

**Manchester City Council
Report for Resolution**

Report to: Schools Forum

Subject: Education White Paper & SEND Review Green Paper

Report of: Directorate Finance Lead – Schools and Education

Summary

On the 29 March 2022 the Department for Education (DfE) announced and published the education whitepaper, Opportunity for All: strong schools with great teachers for your child, and the green paper, SEND Review: right support, right place, right time. The white paper vision is that by 2030:

- 90% of children leaving primary school will achieve the expected standard in reading, writing and maths.
- Secondary pupils to increase the national GCSE average grade in both English language and in Maths to level 5.

The consultation on the green paper is seeking views about the changes to make to the special educational needs and disabilities (SEND) and alternative provision (AP) system, to improve the outcomes for these children and young people. There are strong links across the white paper and the green paper. This report will focus on the headlines on the finance and funding implications and analysis in those papers.

Recommendations

Schools Forum Members are asked to comment and note on:

- Key headlines on the Education white paper, Opportunity for all: strong schools with great teachers
- Key financial issues on the SEND review green paper: right support, right place, right time
- School Forum submitting a separate response to SEND Review green paper

For Reference:

Green Papers: are consultation documents produced by the Government. The aim of this document is to allow people both inside and outside Parliament to give the department feedback on its proposals.

White Papers: are issued by the Government as statements of policy, and often set out proposals for legislative changes, which may be debated before a Bill is introduced. Some may invite comments.

Alternative Provision (AP): When a child or young person is unable to access mainstream school for reasons including school exclusion, behavioural issues, or illness, education outside of school will be arranged. This education is called alternative provision, can be part time or full time.

Educational, Health and Care Plan (EHCP): is a document where the education, healthcare and social needs of a child/young person who needs additional support in school. EHC plans are for those children (0-16) or young people (16-19) or adults (19-25) with special educational needs who require support beyond that which a mainstream educational setting can provide.

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy, please contact one of the contact officers above.

1. Introduction

- 1.1 The white paper published 29 March 2022 is the first education white paper since 2016, it expresses the ambition for a school's system that helps every child to fulfil their potential, by receiving the right support, in the right place at the right time. The foundation of excellent education is world-class literacy and numeracy, the aim is by 2030 that:
- 90% key stage 2 pupils meet the expected standard in maths and reading
 - National GCSE average grade increases to level 5 for Maths and English language.

The white paper has strong links SEND green paper and levelling up paper in achieving a school system that helps every child to fulfil their potential.

It is understood that there are no new funding announcements within the whitepaper itself, but that this brings together the various spending review announcements. This report highlights the potential financial implications for schools and local authorities following the release of the white paper.

- 1.2 The government's SEND green paper consultation, also published 29th March 2022 sets out the proposed reforms to the SEND and alternative provision (AP) system in England, that seeks to address three key challenges:
- 1) Outcomes for children and young people with SEND or in AP on average are poor.
 - 2) Navigating the SEND system and AP is not a positive experience for children, young people and their families
 - 3) The system is not financially sustainable, despite unprecedented investment the system is not delivering value for money for children, young people and families

The SEND consultation on the green paper is currently live, the closing date has been extended to 22nd July 2022 and covers a wide range of areas (22 questions), not just financial issues.

