



Banded Funding for Special Educational Needs

Questions and Answers

Second Edition

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- ***Is it worth applying at a higher level in case it is reduced by the panel ?***

No – the panel will be trying to achieve fairness and consistency on the basis of available evidence. In some cases it may disagree with a school about the level and offer lower (or higher) funding. However, if it mistrusts the evidence because it feels that a school has ‘bid up’ the application, it may not offer funding at all – or it may ask for a resubmission with more evidence.

- ***Why are there only four levels ?***

The banding system was designed to make it as straightforward as possible. There was also an attempt to avoid a ‘ladder’ system in which schools felt the need to apply for level one, level two and so on. Consequently, the vast majority of allocations will be at level one or level two. There is then quite a large differential between level two and level three because the higher levels are designed to safeguard the interests of children with more significant long-term needs. Some of the banding systems which operate in other parts of the country have become so complex, with points scores and ‘added factors’, that it can be very difficult to demonstrate that they are fair.

- ***What do you get instead of a statement ?***

When banded funding is allocated, the special services section will issue an allocation document which relates to the level. This will indicate the start and end dates, where applicable, and any special conditions attached to the funding. It will show the review arrangements and any success criteria, usually based on the IEP supplied by the school. In more complex cases, the document may comment on any staff training needs and possible accessibility issues or ‘reasonable adjustments’ under disability legislation. It could also comment on the possible need for a statutory assessment. A copy of the document will be supplied to the parents, the school, relevant professionals and other agencies. It will also be copied to the finance section so that the money can be allocated to the school budget as soon as possible.

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- ***What is banded funding ?***

Banded funding is a way of providing extra resources for schools to help children with special educational needs. Money is allocated on the basis of how serious the child’s needs are, but the school can decide how best to use it. If the child moves to another school in Herefordshire, the money goes with them. It is designed to make it easier for ordinary schools to include children with a range of difficulties. For many children it will mean that they do not have to have a statutory assessment or a statement of special educational needs in order to be supported.

- ***Why has banded funding been introduced ?***

Under the previous system, if schools or parents wanted extra support for a child with special educational needs, they usually had to have a statutory assessment and a statement of special educational needs. This can be a long process which involves everyone in a great deal of paperwork and takes up a lot of professional time. Sometimes, more money is spent on producing the statement than the child actually gets in support. Statutory assessment makes it difficult to help a child at short notice, especially when they first go to school, and statements can often prevent the school from helping the child in the way they think best. Under the system of banded funding, the whole process is quicker and more flexible. Over time it will free up the work of educational psychologists and advisory teachers to help schools to prevent the children having problems in the first place.

- ***Is banded funding about saving money ?***

No – the budget for special educational needs has not changed – though, of course, the county is not likely to be suddenly given any extra money by the Government. However, it is probable that the Government will insist that even more of the available funds are put directly into schools and banded funding will be a good way of ensuring that the right amount of it is spent on children with special needs. It is certainly the case that the Council will not be able to keep back any money for special needs in ordinary schools, so the money available for banded funding has to be used wisely. Some of it must be put aside for emergencies – such as a child with significant needs moving into the county from somewhere else.

- ***Who is banded funding for ?***

At present it only operates in primary schools. Discussions are taking place about using a similar system in secondary schools from September 2004 (which is when the first children with banded funding will arrive from the primary schools). It is also hoped to have a similar system in nurseries and playgroups at some stage, but this is more complicated because there are more people involved in supporting children before they get to school.

- ***How many children are likely to get banded funding ?***

Probably about two or three children out of every hundred will get banded funding. It would be possible to allocate money to more children than this but then each child would get less. This would disadvantage a small school which had only one or two children with special educational needs. The final numbers will depend on how successful the Council is in reducing the numbers of statutory assessments for children in mainstream schools.

statement, ‘support’ will not be allocated by the banding panel – though it might be suggested. In many cases, the criteria for banded funding will specify that support does not hamper the development of the child’s independence. By using banded funding creatively, schools may be able to invest in special teaching materials, training, advice or help for the teacher.

