

SLOUGH SCHOOLS FORUM

SCHOOLS GROUP:

John Constable (Chair), Ben Bausor, Peter Collins, Gill Denham, Valerie Harffey, Emma Lister, Navroop Mehat, Angela Mellish, Eddie Neighbour, Carol Pearce, Jon Reekie, Jo Rockall, Jamie Rockman, Coral Snowden, Neil Sykes and Maggie Waller

LOCAL AUTHORITY:

Andrew Fraser, Johnny Kyriacou, Sabi Hothi, Kamaljit Karir Kaur, Tony Madden

Councillor Christine Hulme (Observer)

DATE & TIME: THURSDAY, 10TH MARCH, 2022 AT 9.00 AM

VIRTUAL MEETING (VIA ZOOM)

<https://us02web.zoom.us/j/86529800533?pwd=ckhpa0thRFZES0FoUldGTetzL3RYQT09&from=addon>

Meeting ID: 865 2980 0533
Passcode: 435216

AGENDA

Page

1. Apologies
2. Notification of Any Other Business
3. Declarations of Interest

The Chair will ask Members to confirm whether they have any declarable interests in relation to any item on the agenda.

All Members who believe they may have such an interest must declare it and may only:

- (a) remain in the meeting while that matter is discussed at the discretion of the Chair or Vice Chair, and*
- (b) speak on the matter by invitation.*

*Examples of declarable interests include:
where the outcome of a discussion may provide a personal advantage or avoid disadvantage (pecuniary or non-pecuniary), or where the focus of an agenda item and the likely impact of any outcome is wholly or mainly on a school with which the Member is associated.*

4. Minutes of Previous Meeting held on 19th January 2022 **(Pages 1 - 6)**
5. Schools Forum Membership Update **(Verbal Report)**
6. Update on National/Local Funding Issues **(Verbal Report)**
7. DSG Monitoring Report 2021/22 **(Pages 7 - 10)**
8. DSG Schools Block 2022-23 - Confirmation of APT submission and schools' budgets **(Verbal Report)**
9. CSSB budget 2022-23 **(Pages 11 - 18)**
10. EY centrally retained budget 2022-23 **(Pages 19 - 22)**
11. DSG Management Plan update **(Pages 23 - 42)**
12. Task group update **(Verbal Report)**
13. Academies update **(Verbal Report)**
14. 2021/22 Revised Forward Agenda Plan/Key Decisions Log **(Pages 43 - 44)**
15. Any Other Business (notified at start of meeting)

Slough Schools Forum - Meeting held on Wednesday 19th January 2022

- Present:** John Constable, Langley Grammar School (Chair)
Ben Bausor, Always Growing Ltd
Peter Collins, Slough & Eton Church of England Business and Enterprise College
Gill Denham, Marish Primary School
Emma Lister, Chalvey Early Years Centre
Eddie Neighbour, Upton Court Grammar School
Carol Pearce, Penn Wood Primary School
Jon Reekie, Phoenix Infants School
Jo Rockall, Herschel Grammar School
Jamie Rockman, Haybrook College
Neil Sykes, Arbour Vale School
Maggie Waller, Holy Family Primary School
- Officers:** Chelsea Barnes, Principal Educational Psychologist - GM Inclusion
Sabi Hothi, Group Manager, Education Services, Education and Inclusion
Kamaljit Kaur, Interim Finance Business Partner
Johnny Kyriacou, Associate Director, Education & Inclusion
Tony Madden, Development Manager
- Observer** Councillor Christine Hulme, Cabinet member (Children's Services, Lifelong Learning & Skills)
- Apologies:** Andrew Fraser, Interim DCS and CEO Slough Children First
Valerie Harffey, Ryvers School
Navroop Mehat, Wexham Court Primary School
Coral Snowden, Western house Academy

The Chair welcomed everyone to the meeting, and explained that there was no clerk available for this meeting. Instead, the meeting would be recorded and transcribed afterwards.

876. Any Other Business

Johnny Kyriacou gave notice of an item to be raised immediately following Agenda Item 8.

877. Declarations of interest

There were none.

878. Minutes of previous meeting (9th December 2021)

Minutes were accepted as an accurate account of the previous meeting.

Matters arising from the minutes

There were no matters arising which were not covered elsewhere in the agenda.

879. Schools Forum Membership update

The Chair notified members that Peter Collins had agreed to serve another term as an academy representative and was appointed for a further two years until January 2024; also that Coral Snowden had agreed to extend her term until April 2022 to give time for nominations for a primary academy representative to be sought.

The Chair reminded members that there was still a vacancy for a secondary academy representative and nominations would be sought.

Emma Lister, representing Chalvey Early Years Centre, was welcomed as the new representative for maintained nursery schools. Gill Denham, representing Marish Primary School, was welcomed to her first meeting following appointment as she had been unable to attend in December.

880. DSG monitoring report

Kamaljit Kaur presented an updated monitoring report on the 2021-22 DSG, which showed some small changes from the previous monitoring report presented in December 2021. The projected 2021-22 overspend has increased by £1 million, mainly due to some unpaid invoices for out of borough special school placements. An additional £300,000 relating to special school teachers' pension payments wasn't recorded in the previous projection. The overspend balance in the High Needs Block is now projected as £20.6m and the DSG management action plan is based on that revised figure.

Peter Collins commented on the statement in the report that there was still a risk that other costs may also be identified as part of the year-end review process, which could further increase the deficit, and asked how likely this was. Kamaljit Kaur confirmed that there was still a small risk this could happen but it was thought to be unlikely. Johnny Kyriacou commented on the increasingly robust approach of the financial team and the increased scrutiny and analysis of the High Needs block which should reduced the likelihood of unexpected additional pressures.

881. DSG Management Plan update

Johnny Kyriacou presented a verbal update on the DSG Management Plan and advised that a full written report will be provided for the meeting in March. He confirmed that the Local Authority was consulting with stakeholders and sharing the draft plans and projections have been to date. The aim of this report was to update Forum members on the principles behind the approach to the management plan and what the potential mitigations are. Some informal documentation was screen-shared with members to illustrate some of the areas of pressure within the High Needs Block and the possible mitigations being considered.

There is an increasing understanding within the Local Authority regarding the increase in the overspend in recent years. In relation to the escalation of costs in independent, non-maintained special school placements, the LA is looking at what we're doing around commissioning, particularly focusing on the increase in cost of post-16 placements, particularly for those aged 21 and over and looking at more robust decision. There is also an increasing number of requests for assessment at the SEN panel; again, the need to develop a more robust way of working is recognised, together with more transparent decision making and ensuring that decisions are made based on need, not unnecessary want.

More sophisticated data is needed to provide clarity around numbers of high need children in mainstream settings. The data systems in the LA need improvements to get a better grip of the numbers across the town, which will help us to be more strategic about where children are placed. We have inherited a recent resource base review as a good starting point. The intention is to provide training for send officers to make sure that they're using the management information system well in a more sophisticated way.

With regard to alternative provision, the LA is also looking at achieving a position of sustainability as opposed to strictly what is statutory, and ultimately trying to achieve a balance between making savings and making the right provision for our young people. There are ongoing discussions with the alternative provision providers at primary and secondary.

The existing SEND banding model is showing the 40% inflation rate; this is a key risk and there are short, medium and long term plans in place to tackle this.

Johnny Kyriacou confirmed that the LA did not want to approach the situation with the intention of just cutting everything, recognising the potential impact on the system, and the negative impact on young people and on schools in general and in some cases, specific funding for particular schools. Slough has one of the largest overspends in the country; it is recognised that some difficult decisions may need to be made in order to achieve the balance. He confirmed that the LA is due to meet with the DfE in April with regard to inclusion in the 'Safety Valve' programme.

The Chair asked whether the overarching aim was to eliminate the in-year High Needs deficit or simply to minimise it? Johnny Kyriacou advised that the aim is to get the as low as possible. The overspend has been increasing over a number of years; the initial aim is to get to understand why this has happened and why in particular in our local authority. The initial thinking was that we need to get to zero deficit, but following conversations with DfE the thinking now is to ensure that we reach a sustainable position. If the LA is included in the Safety Valve programme, then there would be a five-year agreement with the DfE and we would be working towards sustainability over that time scale.

Johnny Kyriacou also described the complexity of the situation which is compounded by the outcome of the area SEND inspection and the Section 114 notice which impacts the Council's wider financial position. He confirmed that the aim was to still try and ensure that support structures are in place for young people and that the LA would not be making any decisions about specific young people based on the financial package.

The Chair asked whether the LA was aware of any intention by the DfE to increase into the High Needs funding nationally. Johnny Kyriacou advised that the LA had no indication of this but there was a sense that the DfE understands that the level of need is rising and that the system does need more money. However, DfE also appears convinced that local authorities where overspend is really high can have a more robust approach.

Cllr. Hulme asked when a decision from DfE was expected about whether or not Slough would be joining the Safety Valve programme. Johnny Kyriacou confirmed that there is a meeting with DfE in April.

