



County Hall
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Top Up Funding (Element 3) Arrangements for 2022/23

Over the 12-month period from September 2020 to September 2021, the Finance Transformation Group (including Local Authority SEND officers, finance officers, Headteachers and Governor representatives from mainstream Primary, Secondary and Special schools) considered approaches to the allocation of Top up Funding for children with SEND used by over 100 other Local Authorities.

The Finance Workstream group suggested some key principles to support changes to Oxfordshire's Top-Up funding arrangements, which include that these should:

- Be child or young person-led rather than placement-led across mainstream and specialist settings, through early years to further education.
- Be simple and proportionate, giving objectivity and equity in decision making.
- Ensure that any changes are phased in gradually so that schools can financially plan appropriately and implement them.
- Deliver value for money.

In early 2022, Oxfordshire County Council conducted a public consultation related to SEND (Special Educational Needs and Disability). One element of this consultation related to proposed arrangements for Top Up Funding, the additional funding allocated with Education, Health and Care (EHC) Plans. The consultation was around how the existing money allocated to top ups would be distributed, rather than how much money should be allocated to top up funding budget.

76% of respondents agreed with the proposed changes to Top Up Funding arrangements. However, on 29th March 2022 (after the local public consultation had closed), the Government published the long-awaited Green Paper, the SEND Review: Right support, right place, right time. This national consultation closes at 11:45pm on 22nd July 2022.

The overall direction of travel set out in the Green Paper is consistent with proposed developments that we consulted on. One of the Green Paper proposals is for a new national approach to Top Up funding. The details of this and the timeframe for implementation are unclear, therefore we have reconsidered making significant changes to the local arrangements at this point. However, the principle of funding following the child is consistent with the consultation in Oxfordshire, the Green Paper and this proposal to continue current arrangements in the interim.

Since 2020/21, officers have sought approval from Cabinet to increase the amount of money made available for Top Up Funding. We have had approval for this to be £4.1m for academic year 2022/23, an increase from £3.2m in 2020/21. For mainstream schools, Oxfordshire has traditionally described Top Up funding in terms of a number of "support hours". This has always been intended as a proxy with the expectation that schools will use Top Up Funding to deliver the specific provision set out in Section F of a child's EHC Plan; only in exceptional circumstances does Section F specify full time adult support.

Practical Arrangements for Top Up Funding for EHC Plans for 2022/23

- 1) Early Years (PVI)s
 - Enhanced Top Up will be paid in April 2023 (based on claims received for Terms 1 and 2) and August 2023 (based on claims received for Term 3)
- 2) Primary Schools
 - Enhanced Top Up will be paid in December 2022 (Terms 1 and 2) and June 2023 (Term 3)
- 3) Special Schools
 - Enhanced Top Up will be paid
 - September 2022 to December 2022 based on number on roll (NOR) December 2022
 - January 2023 to March 2023 based on NOR January 2023
 - April 2023 to August 2023 based on NOR March 2023
- 4) Secondary Schools
 - Each Secondary School will complete and return a spreadsheet with the details of the support hours for each individual with an Oxfordshire maintained EHC Plan
 - These spreadsheets will be sent out by 1st November 2022
 - Spreadsheets to be returned by 25th November 2022
 - Payment made by 31st December 2022

Related Considerations

- SEND funding already in mainstream school budgets – following on from the Children and Families Act 2014, there is a national expectation that mainstream schools provide for initial support/provision for SEND up to a “prescribed threshold”. For those with SEND, the nationally prescribed threshold has been £6,000 per child. In Oxfordshire, as a proxy, we have described this as providing 15 hours of support. We cannot vary the national £6,000 threshold locally; it therefore did not form part of our recent local SEND consultation. If you have concerns about the national threshold, which has not changed since 2015, please feed this in as part of your response to the [SEND Green Paper](#).
TA hour support in EHC Plans – to ensure that EHC Plans are lawful, the required special educational provision set out in Section F must be specific and quantifiable. Oxfordshire has historically described Top Up Funding as a proxy of support hours. This leads to a misunderstanding that a particular level of adult support is required (noting that research suggests that individual adult support is not effective in driving up attainment or fostering independence in learning). We are working with advice providers on clearly setting out what special educational provision is required but, in the vast majority of cases, this will not require full time 1-1 TA support.

We hope this information is helpful, if you would like to discuss this further, please contact Anna Byrne anna.byrne@oxfordshire.gov.uk

Kind regards,
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