- ***What about special equipment ?***

Routine items of equipment are usually bought from schools’ ordinary budgets. If a child needs specialist equipment relating to a special need or disability, this will usually be provided from a separate budget that the Council holds, after discussion with the school and advisory teachers. Banded funding would not be the typical way of providing this. It may also be possible to provide equipment from funds which are designed to improve curriculum access for children with disabilities.

- ***What are the review processes ?***

When a child has a statement, the school is obliged to hold a review at least once a year. In the case of banded funding, the review process will vary, depending on the child’s needs and the length of the funding. It will be specified by the panel when the funding is agreed. In the case of time-limited funding, it is likely that an advisory teacher or psychologist will be asked to liaise with the school to see if the child has made the desired progress and the school will be asked to report to the parents. In the case of long-term funding for significant needs, the school is likely to be asked to carry out an annual review process, with the involvement of the parents and the relevant professionals. The Council is in the process of establishing a special needs monitoring team. One of its remits will be to report on banded funding and whether schools are using it to improve the outlook for individual children. In some cases, funding may be conditional on the school reporting progress on a regular basis or on updating IEP targets to the satisfaction of a named professional.

are technically disabled or not, and without them having to be labelled in any way.

- ***What about children with behaviour problems ?***

Children with behaviour problems have not always been seen as having special educational needs, even if they need exceptional support in making academic progress. In primary schools, in particular, it has been comparatively uncommon for children with behaviour problems to have statements. With banded funding, this is not an issue. There is a clear category based on emotional, social or behaviour difficulties and schools can be provided with a checklist to help to determine how serious the problems are.

- ***Where does banded funding fit with the Code of Practice ?***

When the Code of Practice on Special Educational Needs was revised in 2001, the original five 'stages' were reduced to two – called 'school action' and 'school action plus'. Even children with statements are now still the responsibility of the school and are at 'school action plus'. A child does not have to be at any particular stage before the school can apply for banded funding but, in practice, they will usually be at 'school action plus'. This is because the school will already have expressed concerns to the parents and should have had an individual education plan in place for some time.

- ***What can the money be spent on ?***

This is a decision for the school to make. There is no obligation to pay for individual teaching assistant support for the child. In many cases, the school may decide to pool the money for a group of children and devise a combination of individual and group work. In some instances, the banding panel will put conditions on the money, in effect obliging the school to address certain targets and, of course, parents will usually want assurances that their child is getting what they need. In contrast to the statutory assessment process and

- ***How does the system work ?***

Children's difficulties are put into a number of different types – such as learning difficulties, physical problems or hearing impairment. For each type there are up to four levels of severity. The levels indicate how much money is given to the school to help the child. This money is in addition to the money the school already gets to help children with special educational needs. In some cases, the money will be for one or two terms to help the child over a difficult patch. In others, it may be available for the whole time the child is in school. Levels are worth the same regardless of the type of problems the child has.

- ***What is the timetable for banded funding ?***

Some children in primary schools received funding from the start of the summer term 2003. There were a number of children who already had what was called 'stage 3' support and, in a few cases, this was converted to banded funding. In addition, the panel which considers requests for statutory assessment suggested that other children should be offered it to save them having to have a statement. From September 2003 there will be a single process in primary schools which will be the same for all children who meet the criteria. Secondary schools are likely to join the system in September 2004 and there will be consultations about this early in the year. It is possible that preschool children and those in special schools and units will have their own system some time in the future.

- ***Is banded funding only happening in Herefordshire ?***

Many education authorities have introduced banded funding, though some of them use it only to give money for children with statements. Others have deliberately tried to cut the statutory assessment rate. Somerset, for example, has a system which has reduced the number of statutory assessments dramatically, but the children still get good quality support. Herefordshire looked at lots of other models over a period of two years but the Council decided to develop its own system because the county has many small schools and its own particular needs.

- ***What does the Government think about banded funding ?***

The Government has not expressed any views about banded funding though, of course, it knows it is happening. It fits in very well with the Government's policy of putting more money directly into schools because it provides a fair way of doing it related to the actual needs of the children. However, the Audit Commission has been very positive about the idea and has even included a reference to the Herefordshire model in its 'good ideas' website.

