

Funding and Support for Children and Young People with Additional and Special Educational Needs

Questions and Answers

Q1. Who is responsible for taking decisions on the amount of money available in Kent for the education of children including those with AEN or SEN?

The Elected Members of Kent County Council decide how much money is in the Education budget. Most of this money is then given to Kent maintained schools, including 24 special schools, who decide how to spend it.

Q2. Who decides how much money a school will get?

KCC Cabinet Members decide how much money each school should receive having consulted schools/the Schools Forum. Schools receive funding through a formula. The formula must comply with DfES regulations but within this local authorities decide which factors to include and their relative importance. Each school has a guaranteed level of funding based on a per pupil increase on the previous year's allocation. Because schools know how much money they are going to have they can plan in advance how to spend it. They can also plan for unexpected situations such as the arrival of a child with a statement or with additional educational needs.

Q 3. Whose responsibility is it to provide education for a child with AEN or SEN?

The school has day to day responsibility to provide education for all children on their school roll including those with AEN or SEN. The SEN Code of Practice and the SEN and Disability Act says that schools have to do everything they can to make sure that children with AEN or SEN and children with a disability can go to their local school and make educational progress.

In addition to a school's own funding, each school is in a group or Cluster of schools. There are 23 Clusters of schools in Kent. Staff such as Educational Psychologists and Specialist Teachers work for these Clusters along with professionals from other agencies to support the schools to meet the needs of all children in their community. There is a Cluster Board, which is chaired by one of the Headteachers. A Local Education Officer supports each Cluster Board and together they consider issues and decide which school and groups of children the cluster staff will support.

If a child does not have a school place the Local Authority is responsible for arranging his or her education. This applies equally to children with or without AEN or SEN.

Q4. How much of the total Education funding is given to schools?

In 2005/06¹, just over 90% of the Schools Budget was given to individual schools. This is a slightly higher percentage when compared with other authorities.

¹ Comparative information for 2006/07 is not yet available

Q5. How much is spent on the education of children with AEN or SEN in Kent?

As most of the funding is given to individual schools the actual amount spent on the education of children with AEN or SEN is for each school to decide. The overall amount of funding given to Kent primary and secondary schools through the formula for AEN or SEN in 2005/06 was £61.3m. This represents just under 10% of the total budget delegated to those schools.

Q 6. What should a school use its funding for?

A school's budget should be used for educating children at the school. This includes paying the salaries and other employment costs of staff working in the schools, running and improving the school buildings, purchasing equipment and buying in specialist services. Costs that the Authority can pay on behalf of the school are strictly limited. An example of a cost the Local Authority can pay is the cost of cover for maternity leave.

Q 7. How much AEN and SEN funding is not given to schools?

In 2006/7 a total of £30m was not given to schools from SEN/AEN budgets.

Q 8. What is this money used for?

The Local Authority uses funding for:

- Placements in non-maintained and independent schools
- Some specialist equipment for children with Statements of SEN
- Collaboration and inclusion projects
- Specialist support e.g. Education Psychology, Specialist Teaching Service
- Recoupment costs²

In addition the authority spends a further £15.5m outside SEN/AEN budgets on transporting SEN/AEN pupils to and from school.

Q 9. Does every Authority give money in the same way?

Each Authority has different arrangements. It is good practice and part of Government guidance that Local Authorities give as much money as possible to schools. Kent County Council gives more to schools compared to other Authorities.

Q9. Who exactly within a school is responsible for meeting AEN and SEN?

The Governing Body of the school is legally responsible and most schools have a named Governor who takes a lead on AEN and SEN. The Governing Body has to also agree the school AEN and SEN Policy. The day to day arrangements for making sure the policy is put in place is usually passed to the Headteacher who in turn may ask the SEN Coordinator (SENCO) in the school to take responsibility. The first point of contact for a parent or carer who wishes to discuss the education of their child is their class teacher.

² Recoupment is where Kent has to pay to another Authority the cost of supporting a Kent child with AEN/SEN in that other Authority's school or the cost of supporting a child with a Statement which is maintained by that other Authority but where Kent has legal responsibility for funding the child's education, and 'vice versa'.

Q 10. What happens if the school is not providing for children with AEN or SEN?

If the child is on the roll of the school they should meet the child's needs. If the parent or carer is unhappy they should discuss this with the class teacher or perhaps consider using the school's complaint procedure. If the school is not meeting the child's needs the school may not be meeting its statutory obligations under the Disability Discrimination Act 2005 and could be challenged by parents and carers and/or the Local Authority. Ofsted is responsible for inspecting and reporting on all schools and failure to support children with AEN and SEN would be identified as a weakness.

Q 11. Can a school refuse to admit or meet the needs of a child with AEN or SEN?

No school can refuse to admit a child because of their AEN, SEN or disability. The school must do everything they can to meet the needs of children according to the law. They also have to plan to meet the needs of children with AEN, SEN or a disability who might attend the school in the future.

From April 2003 each school had to have a School Accessibility Plan, which should detail how, for example, the school is planning wheelchair access.

Where a child has a statement of special educational needs the school must admit the child if it is named in Part 4 of the Statement. The Local Authority must make sure that an annual review of the statement is done every year and take action, where necessary, if the child's needs are not being met.

Q 12. Do all of the above answers apply to all schools including small primary schools?

Yes they do.

Q 13. How do we know that the money given to schools is being used effectively?

Where a school is making effective and efficient use of its funding all children will be making progress. Parents and carers should be happy and confident about the school's support and their child's progress.

The school can evaluate its AEN and SEN support using a set of criteria provided by the Local Authority. If the school feels it is not achieving good outcomes for children it will need to review its support and plan to make changes.

The Local Authority has a statutory duty to monitor the quality of AEN and SEN support in schools. Information is collected from schools every year in the form of pupil achievement data and the school's self-evaluation rating. This allows the Authority to identify schools that are not arranging appropriate support.

Ofsted inspect all schools and report on the quality of their AEN and SEN support.

Q 14. Do schools lose funding if children with Statements of SEN leave? Do they lose funding where Statements are no longer needed for children at the school because they have made progress?

No. It is the policy of the Local Authority and schools to identify assess and support children as early as possible. This is why there is no link between the number of Statements and formula funding. Specific funding is allocated for children with statements for very severe and complex needs and this funding is withdrawn once the child has left. The authority also has to recover funding if a child with or without a statement is permanently excluded.

Q 15. Would admitting more children with Statements or having more statutory assessments give extra money to a school?

No. A school gets money for children with additional and special educational needs via a formula based on the number of children with low prior attainment and the number qualifying for a range of social factors. It only receives specific funding if the child has a statement and has severe and complex needs as agreed by a panel of Headteachers.

Q 16. Where can a school go for specialist advice and support?

All schools in Kent are part of a local group of schools called a 'Cluster' (see Q3). There are 23 clusters of schools in Kent. Each cluster employs a range of specialist services which local schools can use. More information on the roles and responsibilities of clusters can be found in the document referred to below: *Information on meeting special educational needs at all stages of the SEN Code of Practice*

If you would like more information on how the Authority supports children with AEN and SEN, you can ask for a document called:

Information on meeting special educational needs at all stages of the SEN Code of Practice. This can be found on KCC's website:

http://www.clusterweb.org.uk/cwpages/docs/info_meeting_SEN.pdf.

Hard copies can also be obtained from Partnership with Parents, Shepway Centre, Oxford Road, Maidstone, ME15 8AW, telephone 01622 350640.