

Schools' Forum 10.03.2022:

Notes and views of headteacher representatives

Some background on the recommendations (p30)

The paper recommends that the Forum agrees that the Executive Member sets the budget, amongst other statements. Therefore, we believe that our disagreeing (or 'not agreeing') to the budget may be noted by the Executive Member but not necessarily change the end decision on the budget, which could be approved. However, this will be a public record of our views and would request them to be included in the formal minutes of the meeting.

Overall statement

The headteacher representatives on Schools Forum wish for it to be noted that they are always willing to support the local authority and work with the council to develop strategies, drive forward progress and improve the provision for the pupils of Bracknell Forest. However, headteacher representatives feel that the current situation with high needs block funding and SEND in general requires honest, proactive and frank discussions in order to facilitate change and work together to improve standards.

With this in mind, the headteacher representatives on Schools Forum feel that they cannot agree with the statements set out in section 3 (page 30) of the 2022-2023 Proposals for the High Needs Block Budget. There are some additional views on that, which will be covered in each section, but overall it is felt that the paper lacks:

- sufficient detail on plans to save funds and, therefore, reduce the deficit HNB budget in a meaningful way;
- appropriate and meaningful consultation with headteachers on ways to support the reduction of the HNB budget or a strategy to develop provision; and
- recognition of the recent joint Ofsted/CQC SEND Inspection report for Bracknell Forest Council and its impact on the presented plans.

One key element of building trust and confidence is communication. Headteacher representatives feel that communication has been lacking for a significant period of time and continues currently. For example, headteacher representatives were disappointed that the SEND Inspection report was released on 01 March but was communicated to headteachers over 24 hours later. The headteacher representatives' comments regarding the HNB is also applicable to the SEND Inspection report and its future strategy: it requires true consultation, strategy, clear action and clear accountability.

In general, where confidence is built between parties, less detail in papers such as these is needed as there is a prior history of success which grows trust in those who set the strategic plans and budget. However, with this situation, there have been repeated instances over the previous few years of HNB / SEND strategies and budgets not fulfilling their objectives. Therefore, with no past evidence of success, confidence in the detail behind the plans is lacking and the headteacher representatives feel more explanation and assurance is required, as well as measurable targets and clear accountability from Officers. As an example, Headteachers were briefed regarding new draft targets for SEND Improvement Strategy and, due to a lack of progress, these are now being reviewed again, despite not being live yet. It is vital that Officers who

are permanent members of the council take ownership of and accountability for answering the questions and concerns of the headteacher representatives, and reporting back to Schools' Forum at the next meeting with clear progress updates and quantifiable strategies (linked with clear financial planning). The next Schools' Forum meeting is scheduled for 23 June, and headteacher representatives feel it is appropriate to request an additional meeting before 23 June to question the papers in further detail and seek assurances on the questions and actions raised in the Schools' Forum meeting. However, it should be noted that it is essential that schools are given a clear indication of their funding allocations in order to plan and set their own budgets, and ensure they continue to provide the very best for the pupils in their schools. **ACTION: Headteacher representatives request that officers arrange an additional meeting.**

The headteacher representatives are disappointed with the current situation, but also recognise the hard work of those finance officers producing the HNB budget paper based on the plans provided.

3.1.1 That the Forum AGREES: That the Executive Member: sets the total HNB budget at £28.907m

The headteacher representatives, collectively, do not agree with this statement. Whilst headteacher representatives want a budget as high as possible to support the needs of SEND pupils in Bracknell Forest, it is felt by that approving a budget of £28.907m without a clear strategy is not appropriate or financially prudent. However, it recognises the need for schools who require funding from the HNB (to receive their funding forecasts and, in the new financial year, funding allocations). **ACTION: Therefore, the headteacher representatives are seeking clarification on what can be done to avoid any issue with providing the best support for the pupils in Bracknell Forest schools.** An option that headteacher representatives would like to propose is that funding for schools is agreed so that pupils will receive the funding they require, but that the remaining new plans (outlined in 7a-e, p36-38) are scrutinised before they can be agreed.

There is a recognition in 2.2, 2.3 and 2.4 that the funding is not sustainable and that annual deficits of between £6.140m and £7.408m (leading to a forecast of £36.371m total deficit in 2025), but 2.6 implies an 'invest now to save later' model. However, a strategy which takes a current deficit of approximately £15.759m, rising to £36.371m, does not appear to contain enough ambitious and robust cost savings or a detailed strategy for Schools' Forum members to appropriately scrutinise.

