



Schools' Forum | Project Safety Valve

January 2022

Table of contents

1. [Introduction](#)
2. [Executive summary](#)
3. [Profile of Bury's Children & Young People and their education](#)
4. [Objectives](#)
5. [Deficit Recovery Plan](#)
6. [Transformation](#)
 - a. The Education, Health & Care Plan process
 - b. Relationships with stakeholders
 - c. Graduated approach
 - d. Technology, data & management of information
 - e. EHCP action plan
7. [Sufficiency](#)
8. [Actions to reduce financial deficit](#)
9. [Governance & organisation of programme](#)
10. [Risks, issues and mitigations](#)
11. [Conclusions & recommendations](#)

1. Introduction

- 1.1. The Bury 2030 Strategy 'Let's Do It'¹ sets a Call for Action for everyone to get together to make Bury a place in which people are helped to make the best of themselves and where everyone can explore their dreams. The Children & Young People's Plan 2021-24² sets out Outcomes and Priorities to make this a reality for children and young people.
- 1.2. Bury Children's Partnership is committed to ensuring all our children are safe, have the best start in life, fulfil their potential, and are independent; this commitment extends to all including our children with a disability and learning need.
- 1.3. The Special Educational Needs and Disability (SEND) reforms³ were introduced in September 2014, and Bury was inspected as a Local Area in 2017 with a follow up visit in 2019. Both visits found that Bury had not been effective in its implementation of the SEND reforms and clear priorities were identified which Bury as a Local Area has been committed towards improving.
- 1.4. The Council, together with partner agencies, recognises the need to further improve the outcomes and lived experience of children and young people, with identified special educational needs and disabilities, and their families. Whilst progress has been made against the written statement of action, including improvements in multi-agency working and a strengthening partnership with Bury Clinical Commissioning Group (now One Commissioning Organisation), parents/carers, young people, schools, colleges and other settings, there is still a need to strengthen strategic leadership and governance.
- 1.5. Therefore, Bury has established a SEND Assurance Board, chaired by the Director of Education and Skills. The Board has senior representation from a range of partners and services including health; the strategic lead for Children's social care; a headteacher; parent representatives from Bury2gether⁴ and an Adult Services manager.

¹ Let's Do It! Strategy (accessed 13.12.21) <https://www.bury.gov.uk/index.aspx?articleid=16109>

² Bury's Children's Partnership Arrangements (accessed 13.12.21) <https://www.bury.gov.uk/index.aspx?articleid=11152>

³ Children with special educational needs and disabilities (SEND) (accessed 13.12.21) <https://www.gov.uk/children-with-special-educational-needs/extra-SEN-help>

⁴ Bury2gether - Shaping SEND services with Bury families (accessed 13.12.21) <https://www.bury2gether.co.uk/>

Schools' Forum | **Project Safety Valve**

January 2022

- 1.6. This submission sets out how we are making progress in response to Project Safety Valve to radically improve outcomes for children and young people with Special Educational Needs and Disabilities in Bury.

2. Executive summary

- 2.1. Improving Special Educational Needs and Disability Services remains a key priority for Bury Council. Although challenges remain in the Education Health and Care Planning process, improvements have been made in joint commissioning arrangements, co-production with Bury2gether and in reducing exclusions through Bury's embedded Inclusion partnerships. Bury has worked with partners and parents to develop and revise Bury's Local Area Strategic Action Plan which is committed to improving both the experience and outcomes of Bury's Children and Young people with SEND and their outcomes. Bury2Gether have recently reported positive feedback from the families they represent that shows evidence of improvement in the SEND team, including timely responses, better communication and clear outcomes.
- 2.2. In addition to the commitment from all partners within the Local Area, Bury has a revised governance structure in which the SEND Board provides both strategic oversight and performance assurance. There has been progress made in an improved understanding of Bury's SEND population linked to future provision mapping; a revised recruitment and retention approach has increased capacity within the SEND EHCP team; however there is still further strengthening of strategic SEND capacity needed.
- 2.3. The financial plan has been particularly challenging and now includes a greater level of assurance as modelling has included individual children and has been linked more closely to data forecasts. Discussions have been held with Special school Headteachers and MAT CEOs about the changing banding structures which will impact their revenue budgets; a headteacher working group has concluded its work on EHCP tops ups and a consultation on EHCP banding will now take place; informal consultation with unions and staff teams has begun ahead of the review of non statutory education services and the proposed disestablishment of these services.
- 2.4. We have re-forecast our finances to reflect our revised plans and pressures (See Appendix H: Financial Forecasting Model). This year, although progress has been slower than projected, it is the first year in which we have achieved a reduction in spending against the High Needs Block. Our forecast illustrates our confidence in building on this in future years.