2. Education White Paper - Opportunity for All: strong schools with great teachers for your child

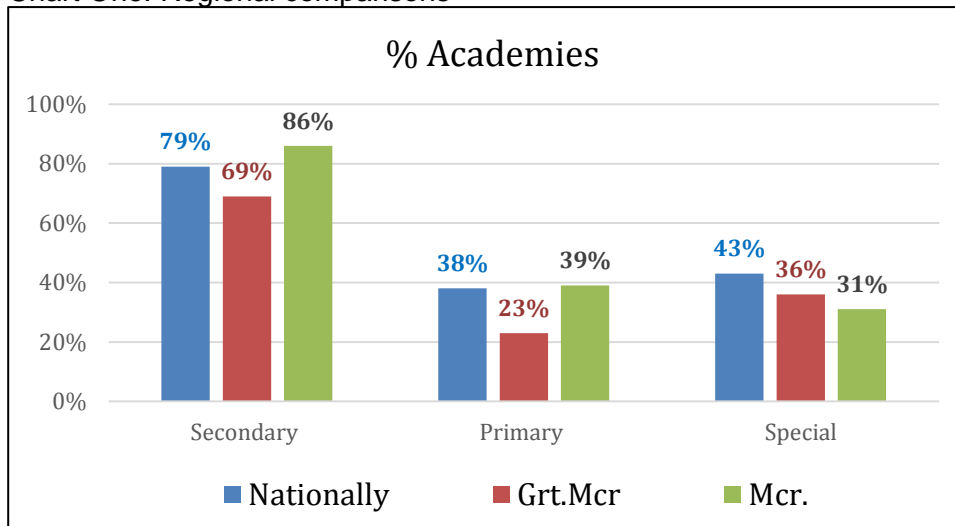
- 2.1 The white paper vision where by 2030, 90% of children leaving primary school will achieve the expected standard in reading, writing and Maths, along with national GCSE average grade in both English language and in Maths to 5. To achieve this the paper documents the case for a fully trust-led system, economic benefits of meeting the whitepaper's ambitions, and a methodology for obtaining English language and Maths GCSEs. Appendix one illustrates an overview of the vision and strategy. The government's strategy covers four areas:
- 1) Excellent Teachers
 - 2) Delivering High Standards
 - 3) Targeted Support for those who needs it (strong links to the green paper)
 - 4) Stronger & fairer system

The key headlines from the government's white paper strategy:

- **An intention for all schools to be in or planning to form or join a multi-academy trust by 2030.** Partly, this is intended to simplify the existing complex system, which the whitepaper describes as “messy and often confusing”, highlighting “unclear and often overlapping roles and responsibilities”. The government intend to ensure clarity can be provided, and the whitepaper states that authorities will receive legal powers to match their responsibilities.

Chart one below compares regional variation of percentage of academies to Manchester. This illustrates that although a high percentage of Manchester secondary schools are academies there is a large proportion of primary and special that are maintained. Overall, 59% of Manchester schools are local authority maintained schools.

Chart One: Regional comparisons



- The government are aiming for **trusts to serve 7,500+ pupils or run at least 10 schools.** There will be no maximum size of trust, but there will be a limit to the proportion of schools in an area which can be run by a single trust, promoting choice for parents.

In Manchester there are seventy-five different academy trust supporting good parental choice across the city. However, 17 of these currently have only 1 school which would make them not viable going forward.

- Government have identified **55 Education Investment Areas (EIA)**, of which Manchester is one, where increased funding is to be used to support the areas in most need. Plus extra funding for 24 Priority EIA, with the most entrenched underperformance. Across the EIA there will be:
 - £40 million of additional funding is to be provided for bespoke interventions to address local needs.
 - Additional support for digital connectivity through and priority access to other DfE programmes.
 - Levelling Up premium, worth up to £3,000 tax-free for eligible maths,

physics, chemistry, and computing teachers in year 1-5 of their career, working in disadvantaged schools.

- A **consultation** will follow, **where schools which have received two consecutive below 'Good' Ofsted judgements to move into academy trusts**. Manchester has two maintained schools that have a successive judgement of requires improvement (RI) currently and two schools currently in MATS who meet this criteria. Initially, the government will focus on 55 Education Investment Areas (EIA) identified, including Manchester.
- Where too few strong multi academy trusts exist, **local authorities will be able to set up academy trusts** to add expertise and capacity to the future trust system. Though there will be limits on the local authority's involvement in the trust board, designed to manage conflicts of interest which could arise. Currently more details on how this will work is needed, it is expected that local authorities' members can be on the trust board, but the level of involvement is unclear.

