

**CABINET – 15 JULY 2025****TRANSITIONING TO A BANDED MODEL FOR EDUCATION HEALTH
AND CARE PLAN (EHCP) FUNDING****REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY
SERVICES****PART A****Purpose of the Report**

1. The purpose of this report is to seek Cabinet approval to consult with Leicestershire schools on moving to a banded model for assessing needs and determining top-up funding for Education, Health and Care Plans (EHCPs) for children and young people with Special Educational Needs and Disabilities (SEND).
2. The report outlines proposed changes to the way in which the Council determines the funding allocated to schools for supporting children and young people with SEND who have an EHCP.

Recommendations

3. It is recommended that the Cabinet:
 - (a) Approves a consultation exercise on moving to a banded model for top-up funding of EHCPs;
 - (b) Approves the delegation of authority to the Director for Children and Family Services, following consultation with the Lead Member for Children and Family Services, to implement a banded model for needs assessments and top-up funding for EHCPs subject to no significant issues/concerns having arisen from the consultation.

Reasons for Recommendation

4. Adjustment of the existing top-up funding model for EHCPs will enable educational settings to offer more flexible, creative, meaningful and relevant support options which can be tailored to an individual child's needs or to a group of children with similar needs. Banding using needs descriptors (specific definitions to identify levels of need) offers a transparent methodology to families, schools and practitioners on support required to help

children and young people with an EHCP to meet their educational, health and social care needs and how funding for this support will be allocated.

5. A consultation with schools on the proposed needs descriptors and banding approach will seek their support for the proposals, and feedback from schools will be used to shape the approach to implementation.
6. Delegation to the Director to proceed with the new model, subject to there being no significant concerns arising from the consultation, will enable the implementation of a banded model to be expedited and introduced in mainstream educational settings from early in the 2025/26 academic year.

Timetable for Decisions (including Scrutiny)

7. Subject to the Cabinet's approval it is proposed that the consultation exercise will take place from 1st September to 12th October 2025 (6 weeks). The Schools Forum will receive a report on the proposals at its meeting on 9th September 2025.
8. It is intended that the findings of the consultation will be considered by the Director and Lead Member for Children and Family Services in late October 2025. Should the consultation support the proposals, implementation of a banded model for EHCPs within mainstream educational settings will commence from November 2025 onwards. In the event that the consultation exercise identifies significant issues or concerns with the new model then a further report will be made to the Cabinet.

Policy Framework and Previous Decisions

9. The Children and Families Act 2014 sets out the legal duties that Local Authorities and Integrated Care Boards must fulfil for children and young people with SEND aged 0-25. This includes a duty to identify and assess the SEND of children and young people in their area when they become aware that they have or may have SEND, and to provide special educational provision where this is identified in an EHCP.
10. The SEND Code of Practice 2014 sets out the statutory guidance for supporting children and young people with SEND. This includes the legal framework for making decisions around requests for Education, Health and Care Needs Assessments (EHCNAs).
11. The Cabinet at its meeting on 7th February 2025 considered a report on the Council's Provisional Medium Term Financial Strategy (MTFS) and noted the significant financial challenges facing the Authority, including a growing deficit in the High Needs Block of the Dedicated Schools Grant (DSG).
12. The Cabinet agreed the SEND and Inclusion Strategy 2025-2028 at its meeting on 17th June 2025. The proposal to introduce a banded model for EHCP assessment and funding directly supports the delivery of actions within Section 5 of the Strategy.

13. This proposal is aligned with the ambitions set out in the Children and Family Services Department Plan 2024-26 and the County Council's Strategic Plan 2022-26.

Resource Implications

14. The proposed banded model for assessments and top-up funding of EHCPs will enable a transparent methodology for allocation of funding linked to needs descriptors and enable educational settings to use funding more flexibly to best meet the needs set out in EHCPs.
15. The implementation of a banded model will be cost-neutral, with the funding for each needs band to be based on an average of existing funding for equivalent Learning Support Assistant support hours. Budget and performance monitoring will ensure the model remains cost-neutral in the months immediately following implementation, and an annual review of funding for each band will ensure funding continues to be allocated appropriately.
16. There is a risk of increased casework and management costs during the transition phase for existing EHCPs transferring to the proposed banding model. This will be mitigated by staggering the implementation of banding, starting with existing EHCPs for children in mainstream educational settings, capitalising on annual reviews undertaken during the academic years 2025/26 and 2026/27. Additional mitigation will be provided through planned improvements to the efficiency and effectiveness of EHCP assessment and review processes including the use of digital solutions, making use of additional temporary funding such as through the Change Programme Partnership to accelerate implementation where this is available.
17. The Director of Law and Governance and the Director of Corporate Resources have been consulted on this report.

