g. Education and Social Care)
- Capacity for system oversight

## 5. Capacity building:

- Improving mainstream inclusion
- Training/up-skilling school staff
- Increase capacity of special schools

## 6. Specific interventions:

- Reducing exclusions related to SEND
- Dedicated autism pathways and services
- Transition support

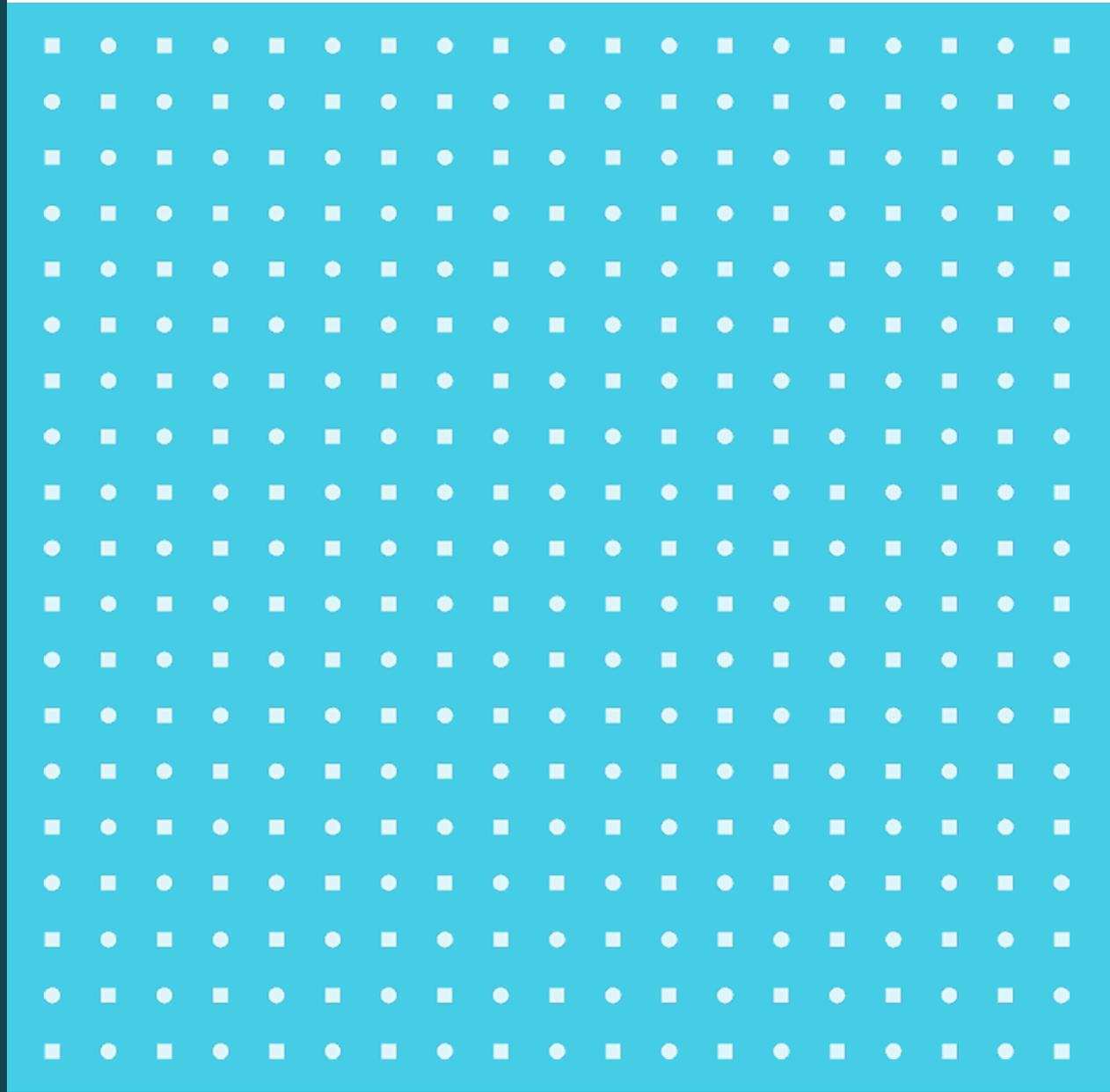
# Many local authorities provide additional high needs funding to mainstream schools for SEN Support pupils

<b>Essex</b>	<b>Individual Pupil Resourcing Agreement (IPRA):</b> This refers to additional funding which can be given to a school to help a child with special educational needs to settle into their new setting (transition funding) or to support them with medical needs. The funding is given to the school for an agreed period only, normally one or two terms and it is then expected that the school can support the child through normal OAP.	 Essex County Council	<div style="background-color: #4a86e8; color: white; padding: 10px; border-radius: 10px; text-align: center;">             'Per pupil' funding models           </div>
<b>Warrington</b>	<b>Top Up funding requests:</b> Funding is allocated with agreement from Warrington's SEND Multi-Agency Panel. Funding is time-limited and applications for top-ups are based on the cost of providing any additional teaching interventions using the Provision Map. If the application is agreed by the SEND Panel, the school will receive the exact amount of money required to meet the child's special educational needs.	 WARRINGTON Borough Council	
<b>Hertfordshire</b>	<b>Local High Needs Funding (LHNF):</b> This local version of Top Up High Needs Funding meets the emerging needs of children and young people and those with complex needs who do not have an EHCP. It is managed locally within the nine different DSPL (delivering special provision locally) areas and the decisions regarding the allocation of LHNF will be made by a panel managed by the DSPL manager. If the panel decides that the child is not eligible for LHNF, they will support the school in advising how best the school can meet the child's needs.	 Hertfordshire	<div style="background-color: #4a86e8; color: white; padding: 10px; border-radius: 10px; text-align: center;">             'Devolved' funding models           </div>
<b>Croydon</b>	<b>Locality networks:</b> Croydon started an early intervention pilot approach in 2020. Regional clusters of schools / SENCOs meet regularly to discuss their inclusion approaches and drive peer learning and improvement. £1m has been devolved to clusters, with SENCOs deciding collectively how best to use it across their schools. An additional £400k (DSG transfer) funds a small team of specialist teachers who provide support but also scrutiny over how funding is used. The model is now rolling out across the whole borough, with additional resource.	 CROYDON	

*NB: several places also use high needs budget to commission or directly deliver outreach services that work in mainstream schools (e.g. Hull, Notts), while others transfer high needs funding directly to mainstream schools to support inclusion (e.g. Camden, Islington).*

# 3. Public consultation – options tested and key findings

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# We tested a series draft Options for changes to top-up funding in a public Consultation

## Consultation details

The SEND Top-up Consultation was held over November and December 2023.

An online survey was available on the council's [Consultation an Engagement Hub](#) between 1 November and 13 December 2023. Easy Read formats were also available on the Consultation and Engagement Hub, for which responses were accepted until 27 December 2023.

The Consultation sought views from the public (with a particular focus on school staff, LA staff, parents/carers and children and young people) on options for more effective and sustainable use of top-up funding.

The responses to the consultation, as well as feedback through the follow-up Information and Engagement sessions, have helped to inform final recommendations. The full findings from the Consultation are published in a separate report.<sup>1</sup>

## Consultation distribution and follow-up sessions

The survey was distributed via several channels:

- ❑ All educational settings in Bristol (primary, secondary, mainstream, special schools)
- ❑ Bristol Parent Carer forum email distribution list and social media platforms
- ❑ Bristol City Council Education and Skills Directorate distribution list
- ❑ WECIL (local, user led organisation supporting Disabled people) email list and social platforms

58 people also attended one of 14 follow-up Information and Engagement sessions (in-person and virtual)

- ❑ 2 x council staff sessions
- ❑ 5 x school staff sessions
- ❑ 4 x parents / carer sessions
- ❑ 2 x governor sessions
- ❑ 1 x young people (facilitated by WECIL)

## Summary response rate and respondent characteristics

- ❑ 196 survey responses (all completed online)
- ❑ 130 responses (66%) from postcodes within the Bristol City Council area
- ❑ The proportion of respondents with disabilities (12% of all respondents; 14% of Bristol respondents) is greater than the proportion of people with disabilities living in Bristol<sup>2</sup>
- ❑ White British respondents (86% of all respondents, 82% of Bristol respondents) were slightly overrepresented (72% of Bristol population). Mixed or multi-ethnic respondents (6% of all respondents, 7% of Bristol respondents) were also slightly over-represented. The following groups were under-represented:
  - Black/Black British/Caribbean/African (3% of Bristol respondents versus 6% of Bristol pop)
  - Asian/Asian British (3% of Bristol respondents versus 7% of Bristol pop)

# Consultation feedback was synthesized in a rigorous way to inform final recommendations

## 1. Create a coding framework



Created a coding framework in line with Bristol standard procedure. The framework enabled us to tag 'positive' and 'negative' sentiment in the qualitative parts of the survey data. We also identified a list of major themes bottom up to capture more nuanced feedback.

## 2. Testing the coding framework



We tested the coding framework on a sample of early responses to the consultation (e.g. the applicability of the codes and the ease of applying the framework to capture feedback) and made small changes before finalizing it.

## 3. Synthesise all responses



We applied the framework to all responses. We also applied the framework to the recorded transcripts from the Engagement sessions. This ensured feedback from these sessions are captured alongside survey feedback.

## 4. Synthesis – major themes



We synthesised the data from the survey responses and Information and Engagement sessions, identifying common themes within the responses.

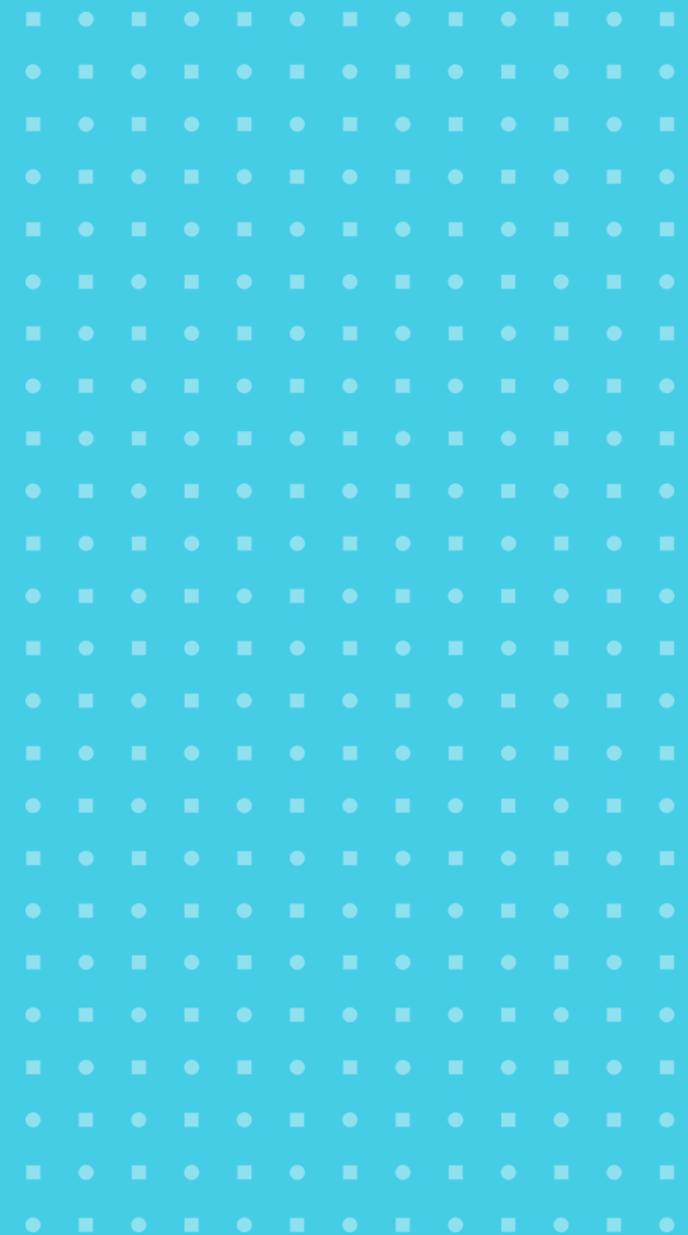
The following slides in this section outline the options tested during the consultation, and the feedback received about them. For each option, we first present the information that was provided to Consultation respondents, which includes:

- A summary of the problems that are addressed by option and the rationale behind creating it
- A summary of how we envisaged the design of the option
- A summary of the anticipated benefits and risks/implications to consider in implementing this option

For each option, we then summarise the feedback gathered through the survey and follow-up sessions.<sup>1</sup>

