

Date of issue: Friday, 6 January 2023

MEETING	CABINET
	Councillor Swindlehurst Leader of the Council and Cabinet Member for Council Recovery, Forward Strategy & Economic Development
	Councillor Mann Deputy Leader and Cabinet Member for Housing & Planning
	Councillor Ajaib Customer Services, Procurement & Performance
	Councillor Akram Leisure, Culture & Community Empowerment
	Councillor Anderson Financial Oversight & Council Assets
	Councillor Bains Public Protection, Regulation & Enforcement
	Councillor Hulme Children's Services, Lifelong Learning & Skills
	Councillor Nazir Transport & The Local Environment
	Councillor Pantelic Social Care & Public Health
DATE AND TIME:	MONDAY, 16TH JANUARY, 2023 AT 6.30 PM
VENUE:	COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EL
DEMOCRATIC SERVICES OFFICER:	NICHOLAS PONTONE
(for all enquiries)	07749 709 868

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



STEPHEN BROWN
Chief Executive

Agenda

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
1.	Declarations of Interest <i>All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 9 and Appendix B of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.</i>	-	-
2.	Minutes of the Meeting held on 19th December 2022	1 - 10	-
3.	2023/24 Council Tax Base Report	11 - 20	All
4.	Fees & Charges Review	21 - 38	All
5.	Procurement of electronic document management services	39 - 44	All
6.	Procurement of Adult Social Care Shared Lives Service Contract	45 - 64	All
7.	HRA Rents and Service Charges 2023/24	To Follow	All
8.	Special Educational Needs and Disability (SEND) Update on Improvement Plans	65 - 114	All
9.	Slough School Effectiveness Strategy 2022-25	115 - 142	All
10.	Severance of the Council's leasehold interest at Greenwatt Way, Slough SL1 2ES	143 - 154	Chalvey
11.	Recommendations from Cabinet Committee on Asset Disposals	To Follow	All

(see agenda for Cabinet Committee meeting on 12th January 2023)

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| 12. | Exclusion of Press and Public | - | - |
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It is recommended that the Press and Public be excluded from the meeting during consideration of the item in Part 2 of the Agenda, as it involves the likely disclosure of exempt information relating to the financial and business affairs as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (amended).

PART II

- | | | | |
|-----|--|-----------|---------|
| 13. | Procurement of Adult Social Care Shared Lives Service Contract - Appendix | 155 - 158 | All |
| 14. | Severance of the Council's leasehold interest at Greenwatt Way, Slough SL1 2ES - Appendices | 159 - 220 | Chalvey |

Press and Public

Attendance and accessibility: You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before any items in the Part II agenda are considered. For those hard of hearing an Induction Loop System is available in the Council Chamber.

Webcasting and recording: The public part of the meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The footage will remain on our website for 12 months. A copy of the recording will also be retained in accordance with the Council's data retention policy. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

In addition, the law allows members of the public to take photographs, film, audio-record or tweet the proceedings at public meetings. Anyone proposing to do so is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

Emergency procedures: The fire alarm is a continuous siren. If the alarm sounds Immediately vacate the premises by the nearest available exit at either the front or rear of the Chamber and proceed to the assembly point: The pavement of the service road outside of Westminster House, 31 Windsor Road.

Note:-

Bold = Key decision

Non-Bold = Non-key decision

**AGENDA
ITEM**

REPORT TITLE

PAGE

WARD

Cabinet – Meeting held on Monday, 19th December, 2022.

Present:- Councillors Swindlehurst (Chair), Mann (Vice-Chair), Ajaib (from 6.36pm), Anderson, Bains, Nazir and Pantelic

Also present under Rule 30:- Councillor Gahir

Apologies for Absence:- Councillor Akram and Hulme

PART 1

85. Declarations of Interest

No declarations were made.

86. Minutes of the Meeting held on 21st November 2022

Resolved – That the minutes of the meeting of the Cabinet held on 21st November 2022 be approved as a correct record.

(With the agreement of the Cabinet, the Chair varied the order of the agenda to move the ICT & Digital Update down the agenda as the Lead Member for Customer Services, Procurement & Performance would be joining the meeting slightly late and would then present the report.)

87. Approval of In-Year Change Request for Slough Children First Limited (SCF)

A report was considered that sought approval for an in-year change under the Service Delivery Contract (SDC) for Slough Children First. The SDC was the contractual mechanism for making in-year changes to the contract sum and Slough Children First had submitted a request to cover funding pressures for 2021/22 and 2022/23.

(Councillor Ajaib joined the meeting)

The sum requested by the company was for £1.786m over the two financial years 2021/22 and 2022/23 to cover demand pressures for the following:

- Costs arising from an increase in unaccompanied asylum-seeking children into the area (£650k).
- Pay award pressures (548k) to cover an award of 1.75% for 2021/22 and an average increase of 4% for 2022/23.
- Inflationary uplift for placement costs (£88k).
- Loss of public health grant (£500k). SCF had budgeted for receipt of £500k from the public health grant to fund discretionary services that supported public health outcomes. However, following a review, this

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would not be forthcoming and it created an in-year budget pressure for the company.

Full details for each of these areas was set out in the appendices to the report. Lead Members asked a number of questions about the requests including about whether provision for pay awards should be included in future budgets for the company to avoid in-year requests. The Cabinet concurred with the Commissioners comments that the in-year requests were for 2021/22 and 2022/23 only and should not be built into the base budget.

The Cabinet noted the update on SCFs wider financial position. The company had notified the Council that it had a £1.332m deficit for 2021/22 and was projecting a £4.939m deficit for 2022/23. The steps being taken to address the financial issues facing the company were summarised and the Cabinet would consider the business plan for 2023/24 - 2025/26 at the meeting in February 2023. Lead Members commented on the importance of making rapid progress on the funding and governance model for the company over the coming months leading up to the budget. The Director of Children's Services/Chief Executive of SCF highlighted the rising demand for services and commented that the development of an Early Help model was important in seeking to minimise future service demand pressures.

At the conclusion of the discussion the recommendations were agreed.

Resolved –

- (a) That a one off non recurrent in-year increases in the contract sum to Slough Children First of approximately £1,786k relating to 2021/22 and 2022/23, being £613k for 2021/22 and £1,172k for 2022/23 for the demand pressures highlighted in Appendix 1 to 3 of the report, increasing the 2022/23 contract sum to £33.565m, be agreed.
- (b) That the current in-year forecast losses be noted and that the Council's £5.000m working capital loan was being used to cover these losses, putting a risk on repayment of the loan, unless alternative sources of funding were found either via savings in future years, or a further in-year change request was agreed, subject to submission of a compliant and accepted submission.
- (c) That delegated authority be given to the Executive Director of Finance and Commercial, in consultation with the Lead Member for Children's Services, Lifelong Learning & Skills, to agree the final in-year increase figure, including releasing it on a phased basis for 2022/23 based on actual spend.

88. ICT & Digital Update – Progress and next steps for the proper functioning of IT at SBC

The Lead Member for Customer Services, Procurement & Performance introduced a report that updated on the progress of the ICT & Digital modernisation and remediation work approved by Cabinet in March 2022.

The modernisation programme comprised of 40 projects and it was expected to take at least two years to deliver. Progress on each of the following four key themes was set out:

- Cloud migration of line of business application;
- Cyber security and resilience;
- End use compute; and
- Replacing aged infrastructure.

To date, 7 of the 40 projects were complete with 25 to be delivered in 2022/23 and 4 in 2023/24. The ICT & Digital team had also been through a full staffing restructure and recruitment to some of remaining vacant roles was still taking place. It was recognised that it was challenging to recruit high quality IT staff in a competitive market. Key appointments had been made including of an AD Chief Digital & Information Officer.

Whilst good progress had been made overall on the programme, delivery had been slower than anticipated in some areas. The ability to recruit skilled interim staff had been a limiting factor. A significant amount of re-procurement activity had also taken place.

The Cabinet welcomed the report and the progress that had been made. ICT & Digital was a key area for improvement and Lead Members agreed that the report demonstrated that the programme was being well-managed and delivered. The report was noted.

Resolved –

- (a) That the update to the modernisation and remediation activities being undertaken by the ICT & Digital Team and understand the ongoing risks, issues and challenges as the work continued be noted.
- (b) That the next steps on the journey to the proper functioning of IT, underpinned by an adaptive strategy that had a focus on appropriate levels of capacity and capability be noted.

89. Remodelling of Children Centres

The Associate Director for Education and Inclusion gave a presentation on the options for change to the Council's children's centres and early education and child care provision delivered from them.

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The Cabinet was recommended to agree that a six-week consultation take place on options for the children's centres, including proposals to reduce the number of buildings and reduce the amount of childcare provision being directly provided by the Council. Following a needs analysis and service review, the reasons for change were set out:

- The need to consolidate resources to enable Children's Centre functions to be renewed;
- The need to enable key Children's Centre functions to be fulfilled and focused on core Children's Centre requirements; and
- The recognition that resources and associated approach needs to enable and ensure the coordination and targeting of early childhood services at the most vulnerable.

The recommended option was to create a new 3 centre model by closing 7 of the existing 10 children's centres to establish a new model of delivery serviced by the existing centres at Penn Road, Chalvey Grove and Romsey Close, plus Yew Tree Road Early Education and Childcare provision. Commissioners had commented that rationalising provision was the right approach, but that effective programme management needed to be in place to ensure successful delivery.

The Cabinet had a wide ranging discussion on the proposal. It was noted that a majority of local authorities had already rationalised children's centre provision over the last decade as national priorities had changed. Early years was acknowledged as being fundamentally important and the new model needed careful consideration to ensure it could still deliver effective and responsive services.

The 3-centre model proposed as the recommended option would reflect the Council's future operating model and provide facilities that were still accessible to residents. Lead Members recognised the need to make savings and that Slough had an over-provision of children's centres with a universal offer that was not well targeted. It was also emphasised that the decision for Cabinet at this stage was to commence a consultation and it was important that people's views were heard. Lead Members expected to see a good and effective consultation process undertaken which involved service users, other residents and partners. The Cabinet requested that officers ensure the consultation was inclusive and was accessible to those with language barriers.

A report would come back to Cabinet in the Spring of 2023 following the consultation. Lead Members highlighted that they would require a full Equalities Impact Assessment to be carried out prior to taking any decisions on the future model.

After due consideration the Cabinet agreed the recommendation to commence a consultation and receive a further report in the Spring of 2023.

Resolved –

- (a) That a 6-week consultation on options for change to the Council's Children's Centres, including proposals to reduce the number of buildings and reduce the amount of childcare provision being directly provided by the Council, be authorised.
- (b) That it be noted that a report would be presented to Cabinet in the Spring 2023 for a decision on the proposal.

90. Re-procurement of Adult Social Care Extra Care Contracts

The Lead Member for Social Care & Public Health introduced a report regarding the procurement of an integrated care and support in extra care services contract.

The Cabinet had agreed in June 2022 that a re-procurement exercise take place for a 3-year contract from 1st April 2023. The Cabinet was informed that a tendering process had been undertaken, however, it had not been successful for the reasons set out in the report. Agreement was sought to extend the current contract term for 5 months to 31st August 2023 and to commence a new procurement exercise early in 2023 with delegated authority to award the contract.

After due consideration, the recommendations were agreed.

Resolved –

- (a) That it be agreed to extend the term of the current contract with Creative Support Ltd for Integrated Care and Support in Extra Care for a further 5 month period from 1st April 2023 to 31st August 2023 at a cost of £353,417.
- (b) That commencement of a new procurement for Integrated Care and Support in Extra Care be approved for up to 4 years at a maximum cost of £848,200 per year (excluding any inflationary uplifts awarded) and that delegated authority be given to Executive Director People (Adults), in consultation with Lead Member Social Care and Public Health and the Section 151 officer, to award the contract to commence in September 2023.
- (c) That the revised pricing scenarios included at Exempt Appendix A to the report be noted.
- (d) That the learning from the case and the work to be undertaken corporately to address recruitment challenges be noted.

91. Department for Transport's Safer Roads Fund - approval for A4 scheme proposal

The Lead Member for Transport & The Local Environment introduced a report that sought approval to introduce road safety improvements on the A4 in Slough.

The A4 had been identified in 2016 as being in the UK's 50 most dangerous roads and the Council was required by Government to make changes to improve its safety. The Council was awarded funding of £1.7m from the Government's Safer Road Funds grant and this would meet the costs of the improvement plans. One of the measures was a proposed speed reduction to 30 mph on some sections of the A4 for which consultation had already been carried out. Complementary engineering measures would also be made to seek to reduce the number and severity of fatal and serious collisions. Other measures would include average speed cameras, red-light camera systems, road surface treatments and the removal of roadside hazards.

The Cabinet welcomed the report and commented that similar road safety measures had been introduced extensively in other areas, including London. The recommendations were agreed.

Resolved –

- (a) That delegated authority be given to the Executive Director for Place and Communities, in consultation with the Lead Member for Transport and the Local Environment, to proceed with the statutory process to implement the speed restriction only for defined sections of the A4, having considered the consultation responses set out in this report and following consideration of any statutory objections.
- (b) That it be agreed for a further report in June 2023 to receive officer recommendations for final scheme design for other aspects to mitigate and support casualty reduction.

92. Corporate Assets Facilities Management Services

The Cabinet considered a report on the facilities management services for the Council's corporate assets.

It was noted that Bouygues, the Council's facilities management contractor had for some time been in dispute with the Council and they had triggered the contractual adjudication process to terminate the contract on grounds of non-payment of invoices. Instead of contesting the potentially expensive and resource intensive adjudication proceedings with no guarantee of a good outcome for the Council, Officers had decided it was best to end the contract by mutual agreement. An agreed termination with three months' notice, allowing time to put alternative arrangements in place was implemented. The report sought approval to implement a replacement model to deliver facilities

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management services to corporate buildings through a mixture of direct staff employment and direct contracting.

The Cabinet agreed that the approach taken to agree a termination was in the best interests of the Council and the recommended service delivery model as set out in the report was approved.

Resolved –

- (a) That the report and the savings required in 2023/24 against FM budgets be noted.
- (b) That the recommended service delivery model to transition from an external service provider to a new mixed in-house and contracted out model be approved.
- (c) That delegated authority be given to the Executive Director of Housing & Property in consultation with the lead member for Leisure, Culture & Community Empowerment to:
 - (i) Decommission the Bouygues contract including transfer of staff back to the Council where required.
 - (ii) Procure and award contracts to specialist contractors (e.g., lifts, air conditioning) ensuring that local, SME and other suppliers have the opportunity to compete.

93. 2023/24 & 2024/25 Council Tax

The Cabinet agreed to consider an urgent item on 2023/24 and 2024/25 Council Tax following the Department of Levelling Up, Housing & Communities (DLUHC) announcement regarding the permissible increases to Council Tax over the next two financial years.

The report sought Cabinet agreement to make an application to DLUHC for the Council to have the option of increasing the Council Tax above the referendum limits for the next two years. The reason for urgency was that DLUHC had advised that any such request would need to be made in early January.

The Government's Autumn Statement was published on 17th November 2022 and, for Slough, the threshold for increasing Council Tax was set at 4.99% from April 2023 without the need for a referendum. Local authorities could apply for a direction from DLUHC to increase Council Tax for a certain amount above this threshold. If that option was pursued the Council Tax Support Scheme would also need to be reviewed.

The Local Government Finance Settlement had not yet been announced and the implications for SBCs finances would need to be carefully analysed to determine whether any percentage increase in Council Tax above the

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threshold may be required. However, in view of the very tight timing it was recommended that it was prudent to seek the delegation to submit an application so the option may be available if required. It was recognised that DLUHC may not agree to such an application.

The delegation would enable the Chief Executive to submit an application, following consultation with the Leader and the Lead Member for finance. The final decision on the level of Council Tax would remain a decision for full Council when setting the budget. The Cabinet agreed the recommendations.

Resolved –

- (a) That it be agreed to approval being sought from DLUHC for the Council to have the option of increasing Council Tax above the referendum limits in each of the next 2 financial years (2023/24 and 2024/25) without a referendum.
- (b) That delegated authority be given to the Chief Executive, after consultation with the Section 151 officer, the Leader of the Council and the Lead Member for Finance, to submit an application to DLUHC in early January 2023, including agreeing the percentage increase in Council Tax.
- (c) That delegated authority be given to the Chief Executive, in consultation with the Section 151 officer, the Leader of the Council and the Lead Member for Finance, to design and consult on a revised Council Tax Support Scheme.
- (d) That it be noted that the final decision on any increase to council tax would either be made by direction of the Secretary of State or by Full Council, if the Secretary of State does not make a direction and the final decision on a revised Council Tax Support Scheme will be made by Full Council.

94. References from Overview & Scrutiny

There were no references from Overview & Scrutiny.

95. Exclusion of Press and Public

All business was conducted in public without disclosing any of the exempt information in the Part II agenda. The press and public were therefore not excluded at any point during the meeting.

96. Approval of In-Year Change Request for Slough Children First Limited (SCF) - Appendices 1 and 4

Resolved – That the Part II appendices be noted.

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97. Re-procurement of Adult Social Care Extra Care Contracts - Appendices A and B

Resolved – That the Part II appendices be noted.

Chair

(Note: The Meeting opened at 6.31 pm and closed at 8.10 pm)

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Slough Borough Council

REPORT TO: Cabinet

DATE: 16th January 2023

SUBJECT: 2023/24 Council Tax Base Report

CHIEF OFFICER: Steven Mair, Executive Director of Finance and Commercial (s151 Officer)

CONTACT OFFICER: Liton Rahman

WARD(S): All Wards

PORTFOLIO: Cllr Anderson – Financial Oversight and Council Assets

KEY DECISION: Yes

EXEMPT: No

DECISION SUBJECT TO CALL IN: Yes

APPENDICES: Appendix 1 – Breakdown of Proposed 2023/24 Council Tax Base

1 Summary and Recommendations

- 1.1 This report presents information to Members on the number of properties in Slough and their categories of occupation for the purpose of determining the Council Tax base for the borough for the 2023/24 financial year.
- 1.2 Section 31B of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 requires the council as the Billing Authority to calculate a Council Tax Base for its area by 31 January for the forthcoming financial year and duly notify precepting authorities (i.e., Thames Valley Police and Royal Berkshire Fire and Police) as well local Parish Councils.

Recommendations:

Cabinet is requested to approve:

- i. The provision for uncollectable amounts of Council Tax for 2023/24 be agreed at 1.7% producing an expected collection rate of 98.3%.
- ii. the Council Tax base calculation for 2023/24 of 43,160.1 Band D equivalent dwellings (being 43,906.5 x 98.3%);
- iii. that no notional funding is passported to Parish Councils in respect to Council Tax Support as agreed for 2022/23

Cabinet is requested to note:

- iv. the Council Tax base is broken down as follows between local parishes and the rest of Slough:

Area	Band D Equivalent Dwellings
Parish of Britwell	841.0
Parish of Colnbrook with Poyle	1,842.2
Parish of Wexham	1,402.4
Slough (unparished)	39,074.5
Council Tax Base	43,160.1

- v. the ongoing work to estimate the 2022/23 year-end Council Tax position

Reason:

The Council Tax Base is calculated and approved annually for the purposes of calculating funding from Council Tax for a Billing Authority, Major Precepting Authorities and local Parish Councils. The tax-base is calculated according to provisions in the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.

Comments of Commissioners:

The Commissioners have reviewed and noted this report.

2 Report

Purpose of Decision

- 2.1 As a Billing Authority, the Council has a statutory duty under Regulation 18 of Part V of The Council Tax (Administration and Enforcement) Regulations 1992 to serve a notice on the occupant of a property in the borough that is liable to pay Council Tax.
- 2.2 The requirement and provisions to calculate the Council's tax-base is set out in Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.
- 2.3 The decision to approve the Council Tax base is required to fulfil a statutory duty and to enable the collection of locally generated funding to contribute towards the running of services for the Council's General Fund, Major Preceptors and local Parish Councils.

Options Considered

- 2.4 There are no alternatives as there is a statutory requirement upon the Council to calculate and approve this tax-base.
- 2.5 A prescribed formula sets out how the tax-base is to be calculated and this includes adjustments for assumptions for how the tax-base may change due to growth in properties and other changes such as to Council Tax Support claims. These adjustments are considered in the proposed tax-base for approval.

Background

Council Tax Base – Relevant Amounts

- 2.6 The proposed 2023/24 tax base for the Council and the parishes within Slough in this report have been calculated by reference to data available relating to dwellings within the borough provided by the Valuation Office Agency as at 30th November 2022.
- 2.7 The calculation of the Council's tax-base (or 'T') can be expressed as the sum of 'Relevant Amounts' known as 'A' for each valuation band (Bands A to H) multiplied by the collection rate known as 'B'.
- 2.8 In summary, 'Relevant Amounts' are to be calculated as the number of dwellings on the valuation lists supplied by the District Valuer adjusted for discounts, disabled persons reductions and anticipated changes e.g., projected growth in properties and Council Tax Support claims to the valuation lists during 2023/24.
- 2.9 The Band D equivalents for each property band in the borough of Slough for 2023/24 are summarised as follows:

Ratio	Bands	Relevant Amount (i.e. number of Band D equivalent dwellings)				
		Britwell Parish	Colnbrook with Poyle Parish	Wexham Court Parish	Slough (unparished)	Total for Slough
5/9	A*	0.0	0.0	0.0	0.6	0.6
6/9	A	2.1	17.0	11.0	877.6	907.7
7/9	B	75.4	174.3	115.2	5,423.0	5,787.9
8/9	C	646.1	898.9	294.9	15,841.7	17,681.6
9/9	D	113.5	563.0	884.8	9,907.7	11,469.0
11/9	E	6.9	162.4	93.6	4,936.2	5,199.1
13/9	F	9.8	41.1	15.9	2,244.8	2,311.6
15/9	G	1.7	17.5	11.3	505.5	536.0
18/9	H	0.0	0.0	0.0	13.0	13.0
Total		855.5	1,874.2	1,426.7	39,750.1	43,906.5

**Disabled Person's Reduction*

Adjustments

- 2.10 Within the regulations for setting the Council Tax-Base, adjustments are permitted for anticipated changes that are not currently in the position as at 30 November 2022. These adjustments could be to reflect estimates of property growth, changes to discounts and Council Tax Support claims.
- 2.11 The number of Council Tax Support claims peaked in 2020/21 due to the effects of the pandemic and lockdown measures which resulted in economic hardship for households. Whilst the level of Council Tax Support has reduced in 2022/23 compared to the peak of 2020/21 from 6,831 to 5,538 band D equivalents, in light of the continuing economic challenges for households, an adjustment has been made for an anticipated increase to Council Tax Support claims. This adjustment reduces the overall tax-base.
- 2.12 The average local decrease in Slough for Council Tax Support claims between Quarter 4 of 2021/22 and Quarters 1 and 2 of 2022/23 was 1.3%. However, an

increase of 2% has been applied to the total amount of Council Tax Support Claims as at 30 November 2022 to allow for any increases resulting from the continuing economic challenges for households. This results in a total reduction to the tax base of 97.3 Band D equivalent dwellings, broken down as follows:

	Britwell	Colnbrook with Poyle	Wexham Court	Slough (unparished)	Total Slough
Number of properties	(3.3)	(3.9)	(5.4)	(98.1)	(110.8)
Band D Equivalents	(2.9)	(3.5)	(4.9)	(86.0)	(97.3)

Growth

- 2.13 The starting position for calculating the 2023/24 tax-base (the number of dwellings as recorded on the Valuation Office Agency list) reports growth of 102 properties as at 30 November 2022 compared to 30 November 2021. For a large period of 2020/21, the lockdown measures stalled construction and other activities, however this began to reverse in 2021/22 which has resulted in an increase to the number of properties in the borough liable for Council Tax.
- 2.14 Based on the latest building and planning information, we are expecting an increase of 429 band D equivalents in 2023/24 after taking into consideration the discounts and Council Tax Support that these properties may be eligible for.

Council Tax Support and Parish Councils

- 2.15 In 2013/14, Council Tax Benefit was abolished and each authority as part of their Settlement Funding Assessment was awarded a notional amount of funding (less a percentage reduction due to austerity) for Council Tax Support.
- 2.16 Prior to setting the 2021/22 Council Tax base, a share of this notional funding was passported over to Parish Councils.
- 2.17 Following 2021/22, Cabinet decided not to passport this notional funding onto Parishes in future years. The calculation of the tax-base and permitted adjustments already factor in non-collection due to Council Tax Support to set a base as at 30 November 2022. This base will naturally change during the year and such changes are reflected in the following year's tax-base calculation

Collection Rate

- 2.18 For 2023/24, Cabinet is requested to approve a collection rate of 98.3%, which is an increase of 0.1% from 2022/23 but is lower than the collection rate set for 2020/21 of 98.4%.

Summary

- 2.19 Applying this collection rate of 98.3% ("B") in the statutory calculation of the 2023/24 Council Tax Base ("T") results in a Band D Equivalent tax-base of 43,160.1 dwellings:

Element of calculation	2022/23	2023/24
Total of Relevant Amounts (A)	43,061.3	43,906.5
X		
Collection Rate (B)	98.2%	98.3%
Council Tax Base	42,286.2	43,160.1

- 2.20 The breakdown of the proposed 2023/24 Council Tax base (Band D equivalents) by Parish and Non-Parish area is as follows:

Band D Equivalent Dwellings	2022/23	2023/24	Change	% Change
Parish of Britwell	836.4	841.0	4.6	0.55%
Parish of Colnbrook with Poyle	1,811.3	1,842.2	30.9	1.71%
Parish of Wexham	1,393.9	1,402.4	8.5	0.61%
Slough (unparished)	38,244.6	39,074.5	829.9	2.17%
Council Tax Base	42,286.2	43,160.1	873.9	2.07%

- 2.21 Appendix 1 presents a summary by the main components of the 2023/24 taxbase to illustrate how the 43,160.1 dwellings has been derived.

Collection Fund Position

- 2.22 Any difference between the estimated Tax Base and what is actually realised in year has no impact on the in-year revenue position. Under accounting rules for Local Government, the difference is recognised in the Collection Fund Adjustment Account which is an “unusable reserve” and distributed in the following year.
- 2.23 Due to a large increase in the number of Council Tax Support claimants in 2020/21 from the effects of the pandemic and difficulties in collecting Council Tax, the Government permitted that the in-year deficit for 2020/21 could be spread over 3 years.
- 2.24 The in-year position for 2022/23 is under review and an estimate of the in-year position will be calculated in late January 2023.

3 Implications of the Recommendation

1.1. Financial implications

- 3.1.1 The decision to approve the proposed tax base in this report has a significant financial implication for the Council. Funding from Council Tax is a material source of funding for the Council's GF budget and ongoing Medium Term Financial Strategy (MTFS) projections.

- 3.1.2 Funding from Council Tax is determined by:

- i. The tax base (No. of Band D equivalent Dwellings)
- ii. The Collection Rate (this is factored into i)
- iii. The Council Tax Rate (measured at Band D)

- 3.1.3 The proposed tax-base for 2023/24 shows net growth of 2.07% over 2022/23. The table below demonstrates the impact on the Council Tax budget as a result of the growth in the tax base along with any increases to the Band D Council Tax within the statutory limits.

	Approved	2023/24		
	2022/23	No increase	2.99% increase	4.99% increase
Council Tax Base	42,286.4	43,160.1	43,160.1	43,160.1
Band D Rate (£)	1,534.86	1,534.86	1,580.75	1,611.45
Council Tax Budget (£m)	64.9	66.2	68.2	69.6
Change from 2022/23 (£m)		1.3	3.3	4.6

1.2. Legal implications

- 1.2.1. Pursuant to The Local Government and Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the Council as Billing Authority is required to determine the Council Tax Base for the next financial year by 31st January 2023 and to notify other precepting authorities of the determination.
- 1.2.2. The Local Authority (Calculation of Council Tax Base) (England) Regulations 2012 SI.2914, require a Billing Authority to use a given formula to calculate the Council Tax Base. This is the formula set out and followed in the appendix to this report.
- 1.2.3. Under paragraph 4.(2) of Part 4.3 (Budget and Policy Framework Procedure Rules) of the Constitution, by the end of January, the Cabinet must approve, or delegate the approval of, the Council Tax Base estimates.

1.3. Risk management implications

Category	Risks/Opportunities	Mitigation	Additional Controls
Financial	The tax base is lower than expected because either growth does not materialise or there is a higher caseload of Council Tax Support claimants than estimated If the tax-base is higher than forecast there will be a collection fund surplus which will benefit the 2024/25 financial position	This would result in a collection fund deficit which would need to be funded in 2024/25 either from any available reserves if available or from further savings to the revenue budget.	Budget monitoring process and regular reporting on achievement of budget and savings
Financial	The actual collection rate is lower than the estimated collection rate of 98.3% If collection is better than forecast then this would result in a one-off collection fund surplus in 2024/25.	This would result in a collection fund deficit which would need to be funded in 2024/25 either from reserves if available or from further savings to the revenue budget.	Budget monitoring process and regular reporting on achievement of budget and savings

1.4. Environmental implications

- 1.4.1. Not Applicable

1.5. Equality implications

- 1.5.1. Certain protected groups are more likely to be on lower incomes or at higher risk of unemployment and the Council CTS scheme targets these groups. In addition, consideration will be given to use of enforcement processes alongside support to ensure that individuals who are struggling to pay their council tax are aware of the availability of debt welfare support.

4. Background Papers

- 4.1 None

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Appendix 1: Breakdown of 2023/24 Proposed Council Tax Base

Ref	Breakdown	Disabled Band A	A	B	C	D	E	F	G	H	TOTAL
	Chargeable Properties	1.0	1,533.9	10,445.1	23,409.1	13,052.6	4,560.1	1,675.1	335.1	8.0	55,019.9
	Discounts and Premiums	0.0	33.9	(1,272.8)	(1,463.5)	(587.8)	(156.5)	(47.5)	(11.0)	(1.5)	(3,506.6)
	Council Tax Support (CTS) Scheme	0.0	(202.2)	(1,696.8)	(2,486.9)	(976.3)	(146.8)	(26.7)	(2.4)	0.0	(5,538.1)
	Adjustments:										
	Estimated growth	0.0	0.0	0.0	482.9	0.0	0.0	0.0	0.0	0.0	482.9
	Estimated increase in CTS Claims	0.0	(4.0)	(33.9)	(49.7)	(19.5)	(2.9)	(0.5)	(0.0)	0.0	(110.8)
	Sub-Total	1.0	1,361.6	7,441.6	19,891.8	11,469.0	4,253.8	1,600.3	321.6	6.5	46,347.3
	Ratio	5	6	7	8	9	11	13	15	18	
A	Relevant Amounts	0.6	907.7	5,787.9	17,681.6	11,469.0	5,199.1	2,311.6	536.0	13.0	43,906.5
B	Collection Rate	98.30%									
T = A x B	Council Tax Base (Band D Equivalents)	0.5	892.3	5,689.5	17,381.0	11,274.0	5,110.7	2,272.3	526.9	12.8	43,160.1

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Slough Borough Council

Report To:	Cabinet
Date:	16th January 2023
Subject:	Fees and Charges Review
Lead Member:	Cllr Anderson. Lead Member for Financial Oversight and Council Assets
Chief Officer:	Steven Mair, Executive Director Finance and Commercial (Section 151 Officer)
Contact Officer:	Steve Muldoon, Deputy Director Financial Management
Ward(s):	ALL
Key Decision:	YES
Exempt:	NO
Decision Subject To Call In:	YES
Appendices:	Appendix 1 – List of current and proposed fees and charges

1. Summary and Recommendations

- 1.1 This report sets out the context for this year's annual review of fees and charges. The main focus of the approach to fees and charges is to ensure full cost recovery and adherence to the relevant statutory charging regime, to ensure that charges remain in line with the cost of delivering services and are reviewed and set in a transparent way.
- 1.2 The income from fees and charges helps to cover costs for providing services, and to manage demand in some cases.
- 1.3 The fees and charges review undertaken this year proposes a starting principle that all charges adopt an inflationary increase where appropriate and applicable. This approach negates the need to increase those fees and charges more steeply in future years to achieve full cost recovery.
- 1.4 The September 2022 Consumer Price Index (CPI) annual increase of 10.1% is being used as the measure of inflation in most cases. This inflationary increase of 10% (rounded) has been applied to all fees and charges where this inflationary rise is supported and appropriate.
- 1.5 In some cases it may be recommended that a different approach is taken and fees and charges remain the same or increase at a rate above or below inflation where there is evidence that the cost of the service is not covered by an inflationary increase, the statutory regime does not justify this approach or there is a clear rationale for subsidising the service. In a number of cases the actual fee or

charge is also rounded so as to simplify the fee structure and charging mechanism. Further detail of these exceptions is included within this report.