Section 5.1 states that "a range of options have been considered with the HNB sub-group as the recovery plan is further developed", but the sub-group noted in a recent meeting that this does not feel accurate, and that a range of options have not been considered in full. There have been questions raised regarding the purpose and effectiveness of the group, largely due to lack of engagement of officers in attending, owning actions and proving accountability for its progress.

3.1.2 That the Forum AGREES: That the Executive Member: releases £0.210m of funds from the SEND Units Reserve to finance ongoing diseconomy costs at the new Special Resource Provisions

Headteacher representatives are unclear on this point. **ACTION: Therefore, the headteacher representatives are seeking clarification on the following:**

- a. **What is the SEND Units Reserve?**
- b. **How much is in the SEND Units Reserve that could be released?**
- c. **The statement to agree refers to “new SRPs”. Is ‘new’ referring to the recently-established SRPs that are already in operation, or is this in reference to SRPs that are planned as part of this paper’s strategy?**

This point notes that the funding is required for release in order to finance “ongoing diseconomy costs at the new Special Resource Provisions”, but these SRPs are being noted in 7a as contributing to cost reductions, despite being given a release of £0.210m from the SEND Units Reserve.

3.1.3 That the Forum AGREES: That the Executive Member: confirms the changes set out in the supporting information (Table 1 and Annex 2) and relevant budgets are therefore updated to those summarised in Annex 3.

There are a number of points within this section, but headteacher representatives do not agree that the changes set out are appropriate for the strategy of reducing the HNB deficit:

7a: Increased use of SRPs

It is agreed that SRPs are necessary within the local authority, but that it is essential that there are secondary SRPs as well. Secondary headteachers note that verbal expressions of interest have been put together with regard to potential offers of SRP hosting, but it is not clear where the forecasted figures have come from. **ACTION: Officers to confirm:**

- a. **Where the “2023-2024 forecast [of] 19 placements in SRPs (10 primary, 9 secondary)... and for 2024-2025 a further 14 placements in SRPs (5 primary, 9 secondary)” have been drawn from in forecasting.**
- b. **Where has the funding saving come from, if the numbers needed have not been verified?**

7b: Increased placements at KLS

This is not necessarily about increasing overall placements at Kennel Lane School, it is about reducing the number of pupils from outside of Bracknell Forest occupying places at Kennel Lane School. On speaking with headteacher representatives, it is felt that Bracknell Forest’s admissions and EYFS teams must work more rapidly to get needs identified and placements sought ahead of neighbouring local authorities, as Kennel Lane School cannot legally hold places in anticipation of Bracknell Forest pupils arriving to fill those spaces. **ACTION: Is there a cost involved in increasing the early identification and application process for Kennel Lane School places?** Currently, it is felt that there is not enough capacity to achieve a more rapid assessment and allocation of places for local pupils. It is also noted that the saving from this equates, over two financial years, to £0.168m, which is significantly lower than the current £9.322m spend on funding allocation to Non-maintained special schools and colleges. This is also budgeted to increase to £11.250m, so an increase of £1.928m spend in this area compared to £0.168m saving is not comparable or

financially viable. However, headteacher representatives do recognise that this process must be a 'bottom up' approach, and that savings may come in future years from the early and rapid identification of needs and allocation of local places. However, this was raised at least 7 or 8 years ago and has not been addressed; if it had been, the process would have been further along the roadmap and supporting a reduction in the deficit budget.

7c: Deliver training and support on inclusion to mainstream schools

Headteacher representatives do not believe this is an appropriate use of funds, and do not feel that this is based on research or strategy. The implication is that, by employing three specialists to train schools and governors, EHCP numbers will be reduced as schools will be able to better identify, support and include pupils in mainstream. The headteacher representatives disagree with this concept and its potential savings for a number of reasons:

- a. This concept of training for schools has not been consulted on or based on any research or data, from what can be seen in the paper.
- b. The number of forecasted reduced EHCPs does not appear to be based on any research or data, from what can be seen in the paper. This is certainly not a guarantee, and could lead to a greater deficit budget than estimated. The savings are also projected to equate to approximately £1.700m, which is a relatively low saving when compared to the 2025 deficit of £36.371m. Finally on reducing EHCPs, section 6.8 of the paper says EHCP numbers are rising, which does not appear to be taken into account in the cost-saving data within 7c.
- c. Increasing the "ability to meet the need of pupils for retention in mainstream schools" is likely to incur costs to support pupils (e.g. additional adjustments to the school environment) which have not been factored in. Despite these costs potentially coming from a separate budget, it does not provide a clear, open and fair picture of the costs or savings.
- d. There is an implication that schools are unable to adequately identify and support pupils with SEND, or may seek an EHCP when one is not needed, which does not appear to have any research attached to it. Headteacher representatives disagree with this implication.
- e. The number of EHCPs in Bracknell Forest is above the national number, but a study conducted a few years ago suggested that the higher number of pupils with autism or an ASD diagnosis may be linked to the higher than average concentration of 'blue chip' companies in the area and the type of person who may work for these companies. This has not been taken into account. The higher number of EHCPs could also be due to previously noted inconsistencies in decision making and approval of EHCPs within the SEND team.
- f. It appears that three full time posts have been created at ~£0.060m each for specialists. What are these specialisms? These are fixed term contracts again (until August 2024) – is this the best use of financial resources? This equates to £0.540m (2022-2025).

7d: KLS outreach and increased capacity

It is noted by headteacher representatives that increasing capacity at Kennel Lane School is of benefit, including the satellite school. However, the data on costs for refurbishing Kennel Lane School, creating a satellite school and staffing this are not clear when compared to the projected savings of £0.500m to £0.750m. There is a

possibility that the costs of operating the satellite school and setting up could be significantly above £0.750m. **ACTION: headteacher representatives seek clarification on financial plans and exact forecasts for savings.** The headteacher representatives recognise that some of these costs may come from another cost centre (such as the buildings or capital budget), but there is a risk of this providing an unclear picture of what the actual associated costs are.

7e: SEMH Hub

Headteacher representatives all agreed that this was a necessary and useful project to pursue. However, the representatives noted that it lacked a clear plan and appeared to have a net zero cost. **ACTION: headteacher representatives seek clarification on how this can have a net zero cost.**

3.2.1 That the Forum AGREES: That there are appropriate arrangements in place for: The education of pupils with SEN (paragraph 6.23), and

In a previous years' Schools' Forum meetings (since 2017), the representatives disagreed with this statement and requested that it was amended. **ACTION: Headteacher representatives disagree with this statement, and wish for an amendment to be made.** Headteacher representatives disagree that the education of pupils with SEN is appropriate with regard to Bracknell Forest Council's provision and support of SEND, but agrees that the education of pupils with SEN is appropriate with regard to schools' individual provisions for support of their pupils with SEND.

Headteacher representatives do not feel this statement can be agreed, as the joint CQC/Ofsted report on SEND in Bracknell Forest stated, amongst other comments, that:

- a Written Statement of Action (WSOA) is required.
- "There is a lack of appropriate educational provision within the borough for a significant proportion of children and young people with SEND."
- "...leaders in Bracknell Forest have made insufficient progress in implementing the 2014 reforms."
- "...while these plans demonstrate a sense of urgency, there is no clear strategy for how change will be brought about."
- "Co-production... is not effective."

With a WSOA requested, the headteacher representatives wish to read the response and strategy before being able to agree this statement. Headteacher representatives fail to see how this statement can be agreed when the Joint Inspection of SEND states that "there is a lack of appropriate educational provision within the borough for a significant proportion of children and young people with SEND."

3.2.2 That the Forum AGREES: That there are appropriate arrangements in place for: The use of pupil referral units and the education of children otherwise than at school (paragraph 6.23).

Headteacher representatives disagree with this statement. Whilst it is recognised that Pupil Referral Units in Bracknell Forest are providing appropriate provision for the

pupils they are supporting, the local authority's capacity to support a wider range of needs is not appropriate and requires development. This has been identified within the HNB budget report and in the general discussion regarding provision for pupils in Bracknell Forest and at previous meetings of the Schools' Forum.

General comments and detail on the budget

Over 5 years, income is forecasted to increase from £17.319m to £23.352m (+£6.033m). With all the interventions, the projected in-year spends for HNB over 5 years decreases from £7.715m to £6.140m (£1.575m). So, regardless of the interventions and plans to reduce costs, the savings (£3.439m from 2022-2025) are less than the new pressures (£6.115m from 2022-2025), which are also higher than the forecasted income to account for those pressures. This suggests that the plan is not bold enough or ambitious enough to affect the budget deficit long term.

