### **Notice of Meeting**

### **Schools Forum**

Stuart Matthews, Academy School Representative (Vice-Chair) Jenny Baker, Special School Representative Stuart Bevan, Primary School Representative (Headteacher) Sue Butler, Early Years PVI Provider Simon Cope, Primary School Representative (Headteacher Karen Davis, Primary School Representative (Headteacher) Juanita Dunlop, Primary School Representative (Headteacher) Keith Grainger, Secondary School Representative (Headteacher) Tim Griffith, Academy School Representative Roger Prew, Primary School Representative Roger Prew, Primary School Representative Debbie Smith, Academy School Representative Grant Strudley, Academy School Representative

### Also Invited:

Councillor Dr Gareth Barnard, Executive Member for Children, Young People & Learning

# Thursday 17 November 2022, 4.30 pm Zoom Meeting

### Agenda

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

ltem	Description	Page
1.	Apologies for Absence/Substitute Members	
	To receive apologies for absence and to note the attendance of any substitute members.	
	Reporting: Joanna Gibbons	
2.	Election of Chair	
	Reporting: ALL	
3.	Declarations of Interest	
	Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.	
	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.	
	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	

# Bracknell Forest Council

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	notified of the interest, if not previously notified of it, within 28 days of the meeting.	
	Reporting: ALL	
4.	Minutes and Matters Arising	3 - 8
	To approve as a correct record the minutes of the meeting of <b>Reporting:</b> ALL	
5.	Schools Budget: 2022-23 Budget Monitoring	9 - 20
	To provide an update on the 2022-23 forecast budget monitoring position for the Schools Budget, to raise awareness of key issues and management actions being taken and to advise on progress to date on the Education Capital Programme.	
	Reporting: Paul Clark	
6.	Update on the 2023-24 High Needs Block Budget	21 - 32
	To seek comments on the key budget proposals expected for the High Needs Block (HNB) element of the Schools Budget.	
	Reporting: Paul Clark, Cheryl Eyre	
7.	Outcomes from the October 2022 Financial Consultation with Schools	33 - 42
	To provide an update on the responses from the recent financial consultation from schools which sought views on the approach to setting a minimum increase in per pupil funding from 2022-23 and also whether maintained schools supported on-going de-delegation of budgets and making a financial contribution to statutory education related duties for which the council is responsible for meeting but receives no funding. <b>Reporting:</b> Paul Clark	
8.	Dates of Future Meetings	
	The next meeting of the Forum will be held at 4.30pm on Thursday 8 December 2022.	
	Reporting: Joanna Gibbons	

Published: 8 November 2022



## SCHOOLS FORUM 6 OCTOBER 2022 4.30 - 5.35 PM

### Present:

Jenny Baker, Special School Representative Simon Cope, Primary School Representative (Headteacher Karen Davis, Primary School Representative (Headteacher) Juanita Dunlop, Primary School Representative (Headteacher) Nick Gibson, Secondary School Representative (Governor) Keith Grainger, Secondary School Representative (Headteacher) Tim Griffith, Academy School Representative Stuart Matthews, Academy School Representative Roger Prew, Primary School Representative (Governor) Elizabeth Savage, Academy School Representative Debbie Smith, Academy School Representative

### **Observer:**

Councillor Dr Gareth Barnard, Executive Member for Children, Young People & Learning (Observer)

### Apologies for absence were received from:

Stuart Bevan, Primary School Representative (Headteacher) Sue Butler, Early Years PVI Provider

### 244. Apologies for Absence/Substitute Members

The Forum noted that Greg Wilton had left and was therefore no longer a member of the Schools Forum as a Teacher Union Representative.

Simon Cope introduced himself as the new Headteacher of Owlsmoor Primary School. Stuart Bevan and Juanita Dunlop were also welcomed as new members of the Forum.

### 245. Election of Chair

There were no nominations for the election of Chair of the Schools Forum.

**RESOLVED** to DEFER the election of Chair to the next meeting of the Schools Forum to be held on Thursday 17 November 2022.

### 246. Appointment of Vice Chair

**RESOLVED** that Stuart Matthews be re-appointed Vice Chair of the Schools Forum.

Stuart Matthews in the Chair.

### 247. Declarations of Interest

Keith Grainger declared an affected interest regarding Item 6 (Specialist Resource Provision Review) in relation to Garth Hill College.

### 248. Minutes and Matters Arising

**RESOLVED** that the minutes of the meeting of the Forum on 23 June 2022 be approved as a correct record.

Arising from minute 234. Stuart Matthews and Paul Clark had collated the tributes for Martin Gocke's widow. Christine.

Arising from minute 238. the SEND Written Statement of Action (WSOA) had been sent to every school in the Borough and has been published on the Council website.

Arising from minute 239. Cheryl Eyre confirmed that the briefing paper for Item 6 (Specialist Resource Provision Review) included answers where available to all the questions raised at the last meeting.

Also arising from minute 239. the Chair of the Specialist Resource Provision (SRP) subgroup would provide an update under agenda Item 6.

### 249. Specialist Resource Provision Review

Jenny Baker updated on the work of the subgroup which was focused on SRPs and banding descriptors. Regarding SRPs. Nathan Jones had presented to secondary Headteachers and received their feedback. Liz Savage was supporting the banding descriptors project. There had been little progress in moving forward but this would be explored further at the next meeting of the subgroup. Members of the Schools Forum were invited to contact Jenny Baker if they wished to join the subgroup.

The Forum considered a report presenting the findings to date of the review of SRPs in Bracknell Forest and were invited to provide comments. Keith Grainger noted on page 14 of the report that "The Rise" was not the proper title of the provision. Furthermore. the provision was based in North Bracknell. not Crowthorne & Sandhurst. Nathan Jones agreed to amend that.

### Action: Nathan Jones

Nathan Jones explained that most of the schools hosting SRPs were visited with the exception of one primary school which instead had a virtual meeting. The one secondary SRP would be visited during the autumn term. Parents and the Carer Forum were met on two occasions and briefed on developments. and discussions had been held with the Head of SEND. Head of Early Years and advisory teaching service.

Nathan highlighted the lack of understanding about SRPs including the funding mechanism. the requirement for 50% attendance in the mainstream classroom. the complexity of children that should be accessing the SRPs. and how to access SRPs.

Meadow Vale Primary School had decided to close the Rainbow (nursery) provision at the end of the 2021/22 academic year. The school had also voiced concerns around the utilisation of the Speech. Language and Communication Needs (SLCN) provision due to low uptake. and Nathan had recommended further work to understand the reasons why. A working group had been set up to review all the above concerns as well as looking at the development of secondary provision. Nathan had recommended starting with 30 places over two providers.

The Forum queried whether there was sufficient knowledge of the needs of the children and how demand compared to the number of places offered. Nathan Jones explained that he was working with colleagues in Early Years to find a way to predict more accurately the number of children moving through the system. There was still capacity in primary SRPs.

The Forum enquired how the issue of parents not knowing how to access SRPs was going to be resolved. Nathan Jones replied that the department had developed an initial proforma which would be hosted on individual school websites and on the local offer. The team had also been working with the parent carer forum. The Forum requested an update to be provided at the next meeting of the Forum.

### Action: Nathan Jones

The Forum asked whether all specialisms were covered by services within the Borough? Nathan Jones responded that there would always be a small group such as children with hearing or visual impairments which would need to be catered for outside the Borough. but the rest of the needs were covered in the Borough.

### 250. Delivering Better Value in SEND Programme and other related matters

The Forum considered a report informing the Schools Forum on the Delivering Better Value in SEND (DBV) programme which the Department for Education (DfE) had announced details of in June 2022. The programme was part of the DfE's support package to help local authorities (LAs) maintain effective SEND services while functioning sustainably. The report also included an update and draft timetable for the setting of the 2023-24 High Needs Block (HNB) budget.

Paul Clark explained that the aim of the programme was to support local authorities to improve delivery of SEND services whilst ensuring the services were sustainable.

Bracknell Forest Council (BFC) had been invited to join the first tranche of 20 authorities and the first phase had commenced involving a comprehensive diagnostic process. At the end of the first phase. the DfE would agree with each LA an allocation of funding to support critical elements of its action plan. There was £85m revenue funding available for DBV. Annex 1 of the report detailed the process. resourcing. and timeline.

The Forum asked whether there were risks to the timeline. Paul Clark replied that a significant amount of data was required and the process was expected to be beneficial. but there were always risks in gathering large amounts of data in restricted periods of time. However. the department had made good progress so far.

The Forum enquired whether it was good to be part of the first tranche. Paul Clark confirmed that there were positives. but that it was also the "guinea pig" group. Overall. the project was expected to be beneficial financially as well as getting a good data set and verification of the Council's roadmap.

Paul Clark updated on the government liability for financing Dedicated Schools Grant (DSG) deficits which was scheduled to end by March 2023. For BFC. the accumulated deficit was estimated at £18.2m and this was expected to place a significant financial risk which would have implications across the Council.