- ***How long does the money last ?***

If banded funding is allocated to a child, it will always be for at least a term so that the school can spend it on some positive way of moving the child forward. If a child clearly has long-term needs, the funding can continue until the child leaves school – which could, in theory, be as late as 19. Sometimes the banding panel, which makes decisions on the allocations, may put conditions on the funding or suggest particular strategies to the school to help the child. If the funding is time-limited, it will be open to the school to apply for an extension but, in some cases, they may think it is better to free up the money to help another child.

- ***Who can apply for banded funding ?***

Because the money goes directly to the school, it is for the school to apply. However, there will usually be some discussion between the school and the parents. Under the Code of Practice on Special Educational Needs, the school must, in any event, tell the parents if they think a child has special needs.

- ***How do you apply for banded funding ?***

All primary schools in the county have been supplied with application forms and instructions on how to apply. The forms are very straightforward and can be supplied by e-mail or on computer disc. The forms for levels one and two only take up one side of A4 paper.

information to the primary school that the child will attend. Banded funding helps to encourage good quality liaison between schools and preschool settings.

- ***Who does the assessment ?***

Schools usually have a very good idea of the needs of their children and part of the idea of banded funding is to avoid a lot of unnecessary assessment by outside agencies. Much of the evidence will already be available in school. For level one and level two, the assessment will usually be done by the school, though if other reports are available already they can be submitted. For level three and level four, an assessment by an educational psychologist is needed and the psychologist will report on that in the way they see fit. In some instances, specialist reports may be appropriate. These may be, for example, from a health professional, a welfare officer or a therapist. For children with physical or sensory difficulties, a specialist advisory teacher should always have the option of doing an assessment and writing a report. However, applying for banded funding is not intended to be a competitive process and schools will not stand a better chance simply by producing more paperwork.

- ***What about inclusion ?***

Under the law, children who do not have a statement must be educated in an ordinary school. Banded funding is designed to support this idea by making it possible for children with a high level of need to be supported in mainstream schools without needing a statement. Of course, children with statements can also attend ordinary schools.

- ***What about disability ?***

Legally, disability is a separate issue from special educational needs. However, in the past, many children with disabilities have been statemented in order to receive support. With banded funding, children can be helped without anyone having to decide whether they

- ***Is there any appeal over banding decisions ?***

No – there is no automatic appeal right, though head teachers will be able to submit further evidence to the panel if they wish. If parents or schools are still unhappy, their recourse would be to ask for a statutory assessment which does give parents automatic appeal rights.

- ***What about special schools ?***

The present model of banded funding does not apply to special schools. This is because the law has recently been changed to say that all children in special schools must have a statement. However, there are likely to be discussions about the possibility of an extension to the banding model to include all statemented children. This would be designed to help to improve the fairness and consistency.

- ***What about children who are not in school yet ?***

At present there is no banded funding before children get to school. However, if parents, early years special needs co-ordinators, reception class teachers or colleagues in the health service are keen that children should be supported when they get to school, they can ask the primary school that the child will attend to make an application in advance. As long as the primary school makes an application in the term before the child starts school, the funding can be made available in good time – assuming that the panel agrees to it. To do this, the school will need to talk to the preschool agency about the child's difficulties and, at the very least, ask for a copy of an up to date IEP. There will also typically be some kind of health service report which indicates standardised scores for the child and, in some cases, the child will have been assessed by an educational psychologist.

It should be remembered that all preschool settings which receive public money must have a special needs co-ordinator and must let parents know if a child has special needs. They should also have clear procedures to pass on individual education plans and other

The school is also asked to supply the results of certain assessments, depending on the child's difficulties and, in some cases, the Council is supplying the assessment materials and training free to the schools. If a child has significant problems, other professional assessments may need to be carried out and the school may be asked for medical information. Cases of children who have physical disabilities, hearing difficulties or problems with their vision, at whatever level, should always be discussed with an advisory teacher from the Physical and Sensory Support Service (PASS). In some instances, the school may want to discuss a child with an advisory teacher from the learning support service (HLSS) or the medical and behaviour support service (MBSS). In all cases, the school will be asked to supply an up-to-date individual education plan (IEP) – which should already have been discussed with the parents. This is so that the money can be linked to an indication of how the school proposes to help the child.

