



Somerset Parent Carer Forums response to the consultation on Funding and Provision for children with additional needs October 2024

Introduction

Below we outline the forums response to the consultation based on feedback from families and the experiences which have been shared with us over the last 18 months. Overall parents are responding favourably to the consultation but there are a few areas which we feel need strengthening or additional thought around implementation.

The forum wants to thank all the parents who take the time to talk to us, attend an event or complete a survey. Its only through hearing your voices that we can form a response to consultations like this one.

We will now outline our response to each of the seven areas.

Proposal 1 - Any school that is educating a child with an Education, Health and Care Plan (EHCP) will receive equivalent funding. Do you agree or disagree?

Strongly agree

Comments on this proposal

We welcome the proposal to level up mainstream funding as the provision in section F of an EHCP plan incurs similar costs as a Special school, for example a full time 1-1 does not cost less to employ in a mainstream school.

We hear from parents that funding can be a significant barrier to children receiving the support they require within the mainstream school. Our recent survey of 741 parents, highlighted funding as a contributing factor to the quality of the experience of children within a school.

With funding in the SEND system being under so much pressure it is essential that we see funding used effectively and feel that reminding schools that "Top-up funding can also reflect costs that relate to the facilities required to support a pupil or student's education and training needs (either for individuals or on offer to all)" is important. Simply put the funding needs to go further.



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One area where we feel this can be applied in particular is the use of SENCOs. Parents also told us that speaking to the SENCO can be hard due to the high level of work they have and the limited time they are available. We also hear regularly from SENCO's that budget restrains impact on their workload and have raised concerns about some SENCOs wellbeing, including during the OFSTED and CQC inspection. The reality is we are seeing SENCOs going off sick and this has a negative impact of children, young people and their families.

Possible changes to this proposal that would strengthen it

Accountability for the use of funding needs to be strengthened. While we do not want to create an admin heavy process, it is important that schools can evidence to families how the high needs funding for their child is being used. This is often a cause for concern and can cause conflict between schools and parents.

We would also like to see all plans have the education budget amount included for transparency within section J of the EHCP, currently this only happens when a parent requests it.

Proposal 2: Phasing

The proposal is that equivalent funding be phased in over time for specific groups of children.

Agree

Comments on this proposal

While we would like to see this implemented all in one go, we understand that this is not possible with the very high deficit budget Somerset is carrying.

We feel that the approach being suggested is a practical solution to the challenge.



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Possible changes to this proposal that would strengthen it

If a child's placement is at risk of breakdown and funding is considered to be a contributing factor, then we would want to see them go onto the new universal top up rate. We also feel that children looked after are a particularly vulnerable group and we would like to see them go on to the new universal banding in phase 1.

Proposal 3: Specific Services

The proposal is that funding be retained centrally for children who need specific services, to make sure that they receive them.

Strongly agree

Comments on this proposal

Over the last few years, we have seen a steady increase in families reporting that certain elements of the EHCP are not being delivered. The largest areas have been connected to specialist service such as speech and language therapy, occupational therapy or counselling.

While the council have historically given money to school to deliver the provision in these areas of section F, schools have sometimes struggled to do so, especially if this has not been sufficiently funded as per proposal 1.

In these circumstances it is the council's responsibility in law to ensure the provision is made. This can lead to the child and their family being caught up in an argument about money and this is not appropriate. Families ultimately tell us they don't care who pays and arrange it, as long as it happens. If reserving an amount from high needs means this happens then we would be in support.

Possible changes to this proposal that would strengthen it

Due to the challenges which have existed in this area for a significant amount of time we would want to see this model reviewed after 12 months to ensure that it is working effectively.



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Proposal 4: Model of Provision

A model of provision will be developed to provide stronger support for children who need something other than mainstream education, but that actively supports them to return to mainstream education.

Agree

Comments on this proposal

This proposal was challenging for many of our families to understand as quiet complex. Most parents we have spoken to are in favour in principle, but have raised concerns about the focus being on mainstream education. Please see changes we suggest below.

We feel this model of support could be invaluable for children who are struggling and supports them with self-worth. Parents tell us the hardest thing to see is their child, who feels unwanted by the school, and the impact this has on their well-being. Re-building a child's confidence, after a negative experience of the system for whatever reason, is essential to their prospects and emotional wellbeing.

We are very heartened to see that the council have listened to parents about the impact that having a child who is unable to access education has on the whole family. As a forum we have seen many families who have come under financial pressure due to having to give up work in these circumstances.

If this proposal goes ahead, we would like to work with the council and the wider SEND community of parent carers to shape what this looks like.