3. Profile of Bury's Children & Young People and their education

- 3.1. The current population of 0-25 year olds in the borough of Bury is approximately 45,000. Just under 4,000 of our 0-5 year olds attend our 176 settings, including nurseries, childminders and play groups, and up to 30,000 of our children attend our 81 state schools. There are two special schools, two further education colleges and four independent schools in the borough.
- 3.2. In addition to the universal provision, approximately 1,200 of our children in Bury schools have access to support through an Education, Health and Care (EHC) plan however we hold a further 800 EHC plans. The number continues to grow. Approximately 1,000 of our children will have the support of a social worker, either because they are looked after by the Local Authority or are deemed to have needs or risks that require this statutory support. We also have 200 children who directly offer care and support and are deemed young carers. Approximately 6,300 of our children and young people (22%) are eligible for free school meals.
- 3.3. Whilst Bury has lower child poverty⁵ rates than the average for England it has higher levels of income deprivation and this is increasing. Children's development at age 5 is slightly below the England average but higher than across other Greater Manchester (GM) local authorities. For all our children and young people the impact of Covid-19 will have had an effect on their lives. For many it will be an adverse childhood experience⁶ for which they will need support and understanding to ensure that it does not have a long term damaging effect.

⁵ End Child Poverty Coalition: Child poverty in your area (accessed 13.12.21) <http://www.endchildpoverty.org.uk/local-child-poverty-data-2014-15-2019-20/>

⁶ Early Intervention Foundation: Adverse Childhood Experiences (accessed 13.12.21) <https://www.eif.org.uk/report/adverse-childhood-experiences-what-we-know-what-we-dont-know-and-what-should-happen-next>

4. SEND Transformation Programme Objectives

- 4.1. We want to improve outcomes for families and help raise the achievement of children and young people with special educational needs and disabilities in Bury so they can reach their potential and lead fulfilling lives.
- 4.2. To achieve this, we have embarked on a SEND transformation programme which will build the foundations for the future. The five key objectives were discussed and agreed with Cabinet⁷ in March 2021 and subsequently signed off by the DfE⁸.
- 4.3. This submission sets out the progress we have made in these areas and our plans for achievement over the coming months. The financial projections take us to 2025-26. Each area of focus demonstrates that we have a much firmer grip of the issues we face. We are better placed to deal with them, but we do not underestimate the scale of the challenge.
- 4.4. We have set out some key milestones that will enable us to make step changes in the way we commission services and support, communicate with families and modernise our approach.

⁷ Bury Council Cabinet meeting, 24.3.21 (accessed 13.12.21)

<https://councildecisions.bury.gov.uk/documents/s26550/Dedicated%20Schools%20Grant%20DSG%20Deficit%20Recovery.pdf>

⁸ Department for Education - Dedicated Schools Grant 'Safety Valve' Agreement: Bury

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/971225/Dedicated_schools_grant_Safety_Valve_agreement_-_Bury.pdf

5. Deficit recovery plan

- 5.1. As part of our PSV submission we set out our anticipated recovery plan based on the best information available at the time. Including the additional £20m Safety Valve funding agreed, the recovery profile was as outlined below:

Year	2020/21	2021/22	2022/23	2023/24	2024/25
DSG Deficit £m	19.543	16.732	13.241	8.016	0.055

Table 1 - Agreed recovery forecast as at Jan 2021

- 5.2. By the end of the 2020/21 financial year further cost pressures that were not factored into the recovery profile resulted in c. £1.864m negative impact on the 2020/21 initial forecast. This was driven by a significant number of unplanned out of borough placements; predominantly due to special schools being full and additional demand generated by starting to address the backlog of EHCP assessments..
- 5.3. As a result of this unplanned pressure we have undertaken a case-by-case analysis of all significant placements. Using this we have reforecast demand for the next four years and mapped this against existing and planned provision. We have used this new forecast to revise the recovery profile.
- 5.4. A review of the areas which caused the budget overspend (out of borough placements and mainstream school top-ups) relating to Safety Valve and the deficit recovery has been undertaken. This was done with a view to ensure all data and forecasts are up to date and accurately reflect realistic delivery timelines. (See Appendix H - financial forecasting model)
- 5.5. The detailed work to deliver savings has concentrated on the key areas of highest spend and those areas where immediate action can be taken to deliver savings. Progressively throughout this year, our reviews will cover the remaining areas of the High Needs Funding⁹ (HNF) block and further savings targets will be added.

