

Slough Borough Council

Report To:	Cabinet
Date:	21 st July 2025
Subject:	Quarterly SEND Update Report - SEND Sufficiency Strategy
Lead Member:	Cllr Puja Bedi – Children’s Services and Lifelong Learning
Chief Officer:	Sue Butcher – Director of Children’s Services
Contact Officer:	Neil Hoskinson – Assistant Director of Education and Inclusion
Ward(s):	All
Key Decision:	YES
Exempt:	NO
Decision Subject To Call In:	YES
Appendices:	A- Slough’s SEND Sufficiency Strategy B- Written Statement of Action Progress Review Letter

1 Summary and Recommendations:

- 1.1 This report contains the key recommendations for Slough’s Special Educational Needs and Disabilities (SEND) Sufficiency Strategy. This also sets the priorities for future SEND capital spending. The full SEND Sufficiency Strategy is included in the appendices.

It also contains the key DfE and the NHSE (NHS England) feedback from the Written Statement of Action [WSoA] Progress Review that took place on 22nd April 2025 on the actions taken to address the priorities identified by Ofsted and the CQC in their inspection report from 2021.

Finally, the report sets out the parameters of the new SEND Intervention Support Fund that Slough has, on 3 July 2025, submitted a bid for.

1.2 The new SEND Sufficiency Strategy relates to Slough’s key objective to “ensure that we provide enough school places for every child.” The Council has statutory duties relating to sufficiency of place funding for early years and for school places for those for whom it maintains an EHCP and those who do not have an EHCP. Those duties are summarised in the legal implications section below. y, the level of confidence that parents have in non-specialist provision.

- 1.3 The SEND Sufficiency Strategy is important to the High Needs Block recovery plan and the conditions within SBC's Safety Valve Agreement. Two of the main conditions relate to the level of top up funding in education settings and the number of children and young people placed in both independent and non-maintained special schools. The strategy aims to reduce the demand for EHC plans and ensure that there are sufficient special school places in maintained special schools located in Slough.

Recommendations:

The Cabinet is recommended to:

- (a) Approve the SEND Sufficiency Strategy in the appendices.
- (b) Note the progress made under the Written Statement of Action and the bid to the SEND Intervention Support Fund to further support with transforming the service.

Reason:

- 1.4 The purpose of this report is to provide assurance to Cabinet that progress is being made against the DfE endorsed SEND Improvement Plan. It has been agreed that formal updates will continue to be provided on a quarterly basis for the municipal year 2024/2025. This is to evidence that practice is improving and a result there is a positive increase in the impact on vulnerable children, young people, and their families, as required by the DfE and MHCLG due to the high profile and seriousness of the need for improvement in SEND services. In addition, the SEND service has been subject to a Statutory Direction since August 2023.
- 1.5 The increase in demand for EHC plans is putting pressure on the availability of places for children and young people with SEND in the local area. The new SEND Sufficiency Strategy sets out how Slough is going to meet its statutory duties for SEND sufficiency, place planning and capital projects for the next 5 years despite this rising demand.

Commissioner Review

DLUCH Commissioner Review

This report is outside the scope for pre-publication commissioner review; please check the [Commissioners' instruction 5 to CLT to sign off papers](#) for further details.

2. Background:

- 2.1 In Autumn 2021 Special Educational Needs and Disability (SEND) services in Slough were inspected by Ofsted and the Care Quality Commission (CQC). As a result of weaknesses identified in the local area, it was determined that a Written Statement of Action (WSOA) was required to address these deficits. As part of the oversight of the SEND improvement journey, the DfE hold quarterly monitoring visits.

On 4th August 2023, following the WSoA monitoring visit in February, the Secretary of State for Education issued a Statutory Direction to the Council in relation to its SEND

services. This was due to a lack of progress made to address the seven areas of weakness identified in the SEND inspection. As a result, the remit of the Children's Services Commissioner, Paul Moffatt, was extended to include SEND functions.

