

Public



Agenda Item No. 3

**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**CABINET MEMBER FOR EDUCATION**

**8 June 2021**

**Report of the Executive Director for Children's Services**

**Graduated Response for Individual Pupils (GRIP)**

## **1. Divisions Affected**

1.1 County-wide.

## **2. Key Decision**

2.1 This is not a key decision

## **3. Purpose**

3.1 To propose and seek approval to make changes to the administration of the Graduated Response for Individual Pupils (GRIP) as follows.

- 1) Extend the funding allocation cycle to cover the full length of a Key Stage in which the application has been made (i.e. For the allocation of additional funding to only expire at the end of Year 2, Year 6, Year 9 and Year 11)
- 2) Replace the current cycle of annual GRIP funding applications, which must contain detailed review information, with 'annual evaluations' carried out by schools and support services with parents. These will be recorded in the child's school records and available to the special education needs and disability (SEND) Locality Teams officers as part of their ongoing work to support schools in developing and delivering inclusive provision for all children with SEND.

- 3) Remove the clause agreed in October 2018 which commits Derbyshire County Council (DCC) to backdate the funding to the time of application if there is a delay in decision making. However, in exceptional circumstances if the application was subject to an unnecessary delay then the payment will be backdated.

## 4. Information and Analysis

### 4.1 Background

The GRIP process is a Derbyshire County Council policy initiative to deliver an 'Element 3' type funding stream to support inclusion and learning for young children with special education needs and disabilities (SEND) in mainstream schools. This is an innovative approach in Derbyshire which allows schools to access funding early and use to meet the needs of children and young people sooner, so resulting in earlier progress and less escalation to more formal and costly processes. It is funded from the high needs block of the Dedicated School Grant and allocated by a GRIP panel, chaired by a lead SEND officer (LSO). The funding is available by application and after the school has met the first £6,000 of costs for the provision of the young person.

GRIP funding was introduced in 2014 to enable resource to be delivered quickly to mainstream schools without the undue wait due to the formal 20-week assessment process that might lead to an Education, Health and Care Plan (EHCP).

The concept of this discretionary policy is rooted in the graduated response described within the SEND Code of Practice: 0-25 Statutory guidance 2015.

At the time of its development and approval through full Derbyshire County Council Education Cabinet in 2015, it had the support of parents and schools, as there were manifest benefits in terms of enabling schools to develop and resource their own person-centred action plans for children and young people with SEND within their local community schools. Since its inception, **2,316** individual pupils have received a GRIP allocation. Of these **579** (25%) have gone onto having an EHC Plan. This means that 1,737 individual children and young people have been supported through GRIP but have never moved to a EHC Plan.

The children and young people who receive GRIP allocations have life-long SEND associated diagnosed learning or physical/sensory disabilities, or enduring and very significant communication or social, emotional and mental health needs. The outcomes expected for them are long-term in nature and focused on preparing them for adulthood. GRIP is not designed for children and young people with short-term barriers to learning of a temporary nature.

The data confirms this in that of the 2316 pupils who have received a GRIP allocation, 75.4% continue to receive support from the High Needs Block funding.

To receive a GRIP allocation, schools are required through the referral form to demonstrate how they have spent £6000 (element 2 funding) required under the National Funding Formula to address the child's identified barriers to learning and participation. Through a provision map, the school are required to demonstrate what interventions are in place to address the needs that they have identified, how children are progressing towards their learning outcomes as a result of the interventions and how much it costs.

Where approved, funding is currently allocated for one year with an evaluation expected in the final quarter of the funding period, and a subsequent "evaluation application" to provide funding for a further year.

The SEND Strategic Transformation Plan has been developed on the basis of the ISOS high needs review in June 2019. Within the plan there are many strands of development. This paper is specifically intended to satisfy Theme 3, Strand 3.3: *Relaunch an updated and improved GRIP process.*

The tensions in the system have been highlighted and exacerbated by the ongoing COVID pandemic in terms of school staffing capacity and children's attendance, as well as the schools having to focus on developing safe secure sites and delivering remote learning. With school staff under pressure, it is imperative that the local authority can support them by streamlining processes required of schools wherever possible.

Equally there has been an impact on the capacity of SEND Officers to focus on GRIP applications when other forms of support to schools and families have been necessary.

The local authority needs to ensure that the GRIP process supports schools to meet need to avoid them resorting to requests for more costly EHC needs assessment. Equally, it is important that parents have confidence that the schools to provide support and interventions to pupils with SEND quickly and effectively in their local community school, and without the need to apply for an EHCP.

It is also important to streamline process to generate capacity in the SEND locality teams so that they work with schools over the quality of the applications and play their part in processing the applications efficiently.