Kamaljit Kaur confirmed that the LA has just been informed that the DfE has provided a further £325m of funding at national level. Slough's share of this is £1.2m increasing the 2022-23 High Needs allocation from £30.6m to £31.8m. This was the level of funding originally anticipated.

Johnny Kyriacou left the meeting at 9.35am; prior to this an item of AOB was discussed which is minuted under item 888.

882. SEND Banding

Chelsea Barnes, Principal Educational Psychologist gave a verbal update on the SEND banding matrix which added detail to the DSG Management Plan item in relation to some short term actions. The banding matrix that was introduced in 2019. The LA's key duty is to make sure that all children with an education, health and care plan have their provision appropriately funded, but also needs to ensure that the banding mechanism used fits within the financial envelope.

The robustness of the process at the SEND panel, where decisions around assessing, issuing plans and banding are made, has been looked at. Some impact on the overall cost of the banding system from that has already been seen through a comparison of the three month period from 2020 compared to the same period in 2021.

The new banding matrix was introduced incrementally, with young people whose plans still had a banding from the old system due to be updated at the next phase transfer point. A lot of young people with EHCPs in the old system typically had a banding of either £6k or £9 as the most common banding levels achieved. The new banding system doesn't have an equivalent banding level to these; there are eleven levels from £2k to £40k but no specific levels set at £6k or £9k. This has created an inflationary pressure as when the banding for young people going through phase transfer is considered, they are often going up to the nearest level above the old banding eg from £6k to the next available level at £7.5k, or from £9k to £10k.

For this year's phase transfer the intention is to still re-band under the new matrix where the annual review or the amended plan shows a change in need, necessitating a change in provision and therefore resource attached. However, for young people where their need and provision is being met through the level of the old banding, they will be kept at that level of funding until the whole matrix system has been fully audited and proposals brought forward.

The Chair thanked Chelsea Barnes for her update. There were no questions or comments.

883. Growth Fund

Tony Madden presented the paper summarising the position with the Growth Fund and the proposed allocation criteria for 2022-23.

Appendix A of the report showed the predicted outturn for 2021-22, updated from the previous report in May 2021. The carry forward from 2020-21 was £65k, with a top slice of £750k. A small amount of contingency being held; this had been reduced to two month's worth of funding; as the LA was not expecting to use this, a positive carry forward into 2022-23 was expected.

Forum was notified in May 2021 that there would be a change to the way in which expansions at academies would be funded, to provide funding for the academic year in once tranche covering September to August. Forum agreed to the changes with 2022-23 being the adjustment year. Appendix B covered the catch-up year 2022-23; the proposed top slice of £950k had been noted by Forum in May 2021 but this included the additional academy recoupment required by the adjustment and was expected to be the last year of any large top slice. Two secondary schools (Westgate and Wexham) required support from the Growth Fund but both were coming towards the end of their expansion. Two contingency classes were included in recognition of the peak of demand for year seven at secondary.

Appendix C showed the preliminary forecast for 2023-24, indicating a significantly reduced top slice of £300k with only one school requiring support.

It was confirmed that the LA was not proposing any changes to the allocation criteria, which would cover bulge classes, any permanent expansions by a form of entry at maintained or academies, and any new places that are requested by the local authority in excess of planned admission numbers.

The Chair thanked Tony Madden for his very clear summary of the position. Maggie Waller asked whether the full £950k top slice was needed in 2022-23 given that there was a forecast underspend in excess of £160k. Tony Madden advised that this was a cautious approach in line with guidance from finance colleagues, and that the forecast underspend was in line with previous years.

The Chair reiterated to Forum members that the £950k top slice had been noted by Forum in May 2021. Members **approved** the allocation criteria and **noted** the forecast position for each of the three years 2021-22, 2022-23 and 2023-24.

883. **Schools Block 2022/23**

The Chair advised Forum members that this item concerned the LA's request for a transfer of funds from the Schools Block and confirmation of the full national funding formula rates for the 2022/2. Forum was required to make a decision on the transfer of funds from the Schools Block in line with the statutory responsibilities of schools' forums. The Chair reminded Forum members that previous requests to transfer funds from Schools Block to the High Needs block had been refused on the grounds of there being no evident strategy for bringing the deficit under control.

The Chair also asked Forum members to note that the situation was different to that outlined in December 2021. The request was actually for two transfers. The first was a repeat of last year's request to move £100k to the CSSB to support the funding of the admissions team; this had been agreed previously as a one year commitment, but with an indication that it would be supported again in the future. This amounted to 0.04% so the request for transfer to the High Needs Block was the balance of 0.44%, amounting to £676k.

Kamaljit Kaur presented the paper and confirmed that the modelling of school budgets had been based on the updated data from the October census which gave a net increase of 244 children compared to October 2020. Two options were presented, one with the 0.5% transfer and one without. With the MFG set at +0.5%, option 1 would mean a +2.5% uplift on the formula factors, and +3.0% in option 2. Although the per pupil rate funding rates increased in both options, some schools' would see an actual budget decrease due to falling numbers on roll.

Peter Collins shared a brief summary of the discussion at the secondary headteachers' meeting; there was not an outright view that the transfer should be opposed this at all, but neither was there an overwhelmingly strong view that it should be supported. The two main concerns were the possibility of setting precedent that would be needed every year as part of ongoing management of high needs block spending, and the absence of a credible plan as to what the transferred amount would be used for. Jamie Rockman commented that Slough is very much an outlier in terms of its deficit level but that there is also significant pressure across the board and across the country for the high needs block to be supported. Kamaljit Kaur responded by confirming that it was common practice in London boroughs for these transfers to be granted, but reassured Forum members that the funding would go directly to supporting high-cost local and out-of-borough SEND placements.

Peter Collins asked whether this was a one-off request because of the current circumstances or whether it would become an annual request to support the ongoing management of the high needs block. Kamaljit Kaur agreed that the LA could request every year, but hoped to be in a more secure position next year following implementation of the Management Plan actions and possible inclusion in the Safety Valve programme. The Chair confirmed that framework allowed LAs to make requests and that it was expected by the DfE that they would do so, although the decision was for the Forum.

Maggie Waller asked if there had been any discussion amongst primary heads. Gill Denham confirmed that she was not aware of any such discussion, and that she would favour the transfer subject to subsequent clarity over how the funding would be used. Other primary

representatives agreed it was unfortunate that there had not been wider consultation with primary headteachers. Maggie Waller stated that it was disappointing that there had not been a proper consultation as in previous years, although Forum members understood and were sympathetic to the reasons why this hadn't happened; it was very much hoped that there should be a return to full consultation next year. Kamaljit Kaur confirmed the very tight timing caused by the late publication of the APT at the very end of last term.

Peter Collins summarised the situation as reluctant support because of the desire to work in partnership with the local authority to address the underlying problem. He requested that a decision to support should be for one year only, not setting a precedent going forward, and that officers should report back on how the funds transferred were used so that Forum can monitor the effectiveness of the transfer.

The Chair proposed that Forum agree to the transfer with the caveats expressed. Forum members therefore **approved** the transfer of £100k from Schools Block to the CSSB and **approved** the transfer of the balancing 0.44% figure (£676k) to the High Needs block transfer. The caveats were reiterated – this is a decision binding on 2022-23 only with no precedent for future years, and that a report should be brought to the March Forum meeting describing in detail the difference that this funding has made and how the funds transferred are being allocated. The Chair agreed to work with officers prior to the next meeting to ensure that there would be appropriate clarity.

884. Early Years funding 2022/23

Kamaljit Kaur presented the paper on the Early Years funding for 2022-23. Funding rates for 3-4 year olds had increased; two options had been modelled and put to the EY Task Group for consideration. Final amounts would be confirmed following the January 2022 census. Option 1 increased 3-4 year old funding from £5.55 to £5.65 and 2-yr old funding to £5.94, representing a 5% deduction for central services. Option 2 raised 3-4 year old funding to £5.56 and 2 yr old to £5.90. The 95% pass-through rate was confirmed for both options. Option 1 received majority support from the EY Task Group members as noted in the paper.

In response to an earlier query from Maggie Waller, Kamaljit Kaur confirmed that the maintained nursery supplement MNF has slightly reduced for 2022-23 to just under £699k due to a reduction in pupil numbers. Emma Lister asked for confirmation that the maintained nursery supplement funding included the 3.5% national uplift following the spending review. Kamaljit Kaur confirmed this was the LA's understanding and explained why the reduction in MNS was smaller than expected from the drop in pupil numbers.

Forum members endorsed the EY Task Group recommendation and **approved** Option 1.

885. Task Group update

Kamaljit Kaur confirmed that the Early Years task group members had been consulted on the options for EY funding, although the group itself had not met.

The Chair proposed that clarification be sought about the status of the High Needs Task Group and reported back to the next meeting.

886. Task Group update

No update provided.

887. Forward agenda plan

The Chair confirmed the next meeting was scheduled for 10th March and that three meetings were scheduled for the rest of this year. The DSG management plan update would be a standing item at each meeting.