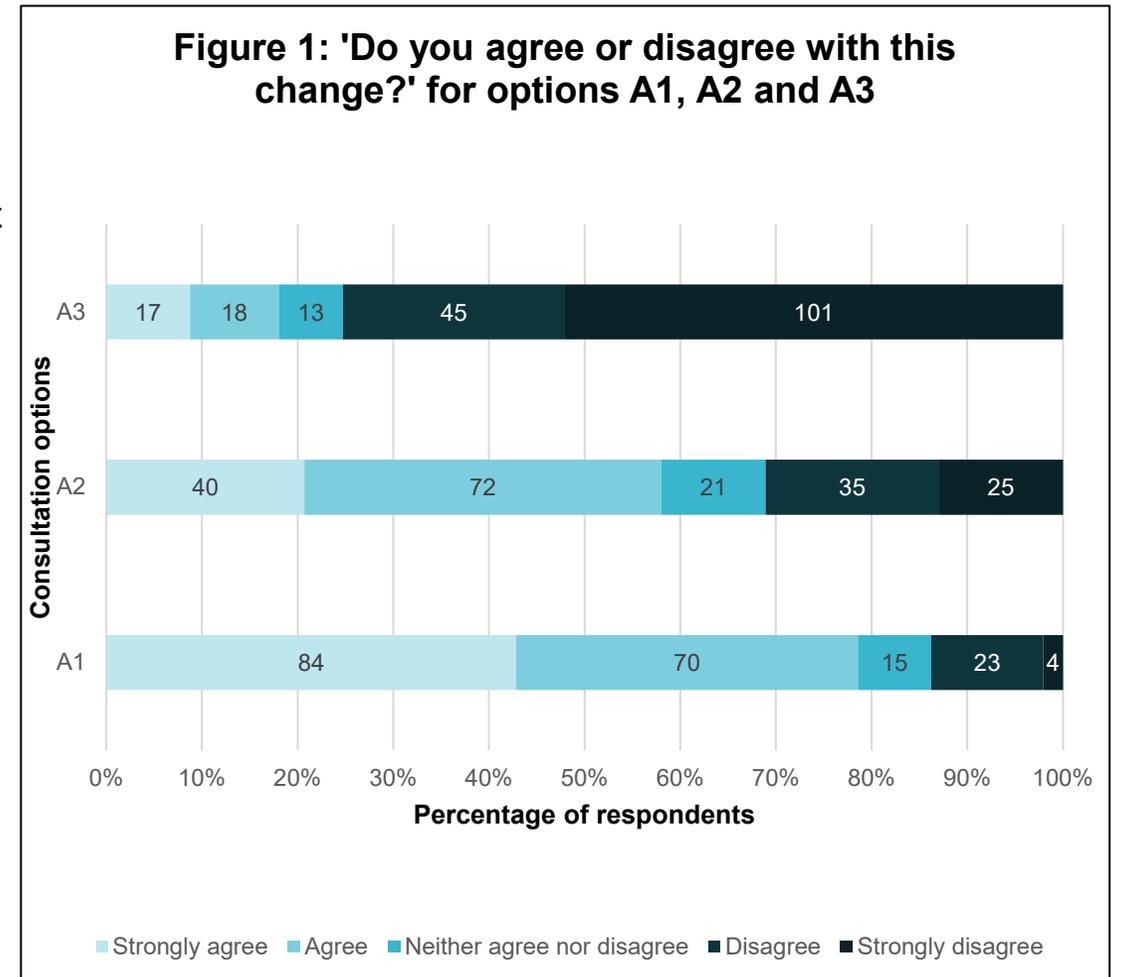
# Options for school-age pupils

Options A1, A2 and A3



## Summary of responses to options A1, A2 and A3

- Across both the survey and follow-up sessions, **Option A1** received the most positive feedback, supported by >75% of survey respondents ('Strongly agree' or 'agree'). Qualitative comments included:
  - Schools welcomed the idea of a faster, more streamlined process which reduces pressure on their staff, plus the ability to access greater support for those who do not have an EHC plan in place, which would enable schools to support SEND children in a mainstream education setting
  - However, there were some concerns that this option may not realise sufficient savings or be financially sustainable.
- **Option A2** also received support from many respondents, though not to the same extent as Option A1. Qualitative comments:
  - Respondents support the principle of early intervention, with some suggesting that this option could reduce the burden on SENCOs and other school staff or bring financial benefits by reducing long-term costs
  - However, concerns were raised about whether the funding available would be sufficient, whether it would reach all of the children and young people who need it, and how the use of the fund could be monitored
- >75% of respondents indicated that they did not support **Option A3**. Respondents reported that it would negatively impact on child outcomes and lead to more EHC plan applications. These costs would outweigh any short-term financial benefits.



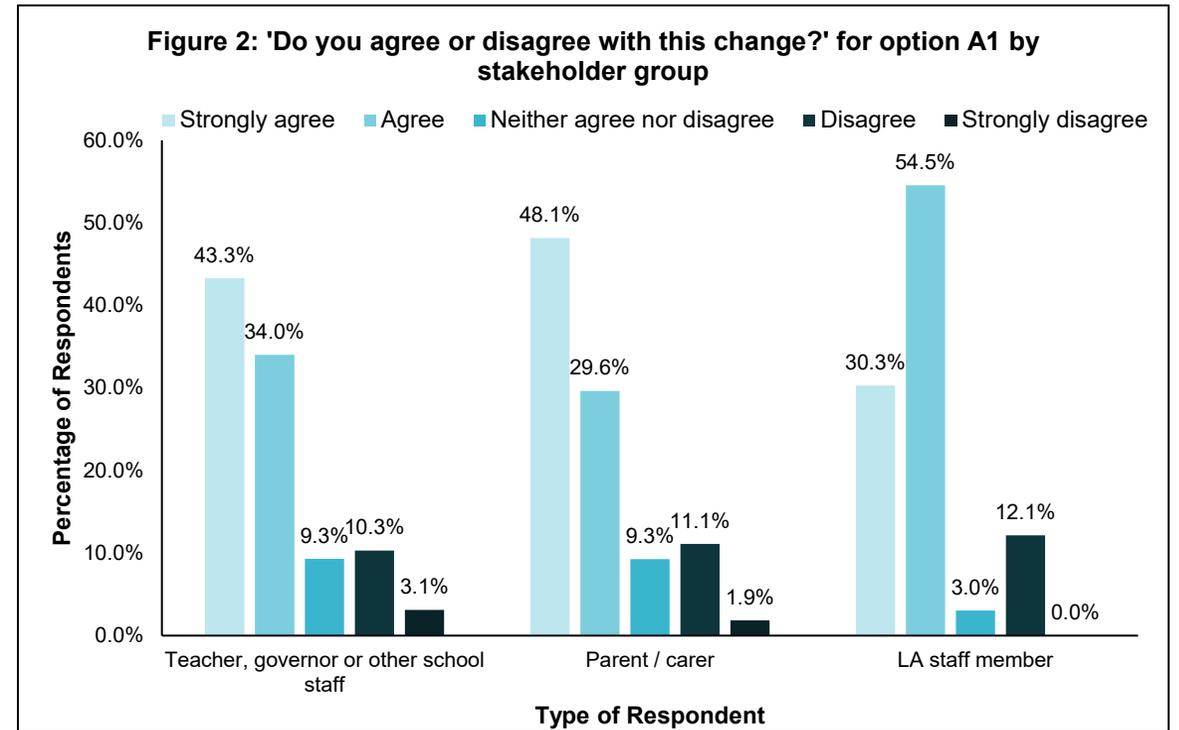
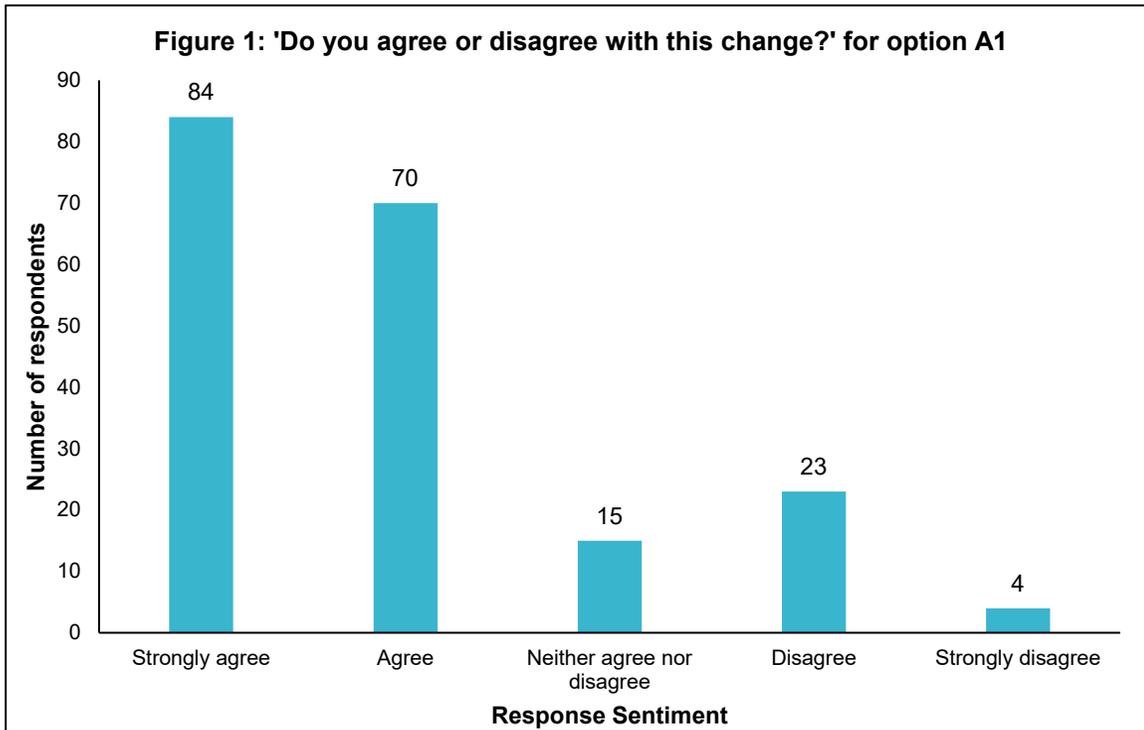
## Option A1: Retain the top-up funding process for children and young people without EHC plan but make improvements to make the system more streamlined and consistent.

<p><b>Problems this option addresses</b></p>	<ul style="list-style-type: none"> <li>• Current top-up process was designed for much smaller numbers of applications. It is now very 'heavy' and time consuming at all stages and for all stakeholders</li> <li>• Applications are not needs-led i.e. applications are written 'in reverse' with required banding thresholds determining the application, rather than being driven by needs.</li> <li>• Limited quality assurance and oversight over funding allocated to schools</li> </ul>	<p><b>Anticipated benefits:</b></p> <ul style="list-style-type: none"> <li>• SENCOs spending less time preparing applications and more time working with CYP directly. Application processes should run smoother and quicker.</li> <li>• Improved consistency of decision-making and accountability of Council spend</li> <li>• Positive reaction to making the process more streamlined and needs-led, and confidence in the beta web portal.</li> </ul>
<p><b>Rationale</b></p>	<ul style="list-style-type: none"> <li>• Much more streamlined and needs-led process for top-up funding decisions reduces time burden and improves the consistency of decision-making</li> </ul>	<p><b>Anticipated risks/implications:</b></p> <ul style="list-style-type: none"> <li>• Inherent drawbacks associated with a pupil-level process remain under this option, which limits council's ability to keep to a finite budget and use funding strategically for early intervention</li> <li>• This approach will not reduce number of applications and is unlikely to have any material impact on the deficit. Tighter controls and oversight may result in some funding not being awarded where need demonstrated should be covered by OAP. However, it is difficult to quantify the amount at this stage.</li> <li>• The new web portal needs to be further tested with SENCOs and the council to ensure that the funding calculator provides an accurate amount that will not lead to a greater deficit on the budget line.</li> </ul>
<p><b>Option details</b></p>	<ul style="list-style-type: none"> <li>• Introduce new web portal to manage the application and banding process. The portal allows for needs to be inputted into a matrix that calculates an exact amount of funding for the appropriate provision required.</li> <li>• Increase council admin capacity (c. 0.5 FTE), introduce senior oversight over decisions, and reduce number of panels (2 max)</li> <li>• Develop guidance materials and offer regular training to SENCOs</li> </ul>	

# Quantitative data from consultation survey results on option A1

Most respondents agree with the proposals for Option A1, with more than 75% indicating that they agree or strongly agree with the change, compared to less than 15% who disagree or strongly disagree. (See Figure 1)

This remains broadly true when responses are broken down by stakeholder category, although Council staff are more likely to choose the more moderate option (e.g. 'agree' rather than 'strongly agree') (See Figure 2)



## Qualitative data from consultation survey results on option A1

### Positive feedback

The majority of survey respondents' views on option A1 are positive:

- Many respondents highlight the need for a faster, more streamlined process, to reduce duplication and free up SENCO time to spend directly supporting children with SEND.
- Several describe the importance of non-statutory top-up funding to support children who do not have an EHCP, because:
  - They have a lower level of needs, but still require support above OAP
  - They are in the process of going through the ECHP application process
- Several feel that option A1 would promote inclusion via education in mainstream setting.
  - Children in Care with SEND were referenced as a particular vulnerable group would that benefit from this funding to remain in school.

Specific improvements suggested in the survey information that received positive feedback:

- An online portal to make applications easier, quicker, and more standardised.
- Training for SENCOs and teachers to improve the consistency of panel decision-making.

Other positive feedback on anticipated consequences of option A1 included:

- providing the best outcomes for children with SEND
- saving the council money, either because it would be more efficient or because it would ensure needs are met quickly and do not escalate
- maintaining fewest EHCP applications

**Parents/carers view:** *“Support for children without an EHC is important. It takes too long to get one [EHC plan] and top up is a good way for my child to get the support they need now, not in a year's time when the EHC has been written. If my child didn't get the support they needed straight away they would have been excluded or have [had] to go to a special school”*

### Questions and concerns

Some respondents voiced concerns about some aspects of option A1. These include:

- Doubts on the likelihood of realising savings from this option or argue that it would be financially unsustainable for the council.
- The amount of funding available is insufficient to meet demand, although no respondents from the local authority express this view.
- Difficulties faced by parent/carers in accessing funding or ensuring it is used appropriately for their child.

A small number of respondents raised specific concerns, in response to the survey information, which included:

- Whether SENCOs would have capacity to attend training and whether this training would improve objectivity of top-up panel decisions
- Streamlining the application processes could lead to an increase in applications and a corresponding increase in workload for the local authority

Suggestions about how SEND provision could be improved include:

- strengths-based assessments rather than having a deficit focus,
- prioritising strengthening ordinarily available provision (OAP) in order for more children to benefit in the long term
- allowing year-round applications with an end to panels that occur three times a year.

**Council staff view:** *“Too often top-up funding goes into a 'pot' in the school/MAT and doesn't get spent on what it was requested for. And it continues...for three years with no checks on whether it is being spent on the child or the specified provisions or what the impact has been. The funding application should be an ongoing two-way process between the school and a council team.”*

## Option A2: Re-purpose a proportion of the funding currently being spent on top-up funding for children and young people that do not have an EHC plan to create a targeted early intervention fund for mainstream schools.