⁹ Education & Skills Funding Agency - High needs funding arrangements: 2021 to 2022 <https://www.gov.uk/government/publications/high-needs-funding-arrangements-2021-to-2022#history>

Schools' Forum | Project Safety Valve

January 2022

- 5.6. Noting the in-depth review is in progress, with several areas for potential savings still to be fully explored, the revised recovery profile forecast before the DfE announcement of increases to the High Needs Funding block on 16th December showed:

Year	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
DSG Deficit £m	21.407	22.172	17.644	12.223	4.671	-3.586 surplus

Table 2 - Revised recovery forecast as at 14 Dec 2021

- 5.7. This revised profile assumed the remaining balance of the £20m additional DSG continued to be provided by DfE in line with the agreed profile. It also assumed the balance of the additional £4m DSG included within the PSV agreement for 21/22 is provided to Bury.
- 5.8. Based on currently identified savings the profile above showed it will take an additional year (2025/26) to fully address the deficit. This would not require any additional DSG funding and any additional savings identified could bring this timeline forward.

With the increase in the High Needs Funding block announced on 16th December and maintaining the programme of savings identified in this report, the revised profile shows that the deficit can be recovered within the original time frame:

Year	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
DSG Deficit £m	21.407	22.172	16.141	9.108	-0.207	-10.357

Table 3 - Revised recovery forecast as at 16 Dec 2021

- 5.9. The revised profiles indicate a higher than originally planned deficit in each year. The planned savings and delivery plan set out how Bury will live within the estimated High Needs allocated funding, in accordance with the Safety Valve agreement, with effect from 2022/23 onwards. This was the case before the recently announced (16th December 2021) increase to the High Needs Funding allocations for local authorities in England.

Schools' Forum | Project Safety Valve

January 2022

Year	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
High Needs Block £m	33.209	35.246	39.711	42.888	46.309	50.013
Estimated Spend £m	40.549	39.171	37.255	38.674	40.236	40.628
In-Year Variance £m	7.340	3.924	-2.546	-4.214	-6.073	-9.385

Table 3 – High Needs Block sustainability forecast as at 16 December 2021

5.10. The above table excludes the Schools Block transfer to High Needs Block (see para 8.2), but does include the additional High Needs funding announced on 16th December 2021. The transfer from the Schools Block will have a further positive effect on recovering the accumulated deficit and sustaining the in-year forecast position.

5.11. There are four main factors behind the deficit in the High Needs Funding Block in Bury:

- The over identification of SEND generally across the borough.
- The lack of maintained specialist provision in-borough which has forced an over reliance on out of borough placements
- The high cost of placements across the range of types of provision, in every type of provision in Bury schools -mainstream, specialist and out of borough
- The high level of expenditure on non statutory support services

5.12. In summary, the SEND transformation programme¹⁰ aims to address the causes of the deficit by:

- Transformation (section 6) - changing the way we work and assess needs across the Borough
- Sufficiency (section 7) - ensuring there is appropriate capacity to meet current and forecast needs
- Actions to reduce financial deficit (section 8) - reducing addressing the current high cost of placements across the Borough
- Non-statutory support services (section 8.23) - Reducing the burden of funding non-statutory services from the High Needs Funding block and establishing clear accountabilities for schools commissioning of provision at SEN support level.

