

Notice of Meeting

Schools Forum

Stuart Matthews (Academy School Representative) (Chair)
Elizabeth Savage, Academy School Representative (Vice-Chair)
Jenny Baker, Special School Representative
Sue Butler, Early Years PVI Provider
Caroline Johnson, Primary School Representative
Juanita Dunlop, Primary School Representative (Headteacher)
Trudi Sammons, Primary School Representative (Headteacher)
Keith Grainger, Secondary School Representative (Headteacher)
Tim Griffith, Academy School Representative
Grant Strudley, Academy School Representative
Gareth Croxon, Academy School Representative (Headteacher)
Katie Moore, Academy School Representative
Paul Tatum, Trades Union Representative



Also Invited:

Councillor Roy Bailey, Executive Member for Children, Young People & Learning

Thursday 7 March 2024, 4.30 pm
Zoom Meeting

Agenda

All councillors at this meeting have adopted the Mayor's Charter which fosters constructive and respectful debate.

Item	Description	Page
1.	Apologies for Absence/Substitute Members	
	To receive apologies for absence and to note the attendance of any substitute members.	
2.	Declarations of Interest	
	<p>Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.</p> <p>Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.</p> <p>Any Member with an affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.</p>	
3.	Minutes and Matters Arising	3 - 8

EMERGENCY EVACUATION INSTRUCTIONS

If you hear the alarm, leave the building immediately. Follow the green signs. Use the stairs not the lifts. Do not re-enter the building until told to do so.

	To approve as a correct record the minutes of the meeting of 11 January 2024.	
4.	2023 Childcare Sufficiency Assessment	9 - 30
	To update the Schools Forum on the 2023 Childcare Sufficiency Assessment (CSA), to be submitted to the Executive Member and subsequently published on the Bracknell Forest Council Website. Reporting: Duane Chappell, Assistant Director Education & Learning	
5.	Revisions to the Local funding agreement for funding Early Years Provision and Childcare	31 - 84
	To seek agreement from Schools Forum on: <ul style="list-style-type: none"> Proposals for the introduction of monthly early years entitlement payments for childminders in Bracknell Forest. Changes to the local funding agreement for funding early years provision and childcare. Reporting: Duane Chappell, Assistant Director Education & Learning	
6.	Final proposals for the 2024-25 High Needs Block Budget	85 - 118
	To agree the detailed budget proposals for the High Needs Block (HNB) element of the Schools Budget that are being presented now by the Council. These proposals reflect the latest spend forecasts for 2023-24 financial year together with the earlier work on the Safety Valve (SV) programme bid. Reporting: Paul Clark, Finance Business Partner	
7.	Dates of Future Meetings	
	The next meeting of the Forum will be held at 4.30pm on Thursday 20 June 2024. Reporting: Jamie Beardsmore, Democratic Services Officer	

Sound recording, photographing, filming and use of social media is permitted. Please contact Jamie Beardsmore, 01344 352044, jamie.beardsmore@bracknell-forest.gov.uk, so that any special arrangements can be made.

Published: 28 February 2024

EMERGENCY EVACUATION INSTRUCTIONS

If you hear the alarm, leave the building immediately. Follow the green signs. Use the stairs not the lifts. Do not re-enter the building until told to do so.



**SCHOOLS FORUM
11 JANUARY 2024
4.30 - 5.41 PM**

Present:

Stuart Matthews, Academy School Representative (Chair)
Elizabeth Savage, Academy School Representative (Vice-Chair)
Sue Butler, Early Years PVI Provider
Caroline Johnson, Primary School Representative
Juanita Dunlop, Primary School Representative (Headteacher)
Trudi Sammons, Primary School Representative (Headteacher)
Keith Grainger, Secondary School Representative (Headteacher)
Grant Strudley, Academy School Representative
Gareth Croxon, Academy School Representative (Headteacher)
Katie Moore, Academy School Representative
Paul Tatum, Trades Union Representative

Apologies for absence were received from:

Stuart Bevan, Academy Representative (Headteacher)
Councillor Roy Bailey, Executive Member for Children, Young People & Learning

21. Apologies for Absence/Substitute Members

Members were notified that a vacancy on the forum had emerged for an Academy School Representative following Stuart Bevan offering his resignation.

22. Declarations of Interest

There were no declarations of interest.

23. Minutes and Matters Arising

RESOLVED that the minutes of the meeting of the forum held on 13 December 2023 be approved as a correct record.

Arising from the minutes the following points were noted:

- Paul Clark had circulated comments on the feedback received in relation to the Safety Valve programme to headteachers.
- Grainne Siggins would send out a letter to political leaders once the concerns on school funding had been relayed by headteachers.

Grainne Siggins provided an update on the Safety Valve programme which had been the topic of the previous Schools Forum. The initial Safety Valve proposal was submitted on the 15 December 2023, following approval from the Forum on 13

December 2023. Discussions had continued with the Department for Education (DfE) over the Christmas period. Following approval at a full council meeting on 10 January, the final Safety Valve application was to be submitted on 12 January. The results of this application were not expected to be received until March, however in the meantime the local authority would begin work on the implementation plan.

24. **2024-25 Proposals for the Early Years Budget**

The Forum considered a report which sought agreement on early years budget for the 2024-25 academic year.

Funding allocated through the early years block of the DSG was estimated to be significantly higher than in recent years owing to the expansion of the entitlements from April 2024, this would expand the level of care the local authority was obligated to provide for children which would now start at aged 9 months through to 4 years.

The current early years funding formula would remain for 2024-2025 as the release of confirmed information from the DfE did not allow sufficient time for a proper consultation, however it was expected in the subsequent year there would be a consultation with providers to ensure it remained fit for purpose.

It had been agreed with the Early Years Forum that a single base rate would be in place for all 2-year-olds however some of the disadvantaged 2-year old cohort would attract the Early Years Pupil Premium (EYPP), which would add £2 on top of the base rate.

Both EYPP and Disability access fund (DAF) are being expanded across all age groups for eligible children.

A consultation with childminders would commence in the spring term to seek views on whether they should receive their funding on a monthly basis, rather than termly. This may better fit their business model.

Following the Forum's questions and comments the following points were raised;

- There were some concerns about whether there was an adequate number of nursery places, however early data from the DfE indicated that there would be sufficient places.
- Funding had been secured for a sufficiency manager to monitor whether there would be sufficient nursery places.
- There were some concerns about how attendance would effect funding, due to funding being paid out pro-rata when a child does not attend nursery for all 5 days off the week.

RESOLVED that considering the council's proposals for allocating funds to schools to contribute to the cost of the September 2023 Teachers' Pay Award
1. to **AGREE** A fixed lump sum payment of £1,489.12 to each eligible provider for the period September 2023 to 31 March 2024 (point 5.1).

2. to **AGREE** A fixed lump sum payment of £3,500 to each eligible provider for the 2024-25 financial year (points 5.3 to 5.5).

RESOLVED That Schools Forum considers the early years budget proposal from the council and **AGREES**:

3. That for the 2024-25 financial year the Executive Member for Children, Young People and Learning sets:

- i. The early years dedicated schools grant (DSG) income budget at £15.149m (Table 2)
- ii. The funding rates in the early years funding formula are as set out in Tables 3, 4 and 5
- iii. The proposed budgets as set out in Annex 2

4. That Schools Forum **NOTES** the Council's plan to consult with childminders on the introduction of monthly payments from April 2024, as set out in points 5.32 to 5.34.

25. **2024-25 Proposals for the Schools Block and Central Schools Services Block Budgets**

The Forum considered the final proposals from the Council for the 2024-25 Schools Block (SB) and Central Schools Services Block (CSSB) elements of the Schools Budget. There was also a further update on the Safety Valve.

Paul Clark informed the Forum that these were the final budget proposals and build on previous reports and agreed decisions.

There were no new budget issues to consider, with decisions now being sought on the annual autumn term financial consultation with schools on a small number of matters where the majority view of school responses was being recommended. The one exception to this would be in relation to the minimum funding guarantee which was initially proposed to increase 2023-24 funding rates by at least 0.5%, however, detailed calculations with current data suggested this was not affordable, and therefore the recommendation is for no reduction in per pupil funding.

Previously identified budget proposals had also been recalculated in light of the results from the confirmed October 2023 school census. The most significant change relates to the updated Additional Educational Needs data, which presented a new unfunded pressure of £0.301m. However, other changes in income and budget proposals mean that only £0.067m of this pressure is proposed to remain unfunded.

In real terms, before the Block Transfer / top slice, the budget would mean around a 1.8% increase in funding per pupil for schools. There is an average 1.4% increase after the Block Transfer / top slice.

The Forum was also notified that whilst they had agreed a block transfer at the previous meeting, it was still subject to approval from the Secretary of State for Education as the block transfer was above 0.5%. It was expected the Secretary of State would make a decision by March. This meant that all budgets sent out would be provisional, on the basis that the Secretary of State agreed to the block transfer.

Following the Forum's questions and comments the following points were raised:

- The Forum noted it's concern at the 1.7% increase in funding per pupil for schools, as members felt it would not cover rise in costs due to inflation and would therefore have a detrimental effect on schools and pupils. The Forum was further concerned on the effect of pay awards.

- It was confirmed the proposed budget would ensure that all regulations around minimum per pupil funding would be met.

Adding to comments on the Safety Valve mentioned during minutes and matters arising, Paul Clark informed the Forum that the Council had approved the funding to commence the preparation for the SMEH school. There was also additional funding for the secondary SRP developments, pending confirmation from the DfE that they would provide additional resources towards this provision.

RESOLVED to AGREE that after taking account of the school responses to the October 2023 financial consultation and overall affordability:

1. Item for Maintained Primary School members only
 - i. de-delegation of budgets continues for the services requested by the council.

Item for Maintained Secondary School members only

 - ii. de-delegation of budgets continues for the services requested by the council.

Item for all Maintained School members only (includes Special and PRU)

 - iii. a £20 per pupil contribution continues to be made by maintained schools towards the cost of delivering 'general' education related statutory and regulatory duties.

Items for all Forum members

 - iv. all schools receive at least the same amount of per pupil funding as received in 2023-24 financial year, with the £0.039m cost to be met from reduced funding increases for those schools receiving the largest uplifts in per pupil funding.
 - v. That the notional SEN budget quantum be determined through the actual number of pupils on SEN support or in receipt of an EHCP, with individual school Notional SEN Funding amounts calculated from the key proxy SEN funding factors in the NFF plus an element of core per pupil funding amounts.
2. to **AGREE** that the Executive Member for Children, Young People and Learning is requested to approve:
 1. the initial changes to budgets as set out in Table 2, in particular:
 - a. that the Schools Block DSG be set at £96.308m (columns A and B of line 4)
 - b. that the Central School Services Block DSG be set at £0.848m (column C of line 4)
 - c. that factor values in the BF Funding Formula are set at the same values as included by the DfE in the Dedicated Schools Grant, subject to:
 - i. applying the 0.5% deduction for the transfer to the HNB
 - ii. applying reduced funding rates to the AEN factors to the level required to absorb the £0.067m unfunded pressure.
 - d. the changes to all other budgets that amount to £4.353m (column D of line 17)
3. to **AGREE** that in the event of the Secretary of State for Education not agreeing the 0.35% Schools Block transfer that is above the limit permitted locally, that the £0.341m be placed in the LA managed Growth Fund for later consideration.
4. to **AGREE** that the Executive Director: Resources be authorised to submit DfE pro forma templates for the 2024-25 BF Schools Budget in accordance with the decisions taken at this meeting.

5. to **AGREE** as decision maker:
 - i. that the arrangements in place for the administration of central government grants are appropriate.
 - ii. the budgets for the LA managed Growth Fund are as set out in Annex 2
 - iii. the budgets for LA managed Central School Services Block services are as set out in Annex 3.
6. to **NOTE** the current position on the Council's Safety Valve proposal.

26. **2024-25 Proposals for the Local Authority Budget**

Paul Clark presented the Forum with a summary of the Council's draft budget proposals for 2024/25 with a key focus on the people directorate. As an interested party, the Forum was being asked to comment.

The budget proposals included a summary of commitments from previous years, an update on government grants that are expected to be received and a range of economies and budget pressures that have been put forward for consideration.

If the proposals are agreed there would a £6.3 funding gap before increases in council tax. The Forum was informed this could be filled either by use of reserves, cuts to spending or increases in council tax.

The Forum considered the Executive's proposals relating to the schools' element of the People's Directorate. The Forum recognised the financial difficulties facing Councils and expressed concern that as the centres of their communities, in supporting the most vulnerable families, further pressures will fall on schools to increase support. This will need to be managed within an average increase in per pupil funding of 1.4% which is likely to be significantly below the level of cost pressures in 2024/25, with the council's proposals assuming a 3.5% increase for pay wards.

RESOLVED That the Schools Forum had commented, as captured in the minutes, on the 2024/25 budget proposals of the Executive for the People Directorate in respect of:

- i. The revenue budget (Annexes A to C),
- ii. The capital programme (Annexe D).

27. **Dates of Future Meetings**

The next meeting would take place on Thursday 7 March 2024.

CHAIRMAN

This page is intentionally left blank

**TO: SCHOOLS FORUM
7 MARCH 2024**

**2023 CHILDCARE SUFFICIENCY ASSESSMENT
Executive Director of People**

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to update Schools Forum on the 2023 Childcare Sufficiency Assessment (CSA), attached as Annex A, to be submitted to the Executive Member and subsequently published on the Bracknell Forest Council Website, as required by the authority's statutory duty to secure sufficient childcare.

2 RECOMMENDATION(S)

- 2.1 **That Schools Forum NOTES the attached CSA**

3 REASONS FOR RECOMMENDATION(S)

- 3.1 Statutory Guidance sets out the Local Authority's statutory duty to secure sufficient childcare. To meet this duty Bracknell Forest Council is required to submit a report to elected council members on how it is meeting its duty and to make this report available to parents.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 No alternative options were considered

5 SUPPORTING INFORMATION

- 5.1 Section 6 and 7 (as substituted by section 1 of the Education Act 2011) of the Childcare Act 2006 places a duty on English local authorities to secure sufficient childcare for working parents and to secure early years provision free of charge.
- 5.2 Part B of the Statutory guidance for local authorities sets out how Local Authorities should meet this duty, including the requirement to report to elected council members on how they are meeting their duty to secure sufficient childcare, and make this report available and accessible to parents.
- 5.3 In assessing the sufficiency of the local childcare market, the CSA draws on data from the Office for National Statistics, labour market statistics from the National Online Manpower Information System (NOMIS) and census data, Health data, local statistical data, information provided by local childcare providers, and a survey of parents in Bracknell Forest.
- 5.4 Currently evidence indicates that in the summer term 2023 there was sufficient childcare capacity for children aged 0 to 4 (not in school), however there continues to be insufficient provision for school age children (ages 4 to 16), with parents reporting continued difficulties accessing childcare before and after school and during school holidays.
- 5.5 The early years free entitlements will expand to encompass 15 hours of free entitlement for working parents with 2-year-olds from April 2024, with a further expansion in September 2024 for working parents of children aged 9 months and older. There is currently insufficient data on both the available supply and demand

for the expanded entitlements to project the adequacy of early years childcare provision in Bracknell Forest beyond March 2024.

- 5.6 Responses to the Parental Survey highlight growing difficulties accessing specialised services for children with special educational needs and disabilities (SEND). However, there is insufficient evidence available to make a comprehensive assessment of the adequacy of SEND provision.
- 5.6 Based on challenges identified in the CSA, the priorities for childcare in 2024-25 are:
1. Collaborating closely with childcare providers to successfully execute the extension of early years free entitlements, which will be introduced in a phased manner as follows:
 - Starting in April 2024, we will implement 15 hours per week for working parents of 2-year-olds
 - In September 2024, we will roll out 15 hours per week for working parents of children aged 9 to 23 months
 2. To comprehensively grasp the influence of shifts in family circumstances, the cost-of-living crisis, and the extension of early years free entitlements on the childcare sector in Bracknell Forest, we will persist in our ongoing efforts to:
 - Assess alterations in the childcare supply landscape
 - Analyse shifts in childcare demand patterns
 - Pinpoint instances where the supply-demand equilibrium is not met and collaborate with providers to bridge these gaps
 - Assist providers in recognising and comprehending opportunities within the childcare market and effectively promoting the childcare services they provide
 3. Our ongoing efforts involve collaborating with childcare providers to sustain their operations while adapting to the evolving childcare market. This includes actively engaging with childminders to explore the feasibility of introducing monthly payments. Additionally, we are committed to extending business support to providers who require assistance in navigating these changes.
 4. We will inform prospective providers contemplating the establishment of new childcare services within Bracknell Forest about the current population forecast and the existing sufficiency status.
 5. Actively promoting the Bracknell Forest Local Directory, which holds information on all childcare in Bracknell Forest.
 6. Early Years Forum:
 - We will maintain our collaborative efforts with the forum to enhance sufficiency and sustainability initiatives.
 - Actively promote and encourage broader participation in the forum to ensure a more diverse representation of providers.
 7. School Age Childcare:
 - Collaborate with both schools and childcare providers to establish sustainable wrap-around childcare solutions.
 - Sustain engagement with providers for the effective delivery of the Holiday Activity and Food Programme.
 8. Mapping supply and demand for early years and childcare:

- Recruit a fixed term post, Early years and childcare sufficiency manager.
- Develop a comprehensive mechanism for assessing both supply and demand for:
 - Early years and childcare funded places for the working family entitlement (9 months to school age)
 - Wraparound childcare for primary age children (working families)
 - Children with SEND both early years and primary.

5.7 The CSA will be submitted to the Executive Member and subsequently published on the Council website where it will be available and accessible to parents and childcare providers.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

6.1 Part B.2 of the Statutory Guidance: “Early education and childcare (applies from 1 April 2024)” requires local authorities to report annually to elected council members on how they are meeting their duty to secure sufficient childcare pursuant to S.6 and S.7 of the Childcare Act 2006 (as amended). This report should be made available and accessible to parents.

The guidance states local authorities are responsible for determining the appropriate level of detail in their report, geographical division and date of publication. It is advised that the level of data required to map supply and demand is proportionate. It should aim to minimise the burden on childcare providers. The report should include:

- a specific reference to how local authorities are ensuring there is sufficient childcare available to meet the needs of: children with special educational needs and disabilities, children from families in receipt of the childcare element of Working Tax Credit or Universal Credit, children with parents who work irregular hours, children taking up free early education and childcare places, school age children, and children needing holiday care
- information about the current and projected supply and demand of childcare for particular age ranges of children, and the affordability, accessibility and quality of provision
- details of how any gaps in childcare provision will be addressed

The attached Childcare Sufficiency Assessment (CSA) addresses the issues as set out in the Statutory Guidance.

Director of Resources

6.2 The revenue related cost of delivering the CSA will need to be financed from within the Dedicated Schools Grant income which is allocated by the government through reference to actual hours delivered for the free entitlement. A detailed assessment of affordability is considered each year as part of the Early Years budget setting process. The expansion of free entitlements will present additional challenges in terms of service delivery and financial planning.

Equalities Impact Assessment

6.3 Not Required

Strategic Risk Management Issues

- 6.4 BFC will be at risk of not meeting its statutory duty if it does not submit the CSA to the executive member and publish the report where it is accessible to parents.
- 6.5 If BFC does not complete a sufficiency assessment; development of childcare may not be placed in the correct area, may not meet the needs of working parents and may destabilise the local childcare market.

7 CONSULTATION

Principal Groups Consulted

- 7.1 In preparing for the CSA, data on current capacity and costs were gathered from providers of childcare in Bracknell Forest. Parents of children resident in or accessing childcare in Bracknell Forest were consulted on their need for childcare in July 2023.

Method of Consultation

- 7.2 Data was collected from providers via the Provider Self Update portal, provider surveys, email and telephone and provider websites. Parents were consulted via an online survey using Objective, this was advertised via childcare providers, the Council website, the Family Information Service website and social media.

Representations Received

- 7.3 105 parents responded to the consultation, a decrease of 207 responses compared to the previous survey in June 2022.

BACKGROUND PAPERS

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/718179/Early_education_and_childcare-statutory_guidance.pdf

Early education and childcare statutory guidance for local authorities - June 2018

<http://www.legislation.gov.uk/ukpga/2006/21/contents>

Childcare Act 2006

<http://www.legislation.gov.uk/ukpga/2016/5/contents/enacted>

Childcare Act 2016

CONTACT FOR FURTHER INFORMATION

Cherry Hall, Head of Early Years & Childcare

01344 352811

cherry.hall@bracknell-forest.gov.uk

David Allais, Early Years Business & Family Information Manager

01344 354027

EHBS@bracknell-forest.gov.uk

Childcare Sufficiency Assessment 2023

1. Contents

2.	Overall assessment and summary	1
2.1.	About Childcare Sufficiency Assessments	1
2.2.	Overall Sufficiency in Bracknell Forest	1
2.3.	Our plans for childcare.....	3
3.	Demand for childcare	1
3.1.	Population of early years children.....	1
3.2.	Population of school age children.....	2
3.3.	Number of children with special educational needs and disabilities	3
3.4.	Characteristics of children in our area	3
3.4.1.	Deprivation	3
3.4.2.	Parents' working status	4
3.5.	Changes to the population of children in our area	4
3.6.	Future demand for early years free entitlement places	5
4.	Supply of childcare	1
4.1.	Number of early years providers and places	1
4.2.	Number of school age providers and places	1
5.	Funded Early Education	1
5.1.	Introduction to funded early education.....	1
5.2.	Proportion of 2-year-old children entitled to funded early education	1
5.3.	Take up of funded early education	1
5.4.	30 hours extended entitlement applications	3
5.5.	Providers offering funded early education places.....	4
6.	Prices	1
6.1.	Prices of early years childcare	1
6.2.	Prices of school age childcare	1
7.	Quality of childcare in our area.....	1
7.1.	OFSTED inspection grades	1
8.	Parent Survey.....	1
9.	Methodology.....	2

2. Overall assessment and summary

2.1. About Childcare Sufficiency Assessments

Our Council is required by law to 'report annually to elected council members on how they are meeting their duty to secure sufficient childcare and make this report available and accessible to parents'. This Childcare Sufficiency Assessment (CSA) has been prepared to meet this duty.

The statutory guidance sets out the intended outcomes of this duty as 'parents are able to work because childcare places are available, accessible and affordable and are delivered flexibly in a range of high-quality settings' and that Local Authorities are required by legislation to 'Secure sufficient childcare, so far as reasonably practicable, for working parents, or parents who are studying or training for employment, for children aged 0-14 (or up to 18 for disabled children).'

This report assesses sufficiency using data about the need for childcare and the amount of childcare available, and feedback from local parents about how easy or difficult it has been for them to find suitable childcare.

Sufficiency is assessed for separate groups, rather than for all children in the local authority. The number of children in these groups fluctuates across the year, for example the numbers in funded early years provision being at their lowest in autumn after the school intake of 4-year-olds and increasing across spring to the highest numbers in summer.

Information about childcare sufficiency is used to plan our work supporting the local childcare economy.

2.2. Overall Sufficiency in Bracknell Forest

Note: Data used in this report does not reflect the impact of factors influencing childcare in Bracknell Forest after August 2023, including the cost-of-living crisis, recruitment and retention crisis in the early years sector and the expansion of the free entitlements to children under 3 from April 2024.

The assessment of childcare sufficiency as presented in this report uses data gathered in the summer term 2023 when the demand for childcare is at its highest.

The summer term of 2023 witnessed a 3.2% decline, equivalent to 69 children, in the enrolment of 3 and 4-year-olds benefiting from early years funding compared to 2022. Despite this decrease, there was a modest 0.4% reduction in the utilisation of free entitlement hours by children aged 3 and 4 during the same period, amounting to a decrease of 2,511 hours.

In the case of 2-year-olds, take up of places dropped by 1% in 2023, reaching a total of 173 children. However, there was a noteworthy 6.7% increase in the number of hours accessed, totalling 30,827 hours. These figures collectively suggest that, on average, each child attended more hours per week during the

summer of 2023 compared to the previous year. The provision of early years childcare in the summer term for the last three years is summarised in Table 1.

Table 1: Numbers of early years children by age

<i>Term</i>	<i>Headcount – aged 2</i>	<i>Headcount – aged 3 & 4</i>	<i>Funded hours – aged 2</i>	<i>Funded hours – aged 3 & 4</i>
Summer 2021	162	2,081	27,874	553,444
Summer 2022	175	2,163	28,897	567,510
Summer 2023	173	2,094	30,827	564,999

Source: Bracknell Forest Council funding data

Analysis of the data indicates that:

- For the financial year 2023/24 there is sufficient childcare in Bracknell Forest in the following categories:
 - Free entitlement for eligible 2-year-olds
 - Universal 15 hours free entitlement for 3- and 4-year-olds
 - Extended 30 hours free entitlement for 3- and 4-year-olds of working parents
 - Early years childcare outside the free entitlements

- Starting from April 2024, the early years free entitlements will expand to encompass 15 hours of free entitlement for working parents with 2-year-old children, with a further expansion in September 2024 for working parents of children aged 9 months and older. This extension will inevitably alter the landscape of early years childcare in Bracknell Forest. Presently, there is an absence of comprehensive data to project the adequacy of early years childcare provision in Bracknell Forest beyond March 2024.

- There was insufficient provision in the following categories:
 - Childcare before and after school
 - Childcare during school holidays

- Insufficient evidence is available to make a conclusive assessment regarding the adequacy of provision for children with special educational needs and disabilities (SEND). Nevertheless, responses from the Parental Survey have highlighted growing difficulties in accessing specialised services, particularly during school holidays. This trend seems to be correlated with the reduction in the number of childminders in the region.

2.3. Our plans for childcare

Bracknell Forest Council's priorities for planning childcare in 2024-25 are:

1. Our strategy involves collaborating closely with childcare providers to successfully execute the extension of early years free entitlements, which will be introduced in a phased manner as follows:
 - Starting in April 2024, we will implement 15 hours per week for working parents of 2-year-olds.
 - In September 2024, we will roll out 15 hours per week for working parents of children aged 9 to 23 months.
2. To comprehensively grasp the influence of shifts in family circumstances, the cost-of-living crisis, and the extension of early years free entitlements on the childcare sector in Bracknell Forest, we will persist in our ongoing efforts to:
 - Assess alterations in the childcare supply landscape.
 - Analyse shifts in childcare demand patterns.
 - Pinpoint instances where the supply-demand equilibrium is not met and collaborate with providers to bridge these gaps.
 - Assist providers in recognising and comprehending opportunities within the childcare market and effectively promoting the childcare services they provide.
3. Our ongoing efforts involve collaborating with childcare providers to sustain their operations while facilitating their comprehension and adjustment to the evolving childcare market dynamics. This includes actively engaging with childminders to explore the feasibility of introducing monthly payments. Additionally, we are committed to extending business support to providers who require assistance in navigating these changes.
4. We will inform prospective providers contemplating the establishment of new childcare services within Bracknell Forest about the current population forecast and the existing sufficiency status. In doing so, we aim to collaborate with them to minimise any potential adverse effects on the existing Early Years providers in the area.
5. Actively promoting the Bracknell Forest Local Directory, which holds information on all childcare in Bracknell Forest.
6. Early Years Forum:
 - We will maintain our collaborative efforts with the forum to enhance sufficiency and sustainability initiatives.
 - Actively promote and encourage broader participation in the forum to ensure a more diverse representation of providers.