Recommendations:

Cabinet is recommended to:

- a) Agree the proposed fees and charges for council services (Appendix 1), except those marked 'for noting only – non-Cabinet approval', for implementation from 1 April 2023.
- b) Delegate authority to the Executive Director of Finance and Commercial, following consultation with the relevant Executive Director and relevant Cabinet member, to implement any increases prior to 1 April 2023 on an exception basis.
- c) Delegate authority to the relevant Executive Director(s) to amend the fees and charges if any appropriate corrections are needed, following consultation with the relevant Executive Director(s) and relevant Cabinet member.

Reason

To ensure that the Council sets fees and charges appropriately for 2023/24.

Commissioner Review

“The Commissioners are content with this report and the proposals.”

2. Report

Introductory paragraph

- 2.1 By keeping the Council's fees and charges under review on an annual basis, this will contribute to the key priority of “A council that lives within our means, balances the budget and delivers best value for taxpayers and service users”.
- 2.2 This report sets out the fees and charges that are proposed to be applied to services for the year 2023/24. This report asks Cabinet for delegated authority to implement the fees and charges earlier than April if needed, following consultation with the relevant Cabinet member.
- 2.3 Fees and charges provide significant funding support for the provision of those services that are charged for. Charges are set within the framework of the Medium Term Financial Strategy (MTFS), the Charging Policy and in accordance with legislative requirements.
- 2.4 This report provides the charging details of Council services. The fees and charges framework can be found at: [Slough Fees and Charges Framework](#)

Options considered

The fees and charges framework provides guidance to senior officers on the setting of new charges and policy context within which existing charges should be reviewed, the approach to cost recovery and the governance processes to follow to gain approval for services to be provided at a subsidy or a concession.

The options are as follows:

- Option 1 – keep the charges as currently set – this option would mean that any increases in the cost of services subject to a charge fall to the general taxpayer to fund. This is not an equitable or reasonable approach and is not recommended.
- Option 2 – increase all charges by inflation – this does not take account of the legislation framework for specific charges, nor does it take account of the equality impact or whether the cost of the service can demonstrably be shown to have increased by inflation. This option is not recommended.
- Option 3 – following a detailed review of the cost by services, set charges to take account of the inflationary pressure, the legislative regime and the equality implications. **This option is recommended.**

Background

Fees and charges will be reviewed annually with a strong supporting link to the medium-term financial planning process.

The main points are as follows:

- Fees and charges will be reviewed annually as part of the budget setting process.
- Income from charges for a service should not exceed the costs (over a relevant period of time).
- The general principle for charging is full cost recovery. Any deviation from this approach should be justifiable.
- Fees and charges will be approved (or noted where appropriate) by Cabinet each year and estimated income will be included in the budget. In year changes to fees and charges can be made by Executive Directors in accordance with the Scheme of Delegation and the fees and charges framework.

This report does not cover services provided by other public bodies under contract, nor does it apply to services provided under wholly or partly owned companies on a commercial basis. This report does not cover rental payments. A number of fees and charges are for services that are non-executive and must therefore be set by a committee or full Council. Whilst the fees and charges for these services are included in the Appendix, Cabinet is not permitted to make a decision on these and they will be considered by the Council's Licensing Committee, as the body with responsibility for setting licence and permit charges.

Changes proposed to fees and charges

This year, based on September 2022 CPI and the steep increase which is expected to continue, an inflationary assumption of 10% has been used and applied where applicable

A full list of the proposed fees and charges is set out in Appendix 1.

All key exceptions from the 10% increase are considered below, noting that some of these will not be for Cabinet approval.

Street Works

It is proposed that temporary traffic orders, crane, skip, cherry picker, scaffolding and section 50 licences are increased above the 10% threshold. The service has sought to bring the charges closer to full cost recovery but also to bring them in line with other similar authorities. The issue of licences for skips, cherry picker, scaffolding and section 50 licences are all non-executive functions and therefore a decision to increase charges for these is not a decision for Cabinet. A separate report is being taken to the Licensing Committee on these charges and these will be reported up to full Council for inclusion in the budget papers.

A new charging structure for temporary traffic signals is set to be introduced.

Highways

A nil increase is proposed to all highway charges as these have been reviewed and are at cost recovery. New charges in relation to removing obstructions on highways and hedges cutbacks have been introduced.

Parking

Resident parking permits and visitor vouchers are set to increase above 10% in order to better manage the parking capacity in residential areas and discourage inessential car ownership and use. This income will support the Council's move to more sustainable travel including through the implementation of additional Controlled Parking Zones (CPZ's). The parking team are to roll out a programme of Controlled Parking Zones (CPZs) instead of waiting restrictions as part of the Local Transport Plan Parking Strategy (Supplementary Strategy Document) approved by Cabinet. Each Controlled Parking Zone will include a public consultation. A paper is to be brought to Cabinet in February 2023 to discuss the option to provide discounted permits where applicants fit eligibility criteria.

A nil increase is proposed for carers, to take account of the Council's equality duties and the impact that an increase would have on individuals with disabilities. A nil increase is also proposed for business permits at the current time as we have very few users but this will be reviewed later in the year.

A nil increase is proposed to dispensations, suspensions, car park season tickets and pay and display bays. Current car park charges are in line with neighbouring private car parks and are not being increased due to low usage and a risk that the increased charges will disincentivise residents and visitors to use the town centre.

Highways Development

A nil increase is proposed on most of the fees and charges as the fee is a standard practice percentage of the cost of the works. It should of course be noted that as the cost of works may be affected by inflation, so the fee as a percentage thereof may also increase.

A 15% increase is proposed for section 38/278 agreements and minor highways work agreements in order to achieve cost recovery.

Traffic signal data and traffic flow are proposing an increase above inflation.

Street Naming & Numbering

It is proposed that street naming and numbering are increased above the 10% threshold in concurrence with a new charging structure to reflect the cost of works involved.

Adults – Social Care

The majority of charges are assessed charges based on multiple factors pertaining to the individual client, not on a rate card approach. Most of the Directorate's income is from assessed client contributions towards the cost of their care and support. Any changes to contribution levels are based on the clients' ability to pay as indicated by their financial assessment, in line with the 2014 Care Act. Each client's financial assessment is reviewed annually (or when there has been a material change in their circumstances), allowing for uplifts in income and applicable benefits to be considered in meeting future cost of care. There is therefore a limit to the Council's ability to increase charges beyond the index linked uplifts to the client's welfare benefits or pension, as such, any increase in income will contribute to mitigating any increased cost of provision.

Libraries

Traditional library fees such as print/copy fees, DVD hire etc are remaining the same. Fees related to overdue charges and lost/damaged books are increasing above inflation to bring the charges closer to full cost recovery.

Allotments

Charges for allotment rental charges are proposed to increase in January 2023 in line with September 2022 RPI of 12.6% as permitted under the current legislation This will be done under delegated authority as directors are permitted to agree in-year changes. Cabinet are being asked to confirm this increase should continue from 1 April 2023.

Burials and Cremations

Burials for residents and cremations are proposed to increase by inflation of 10%. Non-residents fees for new graves and interments are proposed to increase from double to triple the resident rate to bring the charges in line with other similar authorities, and prioritise burial space availability for residents.

In addition, a new fee charging structure relating to memorial permits varying on the size of the permit have been set.

Small percentage increases have been applied to ancillary products e.g. webcasting and audio-visual.

Waste Disposal

Charges for commercial waste were increased by RPI + 3% so 14.2% in January 2023 (under Officer delegation in consultation with the Lead Member) in response to a December 2022 price increase in the waste disposal contract. A further increase of 5% is

proposed to be applied on 1 April 2023 giving a total increase of just under 20% on the 1 April 2023 from those set last year.

There are no proposed changes to bulky waste.

New fees have been introduced since December 2022 for green wheeled bins for the collection of garden waste. This was reported in a separate Cabinet paper in July 2022 and the fees and charges have already been approved for the 2023/24 financial year.

Selective Licence/Houses in multiple occupation (HMO) Licence

The current licencing housing scheme runs until March 2024. These fees will be reviewed in 2023/24. Changing this scheme ahead of time would require consultation and it is therefore not proposed to change the fees for the financial year 2023/24 at this time.

Licensing

All proposed licence fees will be considered by the Licencing Committee on 6th February 2023.

Trading Standards

A 7% increase is proposed for Primary authority partnership schemes, which reflects the cost of providing the scheme.

Environmental Quality

A 12% increase is proposed for environmental searches to reflect cost recovery.

Hire of Venues

There are variations (5-10%) in the proposed percentage increase applied to the different venues across Slough. Included in this a few venue hires are proposed not to change as low demand continues following the pandemic.

Implications of the Recommendation

3.1 Financial implications

- 3.1.1 Full cost recovery for chargeable services is a key element of the Council's Fees and Charges Framework. This ensures that any increases in the cost of delivering chargeable services are reflected in the setting of fees and charges to avoid additional cost pressures on the council.
- 3.1.2 By increasing fees and charges by an inflationary factor of 10% in 2023/24 this may reduce the level of income losses in previous years, but more importantly it will help to ensure that the cost recovery position does not deteriorate further and reduces the pressure for much higher increases in future years. However some services are provided in competition with the market and increasing charges above a certain amount risks a reduction in demand and therefore a reduction in income. Where charges are not being changed in line with inflation, a reason for this has been given above.

3.1.3 The application of the service recommendation increases could result in total additional income of circa £1.048m in a full year, to offset the costs of service provision. £0.148m have their own budget savings proposals, thus the additional potential income that may be generated in 2023/24 excluding those amounts is £0.900m. This is indicative only as it is not possible to model whether demand for services will be materially affected by the proposed increases. The table below shows a summary of the potential impact across the main service areas:

	£m
Parking, Highways & Streetworks	0.049
Planning & Building Control	0.167
Local Land Charges	0.045
Registrars	0.037
Allotments	0.003
Burials & Cremations	0.259
Waste Disposal	0.168
Licensing	0.088
Hire of Venues	0.046
Children's Centres	0.038
SUBTOTAL	0.900
Saving Proposals already in the budget 2023/24	
- Increase charges parking permits	0.048
- Streetworks Road Closure Fees	0.100
TOTAL	1.048

3.1.4 There will be a review in due course to assess the impact of reduced demand following the price increases proposed within this report. This will inform whether any further adjustment is needed to the Council's medium-term financial plans.

3.2 Legal implications

3.2.1 Some services the Council provides are mandatory and governed by specific legislation whilst other services provided are discretionary. Discretionary Services are those which the Council is permitted to provide but not required to provide.

3.2.2 In the absence of specific powers or prohibitions on charging for services, the Council has the power to charge for discretionary services under Section 93 of the Local Government Act 2003 and under the power of general competence found in Section 1 of the Localism Act 2011.

3.2.3 The overall position on charging is that the Council must not charge for a service if legislation prohibits it from doing so. If legislation places a duty on the Council to provide a service and to charge for it, then it should. The power to charge for discretionary services is not available to local authorities if there is a statutory duty to provide the service. For some services the power to charge is contained in the statute which permits the Council to provide the service. In this case, this specific power must be relied upon as opposed to the general power to charge.

- 3.2.4 Charges may be set differentially, so that different people are charged different amounts e.g. concessions for older persons or people with a disability or on low incomes. When considering whether to subsidise services or offer a concession, the Council must balance its fiduciary duty to general taxpayers with its responsibilities to service users and other overarching duties, such as its equality duties.
- 3.2.5 The Council must generally ensure that taking one financial year with another the income from any charges for a service does not exceed the cost of providing the relevant service, as the Council is not permitted to use its charging powers as a taxation power. Any surpluses or under recovery of income should be addressed through a regular review.
- 3.2.6 In the fees and charges appendix to this report, the column titled 'Basis for charging' indicates whether the fee stated is prescribed by statute (as a set amount or up to an amount) in which case it is noted as 'statutory prescribed' or 'statutory discretionary' where legislation provides that you may charge for providing a service but the amount of the charge is discretionary, within the remit of the legislation e.g. the charge may be limited to cost recovery, reasonable cost or based on consideration of prescribed matters, or as 'discretionary' which is where the authority is not obliged to provide the service but if it does so then the charges are based on cost recovery pursuant to the statutory power to charge in Local Government Act 2003/Localism Act 2011.

3.3 Risk management implications

- 3.3.1 The Council faces continued pressure to find new income and savings to balance its annual budget. Central Government funding continues to fall short of inflation with councils expected to find answers internally to the continuous pressure on reducing public sector spend.
- 3.3.2 Increasing fees and charges could have an adverse effect on demand for the individual services. This will be monitored and reviewed closely during the coming year. Executive Directors have some ability to amend fees and charges mid-year where necessary.
- 3.3.3 It is proposed that a more in-depth review and assessment of fees and charges is undertaken in the coming financial year as some service areas are not fully recovering all their costs and will still not be in a full cost recovery position once the increases proposed have taken effect. The risk to the Council is that it will continue to be operating discretionary services at a loss and thereby contribute further to the financial difficulties faced by the council. It may therefore be necessary to review whether services should be continued if they are unable to generate sufficient income to cover the cost of service provision.

3.4 Environmental implications

- 3.4.1 There are no material environmental impacts from the development and implementation of the Fees & Charges and the changes detailed in the schedules to this report.
- 3.4.2 Any significant changes to the method of delivering services will be subject to an options appraisal, a part of which will be to assess any environmental consequences of the proposed changes.

3.5 Equality implications

3.5.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states that:-

A public authority must, in the exercise of its functions, have due regard to the need to:

a. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

b. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

c. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

3.5.2 The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation.

3.5.3 When making decisions in relation to service provision, the Council must take account of the equality duty and in particular any potential impact on protected groups. Each proposal has been prepared in accordance with the Council's charging policy

3.5.4 An initial equality impact assessment has been completed on the increase in fees and charges. No negative impact on protected groups have been found. The price increases affect a range of services. Service users comprise all equality groups as they are all potentially users of these services, although it is accepted that some services will be used by certain groups to a greater extent than others. Many of the fees and charges in existence are focused on the business sector rather than residents, such as trade licences and construction related activity.

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Service	Fee Description 1	Fee Description 2	Current Charge	Proposed Charge	% Increase	Basis For Charging	Legislation Giving Power To Charge	For Noting only/Non Cabinet Approval	
	Reservations and Requests	Audio books	Free	Free	0%	Statutory Discretionary	Regulation 4, Library Charges (England and Wales) Regulations 1991/2712		
		Children's audio books	Free	Free	0%				
		E books (incl E audio)	Free	Free	0%				
		Overdue Charges	Adults books (8 in stock)	£0.50	£0.50	0%	Statutory Discretionary	Regulation 4, Library Charges (England and Wales) Regulations 1991/2712	
			Children's books (under 14) If in stock - 2 books per visit (25p each for more)	Free	Free	0%			
			Per Book From interlibrary loan scheme (SELMs) (Adult Books)	£3.00	£3.00	0%			
		Lost and Damaged	E books and E audio	Free	Free	0%	Statutory Discretionary	Regulation 4, Library Charges (England and Wales) Regulations 1991/2712	
			Adult Books (Per day the library is open, capped at £5 per item)	£0.15	£0.20	33%			
			Children's books (14+) (Per day the library is open, capped at £1.50 per item)	£0.05	£0.10	100%			
		Photocopying (per sheet)	Children's books (under 14)	Free	Free	0%	Statutory Discretionary	Regulation 4, Library Charges (England and Wales) Regulations 1991/2712	
			Children's books on adult cards (Per day the library is open, capped at £0.50 per item)	£0.05	£0.20	300%			
			Books in print per item (all books)	Full cost	Full cost	0%			
		Computer Print Outs (per sheet)	Books out of print per item	£15.30	Full cost	0%	Statutory Discretionary	Regulation 4, Library Charges (England and Wales) Regulations 1991/2712	
			Audio books per item	Full cost	Full cost	0%			
			Readers Cards - Adults per item	£2.00	£3.00	50%			
Weddings and Civil Partnerships	Superintendent Registrar (Other Venues)	Readers Cards - Children (under 15) per card	Free	Free	0%	Statutory Discretionary	Regulation 4, Library Charges (England and Wales) Regulations 1991/2712		
		A4	£0.10	£0.10	0%				
		A3	£0.20	£0.20	0%				
	Notice	Per Person	Black and white A4	£0.30	£0.30	0%	Statutory Discretionary	Regulation 4, Library Charges (England and Wales) Regulations 1991/2712	
			Black and white A3	£0.50	£0.50	0%			
			Colour A4	£0.30	£0.30	0%			
	Notice	Per Person (non EU National)	Colour A3	£1.50	£1.50	0%	Statutory Discretionary	Regulation 4, Library Charges (England and Wales) Regulations 1991/2712	
			Per Person	£35.00	£35.00	0%			
			Per Person (non EU National)	£47.00	£47.00	0%			
	Civil Partnership Ceremony	Superintendent Registrar (Other Venues)	Weekdays	£476.00	£523.60	10%	Statutory Discretionary	Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016	
			Saturdays	£551.00	£806.10	10%			
			Sundays	£721.00	£793.10	10%			
Notice Admin fee per notice		Out of hours admin fee evenings and Saturdays	Weekdays	£29.00	£31.90	10%	Statutory Discretionary	Schedule 1, Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016	
			Saturdays	£29.00	£31.90	10%			
			Sundays	£29.00	£31.90	10%			
Rescheduling Fee		Mon - Thurs	Weekdays	£29.00	£31.90	10%	Statutory Discretionary	Schedule 1, Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016	
			Saturdays	£29.00	£31.90	10%			
			Sundays	£29.00	£31.90	10%			
The Elizabeth Room		Fridays	Weekdays	£178.00	£195.80	10%	Statutory Discretionary	Schedule 1, Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016	
			Saturdays	£206.00	£226.60	10%			
			Sundays	£309.00	£339.90	10%			
Religious Buildings	Saturday	Weekdays	£309.00	£339.90	10%	Statutory Discretionary	Schedule 1, Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016		
		Saturdays	£309.00	£339.90	10%				
		Sundays	£309.00	£339.90	10%				
Religious Buildings	Sunday	Weekdays	£515.00	£566.50	10%	Statutory Discretionary	Schedule 1, Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016		
		Saturdays	£84.00	£84.00	0%				
		Sundays	£84.00	£84.00	0%				
Renewal of Marriage Vows / Baby naming ceremonies	Weekdays	Individual - midweek	£134.00	£134.00	0%	Discretionary	Schedule 1, Paragraph 9 of The Nationality, Immigration and Asylum Act 2002		
		Individual - Saturday	£185.00	£185.00	0%				
		Weekdays	£180.00	£198.00	10%				
Approved Premises Licence	Saturday	Weekdays	£281.00	£309.10	10%	Statutory Discretionary	s.93 Local Government Act 2003		
		Sunday	£515.00	£566.50	10%				
		Renewal	£32,420	£32,420	0%				
Certificates	Births, Deaths and Marriages	On day of registration	£23,660	£23,660	0%	Statutory Discretionary	Reg 12 - Marriages and Civil Partnerships (Approved Premises) Regulations 2005		
		From current registers after the date	£11.00	£11.00	0%				
		From completed registers	£11.00	£11.00	0%				
	Civil Partnerships	On day of registration	On day of registration	£11.00	£11.00	0%	Statutory Discretionary	Schedule 1, Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016	
			After day of registration	£11.00	£11.00	0%			
			Posted certificates -extra cost	£2.60	£3.00	15%			
	Premium Service	Within 24 hours	Family personal history search	£28.00	£35.00	25%	Discretionary	s. 93 Local Government Act 2003	
			For 6 hours	£18.00	£18.00	0%			
			Discretionary						
	Allotments	Allotment A	Allotment A	£6.66	£7.50	13%	Statutory Discretionary	s10 Allotments Act 1950	Charges will be implemented from 1st January 2023 using delegated authority under the Constitution and Slough's Fees and Charges Framework
			Allotment B	£6.25	£7.04	13%			
			Allotment C	£5.54	£6.24	13%			
Burials and Cremations	Slough Cemetery	Exclusive rights of Burial for 50 years	£1,065.00	£1,190.00	12%	Statutory Discretionary			
			£2,200.00	£3,570.00	62%				
			£855.00	£970.00	13%				
			£1,710.00	£2,910.00	70%				
			£760.00	£850.00	12%				
			£1,520.00	£2,550.00	68%				
			£215.00	£240.00	12%				
			£1,350.00	£1,500.00	11%				
			£2,700.00	£4,500.00	67%				
			£580.00	£640.00	10%				
			£1,160.00	£1,920.00	66%				
			£345.00	£380.00	10%				
£860.00	£790.00	11%							
£510.00	£560.00	10%							
£510.00	£1,880.00	229%							
£340.00	£380.00	12%							
£860.00	£1,140.00	88%							
£705.00	£780.00	11%							
£705.00	£2,340.00	232%							
£350.00	£390.00	11%							
£700.00	£1,170.00	67%							
£390.00	£430.00	10%							
£780.00	£1,290.00	65%							
£500.00	£550.00	10%							
£1,000.00	£1,100.00	10%							

Service	Fee Description 1	Fee Description 2	Current Charge	Proposed Charge	% Increase	Basis For Charging	Legislation Giving Power To Charge	For Noting only/Non Cabinet Approval
	Use of chapel for burial service		£256.00	£285.00	12%			
	Transfer / Assign Deed		£95.00	£110.00	16%			
	Copy Deed		£55.00	£60.00	9%			
	Memorial permit - right to erect memorial	Additional inscription to existing memorial	£165.00	£165.00	0%			
	Memorial permit - right to erect memorial	Lawn type memorial (i.e. headstone incl. mini-kerbs)	New Fee	£270.00	New Fee			
	Memorial permit - right to erect memorial	Full memorial (e.g. headstone & full size kerb set)	New Fee	£390.00	New Fee			
	Memorial permit - right to erect memorial	Cremation section memorial	New Fee	£200.00	New Fee			
	Memorial permit - right to erect memorial	Child section memorial	New Fee	£270.00	New Fee			
	Burial Chamber	Adult (80x30x24 inches)	£810.00	£810.00	0%			
	Burial Chamber	Extra Large (92x36x26.5 inches)	£685.00	£685.00	0%			
	Burial Chamber	Child (48x30x24 inches)	£475.00	£475.00	0%			
	Direct Cremation No Chapel	Slough Residents & Non-residents	£420.00	£465.00	11%			
	Slough Crematorium							
	Cremation Fee - Adult (17 years and over)	Includes music via Obitus, medical referee, environment fees	£870.00	£960.00	10%			
	Cremation Fee - under 17	As above	£0.00	£0.00	0%			
	Cremation Fee - Saturday, resident	As above	£1,350.00	£1,920.00	42%			
	Double Service Time		£255.00	£285.00	12%			
	Late cancellation		£255.00	£285.00	12%			
	Use of chapel for burial service		£255.00	£285.00	12%			
	Bearer		£35.00	£40.00	14%			
	Drop of coffin prior to service		£70.00	£80.00	14%			
	Scattering of remains at weekends (Cremated at Slough)		£70.00	£160.00	129%			
	Scattering of remains weekdays - other cremes		New Fee	£100.00	New Fee			
	Scattering of remains at weekends - other cremes		New Fee	£200.00	New Fee			
	Out Of England Certificate		New Fee	£50.00	New Fee			
	Book of Remembrance	2 line entry	£90.00	£95.00	6%			
	Book of Remembrance	5 line entry	£115.00	£125.00	9%			
	Book of Remembrance	8 line entry	£155.00	£165.00	6%			
	Book of Remembrance	5 line entry with floral emblem	£190.00	£200.00	5%			
	Book of Remembrance	5 line entry with emblem	£205.00	£215.00	5%			
	Book of Remembrance	8 line entry with floral emblem	£220.00	£230.00	5%			
	Book of Remembrance	8 line entry with emblem	£235.00	£250.00	6%			
	Memorial Cards	2 line entry	£100.00	£105.00	5%			
	Memorial Cards	5 line entry	£125.00	£130.00	4%			
	Memorial Cards	8 line entry	£165.00	£175.00	6%			
	Memorial Cards	5 line entry with floral emblem	£200.00	£210.00	5%			
	Memorial Cards	5 line entry with emblem	£215.00	£225.00	5%			
	Memorial Cards	8 line entry with floral emblem	£230.00	£245.00	7%			
	Memorial Cards	8 line entry with emblem	£245.00	£260.00	6%			
	Miniature Books of Remembrance and Triptychs	2 line entry	£130.00	£135.00	4%			
	Miniature Books of Remembrance and Triptychs	5 line entry	£155.00	£165.00	6%			
	Miniature Books of Remembrance and Triptychs	8 line entry	£195.00	£205.00	5%			
	Miniature Books of Remembrance and Triptychs	5 line entry with floral emblem	£230.00	£245.00	7%			
	Miniature Books of Remembrance and Triptychs	5 line entry with emblem	£245.00	£260.00	6%			
	Miniature Books of Remembrance and Triptychs	8 line entry with floral emblem	£260.00	£275.00	6%			
	Miniature Books of Remembrance and Triptychs	8 line entry with emblem	£275.00	£290.00	5%			
	Memorial Wall Plaque	Single Plaque, 70 letters	£180.00	£190.00	6%			
	Memorial Wall Plaque	Double Plaque, 140 letters	£360.00	£380.00	6%			
	Garden Memorials	Shrub & Single Plaque, 50 letters, 5 yrs	£310.00	£325.00	5%			
	Garden Memorials	Shrub & Double Plaque, 100 letters, 5 yrs	£450.00	£475.00	6%			
	Garden Memorials	Tree & Single Plaque, 50 letters, 5 yrs	£510.00	£535.00	5%			
	Garden Memorials	Tree & Double Plaque, 100 letters, 5 yrs	£650.00	£685.00	5%			
	Garden Memorials	Tree & Single Plaque, 50 letters, 10 yrs	£760.00	£800.00	5%			
	Garden Memorials	Tree & Double Plaque, 100 letters, 10 yrs	£900.00	£945.00	5%			
	Garden Memorials	Additional single plaque	£140.00	£150.00	7%			
	Garden Memorials	Additional double plaque	£280.00	£300.00	7%			
	Black Granite Memorial Tablet - gold leaf inscription	10 years, 60 letters	£515.00	£540.00	5%			
	Black Granite Memorial Tablet - gold leaf inscription	Ceramic photo plaque	£135.00	£140.00	4%			
	Black Granite Memorial Tablet - gold leaf inscription	Engraved emblem	£40.00	£45.00	13%			
	Black Granite Memorial Tablet - gold leaf inscription	Additional lettering (per letter)	£3.90	£4.10	5%			
	Black Granite Memorial Tablet - gold leaf inscription	Refurb of Granite Memorial	£80.00	£90.00	13%			
	Baby Memorial Cloud	3 years, 40 letters	£210.00	£220.00	5%			
	Baby Memorial Cloud	Emblem	£25.00	£25.00	0%			
	Baby Memorial Cloud	Additional lettering (per letter), max 70	£3.90	£4.10	5%			
	Memorial Garden Seat	4 lines per plaque, 70 letters, 10 yrs	£715.00	£715.00	0%			
	Communal Bench Plaque	4 lines per plaque, 70 letters, 5 yrs	£230.00	£240.00	4%			
	Paving Stone	8 lines, 10 years	£510.00	£535.00	5%			
	Additional Rose Plaque	Single, 50 letters	£140.00	£150.00	7%			
	Mini Granite Memorial Desk & Plaque	6 lines, 5 yrs, incl Emblem	£355.00	£375.00	6%			
	Memorial Renewal	Tree Plaque 1 Year	£90.00	£90.00	13%			
	Memorial Renewal	Tree Plaque 2 Year	£180.00	£180.00	13%			
	Memorial Renewal	Tree Plaque 5 Year	£400.00	£450.00	13%			
	Memorial Renewal	Tree Plaque 10 Year	£800.00	£900.00	13%			
	Memorial Renewal	Granite Black Memorial 1 Year	£50.00	£55.00	10%			
	Memorial Renewal	Granite Black Memorial 2 Year	£100.00	£110.00	10%			
	Memorial Renewal	Granite Black Memorial 5 Year	£250.00	£275.00	10%			
	Memorial Renewal	Granite Black Memorial 10 Year	£500.00	£550.00	10%			
	Memorial Renewal	Paving Stone 1 Year	£50.00	£55.00	10%			
	Memorial Renewal	Paving Stone 2 Year	£100.00	£110.00	10%			
	Memorial Renewal	Paving Stone 5 Year	£250.00	£275.00	10%			
	Memorial Renewal	Paving Stone 10 Year	£500.00	£550.00	10%			
	Memorial Renewal	Bench Memorial 1 Year	£55.00	£60.00	9%			
	Memorial Renewal	Bench Memorial 2 Year	£110.00	£120.00	9%			
	Memorial Renewal	Bench Memorial 5 Year	£275.00	£300.00	9%			
	Memorial Renewal	Bench Memorial 10 Year	£550.00	£600.00	9%			
	Memorial Renewal	Wall Plaque 1 Year	£15.00	£17.00	13%			
	Memorial Renewal	Wall Plaque 2 Year	£30.00	£34.00	13%			
	Memorial Renewal	Wall Plaque 5 Year	£75.00	£85.00	13%			
	Memorial Renewal	Shrub Plaque 1 Year	£55.00	£60.00	9%			
	Memorial Renewal	Shrub Plaque 2 Year	£110.00	£120.00	9%			
	Memorial Renewal	Shrub Plaque 5 Year	£275.00	£300.00	9%			
	Memorial Renewal	Mini Granite 1 Year	£40.00	£45.00	13%			
	Memorial Renewal	Mini Granite 2 Year	£80.00	£90.00	13%			
	Memorial Renewal	Mini Granite 5 Year	£200.00	£225.00	13%			
	Memorial Renewal	Rose Plaque 1 Year	£90.00	£100.00	11%			
	Memorial Renewal	Rose Plaque 2 Year	£180.00	£200.00	11%			
	Memorial Renewal	Rose Plaque 5 Year	£450.00	£500.00	11%			
	Memorial Renewal	Communal Bench Plaque 1 Year	£30.00	£33.00	10%			
	Memorial Renewal	Communal Bench Plaque 2 Year	£60.00	£66.00	10%			
	Memorial Renewal	Communal Bench Plaque 5 Year	£150.00	£165.00	10%			
	Memorial Renewal	Baby Cloud 1 Year	£10.00	£11.00	10%			
	Memorial Renewal	Baby Cloud 2 Year	£20.00	£22.00	10%			
	Memorial Renewal	Baby Cloud 5 Year	£50.00	£55.00	10%			
	Webcasting - Live		£40.00	£40.00	0%			
	Webcasting - Live & Watch Again		£55.00	£55.00	0%			
	Webcasting - Watch Again added post funeral	Live + 28 days	£15.00	£15.00	0%			
	Webcasting Keepsake	Keepsake copy (DVD/Blu-ray/USB stick)	£55.00	£55.00	0%			
	Webcasting - Additional Keepsake		£25.00	£30.00	20%			
	Audio-Visual Services - Photographs	Single photo (first)	£0.00	£0.00	0%			
	Audio-Visual Services - Photographs	Second and each subsequent photo	£13.00	£15.00	15%			
	Audio-Visual Services - Slideshows	Slideshow (up to 25 photos)	£43.00	£45.00	5%			
	Audio-Visual Services - Slideshows	Pro-tribute	£77.00	£80.00	4%			
	Audio-Visual Services - Slideshows	Family made	£23.00	£25.00	9%			
	Audio-Visual Services - Keepsakes	Keepsake of tribute (DVD/Blu-ray/USB stick)	£30.00	£30.00	0%			
	Audio-Visual Services - Keepsakes	Download of tribute	£13.00	£15.00	15%			
	Audio-Visual Services - Slideshows	Extra 25 photos	£26.00	£30.00	15%			
	Audio-Visual Services - Slideshows	Additional support or late fees	£26.00	£30.00	15%			