In 2023, due to the forecast deficit of £27.6M at the end of the 2022-23 financial year, the Council entered a Dedicated Schools Grant Safety Valve Agreement with the Department for Education [DFE]. SBC undertook to reach a positive in-year balance on its Dedicated Schools Grant (DSG) account by the end of 2025-26 and in each subsequent year. As part of the agreement, the DFE agreed to pay the Council an additional £10.8 million of DSG before the end of the financial year 2022-23. Because the agreed milestones were achieved, a further £4.41m was paid for 2023/24 (this included an additional payment of £1.17m that the DfE wanted to bring forward from the planned payment for 2024/25). In February 2024 the DfE confirmed that the £2.07m outstanding for 2024/25 would be paid in three instalments in 2025. For the remaining two financial years of the agreement, further instalments will be provided totalling £9.72m million subject to the Council continuing to make satisfactory progress as evidenced in quarterly monitoring reports.

Options Considered

2.2 Option 1 – Recommended

Adopt the SEND Sufficiency Strategy to ensure the service and wider partnership delivers on its statutory obligations and strategic priorities.

Option 2 – Not Recommended

Continue with the current strategy. This is not recommended as the Council should keep all its strategies under review and should ensure the current political and officer leadership are held to account for delivery of an up-to-date strategy.

3 Supporting Information:

3.1 The SEND Sufficiency Strategy (attached) sets out the data in detail as regards the amount of children and young people for whom it maintains EHCPs, the types of needs and the settings they attend.

3.2 According to the National Audit Report published in October 2024, 576,000 children and young people had an EHC plan in 2024 which is an increase of 140% since 2015. There has also been a 14% increase in the number of those identified with SEN support, accounting for 1.14 million pupils. The areas of need with the greatest increase were autistic spectrum disorders; speech, language and communication needs; and social, emotional and mental health needs.

EHC plans in Slough have increased by 51% between 2019 and 2025. This rate of increase is higher than the South East regional average (38%) but below the national average figure of 57%. As of April 2025, there were 2,192 children and young people with an EHC plan resident in the Borough, of which 768 (35%) attend some form of specialist provision. Of these, 381 children and young people attend settings that are out of the Borough (50% of specialist cohort or 17% of the full EHC plan cohort). Autistic Spectrum Disorder and Speech, Language and Communication Difficulties account for 64% of all children with an EHC plan in Slough, compared to 45% nationally.

- 3.3 There are currently eight types of specialist provision available in Slough detailed within the SEND Sufficiency Strategy

Slough Special School provision

- 3.4 Slough maintains three special schools, details of which are outlined in the SEND Sufficiency Strategy.

Slough also commissions special school provision from out of Borough maintained schools and settings and also from independent and non-maintained special schools. Overall, 381 children are in receipt of out of area special school provision.

Integrated Resource Allocation Panel (IRAP)

- 3.5 The partnership with health and social care is committed to inclusion and meeting needs as locally as is possible for our children and young people. However, in a small number of cases, where we have insufficient capacity for alternative provision or the child / young person's needs exceed what we are able to provide for, an independent provider will be sought, which may result in being away from the locality and home, and additional cost.

We are currently reviewing previous decisions that involved health and social care needs to ensure that appropriate funding is received from both.

The current arrangement with health for joint funding is facilitated by The Integrated Resource Allocation Panel (IRAP). Historically this has been a health decision panel for contributing to the costs of meeting needs. This is currently being reviewed and the new SEND Sufficiency Strategy will be important in defining how SEND costs are met by the different services in the future. The strategy will seek to review the IRAP approach to ensure:

- Shared decision making;
- Looking for local solutions, supported by redirection of resources;
- Utilising local services to support our local Alternative provision;
- Information and learning for joint commissioning of services and local alternative provision.

Capital investment

- 3.6 Local authorities are expected to make use of the High Needs capital investment to improve the suitability and sufficiency of high needs provision in their areas. Details of the strategy for utilising capital allocation are outlined within the SEND Strategy Report.