¹⁰ Bury Schools Forum - June 2021: Project Safety Valve <https://www.bury.gov.uk/CHttpHandler.ashx?id=22269&p=0>

6. Transformation

- 6.1. Bury continues to have a higher proportion of Education, Health & Care Plans (EHCPs) than national and statistical neighbours¹¹, currently 4.1% compared to 3.7% national. In addition, our parents consistently tell us that there is a lack of early identification which we need to address. The work we have commenced on the Graduated Approach will strengthen schools' capacity to identify SEND early and to meet these needs through inclusive quality first teaching. We are also revising the assessment thresholds to ensure that these are appropriate and compliant with the Code of Practice. In order to ensure these changes are properly implemented, we are revising the processes of the EHCP team to equip them better to make appropriate assessment and placement decisions.
- 6.2. The long term success of the programme requires transformational change across the system. This includes changing the way we work and how we assess needs across the borough. It also addresses non statutory services that require strategic review.
- 6.3. The SEND transformation programme is predicated on changes to culture and behaviour that will bring about lasting service improvements. We have identified a number of changes that underpin the financial performance improvements. These are set out below.

a. The EHCP plan process

- 6.4. The quality and timeliness of EHCP plans has been an issue for a long time, affecting the way children and young people receive support and the confidence stakeholders have in the system.
- 6.5. To address this, we have designed and started to implement a new structure which emphasises both the quality of the written report and the importance of the relationship with the family and school. Key activities are:

¹¹ Office of National Statistics - reporting year 2021 (accessed 13.12.21) <https://explore-education-statistics.service.gov.uk/find-statistics/education-health-and-care-plans>

Schools' Forum | Project Safety Valve

January 2022

6.6. *The new structure will be fully implemented by March 2022:*

- Seven new posts of assistant case worker (ACW) will enable the caseworkers to spend more time on managing relationships with families and schools.
- Staff will be trained to write clear, concise plans and give straightforward advice including explaining when an application is turned down.
- Staff will be offered the opportunity to study for a professional qualification paid for by the council for the first time.
- We expect the backlog of cases to be cleared by March 2022 as staff settle into their roles.
- Quality of outcomes will improve which will reduce the number of complaints and tribunals.

6.7. *A simplified plan template will be introduced (Q1 2022) which will:*

- Help all involved in the process to understand what is happening at every stage and to raise questions as they go along.
- Place an emphasis on co-producing outcomes, helping to manage expectations and improve relationships.
- Provide schools with specific advice about how to use the relevant sections of the plans to support the child or young person day to day.

6.8. Work is underway to understand why so many decisions to assess are made. This includes reviewing new referrals and requests from known families to understand from end-to-end how they are generated, the level of expectation, quality of information, time taken to complete etc.

b. Relationships with stakeholders

6.9. Commitments to working closely with all stakeholders to improve outcomes have been made. Actions include:

- Co-production with parents and families is taking place, for example in recruitment and selection to posts in the new structure
- The co-production principles have been established
- The introduction of monthly newsletters through the Local Offer website.
- We will be piloting new ways of working in the new year, including person centred meetings to help improve decision making and build trust.

c. Graduated Approach

6.10. The work on the Graduated Approach is key to our objective to reduce the number of requests for assessment and EHCPs overall. It will strengthen schools' capacity to identify SEND early and to meet these needs through inclusive quality first teaching. Key activities are:

- We are revising the assessment thresholds to ensure that these are appropriate and compliant with the Code of Practice.
- We are revising the processes of the EHCP team to equip them better to make appropriate assessment and placement decisions, and to ensure these changes are properly implemented,

6.11. We have not at this stage factored in a reduction in the number of EHCPs and mainstream school top-ups as we do not yet have data which will allow us to predict the impact of the work on the Graduated Approach and revised assessment thresholds. Given the trend nationally over the past few years, and the potential increase in demand following the pandemic, we have taken the view that it will be sufficiently challenging to hold the number of top-ups at the current level. The decline in the primary school population over this period will also help.

d. Technology, Data and Management Information

6.12. We are making strategic decisions about both investment and design to ensure that we harness the potential of technology to improve performance. Key activities are:

- From January 2022 we will be upgrading our core case management system LiquidLogic from end-to-end to support improvements in staff productivity.
- Case management will be supported by improvements and integration to finance systems, performance dashboards and the Local Offer platforms to create joined-up systems.
- We are also ensuring that we establish the appropriate governance and change delivery processes to ensure that these systems can be sustainably maintained and evolved.