Statutory Discretionary

Art 15, Local Authorities Cemeteries Order 1977

Service	Fee Description 1	Fee Description 2	Current Charge	Proposed Charge	% Increase	Basis For Charging	Legislation Giving Power To Charge	For Noting only/Non Cabinet Approval			
Waste Disposal	Chavley Weighbridge Trade Waste	E/Tonne (Exc.VAT) General Waste	£182.23	£191.34	5%	Statutory Discretionary	S45 Environmental Protection Act 1990				
		E/Tonne (Exc.VAT) Green Waste	£85.30	£89.56	5%						
		Public Weighing (Exc.VAT)	£17.61	£18.49	5%						
Bulky Waste	Up to 5 items (Minimum £15)	Mattresses (Exc.VAT)	£25.00	£25.00	0%	Statutory Discretionary	S45 Environmental Protection Act 1990				
		E/Item (min 3 items)	£17.00	£17.00	0%						
		180 Litre Bin	£37.00	£37.00	0%						
Bin Sales		240 Litre Bin	£45.00	£45.00	0%	Statutory Discretionary	S46 Environmental Protection Act 1990	For noting - Cabinet approved new fees (July 2022)			
		360 Litre Bin	£77.00	£77.00	0%						
		770 Litre Bin	£333.00	£333.00	0%						
		1100 Litre Bin	£370.00	£370.00	0%						
Garden Waste Collection		Per bin Collected	£50.00	£50.00	0%	Statutory Discretionary	Schedule 1, Para 4, Controlled Waste (England & Wales) Regulations 2012	For noting - Cabinet approved new fees (July 2022)			
Highways	Traffic Model Data Accident data - Access Map Accident data - Access Map Traffic Flow Traffic Flow Traffic Signal Data Traffic Signal Data Traffic Signal Data Traffic Signal Data 24 hour RT Phasing Info Traffic Model Data Slough Accession Model Slough Accession Model Slough Accession Model	3 Years worth of accident Data	£150.00	£166.42	11%	Statutory Discretionary	s. 93 Local Government Act 2003				
		5 Years Accident Data	£200.00	£244.09	22%						
		Fixed Traffic Flow Data 1 site for 1 year	£145.16	£176.41	22%						
		Traffic Flow Data from temporary ATC	£58.06	£69.90	20%						
		Traffic Signal Staging Drawing	£46.45	£56.58	22%						
		Traffic Signal Spec Config Sheet	£46.45	£56.58	22%						
		24 hour RT Phasing Info	£174.19	£211.91	22%						
		Saurn Traffic Model	£3,483.89	£4,251.56	22%						
		Model Run	£929.04	£1,132.19	22%						
		Model run + sites staff postcode	£929.04	£1,132.19	22%						
		Both accessibility model runs together	£1,509.68	£1,841.75	22%						
		Part A	£200	£200	0%						
		Part B	£300	£300	0%						
		Initial Fee for 5 bedrooms or less	PART A	£450	£450				0%		
		Multi Occupancy Home Licences (HMO)	For houses that have over 6 rooms:	PART B	£300				£300	0%	Statutory Discretionary
Additional Charge	£30			£30	0%						
Annual / Variation	£2,606.00			£2,866.60	10%						
Licences and Registrations	Sex Establishments (cinema, shop, entertainment venue)	Minor Variation or Transfer	£685.00	£753.50	10%	Statutory Discretionary	Local Government Miscellaneous Provisions Act 1982, Part II, Sched 3, Para 19	For noting only/Non cabinet approval			
		Annual	£5,000.00	£5,000.00	0%						
		Daily	£35.00	£35.00	0%						
		Weekly	£130.00	£130.00	0%						
		Monthly	£475.00	£475.00	0%						
		Quarterly	£1,300.00	£1,300.00	0%						
		6 monthly	£2,750.00	£2,750.00	0%						
		Non-refundable deposit new applications	£250.00	£500.00	100%						
		Annual	£3,675.00	£3,675.00	0%				Statutory Discretionary	S 32, London Local Authority Act (1990) as amended	For noting only/Non cabinet approval
		Daily	£30.00	£30.00	0%						
		Weekly	£100.00	£100.00	0%						
		Monthly	£370.00	£370.00	0%						
		Quarterly	£1,100.00	£1,100.00	0%						
		6 monthly	£1,900.00	£1,900.00	0%						
		Non-refundable deposit new applications	£250.00	£500.00	100%						
For 6 months	£500.00	£600.00	20%	Statutory Discretionary	S 32, London Local Authority Act (1990) as amended	For noting only/Non cabinet approval					
For 1 month	£100.00	£120.00	20%								
Ear Piercing, Electrolysis, Tattooing & Acupuncture		£252.00	£277.20	10%	Statutory Discretionary	s.7(6) London Local Authorities Act 1991	For noting only/Non cabinet approval				
Hardressers and Barbers		£57.00	£62.70	10%	Statutory Discretionary	s.7(6) London Local Authorities Act 1991	For noting only/Non cabinet approval				
Pet shops / Animal boarding / Day breeding / Riding centres (plus vets fees as applicable)	Application (per license)		£390.40	£390.40	0%	Statutory Discretionary	s.1(2) Pet Animals Act 1951	For noting only/Non cabinet approval			
		Renewal (per license)	£340.60	£340.60	0%						
		Variation (per license)	£183.00	£183.00	0%						
		Re-training Visit (per license)	£158.00	£158.00	0%						
		Transfer due to death of licensee (per license)	£48.80	£48.80	0%						
Keeping or Training Animals for Exhibition	Application (per license)		£268.40	£268.40	0%	Statutory Prescribed	s.1(2) Performing Animals (Regulation) Act 1925	For noting only/Non cabinet approval			
		Renewal (per license)	£244.00	£244.00	0%						
		Variation (per license)	£183.00	£183.00	0%						
Zoo's / Dangerous wild animals	Plus vet fees (per license)		£318.40	£318.40	0%	Statutory Prescribed	s.1(2)(e) Dangerous Wild Animals Act 1976	For noting only/Non cabinet approval			
		Site Licence - new	£478.00	£478.00	0%						
Scrap Metal Dealers	Site Licence - renewal		£340.00	£340.00	0%	Statutory Discretionary	Schedule 1, para 6 Scrap Metal Dealers Act 2013	For noting only/Non cabinet approval			
		Site Licence - variation	£208.50	£208.50	0%						
		Collectors Licence - new	£293.50	£293.50	0%						
		Collectors Licence - renewal	£216.50	£216.50	0%						
		Collectors Licence - variation	£139.00	£139.00	0%						
		Including "large temporary events" (per license)	Variable	Variable	0%						
		All copy licences if lost (per copy)	£10.50	£10.50	0%						
Gambling Act 2005											
Bingo Club	New application (per license)		£2,625.00	£2,625.00	0%	Statutory Prescribed	Regulation 5 & Schedule 1 Regulation 8 & Schedule 1 Regulation 11 & Schedule 1 Regulation 12 & Schedule 1 Gambling Act (Premises Licence Fees) (Eng & Wales) Regs 2007	For noting only/Non cabinet approval			
		Annual fee (per license)	£750.00	£750.00	0%						
		Application to vary (per license)	£1,315.00	£1,315.00	0%						
		Application to transfer (per license)	£900.00	£900.00	0%						
		Application for re-instatement (per license)	£900.00	£900.00	0%						
		Application for provisional statement (per statement)	£2,625.00	£2,625.00	0%						
		License application - provisional statement holders (per license)	£900.00	£900.00	0%						
		Copy of license (per license)	£25.00	£25.00	0%						
		Notification of change (per license)	£50.00	£50.00	0%						
		Betting premises - excluding tracks	New application (per license)		£2,250.00				£2,250.00	0%	Statutory Prescribed
Annual fee (per license)	£450.00			£450.00	0%						
Application to vary (per license)	£1,125.00			£1,125.00	0%						
Application to transfer (per license)	£900.00			£900.00	0%						
Application for re-instatement (per license)	£900.00			£900.00	0%						
Application for provisional statement (per statement)	£2,250.00			£2,250.00	0%						
License application - provisional statement holders (per license)	£900.00			£900.00	0%						
Copy of license (per license)	£25.00			£25.00	0%						
Notification of change (per license)	£50.00			£50.00	0%						
Family entertainment centres	New application				£1,500.00	£1,500.00	0%	Statutory Prescribed	Regulation 5 & Schedule 1 Regulation 8 & Schedule 1 Regulation 11 & Schedule 1 Regulation 12 & Schedule 1 Gambling Act (Premises Licence Fees) (Eng & Wales) Regs 2007	For noting only/Non cabinet approval	
		Annual fee	£565.00	£565.00	0%						
		Application to vary	£750.00	£750.00	0%						
		Application to transfer	£715.00	£715.00	0%						
		Application for re-instatement	£715.00	£715.00	0%						
		Application for provisional statement	£1,500.00	£1,500.00	0%						
		License application - provisional statement holders	£715.00	£715.00	0%						
		Copy of license	£25.00	£25.00	0%						

Service	Fee Description 1	Fee Description 2	Current Charge	Proposed Charge	% Increase	Basis For Charging	Legislation Giving Power To Charge	For Noting only/Non Cabinet Approval
		Notification of change	£50.00	£50.00	0%		Gambling Act (Premises Licence Fees) (Eng & Wales) Regs 2007	
	Gaming centres	New application	£1,500.00	£1,500.00	0%		Regulation 5 & Schedule 1	For noting only/Non cabinet approval
		Annual fee	£750.00	£750.00	0%		Regulation 8 & Schedule 1	
		Application to vary	£750.00	£750.00	0%		Regulation 11 & Schedule 1	
		Application to transfer	£900.00	£900.00	0%		Regulation 12 & Schedule 1	
		Application for re-instatement	£900.00	£900.00	0%		Gambling Act (Premises Licence Fees) (Eng & Wales) Regs 2007	
		Application for provisional statement	£1,500.00	£1,500.00	0%	Statutory Prescribed	Gambling Act (Premises Licence Fees) (Eng & Wales) Regs 2007	
		License application - provisional statement holders	£900.00	£900.00	0%		Gambling Act (Premises Licence Fees) (Eng & Wales) Regs 2007	
		Copy of license	£25.00	£25.00	0%		Gambling Act (Premises Licence Fees) (Eng & Wales) Regs 2007	
		Notification of change	£50.00	£50.00	0%		Gambling Act (Premises Licence Fees) (Eng & Wales) Regs 2007	
	Permits	FEC gaming machine / prize gaming – Application fee	£300.00	£300.00	0%		Regulation 3 Small Society Lotteries (Registration of Non-Commercial Societies) Regulations 2007	
		Licensed premises gaming machine permit – Application fee	£150.00	£150.00	0%		Regulation 8 Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007	
		Licensed premises gaming machine permit – Annual fee	£50.00	£50.00	0%		Regulation 12 Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007	
		Licensed premises - Notification of 2 or less gaming machines	£50.00	£50.00	0%	Statutory Prescribed	Regulation 3 Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007	
		Club gaming / gaming machine permit – Application fee	£200.00	£200.00	0%		Regulation 8 Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007	
		Club gaming / gaming machine permit – Annual fee	£50.00	£50.00	0%		Regulation 12 Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007	
	Combination Driver (CD) Licensing	PH & HC Driver - Renewal (1 year)	£130.00	£286.00	120%			
		PH & HC Driver - New Application (3 year)	£266.00	£375.00	41%			
		PH & HC Driver - Renewal (3 year)	£238.00	£330.00	39%			
		PH & HC Driver - Replacement badge	£15.50	£17.00	10%			
		PH & HC Driver - Replacement badge change of operator	£15.50	£17.00	10%			
		PH & HC Driver - copy of paper licence	£15.50	£17.00	10%			
		PH & HC Driver - Knowledge test	£41.20	£45.00	9%	Statutory Discretionary	£70, Local Government (Miscellaneous Provisions) Act 1976	For noting only/Non cabinet approval
		PH & HC Vehicle - New application	£226.60	£300.00	32%			
		PH & HC Vehicle - Renewal application	£226.60	£250.00	10%			
		PH & HC Vehicle - Transfer	£36.00	£45.00	25%			
		PH & HC Vehicle - Change of vehicle	£51.50	£250.00	385%			
		PH & HC Vehicle - Copy of paper licence	£15.50	£17.00	10%			
		PH & HC Vehicle - Replacement plate	£26.00	£26.00	0%			
		PH & HC Vehicle - Copy of certificate of compliance	£15.50	£17.00	10%			
		PH Vehicle - Exemption	£51.50	£51.50	0%			
	Combination Driver Licence (CD)	CDriver - Renewal (1 year)	£130.00	£286.00	120%			
		CDriver - New application (3 year)	£266.00	£375.00	41%	Statutory Discretionary	£70, Local Government (Miscellaneous Provisions) Act 1976	For noting only/Non cabinet approval
		CDriver - Renewal (3 year)	£238.00	£330.00	39%			
	Private Hire Operators (PHO)	Chauffeurs 1 vehicle	£137.00	£150.00	9%	Statutory Discretionary	£70, Local Government (Miscellaneous Provisions) Act 1976	For noting only/Non cabinet approval
	1 year grant and renewal	Operator Up to - 5 vehicles	£275.00	£302.50	10%			
		Operator Up to - 15 vehicles	£360.00	£396.00	10%			
		Operator Up to - 25 vehicles	£595.00	£654.50	10%			
		Operator Up to - 35 vehicles	£835.00	£918.50	10%			
		Operator Up to - 45 vehicles	£1,070.00	£1,177.00	10%	Statutory Discretionary	£70, Local Government (Miscellaneous Provisions) Act 1976	For noting only/Non cabinet approval
		Operator Up to - 55 vehicles	£1,310.00	£1,441.00	10%			
		Operator Up to - 65 vehicles	£1,550.00	£1,705.00	10%			
		Operator Up to - 75 vehicles	£1,790.00	£1,969.00	10%			
		Operator Up to - 85 vehicles	£1,930.00	£2,123.00	10%			
		Operator Up to - 99 vehicles	£2,365.00	£2,691.50	14%			
		Operator 100 vehicles and over	£2,385.00	£2,623.50	10%			
	Private Hire Operators (PHO)	Chauffeurs 1 vehicle	£411.00	£452.00	10%	Statutory Discretionary	£70, Local Government (Miscellaneous Provisions) Act 1976	For noting only/Non cabinet approval
	5 year grant and renewal	Operator Up to - 5 vehicles	£825.00	£907.50	10%			
		Operator Up to - 15 vehicles	£1,080.00	£1,188.00	10%			
		Operator Up to - 25 vehicles	£1,785.00	£1,963.50	10%			
		Operator Up to - 35 vehicles	£2,505.00	£2,755.50	10%			
		Operator Up to - 45 vehicles	£3,210.00	£3,531.00	10%			
		Operator Up to - 55 vehicles	£3,930.00	£4,323.00	10%	Statutory Discretionary	£70, Local Government (Miscellaneous Provisions) Act 1976	For noting only/Non cabinet approval
		Operator Up to - 65 vehicles	£4,650.00	£5,115.00	10%			
		Operator Up to - 75 vehicles	£5,370.00	£5,907.00	10%			
		Operator Up to - 85 vehicles	£5,790.00	£6,396.00	10%			
		Operator Up to - 99 vehicles	£7,095.00	£7,894.50	10%			
		Operator 100 vehicles and over	£7,155.00	£7,870.50	10%			
		Replacement Licence	£15.00	£17.00	13%			
	Licence to store explosives - new	0-250kg	£111.00	£111.00	0%	Statutory Prescribed	Feworks Regulations 2004/1836, reg. 9 Licensing of fireworks suppliers	For noting only/Non cabinet approval
	Licence to store - renewal	0-250kg	£55.00	£55.00	0%	Statutory Prescribed		
	Licence to store - new	250-2000kg	£189.00	£189.00	0%	Statutory Prescribed		
	Licence to store - renewal	250-2000kg	£87.00	£87.00	0%	Statutory Prescribed		
	Variation		£37.00	£37.00	0%	Statutory Prescribed		
	Transfer		£37.00	£37.00	0%	Statutory Prescribed		
	Replacement		£37.00	£37.00	0%	Statutory Prescribed		
	Any other variation		£84.00	£90.00	7%	Statutory Discretionary		
	License to sell		£500.00	£500.00	0%	Statutory Prescribed		
	Street Entertainment License	Busker's license	£0.00	£0.00	0%	Statutory Prescribed		
			£84.00	£90.00	7%	Statutory Discretionary		
Enforcement	Immigration Inspection Fees		£126.23	£138.85	10%	Discretionary	S93 - Local Government Act / Localism Act 2011	
	Littering Fines		Up to £2500	Up to £2500	0%	Statutory Prescribed	S 332B Environmental Protection Act 1990	
	Stray Dogs	In office hours	£49.65	£75.00	51%			
		Outside of office hours and weekends	£141.85	£160.00	13%	Statutory Discretionary	§149 Environmental Protection Act 1990	
		Daily kennelling charge	£21.35	£25.00	17%			
Trading Standards	Primary Authority Partnership Scheme		£84.00	£90.00	7%	Discretionary	Section 27A, Regulatory Enforcement and Sanctions Act 2008	
Public Protection/ Food Safety	Export Certificates	Per certificate	£122.00	£134.00	10%	Statutory Discretionary	§1 Localism Act 2011	
	Frais for business support advice / regulation	As and when hourly rate pro rata	£84.00	£90.00	7%	Statutory Discretionary	§1 Localism Act 2011	
	Food Hygiene Rating Rescore visits		£213.50	£213.50	0%	Statutory Prescribed		
	Provision of SFBB pack	Per pack	£18.75	£20.63	10%	Statutory Prescribed	§1 Localism Act 2011	
Blue Badge Approved Applications			£10.00	£10.00	0%	Statutory Prescribed	Regulation 6(1) - Disabled Persons (Badges for Motor Vehicles)(England)(Regulations 2000	
Environment	Environment Searches	Environmental Reports prepared for clients	£210.00	£235.00	12%	Statutory Prescribed	Regulation 66, Environmental Permitting (England and Wales) Regulations 2016	
	Petroleum Licensing Annual Licence Fee (Petroleum Consolidation Regulations) 2014	up to 2,500 litres petrol storage	£42.00	£42.00	0%			
		2,500 litres but not exceeding 50,000 litres storage	£58.00	£58.00	0%	Statutory Prescribed	Regulation 66, Environmental Permitting (England and Wales) Regulations 2016	
		above 50,000 litres	£120.00	£120.00	0%			
	Environmental Permitting	Standard process application	£1,650.00	£1,650.00	0%	Statutory Prescribed	Regulation 66, Environmental Permitting (England and	

Service	Fee Description 1	Fee Description 2	Current Charge	Proposed Charge	% Increase	Basis For Charging	Legislation Giving Power To Charge	For Noting only/Non Cabinet Approval
		Full day - full pitch and changing room facility (up to 7 hours) this price includes Flood Lights, use of Ground Floor Rooms & First Floor Rooms. Including referees room 1 & 2. (package only available for league or cup competition hirers)	£721.00	£793.10	10%			
		Half day - full pitch and changing room facility (up to 4 hours) this price includes Flood Lights, use of Ground Floor Rooms & First Floor Rooms (package only available for league or cup competition hirers).	£381.00	£419.10	10%			
		Children's Sports Parties (includes pitch, club room and community kitchen	£195.70	£215.27	10%			
		Schools Full Pitch Hire (cup games include utilising upstairs meeting rooms) Charge P1HR Peak Monday to Friday 5pm to 10pm Saturday and Sunday 9am to 10pm	£515.00	£566.50	10%			
		Schools Full Pitch Hire (cup games include utilising upstairs meeting rooms)- Charge P1HR Off Peak Monday to Friday 9am to 5pm	£278.10	£305.91	10%			
		Schools Full Pitch Hire (cup games include utilising upstairs meeting rooms) - hourly rate	£51.80	£67.98	10%			
		Schools Half Pitch Hire - Charge P1HR Peak Monday to Friday 5pm to 10pm Saturday and Sunday 9am to 10pm	£257.50	£283.25	10%			
		Schools Half Pitch Hire - Charge P1HR Off Peak Monday to Friday 9am to 5pm	£139.05	£152.96	10%			
		Schools Half Pitch Hire hourly rate	£36.05	£39.66	10%			
		Coach Parking	£20.60	£22.66	10%			
	Standard charges across our assets if not already specified	Smart Board, Laptop and projector	£20.60	£22.66	10%			
		Flip chart & Stand	£10.30	£11.33	10%			
		Projector	£10.30	£11.33	10%			
		Laptop	£10.30	£11.33	10%			
		Smartboard	£10.30	£11.33	10%			
		Main Hall Projector & Wide Screen	£25.75	£28.33	10%			
		Stage Delivery	£92.50	£90.75	10%	Discretionary	S93 - Local Government Act / Localism Act 2011	
		Stage set up	£20.60	£22.66	10%			
		Storage per square metre	£3.09	£3.40	10%			
		Teas, Coffees & Biscuits (per person)	£1.44	£1.58	10%			
		Lecton	£10.30	£11.33	10%			
		AV equipment	£51.50	£56.65	10%			
		Kitchen	£10.30	£11.33	10%			
		Car Park Space	£5.00	£5.50	10%			
	Observatory house - Council Chambers	Council Chambers - Hourly Rate	£165.00	£165.00	0%	Discretionary	S93 - Local Government Act / Localism Act 2011	
		Council Chambers - Half Day Rate - Up to 4 hours 10% discount on hourly rate & includes use of all equipment	£594.00	£594.00	0%	Discretionary	S93 - Local Government Act / Localism Act 2011	
		Council Chambers - Full Day Rate Up to 7 hours 10% discount on hourly rate & includes use of all equipment	£1,039.50	£1,039.50	0%	Discretionary	S93 - Local Government Act / Localism Act 2011	
		Combined Package - Council Chambers & ground floor large open area for canapes	£215.00	£215.00	0%	Discretionary	S93 - Local Government Act / Localism Act 2011	
		Combined Package - Half Day Rate - Up to 4 hours 10% discount on hourly rate & includes use of all equipment	£774.00	£774.00	0%	Discretionary	S93 - Local Government Act / Localism Act 2011	
		Combined Package - Full Day Rate Up to 7 hours 10% discount on hourly rate & includes use of all equipment	£1,354.00	£1,354.00	0%	Discretionary	S93 - Local Government Act / Localism Act 2011	
** All venue hire bookings are exempt from VAT. VAT for security costs for Weddings and Parties will be applied.								
***We have a corporate security contract in place and the charge per hours dependant on the type of security required is \$9.27 and £12.50								
Children's Centres	Childcare Fees	Hourly rate- Under 2	£6.79	£7.47	10%	Discretionary	s1, Localism Act 2011	
Children's Centres	Childcare Fees	Hourly rate- 2 year olds	£6.15	£6.77	10%	Discretionary	s1, Localism Act 2011	
Children's Centres	Childcare Fees	Hourly rate- 3 & 4 year olds	£5.52	£6.07	10%	Discretionary	s1, Localism Act 2011	
Children's Centres	Childcare Fees	Hourly rate- over 5	£4.66	£5.13	10%	Discretionary	s1, Localism Act 2011	

Slough Borough Council

Report To:	Cabinet
Date:	16 th January 2023
Subject:	Procurement of electronic document management services
Lead Member:	Councillor Zaffar Ajaib, Customer services, procurement, and performance
Chief Officer:	Stephen Brown, Chief Executive
Contact Officer:	Simon Sharkey Woods, Assistant Director, Chief Digital, and Information Officer
Ward(s):	ALL
Key Decision:	No
Exempt:	No
Decision Subject to Call In:	Yes
Appendices:	None

1. Summary and Recommendations

- 1.1. Electronic document management services (EDMS) are a business-critical technology product used extensively across the council. It enables residents to submit documents electronically and these documents are then available in case management applications to support council decision-making.
- 1.2. The existing contract is due to expire on 31st March 2023. There is insufficient time to migrate to a new service provider. It is proposed that the council directly awards a contract to the council's existing provider for a maximum period of two years under a Crown Commercial Service (CCS) framework. There will be a break clause in the contract after 18 months.
- 1.3. This would allow the council sufficient time to review future provision and resourcing, undertake a competitive procurement exercise and migrate to a new service provider with no loss of service to the council.

Recommendations

- 1.4. Cabinet is recommended to:
- 1.5. Approve the direct award of a contract to Civica Ltd for the provision of EDMS services for a total contract value of £284,028 and a maximum period of two years. The contract will run from 1st April 2023 until the 31st March 2025 with a break clause after 18 months.

Reason

- 1.6. The financial and resourcing challenges faced by the Council over the past two years have meant it has not been possible to define the requirements for cross-departmental technology services like electronic document management services with any degree of certainty. Managing our contractual obligations is challenging. The ICT and Digital team will, with the support of Members, continue to maintain services and when our future operating model is clearer, act quickly to procure the best value contracts for what we need.
- 1.7. The council's existing EDMS is a business-critical application which enables residents to electronically submit documents in support of case management. This could include information relevant to benefits claims.
- 1.8. EDMS projects are difficult and complex. Typically, an EDMS project will take between 18-24 months to complete. To ensure that the correct decision is made with no loss of service, the council needs to engage with all stakeholders to gather requirements, appraise both the technology and resourcing options available and then consider the migration of terabytes of data to the new application. With that in mind, it is not practical to: review, procure and migrate to a new supplier in the short time frame we have available before the contract ends on 31 March 2023.
- 1.9. Failure to retain access to this service would impact on the council's ability to process claims for benefits, provide access to adult and children's services and make decisions on planning applications.
- 1.10. By awarding the contract for a two-year period the council would be able to:
 - a) appraise existing technology solutions and select the correct product for the council's longer-term needs;
 - b) agree an appropriate resourcing strategy; and,
 - c) undertake a competitive procurement exercise and migrate to the new service with no loss of service to the council, whilst ensuring best value for the council.

Commissioner Review

- 1.11. *"The Commissioners are content with the report and its recommendations."*

2. REPORT

Introductory paragraph

- 2.1. The proposal outlined in this report supports SBC in delivering appropriate fit for purpose ICT capability to residents and staff; a key element of the Council's recovery plans.
- 2.2. Aligned to this, by considering the council's longer-term needs, it is more likely that the council will not only choose the correct technology product but be able to achieve best value in any future procurement decisions through understanding our requirements fully and effectively planning future provision.

Options considered

2.3. Three options have been considered:

Option 1 – RECOMMENDED: directly award a contract to the existing provider through an established framework agreement.

2.3.1. The council would use an existing Crown Commercial Service framework agreement to directly award a contract to the existing supplier. This approach would ensure:

- a) continued access to a business-critical application; and,
- b) provide sufficient time for the council to appraise its longer term needs and competitively procure and migrate to the new service.

2.3.2. During the period of the new contract the council will establish, through the modernisation programme a project team to carry out a review of the council's requirements for EDMS functionality.

2.3.3. Should the council be able to develop its proposals more quickly the new contract will include a contract break point at 18 months.

2.3.4. It will:

- a) Collect council-wide requirements;
- b) Develop user stories and acceptance criteria;
- c) Map all processes and security requirements;
- d) Assess and make recommendations on available technology solutions;
- e) Assess and make recommendations on the best value delivery model for the council considering;
 - in-house: Slough develops in-house capability to provide EDMS functionality through SharePoint;
 - hybrid: Slough partners with an external provider to provide EDMS functionality via SharePoint; and,
 - out-sourced: a new product is procured and managed by the supplier.
- f) If required, procure an appropriate solution; and,
- g) Incrementally migrate Slough to the new solution – there will be a period when it is likely that both products will be in use whilst services are migrated to the new service.

2.3.5. Assuming the council is able to resource appropriately for the scale of this work an indicative timeline could be:

Activity	Timeline
Review of technologies	Feb-Apr 2023
Review of resourcing options	Apr-Jun 2023
Cross-council stakeholder engagement on requirements	Jun-Sep 2023
Process and security mapping	Jul-Sep 2023
Develop user stories and success criteria	Sep-Nov

Decision on future provision	Sep 2023
Develop specification and ITT	Nov 2023
Procurement activity	Nov-Jan 2024
Build workflows, security, and access	Mar-Apr 2024
Incremental migration to new service, including data migration	May onwards 2024
SBC fully migrated to new service	Mar 2025

Option 2 – NOT RECOMMENDED: undertake a competitive procurement exercise

- 2.3.6. There is insufficient time to undertake a competitive procurement before the existing contract expires.
- 2.3.7. To complete the procurement exercise, the council would need to: collect council wide requirements; map all workflows and processes; map all integration points to other applications; develop a specification and run the procurement – before migrating to a new supplier.
- 2.3.8. Typically, this would take between 18-24 months to deliver successfully.

Option 3 – NOT RECOMMENDED: do not renew the existing contract

- 2.3.9. This option is not recommended as the impact of losing access to the service would place the council at significant disadvantage in making decisions on residents' cases.

Background

- 2.4. EDMS are complex document repositories. They are increasingly being used to manage the lifecycle of a document from receipt to destruction, often automating the lifecycle through workflow. They are also becoming an important tool in supporting the council's responses to Freedom of Information (FOI) and Subject Access Requests (SAR), providing strong electronic discovery potential.
- 2.5. Here in Slough, we use Civica W360 extensively for the submission of documents from residents, scanning the documents into our 'digital mailroom' and routing the document to the appropriate staff member and case management system.
- 2.6. EDMS projects are very complex and time consuming. This is due to four factors:
- i) building the correct workflow for every service area – each workflow must be mapped, and the attributes required captured, the council has multiple workflows.
 - ii) ensuring security and access permissions – differing service areas have differing security and access requirements which need to be documented and tested and tested again.
 - iii) attributing each document with the correct metadata for the new system – the metadata for one application is not necessarily in the same format as the metadata required in another application. All these fields need to be cross referenced and tested.

- iv) physically migrating terabytes of data – migration techniques have greatly improved. However, there is still a risk that taking significant data from one application to another may fail, hence the likelihood that data will be migrated incrementally.

3. IMPLICATIONS OF RECOMMENDATIONS

Finance implications

- 3.1. The current contract is valued at £156,400 annually. There is existing revenue funding in the ICT and Digital budget for this service. The new contract value for the two years is £284,028, which represents a reduction in costs to the council of £28,772 over the life of the contract.

Legal implications

- 3.2. The recommended procurement route would be via Crown Commercial Services (CCS) framework agreement, Data and Application Solutions RM3821. The direct award of this contract under this CCS framework agreement is a procurement approach which is compliant with both the council's Contract Procedure Rules and the Public Contracts Regulations 2015.
- 3.3. HB Public Law will be instructed to prepare the call-off contract pursuant to the CCS framework agreement, Data and Application Solutions RM3821.
- 3.4. The call-off contract will need to be sealed in accordance with the council's Contract Procedure Rules.

Risk management implications

- 3.5. There are three risks which need to be managed:
 - i) loss of service – any loss of service would impact on residents' ability to submit supporting documentation on claims and applications. The council would have incomplete information when making decisions which could lead to under/over payment of benefit claims and incorrect decisions on applications for other services.
 - ii) making the wrong long-term technology decision – technology has moved on and the council needs to look longer term at what technology and capability it wants to use.
 - iii) taking the wrong approach to resourcing the provision of this service – there are options for the council to in-source service provision or retain an outsourced service provision. These two approaches need to be appraised and aligned to the council's longer-term requirements.

Environmental implications

- 3.6. If the council were to choose not to continue with this service, the council would revert to physical submission of documents. There would be a requirement to have physical cases and documents which would adversely impact the council's carbon footprint.

Equality implications

- 3.7. The loss of service would impact on residents' ability to submit document in support of their claims or applications. This would lead to a loss of access to council services.

Procurement implications

- 3.8. The recommended procurement route would be via Crown Commercial Services (CCS) framework agreement, Data and Application Solutions RM3821. The direct award of this contract under this CCS framework agreement is a procurement approach which is compliant with both the council's Contract Procedure Rules and the Public Contracts Regulations 2015.
- 3.9. The direct award of a contract for another 24 months will enable a council-wide approach to EDMS provision which will help the council gain significant improved and streamlined control over its document management system.

Workforce implications

- 3.10. There are no workforce implications.

Property implications

- 3.11. There are no property implications.

4. BACKGROUND PAPERS

- 4.1. None

Slough Borough Council

REPORT TO:	Cabinet
DATE:	16th January 2023
SUBJECT:	Procurement of Adult Social Care Shared Lives Service Contract.
CHIEF OFFICER:	Marc Gadsby, Executive Director People (Adults)
CONTACT OFFICER:	Jane Senior – Associate Director People Strategy and Commissioning Suzanne Binns, Group Manager - People Strategy
WARD(S):	ALL
PORTFOLIO:	Cllr Natasa Pantelic, Social Care and Public Health
KEY DECISION:	YES
EXEMPT:	Part Exempt – Appendix A is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
DECISION SUBJECT TO CALL IN:	YES
APPENDICES:	Appendix 1 – Equalities Impact Assessment Exempt Appendix A - Pricing

1 Summary and Recommendations

- 1.1 Shared Lives schemes provide individuals with the opportunity to live in ordinary households of recruited, trained and approved Shared Lives Carers and their families in the community. They provide friendship, support and care in the same way that a relative might and can support people with a range of needs.
- 1.2 Shared Lives carers can offer long term accommodation with care and/or support or short-term support such as short breaks or daytime activities. Shared Lives can also offer an alternative accommodation service, diverting people away from Supported Living or Residential Care.
- 1.3 Shared Lives Schemes are regulated by the Care Quality Commission (**CQC**) for the activity of personal care under the Health and Social Care Act (2008).

- 1.4 Shared Lives often presents a more cost effective and personalised solution; with research showing average net savings from a long-term Shared Lives arrangement per person per year to be £26,000 for people with a learning disability and £8,000 for people with mental ill health.¹
- 1.5 A desktop review of potential individuals who may benefit from the service indicates up to 5 people could be referred for long term placements during 2023/24 with the number rising to 8 people being supported during 2024/25.
- 1.6 Due to the estimated numbers that would potentially be referred to the service over the next three years, this report recommends the procurement of a single supplier through second stage mini-competition of the ASC Dynamic Purchasing System Lot 21.
- 1.7 The introduction of a Shared Lives Scheme for Slough residents not only brings about an opportunity to improve people's outcomes, but also has the potential to provide better value for money. It is estimated that around £204,000 savings or cost avoidance can be made over a two-year period during 2023/4 and 2024/5.
- 1.8 Whilst the estimated maximum cost of the 3-year contract at £467,000 falls under the £500,000 threshold for Cabinet decision, the procurement was omitted from the forward plan for contracts over £180,000 in the Cabinet Report for April 2022 and approval is therefore being sought from Cabinet to progress this procurement.