Regarding the initial HNB budget information for 2023-24. overall funding for the HNB was increasing by £570m. or 6.3%. BFC would receive the minimum 5% increase in funding. The paper outlined the updates which were planned to be brought to the Forum at all four meetings scheduled before the start of the financial year in April 2023.

### 251. 2022-23 Arrangements for Additional Financial Support to Schools

The Forum considered a report which sought agreement from the Schools Forum in respect of proposals for additional financial support to schools. in particular. approval of new or

amended applications for licensed deficit arrangements. An update was also provided on the current position in respect of previously agreed financial support arrangements.

Paul Clark summarised that good progress had been made by schools in terms of reducing the aggregate level of licensed deficits which was expected to reduce to  $\pounds 0.495$ m as at 31 March 2023. Three schools had fully repaid their licensed deficits. with four remaining in place. There had been no new requests for licensed deficit agreements. There were two schools which did not have a full replacement schedule in place. and this equated to  $\pounds 0.150$ m of debt. The department was having regular meetings with those schools.

Easthampstead Park Community School was congratulated on fully repaying the licensed deficit following a significant period of financial difficulty.

### RESOLVED

- 1. that subject to the school governors confirming the relevant financing schedule and compliance with the associated terms and conditions of the deficit scheme the Schools Forum AGREES:
  - a. the licensed deficit agreement with full repayment plan for Ascot Heath Primary School be amended to permit a deficit of up to £0.250m for 2022-23.
     £0.150m for 2023-24 and £0.075m for 2024-25 before returning to a surplus in 2025-26; and
  - b. that further work continues with schools that have yet to formulate a full repayment plan. with the following deficit limits agreed for 2022-23:
    i. £0.100m for Winkfield St Mary's Primary; and
    - ii. £0.110m for Cranbourne; and
- 2. to NOTE that the following schools have fully repaid their licensed deficits:
  - i. Sandhurst Secondary;
  - ii. Harmanswater Primary; and
  - iii. Easthampstead Park Secondary.

### 252. **2023-24 Budget Preparations for the Schools Budget and other related matters**

The Forum considered a report which provided an update to the Schools Forum from the information currently available in respect of the 2023-24 Schools Budget for mainstream schools together with other relevant finance related matters. Whilst the DfE had yet to provide the final data that must be used to calculate individual school budgets. information was emerging that allowed for updates to be provided on some key matters and some early decisions to be taken which would aid the finalisation of the budget which must be presented to the DfE by the statutory deadline of 20 January 2023.

Paul Clark advised that the DfE was mandating all LAs to move closer to the National Funding Formula (NFF) from 2023-24. BFC was already within 2.5% of the NFF so no new specific actions were required.

The new School Supplementary Grant which was received this year to cover the Health and Social Care Levy was due to be rolled into the schools NFF from 2023-24 and would no longer be paid separately.

Across England. the average increase in per pupil funding was expected to be 1.9% (the increase for BFC had been estimated at 2.0% for 2023-24). This was not expected to be sufficient to cover the rising costs. and there was no indication of any additional funding.

This year's financial consultation with schools had commenced. covering dedelegation. contribution by maintained schools to LA statutory duties. and rate of the Minimum Funding Guarantee (MFG). Responses to the consultation were expected to be reported at the next meeting of the Forum on 17 November 2022.

The Forum expressed significant concern at the national increase of only 1.9% which was expected to lead to severe cuts. Councillor Barnard confirmed that he would express this view on behalf of the Council.

### RESOLVED

- 1. to AGREE
  - 1.1 that subject to consideration of school responses to the annual financial consultation and general affordability. the approach to setting the 2023-24 budget should remain broadly the same as for 2022-23. and in particular:
    - i. that there should be no change to the current budget strategy of:
      - a. as far as possible. replicating the NFF;
      - b. setting minimum per pupil funding increases between financial years at the highest amount permitted by the DfE; and
      - c. meeting the diseconomy costs at new and expanding schools in a measured way from a combination of Schools Budget reserves and funding allocated for the relevant year from the DfE; and
    - ii. that a centrally managed Growth Fund should be maintained for in-year allocation to qualifying schools (Table 2 of the report);
    - iii. on-going central retention by the Council of the existing Central School Services Block items (Annex 2 of the report); and
    - iv. to prevent over funding. that the DfE be requested to approve that the council continues to disapply the requirement for minimum per pupil funding increases where schools are funded on the Start-up and Diseconomy funding policy for new and expanding schools; and
  - 1.2 the proposed clarification to the Start-up and Diseconomy Funding Policy for New and expanding schools (Annex 1 of the report); and
- 2. to NOTE
  - 2.1 the areas where schools are being asked to comment on through the annual financial consultation. to inform later decision making; and
  - 2.2 the current estimated funding gaps at Table 3 of the report of:
    - i. £0.077m on the Schools Block; and
    - ii. £0.027m for the Central School Services Block.

### 253. Dates of Future Meetings

The next meeting of the Forum would be held at 4.30pm on Thursday 17 November 2022.

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# TO: Schools Forum DATE: 17 November 2022

### The Schools Budget: 2022-23 Budget Monitoring Executive Director: Resources

### 1 Purpose of Report

1.1 The purpose of this annual report is for the Schools Forum to receive an update on the 2022-23 forecast budget monitoring position for the Schools Budget, to be aware of key issues and management actions being taken and progress to date on the Education Capital Programme.

### 2 Executive Summary

- 2.1 Monitoring information on the revenue budget available at the end of September forecasts a significant year end over spending on the Schools Budget of £7.671m which mainly arises from the previously highlighted increase in the number of children and young people needing support through the High Needs Block (HNB) budget and a reliance on high cost external placements. This compares to a £7.500m forecast deficit for the year when the budget was set.
- 2.2 Taking account of the pre-existing £9.340m deficit held in the Dedicated Schools Grant (DSG) Adjustment Account, a £17.011m cumulative deficit is currently being forecast for 31 March 2023.
- 2.3 This presents a significant financial risk to the council due to the expectation that the current 3-year period of change to DSG conditions that currently confirm that no liability for a deficit will fall onto an LAs General Fund will end at 31 March 2023. At this point, LAs will need to manage the cumulative debt from their own resources.
- 2.4 In terms of the HNB, the current forecast debt at the point of transfer is £22.8m. This is in excess of the £17.011m deficit on the DSG Adjustment Account as the former also holds surpluses in Earmarked Reserves and net surplus balances previously generated in the School Budget and Early Years Blocks of the DSG.

### 3 Recommendations

That the Schools Forum NOTES:

- 3.1 the budget variances being forecast on the Schools Budget that total to an aggregate net forecast over spending of £7.671m (paragraph 6.14);
- 3.2 that the year-end balance held in the Dedicated Schools Grant Adjustment Account is forecast at a deficit of £17.011m deficit (paragraph 6.14);
- 3.3 the possibility that liability to fund balances held in the Dedicated Schools Grant Adjustment Account will transfer to LAs from April 2023 (paragraphs 6.18 to 6.19)

# 3.4 progress to date on the Education Capital Programme, as summarised at Annex 2.

### 4 Reasons for Recommendations

4.1 It is appropriate for the Schools Forum to be aware of, and where relevant, comment on these financial matters.

### 5 Alternative Options Considered

5.1 Where relevant, these are set out in the supporting information.

### 6 Supporting Information

### 2022-23 Monitoring of the Schools Budget (Revenue)

### Setting the budget

- 6.1 The Council holds the statutory duty to set the annual Schools Budget and each February sets an initial total budget as part of the overall budget setting process. The budget has always been set in accordance with proposals agreed by the Schools Forum.
- 6.2 For 2022-23, this included a net budget of £7.681m which comprised £7.500m as the forecast over spending on the HNB element of the Dedicated Schools Grant (DSG)<sup>1</sup>, and £0.182m from Council funds which represents the balance of the commitment to provide an additional £1m to part finance the additional costs arising from new schools. Together with £0.174m from the Earmarked DSG New School Start-up / Diseconomy Reserve, this enabled the units of resource in the BF Funding Formula for Schools to be set at 99.75% of the values used in the Department for Education's (DfE) National Funding Formula (NFF)<sup>2</sup>.
- 6.3 Having set the initial budget, the Council then delegates to the Executive Member for Children, Young People and Learning the power to agree the allocation of budgets to individual lines of the Schools Budget, up to the level of funding.
- 6.4 Budget proposals for the 2022-23 Schools Budget were approved by the Schools Forum at its meetings in January and March, and these were subsequently agreed by the Executive Member.
- 6.5 The most significant income source to the Schools Budget is the DSG, which is paid by the DfE. The initial approved budget from the Executive Member included £114.779m as the estimated amount of DSG. Other grant income of £6.914m was also expected from the Education and Skills Funding Agency (ESFA) for sixth forms, the Pupil Premium, Primary PE and Sports activities, the Universal Infant Free School Meals initiative and the new School Supplementary Grant. With £0.290m of other

<sup>&</sup>lt;sup>1</sup> The DSG is the ring-fenced grant allocated by the DfE through a formula to LAs to fund most of their expenditure on school and education related services.

