

RECORD OF DECISION TAKEN UNDER CABINET MEMBER DELEGATED POWERS AT COUNTY HALL, NEWPORT, ISLE OF WIGHT ON 24 FEBRUARY 2021

THE CALL IN PERIOD FOR THIS DECISION EXPIRES AT 5.00 PM ON 3 MARCH 2021. THE DECISION CANNOT BE IMPLEMENTED UNTIL AFTER THAT DATE

Present: Councillor Paul Brading - Cabinet Member for Children's Services, Education and Skills

Item	IOW Banding
Notice of Decision Published	Tuesday 16 February 2021
Decision Taken	That the Cabinet member for children's services, education and skills approves the proposal for Option 1 – To move to a SEN Banding Framework for the allocation of EHCP top-up funding to mainstream schools.
Reason for the decision	<p>The proposed Banding Framework, in combination with the separately published guidance about SEN support in mainstream schools, is intended to enhance outcomes for children and young people by enabling access to a broader range of support and promote a young person's independence.</p> <p>This proposal aims to bring the funding in line with best practice that schools have adopted.</p> <p>This system moves away from hours of learning support assistance and assigns funding against a broad range of best practice provisions that matches specific types and levels of need.</p> <p>Based on the financial modelling completed, the impact of this change on a school's budget would not be significant. Individual mainstream schools would retain the flexibility to pool and draw on their overall budgets and would continue to be legally required to use their best endeavours to provide for all children and young people's SEN including those who are subject to an Education, Health and Care plan. Similarly, the Council would maintain its ultimate duty to secure the provision in EHC plans. The proposal is not intended, or expected, to lead to a reduction in the High Needs budget used to fund top-funding for EHC plans in</p>

	<p>mainstream schools.</p> <p>Overall, respondents preferred the current mechanism (68 of 86) responses) to the proposed funding mechanism. Schools were generally supportive of the proposals with five out of six places of education agreeing with the proposed banding framework. Through informal feedback, the majority of education settings also supported the Banding Framework.</p> <p>While concerns regarding the levels of funding, reduction in levels of support and wider SEN issues have been raised by respondents through the public consultation. The Isle of Wight Council’s Children’s Services Departmental Management Team considered the consultation outcomes, the detailed response and mitigating actions for the concerns raised, and support the recommendation in this paper.</p>
<p>Additional reasons</p>	<p>As highlighted in the main body of the report it is anticipated that this proposal if agreed, would enhance outcomes for children and young people by enabling access to a broader range of support and promote a young person’s independence. This is a key ambition as set out in the Corporate Plan 2019-2022. This ambition contributes to the corporate priorities “Opportunity and Wellbeing.”</p>
<p>Options considered and rejected</p>	<p>Option 2 – To retain the current mechanism for funding.</p>
<p>Representations Received</p>	<p><u>Representation received from Cllr A Garratt</u></p> <p>I note from the report that a study by Blatchford et al is cited. Is this the study of 2009 or a later one? If 2009, then have the authors published subsequently so as to confirm their findings or revise them?</p> <p>The study referenced in the proposal is the 2009 study, the Deployment and Impact of Support Staff (DISS) project. The authors have subsequently published numerous other books and guidance in support of their findings through the DISS project. To be clear, the purpose of the banding proposal is not to advocate that 1:1 Learning Support should never be used. It is about building on the best practice which exists within schools where a wide repertoire of approaches to meeting need is employed. If 1:1 support is specified in the Education, Health and Care Plan, it must continue to be provided.</p>

Could you provide a link to the document referred to as “Education Endowment Foundation metaresearch”.

Please find below the link as requested:

[*Making Best Use of Teaching Assistants | Education Endowment Foundation | EEF*](#)

Is there research on the effects of banding frameworks that shows that these are delivering better educational outcomes and are more efficient in the use of resources, given the statement at (12) concerning the majority of local authorities having a preference for a banding framework. What are the reasons as to why the minority do not prefer this approach?

Outcomes for students with an EHCP on the Isle of Wight are below national averages and many authorities using banding systems achieve higher outcomes. On its own, the funding methodology is unlikely to achieve better outcomes but more broadly supports the drive for efficient and impactful use of resource through a wider repertoire of approaches, adjustments and additionality. The Council has just published guidance to support students at the level of SEN Support, which gives clear advice to schools on best practice in meeting the needs of students with SEN and specifically at the level of SEN Support. The guidance offers a wide range of strategies and were co-produced with parents/carers, headteachers, SENCos and professionals, such as educational psychologists.

Research has not been undertaken into the reasons why other local authorities do not use a banded model. Each local authority is at liberty to decide on the system of allocating top-up funding which best suits the local need and practice decisions. Banding is a well-established model that offers simplicity and robustness, and is recognised in Department for Education High Needs Funding Operational Guidance.

What will be the criteria for deciding between “well-supported”, “need some support across the day”, “need support most of the day”, and “require the highest level of support”?

The Council applies the legal test set out in The Children and Families Act 2014 to determine if a pupil is well supported without an EHCP, and the proposed framework does not have an impact on this. The framework supports the robustness of these determinations when used in

conjunction with the SEN Support Guidance, referenced above, which sets out that which is considered ordinarily available.

The cumulative and indicative descriptors of needs and provision will be specified in the Banding Framework document. As is the case with the current allocation system, the Council will determine the required resource against the content of the EHCP. The Banding Framework simplifies this process and makes it more robust. The descriptors in the Banding Framework document have been determined by specialist practitioners, such as Educational Psychologists, Speech and Language Therapists, Specialist Advisory Teachers, etc.

How will 'grey areas' and 'boundary effects' be resolved? In other words, if a scoring system is used, is there a risk that some young people may fall just short of a score for a higher banding which a different weight of scoring or different assessor may have seen them score above the threshold. Will such situations be subject to review before confirmation?

As with the current system, EHCPs and allocated top-up funding decisions will continue to be discussed by a multi-disciplinary SEN Panel. As part of a well-managed implementation, staff within the SEN team will receive additional training on the framework and matching top-up funding to provision. It is anticipated that, if agreed, further discussion on how the Bands will be allocated will take place, which will involve co-production with parents/carers.

If adopted how often will the banding framework be reviewed. In its early adoption will work be done to ensure that any anomalies ("teething problems") are identified quickly and the framework tweaked? What was the advice from East Sussex or similar on how the framework should be rolled out?

If approved, the Banding Framework will be subject to a managed implementation. This will clearly require training for staff within the SEN team and school-based staff, as well as awareness raising for parents/carers. Should the decision be taken to implement the Banding Framework, a pre-planned training programme would be implemented. The Banding Framework will be kept under constant review as it is implemented. The budgetary values would be discussed annually at Schools Forum, the Island's funding body which includes headteachers and school governors.

Declarations of Interests	None
Additional advice received	None

Signature CLLR P BRADING

Date 24 FEBRUARY 2021