888. Any Other Business

888.1 School improvement funding

Johnny Kyriacou informed Forum members that the local authority receives a grant of £50k to carry out school improvement duties; technically this is for the local authority to be able to carry out statutory duties towards supporting maintained schools. The DfE has concluded a consultation, and will be cutting the grant by 50% for next financial year and then 100% the year after. Slough has very few maintained schools so gets the least amount of funding, but this is used to supplement the school improvement offer to all schools, both maintained and academies.

The funding will therefore be cut by £25k in April 2022, and disappears the following year. The grant contributes towards the salaries of the school group manager for school effectiveness and the safeguarding officer, who provides a lot of support to schools. DfE's advice is to ask the maintained schools if they're willing to de-delegate funding to make up the shortfall. The LA regards it as unfair to ask Maintain Schools to plug a £25k gap in funding for a service which is provided for all schools.

Maggie Waller commented that this was very clear, that if the service benefits all schools, then any plugging of any gap ought to be at least asked of all schools; as a maintained school representative she would not support de-delegation from just maintained schools for a service that's for all schools. If the service is valued, it should be supported by all schools.

The Chair suggested a discussion between the LA officers and the chairs of the primary and secondary headteachers' associations; this should consider the options and develop proposals to take to the School Improvement Board and bring back to Forum. This suggestion was accepted by Forum members

Meeting closed at 10:40 am

School Forum 10 March 2022	
Report from Executive Director of People - Children Services	
DSG Budget Monitoring Report 2021/22	
Wards Affected:	All
Key or Non-Key Decision:	N/A
No. of Appendices:	None
Contact Officer(s):	Kamaljit Kaur Interim Finance Business Partner Email: Kamaljit.karirkaur@slough.gov.uk Archa Campbell Interim Group Manager Email: Archa.campbell@slough.gov.uk

1. Purpose of the report

This report provides Schools Forum with an update on the forecast financial position for 2021/22. The forecast is reported against the budget set in consultation with Schools Forum and submitted to the Department for Education on the Section 251 budget return.

2. Recommendation

Schools Forum is asked to note the contents of this report.

3. Summary

The Dedicated School Grant (DSG) balance has been an increasing deficit for a number of years due to overspend on the High Needs Block. This mainly relates to increased demand for out of borough SEN placements, post 16 services and places at Special schools.

The carried forward deficit from 2020/21 for the High Needs Block is £20.8m, with a projected in year deficit of £5.2m. The total projected deficit at the end of the financial year is £26m. The HN carry over deficit from 2020/21 has increased by £1m since last update, the details are in section 7 below.

This current projection is in line with the management action plan which was presented to DfE on 26th July as shown in table 1 below.

Table 1: Dedicated Schools Grant

BLOCKS	Budget	Forecast Position	Full Year Variance	Previous month's Variance	Change	Cumulative surplus/ deficit
	£'000	£'000	£'000	£'000	£'000	£'000
School Block	37,175	37,216	41	41	0	339
CSSB Block	1,020	1,023	3	3	0	(27)
HN Block	19,804	25,058	5,254	4,854	400	26,054
EY Block	15,230	15,230	0	0	0	(453)
Total	73,229	78,527	5,298	4,898	400	25,913

4. Schools' Block

The schools block is showing an overspend of £0.041m mainly due to pressure on Growth Fund budget. This service will be monitored closely, and any variances will be reported accordingly.

The carried over deficit from previous year is £0.298m, projected total deficit for Schools Budget will be £0.339m. No change from last month's variance.

5. Central Schools Services Block (CSSB)

CSSB block is forecasting an overspend of £0.003m which is £2k favourable variance mainly due to reduction on recharges. The overspend is mainly due to increase in School Licences charges, no change from previous month.

6. Early Years Block (EY)

The current position is showing that this service will be on target. This is a demand funded/participation-based service with providers claiming funding for actual hours of provision at the hourly rate set by the authority for that particular financial year.

The carried over surplus for EY is £0.027m and currently this service is showing nil variance for 2021/22. ESFA issued revised budget for EY in January and budget is reduced by £1.2m due to reduction in pupil number.

7. High Needs Block

The DSG 2021/22 High Needs Block projected outturn shows, in-year overspend of £5.254m, an increase of £0.400m from previous month.

The carried over deficit from previous years is £20.8m, total deficit will be £26.054m. There is an increase in overspend by £0.4m mainly increase on Post16 and out of borough placements. There is a risk that other costs may also be identified as part of the year-end review process, which could further increase the deficit.

Overspend for high needs relates to the demand of out borough placement of SEN, this includes the post 16 and independence and Special schools. The service is currently looking into this and any changes will be reported in next budget monitoring as appropriate.

8. Financial Implications

The financial implications have been detailed in the body of this paper.

9. Legal Implications

There are no legal implications for this report.

10. Equality Implications

Not applicable

11. Consultation with Ward Members and Stakeholders

Not applicable

12. Human Resources/Property Implications (if appropriate)

Not applicable

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School Forum 10 March 2022	
Report from Executive Director of People - Children Service	
CSSB Budget Setting for 2022-23	
Wards Affected:	All
Key or Non-Key Decision:	N/A
No. of Appendices:	N/A
Contact Officer(s):	Kamaljit Kaur Interim Finance Business Partner Email: Kamaljit.karirkaur@slough.gov.uk Archa Campbell Interim Group Manager Email: Archa.campbell@slough.gov.uk

1 Purpose of the Report

- 1.1 To advise the Forum about the services funded from the Central Schools Services Block (CSSB) in 2022-23 and the approvals required by the Forum.
- 1.2 To advise Forum of the DfE published indicative figures for the authority's CSSB allocation.

2 Recommendations

- 2.1 That Schools' Forum **agree** a provisional budget transfer of £180,815 from the High Needs Block into the CSSB, should the final allocation for the CSSB prove insufficient to meet the commitments.
- 2.2 That Forum **agree** the following budget allocations within the CSSB as outlined below: (more detail please see appendix 1)
 - Admissions
 - Servicing of Schools Forum
 - Education Welfare (Former ESG)
 - Asset management (Former ESG)
 - Statutory & Regulatory (Former ESG)
 - Contribution to combined budgets: LA Safeguarding Children's Board
 - Copyright Licence fee (this is a compulsory element)

4 Background

- 4.1. In 2018-19 the CSSB was introduced as the fourth block of the Dedicated Schools Grant (DSG). The CSSB provides funding for Local Authorities to carry out central functions on behalf of pupils in state-funded maintained schools and academies. The block is comprised of two elements; historical commitments which are allocated based on the baselining exercise performed by the DfE in 2017-18 and ongoing responsibilities which are based on pupil-led formula linked to the baselining exercise.
- 4.2 Schools' Forum agreed to move funding in from the High Needs Block (HNB) to the CSSB to reallocate funds incorrectly baselined from 2017-18. The agreement by Schools' Forum last year was for one year only and therefore the CSSB will start the new financial year with the same imbalance to the base budget
- 4.3 In 2020-21 the DfE began the annual process of reducing the historical items within the CSSB by 20%. The authority has therefore seen a reduction of 20% from the allocation in 2020-21 for the historical items within the CSSB. As Slough has already reduced its historical items by more than 20% by moving the budget for the Virtual school within the Statutory and Regulatory element of ongoing items, the allocation for historical items will not show a direct reduction until the budget and allocation align. There is however, an ongoing in balance in the overall CSSB budget due to the baselining exercise mentioned earlier in the report.
- 4.4 The provisional settlement of the CSSB for 2022-23 is £0.741m against commitments of £0.924m, leaving a shortfall of £0.186m excluding the shortfall for admissions budget which is now funded from £0.100m transfer from School block which was agreed in January School forum.

5 CSSB BUDGETS 2022-23

5.1. Admissions £0.278m includes £0.100m transfer from the SB

The school admissions budget funds the School Admissions Team. The team is responsible for the Local Authority's school admission processes. This includes co-ordination of the reception and secondary transfer admissions processes. This involves providing all residents who wish to apply with information about the process and an application form, processing all applications received and ensuring all applicants have one offer of a school place on national offer day. The team also co-ordinate in year primary and secondary admissions. Parents moving into Slough are provided with an application form and are offered a school place as soon as possible, usually within 4 weeks. The team deals with around 6000 applications annually.

5.2 Servicing of Schools Forum £0.053m

The budget for servicing the Schools Forum represents the costs incurred in providing this statutory duty. The LA is required to co-ordinate at least four Schools' Forum

meetings per year. This budget contributes to the running costs of Schools' Forums including any agreed and reasonable expenses for members attending meetings, the costs of producing and distributing papers, costs of room hire and refreshments and for clerking of meetings.

5.3 LA Children's Safeguarding Board £0.030m

Contributions to the Safeguarding function adds value to the work of the Slough Children's Safeguarding Board (SCSB) and support all schools and academies in their vital work to keep children and young people safe and achieve compliance with Ofsted requirements.