<sup>&</sup>lt;sup>2</sup> The NFF distributes funding based on schools' and pupils' needs and characteristics and uses the same factor values for all schools across the country. The exception to this being an area cost adjustment (ACA) uplift which is paid to areas with high costs. BF receives a 5.7% uplift.

income also anticipated, there was originally expected to be  $\pounds$ 121.983m of income available to fund expenditure within the Schools Budget. Adding the  $\pounds$ 7.681m approved net budget results in a gross budget of  $\pounds$ 129.664m.

6.6 In agreeing an initial HNB budget, the Schools Forum was in receipt of more up to date information than the Council when the formal budget decision was taken and agreed the DSG should include the revised HNB allocation of income which was £0.348m lower than initial forecast. The current budget reflects this change.

### Current approved budget

- 6.7 Subsequent to setting the original budget, the ESFA has confirmed the amount of DSG recoupment that needs to be deducted to directly fund academy schools, where funding continues to be based on the BF Funding Formula for Schools. This amounted to a £36.191m deduction which has been balanced off by an equivalent decrease in budget for maintained mainstream schools.
- 6.8 Furthermore, the ESFA has also recalculated allocations through the HNB DSG. This reflects updated numbers of pupils in special schools and the adjustment made to LA HNB funding allocations to ensure the resident LA funds the cost of places taken up by their pupils in other LA specialist providers and also for deductions for ESFA directly funded providers. The deduction for BFC has reduced by £0.126m, which has been balanced off by an equivalent increase in budget for non-maintained special schools.
- 6.9 The Early Years DSG allocation has also been updated by the ESFA to reflect January 2022 actual levels of uptake of the free entitlement to early years. This results in additional income of £0.155m, which has been balanced off by an equivalent increase in budget for payments to providers.
- 6.10 Overall, these changes result in an anticipated level of income of £86.073m, an unchanged net budget of £7.682m and therefore total funding of £93.755m. To ensure budgets correctly reflect anticipated spending requirements, relevant adjustments have been made to the areas of the accounts that the changes relate to. Annex 1 sets out a summary budget statement.
- 6.11 Other budget changes will need to be processed later in the year as further updates are provided by the ESFA in respect of further academisation by schools and updates to HNB and the EY Block allocations.

### Forecast budget variances

- 6.12 As part of the Council's Financial Regulations, the Schools Budget is subject to monthly budget monitoring. This involves forecasting likely expenditure and income through to the end of the year, identification of reasons for variations against original budgets, and where relevant, setting out options for management action. This process allows for a forecast year end level of balances to be calculated.
- 6.13 It is appropriate for the Forum to be aware of the current forecast year-end balance as this will need to be taken into account when the 2023-24 budget is agreed. It is also likely that a number of variances identified this year will be on-going and will therefore need to be considered in next year's budget.
- 6.14 Provisional budget monitoring information available at the end of September indicates that the Schools Budget will overspend by £7.671m this year which is £0.171m higher

than the amount forecast when the budget requirement was agreed by the Forum. There is a  $\pounds 9.340$ mm deficit opening balance on the DSG Adjustment Account<sup>3</sup> meaning an aggregate year end deficit of  $\pounds 17.011$ m is currently being forecast.

- 6.15 The prime cause of the increasing deficit is financial performance in the HNB which in the 3 years April 2020 to March 2023 is forecast to over spent by £19.580m.
- 6.16 The following sections set out current spending and budget variance forecasts for 2022-23. Explanations of the significant changes anticipated from the current budget plan (+/- £0.020m) are set out below, with Annex 1 showing the overall Schools Budget at a summary level.

### Schools Block - £0.081m under spend:

LA Managed items - £0.081m under spend:

 There are 2 significant variances to report: a forecast £0.020m under spend on educational attainment and school transport for children looked after where additional grant income is now expected: and a £0.038m underspend on allocations to schools for significant in-year increases in pupil numbers and financial support to meet the requirements of the Key Stage 1 class size regulations. This is based on provisional October 2022 census data and is subject to change.

### High Needs Block - £7.616m overspend:

Budget items 2) to 7) below represent the most unpredictable and volatile education budgets that the council is responsible for. Therefore, a considerable amount of time is taken in their management. However, they remain subject to significant change at short notice which can result in large movements in cost forecasts. To help manage this volatility, a contingency for future cost increases of £0.487m (circa 2.5% of budget) is included in the forecasts until such time as greater certainty is available relating to placement details and their costs. The contingency amount is reviewed each month and adjusted accordingly.

Forecasts reported at this time for external pupil placements and top up funding for mainstream schools include confirmed costs for the summer term, with provisional amounts included for autumn and spring which are subject to change until all required placements and their costs are known. The forecasts will continue to change through to the end of the financial year.

The variances being reported now will need to be assessed as to their ongoing impact and included as appropriate when detailed budget proposals for 2023-24 are presented.

- 2) Delegated Special Schools £0.024m over spend. Top up payments to Kennel Lane Special School have been recalculated to reflect in-year starters and leavers and increases in support needs for existing pupils, together with an allowance for further adjustments. The current forecast also includes the purchase of 198 places.
- 3) Maintained schools and academies £0.375m under spend. Top up payments to BF maintained schools and academies, including Special Resource Provisions are forecast to underspend by £0.127m. This includes

<sup>&</sup>lt;sup>3</sup> The DSG Adjustment Account is a statutory unusable reserve established under LA accounting regulations with the purpose of recording a schools budget deficit which must be carried forward to be funded from future DSG income and not an LAs General Fund.

confirmed allocations to the end of September and an allowance for further allocations to financial year end. In respect of BF pupil placements in other LA schools and academies, a £0.248m underspend is forecast. This generally reflects a reduction in the number of placements as well as lower average costs of support.

- 4) Non-maintained special schools and colleges £0.017m over spend. This is the most significant budget area in terms of expenditure and the focus of the change programme. For pre-16 placements, these are currently below the 2021-22 number by 4.0 FTE. Average costs have increased by 4.3% which is in line with the budget expectations. An allowance for further placements has been included in the overall forecast for an aggregate £0.214m under spending. For post-16 placements, current expected placements are 42.4 FTE above those in 2021-22. This increase has been accommodated almost exclusively in additional FE placements. As these placements are the least expensive, average post 16 placement costs have reduced by 15%. Overall, post-16 placements are forecast to overspend by £0.231m.
- 5) Education out of school £0.572m over spend. College Hall Pupil Referral Unit (PRU) has experienced a significant period of reduced leadership capacity which has affected support to pupils and financial performance. As a consequence, new arrangements have been put in place for the delivery of the home tuition and outreach services, together with making alternative education provision for a number of pupils on roll at the PRU. An initial estimate indicates that costs are expected to significantly exceed current budget.
- 6) Other SEN provisions and support services -£0.125m under spend. The main variances relate to a £0.024m forecast over spending on Autism Support Service where temporary additional staff support has been required, a £0.038m over spending on responding to SEN Tribunal costs which are offset by £0.132m underspending on therapy services. There are a number of other relatively small variances across a wide number of budgets.
- 7) **Over spending anticipated in original budget £7.500m.** In setting the original budget, it was accepted that spending would significantly exceed income and was initially calculated at a £7.500m over spending.

### Early Years Block - - £0.030m under spend

8) Other Early Years provisions and support - £0.030m underspend. There are no significant variances to report, with a relatively small number of budgets forecasting minor variances.

### Dedicated Schools Grant - -£0.169m over spend

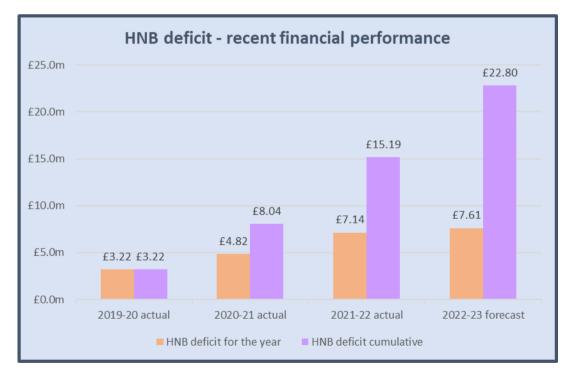
9) There is a £0.169m forecast shortfall on DSG income. This relates to the Early Years DSG element and the annual recalculation of funding due from termly census data. The final adjustment to funding is always made after the accounts are closed. There is no overall financial effect from this – it is a timing issue. 2021-22 accounts had income overstated by £0.169m, 2022-23 accounts will be understated by £0.169m.