Schools' Forum | Project Safety Valve

January 2022

- 6.13. The benefits of this approach will include:
- Improved data capture and quality by case workers
 - Time savings and efficiencies for staff and partners through more effective processes and automation
 - Enhanced information sharing across services through use of secure portals and defined processes
- 6.14. We need to create a culture where staff at all levels are comfortable and confident using data to inform their day to day decisions. This starts with investing in improving our existing data quality and processes for capture and quality assurance to raise standards, trust and transparency.
- 6.15. We are maximising the capabilities of the council's performance team and have invested in a dedicated analyst role for SEN to ensure we gather actionable insights, which can be accessed at a click of a button with new visualisation tools. Crucially, we will commit to building the skills and habits of staff at all levels to ensure that a regular cycle of evaluation and action becomes the norm. This will include:
- Cleansing and consolidating case data from multiple spreadsheets systems into a single source of truth to improve analysis
 - Developing rigorous process for quality assurance, analysis and forecasting
 - Creating live reports and forecasts for staff at all levels and partners to have ownership and inform proactive action and reaction

e. EHCP Action Plan

- 6.16. An action plan has been developed (See Appendix D) which sets out key areas to take the EHCP service forward over the next 6-12 months. Specifically, the priorities are:
- To professionalise the service through training and development, offering the opportunity to complete relevant qualifications and providing supervision
 - To transform the planning outcomes by implementing a clear process co-produced with parents, families and stakeholders
 - To modernise performance management through implementation of Liquid Logic, training staff in data and management information

Schools' Forum | **Project Safety Valve**

January 2022

- To implement a structure that identifies key leads for each case and enables co-production
- To provide the right level of capability and capacity to address outstanding cases, drive up quality standards and plan to prevent backlogs recurring.

6.17. These outcomes will have an impact on financial performance as well as quality of outcomes. They are drawn from the transformational changes to the services which will lead to better, quicker decisions based on data and evidence.

6.18. This plan will be delivered through focussed work streams that link across the system, and will have its own project group to oversee progress and unlock barriers. The project group will report into the transformation board.

7. Sufficiency

- 7.1. Key to addressing our current pattern of overspending on out of borough placements is the need to expand in borough specialist provision, targeted at the right areas of need.
- 7.2. Bury only has two maintained special schools which has left us without enough places and with unmet need. Both the schools are outstanding. We now have an independent school in Bury which has helped to manage demand. This is a relatively high cost solution, but is cheaper than the current Band D+ top ups in Bury's maintained special schools. We currently spend £13.513m on the two schools.
- 7.3. We have analysed the current and likely future patterns of demand and mapped these against our current provision. (See Appendix I: Sufficiency Report for full details). This includes:
- The likely pressure for specialist placements for children and young people currently in mainstream schools. This is particularly acute for those with Autism spectrum disorder (ASD), Social, emotional and mental health (SEMH) needs and Speech, language and communication needs (SLCN) and especially in the primary sector
 - The current pressures on the two special schools and Referral Unit (PRU). The approach we intend to take is to expand Resource Provision (RP) capacity, particularly at the primary stage given the increased special school capacity at secondary level from the two new planned schools¹².
 - The need to reduce Independent Non Maintained Schools (INMSS) placements for CYP with ASD, SEMH and SLCN
- 7.4. We will plan for a total of six new primary and initially two new secondary RP, potentially growing the secondary capacity in future years. This is cognisant of the two new Special Free Schools coming online in 2023 and 2025, both meeting KS3/4 demand.

¹² Bury Council - Report to Cabinet, 17 November 2021 (accessed 13.12.21)
<https://councildecisions.bury.gov.uk/documents/s29197/Draft%20Cabinet%20-%20Delivery%20of%20a%20new%20secondary%20school%20in%20Radcliffe%20Land%20proposal%20to%20DFE%20Star%20Academy.pdf>

Schools' Forum | **Project Safety Valve**

January 2022

- 7.5. We have reviewed our original submission to the DfE under PSV in January 2021 for capital improvements. At that time, we were working on various expressions of interest put forward by schools. Since then, we have more closely examined needs as set out in this report.
- 7.6. Whilst there is still a reasonably close correlation, we want to ensure that any future provision is targeted at re-balancing our continuum of SEND provision and does not fill with CYP currently in mainstream schools. We are therefore intending to issue to schools a specification for the new RPs to ensure that the expressions of interest are aligned to meeting the needs we have identified. We also need to ensure an appropriate geographic spread across the borough.
- 7.7. There was only one expression of interest received from secondary schools and further discussions are required to generate interest in the ASD and SEMH RPs.