## **Key Issues:**

### **Performance:**

The local authority (LA) currently has a target time of 75 days to process applications; it would like to have this time reduced over time to 35 days, and ideally 28 days.

- In 2019, the average wait time from the LA receiving the application to a decision been given to the school was 84.3 days.
- In 2020, the average wait time from the LA receiving the application to a decision been given to the school was 91.3 days.

During the current year, as of 18 December 2020 there have been 1443 GRIP applications of which 794 had previously had GRIP allocated.

This means that “evaluation applications” (i.e. where a pupil has previously had GRIP allocated previously and the application is not a new one) account for 55% of all applications received.

Using data below relating to the Panel process, these 794 “evaluation applications” account for a combined figure of 869 hours of DCC officer time (circa 0.5FTE).

### **Panel process:**

The current GRIP allocations are decided through GRIP panels. All applications and evaluations are decided by this panel, to ensure robust scrutiny and to provide an audit trail of decisions involving public money.

An average GRIP panel meeting lasts three hours with five staff. The last 13 panel meetings (5/1/21 to 21/1/21) have made 96 decisions at an average of 13.7 decisions per meeting or 4.57 decisions per hour.

There are currently 276 outstanding applications (137 North Locality Team areas and 139 South Locality Team areas).

If no new applications were received it would take another 20 Panel meetings to clear the existing applications.

## **5. Consultation**

5.1 A Call for Views on sufficiency of SEND provision was completed in January 2021 where stakeholders were given the opportunity to comment of the GRIP process. Where comments were positive they

demonstrated that the GRIP funding is valued for meeting needs early and giving schools the flexibility to support children and young people quickly and without a formal assessment of needs. The negative comments made regarding the GRIP process mainly concerned the administration of the process which is considered unwieldy and as causing delays.

## **6. Alternative Options Considered**

- 6.1 The recommended options are below and the alternative is to make no change to the current process. The case for a necessary change is recorded above. A further, fuller review of funding streams to support children and young people with needs will identify whether there are significant changes recommended to the GRIP process

## **7. Implications**

### **7.1 Risks**

1. The additional documentation on schools and the time delays in processing them is undermining confidence in the system. If this is not changed, this will inevitably lead to a rise in applications for EHC Needs assessments and EHC plans, where the financial draw on the High Needs Block funding is significantly higher by about 40% in Primary Schools and 33% in Secondary Schools.
2. Financially, an annual evaluation means that schools may not consider whether the top-up funding through GRIP could be reduced but this will be addressed as part of the wider review of SEND funding streams and GRIP paperwork.

### **Benefits:**

1. Many evaluation applications request additional funding greater than previously allocated; the figures however suggest that there has been a higher increase in the average spend on GRIP this financial year. Since approximately 55% of these allocations are evaluations, the increase is more likely to be better managed with less evaluations.
2. The LA can extract greater value from the spend within the High Needs Block to support the inclusion of children with SEND in mainstream schools.
3. For schools, there will be far fewer unnecessary paperwork and review mechanisms to complete, meaning that school staff can concentrate on

developing practice and delivering interventions to the children and young people.

4. Schools will have the benefit of knowing that funding has been secured for a longer period. This stability will enable them to plan with more security and will aid with staff retention and continuity. This is particularly true given that at present the 12-month allocation could expire at any point in the school year, whereas the proposal is to maintain allocations to the end of a school year in which the pupil reaches the end of a Key Stage.
5. The reduction in paperwork will enable the LA to process applications more quickly, enhancing confidence in the GRIP system for both schools and families.
6. Parents will also have the same security that there is longer term provision in place for their child. This will give them greater confidence that their child will be supported effectively through programmes of support that will have time to be embedded and delivered over longer time frames and empower their ongoing involvement in their child's learning.

## **8. Background Papers**

8. None identified.

## **9. Appendices**

- 9.1 Appendix 1: Implications

## **10. Recommendation(s)**

That Cabinet:

Consider the information provided in this report and to make three administrative changes to the GRIP process:

- a) Extend the funding allocation cycle to cover the full length of a Key Stage in which the application has been made (i.e. For the allocation of additional funding to only expire at the end of Year 2, Year 6, Year 9 and Year 11) rather than chronological time periods of one year, which could end at any time in that year.
- b) Replace the current cycle of yearly applications, which must contain detailed review information, with 'annual evaluations' carried out by schools

and support services with parents. These will be recorded in the child's school records and available to the SEND Locality Teams officers as part of their ongoing work to support schools in developing and delivering inclusive provision for all children with SEND.

c) Remove the clause agreed in October 2018 which commits DCC to backdate the funding to the time of application if there is a delay in decision making. However, in exceptional circumstances if the application was subject to an unnecessary delay then the payment will be backdated.