### Forecast cumulative balance - £17.011m deficit:

10) The budget variances being forecast at the end of September indicate a year end cumulative deficit of £17.011m. This comprises the £9.340m accumulated deficit at the start of the year, the £7.500m overspend anticipated when the budget was set and the additional £0.171m overspend now being reported.

### Managing the forecast overspend

- 6.17 It is clear that the council is facing significant challenges in managing spend to the level of HNB income. As set out above and on previously presented reports, this largely arises from increases in numbers of pupils requiring addition support, the emergence of more complex needs, rising costs of support and is consistent with most other LAs.
- 6.18 In response to the continuing growth in deficits on HNB budgets, in January 2020, the DfE updated the status of the DSG ring-fence to make clear that any deficit must be carried forward to the Schools Budget in the next financial year or future financial years. This is intended to confirm that no liability for a deficit will fall onto an LAs General Fund.
- 6.19 This was a time limited change to the DSG ring-fence for 3 years to Mach 2023. As it stands, the Government has stated that local authorities are expected to be able to demonstrate their ability to cover DSG deficits from their available reserves from 2023-24 onwards. Clearly this will present a significant financial challenge to the council at the same time as other challenges, most significantly relating to rising costs of social care and general inflation. Current forecasts indicate that the council will face a £22.8m deficit from the HNB at April 2023, as illustrated in the chart below. The £22.8m forecast deficit is 106% of the £21.6m HNB grant funding expected to be received in 2022-23.



6.20 Current proposals to manage the HNB budgets are set out on a separate agenda item.

### 2022-23 Education Capital Programme

### Approved budget

- 6.21 The current Education Capital budget approved by the council amounts to £12.060m, and comprises £1.642m of council funding, £1.952m from housing developers and £8.466m from various grants and other income. Of this total, £6.939 is new funding for 2022-23 with £5.121m brought forward from previous years to finance the completion of approved projects.
- 6.22 The major scheme in the programme are:
  - School related projects, including schools' Devolved Formula Capital £8.854m
  - School Planned Maintenance £1.972m
  - Other projects £1.234m

Annex 2 provides a summary of the approved schemes, including current progress and key targets.

### Forecast budget variances

- 6.23 At this stage, a £0.391m under spending is being reported which relates to the £0.271m unspent budget on the scheme to amalgamate the Ascot Heath School Schools and £0.120m on the Kings Academy Oakwood development. No variances are being reported elsewhere as in general, variances are recycled within the school related projects.
- 6.24 At this stage, there is expected to be sufficient DfE grant funding and developer contributions plus the investment from the Council to fully finance the schemes required in the short term, with funding pressure expected to arise over the medium term if schemes are approved to create additional SEND places.
- 6.25 Due to a substantial number of high-cost roof repairs, the planned maintenance programme is also facing pressure in delivering all the works required within available funds.

### Next steps

6.26 Budget monitoring will continue with any emerging issues incorporated into budget proposals and presented to the Forum at the appropriate time.

### 7 Advice Received from Statutory and other Officers

### **Borough Solicitor**

7.1 The relevant legal provisions have been considered within the main body of the report.

### Director of Resources

7.2 The financial implications arising from this report are set out in the supporting information.

### Equalities Impact Assessment

7.3 There are no specific impacts arising from this report.

### Strategic Risk Management Issues

- 7.4 There are a number of risks associated with managing these revenue and capital budgets:
  - financial and economic factors, in particular the need to maintain services whilst achieving significant savings;
  - the impact of demand led services and the need to forecast changes and reshape service delivery to meet changing needs;
  - the impact from inflationary pressures:
  - staffing and the need to recruit, train and retain staff with the relevant skills and expertise;
  - IT infrastructure availability and information accuracy;
  - failure to design, monitor and control the implementation of major programmes and projects;
  - effective safeguarding of children;
  - effective maintenance of assets;
  - working effectively with partners, residents, service users, the voluntary sector and local businesses;
  - impact of litigation and legislation;

The budget includes resources sufficient to enable the Council to monitor these key risks and where possible to minimise their effects on services. Specific risk reduction measures included as part of budget monitoring are:

- A robust system of budgetary control with regular reporting to CYPL Departmental Management Team and the Corporate Management Team
- Quarterly Service Reports (QSR's) to Members
- Exception reports to the Executive

### Climate Change Impact

7.5 Not applicable to this report on financial performance.

### Health Impact

7.6 Not applicable to this report on financial performance.

### 8 Consultation

8.1 Not applicable.

## Background Papers None.

<u>Contact for further information</u> Paul Clark, Finance Business Partner – People Directorate <u>mailto:paul.clark@bracknell-forest.gov.uk</u>

(01344 354054)

Doc. Ref https://bfcouncil.sharepoint.com/sites/fina/bpm/FIBPSCB-FIN9.6/Schools Forum/(113) 171122/2022-23 Schools Budget Monitoring etc.docx

### 2022-23 PROVISIONAL BUDGET MONITORING STATEMENT FOR THE SCHOOLS BUDGET AS AT THE END OF SEPTEMBER 2022

Service Area	A	ated Var	iance	Note			
	Approved Budget Spend Income Net			Over	Under	Net	
				spending	spending	variance	
	£000	£000	£000	£000	£000	£000	
Cabaala Blaak							
Schools Block							
Delegated and devolved funding:							
Delegated Mainstream School Budgets	53,255	0	53,255	0	0	0	
School Grant income	0	-6,914	-6,914	0	0	0	
Schools Block	53,255	-6,914	46,341	0	0	0	
LA managed items:							
Retained de-delegated Budgets:							
Behaviour	256	-7	249	1	0	1	
Schools in Financial Difficulty	181	0	181	0	0	0	
Official Staff Absences	328	0	328	0	0	0	
English as an Additional Language	111	0	111	0	0	0	
PRC / Licence Fees / FSM checking	625	0	625	0	-1	-1	
Under spend returned to maintained schools	0	0	0	0	0	0	
Combined Service Budgets:	170	2		-		~~~	
Education Attainment and School Transport for CLA	176	0	176	0	-20	-20	
Family Intervention Project / Domestic Abuse CAF Co-ordinator	102	0	102	0	0	0	
	42 33	0 0	42 33	0	0 0	0 0	
SEN Contract Management Education Health / Sport	33 0	0	0	0	0	0	
Statutory and Regulatory Duties	507	0	507	0	0	0	
Other Schools Block provisions and support services	589	0	589	0	-61	-61	
LA managed items:	2,950	-7	2,943	1	-82	-81	1
	-			·			
Sub total Schools Block	56,205	-6,921	49,284	1	-82	-81	
High Neede Block							
High Needs Block Delegated Special Schools Budgets	5,151	0	5,151	24	0	24	2
Maintained schools and academies	5, 15 1 8,261	-39	8,222	24 972	-1,347	-375	2
		-39	0,222 11,378	972 445	-1,347 -428		3 4
Non Maintained Special Schools and Colleges Education out of school	11,378 2,228	0	2,228	445 609	-428 -37	17 572	4 5
Other SEN provisions and support services	2,220	-68	2,220	149	-37 -274	-125	5 6
Additional overspending anticipated in original budget			2,145	7,500	-214	7,500	7
	0	0					1
Sub total High Needs Block	29,231	-107	29,124	9,699	-2,086	7,613	
Early Years Block							
Free entitlement to early years education	7,742	-2	7,740	0	0	0	
Other Early Years provisions and support services	395	0	395	0	-30	-30	8
Sub total Early Years Block	8,137	-2	8,135	0	-30	-30	
•							•
Dedicated Schools Grant	0	-78,869	-78,869	169	0	169	9
Sub total Dedicated Schools Grant	0	-78,869	-78,869	169	0	169	
Contribution from BFC	182	0	182	0	0	0	
DSG Reserve - New Schools (to be applied)	0	-174	-174	0	0	0	
	Ŭ	-1/7		5	U	v	
TOTAL Ochock Duduct	00 755	00.070	7 000	0.000	0.400	7.074	
TOTAL - Schools Budget	93,755	-86,073	7,682	9,869	-2,198	7,671	
Note on Unallocated Schools Budget balance:							
Opening balance on DSG Adjustment Account (Unusable	e Reserve)					9,340	
Forecast overspend in budget build	,					7,500	
· · ·							
2022-23 forecast in-year net variance						171	