Possible changes to this proposal that would strengthen it

When we have discussed this with the council, we understand that this is about reinforcing the message that all children have the legal right to attend their local mainstream school and have their needs met.



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The SEND Code of practice says (paragraph 1.27):

“The School Admissions Code of Practice requires children and young people with SEN to be treated fairly. Admissions authorities:

- must consider applications from parents of children who have SEN but do not have an EHC plan on the basis of the school’s published admissions criteria as part of normal admissions procedures
- must not refuse to admit a child who has SEN but does not have an EHC plan because they do not feel able to cater for those needs
- must not refuse to admit a child on the grounds that they do not have an EHC plan.”

This being said, we know that for some children an alternative type of provision is more suitable, including bases, special schools, private Independent non-maintained schools or alternative provision. We would like to see this model acknowledge that there could be a range of different end destinations as the most important thing is the child getting the right education for them.

***Proposal 5: Incentives and Disincentives
Schools be incentivised to be inclusive and disincentivised to exclude,
including financially.***

[Strongly agree](#)

[Comments on this proposal](#)

Somerset excludes too many children, and while we know the reasons may be complex this needs to be addressed. We know we have some excellent schools who are prepared to think outside the box and go above and beyond to keep children. These schools need to be supported and should not have to wait for funding.

As a forum we have been requesting for the last few years, that the money is called back once a child is excluded. It is essential in our view that the money follows the child. It does not make sense that the provision retains the funding if the child is excluded. This money will be required by the new provision and should therefore follow the child.

We believe that this approach will help to address the trend we have seen where new leadership comes into a school and they take an



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overly hard line with children, and we see a sharp rise in suspensions and exclusions.

Possible changes to this proposal that would strengthen it

Last year the second highest reason for the forum being contacted was parents raising concerns about education provision. We acknowledge that on some occasions a school may feel they have no choice but to suspend a pupil or to place on a reduced timetable, but parents have told us this is happening on a very frequent basis for some children.

We would like to see this proposal go further and include a reduction in funding when a school is holding a pupil on a reduced timetable for an extended period with no clear reintegration plan. We would also like to see schools who repeatedly suspend legally, or illegally through requests for children to be picked up, have to pay back a percentage of the high needs funding they receive.

Proposal 6: Short-term, Interim and Emergency Funding

A fund be established to provide short-term, interim and emergency funding to schools for pupils with additional needs, regardless of whether a plan is in place.

Strongly Agree

Comments on this proposal

We know that the EHCP process should take 20 weeks, but we also know that in July 24 only 35% of plans were done in 20 weeks. If a plan is processed in the 20 weeks this still equates to nearly half a school year and this delay is too long for schools to wait for funding.

As mentioned earlier, we know we have some excellent schools who are prepared to think outside the box and go above and beyond to keep children. These schools need to be supported and should not have to wait for funding. This proposal should enable them to access funding in a timelier way and therefore we support it.



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Possible changes to this proposal that would strengthen it

Accountability for the use of funding needs to be strengthened within this proposal. While we do not want to create an admin heavy process, it is important that schools can evidence to families how the high needs funding for their child is being used. This is often a cause for concern and can cause conflict between schools and parents so outlining this clearly from the start will be essential.

Proposal 7: Annual Timescales

Annual timescales be established each academic year for requesting placement changes and confirming forward funding.

Agree

Comments on this proposal

While we understand that the rationale for this, we want to start by acknowledging the statutory deadlines. Regulation 18 of the SEN Regs requires that the EHC plan must be reviewed and amended before—

- 31 March if the transfer is from secondary school to a post-16 institution
- (b) 15 February in any other case, or
- (c) If a young person is moving from one post-16 institution to another post-16 institution at any other time, at least five months before that transfer takes place.

We feel the council will need to monitor this closely as it presents a risk for some children. For example, if a child moves into a secondary school in year 7, the school would need to notify the council by the 15th October under these proposals, if they are considering an alternative provision. This does not feel like a long enough time for the child to have settled. It is important that schools do not feel rushed into making a recommendation of a change of provision just to meet a deadline.

Possible changes to this proposal that would strengthen it

We would like to see an acknowledgement that a later date should be made to inform the council of a request for placement changes when the child is new to a setting that year.



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Final thoughts

The forum welcomes the opportunity to respond to the consultation. If these proposals move forward, we welcome the opportunity to continue to work on these with the council and the wider SEND community of parent carers.

The forum would like to take this opportunity to remind all parent carers in Somerset that they are welcome to join us at any of our events or contact us by email or phone to share your views. You do not need to be a forum member to do this, and we welcome everyone to get involved and have your say.