## **11. Reasons for Recommendation(s)**

11.1 As stated above, approximately 55% of all applications are evaluation applications, rather than new applications. Removing these from the GRIP process will significantly reduce the number of applications that school staff need to complete, as well as reducing officer time in assessing applications. It is expected to also improve performance in terms of reducing average wait times for schools to receive funding from the point of application.

11.2 It will also significantly reduce the number of cases that need to be seen at the panel meetings. Given that GRIP allocations are for pupils with long-term SEND, it is highly unlikely that their barriers to learning and participation will change over time. On that basis, potential challenges to their successful inclusion in mainstream school will persist throughout their school careers. Applying for GRIP allocations every year therefore seems to be unnecessary. It is the changing of key stage that is the key review time for pupils with SEND.

## **12. Is it necessary to waive the call in period?**

12.1 No

**Report Author: Paula Williams**

**Contact details: [paula.williams@derbyshire.gov.uk](mailto:paula.williams@derbyshire.gov.uk)**

**This report has been approved by the following officers:**

<p><b>On behalf of:</b></p> <p>Director of Legal Services and Monitoring Officer Director of Finance and ICT Managing Executive Director Executive Director(s)</p>	
--	--

### Implications

#### **Financial**

- 1.1 The changes proposed in this paper are not expected to change any fundamentals in the overall modelling of costs but should reinforce and sustain the position of GRIP as a High Needs Block allocation mechanism in Derbyshire. This is particularly relevant to managing spend given the recent increase in EHC plans in Derbyshire which represent significantly higher cost per pupil compared to GRIP.

The average allocation of a GRIP is between £4000 and £4400. This figure has remained notably consistent throughout the period of operation and there has been no incremental increase over time, once the system became more widely known and used by schools. However, it should be noted that the average for this academic year 2020-21 has seen a rise in the average closer to the top of this range.

This is in contrast to EHC Plans in which the cash allocation (referred to as mainstream top ups) has been slowly rising over the past five years at an average allocation around Level 3 (£6500) but are now running at average above this at a mid-point between Level 3 and 4 at an average amount of £7560 in Primary and £6324 in Secondary, with a more marked rise in both phases over the past two years.

During the key stage period in which GRIP allocations would be in place, the records will be maintained by school on the child's progress and the SEND Officers will be monitoring these using the live GRIP reports and through their regular casework meetings with schools, to ensure that GRIP allocations are not continued where the progress of the child in overcoming their barriers to learning and participation means additional recourses are no longer appropriate.

No additional spend is required by the LA to implement the proposed changes, other than to inform schools through the usual local authority/schools' communication channels. Minor changes to the information on the Local Offer will also need to be made.

#### **Legal**

- 2.1 GRIP is not a statutory process; it is a discretionary policy developed within Derbyshire County Council.

The GRIP process sits within the graduated response described in the statutory Department for Education 'SEND Code of Practice 0-25 years' (January 2015), principally Chapter 1 Principles and Chapter 6 Schools. The Code sets out the guidance on the duties, policies and procedures under Part 3 of the Children and Families Act 2014 and associated regulations. The proposed changes make no change to the legal standing of the GRIP process, which went through legal diligence on approval by Cabinet in 2015.

### **Human Resources**

3.1 There are no human resource implications

### **Information Technology**

4.1 There are no information technology implications

### **Equalities Impact**

5.1 Children and young people with SEND are a protected group under the Equalities Act 2010.

This proposal has been considered in the context of considering whether the changes create any impact, negative or positive, including where this could constitute unfair treatment, additional inequality or disadvantage or result in hardship and exclusion.

There are no implications in terms of equality impact, as the proposed changes to the GRIP process do not alter the client population of children and young people with SEND that are served by the GRIP process. The changes will not impact on access to support for any child or young person or disempower their parents in decision making.

### **Corporate objectives and priorities for change**

6.1 This paper is connected to the transformation of services for children and young people with additional needs

### **Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

7.1 The project will give parents/carers security that there is longer term provision in place for their child. This will give them greater confidence that their child will be supported effectively through programmes of support that will have time to be embedded and delivered over longer time frames and empower their ongoing involvement in their child's learning.

### Report Sign Off and Version Control

Report Title	
Author	
Meeting and Date	
Version	
Key Decision (published)	
Exempt item (notice of private meeting published)	

Implications	Name and Comments	Date Approved
Finance		
Legal		
Human Resources		
Information Technology		
Equalities		
Corporate Objectives and priorities for change		
Consultation		
Other – please specify		

### Author's Directorate Sign Off

		Date
Managing Executive Director/Executive Director		
DMT – if applicable		
CMT – if applicable		
Cabinet Member briefed		

Other – please specify		