See paragraph 6.16 for an explanation to the notes

### CAPITAL MONITORING 2022/23

Dept: People

### Children, Young People and Learning

### As at 30 September 2022

Cost Centre Description	Approved Budget	Cash Budget	Expenditure to Date	Estimated Outturn	Carry Forward	(Under)/ Over	Next Target / Explanatory Note	Current status of the project / notes
	2022/23	2022/23	to bate	2022/23	2022/23	Spend	Explanatory note	
	£000's	£000's	£000's	£000's	£000's	£000's		
CHOOL PROJECTS								
Ascot Heath Schools Amalgamation	272.6	272.6	-6.5	1.6	0.0	-271.0	Amalgamated school go live from Sep-19	Complete. No further w orks required.
olly Spring Infant & Junior Amalgamation	27.4	27.4	0.0	27.4	0.0	0.0	Completed	Completed. Residual elements to be managed by school.
cennel Lane Redevelopment	117.7	117.7	70.2	117.7	0.0	0.0	Completed	Still in defects.
(ing's Academy Oakw ood	285.6	285.6	0.0	166.0	0.0	-119.6	Completed	Building completed - ICT to King's Academy - Will review and make decision or
								balance at year end
<i>l</i> eadow Vale Primary	0.0	0.0	0.0	0.0	0.0		Completed	Completed. Planning condition to be satisfied.
Sandy Lane	91.2	91.2	-4.2	91.2	0.0		Completed	Fire alarm works being managed by school
Varfield West Primary	711.0	711.0	142.8	711.0	0.0	0.0	Completed	Migration to Woodhurst site complete.
Primary	1,505.5	1,505.5	202.3	1,114.9	0.0	-390.6		
asthampstead Park	206.2	206.2	19.4	206.2	0.0	0.0	Completed	Main project completed. School managed spend ongoing.
Sarth Hill College	150.0	150.0	0.0	150.0	0.0		To be started	CCTV works only. No works required to Atrium.
econdary	356.2	356.2	19.4	356.2	0.0	0.0		
Binfield Learning Village	452.0	214.0	214.0	214.0	238.0	0.0	Completed	Completed. Final equipment payments due to King's Academy 23-24.
All through	452.0	214.0	214.0	214.0	238.0	0.0		
ees	59.4	59.4	59.4	59.4	0.0	0.0	To be fully spent by March 2021	To be allocated to projects
	00.4	00.4			0.0	0.0		
Basic Need Grant for Allocation	1,810.1	0.0	0.0	0.0	1,810.1	0.0		Fully applied
ligh Needs Provision Capital	1,916.8	0.0	0.0	0.0	1,916.8	0.0	Works in progress	Spend managed by schools
Special Provision Capital Fund	842.9	210.0	0.0	210.0	632.9	0.0	Works in progress	Spend managed by schools
lealthy Pupils Capital Fund	2.1	2.1	0.0	2.1	0.0		Works in progress	Allocated to schools for facilities provision for healthy schools initiatives
Vildridings Security, Safeguarding & Fire Safety	1.9	1.9	0.0	1.9	0.0		School managed project	School managed project
rimary SEMH Hub	700.0	175.0	0.0	175.0	525.0		To progress in 2022	To progress in 2022
Devolved Capital and other funds held by schools	1,207.3	1,116.1	143.5	1,116.1	91.2	0.0	Managed by schools	Managed by schools
Other Schools Related Capital	6,481.1	1,505.1	143.5	1,505.1	4,976.0	0.0		
		3,640.2	638.6	3,249.6	5.214.0	-390.6		

Percentages

17.5% 89.3%

-10.7%

### CAPITAL MONITORING 2022/23

### Dept: People

## Children, Young People and Learning As at 30 September 2022

Cost Centre Description	Approved Budget	Budget	Expenditure to Date	Outturn	Carry Forward	(Under) / Over	Next Target / Explanatory Note	Current status of the project / notes
	2022/23	2022/23		2022/23	2022/23	Spend		
	£000's	£000's	£000's	£000's	£000's	£000's		
CAPITAL MAINTENANCE / CONDITION								
Planned works	1,971.7	1,971.7	357.0	1,971.7	0.0	0.0	Completion	Majority of schemes are complete. Final invoices aw aited.
ROLLING PROGRAMME	1,971.7	1,971.7	357.0	1,971.7	0.0	0.0		

### Percentages

18.1% 100.0% 0.0%

	OTHER PROJECTS								
	Youth Facilities	34.2	34.2	0.0	34.2	0.0	0.0	Completed	Complete.
	20-21 Market St Refurb	19.0	19.0	0.0	19.0	0.0	0.0	Complete December	On site
	Nursery Provision	398.9	398.9	-9.6	398.9	0.0	0.0	Damp issues identified	Aw aiting quote for possible ground works to address damp issues
0	S106 Ascot Heath Primary	65.8	65.8	0.0	65.8	0.0	0.0	TBC	Project at planning stage
	S106 10a Portman Close Flats	700.0	0.0	0.0	0.0	700.0	0.0	Specify works and evaluate costs	Scope of project under review - Outcome anticipated by YE
	S106 Priestwood Nursery Facilities	16.6	10.0	0.0	10.0	6.6	0.0	Lease completion	New door from baby room to kitchen to complete - Other works required for
									lease completion
	Other	1,200.3	493.7	-9.6	493.7	706.6	0.0		
	OTHER PROJECTS	1,234.5	527.9	-9.6	527.9	706.6	0.0		
	Percentages			-1.8%	100.0%		0.0%		

TOTAL CAPITAL PROGRAMME	12,060.4	6,139.8	986.0	5,749.2	5,920.6	-390.6
Percentages			16.1%	93.6%		-6.4%

### Update on the 2023-24 High Needs Block Budget Executive Director: People Executive Director: Resources

### 1 Purpose of report

1.1 To seek comments from the Schools Forum on the key budget proposals expected for the High Needs Block (HNB) element of the Schools Budget.

### 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 As indicated in previous medium term financial plans, there are on-going significant financial challenges associated with delivering appropriate support and services to pupils and young people within available funds and another significant deficit is expected for 2023-24.
- 2.3 This report sets out the main budget developments for 2023-24 that are expected to be presented to the Forum for consideration as part of the budget setting process and is intended to ensure full engagement with school representatives.

### 3 Recommendations

- 3.1 That the Forum AGREES that the budget development items set out at paragraph 6.9 are included in the detailed budget proposals for 2023-24.
- 3.2 That the Forum IDENTIFIES any other significant proposals that should be considered by the Council.

### 4 Reasons for recommendations

4.1 To ensure that the 2023-24 HNB Budget is set in accordance with the overarching funding framework, the expected needs of pupils and that the views of the Schools Forum are considered.

### 5 Alternative options considered

5.1 A range of options have been considered as part of the budget setting process for the HNB deficit recovery.

### 6 Supporting information

### Funding Framework

6.1 The HNB element of the Dedicated Schools Grant <sup>1</sup> (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 LAs funding is set out in Annex 1.

6.2 The council holds the statutory power to set the HNB Budget which has always been in accordance with the views of the Forum and this report therefore presents an important part of the budget setting process.

### Financial context - national

- 6.3 The Forum is aware of the significant financial challenges facing most LAs in the management of their HNB budgets with the latest information from CIPFA the public sector accountancy body estimating cumulative deficits of £2bn against a national budget of £9bn.
- 6.4 To support LAs through this financial difficulty, the DfE has used a Safety Valve Programme which provided £400m to the 14 LAs with the highest deficits to implement recovery plans and fully remove their debt. More recently, the Delivering Better Value (DBV) Programme has been launched to support the 55 LAs with the highest deficits as at 2020-21 and aims to support local authorities to improve delivery of SEND services for children and young people while ensuring services are sustainable. As previously reported, BFC is included in the DBV programme.
- 6.5 The Forum is aware that the government has put in place a temporary statutory override to ring-fence DSG deficits outside of LAs financial responsibilities. As it stands, this ring-fence is due to end after the accounts for the financial year 2022-23, at which point LAs will need to demonstrate their ability to cover DSG deficits from their available reserves. This will create significant challenges for a number of LAs including BFC. Government officials have indicated to Treasurers' Societies that arrangements are being considered to defer this impact, though no details have yet been announced.
- 6.6 The HNB has received significant funding increases of around 8% in each of the 3 financial years up to 2022-23. HNB funding is increasing by £570 million, or 6.3%, in 2023-24. All local authorities will receive at least a 5% increase per head of their 2 to 18 population, compared to their 2022 to 2023 allocations, with some authorities seeing gains of up to 7%. The provisional increase for BFC is 5%.

<sup>&</sup>lt;sup>1</sup> DSG is the ringfenced grant used by the DfE to fund LAs for prescribed education related services.

### Financial context - local

- 6.7 Locally, the BF HNB budget first overspent in 2019-20. The level of deficit has increased each year from £3.220m to a forecast £7.613m in 2022-23. The cumulative deficit on the HNB at the end of 2022-23 financial year is forecast at £22.800m which equates to around 106% of annual income.
- 6.8 As previously reported, the two key factors affecting the financial pressure are:
  - Increasing numbers of pupils with a statement or Education Health Care Plan (EHCP)<sup>2</sup>. In the 4 years between January 2018 and January 2022, BFC has experienced an increase of 63%.
  - A shortage of local provisions results in an over reliance on relatively expensive private, voluntary, and independent (PVI) sector providers. Over the last 4 years, the number of placements, excluding those in relatively inexpensive FE institutions have increased from 83 to 159 (+92%). During the same period, average cost of placement has increased by 33% to £61,730 <sup>3</sup>.