Schools' Forum | Project Safety Valve

January 2022

7.8. With these caveats, the programme at present is:

Primary	Places	Designation	Est Capital Cost	Indicative Opening Date
Primary A	10	SEMH	£300,000	Sep-22
Primary B	12	SEMH	£300,000	tbc
Primary C	12	ASD/SLCN	£300,000	Sep-22
Primary D	12	ASD/SLCN	£200,000	Sep-22
Primary E	12	ASD/SLCN	£200,000	Sep-22
Primary F	12	ASD/SLCN	£250,000	tbc
Total Primary	70		£1,550,000	
Secondary				
Secondary A	12	SEMH	£500,000	Sep-22
Secondary B	12	ASD/SLCN	£500,000	tbc
Total Secondary	24		£1,000,000	
Special				
Special A	34		£2,000,000	
Total Estimated Capital Costs			£4,550,000	
DfE Grant			£3,780,514	
Bury Contribution			£769,486	

Table 3 - Proposed SEND sufficiency capital programme

Schools' Forum | Project Safety Valve

January 2022

8. Actions to reduce financial deficit

8.1. This table indicates the areas we have targeted within the SEND transformation programme where we anticipate the greatest contributions to the deficit recovery will arise. We have included estimated savings only for those areas where there are reasonably detailed and costed savings plans. So far, we have identified a total of £5.292m in-year savings as follows:

Savings Scheme	Cumulative Savings Proposed					
	Total Saving	Timeline	2021/22	2022/23	2023/24	2024/25
School Surplus Balances	TBC					
Review to consider maximum allowable transfer from Schools Block to High Needs of 0.5%	0.742	Apr-22	0.255	0.700	0.721	0.742
Mainstream EHCP Banded Top-ups	0.989	Apr-22	0.000	0.645	0.689	0.989
Moderation - review D+	0.700	Apr-22	0.000	0.700	0.700	0.700
Revised Special School Banded Funded Model	0.500	Apr-22		0.500	0.500	0.500
Out of Borough Placements	0.558		0.000	-0.230	0.366	0.558
Alternative Provision Placements	0.361		0.000	0.282	0.359	0.361
Non Statutory Service	0.400	Sep-22	0.000	0.233	0.400	0.400
Primary Inclusion	0.103	Mar-22	0.051	0.103	0.103	0.103
Secondary Inclusion	0.245	Mar-22	0.123	0.245	0.245	0.245
Non Statutory Service	0.694	Sep-22	0.694	0.694	0.694	0.694
	5.292		1.123	3.872	4.777	5.292
IN YEAR SAVING			1.123	2.749	0.905	0.515

Table 4 - SEND transformation programme savings

Schools' Forum | Project Safety Valve

January 2022

8.2. The *Funding Transformation Options* are summarised below:

Schools Surplus Balances

- The proposal to clawback schools' surplus balances has been taken to Schools' Forum and has not been taken more widely for consultation with all schools.
- This remains a possible option but is not a confirmed proposal because a key risk is this proposal relates to Maintained schools only and cannot be applied to Academies due to their separate Education and Skills Funding Agency (ESFA) funding arrangements. The risk of Maintained schools subsequently converting to Academy status to avoid losing their current uncommitted and excessive surplus balances is heightened, as is the risk of schools rushing to spend surplus balances in potentially ineffective and inefficient ways.
- As at the end of 2020/21 financial year there was over £2.098m of excessive surplus balances across Bury's Maintained schools, this could increase to £2.604m if the excessive % thresholds are revised to reflect Ofsted/DfE recommended levels. Schools' balances are also expected to increase even further by the end of the current 2021/22 financial year. For information, Bury's Academies also hold over £6m in their surplus balances .
- Schools would still retain c. £6m of surplus balances within their allowable thresholds, most likely not to be required or spent in the upcoming financial years due to ongoing increases to schools delegated funding allocations.
- Given the controversial nature of these clawback proposals, we have not assumed savings as delivery is at high risk.

Transfer from Schools Block

- We also intend to ask the Schools Forum for approval for the maximum transfer of 0.5% into the HNF block. Given the discussions with schools regarding the severity of the HNF deficit, it is probable this will be supported. However, if Schools Forum does not approve, we will submit a request for disapplication which would require the Secretary of State's approval.