<b>Problems this option addresses</b>	<ul style="list-style-type: none"> <li>• Current top-up funding is not being used strategically for early intervention and inclusion</li> <li>• Consistent view that some schools may be drawing on non-statutory funding for needs that should instead be met by stronger OAP</li> </ul>
<b>Rationale</b>	<ul style="list-style-type: none"> <li>• The SEND policy and funding framework, and the way it is implemented in Bristol, does not naturally encourage early intervention. Additional mechanisms are often required to enable this kind of working within schools.</li> </ul>
<b>Option details</b>	<ul style="list-style-type: none"> <li>• Establish a finite pot of funding dedicated to early intervention for use in mainstream schools</li> <li>• Establish a pot of funding for key ‘transition’ points</li> <li>• Target funding at specific priority groups, for example:             <ul style="list-style-type: none"> <li>• For children starting primary school with speech and language delays</li> <li>• For minoritized groups with SEMH to reduce the likelihood of being incorrectly being labelled with more complex needs</li> </ul> </li> <li>• Funding could be allotted to regional clusters of schools to collectively employ specialist staff or to purchase specific interventions and support</li> </ul>

### Anticipated benefits:

- Earlier and better targeted help to children and young people with SEND
- The overall approach to SEND funding in Bristol becoming clearer and more obvious for schools and parents to navigate.
- This could address the increase in spend at Bands 4 and 5, driven by significant increases in the numbers of young people receiving support for SEMH needs.<sup>1</sup>

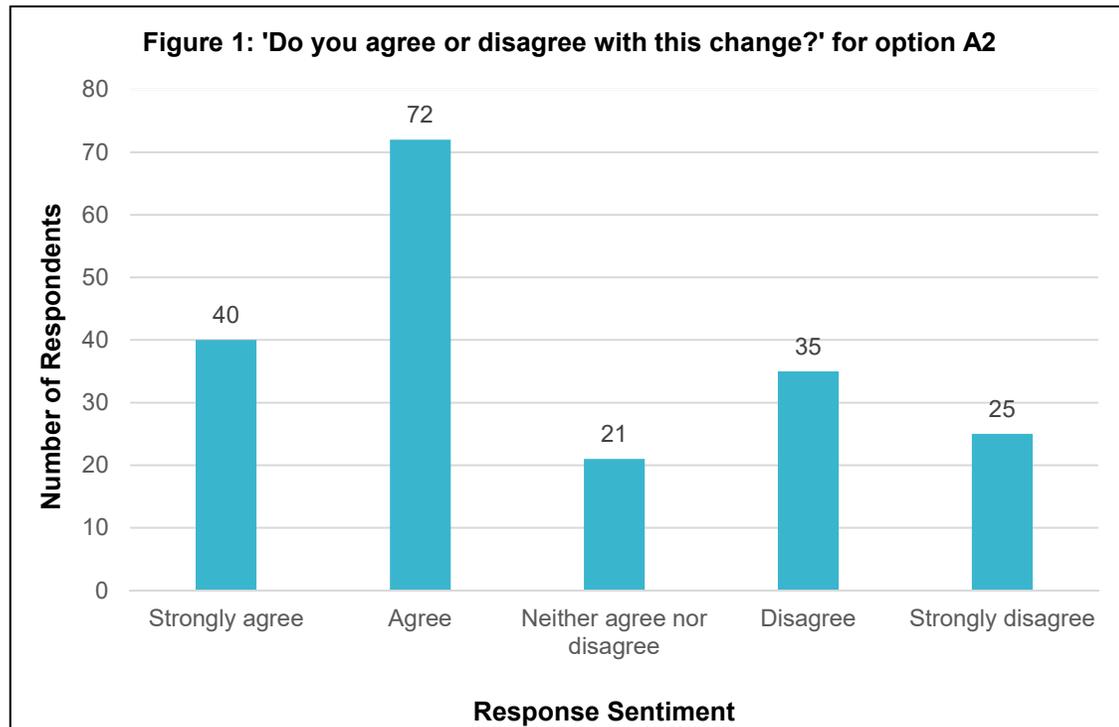
### Anticipated risks/implications:

- Further work required to estimate the funding required to successfully hold needs at SEN Support and how this would be distributed fairly.
- A proportion of the children and young people who are currently receiving top-up funding with no EHC plan could potentially proceed to a statutory assessment. This would increase EHCP numbers and expenditure.
- Checks and controls will need to be put in place to provide sufficient oversight to the allocation and use of the Targeted Fund.

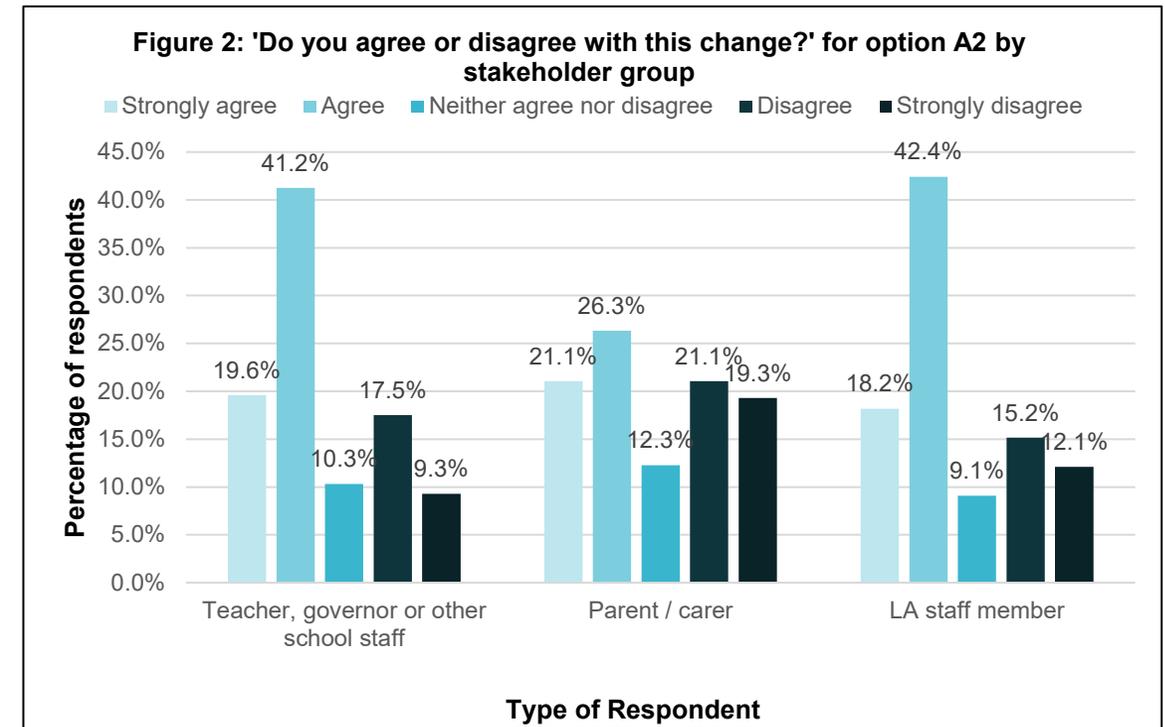
**Example:** in Warrington,<sup>2</sup> schools can request additional top up funding without an EHC plan. Funding is agreed for max 2 years. Funding is reviewed after 2 years and, if appropriate, escalated to an EHC plan referral.

# Quantitative data from consultation survey results on option A2

A majority of respondents agree overall with the proposals for A2, though not as many as those that agree with A1, and there is notably a smaller proportion who ‘strongly agree’. (See Figure 1)



When responses are broken down by stakeholder category, the parent / carer group is more likely to disagree with the proposals under A2, with a higher proportion of those who ‘strongly disagree’ as well as being less likely to agree. (See Figure 2)



## Qualitative data from consultation survey results on option A2

### Positive feedback

Respondents' views on option A2 was more mixed than Option A1, though still broadly positive overall. Several respondents supported the principle of early intervention because it could:

- support children who have no diagnosis or who do not yet have funding ensure that their needs are met
- reduce the demand for EHCPs and 1-to-1 support in the long term
- help children to fulfil their full potential and improve outcomes
- reduce the administrative burden on SENCOs and free up capacity to better support children.
- enable schools to address specific issues, such as emotional-based school avoidance, and support specific groups, such as children with ADHD or visual impairment.

Some respondents said that an early intervention approach may also bring financial benefits, either by:

- addressing needs at an earlier stage and therefore reducing long term support costs, or
- allowing schools to access funds to support multiple children, perhaps using group work and pooled support.

Other respondents' suggestions included:

- Implementing specific targeted interventions, including those to support with social and emotional wellbeing and speech and language

**School staff view:** *“It would be good to see budgets of money being used to support early intervention and targeted work for young people e.g. social skills groups, emotional and wellbeing, SALT, OT, sensory circuits and integration programmes. It would be nice to get the early support in to give the young person the best outcomes possible and also to encourage schools to become more inclusive with their cohorts.*

### Questions and concerns

There was some negative feedback in response to option A2 and concerns raised regarding the implementation of this option:

- For example, some respondents raised a concern that this option is not equitable, as it would likely be focused on KS1 pupils and primary schools, and so secondary schools would miss out.

Respondents express concerns that some groups would be disproportionately impacted by any reduction in top-up funding, including:

- Children in care; Black and ethnic minority children; Children who move schools in-year without transferrable provision; Children with autism spectrum disorder (whose needs may be identified later); Children with an EOTAS package, who are home schooled or who attend an ALP; Children with SEMH needs

Other perceived challenges to the implementation of A2 include:

- A negative impact on individualised provision, Several respondents prefer the use of funding to be spent on a specific child to address a specific need, as some children require dedicated support, personalised provision or a bespoke package.
- A rise in more EHCP requests.
- A reduction in schools' ability to access funding or concern that the funding will not be sufficient to meet demand.
- An additional burden on SENCOs through additional monitoring and accounting for spend

### School staff

*For me, this rings huge alarm bells in terms of the bureaucracy involved - having to gather evidence, submit applications, make staff hiring decisions, setting goals and reviewing impact all within a short time period and then repeating the process if support is to continue would create a huge amount of additional work for SENDCOs and school leaders.*

## Option A3: Gradually phase out the use of top-up funding for children and young people who do not have an EHC plan.

<p><b>Problems this option addresses</b></p>	<ul style="list-style-type: none"> <li>Levels of non-statutory funding have been rising rapidly in recent years, and has shifted away from its original intent – i.e. small-scale, targeted funding for pupils whose needs are beyond that of OAP, but who probably would not require an EHC plan with the right support</li> </ul>
<p><b>Rationale</b></p>	<ul style="list-style-type: none"> <li>Bristol is a relative outlier nationally in that it provides top-up funding for pupils without an EHC plan; and places that do provide this funding do so to a much lesser extent</li> <li>The current system can create confusion – encouraging schools to seek non-statutory funding for some pupils whose needs would be best supported through an EHC plan</li> <li>Schools would be encouraged to support more pupils through improved OAP</li> </ul>
<p><b>Option – detail</b></p>	<ul style="list-style-type: none"> <li>Potential for a phased removal of non-statutory funding to prepare schools and invest ahead of time in OAP (e.g. finite and progressively smaller budgets over three years)</li> <li>Some short-term investment also required in OAP guidance / materials and school support to improve inclusion</li> </ul>

**Anticipated benefits:**

- The overall approach to SEND funding in Bristol becoming clearer and more obvious for schools and parents to navigate
- A short-term reduction in Council expenditure

**Anticipated risks/implications:**

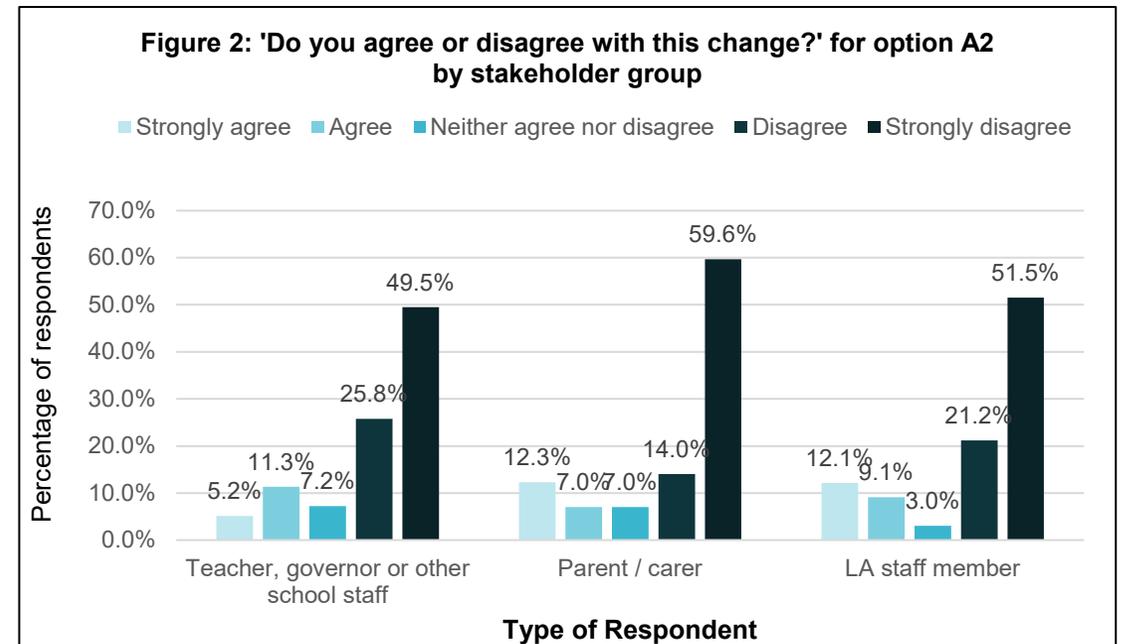
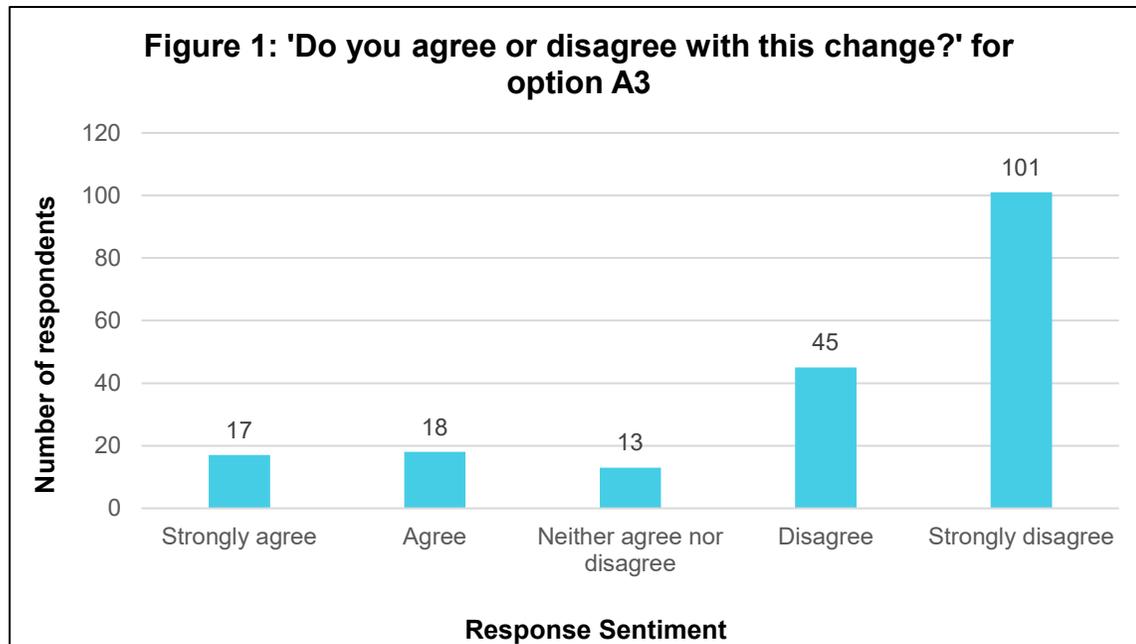
- Worse outcomes for CYP with SEN support that may develop into more complex needs.
- Stark rise in the number of children and young people with EHC plans. The SEND team will need to increase capacity to avoid being overwhelmed with EHC needs assessments.
- Rise in permanent exclusions as schools are unable to support CYP with complex needs
- It may end up costing the council more in the long-term.