Application forms have to be endorsed by someone outside the school. For level one this can be an advisory teacher (HLSS or MBSS) or another professional who has had some involvement with the child. They do not need to have carried out an assessment, but they should be able to confirm that the evidence the school intends to submit is adequate. If the child has physical or sensory problems it will usually be sensible for a member of the PASS team to endorse the application. For level two, an educational psychologist must endorse the application. Again, no assessment is needed, but it gives the psychologist the opportunity to take a view about whether the school's interpretation of the child's difficulties is likely to be correct. For levels three and four, the psychologist's endorsement must be accompanied by a report so that the Council can decide, if necessary, whether the child also needs a statutory assessment.

When the forms are complete, they are sent to the special services section of the Education Directorate in Blackfriars Street in Hereford and are then put forward to the banding panel.

- ***Who makes the decisions ?***

At present, decisions about banded funding are made by the same

panel that decides on statutory assessments. This is called the Herefordshire Referral Panel and it meets every month in term time. The panel consists of a group of people with a great deal of experience of special needs. The panel is chaired by the Manager of Special Needs and has representatives of primary and secondary head teachers, social services, the health service and early years providers. It also has the Principal Educational Psychologist and the organisers of the Herefordshire support services – covering learning, physical and sensory difficulties and medical and behaviour difficulties (HLSS, PASS and MBSS). Because the money for special educational needs really belongs to the schools, the plan is to set up a special banding panel. This may start some time in the autumn term 2003 and will probably be mostly practising teachers, with representatives of the Council and the Primary Care Trust.

It should be noted that, although certain professionals are asked to endorse applications for banded funding, they do not make the funding decisions, and this endorsement does not guarantee success. Consequently, schools should not regard advisory teachers or psychologists as 'gatekeepers' of provision – their role is to advise schools about the quality of the application or the nature of the child's difficulties. It remains the sole responsibility of the school to decide whether to apply and at what level.

- ***What about children who already have statements ?***

Children who already have statements are not affected by banded funding. There are no proposals to take statements away. However, if schools and parents agree that banded funding is a better option because it is more flexible and takes away the possible stigma of having a statement, the Council will be happy to consider ceasing to maintain the statement.

- ***Can a child still have a statutory assessment ?***

Yes – parents, and almost all professionals who work with a child, can still ask for a statutory assessment because it is a legal entitlement. It will continue to be the Herefordshire Referral Panel, on

behalf of the Council, which will decide whether to agree to the request for a statutory assessment, and the parents will continue to have appeal rights to the Special Educational Needs and Disability Tribunal (SENDIST). However, in many cases, the choice may be between having banded funding support soon or waiting for the outcome of the statutory assessment – which will typically be six months. In some cases, the Council will take the view that a child needs a statutory assessment because not enough is known about their problems, or because it wants the interests of the child to be legally protected. In purely financial terms, schools are unlikely to benefit from a child having a statement as opposed to banded funding.

- ***Can you have a statement and banded funding on top ?***

No – because the statement takes precedence. However, there may be cases where the panel offers banded funding while the statutory assessment takes place. If a school is not sure which to apply for, it makes sense to apply for banded funding first.

- ***Is it possible to have joint applications ?***

No – because funding is allocated for the needs of an individual child, it is not possible to apply for more than one child at a time, even though this seems like an economic use of resources. It is always open to a school to use the funding it gets to support children creatively, but parents need to know that the interests of their child are being protected.

- ***Will applying for statutory assessment improve the chances of getting banded funding ?***

No – each case will be decided on its merits. When the banding panel is separate from the referral panel, there will be no automatic transfer from one to the other – though if the banding panel feels that a child's needs are beyond its remit, it will be able to pass the papers over.