

## **SEN PROTOCOL**

### **1. Purpose of the Report**

The purpose of the report is to consider and agree a new SEN protocol.

### **2. Recommendation**

The Schools Forum agree the SEN protocol subject to the current paragraph 7 being replaced by the following

“Schools can provide a certain amount of funding from their own resources to supplement the matrix money. This funding is provided within the school budget through the deprivation factors incorporated in the funding formula”.

### **2. Policy Context**

The authority’s Strengthening Specialist Provision review set out arrangements for reshaping the provision of places for children with special educational needs. Prior to the review the decision had been taken to devolve additional funds to schools to support pupils with SEN, intended to give sufficient resources for them to provide timely support without needing to issue statements for pupils who were previously supported at Matrix levels 3, 4 and 5. Statements with levels of support from Matrix level 6 and above continue to be issued by the authority. The Children and Young People’s Plan 2009-12 emphasises the importance of early intervention to address needs.

### **3. Background**

- 3.1 Forum considered a report on the 20th May which set out the results of the audit on ten schools designed to obtain better information about the use of SEN resources.
- 3.2 Among the recommendations agreed were those about sharing good practice, improving monitoring and making effective use of Annual Reviews.
- 3.3 A key recommendation was that a protocol should be drafted, setting out expectations for schools in terms of how assessments are applied for, and how resources should be used to support pupils. The protocol should also set out expectations on the Local Authority in terms of attendance at annual reviews and provision of information.

- 3.4 The recommendations were drafted in the context of a significant overspend in the SEN budget overall in 2009/10, and particularly in the Matrix budget. Over the period since January 2010, 195 assessments have been requested (27 per month), and 69 were agreed, a rate of 35%. Since the start of the current financial year 127 assessments have been requested (32 per month), and 42 have been agreed, a rate of 33%. Advice from the National Strategies team is that this suggests a mismatch between the expectations of schools and of the Local Authority.
- 3.5 14 statements carrying a matrix were issued in the period up to the 30th June. The total cost of these is £127,125. Continuing to issue statements at a similar rate would carry a risk of further pressure on the budget, given previous experience of a 'spike' in requests for assessments in the latter part of the year.

#### **4. Protocol**

- 4.1 The draft protocol is attached in Appendix A. It was discussed at both Primary and Secondary Strategics. If all parties agree, the aim is that the protocol should start to operate during the start of the autumn term 2010.
- 4.2 The protocol covers processes before an assessment is requested, the information that should accompany a request, the agencies that should be involved, the resources that schools should use even when a pupil has a statement, the time that should elapse before a request for further resources is made and the entrance arrangements for ceasing statements. It also covers the regular information that the Local Authority will provide to assist everyone in the partnership to monitor the situation and the ways in which annual reviews will be used.
- 4.3 The protocol does not attempt to supersede anything in the Code of Practice and parents' rights remain unchanged. There may need to be structured arrangements for briefing parents about the protocol as appropriate.
- 4.4 Most of the comments from the Strategic Groups were very supportive of the draft protocol. There was one exception to this. The concern related to paragraph 7, which read "There will also be an expectation that when a statement is issued, schools will provide a certain amount of funding from their own resources to supplement the matrix money. The school amount will be geared to the matrix amount via a formula".
- 4.5 The feedback from schools expressed concern that they would find extra resources within the budget to fund statements
- 4.6 This was not quite the intention of the paragraph, the intention was to make a comment that schools had other resources within their budget

delegated on factors that related to SEN and this funding may be used to support SEN children,

4.7 It is suggest in the light of this confusion to re-word the paragraph

“Schools can provide a certain amount of funding from their own resources to supplement the matrix money. This funding is provided within the school budget through the deprivation factors incorporated in the funding formula”.

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