Key Factors in Our SEND Sufficiency Strategy

3.7 There are a number of factors which have been considered to agree the priorities of the sufficiency and capital programme planning process. These relate to:

- Demographics
- Needs Analysis
- Current Provision
- Cost of Provision
- Predicted Need
- Options Appraisal

Four Key Priorities

3.8 The SEND Sufficiency Strategy has the following priorities:

- (i) To support schools in developing local provision by strengthening an early help offer of SEND health and education local teams around mainstream schools
- (ii) Reviewing and developing responsive, flexible and effective local specialist provision as part of an annual cycle.
- (iii) Ensuring the governance arrangements for specialist resources are effectively managing demand and need and are responsive to assessing and reviewing need
- (iv) Developing a Three-Tiered model for Alternative Provision and specialist support for children with Social Emotional and Mental Health difficulties, including children and young people who experience difficulties attending school.

Written Statement of Action (WSOA) Progress Review

3.9 On 22 April 2025 Slough hosted officials from the Department for Education (DfE) SEND and NHS England to review the progress the Local Area had made against the WSoA targets. Following the meeting, a feedback letter (included in Appendix B) summarised the evidence of improvement and the areas for ongoing development identified during the stocktake.

The feedback found that there was evidence of clear and sustained progress in a number of areas and ten more WSoA actions were signed off as complete. Strengths identified included:

- SEND has a high profile at a corporate level with clear evidence of members' interest and overview (although the level of challenge provided could be better captured in the evidence bank).
- The SEND and Inclusion Strategy has been signed off by Members and an implementation plan is being devised;
- The local area's new highlight reports were seen as a valuable addition to the approach, providing key updates on the work being undertaken to address the seven areas of weakness identified in the last SEND area inspection;

- The highlight reports were supported by an improved evidence bank that captures the work undertaken against the WSoA and in preparation for a local area SEND inspection;
- The new risk management system was seen as a strength, aligning to the SBC corporate risk register for SEND and social care. The next stage will be to include delivery risks around health;
- The governance structure now includes the relationship between the Boards that are operating across the partnership, SEND Commissioner arrangements and task and finish groups;
- Engagement activities such as training, workshops and the SEND Conference were praised by school representatives, as were the SENDCo networks and SENDCo huddles.

3.10 The feedback letter also included areas where there is further progress to be made, particularly in ensuring actions are embedded and the impact of actions is evidenced. These included:

- Continuing to review the Workforce Strategy to ensure there is an active plan in place to maintain and support the SEND team and move towards a permanent SEND team;
- Communication regarding the SEF could be better aligned with more clarity on the next actions and how it will be used as part of the operational analysis, service planning and how it aligns to governance.

3.11 Most WSoA actions are now complete and it will be important to continue to assess the implementation and impact of these projects, programmes, and initiatives as they become business as usual. The main focus will remain on those actions that are not finished (or where further evidence of impact is still required), to review and update the accompanying timelines to reflect predicted deliverability.

Another key initiative will be the implementation plan for the SEND and Inclusion Strategy including a participation / coproduction / communication plan. It is obviously vital that educational settings, children, young people, and families are well informed about the strategy

3.12 The local area is very grateful for the support and challenge provided by our SEND Advisor Liz Flaherty and NHS England Advisor Adeline Gibbs, along with our DfE Case/Regional Lead Katie Moore during the progress meeting and routinely in between our deep dive sessions.

SEND Intervention Support Fund

3.13 Because Slough Borough Council is subject to a Statutory Direction and it is able to make a bid to the newly created SEND Intervention Support Fund (ISF). Slough can apply for a grant of up to £400k for this financial year to increase LA capacity to drive sustainable and efficient improvement at pace against areas of priority action and areas of weakness identified in your local area inspection report. If the bid is successful, funding will be paid via Section 14 grant, meaning payments will be made in arrears on a quarterly basis.