2.2 Key financial proposals within the whitepaper which have a potential financial implication for schools and local authorities are:

- **£30k starting salaries for teachers**. The government pledged to raise starting salaries to £30k in 2019, this was pushed back due to the pay freeze for most public sector workers in 2021. The Department for Education (DfE) has proposed raising teachers' minimum pay in most of England by more than 16 per cent over the next two years to reach the £30k starting salary by 2023. This would mean starting salaries would increase from c.£26 to £28k in 2022-23 and to £30k 2023-24, a total rise of 16.7 per cent over the two years.
- **Longer school week by September 2023**, with an expected **minimum of 32.5 hours**, the current average minimum. The expectation of the minimum 32.5 hours is to include the time in each day from the official start of the school day (i.e. morning registration) to the official end to the compulsory school day (i.e. official home time). It is expected this will not include, early years, 16-19 and specialist settings. This data will be collected on spring 2023 census and no further funding is expected.
- Further **targeted support through the national tutoring programme**. The government intends to continue to financially incentivise schools to provide tutoring.
- £55m investment in **Accelerator Fund** for the development and 'scaling up' of literacy and numeracy interventions, to support the ambitious literacy and numeracy objectives in the white paper. The Accelerator Fund will develop and scale-up the best-evidenced literacy and numeracy interventions, spreading effective programmes nationally.
- £100m endowment for the **Education Endowment Foundation (EEF)**, this a charity which works on improving teaching and learning with a view to breaking the link between family income and educational achievement. The white paper confirmed the EEF will be re-endowed to put it on a long-term footing and continue its work beyond 2026. The new endowment will be an award of at least £100m that means the EEF

will exist for at least another decade

- £86m to invest in **Trust Capacity funding**. The Trust Capacity Fund (TCaF) is a competitive grant fund available to help trusts develop their capacity to grow. It has a particular focus on supporting strong trusts, and strong schools forming trusts, to take on underperforming schools in Education Investment Areas (EIA) and other places of higher need. To achieve the vision set out in the White paper, for all schools to be part of strong trusts by 2030, the DfE is committing up to £86m in trust capacity funding over the next 3 years, focused particularly on EIA, and within these the 24 Priority EIA.

3. SEND Green Paper – Right Support, Right Place, Right Time

3.1 The SEND review is part of the government's 'Levelling up Agenda' and outlines their ambition for children and young people with SEND. It acknowledges that despite reforms in 2014 and a hardworking and dedicated workforce, the experience of children and young people and their families can be poor due to:

- Increasingly complex and confrontational system.
- Delays in accessing support.
- Increasing financial challenges for local authorities.
- Use of alternative provision (AP) to supplement the SEND system.

3.2 The review covers a wide range of areas to try and address the three challenges identified, listed below. The review recognised significant inconsistency in how needs are met, and decisions are often made based on where a child or young person lives or is educated, rather than on their needs.

- 1) Outcomes for children and young people with SEND or in alternative provision on average are poor.
- 2) Navigating the SEND system and alternative provision is not a positive experience for children, young people, and their families
- 3) The system is not financially sustainable, despite unprecedented investment the system is not delivering value for money for children, young people and families

The cycle starts in early years and mainstream schools, where despite best efforts settings are often unable to identify and support children and young people's needs. For families it is not clear what support they should reasonably expect from their local mainstream settings in meeting their child's needs. Hence, EHCPs and, in some cases, specialist provision, are seen as the only routes for guaranteeing the right and appropriate support.

This is resulting in increasing numbers of requests for EHCPs, and specialist provision, which impacts on significant delays for children and young people in accessing support and creates a system that is not financially sustainable.

3.3 The Council will be responding to the government's consultation, addressing the proposals to deliver greater national consistency in SEND support that should be made available, how it should be accessed and funded.

Summarised below are the proposals and consultation questions which touch on the financial issues:

- 3.4 Q. What factors would enable local authorities to successfully commission provision for low-incidence high-cost need, and further education, across local authority boundaries? (Consultation question 3)

Commissioning provision for low-incidence high-cost need varies significantly between local authorities, most in the North West will have some level of specialist services and provision to meet low incidence needs, in terms of education support teams, SEN Units / Resource provision or special school provision. However, this does not always cover the full range and complexity of individual pupil needs and therefore most will make use of out of borough provision either in state-funded schools or through the independent and non-maintained market.

The biggest barrier to this is the variation in health contributions to low incident, high needs placements across different local areas. In Manchester, there is a significant contribution from Health and most placements are jointly funded but this is not the case in neighbouring authorities where it is variable. This variation results in different approaches to commissioning of placements.