7. School Age Childcare:

- Collaborate with both schools and childcare providers to establish sustainable wrap-around childcare solutions to meet the requirements in the new Wraparound guidance for LAs and Schools
- Sustain engagement with providers for the effective delivery of the Holiday Activity and Food Programme.

8. Mapping supply and demand for early years and childcare:

- Recruit a fixed term post, Early years and childcare sufficiency manager.
- Develop a comprehensive mechanism for assessing both supply and demand for:
 - Early years and childcare funded places for the working family entitlement (9 months to school age)
 - Wraparound childcare for primary age children (working families)
 - Children with SEND both early years and primary.

3. Demand for childcare

3.1. Population of early years children

Note: Ward-level population estimates utilised in this report are sourced from the Office of National Statistics (ONS) which uses data that predates the changes to Bracknell Forest electoral wards in May 2023. Consequently, this report uses the pre-May 2023 Bracknell Forest electoral wards. Subsequent reports will incorporate the new electoral wards where data is published in this format.

In total, there are 7,291 children under the age of five living in our local authority. These children may require early years childcare. The Council has a statutory duty to provide funded early years provision for all 3-and 4-year-olds, equivalent to 2,985 children (although some 4-year-olds will have started reception) and the most deprived of 2-year-olds, currently estimated at around 210 children.

From April 2024 the Council’s statutory duty to provide funded provision will expand to include working parents with children aged two. The duty to provide funded provision for the most deprived 2-year-olds will remain in place. Potentially the combined duties could result in the entire cohort of 2-year-olds being eligible for funded childcare from 2024. However, there is currently insufficient data to quantify the level of demand.

Table 2 shows early years children by age group in Bracknell Forest, while Figure 1 shows the distribution of early years children by Ward.

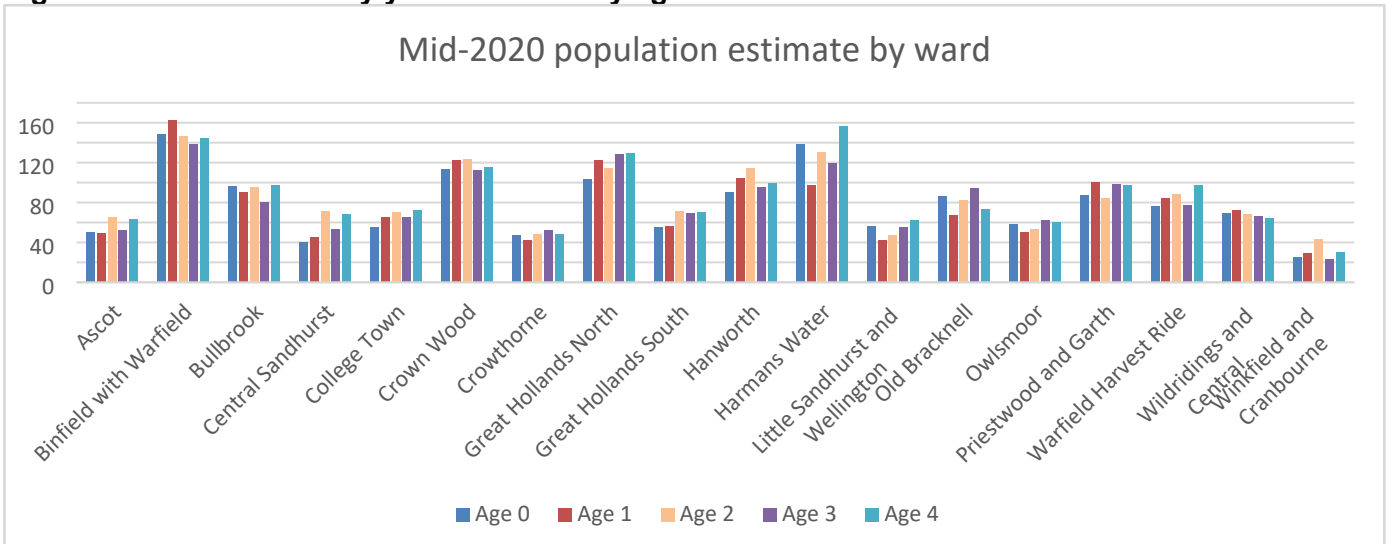
Table 2: Numbers of early years children by age

Age	Number of children
Age 0	1,394

Age 1	1,399
Age 2	1,513
Age 3	1,439
Age 4*	1,546

Sources: ONS - Mid-2020 Population Estimates for 2020 Wards and 2021 LAs in England and Wales by Single Year of Age * Some four-year-olds will have started reception

Figure 1: Numbers of early years children by age in each Ward



Sources: ONS - Mid-2020 Population Estimates for 2020 Wards and 2021 LAs in England and Wales by Single Year of Age. * Some four-year-olds will have started reception

3.2. Population of school age children

In total there are 11,622 children aged 5-11, and 5,083 children aged 12-14 living in our local authority. These children may require childcare before and after school, and/or during the school holidays.

Table 3: Numbers of school age children by age

Age	Number of children
Age 5	1,501
Age 6	1,565
Age 7	1,637
Age 8	1,710
Age 9	1,726
Age 10	1,710
Age 11	1,773
Age 12	1,713
Age 13	1,703
Age 14	1,667

Source: ONS - Mid-2020 Population Estimates for 2020 Wards and 2021 LAs in England and Wales by Single Year of Age

Detailed information about the school age population in Bracknell Forest can be found in the School Places Plan which is available on the Bracknell Forest website [Schools and learning strategies and policies | Bracknell Forest Council \(bracknell-forest.gov.uk\)](https://www.bracknell-forest.gov.uk/schools-and-learning-strategies-and-policies)

3.3. Number of children with special educational needs and disabilities

Children with special educational needs and disabilities (SEND) are entitled to support with childcare up to the age of 18 (age 14 for children who do not have SEND). The number of children with an Education, Health and Care plan (EHCP) in our local authority is:

Table 4: Children with an EHCP by age

Age	Number of children	Change from 2022
Birth to school age	16	+13 (433%)
Primary school (reception to year six)	453	+51 (13%)
Secondary school (year seven to thirteen)	606	+14 (2%)

Source: BFC Internal data as of 31 August 2023

Children’s needs change over time and are identified at different ages. Among the youngest children, SEND may only be identified when they start in childcare or school. All Early Years providers must have regard to the Early Years Statutory Framework (2021) and the Special Educational Needs Code of Practice (2015). Providers must have arrangements in place to support children with SEND.

Local authorities are required to have a Special Educational Needs Inclusion Fund (SENIF) for all 3 and 4-year-olds with Special Educational Needs (SEN) who are taking up the free entitlements, regardless of the number of hours taken. In Bracknell Forest we also provide SENIF for funded 2 year olds. These funds are intended to support local authorities to work with providers to address the needs of individual children with SEN. Providers can apply for SENIF funding. During 2022/2023, 75 children accessed SENIF.

For children with the most complex needs the provider or parent may request an Education, Health and Care needs assessment.

It is therefore possible that the number of children with SEND aged 0-4 is an underestimate. Some children have SEND but do not have an EHCP. In the summer term 2023 there were 293 children aged 0-4 years known to the Child Development Centre (CDC), all of whom have additional needs which vary significantly from mild additional needs to severe, complex, and lifelong needs.

3.4. Characteristics of children in our area

There are two characteristics of children in our area which must be considered when assessing childcare sufficiency - deprivation and parents’ working status.

3.4.1. Deprivation

The latest data from the ONS for the financial year ending 2022 reveals that 2,762 children under 16 years old in Bracknell Forest, equivalent to 11.2% of the total population, reside in low-income families. Growing up in such households can restrict a child's access to childcare, encompassing both direct expenses and indirect costs like transportation. Children meeting financial criteria indicative of deprivation are eligible for additional funding aimed at improving their childcare access. This funding encompasses two-year-old funding, Early Years Pupil Premium (for 3- and 4-year-olds not in school), and Pupil Premium (for children in school). Table 5 provides the number of children qualifying for this funding in our local authority during the summer term of 2023.

Table 5: Children eligible for additional funding through financial criteria

<i>Funding type</i>	<i>Number of children</i>
2-year-old Funding	173
Early Years Pupil Premium	239
Pupil Premium	2418

Source: BFC school census Summer 2023 and Early Years funding data summer term 2023

3.4.2. Parents' working status

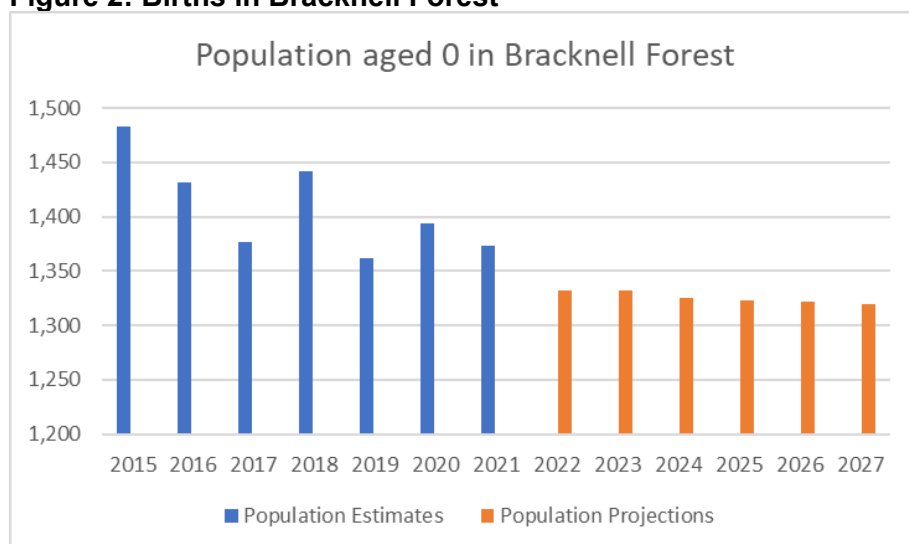
The funded early years provision includes the 30 hours extended entitlement for 3- and 4-year-olds. To be eligible for this entitlement both parents in a household or one parent in a single parent household must be in employment.¹ Data from the National Online Manpower Information System (NOMIS) indicates that 78% of Bracknell Forest residents aged 16 to 64 were economically active in the 2022/23 financial year and that potentially up to 2,328 3- and 4-year-olds could be eligible for the 30 hours extended entitlement. In the summer term 2023 a total of 1,106 or approximately 37 % of 3- and 4-year-olds in Bracknell Forest claimed the 30 hours extended entitlement. After accounting for 4-year-olds in reception who are not eligible for funded early years provision, the take up of the 30 hours extended entitlements remains significantly lower than the number of potentially eligible 3- and 4-year-olds.

3.5. Changes to the population of children in our area

In line with the School Places Plan the Childcare Sufficiency Assessment uses data from the Office of National Statistics population estimates and projections. Figure 2 shows the annual estimated number of children aged 0 in Bracknell Forest in blue. The projected number of children aged 0 for future years are shown in orange.

¹ Available to families where each parent (or one parent in a single adult household) are earning the equivalent of working sixteen hours per week on the minimum wage and less than £100,000 per annum

Figure 2: Births in Bracknell Forest



Sources: ONS Mid-Year Population Estimates 2015 to 2021 & ONS population projections 2018 to 2043

3.6. Future demand for early years free entitlement places

Using the data from the Office for National Statistics population projection 2018 to 2043 and historic data on the percentage of the children aged 3 and 4 who access the free entitlements, it is possible to forecast future demand for funded places for 3- and 4-year-olds.

Table 6: Children accessing the free entitlements

	2019	2020	2021	2022	2023	Average
Children aged 3 & 4 accessing free entitlements	2,754	2,732	2,633	2,658	2,713	
% Children aged 3 & 4 accessing free entitlements	91%	91%	88%	91%	96%	91%

Source: DfE Local Authority Interactive Tool & Early Years funding data summer 2022

Table 7: Population projection – children aged 3 and 4

	2024	2025	2026	2027	2028	2029
3-year-olds	1,382	1,369	1,366	1,359	1,356	1,354
4-year-olds	1,401	1,385	1,372	1,370	1,362	1,359
Total 3- & 4-year-olds	2,783	2,754	2,738	2,729	2,718	2,713

Source: ONS population projections 2018 to 2043

In 2029 the population of 3 and 4-year-olds in Bracknell Forest is projected to be 2,713. When combined with the current average rate of uptake for the free entitlements for 3 and 4-year-old of 91%, the forecast demand for 3-and 4-year-old free entitlement places in 2028 is 2,469.

4. Supply of childcare

Data on available childcare capacity in Bracknell Forest for the summer term 2023 was collected from early years providers via an online survey, emailed questionnaire, and telephone calls.

4.1. Number of early years providers and places

In the summer term 2023 there were 197 early years childcare providers in our local authority, offering an estimated 6,425 childcare places.

Table 8: Early years providers and places by type of provision

Type of provision	Number of providers	Number of places
Childminders*	134	1004
Nursery classes in schools	18	1,570
PVI providers	45	3,851

Source: Provider survey 2022, BFC data and OFSTED registration data

*Number of childminder places is an estimate based on available data; some places are also available for older children.

A place is defined as 15 hours of childcare a week and is based on the maximum number of funded hours a week a child aged 3 or 4 can access via the universal entitlement. However, places are available for children aged 0 to 1.

In practice many places will be used for childcare outside of the free entitlements and a child could access more than one place a week. For example, a child attending for 30 hours a week as part of the extended entitlement will take up 2 places and a child attending all week at a full day care setting will take up 3 to 4 places. In addition, a setting's capacity will change depending on the age of the children taking up places and how this affects staff ratios. The capacity data presented above is therefore an estimate only.

4.2. Number of school age providers and places

In total, there are 47 providers of childcare for school age children during term time, and 32 providers of childcare for school age children during the holidays. There are also 124 childminders who may provide care for school age children.

Table 9: School Age provision and places

Type of provision	Number of providers	Number of places
Breakfast club	26	829
After-school club	25	944
Childminders*	124	1294
Holiday club	32	Insufficient data

Source: BFC data and OFSTED registration data

*Number of childminder places is an estimate based on available data; many of these places are also available for younger children.

Not all provision of childcare for school age children is registered with OFSTED and may not be listed on the Family Services Directory. Parents may also use provision which is not considered 'childcare' - for example sports or arts clubs after school or in the holidays. Table 9 may therefore under report the total available school age provision.

OFSTED registration requirements for school age children do not include a maximum number of available places and providers will often vary their offer based on demand. These factors make collating available places for school age children challenging.

5. Funded Early Education

5.1. Introduction to funded early education

Some children are entitled to free childcare, funded by the government.

- All children aged 3 and 4 are entitled to the 570 hours of free childcare per year, equivalent to 15 hours a week over 38 weeks, from the term after the child's 3rd birthday until the term after their 5th birthday or they start reception class in school. This is known as the universal 15 hours entitlement.
- Children aged 3 and 4 where both parents are working, or from lone parent families where that parent is working², could be [entitled](#) to an additional 570 hours of free childcare per year, equivalent to 15 hours a week over 38 weeks, from the term after the child's 3rd birthday until the term after their 5th birthday or they start reception class in school. This is known as the extended 30 hours entitlement.
- Children aged 2 whose families receive certain benefits (including low-income families in receipt of in-work benefits), or those who meet additional non-economic [criteria](#), are entitled to 570 hours of free childcare a year, equivalent to 15 hours per week over 38 weeks. Nationally, about 40% of 2-year-olds are entitled to this offer, but the proportion varies by area.

Parents do not have to use all the hours of their funded entitlement and may choose to split them between more than one provider. With the agreement of their provider, parents may also spread them across the year – for example, rather than taking 15 hours for 38 weeks a year they could take just under 12 hours for 48 weeks a year.

5.2. Proportion of 2-year-old children entitled to funded early education

In Bracknell Forest, based on data provided by the Department for Work and Pensions for the summer term 2023, 11% of 2-year-olds or 167 children could be entitled to funded early education for economic reasons.

² Available to families where each parent (or one parent in a single adult household) are earning the equivalent of working sixteen hours per week on the minimum wage and less than £100,000 per annum

5.3. Take up of funded early education

The take up of early years places is measured in the summer term of each year, when the number of places being accessed is at its highest, using data submitted by providers as part of the free entitlement funding process. Table 10 sets out the number of children taking up their funded place (for at least part of the available hours) in our local authority in summer 2023 and the proportion of the eligible population this represents. Four-year olds who have started reception class are not included in these figures.

Table 10: Take up of funded early education by age

Age	Children	% of eligible children
Age 2	173	82%
Age 3	1299	90%
Age 4	795	51%

Source: BFC Internal data, DWP eligibility data and ONS – Mid-Year population Estimates, UK, June 2021

In summer 2023 a total of 254 children resident in neighbouring authorities accessed their funded early education in Bracknell Forest. Table 11 provides a breakdown of these children.

Table 11: Children resident outside BF attending BFC Early Years (EY) provision

Local Authority	Children
Basingstoke and Deane	2
Guildford	5
Hart	54
Hounslow	1
Reading	1
Runnymede	5
Rushmoor	11
Slough	1
Surrey Heath	30
Waverley	2
Windsor & Maidenhead	58
Wokingham	97
Total	267

Source: BFC Free entitlement funding data summer 2023

A total of 332 children resident in Bracknell Forest claimed free entitlement funding in a neighbouring authority in the summer 2023, with the breakdown by Local Authority provided in Table 13 and the distribution of the children across the borough by post code shown in Figure 4.

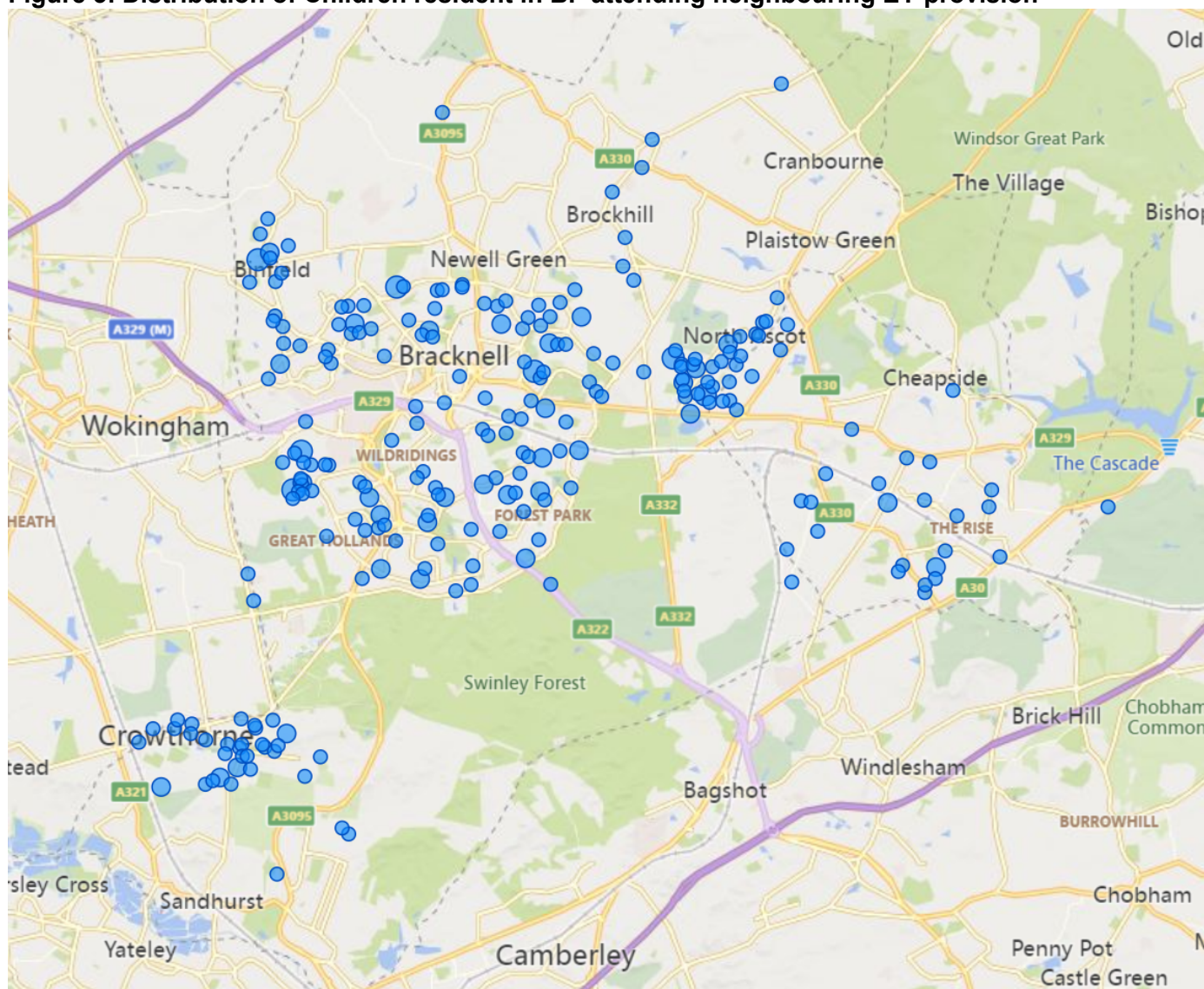
Table12: Children resident in BF attending neighbouring EY provision

Local Authority	Children
Hampshire	9
Surrey	58
Windsor & Maidenhead	124

Wokingham	141
-----------	-----

Source: Funding data, summer term 2023, Hampshire County Council, Achieving for Children (RBWM), Wokingham Borough Council, Surrey County Council

Figure 3: Distribution of Children resident in BF attending neighbouring EY provision



Source: Funding data, summer term 2023, Hampshire County Council, Achieving for Children (RBWM), Wokingham Borough Council, Surrey County Council

5.4. 30 hours extended entitlement applications

Parents who think they are entitled to the 30 hours extended entitlement apply for this through the Government's [Childcare Choices website](#). The same website is used to apply for tax free childcare and parents can apply for either or both. If a parent is eligible, the system issues the parent with a code which they present to their chosen childcare provider to claim the funding. The provider validates the code through the Council's funding software prior to confirming that the child can take up 30 hours extended entitlement places. If they are ineligible, the child will still be entitled to the universal 15 hours of early education and childcare. Table 13 compares the number of 3- and 4-year-olds accessing the 30-hour entitlement compared to the total accessing the free entitlements for the last 5 years.

Table 13: 3 & 4-year-olds accessing 30 hours extended entitlement

<i>Term</i>	<i>Total funded 3- & 4-year-olds</i>	<i>Accessing 30 hours</i>	<i>% of total</i>
Summer 2019	2202	978	41.4%
Summer 2020	2211	1055	44.6%
Summer 2021	2074	1027	49.5%
Summer 2022	2149	1082	50.3%
Summer 2023	2094	1105	52.7%

Source: BFC Free entitlement funding data

5.5. Providers offering funded early education places

Providers are paid by government for delivering funded early education places (via the Local Authority). They are not required to offer them to parents, but of course parents may choose to use a different provider if they do not. Some providers offer a restricted number of funded places. The table below sets out the number of providers offering funded places in the summer term 2023 and the numbers offering each type of funded place.

Table 14: Providers offering funded early years places

<i>Type of provision</i>	<i>Number of providers</i>	<i>2-year-olds</i>	<i>Universal 15 hours</i>	<i>Extended 30 hours</i>
Childminders	87	84	87	87
Nursery classes in schools	17	0	17	17
PVI providers	45	43	45	45

Source: BFC funding data

6. Prices

6.1. Prices of early years childcare

For early years childcare outside the funded entitlements, we report on average prices per hour, reported to us by settings, provided on the Bracknell Forest Local Directory and advertised on providers websites.³ There may be variations to prices based on the number of hours a family uses, with reductions for longer hours, or discounts for sibling groups. There may be additional payments for additional services, e.g., lunch and other meals which are not included in these prices.

Table 15: Average childcare prices – early years

<i>Price per hour</i>	<i>Private, voluntary and independent nurseries</i>	<i>Nursery classes in schools</i>	<i>Childminders</i>
0- and 1-year olds	£4.42	n/a	£4.42
2-year-olds	£6.59	n/a	£5.82
3- and 4-year-olds	£6.87	£5.01	£5.72

Source: cost data supplied by EY providers – summer term 2023

³ Details of how we collect this data is provided in section 10: Methodology

6.2. Prices of school age childcare

The average costs per hour for before and after school clubs and holiday childcare have been calculated using data available on provider websites. Insufficient data was available for the cost of school age childcare provided by childminders.

Table16: Average childcare prices – school age

<i>Setting and price unit</i>	<i>Price</i>
Breakfast clubs	£4.98
After-school clubs	£4.75
School age childminder per hour	No data
Holiday club per hour	£3.92

Source: cost data as per provider websites – summer term 2022

7. Quality of childcare in our area

7.1. OFSTED inspection grades

Childcare providers offering the free entitlements must be registered with and be inspected by the appropriate regulatory body, OFSTED or the Independent Schools Inspectorate.

OFSTED graded outcomes are: Outstanding, Good, Requires Improvement and Inadequate.⁴ The Independent Schools Inspectorate graded outcomes are: Excellent, Good, Sound or Unsatisfactory.

Schools with nursery classes have an overall inspection grade for the school and most also have a separate early year's grade.

As detailed in table 17 below, as of the 30 June 2023, 149 of 152 early years registered providers in Bracknell Forest, equivalent to 98%, had achieved a good or outstanding OFSTED rating in their last inspection. Some providers do not have a grade as they are new and awaiting their first full inspection, not Early Years active or a childminder who is part of an agency, these providers are not included in the calculation above. Nationally as of 30 June 2023, the proportion of providers judged good or outstanding at their most recent inspection was 96%.⁵

Table 17: OFSTED inspection grades by type of provision

<i>Type of provision</i>	<i>Total number of providers</i>	<i>Total achieving good or outstanding</i>	<i>Providers with no grade</i>
Childminders	129	112	16

⁴ For more information see [Ofsted inspections of early years and childcare providers - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/ofsted-inspections-of-early-years-and-childcare-providers)

⁵ For more information see [Childcare providers and inspections: management information - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/childcare-providers-and-inspections-management-information)

Nursery classes in maintained schools *	13	13	0
Nursery classes in academies	5	5	0
PVI providers	42	40	2

Source: OFSTED

* early years grade if available, otherwise overall school grade

8. Parent Survey

A survey was undertaken in July 2023 to gather parents' and carers' experience and needs in relation to childcare. The survey was aimed at parents currently accessing or looking to access childcare in Bracknell Forest. A total of 105 responses were received from parents, representing a total of 158 children aged 0 to 16. A summary of relevant points and parents' comments are provided below. Specific comments from parents have been withheld.

Current childcare

Parents and carers were asked what childcare they currently used for their children. Where the response was 'Other' respondents were asked to provide additional details. Multiple responses were possible, and percentages indicate the frequency of that response.

Table 18: Childcare used – children below school age

Type of childcare	Responses	Percentage
Nursery class in school	16	15%
Nursery/Pre-school	58	55%
Childminder	30	29%
Other	2	1.9%

Table 19: Childcare used - school age children

Type of childcare	Responses	Percentage
Breakfast Club	23	22%
After School Club/Activities	29	28%
Childminder	8	8%
None	21	20%
Other	9	9%

Location

When asked if childcare was available in their preferred location 22 (21%) said 'No'. These respondents were asked to indicate where their preferred location was. The areas receiving the highest number of responses were Birch Hill and Easthampstead.