Table 1: HNB Budget: Medium term financial forecast

Item	2020-21 £m	2021-22 £m	2022-23 £m	2023-24 £m	2024-25 £m
Forecast income:					
HNB DSG income - gross	18.549	20.328	22.741	23.878	24.594
<i>Annual change</i>	1.658 9.8%	1.779 9.6%	2.413 11.9%	1.137 5.0%	0.716 3.0%
Adjustments:					
Net impact of places in other LAs / NMSS	-1.158	-0.894	-0.894	-0.894	-0.894
BF academy places deduction	-0.072	-0.256	-0.348	-0.348	-0.348
Net retained funding	17.319	19.178	21.499	22.636	23.352
<i>Annual change</i>	1.781 11.5%	1.859 10.7%	2.321 12.1%	1.137 5.3%	0.716 3.2%
Forecast spend - no interventions:					
Actual spend	22.143				
Forecast spend / rolling commitments		26.893	26.816	28.907	29.700
New pressure - additional placements			1.288	1.015	0.688
New pressure - specific items			0.123	0.100	0.100
New pressure - inflation			1.195	1.012	0.594
<i>Annual change</i>		4.750 21.5%	2.529 9.4%	1.611 5.6%	0.048 0.2%
Planned interventions:					
Increased use of SRPs			-0.124	-0.400	-0.658
Increased placements at KLS			0.000	-0.063	-0.105
Inclusion at mainstream schools			-0.391	-0.871	-0.827
Satellite special school with outreach			0.000	0.000	0.000
SEMH Hub			0.000	0.000	0.000
Forecast impact of interventions			-0.515	-1.334	-1.590
Cumulative savings			-0.515	-1.849	-3.439
Net spend after planned interventions		26.893	28.907	29.700	29.492
Start-up / diseconomy costs at new SRPs		0.177	0.210	0.072	0.000
Draw down from SRP reserve		-0.177	-0.210	-0.072	0.000
Anticipated funding gap after interventions:					

HNB under (-) / over (+) spend for the year	4.824	7.715	7.408	7.064	6.140
HNB surplus (-) / deficit (+) opening balance	3.220	8.044	15.759	23.167	30.231
HNB surplus (-) / deficit (+) closing balance	8.044	15.759	23.167	30.231	36.371
Deficit as a % of gross annual income		78%	102%	127%	148%
Memo item: DSG balance (Schools Budget)					
DSG Adjustment account balance	2.626	10.373	18.241	25.627	31.767
Less Earmarked Reserves	-1.878	-1.701	-1.241	-0.919	-0.919
DSG Deficit - Unallocated	4.504	12.074	19.482	26.546	32.686

The below information is from previous Schools' Forum meetings, and highlights the comments that have been made over the years, and concerns raised by Schools' Forum.

From Schools' Forum 11 March 2021:

RESOLVED

1. to AGREE that the Executive Member:
 - i. sets the total initial Dedicated Schools Grant funded HNB budget at £18.998m;
 - ii. releases £0.143m of funds from the SEND Units Reserve to finance estimated start-up costs at the proposed Special Resource Provisions in BF schools; and
 - iii. confirms the changes set out in the supporting information (Table 1 and Annex 5 of the report) and relevant budgets are therefore updated to those summarised in Annex 6 of the report; and
2. to NOTE:
 - i. that work needed to continue to ensure appropriate provision for children and young people with Special Educational Needs and those in need of Alternative Provision through the programme of the HNB sub-group;
 - ii. the further deterioration in the forecast financial position of the HNB Budget at Table 1 of the report, with a:
 - a. £5.698m deficit forecast for financial year 2021-22;
 - b. £11.217m cumulative deficit forecast for 31 March 2022; and
 - c. £17.216m cumulative deficit forecast for 31 March 2023; and
 - iii. the key aspects of the DfE consultation on the review of the 2022-23 HNB NFF including:
 - a. the importance of the Funding Floor factor to protect against a potential £0.738m funding reduction; and
 - b. the potential for significant changes in funding allocations to LAs from 2023-24 for which the financial implications cannot be estimated at this stage.

From Schools' Forum 16 January 2020:

RESOLVED, after considering the HNB budget proposals from the council to AGREE that:

1. the Executive Member:
 - i. sets the total initial Dedicated Schools Grant funded budget at £17.008m; it incorporates the changes set out in the supporting information and relevant budgets are therefore updated to those summarised in Annex 4 of the report;
 - ii. notes the £1.777 budget gap that will need to be managed through a further change programme with the HNB sub-group; and
 - iii. approves a Minimum Funding Guarantee for Kennel Lane Special school of plus 1.84%, the same amount as for mainstream schools (paragraph 6.10); and
2. there are appropriate financial arrangements in place for:
 - i. 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; and
 - ii. 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.

Forum noted that work needed to continue to ensure appropriate educational provision for students with special educational needs through the work of the HNB sub-group.