Recommendations:

Cabinet is recommended to:

1. Approve commencement of the procurement of a Single Supplier Shared Lives Service from January 2023 through the ASC Dynamic Purchasing System for 3 years at a maximum total cost at today's prices of £467,000 which is made up of £111,000 for year 1, £178,000 for year 2 and £214,000 year 3.
2. Delegate authority to the Executive Director People (Adults), in consultation with Lead Member Social Care and Public Health and the Section 151 Officer, to award the contract to commence in April 2023.
3. Note the pricing scenarios included at Exempt Appendix A

Reason:

To ensure that the council can secure a Shared Lives Service that offers best value as part of the ASC Transformation Programme that is procured properly and safely.

Commissioner Review

"The Commissioners are content with the report and its recommendations."

¹ Investing in Shared Lives, Social Finance Ltd (July 2013)

2 Report

Introductory paragraph

- 2.1 The provision of a good quality Shared Lives Service enables individuals to have greater choice to live or spend time in a family and homely environment rather than receiving more traditional services such as residential care or supported living to meet their assessed and eligible needs; thus, promoting independence, choice and control over how they receive support and how they live their lives.
- 2.2 Shared Lives services also offer a cost-effective alternative to traditional services and enables improved value for money.
- 2.3 The provision of a Shared Lives service meets the following Council priorities and objectives:

Slough Health and Wellbeing Strategy

Priority Two - Integration – Increasing the proportion of people living independently at home and decreasing the number of people living in care homes.

Slough Corporate Plan 2022-25

A Council that lives within our means, balances the budget, and delivers best value for taxpayers and service users

An environment that helps residents live more independent, healthier and safer lives.

- 2.4 The development of a Shared Lives Service is part of the ASC Transformation Programme.

Options considered

2.4 A number of options were considered:

Option	Pros	Cons
Option 1 Do nothing and continue with current provision of traditional services	No additional resource required can continue with business-as-usual activity.	Does not align with SBC's ambition to diversify the market and promote a strength-based approach to care and support which Shared Lives can offer. Potential for improved value for money with associated ASC Transformation Programme reduction in expenditure will not be achieved and alternative cost reduction measures would be required.

<p>Option 2</p> <p>Establish an in-house scheme</p>	<p>Greater control over the development of the service</p> <p>Direct links with social work teams to support referrals</p> <p>No management fees to an external organisation</p>	<p>It will take time to establish a brand new service (including CQC Registration (fees), recruitment, training of carers and team) which does not fit with the timetable identified within the ASC Transformation Programme for cost reduction targets.</p> <p>It will require additional resource and recruitment to new posts is already an issue for SBC – additional budget will be needed</p> <p>It does not fit with the direction of travel for SBC to no longer be a direct provider of services</p> <p>Lack of resource and experience associated with Shared Lives delivery</p> <p>Estimated scheme set up cost ranges between £91,000 - £117,000</p> <p>Estimated timescales to be operational between 12 – 18 months</p> <p>This option presents the highest risk in terms of cost and time commitment should the service be unsuccessful in recruiting carers and/or service users.</p>
<p>Option 3</p> <p>Partner with a neighbouring local authority scheme</p>	<p>Opportunity to learn from experience and knowledge gained to date</p> <p>Schemes are already established with existing policies and procedures</p>	<p>Less influence as will need to align with existing offer (this would be further reduced if we had a tripartite agreement)</p> <p>Potentially less good value for money as no mini competition</p>

	<p>Existing schemes offer flexibility of support across a range of customer groups</p> <p>Have a good relationship and understand the quality of their service.</p> <p>Potential to partner with another LA thereby sharing admin costs of the LA delivering the service through a tripartite Partnership Agreement</p>	<p>More difficult for effective contract management arrangements</p> <p>Unlikely they have existing capacity – LAs generally have capacity and recruitment issues –</p> <p>They will need to recruit a member of staff before any work could commence as they have no current capacity</p> <p>Timescale to implement would be extended to develop Partnership Agreement and go through partners governance estimate 6 months</p> <p>This option presents a risk in terms of the time required for both LAs and potentially a third LA to agree to a Partnership Agreement (assume will need to go through significant internal governance approvals) and lack of competition.</p>
<p>Option 4 Recommended Approach</p> <p>Commission a single supplier via the DPS for individual call-off arrangement</p>	<p>Greater control and influence over how the scheme develops.</p> <p>Ability to direct how the Provider links with operational teams to generate referrals</p> <p>Indicative costs indicate better value for money will be achieved</p> <p>Growth in local provider market can be commissioned through the existing DPS second stage mini competition</p> <p>Can potentially make use of current carer capacity in neighbouring boroughs</p>	<p>Provider may not have an established relationship with LA teams. However, this can be established during mobilisation of the contract.</p> <p>This is the recommended approach as this represents the quickest and best value for money solution</p> <p>It also allows development of knowledge and experience of Shared Lives services allowing a better understanding of future demand, whilst only paying for what is needed on a placement-by-placement basis.</p>

	<p>depending on which scheme they are employed by.</p> <p>In order to bid provider will demonstrate success in delivering quality shared lives services in other areas</p> <p>Procurement and award will be faster and using a registered service, therefore mobilisation should be within shorter timeframe than other options above</p>	
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Background

- 1.1 Shared Lives schemes provide individuals with the opportunity to live in ordinary households of recruited, trained and approved Shared Lives Carers and their families in the community. They provide friendship, support and care in the same way that a relative might and can support people with a range of needs.
- 1.2 Shared Lives carers can offer long term accommodation with care and/or support or short-term support such as short breaks or daytime activities. Shared Lives can also offer an alternative accommodation service, diverting people away from Supported Living or Residential Care.
- 1.3 Shared Lives Schemes are regulated by the Care Quality Commission (**CQC**) for the activity of personal care under the Health and Social Care Act (2008).
- 1.4 Shared Lives often presents a more cost effective and personalised solution; with research showing average net savings from a long-term Shared Lives arrangement per person per year to be £26,000 for people with a learning disability and £8,000 for people with mental ill health.²
- 1.5 A desktop review of potential individuals who may benefit from the service indicates up to 5 people could be referred for long term placements during 2023/24 with the number rising to 8 people being supported during 2024/25.
- 1.6 Due to the estimated numbers that would potentially be referred to the service over the next three years, this report recommends the procurement of a single supplier through second stage mini-competition of the ASC Dynamic Purchasing System Lot 21.
- 1.7 The introduction of a Shared Lives Scheme for Slough residents not only brings about an opportunity to improve people's outcomes, but also has the potential to provide better value for money. It is estimated that around £204,000 savings or cost avoidance can be made over a two-year period during 2023/4 and 2024/5.

² Investing in Shared Lives, Social Finance Ltd (July 2013)

3. Implications of the Recommendation

3.1 Financial implications

3.1.1 The Council is responsible for procuring a suitable care or support provider and payment of care and support costs to meet assessed and eligible needs under The Care Act 2014.

3.1.2 Shared Lives often presents a more cost effective and personalised solution for individuals than traditional services of residential care and supported living; with research showing average net savings from a long-term Shared Lives arrangement per person per year to be £26,000 for people with a learning disability and £8,000 for people with mental ill health. The indicative annual contract value is outlined in the following table and will be funded from existing budgets in line with demand:-

3

	23/24 £000s	24/25 £000s	25/26 £000s	Total £000s
CTPLD	111	111	111	333
MH		67	67	134
Total	111	178	214	467

Comparison of Shared Lives service costs with those of average residential care and supported living weekly costs indicate the potential for cost reduction for those able to benefit from the service and provide improved value for money. Details are set out at Exempt Appendix A.

3.1.3 The People Strategy and Commissioning Team will work with Legal and Procurement Teams to develop an appropriate contract.

3.1.4 This provision is demand-led, potential referrals to the scheme will be discussed during the routine Adult Social Care People and Practice Panel processes. This will provide the necessary scrutiny with prior approval for referral to the service.

3.1.5 Value for money will be tracked via the project delivery board.

3.1.6 Inflationary cost pressures will be included in the budget planning processes and the impact on contract values monitored. If these pressures increase the overall value of the contract a report will be brought to Cabinet with recommendations.

3.2 Legal implications

3.2.1 The Care Act 2014 requires the local authority to meet identified eligible needs as assessed under s9 of the Care Act, and to make appropriate provision to meet those needs. Where this is identified as replacement care, accommodation with care and support, or day activities, then there is a duty placed upon the Council to make that provision.

³ Investing in Shared Lives, Social Finance Ltd (July 2013)

3.2.2 The Care Act statutory guidance states that 'high quality, personalised Care and Support can only be achieved where there is a vibrant, responsive market of services available'.

3.2.3 Under section 5 of the Care Act, the local authority has a duty to shape and maintain an efficient and effective market of services for meeting care and support needs in the local area.

3.2.4 The duty applies in relation to services that the local authority commissions directly, but also to other non-commissioned services in its area (including those used by self-funders), universal services and services provided by partners (such as health or charitable services) that together create the marketplace.

3.2.5 The market that is shaped should ensure that any person requiring Care and Support/Support services:

1. Has a variety of providers, supplying a variety of services to choose from;
2. Has a variety of high-quality services to choose from; and
3. Has sufficient information to make an informed decision about how to meet the needs in question.

3.2.6 Use of a properly established Dynamic Purchasing System (DPS) to procure a Shared Lives service is a compliant procurement approach in accordance with both the Council's Contract Procedure Rules and the Public Contracts Regulations 2015.

3.2.7 The DPS must be operated as a completely electronic process and must be open, throughout the period of validity of the DPS, to any economic operator that satisfies the selection criteria

3.2.8 To procure under a DPS, the council must follow the rules of the restricted procedure, which means that any economic operator can submit a request to participate in response to the call for competition by providing the information for qualitative selection requested by the council. The minimum time limit for receipt of requests to participate, where a prior information notice (PIN) is used as a means of calling for competition, is 30 days from the date on which the PIN is sent to the UK e-notification service - Find a Tender.

3.2.9 The council must offer unrestricted and full direct access free of charge to the procurement documents, by means of the internet, on an ongoing basis from the date on which the PIN is sent. This requirement can be satisfied by providing a link to a procurement portal (such as SE Portal) where potential candidates can access the documents.

3.2.10 The council must finalise their evaluation of requests to participate in the DPS, in accordance with the applicable selection criteria, within ten working days following their receipt, and must simultaneously and in writing invite the economic operators which have expressed their interest to confirm their continuing interest and invite the selected candidates to submit their tenders.

3.2.11 The minimum time limit for receipt of tenders must be at least ten days from the date on which the invitation to tender is sent. However, the council may set the time limit for the receipt of tenders by mutual agreement between the council and all selected

candidates, provided that all selected candidates have the same time to prepare and submit their tenders.

3.2.12 Where the council awards a contract under a DPS, there is no compulsory standstill period.

3.2.13 The council must either send a contract award notice within 30 days after the award of each contract based on the DPS or group such notices on a quarterly basis and send the grouped notices within 30 days of the end of each quarter.

3.2.14 HB Public Law can advise as required on the DPS procedural requirements and contract awards and conclusion.

3.3 Risk management implications

3.3.1 The recommended option will ensure the mobilisation of a Shared Lives service from the 1st April 2023 and allow referrals to the service from 1st June 2023. The table below sets out the risks associated with the proposed course of action and the mitigating action.

Risk	Assessment of Risk	Mitigation	Residual Risk
Suppliers do not bid	<p>Medium</p> <p>There is a risk that suppliers will not bid to provide and develop Shared Lives Carer capacity in the local area.</p>	<p>Low</p> <p>Market Engagement with economic operators indicates that there is interest in established schemes in neighbouring areas.</p>	Low
Suppliers bid at rates which are higher than those anticipated, placing a pressure on Adult Social Care budgets.	<p>Medium</p> <p>The market is facing significant economic pressures. This includes increases in national insurance contributions, inflationary pressures and wage competition from other sectors. Shared Lives Services are indicating that they may need to pass on increased payments to Shared Lives Carers for the rises in the cost of living</p>	<p>Approaches to inflationary uplifts will be included within tender documents.</p>	Medium / Low
Providers offering a lower price will result in a lower quality	<p>Medium</p>	<p>Tenders will be required to meet a minimum quality threshold. Failure to meet the threshold will result in a failed bid and exclude them from evaluation on pricing.</p> <p>The Shared Lives contract will contain a clear set of KPIs which will be monitored. Care providers are also monitored by the Council's Quality Assurance team with issues discussed at the Care Governance Board with improvement plans being submitted to ensure that clear turnaround initiatives are implemented, where required.</p>	Low

		A suite of KPIs will be included within contracts and suppliers will be required to report against these.	
<i>All options have two shared risks</i>			
Potential lack of demand	Medium If insufficient individuals are identified the service will likely struggle to retain carers.	The council will provide support in promoting the service to service users and their families.	Medium/Low
Difficulty in recruitment of shared lives carers and additional staffing if required.	Medium Inability to provide a service due to difficulty in recruiting shared lives carers or office staff to meet demand	The council will support the provider in publicising and generating awareness of Shared Lives services as an employment opportunity and career.	

3.4 Environmental implications

3.4.1 During the procurement process, potential suppliers will be requested to provide a copy of their environmental impact assessment and impact management measures.

3.4.2 The table below provides examples of environmental impact measures that affect Shared Lives services:

Environmental Impact	Management Measures
Carbon emissions from staff travelling to work and between service user households.	Shared Lives Carers recruitment centred on local residents working from their own homes thus reducing travel to work carbon emission footprint. Promotion of electric powered cars.
Hazardous Waste management	Promotion and support of recycling of household waste packaging. Infection control policies and procedures. Shared Lives Carers trained in infection control and incontinence waste storage and disposal. Use of incontinence waste removal service.
Office and equipment waste management	Use of recycled ink cartridges for printers. Recycle electronic equipment with ethical supplier Reduce paper usage by using electronic alternative methods for communication and recording

3.5 Equality implications

3.5.1 The Council has a duty under The Equality Act 2010 to have due regard to need for equality of opportunity and fostering good relations between protected groups and other groups.

The provision of a Shared Lives service is a good example of how a service can embrace those principles. The service will provide the opportunity for people with mental health needs and people with a learning disability to choose to live, or stay, in a family setting within the community and take part in family life, rather than have their care needs met in the more traditional services such as supported living or residential care homes.

This provides the opportunity for increased independence, social inclusion and improved quality of life. The scheme will be available for directly commissioned care by the Council, self-funders and those in receipt of Direct Payments.

An Equalities Impact Assessment is set out at Appendix 1. Providers will be required to set out how they will meet equalities requirements through the tendering process. This includes meeting the diverse cultural and language needs within the borough.

3.6 Procurement implications

The following table sets out the options that have been considered in relation to the procurement route and strategy.

The following table sets out the options that have been considered in relation to the procurement route and strategy for the Shared Lives services supply in Slough.

Procurement Strategic Approach	Consideration	Recommended
Use of Suppliers engaged through mini-competition stage on the ASC Dynamic Purchasing System (DPS)	<p>The approach allows for regular refresh of the list of contracted suppliers at any time, as and when required, via advertisement of mini competitions.</p> <p>New suppliers to the local market are engaged through application to join the DPS at any time with the knowledge that there will be opportunity to apply at mini-competition stage for supply contracts.</p> <p>Early engagement with suppliers successful on joining the DPS allows organisations to clearly understand service delivery requirements.</p>	<p>Yes.</p> <p>Offers time efficient and flexibility for refresh of suppliers for generic and specialist services.</p>

Procurement Strategic Approach	Consideration	Recommended
	<p>The DPS also allows a time efficient process for specific specialist services to be procured.</p> <p>There are currently 117 providers registered to bid for call-off Contracts on the DPS, for replacement care including Shared Lives provision. A small number of organisations will be established Shared Lives Services.</p>	
Open-market procurement	This option may increase new providers into this market.	<p>No.</p> <p>The Council has an effective mechanism for driving competition and seeking best value – the Adult Social Care Dynamic Purchasing System.</p> <p>A process for engagement has been undertaken to inform the Shared Lives Schemes service requirements. The timetable for this exercise is compatible with adoption of the DPS contractual mechanism.</p>
Joint Procurement with other neighbouring local authorities/E Berkshire.	Neighbouring boroughs of Bracknell Forest and RBWM are not seeking a procurement of this service type at this time from the external sector.	No.

Proposed Revised Procurement Timetable

This paper recommends use of the Adult Social Care DPS mechanism for securing a Shared Lives Service single supplier contract required to start 1st April 2023. The below indicative timetable is applicable for this purpose:

Date	Milestone Detail
23/01/2023	Cabinet Approval to commence procurement
25/01/23	Advertisement of Shared Lives mini-competition on DPS for Single Supplier
31/01/23	Clarification questions deadline
02/02/23	Response to clarification questions
15/02/23	Deadline for submission of Method Statements and Pricing
16/01/23-24/02/23	Evaluation of proposals
02/03/23 TER to PRB 17/03/23 CLT 22/03/23 Exec Board	£180,000 - £500,000 Approval process – TER to PRB Board 02/03/2023, CLT 17/03/2023, Executive Board 22/03/23
24/03/23	Decision to award – Executive Director /send contract to legal to progress
24/03/23	Contract Award Notice
28/03/23	Contract execution
01/04/23-31/05/23	Contract mobilisation – recruitment of Shared Lives Carers
01/06/2023	Referrals to service from SW teams

3.7 Workforce implications

3.7.1 Not Applicable.

3.8 Property implications

3.8.1 Not Applicable.

4. Background Papers

None

Appendix 1 – Equalities Impact Assessment

Directorate: People (Adults)	
Service: Commissioning	
Name of Officer/s completing assessment: Suzanne Binns	
Date of Assessment: 29/11/2022	
Name of service/function or policy being assessed: Externally Commissioned Shared Lives Service	
1.	<p>What are the aims, objectives, outcomes, purpose of the policy, service change, function that you are assessing?</p> <p>The procurement of a Shared Lives service will develop the local market and extend the choice and availability of services to support the assessed and eligible care needs of adults with assessed and eligible needs under the Care Act 2014. Shared Lives schemes offer the opportunity for adults with learning disabilities or mental health needs to live or stay within a family environment enabling greater levels of independence as opposed to supported living or residential care. This Equality Impact Assessment (EIA) will primarily set out the actions that will be undertaken during the development of the local service, assess and monitor possible effects on residents with protected characteristics. The availability of service will be for directly commissioned care, self-funders and those in receipt of Direct Payments.</p>
2.	<p>Who implements or delivers the policy, service or function? State if this is undertaken by more than one team, service, and department including any external partners.</p> <p>The Shared lives Service will be provided by an external economic operator across the borough. Commissioning arrangements are managed through the Council’s People Strategy and Commissioning Team. A project delivery board will oversee the mobilisation of the contract.</p>
3.	<p>Who will be affected by this proposal? For example, who are the external/internal customers, communities, partners, stakeholders, the workforce etc. Please consider all of the Protected Characteristics listed (more information is available in the background information). Bear in mind that people affected by the proposals may well have more than one protected characteristic.</p> <p>There are 10 protected characteristics:</p> <ol style="list-style-type: none"> 1. Age including younger and older people 2. Disability 3. Gender reassignment 4. Pregnancy and maternity - No Impact

	<p>5. Race including ethnic or national origins, colour or nationality 6. Religion or belief including lack of belief 7. Sex 8. Sexual orientation 9. Marriage/civil partnerships No Impact 10. Carers protected by association</p> <p>Individuals in receipt of Shared Lives services may have one or more protected characteristics. It is a requirement that the provider delivering the Shared Lives service have appropriate equalities' policies in place.</p> <p>All providers bidding for the Shared Lives service will be required to be registered with the Care Quality Commission. The Care Quality Commission standards set out that services must be able to meet specific cultural, language and spiritual/religious needs through personalisation of the care and support plan. The Shared Lives service matches service recipients with appropriate shared lives carers.</p>
4.	<p>What are any likely positive impacts for the group/s identified in (3) above? You may wish to refer to the Equalities Duties detailed in the background information.</p> <p>Shared Lives services enable individuals to live more independently in a family home setting as opposed to moving to alternative supported living or residential care accommodation. This supports increased participation in the community and a better quality of life.</p> <p>Shared Lives services also prevents the need for more expensive and sometimes less satisfactory care settings.</p> <p>Active market shaping in Slough means there are suppliers who have experience specific to the demographic of the borough. E.g., Culture and language, complex care needs, etc.</p> <p>The competitive procurement process will include evaluation of the proposed operational method statements in relation to meeting the needs of Slough's culturally diverse community and related service requirements such as language needs. There are specific challenges in identifying male carers and this will be identified in the ITT documentation.</p>

5.	<p>What are the likely negative impacts for the group/s identified in (3) above? If so, then are any particular groups affected more than others and why?</p> <p>It will be important that any cultural requirements are addressed through the tendering process. There may be a need to promote recruitment of shared lives carers who have rooms suitable for adaptation for meeting physical mobility needs.</p>
6.	<p>Have the impacts identified in (4) and (5) above been assessed using up to date and reliable evidence and data? Please state evidence sources and conclusions drawn (e.g., survey results, customer complaints, monitoring data etc.).</p> <p>Data will be collected during the mobilisation of the contract and through contract monitoring and contract management processes. Actions will be taken to address any shortfalls.</p>
7.	<p>Have you engaged or consulted with any identified groups or individuals if necessary and what were the results, e.g., have the staff forums/unions/ community groups been involved?</p> <p>In progress, Slough's co-production network and Peer Mentor groups will be engaged in the planning for the development of the service. This work will take place in January 2023.</p>
8.	<p>Have you considered the impact the policy might have on local community relations?</p> <p>Ensuring sufficient supply of appropriate Shared Lives services which meet the assessed needs of the population will have a positive impact upon community relations and provide greater choice for service users.</p>
9.	<p>What plans do you have in place, or are developing, that will mitigate any likely identified negative impacts? For example, what plans, if any, will be put in place to reduce the impact?</p> <p>Any negative impacts will be addressed through the tender exercise, assessment of provider responses and during the mobilisation of the contract and through contract monitoring and contract management processes. Actions will be taken to address any shortfalls.</p>
10.	<p>What plans do you have in place to monitor the impact of the proposals once they have been implemented? (The full impact of the decision may only be known after the proposals have been implemented). Please see action plan below.</p>

	<p>KPIs developed in partnership with stakeholders and providers will be actively managed through contract management. These include service user protected characteristic profile monitoring, and reasons for unavailability of staffing/referral declination/matching.</p>
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<p>What course of action does this EIA suggest you take? More than one of the following may apply</p>	✓
<p>Outcome 1: No major change required. The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken</p>	
<p>Outcome 2: Adjust the policy to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments would remove the barriers identified? (Complete action plan).</p>	
<p>Outcome 3: Continue the policy despite potential for adverse impact or missed opportunities to promote equality identified. You will need to ensure that the EIA clearly sets out the justifications for continuing with it. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact (see questions below). (Complete action plan).</p> <p>Equality Impact Assessment</p> <p>The Council is seeking to procure a single supplier to provide a Shared Lives Carer service and recruit Shared Lives Carers in Slough and the neighbouring local authority areas. People with learning disabilities or people with mental health needs will be referred to the scheme for a variety of services including long-term accommodation, short-breaks, and day opportunities.</p> <p>Currently there is only one person with learning disabilities from Slough receiving services from a Shared Lives Scheme. This procurement would enable more people with learning disabilities or mental health needs to benefit from this service.</p> <p>The scheme would provide greater choice for individuals and enable individuals to benefit from living or staying in a family setting and take part in family life, rather than have their needs met in the more traditional services such as supported living or residential care provision.</p> <p>There may be challenges in relation to recruiting shared lives carers who are able to accommodate individuals with mobility needs due to the family home not having the required adaptations.</p> <p>There may be challenges in relation to general recruitment of shared lives carers due to the lack of spare bedrooms within family homes.</p> <p>The Council will work with the successful provider to help promote the Shared Lives Scheme and the Shared Lives Carer positions as a career with benefits for those who are caring for their families at home, or for those who no longer have their family at home but would like to work from home in the care sector to support others to remain as independent as possible, or gain life skills.</p>	✓

The provider will be contractually required to fulfil their duties in accordance with The Equality Act 2010.

The Council will monitor:

- the number of people taking up the offer of a Shared Lives Service.
- the recruitment of Shared Lives carers who can be matched with people wishing to make use of the shared lives service
- the protected characteristics of individuals referred to the service, and the recruitment and training of shared lives carers who can meet the needs of people with specific language and/or communication requirements.

Outcome 4: Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination. (Complete action plan).

Slough Borough Council

REPORT TO:	Cabinet
DATE:	16 January 2023
SUBJECT:	Special Educational Needs and Disability (SEND) Update on Improvement Plans
CHIEF OFFICER:	Andrew Fraser - Executive Director of People (Children)
CONTACT OFFICER:	Johnny Kyriacou – Associate Director, Education & Inclusion
WARD(S):	All
PORTFOLIO:	Councillor Hulme – Lead Member Children’s Services
KEY DECISION:	NO
EXEMPT:	NO
DECISION SUBJECT TO CALL IN:	NO
APPENDICES:	Appendix A – WSOA Update to DfE October 6th Appendix B – LGA SEND Review Appendix C – LGA Review Response Update Appendix D – Extract of LA risk register, SEND

1. Summary and Recommendations

- 1.1 This report requests that Cabinet note the progress on the Written Statement of Action (WSOA), since it was presented to Cabinet on 21st February 2022 in response to the Special Educational Needs and Disabilities (SEND) local area inspection.
- 1.2 An update was also presented to Cabinet in September 2022 which included reference to the work being done on the safety valve programme with the DfE.

Recommendations:

Cabinet is recommended to consider the paper which provides:

1. Updates the progress and the next steps planned on the Written Statement of Action (WSOA).
2. Shares the findings of the LGA review and the planned next steps in response to this.
3. Confirms Cabinet’s request that there will be regular bi-monthly reporting on progress against the WSOA. The incoming Director of Children Services/Chief Executive of SCF will be commencing in mid-January and will continue to work with this recommendation by providing updates on progress as well as risks and mitigations.

Reason:

- To ensure that elected members are kept updated and have an opportunity to influence and debate progress and that there is public reporting on progress on this key area of improvement.

Commissioner Review

“It is good to see the recognition that all the service failures are to be reported in a common format and considered on a regular basis by Cabinet. Public performance reporting and review is a fundamental component of a good council's activity.”

2. Summary

2.1. Slough was subject to a local area inspection between 27 September and 1 October 2021. This is a joint inspection by Ofsted and the Care Quality Commission for the area of Slough and considered the effectiveness of the area in implementing the SEND reforms as set out in the Children and Families Act 2014. The results of the inspection were sent to the Council and Frimley CCG on 9 November 2021 and were published on Ofsted's website on the same date. The LA and CCG produced a WSOA to address key areas of weakness identified by Ofsted /CQC.

The WSOA is a joint responsibility between the council and the CCG, now known as Frimley Integrated Care Board (ICB). Ofsted and the CQC are likely to re-inspect the local area in the next 12-18 months since the publication of the local area Ofsted inspection. Progress will be measured solely against the WSOA priority areas, as opposed to considering the wider improvements required to improve the system overall.

2.2. Progress on the WSOA is overseen by the SEND and Inclusion Strategic Board. This is jointly chaired by the Director of Children's Services and the Place Locality Director for Slough from the ICB. It includes other senior officers from across the council, other external stakeholders such as schools and health care providers, parent voice representation and the lead member for children, lifelong learning, and skills. The DfE adviser to Slough is also invited to the board meetings as well as the DfE Commissioner for SEND. It is recognised that to date there has been insufficient reporting to elected members or CLT and this project has not been aligned with the Council's wider improvement plans. This will change as a matter of urgency and in future there will be a regular update to CLT every 6 weeks and quarterly reporting to Cabinet. Whilst progress against the WSOA is a joint responsibility between Education, Health, and Social Care, the Council must ensure that it is improving its own services for children with SEND and that this is seen as a corporate priority.

2.3. Each of the seven priority areas identified in the WSOA has a responsible officer and a team of named people to carry out the actions within each of those areas. The SEND and Inclusion Strategic Board meets monthly and receives updates from each lead on progress towards milestones and outcomes.

2.4. The local area is required to meet with the DfE on a quarterly basis to provide an update and progress against the WSOA. The last meeting took place on October 6th, 2022. The next scheduled meeting is January 26th, 2023 (see section 4) and our response to be prepared by January 12th, 2023. In future, we aim to seek approval

from Cabinet prior to sending an update to the DfE and where timing does not permit this to update Cabinet following the outcome of the DfE monitoring meetings.

2.5. The DfE have expressed concern at the overall lack of rapid progress in addressing the key areas of the WSOA and also a lack of focus on reporting on impact of measures that have been actioned. The council faces various challenges in addressing the areas of concerns due in part to the financial difficulties it faces. The SEND service has suffered from high turnover of staff and capacity issues. The council has put in place some mitigations to address these concerns going forward. (See section 3).

2.6. The WSOA has links with other strategies and initiatives across the council that are SEND related such as:

- Dedicated School Grant (DSG) Management Plan
- The Safety Valve Programme
- School Effectiveness Strategy
- School Place Planning Strategy
- SEND and Inclusion Strategy (currently being redrafted)

The Council needs to manage these areas as part of one project instead of seeing these as separate projects and work activity, as there has been a lack of focus on policy and strategic level decision-making to date. See Section 5 for further information.

3. Progress against the WSOA

Whilst the SEND service is one element of the local area services, it is nonetheless a vital component and major service for young people and families. The SEND service in the LA has had some difficulties in meeting targets for Education, Health Care and Needs Assessment (EHCNA) within 20 weeks and has suffered from having high staff turnover.

Below are actions being taken to support the SEND service and some of its targets.

3.1. The council has successfully recruited 6FTE into the SEND service including new roles. See table below.

Table 3.1

Role	Start date	Notes
SEND Compliance and Partnerships Manager	Initial round of interviews unsuccessful.). Will go back out advert in January.	This newly created role will support with tribunals, complaints, and oversee/support EHCP/EHCNA timeliness compliance.
SEND Officer	November 2022	This is an additional post to expand the SEND officers from 7 to 8 and will reduce caseloads per person
Assistant SEND Officer x 4	All officers have been appointed and the full team will be in place by January 2023	These are newly created posts that will support SEND officers in the processing of EHCPs and deputise where necessary.

3.2. Other key area targets for the SEND service and work towards action and implementation can be seen in the table below:

Table 3.2

Action	Comment	Date
1. Conversion of EHCNAs with 20-week statutory time periods	<p>Currently the conversion rate sits at 30% for November 2022. The highest rate for 18 months. The national average is around 59%</p> <p>EHCPs have been identified and prioritised in order to continue an upward trend and reach national averages early in the new year.</p> <p>The SEND team has been working through a backlog of cases and the number was 130 in November 2021. It has fallen to 65 in November 2022.</p> <p>This shows the team working hard to clear backlog as well as complete EHCNAs within the 20-week period. Resulting in children and young people's needs are met in a timelier way.</p> <p>Focussing solely on the 20-week period would inevitably increase the backlog so a careful balanced approach has been taken.</p>	March 2023 aim to reach at least 59% for EHCNA conversion within 20 weeks.
2. Improved communication with stakeholders	<p>All SEND Officers have mobile phones and are directly contactable by parents/guardians and schools.</p> <p>All schools have a named officer that has improved communication between the LA and schools.</p> <p>Senior SEND officers attend the parent group Special Voices regularly on a rota basis.</p>	<p>Ongoing.</p> <p>A parent survey in September 2022 highlighted 89% of parents were happy with communication with the SEND service.</p>
3. Redesign SEND service to ensure it is more fit for purpose	<p>The additional staffing has allowed for a redesign of the service to better suit the needs of our stakeholders.</p> <p>The SEND service is now being redesigned to include a pre-14 team and post-14 team as well as an annual review team. This will have a significant impact in terms of focus and capacity to provide a more effective service.</p>	In place by January 2023 when majority of new staff are in post
4. Engage in series of co-production events	On 25.11.22 a large-scale event took place for parents/carers and young people with SEND at Saba Singh Sports Centre, with stakeholders across the LA attending.	Target date February/March 2023 for new SEND and

	This was an opportunity to engage with stakeholders around the crafting of a SEND and Inclusion Strategy. The results of this will form part of the new strategy.	Inclusion Strategy
5. Use of Capita Data System for EHCNA process in order be more efficient and able to engage stakeholders	<p>Training events have taken place throughout October/November 2022 on use of Capita to complete EHCNAs and maintain Education Health and Care Plans (EHCPs).</p> <p>The system has the ability to allow stakeholders to contribute to the process online and reduce the need for word documents and eliminate issues around version control.</p>	February/March 2023 full use of Capita for EHCNA/EHCP process.