Holiday provision

A total of 69 respondents (65.7% of all respondents) indicated they needed childcare during school holidays, with 14 indicating they were unable to find the holiday care they required. Difficulties faced in accessing holiday care included insufficient spaces, the cost of provision and no suitable provision for children with SEN.

Difficulties finding childcare

Respondents who were able to access the childcare they required were asked how difficult it had been to find childcare that suited their needs. Of respondents looking for early years provision 10 indicated finding provision had been difficult or very difficult. None of the respondents who were able to find provision for school age children indicated they had experienced difficulty in finding provision.

9. Methodology

- Child Population – ONS - Population estimates for the UK, England and Wales, Scotland and Northern Ireland: mid-2020
- Children with an EHC plan: based on data held by Bracknell Forest Council
- Supply of childcare: based on data supplied by providers in the summer term 2023 via the Provider Self Update Portal, data provided by OFSTED and supplemented by local intelligence
- Data on take up of funded early education entitlements is based on the data held in the Bracknell Forest payment database for the summer term 2023
- Price of childcare: cost data per age group submitted by providers via the Provider Self Update Portal, the Family Services Directory, provider surveys and from provider websites
- Quality of childcare: data on childcare quality is provided by OFSTED
- Data from parents: Online survey using the Objective survey tool on the council website, July 2023. Survey advertised via the Council website, Family Information Service website, social media and via childcare providers

To: **SCHOOLS FORUM**
7 MARCH 2023

REVISIONS TO THE LOCAL FUNDING AGREEMENT FOR FUNDING EARLY YEARS PROVISION AND CHILDCARE
Executive Director of People

1. Purpose of Report

- 1.1. To seek agreement from Schools Forum on proposals for the introduction of monthly early years entitlement payments for childminders in Bracknell Forest
- 1.2. To seek agreement of Schools Forum on changes to the local funding agreement for funding early years provision and childcare.
- 1.3. The local funding agreement, essential for providers to adhere to in order to secure funding for the provision of early years entitlements (referred to locally as the Provider Agreement), has undergone revision to align with amendments in the statutory guidance for Local Authorities, including the expansion of early years entitlements from April 2024 and the introduction of a monthly payment option for childminders.

2. Recommendation(s)

- 2.1. **To AGREE that in accordance with the responses to the consultation with childminders the proposals for the introduction of monthly early years payments to childminders, as set out in points 5.3 to 5.9, are implemented from April 2024**
- 2.2. **To AGREE the revised Provider Agreement for funding early years provision and childcare, as set out in points 5.10 to 5.11**
- 2.3. **To NOTE the need for additional work on data sharing between the Council and early years providers, which will be addressed via an addendum to the Provider Agreement if required.**

3. Reasons for Recommendation(S)

- 3.1. To ensure that eligible children can readily access their entitlements in safe, high quality settings that meet statutory requirements, that the relevant terms and conditions are understood by all parties and maximise efficiency of operation.

4. Alternative Options Considered

- 4.1. No alternative options were considered

5. Supporting Information

- 5.1. The Early Education and Childcare statutory guidance for local authorities sets out the framework that Local Authorities must operate within in the delivery of the early years entitlements. This guidance was updated on 1 January 2024 to

include guidance on the provision of the expanded entitlement for working parents of children aged 9 months to 3 years old.

- 5.2. The Bracknell Forest Provider Agreement sets out detailed local arrangements intended to ensure that, in line with the statutory guidance, eligible children can access their entitlement in safe, high quality settings and providers receive funding in accordance with the approved local Early Years Funding Formula.

Childminder Monthly Payments

- 5.3. The Statutory Guidance includes an the expectation that Local Authorities will *'Pay all providers the full amount owed to them monthly unless they have good reason not to do so, for example, if, after consultation, the clear majority of providers opt for an alternative method of payment'*.
- 5.4. In October 2018, the Council consulted early years providers in Bracknell Forest on their preference for retaining the current termly funding arrangements or moving to a monthly funding arrangement. The Council received 53 responses to the consultation, of which 38 (72%) indicated a preference to retain the termly funding arrangements.
- 5.5. Feedback from providers indicates that termly funding is still the preference amongst group providers, but childminders have expressed an interest in revisiting the options for monthly payments.
- 5.6. In March 2023 the Government announced changes to early years and childcare entitlements to support working parents. These changes include access to 30 hours of childcare per week, for 38 weeks of the year, for working parents from the term after their child is 9 months old to when they start school.
- 5.7. The expansion of the entitlements to children of eligible working parents from the age of 9 months will result in many early years providers receiving most of their income via the entitlements. The Council has considered the impact of this change on early years providers income and on childminders in particular and, taking into account the recent feedback from childminders, believed it was appropriate to consult childminders on the arrangements for monthly payment of the early years entitlements.
- 5.8. In October 2023 a childminder monthly payments working group was established to discuss the options and challenges of monthly payments. Feedback from these discussions informed proposals in a consultation with all childminders in Bracknell Forest in January 2024. The consultation document is attached as Annex B.
- 5.9. The consultation document set out the Council's proposals for the arrangements for monthly payments to childminders. A total of 58 responses were received, with a majority indicating agreement to the proposals. Responses are summarised and attached as Annex C.

Changes to the Provider Agreement from April 2024

- 5.10. Revisions to the Provider Agreement, attached as Annex A, includes revisions as required by changes in the statutory guidance and numerous minor changes to improve clarity and understanding. Significant updates to the Provider Agreement include:
- The addition of the terms and conditions required for the expansion of the early years entitlements for working parents for children aged 9 months to 3 years, starting in April 2024. Sections 7 & 8.

- The arrangements for the introduction of monthly payments to childminders from April 2024. Section 17
- Expansion of the guidance setting out the requirement for providers to promote fundamental British Values, and to not promote as evidence-based, views or theories which are contrary to established scientific or historical evidence. Section 6 and 14
- Providing greater clarity on the consequences of poor OFSTED inspections. Section 14
- Providing greater clarity on the eligibility of Foster Carers to the early years entitlements and the arrangements for claiming funding. Section 9
- Update to the guidance on the charging of fees for children accessing the early years entitlements. Section 16
- Update to the terms and conditions on the withdrawal of funding from providers, including when withdrawal will be considered and the process for providers to appeal a decision. Section 21

5.11. A draft Provider Agreement was sent to the Early Years Forum to gather their views on the proposed changes. The group includes representatives from maintained schools, academies, group PVI providers and childminders.

5.12. Legal advice has identified a need for additional work on data sharing arrangements between the Council and early years providers. A new Provider Agreement that incorporates the expansion to the early years entitlements is required to be in place by mid-March 2024. As the work on improving data sharing arrangements will not be completed ahead of this deadline, an addendum to the agreement incorporating these improvements may be required.

6. **Advice received from statutory and other officers**

Legal Advice

6.1. To improve consistency the Department of Education has developed a model agreement for local authorities, which should be tailored to local processes as appropriate. The draft Provider Agreement does follow the framework of the model agreement and comments have been provided separately in respect of the draft document.

It is noted that personal data will be shared pursuant to the Provider Agreement. Where personal data is being shared, it is important to ensure data protection requirements are in place, such as a Data Protection Impact Assessment, information sharing agreement and the Register of Processing Activity (ROPA) is updated. Further advice on data protection matters can be obtained from the Data Protection Officer and / or the Information Governance Lawyer.

Financial Advice

6.2. The Executive Director: Resources is satisfied that no significant financial implications arise from this report

Equalities Impact Assessment

6.3. Not required

Strategic Risk Management Issues

- 6.4. Bracknell Forest Council will be at risk of not meeting its statutory duty if providers are not aware of and have not signed the local funding agreement for funding early years provision and childcare.

Climate Change Implications

- 6.5. Have no impact on emissions of CO₂

7. Consultation

Principal Groups Consulted

- 7.1. Early Years Forum, Childminder working group and all childminders in Bracknell Forest.

Method of consultation

- 7.2. The views of the early years forum were sought prior to the commencement of work to investigate the options for childminder monthly payments and following the consultation outcome.
- 7.3. The Childminder working group provided feedback on:
- Initial proposals on arrangements for monthly payments
 - The options available for resolving issues identified in the initial feedback
 - The proposals included in the consultation with all childminders

- 7.4. All childminders were consulted on the final proposals

Representation received

- 7.5. A total of 58 responses were received from childminders, which represents 44% of all childminders in Bracknell Forest.

Background Papers

<https://www.gov.uk/government/publications/early-education-and-childcare--2/early-education-and-childcare-applies-from-1-april-2024>

Early education and childcare: Statutory guidance for local authorities (applies from April 2024)

https://assets.publishing.service.gov.uk/media/6571db8d33b7f20012b72067/Model_agreement_template_-_free_early_years_provision_and_childcare.docx

Model agreement template: free early years provision and childcare

Contact for further information

Cherry Hall, Head of Early Years & Childcare
01344 352811
cherry.hall@bracknell-forest.gov.uk

David Allais, Early Years Business & Family Information Manager
01344 354027
EHBS@bracknell-forest.gov.uk



Provider agreement for funding early years provision and childcare

Effective from April 2024

PEOPLE
Bracknell Forest Council
Education & Learning
Time Square
Market Street
Bracknell
RG12 1JD
T: 01344 351555
www.bracknell-forest.gov.uk

- 1. INTRODUCTION3**
 - CHANGES FROM 2023 TO 20243
- 2. REVIEW DATE4**
- 3. LEGAL FRAMEWORK.....4**
- 4. KEY RESPONSIBILITIES5**
 - KEY LOCAL AUTHORITY RESPONSIBILITIES5
 - KEY PROVIDER RESPONSIBILITIES5
- 5. SAFEGUARDING6**
- 6. REQUIREMENTS FOR RECEIVING THE EARLY YEARS ENTITLEMENTS7**
- 7. THE EARLY YEARS ENTITLEMENTS.....8**
 - ELIGIBILITY8
 - TARGETED 2-YEAR-OLD EDUCATION AND CHILDCARE FUNDING9
 - UNIVERSAL ENTITLEMENT FOR ALL 3- AND 4-YEAR-OLDS9
 - WORKING PARENT ENTITLEMENTS10
- 8. WORKING PARENT ENTITLEMENT GRACE PERIOD12**
- 9. CHILDREN IN FOSTER CARE13**
- 10. FLEXIBILITY13**
- 11. PARTNERSHIP WORKING14**
- 12. SPECIAL EDUCATIONAL NEEDS AND DISABILITIES.....15**
- 13. SOCIAL MOBILITY AND DISADVANTAGE.....15**
- 14. QUALITY15**
- 15. BUSINESS PLANNING.....17**
 - PROVIDER PORTAL.....17
 - EARLY YEARS CENSUS18
 - ADMINISTRATION FEES18
- 16. CHARGING19**
- 17. FUNDING.....20**
 - TASKS & PAYMENTS.....20
 - STRETCHED OFFERS22
 - PARENT DECLARATION FORMS.....22
 - CLOSURES23
 - PART WEEKS23
 - FUNDING RATES.....23
 - ATTENDING MULTIPLE PROVIDERS.....23
 - CHANGING CHILDCARE PROVIDER24
 - PARTICIPATION24
 - NON-ATTENDANCE.....25
 - EARLY YEARS PUPIL PREMIUM26
- 18. DISABILITY ACCESS FUND26**
 - ELIGIBILITY26
 - CLAIMING DAF27
- 19. RESTRICTIONS27**
- 20. COMPLIANCE28**
- 21. WITHDRAWAL OF FUNDING29**
- 22. PROVIDER COMPLAINTS AND APPEALS.....30**
- 23. PARENTAL COMPLAINTS.....30**
- ANNEX A: SUMMARY OF CONDITIONS32**
- ANNEX B: USEFUL CONTACTS AND LINKS35**

1. Introduction

- 1.1. This document sets out the conditions placed on early years providers who wish to offer the early years entitlements. For the purposes of this document early years providers are referred to as 'providers' and include:
- early years providers and childminders registered on the Ofsted Early Years Register
 - childminders registered with a childminder agency (CMA) which is itself registered with Ofsted
 - schools taking children aged 2 and over and which are exempt from registration with Ofsted as an early years provider
- 1.2. These conditions have been produced with regard to the Department for Education (DfE) Early Education and Childcare Statutory guidance for local authorities (January 2024) and sections 6, 7, 7A, 9A, 12 and 13 of the Childcare Act (2006) and section 1 and 2 of the Childcare Act (2016) and applies to:
- the 15 hours entitlement for the most disadvantaged 2-year-olds (Targeted 2-year-old education and childcare funding)
 - the 15 hours entitlement for parents of 3- and 4-year-olds (the universal entitlement)
 - the eligible working parent entitlements, which include:
 - the 30 hours entitlement for eligible working parents of 3- and 4-year-olds
 - from April 2024, the 15 hours entitlement for children aged 2 years
 - from September 2024, the 15 hours entitlement for children aged 9 months to 3 years (under 3's)
 - from September 2025, the 30 hours entitlement for children aged 9 months to 3 years (under 3's)
- 1.3. In this Agreement 'under 3' means children aged 9 months to 3 years old

Changes from 2023 to 2024

This summary outlines the principal modifications between the 2023-24 and 2024-25 agreements. Please note that it is not exhaustive, and providers are strongly advised to review the complete agreement

- Updated wording regarding promotion of fundamental British Values and not promoting as evidence-based, views or theories which are contrary to established scientific or historical evidence
- 2-year-old funding for disadvantaged families now referred to as Targeted 2-year-old funding
- 30 hours extended entitlement changed to eligible Working Parent entitlement
- Section 7 & 8 - Incorporated guidance on the new eligible Working Parent entitlements
- Section 9 – Rewritten to clarify requirements for children in foster care
- Section 14 – Updated to clarify consequences of poor OFSTED inspections
- Section 15 - Clarity added on charging of administration fees

- Section 16 – Rewritten to provide greater clarity regarding provider fees and charged and to reflect changes in the statutory guidance *The need to use the term ‘optional’ in relation to additional charges has been removed from the statutory guidance.*
- Section 17 – Details of funding process changed to:
 - incorporate monthly Payments for childminders
 - improve guidance when children change provider
 - clarify that funding is by participation only
- Section 21 – Clarified and expanded guidance on withdrawal of funding

2. Review date

- 2.1. This document was last reviewed on 30/01/2024.
- 2.2. The information included in this document is correct at the time of publication but is subject to changes in Government policy. This document will be kept under review and updated, as necessary.

3. Legal framework

- 3.1. The following frameworks and legislation underpin this agreement, the list is not an exhaustive list:
 - Statutory guidance: Early Education and childcare - January 2024
 - Childcare Act 2006
 - Childcare Act 2016
 - Equality Act 2010
 - School admissions code 2014
 - Statutory framework for the early years foundation stage 2023
 - Local Authority, (Duty to Secure Early Years Provision Free of Charge) Regulations 2014 as amended by the 2018 Regulations
 - The Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2016
 - The Childcare (Free of Charge for Working Parents) (England) Regulations 2022
 - Special educational needs and disability code of practice: 0 to 25 years 2015
 - Data Protection Act 2018
 - Freedom of Information Act 2000
 - The Schools and Early Years Finance (England) Regulations 2023
- 3.2. Bracknell Forest Council reserves the right to unilaterally vary this document to reflect changes in legislation and guidance from the Department of Education.
- 3.3. References to legislation will be legislation as amended from time to time, without express change to this document.
- 3.4. All providers are required to keep up to date with and comply with relevant legislation.

- 3.5. The Freedom of Information Act 2000 gives any person the right to request information held by public authorities such as Bracknell Forest Council. For more information, please see the [freedom of information](#) page on the Bracknell Forest Council website.

The Council is under a statutory duty which may require the release of information under the Freedom of Information Act 2000. Such information may include matters relating to or arising out of or under this Agreement. The Council shall be entitled to disclose such information in the event that it receives a request to do so. In this event the Council shall inform the Provider of the request and give the Provider details of the information that the Council intends to disclose.

- 3.6. The General Data Protection Regulation and Data Protection Act 2018 requires local authorities to inform individuals about how their personal data is used. This is provided through a [privacy notice](#) on the Bracknell Forest Council website.
- 3.7. All early years providers are data controllers and data processors in their own right and, as such, they have a duty to inform pupils, staff and parents how they process the data that is within their control. Guidance on data protection is available on the DfE website¹.

4. Key responsibilities

- 4.1. The DfE has set key responsibilities for local authorities and providers in relation to the provision of entitlement places.

Key local authority responsibilities

- 4.2. Local Authorities must secure a place for every eligible child in their area.
- 4.3. The Local Authority should work in partnership with providers to agree how to deliver entitlement places.
- 4.4. The Local Authority should be clear about their role and the support on offer locally to meet the needs of children with special educational needs and/or disabilities (SEND) as well as their expectations of providers.
- 4.5. The Local Authority must contribute to the safeguarding and promote the welfare of children and young people in their area.

Key provider responsibilities

- 4.6. The provider must comply with all relevant legislation and take out and maintain adequate levels of insurance.
- 4.7. The provider should deliver the entitlements consistently to all parents, whether in receipt of 15 or 30 hours and regardless of whether they opt to pay for optional

¹ <https://www.gov.uk/government/publications/data-protection-and-privacy-privacy-notice>

services or consumables. This means that the provider should be clear and communicate to parents details about the days and times that they offer entitlement places, along with their services and charges. Those children accessing the entitlements should receive the same quality and access to provision.

- 4.8. The provider must follow the Early Years Foundation Stage (EYFS) and have clear safeguarding policies and procedures in place that link to the Local Authority's guidance for recognising, responding, reporting and recording suspected or actual abuse.
- 4.9. The provider must have arrangements in place to support children with special educational needs and/or disabilities (SEND). These arrangements should include a clear approach to identifying and responding to SEND. Providers should utilise the SEN inclusion fund and Disability Access Fund to deliver effective support, whilst making information available about their SEND offer to parents.

5. Safeguarding

- 5.1. Bracknell Forest Council has overarching responsibility for safeguarding and promoting the welfare of all children and young people in the Borough. Bracknell Forest Council have a number of statutory functions under the 1989 and 2004 Children Acts which make this clear, and the 'Working Together to Safeguard Children guidance'² sets these out in detail. All procedures can be accessed on the Bracknell Forest Safeguarding Board Website³.
- 5.2. Providers must follow the EYFS Statutory Framework and have clear safeguarding policies and procedures in place that are in line with local guidance and procedures for responding to and reporting suspected or actual abuse and neglect. A lead practitioner must take responsibility for safeguarding and all staff must have training to identify signs of abuse and neglect. The provider must have regard to 'Working Together to safeguard Children' guidance.
- 5.3. The Local Authority Designated Officer (LADO) is a statutory role that is underpinned by The Children Act 2004, The Education Act 2002, and Working Together 2023, all of which place duties on organisations to safeguard and promote the welfare of children. The LADO manages all the allegations that are made against persons working with children, this includes paid and unpaid workers, full time, part time, agency and volunteers.

The LADO allegations procedure applies whenever there is an allegation or concern that a person who works with children has:

- behaved in a way that has harmed a child or may have harmed a child
- possibly committed a criminal offence against or related to a child

² [Working together to safeguard children - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/67146/Working_together_to_safeguard_children_-_2018.pdf)

³ <https://www.proceduresonline.com/berks/bracknell/>

- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children

If you observe or are made aware of any concerns about a person who is working with young people then you should make your designated safeguarding lead at work aware, and either they (or yourself if they are not available) have a duty to refer these concerns onto the LADO within one working day. Concerns may be around a person's current role, historical allegations that you have become aware of, or something in relation to their personal lives.

The LADO is available to discuss any concerns that you may have and will then assess what the next steps needs to be and provide you with support around any safeguarding actions.

The LADO can be contacted on 01344 351572 or at LADO@bracknell-forest.gov.uk

6. Requirements for receiving the early years entitlements

- 6.1. Providers wanting to offer the early years entitlements in Bracknell Forest must:
 - operate a setting located within Bracknell Forest
 - register with the Bracknell Forest Local Directory
 - keep details on Bracknell Forest Local Directory up to date (termly at a minimum)
 - register with OFSTED (if providing childcare that requires registration) or register with a childminder agency which is itself registered with OFSTED
- 6.2. Providers must actively promote fundamental British values in accordance with the Early Education and Childcare Statutory Guidance for Local Authorities. Fundamental British values are defined as democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and values.
- 6.3. Providers must not promote as evidence-based, views or theories which are contrary to established scientific or historical evidence and explanations.
- 6.4. Providers must confirm compliance with the terms and conditions of this document by completing the online process on the Can-Do website.
- 6.5. Where a childminder is registered with a childminder agency, the agency has signed the Council's Service Level Agreement.
- 6.6. Providers must attend termly provider meetings to ensure they receive local and national updates alongside EYFS and safeguarding requirements.
- 6.7. To enable Bracknell Forest Council to meet its responsibility for safeguarding and promoting the welfare of all children and young people in the Borough, providers must allow the Quality & Improvement team access to their setting.

7. The early years entitlements

7.1. This section refers to the use of the Provider Portal to validate and process entitlement claims. Guidance on signing up to and using the Provider Portal can be found on the Bracknell Forest website⁴.

- 7.2. The entitlements are:
- the 15-hour entitlement for the most disadvantaged 2-year-olds, a total of 570 hours per year (targeted 2-year-old education and childcare funding)
 - the 15-hour entitlement for parents of 3- and 4-year-olds (the universal entitlement), a total of 570 hours per year
 - the eligible working parent entitlements, which include:
 - the 30 hours entitlement for eligible working parents of 3- and 4-year-olds
 - from April 2024, the 15-hour entitlement for children aged 2 years
 - from September 2024, the 15 hours entitlement for children aged under 3
 - from September 2025, the 30 hours entitlement for children aged under 3

Eligibility

7.3. The DfE sets the dates of birth for the start of eligibility for the early years entitlements, as set out in the table below. School term dates are not considered when determining eligibility.

Child’s second (where eligible) or third birthday falls between	entitlement starts
1 April and 31 August	1 September (autumn term)
1 September and 31 December	1 January (spring term)
1 January and 31 March	1 April (summer term)

7.4. The provider should check original copies of documentation to confirm a child has reached the eligible age on initial registration. The provider can retain paper or digital copies of documentation to enable the local authority to carry out audits and fraud investigations. Where a provider retains a copy of documentation this must be stored securely and deleted when there is no longer a good reason to keep the data.

7.5. Alongside the eligibility code, which is the child’s unique 11-digit number, and original copies of documentation a provider must acquire written consent from, or on behalf of, the parent to be able to receive confirmation and future notifications from the local authority of the validity of the parent’s eligibility code. This is normally received via completion of the parent declaration form.

⁴ <https://www.bracknell-forest.gov.uk/children-and-family-services/childcare/information-early-years-providers/funding-information-early-years-providers/provider-portal>

- 7.6. Children who have been admitted to a full-time place in a state funded school reception class or an independent school reception class that is funded by the local authority are not entitled to the early years entitlements.
- 7.7. A child who takes up their entitlement part way through their funding year (child's funding year starts from the term after their birthday) will be entitled to a pro-rata number of hours adjusted to reflect the portion of their funding year remaining.
- 7.8. A provider may not use a change in the child's age (and the relevant funding rate) as a reason to withdraw a funded place.

Targeted 2-year-old education and childcare funding

- 7.9. A child will be entitled to targeted 2-year-old education and childcare funding from the term after both of the following conditions are satisfied:
 - the child has attained the age of 2
 - AND
 - the child or parent meets the eligibility criteria
- 7.10. Non-UK citizens who have no recourse to public funds may still be eligible for Targeted-2-year-old education and childcare. Eligibility criteria for targeted 2-year-old funding is available on the government's website <https://www.gov.uk/help-with-childcare-costs/free-childcare-2-year-olds>
- 7.11. Eligible 2-year-olds are entitled to 570 hours a year over no fewer than 38 weeks of the year. The entitlement may be [stretched](#) over more than 38 weeks (and up to 52 weeks). This means taking fewer hours per week, subject to a maximum of 570 hours a year. Providers are advised to communicate this information in writing to the parents to aid open transparency.
- 7.12. If a child is entitled to Targeted 2-year-old education and childcare funding a code will be issued to the parent which they can share with their chosen childcare provider. Childcare providers should verify the eligibility code before confirming the availability of a funded place and/or the child starts attending. This code will start with 'TYF867'.
- 7.13. Providers should offer places to eligible Targeted 2-year-olds on the understanding that the child remains entitled for funding until they become eligible for the universal entitlement for 3- and 4-year-olds.

Universal entitlement for all 3- and 4-year-olds

- 7.14. A child is eligible for the universal entitlement from the term after their third birthday.
- 7.15. Eligible 3- and 4-year-olds are entitled to 570 hours a year over no fewer than 38 weeks of the year, until the child reaches compulsory school age (the beginning of the term following their fifth birthday). The entitlement may be [stretched](#) over more than 38 weeks (and up to 52 weeks). This means taking fewer hours per week, subject to a maximum of 570 hours a year.

- 7.16. All 3- and 4-year-olds living in England are entitled to the universal entitlement from the term after their 3rd birthday irrespective of the immigration status of the child or their parent(s).

Eligible Working Parent entitlements

- 7.17. Eligible 3- and 4-year-olds of working parents will be entitled to an additional 570 hours, making a total of 1,140 hours a year when combined with the universal entitlement, until the child reaches compulsory school age (the beginning of the term following their fifth birthday).
- 7.18. From the Effective Date, a child aged 9 months to 3 years olds will be entitled to the specified Entitlement Hours set out in the table below from the term after both the following conditions are satisfied:
- the child has attained the Relevant Age
 - the child’s parent has a current positive determination of eligibility from HMRC i.e., a valid eligibility code

Effective Date	Relevant Age	Entitlement Hours
1 April 2024	2 years old	570 hours
1 September 2024	9 months to 3 years	570 hours
1 September 2025	9 months to 3 years	1140 hours

- 7.19. The working parent entitlement may be [stretched](#) over more than 38 weeks (and up to 52 weeks). This means taking fewer hours per week, subject to the maximum entitlement hours a year.
- 7.20. The child’s parent must apply for the working parent entitlement through the Government’s online service – [Childcare Choices](#). **Eligibility for the extended entitlement is determined by HMRC through this online application.** The only exception to this is children in foster care – See section 9 below.
- 7.21. The parent must apply for or reconfirm the eligibility code by the deadline as set out below:
- 31 August to claim funding in the autumn term (1 September to 31 December)
 - 31 December to claim funding in the spring term (1 January to 1 March)
 - 31 March to claim funding in the summer term (1 April to 31 August)
- 7.22. Where parents have applied for or reconfirmed eligibility by the deadline but do not receive their valid 30 hours code by the deadline, Bracknell Forest Council will agree funding on condition that the code is received by the dates set out below:
- Parent applied/reconfirmed by 31 August – code validity start date between 1st – 14th September
 - Parent applied/reconfirmed by 31 December – code validity start date between 1st – 14th January
 - Parent applied/reconfirmed by 31 March – code validity start date between 1st – 14th April

Parents must provide evidence showing the application or reconfirmation was completed before the deadline. Providers must submit the evidence to the Early Years Business team who will confirm if the child is eligible for a place. Providers should not confirm a place prior to receipt of confirmation from the Early Years Business team.