From Schools' Forum 14 March 2019:

The Forum was advised that historically there had been lots of spot-purchasing and there was not a strategic budget. It was acknowledged that there was a need for tighter future-needs forecasting underpinned by a greater understanding of the needs of children being born in Bracknell Forest. The Forum had previously considered in the meeting of the Forum held on 17 January 2019 setting up a Sub-Group of the Forum to work on a more strategic approach in closer partnership with the Council. It was recognised that the Council and schools were now working together more effectively and this was expected to be strengthened further by the Sub-Group.

Whilst the chairman, Martin Gocke, was unable to attend the meeting, he had read through the papers and the Forum noted his comments as follows:

- Martin expressed concern that the Schools Forum has historically not had enough information re HNB spending until the point at which decisions needed to be made.
- Martin was keen that the Forum be made more aware of how the various plans intended to make savings and better use of this resource, with outcomes properly reported back to the Forum.
- Regarding the proposal to establish a Sub Committee, Martin expressed the following reservations:
 - a. Paragraphs 6.9, 6.10 and 6.11 in the main report set out clearly the work that needed to be done and Martin's view was that a working group comprising Head Teachers, possibly SENCOs, Heads of other resource provision including Pupil Referral Services and KLS, and BFC officers was needed to progress that work as opposed to just having members of the Schools Forum.
 - b. Martin did not feel that he could commit to an additional six meetings per year as proposed.
- Martin agreed that there needed to be a link between any proposed group and the Schools Forum but felt that it should lie within the wider arrangements of the LA rather than the narrower confines of the Schools Forum.

RESOLVED, following consideration by the Forum of the HNB budget proposals from the Council, to AGREE that the Executive Member:

1. sets the total initial Dedicated Schools Grant funded budget at £15.409m, it incorporates the changes set out in the supporting information and amended Annex 3, and relevant budgets are therefore updated to those summarised in amended Annex 4;
2. NOTES the £0.111m budget gap that will need to be managed in-year through the change programme; and
3. APPROVES a Minimum Funding Guarantee for Kennel Lane Special School of plus 0.5%, the same amount as for mainstream schools (paragraph 6.13).

The Forum did NOT AGREE that there are appropriate arrangements in place for:

1. the education of pupils with SEN (paragraph 6.15); and
2. the use of pupil referral units and the education of children otherwise than at school (paragraph 6.15).

RESOLVED, to DEFER until the first meeting of the Sub-Group the proposal to agree the terms of reference for the Schools Forum HNB Sub-Committee, as set out in Annex 6.

The Forum noted that, whilst they could not agree that there were "appropriate arrangements", there had been some recent positive steps taken to improve this; in particular there had been significant investment in Kennel Lane School which would help to avoid expensive out-of-area placements. It was felt that the Council was moving in the right direction.

The table below shows the budget requested to be agreed by Schools' Forum members (underlined) and, where information was given, the **in-year deficit / forecast in-year deficit** and the **cumulative deficit / forecast cumulative deficit**. Since 2018, the budget has increased by +£14.294m, used up the 2019-2020 DSG reserve of £2.499m and continued to run a deficit.

SF	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
2018 (18-19 budget)	<u>£14.613m</u>						
2019 (19-20 budget)		<u>£15.409m</u>					
2020 (20-21 budget)		-£0.100m	<u>£17.008m</u> -£1.777m -£1.777m	-£1.402m -£3.178m	-£1.582m -£4.761m		
2021 (21-22 budget)		-£0.141m	-£5.378m -£5.519m	<u>£18.998m</u> -£5.698m -£11.217m	-£5.999m -£17.216m		

2022 (22-23 budget)		-£3.220m	-£4.824m -£8.044m	-£7.715m -£15.759	<u>£28.907m</u> -£7.408 -£23.167	-£7.064 -£30.231	-£6.140 -£36.371
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It also indicates that each Schools' Forum report provides a future picture which, as the years progress, becomes a larger deficit than forecast. The figures and forecasts for deficit appear to change as the years progress (which is understandable to a degree as the budget's future:present gap is reduced), but still is always a significantly larger deficit than expected. This might indicate a lack of accuracy in planning, spending and monitoring of these budgets.

E.g. In 2020, Schools' Forum were told the 2020-2021 deficit would be -£1.777m, then -£3.178m in 2021-2022 and -£4.761m in 2022-2023. However, when we get to 2021, Schools' Forum were told the actual 2020-2021 deficit was -£5.519 (a deficit of £3.742m more than predicted), and the 2021-2022 was now -£11.217m instead of -£3.178m (a deficit of £8.039m more than predicted).