5.4 Copyright Licences £0.147m (confirmed by ESFA)

This is negotiated centrally for all authorities; schools cannot opt out for these licences;

- Copyright Licensing Agency (CLA)
- Schools Printed Music Licence (SPML)
- Newspaper Licensing Authority (NLA)
- Education Recording Authority (ERA)
- Public Video Streaming Licence (PVSL)
- Motion Picture Licensing Company (MPLC)
- Phonographic Performance Limited (PPL)
- Performing Rights Society (PRS)
- Mechanical Copyright Protection Society (MCPS)
- Christian Copyright Licensing International (CCLI)

5.5 Education Welfare (ESG) £0.145m

The statutory Education Welfare functions include the promotion of good attendance for all children and young people, enforcement duties on behalf of schools and Academies for non- attendance and the licensing processes for the employment and engagement in entertainment activities by children and young people. In Slough the Attendance Team are responsible for these activities except licensing which is the responsibility of the Admissions & Transport Team. It also includes monitoring of attendance and the early intervention in cases of absence giving cause for concern in schools and academies. The Attendance Team also has an essential role in safeguarding and family support. The team are also involved in work linked to the Multiagency safeguarding Hub.

5.6 Asset Management (ESG) £0.013m

Contribution to the services related to school buildings including those leased to academies. Examples include the schools building condition survey, PFI negotiations and the asset management plan.

5.7 Statutory and Regulatory (ESG) £0.358m of which £0.100m is for the Virtual School

Contributions to the statutory posts of DCS and the Head of the Virtual School for children in care, audit, revenue budget preparation, SACRE and the provision of information to Ofsted, DfE and other government bodies as required. Business support for education functions and systems for strategic information returns such as the school census are funded from this contribution. Please see the link below for further details of what this service and others may cover.

Virtual School

Contributions to the operation of the Virtual School have developed the range of the service to create better outcomes for children looked after by Slough. To build the system we have funded training through a large conference, training our new designated teachers and running the Designated Teacher meetings. The knowledge of attachment needs through early life trauma for example is now much better understood in the Slough education system. If you get it right for children looked after it has a positive impact from other vulnerable groups. This may even support children not to come into care. It will also improve the OFSTED judgements on Slough schools in respect to vulnerable children. The funding is also used to widen and deepen the range of services offered by the Virtual School, where support is available for under 5s, post 16, those in FE and HE. We also have capacity to support schools and carers with SGOs and adopters. We are forging links with Heathrow and developing apprenticeships.

5.8 The details of the provisional settlement of the CSSB can be found in **Appendix 1** of this report. The appendix has two tables showing the scenarios with and without the transfer of funding from the schools block to the CSSB.

5.9 The majority of the commitments remain the same as in 2021-22. The commitment for the Copyright licenses is based on DfE set charges for 2022-23.

6 Financial Implications

6.1 The financial implications have been detailed in the body of this paper.

7 ALTERNATIVE OPTIONS CONSIDERED

7.1 Not applicable

8 SUPPORTING INFORMATION

8.1 Not applicable

9 Legal Implications

9.1 There are no legal implications for this report.

10 Equality Implications

10.1 Not applicable

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Appendix 1

CSSB 2022/23

Area	Service	Budget	DSG Allocation	Variance	Contribution to balance CSSB	Comments
Contribution to combined Budgets	LA Safeguarding Childrens Board	30,000	39,936			
Sub Total - Historical Commitment		30,000		(9,936)		
Servicing of Schools Forum		53,056				
Admissions		278,100			100,000	SB contribution
Copyright Licences		146,940				
Education Welfare (Former ESG)		144,670				
Asset Management (Former ESG)		12,820				
Statutory Regulatory (Former ESG)		358,400				
Sub Total - Ongoing Commitment		993,986	703,239	290,747	180,811	HN Contribution
Grand Total		1,023,986	743,175	280,811	280,811	

Note: £53k for servicing of Schools forum cost includes £48k contribution for Shamsa's Salary and £5k is towards School Forum Clerk's cost

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School Forum 10 March 2022	
Report from Executive Director of People - Children Service	
Early Years Centrally Retained Funds 2022-23	
Wards Affected:	All
Key or Non-Key Decision:	N/A
No. of Appendices:	N/A
Contact Officer(s):	Kamaljit Kaur Interim Finance Business Partner Email: Kamaljit.karirkaur@slough.gov.uk Archa Campbell Interim Group Manager Email: Archa.campbell@slough.gov.uk

1 Purpose of the Report

- 1.1 To advise and propose to Schools' Forum the planned use of centrally retained funds across the Early Years Block for financial year 2020-21.

2 Recommendations

- 2.1 That Schools' Forum **review** and **agree** the use of centrally retained funds across the Early Years Block, which is to be set at 5% of the 2, 3 and 4 year –old funding allocation.

3 Reasons for Recommendations

- 3.1 In-line with current regulations, as described under 5.2 of the Early Years entitlements: local authority funding of providers Operational guide for 2022-23, local authorities are required to pass- through 95% of their 3 and 4 year old funding from the government to early years providers, leaving a maximum of 5% of that funding to support central functions. As with the previous year, the LA is seeking to maximise the use of this allowance, please see table one for details.

4 Background

- 4.1. The 5% remaining expenditure can be used to support:
- Centrally retained funding (for central services or services in-kind, including special educational needs and disability (SEND) services),
 - Transfer of any funding to 2- year-olds,

- Any extra hours that local authorities choose to fund in addition to the government’s hours for 3- and 4- year olds,
- Any funding movement out of the Early Years block.

5 Supporting Information

5.1. The provisional settlement for financial year is £14.461m, which is predicated on Jan.21 census data. The tables overleaf illustrate the calculations to derive the centrally retained budgets and the proposed use of them for 2022-23, reflecting the most up to date settlement provided by the DfE.

Note that EYPP, MNS, DAF and 2 Year Old funding are not included in the pass through calculation; however, under section 4 of the Operational guidance, it stipulates that there is currently no regulatory requirement to pass through a set amount of the government’s funding to providers for the delivery of 2 Year Old entitlements. Therefore, it has been treated in the same manner as the 3-4 year old funding.

5.2 Budgets are provisional and are therefore subject to change. A revised settlement will be provided in Jul- 22, when the Jan-22 census has been verified. This may result in changes to the level of centrally retained funds available +/-.

Table 1 – EY Centrally retained Budget 2022/23

Initial funding allocation for universal entitlement for 3 and 4 year olds (£s)	Initial funding allocation for additional 15 hours entitlement for eligible working parents of 3 and 4 year olds (£s)	Initial funding allocation for 2 year old entitlement (£s)	Total eligible for top-slice
£m	£m	£m	£m
9.831	2.659	1.098	13.588

Total provisional Central Budget 2022-23	0.492	0.133	0.055	0.679
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Table 2 – EY Centrally retained budget allocation 2022/23

Early Years Central Budget	Base Allocation 2021/22	Proposed Allocation 2022/23	Description
Early Years Strategic Financial Support	£78,810	£78,810	Financial contribution for the budget overview / management by DCS, Service Lead and Strategic Finance Officer.
Central Early Years Expenditure	£68,760	£68,760	Statutory duty for a child with suspected or diagnosed SEND; managing referrals across the sector and delivering identified programmes and packages of support.
Early Years Team Contribution detailed below:			
Quality Care & Learning & Advisory Teachers	£276,930	£278,930	Statutory duty to provide support to all new providers, mandatory training, support and challenge settings receiving an Ofsted outcome of Inadequate (FIPP). Additional non- statutory duties: Bristol Standard Quality Improvement Scheme, promotion of self -evaluation and action planning through the Partnership Improvement Plan and regular QT involvement in settings.
2 year funding, 3 & 4 year old funding and other statutory responsibilities	£208,220	£210,220	Statutory duty securing free early education places; pass through of funding to all providers; the promotion of partnership working including flexibility of provision; compliance work to ensure providers offer entitlements appropriately, in- line with statutory guidance.
Littledown School	£42,000	£42,000	Payment to Littledown school for a range of behaviour support services.
Sub TOTAL	£674,720	£678,720	
Early Years Adaptations/Practical Support	£50,000	£50,000	A central resource to enable providers to access practical equipment/support in order to enable children with SEND to continue to access their entitlement/s.
Grand Total	£724,720	£728,720	£4k more than 2021/22

6 Financial Implications

6.1 The financial implications have been detailed in the body of this paper.

7 ALTERNATIVE OPTIONS CONSIDERED

7.1 Not applicable

8 SUPPORTING INFORMATION

8.1 Not applicable

9 Legal Implications

9.1 There are no legal implications for this report.

10 Equality Implications

10.1 Not applicable

SLOUGH SCHOOLS' FORUM
Date of Forum
10th March 2022
Directorate of People (Children)

Update on Dedicated Schools Grant Management Plan

1 PURPOSE OF REPORT

This report provides an update to Schools Forum on the Dedicated Schools Grant Management Plan. The paper attached (Appendix A) presented at Slough Borough Council Cabinet meeting on 9th March addresses the plan.