### Initial Budget Considerations

- 6.9 The following sections set out the significant budget developments expected for 2023-24 for which the Forum is invited to comment on. These reflect current on-going commitments, key assumptions relating to new requirements and the changes planned to service delivery over the medium term. Work on costing the developments is underway and will be presented in a first draft financial summary to the next meeting of the Forum.
  - The 2022-23 budget monitoring report presented as a separate agenda item indicates a current year forecast over spending compared to DSG of £7.613m. The medium-term nature that most of the commitments represent on budgets means a provision for these costs will need to be made within the 2023-24 budget.
  - As set out above, there is expected to be a +5.0% increase in DSG income from the DfE for 2023-24. This is a provisional increase and is expected to change when final census data for SEND placements are confirmed in June, including the updated import / export adjustment between LAs for out of borough placements.

Whilst detailed government spending plans past 2023-24 are not known, the DfE are advising LAs to "use an assumption of a 5% year-on-year increase in 2023 to 2024, and 3% beyond that". Therefore, increases in annual funding will be much reduced in future years.

3. The number of pupils with an EHCP is expected to continue to rise. There was a 15% increase between January 2019 and 2020, 16% between January 2020 and 2021 and 10% between January 2021 and 2022. If the current year increase from April to September 2022 is maintained, there will be an 8%

<sup>&</sup>lt;sup>2</sup> 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.

<sup>&</sup>lt;sup>3</sup> Average FTE placements for the financial year that BFC is financially responsible for, reconciled to payments to providers

increase in 2023-24. An estimate for future rates of increases will need to be made in due course.

4. A provision for inflationary increases will need to be made. The proposed 2022 Teachers' pay award for a general 5% increase to pay from September 2022 and a further increase of 3% in September 2023, if agreed, will add approximately 3.8% to Teaching costs in 2023-24 when compared to 2022-23 costs. This will be partially offset by the removal of the 1.25% increase in National Insurance contributions that was originally expected to be paid through the Health and Social Care Levy. Furthermore, the September Consumer Price Index evidences an increase in general costs over the past year of 10.1%.

Inflation is expected to be subject to a lower rate of increase in future years but is still expected to be significantly higher than the recent past.

- 5. On-going budget developments:
  - a. Increased use of SRPs:

As at September 2022, the primary school SRPs that opened in September 2021 now have 50 pupils on roll, with a notional capacity of around 70. Discussions with the schools will determine likely numbers on roll at September 2023.

To enable suitable transition for primary aged pupils into appropriate secondary school provision, the development of secondary based ASD SRPs is proposed. These SRPs should cater to children with High Function Autism with 30 places expected to be created through a robust co-produced procurement exercise. These 30 places should be developed in 2 schools across the borough, with the option to expand further to respond to changing numbers.

Discussions are also at an early stage to explore the potential to develop a further secondary unit to provide secondary placements for children with complex SEND as they transition from the Owlsmoor SRP. Further details will be released as the offer is developed in the coming months.

b. Increase the number of BF resident pupils attending KLS School Planning conditions limit the capacity at KLS to 198 students and BF commissions all these places. The LA is working closely with the school to develop provision further and to improve the learning environment and accommodation. Current information indicates there will be an average of 194.6 FTE students on roll for the year, split 158.3 FTE BF resident and 36.3 other LAs.

Whilst it is recognised that there will always be cross border movement of students between special schools and SRPs, placing a higher number of BF resident students in KLS remains an objective to support more students in their home community as well as reducing travelling time, carbon emissions and costs. The council is working to increase local student placements. c. <u>Increase the number of pupils receiving support in mainstream</u> <u>schools</u>:

Improving training and support to schools, including governors, and where relevant, allocating additional financial resources to enable earlier intervention and an increased ability to meet the need of pupils in mainstream schools.

3 specialist support staff have been recruited to the Safeguarding, Inclusion & SEMH Service for a time limited period to the end of August 2024 to drive this forward.

Following on from the appointment of a Behaviour Analyst to the SEMH and Inclusion Team the team have been able to increase their capacity. They have streamlined the process of support to ensure they can analyse impact of interventions and support offered to schools. The team have developed a package of training in a Trauma Informed Approaches for schools.

Two Specialist teachers have joined the Autism Service, one for Primary and one for Secondary. This has created significantly increased capacity and the team have increased the number of cases open to the service and are also delivering specialist training to schools.

The Autism Advisory Support Service has introduced a training programme to support the development of Autism Support Assistants (ASAS) across all of our mainstream school settings. The aim is to develop the role of ASAs, as an additional resource within settings, to further support the inclusion of neurodiverse children and young people.

The first of these courses started in November and is running as an initial pilot for 6 schools. The initial response from staff attending has been extremely positive.

d. KLS outreach and increased capacity.

KLS is currently providing outreach support to Bracknell Forest provision and it is envisaged that this will continue, whether the Free Special School Applications are successful or not. With demand for local special school places exceeding the available capacity at KLS, discussions are underway to explore the feasibility of two solutions.

Firstly, an outreach service to support children and young people stay within their mainstream settings. The outreach offer is expected to involve a small number of staff supporting schools with the most challenging pupils and is expected to be cost neutral to operate. This could be through the impact of resultant cost reductions, a traded service or a combination of both.

Secondly, an initial discussion has taken place about KLS operating a satellite site at another location or supporting other locations.

e. Social, Emotional and Mental Health (SEMH) Hub.

Planning is underway for an SEMH Hub, with the potential to offer an assessment service as well as placements. At this stage, the intention

is to provide around 30 places with capacity to undertake 10 assessments a term, with each assessment lasting 12 weeks with effective transference of knowledge and skill back to mainstream schools to support pupils.

- 6. New budget developments:
  - a. New Special ASD School

The Department for Education have recently closed submissions for new free special schools. Bracknell Forest have submitted a bid in the hope of securing a free special school to support children and young people (CYP's) whose primary need is ASD. The bid outlines the need for a 100-place special school, catering for CYP's from key stage 1 to key stage 5. 4 potential sites have been made available to support the bid. Successful LA's will be informed in early 2023 followed by a formal tendering process.

b. New Special SEMH School

As part of the same submission as detailed above. The borough has submitted a second bid. This is for a 70 place SEMH special free school. The school if successful will provide much needed specialist education for children from key stage 2 to the end of key stage 4. As detailed previously successful LA's will be notified in early 2023, followed by tendering process.

c. Child Development Centre

There has been a significant increase in referrals to the service since September 2021 (circa 50%). Systems have been put in place to support this increase however it is not sufficient to deliver to children, families and early education settings the same support as previously or as regularly, therefore impacting on the rate of progress for some children. Early identification of support needs is essential to enable early intervention and minimise the need for more costly interventions at a later stage. Also, to progress the inclusion agenda and ensure children transition into statutory education successfully there is an identified need for support from the service for children who have EHCPs and additional needs. There is also an increase in ASD diagnoses, with an associated increase in EHCP Assessments for preschool children, which will impact schools in the next five years. Therefore, to mitigate this increase, deliver an improved inclusion agenda and work with families and schools to meet needs in the mainstream sector, additional staffing will be required, currently estimated at 1.7 FTE, with pay grades also needing to be reviewed.

6.10 A number of the outline budget development items set out above will also require a detailed business case to verify forecast outcomes. Some will also require capital funding for which costs have yet to be quantified or funding sources identified.

### Next Steps

6.11 The views of the Schools Forum regarding the final 2023-24 budget proposals from the council will be considered, and where agreed, included in the final budget proposals that will be presented for approval by the Executive Member. The draft timeline for setting the budget is as follows.

- 8 December: first draft costed budget plan for consideration
- 12 January: updated costed budget plan, reflecting on comments received by the Forum in December and other data changes
- 9 March: final HNB budget proposals reflecting current data and comments received from the Forum from 12 January

### 7 Advice received from statutory and other officers

### Borough Solicitor

7.1 The relevant legal provisions are addressed within the main body of the report.

### Executive Director: Resources

7.2 The Executive Director: Resources is satisfied that no significant financial implications arise from this planning report. Whilst a number of developments are planned that are expected to contribute over the medium-term to widening choice and cost reduction, short term increases in spending may occur and it is not clear at this stage whether any resultant savings will be sufficient to move the HNB to a sustainable budget position.

### Equalities Impact Assessment

7.3 The budget proposals ensure funding is targeted towards vulnerable groups and therefore an EIA is not required.

### Strategic Risk Management Issues

7.4 There are strategic risks around pupils with SEND receiving timely and appropriate support for their education, that is financially stable. A failure to develop a plan for a sustainable HNB budget will create a risk of needing to make more drastic changes at a later date as well as impacting on the overall financial position of the council.