3.3. The SEND service is making slow but steady progress. The impact of additional staffing should start to be felt by March/April 2023. However, there will be new staff and a new team in place that need to be fully trained. There are a number of workforce developments that need to be put in place including clear induction, training etc. before making a full impact.

3.4. Additional support/progress

- The council has appointed a full time Programme Manager to provide support for the WSOA (December 2022). This will support the co-ordination of the WSOA and ensure more effective use of data dashboards to measure progress and focus on impact of actions.
- Frimley ICB is recruiting to a SEND participation officer role to strengthen parent, children, and young people's voice. Progress on this is currently being sought.
- Frimley ICB is recruiting additional staff to build additional capacity for integrated therapies.

3.5. Progress against the WSOA 7 Areas of Priority

On 6th October 2022, the council and Frimley ICB provide an update to the DfE on progress, areas of action and impact against the key priorities within the WSOA. Attached as appendix A is the presentation and update given to the DfE. It provides the basis of the update for this report. Below summarises the progress (as of December 2022) of the actions since the report to the DfE on October 6th, 2022 (Appendix A). Below will be updated again nearer the time of the next meeting with the DfE on January 26th, 2023:

Priority 1

There are weak arrangements for ensuring effective joint leadership and accountability, self-evaluation, and improvement planning at a strategic level across education, health, and care services (including considering the high turnover of staff and an area-wide commitment to inclusion)

1. Strategic Board in place since April with terms of reference.
2. SEND & Inclusion Strategy is now a critical document that we are co-producing to be presented to Cabinet in March 2023.

3. Performance management framework being developed to track data on a monthly, quarterly, and annual basis; this is to see the progress we are making.
4. Staff have received Capita training.
5. Autumn term visit reviews with a focus on SEND have been completed and there will be feedback to Strategic Board in the new year

Priority 2

The overlooked voice of the children and young people with SEND and their families and consequent lack of understanding of their lived experiences and the lack of readily available, helpful, and accurate information in this regard

1. We are redesigning our Local Offer for ease of signposting to the services and opportunities we provide. This will be developed with children and young people and families in the first quarter of 2023.
2. We continue to have ways of giving feedback using our surveys and face to face events.
3. We have produced a job description for a Participation Officer to be recruited in the new year who will be the lynchpin for working with children and young people and ensuring they are informed of opportunities available to them

Priority 3

There is a lack of effective use of meaningful performance information to inform the area's strategy and planning, as well as to evaluate its effectiveness

1. **Self-Evaluation Form (SEF)** – this is looking to be completed in January.
2. **Waiting times** – process is in place, but data is not available yet for Slough only. Should be in January.
3. **Complaints system** – the council has a complaints system that captures SEND-related complaints, so this could be deemed complete
4. **School attendance system** – the council has procured StudyBugs, which should go live in schools in January.
5. **Performance dashboard** – we now have one and it is improved as business as usual, so could be deemed complete.
6. **Workforce Development Plan** being produced to be completed in first quarter of the new year.

Priority 4

There are limited opportunities for parents, carers and children and young people with SEND to be involved in planning and reviewing area services

1. Links back to redesign of Local Offer – Priority 2 above.
2. Links back to recruitment of Participation Officer – Priority 2 above.

Priority 5

The timeliness with which EHC plans are produced and updated, particularly nearing transition points, and the absence of systematic processes for the quality assurance of EHC plans

1. Tracker in place and being used by staff to ensure timely completion of EHCNAs within 20 weeks.
2. LGA review has been finalised and needs to be reviewed for dependencies against Priorities 1-7.
3. SEND team review of recruitment and retention to feed into Workforce Development Plan – link to Priority 1.
4. Multi-agency Quality Assurance Board in place with terms of reference.

Priority 6

The absence of social care considerations in EHC plans, for children and young people not known to children’s social care, and in services in the area, including the lack of age-appropriate social opportunities for children and young people and limited offer of short-break or respite services for parents and carers

1. A Review Panel across the partnership of health, education and social care was formed and was lead through the Chair from Slough Children First. Each child had a focussed session looking at their outcomes from a multi-agency perspective.
2. A multi-agency audit tool was adopted from another Local Authority and used to guide the discussions held at the panel about the child or young person’s needs, and how these were being met at the residential setting following the guidance in Appendix A.
3. The individual audits of all the children, have been appended to the children’s files, and submitted to all the partners to review.
4. Sixty-nine families have access to package of care.
5. Respite unit for children with additional needs.
6. Good feedback from families on ‘Break Away.’
7. Good joint working with Health.
8. Short-Breaks identified link with Commissioning team on what families want. Increased package of care.

Priority 7

There is inequitable access to SALT and OT services, excessive waiting lists and waiting times and the absence of a dysphagia service for those aged five and over

1. Integrated Therapies Project/ Attain Project meeting held and workshops to start in January

3.6. Next steps and priorities

1. To understand our critical path for the next quarter.
2. To recognise that Strategic Board needs to focus on strategic key deliverables.
3. To recognise our risk level is critical and hold an urgent meeting to discuss mitigations;
4. To put forward a resource plan that will enable the Leads to manage this critical actions and still be able to provide a quality services.
5. To prepare the DfE quarterly report accepting that we have not made the progress we should have made due to capacity and funding issues.

4. SEND LGA Review

On September 20-23rd 2022 the LGA were invited to the LA to conduct a SEND review. There were 5 key themes they were asked to focus on which were:

- Leadership and governance of SEND across the local area
- Capacity and resources (including finance)
- Working with Key Partners
- Systems and Processes
- Local Offer

The full report is provided in Appendix B

4.1. Response to the LGA Review

The report was finalised on 22nd November 2022. The recommended action points have close links with the WSOA and are summarised below:

1. Significantly strengthen corporate and political commitment so that every Slough child matters and senior leaders at all levels 'own' their children.
2. Improving outcomes for children and young people with SEND needs to be prioritised by all partners so they can hold each other to account for progress made.
3. All partners must be fully invested in the action plans to improve and measure progress in relation to outcomes for children and young people with SEND.
4. The SEND Strategic Board should provide robust challenge to partners to ensure that improvements for children and young people with SEND progress at pace.
5. Consideration of risk should be an integral part of the Board's work.
6. Ensure the right resources are in the right place to maximise the capacity across the system and provide children and young people with SEND, and their families, with the support to which they are entitled.
7. The voices of children, young people and their families need to be heard and fully acted upon to deliver impactful change, including improving and relaunching the Local Offer, with a strong focus on promoting independence and preparation for adulthood.

A broader response and actions to date because of the LGA review can be seen in Appendix C.

5. Links with other Areas and Strategies

- 5.1. In order for the Council to improve its SEND service, the following strategies and priorities need to be addressed.

Table 5.1

Strategies with links to WSOA	Comments
Joint Commissioning	Work has begun on joint commissioning for therapies for young people with the Integrated Care Board (ICB) and the other East Berkshire authorities, RBWM and Bracknell Forest. This could have huge benefits in terms of cost reduction, efficiencies, and an integrated support system for young people. This proposed contract will require cabinet approval.

<p>DSG Management Plan/The Safety Valve Programme</p>	<p>All local authorities with DSG deficits are required to prepare and implement a deficit management plan, although the DfE recognises that in some cases it may take several years for the situation to improve.</p> <p>The Council has been invited to take part in the ‘safety valve’ intervention programme with the DfE with the aim of agreeing a package of reform to our high needs system that will bring the DSG deficit under control. This was reported in the September 2022 cabinet report.</p> <p>Final submission for entry to the programme is on 3rd February 2023. Council offers are working with DfE advisers on preparation for this.</p> <p>This plan is a collaborative effort between the finance team and the education team. It has direct links with the WSOA</p>
<p>School Effectiveness Strategy</p>	<p>This strategy lays out the relationship between the council and its schools. It is being refreshed and will continue explicit reference to children with SEND. The new Strategy is due to be presented to Cabinet in January 2023.</p>
<p>School Place Planning Strategy</p>	<p>The School Place Planning strategy is being refreshed and will, for the first time, include specific reference to provision of children with SEND. This is due to come to Cabinet in February 2023.</p>
<p>SEND and Inclusion Strategy</p>	<p>The current SEND and Inclusion Strategy 2021-2024 is an interim strategy updated in 2021 from the SEND strategy in 2019. It was updated to make it fit for purpose and relevant to the challenges the local area faces. A new strategy with input from all stakeholders is required, especially considering the outcome of the local area inspection since then. The aim is to bring this strategy to Cabinet in early 2023.</p> <p>The SEND and Inclusion Strategy will come to cabinet for approval in spring 2023.</p>

6. Conclusion and Next Steps

- 6.1. The local area is making some progress towards improving its SEND services. With a programme manager and improved corporate ownership, the pace of progress should improve.
- 6.2. In September 2022, the Council were supported through an LGA peer review of the SEND service and partners and provided a series of recommendations, which need to be addressed within the overall improvements required to meet the needs of these children, young people, parents, and carers.
- 6.3. There needs to be a whole system approach to addressing the Council’s corporate Priority 3 - A borough for children and young people to thrive. This will be a key focus for the new Executive Director of People – Children and the new Associate Director for Education.
- 6.4. It is vital that the whole Council, both Members and officers, are aware of and supporting and challenging the progress in meeting the priority below. This

includes key partners, health, schools, voluntary and community sector, parents, carers, children, and young people, such that the statement below is fully realised.

- 6.5. Children and young people with SEND should have the same opportunities as non-disabled children and young people. To create a town for children and families to thrive, we must ensure that this is inclusive for children and young people with special educational needs and disabilities (SEND). Slough SEND approach must improve and will seek to ensure that children and young people with SEND can grow up happy and healthy, with a voice that is heard and the same opportunities to play, socialise and reach their full potential as other children and young people.

7. Implications of the Recommendation

7.1. Financial implications

- 7.1.1. As part of developing a detailed action plan the resource implications will be identified, considered, evidenced and a fully resourced plan created which will be built on a robust and deliverable programme of improvement to ensure that the Council is meeting its SEND duties in accordance with its best value duties. Until that stage any resource implications will remain within existing budgets. The funding for any additional recommended resources will need to be identified as part of this work.

7.2. Legal implications

- 7.2.1. The local area inspection relates to the delivery of services under the Children and Families Act 2014. Part 3 of this Act contain provisions which were a major reform of the previous statutory framework for identifying children and young people with SEN, assessing their needs, and making provision for them. The Act requires local authorities to keep local provision under review, to co-operate with statutory partners to plan and commission provision and to publish clear information on services that are available locally. Provision for those children and young people with SEN who require support beyond that which is normally available should have their needs set out in an education, health, and care plan, which will bring together the three strands of support in place for these children.
- 7.2.2. The SEND Code of Practice: 0 to 25 years provides statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities. This is a substantial code setting out guidance on the principles of the new legislation, the requirements around information, advice and support, the need for joint working to deliver outcomes, the requirements for a Local Offer (being a list of services available to children and young people with SEND and their families). The Code also provides guidance to early years providers, schools, and further education providers, as well as providing guidance on preparing for adulthood. Detailed guidance is given on the processes for assessing, identifying, and meeting needs in education, health and care plans and the needs of children and young people in specific circumstances, including looked after children, care leavers, children educated at home and children in youth custody.
- 7.2.3. The Code also provides a framework for SEND commissioning activities, including:

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

7.3. Risk management implications

7.3.1. For the WSOA there are several risks arising in relation to this report. Firstly, the significant concerns have led to a conclusion that the Council and ICB, alongside partners, are not effectively meeting their duties under the Children and Families Act 2014. Secondly, the WSOA identifies a number of areas where additional resources are likely to be required in a climate where the Council has significant financial challenges. Recruitment has taken place for additional SEND service staffing and the success of the WSOA and DSG management plan are contingent on a strong service.

7.3.2. A detailed risk assessment is completed and incorporated into the Council's directorate and corporate risk registers. See attached appendix D for extract of risk assessment for SEND.

7.4. Environmental implications

7.4.1. There are no direct environmental implications arising from this report.

7.5. Equality implications

7.5.1. The Council has a duty contained in section 149 of the Equality Act to have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.5.2. The broad purpose of this duty is to integrate considerations of equality into day-to-day business and to keep them under review in decision making, the design of policies and the delivery of services.

7.5.3. An equality impact assessment has been completed and published from the last cabinet report on the WSOA on 21st February 2022. The impact of the WSOA will have a disproportionate impact on children and young people with disabilities, working age adults who are caring for children and young people with disabilities. The purpose behind the Children and Families Act 2014 provisions is to promote inclusion and to ensure equality of opportunity for children and young people with SEND. The EIA will be kept under review and updated during the lifetime of the action plan to improve SEND services. It is

also critical to ensure that data is captured and monitored to identify the impact of changes and service provision in general.

7.6. Procurement implications

- 7.6.1. Officers are exploring the procurement implications for the DSG Management Plan and delivery of the WSOA and will be subject to Cabinet reports if necessary to ensure alignment to the councils contractual procedural rules and the Public Contract Regulations 2015 (amended). Joint commissioning is being explored as explained in 5.1 table 5.1.
- 7.6.2. Several options will be considered to ensure best value and where appropriate, competition. In accordance with the SEND code of Practice, service provision will be offered in a wide and flexible manner to meet the needs of children and young people with special education needs and disabilities, this may be direct payments to increase personal choice.

7.7. Workforce implications

- 7.7.1. This will be reviewed as part of the delivery of the WSOA and the DSG Management Plan.
- 7.7.2. A potential education team restructure will have an impact on the workforce, but this will be presented in full detail should it go ahead.

7.8. Property implications

- 7.8.1. There are no immediate property implications from this report. However, the Council should consider its school assets and any opportunities for securing funding to increase the provision for SEND education within mainstream schools.

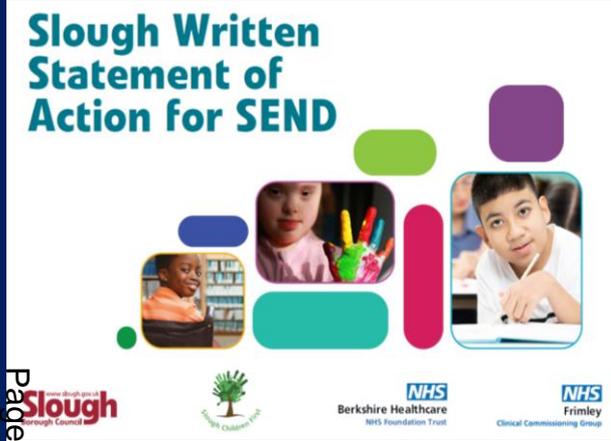
8. Background Papers

SEND Ofsted report
WSOA
LGA SEND review report

Slough Written Statement of Action (WSOA) Review Meeting with the DfE

6 October 2022

10:30-12:30



WSOA Overview

Key Updates since June 2022

- The SEND agenda has a much higher profile across the area.
- Key service changes (structure, processes and proformas) implemented.
- All except one vacant SEND Officer posts filled, Group Manager in post and newly agreed SEND posts being advertised.
- Autumn Term Visits taking place with specific focus on SEND.
- LGA Review of SEND Service completed. Draft report due 23/10/22.
- Special Voices initial session delivered with positive feedback.
- Completion of 20-week statutory conversions heading slowly upwards.
- EHCP process revised to identify children who have social care needs.
- Transition process into ASC and transition meetings between SCF and ASC in place.
- DP policy revised and rates adjusted accordingly.
- Accommodation process for 18+ young people in place
- Since the last review there have been no urgent dysphagia cases identified in mainstream education settings.
- Funding for additional SALT posts secured
- Successful recruitment to OT and Assistant OT posts



“There are weak arrangements for ensuring effective joint leadership and accountability, self-evaluation and improvement planning at a strategic level across education, health and care services (including considering the high turnover of staff and an area-wide commitment to inclusion)”

Key next Steps identified	Progress Since June 2022	Actions
<p>1. Continue to focus on impact measurements and make more rapid progress, gathering evidence of impact as this evolves</p>	<p>Evidence continues to be collated and stored to show progress. Governance has strengthened, although needs further strengthening. The SEND agenda has a much higher profile across the area than before.</p>	
<p>2. Continue to strengthen the Statutory SEND service and prepare for LGA review in September 2022</p>	<p>2.1 Service Changes:</p> <ul style="list-style-type: none"> • Service restructured into 2 key delivery teams (Pre-14 & Post-14) • New AR & EHCP templates co-produced (children, parents/ carers). • SEND/ Inclusion team regularly attend SENCo Network to obtain feedback, share information and offer training. <p>2.2 Engagement with Children, Parents, Carers:</p> <ul style="list-style-type: none"> • Phase transfer process updated: YP/ parents/carers able to provide preferences online. • SEND Officers routinely contact parents/ carers and settings to explain decisions before issuing letters (pro-forma updated). • SEND team members meet with parent-carer forum monthly to obtain feedback and share information on service developments. <p>2.3 Recruitment:</p> <ul style="list-style-type: none"> • All, except one (SEND Officer filled with interim), vacancies filled • Adverts out for newly agreed posts & interviews scheduled for w/c 17/10/22 	<ol style="list-style-type: none"> 1. Develop improved communication and partnerships with stakeholders. 2. A first draft of a Handbook for all SEND Officers is being discussed and once finalised will aid consistency of practice and further reinforce expectations around communication and delivery. 3. 2 half-days of Capita training are planned for October and November, for all SEND team members, to enable improved engagement with the system.
<p>3. Analyse school survey and plan next steps with schools in September 2022</p>	<ul style="list-style-type: none"> • School survey analysed (see Workforce Development Strategy WSOA Focus Area 1.2 & 1.3). • Autumn Term Visits are feeding into this also and currently taking place. 	<ol style="list-style-type: none"> 1. Analysis of supplementary survey. Both to feed into the Workforce development SEND planning workshop

<p>Impact on children:</p>	<p>Collaborative working together to ensure a holistic assessment of children's needs with children getting the wrap around support they need at the right time.</p>
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P2

“The overlooked voice of the children and young people with SEND and their families and consequent lack of understanding of their lived experiences and the lack of readily available, helpful and accurate information in this regard”

Key next Steps identified	Progress Since June 2022	Actions
1. Identify support for updating and maintaining the local offer	CYP team has agreed with supporting the work scoping out and producing a road map/project plan for the improvement of the Local Offer.	1. Planning and support for implementation of the Local Offer
2. Ensure co-production events take place and then build them in systemically	Slough Strategic Approach to Co-production signed off by SEND Strategy Board (a medium-term solution)	
3. Involve a range of parents/ support groups to include a wide range of parents to help ensure a representative view	Co-production of the SEND Strategy with C&YP, Parents and partners scheduled	1. Co-production of the SEND Strategy with C&YP, Parents and partners planned for November as part of the annual Parent Partnership (special voices) conference
4. Ensure systems are in place to capture the voice of YP, parents and families both at an individual and strategic level	Timetabling of SEND Team attendance at monthly Special Voices coffee morning to gather parental views, voice and	1. Targeted schools visit is planned for November in partnership with the SENCO network to gather pupil’s voice.

Impact on children: Pooled resources to ensure effective collaboration so parents are able to self serve and know what support is available for children across the partnerships.



P3

“There is a lack of effective use of meaningful performance information to inform the area’s strategy and planning, as well as to evaluate its effectiveness”

Key next Steps identified	Progress Since June 2022	Actions
<p>1. Revise the SEND Strategic Board performance framework and dashboard</p>	<ul style="list-style-type: none"> Performance information for Q1 2022/23 reviewed, including latest health outcomes and provisional education outcomes for 2021/22. SEF updated with latest available performance information. 	<ol style="list-style-type: none"> Facilitate first Data-Learning-Improvement agenda item at SEND Strategic Board by Oct-22
<p>2. Confirm SEND Service operational metrics and establish regular reporting mechanism.</p>	<ul style="list-style-type: none"> Reviewed Waltham Forest performance framework to inform SEND service decision on selecting operational metrics to monitor regularly. SEND service operational metrics selected by new team leader 	<ol style="list-style-type: none"> Complete training for new SEND Officers on recording in Capita One system by Nov-22 Develop SEND service KPI tracker by Jan-22
<p>3. Define and implement data collection approaches for some specific topics e.g., Parent and child feedback, school exclusions.</p>	<ul style="list-style-type: none"> Presented insight from Parent and Carers Ofsted survey 2022, which was facilitated by Special Voices, at SEND Strategic Board. Approved procurement of ‘StudyBug’ software to track live pupil level attendance data in Slough schools. 	<ol style="list-style-type: none"> Implement ‘StudyBug’ software to establish live reporting mechanism between schools and Slough LA by Nov-22
<p>4. Ensure the approaches taken in this workstream align to good practice in other local authorities</p>	<ul style="list-style-type: none"> Briefed by BHFT colleagues on a SEND strategic performance framework, which has already been successfully adopted in Windsor & Maidenhead and in Reading. 	<ol style="list-style-type: none"> Implement a new SEND Strategic Board performance framework, similar to the model reviewed other LAs by Jan-23 (subject to Board approval). First iteration of a SEND Service operational performance report, similar to a model reviewed from Waltham Forest LA by Nov-22

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Impact on children: A shared understanding of current performance and using data to drive improvement for children and young people.



P4

“There are limited opportunities for parents, carers and children and young people with SEND to be involved in planning and reviewing area services”

Key next Steps identified	Progress Since June 2022	Actions
<p>1. Bid submitted to Better Care Fund (BCF).</p>		<p>1. Recruitment process for SEND participation role including partners and CYP with SEND.</p>
<p>2. First BHFT group planned with Special Voices parent partnership forum in Slough (08/07/22), to be led by two operational leads to meet with parent/ carers and listen to their views & ideas for improvements, and discuss how to respond to feedback received.</p>	<p>Session delivered by CYPIT service with positive feedback that session was well received and included concerns around therapies and advice on support strategies.</p>	<p>1. Follow up next steps with BHFT participation lead re further CYPIT sessions. 2. Further sessions requested to take place with neurodiversity and mental health services too. 3. Session with Primary Care is being planned for Nov 2022.</p>
<p>3. Review existing participation opportunities open to CYP with SEND and for parent/carers to benchmark the range on offer, current engagement with, accessibility of, communications and plans to improve participation. This needs to be at an operational and strategic level.</p>	<ul style="list-style-type: none"> • Parent/carer feedback added as standing item to SL and EB wide strategic boards. • Met with Special Voices and reviewed other opportunities for parent/ carer involvement and links have been made with leads for involvement going forward: <ul style="list-style-type: none"> • Looked at Special Voices current involvement in commissioning a Key Worker programme for children and young people who are inpatients or at risk of admission. • Local Offer development, • HAF programme • SENDIASS steering group • Concerns also shared about access to Primary Care • Worked with KIDS to design an e-survey aimed at understanding position of existing participation groups, this has gone out to local participation workers. 	<p>1. Analyse results of survey ready for induction of SEND Participation worker 2. Follow up session re primary care is being arranged.</p>

Impact on children:

Hearing the voice of children and families to drive individual plans and impact on commissioning of services that meet the needs of Slough children and families

P5

“The timeliness with which EHC plans are produced and updated, particularly nearing transition points, and the absence of systematic processes for the quality assurance of EHC plans”

Key next Steps identified	Progress Since June 2022	Actions
1. Strengthened tracking process for Annual Reviews ready to implement at start of July 2022	<ul style="list-style-type: none"> Have developed a tracker but implementation delayed due to summer break. 	1. Introduce tracker to staff and implement by Nov 2022
2. Quality Assurance multi-agency working group to begin in Sept 2022	<ul style="list-style-type: none"> Key stakeholders identified for initial working group meeting 	1. Meeting scheduled for next week.
3. Draw on LGA review as opportunity to further strengthen systems	<ul style="list-style-type: none"> Official report of the LGA due on 23 October 2022. 	1. Nov 2022 task & finish group to be set up with key stakeholders to review current document and agree timetabling, attendees and responsible officers.
4. Further recruitment – SEND Officer, Assistant SOs and Educational Psychologists/ Assistant Eps	<ul style="list-style-type: none"> All, except one (SEND Officer filled with interim), vacancies filled Adverts out for newly agreed posts & interviews scheduled for w/c 17/10/22. Business case is prepped and finance is being confirmed for Educational Psychologists and Assistant Eps: <ul style="list-style-type: none"> Job packs are ready to run as soon as ECP approves. In the interim locum support in place and seeking more to cover the notice period that new recruits will have to serve. 	1. Quality Assurance multi-agency working group to begin in Sept 2022 2. Recruitment to <ul style="list-style-type: none"> SEND Officer Assistant SOs Educational Psychologists/ Assistant EPs
5. Draw up an action plan to show incremental intended improvement to the 20-week indicator	<p>20-week figures for EHCNAs have shown improvement, and at the same time the backlog is being steadily addressed.</p> <p>Tracker in place to ensure process is well-monitored moving forward.</p>	
6. Draw up an action plan regarding the compliance rates for the Annual Review process	<p>A similar approach is now being introduced to ARs.</p>	There are plans for this to be developed within the next couple weeks

Impact on children: Understanding where the delays are and addressing these to ensure timely assessment for children and families.

"The absence of social care considerations in EHC plans, for children and young people not known to children's social care, and in services in the area, including the lack of age-appropriate social opportunities for children and young people and limited offer of short-break or respite services for parents and carers"

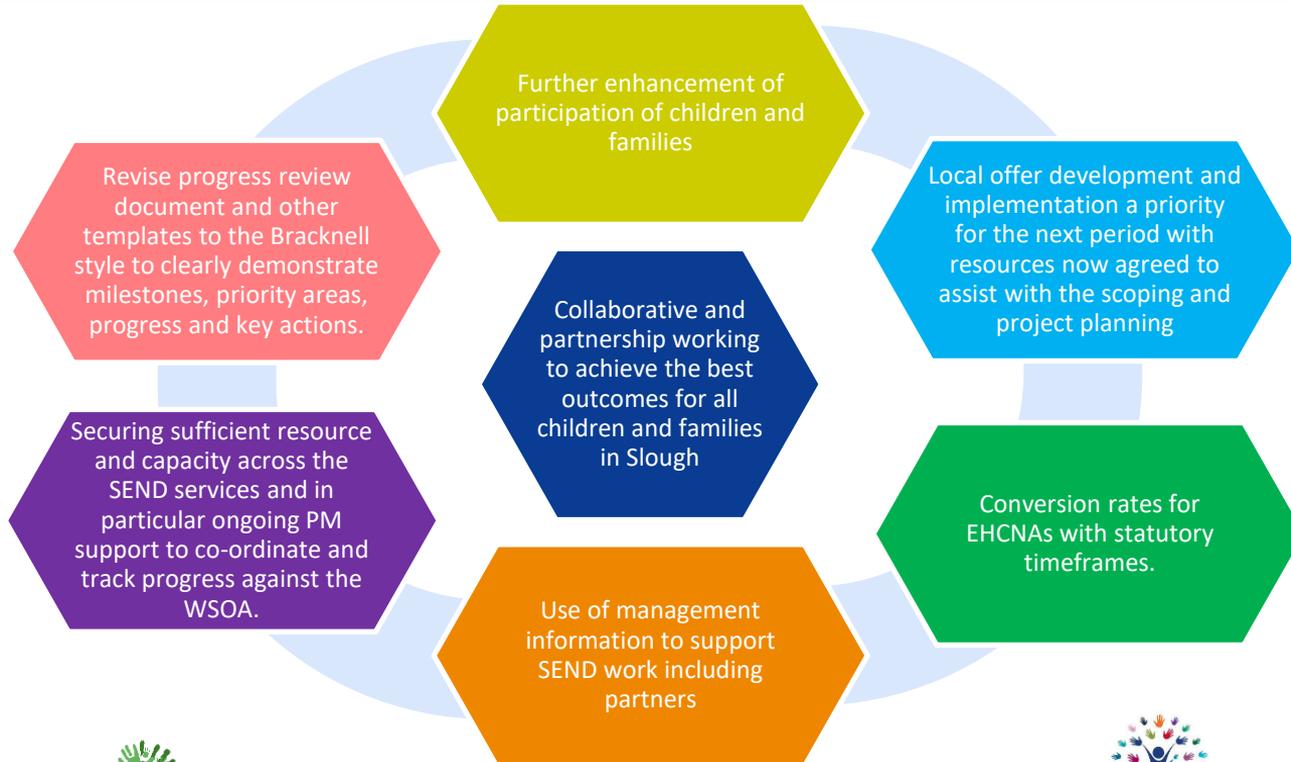
Key next Steps identified	Progress Since June 2022	Actions
1. Dip Sample audits of contacts and referrals to determine if needs for social care intervention is appropriate or not.	<ul style="list-style-type: none"> Dip Sample audits of contacts and referrals to determine if needs for social care intervention is appropriate or not 	1. To be completed once new process has embedded
2. Design of a process to identify if children have social care needs when an EHCP process is in place.	<ul style="list-style-type: none"> Social Care representation at the SEND Panel. Current process has been reviewed including best practice examples from elsewhere. Training given to MASH staff from Early Help to ensure they sign post where appropriate. 	
3. Procedure to be drafted to transition young people to Adult Social Care including young people in care.	<ul style="list-style-type: none"> Transition process now in place. Regular bi-monthly meetings undertaken with Adult Services reviewing all children aged 14 years old and open to children with disability, including those with a POC or in the care of Slough Children First. 	1. Undertake audits jointly with adult services to ensure voice of young person has been heard and transition has worked well
4. Review of DP policy, market analysis to increase residential short breaks, shared care and day care short breaks	<ul style="list-style-type: none"> DP policy reviewed and rates increased in line with minimum wage, although number of users has decreased in Sept. Following market analysis 7 providers now quality assured for short breaks. Increase in short breaks being provided. Breakaway re-inspected positive outcome and now offering tea sessions. 	
5. Discussions with SBC regarding accommodation for 18 plus provision	<ul style="list-style-type: none"> For young people aged 18+, who are tenancy ready, clear process in place for accessing social housing with SBC. 	1. Further commissioning work being undertaken for 18+ accommodation where young persons immigration status has not been resolved or they are not tenancy ready.

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“There is inequitable access to SALT and OT services, excessive waiting lists and waiting times and the absence of a dysphagia service for those aged five and over”

Key next Steps identified	Progress Since June 2022	Actions
<p>1. Continue work around developing service for CYP with dysphagia/eating and drinking needs</p> <p style="text-align: center;">Page 85</p>	<ul style="list-style-type: none"> • Work continues to be underway to progress the plans with the Integrated Therapies Project/ Attain Project • Reduction in OT triage wait to 8 weeks. • Reduction in longest waiter for OT assessment – now 98 weeks. On track to be below 18 months by 31/12/22 & below 12 months by 31/3/23. • Reduction in longest waiter for a Sensory Processing Workshops- now 30 weeks. Additional online resources in development. • EHCA compliance: 6 outstanding for CYP known to OT service- appointments booked. • Further 9 reports on way to LA. • Reduction in number of children waiting for SLT review / updated assessment at Arbour Vale School – 75 remain. • Reduction in number of children waiting for SLT support in mainstream schools- 31 remain (9 are transfers in) • Additional financial resourcing for SLT via the Better Care Fund has been secured – BHFT have filled 2 of the band 6 speech and language therapist posts. Band 5 post out to advert. • Dysphagia support continues to be provided by the OWL Centre for Arbour Vale School, C&YP aged 5-18 y/o are being triaged by BHFT and support provide on a spot purchase basis through BHFT. • Since the last review there have been no urgent dysphagia cases identified in mainstream education settings. • OWL contract due to be finalised & care pathway agreed. • DCO and representation from BHFT CYPIT service at SEND panels, which has been positively received. 	<ol style="list-style-type: none"> 1. Next planned Integrated Therapies Project/ Attain Project meeting scheduled for October 2022. 2. Dysphagia service contract is with the school head for sign off 3. CYPIT Speech and Language School age Lead and Designated Clinical Officer for SEND have plans to update pathway as soon as sign off is completed. 4. Ongoing work to tackle the number of children known to service with outstanding EHNCA requests. 5. Continued work to ensure all C&YP in Arbour Vale School and mainstream, with SALT needs identified, are being reviewed/assessed.
<p>2. Recruitment of staffing into the Integrated Therapies Team to build capacity</p>	<ul style="list-style-type: none"> • BHFT have a signed-off business case funded through BCF for: 2x SALT Band 6 therapists an 1x Band 5. • BHFT have recruited 2 band 6s and these will start imminently • There was success in recruiting 2.8 WTE OTs and 1.0 WTE OT Assistant into the Berkshire East service in June 2022. • 2 OTs in Berkshire East left for maternity leave from July 2022. 	<ol style="list-style-type: none"> 1. Recruitment of additional staff into the Integrated Therapies Team to build capacity
<p>Impact on children:</p>	<p>Increased offer of SALT and OPT services to decrease waiting times and ensure children and young people get the support they need when they need it</p>	

Next Steps



Slough Written Statement of Action for SEND



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Slough Borough Council Special Educational Needs and Disabilities (SEND) Peer Challenge

20th – 23rd September 2022

Feedback Report

1. Executive Summary

As part of their ongoing improvement work and relationship with the LGA, Slough Borough Council and its partners requested a Children's Special Educational Needs and Disability (SEND) peer challenge to look at a range of key strategic and operational areas. The Council is facing significant financial challenges and is subject to an intervention notice under Directions from the Secretary of State, with Commissioners in place to oversee both governance and finance following an external assurance review in October 2021. In addition, there is oversight of Children's Services (including SEND) by a Department of Education (DfE) Commissioner. Slough Children First provides children's social care through a council wholly-owned company. The provision of SEND services however, remains with the council.