**Case study:** Hampshire County Council removed its non-statutory funding for pupils without an EHC plan. This was partially due to overspend, but also because there was an unhelpful overlap with statutory responsibilities to provide EHC plans. This change therefore resulted in an increase in the number of pupils with EHC plans.

# Quantitative data from consultation survey results on option A3

Most respondents disagree with option A3, with the majority saying that they 'strongly disagree' with this change. (See Figure 1).

This negative sentiment is broadly reflected across all of the different stakeholder types. (See Figure 2).



## Qualitative data from consultation survey results on option A3

### Positive feedback

Only a few respondents raise points in favour of option A3, claiming that:

- Only statutory activities should be funded
- An EHCP is the best and most appropriate way of meeting the needs of a child or young person with SEND
- This proposal may deliver financial benefits for the Council
- It would be fairer and more consistent if everyone has to apply for an EHCP
- This would be in line with other local authorities

Relatively few respondents make suggestions in relation to A3. Where they do, they propose that:

- More staff, including SALTs and EPs, are needed.
- EHCP plans should be funded automatically and funds released immediately
- Emergency funding should be allocated for key stages, such as transition, or for crisis situations
- A phased transition is required to any new approach
- Senior Council staff visit affected schools before implementing proposals
- Schools should not be tied to 1-to-1 provision through EHCP

**School staff view:** “Schools don’t receive much money for children without EHC plans. Therefore I don’t anticipate a massive drop in our ability to provide effective inclusion. We are already striving to provide effective inclusion with very little; a bit less won’t reduce our efforts.”

### Questions and concerns

The vast majority of comments on option A3 express concern about the proposal.

The main concern was a rise in ECHP application volumes. Some use terms such as ‘massive’ or ‘exponential’ to describe any increase and that there could be a number of consequences which result from this, including:

- an increase in waiting time for EHC applications. They argue that existing wait times would need to be significantly reduced for A3 to be adopted and that if waiting times were not reduced, schools would have to manage these cases without having the funding to do so.
- an increase in EHC annual reviews, which would lead directly to an increase in workload for school staff (particularly SENCOs) and for Council staff (particularly SEND teams and EPs ). They feel that these teams are already working at full capacity.
- an increase in costs for the Council as a result of lack of early support leading to greater needs in the long term, and increased need for specialist provisions. A small number say A3 could shift costs to other areas such as Social Care.

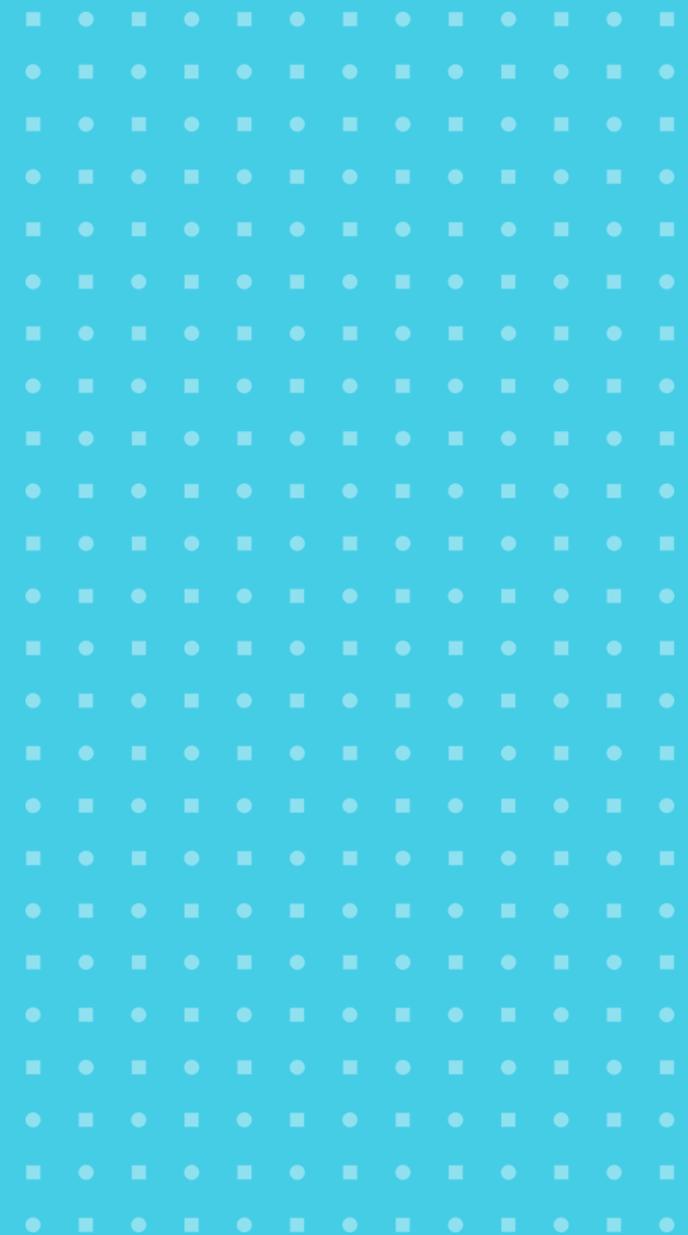
Many respondents claim that the introduction of A3 would have a negative impact on children and young people with SEND, in that it would lead to:

- an increase in unmet need, particularly for children who have a sudden increase in need and cause disengagement with or exclusion from mainstream education, as it is longer safe for children to remain in mainstream education without funded plans.
- a reliance on formal diagnosis and EHCPs could affect inclusion and might disproportionately disadvantage a number of different groups, including: Children with relatively low level of need; Minority groups; Children in care; Children with SEMH needs (including undiagnosed needs); Children with SLCN; Children with English as a second language; Children of parents with English as a second language; Children of parents with a learning disability; Children of parents with a health condition which limits their ability to support an EHCP application

**Local Authority staff:** “I think this will lead to a massive increase in the number of requests for EHC plan needs assessments which is already growing year by year, and will not do anything to tackle the barriers to promoting inclusion to pupils for SEND in schools. If an EHC Needs assessment for a pupil is delayed, this could lead to no appropriate funding being given to a pupil for effectively a school year.”

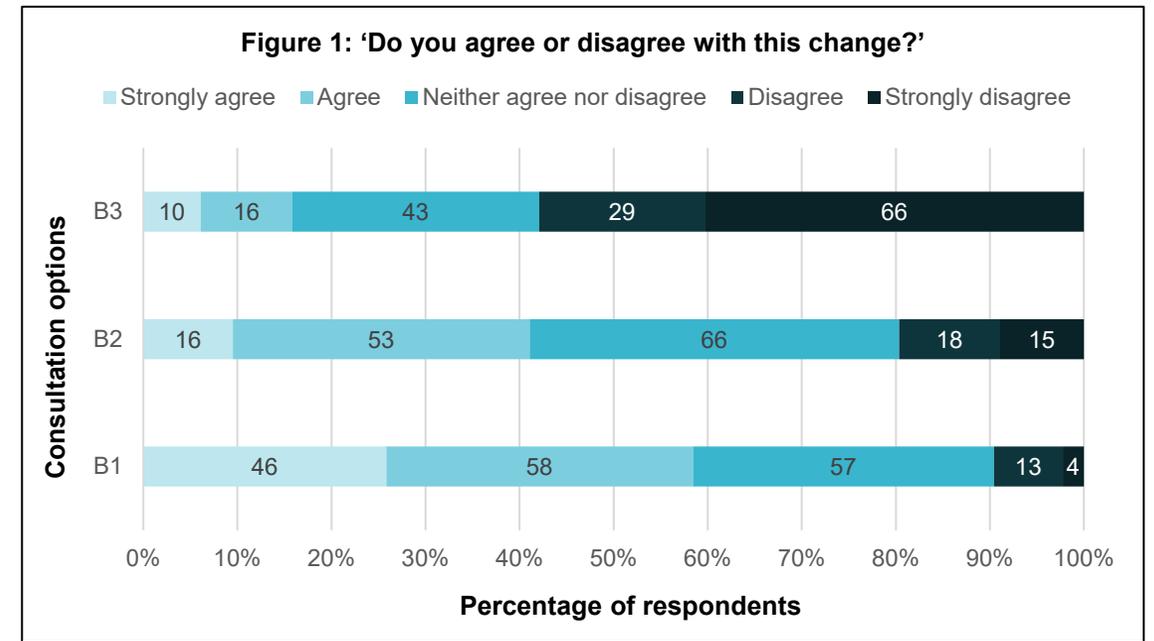
# Options for post-16 learners

Options B1, B2 and B3



## Overview of responses to options B1, B2 and B3

- Fewer survey respondents respond to questions for Post-16 and the number of respondents selecting ‘neither agree nor disagree’ was also larger. Some respondents notes that, since they do not work in the Post-16 system, they did not feel qualified to comment. However, amongst those who did comment, sentiments were broadly in line with the school-age questions.
- Across both the survey and Information and Engagement sessions, **option B1** was received the most positive feedback. Comments:
  - it is important for provision to be available for Post-16 learners as it is a very formative period in their lives and support will ensure they some learners do not become NEET
  - Some children have needs which develop later in life and it is important they are supported
- **Option B2** received support from more than 40% of respondents and was seen as a potentially more inclusive option. But there were also concerns about how it might work in practice. Comments included:
  - this proposal could ensure the needs of post-16 learners are met in a more timely and effective manner
  - colleges may be able to support whole groups and therefore be more inclusive
- There was strong opposition to **Option B3**, with the majority of respondents indicating they were against it. Concerns included that learners would not be sufficiently supported and that that EHC plan applications would increase. Qualitative comments included:
  - fear of an increase in learners who become NEET or who are excluded from education settings