Introduction of Specialist Commissioners. Cross border commissioning arrangements such as region-wide partnerships or county-wide partnerships as required, there are currently good examples of this where local arrangements facilitate this such as the Greater Manchester Partnership.

A multi-authority / agency role across several areas and specialisms. This may take the form of a specialist SEND commissioner role with a focus on evaluating needs and demand with a view to mobilising joint service delivery for children with low incidence high-cost needs.

Capital investment and recurrent placement funding in local area High Needs Block so that local areas can work together to build capacity in specialist provisions as demand currently outstrips supply in the North West.

- 3.5 Q. What needs to be in place in order to distribute existing funding more effectively to alternative provision (AP) schools, to ensure they have the financial stability required to deliver our vision for more early intervention and re-integration? (Consultation question 14)

We welcome the government's proposal to establish a clear tiered package of support for mainstream schools which focuses on early intervention and time limited places which support the reintegration of the pupil back into their mainstream school.

To ensure that this process is effective the government has proposed that local partnerships will agree a budget, ideally for a minimum of three years to be spent on targeted mainstream support places, time-limited placements, and transitional

placements as set out in their local inclusion plans. However, learning from previous arrangements with AP in Manchester is that in order to achieve financial stability for AP, there needs to be place funding provided upfront regardless of whether places are used. This meant that many AP were over funded and over staffed for a significant part of the year until all places were full – this model also provides an incentive for schools to take up places as they are prepaid for. This model also created a pressure on high needs funding. Manchester is currently developing a new AP strategy where a framework is being proposed which focuses on early part-time intervention to support with pupils remaining with their mainstream school with a smaller proportion of upfront funding available to secure provision.

However, to ensure that this proposal is effective there needs:

- A clear definition of AP provided by DfE
- Undertake a financial impact assessment to quantify the level of investment required to move to this model of working.
- Indicate a realistic and sustainable placement cost for time limited and transition placements. This will ensure consistency across local areas and prevent future increases in the High Needs Block. The government should also consider whether different funding models should be used for occupied and un-occupied placements.

3.6 Q. How can we best develop a national framework for funding bands and tariffs to achieve our objectives and mitigate unintended consequences and risks?
(Consultation question18)

In Manchester we have worked in partnership with our special schools to develop a model of funding based on pupil needs and not definitions of needs. It also includes different levels of moderation to ensure there is not inflation of needs to secure additional funding. We would welcome the opportunity to share this model with the DFE.

In principle a national framework for funding bands and tariffs will establish a more consistent basis for the funding of provision based on need. However, there will be winners and losers both across local authorities and provider groups and may result in high costs in the High Needs Block and less income for some settings/schools. DFE will need to be clear how this will be managed.

To ensure that this works, the national standards must:

- Ensure clear thresholds that are explicit in describing the level of provision for each band / tariff, which will support decision making panels to allocate resources.
- Be coproduced to ensure trust in the system and reduce future opportunities for challenge, this work should be completed with representatives from local authorities, parents and carers forums and settings/schools/colleges.

4. **Recommendations**

Schools Forum Members are asked to comment and note:

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great teachers

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Appendix One: White paper Overview

Our Schools white paper vision, ambitions, and strategy to deliver



Vision

A school system that helps every child to fulfil their potential by ensuring that they receive the right support, in the right place at the right time - founded on world-class literacy and numeracy as the cornerstone of an excellent education. Delivering on the government's priorities of building back better after the pandemic and levelling up across the country.



Ambitions by 2030

- Key Stage 2: 90% of pupils meeting the expected standard in maths and reading at Key Stage 2
- Key Stage 4: National GCSE average grade in both English language and in maths increased from 4.5 in 2019 to 5

Our strategy



1. Teachers

Ensure we have excellent teachers in all areas of the country, trained in the very best literacy & numeracy approaches



2. Standards

Support our teachers to deliver high standards for all pupils, with a relentless focus on behaviour & attendance, and access to the best-evidenced resources



3. Targeted support

Deploy targeted support for those who need it most, especially the most vulnerable and disadvantaged children



4. System

Underpinning this, ensure that there is a stronger school system, including fair and adequate core funding and every school belonging to a strong trust with strong leadership and governance