### 8 Consultation

### Principal Groups Consulted

8.1 The Schools Forum, including the HNB sub-group and the People Directorate Management Team.

### Method of Consultation

8.2 Meetings and written reports.

### Representations Received

8.3 Incorporated into this report.

Background Papers None.

### Contact for further information

Cheryl Eyre, Assistant Director: Education and Learning <u>cheryl.eyre@bracknell-forest.gov.uk</u>	(01344 351492)
Paul Clark, Business Partner – People Directorate mailto:paul.clark@bracknell-forest.gov.uk	(01344 354054)

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### **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:
  - 1. **Basic entitlement:** £4,660 (2022-23 amount) 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
- 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 of population basis, these elements of the formula will increase by at least 5% in 2023-24 over 2022-23 funding baseline levels. There is then a limit of 7% on the gains for those local authorities gaining the most through the formula.in addition to the core factors set out above, there will be further adjustments to each LAs HNB funding as follows:

The allocations through the HNB NFF are illustrated in Figure 1 below with the impact in BF shown in Figure 2.

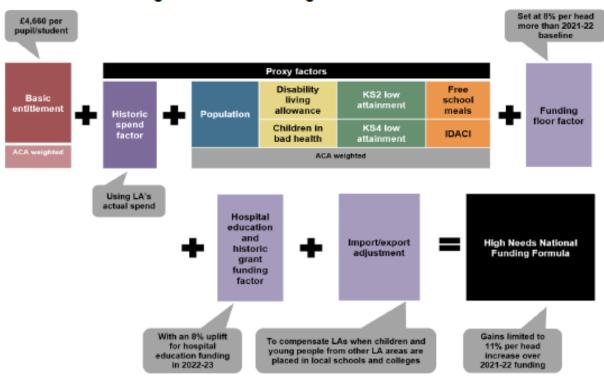
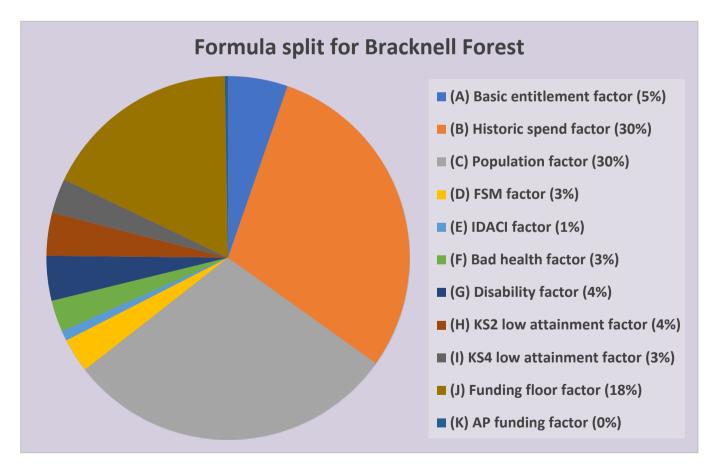


Figure 1: This diagram shows that the factors will be added together to give the formula allocation, with an area cost adjustment applied to the proxy factors and basic entitlement.



### Figure 1: Basic building blocks of the formula

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### Outcomes from the October 2022 Financial Consultation with Schools Executive Director: Resources

### 1 Purpose of Report

1.1 To provide an update to the Schools Forum on the responses from the recent financial consultation from schools which sought views on the approach to setting a minimum increase in per pupil funding from 2022-23 and also whether maintained schools supported on-going de-delegation of budgets and making a financial contribution to statutory education related duties for which the council is responsible for meeting but receives no funding.

### 2 Executive Summary

- 2.1 Responses from the financial consultation showed clear support from maintained schools for continuing to maximise the strategic and cost-effective benefits that can arise from central management through the de-delegation route on permitted services. Furthermore, there is strong support from maintained schools to continue to contribute £20 per pupil towards the cost to the council of meeting education statutory and regulatory duties that the DfE no longer provides LAs with grant funding to meet their responsibilities.
- 2.2 In terms of allocating funds to mainstream schools, there is also strong support from schools to applying minimum per pupil funding increases at the highest permitted rate of +0.5% from 2022-23 amounts, subject to affordability.
- 2.3 The decisions taken on the outcomes from the consultation will assist with the on-going preparation of the 2023-24 budget. As some of the questions only impact on specific groups, DfE permit only Forum members representing these groups to make relevant decisions. The report recommendations are therefore presented to reflect this.

### 3 Recommendations

### Items for all School and Early Years Members (maintained and academy)

- 3.1 To NOTE the outcomes from the financial consultation with schools as summarised in the supporting information and Annex 1.
- 3.2 That the Executive Member for Children, Young People and Learning (CYPL) is asked to AGREE that:
  - 1. all schools should receive the maximum +0.5% increase in per pupil funding from the 2022-23 financial year, subject to affordability.
  - 2. any cost associated with providing all schools with the agreed minimum percentage increase in per pupil funding from 2022-23 should be met by those schools receiving the largest increases in per pupil funding, typically those above the average percentage increase.

### Item for Maintained Primary School representatives only:

3.3 To AGREE the continued de-delegation of budgets for the services requested by the council.

Item for Maintained Secondary School representatives only:

3.4 To AGREE the continued de-delegation of budgets for the services requested by the council.

Items for all Maintained School representatives (includes Special and PRU) only

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

### 4 Reasons for Recommendations

4.1 To ensure the majority view expressed by schools are considered when relevant discretionary parts of the funding framework are set.

### 5 Alternative Options Considered

5.1 These were set out in the consultation document.

### 6 Supporting Information

### Background

- 6.1 At its last meeting on 6 October, as part of initial budget preparations for 2023-24, it was reported to the Forum that the annual financial consultation document had been circulated to schools with responses due back for October half-term.
- 6.2 This is an annual consultation required to meet DfE consultation requirements and sought views on the level and funding required for setting the minimum per pupil funding increase from 2022-23 through the Minimum Funding Guarantee (MFG)<sup>1</sup>, whether maintained schools supported on-going de-delegation of budgets and also whether a financial contribution should continue to be made to the council in respect of the cost of meeting statutory education related duties.
- 6.3 This report sets out the responses received and now seeks approval to recommendations on relevant aspects of the 2023-24 funding framework.

### Outcomes from the financial consultation with schools

6.4 By the October response deadline, replies had been received from 20 out of 39 schools (51% response rate – was 59% last year). A reply was received from 15 primary schools (50%), 4 secondary schools (67%) and Kennel Lane Special School.

<sup>&</sup>lt;sup>1</sup> The MFG compares per pupil funding allocations between years and where the change is below the minimum threshold, a funding top-up is added to meet the minimum per pupil change requirement. The MFG calculation required by the DfE excludes funding for business rates and fixed lump sum allocations. The cost of top-up funding is financed by scaling back increases to schools experiencing the highest proportional funding gains

This represents a good response rate, with 56% of maintained schools and 42% of academy schools responding which gives confidence that decisions on these matters can be taken with the knowledge of the majority view of schools and their categories.

- 6.5 The questions are set out below and responses summarised. Recommendations for change, where relevant, have also been added in boxes. A numerical summary of replies to each question can be found at Annex 1.
- 6.6 In terms of agreeing decisions from this consultation, the Executive Member for CYPL has the statutory duty in respect of agreeing the MFG (questions 1 to 2). For dedelegation, the maintained school members of the Forum decide for their phase (question 3) with any contribution to education related statutory duties being decided by the relevant maintained school members, including special school and pupil referral unit members (question 4).
- 6.7 Five schools made comments, all of which were primary schools. These related to:
  - 1. more financial support to; small schools; those with falling rolls, those with high social needs;
  - 2. changes to the Scheme for Financing Schools, in particular that relating to claw-back of surplus balances calculation;
  - 3. Requesting more information on the potential financial implications from the potential changes;

Annex 2 sets out the detailed responses received.

- 6.8 The following responses are made in respect of to these responses:
  - 1. additional financial support is already provided to 1 FE primary schools, the council recognises the difficulties facing schools with falling rolls and is actively reducing the number of available places, the National Funding Formula is becoming a mandatory basis for allocating funds to schools, with no local for local change, e.g. to recognise social needs.
  - 2. the claw-back of surplus balances calculation is considered to be suitable with adequate flexibilities to consider any specific issues schools may have with their spending. In respect of excluding school generated income, this is considered as part of a school's overall financial performance and decision making and should therefore remain within the calculation. Furthermore, it would be time consuming and extremely difficult to validate income and associated expenditure incurred at a school on these activities.
  - 3. It is difficult to provide an accurate illustration of potential financial implications from any proposed changes as the data used for the 2023-24 budget is noy yet available. Furthermore, other budget decisions are yet to be taken which could also have an impact on final school budgets.