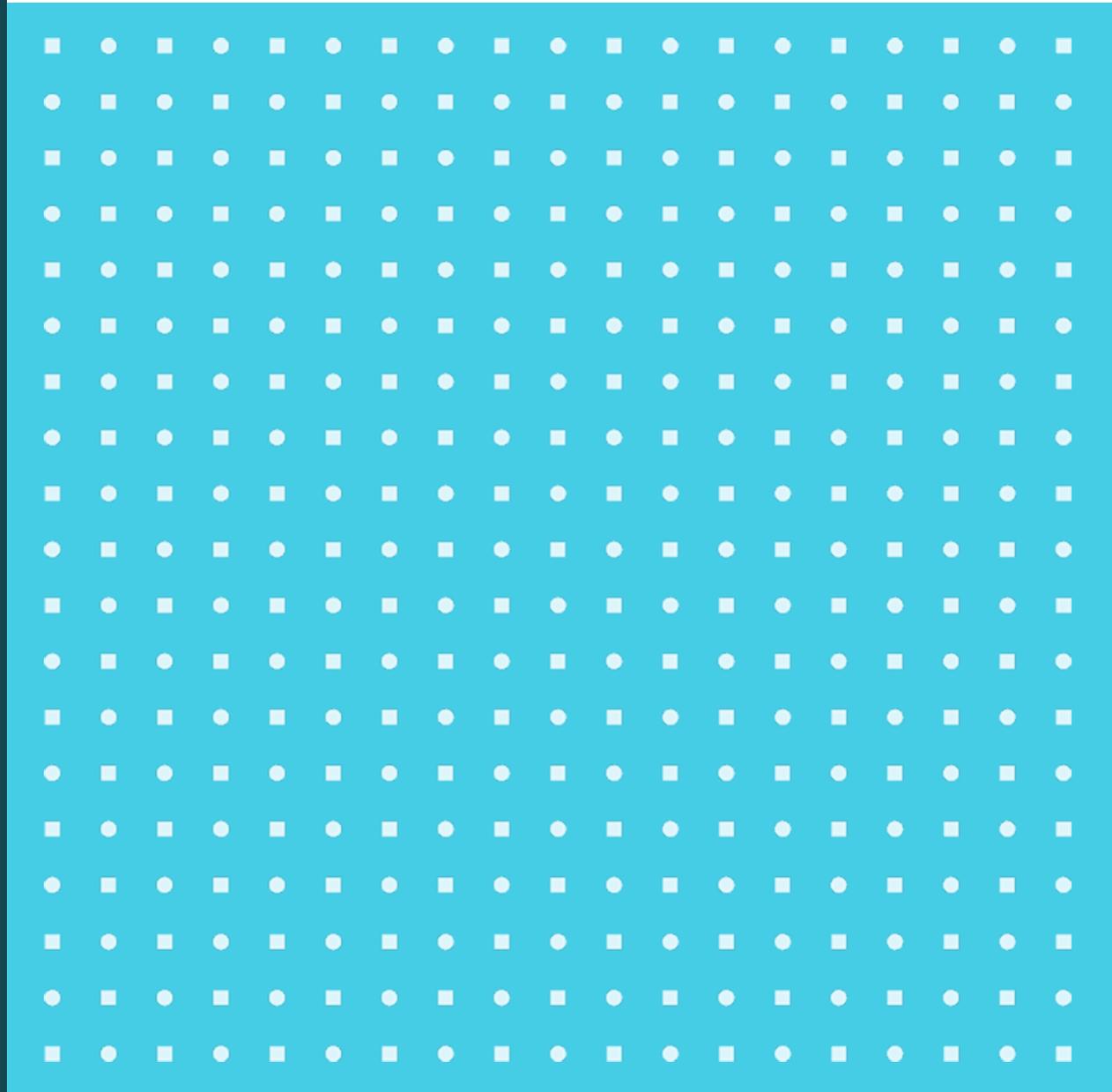


# Detailed consultation feedback on Post-16 options

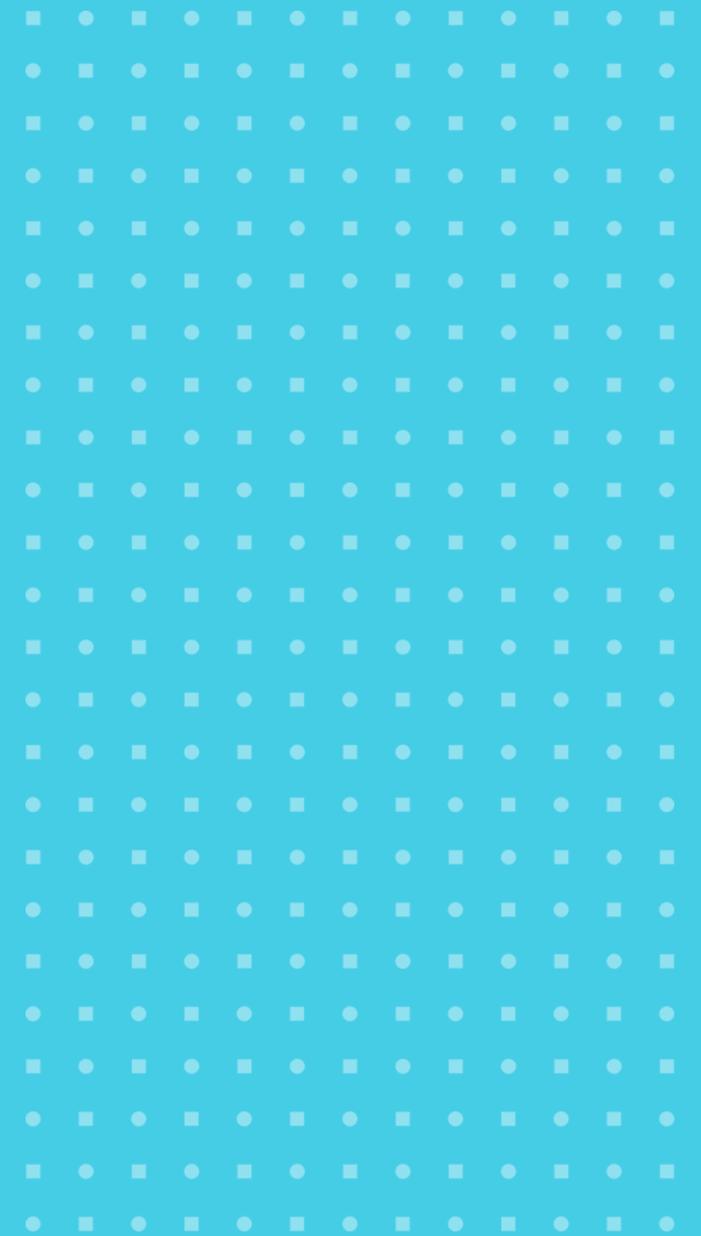
Description	Details	Rationale	Anticipated benefits	Implications/Considerations	
<p><b>B1</b></p>	<p>Retain the top-up funding process for post-16 without EHC plans but make improvements to make the system more streamlined and consistent.</p>	<ul style="list-style-type: none"> <li>• Introduce a new web portal</li> <li>• Increase Council admin capacity</li> <li>• Improve communication channels between schools and post-16 settings</li> </ul>	<ul style="list-style-type: none"> <li>• A much more streamlined and needs-led process for top-up funding decisions reduces time burden and improves the consistency of decision-making</li> </ul>	<ul style="list-style-type: none"> <li>• SENCOs spend less time preparing applications and more time working with CYP directly</li> <li>• Shorter delays between application submission and decision</li> <li>• Improved consistency of decision-making and accountability of Council spend</li> </ul>	<ul style="list-style-type: none"> <li>• Schools may not have final enrolment register until October which leads to a bulk of applications simultaneously. There needs to be further work done to ensure that funding follows a pupil to post-16 setting and for timely approval of applications.</li> </ul>
<p><b>B2</b></p>	<p>Re-purpose a proportion of the funding currently being spent on top-up funding for post-16 learners to create a targeted fund for post-16 education settings.</p>	<ul style="list-style-type: none"> <li>• Establish a finite pot of funding dedicated to early intervention</li> <li>• Target funding at priority groups</li> <li>• Could be allotted to regional clusters of schools for collective actions</li> </ul>	<ul style="list-style-type: none"> <li>• Allows schools to respond to new and emerging needs (as many applications are for learners who did not have a previous EHCP)</li> <li>• Helps post-16 settings which finalise their enrolment register later</li> </ul>	<ul style="list-style-type: none"> <li>• Earlier and better targeted help for learners with SEND</li> <li>• Learners that have not been previously identified with SEN support will receive provision</li> </ul>	<ul style="list-style-type: none"> <li>• Need to calculate estimate of funding required to successfully hold needs at SEN Support and how this would be distributed fairly.</li> <li>• A proportion of the children and young people who are currently receiving top-up funding (with no EHC plan) potentially proceeding to statutory assessment</li> </ul>
<p><b>B3</b></p>	<p>Gradually phase out the use of top-up funding for post-16 learners.</p>	<ul style="list-style-type: none"> <li>• Potential for phased removal</li> <li>• Short term investment in OAP guidance and materials and school support to improve inclusion</li> </ul>	<ul style="list-style-type: none"> <li>• Many local authorities do not provide top-up funding for those without an EHCP and never have</li> <li>• This would have the most immediate and largest impact on current budget deficits</li> </ul>	<ul style="list-style-type: none"> <li>• A short-term reduction in Council expenditure</li> <li>• The overall approach to SEND funding in Bristol becoming clearer and more obvious for schools and parents to navigate</li> </ul>	<ul style="list-style-type: none"> <li>• Worse outcomes for CYP with SEN support that may develop into complex needs.</li> <li>• Stark rise in the number of children and young people with EHC plans and permanent exclusions, therefore costing more in the long-term.</li> </ul>

# 4. Final recommendations and Implementation plan

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# Final recommendations



## Two main recommendations: 1) a new Targeted Support Fund (TSF); and 2) Outreach services

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The Consultation surfaced the potential negative impact of removing non-statutory funding altogether. Indeed, research with other local authorities and emerging DfE evidence suggests that to attain long-term sustainability within SEND it is essential to invest in mainstream schools.

However, any investment must be effective. This project has demonstrated clearly that current non-statutory top-up funding arrangements are not effective enough at enabling schools to support SEN pupils who need additional support. It also does not work to improve the quality and consistency of school practice (ordinarily available provision, inclusion) overall.

We therefore proposed two main recommendations to reform the use of non-statutory top-up funding. These are designed to help the council and its school partners build the quality and consistency of OAP and inclusion in mainstream setting, and ultimately improve child outcomes.

### 1. Targeted Support Fund

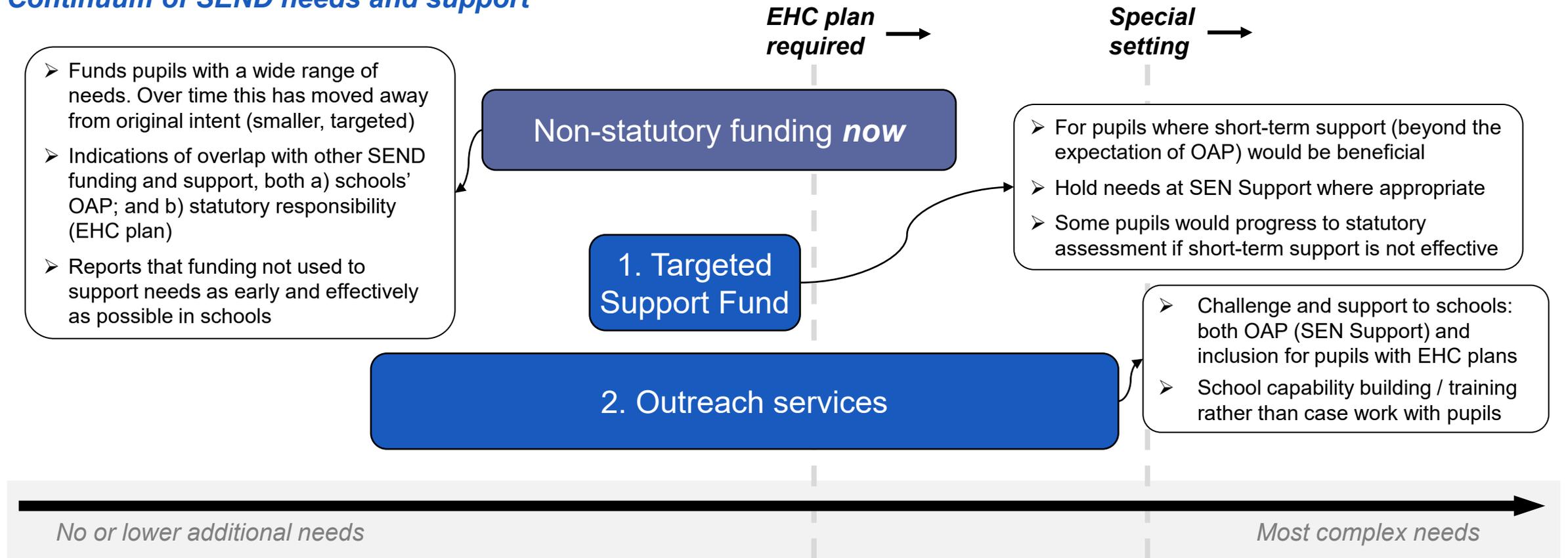
Additional top-up funding for SEN Support pupils, but smaller and more targeted than the current approach. Funding would be for time-limited interventions to address an emerging need early which is beyond what schools could be expected to support through their OAP.

### 2. Outreach services

Two new services to support mainstream schools to improve the quality and consistency of their OAP and inclusive practice overall. Specialist staff would provide both guidance/training but also challenge, emphasising capability building over direct work with pupils.

# Summary: Outreach services improve overall school practice; with the TSF available when needed but more targeted and purposeful<sup>1</sup>

## Continuum of SEND needs and support



# Recommendation 1: we propose using a proportion of current funding to create a Targeted Support Fund<sup>1</sup>

**Overview:** Create a more targeted fund for SEN Support pupils in mainstream settings. The process would look quite similar to now, although more streamlined and improved. The objective is to provide flexible, short-term funding for a group of pupils whose needs are beyond OAP in the short-term; but who with effective early intervention should not need to proceed to statutory assessment.

Funding type	Per-pupil funding based on individual applications from schools.
Process overview	Applications reviewed each term. Single decision-making panel and increased resource to manage and oversee process.
Eligibility	Detailed evidence required of several ‘plan, do, review’ cycles completed and need for timely, specialist intervention.
Funding	Total funding of c. £1,000,000 a year, with funding for individual pupils of one year. <sup>2</sup>
Funding criteria	Funding application based on a costed support plan (informed by BUDs).
Governance / scrutiny	New specialist teacher roles support and challenge schools to use funding effectively.

## Rationale

- Flexible non-statutory funding still provided to schools, but at a smaller scale and with much clearer strategic purpose
- Limited non-statutory funding used more effectively to support pupils early
- Much streamlined process reduces time required to manage process for both schools and the council
- Relatively straightforward to implement (i.e. in place from next year)
- Potential to target specific priority needs and parts of the system (e.g. emerging speech and language needs in primary, SEMH in older primary school children)

# Note: tight budget management is essential; and longer-term, Bristol should aim to move away from pupil-level funding models

We propose that the Targeted Support Fund would receive a finite budget each academic year of £1m. Schools would apply for additional funding for individual pupils, in a similar process to now.

It should be noted, however, that there is an inherent risk in this kind of approach that over time schools apply for greater levels of funding than is available, leading to in-year overspends if applications are approved.

The council will therefore need to set clear expectations with schools from the outset about the kinds of applications that will be funded, and, importantly, that budgets will be fixed each year. The decision-making panel will also have to manage demand carefully and avoid approving too many applications early in the year to the detriment of later applicants.

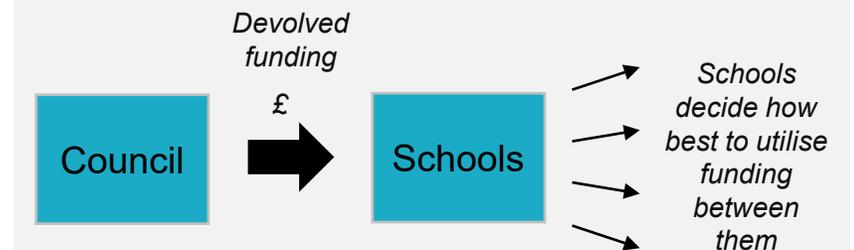
Over the longer-term, the council should therefore aim to move to a funding model that devolves funding and ownership to schools themselves. These kinds of approaches hand greater control and flexibility to schools themselves to invest in their own OAP. They are used effectively in some of the strongest and most resilient local authority areas.<sup>1</sup>

These models cannot be transplanted directly, however. We suggest that significant groundwork would first be necessary in Bristol, including relationship building with school leaders and potentially forming local school clusters. But moving to this kind of devolved model for SEN Support pupils should be the long-term ambition.

## **Near-term: schools apply for additional funding for individual pupils**



## **Medium to long-term: funding devolved to schools to invest in their own OAP**



## We also recommend commissioning two Outreach to build capability in schools to support SEN pupils

**Overview:** Bristol commissions two specialist outreach services to improve mainstream schools’ response to children with emerging speech, language and communication and social, emotional, and mental health needs. These services would focus on school and family training and capability building, though with some capacity for direct specialist intervention with pupils. High level details of the two services are as follows *[draft and subject to full co-design / commissioning process]*.