The Grant conditions are fairly rigorous; the funding cannot be used to fund statutory functions and needs to be linked to the areas of weakness identified in the Written Statement of Action (WSOA). Funding will only be provided where local authorities do not have the capacity or funding to drive the necessary improvements without it, and where there is clear evidence of escalating intervention/risk.

The next key stage of Slough's SEND improvement journey is the implementation of the new SEND and Inclusion strategy so this is the area that has been chosen to use the funding. This is appropriate for a number of reasons:

- It is the next high profile and high impact programme of work on our SEND transformation journey;
- The strategy was co-produced with children, young people, families, education settings and other partners including health, social care and the voluntary sector, ensuring local area buy-in to this work;
- The actions within the implementation plan link to a number of actions within the WSoA;
- The importance of identifying SEND needs as early as possible and providing support in mainstream classrooms is central to the sufficiency plan outlined above and the conditions within Slough's Safety Valve Agreement.

3.14 The core statutory functions are provided by specialist teachers and Slough is exploring the option to increase the specialist teacher team in order to provide support and assessment for early identification of SEND needs and providing the right support in a mainstream settings to reduce the need for an EHC plan and moving to a special school setting. This specialist teacher team expansion would be funded by the High Needs Block as an Invest to Save approach. This would therefore not be appropriate for the grant bid because it is business as usual / statutory provision.

However, over the Autumn 25 and Spring 26 academic terms there are a number of activities that would improve the effectiveness of this approach:

- An Area Educational Psychology team would provide clinical expertise to support the specialist team. This would include training and other CPD for SENDCos and whole staff teams.
- Schools report that managing the behaviour of pupils with SEND is often the main factor in whether they need to move to a special school setting. Therefore, some of the funding is to be used for a programme of Relational Practice training and a Behaviour Conference, culminating in a best practice behaviour policy for Slough.
- A Parent and Family Engagement Officer would provide direct co-production and participation around the implementation of the SEND and Inclusion Strategy.
- One factor identified in the inconsistency around levels of inclusion support was the knowledge and expertise of the SENDCo so a programme of support and establishing a triad approach with our most inclusive SENDCos released to provide mentor / role modelling support.

- 3.15 Discussions have taken place with the SEND Advisor, DfE case lead and SEND Commissioner to agree priorities and draft the submission. The application will also be discussed at the June SEND Improvement Board and at CLT meetings chaired by the Chief Executive.

The Grant Application Business Case was required to be submitted by 4 July and was submitted on 3 July 2025. Therefore, the bid was submitted before the July Cabinet meeting and so it is recommended that there is discussion of the draft application with the Elected Member for Children's Services and at the Leaders and Directors' meeting.

4. Consultation and other considerations

4.1 Consultation

- 4.1 In drafting the SEND Sufficiency Strategy there has been extensive consultation with all education settings across the local area. A working party of school leaders was formed in Autumn 2024 to consider the current provision and the level of need in Slough. This consultation focused on the lived experiences of children and young people. There have been individual meetings with headteachers in all our Slough special schools and mainstream specialist resource provision as well as our main Post 16 provider. An initial presentation on the key elements of the strategy were shared with Children's Services SLT, the Slough Education Partnership Board, Slough Primary Headteachers Association, Slough Association of Secondary Headteachers, Schools Forum, the Slough SEND Improvement Board and the SEND Operations Board. The last two groups include parents and partner members. The final strategy has been informed by the feedback received during these consultation sessions.

4.2 Financial Implications

In 2023, due to the forecast deficit of £27.6m at the end of the 2022-23 financial year, the Council entered a Dedicated Schools Grant Safety Valve Agreement with the Department for Education [DfE]. Slough Borough Council undertook to reach a positive in-year balance on its Dedicated Schools Grant (DSG) account by the end of 2025-26 and in each subsequent year and to have no DSG deficit by the end of 2026-27..

As part of the agreement, the DfE agreed to a schedule of payments over 5 years, totaling £27.0m: £17.28m had been received by the end of 2024-25, with £9.72m expected over the following two years, subject to the Council continuing to make satisfactory progress as evidenced in quarterly monitoring reports.