2 RECOMMENDATIONS

Schools Forum to note the following (from the cabinet report):

- the forecast position for DSG spend in 2021/22 to 2024/25
- the overarching issues that have resulted in the DSG deficit and the actions taken to date to address these
- the Council has been invited to take part in the 'safety valve' intervention programme with the DfE which is expected to commence in April/May 2022

3 REASONS FOR RECOMMENDATION

Below taken from cabinet report:

Slough's priority outcomes include children growing up to be happy, healthy and successful, and people being healthier and managing their own care needs. Those who receive services via the Local Authority's DSG (High Needs Block) are the most vulnerable children and young people (aged 0-25) with special educational needs and disabilities. An effective Management Plan for DSG High Needs Block spending is required to address the current overspend and ensure that services are sustainable and can continue to meet the needs of children, young people and their families in Slough.

This priority has to be achieved within a balanced budget and this has not been the case in the past with increasing deficits and no management action to address them.

4 REPORT

Please refer to appendix A for the full report.

5 ALTERNATIVE OPTIONS CONSIDERED

None

6 Financial Implications

The financial implications have been detailed in the body of the paper.

7 Legal Implications

There are no legal implications for this report.

8 Equality Implications

Not applicable

9 Consultation with Ward Members and Stakeholders

- Schools Forum members have been involved through a sub-group
- Appropriate stakeholders have been consulted/met with

10 Human Resources/Property Implications (if appropriate)

Not applicable

Contacts for further information

Johnny Kyriacou
Associate Director, Education & Inclusion
Slough Borough Council

Johnny.kyriacou@slough.gov.uk

SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet

DATE: 9th March 2022

SUBJECT: Update on Dedicated Schools Grant Management Plan

CHIEF OFFICER: Steven Mair, Director of Finance
Andrew Fraser, Interim Executive Director People Children, Chief Executive Slough Children's Service Trust Ltd

CONTACT OFFICER: Liton Rahman, Financial Advisor
Johnny Kyriacou, Associate Director Inclusion

WARD(S): All

PORTFOLIO: Cllr Rob Anderson, Financial Oversight, Council Assets and Performance
Cllr Christine Hulme, Children's Services, Lifelong Learning and Skills

KEY DECISION: YES

EXEMPT: NO

DECISION SUBJECT TO CALL IN: NO

APPENDICES: None

1 Summary and Recommendations

- 1.1 Local authorities are facing increased demand for places for pupils requiring specialist education provision, which has risen in Slough by 86% since 2015. As well as the significant increase in numbers, the complexity of pupils' needs is also increasing.
- 1.2 The Council's Dedicated Schools Grant (DSG) deficit has been growing since 2015/16, mainly due to the pressures for additional funding in the HNB and a lack of management action up to May 2021. The overall deficit has grown from £4.9m in 2015/16 to £20.6m as at 31 March 2021.
- 1.3 The Council had taken no positive action about this growing deficit until May 2021 when the matter was identified, and action began.

- 1.4 All local authorities with DSG deficits are required to prepare and implement a deficit management plan, although the Department for Education (DfE) recognises that in some cases it may take several years for the situation to improve.
- 1.5 Slough's deficit management plan was shared with the DfE in July 2021 (see table 5 below). The management plan indicated that the deficit could potentially grow to £43m by 2024/25 if no mitigating actions are taken. Actions to manage demand for HNB funding and address the DSG deficit are included in this plan.
- 1.6 The outturn position in 2020/21 was an overspend of £7.2m and it was anticipated that an overspend of £7.2m would occur in 2021/22. However, as a direct result of the actions outlined within this report it is now anticipated that an overspend of £4.9m in 2021/22 will occur, a reduction of £2.3m when compared to last year's position. Attention is drawn to paragraph 4.1.8 in coming to this forecast and the risks that this may change.
- 1.7 The Council has been invited to take part in the 'safety valve' intervention programme with the DfE with the aim of agreeing a package of reform to our high needs system that will bring the DSG deficit under control. Officers are currently in the process of updating the existing management plan and package of proposals in readiness for the review with the DfE which is expected to commence in April/May 2022.
- 1.8 If the proposals are agreed to by the Secretary of State, they will form the basis of a published agreement. The agreement will require the Council to implement reforms to the agreed timetable, alongside maintaining an agreed savings profile. It will also set out additional funding which the department will release to support the reduction of the cumulative deficit.
- 1.9 This report updates the Cabinet on the High Needs Budget position and the progress to date of the DSG Management Plan 2021/22 to 2024/25.

Recommendations

- 1.10 That the Cabinet recommend to Council to note the following:
 - the forecast position for DSG spend in 2021/22 to 2024/25
 - the overarching issues that have resulted in the DSG deficit and the actions taken to date to address these
 - the Council has been invited to take part in the 'safety valve' intervention programme with the DfE which is expected to commence in April/May 2022.

Reasons

- 1.11 Slough's priority outcomes include children growing up to be happy, healthy and successful, and people being healthier and managing their own care needs. Those who receive services via the Local Authority's DSG (High Needs Block) are the most vulnerable children and young people (aged 0-25) with special educational needs and disabilities. An effective Management Plan for DSG High Needs Block spending is required to address the current overspend and ensure that services are sustainable and can continue to meet the needs of children, young people and their families in Slough.

1.12 This priority has to be achieved within a balanced budget and this has not been the case in the past with increasing deficits and no management action to address them.

2. Background

2.1. School Funding is received through the DSG, and is split into four blocks, each with its own formula to calculate the funding to be distributed to each local authority, and with specific regulations on what each block of funding can be spent on:

- **Schools Block (SB)** – funds primary and secondary schools through the school’s funding formula, and growth funding for new and growing schools/bulge classes.
- **Central Schools Services Block (CSSB)** – funds services provided by the local authority centrally for all schools and academies, such as the admissions service.
- **Early Years Block (EYB)** – funds the free entitlement for 2-, 3-, & 4-year-olds in all early year’s settings in the private, voluntary and independent (PVI) sector as well as maintained nursery schools, and nursery classes in mainstream schools.
- **High Needs Block (HNB)** – funds places in special schools, resource units and alternative provision, and top up funding for pupils with Education, Health & Care Plans (EHCPs) in all settings including non-maintained special schools, independent special schools, and further education colleges.

2.2. The Council’s DSG deficit has been growing since 2015/16, mainly due to the pressures for additional funding in the HNB and the lack of management action. The overall deficit has grown from £4.9m in 2015/16 to £20.6m as at 31 March 2021, and could potentially grow to £43m by 2024/25 if no mitigating actions are taken.

2.3. All local authorities with DSG deficits are required to prepare and implement a deficit management plan, although the DfE recognises that in some cases it may take several years for the situation to improve.

2.4. Slough’s deficit management plan was shared with the DfE in July 2021 (see para 4.1.6 below). Actions to manage demand for HNB funding and address the DSG deficit are included in this plan. The key areas of risk, actions taken to date and mitigations are identified in the sections that follow.

2.5. The Council has been invited to take part in the ‘safety valve’ intervention programme with the DfE with the aim of agreeing a package of reform to our high needs system that will bring the DSG deficit under control. Officers are currently in the process of updating the existing management plan and package of proposals in readiness for the review with the DfE which is expected to commence in April/May 2022.

2.6. If the proposals are agreed to by the Secretary of State, they will form the basis of a published agreement. The agreement will require the Council to implement reforms to the agreed timetable, alongside maintaining an agreed savings profile. It will also set

out additional funding which the department will release to support the reduction of the cumulative deficit.

2.7. The following governance structure has been and is being implemented to ensure there is oversight of the delivery of the DSG Action Plan:

2.7.1. DSG Finance Group: meets weekly and is chaired by the Section 151 Finance Officer and provides assurance that actions to deliver the DSG plan is on track and provides financial reports to track impact. These actions are set out below in section 3

2.7.2. SEND Transformation Board; will meet monthly and is jointly chaired by Section 151 Officer and the Executive Director People Children. Membership also includes chair of school forum, Frimley Clinical Commissioning Group, Slough Children Trust Ltd, parent voice and Adult Social Care. This Board will provide challenge and oversight of the DSG Management Plan and links to improving SEND outcomes

2.8. This report is provided to Members to share detailed information about the financial pressures faced by the Council and local schools in providing services to children with additional needs including Special Educational Needs and Disabilities (SEND) through its nationally allocated High Needs Block (HNB) funding.

2.9. The report sets out strategic aims and strategies to address these pressures. High Needs funding is one of the four funding blocks within the DSG for the Council. The Council has authority regarding funding decisions about the DSG allocations including allocation of funding from the high needs block, although it is required to consult the local Schools' Forum (a school stakeholders' body) who also hold some regulatory powers for specific circumstances.

3. Overarching Issues

The Council is facing unprecedented financial challenges across the whole spectrum of its budgets potentially totalling £307m to March 2022 with further pressures beyond this as reported separately on this agenda. In addition, the DSG was facing a potential projected overspend of £43m by 2024/25 without management action which until May 2021 had not been addressed.