	SEMH Team	C&I Team
Staff numbers	c. 15-20 staff members across both services	
Contract size (pa)	c. £1,000,000 per annum	
Staff roles (indicative)	Team Lead, Specialist Teachers, District SENCO, Teaching Assts	Team Lead, Specialist Teachers, S&L Therapist, Teaching Assts
Commissioning approach	Council commissions services from external providers (e.g. third sector organisations or school consortiums). Services could be separate or a joint team.	

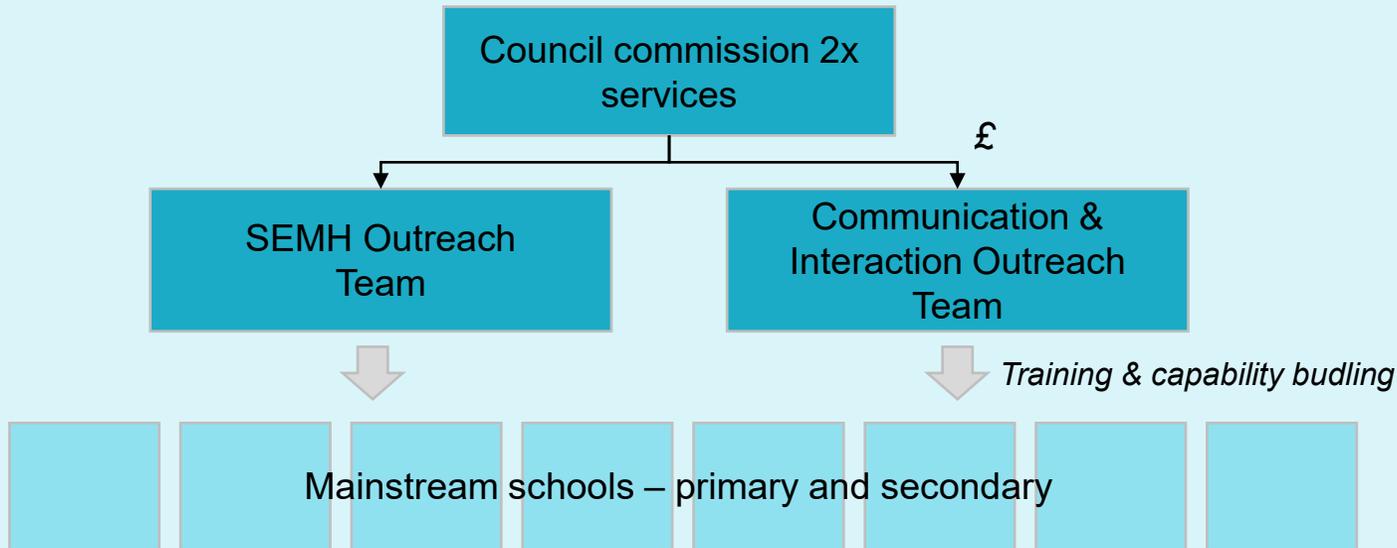
### Rationale for outreach services

- The consultation signalled that severely reducing or removing non-statutory funding altogether could have a damaging impact on mainstream schools’ ability to provide effective OAP for pupils with additional needs in the near term
- Our wider stakeholder engagement found that the quality and consistency of OAP in Bristol is behind some parts of the country<sup>1</sup>
- The Targeted Support Fund proposed above will not be able to drive wholesale improvements in school practice by itself
- Investing in school improvement, in the form of outreach services, is therefore also necessary to improve wider school and staff practice

# Outreach services would target two areas of need (SLCN, SEMH) and prioritise school capability building

The great majority of pupils with SEND in mainstream schools who receive funded support (either via an EHC plan or non-stat top-up) have a primary need of ASD, SLCN, or SEMH (EHC plans: c. 75% of pupils; non-statutory: c. 80% of pupils).<sup>1</sup>

We recommend that two Outreach services should be commissioned to improve school practice for pupils with these needs: i) Communication and Interaction, and ii) SEMH.



## Key considerations for service design

- Commissioning approach: Bristol could deliver services in-house instead of commissioning them externally, which has advantages in terms of ownership / control over staff. However, this might take longer to scale up and would not draw on local partners' expertise
- Responding to need: an inherent risk of outreach services is that, over time, they can shift away from their original purpose and do not respond directly enough to school needs. They must also remain networked and coordinated with other local services and support (e.g. school improvement, EP)
- Ongoing management: some council capacity would be required for close ongoing management of services to ensure they meeting school needs

## **Note: Post-16 would follow the Targeted Support Fund model, with support also available from SEMH Outreach service**

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As described in Section 2 above, there is a separate non-statutory funding process for Post-16 students. It experiences similar issues to the school-age Top-up panel, with similar stakeholder feedback coming through the Consultation.

We propose that Bristol eliminates the current separation between school-age and Post-16 approaches and that the Targeted Support Fund covers all learners aged 5-25. The funding model would be the same for Post-16: time-limited funding for students with an emerging need beyond what settings would reasonably be expected to support from their core budgets.<sup>1</sup>

Initial testing of this recommendation (e.g. with the teams that operate both processes) has been positive, and access to outreach to improve Post-16 provider practice is welcome. There are however some aspects of Post-16 that will not fully integrate with arrangements for school-age pupils, and which require more detailed exploration in the Implementation phase:

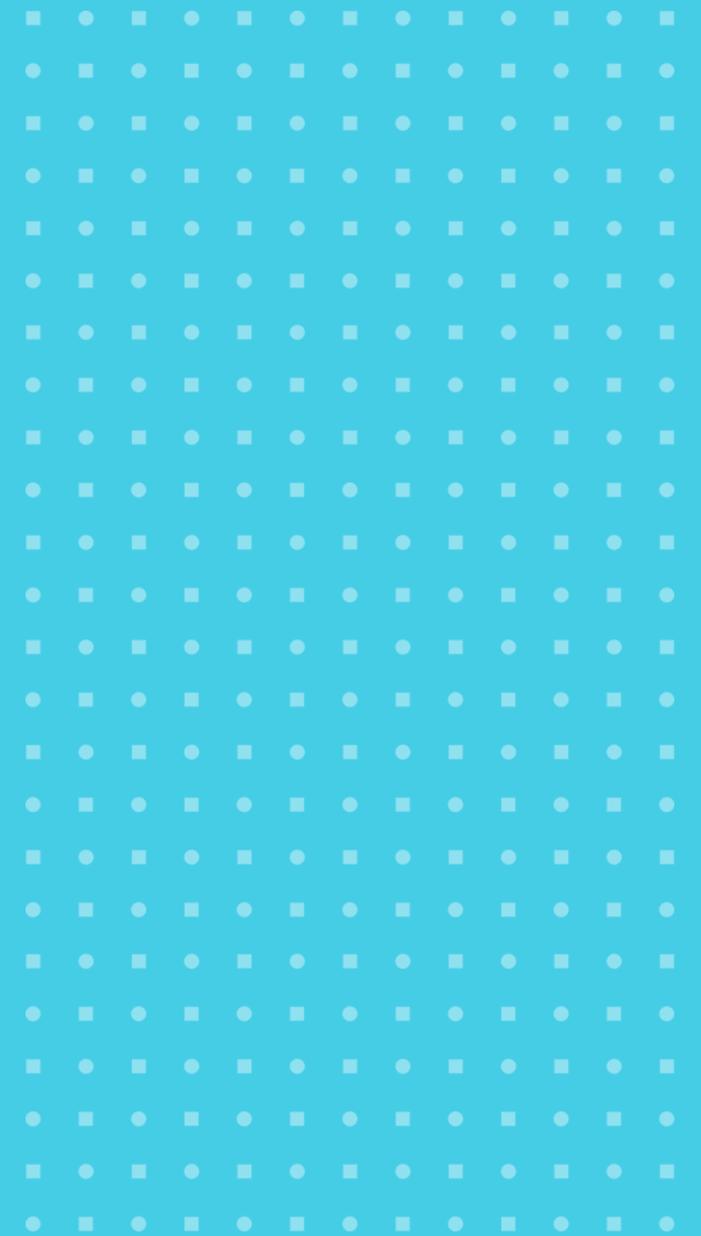
### **Areas TSF approach can be shared with Post-16**

- Council staff that administer process
- Guidance and frameworks
- Application process and systems
- Governance and oversight
- School comms and training activities

### **Areas where a different approach may be required**

- Panel timing – this is principally for the first panel of the academic year, since Post-16 students often confirm their courses / setting later in the autumn term than schools
- Panel composition

# Implementation plan



# Implementation: summary

What	By When
Communicate consultation output and Cabinet decision. Move to 1-year maximum (non-statutory) funding allocation for remaining top-up panels in current format.	February 2024 Top-Up Panel (Current Format)
Co-designed new application/ allocation process and funding criteria for targeted support fund	End April 2024
Co-designed new Bristol Universal Descriptors (BUDs) to support statutory top-up standardisation	End May 2024
Pilot needs matrix and portal with partners; decisions on EHC needs assessment and funding made at single panel.	June 2024 Top-Up Panel (Current Format)
Go Live with new process for targeted support fund	September 2024 (& Nov 24 Panel)
Changes implemented from one year of ongoing refinement and review of the new process. Transition to Business as Usual	September 2025

# Implementation approach

## 2023/24 (remaining 2 terms)

### Prepare for implementation of new process in next school year

- Develop detailed documentation and guidance (e.g. processes, needs matrix) incl co-design
- ToR for and establish revised council management process
- Communication and relationship building with schools
- Any recruitment for additional scrutiny / support roles

### Changes at remaining panels

- February 2024: Move to 1-year maximum (non-statutory) funding allocation
- June 2024: Pilot needs matrix and portal with partners; based on retrospective testing. Decisions on EHC needs assessment and funding made at single panel.

## 2024/25

### Full roll out of new, streamlined approach to top-up funding

**Overview:** Bristol takes a proportion of the c. £5.5m current annual funding for non-statutory top-up and creates a smaller, more targeted fund. The process would look quite similar to now, although more streamlined and improved. The objective is to provide flexible, short-term funding for that smaller group of pupils whose needs are beyond OAP in the short-term; but who with effective early intervention do not need to proceed to statutory assessment.

Funding type	Per-pupil funding based on individual applications from schools.
Process overview	Applications reviewed each term. Single decision-making panel and increased resource to manage and oversee process.
Eligibility	Detailed evidence required that OAP / Element 2 funding exhausted and need for timely, specialist intervention.
Funding	Maximum of c £4.5k per pupil for up to a maximum of 6 terms/ 1 school year
Funding criteria	Funding application based on a costed support plan (informed by BUDs).
Governance / scrutiny	New specialist teacher roles support and challenge schools to use funding effectively.

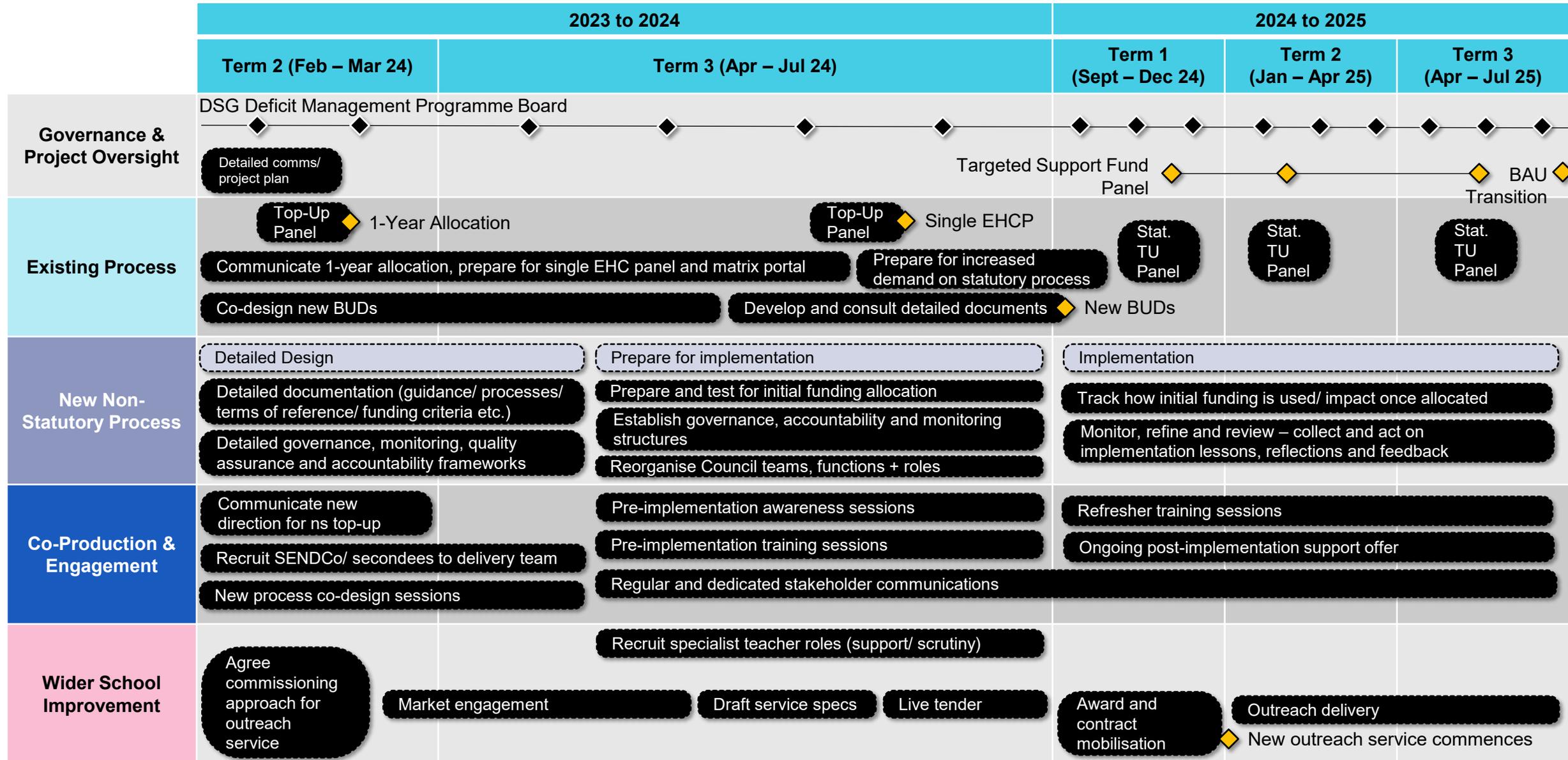
- Targeted Support Fund from start of school year
- Outreach services begin to deliver in-year
- Ongoing refinement and review