- 7.23. Parents who are unable to access the HMRC website or are experiencing difficulties completing the application should call the HMRC Customer Interaction Centre on 0300 123 4097 who will provide support using information supplied by the applicant over the phone.
- 7.24. Parents who disagree with the eligibility outcome as determined by HMRC can appeal the outcome and request a review by contacting the HMRC Customer Interaction Centre on 0300 123 4097.
- 7.25. Prior to checking an eligibility code or completing a funding task on the Provider Portal a provider must have:
 - The Working Parent entitlement eligibility code, the child’s unique 11-digit number
 - Written consent from the parent to apply for the funding on behalf of their child
 - Seen original documents which confirm a child has reached the eligible age

This is provided in the [Parent Declaration Form](#)
- 7.26. Once a provider has received written consent from the parent, they should verify the eligibility code on the Bracknell Forest Council [provider portal](#) which has the Eligibility Checking Service built into it and enables providers to verify the eligibility code swiftly and efficiently.
- 7.27. The provider portal will confirm the validity of eligibility codes and the date from which funding can be claimed to allow providers to offer places for eligible children.
- 7.28. The provider portal reviews the validity of eligibility codes on an ongoing basis and meets the requirement to complete audit checks at 6 fixed points in a year, both at half term and at the end of term across the year (in line with the dates as listed at table A below). The expiration dashboard on the provider portal will notify providers where a parent has fallen out of eligibility and informs them of the grace period end date.

Table A:

Date Parent receives ineligible decision on reconfirmation:	Audit Date	Grace Period End date:
1 Jan – 10 Feb	11 February	31 March
11 Feb – 31 March	1 April	31 August
1 April – 26 May	27 May	31 August

27 May – 31 August	1 September	31 December
1 September – 21 October	22 October	31 December
22 October – 31 December	1 January	31 March

7.29. It is the provider’s responsibility to check the expiration dashboard regularly and contact parents where the eligibility code is nearing its end date to remind them to renew the eligibility code (reminders will have been sent to parents by the HMRC website). It is a parent’s responsibility to renew the eligibility code every three months.

8. Working Parent Entitlement grace period

8.1. A child will enter the grace period when the child’s parents cease to meet the eligibility criteria set out in the Childcare (Early Years Provision Free of Charge) (Extended Entitlement) Regulations 2022, as determined by HMRC (or where the child is in foster care, the responsible local authority) or a First Tier Tribunal in the case of an appeal.

8.2. The grace period end date will automatically be applied to eligibility codes and is displayed in the provider portal expiration dashboard and against individual child records in the provider portal tasks.

8.3. Bracknell Forest Council will continue to fund a working parents entitlement place for a child who enters the grace period until the end date of the grace period is reached.

8.4. Children will not be able to start a new working parent entitlement place at a provider during the grace period. The scenarios below help explain the impact of the grace period on eligibility to a working parent entitlement place:

- A child may not start claiming the working parent entitlement in the same term as an eligibility code is issued, even if the child has attended the setting the previous term
- A child may not start a new working parent entitlement place if their eligibility code is in its grace period on the first day of the term
- A child may continue to access a working parent entitlement place with the same provider if their 30 hours code is in its grace period on the first day of term
- Changing provider is considered starting a new funded place, a child who changes provider mid-term must have had a valid eligibility code on the first day of the term even if they were claiming the working parent entitlement at their previous provider

8.5. The grace period is an opportunity for providers to remind parents to renew their eligibility code or if parents are no longer eligible, to make arrangements for when the additional funding ends. This could be a reduction in attendance or invoicing for the additional hours.

- 8.6. Where parents cease to meet the eligibility criteria and the grace period has expired, children aged 3- and 4- years old can continue to take up their universal entitlement, provided they have not exceeded the 570 hours entitlement for the year. Note, if the working parent entitlement had been accessed at more than one provider, universal entitlement funding will continue at the provider of the parent's choice.

9. Children in foster care

- 9.1. Children in foster care will be eligible for the working parent entitlements from the term after they meet the following criteria:
- The child has attained the relevant age and is under compulsory school age
 - The Council is satisfied that the foster parent engaging in paid work other than as a foster parent is consistent with the child's care plan
 - In single foster parent families, the foster parent holds additional paid employment outside of their role as a foster carer
 - In 2 foster parent families, both partners hold additional paid employment outside of their role as a foster carer or one partner is working and the other has a limited capability for work and work-related activity
 - The foster parent does not have to meet the minimum income requirement
- 9.2. Foster parents who wish to apply for the extended entitlement must apply directly to the Local Authority via their social worker.

10. Flexibility

- 10.1. Providers should work with the Local Authority and share information about the times and periods at which they are able to offer entitlements to support the Local Authority to secure sufficient stretched and flexible places to meet parental demand in the Local Authority.
- 10.2. Providers should make information about their offer and admissions criteria available to parents at the point the child first accesses provision at their setting.
- 10.3. Evidence shows that continuous provision is in the best interests of the child. Where it is reasonably practicable providers should ensure that children are able to take up their hours in continuous blocks and avoid artificial breaks being created throughout the day, for example over the lunch period.
- 10.4. Bracknell Forest Council is committed to supporting providers to offer flexible places to meet parental need and will work in partnership with providers to achieve this. Providers are encouraged to offer flexible packages of places, within the following parameters:
- no session longer than 10 hours
 - no minimum session length (subject to the requirements of registration on the Ofsted Early Years Register)
 - not before 6.00am or after 8.00pm
 - a maximum of two sites in a single day

- up to 52 weeks of the year if the parent is stretching their child's entitlement
 - can be outside of maintained school term times
 - can include weekends
- 10.5. Subject to the standards set out in 10.4, there is no requirement for entitlement places to be taken on, or delivered on, particular days of the week or at particular times of the day.
- 10.6. If parents choose to take their entitlement with more than one provider, all parties have a duty to ensure there is a system in place to ensure continuity of care and that regular liaison between providers takes place.
- 10.7. Where a child attends 2 or more settings per week, it is up to the parent to decide the distribution of hours between the settings. The distribution of hours must be recorded on the Parent Declaration Form (PDF). Each provider will claim funding according to the distribution of hours recorded on the PDF.
- 10.8. The situation may arise where a child attends one provider term time only and a second provider on a stretched offer over more than 38 weeks. Providers should check the funded hours claimed across both providers to ensure that the child is receiving a maximum of 15 funded hours a week and a maximum of 570 hours a year (or 1140 hours for children accessing the 30 hours entitlement).
- 10.9. There is no requirement for providers to be open for 38 weeks of the year or to offer all the entitlements to receive funding to deliver entitlement places. However, providers must make it clear to parents, prior to the child taking up their place, where their business model restricts access to the full entitlement.

11. Partnership working

- 11.1. Bracknell Forest Council will support all providers to work in partnership to meet the needs of children and parents in the Local Authority.
- 11.2. Providers should work in partnership with parents, carers and other providers to improve provision and outcomes for children in their setting. An interactive toolkit⁵ has been developed to help providers set up or join a partnership, maximise the benefits of working together and tackle the challenges joint working can bring.
- 11.3. Providers should discuss and work closely with parents to agree how a child's overall care will work in practice when their entitlement is split across different providers, such as at a maintained setting and a childminder, to ensure a smooth transition for the child.

⁵ <http://www.familyandchildcaretrust.org/dfes-30-hour-mixed-model-partnership-toolkit>

12. Special educational needs and disabilities

- 12.1. All providers in the maintained, private, voluntary and independent sectors must have regard to the Special Educational Needs and Disability (SEND) code of practice: 0-25 years ⁶ (January 2015).
- 12.2. The provider must ensure owners and all staff members are aware of their duties in relation to the SEND Code of Practice and the Equality Act 2010.
- 12.3. Providers must have a SEND policy that is clear and transparent and sets out the SEND support on offer at their setting. The policy must cover admissions. Providers should update this annually and ensure the link to it on the school's record on the Local Offer is correct, so information is available to parents to enable them to choose the right setting for their child.
- 12.4. Providers should identify children who qualify for the Disability Access Fund (DAF) and promote DAF to parents.
- 12.5. Where children move to another early years provider or transition to school, providers should share current and historic SEND information with the new provider or school.

13. Social mobility and disadvantage

- 13.1. Bracknell Forest Council promotes equality and inclusion, particularly for disadvantaged families, looked after children and children in need by removing barriers of access to places and working with parents to give each child support to fulfil their potential.

Providers should ensure that they have identified the disadvantaged children in their setting as part of the process for checking Early Years Pupil Premium (EYPP) eligibility. Providers will also use EYPP and any locally available funding streams or support to improve outcomes for this group.

14. Quality

- 14.1. The Early Years Foundation Stage (EYFS) statutory framework is mandatory for all schools that provide early years provision and Ofsted-registered early years providers in England and providers registered with an agency which is itself registered with OFSTED. The EYFS sets the standards that all early years providers must meet to ensure that children learn and develop well and are kept healthy and safe.
- 14.2. Ofsted inspection judgements are the sole benchmark of quality for all childcare entitlements. Ofsted and inspectorates of independent schools have regard to the

⁶https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf

EYFS in carrying out inspections and report on the quality and standards of provision.

- 14.3. All providers should notify the Quality & Improvement team as soon as OFSTED inspectors arrive at a setting to undertake an inspection.
- 14.4. Local Authorities have a legal duty to provide information, advice and training on meeting the requirements of the EYFS, meeting the needs of children with SEND and on effective safeguarding and child protection for providers who are rated less than 'Good' by Ofsted or newly registered providers. Early Years providers in Bracknell Forest are required, at a minimum, to attend provider meetings to ensure they are aware of local and national requirements of the EYFS.
- 14.5. New providers are strongly encouraged to engage with Bracknell Forest Council on the development of their setting and preparing for their first graded OFSTED inspection.
- 14.6. A Targeted 2-year-old can be funded at a provider rated 'good' or 'outstanding' by Ofsted or at any childminder or childcare provider registered with a childminder agency judged 'effective' by Ofsted.
- 14.7. Bracknell Forest Council are not required to fund places for Targeted 2-year-olds at providers rated 'requires improvement' by Ofsted but may choose to do so to ensure sufficiency of places and continuity of care.
- 14.8. A child accessing the universal or working parent entitlements can be funded at a provider rated 'requires improvement' or better by ⁷Ofsted or at any childminder or childcare provider registered with a childminder agency judged 'effective' by Ofsted.
- 14.9. Bracknell Forest Council will fund providers with an Ofsted inspection judgement of 'met' until their Ofsted quality inspection judgement is published. Providers with an Ofsted inspection judgement of 'not met' will not be funded.
- 14.10. Bracknell Forest Council will fund new providers registered with Ofsted until the provider's first full Ofsted inspection judgement is published or childminder or childcare provider registered with a childminder agency until the agency's first full Ofsted inspection judgement is published.
- 14.11. Bracknell Forest Council will not fund childminders or childcare providers registered with a childminder agency where the agency has indicated that the childminder is not of the appropriate quality unless it is necessary to ensure sufficiency of accessible places or support parental choice.
- 14.12. Bracknell Forest Council will not fund providers who do not actively promote fundamental British values or if they promote as evidence-based, views or

⁷ For schools inspected by the Independent Schools Inspectorate the relevant inspection judgement is "sound".

theories which are contrary to established scientific or historical evidence and explanations.

- 14.13. Providers are required to undertake any training or quality improvement programme identified as necessary to address concerns raised in the Ofsted inspection report and the provider has been judged less than 'good' by Ofsted.

15. Business planning

- 15.1. Providers should ensure they submit timely and accurate information, including, but not limited to, headcount data, census data, parental declarations and invoices. Failure to do so may result in inaccurate, delayed, or suspended funding.
- 15.2. Providers should maintain accurate financial and non-financial records relating to entitlement places and should give the Local Authority access on reasonable notice to all financial and non-financial records relating to entitlement places funded under the provider agreement, subject to confidentiality restrictions.

Provider portal

- 15.3. Providers must complete and submit headcount and other necessary data returns via the [provider portal](#). Providers may only claim for the care they provide (or intend to provide when completing the forecast task).
- 15.4. Each provider must register one or more staff members to use the provider portal by completing and returning a [Provider Portal Access Form](#) for each user. Users must activate their account once it has been registered as most communications regarding the entitlements are sent via the provider portal.
- 15.5. A [Provider Portal User Guide](#) is available on the Bracknell Forest Council website.
- 15.6. Login details must not be shared between users, and it is the user's responsibility to keep their login details secure.
- 15.7. Autocomplete options that remember passwords can cause issues when changing passwords and should not be used.
- 15.8. If a provider portal user leaves the setting or changes roles, the setting must contact the Early Years Team to remove the user's access from the system.
- 15.9. If the device you use to access the portal (laptop, tablet, mobile phone etc.) is lost or stolen you must contact the Early Years Team immediately so that your password can be reset. See page 30 for contact details.
- 15.10. Bracknell Forest Council will publish a funding timetable ([schedule of dates](#)) in the spring term of each year setting out when tasks on the portal will open and close and the date payments will be processed.
- 15.11. Providers should use the Self Update section of the provider portal to keep their setting details up to date. Providers' details must be up to date on headcount day of the Spring term, as these details will be used in the annual Early Years Census.

Early years census

- 15.12. The Early Years Census takes place each January. Bracknell Forest Council provides data to the DfE on all children in receipt of the entitlements and the number of funded hours claimed. This data is used by the DfE to calculate the amount of early years funding Bracknell Forest Council receives, and it is therefore essential that submitted data is accurate.
- 15.13. Completing and submitting the EY (Early Years) Census return within the required deadline is compulsory for all private, voluntary and independent providers, including governor run preschools and funded childminders claiming the entitlements in the spring term.
- 15.14. Bracknell Forest Council reserves the right to withdraw funding from any provider failing to submit the census return.

Administration fees

- 15.15. It is a provider's responsibility to submit funding claims via the provider portal tasks within the published deadlines and to ensure that the funding claim is complete and accurate. As a child could be claiming funding across multiple settings, missed deadlines, or submitting inaccurate and incomplete funding claims result in additional administration and can impact the payment to other providers.
- 15.16. Where additional administration resource is required due to:
- a provider missing the submission deadline for a funding claim
 - a submission containing substantial omissions
 - a submission containing substantial errors
- Bracknell Forest Council reserves the right to charge an administration fee.
- 15.17. This fee is not a penalty, it is charged to cover additional costs incurred by the Council. The fee is based on an hourly rate and is published on the Bracknell Forest Council website. The number of hours charge depends on the type and timing of the additional administration, as set out below:
- Resolving a submission with substantial omissions or errors prior to the scheduled payment date – 1 hour charge
 - Per additional portal task, up to 1 week before the scheduled payment date for that task – 1 hour
 - Per additional portal task, within 1 week of the scheduled payment date – 2 hours
 - Per additional portal task, after the scheduled payment date and before the next portal task opens – 2 hours
 - Per additional portal task after the next portal task has opened – 3 hours.
- 15.18. Providers who withdraw from providing the entitlements and then request to re-sign up to the Provider Agreement outside of the annual renewal window will be charged a 2 hour administration fee.

16. Charging

- 16.1 Early years entitlement places must be delivered 'free of charge'. Providers must not:
- Charge parents "top up fees" (charge a fee for the difference between funding received and standard hourly rates)
 - Use the entitlements to 'discount' fees. (funding received from the Council is deducted from the standard hourly rate)
 - Require parents to pay a registration fee as a condition of accessing an entitlement only place
- 16.2 Providers must not attach conditions to accessing the entitlements. For example, compulsory additional hours, compulsory additional sessions, or compulsory additional services.
- 16.3 Bracknell Forest Council will not intervene where parents choose to purchase additional hours of provision or additional services, providing this does not affect the parent's ability to take up their child's entitlement place.
- 16.4 The entitlements are for hours of childcare. The entitlements do not have a monetary value for parents and must not be represented to parents as a monetary subsidy. Parents do not need to know, or have a right to know, the funding rate providers receive from the Council.
- 16.5 Government funding is intended to deliver 15 or 30 hours a week of high quality, flexible childcare. It is not intended to cover the cost of meals, consumables, additional hours, or additional services.
- 16.6 Providers can charge for meals and snacks as part of providing the entitlements and they can also charge for consumables such as nappies or sun cream, and for services such as trips and specialist tuition. Parents should therefore expect to pay for these additional charges.
- 16.7 Providers may charge parents for administration costs incurred to open portal tasks, outside of the scheduled dates, however providers must ensure parents are aware of this cost before the task is opened.
- 16.8 Providers offering the entitlements are responsible for setting a policy providing parents with options for alternatives to additional charges including waiving or reducing the cost of meals and snacks or allowing parents to supply their own meals or nappies. Providers should be particularly mindful of the impact of additional charges on the most disadvantaged parents.
- 16.9 Providers should deliver the entitlements consistently so all children accessing the entitlements will receive the same quality and access to provision, regardless of whether they opt to pay for optional hours, services, meals, or consumables.
- 16.10 Providers must be completely transparent about additional charges when a parent first takes up their child's entitlement place, for example, for those parents opting to purchase additional hours or additional services.
- 16.11 To give providers certainty that a parent will take up a place, providers can charge parents a deposit to secure their child's entitlement place, but should consider if

this will prevent take up, especially for disadvantaged families. Where a child is accessing an entitlement only place, providers must refund the deposit in full to parents within 6 weeks of the child's start date. If a parent fails to take up their place the provider is not obliged to refund the deposit.

- 16.12 Providers must publish their admissions criteria and any fees for consumables, additional hours and services and make these easily available to parents to enable parents to make an informed choice of provider.
- 16.13 Providers must ensure parents understand which hours/sessions can be taken as part of the entitlement provision and where additional charges will apply. Not all providers will be able to offer fully flexible places, but providers should work with parents to ensure that as far as possible the patterns of hours are convenient for parent's working hours.
- 16.14 Providers must issue parents with invoices and receipts which are clear, transparent, and itemised, allowing parents to see that they have received their entitlements completely free of charge, and understand fees charged for additional hours or services. Receipts and invoices must contain the provider's full details and be dated so that they can be identified as coming from a specific provider and covering a specific period. Invoices should be addressed to the parent(s) and not the child(ren).

17. Funding

Tasks & payments

- 17.1 As per the [schedule of dates](#), Bracknell Forest Council will set 'tasks' for providers to complete on the [provider portal](#) which will require providers to update personal and attendance data for the children they are claiming funding for. Each task will have a deadline for submission. Failure to meet the deadline may delay the funding payment for that provider. Guidance on the use of the provider portal is available on the [Bracknell Forest Council website](#).

Private, Voluntary and Independent Providers (PVI's)

- 17.2 PVI's will be set 3 tasks on the provider portal per term and will receive 3 payments based on these tasks. A fourth task (a second amendment) can be set on request. The payments are:
- Forecast payment - 60% of the total forecast funding for the term
 - Actual payment – balance of funding for the term calculated on headcount
 - Amendment payment – corrections and additions to the headcount
 - Second amendment payment – by request, corrections and additions to the headcount

Providers will receive reports after each payment. Timing of the tasks and payments are set out in the [Schedule of Dates](#)⁸ published on the Council website

- 17.3 Where changes in funded hours claimed results in a provider being overpaid for the term, Bracknell Forest Council will clawback the overpayment by reducing a future payment or issuing an invoice, whichever is appropriate.
- 17.4 Providers should pay invoices in a timely manner. Bracknell Forest Council reserves the right to deduct the balance of outstanding invoices from future payments where invoices remain unpaid.

Childminders

17.5 Prior to the start of the financial year childminders may choose between the termly payment model set out in 17.2 above or the monthly payment process as set out in 17.6 below. This choice will apply for the entire financial year (1 April to 31 March)

17.6 The monthly process for childminders is as follows:

- Childminders will be set 3 tasks on the provider portal per term. A fourth task (a second amendment) can be set on request. Timing of the tasks are set out in the [Schedule of Dates](#)⁹ published on the Council website
- Forecast participation data submitted in the forecast task will be used to calculate the childminder’s forecast total termly funding
- A monthly payment will be calculated by dividing the forecast total termly funding by the number of months in the term, resulting in 12 monthly payments a year. Term dates and months per term are set out in the table below.

Term	Term start & end dates	Month in term
Summer	1 April and 31 August	5
Autumn	1 September and 31 December	4
Spring	1 January and 31 March	3

- Monthly payments will be paid in advance on the last Thursday of the preceding month
- The childminder’s actual funding for the term will be calculated following submission of the actual task:
 - If actual termly funding is **higher** than the forecast termly funding the remaining monthly payments for the term will be recalculated
 - If actual termly funding is **lower** than the estimated termly funding the

⁸ <https://www.bracknell-forest.gov.uk/children-and-family-services/childcare/information-early-years-providers/funding-information-early-years-providers/schedule-dates>

⁹ <https://www.bracknell-forest.gov.uk/children-and-family-services/childcare/information-early-years-providers/funding-information-early-years-providers/schedule-dates>

remaining monthly payments will remain unchanged. This will result in an overpayment to the provider for the term

- Overpayments will be recovered by deducting the overpayment from the next term's forecast termly funding before calculating the monthly payment amount. If the next term's forecast termly funding amount is less than the value of the overpayment an invoice will be issued
- Amendment tasks will follow the same process as set out for the actual task

Maintained and Academy Schools

- 17.7 Maintained and Academy schools have an initial budget calculated for the financial year based on actual funded hours for the previous three terms. Schools will be set the same tasks as set out in 17.2 above.
- 17.8 Budgets will be recalculated at the end of each term based on the participation data provided in these tasks.
- 17.9 Early Years Pupil Premium and Special Educational Needs Inclusion Fund payments will be paid at the end of each term.

Stretched Offers

- 17.10 The entitlement may be [stretched](#) over more than 38 weeks (and up to 52 weeks). This means taking fewer hours per week, subject to a maximum of 570 hours a year. Providers must include details of any stretched offer in the information provided to parents.
- 17.11 Stretched offers should only be started, stopped, or changed at the start of the financial year (1 April) so that funding is provided on a consistent basis across the year and to ensure children are able to access their full entitlements.

Parent declaration forms

- 17.12 Providers must ensure they hold a fully completed [Parent Declaration Form](#) (PDF) for each child they are claiming entitlement funding for. The PDF must be signed by the parent and the provider.
- 17.13 The PDF serves as an agreement between the parent and the provider, and as evidence of the funding claim. The PDF must be retained for seven years for audit purposes.
- 17.14 The signed PDF meets the provider's obligations under the General Data Protection Regulation and Data Protection Act 2018, authorising the provider to share the parent and child data with the Local Authority and the DfE to validate eligibility and claim funding.
- 17.15 Where a child accesses their entitlements across two or more providers, the PDF will be used to resolve any disputes regarding the distribution of funding. Bracknell Forest Council reserves the right to clawback funding where providers do not hold a completed, signed PDF or where the funding claimed by a provider does not match the completed PDF.

- 17.16 The PDF does not replace the contract between the provider and the parent/carer and providers are strongly advised to have signed contracts with all parents.
- 17.17 A new PDF must be completed and signed for each change in hours claimed and attached to the superseded declaration. This provides a full audit trail of entitlement hours claimed for each child. It is not acceptable to cross out/change hours and initial declarations.
- 17.18 Providers do not need a new PDF each term if the child and/or parent details and the entitlements remain unchanged from the previous term.

Closures

- 17.19 While there is no requirement for providers to be open for 38 weeks of the year (see 10.8), planned closures such as staff training, holidays (including bank holidays) or any other non-emergency reasons which limit access to the entitlement to fewer than 190 days (or less than 570 hours) a year may not be included in the provider's entitlement claim.
- 17.20 Closures due to emergencies and unforeseen circumstances such as broken heating, inclement weather, sickness outbreak, elections etc. may be included in the provider's entitlement claim. Providers do not need to compensate parents for entitlement hours during these unforeseen emergency closures.
- 17.21 Providers' contracts with parents should include arrangements for chargeable hours during closures.

Part weeks

- 17.22 Providers may claim funding in part weeks. Note that part weeks are claimed in decimal format where:
- 1 day = 0.2
 - 2 days = 0.4
 - 3 days = 0.6
 - 4 days = 0.8

As an example, to claim 11 weeks and 3 days a provider would input 11.6 weeks in the provider portal.

Funding rates

- 17.23 Funding rates to providers are calculated via the Early Years Funding Formula (EYFF). The current EYFF is available on the [Bracknell Forest Council website](#).

Attending multiple providers

- 17.24 Where a child is claiming entitlement hours at more than one provider, the parent must complete a PDF with each provider. All PDFs must include the details of all providers attended and the hours and weeks claimed at each.
- 17.25 It is the parent's choice how entitlement hours are split between multiple providers. Where 3- and 4-year-olds are accessing the working parent

entitlement, the parent must indicate on the PDF which provider is claiming the universal hours and which provider is claiming the working parent entitlement.

- 17.26 If a child changes provider, or is attending more than one provider, and the entitlements are accessed over more than 38 weeks at any setting; providers should contact the Early Years team before submitting a funding task to confirm the available entitlement hours remaining for the child.

Changing childcare provider

- 17.27 Children eligible for the entitlements who move into Bracknell Forest part way through a term can claim the entitlements at a registered provider in Bracknell Forest, regardless of when during the term this is. These children should be included in the next funding task. The number of weeks claimed must be based on the number of weeks remaining in the term from the child's first day of attendance.
- 17.28 Providers' contracts with parents should include arrangements for notice periods. Bracknell Forest Council will not intervene in these contractual arrangements.
- 17.29 Where contracts include a notice period, providers will be entitled to claim funding for the contractual notice period, up to a maximum of 6 weeks.
- 17.30 Providers will not be funded for those weeks in the notice period for which they are not normally entitled to funding, such as holidays or planned closures for staff training.
- 17.31 Note that the limits in points 17.29 and 17.30 do not prohibit providers from including holidays in their contractual notice periods or from having notice periods of longer than six weeks; however, it will be up to providers to enforce the terms and conditions of their contract with parents.
- 17.32 Providers are requested to consider exceptional circumstances which result in parents not being able to give the contractually agreed notice period.
- 17.33 Providers should consider waiving notice periods for Targeted 2-year-olds who leave the setting without serving the full notice period.
- 17.34 A child who changes provider within Bracknell Forest while their working parent entitlement eligibility code is in a grace period will not be able to claim working parent entitlement funding from the new provider, please see point 8.1.4 for details.