Schools' Forum | Project Safety Valve

January 2022

Mainstream school top-ups

- 8.3. Currently, mainstream school top-ups are negotiated on an individual basis. This has led to inconsistent allocations between schools and the values of top ups often do not relate to the level of provision specified in the EHCP.
- 8.4. In order to ensure equity and funding in line with the provision specified in the EHCP, a new model is proposed which uses a stepped ladder of intervention as its basis. In order to achieve consistency and equity and to reduce the workload for all staff involved in the process, it is proposed that Bury moves to a banding scheme, as most local authorities have done. Each band has an applicable level of funding and a school or provider is allocated a set value of top up funding according to the range of the EHCP as determined by the SEND Panel.
- 8.5. In October 2021, there were 747 children and young people in mainstream schools for whom top-ups were allocated. This is lower than in the summer term 2021 as a result of a tightening of the existing processes.

Special schools top-ups

- 8.6. Work has started on reviewing the scheme with special schools, which will take place over the 2022-23 financial year. However, clearly the current situation cannot be allowed to continue into the next financial year and therefore we propose to implement the following immediate amendments to the scheme:
 - The replacement of Band D+ with a process or requests for exceptional funding. There are currently 45 Band D+ placements. Reducing these to Band D (a still generous £20k top-up) would save £1.000m. We have estimated that exceptional requests may cost £300k, leaving a saving of £0.700m from April 2022 onward.

Schools' Forum | Project Safety Valve

January 2022

- The introduction of external moderation from April 2022 onward. As noted above, if banding levels had remained constant since 2019, the cost of top-ups would be £0.714m lower. Some of this drift may be the result of genuine rising levels of need and the amendment to Band D+ will already have absorbed part of this saving potential. Nevertheless, we estimate that a rigorous moderation process should save c. £0.500m pa, starting from April 2022.

- 8.7. We will require the support of the DfE in disapplying minimum funding guarantee (MFG) arrangements in these circumstances.
- 8.8. Benchmarking against funding levels in other authorities, it is clear that Bury's scheme is over generous and the values attached to each band will be a subject of the longer term review. We have not as yet factored in any savings that may result from this work.

Reduction in Out of Borough placements

- 8.9. We have worked through the cases on an individual basis to estimate end dates and targeted the reductions in new placements cautiously, identifying the types of cases we currently place in ISS for ASD and SEMH owing to lack of capacity in our own provision.
- 8.10. Using this model, we estimate that the pattern of future demand will taper relatively slowly as a result of a substantial number of placements currently in KS3.
- 8.11. The impact of this is estimated as follows:

	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Existing places	£6,732,840	£6,341,198	£5,428,131	£4,693,095
Est New places at av. cost		£621,148	£1,168,349	£1,345,820
Total	£6,732,840	£6,962,346	£6,596,480	£6,038,915
Est increase/ reduction on Previous year spend		£229,507	-£136,359	-£693,925

Table 5 - Reduction in out of borough placements

Schools' Forum | Project Safety Valve

January 2022

Alternative Provision (AP)

- 8.12. The whole continuum of AP across Bury is planned to be reviewed from January 2022. Benchmarking our current top-up level for AP placements in Spring Lane, we are confident that there is the possibility of some savings here but as these have yet to be accurately forecast, we have not included any savings at this stage.
- 8.13. However, we have taken action already through Bury's Inclusion Team to manage the use of independent AP providers. At present, we place 45 CYP with independent AP providers, 35 of which are of secondary age and the majority (25) with SEMH. With the opening of a new secondary SEMH ARP planned for September 2022, we should be able to reduce this considerably.
- 8.14. The impact of this is estimated as follows:

	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Existing places	£1,141,934	£660,188	£368,352	£243,403
Est New places at av cost		£200,148	£414,593	£537,133
Total	£1,141,934	£860,336	£782,945	£780,536
Est reduction on current spend		-£281,598	-£358,989	-£361,398

Table 6 - Reduction in AP placements

9. Governance & organisation of programme

- 9.1. The governance of the PSV programme sits within the wider partnership arrangements for children and young people in Bury. The governance includes extensive engagement with Bury2gether, the parents' representation group, although we are also working with other groups of families who prefer to be involved separately.
- 9.2. Regular briefings are held with the cabinet, the lead member and councillors. We are working closely with Schools through the Schools Forum and High Needs Funding sub-group, which is in addition to regular communication through existing programme meetings between Bury Officers and Headteachers. Informal and formal dialogue is being undertaken with relevant Trades Unions and staff representatives.
- 9.3. The programme is comprised of six interdependent workstreams. They are:
 1. Workforce - recruitment to key roles and performance development
 2. Practice and process - revising the processes of the EHCP team
 3. Strategy and finance - consultation and changes to top-ups
 4. Future Provision - planning and implementation of capacity
 5. Technology and data - development of systems and reporting capabilities
 6. Graduated approach - development and launch of approach.
- 9.4. The delivery tracker (See Appendix F) sets out the actions planned against each workstream, together with a month by month timeline.
- 9.5. Each workstream is linked to financial, quality and performance objectives. Reports are provided through the governance arrangements to the PSV transformation board every two weeks.