3.1 Increasing numbers of Education Health Care Plans (EHCPs) and Education Health Care Needs Assessments (EHCNA)

Context

Since the introduction of the Children & Families Act 2014 and the SEND reforms, local authorities (LAs) across England have seen a year-on-year increase in the number of Education, Health and Care Plan's (EHCPs.) Whilst the increase in Slough is in line with national statistics (see below), the growing numbers have placed an increasing demand on statutory Special Educational Needs and Disability (SEND) resources. Auditing of the SEND Panel decisions has identified a tendency to make decisions outside of SEND panel in some cases and demonstrated that processes in Slough since the reforms were introduced have lacked the rigour necessary to ensure that assessments and the issuing of plans takes place only when appropriate under the

SEND Code of Practice (2015). This has included a tendency to make decisions to agree to assess and issue plans without ensuring accountability and robust evidence.

Table 1 – Percentage of pupils with an EHCP

	2018	2019	2020	2021
All schools in Slough	3.1%	3.2%	3.4%	3.7%
England	2.9%	3.1%	3.3%	

Actions taken to date

- a new Chair of SEND Panel since April 2021 has ensured: robust adherence to terms of reference and SEND Code of Practice (2015) ensuring transparency of decision-making and all decisions have been appropriately recorded and tracked
- the membership of SEND Panel has widened to include regular contributions from head teachers and other agencies such as Adult Social Care and we are seeking Health attendance
- the SEND Commissioner has been attending the Panel every week since May 2021 and this has enabled rigour and consistency in our approach to commissioning across cases and particularly with complex cases
- the triage process introduced in June 2021 has added a layer of quality assurance which ensures that all cases presented include the relevant and available evidence for the SEND Panel to make their decisions.

Ensuring sustainability of changes

The processes at the SEND Panel need to remain fully embedded to ensure ongoing rigour and transparency. Focus needs to remain on quality and outcomes for Children and Young (CYP) with SEND, while also having regard for the financial envelope.

3.2 Increasing cost of top-up funding for EHCPs

Context

In 2019, a new matrix system for banding EHCP top-up funding was introduced in Slough. Analysis has shown that in the first 18 months this has resulted in a 14% increase in the cost of top-up funding to mainstream schools. Contributory factors include:

- a failure to undertake a comprehensive financial modelling of the new matrix system to consider the cost impact and sustainability within the existing financial envelope.
- a lack of consideration of existing models in other South-East authorities and statistical neighbours.
- banding levels that are spread too far apart, such that the increase from one increment to the next is frequently between £5,000 and £10,000. This limits options when considering a need to fund additional provision which could be delivered more cost-effectively than stepping to the next available banding level

- no 'like-for-like' banding levels identified for assimilating existing EHCPs that were previously banded under the old system, leading to a tendency for plans to increase in cost without any evidence that provision funded by the top-up needs to increase
- panel decisions on banding reflecting a culture of low expectation of schools' ordinarily available provision and SEND capacity
- the matrix descriptors now require reviewing to better take into account the age/stage of the CYP and other provision funded separately from top-up funding (such as Speech & Language Therapy and Berkshire Sensory Consortium packages)

Actions taken to date

- an increased rigour and scrutiny of SEND Panel decisions and processes has already resulted in a reduction in costs, including a 7% reduction in the cost of top-ups for plans finalised naming a mainstream setting, based on comparing 3-month periods one year apart (see below).

Table 2 – Cost Reductions Analysis

	3-month period July-Sept 2020			3-month period July-Sept 2021		
	Mainstream	Special	All plans	Mainstream	Special	All plans
No. of EHCPs finalised	47	11	58	38	8	46
Cost of top-up	£443,000	£200,000	£643,000	£333,000	£140,000	£473,000
Average cost per plan	£9,426	£18,181	£11,086	£8,763	£17,500	£10,283
Average cost reduction per plan finalised	-----	-----	-----	£663	£681	£803
% cost reduction per plan	-----	-----	-----	7.0%	3.7%	7.2%

- proposals have been shared with Schools Forum to mitigate risk of banding inflation at phase transfer from this point forward. These will be applied to all EHCPs amended as part of the September 2022 phase transfer process (from February 2022 onwards).

Ensuring sustainability of changes

Commencing February 2022, a full review of the current matrix banding system will be undertaken. This will ensure that:

- the existing models used by statistical neighbours and other South-East authorities are fully considered and benchmarked against Slough.
- descriptors are reviewed to ensure that decisions regarding banding accurately reflects the provision that the LA must fund through top-up in line with each EHCP.
- banding levels are set at appropriate increments to ensure a graduated response to need.

- any EHCPs assimilated from previous system can be funded at a level which reflects provision required without arbitrary inflation due to a lack of 'like-for-like' banding increment.
- proposals are fully modelled both operationally and financially to ensure that needs are met while keeping regard to sustainability and the existing financial envelope.

3.3 Reliable Data and Finance Information

Context

Data in Slough has historically not been collected in a systematic way. Data Management Systems have not been used to their full potential and lack of training for staff has led to poor data inputting. A lack of reliable data has impacted on SEND Planning, Commissioning and decision making.

Actions taken to date

- data in Capita system audited and cleansed
- training on Capita delivered to SEND Officers currently in post
- joint funded packages identified, and discussions have taken place with Commissioners at Slough Children's First and Health
- child level data has been updated
- finance data is being updated
- additional member of staff for processing of client data has been appointed to support SEND
- SEND and Finance Managers working closely together to interrogate data and for future budget setting.

Ensuring Sustainability of Changes

- further Capita training and staff development needs have been identified and are being costed. A system of ongoing training needs to be developed along a "super-user" model to ensure expertise is maintained and shared on an ongoing basis with new and existing staff. This model will ensure ongoing accuracy and reliability of data.
- data sharing agreements with Schools, Social Care and Health to be put in place.
- joint commissioning developments need to be ongoing across partners both locally and regionally.

3.4 Independent Non-Maintained Special School (INMSS)

Context

The Independent Non-Maintained Special School Providers and Independent Providers are used as provision for a small number of CYP who have, due to the complexity of their needs, not been successful within Maintained Provision or their needs are not able to be met within Maintained Settings. The number of these placements has historically been quite low in Slough but since 2018/19 these

placements have increased, and their use has not necessarily been monitored or audited to ensure that they are meeting need and providing value for money. A small number of these placements can have a significant financial implication as a placement costing £50,000 per annum for secondary phase will cost potentially over £350,00 for the time the CYP is in the school.

Analysis has indicated that:

- projections in the DSG Management Plan indicate that, unmitigated, numbers in this sector will increase to 77 by 2025.
- the costs of these placements are growing, and it is important to ensure that CYP are only placed in these provisions if all local Maintained Provisions clearly cannot meet need and all other options have been exhausted.
- when auditing SEND Panel minutes, some of the decisions made lack transparency, other decisions have been made outside of the Panel so clear rationale is not always available as to why and how the decision was reached.
- it is apparent that for these placements the Commissioning arrangements have lacked rigour, and Contracts and Individual Placement Agreements have not always been in place with charges varying from young person to young person and agreements about uplifts or changes in prices being arbitrary.

Action taken to date

- panel processes are ensuring that only CYP whose needs cannot be met at local Maintained Provisions are being placed in INMSS.
- consultation processes are being strengthened and INMSS schools are only being consulted with where appropriate
- commissioning is being better informed and quality, appropriateness and value for money are the key considerations
- all children and young people attending Independent Non-Maintained Providers have been identified and at Annual Review all these cases are being audited to ensure this is the most appropriate placement to meet need.
- at key transitions consideration is given to whether these placements are still the most appropriate placement for the child or young person.
- all INMSS Providers have/are being met by the Group Manager for Inclusion and SEND Commissioner to review the cost of placements and to renegotiate costings if appropriate.
- bench marking exercise occurring with South-East authorities to ensure consistency of costing and whether there are joint authority commissioning opportunities.
- additional commissioned capacity is being developed within one of our maintained special schools to ensure that the needs of more complex, difficult to place CYP's can potentially be met. Through this there is an identified cost reduction for three young people of £150,000 and further cost reductions have been identified for the next academic year.
- the current number of CYP in these placements is reducing and there are fewer children in these provisions than we were projecting. For this year it was 67 and at the time of writing we have 59.

Ensuring sustainability of changes

- it is important to reiterate that without continued thorough SEND Panel process and rigour of decision making these numbers could very easily increase.
- continued work is needed with other local authorities to ensure more effective joint commissioning to better meet the “area” needs and to thus have more cost-effective placements and better joined up working and decision making.
- the SEND Commissioner role is vital to securing agreement with Providers around costings and uplifts, also to ensure effective Contract management and ensuring Quality Indicators are met.

3.5 Post-16

Context

The Children and Families Act 2014 extended the age range for when an Education, Health and Care Plan can be secured. This has meant that where previously plans were ceased between the age of 16-19 now Young People can continue to have a Plan if they have an unmet educational outcome. Slough like other Local Authorities has seen an increase in the numbers of Young People with EHCP’s and this growth continues. With the increasing numbers the costs have also increased, and this is putting increasing pressure on the High Needs Block.

The data for this group of young people has been interrogated and it has become clear that there has been a lack of focus on Preparation for Adulthood. The Statutory Year 9 Reviews where the focus on transition planning occurs with other agencies have not always been carried out effectively. It has also highlighted that young people’s plans have not always been ceased when their education has been completed meaning that the LA is still responsible for a Plan when the young person is not accessing provision and in some cases is over 25.