Participation

- 17.35 As per regulation 23(4) and (5) of [The Schools and Early Years Finance \(England\) Regulations 2023](#) (SEYFRs), early years funding must be based on actual hours of attendance. To meet this requirement, actual and amendment tasks submitted by providers must reflect actual hours of attendance for each child. This requirement does not apply to the forecast task, which should be based on the number of hours and weeks of attendance on the parent declaration form.
- 17.36 The following should be counted as part of the actual hours of attendance:

- Non-attendance due to illness or holidays (see 17.39)
 - Unplanned/emergency setting closure
- 17.37 Where a child is not attending the hours agreed in the parent declaration form, and considering 17.34, the provider must adjust their funding claim to reflect:
- Actual total number of hours of attendance for the term
- OR
- a predicted total number of hours for the term based on the average hours of attendance in three consecutive weeks in that term
- 17.38 If a provider places limits or restrictions on a child's attendance which limit a child's ability to access the agreed entitlement hours, the provider may only claim for the actual hours attended. This includes:
- Suspension
 - Enforced late drop off or early collection.
 - Staggered starts
 - Restricted hours

Non-attendance

- 17.39 Good attendance patterns promote good outcomes for children and starting this as soon as a child starts accessing early years is important. Regular attendance will promote good habits, secure relationships, self-esteem and support learning and development opportunities. Regular attendance also enables practitioners to monitor children's welfare and enable action should any safeguarding concerns be identified. Attendance guidance for the early years foundation stage is available on the Bracknell Forest Council website <https://www.bracknell-forest.gov.uk/children-and-family-services/childcare/information-early-years-providers/resources-early-years-providers>
- 17.40 If a child's attendance pattern changes from the agreed attendance as per the parent declaration form e.g., unexplained breaks in attendance, a child is not attending the agreed hours, or attendance is irregular, providers **must** notify the Quality and Improvement team by emailing QD.Team@bracknell-forest.gov.uk. An assessment will be made regarding the continued funding of the place, with the primary consideration being what is in the best interest of the child. The team can support the setting to work with parents to improve attendance.
- 17.41 Providers may claim for short term absences of children for example, sickness, arriving late or leaving early, family emergency or holidays.
- 17.42 For longer absences such as a long-term illness or family holidays providers may continue to claim funding for periods of up to 6 weeks to ensure the availability of a funded place on the child's return. However, where an absence is for longer than 3 weeks, providers must notify the Early Years Team by email ehbs@bracknell-forest.gov.uk
- 17.43 Bracknell Forest Council will not provide funding for absences beyond 6 weeks. Providers should advise parents of this limit as soon as possible if a period of absence will or may extend beyond 6 weeks.

Early years pupil premium

- 17.44 Early Years Pupil Premium (EYPP) is additional funding for early years settings to support disadvantaged children accessing an entitlement place. Children must be accessing the entitlements to attract EYPP funding but do not have to take up their full entitlement.
- 17.45 All children in receipt of EYPP will receive an additional deprivation supplement to their hourly funded rate. The funding rates for EYPP and the EYPP deprivation supplement are available on the [Bracknell Forest Council website](#). Note that for 3- and 4-year-olds EYPP applies to universal hours only.
- 17.46 The current eligibility criteria for EYPP are detailed in the DfE [Operational guide](#).
- 17.47 Providers are ultimately responsible for identifying eligible children and are encouraged to speak to parents to find out who is eligible for EYPP funding. In particular, providers should speak to the parents of children who took up the entitlement for Targeted 2-year-olds, as some of these children will attract EYPP the term after their third birthday.
- 17.48 To claim EYPP funding for a child, a provider must have signed permission from the child's parent/carer to check their eligibility. This permission is provided on the [Parent Declaration Form](#). The parent/carer details must be entered on the child records on the provider portal when the next task is completed. Bracknell Forest Council will check eligibility for EYPP before processing the task and payment for children eligible for EYPP will be included in the funding payment.
- 17.49 EYPP funding will follow the eligible child. Therefore, if a child moves to a different provider part way through the year, an adjustment will be calculated to ensure the existing and the new provider each receive the correct allocation of EYPP funding for the term, taking notice periods into account as set out in paragraphs 17.27 to 17.32.

18. Disability access fund

- 18.1. The Disability Access Fund (DAF) supports registered early years settings to make initial reasonable adjustments and to build the capacity of their setting to support disabled children. DAF must not be used for childcare costs.
- 18.2. DAF is not based on an hourly rate and will be paid as one lump sum payment per 12-month period for each eligible child. The current funding rate for DAF is available on the [Bracknell Forest website](#)
- 18.3. Children do not have to take up the full 570 hours of entitlement funding to receive the DAF. Children in receipt of DAF will be eligible where they take-up any period of entitlement.

Eligibility

- 18.4. A child will be eligible for the DAF if they meet the following criteria:
- the child is in receipt of disability living allowance (DLA) and
 - the child receives entitlement funding

- 18.5. If a child eligible for the DAF is splitting their entitlement place across two or more settings, parents must nominate the setting to whom they wish the DAF payment to be made.
- 18.6. If a child receiving DAF moves from one setting to another within a calendar year, the new setting is not eligible to receive DAF funding for this child until after the anniversary of the previous payment. DAF funding received by the original setting will not be recouped.
- 18.7. In cases where a child lives in one authority and attends a setting in a different local authority, the setting's local authority is responsible for funding the DAF for the child and checking eligibility.

Claiming DAF

- 18.8. Providers claim the DAF on the [provider portal](#). Providers must hold a completed and signed PDF for the child. If the child attends more than one setting the PDF must be completed to confirm which setting has been nominated by the child's parents for receipt of the DAF. Providers must supply a copy of the PDF and the DLA entitlement letter as part of the DAF application process. Providers will have the option to supply the required documents electronically or by post.
- 18.9. Bracknell Forest Council aims to process DAF applications weekly with payments for approved applications being processed the following week. Providers (including Academies) should receive payment within approximately 14 days of application. Where evidence has been submitted by post the payment process will be delayed until receipt of the documentation. DAF funding is in addition to the entitlement funding and as such is not included in the forecast budget for maintained settings and Academies. DAF payments will be transferred to maintained settings via journal transfer as a lump sum payment.

19. Restrictions

- 19.1. Under the Childcare Act (2006), childminding a relative does not constitute 'childcare'. Under section 18 (4) the 'Meaning of childcare', the Act states that: Childcare does not include care provided for a child by:
 - (a) a parent or stepparent of the child
 - (b) a person with parental responsibility for the child
 - (c) a relative of the child
 - (d) foster parent or by a person who fosters the child privately
- 19.2. Paragraph 8 (c) defines that a 'relative, in relation to a child, means a grandparent, aunt, uncle, brother or sister, whether of the full blood or half blood or by marriage or civil partnership'.
- 19.3. It is important to note that childminders will not be able to claim early education funding for any child in the categories set out in 19.1 and 19.2.
- 19.4. Nannies and home carers are currently not permitted to register on the Early Years Register and cannot therefore receive early education funding.

20. Compliance

- 20.1. Providers must maintain accurate financial and non-financial records relating to entitlement places and must, with reasonable notice, give Bracknell Forest Council or its nominated auditors access to all financial and non-financial records (subject to confidentiality restrictions) relating to entitlement places funded under the provider agreement.
- 20.2. Bracknell Forest Council will perform compliance checks on providers to ensure they are meeting the requirements for delivering the entitlements. Providers must submit to these compliance checks which may be undertaken by the Early Years Team or auditors operating on behalf of the Council.
- 20.3. Compliance checks will be undertaken annually on a random selection of providers and could be undertaken remotely or on site.
- 20.4. Providers will be required to supply supporting documentation and information for a selection of children attending their setting and in receipt of the entitlements. This will include:
- Copy invoices and parent declaration forms
 - Terms and conditions
 - Published fees and charges
 - Attendance register
- 20.5. Documentation will be reviewed for compliance with the local conditions of funding and relevant legislation.

If, following a remote compliance check, it is deemed necessary, a more in-depth onsite check may be arranged.

- 20.6. Providers will receive a report detailing the outcome of the compliance check. Possible outcomes of a compliance check are:
- **Fully compliant** – no further action required
 - **Compliant with recommendations** - A provider could be compliant with the requirements for delivery of the entitlements but have areas where they could benefit from best practice
 - **Action required** - A small number of minor issues have been identified that require remedial action to bring the provision of the entitlements in line with the statutory requirements. The Council will conduct follow up checks to ensure required actions are implemented
 - **Intervention required** – many minor issues or one or more major issues have been identified and the provider is in breach of the statutory requirements. Remedial action is urgently required. Intervention could include withdrawal of funding or compulsory training on the provision of the entitlements

Where remedial actions are required, Bracknell Forest Council will work with the provider to implement the changes.

21. Withdrawal of funding

- 21.1. A provider's registration for the entitlements will be withdrawn for the following reasons:
- Suspension of registration by Ofsted
 - Breach of the early years entitlement statutory requirements.
 - Safeguarding
 - The provider acts in a fraudulent manner, has an action for fraud brought against their business or is convicted of fraud by a recognised court of law
- 21.2. Where withdrawal of funding is being considered, Bracknell Forest Council will look at each case individually and will consider the reason the withdrawal is required, the needs of funded children and whether the provider is actively working with the Council to resolve the issue.
- 21.3. Bracknell Forest Council will not withdraw funding from providers or childminders registered with childminder agencies until the provider's or childminder agency's Ofsted inspection report has been published.
- 21.4. Bracknell Forest Council will endeavour to secure alternate provision and withdraw funding from a provider (other than a local authority-maintained school), as soon as practicable, when Ofsted publish an inspection judgement of a provider of 'inadequate'.
- 21.5. Bracknell Forest Council will endeavour to secure alternate provision and withdraw funding from childminders or childcare providers registered with a childminder agency when Ofsted publish a second consecutive inspection judgement of 'ineffective', unless:
- Ofsted has not identified any concerns about the childminder agency's assessment arrangements
- AND
- the childminder agency has assessed a childminder or childcare provider as being of acceptable quality
- 21.6. Bracknell Forest Council will seek to secure alternate provision and withdraw funding from childminders or childcare providers registered with a childminder agency when:
- A compliance check identifies that a provider is in breach of the statutory requirements
- AND
- The remedial actions identified in the compliance check are not implemented within the required timeframe
- 21.7. Bracknell Forest Council will consider the continuity of care for children who are already receiving their entitlement hours at a provider or childminder and the sufficiency of entitlement places when withdrawing funding and will determine an appropriate timeframe for withdrawing funding on a case-by-case basis.

- 21.8. Bracknell Forest Council does not waive the right to act if we do not act immediately, a slower evidence-based approach may be required on occasion.
- 21.9. Providers will be notified in writing of the reasons for the withdrawal of funding and the requirements for funding to be re-instated.
- 21.10. Where withdrawal of funding is required, Bracknell Forest Council will work with providers to contact the parents of funded children, explaining the reason for withdrawing funding and the available options. Where appropriate Bracknell Forest Council will work with parents to arrange alternate provision for funded children.
- 21.11. A provider may appeal the decision to withdraw funding as per Section 22 below.

22. Provider complaints and appeals

- 22.1. Wherever possible, the Early Years Team aims to resolve issues as soon as possible and before a formal complaint is made. If you have any questions or concerns about any matter relating to the entitlements, please contact the Early Years Team in the first instance.

Telephone: Early Years Team 01344 351555

Email: EHBS@bracknell-forest.gov.uk

Write to:

Bracknell Forest Council
Early Years Team
Time Square
Market Street
Bracknell
RG12 1JD

- 22.2. If the Early Years Team are unable to satisfactorily resolve your concerns and you still wish to make a complaint, use the [complaints page](#) of the Bracknell Forest Website to submit a complaint.
- 22.3. A provider may be denied approval to offer the entitlements or have their funding withdrawn as set out in Section 20 above. If a provider wished to appeal a decision to withdraw funding made by the Early Years Team, they should use the [complaints page](#) of the Bracknell Forest Website to submit a complaint.

23. Parental Complaints

- 23.1. Where parents have issues or concerns about accessing the entitlements or the quality of care, they should discuss their concerns with the provider in the first instance.
- 23.2. If parent's concerns are not resolved informally, or they feel the provider did not respond adequately they should follow the providers complaints procedure.

Providers should ensure they have a complaints procedure in place that is published and accessible for parents.

- 23.3. After exhausting the providers complaints procedure, if parents are not satisfied with the response, they should contact OFSTED or the Council, depending on the nature of their concerns.
- 23.4. Where their concerns are about the quality of care, they should contact OFSTED via their [website](#). For concerns about accessing the entitlements, Bracknell Forest Council has a [complaints procedure and complaints form](#) to enable parents to raise their concerns with the Council.
- 23.5. If a parent or provider is not satisfied with the way in which their complaint has been dealt with by the Local Authority or believes the Local Authority has acted unreasonably, they can make a complaint to the [Local Government Ombudsman \(LGO\)](#). The LGO will only consider complaints when the provider and Local Authority complaints procedures have been exhausted.
- 23.6. If a parent or provider is concerned about how personal data is being processed, held, or stored in regard to the General Data Protection Regulation and the Data Protection Act 2018 they can make a complaint to the Information Commissioner's Office <https://ico.org.uk/make-a-complaint/>

Annex A: Summary of Conditions

1.	<p>Legal Framework</p> <ul style="list-style-type: none"> • Comply with all relevant legislation • Meet the duties of the Equality Act 2010 • Have clear safeguarding policies & procedures
2.	<p>Requirements for receiving the entitlements</p> <ul style="list-style-type: none"> • Operate a setting located in Bracknell Forest • Register on the Bracknell Forest Local Directory • Register with Ofsted or with an OFSTED registered agency (if providing childcare that requires registration) • Actively promote fundamental British Values • Comply with the terms and conditions of the Provider Agreement
3.	<p>Entitlements</p> <ul style="list-style-type: none"> • Deliver the free entitlements in accordance with the conditions set out in sections 7 and 8 of the Provider Agreement • Check original copies of documentation to confirm a child has reached the eligible age for all entitlements • Offer entitlement places within the national parameters on flexibility • Hold completed, signed Parent Declarations for each funded child
4.	<p>Funding</p> <ul style="list-style-type: none"> • Submit accurate headcount and data returns within the published deadlines via the Provider Portal • Register one or more users on the provider portal and activate the account • Only claim entitlements as detailed in the signed Parent Declaration Form
5.	<p>Charging</p> <ul style="list-style-type: none"> • Parents must not be charged for any part of the entitlements, including top up fees and discounts • Providers may charge additional fees for hours, services and resources not covered by the entitlements • Providers must have a policy for parents providing options for alternatives to additional charges • Providers must publish their admission criteria & which hours/sessions are part of the entitlement. • All fees and charges must be clear, transparent and published • Invoices must be clear, transparent, itemised, include providers full details and addressed to the parent • Deposits charged for entitlement only places must be refunded with 6 weeks of child's start date

6.	<p>Compliance</p> <ul style="list-style-type: none"> • Submit to compliance checks by the Early Years Team and any other auditors operating on behalf of the Council. • Maintain accurate financial and non-financial records relating to entitlement places and make these records available to the Council or its auditors on request. • Comply with responsibilities regarding the General Data Protection Regulation and Data Protection Act 2018 e.g., Privacy Notice
7.	<p>Early Years Census</p> <ul style="list-style-type: none"> • Complete the Early Years census or schools census as appropriate • Keep the Self Update section of the provider portal up to date
8.	<p>Early Years Pupil Premium</p> <ul style="list-style-type: none"> • Identify children who may be eligible for EYPP • Complete the EYPP section of the PDF • Only provide carer information on the provider portal if consent has been given in the EYPP section of the PDF
9.	<p>Disability Access Fund</p> <ul style="list-style-type: none"> • Identify children who may be eligible for DAF • Complete the DAF section of the PDF • Submit a copy of the DLA entitlement letter and completed PDF with the application on the provider portal
10.	<p>SEND</p> <ul style="list-style-type: none"> • Providers must have regard to the Special Educational Needs (SEN) Code of Practice and have a SEN Policy or Inclusion Policy which promotes inclusion for all children (including those with SEN) and covers admissions
11.	<p>Quality</p> <ul style="list-style-type: none"> • Meet the requirements of the Early Years Foundation Stage • When delivering working parent entitlements, achieve an overall judgement of 'satisfactory' (prior to 2014) or 'requires improvement' or better under the Ofsted inspection framework. • When delivering Targeted 2-year-old places, achieve an overall judgement of good or better under the Ofsted inspection framework. • For childminders registered with a CMA, the agency must be judged 'effective' by Ofsted • Where judged less than good by Ofsted, take measures identified by Ofsted to improve the overall effectiveness of the provision
12.	<p>Termination/Withdrawal of funding may result from the following reasons</p> <ul style="list-style-type: none"> • Suspension of registration by Ofsted or Ofsted inspection of inadequate • Breach of statutory requirements or terms and conditions of the Provider Agreement

	<ul style="list-style-type: none">• Safeguarding issues• Fraudulent actions, accusations of and convictions for fraud
13.	Complaints <ul style="list-style-type: none">• Providers must have a complaints procedure which is published and accessible to parents• Providers must co-operate with Bracknell Forest Council in the investigation of a complaint against them by any party

Annex B: Useful Contacts and links

	Email	Telephone
Group Provision & Childminders	QD.Team@bracknell-forest.gov.uk	01344 312851
Funding and Business Support	EHBS@Bracknell-Forest.gov.uk	01344 351555
Funded 2Year Olds	Early.Education@bracknell-forest.gov.uk	01344 354450
Family Information Service & Local Offer	Family.Information@bracknell-forest.gov.uk	01344 353133

This page is intentionally left blank



**EARLY YEARS ENTITLEMENTS
MONTHLY PAYMENTS**

**A CONSULTATION WITH
CHILDMINDERS IN BRACKNELL
FOREST**

22 JANUARY 2024

TO

09 FEBRUARY 2024

Contents

Executive Summary	3
Introduction	3
Responses	3
Who should respond to this consultation?	3
Queries	3
Background to early years funding	4
Proposed changes for the introduction of monthly payments for the early years entitlements for childminders.....	5
Key principles	5
Statutory requirements	5
Current early years entitlement funding arrangements	6
Proposals for monthly payments to childminders.....	6
Capacity & systems	6
Monthly payments process	7
Monthly payments per year	8
Next Steps	10

Executive Summary

1. This consultation document sets out proposals from Bracknell Forest Council (BFC) for the introduction of monthly payment arrangements for childminders claiming the Early Years Entitlements (EYE) from April 2024.
2. To assist with the preparation of this consultation, BFC established a Childminder Working Group to provide insight into the issues affecting childminders and to gather feedback on the feasibility of various payment arrangements. This feedback has informed the proposals in this consultation.
3. The proposals for the introduction of monthly payments arrangements for childminders are considered in light of the expansion in early years entitlements to eligible working parents of 2-year-old children from 1 April 2024 and eligible working parents of children from 9 months to 2 years from 1 September 2024.
4. Proposals include the process for calculation of monthly payments based on forecast participation hours, the process for adjusting payments to reflect actual participation and the administrative arrangements required to support monthly payments.

Introduction

5. The purpose of this consultation is to gather views from childminders in Bracknell Forest on the council's proposed arrangements for monthly payment of the early years entitlements to childminders from 1 April 2024.
6. This consultation relates to payment arrangements for childminders only. BFC is not proposing any changes to payment arrangements for group provision.
7. This consultation document can be found at the following BFC website address:
<https://consult.bracknell-forest.gov.uk/kse/>

Responses

8. You can respond to the consultation on our online portal which can be accessed here
https://consult.bracknell-forest.gov.uk/public/cyp/cm_monthly_payments
9. Alternately a separate response form accompanies this consultation, which you can return electronically to:
EHBS@bracknell-forest.gov.uk
or by post to:
Early Help Support, Bracknell Forest Council, Time Square, Bracknell, RG12 1JD
10. The deadline for receipt of response to the consultation is **Friday 09 February 2024**

Who should respond to this consultation?

11. All childminders in Bracknell Forest who currently offer or are considering offering the early years entitlements.

Queries

12. If you have any queries on this consultation, please contact:
Early Help Team
Tel: 01344 351555
Email: EHBS@bracknell-forest.gov.uk

Background to early years funding

13. Paragraph A4.13 of the Statutory guidance; Early education and childcare states that Local Authorities should:

Pay all providers the full amount owed to them monthly unless they have good reason not to do so, for example, if, after consultation, the clear majority of providers opt for an alternative method of payment. Local authorities should be mindful of the concerns of smaller providers, particularly childminders, about their cash flow when making decisions about payment methods. Local authorities should regularly review how they pay providers to ensure that it continues to meet the needs of all providers in their area.
14. In October 2018 BFC consulted early years providers in Bracknell Forest regarding the arrangements for payment of the early years entitlements. Providers were asked to indicate their preference for retaining the current termly funding arrangements or moving to a monthly funding arrangement. The Council received 53 responses to the consultation, of which 38 (72%) indicated a preference to retain the termly funding arrangements.
15. Recent feedback from providers indicates that termly funding is still the preference amongst group providers, but childminders have expressed an interest in revisiting the options for monthly payments.
16. In March 2023 the Government announced changes to early years and childcare entitlements to support working parents. These changes include access to 30 hours of childcare per week, for 38 weeks of the year, for working parents from the term after their child is 9 months old to when they start school.
17. The expansion of the entitlements will be implemented in phases, with children eligible for funding from the term after they reach the required age:
 1. the 15 hours entitlement over 38 weeks of the year (equivalent to 570 hours a year) for eligible working parents of 2-year-old children from 1 April 2024
 2. the 15 hours entitlement over 38 weeks of the year (equivalent to 570 hours a year) for eligible working parents of children from 9 months to 2 years from 1 September 2024
 3. the 30 hours entitlement over 38 weeks of the year (equivalent to 1,140 hours a year) for working parents of children from 9 months to 3 years from 1 September 2025
18. The expansion of the entitlements to children of eligible working parents from the age of 9 months will result in many early years providers receiving most of their income via the entitlements. The Council has considered the impact of this change on early years providers income and on childminders in particular and, taking into account the recent feedback from childminders, believes it is appropriate to undertake a consultation with childminders on the arrangements for monthly payment of the early years entitlements.
19. A childminder monthly payments working group was established to discuss the options and challenges of monthly payments. Feedback from these discussions have informed the proposals included in this consultation document.
20. The outcome of the consultation will be presented to Schools Forum in March 2024, with any changes to payments for childminders implemented in April 2024.
21. Proposals in this consultation meet the requirements of the Statutory guidance: Early education and childcare - Updated on 1 January 2024 and effective from 1 April 2024 (Statutory Guidance) and the Schools and Early Years Finance (England) Regulations 2023 (SEYFRs).

Proposed changes for the introduction of monthly payments for the early years entitlements for childminders

Key principles

22. The proposals in this consultation reflect the following key principles, which are informed by feedback from the working group:
1. The process must be transparent, stable and predictable.
 2. Data used to calculate monthly payments must be readily available, objective in nature and should not increase the administrative burden on childminders.
 3. Any change in administrative arrangements must take the following factors into account:
 - i. The limitations of BFC's payment software
 - ii. The capacity of the early years team to administer the process
 - iii. The impact on other early years providers in Bracknell Forest
 - iv. Statutory requirements and limitations

Statutory requirements

23. Statutory requirements related to the calculation of EYFE funding and relevant when considering the implementation of a monthly payments process for childminders are:
1. Statutory Guidance - Paragraph A4.2
Local Authorities are required to issue all providers with an indicative budget at the beginning of the financial year which broadly reflects anticipated participation. Local authorities must also adjust budgets to reflect actual levels of participation within the financial year, across all sectors.
 2. SEYFRs - Regulation 23(4)
When further information about hours of attendance becomes available, a local authority must—
 - (a) review the amount allocated to each relevant early years provider; and
 - (b) redetermine the amount allocated.,
 3. SEYFRs - Reg 23(5)
When carrying out a review and redetermination under paragraph (4) the local authority must take into account—
 - (a) the predicted total number of hours of attendance of children who will receive funded early years provision from the relevant early years provider, during the period (basing the calculation on the actual hours of such attendance in each of at least three sample weeks); or
 - (b) the actual total numbers of hours of such attendance for the period.
24. To meet these statutory requirements the proposals for monthly payment arrangements must include the termly recalculation of a providers funding allocation, with payments adjusted to reflect a change in the funding allocation.

Current early years entitlement funding arrangements

25. The current model for funding providers in Bracknell Forest is comprised of two termly lump sums paid in advance of actual participation and one or more amendment payments each term for corrections and changes in participation. The payments are:
- The Forecast Payment
 - 60% of this estimated funding as a lump sum before the start of the term.
 - based on estimated hours of attendance
 - The Actual Payment
 - balance of funding for the term
 - after schools census date
 - based on actual hours of attendance
 - The Amendment Payment(s)
 - optional additional payment(s)
 - for corrections, new starters, leavers and changes to funded hours claimed
 - usually paid before the end of the term
26. Prior to each payment providers complete a funding task on the Early Years Portal, in which the provider submits participation data to BFC.
27. Submitted data is checked and verified before a payment via BACS to the childminders bank account is processed.
28. As providers are paid in advance of actual participation, differences between forecast and actual levels of participation can result in an overpayment to a provider. BFC claws back these overpayments by issuing an invoice to the childminder.
29. More information about the current arrangements for payment of the early years entitlements is available on the Bracknell Forest website <https://www.bracknell-forest.gov.uk/children-and-family-services/childcare/information-early-years-providers/funding-information-early-years-providers>

Proposals for monthly payments to childminders

Capacity & systems

30. The Council is proposing to introduce a monthly payment process from April 2024 for childminders in Bracknell Forest claiming the early years entitlements. To ensure that the administration of monthly payments do not negatively impact on the overall administration of the early years entitlements, the arrangements for the monthly payment process must be within the capabilities of the Councils payment software and the capacity of the early years team. To meet these restrictions, the Council proposes:
1. The introduction of one monthly payments process for all childminders. Childminders will be able to choose between the current termly payment process or the monthly payment process. The details of how this model will operate will be informed by feedback to the proposals in this consultation.
 2. Before the start of each financial year, childminders will be required to choose between the termly payment process or the monthly payment process.
 3. The choice of payment process will apply until the start of the next financial. After the summer term forecast payment has been processed, childminders will not be able to change payment process until the spring actual payment has been processed.
 4. Childminders who register to claim the early years entitlement part way through a financial year will be able to choose between the payment processes as part of the

registration process.

<u>Question 1:</u>	Do you agree with the proposal to introduce one monthly payment process for all childminders?
<u>Question 2:</u>	Do you agree with the proposals to offer childminders a choice between termly and monthly payment processes before the start of each financial year?
<u>Question 3:</u>	Do you agree with the proposal that the choice of funding process will apply for the duration of the financial year?
<u>Question 4:</u>	Do you agree with the proposal that childminders registering for the early years entitlement are offered a choice between payment processes as part of the registration process?

Monthly payments process

31. The Council has considered the feedback from the childminder working group, the capabilities and limitations of the Councils payment software and the available capacity of the early years team, the key principles in paragraph 19 and the statutory requirements in paragraph 20.
32. The Council is proposing that the collection of participation data, for both termly and monthly payment processes, remains unchanged. All childminders will continue to complete the forecast and actual task on the provider portal in line with the current process.

<u>Question 5:</u>	Do you agree with the proposal to retain the current arrangements for collection of participation data?
---------------------------	---

33. For childminders who choose to continue with termly funding payments, the council is proposing that the current termly funding process remains unchanged.

<u>Question 6:</u>	Do you agree with the proposal to retain the current termly funding process?
---------------------------	--

34. For childminders who choose to move to monthly payments the following process is proposed:
 1. Following submission of the termly forecast task the early years team will calculate the estimated termly funding for the childminder. A monthly payment amount for the term will be calculated by dividing the estimated termly funding evenly across the number of months for that term. (see points 35 to 41 for more detail about months per term)
 2. Payment will be made in advance, with payment processed on the last Thursday of the preceding month. Timing of payments is dictated by the Councils payment system, but the aim is to pay childminders as close to the start of the month as

possible.