The focus of the council has been on financial recovery and this has resulted in children and young people not being a priority for the council, despite it being one of the priorities in the 'Doing right by Slough' corporate plan. There needs to be a significant shift in corporate and political commitment towards improving outcomes for children and young people with SEND in Slough.

There is commitment from officers to improve SEND services and there are some signs of improvement and recognition of what needs to be done although staff are still anxious and often feel overwhelmed with the enormity of the task. The Lead Member is determined to make a difference to the lives of children and young people in Slough.

Decision making is slow, exacerbated by infrequent decision making and deferred decisions at a corporate level with no recognition of the impact on families. Performance management is under-developed and the plan that sits beneath the Written Statement of Action is very detailed and it is difficult to track progress. There needs to be SMART (Specific, Measurable, Achievable, Relevant, Time Bound) plans with a focus on key milestones, capacity to deliver, outcomes and risks. It is not evident there is sufficient challenge at the SEND Strategic Board or how partners hold each other to account. The NHS Frimley Integrated Care Board also needs to do more to scrutinise and monitor progress.

The narrative needs to change from 'we can't do this because...' to 'we will do it together'. A focus on the future rather than the past will build positivity. There are some examples of good partnership working across the local area but this is not always evident.

Schools are keen to share their expertise and improve outcomes and see further improvements in communication with senior leaders in children and SEND services. Further work is however needed with mainstream schools to develop greater inclusion for children with SEND.

The current structure for People (Children) under the Associate Director (AD) for Education and Inclusion is not effective and needs a root and branch review to ensure that the right resources are in the right place and roles and responsibilities are clear. Staff turnover continues to be an issue and recruitment is problematic across children's services, SEND and education finance. There are significant numbers of 'interim' staff and this creates a perception that staff are not invested in Slough and its children.

The use of Capita One is not embedded resulting in duplication of effort at a time when resources are limited. Investment in training, using existing resources will address this.

An audit of resource provision will assist in preventing inappropriate consultations and placement breakdown which is a continual problem due to a lack of understanding of what is available.

Significant numbers of staff working with SEND children, young people and their families work from home on a regular basis in both the council and health. This is creating a perception that staff are unavailable. Face to face contact with children, young people, parents and schools helps build rapport and gives staff an understanding of schools and settings.

Health commissioning is not fully understood by partners and parents and there is currently an inconsistent health offer for children and young people. New developments such as the neuro-development pathway, early help for emotional health and wellbeing and an all-age approach are to be commended but it is too early to determine their full impact. The relationship between the ICB team and school leaders needs to be strengthened so that the role and function of the ICB is fully understood.

The SENDCO (Special Educational Needs and Disabilities Co-Ordinator) network is valued by schools with strong local leadership. However, there needs to be a focus on inclusion in mainstream schools to reduce the reliance on specialist placements,

The voice of children and young people with SEND, and their parents is not sufficiently heard, with an under-developed approach to co-production, engagement and participation. Slough has a wide diversity of languages, and cultures and high levels of deprivation. Communication needs to be accessible and culturally appropriate so families can fully understand what is being shared.

The Graduated Response needs to be more widely communicated to ensure schools, settings and parents understand what is expected in terms of process and provision. The EHCP process, including annual reviews, requires a quality assurance process that is robust and monitored regularly. The SEND Panel has increased involvement of headteachers and SENDCOs which is leading to increased transparency, support and challenge although some inconsistencies remain.

The Local Offer needs to be improved through co-production, rebranding and renewed promotion. It is currently not providing the information parents, partners and children and young people need and there is increased pressure on SENDIASS to provide information that should be available on the website.

Overall, staff across the local area are trying to make improvements but this is often difficult due to financial constraints, capacity and recruitment difficulties.

2. Key Messages

- There are strong relationships between partners in Slough, probably the strongest they have ever been, which is providing a good foundation to build future improvement.
- There are clear 'green shoots' but improvement is hampered by the lack of corporate and political prioritisation and the speed of decision making across the local area.
- Limited resources are hampering the pace of improvement.
- Progress co-production with all relevant stakeholders as this is crucial to the local area if it is to deliver lasting improvements for children and young people with SEND

3. Key recommendations

There are recommendations at the end of each theme which will help you in delivering both the areas included in your Written Statement of Action and other improvements in SEND across the local area. The following key recommendations are vital to improve the lives of children and young people with SEND.

- Significantly strengthen corporate and political commitment so that every Slough child matters and senior leaders at all levels 'own' their children.
- Improving outcomes for children and young people with SEND needs to be prioritised by all partners so they can hold each other to account for progress made.
- All partners must be fully invested in the action plans to improve and measure progress in relation to outcomes for children and young people with SEND.
- The SEND Strategic Board should provide robust challenge to partners to ensure that improvements for children and young people with SEND progress at pace. Consideration of risk should be an integral part of the Board's work.
- Ensure the right resources are in the right place to maximise the capacity across the system and provide children and young people with SEND, and their families, with the support to which they are entitled.
- The voices of children, young people and their families need to be heard and fully acted upon to deliver impactful change, including improving and relaunching the Local Offer, with a strong focus on promoting independence and preparation for adulthood.

4. Summary of the peer challenge approach

The fundamental aim of a peer challenge is to help councils and their partners reflect on the provision in the local area for children and young people with special educational needs and/or disabilities, in consideration of the Children's and Families Act 2014, the Equality Act 2010 and the Special Educational Needs and Disabilities Regulations 2014 and the SEND Code of Practice 0-25 2015. This was a very focussed peer challenge on specific key lines of enquiry.

It is important to remember that a peer challenge is not an inspection; it provides a critical friend approach to challenge the council and their partners in assessing their strengths and identifying their own areas for improvement. The approach involved reviewing the local area self- evaluation, documentation and data; sample reviews of education, health and care plans; interviewing a range of children, parents/carers and staff from early years settings, schools, colleges, other providers, council and health commissioners and provider organisations. A number of visits to early year's settings and schools were carried out alongside a range of focus group sessions. It is important to recognise that the findings are based on this range of activity. Slough Borough Council is encouraged to reflect on what the findings mean in relation to the area as a whole.

The Peer Team

Peer challenges are delivered by experienced officer peers. The make-up of the peer team reflected your requirements and the focus of the peer challenge. Peers were selected on the basis of their relevant experience and expertise and their participation was agreed with you.

The peers who delivered the peer challenge at Slough Borough Council were:

- **Lead peer** – Caroline O'Neill, LGA Children's Improvement Adviser and former Strategic Director Children, Adults & Families, Gateshead Borough Council
- **SEND Peer – Caroline Cannon**, Strategic Lead for Inclusion and Specialist Support Services - Middlesbrough Council
- **Health Peer – Sara Barr-Frost**, Director of Nursing and Allied Health Professionals - Wigan, Wrightington and Leigh NHS Trust
- **Education Peer** – George Gilmore, LGA Associate, School Improvement Adviser and former Special School Headteacher
- **Challenge Manager** – Jill Scarr , LGA

The Process

The peer team prepared by reviewing a range of documents and information in order to ensure they were familiar with the Council and the challenges it is facing. A review of 16 Education, Health and Care Plans was also carried out by two experienced LGA Associates prior to the on-site stage. The team then spent 4 days onsite at Slough Borough Council, during which they:

- Spoke to more than 70 people including a range of council staff together with councillors and external partners and stakeholders.
- Gathered information and views from more than 25 meetings, visits to key sites in the area and additional research and reading.
- Collectively spent more than 240 hours to determine their findings – the equivalent of one person spending more than 6 weeks in Slough Borough Council.

This report provides a summary of the peer team's findings. It builds on the feedback presentation provided by the peer team at the end of their on-site visit (20th -23rd September 2022). By its nature, the peer challenge is a snapshot in time. We appreciate that some of the feedback may be about things you are already addressing and progressing.

5. Scope and Focus

The peer challenge focused on five key themes. The report includes the good practice we heard about and areas which you might want to consider further.

Themes:

- Leadership and governance of SEND across the local area
- Capacity and resources (including finance)

- Working with Key Partners
- Systems and Processes
- Local Offer

In addition, you asked the team to specifically focus on the following areas which we have responded to in the relevant themes:

- How effective is the local area strategic planning in meeting the needs and delivering good outcomes for children and young people with SEND?
- What are the governance arrangements in the local area? And how effective are they at driving improved outcomes for children and young people with SEND?
- To what extent do leaders understand the challenges of the local area, have sufficient expertise to improve outcomes?
- How effective are leaders at holding each other and their services to account for outcomes for children and young people with SEND?
- Review current team structure effective to deliver statutory duties and services of a good quality? (set in the context of the local area, Written Statement of Action and the Safety Valve Program)
- Review effectiveness of training and development programme to ensure workforce has the necessary skills and experience to deliver high quality services for children and young people with SEND
- How well is the SEND code of practice understood by all partners and implemented (including education, social care and health services)?
- Review the effectiveness and efficiency of the processes and systems for assessing and meeting need (including data and IT Systems)
- Assess the effectiveness and accessibility of the local offer.
- Co-production of local offer with children, young people and their families?

6. Main Findings

6.1. Leadership and governance of SEND across the local area

It is not apparent that children are a priority in Slough. The focus on the financial situation of the council overshadows the focus on improving outcomes for children and the lives of children with SEND. The financial position in the council should have resulted in a strengthened focus for children from the partnership as a whole, in particular health, but there is little evidence of this. There should be a recognition that partners across the local area fully accept their responsibility for the SEND priorities and drive the solutions. Money takes precedence over children. It is recognised that the council is in a difficult financial position but from conversations during the review, it is apparent that the leadership of the council has other priorities, despite one of the priorities in the 'Doing it right by Slough' corporate plan 2022-2025 being '*A Borough for children and young people to thrive*'. Corporate and political commitment needs to be significantly strengthened so that every Slough child matters and senior leaders at all levels 'own' their children.

The Integrated Care Board (ICB) talk of SEND as a priority, but there needs to be more evidence of the ICB holding the system to account for the collective and individual risks and priorities for SEND.

There are strongly committed officers in children's services and across the partnership who are determined to improve SEND services for children. As a result, there are 'green shoots' in terms of relationships and willingness to work together, and an understanding of what needs to be achieved to make a difference. The Lead Member is also an asset to improvement, being visible, accessible, passionate and determined to improve children's services.

Due to the recent history in the council, the peer team heard that staff feel overwhelmed and at times feel traumatised and anxious. This does not promote a positive working environment. Despite the difficulties there is a positivity amongst some staff who are striving to make a difference to children and young people with SEND.

Decision making was described by staff and partners as slow. There are a large number of priorities being tackled at the same time and there is an absence of time to pause and reflect, check that the priorities are correct, timelines are realistic, the level of importance of priorities and whether they are having the desired impact. There is the added complexity of how this work is viewed at a senior leadership level in the council – at both senior managerial and political level, and a lack of understanding of how lengthy decision-making impacts on the lives of children and their families. Corporate decision-making meetings, particularly around resources, are too infrequent and decisions are often deferred which slows down progress in improving outcomes. In addition, six monthly progress update meetings to members are insufficient to monitor progress at a political level,

Performance management around the SEND Improvement Plan is unclear. The local area's response to the Written Statement of Action (WSOA) was the production of an improvement plan which is known as Document 11A. This is a very detailed document which includes progress on all elements of the Written Statement of Action. There is so much detailed information it is difficult to see clearly where there is progress or improvement. There are some deadlines that have not been met. The document does not have SMART (Specific, Measurable, Achievable, Relevant, Time Bound) targets, identified resources needed to deliver actions, key milestones, outcomes or risks.

Capacity to deliver everything in the WSOA is insufficient across the local area and there needs to be some prioritisation to identify some quick wins across health and the local authority and build confidence with partners, including schools, settings, parents and carers. A review of the plans should also be built in to ensure they are still appropriate.

An overall performance dashboard with a narrative around exceptions will highlight the areas where progress is being made and areas of risk. It is unclear whether there is performance management expertise to support this work although there is a SEND Project Manager on a six-month contract to support the work on the WSOA. Progress is reviewed at the SEND Strategic Board.

It is also difficult to see where there is sufficient challenge around improvement at the SEND Strategic Board. Similarly, there is no focus on risk. The SEND Strategic Board minutes provide information relating to updates across the various workstreams but there is little evidence that partners are challenging each other or that risks are being discussed.

Scrutiny and monitoring progress towards improving outcomes for SEND children should be considered at the highest level in the council and the NHS Frimley Integrated Care Board.

There is a need to change the narrative in Slough so that all officers and partners are focussed on the future, not the past. A message that 'we will do it together' will encourage staff, reassure partners, and assist Slough to deliver better outcomes for children and young people with SEND. The peer challenge team heard repeatedly, the current narrative, 'we can't do this because...' and this language can be perceived as an excuse for the lack of progress.

Although partners report communication has never been as effective as it currently is, under the direction of the current Director of Children's Services (DCS) and Associate Director (AD), there needs to be more ambition across the wider system for improving outcomes for children across Slough. In reality there were many examples of great work in partnership across the borough, but this has not been evidenced as an output of the WSOA. Are the actions in the plan actually achieving improvement or are improvements being driven by the relationships on the front line?

The school leaders that spoke to the peer challenge team are ambitious to improve the outcomes for children with SEND and are committed to work with other schools, settings, parents and partners across the local area. They are keen to share staff expertise to support curriculum development, opportunities for inclusion and promote more effective engagement with parents and carers. School leaders reported that there had been improved communication with senior leaders in children's services.

Recommendations

- Create a culture of ambition around 'what we will do for children with SEND' rather than a narrative around the history and what can't be done - This must be led and driven at the highest level by senior political and corporate leaders
- Develop SMART action plans to replace document 11A and for each of the 4 task and finish groups to deliver the priorities within the Written Statement of Action.
- Develop a performance and risk management framework around the SMART Action Plans which should also include the introduction of a Challenge and Risk Log for the SEND Strategic Board
- Fully exploit the commitment and expertise in schools to share good practice between schools and promote effective inclusion for children and young people with SEND
- Create an opportunity for a strengthened focus on SEND by holding partners to account equally at the Integrated Care Board. The risks need clarity with collective plans and mitigations

6.2. Capacity and resources (including finance)

The current structure for People (Children) sitting under the AD for Education and Inclusion does not effectively deliver improved outcomes for children with SEND. It is recognised that due to one of the Associate Directors (AD) leaving in November 2021,

the responsibilities were added to that of the Associate Director for Education and Inclusion without the appropriate resources. This has resulted in a structure that has a number of group managers reporting directly to the AD, who manages diverse and complex services. The structure is fragmented and needs to be reviewed, going back to the basic principles of 'form follows function' - What do you need to deliver the services that will improve outcomes for children? A review of roles and responsibilities will assist managers to deliver improved, measurable outcomes for children and to be accountable for them. This will need to be done within existing budget provision. Members of the peer challenge team will be able to support the council to develop a new structure. It is recognised that some additional resources have been agreed in SEND services and the new posts are currently advertised. Successful recruitment to these posts is critical to improving outcomes for SEND children because current capacity is insufficient.

The relentless scrutiny of the council across a range of functions by DfE, Ofsted, DLUHC and Commissioners absorbs a significant amount of officer time and energy which can impact on the ability to improve outcomes for children and young people with SEND.

Staff turnover is high and recruitment to permanent posts is often difficult. This is impacting on the delivery of plans across the system partnership. There are a significant number of interim staff employed by the council, not only in children's services and SEND services but in the corporate centre. The team heard there are also difficulties in recruiting finance staff with SEND experience which may impact on the Safety Valve programme. The description of 'interim' staff creates a perception that there is a lack of personal investment and commitment to children with SEND. Staff are employed to fulfil a role and it should not make a difference whether they are permanent or interim. The peer team were told that the constant change due to interim staff leaving and new ones coming in often created a change in priorities and ways of working and this is impacting across the partnership. The council and ICB's most senior leaders should set the direction of the service and ensure that those coming into the organisation know what it is and what can or can't be changed. Innovation and new ideas in any organisation are important but equally getting the basics right and having some stability is fundamental to improvement.

Capita One is not being used to its full potential resulting in duplication and a lack of robust management information. In order to provide management information, a tracker has been created using an Excel spreadsheet but the team heard this is not infallible. Information is then entered onto the Capita One system. When resources are stretched, duplication of effort is not helpful. Individuals are also using their own spreadsheets to track their cases. There are staff that are knowledgeable about Capita One who can be used to train staff in its use. Although there is a short-term impact on taking this resource out to train staff, the longer-term benefits will result in less time being spent on maintaining spreadsheets and the consequent risks of data being lost or incorrectly recorded. Staff within the SEND team would also benefit from an enhanced induction and training around the SEND Code of Practice so they fully understand all the statutory requirements.

There is not a clear understanding of the SEND provision across the local area resulting in inappropriate consultations and the breakdown of placements. The local area needs to complete and publish an audit of resource provision. This information would be shared with schools, officers and parents. This should not be seen as a review but what

is available in schools at the present time. Schools should contribute to this audit by describing the provision they currently provide. This information will become a position statement enabling a consistent understanding of what SEND provision is available. The audit will provide a baseline for a next steps resource provision review which should be completed as soon as possible and linked to strategic SEND place planning for the next 5-10 years. This should form part of the DfE Safety Valve work.

Once the audit of current provision is complete, and an identification of where specific SEND training needs are in the system, a workforce development plan should be produced and training commissioned. If training cannot be delivered from existing council resources, the considerable expertise within Slough schools or external providers could be engaged. There is also considerable expertise in the schools that can be utilised to train other staff in schools and settings. This could be by using an outreach or hub and spoke model.

With the large number of staff across the local area regularly working from home there is a perception from some partners that staff are unavailable and inaccessible to respond to parents and professionals. Automated responses to e-mails which say 'we will respond within 5 working days' is seen as unhelpful when families and partners are in need of support as soon as possible. This approach is resulting in alternative routes being used. For example, parents and school leaders contacting the Associate Director, elected members and the Lead Member directly, rather than the member of staff most appropriate to their enquiry. An increasing number of parents are also accessing the SENDIASS for support.

The number of days staff are expected to be in the office was cited as being 2 days per week by some staff and managers and 3 days per week by others. SEND caseworkers regularly attend meetings with schools and parent via Teams rather than attend the school in person. Regular caseworker visits to schools, to meet children and families and engage with school staff, are important to build rapport with families and have an understanding of their personal situation. Visits to school will also promote a greater understanding of SEND provision. Schools would like to see the reintroduction of EHCP multi-agency planning meetings before the EHCP is drafted which worked very well pre-COVID. This is another example of where the value of face-to-face contact has been lost. The team were told that some professionals were working remotely at some considerable distance from the local area with little, if any, face to face contact with children, young people and their parents. This results in relationships being more difficult to establish and perpetuates the perception that the family's situation is not of great enough importance to some members of the workforce.

Recommendations

- Restructure the People (Children) area under the Education and Inclusion service as a matter of urgency. This will provide clarity about roles and responsibilities, which needs to be communicated to all partners, and will provide the AD with a structure which will assist them to deliver improved outcomes for children by delegating responsibility to appropriately experienced staff and holding them to account. A revised workforce training plan should be included as part of this process.
- Train all staff, as a priority, in the use of Capita One so there is only one system in place that records information and data which will improve performance and increase efficiency.

- Urgently complete and publish an audit of resource provision and communicate this to partners and stakeholders so there is a clear understanding of what is currently available in Slough, and which will facilitate place planning to meet the needs of all SEND children and young people.
- Ensure that both council and health staff return to more face-to-face meetings and office based working wherever possible This will build relationship and communicate to partners and parents that they are a priority.

6.3. Working with key partners

The investment from health in Slough is patchy. The commissioning of services is not fully understood by schools and parents and indeed partners. There are areas of development that are having a positive impact, for example the neurodevelopment pathway, early help for emotional health and wellbeing and the all-age approach will improve outcomes, which are to be commended. However, the commissioning of health services for Slough results in an inconsistent offer to children and families with SEND and partners talk of health partners not being sufficiently active. Partners feel health has not become fully represented again since Covid restrictions were lifted.

The existing and developing models of health delivery have not been effectively communicated and therefore are not fully understood by parents, families, schools and other partners. An example is when a family are seen by a nursery nurse and not the health visitor. It is described as a negative - 'we have not been seen by a health visitor', not understanding that the nursery nurse visit has a valuable role as part of the skill mix that is required to deliver the Healthy Child Programme which is led by the health visitor. Schools, parents and officers in the council describe the difficulties of getting the appropriate therapy support. As a result, there is a difference between what health partners are delivering, planning to offer, and what parents, schools and other partners are expecting children to receive. There is clearly an opportunity to work in co-production with partners and parents and to strengthen relationships and communication.

A new full time Designated Clinical Officer (DCO) was appointed at the start of the year by the ICB to cover the Frimley geography. There is still more to do across all the agencies and partners to help people understand the role and function of a DCO. Further work is also needed to strengthen the relationship between the ICB team and school leaders to understand the role and function of the ICB. The DCO is leading on one of the immediate priorities of delivering the quality improvement required for EHCPS.

The dialogue between local area professionals and schools has improved and the local area's leadership of the SENDCO network is strongly valued by schools. Work needs to continue with schools to assist them to meet the needs of children with SEND, identify areas of strength and good practice to develop greater inclusion for children with SEND in mainstream schools.

Parents, children and young people feel that their voice is not sufficiently heard and participation and co-production is under-developed. There has been very little work carried out in the area of co-production and this is something that needs to be considered across a range of areas including the local offer and service delivery. Partners are not utilising Special Voices, the parent carer forum to engage with parents, and this is an area that needs to be strengthened. There is also an opportunity to work

with Arbour Vale school to develop effective procedures for co-production and consultation.

Communication methods do not reflect the cultural diversity of the local area or the high levels of deprivation e.g. digital poverty. There is a wide diversity of first languages in Slough and many families do not have access to IT. Communication with parents needs to be culturally sensitive. Schools are well placed to advise the Council and health on the communication preferences of families and the most effective strategies to communicate with parents. Parents themselves can also be used to support other families. There needs to be a prompt and substantial move away from e-mail communication to telephone and in-person communication, restricting the use of Microsoft Teams. Individuals may be able to speak and understand spoken English but find written communication, including forms, difficult without translation.

Recommendations

- Ensure the principles of co-production are understood by parents, children, officers and partners in the local area, and that these principles lead to the effective development and delivery of high quality co-produced services for children with SEND and their families.
- Prioritise the quality improvement work for EHCP's with partners and develop an ongoing quality assurance programme.
- Communicate the health offer and model of delivery and work in co-production with children, young people, families and partners on any developments.
- Strengthen links with parent carer forums
- Work with schools and settings as a resource to assist with the communication with parents and families and value families as an asset for providing community support
- Move away from the over reliance on e-mails to parents and carers to a more person-centred approach through telephone calls and face to face contact. This will help those parents where English is not their first language and will help build rapport and trust.
- Increase the pace around the work of the participation and engagement sub-group to ensure the voice of children, young people and families is heard and acted upon
- Initiate regular meetings of senior managers from the local area with Special Voices and the wider parent community to build trust and promote openness
- Engage community representation and trained staff to ensure that communication with children, young people and families is clear and understandable

6.4. Systems and Processes

There is an increased scrutiny of a school's use of the Graduated Response at the SEND Panel before an Education, Health, and Care Needs Assessment (EHCNA) is considered. However, the Graduated Response is not universally understood and consistently applied. Details of the Graduated Response need to be published – this

should describe what schools are expected to provide and what parents should expect schools to do. This information should be shared effectively with parents and carers by the SEND team, SENDIASS (Special Educational Needs and Disabilities Information and Advice Services), Special Voices, schools and settings and be provided in the context of parents' communication preferences.

In terms of nursery provision, there is a lack of understanding regarding the planning and placement process for children accessing specialist nursery provision, funding arrangements for this provision and consistent planning of placements for children as they move from nursery to school. The offer was not clear and the communication between settings and officers is often poor. As previously mentioned in the Capacity and Resources section of the report, there is a need for more face-to-face engagement, when requested, and a clearer understanding of sufficiency planning. All of this has an impact on the children waiting for provision. Nurseries are trying to meet the needs of their children without the plans and provision being in place. For some children, their needs are known at a very early stage, often at birth, but the planning for their needs is not always available at the earliest opportunity.

There is a lack of robust quality assurance processes around Education, Health and Care Plans (EHCPs) resulting in inconsistent and outdated plans. Current quality assurance processes are focussed predominantly on education and not a widely inclusive process. There is limited input from social care in the EHCP process. Annual reviews do not always lead to updated plans. The completion of EHCNAs, EHCPs and the prompt updating of plans following annual reviews must be a priority. This activity must be tracked, performance targets set and closely monitored and progress regularly reported. This prompt completion of assessments and the updating of plans should build confidence with parents and schools and support a more effective and targeted consultation process that more closely matches children's special educational needs to available provision.

During the course of the week, it became apparent that preparation for adulthood is underdeveloped. Children's and adult services need to work closely together to plan transitions for children with SEND which will support them to become as independent as possible in adult life. The Children with Disability Team does work closely with adult services to enable appropriate, quality transitions but this needs to be expanded to young people who may not be known to that team.

The increased involvement of headteachers and SENDCOs in the decision making at SEND Panel is valued. This is leading to increasingly transparent decisions and support and challenge to schools where there is incomplete or inadequate evidence to support a decision. There are, however, some apparent inconsistencies and the reasons why decisions are reached are not consistently communicated to schools.

There is evidence of increasing challenge regarding funding and placement decisions at the SEND Panel. However, there is a lack of understanding across settings and key staff in SEND services regarding the place planning and strategic planning processes for SEND. As a result, this leads to placement decisions that do not reflect local provision.

It is important that there is a shared understanding regarding the place planning process for all staff to ensure consistency and transparency. Alongside this there should be a SEND Sufficiency Strategy in place, which is approved by the SEND

Strategic Board, and which outlines how the local area will meet short, medium and long-term demands. This should be co-produced with families.

Recommendations

- Reinforce the application of the Graduated Response on a regular basis with all partners and ensure it is well understood
- Introduce a systematic quality assurance and performance management process for monitoring the compliance and quality of EHCPs and Annual Reviews
- Explain and clarify the reasons for decisions made at the SEND Panel
- Ensure strategic place planning for children with SEND is influenced by robust data, feedback from stakeholders and clearly communicated to all partners.

6.5. Local Offer

The Local Offer is outdated, undervalued and offers limited information for children, young people, families and partners. It is also difficult to navigate. It is not owned by all partners equally and it is unclear where it sits and where responsibility lies for updating the information. There is no recognised branding which identifies and promotes the use of the Local Offer across the local area. Resources have been identified to manage the content, however the plans to co-produce the content with children and young people and their families are unclear. There is a need for increased pace around this key priority for the local area.

As a result of the Local Offer being so limited an increasing number of parents are accessing the SENDIASS. Parents often consulted SENDIASS to understand their rights, the statutory timescales and the processes regarding EHCPs and annual reviews. This information should be easily accessible on the Local Offer.

Parents describe the Local Offer as not effective in promoting independence for both parents and their children as there is limited information about what services are available to them or where to go.

Recommendations

- Work with children, young people and families to review and update the Local Offer which will include accessibility, a clear rebranding of the website or other applications, leaflets and posters
- Identify a lead partner who will hold all partners to account for the contribution and updating of the Local Offer
- Ensure that the Local Offer is promoted by all staff and partners, including the third sector
- Provide regular training for young people, parents and staff on how to navigate the Local Offer and access services
- Monitor use of the Local Offer, through appropriate measures, to ensure it is used effectively

7. Next Steps

The Local Government Association would be happy to discuss how we could help you further through the LGA's Principal Adviser Mona Sehgal, telephone 07795 291006 or

e-mail mona.sehgal@local.gov.uk and Alison Michalska, the Children's Improvement Adviser, telephone 07920727626 or e-mail alisonmichalska@icloud.com

Thank you to everyone involved for their participation. In particular, please pass on thanks from the peer challenge team to Chinwe Nwofor and Deborah Bowers for help prior to the peer challenge and during the on-site phase.

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Response to SEND LGA Review

December 2022

SEND LGA Review 7 Key Recommendations

1. Significantly strengthen corporate and political commitment so that every Slough child matters and senior leaders at all levels 'own' their children.
2. Improving outcomes for children and young people with SEND needs to be prioritised by all partners so they can hold each other to account for progress made.
3. All partners must be fully invested in the action plans to improve and measure progress in relation to outcomes for children and young people with SEND.
4. The SEND Strategic Board should provide robust challenge to partners to ensure that improvements for children and young people with SEND progress at pace.
5. Consideration of risk should be an integral part of the Board's work.
6. Ensure the right resources are in the right place to maximise the capacity across the system and provide children and young people with SEND, and their families, with the support to which they are entitled.
7. The voices of children, young people and their families need to be heard and fully acted upon to deliver impactful change, including improving and relaunching the Local Offer, with a strong focus on promoting independence and preparation for adulthood.

Planning for key deliverables

1. Acknowledge we have not yet made the progress we would have wanted to make.
2. A new Programme Manager has recently joined us to put in place a performance management framework with a robust project plan.
3. Analysis has started and will inform us what our priority deliverables are.
4. The Transformation Team has budget set aside to bring in additional resources to ensure deliverables are met on time.
5. Analysis is currently being undertaken to inform what our resource needs are.

What is being achieved

1. Autumn Term Visits has had a SEND focus with all schools. This is due to be analysed in December and the sharing of practise and strategy will be disseminated and acted upon from January 2023.
2. Updated ToR for SEND Strategic Board will have ICB co-Chair.
3. Draft Restructure for Education and Inclusion is in place and could be employed.
4. SEND staff are training on Capita and have had several sessions. It is now being used. Will start to be embedded.
5. SEND staff are visiting schools face to face for annual reviews.
6. Co-production strategy has been approved at SEND Strategic Board.

What is being achieved cont.

7. Series of Co-production events have happened and are being planned.
8. SEND Officers all have mobile phones and are directly contactable by all stakeholders.
9. Rota of Leaders for attendance at Special Voices parent group scheduled.
10. Place planning policy is being updated to include SEND children (paper to cabinet in February 2023).
11. Decision making at SEND panel is being communicated to schools more effectively following decisions. All heads/SENDCOs are invited to panel.
12. Action plan in place to build a new Local Offer website and ensure its fit for purpose with staffing identified. Partners are all involved e.g. LA, Health, Parent Voice.

Next steps

1. Develop a “Plan on a page” that is easy to digest / understand by Stakeholders.
2. Action plan in place with dedicated support resources.
3. Governance forums identified to ensure deliveries are monitored and risks mitigated.

Risk 3 – SEND Local Area Inspection

Minimal changes to the risk narrative. Written Statement of Action agreed with DfE and on-going discussion with department about Dedicated Schools Grant funding. Plan in place to reduce deficit subject to government support. Recruitment to key posts actively taking place. Expected re-inspection in late 2023. SEND Board monitoring taking place.

Corporate Risk Register

Risk 3: Special Educational Needs and Disability (SEND) Local Area Inspection

Risk Owner: Executive Director People (Children)

Direction of Travel: ⇔

Description:

If we fail to provide a fit for purpose SEND service then it puts service users at risk and provides poor value for money.

Context

- The SEND Local Area Inspection took place in September/October 2021. The report highlighted significant areas of weakness.
- The local area includes the local authority SEND services, Children's Social Care and Health partners.
- The area was required to produce a Written Statement of Action (WSOA), which highlights how we will address the areas of concern. This was produced and sent to Ofsted/CQC on 18th February. It was approved by Ofsted and CQC as fit for purpose but with a letter of recommendations to add to the WSOA.
- There is an approximate timeline of 12-18 months for improvements to be demonstrated in which Ofsted are likely to be back for inspection again.
- Staff turnover and absence is impacting significantly on delivery of SEND services
- Current SEND service is not fit for purpose and additional resources are required.
- The High Needs Block is significantly overspent with a deficit of approximately £26 million.
- The LA is required to have a DSG (Dedicated School Grant) management programme to address this and reduce in-year spend to 0 within 4-5 years.