Since the introduction of EHCPs for 19-25 year-olds we are now maintaining approximately 335 Post-16 EHCPs and if left unmitigated this number is projected to increase to over 450 by 2025. The Post-19 cohort have mainly accessed costly Independent Provisions and what has become clear through file audits is that many of the Young People are repeating the same entry level courses and there is no progression in their educational outcomes. For many of these young people, a lack of transition planning has meant delays in them moving to the next stage in their life and thus an increased cost of educational provision which has impacted on the High Needs Block over spend.

The all-age special school in Slough takes children from Early Years through to Post-16. Historically it has offered places to all young people in Year 14 (age 19) who have been in Year 13.

According to the DfE High Needs Funding 2021 to 22 Operational Guide (sections 226-227, p53-54), *there is an exception by which 19-year-olds with an EHCP can be funded in a school (rather than an FE institution, independent learning provider or special post-16 institution); this applies to 19-year-olds who are completing a secondary education course started before they were 18 years old.*

The practice to date has not been an exception and significant numbers have been attending a special school when they should be moving onto FE Provision.

Actions taken To Date

- data has been audited and all Post-16 Placements identified with costs.
- any EHCPs which may need to cease have reviews and actions underway to send cease to maintain letters.
- decisions at SEND Panel are ensuring that Young People's placements are agreed after taking into consideration the young person's aspirations but also ensuring quality of placements and value for money.
- decisions to continue to fund young people for the same courses in different institutions are being challenged and only agreed if it can be demonstrated that a key outcome is still to be achieved.
- individual placement costings are being scrutinised and where necessary being challenged.
- all placements now have a contract and an Individual Partnership Agreement (IPA) in place.
- all Year 14 placements are being scrutinised to ensure that there is an exceptional reason for why they need to stay in a school placement. Transition Plans at Years 9, 11 and 13 are being put in place to ensure that the assumption of Year 14 places in school are no longer the norm.
- all colleges are being met with to discuss both the Local Authorities and their Statutory duties toward Young People with EHCPs. These meetings are also allowing discussions around the importance of progression in courses and the need to have clear Transition Plans on leaving college.
- more effective commissioning arrangements are being discussed with other South-East LAs.

Ensuring sustainability of changes

- a transition group is being developed which will be chaired by the AD of Adults' Service and will work with all stakeholders including young people to ensure that clear pathways are in place to enable a smooth transition into other services if appropriate.
- it is important to reiterate that without continued thorough SEND Panel processes and rigour of decision making these numbers could very easily increase exponentially.

3.6 Additional Resource Provisions (ARPs)

Context

Slough currently has 16 ARP's, 3 in nursery schools, 8 in primary schools and 5 in secondary schools. A review is ongoing and has identified that, particularly in the primary phase, a number of Slough's ARPs are functioning as SEN Units rather than Resource Bases (the DfE define a resource base as an ARP where the CYP have access to the mainstream classroom for at least 51% of the time; the amount of time in a mainstream classroom can be significantly lower than 51% in a SEN Unit).

Auditing of the CYP's attending the ARP's suggests that there are some children placed in our special schools whose needs could be better met in an ARP, while at the same time there are a number of CYP in our ARPs whose needs would be best met in a special school.

Slough has become reliant on its ARPs to meet the needs of a significant number of CYP with complex needs. A contributing factor has been a lack of rigour applied to the process of consultations when EHCPs are first issued, and at subsequent phase transfer points. Service Level Agreements between the LA and ARPs were found upon review not to be consistently in place and where they did exist required significant updating.

Actions taken to date

- increased scrutiny of which CYP are placed in Slough ARPs, to ensure that only CYP with an ARP named in their EHCP are filling a commissioned place.
- two primary ARPs which are currently functioning as SEN Units are carrying out a consultation to ensure that this status can be reflected in their SLA with Slough to ensure that CYP are placed appropriately.
- one primary ARP is currently consulting with stakeholders around closure in July 2022, due to difficulty in sustaining delivery to the small number of complex CYP for which it has ARP capacity. Plans are in place with the setting and individual families to identify new placements where required for September 2022 (this would have a low impact as the number of CYP requiring alternative placement totals 5)
- one ARP is to reduce from 60 by a decrease in 10-20 places over the next 2-3 years. This is as result of the proportion of statutory SEND CYP in relation to mainstream Published Admission Number (PAN) is becoming unsustainable, particularly as the school's PAN is due to decrease as part of Slough's place planning strategy.
- agreement with our all-through special school to ensure that all our commissioned places are focused on years 0 to 13. Commissioning of Nursery and Year 14 placements will occur separately to maximise placements for CYP aged 4 to 18 years and in line with the High Needs Block Guidance.
- increase in SEND EHCP commissioned placements for September 2022 onwards within our secondary special school.
- SLAs are re-drafted and with our legal advisors for scrutiny and feedback.
- process of consulting with ARPs when issuing new EHCPs, or for phase transfers, has been made more robust to ensure full compliance with the SEND Code of Practice (2015)

Ensuring sustainability of changes

- once newly agreed SLAs are in place, there will be regular contract monitoring meetings.
- newly embedded processes must be maintained to ensure compliance
- contract monitoring and data monitoring need to be considered when looking at future place planning within the SEND sector.

3.7 Alternative Education Provision

Context

All children and young people regardless of their circumstances are entitled to a full time education. For most this will be within a school setting however for some they will not be able to access these settings due to illness, social emotional mental health needs or because they have been excluded either temporarily or permanently.

The DfE defines alternative provision as:

- *education arranged by local authorities for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education.*
- *education arranged by schools for pupils on a fixed term exclusion.*
- *pupils being directed by schools to off-site provision to help improve their behaviour.*

The Local Authority has a statutory duty to provide education from the 6th day of a permanent exclusion. In Slough this provision is provided by Littledown School for primary children and by Haybrook Alternative Provision (AP) Academy for Secondary aged young people.

Historically, Slough has commissioned and funded a significant amount of non-statutory places at both Littledown and Haybrook AP Academy which have been used by schools under the label of early intervention. The funding for these places has come from the High Needs Block and has been in excess of £1.5 million. The cost for these places has been 30-50% above the £10,000 per commissioned place. Though there is some data available, it is difficult to demonstrate the outcomes of these places and the impact for such a high spend.

The LA is also funding a significant amount of individual tuition which is purchased on an ad hoc basis without a clear commissioning process to ensure quality, value for money and outcomes.

Actions taken to date

The LA has reviewed benchmarking data from different authorities all whom have differing models. Most provide the minimum statutory provision (6th day following a permanent exclusion) and some preventative places where schools either fund the majority of the place or fund top up above the £10,000 base funding. The numbers for these preventative places are significantly lower than those provided by Slough.

Unusually, Slough has not got a strong alternative education offer within a broader market, unlike some of the other authorities in the South-East, and this appears to be due mainly to the fact that the LA has fully funded full time AP places at Haybrook and Littledown so schools have not needed to look elsewhere to purchase or fund their AP Provision. The model of AP provided in Slough fails to have regard for the DfE definition of AP with the vast majority of costs being borne by the LA as opposed to Schools.

The existing model is not sustainable and cost reductions have been put forward around a more manageable costing to reflect the LA's Statutory Responsibilities around Permanent Exclusions. Cost Reductions have been proposed over a three-

year period to mitigate impact and allow the schools to develop other models of delivery with schools.

Discussions have started with both our existing AP Providers. This area requires significant systemic change.

Ensuring sustainability of changes

AP costs in Slough are likely to remain disproportionately high compared to our statistical neighbours unless there is a strong, clear strategy which highlights Academies and Maintained Schools' statutory responsibilities toward vulnerable CYP.

The development of a stronger market for AP Providers from different sectors would allow for a better range of vocational options for children, young people and their families and would introduce an element of competition to the market for schools and the LA

Current proposals to reduce LA-commissioned places over the next 3 years will deliver the following savings:

Table 3 – Projected Savings over 3 years

Year	Saving
Year 1	£538,000
Year 2	£571,000
Year 3	£220,000
Total	£1,329,000

Commissioner Review

[Sign off from the Commissioner(s) is required for all reports and any comments are to be recorded in the report.]

4. Implications of the Recommendation

4.1 Financial implications

4.1.1 The Council's DSG deficit has been growing since 2015/16, mainly due to the pressures for additional funding in the HNB and lack of management awareness or action to address this. The overall deficit has grown from £4.9m in 2015/16 to £20.6m as at 31 March 2021.

Table 4 – DSG Deficit

£m	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
B/F	5.7	4.9	2.4	5.4	7.5	13.4
In-year	-0.8	-2.5	3.0	2.1	5.9	7.2
C/F	4.9	2.4	5.4	7.5	13.4	20.6

4.1.2 In response to the growing pressure on the DSG as a result of increasing demand on the High Needs Block, the DfE undertook a consultation seeking to clarify the accounting arrangements. The government [response](#) was published on 30 January 2020 which set out a number of regulatory changes.