3. After submission of the actual payment task the early years team will recalculate the actual termly funding for the childminder.
 - i. If actual termly funding is **higher** than the estimated termly funding the monthly payment amount will be recalculated (accounting for any payments to date for the term) and the increase applied to the next monthly payment.
 - ii. If actual termly funding is **lower** than the estimated termly funding the monthly payment amount will remain unchanged for the remainder of the term. This will result in an overpayment to the childminder for the term.
4. Overpayments will be clawed back by reducing the total estimated termly funding for the following term.
5. Submitted amendment tasks for childminders on monthly payments will follow the same process as actual tasks in point 3 above.

<u>Question 7:</u>	Do you agree with the proposed process for monthly payments to childminders as set out in paragraph 34 of the consultation document?
<u>Question 8:</u>	If you have answered No to question 7, please provide reasons for your answer.

Monthly payments per year

35. The number of monthly payments per year needs to be considered in relation to the weeks across which a childminder is claiming funding. The early years entitlements can be claimed over a minimum of 38 weeks a year or stretched over 52 weeks of a year.
36. A 38-week model is equivalent to 10 monthly payments a year, with no payment in July or August. While a 52-week model is equivalent to 12 monthly payments a year.
37. The childminder working group raised concerns regarding the impact of 12 monthly payments a year on the payments received in the summer term for childminders claiming funding across 38 weeks (term time only). This issue is best demonstrated by comparing the examples in tables 1, 2, 3 and 4 below.
38. These examples are based on a claim of 1,520 hours of funding a year (40 hours a week over 38 weeks or 30.4 hours a week over 50 weeks) and a funding rate of £5 per hour, for a total payment of £7,600 a year.

Table 1 – Claiming 38 weeks, 10 monthly payments,

Term	Paid months	Funded weeks	Termly funding due	Monthly payment
Summer	3	12	£2,400	£800
Autumn	4	14	£2,800	£700
Spring	3	12	£2,400	£800
Total	10	38	£7,600	

Table 2 – Claiming 38 weeks, 12 monthly payments

Term	Paid	Funded	Termly	Monthly
------	------	--------	--------	---------

	months	weeks	funding due	payment
Summer	5	12	£2,400	£480
Autumn	4	14	£2,800	£700
Spring	3	12	£2,400	£800
Total	12	38	£7,600	

39. Tables 1 and 2 show a provider claiming funding over 38 weeks. The impact of the 12 monthly payments can be seen in the summer term payments in table 2, where income falls to £480 per month. The council queried the lack of income from early years entitlements in July and August for the 10 month model, but feedback from the working group indicated that this was offset by the provision of holiday care, for which a fee was charged.

Table 3 – Claiming 50 weeks, 10 monthly payments

Term	Paid months	Funded weeks	Termly funding due	Monthly payment
Summer	3	22	£3,344	£1,115
Autumn	4	15	£2,280	£570
Spring	3	13	£1,976	£659
Total	10	50	£7,600	

Table 4 – Claiming 50 weeks, 12 monthly payments

Term	Paid months	Funded weeks	Termly funding due	Monthly payment
Summer	5	22	£3,344	£669
Autumn	4	15	£2,280	£570
Spring	3	13	£1,976	£658.66
Total	12	50	£7,600	

40. In table 3 and 4, for a 50 weeks claim, we see the impact on summer term payments between the 10 month and 12 month models is the reverse of a 38 week claim. The 10 monthly payments option results in a big increase in summer term payments when compared to the autumn and spring terms.
41. From the Councils perspective the choice of a 10 month or 12-month model does not impact on the administration of monthly payments. However, due to limits in administrative capacity only one model can be implemented. The Council is therefore proposing to implement the model that receives the most support from respondents to this consultation.

Question 9:	In respect of the number of monthly payments per year, which payment model do you prefer?	
	10 monthly payments a year (no payments in July & August)	
	12 monthly payments a year	

Question 10:	Do you have any other comments regarding the number of monthly payments per year?
---------------------	---

Next Steps

42. The results of this consultation will be summarised and presented to the Schools Forum on 7 March 2024, to consider what changes, if any, should be made.
43. Any specific comments on the proposals made by individual providers will also be reported to the Schools Forum, but these will be anonymised and reported to the Schools Forum through a confidential annex which will not be made public.
44. The Executive Member for Children, Young People and Learning will make final decisions on the arrangements in March 2024, taking account of the outcomes from the consultation and the views of the Schools Forum.
45. The intention is to inform childminders of any change in the arrangements for payment of the early years entitlements by 15 March 2024.
46. Any agreed change will be implemented from April 2024.

Summary of responses to the early years entitlements monthly payments consultation with childminders

Question 1:

Do you agree with the proposal to introduce one monthly payment process for all childminders?

- Yes – 47 (81%)
- No – 11 (19%)

Question 2:

Do you agree with the proposals to offer childminders a choice between termly and monthly payment processes before the start of each financial year?

Yes – 57(98%)
No – 1(2%)

Question 3:

Do you agree with the proposal that the choice of funding process will apply for the duration of the financial year?

Yes – 58 (100%)
No – 0 (0%)

Question 4:

Do you agree with the proposal that childminders registering for the early years entitlement are offered a choice between payment processes as part of the registration process?

Yes – 57 (100%)
No – 0 (0%)

Do you have any comments on the proposals regarding capacity and systems?

- Payment needs to be either at the very end or beginning as per our invoices.
- Although I said yes to all, I will struggle to be paid quarterly as the majority of my income is from my Early's years children and will all be claiming funding.
- I would definitely appreciate monthly payments as it makes it so much easier to work out money for outgoings. Think it's a really good idea.
- The payment for Childminders should be a DATE of the month to help with budgeting. Like myself who is on HB and moving to Universal Credit it will be my main income and my bills are taken on the same DATE each month. If the money isn't there then bills and rent will not be paid on time. Repeating of late payment can move towards eviction as I privately rent. I also do not have the means to cover any charges for late payments or bank fees for overdraft. Therefore it's imperative that payment is made regularly on the same DATE of the month.
- And should be given the option on an annual basis thereafter.

Question 5:

Do you agree with the proposal to retain the current arrangements for collection of participation data?

Yes – 55(98%)
No – 1(2%)

Question 6:

Do you agree with the proposal to retain the current termly funding process?

Yes – 45 (8%)

No – 11 (20%)

Question 7:

Do you agree with the proposed process for monthly payments to childminders as set out in paragraph 34 of the consultation document?

Yes – 49 (88%)

No – 7 (13%)

Question 8:

If you have answered No to question 7, please provide reasons for your answer.

- Too much changes, too much work.
- This process seems like a lot more work for all parties.
- Once all children are on funding I would like monthly pay to be coming in
- Yes I agree to Advance payment. I refer back to my previous statement below that I DO NOT agree that payment term of the “last Thursday of the month.” The payment for Childminders should be a DATE of the month to help with budgeting. Like myself who is on HB and moving to Universal Credit it will be my main income and my bills are taken on the same DATE each month. If the money isn't there then bills and rent will not be paid on time. Repeating of late payment can move towards eviction as I privately rent. I also do not have the means to cover any charges for late payments or bank fees for overdraft. Therefore it's imperative that payment is made regularly on the same DATE of the month. As for the Forecast figures and then the actual. As a Childminder my Notice Period is 6 weeks. Therefore I don't see why I would need to Forecast and then repeat the action of Actual figures termly/half termly as I would be able to inform you when a child is actually leaving. We will have to be doing this with a 9 month old who we will normally care for up until the age 3 years. Therefore to keep repeating the same information isn't necessary for Childminders. Otherwise I understand you're process in points 3-5 and accept that would occur.
- As stated Bracknell are paying in advance. If this changes to arrears it will cause massive impacts on financial planning of all minders and their families. Please let the process be smooth. It's a headache as it is to work out funding...!
- I like the current system as I can work out my own amounts to set aside and 'pay' myself on a monthly basis. Which is different to how you will arrange the funding monthly
- It is easier to manage our bills if monthly.

Do you have any comments on the proposals regarding the monthly payments process?

- Being paid monthly will really help the minders who claim universal credit and make it easier to budget especially when funding for all children kicks in.
- I personally think that it should be monthly payments, so much easier to sort finances.
- I don't like the system. I think we should be able to choice how we are paid.

Question 9:

Annex C

In respect of the number of monthly payments per year, which payment model do you prefer?

- 10 Monthly payments (no payments in July and August) – 20 (38%)
- 12 Monthly payments – 32 (62%)

Question 10:

Do you have any other comments regarding the number of monthly payments per year?

- In respect to 10 or 12 monthly payments, I am planning on having termly payments. I do not want to vote, in case my vote is the decider that makes the vote go against whatever my friend would want. My one word answer would be is best for anyone who really needs monthly payments for a specific reason.
- This could be either way, I personally would prefer 12 months knowing I get a regular income each month of the year but I work all year. I can understand the 10 month process for those that work term time only. But I would prefer the regular income option.
- I have never offered stretched funding, its parental responsibility to make sure they budget for it
- I am not going to answer Q9 as I still wish for my payments to be termly. I therefore do not want to "sway" the vote on either 10 or 12 payments, as I feel that the childminders who wish to be paid monthly, should have a fair vote.
- Have not selected either option in 9 as personally rush to remain termly payments so will leave open for those who are choosing monthly obtain the majority vote
- I don't like either

Do you have any other comments regarding the proposals in this consultation?

- I found the info evening on the 25th January very helpful, I would also like to thank the childminders on the childminders working committee who have spent extra time working with the Borough over these documents
- I would like personally to remain as it is and receive payment termly, 60% and later the remaining 40%
- I think BFC have put a lot of time and effort into allowing our voices to be heard. I read a lot of negative press regarding the implementation of new funding, however I think we are very well supported in this borough, so thank you.
- One of my concerns having gone to the consulting meeting is that people are going to vote for 10 months even if they are still going to use the termly payments. Therefore giving a false view, as per a conversation I had with another Childminder
- Thank you to the EY funding team, and all those involved in the consultation process. I appreciate the time and effort required of everyone.

This page is intentionally left blank

To: **Schools Forum**
7 March 2024

Final Proposals for the 2024-25 High Needs Block Budget
Executive Director of People
Executive Director: Resources

1. Purpose of Report

- 1.1 The purpose of this report is to agree the detailed budget proposals for the High Needs Block (HNB) element of the Schools Budget that are being presented now by the Council. These proposals reflect the latest spend forecasts for 2023-24 financial year together with the earlier work on the Safety Valve (SV) programme bid, for which an update on current status is also provided.
- 1.2 The SV proposals also include budget proposals for council funded services, with proposed changes also set and comments sought.
- 1.3 In accordance with the statutory funding framework, there are also a small number of decisions for the Forum to take.

2. Executive Summary

- 2.1 The HNB funds support for children and young people with the most challenging educational requirements. It is the most complex part of school funding framework, with budgets needing to be set before a number of funding allocations are confirmed by the Department for Education (DfE).
- 2.2 Whilst the DfE has yet to confirm the outcomes from the council's bid to join the SV, the working assumption is that approval will be granted. The 2024-25 budget proposals therefore reflect the anticipated effects from the planned interventions for which school leaders, governors and the Schools Forum have significantly contributed towards. The latest 2023-24 forecast accounts, which show an increase in predicted spend, are also included as are some further proposals on related council funded services.
- 2.3 Until a formal decision in the SV is confirmed, the medium-term financial plan for the HNB excludes any additional financial contribution that may be received from the DfE and other financing information connected with delivering a balance HNB budget and removing the accumulated deficit.
- 2.4 The Forum is aware that the financial challenges being experienced are not unique to BF with many LAs accumulating significant deficits and having to set deficit budgets. With reports previously highlighting that LAs in total are carrying £2bn of deficits, with a general expectation that they would continue to rise, the DfE has introduced a temporary override to the Dedicated Schools Grant (DSG)¹ ringfence to make clear that LAs are not liable for deficits on their Schools Budget before to 31 March 2026.
- 2.5 Taking account of these factors, the revised medium-term financial forecast indicates a cumulative deficit on the HNB budget at 31 March 2026 of £41.533m rising to £46.462m by the end of 2029-30, which is expected to be the completion of the SV programme. The £5.321m deficit forecast for 2024-25 is predicted to move to a £0.153m surplus in 2029-30.

¹ DSG is the ringfenced grant used by the DfE to fund LAs for prescribed education related services.

2.6 In terms of statutory accounts, where an LA has an overall deficit, there is a requirement to publish a DSG Deficit Account. This not only includes the HNB deficit, but surpluses held from other areas such as the Schools Block and Early Years Block. Reporting on this basis forecasts a £30.614m net deficit on the DSG at 31 March 2025.

3 Recommendations

That the Forum agrees that for the 2024-25 financial year:

3.1 That the Executive Member:

- 1. sets the total HNB Dedicated Schools Grant income at £24.686m**
- 2. confirms the changes to relevant budgets set out in the supporting information (summarised in Table 1 and Annexes 2 and 3).**

3.2 That there are appropriate arrangements in place for:

- 1. The education of pupils with SEND (paragraph 6.25), and**
- 2. The use of pupil referral units and the education of children otherwise than at school (paragraph 6.25).**

That the Forum:

3.3 NOTES The updated forecast financial position of the HNB Budget at Table 1, which shows a forecast £5.321m overspending in 2024-25 and a £41.533m cumulative deficit on the High Needs Block as at the end of March 2026

3.4 Provides comments on the latest 2024-25 budget proposals on council funded services which arise from the Safety Valve proposals (Annex 4).

4 Reasons for Recommendations

4.1 To ensure that the HNB Budget is set in accordance with the funding framework, the expected needs of pupils and that the views of the Schools Forum are considered.

5 Alternative Options Considered

5.1 A number of alternative options were considered in the earlier stages of the process.

6 Supporting Information

Funding Framework

6.1 The HNB element of the DSG is allocated to Local Authorities (LAs) by the DfE through a national funding formula (NFF) to support pupils with Special Educational Needs and Disability (SEND) and is intended to fund a continuum of provision for relevant pupils and students from 0-24. It is a ring-fenced grant that defines the areas of permitted spend against which LAs in general commission services from providers. In-house arrangements are made for a relatively small number of provisions.

More information on the scope of the HNB DSG and the determination of each LA's funding is set out in Annex 1.

Financial context

- 6.2 The BF HNB budget first overspent in 2019-20. The annual level of deficit has increased from just over £3m to around £10m a year with the cumulative deficit at 31 March 2024 forecast at £31.571m. This compares to DSG income for the year of £23.950m.
- 6.3 As previously reported, the key factors affecting the financial pressure are:
- Increasing numbers of pupils with a statement or Education Health Care Plan (EHCP)².
 - A shortage of local provision results in an over reliance on relatively expensive independent, non-maintained special schools (INMSS).
 - Increases in grant income from the DfE have been insufficient to finance the increase in expenditure.
- 6.4 The DfE recognises that many LAs are facing prolonged financial challenges in managing their HNB budgets and has introduced the following key areas of support:
1. Updating the status of the DSG ring-fence through to March 2026 to make clear that any deficit must be carried forward to the Schools Budget in the next financial year or future financial years. This ensures that no liability for a deficit would fall onto an LAs to finance from their General Fund thereby avoiding additional financial challenges outside of Education Services.
 2. Introducing the Delivering Better Value Programme to improve delivery of SEND services for children and young people while ensuring services are sustainable. BFC was successful in bidding for £1m of funding through the DBV.
 3. Introducing a Safety Valve programme to work with LAs holding the largest deficits to implement a change programme to return their HNB to a balanced budget whilst ensuring quality services are in place. Provided the financial targets set are met, the DfE will help finance repayment of the remaining cumulative deficit. BFC is in the process of seeking DfE agreement to joining the SV programme from April.
- 6.5 In terms of statutory accounts, where an LA has an overall deficit, there is a requirement to publish a DSG Deficit Account. This not only includes the HNB deficit, but balances held from other areas such as the Schools Block and Early Years Block. This report specifically highlights the financial performance of the HNB, but also includes an update on the overall forecast balance on the DSG.

Update on Safety Valve programme

- 6.6 The proposed Safety Valve programme was agreed by full Council on 10 January 2024 and submitted to the DfE on 12 January 2024. The council has yet to receive a decision on its submission, and it is hoped that this will be confirmed before the end of March.
- 6.7 At its meeting on 10 January, full Council also agreed capital funding for a new SEMH free school. A feasibility study has taken place at the All Saints site. The council has submitted a funding bid to the DfE for capital funding for new secondary SRPs at Sandhurst and Edgbarrow, and feasibility studies have taken place at both sites. The

² An EHCP is a legal document that describes a child or young person's special educational, health and social care needs. It explains the extra help that will be given to meet those needs and how that help will support the child or young person.

council has also submitted a self-delivery business case for the new autism free school, and it is hoped that a decision will be made by the DfE before the end of March.

2023-24 outturn forecast (from December budget monitoring cycle)

- 6.8 The impact from current on-going commitments is a key part of the costs to be included in the HNB medium term financial forecasts. Forum members will recall that in setting the original 2023-24 HNB budget, spend was forecast to exceed DSG income by £7.166m. The November meeting of the Forum received an update on financial performance for the year from end of September forecasts and this indicated an increase in overspend to £8.928m and this amount of forecast overspending was included in the medium term financial plan submitted as part of the SV bid.
- 6.9 It was highlighted at this time that a number of budget risks had been identified with more information required to fully quantify the financial impact and therefore some forecasts were tentative and subject to change.
- 6.10 The key budget variances were highlighted as follows:
1. Delegated Special Schools – +£0.099m overspend. Top up payments to Kennel Lane Special School now reflect in-year starters and leavers and increases in support needs for existing pupils increased the average cost of placement.
 2. Maintained schools and academies – +£0.444m overspend. Top up payments to BF maintained schools and academies, including Special Resource Provisions (SRPs) and other LA schools including SRPs and Special Schools are higher than forecast from a combination of additional pupils with EHCPs, higher average costs and a number of back dated payments relating to prior years, to overspend by £0.259m. This includes confirmed allocations to the end of September and an allowance for further allocations to financial year end.
 3. Non-maintained special schools and colleges – +£0.730m. This is the most significant spend area and the focus of the change programme. Whilst the number of pre 16 placements had reduced by 9 from the 2 year trend, average per place costs increased by £6.6k. For post 16 placements, most providers had not confirmed new academic year prices so no significant variance was reported.
 4. Education other than in school - +£0.409m overspend. There are 2 budget areas where a variance is expected. The operational position of College Hall Pupil Referral Unit (PRU) which has been the subject of a specific report together with the resultant impact on the number of pupils receiving home tuition.
- 6.11 In finalising annual budget proposals, rolling commitments have been based on forecasts provided in the December monitoring cycle and this shows a forecast over spending on the HNB of £10.090m, an increase of £1.162m from the previously reported amount with changes from the November Forum update as follows:
1. Delegated Special Schools – +£0.078m overspend. The main change in this period for Kennel Lane Special School relates to an increase in the number of BF resident pupils, increasing the cost to BF but preventing more expensive placements in other provisions.
 2. Maintained schools and academies – +£0.274m overspend. The number of top up payments continue to increase to levels above previous forecasts, with an additional £0.169m of prior year funding adjustments allocated over the previous 3 months as a high number of historic queries have been resolved, with a total payment for prior year queries of £0.365m.

3. Non-maintained special schools and colleges – +£0.875m. £0.253m of the adverse movement relates to a reduction in DSG of £0.171m following recalculation by DfE DSG funding formula and £0.082m transfer to College Hall Pupil Referral Unit where additional resources had previously been agreed. The remaining adverse movement relates to number of placements expected in pre 16 settings rising by 7 and those in post 16 by 26 which were updated following detailed SV related analysis.
- 6.12 As these are volatile, high-cost services that change at short notice, further variances are possible. To help mitigate against the expectation of further EHCPs and placement changes, the forecasts include a provision of £0.573m.
- 6.13 As part of the normal budget setting process, each of the current spend forecasts are reviewed to validate estimated full year effect costs. For example, the £0.365m prior year funding adjustments for mainstream school funding top ups are not expected to continue at this level into 2024-25.
- 6.14 This work indicates that there is an additional £0.917m on-going cost from 2023-24 outturn as well as the forecast £1.162m overspending, meaning an additional £2.079m of costs need to be considered as part of the delivery programme.

2024-25 Estimated HNB DSG income

- 6.15 To assist LAs with their budget planning, the DfE publishes provisional HNB DSG allocations each July in advance of the relevant financial year. Further updates are provided in December but remain provisional as final funding allocations for the basic element factor relating to number of students in special schools and the import / export adjustment to compensate LAs educating pupils from other areas will be based on January 2024 data which is confirmed after the commencement of the financial year.
- 6.16 The latest provisional gross HNB DSG allocation is £25.568m which reduces to a net retained amount of £24.686m after adjusting for the provisional impact of the import / export adjustment that compensates LAs that educate pupils from other areas and directly funded SEN places in BF academies. This equates to a £0.736m (3%) increase in retained HNB DSG from 2023-24.

Annex 1 provides more information on the national HNB funding framework and a breakdown of the component parts of the initial July 2023 BF notification.

- 6.17 Members of the Forum are reminded that the current DSG allocation through the DfE HNB NFF includes a very significant top up from the Funding Floor³ factor. This factor works to provide funding stability to LAs by ensuring a minimum year on year increase in funding. This particularly benefits LAs that were previously spending above the NFF level such as BF as it builds in the extra spend. BF receives a £4.558m funding top up, equivalent to 18% of all income. The England average is 2%⁴. Figure 2 of Annex 1 illustrates the breakdown of the BF and England average HNB funding by NFF factor.

Budget Proposals

- 6.18 The interventions agreed with the Forum as part of the work to develop the SV bid form the basis of budget proposals for the HNB and the projection forward into the medium-

³ The HNB NFF includes a funding floor factor which ensures LAs receive at least a specified year-on-year increase in funding.

⁴ July 2022 data from DfE.

term financial plan. The underlying assumptions have been endorsed by the DfE SEND and Financial advisers assigned to assist the council in preparing the SV bid.

6.19 Additionally, account is also taken of the latest government spending announcements and the expected impact from current on-going commitments. The updated plan is summarised in Table 1, with more commentary on the key developments directly below, split between 2024-25 impact and future years:

1. As set out above, there is expected to be a £0.736m (+3.0%) cash increase in HNB DSG income from the DfE. This is a provisional increase and is expected to change when January census data for placements in Special Schools are confirmed in June, together with an updated import / export adjustment between LAs for out of borough placements.

Whilst detailed government spending plans from 2025-26 are not known, the DfE have previously advised LAs to “use an assumption of a 5% year-on-year increase in 2023 to 2024, and 3% beyond that”. This was reinforced by DfE officials during the SV discussions and suggests annual increases of around £0.741m in 2025-26 rising to £0.834m in 2029-30.

2. -£0.245m reduced spend to bring the 2023-24 forecast on-going overspend as at December into the base budget calculation and therefore reflect the medium-term nature that most of the commitments represent on budgets. Rolling commitments are estimated at £33.870m.
3. £0.738m for the increase in the number of pupils with an EHCP and placed in a school. These are forecast to increase by 43 (3.5%) between 2023-24 and 2024-25 years (1,338 average number of plans for pupils in schools in 2023-24 rising to an average of 1,381 for 2024-25

To reflect the graduated approach to learning, there is an expectation that a high proportion of pupils will remain in mainstream settings and therefore 75% of new places are assumed to be placed in mainstream settings, 5% in SRPs, 10% in special schools and 10% in PVI special schools.

The rate of increase in EHCP pupils is forecast to continue to rise in future years but at a slower pace than in recent years, increasing by 3.2% (44) in 2025-26 and 2.6% in 2026-27 (37) with a continuing reduction in the rate of increase in future years with around 200 extra EHCPs expected across the period of the financial plan. This equates to further annual increases in spend of around £0.729m in 2025-26 reducing to an increase of £0.352m in 2029-30.

4. £0.886m for annual inflationary increases. This assumes the 2.8% increase forecast from the Bank of England November 2023 finance update and will apply to all centrally managed budgets, plus Element 3 top up payments to providers, including mainstream schools. The exceptions to this general approach are:
 - a. Primary SRP funding rates have been subject to a funding review by a seconded BF Headteacher where the needs of placed pupils were compared to existing funding rates. This concluded that a uniform Element 3 funding rate of £7,500 should be applied to all primary SRPs. The cost of this change is included within the increased use of SRP places (see 6.19 5 a below), with no addition for inflation to be applied in 2024-25.
 - b. For the specialist SEND providers (Kennel Land Special School, College Hall Pupil Referral Unit and the secondary SRPs), where funding follows the DfE “place-plus” approach, as the funding threshold set by the DfE remains unchanged for commissioned places at £10,000, additional funding for inflation can only be paid to schools through adjusting top up funding (Element 3). In order to finance relevant providers at an increase

of 2.8%, the inflation calculation will also apply to the £10,000 per place funding. This results in an average increase to top up funding of 4.2% although amounts will vary by provider depending on the proportion of place funding compared to top up funding.

Reflecting on the November 2023 inflation forecasts, the rate of increase in costs is expected to reduce in future years, with 2.0% assumed for each further year, which is at the target rate of the Bank of England. These assumptions suggest annual increases of around £0.680m in 2025-26 rising to £0.782m in 2029-30.

5. -£2.365m aggregate cost reductions from the updated Planned Interventions:

Right provision, right time:

a. Increased use of SRPs:

The primary school SRPs that opened from September 2021 – Birch Hill, Harmanswater, Owlsmoor, Kings Academy Binfield, the Pines and Sandy Lane - now have 56 BF pupils on roll, with a notional capacity of around 93 (includes the impact of closure of Harmanswater SRP). A further 15 places are expected to be commissioned from September 2024, with 89 expected to be in use by BF pupils by September 2029.

For the secondary school SRPs at Garth Hill and Kings Academy Binfield, there are currently 42 BF pupils on roll with a notional capacity for BF pupils of 71. A further 11 placements are expected from September 2024, with all 71 expected to be filled by September 2029.

The longer-term plan is for new 2 secondary SRPs, each with a 25 place capacity and opening around 5 places per annum up to capacity. The Sandhurst SLCN provision is planned to open in September 2024 delivering 5 places, rising to capacity for September 2029. The Edgbarrow ASD provision is planned to open in September 2026 also delivering 5 places, rising to capacity for September 2030. These schemes are subject to capital grant funding being agreed as part of the SV bid.

Over 100 additional SRP places are expected in the next 5-6 years.

This initiative is not expected to impact on the number of EHCPs but rather a lower of cost provision. Savings increase as more pupils are admitted to SRPs with a net saving of £0.622m forecast for 2024-25, primary through fewer placements in maintained special and INMSS, as need can be more appropriately met by an SRP. The forecast savings continue to increase throughout the period of the medium-term financial plan reaching forecast annual cost reductions of £2.427m by 2029-30.

b. New Autism Free school

Under the DfE Free Schools Capital Programme (FSCP) agreement has been received for funding a new 100 place autism Special School that will cater for ages 5 to 19. This is an important part of the medium-term financial plan, with an expected opening date of September 2026 to 30 students and reaching full capacity at September 2028. As such there is no financial impact until 2026-27.