Consequence:

- Reputational risk
- Failure to carry out statutory duties
- Vulnerable children not getting the full support they are entitled.
- Failure to reduce High Needs Block overspend
- Potential DfE intervention
- Negative Ofsted re-inspection outcome
- Deterioration of relationship with stakeholders/resident and partners
- Financial risk

Current Controls:

- Extra funding has been agreed to expand the SEND service by 6FTE and recruitment is taking place. Expected start dates if recruitment successful will be End of January/Beginning of February 2023.
- Monthly SEND strategic board meetings
- DSG recovery plan is in place to reduce costs over 4-5 years.
- Bi-weekly meetings with DfE regarding Safety Valve Programme. LA is forecasting a balanced budget within 4 years.
- LA looking to submit papers to join safety valve programme by February 2023.
- Monthly SEND strategic board meetings
- Monthly DSG management plan meetings
- Slough Children First and the Clinical Commissioning Group have put in additional resources to address the areas highlighted in the Ofsted inspection
- Regular meetings are being held with the DfE – there are Slough specific advisors – monitoring and challenge the implementation of the WSOA
- A SEND LGA review was commissioned by the DCS and took place on 20-23rd September 2022

Strategic Objectives:

- A borough for children and young people to thrive

Actions Required:

- Exploring specific resources to implement the WSOA. Additional SEND staffing resources are needed to improve functioning of the team and secure improvement. Update: The new roles have been graded and will be going out to advert to recruit in September 2022
 - Actionee: Johnny Kyriacou
 - Target date: January and February 2023
 - Latest update: Interviews have taken place over October and the following have been recruited to: 4 Assistant SEND Officers, 1 SEND Officer. 4 candidate have start dates throughout December and January with one candidate to be negotiated still. Recruitment to a Compliance and Partnerships Manager was unsuccessful and will go back out to advert in January so as to maximise interest.
- Implement the WSOA with all relevant partners, the WSOA
 - Actionee: Johnny Kyriacou
 - Target date: January 2023
 - Latest Update: Monthly board meetings continue to take place with all relevant partners. A project manager has been secured via the council PMO team who will be supporting delivery of the WSOA. Note this action is led by JK in the council but is a joint delivery between education, social care and health services.

-
- Implement SEND LGA review recommendations with all relevant partners.
 - Actionee: Johnny Kyriacou
 - Target date: January 2023
 - Latest Update: The draft report has been reviewed and the LA will develop an action plan for implementation. A cabinet report is being prepared for January 2023.
- Implement Dedicated Schools Grant (DSG) recovery plan in partnership with the Department for Education (DfE). This is also known as the Safety Valve programme. Meetings are taking place with the DfE with two workshops in August 2022
 - Actionee: Johnny Kyriacou
 - Target date: February 2023
 - Latest Update: The LA is preparing a submission to the DfE in January and is currently working on its presentation documents. The DfE have commented on positive progress in working with the LA to date.

	Inherent Risk	Current Risk	Target Risk
Likelihood	5	4	3
Impact	4	4	3
Score	20	16	9

Date last updated: **30th November 2022**

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Slough Borough Council

REPORT TO: Cabinet

DATE: 16 January 2023

SUBJECT: Slough School Effectiveness Strategy 2022-25

CHIEF OFFICER: Andrew Fraser - Executive Director of People (Children)

CONTACT OFFICER: Johnny Kyriacou – Associate Director, Education & Inclusion

WARD(S): All

PORTFOLIO: Councillor Hulme – Lead Member Children’s Services

KEY DECISION: YES

EXEMPT: NO

DECISION SUBJECT TO CALL IN: YES

APPENDICES: Appendix A – Slough School Effectiveness Strategy 2022-25

1 Summary and Recommendations

1.1. This report requests that Cabinet approve the Slough School Effectiveness Strategy.

Recommendations:

Cabinet is recommended to

- Approve the Slough School Effectiveness Strategy

Reason:

- To ensure that the Council can carry out its statutory functions with regards to school improvement
- To provide a transparent approach to school effectiveness and partnership between the council and schools in the LA

Commissioner Review

“Commissioners have noted the report.”

2 Summary

- 2.1. The Council has a statutory duty to promote high standards to support child and young people to fulfil their potential and benefit from a good education. State funded schools are separated into academies, which are directly funded by central Government and maintained schools, which are funded via the dedicated schools grant through the Council. The Council has specific duties and powers in relation to maintained schools, including the power to intervene to drive up school improvement. The Council also works closely with the Regional Director at the DfE, where there are concerns regarding academy schools.
- 2.2. Local overarching priorities for the school system (Appendix A, Section 3) are:
 1. Developing a sustainable school led improvement system
 2. Supporting all schools to be graded at least 'Good' by Ofsted with a higher proportion than national average rated as 'Outstanding'
 3. Closing achievement gaps between disadvantaged pupils and their peers at all key stages
 4. Ensuring children with SEND can thrive and have a fulfilled and inclusive experience
- 2.3. The strategy laid out in Appendix A draws on good practice research conducted by the LGA that emphasises:
 - strong relationships and engagements across schools, academies, the LA, and other local and regional partners, with the LA engaging both maintained schools and academies;
 - focussed on context and place, and taking account of these contextual factors in developing an effective local vision;
 - clear local priorities and clarity about roles and responsibilities
 - high-quality school improvement capacity, utilising school, and other capacity, and effectively marshalling limited resources;
 - evidence of impact in improving outcomes, developing school leadership and capacity, and strengthening partnership working; and
 - supporting all children in the local area, including the more vulnerable.

Further information on this research can be found here [Enabling school improvement \(local.gov.uk\)](https://www.local.gov.uk). The Slough School Effectiveness Strategy aims to build on and strengthen existing positive partnerships.

- 2.4. 35/51 (69%) of schools in Slough are academies. This is one of the highest proportions of academies to maintained schools in the country. Whilst the Council does not have the same duties or powers in relation to school improvement for academies, partnerships have been strong and built up over recent years. 100% of schools including academies in the last three to four years have engaged with the local authority when it comes to Autumn Term Visits and self-evaluations.
- 2.5. The Slough Education Partnership Board (SEPB) has been an effective vehicle for positive communication and partnership work over the last 4 to 5 years. It meets monthly and comprises a range of school representatives and Council officers. It is chaired by the Director of Children's Services. This group also considers local

priorities for the local area e.g., a focus on closing the gap between the disadvantaged and their peers or on SEND children linking to the priorities in the SEND Written Statement of Action (WSOA) and the Inclusion Strategy. During the pandemic, this group became the key organiser and supporter of schools in partnership with the DfE to work together and oversee support for each other and for vulnerable children and families.

2.6. In addition to SEPB the Council has various other models of communication and events with schools that aid parentship work such as:

- Monthly communication meetings with all schools (via Teams) chaired by the AD, Education & Inclusion
- The Council chairs SENCO networks through the SEND Standards and Effectiveness Officer, which is a role funded by the High Needs Block for all schools.
- The Council chairs safeguarding networks
- Termly Leaders Seminars focused on an area of school improvement, in collaboration with Headteachers

2.7. The Slough School Effectiveness Strategy sets out the council's approach to school improvement and effectiveness. The emphasis has been on schools identifying their own strengths and areas for development to contribute to the school system. The new format of school visits based on school's self-evaluation has been well received by the school community. This refreshed strategy aims to build on the success of the previous strategy. It aims to mitigate the challenges of current educational funding faced by both schools and local authorities.

2.8. The national context and policy direction is for schools to be increasingly autonomous, responsible for their own improvement and free to make the decisions that they believe will enable them to secure the best outcomes for children and young people. The Council welcomes this autonomy, challenging schools to achieve high standards and working with schools in partnership, facilitating and brokering activity that supports school improvement. The Council does not offer direct school improvement services but offers support via visits from local school effectiveness consultants and the facilitation of collaborative projects and networks.

2.9. Governance arrangements in Slough schools are diverse. The table below shows the number of schools and nurseries along with their governance arrangements:

Table 2.9

Type of school	Nursery	Primary	Secondary	All through	Special	Pupil Referral Unit	Total
Maintained Community	5	3	1	0	0	0	9
Maintained Voluntary-Aided	0	3	1	0	0	0	4
Voluntary Controlled	0	1	0	0	0	0	1
Maintained Foundation	0	2	0	0	0	0	2
Academy	0	19	12	1	2	1	35
Total	5	28	14	1	2	1	51

2.10. The School Effectiveness team consists of a small core group which includes permanent staff and a team of consultants.

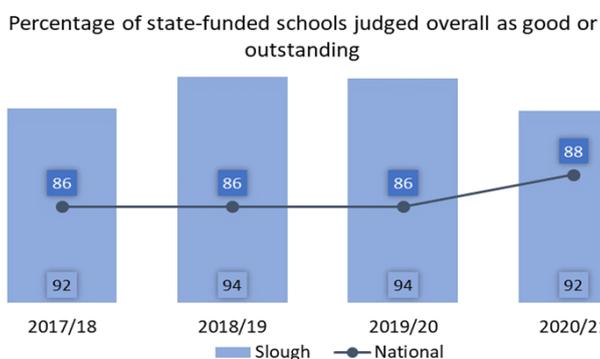
- Group Manager – School Effectiveness
- Education Safeguarding Officer
- Standards and Effectiveness Officer (SEND)
- External consultant team

Currently the Group Manager role is vacant, and the Autumn Term Visits have been taking place through external consultants.

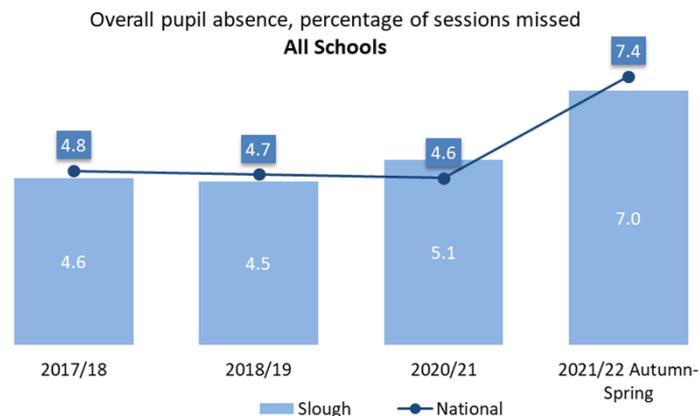
2.11. An annual report on school standards is presented to the People Scrutiny Committee. This is a detailed report that shows a range of data such as performance outcomes between groups of pupils at different key stages. There is an opportunity here for members to be able to feed into and understand, local priorities.

2.12. The table below shows that Ofsted outcomes in schools as of August 2022 are higher than the national average.

Table 2.12



2.13. The table below shows that absence in Slough schools is lower than the national average for 2021-22.



2.14. Conclusion and Next Steps

This strategy aims to set out the relationship between schools and the LA in a complex and fragmented system. With a proactive approach as outlined in this strategy and close partnership work, the Council aims to have a proactive approach to school improvement and be able to facilitate support for schools before any issues or major concerns arise. Therefore, the maintaining of positive relationships and partnership work is central to this strategy.

A School Standards Report will be presented to Scrutiny in April 2023. This will give a breakdown of performance and results between schools and other factors such as gap between disadvantaged pupils and their peers.

3. Implications of the Recommendation

3.2. Financial implications

3.1.1 The Slough School Effectiveness Strategy is funded through the School Improvement Service.

3.1.2 A financial summary for the School Improvement Service for 2022-23 is as follows:

	£
Budget	226,960
Forecast	195,400
Variance (Surplus)	31,560

3.2 Legal implications

3.2.1 Under the Education Act 1996, the Council must exercise its education functions with a view to promoting high standards. The Council has powers of intervention in relation to maintained schools, however these are used rarely. The statutory guidance on Schools Causing Concern emphasises that local authorities should function as champions of high standards of education across maintained schools in their area, and in doing so should:

- Understand the performance of maintained schools in their area, using data as a starting point to identify any maintained school that is underperforming, whilst working with them to explore ways to support progress;
- Work closely with the relevant Regional Director, diocese, and other local partners to ensure maintained schools receive the support they need to improve;
- Where underperformance has been recognised in a maintained school, proactively work with the relevant Regional Director, combining local and regional expertise to ensure the right approach, including sending warning notices, and using intervention powers where this will improve leadership and standards; and
- Encourage Good and Outstanding maintained schools to take responsibility for their own improvement; support other maintained schools; and enable other maintained schools to access the support they need to improve.

3.2.2 The Council has specific duties in relation to children with special educational needs and disabilities (SEND). This includes keeping their educational and training provision under review. If, when undertaking its duties relating to SEND, the Council identifies concerns over standards, management or governance or safety of a maintained school or academy, they should raise this within the Council, with the local authority that maintains the school or with the Regional Director.

3.2.2 The Council also has duties to provide education for pupils who are unable to attend school. This is via alternative provision. Alternative provision providers should be monitored and managed in a similar way to schools and action can be taken by either the Council or the Regional Director.

3.2.3 The Council has specific duties in relation to safeguarding and promoting the welfare of all children and young people. This requires effective partnership working between the Council, Slough Children First, schools and further education providers. Concerns about academies or independent schools can be raised directly with the Department for Education.

3.3 Risk management implications

3.3.1 The council needs to carry out statutory functions in line with the duties described in this paper. In particular around maintained schools. Failure to do so could lead to poor outcomes for children and young people.

3.4 Environmental implications

3.4.1 There are no direct environmental implications arising from this report.

3.5 Equality implications

3.5.1 The Council has a duty contained in section 149 of the Equality Act to have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

3.5.2 The broad purpose of this duty is to integrate considerations of equality into day-to-day business and to keep them under review in decision making, the design of policies and the delivery of services.

3.6 Procurement implications

3.6.1 There are no procurement implications

3.7 Workforce implications

3.7.1 This will be reviewed as part of an overall restructure of the People (Children) Directorate which will be considered by the incoming Director of Children's Services.

3.8 Property implications

3.8.1 There are no property implications from this report.

4. Background Papers

None

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Slough School Effectiveness Strategy

2022-2025

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1. Introduction

1.1 Covid-19 Preface

In March 2020, due to the Covid-19 pandemic, there was a nationwide lockdown and schools were closed to all pupils except key workers and those deemed vulnerable. School leaders across Slough rose to the challenge with resilience and courage to support those pupils attending school and those learning at home whilst being mindful of pupil and staff wellbeing. Leaders faced unprecedented challenges in responding to a dynamic situation and ever-changing guidance.

The impact of the Covid emergency on pupils is yet to be seen long term despite all restrictions now lifted. Academically, longer term it is likely to have most negative impact on the more vulnerable and the disadvantaged. The impact on the mental health and wellbeing of young people could be wide reaching. On the other hand, some children may have thrived during this period.

The start of the academic year 2022-23 will be the first year since the start of the pandemic uninterrupted by lockdowns, although the effects of covid will still be with us. We will need to ensure as an area we are able to monitor the progress of our young people and support them to reach their full potential despite the significant disruption to their education.

Slough LA enjoys strong partnerships with local schools and the Slough Education Partnership Board (SEPB) played, and continues to play, a crucial role in supporting schools to support our young people in these challenging times. This board which has developed over the last few years, was able to be a key conduit for communication between the LA, schools and the DfE as well as provide guidance and assurance to schools. In addition key network groups were set up such as the curriculum groups to enable schools to come together and share ideas to support each other.

In light of this background and context the School Effectiveness Strategy continues to be of great importance to ensure that we are working together with schools and wider partners, which include the DfE, Public Health, Social Services, Transport and many other services that will help our young people get back to a semblance of normality and overcome any barriers they may face academically or socially.

1.2 Introduction

This school effectiveness strategy outlines how the local authority (LA) will fulfil its statutory duties in relation to school effectiveness and articulates our ambitions for the school system.

This is also set within the context of the LAs shrinking resources and continuing financial challenges. The LA embraces the role of facilitator as opposed to provider.

This strategy recognizes that schools have long been responsible for their own improvement and that 69% of the schools in Slough are academies. Nevertheless, the LA retains a significant statutory role to “promote high standards and the fulfilment of potential so that all children and young people benefit from at least a good education” (Education Act 1996)

The LA also retains statutory responsibilities for identifying and, if necessary, intervening in maintained schools causing concern and for notifying the Regional Director (RD), formerly Regional Schools Commissioner, (RSC) of academies of concern. The strategy outlines how the LA will fulfil these responsibilities and how we work with the Regional Director in relation to academies causing concern and any schools which are judged by Ofsted to be Inadequate.

Nationally, the shape and working of the system has become increasingly complex, as have the lines of accountability, presenting challenges to all parties.

We believe that in an increasingly fragmented system the LA can play a crucial role in convening and facilitating partnership working and engaging with regional partners. The strategy outlines how we will work in partnership with all schools, including academies, Ofsted and the RD to build a strong school system in Slough. In addition, the Teaching School Hub for Berkshire, local MATs and free schools and the Slough Education Partnership are significant examples of system leadership across Slough which we hope to build upon

We are proud of the educational achievements of Slough children and young people and the effectiveness of our schools. Our educational outcomes for children and young people are consistently high and above the national average at EYFS, KS2 and KS4, as is the proportion of good to outstanding schools. We therefore have significant strengths to build upon, but also much to do to further develop the local system and secure sustainable improvement in a financially challenging climate.

The LA looks forward to continuing thriving relationships with academies, schools, and other partners as we aim to support and facilitate excellence and enjoyment for all pupils.

2. Vision for the School System

We have a shared ambition with our school leaders that Slough should be a great place to grow up and go to school. We believe that every child should have an opportunity to achieve and to live happy, healthy and successful lives. Young people have a vital role to play in shaping and benefitting from the regeneration of our town. We will work to support all young people into high quality employment, education and training. We will also provide them with opportunities to have their voices heard and to work with us in planning the future of Slough.

Developing a self-improving school system will be at the heart of achieving that aim for excellence through mutual challenge, support and collaboration. Partnerships have a key role to play because they provide a rich combination of high expectations, innovative thinking and a strong community within which all learners can thrive and achieve. We will develop a strong partnership approach across the Slough education community, working together to strengthen schools and raise standards for all children including the most vulnerable. We will take a proactive, collaborative approach to school improvement, developing the capacity of our schools both to drive continuous improvement in their own institution and to work with others.

2.1 Role of the Local Authority (LA)

The Local Authority (LA) will provide a strategic overview of achievement issues and act as an “honest broker” and facilitator, engaging with maintained schools, academies and Multi Academy Trusts (MATs) to facilitate and empower system leadership and improvement for the benefit of local children. We will convene local partnerships to share intelligence across the school system. We will sustain effective links with all local and regional partners including the Teaching School Hub for Berkshire (based in Slough), RD and Ofsted, championing a positive approach which welcomes constructive challenge. We will monitor performance in all schools, taking early and effective action to address risks where possible.

2.2 Role of Schools

A strong system is one in which schools understand their interdependence and share a sense of moral purpose for the outcomes of all children. System leaders understand that working together to identify and address shared challenges, is the best way to sustain improvement in their own institution. All schools will have something to offer and something to gain. This strategy therefore encourages all schools to consider what their contribution to the local system might be.

Governors play an ever more important and challenging role in acting as a “critical friend” to the Headteacher and ensuring that there is clarity in the vision and strategic direction of the school as well as overseeing the school’s financial management. The role that the school plays in the school system and the support the school might draw upon from the system are increasingly important elements for governors to consider in fulfilling their role.

3. Local Context

Slough is an urban area, comprising densely populated and richly diverse communities. It has a strong business sector including the headquarters of several key multi-national companies and a 21st century profile of innovative and creative industries. There are, however, significant pockets of disadvantage and many

vulnerable children, with high numbers of new migrants and asylum seekers from more than 70 different countries, unaccompanied minors and transient families.

There are also large variations in terms of affluence and deprivation among neighbourhoods across Slough.

Over 140 different languages are spoken across Slough and more than 50 different languages are spoken as a first language by children in Slough schools. 47% of pupils speak English as their first language compared to 87% nationally. The proportion of children eligible for the Pupil Premium 23%, is just below the national average. The proportion of children in Slough schools with an Education, Health and Care Plan (EHCP) is 3.6%, below the national average of 4%.(2022).

As of September 2022, there are a total of 51 schools in Slough. We have five maintained nursery schools, 28 primary, 14 secondary, one all-through, two special schools and one AP/special School. 36 of our 51 schools (71%) are academies/free schools and 15 are maintained schools. There are 13 Multi Academy Trusts (MATs) in Slough and seven single academy trusts.

Maintained Schools	Baylis Court Nursery School; Chalvey Nursery School; Cippenham Nursery School; Lea Nursery School; Slough Centre Nursery School; Claycots School; Holy Family Catholic Primary School; Iqra Slough Islamic Primary School; Our Lady of Peace Catholic Primary & Nursery School; Penn Wood Primary and Nursery School; Pippins School; Priory School; St Mary's Church of England Primary School; Wexham Court Primary School; St Bernard's Catholic Grammar School; Wexham School
Single Academy Trusts	Castleview Primary School; Ryvers School; Langley Grammar School; Langley Hall Primary Academy; The Westgate School; Haybrook College; Littledown School
Multi Academy Trusts* <i>*note individual schools identified in MATs are the ones in Slough. These MATs may have schools outside of Slough but are not highlighted here.</i>	The Elliot Trust (Cippenham School); Marish and Willow Academy Trust (Willow Primary & Marish Primary) Arbib Education Trust (Langley Academy, Langley Primary & Langley Heritage Academy); The Park Federation (Western House, Montem Academy, James Elliman & Godolphin Juniors); The Thames Learning Trust (Phoenix Infants & Baylis Court Secondary); Schelwood Trust (Herschel Grammar and Beechwood); Pioneer Education Trust (Foxborough Primary & Upton Court Grammar); SASH Education Trust (Grove Academy Free School & Ditton Park Secondary Academy Free School); Slough and East Berkshire C of E Multi Academy Trust (Colnbrook Primary, Slough and Eton Secondary, Lynch Hill Primary Academy & Lynch Hill Enterprise Academy); Star Academies (Eden Girls' School Secondary); The St Thomas Catholic Academies Trust (St Anthony's, St Ethelbert's & St Joseph's) Orchard Hill College and Academy Trust (Arbour Vale School), Khalsa Sikh Academies Trust (Khalsa Primary)

3. Local Priorities

Local school improvement priorities are decided annually and discussed with stakeholders. Local priorities will be agreed through the Slough Education Partnership Board (SEPB) which includes headteacher representatives. These priorities will then inform both LA wide strategies and bids for any national or local school improvement funding that is available.

Local overarching priorities include:

1. Developing a sustainable school led improvement system
2. Supporting all schools to be graded at least 'Good' by Ofsted with a higher proportion than national average rated as 'Outstanding'
3. Closing achievement gaps between disadvantaged pupils and their peers at all key stages
4. Ensuring children with SEND can thrive and have a fulfilled and inclusive experience

4. The Slough School System

The Slough school system has many strengths. We have established a strong school and LA partnership structure to ensure that we are able to work together to address key strategic education themes. Schools are represented on all partnership boards. Headteacher representatives are put forward by the Slough Association of Secondary Heads (SASH) and Slough Primary Heads Association (SPHA). We also have a Teaching School Hub for Berkshire based in the LA (see section 4.2).

4.1 Slough Education Partnership Board (SEPB)

SEPB was created to improve communication and two-way dialogue between the LA and schools. It is made up of a mixture of LA officers and Headteacher representatives. It has a strategic overview over the educational landscape. During the pandemic this board was crucial in providing support and a coming together for all schools and the LA to support each other and our young people through an unprecedented situation. It came to symbolise the strength of our partnership. The board meets monthly and is chaired by the Director of Children's Services.

Purpose of the Board

The Board will develop, promote and sustain the vision for education in Slough. It will ensure that there is a coherence and strategic oversight and leadership of education issues by Headteachers and Slough Borough Council across 5 thematic areas.

- School Effectiveness and Organisation
- Inclusion
- School Funding
- Safeguarding
- Wider support for children and young people

4.2 TSH Berkshire – the Teaching School Hub for Berkshire

The previous Teaching School programme finished in July 2021, and the Slough Teaching School Alliance ceased to exist at that point. Since September 2021, Langley Grammar School has been designated as the Teaching School Hub for the whole of Berkshire, operating under the name TSH Berkshire. The remit of the DfE's Teaching School Hub programme is work with national providers to provide CPD programmes and opportunities including:

- a) The Early Career Framework, which builds on initial teacher training to provide a programme of support for teachers in the first two years of their career.
- b) Appropriate Body services - the role of the Appropriate Body is to oversee and quality assure the induction process for Early Career Teachers
- c) The National Professional Qualifications for leadership, accredited by the Department for Education.
- d) TSH Berkshire also promotes other high-quality evidence-based professional development for school leaders and teachers.

TSH Berkshire operates a distributed model for provision, aligned to the complex and diversified nature of the hub area. This recognises the value and strength of local knowledge and collaboration, and utilises experience and expertise already established in different areas and across different phases.

Further information on the work of TSH Berkshire and the programmes offered can be found at <https://www.tshberkshire.org/>

4.3 Leaders from within Slough

The local system relies on contributions and commitment from the local area to share effective practice and where possible school to school support. The local authority can play a role in helping to broker and facilitate support. Schools already have their own networks in which they can do this also.

There are many schools with excellent expertise and strong leaders ranging from teaching staff to Headteachers that can provide support to others. This contribution can take the form of direct support, workshops or seminars.

The LA will use the annual conversation with schools to explore their areas of strength and where they feel they can support the school system in Slough for the benefit of all young people. Schools are expected to contribute to the local system where possible.

4.6 Communication with Schools

Currently, The Link website <https://thelink.slough.gov.uk> is available to all schools and is a key communication tool with lots of information for school professionals. The LA uses this site to send a weekly communication update to all schools that covers all educational services. It is an important source of information and is distributed normally every Wednesday.

5. Statutory Context

The LA has a statutory duty ‘to promote high standards and fulfilment of potential in schools so that all children and young people benefit from at least a good education.’ (Education Act 1996). Any child learning within the borough is a Slough pupil regardless of the form of governance of the school or their place of residence.

The LA retains responsibilities for all children in Slough schools in relation to the provision and outcomes for Children Looked After and those with SEND and for the safeguarding of children in all schools. (Education act 1996, Children Act 2004)

Local authorities are expected to intervene early to prevent failure in maintained schools causing concern and to inform the RD where there are concerns about an academy. These expectations are formally set out by the DfE in Schools Causing Concern Guidance which both the local authorities and RD must follow.

<https://www.gov.uk/government/publications/schools-causing-concern--2>

Further detail on Slough’s approach to Schools Causing Concern can be found in section 7 below.

5.1 LA Engagement with the Regional Director (RD), Ofsted and other external bodies

The LA has regular meetings with the RD and with the link HMI inspector for Slough. Discussions cover both general school improvement and organisation activity across the LA and issues relating to standards, SEND and Inclusion, Exclusions, academy brokerage and safeguarding, across the LA and in individual schools. The LA works constructively with the RD to share information and consider any action which may be appropriate.

External partners, particularly the RD, often require the input of the LA into gaining a deeper understanding of individual schools and the local area. Hence why partnership between the LA and schools is critical. The views of the LA are also sought in situations where the RD is seeking to broker school to school support including re-brokerage of academies, sponsorship of new schools or applications to open Free Schools.

5.2 Raising concerns with the Regional Director (RD), Ofsted and other external bodies

The LA will generally not discuss an individual school with the RD or Ofsted without informing the Headteacher, although there may be exceptional cases where this occurs.

6. SEND, Inclusion, Safeguarding and Complaints

The LA plays a key role and has a strategic overview of SEND, Inclusion and Safeguarding across all schools, regardless of whether it is a maintained school, free school, or an academy.

6.1 SEND

The LA has statutory responsibilities for the provision of children with SEND. This is laid out in the SEND Code of Practice (2014) and in the local area SEND and Inclusion Strategy. As part of this school effectiveness strategy the LA will seek to have a conversation with schools around the achievement and experiences of children and young people with SEND.

In addition, the LA will seek to further enhance the experience of young people with SEND in Slough schools by promoting the development of the school workforce and a community of practice via both existing and future mechanisms which include the; current Slough SENDCo Network, Early Years SENDCo Network, Educational Psychology and Advisory Teachers Service (EPATS), Early Education SEND advisors, SENDCo Support Service, Headteacher conferences, and from Spring 2023, the Slough Resource Base Network.

The LA will also promote and use co-production methods in the planning, commissioning, and reviewing of services for children and young people with SEND. Slough schools, pupils and families amongst other stakeholders, will be invited to take part in strategic and operational panels, committees, task and finish groups, stakeholder consultations, practice sharing, peer reviews and the development of information resources.

6.2 Inclusion

The LA plays a key role in supporting and promoting inclusion in all schools. This includes the commissioning of alternative provision places and statutory responsibility for 6th day provision for excluded children. In addition, the LA chairs the fair access protocol which is responsible for placing vulnerable children in schools (see Fair Access Protocol)

Attendance

The Attendance Service works with primary and secondary schools and educational settings to deliver improvement in pupil attendance leading to better attainment and achievement outcomes for children and young people.

The 3 main functions of the Attendance Service are Children Missing Education, Elective Home Education, Attendance Intervention & Legal Enforcement.

Children Missing Education (CME)

Co-ordinate and manage all CME and pupil tracking functions. Process includes: Investigation, tracking and monitoring and case management of all CME and pupil tracking referrals; maintaining Slough's CME database; recording CME data on the Missing Pupils function of the schools to schools site

Elective Home Education (EHE)

Hold the EHE register for Slough. Process includes case management of all EHE referrals; carrying out assessment of education provision; rag rating of home provision

Attendance Intervention & Legal Enforcement

Coordinate and manage all attendance related referrals which meet the threshold of persistent absence or severe absence (Children Missing in Education). Core functions of the process include: investigation of absence, mediation for resolution; implementation of warning periods to improve attendance; issuing of fixed penalty notices; instigation of legal proceedings

6.3 Safeguarding

The LA play an integral role in providing schools with national and local safeguarding information, advice, and guidance. In order, to pursue effective challenge, the LA

carries out Section 175 / 157 annual safeguarding self-assessment audit, which feed into its Section 11 audits.

The LA provides continuous professional development to designated safeguarding leads, governors, and senior leaders through the provision of training, seminars, and networks.

6.4 Complaints

In the case of complaints from Ofsted, The DfE, the ESFA, and other partners, the LA investigates the complaint and provides feedback to the relevant body.

In cases where schools are experiencing blockages in high-risk cases, the LA facilitates and supports the escalation of these cases.

7. School Improvement Capacity and Risk Evaluation (CRE) Process

The council's approach to school improvement risk evaluation will support system improvement, identifying both risks and capacity to contribute to the local system. The LA currently funds a team to enable all schools, including academies to engage in this process. Although in future years the model will be under review. SEPB, which comprises headteachers, and LA officers, is a key forum in ensuring transparency and engaging school leaders in the identification of area wide priorities and the brokerage of support.

The process is intended to identify risks to school improvement at an early stage and to work with the school to consider how these can be mitigated. CRE may include factors such as a major building programme which can place additional drains on management capacity. The evaluation process is also intended to identify capacity that the school may have which might mitigate any risk in their own institution and support improvement across the system. If a school is identified as needing support through the CRE process it does not mean that formal intervention is required or that they are a school of concern.

Supplementary CRE Questions

A standard set of CRE questions will be asked each year, and in addition a supplementary set of questions may be asked that focus on a specific area in more detail. This will be done in collaboration with SEPB. Examples of this in previous years has been a specific supplementary set of questions around Headteacher and staff well-being following the pandemic, or a supplementary set of questions focussed on SEND provision and practise. Supplementary questions will be decided in the summer term before that year's ATV.

7.1 Role of the School Effectiveness Partner (SEP) and Importance of the Autumn Term Visit (ATV)

The role of the LA SEP (for schools that have one, see 7.4) is to support schools through professional dialogue and advice. The SEP will undertake an Autumn Term Visit and a report will be shared with the Chair of Governors and Headteacher of the school.

In addition, schools and academies will be asked to self-evaluate both their school improvement risks and their capacity to contribute to the local school system.

The visit offers an opportunity for schools to discuss their self-evaluation in more detail with their SEP. It provides an opportunity to look beyond published data, learn more about the school and understand its capacity to drive improvement in their own schools and in the local system. The SEP can gather intelligence about priorities, challenges, innovations and effective practice.

The Autumn Term Visit allows the LA, working with SEPB, to identify common challenges across the borough as well as identified areas of strength. This intelligence will then inform LA wide priorities and the potential to broker school to school support. The qualitative intelligence gathered is invaluable in enabling the LA to be able to represent Slough schools in the best way possible to external partners who often rely only on published data.

NB: Due to financial challenges the LA may not be able to provide SEP visits to academies, but in turn will use the CRE to evaluate schools. The LA will also look to work with schools to develop potential peer to peer reviews. This will be an ongoing piece of work and dialogue with the sector.

All maintained schools will receive a visit or annual conversation as a minimum from the LA, either directly or through any other initiatives in place e.g. peer to peer visits.