The report to DfE on the Safety Valve in April 2025, however, indicated that, even with a further £9.72m of additional DSG receipts, the cumulative deficit on the Slough DSG was forecast to be £32.5m by March 2027. The details of this have been set out in recent reports to Schools Forum, in May and June 2025.

The reason for the £32.5m forecast is that the underlying financial position, until towards the end of 2024/25 (although flagged as a risk) had been understated because of a backlog of EHCP assessments. At one point that backlog had included more than 200 cases, whose processing time had exceeded the 20-week limit. A reduction in the backlog resulted in higher numbers of High Needs cases. Moreover, the rate of new EHCPs (c360 each year, excluding backlog) significantly exceeded

the rate of ceased EHCPs (c100 each year). In addition, the scale of the upward trajectory would result in more out-of-borough placements because in-borough specialist provision would be at capacity.

The recommendation to adopt the proposed SEND sufficiency strategy is a key element in Slough's approach to managing the High Needs budget, anticipating local demand and ensuring that local provision exists to meet it.

While there has been better alignment of high needs activity and their financial impact, there is still work to do on this. For instance, there remain discrepancies between the SEND database (ie that used to produce the SEND2 information that is included in the strategy) and the current financial commitments. This points to either the SEND database (and SEND2) overstating the numbers of cases or the financial commitments (that currently point to a £32.5m cumulative deficit by 2026/27) being understated. Or a combination of both. Either way, on-going alignment of financial and service data is crucial in ensuring that an accurate picture of current provision is known.

4.3 Procurement

None identified.

4.4 Legal implications

Local authorities have duties to ensure sufficient school places for pupils who are resident within the Borough:

- (a) the Early Years Sufficiency Duty established under the Childcare Act 2006 requires local authorities to ensure sufficient childcare, including for children with SEND, up to the age of 18.
- (b) Section 14(1) to ensure that it provides sufficient school places for all pupils who are resident within the borough
- (c) Pursuant to s.27(1) and (2) Children and Families Act 2014, local authorities have a duty to keep under review educational, training and social care provision made in its area for children and young people who have special educational needs or a disability and such provision made outside its area for children and young people with SEN and/or a disability outside of its area.

A duty to consult arises under s.27(3). Such consultation should take place at reasonable intervals but does not amount to an 'extensive and onerous' consultation duty nor the requirement to consult every time a change is made to the provision of SEN; *R (Hollow) v Surrey County Council* [2019] EWHC 618 (Admin)

Local authorities have specific duties in respect of children and young people for whom they maintain Education Health and Care Plans. In particular, pursuant to s.42(2) Children and Families Act 2014, authorities must secure all of the special educational provision specified in section F of each EHC Plan maintained.

Mainstream schools and nurseries, academies, FE institutions, non-maintained schools and independent s.41 approved special schools have a duty to admit where they are named in EHC Plans. The practical effect is that authority A could name a mainstream school in authority B's area and that school would have a duty to admit.

A right of appeal against certain matters pertaining to EHC plans exists under s.51 Children and Families Act 2014. Such appeals are determined by the First-tier Tribunal (Special Educational Needs and Disability) which has the power to order a local authority to name a particular school or type of school in certain circumstances.

In light of the duty to admit and the power of the F-tT, Slough's control over its own provisions is not absolute.

4.5 Equality implications

Slough BC has regard to the public sector equality duty outlined in s.149 to 157 of the Equality Act 2010. The general duty requires decision-makers to have due regard to the need to eliminate conduct prohibited by the act, advance equality of opportunity, and foster good relations in respect to certain activities.

The strategy, in the long term, will improve equality of access to local specialist provision and ensure that children and young people stay connected with their families and communities.

4.6 Health & wellbeing considerations

The strategy will deliver benefits in terms of reduced travel times and promote more flexible and independent travel solutions and enhance the health and wellbeing of children and young people within their families and communities.

5. **Background Papers**

None.