Current financial assumptions include 80% of pupils (80) on roll being from BF, that top up funding will be greater than KLS at over £30,000 per pupil, with around 20% of placements preventing an external placement in another LA special school and 80% preventing placements in INMSS.

The forecasts include savings of £0.357m in 2026-27 rising to £2.067m once fully open in 2029-30.

- c. New Social, Emotional and Mental Health (SEMH) Free school
Recognising the significant number of children and young people with SEMH, a second Free School is proposed, this time to be funded from existing DfE capital grants, developer contributions, capital receipts and borrowing by BFC. The new SEMH Special School will cater for 50 secondary aged pupils. As with the new autism school, this is an important part of the medium-term financial plan, with an expected opening date of September 2025 to 10 students and reaching full capacity at September 2029. As such there is no financial impact until 2025-26.

Current financial assumptions include 80% of pupils on roll (40) being from BF, that top up funding will be greater than that at KLS at over £30,000 per pupil, with around 20% of placements preventing an external placement in another LA special school and the remaining 80% preventing placements in INMSS.

The forecasts include savings of £0.120m in 2025-26 rising to £1.053m once fully open in 2030-31.

Value for Money Services

- d. Education Other Than in School (EOTIS) review: College Hall Pupil Referral Unit (PRU)
A number of factors have presented recently that supported the need to review College Hall PRU: significant financial overspending; pupil numbers being substantially below capacity; low numbers of exclusions from schools; the recent Ofsted judgment. The medium-term plan is now to seek to reverse the academy order and consult on the closure of the PRU and consider the introduction of a new support package to excluded pupils. The pre-publication period of the consultation is currently underway. It is hoped that the consultation will conclude that it is appropriate to close the PRU but we must stress at this point it is only a consultation proposal, a final decision has not been made.

Current financial assumptions are that there will be a phased closure of the PRU, commencing April 2024, when there are expected to be around 30 pupils in attendance, reducing to around 10 from September 2024 as the year 11 students finish their education. This would result in a cost reduction of £1.167m in 2024-25 with further reductions until 2027-28 when the full £1.810m cost reduction would be realised.

In terms of future provisions for excluded pupils, there has been an average of 4 exclusion per annum over the last 10 years. Moving forward, without a PRU provision, this is expected to increase to around 15, with 5 expected to be reintegrated to schools through the Fair Access panel, with on average of 30 days funded support, with 10 pupils requiring 70 days funded support. This is forecast to cost £0.164m from 2024-25, rising to £0.281m from 2025-26.

- e. Education Other Than in School (EOTIS) review: Home Tuition and Outreach Service / medical needs.
Where children and young people cannot attend school because of a physical or mental health need, and cannot access suitable full-time

education, the council provides support through the home tuition and outreach service. There are circa 50 children and young people receiving support where the cost has significantly increased in recent years and is forecast for 2023-24 at around £1.091m.

The model to be adopted moving forward is for the employment of 3 staff tutors together with a business support officer. This would be complimented by use of telepresence robots in classrooms to aid student participation. The cost of this model is estimated at around £0.250m.

This change is forecasted to be phased from September 2024, realising a cost reduction of £0.343m in 2024-25 raising to full year effect savings of £0.811m from 2026-27.

- f. Specialist Services Review: BF Managed SEND and Early Years.
Workshops undertaken with Schools Leaders and other stakeholders for the Safety Valve submission to the DfE identified that the current service delivery models within BFC support services should be reviewed.

The rationale for the review of the support services is twofold i) to ensure services are delivering the best outcomes for children and young people and ii) that services offered are value for money and meet school needs.

Current financial assumptions are that there will be a phased impact from reviews that will commence in September 2024, and result in initial cost reductions of £0.061m. Further reductions of £0.391m are forecast for 2025-26 and £0.043m in 2026-27.

- g. Commissioning: Block contracts, external provider fee reduction, Banding Tool

Cost reductions are planned on high-cost external placements through use of block contracts at providers with average fees above £45k and where more than 10 pupils are placed. A 5% fee reduction is assumed, commencing 2025-26 when a saving of £0.224m is forecast. This saving is expected to be completely removed over time as other interventions reduce the number of high cost external placements in INMSS.

Application of the new banding tool will be applied for all children with new EHC plans and those transferring between key stages. The tool provides a mechanism so that application of funding is applied in a fair and equitable way.

Current financial assumptions are that there will be a phased impact which is expected to result in £0.073m cost reduction in 2024-25, with a further £0.052m in 2025-26 and £0.125m thereafter.

Early Support and Advice

- h. Front door, graduated response, outreach and in reach hub.
To ensure that children and young people who are presenting with additional needs receive the right support at the right time to address their needs early and prevent escalation.

Create a robust Front Door service where staff have the appropriate skills and confidence to provide advice, support, and signposting for children presenting with SEND. This will include having an effective triage at the

front door that can establish whether the need is a SEND need (e.g., specific to the child) or an Early Help need (a presenting need being caused by external, environmental, or familial factors). This will reduce the number of unnecessary requests for an EHC needs assessment when an Early Help approach may be more effective.

This will be achieved by:

- i. Mapping out the SEND and Early Help pathways from identification of need through to a request for assessment/intervention.
- ii. Using data to form a clear understanding of the demand, referral pathways and request sources.
- iii. Analysis of the extent to which needs were addressed at the right "front door"; and
- iv. Work with partners to formulate an integrated front door structure guided by the findings

Current financial assumptions are that there will be a phased impact from early interventions, with around 15 fewer reviews in 2024-25 and between 18 and 29 in future years. This is expected to result in £0.263m cost reduction in 2024-25, with a further £0.508m in 2025-26 reducing to £0.368m in 2029-30.

6. Impact of 2023-24 additional spending of £2.079m, of which £1.162m is one-off and £0.0917m on-going, will be considered in the new year delivery programme.

7. Additional income:

- a) Schools Block and Central Schools Services Block transfer

As part of the funding strategy, and following consultation with schools, the equivalent of 1% of the Schools Block DSG will be transferred to the HNB. This amounts to £0.962m in 2024-25 rising annually through inflation to £1.117m.

- b) Health Service

Funding contributions are already received for some pupils, with those in mainstream setting unlikely to be considered as meeting funding thresholds. However, a number of pupils requiring health support, such as those with a primary need relating to a physical disability, profound and multiple learning disability or specific learning disability may be eligible for health funding. Assuming one third of pupils in this cohort can receive funding support would increase income by £0.145m by 2029-30.

- 6.20 To reflect the long-term nature of implementation of these initiatives as well as risks around the assumptions made on volatile, high-cost budgets, it is important to remember that the medium-term financial plan will be updated on a regular basis with the expectation that the anticipated financial implications will also be subject to change. This is particularly relevant at this point in time as most of the large-scale new developments are in their initial stages, or yet to commence, and therefore lack sufficient actual evidence of impact to present robust financial implications.

HNB Budget Medium term financial forecast

- 6.21 Table 1 below sets out a summary of the interim medium-term budget forecast for the HNB, reflecting the changes set out above and current information and assumptions. The deficit forecast for 2024-25 is £5.321m with a cumulative deficit of £36.892m. The annual

deficit forecast reduces over the next 3 years to £1.841m before achieving a surplus of -£0.012m. The forecast for the end of the current 6-year plan to 31 March 2030 indicates a cumulative over spending of £46.462m.

- 6.22 In terms of statutory accounts, where an LA has an overall deficit, there is a requirement to publish a DSG Deficit Account. This not only includes the HNB deficit, but historic surpluses held from other areas such as the Schools Block and Early Years Block. Reporting on this basis forecasts a £30.614m net deficit on the overall DSG at 31 March 2025, which is forecast to increase to £40.185m by 31 March 2030.
- 6.23 The detailed budget changes anticipated at service level are set out in Annex 2 with Annex 3 showing the resultant summarised budget lines. Due to the volatile and unpredictable nature of pupil needs it is not always certain where the most suitable support arrangements are and where the education support will ultimately be delivered which may require in-year movement of budgets.

Table 1: HNB Budget: Medium term financial forecast

Item	2024-25 £m	2025-26 £m	2026-27 £m	2027-28 £m	2028-29 £m	2029-30 £m
Forecast income:						
HNB DSG - after import / export adjustment	-24.686	-25.427	-26.190	-26.976	-27.785	-28.619
<i>Annual change</i>	-0.736 3.0%	-0.741 3.0%	-0.763 3.0%	-0.786 3.0%	-0.809 3.0%	-0.834 3.0%
Forecast spend - no interventions:						
Forecast spend / rolling commitments	33.870	35.487	36.894	38.290	39.535	40.799
New EHCPs and inflation	1.624	1.409	1.387	1.239	1.248	1.134
Total unmitigated costs	35.494	36.896	38.281	39.529	40.783	41.933
In-year funding gap before mitigations	10.808	11.469	12.092	12.553	12.998	13.314
Planned interventions:						
Right Provision, Right Time:	-0.622	-0.541	-1.076	-1.366	-1.201	-0.643
Value For Money Services:	-1.480	-1.376	-0.418	-0.149	-0.037	-0.052
Early Support and Advice:	-0.263	-0.508	-0.438	-0.315	-0.368	-0.368
2023-24 additional spending off-set	-2.079	1.162				
Forecast impact of in-year interventions	-4.444	-1.263	-1.932	-1.830	-1.606	-1.063
Cummulative savings from previous years		-4.444	-5.707	-7.638	-9.468	-11.074
Net spend after planned interventions	31.050	31.189	30.643	30.060	29.709	29.796
Other income:						
One-year BF Financing of HNB spend					-0.650	
1% transfer to HNB from SB and CSSB	-0.962	-0.991	-1.021	-1.052	-1.084	-1.117
Other income: Contribution from Health	-0.081	-0.130	-0.180	-0.191	-0.202	-0.213
Total net spend	30.007	30.068	29.442	28.817	27.773	28.466
HNB Anticipated funding gap after interventions:						
<u>HNB accounts from 31 March 2019</u>						
HNB under (-) / over (+) spend for the year	5.321	4.641	3.252	1.841	-0.012	-0.153
HNB surplus (-) / deficit (+) closing balance	36.892	41.533	44.785	46.627	46.614	46.462
DSG Adjustment Account (all DSG balances - cummulative)						
DSG Adjustment account balance	30.614	35.255	38.507	40.349	40.336	40.184

Responsibilities of the Schools Forum

- 6.24 The Forum is requested to agree that the Executive Member sets the 2024-25 budget on these proposals, as summarised in Table 1. Whilst the duty to set the HNB budget rests with LAs, the views of the Forum are an important part of the process and have always been considered by the Executive Member.
- 6.25 There are 2 specific areas on HNB budgets where the Forum has a statutory role to play in setting the HNB, and this involves “giving a view” on:
- arrangements for pupils with special educational needs, in particular the places to be commissioned by the local authority and schools and the arrangements for paying top-up funding
 - arrangements for use of pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the local authority and schools and the arrangements for paying top-up funding

Budget proposals on council funded services

- 6.26 As part of the Block Transfer / top slice consultation with schools, it was confirmed that if the transfer is agreed, £0.265m of costs currently funded from within the Schools Block and Central Schools Services Block DSG allocations would in future be used to support the HNB rather than contribute to Education related duties that the council meets without DfE funding. The consultation confirmed that the council could not absorb this loss of income and would bring forward proposals on how this could be managed.
- 6.27 The Assistant Director: Education & Learning has considered this requirement and is now proposing budget changes for Governor Services, the Open Learning Centre, Services for young people Not in Education, Employment or Training, Education Property, Standards and Effectiveness and some general resources. More information is set out in Annex 4 which the Forum is requested to consider.

Next Steps

- 6.28 The views of the Schools Forum regarding these 2024-25 budget proposals from the council will be considered by the Executive Member on 19 March, when a final decision will be made on HNB budgets.

7 Advice received from Statutory and other officer

Borough Solicitor

- 7.1 The relevant legal issues are addressed within the body of this report. One element requires particular clarification. Proposals for the closure of the PRU are currently subject to a statutory consultation process and a final decision will not be taken until the consultation has been concluded, the evidence and submissions have been analysed and any necessary clarifications with consultees have been concluded and a recommendation is formalised, after that the Executive will make the final decision. Until that point it is just a proposal.

Director of Finance

- 7.2 The financial implications anticipated at this stage confirm the expected significant financial difficulties that will arise on HNB budgets. A successful outcome to the SV bid

will provide additional income from the DfE to support the change programme with the council needing consider funding options for the remaining gap.

Equalities Impact Assessment

- 7.3 The initial Equalities Impact Assessment is attached at Annex 4.

Strategic Risk Management Issues

- 7.4 The level of the deficit on the Dedicated Schools Grant due to rising costs in recent years of SEND services represents the most serious financial threat the Council faces. Participation in the Safety Valve programme provides the impetus to address this through the identification of mitigations that both bring spend in line with budget and maintain a focus on educational outcomes, while offering the opportunity to secure both revenue and capital grant funding from the DfE that is not available to authorities outside Safety Valve.

8 Consultation

Principal Groups Consulted

- 8.1 Governors and Headteachers of schools, the Schools Forum and the People Directorate Management Team.

Method of Consultation

- 8.2 Formal consultations, workshops, meetings and written reports.

Representations Received

- 8.3 Incorporated into this report.

Background Papers

None.

Contact for further information

Paul Clark, Business Partner – People Directorate (01344 354054)
<mailto:paul.clark@bracknell-forest.gov.uk>

Duane Chappell, Assistant Director: Education & Learning (01344) 351720

Doc. Ref

Doc. Ref [https://bfcouncil.sharepoint.com/sites/fina/bpm/FIBPSCB-FIN9.6/Schools Forum/\(122\) 070324/2024-25 HNB Budget Preparations -12 Feb v1.docx](https://bfcouncil.sharepoint.com/sites/fina/bpm/FIBPSCB-FIN9.6/Schools%20Forum/(122)%20070324/2024-25%20HNB%20Budget%20Preparations%20-12%20Feb%20v1.docx)

Overview of the HNB Budget

1. The HNB element of the DSG supports pupils with special educational needs and disabilities (SEND) and is intended to fund a continuum of provision for relevant pupils and students from 0-24. LAs receive funding for these provisions from the DfE and in general commission services from providers. In-house arrangements are made in a relatively small number of areas.
2. The DfE has determined that where the cost of provision is above £10,000 it will be classified as high needs. In such circumstances, a “place-plus” approach to funding will generally be used which can be applied consistently across all providers that support high needs pupils and students as follows:
 - a. **Element 1 or “core education funding”**: equivalent to the age-weighted pupil unit (AWPU) in mainstream schools, which the DfE has stated the national average is around £4,000.
 - b. **Element 2 or “additional support funding”**: a budget for providers to deliver additional support for high needs pupils or students with additional needs of up to £6,000.

Specialist and Alternative Providers (AP), such as special schools and Pupil Referral Units (PRUs) only cater for high needs pupils and therefore receive a minimum £10,000 (Element 1 funding plus Element 2) per agreed place.
 - c. **Element 3, or “top-up funding”**: funding above elements 1 and 2 to meet the total cost of the education provision required by an individual high needs pupil or student, as based on the pupil’s or student’s assessed needs. This element is paid to all provider types, for pupils with assessed needs above the £10,000 threshold.
3. Additionally, HNB DSG is also intended to be used where high needs provisions are not arranged in the form of places e.g. specialist support for pupils with sensory impairments, or tuition for pupils not able to attend schools etc.
4. The statutory regulatory framework requires the council to decide on the arrangements to be put in place for the HNB and associated resources and for the Forum to comment on their appropriateness. The current approach in BF is to develop the services during the year in partnership with schools and has therefore created a sub-committee of the Forum to gather views and help shape arrangements. Final budget decisions are taken in March each year by the Executive Member for Children, Young People and Learning.

DfE Reforms

5. A new National Funding Formula (HNB NFF) was introduced in April 2018 to replace a system that largely allocated funding based on historic spending decisions. The core elements of funds distribution to LAs now comprises. All amounts relate to July 2022 DfE funding announcements, excluding any area cost adjustment, unless otherwise stated:
 1. **Basic entitlement**: £4,660 for each pupil / student that the LA is responsible for educating that is attending a special school
 2. **Historic spend**: 50% of 2017-18 baseline amount agreed with each LA

3. **Population:** Share of national budget allocation based on projected 2-18 year olds at the relevant mid-year as a proportion of all 2-18 year olds)
 4. **Free school meals** Share of national budget allocation based on resident pupils eligible to FSM as a proportion of all pupils eligible to FSM
 5. **Income Deprivation Affecting Children Index** Share of national budget allocation based on number of 2-18 year olds in IDACI bands A-F as a proportion of all pupils in IDACI bands A-F
 6. **Bad health** Share of national budget allocation based on number of resident children aged 0-16 in bad or very bad health in the general population census as a proportion of all projected children in bad or very bad health
 7. **Disability** Share of national budget allocation based on number of resident children aged 0-16 for whom parents are eligible to disability living allowance (DLA) as a proportion of all eligible DLA families
 8. **Key Stage 2 low attainment** Share of national budget allocation based on number of resident pupils who did not attain level 3 in reading tests plus those that did not attain a scaled score in reading test or were not entered as a proportion of all relevant children
 9. **Key stage 4 low attainment** Share of national budget allocation based on number of resident pupils who did not attain 5 GCSEs at grades A* to G as a proportion of all relevant children.
 10. **Hospital education and historic pay, pensions and supplementary grant funding:** Hospital education is based on historic spend with the other allocations based on DfE national formulae.
 11. **Import / export adjustment:** An import / export adjustment so those LAs sending out more pupils to other LAs lose £6,000 per pupil funding to reflect the requirement of the resident LA to finance all place funding in the SEN institutions in their area, irrespective of which LA places the student. This amount is added to the £4,000 per pupil / student funding included in the main formula to achieve the £10,000 place funding cost. This is a lagged adjustment. LA funding allocations are adjusted from January census data, but actual places purchased will generally be based on actual student numbers taking up places during the year
 12. **Area cost adjustment:** reflects variations in labour market costs across the country by taking into account the general labour market trends and the particular salary variations in the teaching work. BFC received a 7.7% uplift.
6. One of the key outcomes for the DfE from these reforms is to ensure that any change in the amount of funding allocated to individual LAs must be introduced slowly to allow those areas facing reductions time to adjust to the new amounts. This is because expenditure is mainly incurred on educational fees and these generally remain unchanged throughout the course of each pupil's time in the relevant institution which often presents commitments for over 10 years.
 7. Therefore, the formula applies the protection of a funding floor to all the proxy factors. This ensures that, on a per head basis, these elements of the formula will increase by at least 3% in 2024-25 over the 2023-24 funding baseline⁴. A further layer of protection for LAs with decreasing populations ensures that no LA receives less funding than the equivalent figure from the 2023-24 baseline. However, for 2024-25, no LA receives any funding as a result of this additional protection.

The component parts and associated allocations through the HNB NFF are illustrated in Figure 1 below with the financial impact in BF and the England shown in Figure 2.

Figure 1: An overview of the elements and factors comprising the formula

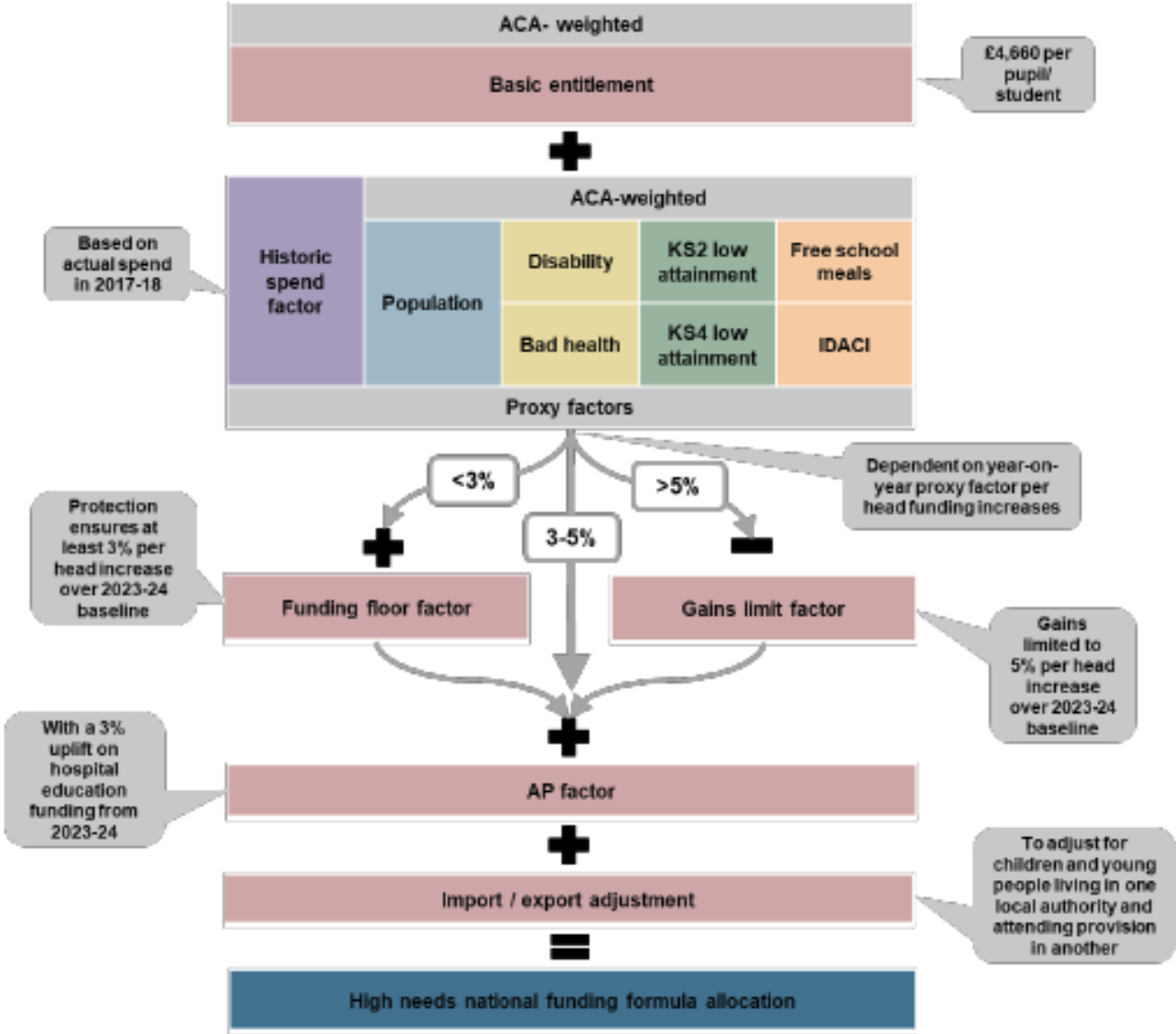
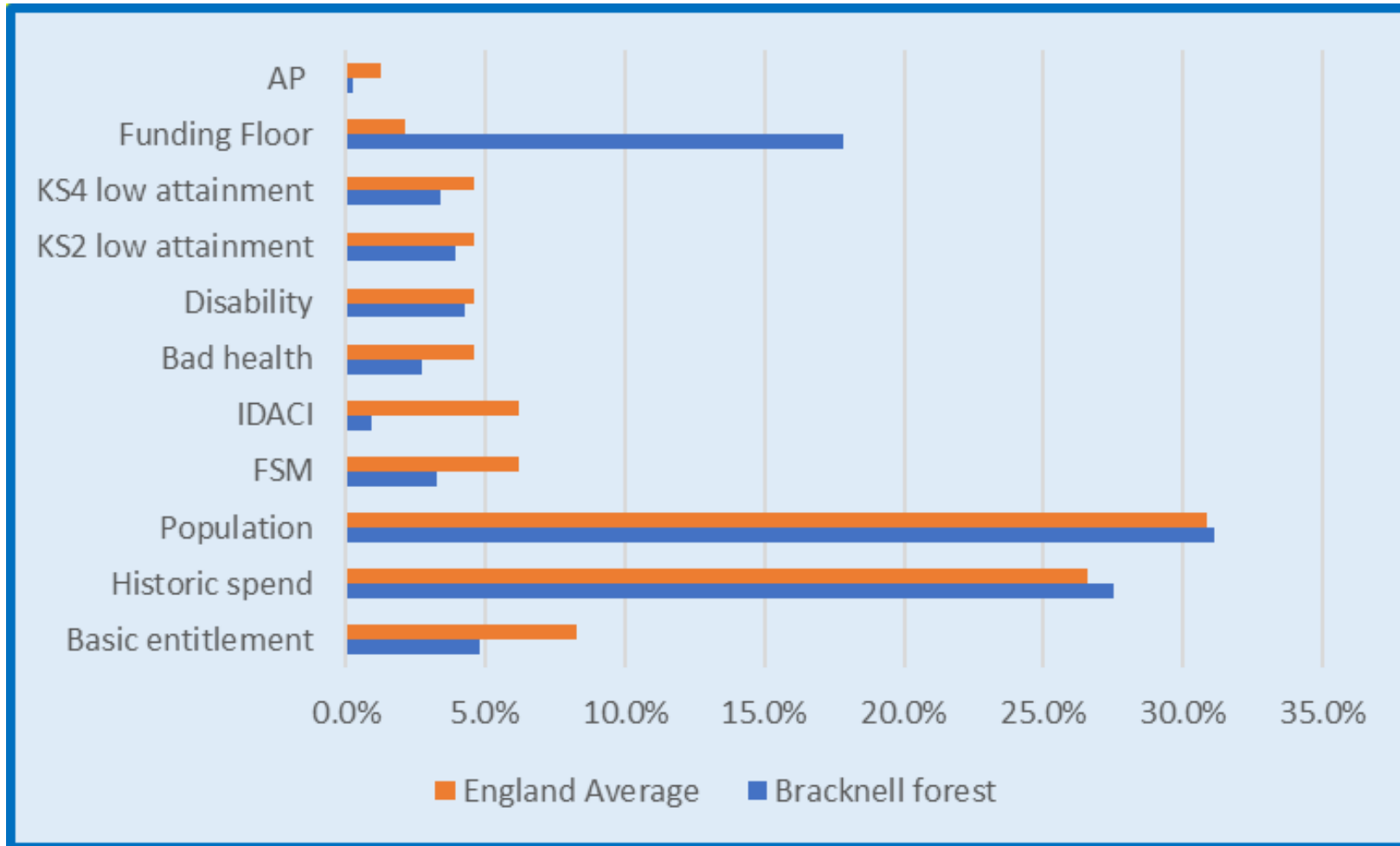


Figure 1: This diagram shows how the elements and factors in the high needs national funding formula combine to produce the allocations.

Figure 2: 2024-25 HNB Funding Formula split for BF and England average



101

Key themes on BF funding compared to the national average: BF basic entitlement from pupils in special schools is below the national average (5% compared to 8%) and reflects limited places in BF; deprivation funding (4% compared to 12%) considerably lower and reflects relative low levels of deprivation; Funding Floor factor significantly higher (18% compared to 2%) and represents funding received above the level delivered through the HNB funding formula and reflects the higher level of spend being incurred in BF before the new funding formula was introduced.

