

SCHOOLS FORUM

CONSULTATION ON TRANSITIONING TO A BANDED MODEL FOR EDUCATION, HEALTH AND CARE PLAN (EHCP) FUNDING

9 SEPTEMBER 2025

Content applicable to:		School Phase:	
Maintained Primary and Secondary Schools	X	Pre School	
Academies	X	Foundation Stage	X
PVI Settings		Primary	X
Special Schools / Academies	X	Secondary	X
Local Authority	X	Post 16	X
		High Needs	X

Purpose of the report

Content requires:		By:	
Noting	X	Maintained Primary School Members	X
Decision		Maintained Secondary School Members	X
		Maintained Special School Members	X
		Academy Members	X
		All Schools Forum	X

1. To update the Schools Forum on the consultation with Leicestershire schools regarding the transition to a banded model for assessing needs and determining top-up funding for EHCPs, and to seek feedback on the proposed approach.

Recommendations

2. Schools Forum is asked to:
 - a. Note the proposed consultation and timeline.
 - b. Provide feedback on the proposed banded model and consultation approach.
 - c. Support the engagement of schools in the consultation process.

Background

3. 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.
4. 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).
5. The number of children and young people with EHCPs in Leicestershire has increased by 173% since 2016, rising from 2,995 to 8,169 plans at the end of August 2025.
6. 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).
7. 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.
8. There is no standard national model for assessing support needs and assigning top-up funding by using 'bandings' rather than funded 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 funding and 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.
9. 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 DfE. Leicestershire were actively involved in this work. This workstream has now concluded and is not being progressed following the initial test and learn phase.
10. The Cabinet at its meeting on 15th July agreed to a consultation being held with Leicestershire schools on moving to a banded model for assessing needs and determining top-up funding for EHCPs.

Proposal

11. The current funding model for EHCPs allocates high needs top-up funding based on a nominal number of funded hours, which schools have indicated can be restrictive and does not always reflect the most effective support strategy for pupils with SEND.
12. The proposed banded model aims to replace the funded-hours-based approach with a transparent, needs-led system using descriptors aligned to the four categories of SEN: Cognition and Learning, Communication and Interaction, Social, Emotional and Mental Health, and Sensory and/or Physical Needs. The proposed model includes provision mapping which will enable the County Council to align a consistent level of provision.
13. 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.
14. 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 at Appendix A 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.
15. Soft testing of needs descriptors and banding was undertaken with a sample of schools early in 2025. Feedback from schools has been positive, with those involved indicating they felt that the proposed bands would:
 - Offer SENCOs greater flexibility, moving away from the language of hours and an expectation of 1:1 support
 - Enable schools to invest in developing in-house skills and provision that benefit a range of children
16. 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.
17. 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 funded-hours-based model.

18. 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.
19. The proposed bands (A–G) will be applied to new EHCPs from Spring 2026 and phased in for existing EHCPs during annual reviews over the 2025/26 and 2026/27 academic years. This will consist of two phases – the first phase from Spring 2026 will focus on applying banding to EHCPs where the child or young person attends a mainstream school. The second phase is proposed to commence in Autumn 2026 and will apply banding to EHCPs where the child or young person attends a specialist setting such as an enhanced resource base or a special school.
20. Each band will include a set funding level which is proposed to be applied from the point of issue for new mainstream EHCPs and the beginning of the following academic year for existing EHCPs to minimise any potential impact of changes to funding on in-year budgets.
21. It is intended that the implementation of a move to banded EHCPs will be cost neutral overall, with the fee against each band initially set as the average current of all EHCPs for children with needs matching the relevant band of the needs descriptor model. Funding for each band will be reviewed annually. Initial banded rates have been developed

Consultation Process

22. 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. This will be undertaken through a two-stage consultation process to ensure schools can fully consider the proposals and help to shape the approach to implementation if agreed.
23. Stage 1 will include a six-week consultation on the proposed needs descriptors and approach to banding which will run from early September to mid-October 2025 through an online survey.
24. Stage 2 will consider the funding to be applied to each band and is proposed to run from late autumn/early Spring.
25. The surveys will be publicised through Head Teacher briefings and meetings of school leaders and SENDCO networks during September and will gather feedback on:

- Clarity and appropriateness of needs descriptors
- Practicality of implementation
- Overall support for transition to a banded model

26. 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 late December 2025, and subject to these being supportive of the proposals, the new model will begin a phased implementation in the first quarter of 2026.
27. The Schools Forum will receive a further report in November 2025 to update on the outcome of the Stage 1 consultation.

Resource Implications

28. 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.
29. The implementation of a banded model is intended to be cost-neutral, with the funding for each needs band proposed to be based on an average of existing funding for equivalent funded 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.
30. 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 phasing the implementation of banding, starting with existing EHCPs for children in mainstream educational settings from January 2025. 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.

Equality Implications

31. 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.

Background papers

Report to the Cabinet on 15th July 2025, “Transitioning to a Banded Model for Education, Health and Care Plan (EHCP) Funding”

<https://democracy.leics.gov.uk/documents/s190738/Cabinet%20report%20-%20EHCP%20banding%20-%20July%202025%20v2.pdf>

Report to the Cabinet on 17th June 2025, “Special Educational Needs and Disabilities (SEND) and Inclusion Strategy 2025-2028”

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

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Appendices

- A. Proposed banding matrix needs descriptors
- B. Banding consultation paper