Circulation under the Local Issues Alert Procedure

18. This report will be circulated to all Members of the County Council.

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PART B

Background

19. SEN (Special Educational Needs) support in schools is extra help given to children who have learning difficulties or disabilities that make school more challenging for them. This help is additional to, or different from, the support given to most other children of the same age. Schools provide this support through their ordinary available offer which can include, for example, adapted lessons or extra resources.
20. Where, despite the school having taken action to identify, assess and meet the SEND of the child or young person, they have not made expected progress, the school or parents can request an Education, Health and Care Needs Assessment (EHCNA) which will be used by the local authority to decide whether it is necessary for an EHCP to be put in place. An EHCP is a legal document that helps children and young people aged 0-25 with SEND get the right support. These Plans set out the education, health and care outcomes that will enable the child or young person to progress in their learning and, as they get older, to be well prepared for adulthood.
21. The number of children and young people with EHCPs has grown annually at a national and local level since the introduction of the SEND Code of Practice changes in 2014. Based on the latest published data, the number of EHCPs in England rose 149% between 2016 and 2025; Leicestershire saw a 140% increase from 2,995 to 7,196 EHCPs over the same time period.
22. At the end of March 2025, 3,468 (around 50%) of children with EHCPs attended mainstream schools in Leicestershire.
23. Despite substantial increases in government funding for High Needs, funding has not kept pace with the increase in children and young people with EHCPs. The Institute for Fiscal Studies in their [report](#) of December 2024 noted that nationally, per-EHCP funding has fallen by around a third in real terms between 2015/16 and 2024/25.
24. A move to a national system of banding and top-up funding for EHCPs has been explored by the Change Programme Partnership - a national programme which is testing potential SEND reforms on behalf of the Department for Education (DfE).

Current Funding Process for EHCPs in Mainstream Schools

25. In England, funding for pupils in mainstream schools and academies with SEND comes from different 'blocks' within the Dedicated Schools Grant (DSG) provided by the DfE either directly to schools or via the Local Authority:
 - The **Schools block** includes universal per-pupil funding and a delegated notional SEND budget of £6,000 per pupil with additional

needs. Schools block funding is provided to schools as part of the annual DSG grant allocation.

- The **High Needs block** is provided for pupils with more complex SEND and funds the top-up cost (additional variable cost) which when added to the delegated SEND funding will fund the cost of meeting the needs of children and young people set out in their EHCP in a mainstream school. High Needs block funding is allocated on an individual child basis to schools as agreed through their EHCP following a request for an EHCNA. Once agreed, the EHCP is reviewed and updated at least annually to ensure it continues to reflect the needs and support requirements of the child.
26. Leicestershire's DSG allocation for 2025/26 is £790.7m, of which £117.4m is allocated to High Needs.
 27. In order to determine the top-up amount payable to mainstream schools to support children and young people with an EHCP, their support requirements are currently expressed in terms of Learning Support Assistant (LSA) hours. For example a child considered to need full time one-to-one support in the classroom would be assessed as needing 32.5 hours of LSA support, and top-up funding would be allocated to the school accordingly.
 28. Schools have indicated they are in favour of transition to a banded model for EHCPs. Schools note that the existing methodology for developing EHCPs and allocating funding can be restrictive, limiting their ability to offer more flexible, creative, meaningful and relevant support options which can be tailored to an individual child's needs or to a group of children with similar needs. There is an expectation from families that the allocated hours are used to provide an LSA directly supporting their child for the full number of allocated hours, however other support may be more beneficial for some children, for example counselling for children who have experienced trauma for which there is no budget.
 29. Research set out in the March 2025 [report](#) by The Education Endowment Foundation also confirms that high-quality teaching, rather than support from LSAs, is the most important lever to improving educational attainment and future outcomes for pupils with SEND. The report notes that assigning LSAs to support specific pupils for long periods can unintentionally hinder access to high-quality teaching for these pupils, with research demonstrating that this can reduce their confidence in learning independently and become a barrier to progress.

Current Funding Process for EHCPs in Specialist Educational Settings

30. Children and young people with EHCPs whose needs require a more specialist educational setting are funded in a slightly different way to those within mainstream settings.

31. Both specialist units and special schools attract £10,000 basic per-pupil annual funding as standard, with additional support costs paid to providers through a High Needs block top-up as per mainstream pupils. This is paid either as a fixed cost per pupil or using an existing specialist needs banding system.