2024-25 Proposed HNB Budget detailed changes

Line Ref	Description	2023-24 Current Budget	2023-24 Forecast Variance (December)	Proposed Budget Change				Proposed 2024-25 Budget	Summary Comment on significant "Proposed Budget change"
				Reset to 2024-25 full year	Demographic growth	Savings Plan items	Inflation		
A	B	C	D	E	F	G	H	I	J
		£	£	£	£	£	£	£	

Funds Delegated to Special School

102	1	Kennel Lane Special School - original budget (BFC responsibility only)	5,565,510	-30,000	260,410	0	0	163,130	5,989,050	Current estimate is for initial budget requirement of 198 purchased places and 166 FTE BFC resident Element 3 top-up payments (up 6 FTE from last year). The overall proportion of higher level Band 5 students has also increased resulting in additional full year effect costs from 2023-24 which are shown in line 2 below.
	2	Kennel Lane Special School - in-year budget changes (BFC responsibility only)	70,000	207,000	-30,000	0	0	0	40,000	

5,635,510	177,000	230,410	0	0	163,130	6,029,050
------------------	----------------	----------------	----------	----------	----------------	------------------

Line Ref	Description	2023-24 Current Budget	2023-24 Forecast Variance (December)	Proposed Budget Change				Proposed 2024-25 Budget	Summary Comment on significant "Proposed Budget change"
				Reset to 2024-25 full year	Demographic growth	Savings Plan items	Inflation		
A	B	C	D	E	F	G	H	I	J
		£	£	£	£	£	£	£	

Maintained Schools & Academies

3	Primary SRPs	909,760	32,000	214,240	0	0	0	1,124,000	The budget proposal reflects the forecast cost from revised top up rates and new places.
4	Secondary SRPs	884,850	210,000	105,150	0	228,000	29,760	1,247,760	Reflects the planned development of new SRP places in secondary mainstream schools. Savings Plan extra spend off-set by larger savings recorded against external placements budgets.
5	BF mainstream schools - Element 3 top up payments	4,029,620	545,000	331,310	233,270	-125,950	130,510	4,598,760	The 2024-25 reset reflects the ongoing cost of 2023-24 decisions, with growth pressure arising from additional numbers of EHCPs. Savings Plan items reflect workstreams in value for money and early advice and support.
6	ESFA SEN places deduction for academies and specialist FE providers	0	0	381,000	0	0	0	381,000	ESFA calculation for direct payment. Now included for presentational purposes to replicate SV format.
7	BF resident students attending other LA schools	3,206,340	-96,000	-275,000	217,140	-350,340	82,080	2,880,220	The 2024-25 reset reflects the ongoing cost of 2023-24 decisions, with growth pressure arising from additional numbers of EHCPs. Savings Plan items reflect workstreams in value for money and right provision, right time.
8	Post-16 SEND pupils in maintained school sixth forms	12,000	0	0	0	0	0	12,000	
9	BF mainstream schools - Element 3 short term interventions	12,970	0	-12,970	0	0	0	0	

Line Ref	Description	2023-24 Current Budget	2023-24 Forecast Variance (December)	Proposed Budget Change				Proposed 2024-25 Budget	Summary Comment on significant "Proposed Budget change"
				Reset to 2024-25 full year	Demographic growth	Savings Plan items	Inflation		
A	B	C	D	E	F	G	H	I	J
		£	£	£	£	£	£	£	

Maintained Schools & Academies (continued)

10	Element 3 Early Years	34,940	-6,000	0	0	0	0	34,940	
11	BF mainstream schools – top up to schools with disproportionate number of HN pupils	81,510	33,000	23,000	0	0	0	104,510	

9,171,990	718,000	766,730	450,410	-248,290	242,350	10,383,190
------------------	----------------	----------------	----------------	-----------------	----------------	-------------------

NMSS & Colleges

12	Pre-16 provisions	8,148,780	938,000	937,850	244,430	-689,390	254,090	8,895,760	The 2024-25 reset reflects the ongoing cost of 2023-24 decisions, with growth pressure arising from additional numbers of EHCPs. Savings Plan items reflect workstreams in value for money and right provision, right time.
13	Post-16 provisions	2,438,210	667,000	667,000	43,130	-20,570	86,940	3,214,710	

10,586,990	1,605,000	1,604,850	287,560	-709,960	341,030	12,110,470
-------------------	------------------	------------------	----------------	-----------------	----------------	-------------------

Line Ref	Description	2023-24 Current Budget	2023-24 Forecast Variance (December)	Proposed Budget Change				Proposed 2024-25 Budget	Summary Comment on significant "Proposed Budget change"
				Reset to 2024-25 full year	Demographic growth	Savings Plan items	Inflation		
A	B	C	D	E	F	G	H	I	J
		£	£	£	£	£	£	£	

Education out of School

14	College Hall PRU	1,610,290	150,000	200,000	0	-1,166,750	50,690	694,230	The 2024-25 reset reflects the ongoing cost of 2023-24 decisions. Savings Plan items reflect workstreams in value for money.
15	Excluded pupil provision	22,120	0	0	0	164,000	620	186,740	
16	Home Tuition - current service	882,120	199,000	209,000	0	-487,000	30,550	634,670	The 2024-25 reset reflects the ongoing cost of 2023-24 decisions. Savings Plan items reflect workstreams in value for money.
17	Home Tuition - new service	0	0	0	0	144,000	0	144,000	
18	Alternative Provision for Primary Aged pupils without a statement	112,170	0	-22,170	0	0	2,520	92,520	
19	Alternative Provision for Secondary Aged pupils without a statement	95,680	0	-15,680	0	0	2,240	82,240	
20	Other externally purchased Alternative Provision	43,620	0	-13,620	0	0	840	30,840	
21	Share of Head of Service	26,110	0	0	0	0	730	26,840	
		2,792,110	349,000	357,530	0	-1,345,750	88,190	1,892,080	

105

Line Ref	Description	2023-24 Current Budget	2023-24 Forecast Variance (December)	Proposed Budget Change				Proposed 2024-25 Budget	Summary Comment on significant "Proposed Budget change"
				Reset to 2024-25 full year	Demographic growth	Savings Plan items	Inflation		
A	B	C	D	E	F	G	H	I	J
		£	£	£	£	£	£	£	

Other SEN Services

22	Autism Support Unit	150,480	-12,000	0	0	-11,000	4,210	143,690	
23	Support for inclusion	179,890	-75,000	0	0	0	0	179,890	
24	Sensory Consortium Service	273,700	-83,000	0	0	0	0	273,700	
25	Speech and Language Services	244,170	-24,000	0	0	0	0	244,170	
26	Occupational Therapy	42,680	-6,000	0	0	0	1,200	43,880	
27	Integrated Therapies	23,090	-38,000	-23,090	0	0	0	0	
28	Medical support to pupils pre 16	471,570	330,000	168,430	0	0	17,920	657,920	The 2024-25 reset reflects the ongoing cost of 2023-24 decisions.
29	Equipment for SEN Pupils	24,150	0	0	0	0	670	24,820	
30	SEN Tribunals	76,400	46,000	30,030	0	0	2,980	109,410	The 2024-25 reset reflects the ongoing cost of 2023-24 decisions.
31	Support for Learning	136,700	-24,000	0	0	-13,000	3,830	127,530	
32	TASS Learning Support	66,690	30,000	0	0	0	1,870	68,560	
33	Traveller Education	84,760	-48,000	0	0	-7,000	2,370	80,130	
34	EY Management Staff	124,710	-18,000	0	0	0	3,490	128,200	
35	Child Development Centre	419,140	-3,000	0	0	-30,000	11,740	400,880	
36	Share of Head of Service	38,820	0	0	0	0	1,090	39,910	
37	Standards and Effectiveness Team, Finance, HR, Business Intelligence and other support services	191,520	0	0	0	0	0	191,520	
		2,548,470	75,000	175,370	0	-61,000	51,370	2,714,210	

901

Line Ref	Description	2023-24 Current Budget	2023-24 Forecast Variance (December)	Proposed Budget Change				Proposed 2024-25 Budget	Summary Comment on significant "Proposed Budget change"
				Reset to 2024-25 full year	Demographic growth	Savings Plan items	Inflation		
A	B	C	D	E	F	G	H	I	J
		£	£	£	£	£	£	£	

Grand Total	30,735,070	2,924,000	3,134,890	737,970	-2,365,000	886,070	33,129,000
--------------------	-------------------	------------------	------------------	----------------	-------------------	----------------	-------------------

TOTAL CHANGE			2,393,930				
---------------------	--	--	------------------	--	--	--	--

Estimated HNB DSG income	23,569,075						-24,686,000
Estimated SB DSG income							-822,000
Estimated CSSB DSG income							-140,000
Estimated Health Service income							-81,000

Impact of 2023-24 overspend							-2,079,000
------------------------------------	--	--	--	--	--	--	-------------------

Funding Shortfall	-7,165,995						-5,321,000
--------------------------	-------------------	--	--	--	--	--	-------------------

On-going commitments	33,869,960						
-----------------------------	-------------------	--	--	--	--	--	--

2024-25 Summary Proposed HNB Budget

PEOPLE DIRECTORATE: HIGH NEEDS BLOCK ELEMENT OF THE SCHOOLS BUDGET									
	2023-24 Forecast Performance (Dec)				Proposed changes for 2024-25				
	Original Cash Budget	Virements & Budget C/Fwds	Current Approved Budget	Variance at December Over/(Under) Spend	Reset to 2024-25 full year	Pressures	Savings Plan	Inflation	Initial Budget
	£000	£000	£000	£000	£000	£000	£000	£000	£000
High Needs Block									
Budget Allocations									
Delegated Special School Budgets	5,151	485	5,636	177	230	0	0	163	6,029
Maintained schools and academies	6,052	3,120	9,172	718	767	450	-248	242	10,383
Non Maintained Special Schools and Colleges	8,251	2,337	10,588	1,605	1,605	288	-710	342	12,113
Education out of school	2,170	621	2,791	349	358	0	-1,346	88	1,891
Other SEN provisions and support services	2,116	432	2,548	75	175	0	-61	51	2,713
Provision for forecast in-year overspend	7,166	-7,166	0	7,166	0	0	0	0	0
	30,906	-171	30,735	10,090	3,135	738	-2,365	886	33,129
Estimated HNB DSG income									-24,686
Estimated SB DSG income									-822
Estimated CSSB DSG income									-140
Estimated Health Service income									-81
Impact of 2023-24 overspend									-2,079
Forecast in-year overspend									<u>5,321</u>

Further 2024-25 Council Budget Proposals

Description Impact	2024/25 £'000	2025/26 £'000
<u>AD Learning and Achievement:</u>		
Service efficiencies and additional income.		
The proposal is planned to improve efficiency in the Business Support Services and will be effective from September, deleting a 1 FTE Administrative post that has a post holder, to be replaced with a 0.4 FTE Governor Service post. There is also a planned reduction in spend on general resources.	-24	-7
Management Information resources: Previous external commissioned organisations for data will be ceased for example Fisher Family Trust as data can be obtained from internal arrangements.	-17	0
A further saving from the Teacher Pension Fund historical commitments is anticipated.	-12	0
Through an increase in use of the Open Learning Centre room hire, an overall increase in income is expected.	-20	0
Reduction to support services following on-going school academisation		
Education Property - The proposal is to reduce the Head of Education Property post from 1 FTE to 0.5 FTE, to be partially offset by additional consultancy or a lower graded post.	-40	0
Standards and Effectiveness - The proposal is to delete a 0.5 FTE STEP to be partially offset by additional consultancy, planned to be effective from September.	-12	-8
Services for young people Not in Education, Employment or Learning		
The proposal is planned to reduce the overall budget for NEET having been a budget that has historically been underspent. This was identified as an area to be looked into via the SV workshops by Headteachers and Parent Carer Forum.	-73	-52
PEOPLE TOTAL	-198	-67

Initial Equalities Screening Record Form

Date of Screening: 27/11/23		Directorate: People		Section: SEND	
1. Activity to be assessed		The council's proposed Safety Valve programme of activities. The Safety Valve programme will support our vision for children and young people with special educational needs and disabilities (SEND) in Bracknell Forest. Our vision is they achieve their full potential in their early years, at school and in college and lead happy and fulfilled lives. The programme will have a focus on inclusion and ensuring that children young people can access suitable provision within their local schools within their local communities. The programme seeks to ensure that provision and services are cost effective and value for money, with fair and equitable access for all children and young people with their differing needs, also ensuring sufficiency when taking into account predicted future rising levels of needs.			
2. What is the activity?		Programme with several workstreams and projects			
3. Is it a new or existing activity?		New			
4. Officer responsible for the screening		Duane Chappell, Head of SEND and Specialist Support Services			
5. Who are the members of the screening team?		Duane Chappell, Harjit Hunjan, Kellie Williams, Chris Kiernan			
6. What is the purpose of the activity?		The programme of activity will form the basis of a Safety Valve agreement with the DfE, should our submission be approved by the Secretary of State. The DfE's Safety Valve programme aims to support local authorities to address the significant overspend within the High Needs Block of the Dedicated Schools Grant to ensure that spending is managed in line with budget. Our Safety Valve programme has been approached as a continuation of our improvement journey and integral to the implementation of our SEND strategy. The programme consists of four workstreams: early intervention and demand management; right provision, right time; value for money services and effective pathways and transition.			
7. Who is the activity designed to benefit/target?		Children and young people with special educational needs and disabilities, aged 0-25 years old, who draw funding from the High Needs Block. We also recognise that parents, carers and other family members may be impacted by the changes to provision and services.			
Protected Characteristics		Please tick yes or no		Is there an impact? What kind of equality impact may there be? Is the impact positive or adverse or is there a potential for both? If the impact is neutral, please give a reason.	
				What evidence do you have to support this? E.g., equality monitoring data, consultation results, customer satisfaction information etc. Please add a narrative to justify your claims around impacts and describe the analysis and interpretation of evidence to support your conclusion as this will inform members decision making, include consultation results/satisfaction information/equality monitoring data	
8. Disability Equality – this can include physical, mental health, learning or sensory disabilities and includes		Y		The impact is positive with some potential negative impacts.	
				There are currently 1437 CYP in Bracknell Forest with an EHCP.	

<p>conditions such as dementia as well as hearing or sight impairment.</p>		<p>Positive:</p> <p>Improved outcomes for children and young people from having their SEND needs met by early intervention.</p> <p>The money that we secure from the Safety Valve programme will mean that children's needs are identified earlier, and they are supported at an earlier stage, potentially avoiding a crisis.</p> <p>Less funding will be spent on out of borough placements through the development of specialist provision in borough, meaning that CYP with SEND will be able to access education within their local communities,</p> <p>Children and young people will feel more integrated and included within their local communities, with increased social opportunities and local friendship groups.</p> <p>Local provision will mean that children and young people will be able to access a quality education without having to travel long distances every day.</p> <p>The programme will focus on inclusion and ensuring that services operate on a needs-led basis rather than being diagnosis- or EHCP-led. This will mean that more children and young people will have their needs met earlier, at SEN support, via the 'assess, plan, do, review process' within education settings (referred to in the Safety Valve programme as the graduated approach), leading to earlier access to services where required.</p> <p>Potential negative impact:</p> <p>To ensure value for money within the High Needs Block, models of service delivery will change, and this might have a negative impact on CYP and their families in terms of the services they have been used to accessing. This could be due to disruption to family routines and the potential impact on mental health from needing to adjust to a change.</p> <p>The Safety Valve programme has had some negative coverage in the national press, and this may lead to</p>	<p>The educational attainment gap between pupils with SEND needs and all other pupils is wider in Bracknell Forest than in other comparable LA areas, and England as a whole. Better quality, local provision for pupils with high levels of need will provide schools with the facilities and resources they need to improve these pupils' progress and outcomes.</p> <p>The Safety Valve programme aims to bring spend in line with budget, whilst ensuring good outcomes for children and young people with SEND. In order to achieve this, there will need to be changes to models of service delivery.</p>
--	--	--	---

			<p>anxiety and concern amongst parents, carers, children and young people that the programme could mean a reduction or loss of service or support.</p>	<p>Engagement activity took place with the PCF during the period our Safety Valve plans were being developed. Through this engagement, feedback was received that there is a level of anxiety amongst parents and carers about the impact that Safety Valve may have, based on information in the public domain about the SV programme in other areas.</p>
9. Racial equality		N	<p>It is not anticipated that the Safety Valve programme will have either a positive or negative impact in terms of racial equality. This is because ethnicity data for school aged children from the January 2023 school census data is broadly aligned to the ethnicity of children and young people with an EHCP, so no one group will be adversely affected.</p>	<p>School Census data (January 2023) compared to EHCP data (November 2023):</p> <p>White (all white backgrounds) – Census 80.7% and EHCP 80%</p> <p>Black (all black backgrounds) – Census 3.1% and EHCP 3%</p> <p>Asian (all Asian backgrounds) – Census 7.1% and EHCP 5.6%</p> <p>Mixed (white and black backgrounds) – Census 2.4% and EHCP 2.3%</p> <p>Mixed (white and Asian backgrounds) – Census 2.2% and EHCP 1.3%</p> <p>Mixed (other) – Census 2.3% and EHCP 2.2%</p>
10. Gender equality		Y	<p>A much higher percentage of males than females have an EHCP. The sustainability of the High Needs Block and the use of funding available from the Safety Valve programme should therefore benefit males, who are much more likely to need an EHCP.</p> <p>Whilst the support offered through the additional HNB funding will not be targeted specifically at males, they will benefit positively because more males than females have an EHCP.</p>	<p>71% of EHCPs in Bracknell Forest are for boys.</p> <p>Autism is the main priority need within Bracknell Forest, which is reflection of the national picture, and funding within the HNB will be used to fund interventions and provision for CYP with autism.</p> <p>Of the 655 CYP with an EHCP with autism as the primary need, 75% are male and 25% are female. This is also reflective of the national picture; evidence shows that autism is nearly four times as common among boys than girls.</p> <p>Autistic characteristics in women and girls may differ from those of other autistic people. They might seem to have fewer social difficulties than autistic men and boys, but this could be because they are more likely to</p>

				'mask' their autistic traits (though the stress of doing so can result in anxiety and overwhelm). At school, autistic girls may be more likely to be part of a friendship group and this could be a reason that teachers do not notice their differences. They may also be missed if their academic achievement masks difficulties they are facing in other areas. (National Autistic Society). In delivering the Safety Valve programme, this will be considered, and relevant support and information included as appropriate, e.g., in developing our specialist resource provisions (and associated specialist support), in training sessions, information, advice and guidance and signposting.
11. Sexual orientation equality			We do not collect data on sexual orientation within either the school census or the EHCP dataset. Therefore, it is not possible to quantify whether there will be an impact on CYP in relation to their sexual orientation.	<p>Contemporary research on the intersection of autism, sexuality, and gender identity asserts that autistic individuals are more likely to identify as LGBTQIA+ than the neurotypical population. Similarly, the prevalence of autism is higher among transgender people than cisgender individuals. Autistic individuals who identify as LGBTQIA+ face increased discrimination in access to care, cultural stigmas, and violence. Such experiences can drive poor mental and suicidality which are already high among autistic and LGBTQIA+ communities. <i>(From the Autism Research Institute)</i></p> <p>Sexual orientation issues may be masked by social, emotional and mental health difficulties making early intervention and support more difficult to deliver effectively.</p>
12. Gender re-assignment			We do not collect data on gender reassignment within either the school census or the EHCP dataset. Therefore, it is not possible to quantify whether there will be an impact on CYP in relation to their gender reassignment.	<p>There is some evidence to show a link between gender dysphoria and autism, and that autistic people may be more likely than other people to have gender dysphoria. However, there is little evidence about the reason(s) why, and some recent research suggests the link between autism and gender dysphoria is not so clear. More research is needed. More research is also required to develop and test assessment tools, support and treatment for autistic people experiencing gender dysphoria. <i>(From the National Autistic Society)</i></p> <p>Gender identity issues may be masked by social, emotional and mental health difficulties making early</p>

			intervention and support more difficult to deliver effectively.
13. Age equality	Y	<p>The proposed Safety Valve programme seeks to increase the number of specialist provision places primarily at secondary school age (although the primary SRPs will also be reviewed). CYP at secondary age are currently disproportionately impacted by the lack of specialist provision in the borough, and therefore the programme will support activity that will positively impact those CYP.</p> <p>Improved transition and post-16 pathways will support young people as they move into adulthood.</p> <p>Early intervention and support will be implemented to give early access to children, young people and their families via the 'assess, plan, do, review process' within education settings (referred to in the Safety Valve programme as the graduated approach). This should prevent delays in the EHCP assessment process where children are "not known to services".</p>	There are already sufficient specialist resource provisions hosted by Bracknell Forest primary schools, however the level of provision at secondary school age is currently limited. There are proposals within the Safety Valve programme to increase specialist provision, specifically focused on meeting the needs of CYP aged 11-16 years old who are currently negatively impacted by the lack of in borough provision.
14. Religion and belief equality		We do not collect data on religion and belief within either the school census or the EHCP dataset. Therefore, it is not possible to quantify whether there will be an impact on CYP in relation to their religion or belief.	There is no anticipated impact to this characteristic.
15. Pregnancy and maternity equality		It is not envisaged that there will be an impact on pregnancy and maternity equality.	There is no anticipated impact to this characteristic.
16. Marriage and civil partnership equality		It is not envisaged that there will be an impact on marriage and civil partnership equality.	There is no anticipated impact to this characteristic.

<p>17. Please give details of any other potential impacts on any other group (e.g., those on lower incomes/carers/ex-offenders, armed forces communities) and on promoting good community relations.</p>	<p>We receive regular feedback from parents and carers that access to specialist provision is challenging and that seeking to secure appropriate support and provision for their CYP can be stressful. A successful Safety Valve deal will unlock the potential for significant investment in developing local provision. As our Safety Valve plans have been developed, we have engaged with the Bracknell Forest Parent Carer Forum (PCF). We also held a workshop session with members of the PCF to review all areas of spend from the High Needs Block. The PCF feedback from this session was used to inform the development of the Safety Valve plan, ensuring that areas identified as valuable by the PCF were not affected by the draft proposals.</p> <p>A block transfer (transfer of funds from the Schools Block to the High Needs Block) will add further pressures to the schools' budgets and will result in schools having to identify savings elsewhere in their budget. This could negatively impact on CYP without SEND, but it is considered that the benefit of achieving a sustainable high needs budget to support CYP with SEND outweighs the risk of a negative impact. To mitigate the risk, the agreed block transfer proposals ensure that no school will fall below the minimum per pupil funding, meaning that six schools will make no contribution to the block transfer.</p> <p>In making this assessment we have given due consideration to our commitment to the Armed Forces Covenant duty. For CYP from armed forces families, they will be able to access in year transfers to local provision as this is increased as part of the Safety Valve programme.</p>		
<p>18. If an adverse/negative impact has been identified can it be justified on grounds of promoting equality of opportunity for one group or for any other reason?</p>	<p>Whilst we have identified the potential for some adverse impacts, we believe that these are at a level where we can seek to mitigate them.</p>		
<p>19. If there is any difference in the impact of the activity when considered for each of the equality groups listed in 8 – 14 above; how significant is the difference in terms of its nature and the number of people likely to be affected?</p>	<p>The main impact will be for CYP with SEND in the borough (see section on disability equality above).</p> <p>There will be a significant positive impact for CYP with SEND as a result of the new specialist provision in the borough. This will allow CYP to have access to a quality education, leading to good educational attainment, whilst reducing the amount of time they spend travelling to out of borough placements and supporting them to develop relationships within their local community. The programme will also ensure that access to the right provision will be available across both primary and secondary phases.</p>		
<p>20. Could the impact constitute unlawful discrimination in relation to any of the Equality Duties?</p>		<p>N</p>	<p>N/A</p>
<p>21. What further information or data is required to better understand the impact? Where and how can that information be obtained?</p>	<p>If our Safety Valve proposals are agreed, we will continue to hold coproduction and engagement sessions with key stakeholders (school leaders, parents and carers and health colleagues) to support the development and delivery of our programme. This activity will enable us to better understand the impact of the programme.</p> <p>As part of the development of our individual project plans within the programme, we will consult, engage and coproduce with key stakeholders, including schools, parents and carers, children and young people and health colleagues. As part of this work, consideration will be given to the potential equalities impacts of each project, once the high-level programme plan is developed into more detailed implementation plans, which will allow us to better understand any further potential impact. These equalities screening records will also consider how the equalities impacts will be monitored for each project.</p>		

<p>22. On the basis of sections 7 – 17 above is a full impact assessment required?</p>		N	<p>Please explain your decision. If you are not proceeding to a full equality impact assessment, make sure you have the evidence to justify this decision should you be challenged.</p> <p>At this stage we do not consider that a full impact assessment is required. This is for the following reasons:</p> <ul style="list-style-type: none"> • This initial equalities screening record has been done on the basis of a high-level programme plan included within our Safety Valve submission. There are as yet no definite plans about new models of delivery and/or which services may be affected, and the council has not yet entered into a Safety Valve agreement with the DfE. • As work is done to further develop the programme, and put in place the workstreams and projects required, equalities screenings will be done for individual projects and more detailed information will be available to support the assessment. Key stakeholders will be involved in the individual initial equalities screening records, such as parent and carer representatives and school leaders, to ensure full consideration is given to potential impacts. • We have held engagement sessions with head teachers, chairs of governors and the PCF during the development of the programme and have used the feedback from these sessions to inform this high-level screening. • Where there are any significant changes to services or provision as part of the Safety Valve work, we will carry out formal consultation with the appropriate stakeholders.
<p>23. If a full impact assessment is not required; what actions will you take to reduce or remove any potential differential/adverse impact, to further promote equality of opportunity through this activity or to obtain further information or data? Please complete the action plan in full, adding more rows as needed.</p>			
<p>Action</p>	<p>1.1 Time scale</p>	<p>1.2 Person Responsible</p>	<p>1.3 Milestone/Success Criteria</p>
<p>Complete initial equalities screening records for individual projects as part of the implementation planning. These will be coproduced with key stakeholders and will determine whether a full impact assessment is required for any area of the programme</p>	<p>Ongoing</p>	<p>1.4 Assistant Directors: Education and Learning and Strategic</p>	<p>1.5 Appropriate equalities screening process and records in place for all projects as required</p>
<p>Regular engagement and consultation with headteachers, chairs of governors</p>	<p>Ongoing</p>	<p>1.6 Executive Director People and Assistant Director Education and</p>	<p>1.7 Development of Safety Valve plans with school leaders</p>

Regular engagement and consultation with parent and carer representatives	Ongoing	1.8 Executive Director People and Assistant Director Education and	1.9 Development of Safety Valve plans with parent and carer representatives
Establish effective governance arrangements for the Safety Valve programme, including identification of appropriate KPIs to manage impact	Ongoing	1.10 Executive Directors: Resources and People	1.11 KPIs identified Governance and monitoring arrangements in place
Develop communication plan for the implementation of the Safety Valve programme that specifically address concerns and/or potential negative impacts identified within this screening record.	Ongoing	1.12 Assistant Director Education and Learning and Deputy Head of Communications and Marketing	1.13 Comms plan developed and shared with key stakeholders
24. Which service, business or work plan will these actions be included in?	1.14 SEND		
25. Please list the current actions undertaken to advance equality or examples of good practice identified as part of the screening?	1.15 Improvements in data quality to ensure we can effectively monitor the impact on groups with protected characteristics.		
26. Assistant Director/Director signature.	1.16 Signature: D. Chappell		Date: 22/12/23

117

This page is intentionally left blank