## 2025/26

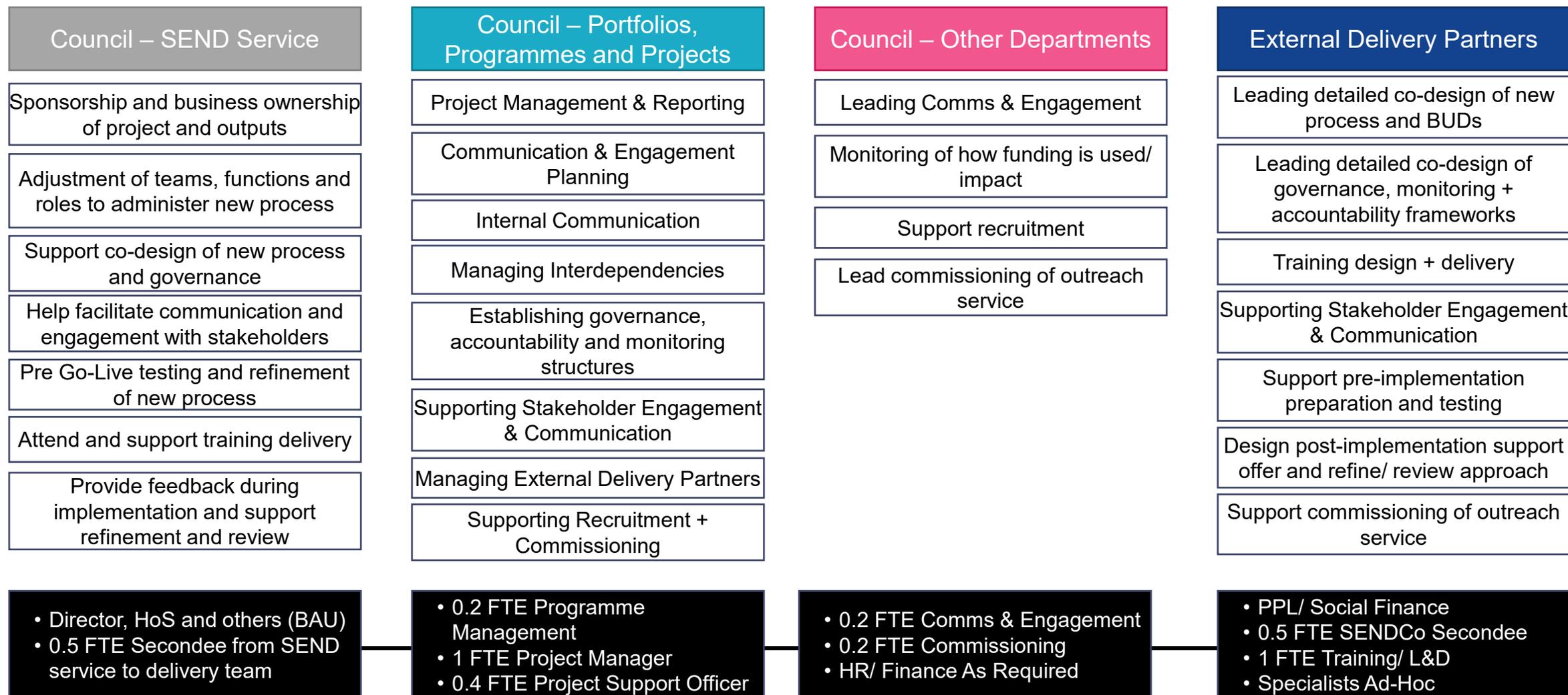
### Transition to Business As Usual

- Consider medium term goal to transition to devolved funding

# Implementation roadmap



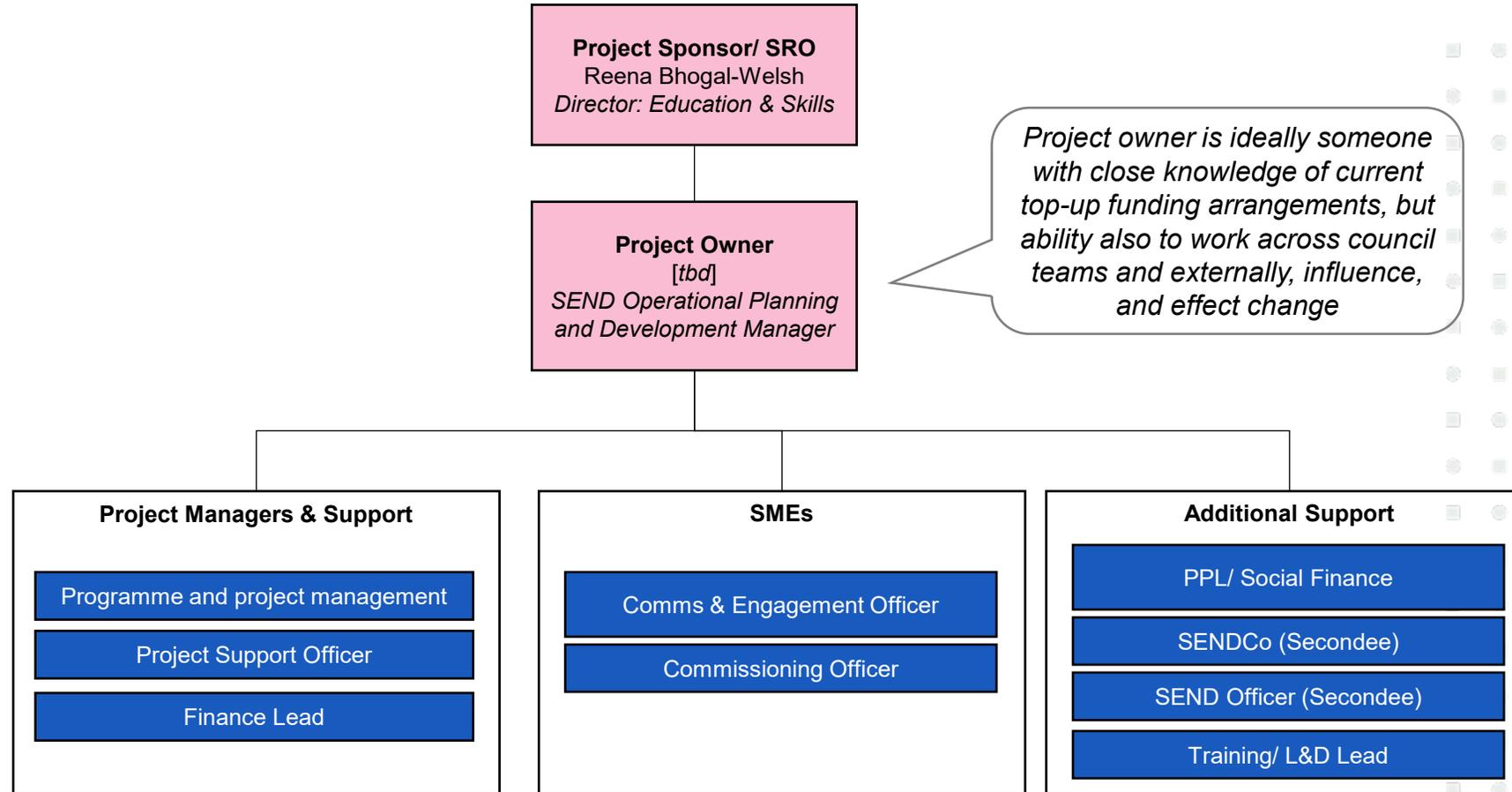
# Implementation resource, roles and responsibilities



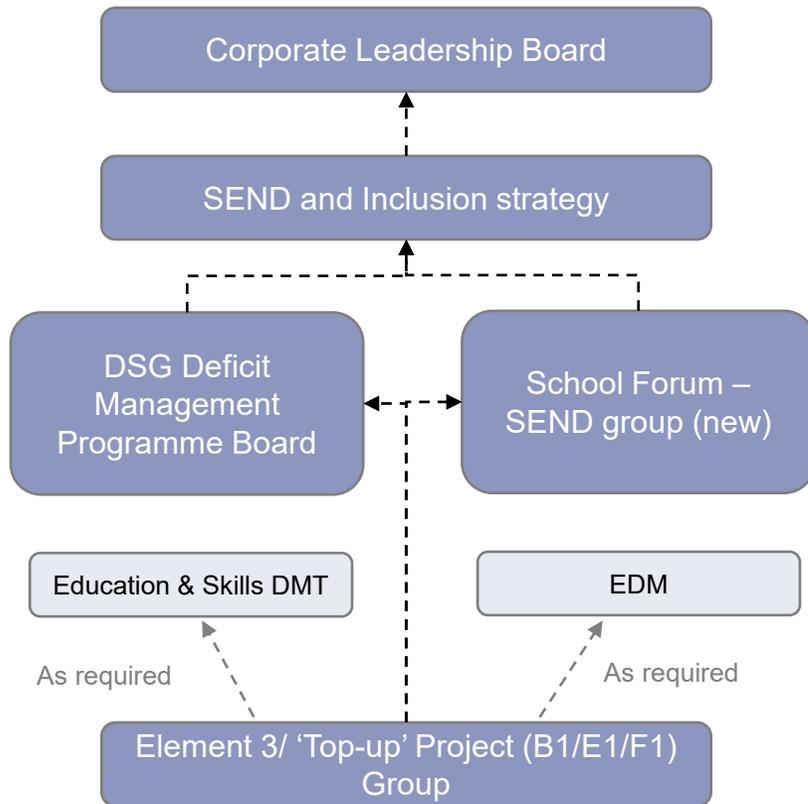
# Implementation costs

Role	% Role	Period	WTE	Assumed 1 WTE Cost	Project Cost
Director, HoS and others (BAU)	NA	Feb 24 – Jul 25	NA	NA	Nil
Seconded from SEND service to delivery team	50	Feb 24 – Aug 24	0.3	£60k	£18k
Programme Manager	20	Feb 24 – Jul 25	0.3	£60k	£18k
Project Manager	100	Feb 24 – Jul 25	1.5	£50k	£75k
Project Support Officer	40	Feb 24 – Jul 25	0.6	£40k	£24k
Comms & Engagement	20	Feb 24 – Aug 24	0.1	£50k	£5k
Commissioning	20	Feb 24 – Dec 24	0.2	£60k	£12k
HR/ Finance As Required	NA	Feb 24 – Jul 25	NA	NA	Nil
PPL/ Social Finance	NA	Feb 24 – Jul 24	NA	NA	£92k
SENDCo Seconded	50	Feb 24 – Jul 24	0.3	£45k	£14k
Training/ L&D	100	Feb 24 – Aug 24	0.6	£45k	£27k
Specialists Ad-Hoc	NA	Feb 24 – Jul 25	NA	NA	£10k
<b>Total</b>					<b>£295k</b>

# Implementation delivery team



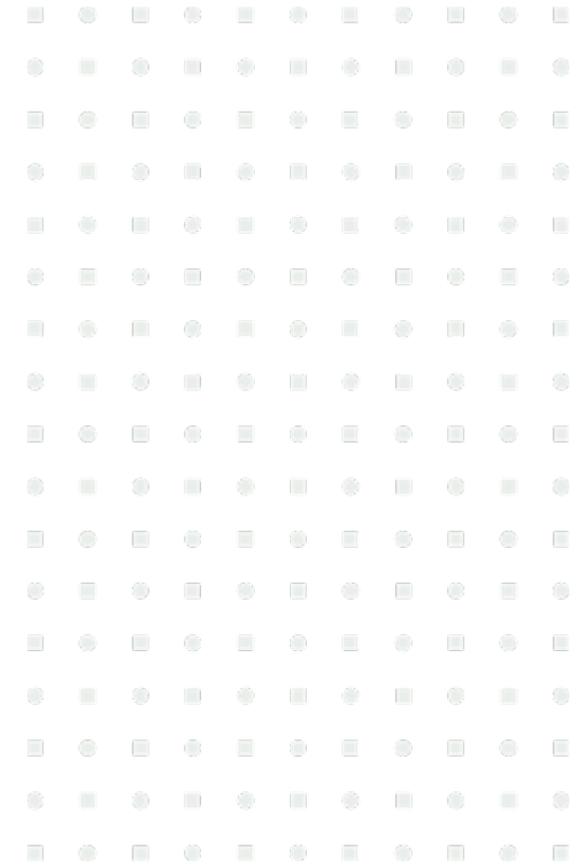
# Implementation governance



Periodic updates at key decision points and as appropriate

Monthly. Key project highlights and risk/ issue escalation

Weekly/ fortnightly meeting of project team and owner. Key workstream updates, raising of risks and issues



# Implementation risks

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Risks	RAG	Mitigations
Schools remain disillusioned with a) the changes and b) the quick process for implementing them		Dedicated workstream around relationship building with schools, to build alignment and understanding of shared system wide pressures and rationale for changes. Additional support and guidance on OAP and eligibility criteria should support wider inclusion efforts.
Amount of early intervention funding is insufficient		First year will be a pilot phase, providing BCC and stakeholders space to reflect on the success of the fund
Rise in EHCPs and costs from reduced non-stat funding available		The modelling already assumes and figures presented includes a % of young people on non-stat funding moving to EHCPs, providing a relatively conservative estimate of the potential savings from these changes.
The process to implement changes takes longer than anticipated		Best practice research identified changes require 6months-1year of design, before any trialing can begin. The proposed plan is ambitious. However, with sufficient dedicated internal staff as proposed in the delivery team; there will be the additional capacity drive the programme forward.