Schools' Forum | Project Safety Valve

January 2022

10. Risks, issues & mitigations

- 10.1. A risk log has been established and is reported to the transformation board every two weeks (see Appendix A). The top risks are identified for closer attention and decisions about mitigation or escalation (see Appendix B). These are summarised below:

BURY	Category	Obstacle	Impact	Owner/ Leader
Strategy & Finance	Mainstream School top-ups	Consultation process with all schools not yet started	Delay in implementation of banding scheme	Steve Goodwin
Strategy & Finance	Out of Borough Placements	Estimate of reduction in numbers is over optimistic and not achieved	Financial targets will be exceeded and budget reductions not achieved	Steve Goodwin/David Monger / Helen / Nikki Trayman
Workforce	Recruitment of permanent staff to new structure	Unable to find suitable candidates.	Impact on other senior staff. Risk of burnout/sickness/ flight risks.	Fiona Endersby/Adam Peluch
Tech & Data	Culture change / decision making	Significant cultural change required to enable strategic decision making and effective use of data.	Do not make the scale of decisions required to create sustainable technology platform. Can not reach potential in practice and process and risk being back in same situation again in the near future.	Alex Leslie / Helen Smith
Tech & Data	Culture change / decision making	Significant cultural change required to enable strategic decision making and effective use of data.	Do not make the scale of decisions required to create sustainable technology platform. Can not reach potential in practice and process and risk being back in same situation again in the near future.	Alex Leslie / Helen Smith
P&P	Service delivery	Lack of clear process gets in the way of progress	Confusion and inconsistencies	Nikki Trayman

Schools' Forum | Project Safety Valve

January 2022

P&P	Team capacity	Team unable to address the performance issues due to capacity or capability	Backlog of complex cases remains or grows	Fiona Endersby/Nikki Trayman
Programme	Leadership	Leadership capacity due to vacant DCS role	Excessive demand on acting DCS and senior team	Isobel Booler
Programme	Financial recovery	Length of time to achieve financial balance	Additional pressures on services	Steve Goodwin/Isobel Booler
Programme	A number of other transformation / project happening around Project Safety Valve within Bury Council	Adjacent projects / transformation work to PSV (but outside current scope) e.g. decommissioning and service redesign of non statutory services	Work could be unaligned without proper project management and capacity will be stretched if not properly planned.	Isabel Booler/Paul Cooke

Table 7 - Headline risks (December 2021)

11. Conclusions & recommendations

11.1. Partners across Bury are committed to addressing the challenges we all face both to improve lived experiences and outcomes for children and young people with SEND, and to achieve financial sustainability. There is evidence of progress in a number of key areas of service planning and delivery:

- We now have much more reliable data and management information to enable colleagues to make robust and clear decisions that make the most of resources
- We have a firm understanding of the financial position and have set out a realistic and ambitious recovery plan which includes delivering transformational change
- We have agreed an action plan for the EHC service which will strengthen the team and build co-production into all our activities
- We have recruited a number of staff and created key frontline roles to improve performance
- We have invested in co-production opportunities and have plans to embed this as a core way of working
- We have established robust governance structures to support the programme that ensure that the links are made across services and organisations.

11.2. Longstanding structural issues and changes to senior leadership have led to a longer period of discovery during which we have been laying the foundations for the difficult decisions that lie ahead. We are working at pace to maintain the growing momentum as we implement our plans. We see the DfE as a partner in the programme and look forward to continuing to work together to deliver improved outcomes and lived experience for children and young people with SEND in Bury.

11.3. We are committed to self resourcing anything additional we will need including further support for development, ledger systems, forensic accountancy, high level SEND expertise and change management leadership.

11.4. We are also keen to work in partnership with local GM partners and seek out examples of good practice.