### 6.9 **Question 1: Strategy for allocating funds to schools**

# Do you agree that subject to affordability, that both mainstream and special schools should receive a minimum +0.5% increase in per pupil funding from the 2022-23 financial year? +0.5% is the highest increase permitted by the DfE?

This question relates to the Minimum Funding Guarantee (MFG) which LAs are required to apply and requires funding top-up to schools where the ordinary operation

of the Funding Formula results in a change in per pupil funding that is below a specified percentage. It compares the final budget from one year to the next and adjusts for changes in the number of pupils. For 2023-24, the DfE will permit LAs to set a rate of between 0% and +0.5%. This compares to recent years where a permitted range of between +0.5% and +2.0% had been allowed.

Responses from all 20 schools impacted by this supported this proposal.

The Forum is recommended to agree that all schools receive at least the minimum +0.5 increase in per pupil funding from the 2022-23 financial year, subject to affordability.

### 6.10 **Question 2: Strategy for allocating funds to schools**

Do you agree that we should continue to fund any cost associated with providing all mainstream schools with the agreed minimum percentage increase in per pupil funding from 2022-23 by limiting increases to those mainstream schools receiving the largest increases in per pupil funding, typically those above the average percentage increase?

Where top-up funding is required through the MFG, the main option available to finance the cost relates to scaling increases to schools with increases above the minimum threshold which based on responses to this consultation is expected to be +0.5%. The consultation proposed limiting the scaling of increases to only those schools receiving above the average percentage increase. An alternative approach would be to scale increases to all schools receiving a rise in per pupil funding.

Responses from 18 schools (95%) potentially impacted by this supported this proposal. 1 school disagreed although no specific comment was provided.

The Forum is recommended to agree that any cost associated with providing all schools with the agreed minimum percentage increase in per pupil funding from 2022-23 should be met by those schools receiving the largest increases in per pupil funding, typically those above the average percentage increase.

### 6.11 **Question 3: de-delegated services**

To continue the strategic and cost effective approach in the use of the funds for contingencies (including schools in financial difficulties including those in or in danger of entering an Ofsted category), support to underperforming ethnic groups, CLEAPSS licence fees, staff supply cover costs, premature retirement / dismissal cost, free school meal eligibility checking and Behaviour Support Services, do you agree that the Schools Forum should again agree to de-delegate all relevant funding for continued central management by the LA?

Note this question only impacts on maintained, mainstream schools.

Responses from 13 schools (93%) impacted by this supported this proposal. 1 school disagreed although no specific comment was provided

The Forum is recommended to agree the continued de-delegation of budgets for the services requested by the council.

### 6.12 **Question 4: statutory education related duties**

In respect of making a financial contribution to the education related statutory and regulatory duties required of the council that will no longer be financed through DfE grant, do you agree that maintained schools should continue to make a £20 per pupil / place contribution?

Note this question only impacts on maintained schools, including mainstream special schools and Pupil Referral Units.

From April 2017, the DfE implemented a saving of £600m through the complete withdrawal of the Education Services Grant (ESG) which was the mechanism used to fund LAs for their statutory and regulatory education related duties as prescribed in various Education Acts and other relevant statutes. This resulted in the council losing £1.2m of grant but continuing to have to meet the same requirements. The DfE "recognise that local authorities will need to use other sources of funding to pay for education services once the general funding rate has been removed" and will "allow local authorities to retain some of their schools block funding to cover the statutory duties that they carry out for maintained schools which were previously funded through the ESG." Schools have always previously agreed to a £20 per pupil deduction which would contribute around £0.18m to the £1.2m loss in grant. The deduction, if agreed, is taken after the calculation of final school budgets.

All 15 respondents that this question impacted on agreed that a £20 per pupil contribution should continue.

The Forum are recommended to agree that a £20 per pupil contribution continues to be made by maintained schools towards the cost of delivering 'general' education related statutory and regulatory duties.

### Next steps

6.13 The decisions taken on the outcomes from the consultation will assist with the ongoing preparation of the 2022-23 budget. As some of the questions only impact on specific groups, DfE permit only Forum members representing these groups to make relevant decisions. The report recommendations are therefore presented to reflect this.

### 7 Advice from Statutory and other Officers

### Borough Solicitor

7.1 The relevant legal implications are addressed within the main body of the report.

### **Director of Resources**

7.2 The Director of Resources is satisfied that there are no significant financial implications arising from this budget policy setting report.

### Equalities Impact Assessment

7.3 The need for an EIA will be taken when the final budget proposals are confirmed.

### Strategic Risk Management Issues

7.4 None identified.

Climate Change Impact

7.5 None identified.

Health Impact

7.6 None identified.

### 8 Consultation

Principal Groups Consulted

8.1 People Directorate Management Team, school governors, head teachers, Schools Forum and schools.

Method of Consultation

8.2 Written reports and formal consultation with schools.

**Representations Received** 

8.3 Included in body of this report.

Background Papers None

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(01344 354054)

Doc. Ref

https://bfcouncil.sharepoint.com/sites/fina/bpm/FIBPSCB-FIN9.6/Schools Forum/(113) 171122/Outcomes from October 2022 consultation with schools.docx

### Annex 1

## Summary responses to the October 2022 financial consultation with schools

Q	UESTION		TOTALS					
		PRIMARY	SECONDARY	ALL THROUGH	SPECIAL			
-1	Do you agree that subject to affordability, that both mainstream and special schools should receive a minimum +0.5% increase in per pupil funding from the 2022-23 financial year? +0.5% is the highest increase permitted by the DfE							
	Yes	15	4	0	1	20	100%	
	No	0	0	0	0	0	0%	
()	No reply / not applicable	0	0	0	0	0		
မ မ							<u> </u>	
2	Do you agree that we should continue to fund any cost associated with providing all mainstream schools with the agreed minimum percentage increase in per pupil funding from 2022-23 by limiting increases to those mainstream schools receiving the largest increases in per pupil funding, typically those above the average percentage increase?							
	Yes	15	3	0	0	18	95%	
	No	0	1	0	0	1	5%	
	No reply / not applicable	0	0	0	1	1		

QUESTION		TOTALS						
	PRIMARY	SECONDARY	ALL THROUGH	SPECIAL	_			
<sup>3</sup> To continue the strategic and cost effective approach in the use of the funds for contingencies (including schools in financial difficulties including those in or in danger of entering an Ofsted category), support to underperforming ethnic groups, CLEAPSS licence fees, staff supply cover costs, premature retirement / dismissal cost, free school meal eligibility checking and Behaviour Support Services, do you agree that the Schools Forum should again agree to de-delegate all relevant funding for continued central management by the LA?								
Yes	12	1	0	0	13	93%		
No	1	0	0	0	1	7%		
No reply / not applicable	2	2	0	1	5			
4 In respect of making a financial contribution to the education related statutory and regulatory duties required of the council that will no longer be financed through DfE grant, do you agree that maintained schools should continue to make a £20 per pupil / place contribution?								
Yes	13	1	0	1	15	100%		
No	0	0	0	0	0	0%		
No reply / not applicable	2	2	0	0	4			
Total responses	15 50%	4 67%	0 0%	1 50%	20 51%			
Maximum responses	30	6	1	2	39			

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## School comments rising from the October 2022 financial consultation

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School	Comment
Crowthorne	As always, we have the following costs that put an additional financial strain on us: - As a one form entry school, we have higher 'per head' costs - We have an old building, and so more costly upkeep costs (than newer schools) - We have a lot of trees/natural areas that can potentially have a large yearly cost to keep safe. - Our PP children numbers are small compared to other schools, however, that in itself puts strain on us financially, as extra interventions are more costly on a 'one to one' basis, rather than say a 'three to one' basis - The uncertainty surrounding utility costs is a great concern to us as we already are working to very small/tight margins - The expectation to increase staff salaries but with no additional funding is a strain
Warfield	It would be useful to have a real terms financial model of how this will look to individual schools and the year-on-year impact of increasing numbers of academies have on the budget decisions for remaining mainstream LA schools.
St Jo's	Clawback scheme continues to be a concern to the school as it does not encourage longer term financial planning. When a school is successfully boosting the school delegated budget with income generators and hence creating a surplus despite effectively spending the majority of its annual delegated revenue budget, the clawback scheme encourages expenditure only for short term projects and does not encourage prudent financial planning for longer term development and contingency which is becoming increasingly important. If should also be agreed for removing from the claw back calculation any self-generated funds the school has raised i.e. through lettings etc as this is not a reflection on how teh school is spending its delegated budget on education provision.
Harmanswater	Harmans Water Primary School has a higher-than-average social need, the impact of this has a negative effect on the school budget. More money should be allocated where social need is higher.
St Michael's Sandhurst	As in previous years, we would again urge BFC to continue to support schools and make top up funds available to those whose numbers of roll are falling as a result of the fall in birth rates and too many school places having been created and approved in previous years.

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