7.2 Role of SEPB in CRE process

SEPB will have an overview of the process of the ATVs once they are complete, in order to ensure transparency, and may provide challenge to some CRE assessments. Only after this process will evaluations be confirmed. (see timeline 7.3)

SEPB will also be in a position to provide knowledge and expertise of the school system and be in a position to work with the LA to facilitate and broker support for schools where needed. This may include suggestions for collaborative projects to address common challenges or areas of interest.

7.3 Timeline

The CRE process will take place annually during the Autumn Term Visit (ATV) to schools and be validated at the beginning of the spring term. Schools will be asked to self-assess their CRE category and this should be discussed with the SEP.

A timeline of the CRE process is outlined below. Whilst risk evaluations take place annually, they may be subject to change throughout the year depending on a school's particular circumstance e.g. it is inspected as inadequate following a risk evaluation.

7.4 Academies choosing not to take part in the ATV and/or the CRE process

If academies do not have a School Effectiveness Partner and ATV, they still have the opportunity for an 'annual conversation' and can submit their self- evaluation and supporting evidence to the LA. This needs to take place by the end of the autumn term of each year.

Where no partner visit has taken place and/or a self-evaluation has not been submitted, the LA will carry out a desktop evaluation based on any known data and risk factors (see 7.6) and with SEPB, decide on the appropriate risk evaluation.

Timeline	Activity
September - October	<ul style="list-style-type: none"> - SEP contacts school to organise ATV or half day annual conversation - Scope of visit agreed with school - ATV pro forma and/or CRE self-assessment sent to school in advance and is returned to
October - December	<ul style="list-style-type: none"> - ATV or half day annual conversation takes place - Opportunity to discuss self-assessment between school and SEP. - SEP and school agree self-assessment and CRE category.
January - February	<ul style="list-style-type: none"> - SEPB meet to discuss, and oversee the ATVs and CRE category of each school. - Discussion of common themes and dissemination of areas of effective practise and areas of support - Potential follow up support for schools discussed e.g. use of local school leaders, brokering school to school support etc.

7.5 Disagreements on Self Assessment

Occasionally the school and the SEP may disagree with a school over their self-evaluation. More rarely, SEPB may disagree with a school's CRE even if it has been agreed between the school and SEP. In these cases, the process below will be followed:

Action

The LA lead for schools will contact the headteacher to discuss queries for further exploration.

The school will have an opportunity to address queries (this need not be a follow up visit but schools may wish to provide further evidence)

7.6 School Improvement Capacity and Risk Factors

Factors below, which are not exhaustive, may be taken into account when coming to an evaluation of a schools CRE category. These factors should be considered in identifying both potential risks and the potential capacity the school may have to drive improvement or to support others and contribute to system leadership.

7.7 LA Capacity and Risk Evaluation - School Contributions

Schools are expected to contribute to the local system and suggestions for contribution based on CRE are below.

The Capacity and Risk Evaluation is intended to be a reflective process in which schools self-assess using the following categories:

Dark Green	Very low school improvement risk - strong capacity for system leadership
Light Green	Low School improvement risk - some capacity for system leadership
Amber	Medium school improvement risk – limited capacity for system leadership
Blue	School Causing Concern

The ratings for each category highlight both their potential school improvement risks, but also their capacity to contribute to the local system. The information collected from the CRE process will feed into SEPB meetings and be drawn upon to broker support or identify clusters of schools to work together on common challenges.

8. Schools Causing Concern

As outlined in Section 4, the LA has a statutory duty under the Education and Inspections Act 2006 to identify schools which give cause for concern and if necessary to issue a formal Warning Notice. In undertaking these duties the LA must follow the statutory Schools Causing Concern Guidance.

<https://www.gov.uk/government/publications/schools-causing-concern--2>

8.1 Schools judged Inadequate by Ofsted

Schools judged inadequate become eligible for intervention from the Regional Schools Commissioner or the LA.

Where a maintained school is judged inadequate the RD has a duty to issue an academy order for it to convert to an academy and become sponsored by a multi academy trust. The LA has a duty to facilitate the conversion. If the school is a Foundation or Voluntary Aided school the RD will consult with the Trustees or

relevant religious body. The RD will ensure that the religious character or ethos of these schools is maintained.

Where an academy is judged inadequate the RD has the power, but not a duty, to terminate the funding agreement of the academy and 'rebroker' the school to another multi academy trust. However, the RD may choose not to do so and to implement other alternatives for school support. If a standalone academy is judged inadequate, the RD will normally 'rebroker' it to join a MAT. If a school is deemed unviable then the RD may terminate the funding agreement and direct the closure of the school. Further details can be found in the DfE schools causing concern document.

8.2 Slough Schools Causing Concern Process (Maintained Schools)

Slough Council is committed to identifying and working with schools which might be at risk of formal intervention or an inadequate judgement by Ofsted at an early stage, so that rapid progress can be made to address the matters of concern and prevent the need for a formal Warning Notice or intervention. To date the LA has worked positively with both maintained schools and academies that have fallen into the criteria for schools causing concern.

There are 3 steps in the School Causing Concern process, which usually follow in sequence. On rare occasions, serious concerns may come to light which would lead the LA to move straight to step 3 e.g. a serious safeguarding issue.

Step 1

The LA will write to schools about which it has cause for concern

setting out the reasons for concern. Concerns about a school can include safeguarding, governance, finance, and attendance as well as performance.

The LA evidence base may include published data about the school, financial information or concerns raised by parents, staff and governors.

The Headteacher and Chair of Governors will be asked to meet with the LA Service Lead for School Effectiveness and the school SEP to discuss the matters for concern and the schools plans for improvement. The meeting will also consider:-

- The reasons why the LA is concerned and the supporting evidence
- Whether the current plans to address concerns, including support already in place, are sufficient
- What additional support from the LA or other schools might be useful. The LA may recommend that the school commission an external review of an aspect such as governance or SEND.

The SEP/LA will monitor progress.

The outcome of the meeting will be considered, together with discussions regarding potential schools to provide any additional support. In the majority of cases we would expect no further action to be necessary and we will write to the school to confirm this.

Step 2

Where progress to address matters of concern is not sufficiently speedy, or where additional matters of concern come to light, the Director of Children, Learning and Skills will issue a Formal Letter of Concern triggering entry into the formal LA School Causing Concern Category.

These schools will be asked to produce an action plan and to attend 6 weekly monitoring meetings with the Service Lead - School Effectiveness. The focus will be on working with the school, drawing on the capacity across the school system, to address the matters of concern.

The school governing body will be asked to submit minutes of full governing body meetings to the LA for the period that the school is in a formal category of concern. The LA may commission an external review of governance, Safeguarding, SEND, Finance, Health and Safety or use of the Pupil Premium.

Monitoring information will be passed to the Director of Children, Learning and Skills and discussed with LA officers. Schools Causing Concern are also routinely discussed with the RD at termly meetings.

Where it is agreed that the school has made sufficient progress and is no longer considered a school of concern the Director of Children, Learning and Skills will write to formally remove the school from school causing concern category.

Step 3

If a School Causing Concern fails to make rapid progress then the Director for Children, Learning and Skills or the RD, will issue a Warning Notice to the governing body of a maintained school under section 60(2) (a-c) of the 2006 Education and Inspections Act.

In rare cases serious matters of concern may come to light, which will lead the LA or RD to immediately issue a Warning Notice.

In line with DfE Schools Causing Concern Guidance the Warning Notice will set out the following:

1. the matters on which their concerns are based;
2. the action the governing body is required to take in order to address the concerns raised;

3. the period within which the governing body must comply or secure compliance with that action (the compliance period); and
4. the action (intervention power) the local authority or RSC is minded to take (under one or more of sections 63 to 69 of the Education and Inspections Act 2006 or otherwise) if the governing body does not take the required action.

All formal warning notices must be copied to the RD and to Ofsted.

8.3 Academies Causing Concern

The LA will write to the Chair of Trustees and the headteacher of an academy about which it has concerns. In line with the DfE Guidance we will also inform the Regional Schools Commissioner:

“Where a local authority has concerns about standards, management or governance, or safety in an academy, it should alert the relevant RD.” (School Causing Concern Document, DfE, February 2022)

Where the Regional Director is already engaged in support or monitoring of the academy, the LA will ask that there is one joint meeting to consider plans to address areas for improvement and any further support that might be useful. Where the RD is not already engaged in support or monitoring the LA will consider, in consultation with the RD and the school, if entry in the LA school causing concern process might be useful.

If an academy Causing Concern fails to make rapid progress or where serious concerns come to light, the LA will inform the RD and ask that a Warning Notice be issued. In these cases the LA will inform the principal and Chair of Trustees of the action it is taking.

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SLOUGH BOROUGH COUNCIL

REPORT TO:	Cabinet
DATE:	16th January 2023
SUBJECT:	Severance of the Council's leasehold interest at Greenwatt Way, Slough SL1 2ES.
CHIEF OFFICER:	Pat Hayes, Executive Director Housing and Property
CONTACT OFFICER:	Fin Garvey, Group Manager – Place Delivery Peter Robinson, Financial Consultant Peter Worth, Finance Lead Technical Advisor
WARD(S):	Chalvey
PORTFOLIO:	Councillor Rob Anderson, Lead Member for Financial Oversight and Council Assets
KEY DECISION:	YES
EXEMPT:	Public but with appendices 2 to 5 exempt under paragraph 3 of Schedule 12A Local Government Act 1972 – Information relating to the financial or business affairs of the Council
DECISION SUBJECT TO CALL IN:	YES
PUBLIC APPENDICES:	1 – Site map
CONFIDENTIAL APPENDICES	2 –Lease dated 30 January 2020 3 – Avison Young valuation report dated 22 July 2022 4 – Counsel's opinion dated 26 July 2022 5 – Proposed severance terms dated 23 November 2022 6 – Land at 450 Bath Road – Overage Provision

1. Summary and Recommendations

- 1.1. This report relates principally to a leasehold interest in land which is no longer required by the Council and seeks approval for the lease to be terminated with immediate effect. In addition, it covers an overage agreement with the same party, which is in dispute, but seeks approval to terminate for an agreed settlement as part of the termination of the lease.

- 1.2. The Council's leasehold interest in land at Greenwatt Way was acquired in 2020 to facilitate the proposed construction of new care facilities as part of the Chalvey Extra Care Housing (ECH) initiative. This project was removed from the Council's Capital Programme in November 2021.
- 1.3. The freehold for 450 Bath Road was sold by the Council to Dr. Kumar on 12th February 1993. As part of a 10-year agreement that expired on 11th February 2003 any increase in the value of the property in this time would be shared on a 50/50 basis with the Council. This recognised that the Council would be entitled to an additional sum if Dr. Kumar gained planning approval to increase the building size in this timeframe. This is termed an overage provision.
- 1.4. It has not been possible for the Council to agree the valuation with Dr. Kumar and to avoid legal and valuation costs it has been agreed to include the value of the overage provision in the settlement for the lease.
- 1.5. The report sets out key lessons that need to be learned from this matter.

Recommendations:

- 1.6. Cabinet is recommended to:
 - a) Approve the proposed termination of the existing 42-year lease agreement with Bharani Enterprises (UK) Limited and release of the overage on the property at 450 Bath Road, Slough where the Council is the beneficiary of the overage for the negotiated one-off payment of £1m plus VAT and
 - b) Delegate authority to the Executive Director Housing and Property, in consultation with the Lead Member for Financial Oversight and Council Assets, the s.151 Officer and the Monitoring Officer, to negotiate the terms of severance, and approve the associated documentation to affect the termination of the lease and release of the overage.

Reason:

- 1.7. The existing lease agreement did not set out what would happen if the Council decided not to pursue the ECH initiative, nor did it specify a process for agreeing severance terms. Independent advice has been obtained from property valuers and counsel on the Council's options and these are set out in the confidential appendices.
- 1.8. A process of negotiation has taken place with the freeholder to establish a basis on which they would be willing to terminate the existing lease.
- 1.9. The freeholder has indicated that they are willing to operate a care home facility on the site but do not wish to fund the initial investment. As an alternative however they are willing to accept a one-off severance payment from the Council of £1m.
- 1.10. Officers consider that this represents value for money on the basis that the annual payments due under the lease would total £5m over the remaining lease term of 40 years.
- 1.11. Disposal of this leasehold interests supports the priority of the new Corporate Plan for *"a Council that lives within its means, balances the budget and delivers best value for taxpayers and service users."* It will also enable the Council to simplify the property portfolio and enable the Council to focus on its core activities and services.
- 1.12. As the proposed settlement payment is in excess of £0.5m it represents a key decision, therefore Cabinet approval is required.

Commissioners Review

1.13. *“The recommendations are supported on the basis that they represent the best way out of a difficult position in a reasonable timescale. Cabinet should spend some time in considering the lessons learned and the action required by both Councillors and officers.”*

2. Report

Introduction and Context

2.1. Appendix 1 provides a site map showing for the brownfield site at Greenwatt Way, Primary Road, Chalvey, Slough SL1 2ES. Since March 2015, the two plots BK476759 and BK467908 have been held in the freehold ownership of either:

- members of the Kumar family, or
- Bharani Enterprises (UK) Limited (Companies House reference 08625027), a company owned and managed by the same family, incorporated in July 2013

2.2. Dr. M L H Kumar is director and shareholder of Bharani Enterprises (UK) Limited (“BEL”). He is also a local GP and senior partner of two surgeries in Slough and another in Maidenhead trading as Bharani Medical Centres. BEL is currently constructing a new surgery at Greenwatt Way, see plot reference BK476759.

Lease agreement with the Council

2.3. On 30 January 2020, the Council entered into a 42-year lease with BEL in respect of plot reference BK467908, and contracted to make payments as follows:

- a lease premium of £1.75m at inception, plus
- annual rental of £125,000 (plus VAT) per annum with the first two years’ instalments paid in advance.

2.4. Key components of the lease agreement are summarised in Appendix 2.

2.5. The purpose of this transaction was to support the Chalvey Extra Care Housing (ECH) initiative. ECH was a proposal to build 60 1 and 2 bed ‘Extra Care’ homes, with health and residential care facilities adjacent to the new primary care facilities referred to in paragraph 2.2 above. A Capital Project Business Case report prepared in June 2019 explains that:

- the Council’s Housing Strategy for 2016-2021 had identified the need for additional 987 units of older person’s accommodation, and Chalvey ECH would contribute to meeting those requirements;
- also, the construction supply-chain and ongoing operational management of the new facilities would create local employment opportunities;
- these new facilities would be operated by BEL but constructed by the Council at an estimated total cost of £15m. This capital cost would be financed by a combination of Right to Buy capital receipts and PWLB borrowing.

2.6. An initial payment of £2m (comprising the lease premium of £1.75m plus two years annual rental totalling £0.25m) therefore formed part of the Council’s capital programme in 2020/21. A further £6.7m was approved as part of the 2021/22 Capital Programme to finance the construction element of ECH (project reference P208) with a commitment in principle to a final tranche of funding (of c£6m) from the Capital Programme in 2022/23.

2.7. It was initially envisaged in the Business Case that ECH would operate at a net profit overall, generating a future income stream for the Council which would offset interest

charges and annual lease costs. However, subsequent examination of the ECH Business Case by officers has indicated that:

- cash flow forecasts prepared in 2019 significantly under-estimated both the initial construction costs and the ongoing operational expenses associated with the project; and
- therefore, the prospect of any financial return to the Council would be remote.

Overage Provision on 450 Bath Road

- 2.8. The freehold for 450 Bath Road was sold by the Council to Dr. Kumar on 12th February 1993. As part of a 10-year agreement that expired on 11th February 2003 any increase in the value of the property in this time would be shared on a 50/50 basis with the Council. This recognised that the Council was entitled to the 50% share should Dr. Kumar gain planning approval to increase the building size in this timeframe. This is termed an overage provision.
- 2.9. Dr. Kumar carried out a development in 1994 which increased the area of the property above the existing 275m² by 37m² and obtained planning consent for a further 116 m² in 2003, within the timescale of the overage provision agreement. The overage was triggered by the granting of planning permission, and this was subsequently implemented.
- 2.10. Despite planning permission being obtained, there is no evidence that Dr. Kumar notified the Council as was his obligation under the terms of the sale agreement.
- 2.11. It has not been possible for the Council to agree the valuation with Dr. Kumar and to avoid legal and valuation costs it has been agreed to include the value of the overage provision in the settlement for the lease.
- 2.12. Details of the overage provision are set out in confidential appendix 5.

Section 114 Notice and subsequent Capital Programme Review

- 2.13. The Council's financial position, and its strategic priorities, have altered significantly since the ECH initiative was originally developed in 2019. On 2 July 2021 the Executive Director Finance and Commercial (s.151 officer) issued a Section 114 Notice, advising that significant reductions in both revenue and capital spending were necessary in order to improve the Council's financial position.
- 2.14. On 20 September 2021, the 2021/22 Quarter 1 Revenue and Capital Budget Monitoring Report to Cabinet confirmed that *"the current capital programme is unaffordable, and a number of schemes are being reviewed to determine whether they can be stopped, or their scope reduced"*. Paragraph 8.1 of that report goes on to state that *"project managers have been asked to identify options that would allow the capital programme to be reduced, so that the only schemes remaining will be those where there is either a contractual liability, a Health and Safety obligation, or the project is fully financed from grant funding"*.
- 2.15. None of these exemptions applied to ECH as construction was not yet underway and no contracts for design or building work had been let.
- 2.16. Also on 20 September 2021, Cabinet approved an "Asset Disposal Strategy", stating that *"an orderly programme of asset disposals"* was necessary to improve the Council's financial position. The report is clear that asset disposals in their widest possible context are being referred to, therefore disposals of leasehold interests and limited company investments are to take place wherever possible as well as sales of freehold land and buildings.

2.17. Subsequently, in November 2021, the 2021/22 Period 6 Revenue and Capital Budget Monitoring Report authorised significant reductions in the capital programme. Appendix E reports these changes on a detailed line by line basis, with the ECH project P208 shown as cancelled.

Options considered

2.18. Once the ECH project had been cancelled, the initial reason for the Council's acquisition of the leasehold interest at Greenwatt Way no longer applied. Although the existing lease agreement did not specifically consider what would happen if the Council (or BEL) decided not to pursue the project, three possible ways forward have been identified:

2.19. **Option A** – For the Council to purchase the freehold of BK467908 with a view to onward sale. An independent valuation carried out by Avison Young on 22 July 2022 includes a valuation of the freehold, this is attached as confidential appendix 2. However such a purchase would not be in line with the Council's current policy of not purchasing any new assets for investment purposes. Avison Young have also indicated that there are site constraints which does not make this advisable. Further information is provided in the confidential appendix. Furthermore, BEL are not, at this time, interested in selling the freehold.

2.20. **Option B** - To retain the existing leasehold interest but secure third-party funding for a new care home facility or alternative development. An independent legal opinion provided by Jonathan Gaunt KC at Falcon Chambers (see confidential Appendix 4) has advised on the options available to the Council. In addition, the length of the lease may restrict the options to secure third party funding. BEL have indicated that they are still willing to operate a care home facility on the site.

2.21. **Option C** – Undertake a separate process for resolving the settlement of the overage provision on 450 Bath Road and agree a different amount for the settlement of the lease. This risks further delay and additional legal and valuation fees, as well as delaying BEL progressing its development of the site.

2.22. **Option D** – To terminate the existing lease by way of a surrender the leasehold title to BEL for a one-off payment of £1m plus VAT and release of the overage payment on the property at 450 Bath Road, Slough where the Council is the beneficiary of the overage plus any legal costs associated with the sale. This will save the Council spending c.£5m in lease rental payments over the next 40 years for an asset which the Council does not need.

2.23. **Option D** is therefore recommended to Cabinet for approval on the basis that:

- it offers the best overall value for money
- it provides the best fit with existing Council policies on maximising asset disposals and reducing non-essential capital expenditure, and
- it reduces the Council's exposure to future financial risk.

Summary of proposed terms

2.24. As no exit provisions are set out in the current lease, a process of negotiation has taken place with BEL to establish a basis on which they would be willing to terminate the existing lease.

2.25. Following a process of negotiation which has been ongoing for almost 6 months, BEL have indicated that they are willing to settle for a one-off payment of £1m (plus VAT) and release of the overage on the property at 450 Bath Road, Slough where the

Council is the beneficiary of the overage, the Council will fund both parties legal costs associated with the sale which are relatively small.

- 2.26. The value of the overage provision is in dispute with the parties having different views on the value of the land at the relevant time and therefore the value of the overage. Settlement of this would require further legal expenses and it was felt that incorporating settlement represented best value for the Council.
- 2.27. A letter to BEL outlining the proposed terms of severance in more detail is set out in confidential Appendix 5.

Lessons Learned

Lack of adequate business case

- 2.28. While the concept to build Extra Care Housing in Slough was reasonable, like many transactions undertaken prior to April 2021 the letting of the contract suffered from poor financial advice, a lack of proper management oversight and due diligence and a lack of governance.
- 2.29. Investigations into the background to why Council officers decided to enter the lease as signed have been difficult to establish. Many individuals involved have left the Council. There was little or no documentation, discussions with the other party appeared to be on an informal basis and were not minuted. There was no involvement of the Council's Monitoring Officer and basic instructions to the Council's external legal advisors were not given and in some cases advice given ignored.
- 2.30. The business case produced was lacking in that it did not include detailed financial estimates. It materially under-estimated the cost of building the extra care housing and did not include details of how the project would be funded. The costs of the lease were wrongly assumed to be capital expenditure and included in the capital programme as such, rather than as an ongoing revenue commitment. There was no proper options appraisal and a significant optimism bias in that it assumed the Council would not just have an increased level of Extra Care Housing in the Borough but that it would make a financial return. No consideration was given to the Council purely be an enabler and encouraging a specialist provider to undertake the work. There was no evidence that there was any detailed financial review or scrutiny by the then s.151 Officer of what was a major financial decision.
- 2.31. **Steps to avoid recurrence** – the Council now has a project management team and directors are expected to produce business cases meeting the standards of HM Treasury guidance. Procurement and commissioning of services would be reviewed by a strategic procurement board, with finance and legal colleagues represented on the same.
- 2.32. The Council is also taking a different approach to investment and is only borrowing to fund essential works. It also has a high-quality financial team who would be able to undertake a full and informed business case or realise when external expertise is required. It needs to ensure going forward that this continues to be the case.

Lack of valuation to inform decision

- 2.33. No valuation of the land was undertaken prior to the Council's purchase. It is hard to understand why such a large premium was paid on entering the lease and the amount of the annual lease payment that together far exceeded the value of the land or what it was purchased for.
- 2.34. **Steps to avoid recurrence** – for all asset disposal decisions, the Council's decision is informed by up to date valuation evidence and advice from independent experts. If the Council does acquire properties in the future, the decision would be for cabinet to

make and the report would be supported by relevant information, including valuation, legal and financial advice.

Lack of project management

- 2.35. Whilst the payments were included in the business case but there was no consideration that the project could go wrong or that the Council would not proceed with it.
- 2.36. The project was poorly managed and had numerous project managers through the course of the project. Given the scale of the project it was surprising that there was no corporate overview.
- 2.37. **Steps to avoid recurrence** - Programme management and project support is now being implemented through the Corporate Project Management Office.

Decision-making

- 2.38. A wide delegation was given to a single officer, with no requirement to consult a lead member or key statutory governance officers. This was for a multi-million pound project for which finances were not fully in place.
- 2.39. **Steps to avoid recurrence** – there is now a corporate schedule setting out key decisions for cabinet. This includes review by legal, finance, procurement and other relevant teams, as well as sign off by the whole corporate leadership team and discussion with cabinet members informally before any formal decision-making. Major projects are split into key phases with clarity in the report as to the next stages and if cabinet authority is required for these. All cabinet reports contain an options section and the use of wholly Part 2 (exempt) reports has ceased – where confidential information is included, the report is split into Part 1 and Part 2 with as much information as possible presented in Part 1. Where information cannot be put into the public domain at a particular point, consideration is given to reporting this back to elected members in a public report in the future. For example, an update report is presented to the Asset Disposal Cabinet Committee on asset disposals.

Issues with lease

- 2.40. External lawyers were instructed with no obvious oversight from the Monitoring Officer or the Council's shared legal practice. The instruction appears to come directly from the service directorate. The lease contained no exit provisions, and it is unclear why it was entered into prior to finances being in place for construction. An alternative agreement to lease does not appear to have been considered.
- 2.41. **Steps to avoid recurrence** – Part 3.6 of the Council's Constitution states that executive directors have authority as follows:

“Instructing external lawyers in relation to legal matters and disputes, where agreement has been sought from the HB Public Law or the Monitoring Officer, that instructions are appropriate”

Executive directors have been reminded that they are not permitted to instruct external lawyers without explicit consent and the legal advice should be available to the Monitoring Officer and there should be clarity on the cost. HB Public Law also offer a managed legal service, whereby they would instruct the external lawyers and manage the instructions and billing.

Overage provisions

- 2.42. There appeared to be no clear records of overage provisions on land disposed of, meaning that these have not been periodically checked by the asset management team or key sites flagged by the planning team when a planning application is made.

Steps taken to avoid a similar occurrence – the Executive Director of Housing and Property will put in place a system to ensure that overage provisions are recorded in a central register and appropriate systems are in place to check sites on a periodic basis.

3. Implications of the Recommendation

Financial implications

- 3.1. In addition to the savings of £12.7m already realised by not progressing with the initial proposal to construct a new care home facility on Greenwatt Way, the proposed severance payment of £1m provides a saving of £0.125m per annum for a further 40 years in line with its existing contractual obligations. No debtor had been included in the Council’s accounts for the overage provision on 450 Bath Road.
- 3.2. A discounted cash flow comparing the value of the payment of £1m now as opposed to paying £5m in instalments of £0.125m per annum for 40 years was completed as one of the considerations for agreeing the payment. The lump sum represented a positive benefit and therefore good value to the Council.
- 3.3. Provision has been made in the accounts for the cost of the contract with the remaining balance reducing the Council’s capitalisation requirement.

4. Legal implications

- 4.1. Pursuant to section 123 of the Local Government Act 1972 (“Section 123 LGA 1972”) and/or Section 1 of the Localism Act 2011, the Council has the power to dispose of either freehold or leasehold interests in land in any manner it wishes, subject to certain provisions. The Council has a statutory duty to obtain the best price reasonably obtainable, subject to certain exemptions.
- 4.2. When disposing of land, the Council has a duty to obtain best consideration under section 123 LGA 1972, not less than the best that can be reasonably obtained. What is reasonable depends entirely on the nature of the transaction. However, failure to obtain an independent valuation or to take proper legal or professional advice, could constitute a breach of the Council’s duty to obtain best consideration as set out in Section 123 of the Local Government Act 1972.
- 4.3. The Council has commissioned Avison Young to assess both the freehold and the leasehold value of the land at Greenwatt Way, and to advise on the likely prospects of a profitable sale if the freehold was acquired and then re-marketed. The Council has also obtained Counsel’s opinion on the practical implication of various clauses contained in the lease. Officers are confident that Option C reflects the professional advice provided by both sets of external experts.

5. Risk management implications

- 5.1. The recommendations required from Cabinet, as outlined in this report, are intended to improve the Council’s financial position by minimising future payments due under an existing land lease which is now surplus to the Council’s requirements. Specific risks are summarised below:

Risk	Summary	Mitigations
Financial	Ongoing obligation to pay £0.125m per annum for the next 40 years if severance terms cannot be agreed	The proposed negotiated settlement of £1m represents a reduction in

		total outgoings over the life of the lease .
Governance	Failure to properly approve financial decisions in line with the Council's Constitution and Scheme of Delegation requirements.	Cabinet approval is required for all financial decisions in excess of £0.5m
Legal	Failure to meet best consideration requirements of s123 LGA 1972	The Council has engaged external property advisors and King's Counsel to advise on valuation and legal aspects of the proposed transaction and has acted in accordance with their advice.
Reputational	Failure to properly consider the available options for the future of leasehold property no longer required by the Council, or to negotiate a settlement which did not represent best consideration, would expose the Council to adverse comment and criticism.	This risk can be mitigated by comprehensive reporting to Cabinet which sets out the available options and demonstrates that the decision being taken represents the best value for money overall.

6. Environmental implications

6.1. No environmental implications have been identified as a direct result of this report.

7. Equality implications

7.1. No equality implications have been identified as a direct result of this report.

8. Procurement implications

8.1. The procurement of Avison Young to provide property advice, and of Jonathan Gaunt KC to provide independent legal advice, was secured in compliance with:

- The Public Contracts Regulations 2015;
- Council Contract Procedure Rules; and
- Expenditure Control Panel requirements.

9. Workforce implications

9.1. No workforce implications have been identified as a direct result of this report.

10. Property implications

10.1. This report will reduce the Council's ownership of leasehold land and property holdings not required for operational purposes, in line with policies already approved by the Council.

11. Background Papers

Appendix 1 - Site map for BK476759 and BK467908

Appendix 2 (confidential papers) – Lease entered into between SBC and Bharani Enterprises (UK) Limited on 30 January 2020

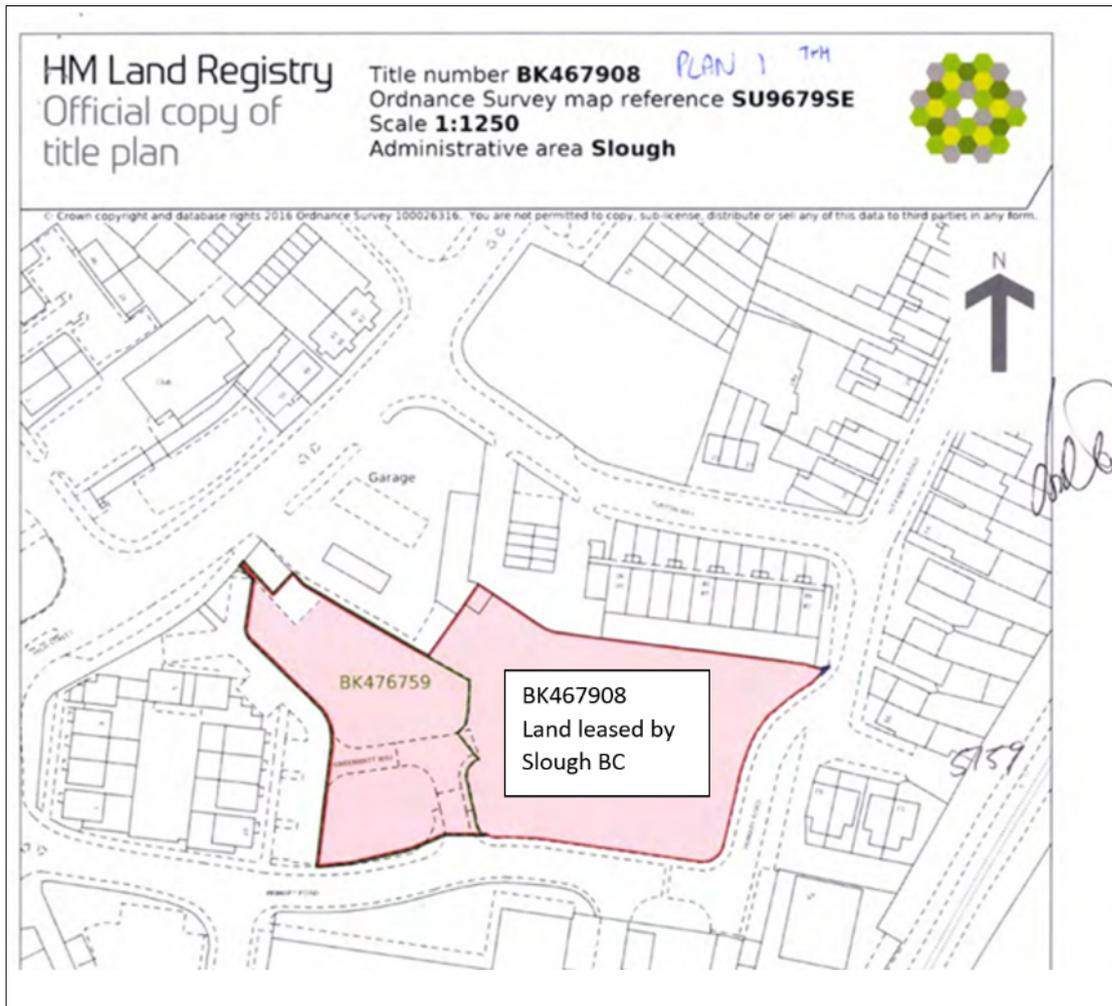
Appendix 3 – (confidential papers) - Independent valuation provided by Avison Young on 22 July 2022

Appendix 4 – (confidential papers) – Legal advice obtained on 26 July 2022 from Jonathan Gaunt KC

Appendix 5 – (confidential papers) – Proposed severance terms 23 November 2022

Appendix 6 - (confidential papers) – Land at 450 Bath Road – Overage Provision

Appendix 1 – Site map for BK476759 and BK467908



Appendices 2, 3, 4, 5 and 6 contain exempt information and are in Part II of the agenda.

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