Proposed Banded Approach to Assessment and Top Up Funding of EHCPs

32. There is no standard national model for assessing support needs and assigning top-up funding by using 'bandings' rather than support hours, with a number of models actively used across many local authorities in the UK. Models are usually based on needs descriptors to determine which band a child's needs should be allocated to for the purposes of support. Needs descriptors are specific definitions which allow professionals to assess which bands a child or young person's needs fits into. Banding categorises the needs to a specific and appropriate recommended threshold of support.
33. Banding using needs descriptors offers a transparent methodology to families, schools and practitioners on support required to help children and young people with an EHCP to meet their educational, health and social care needs and how funding for this support will be allocated. This approach also enables a move away from a system that describes prescribed 'hours' towards a system that provides schools with a flexible pot of funding to support the child to achieve the outcomes identified in their EHCP in the way that best suits their needs.
34. Leicestershire has developed a banded model based on needs descriptors, working with colleagues across Leicester City and Rutland County Councils to build in best practice learning through the Change Programme Partnership. The proposed Leicestershire model appended to this report has been co-produced with schools to ensure it closely matches need types and appropriate support offers as they are available within the County. Leicestershire's proposed needs descriptors are largely aligned to those developed for Leicester City.
35. The proposed model includes provision mapping which will enable the County Council to align a consistent level of provision against the four SEN categories of need identified in the banding framework (Cognition and Learning, Communication and Interaction, Social, Emotional and Mental Health, and Sensory and/or Physical Needs). Provision means any support identified to support a child with SEND and is not specific to a particular setting type.
36. The move to a banded model will simplify the existing top-up funding models across mainstream, specialist units and special schools into a common banding system which will operate for all education providers. This will improve the consistency and efficiency of funding and offer greater flexibility and economies of scale for schools.
37. The banded model proposes a set amount of top-up funding for each of the proposed new bands (A-G) which would be applicable regardless of the

setting the child is educated in. The amount to be paid for each band will be based on the current average cost for support provided to children and young people with equivalent needs and support requirements based on the current LSA-hours-based model.

Approach to Implementation

New EHCPs

38. Assuming approval is given to proceed with implementation, it is intended that all new requests for EHCNAs from November 2025 will use the new needs descriptors to identify the most appropriate banding to provide support.

Existing EHCPs for children in mainstream schools

39. As Leicestershire has 8,111 EHCPs as at 3rd July 2025, which will all need to be transitioned to a new banded model, it is proposed that implementation will be through a phased approach in order to reduce the amount of additional work for case managers within the SENA [assessment] service, initially focused on mainstream EHCPs which make up around 50% of the total.
40. It is proposed that existing EHCPs for mainstream schools will be transferred to the new banded model at the point of the annual review of the EHCP. A pilot with a small number of cases will be undertaken during August 2025 to help inform the implementation planning for the wider cohort of EHCPs.
41. From November 2025 and during the 2025/26 academic year, it is planned that transitions to new EHCP banding will be undertaken for children in phased transfer years at mainstream schools when their EHCPs are reviewed, followed by children in Secondary Schools. The EHCPs for remaining children at Primary Schools will be transitioned to the new EHCP banding from 2026/27.

Existing EHCPs for children in specialist settings

42. Some EHCPs for children in specialist settings are already based on an existing banded model, however this is not directly aligned with the new proposed bands and needs descriptors. Therefore, all specialist EHCPs will need to be updated through annual reviews.
43. It is intended that existing EHCPs for children in specialist settings will be transferred onto a new banded model as part of a second phase of implementation, the timing of which will be dictated by progress with transitioning mainstream EHCPs.

Consultation

44. The proposed needs descriptors and approach to banding have been co-produced with schools. The proposals have subsequently been soft tested

with a sample of schools across Leicestershire and have been positively received.

45. It is proposed to hold a 6-week consultation with schools on the proposed needs descriptors and approach to banding through an online survey which will be publicised through Head Teacher briefings and meetings of school leaders and school SENDCOs (Special Educational Needs and Disabilities Coordinators) during September. Subject to the Cabinet's approval this will commence on 1st September 2025 following the commencement of the new school year and run until 12th October 2025. As indicated previously, the Schools Forum will receive a report at its meeting in September.
46. It is intended that the findings of the consultation will be considered by the Director and Lead Member for Children and Family Services in late October 2025 and subject to this being supportive of the proposals, the new model will begin a phased implementation from November 2025.

Equality Implications

47. There are no equality implications arising from the recommendations in this report.
48. The introduction of needs descriptors and a banded model for EHCPs will positively impact the quality of EHCPs, ensuring consistent and transparent decision-making processes and offering flexibility for schools in how the needs of children and young people can best be supported. Improved support for children and young people with EHCPs will better enable them to meet the education, health and care outcomes detailed in their EHCPs.

Human Rights Implications

49. There are no human rights implications arising from the recommendations in this report.

Partnership Implications

50. The needs descriptors include considerations of the education, health and social care needs of the child or young person which will be used to determine the appropriate banding for their needs and the associated support that should be provided as set out in the provision map. Health and social care colleagues will continue to provide specialist advice as part of the EHCNA process using existing processes, which will be used to allocate the child's needs into an appropriate band and to produce an EHCP where this is agreed to be issued.

Background Papers

Report to the Cabinet on 17 June 2025 "Special Educational Needs and Disabilities (SEND) And Inclusion Strategy 2025-2028"

<https://cexmodgov01/ieListDocuments.aspx?CId=135&MId=7877>

Report to the Cabinet on 7 February 2025 “Provisional Medium Term Financial Strategy 2025/26 to 2028/29”

<https://cexmodgov01/ieListDocuments.aspx?CId=135&MId=7873>

Report to the County Council on 18 May 2022 “Leicestershire County Council's Strategic Plan 2022-2026”

<https://cexmodgov01/ieListDocuments.aspx?CId=134&MId=6482>

Appendix

Proposed banding matrix needs descriptors

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