# Considerations / impact

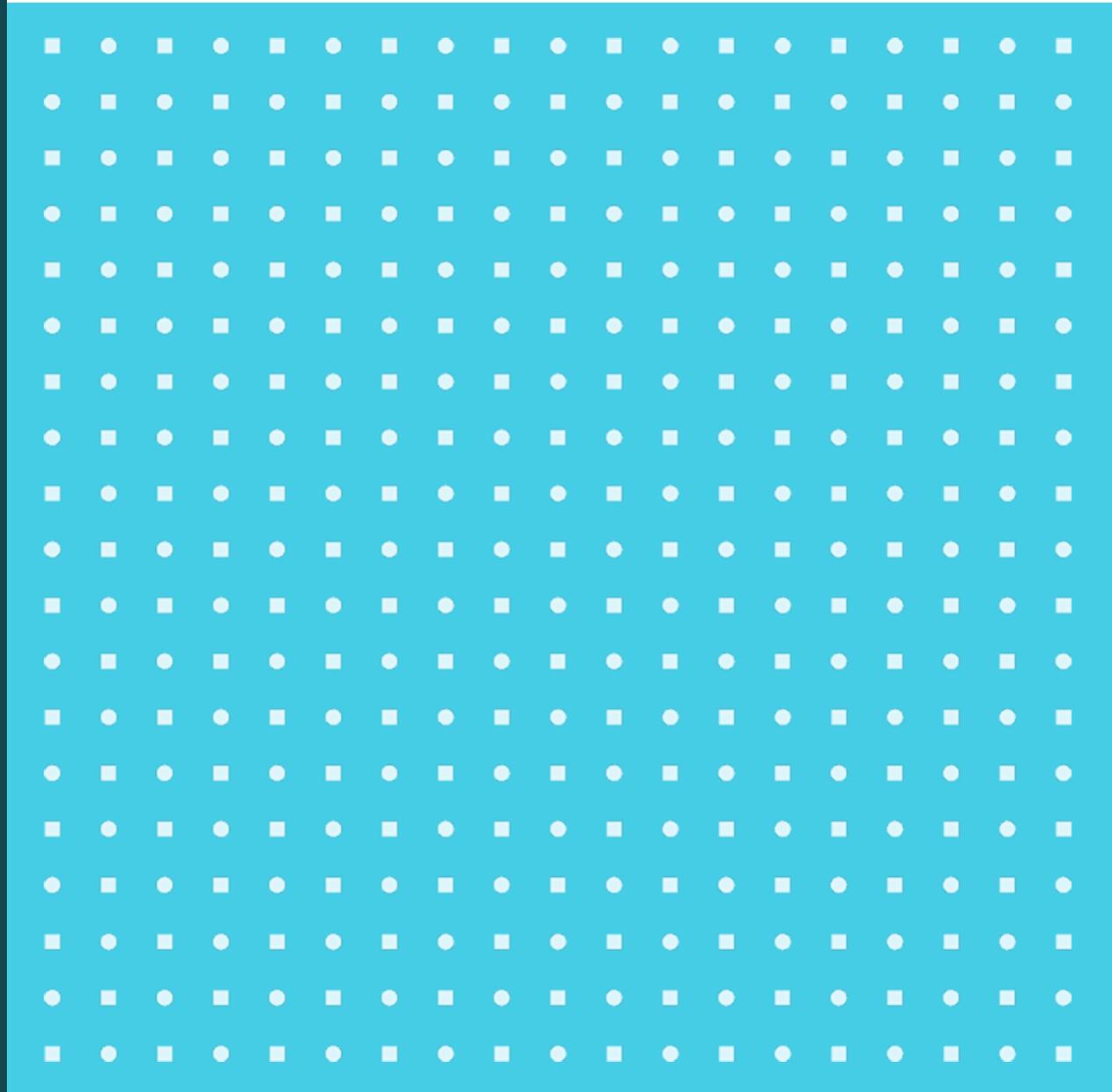
Impact Area	Impact	Further considerations
Council staff capacity	Teams will have increased capacity to administer the process efficiently and in line with statutory deadlines	Which roles are required? Which level of seniority and experience is needed? To be worked through in detailed design.
Council staff capability	Training on the revised approach will ensure everyone fully understands the process. Repeating the training at regular intervals will maintain knowledge, confidence and understanding across the council.	
SENCO capacity	<ul style="list-style-type: none"> <li>➤ Clearer top-up funding guidance and resources will speed up the time it takes to prepare an application</li> <li>➤ Applications for targeted support fund will be shorter, taking up less SENCo time than a regular top up funding application</li> </ul>	
SENCO capability	<ul style="list-style-type: none"> <li>➤ Clearer top up funding guidance and processes will ensure all SENCos, including new SENCos, understand expectations and responsibility for submitting applications and participating on panels</li> </ul>	
Children and Young People	<ul style="list-style-type: none"> <li>➤ Clearer guidance and expectations on schools will increase inclusivity</li> </ul>	<ul style="list-style-type: none"> <li>➤ What is the decision making process for requesting and approving non-stat or EHCP funding if short term funding is deemed inefficient/ineffective due to escalating or change in needs. To be worked through in detailed design.</li> </ul>
EHCP volume	<ul style="list-style-type: none"> <li>➤ Although Non-Stat funding will remain, if there is any confusion amongst school staff this may result in an increase in EHCPs</li> </ul>	

# Interdependencies

<b>Project/ Activity</b>	<b>Management</b>
<b>DBV Workstream 1</b> Pilot programme to improve the experience of children with SEND in mainstream education. Aim of the trial is to create an eco-system of inclusive Bristol schools to act as inclusion champions, provide peer-to-peer support, disseminate learning; and model best practice	<ul style="list-style-type: none"><li>Factor in learning from workstream 1 into “Wider School Improvement” workstream of this project</li></ul>
<b>SEND Placement Sufficiency Review</b>	<ul style="list-style-type: none"><li>Factor outputs and plans from this work as required</li></ul>
<b>Digital EHCP Process (PwC)</b> New web forms/ content on local offer site/ robotic process automation	<ul style="list-style-type: none"><li>Ensure alignment when making the updates to the statutory process e.g. single panel</li><li>Ensure this work supports wider school improvement workstream</li></ul>
<b>New Operating Model</b>	<ul style="list-style-type: none"><li>Confirm additional specialist teacher roles</li><li>Ensure the new operating model has the capability and capacity to administer the new targeted support fund, associated governance and monitoring mechanisms; as well as the potential increased demand on the statutory process</li></ul>
<b>Other Schemes within the Deficit Management Plan</b>	<ul style="list-style-type: none"><li>Manage as relevant at the DSG Deficit Management Programme Board</li></ul>

# 5. Other key learnings and recommendations

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# Other ongoing improvements are likely required alongside our two main recommendations to attain long-term sustainability

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The two main recommendations above can improve inclusion and help manage future demand. However, they will not create a fully sustainable mainstream school system by themselves. To achieve this, we suggest that three wider changes (to relationships, culture, practice, and systems/processes) that are also necessary to re-centre the whole SEND system towards early intervention and inclusion, and to make the most of the proposed changes to top-up funding.

It should be noted that there are already activities either planned or underway to achieve these things. We want to lend weight to these and propose that the council ‘doubles down’ in these areas to achieve success.

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## 1. Refresh and prioritise support/guidance to improve ordinarily available provision

Revisit and refresh the council’s guidance around OAP and the Graduated Response and invest in greater capacity to train, support, and hold schools to account to ensure it is implemented consistently across the city.

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## 2. Build relationships with school leaders

A fully sustainable SEND system requires *all* schools to be pulling in the same direction (e.g. mainstream inclusion, consistent OAP). This starts with building a mature understanding of the shared nature of high needs funding and the need to act together to meet challenges.

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## 3. Scrutiny and stewardship of the SEND system

Statutory SEND frameworks can sometimes encourage an overly ‘atomised’ approach to meeting needs. Overarching oversight and stewardship of the system is also required to ensure that different teams, settings, and parts of the system are working in unison and as intended.

# 1. Refresh and prioritise support/guidance to improve ordinarily available provision

OAP in Bristol is implemented neither properly nor consistently, and the council has inadequate procedures to check this in application before funding is awarded.

Details	What we heard	Recommendations	How this will support successful implementation of changes to the system
<ul style="list-style-type: none"> <li>There is a lack of shared understanding around Bristol's model of inclusion and education settings apply OAP (i.e. Element 2) inconsistently. Some schools in Bristol are very inclusive and demonstrate strong OAP and Graduated Response whilst other schools are unable to, or do not attempt the full range of OAP before applying for additional funding. This inconsistency leads to inequitable opportunities for children and young people across Bristol, as well as poor relationships between schools</li> <li>There is limited guidance on how to apply OAP to standardize approaches across settings and ensure compliance. This leads to confusion among education settings</li> </ul>	<p><i>'Lots of top up applications are turned down for not being considered above what should be ordinarily provided. But because schools are underfunded in the first place, we can't offer that ordinarily available provision consistently'</i> (SENCO)</p> <p><i>'I've just moved my daughter from one school to another and the difference in SEN support has been incredible'</i> (Parent/carer)</p> <p><i>'I think there's a lot of work to do around what OAP means for schools'</i> (LA staff)</p>	<ul style="list-style-type: none"> <li>Bristol should revisit its approach to OAP and develop a comprehensive and cohesive package of guidance around OAP for schools.</li> <li>Bristol should procure or develop training for schools to implement OAP guidance and enable all staff to better support children and young people with SEND.</li> <li>Bristol should procure specialist support for schools (i.e. more LSAs) to encourage inclusion and early intervention for children and young people with low level needs.</li> </ul>	<ul style="list-style-type: none"> <li>All education settings and the council will have a shared understanding and clear view on how OAP is implemented. This will ensure that expectations are aligned in terms of the provision that all children and young people in Bristol receive, before schools apply for top-up funding.</li> <li>If education settings implement OAP properly, low-level needs may be addressed sooner, thereby achieving earlier intervention and inclusion and reducing the need for schools to apply for top-up funding. With more specialised support, schools will be able to provide relevant provision to children and young people</li> <li>There will be more consistency in provision available in all schools, thereby increasing equitable opportunities for all children and young people across Bristol to receive the benefits of OAP.</li> </ul>

## 2. Build relationships with school leaders

There is currently weak partnership across all stakeholders in Bristol. In particular, schools have become disengaged with the council.

Details	What we heard	Recommendations	How this will support successful implementation of changes to the system
<ul style="list-style-type: none"> <li>Some distrust and tensions between stakeholder groups in Bristol has developed; between individual/clusters of schools; schools and parents/carers; schools and the LA; the LA and parents/carers. This results in stakeholders pulling in different directions and a lack of a single, clear vision for inclusion</li> <li>Funding and decision-making can be siloed across different parts of the SEND system. This can affect relationships between schools and the council, as well inconsistent communication to parents/carers.</li> </ul>	<p><i>'there are some schools that are playing the system, though likely with good intentions to support children and young people, but it isn't fair.'</i> (Headteacher)</p> <p><i>'I have never been told what process the school goes through to receive top-up funding. I feel I have to advocate myself on behalf of my child'</i> (Parent/carer)</p> <p><i>'it's clearly worrying if schools think that the local authority has an infinite pot of money to offer for support'</i> (LA staff)</p>	<ul style="list-style-type: none"> <li>The council should invest time in building trust and strengthening relationships with schools. There needs to be space for open and transparent communication to ensure alignment, consistency and clarity of service offer to children and young people. There should be a consistent channel of communication between the council and schools.</li> <li>The council and Bristol schools must take the time to come together to create a shared vision and approach. All stakeholders need to be pulling in the same direction around high needs funding to achieve the best outcomes for CYP and for inclusion to be a reality.</li> <li>This vision needs to include the voices of parents/carers and be communicated clearly to ensure that relationships improve and that the system, as a whole, is joined up.</li> </ul>	<ul style="list-style-type: none"> <li>Trust and strong communication will enable positive working relations between all stakeholders in Bristol exist. Education settings, parents/carers and the local authority should be starting from the same place in order for lasting change to take place.</li> <li>Greater accountability and responsibility from all stakeholders for implementing changes to the system. This will make clear the shared nature of current challenges – rising demand for support – and build buy-in for a common response.</li> </ul>

### 3. Scrutiny and stewardship of the SEND system

The council currently is overly focused on carrying its statutory duties (assess/ review EHC plans) at the expense of actively stewarding schools and monitoring where and how money is being spent.

Details	What we heard	Recommendations	How this will support successful implementation of changes to the system
<ul style="list-style-type: none"> <li>• There is a lack of monitoring how top-up funding is being spent and a lack of accountability on schools to demonstrate outcomes. The council is unable to show whether funding is having the intended impact.</li> <li>• There is no annual review for non-statutory top-up funding. This is in contrast to EHC plan annual reviews, granting non-statutory top-up more freedom and less control on expenditure.</li> <li>• In some cases, payments are being made to schools where the pupil is no longer attending the school. This creates an administrative burden to claw back over payments</li> <li>• The strategic purpose of different funding routes has slipped over time due to a lack of capacity for oversight and stewardship.</li> </ul>	<p><i>“first things first, every penny of your high needs spend needs real scrutiny”</i> (Head of SEND at other local authority)</p> <p><i>“I think for me part of the issue is that we appear to give this money over to schools, but we’re not really 100% sure that it makes any difference”</i> (LA staff)</p> <p><i>“I was surprised that there was just three SENCOs on the panel, with no checks or balances from LA staff.”</i> (SENCO)</p>	<ul style="list-style-type: none"> <li>• Introduce greater resource at all levels including analytical resource and senior leadership is required to ensure accurate data entry and QA. This could include a SEND Commissioning or Partnership lead to steward the system e.g. ensure consistent practice, QA use of outreach services to ensure it responds to actual and changing needs over time</li> <li>• Introduce regular review for all funding allocations, including any non-statutory allocations.</li> <li>• Develop and implement an effective approach to outcomes measurement for education settings to be held accountable to.</li> </ul>	<ul style="list-style-type: none"> <li>• All stakeholders will have a better understanding of ‘what works’ for children and young people with SEND to inform future commissioning decisions</li> <li>• If education settings are held accountable for the way that top-up funding is spent, it will encourage them to provide the best possible support, for the best-value, thereby improving outcomes for children and young people with SEND.</li> <li>• Greater capacity for stewarding the complex SEND system overall, to ensure it functions as intended</li> </ul>

# Thank you

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Any questions or comments please contact:

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Our mission to create more inclusive education and help partners deliver earlier support for children and young people with additional needs.

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**PPL** is a social enterprise that exists to promote better health, wellbeing and economic outcomes across the UK working with individuals, communities and the organisations that support them.

We believe that every child and young person should have equal opportunities to enjoy their time at school, to learn and progress, and to participate fully in society post-education.