4.1.3 The Local Authorities (Capital Finance and Accounting) (England) Regulations were amended to require any deficit on a local authority's DSG account to be carried forward to be funded from future DSG income unless permission is sought from the secretary of state for education to fund the deficit from general resources. The change in regulation only applies to financial years beginning on 1st April 2020, 1st April 2021 and 1st April 2022.

4.1.4 It is not yet clear whether this arrangement will continue in subsequent financial years. If it does not continue and based on original projections, the Councils financial position would worsen by an additional £43m and therefore it is imperative that the pressures are managed in an appropriate and effective way.

4.1.5 All local authorities with DSG deficits are now required to prepare and implement a deficit management plan, although the DfE recognises that in some cases it may take several years for the situation to improve.

4.1.6 Slough's deficit management plan was shared with the DfE in July 2021 (see table 5 below). The management plan indicated that the deficit could potentially grow to £43m by 2024/25 if no mitigating actions are taken. Actions to manage demand for HNB funding and address the DSG deficit are included in this plan.

Table 5 – DSG projection without mitigations

£m	2021/22	2022/23	2023/24	2024/25
B/F	20.6	27.8	33.8	38.9
In-year	7.2	6.0	5.1	4.5
C/F	27.8	33.8	38.9	43.4

Table 6 – DSG projection with mitigations

£m	2021/22	2022/23	2023/24	2024/25
B/F	20.6	25.5	28.9	31.1
In-year	4.9	3.4	2.2	1.0
C/F	25.5	28.9	31.1	32.1

4.1.7 The outturn position in 2020/21 was an overspend of £7.2m and it was anticipated that an overspend of £7.2m would occur in 2021/22. However, as a direct result of the actions outlined within this report it is now anticipated that an overspend of £4.9m will occur in 2021/22, a reduction of £2.3m when compared to last year's position.

4.1.8 As is well documented in other reports on this agenda there are considerable financial risks with significant historic matters being identified as the Council closes off its accounts from 2018/19 to 2021/22. The above estimates have been based on the original management plan submitted to the DfE adjusted for historic issues identified to date and changes to income projections based on recent announcements with contingency built in to allow for any issues that arise from the work that is ongoing. However, the magnitude of the issues facing the Council are such that these projections may well change

4.1.9 Officers are currently in the process of updating the management plan and package of proposals in readiness for the review with the DfE which is expected to commence in April/May 2022 and therefore the above estimates are subject to change.

4.2 Legal implications

4.2.1 The Council has a statutory responsibility under the Education Act 1996 to provide education for all children and young people (CYP) until the age of 19. The Children's and Families Act 2014 extended the age to 25 for CYP with an Education, Health and Care Plan (EHCP) if a young Persons educational outcomes have not been met. The SEND Code of Practice (2015) outlines the Statutory Guidance that Local Authorities have to adhere to. The Council is duty bound to commission placements for CYP with EHCPs in a range of mainstream, mainstream specialist, and independent settings. The framework places the following duties for SEND commissioning areas:

- considering the views of children, young people, and families.
- enabling children, young people, and parents to participate in decision making.
- collaboration with partners and stakeholders in education, health and social care to provide support.
- early identification of children and young people's needs.
- inclusive practice and removing barriers to learning.
- helping children and young people prepare for adulthood

4.3 Risk management implications

4.3.1 The following are identified risks to the delivery of the action plans and the cost reduction measures:

- High Needs budgets would continue to experience escalating cost pressures due to continued increase demand for EHCNAs. This would further compound an unsustainable position for the LA.
- increasing placements in independent non-maintained special schools at higher costs to the LA
- risk that demands / growth in pupils with EHCPs may increase at a higher rate than planned or forecast.
- slippage and delay in the delivery of the above actions or measures which would negatively impact on funding forecasts It is imperative that there are strong governance arrangements in place to ensure the effective delivery of the DSG Management Plan which is dependent on the actions of partners across the SEND system including education, health and care partners.

4.4 Environmental implications

Not applicable

4.5 Equality implications

4.5.1 The DSG Management plan will support the local authority to continue to meet its statutory functions as set out in the SEND Code of Practice and to improve and develop new and existing systems and processes. This will impact positively on children and people with SEND and their families – it is an opportunity to improve co-production with parents and young people, decision making, transparency and equity of service delivery.

4.5.2 The Management Plan will exclusively help towards improving the educational experience of children and young people with a protected characteristic as defined by the Equality Act (2010) and Public Sector Equality Duty through placing the onus on equipping local mainstream and special schools to best meet their needs,

4.5.3 An Equalities Impact Assessment will be completed for each identified cost reduction if appropriate and required.

4.6 Procurement implications

4.6.1 Officers are exploring the procurement implications for the DSG Management Plan and will be subject to Cabinet reports if necessary to ensure alignment to the councils contractual procedural rules and the Public Contract Regulations 2015 (amended).

4.6.2 Several options will be considered to ensure best value and where appropriate, competition. In accordance with the SEND code of Practice, service provision will be offered in a wide and flexible manner to meet the needs of children and young people

with special education needs and disabilities, this may be direct payments to increase personal choice.

4.7 Workforce implications

Not applicable

4.8 Property implications

Not applicable

5. Background Papers

None

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PROPOSED FORWARD AGENDA PLAN 2021/22

Standing items for all meetings		
Item	Description	Lead
(a)	Apologies/notification of AOB/declaration of interests	Chair
(b)	Minutes of previous meeting	Chair
(c)	Forum membership update	Chair
(d)	Update on national/local funding news or issues	LA – Kamaljit Kaur
(e)	Academies update	LA – Johnny Kyriacou
(f)	Forward agenda planning and key decisions log	Chair

Agenda items

Meeting 3 – 10th March 2022		
Item	Description	Lead
1	DSG 2021-22 monitoring report	Kamaljit Kaur
2	DSG Schools Block - Confirmation of APT submission and schools' budgets 2022-23	
3	CSSB budget 2022-23	Kamaljit Kaur
4	EY centrally retained budget 2022-23	Johnny Kyriacou
5	DSG Management Plan update	Johnny Kyriacou

Meeting 4 – May 2022 (date TBC)		
Item	Description	Lead
1	Annual DSG report 2021/22 including impact	Kamaljit Kaur
2	Growth Fund 2021-22 outturn and 2022-23 update	Tony Madden
3	DSG Management Plan update	Johnny Kyriacou
4	Early Years update	Kamaljit Kaur

Meeting 5 – July 2022 (date TBC)		
Item	Description	Lead
1	DSG 2022-23 monitoring report	Kamaljit Kaur
2	DSG Management Plan update	Johnny Kyriacou
3	Early Years update	Johnny Kyriacou

SLOUGH SCHOOLS FORUM

HISTORIC AGENDA PLANNING based on six meetings per year

Meeting 1 – October	
Agenda item	Notes
DSG Schools Block – proposed timeline and consultation	<ul style="list-style-type: none"> 5-16 Task group considers options and agrees consultation. Consultation with schools In November.
SEND and AP place commissioning	<ul style="list-style-type: none"> LA confirms places commissioned in academies ahead of submission to ESFA in November – Forum notes

Meeting 2 – December	
Agenda item	Notes
DSG Schools Block – consultation outcome and task group recommendation	<ul style="list-style-type: none"> Forum considers outcome of consultation and task group discussion. Forum makes recommendation on the formula. Forum decides on any block transfer requests
Scheme for financing schools	<ul style="list-style-type: none"> Outcome of consultation with maintained schools on revisions to scheme. Approval of revised scheme by maintained school reps.
DSG Central School Services Budget (CSSB)	<ul style="list-style-type: none"> Line-by-line approval of CSSB budget allocations for next FY
Growth Fund	<ul style="list-style-type: none"> Review Growth Fund position Agree maximum ‘top slice’ from Schools Block and allocation model for next FY

Meeting 3 – January	
Agenda item	Notes
DSG Schools Block – confirmation of settlement and APT submission	<ul style="list-style-type: none"> LA confirms final DSG settlement and APT submission – Forum notes
DSG High Needs centrally retained budget	<ul style="list-style-type: none"> LA confirms line-by line allocation of HNB centrally retained funding – Forum notes
DSG Early Years centrally retained budget	<ul style="list-style-type: none"> LA confirms line-by line allocation of EY centrally retained funding – Forum notes

Meeting 4 – March	
Agenda item	Notes
DSG Schools Block – confirmation of individual schools’ budgets	<ul style="list-style-type: none"> LA confirmation of individual budgets following APT submission and any subsequent adjustments – Forum notes
DSG Early Years block	<ul style="list-style-type: none"> LA confirms funding arrangements for next FY – Forum notes

Meeting 5 – May	
Agenda item	Notes
Historically this meeting has been a ‘reserve’ meeting to allow for additional monitoring or where there have been unavoidable changes to the timings of other items.	

Meeting 6 – July	
Agenda item	Notes
Growth Fund - outturn from previous financial year.	LA confirms outturn and any consequent update to the allocations - Forum notes .
DSG – annual report	LA confirms deployment of DSG for previous financial year - Forum notes .