

## SCHOOLS FORUM

### 2024-25 Schools' Budget

Tuesday, 13<sup>th</sup> February 2024

Content Applicable to:		School Phase:	
Maintained Primary and Secondary Schools	X	Pre School	X
Academies	X	Foundation Stage	X
PVI Settings	X	Primary	X
Special Schools / Academies	X	Secondary	X
Local Authority	X	Post 16	X
		High Needs	X

Content Requires:		By:	
Noting	X	Maintained Primary School Members	
Decision	X	Maintained Secondary School Members	
		Maintained Special School Members	
		Academy Members	
		All Schools Forum	X

### **Purpose of the Report:**

1. The purpose of this report is to present the 2024-25 Dedicated Schools Grant Settlement for Leicestershire and the 2024-25 Schools Budget.
2. This report builds upon a number of reports presented through the 2023-24 financial year.

### **Recommendations:**

3. That Schools Forum approves the retention of the budget to fund future school growth (Paragraph 17, Item 2).
4. That Schools Forum approve the retention of budgets to meet the prescribed statutory duties of the local authority and to meet historic costs (Paragraph 17, Items 3 & 4).
5. That Schools Forum approve the centrally retained early years funding (Paragraph 17, Item 5).

6. That Schools Forum note the DfE approval for use of the exceptional premises factor in respect of schools that incur rental costs for premises and / or sports facilities and the adjustments made in respect of age range changes (Paragraph 30).
7. That Schools Forum note the actions taken by the local authority in applying Capping and Scaling to the National Funding Formula for the purposes of affordability (Paragraphs 31 - 38).
8. That Schools Forum notes the number and average cost of commissioned places for children and young people with High Needs (Paragraph 58).
9. That Schools Forum notes the Early Years Provider payment rates for 2024-25 (Paragraph 65).
10. That Schools Forum approve the action to be taken in respect of schools where the Special Educational Needs (SEN) notional budget is insufficient to meet the aggregated value of High Needs Funding Element 2 (Paragraphs 72 - 74).
11. That Schools Forum note the average per pupil funding to be taken into account for recoupment for excluded pupils and other purposes (Paragraph 75).

**Background:**

12. This report builds upon those presented to Schools Forum during 2024 and sets out the local authority's Schools Budget for 2023-24.
13. The Schools Budget is the term given overall to the services funded from Dedicated Schools Grant (DSG) and consists of budget for individual schools, revenue funding for new and expanding schools, prescribed centrally retained budgets held by the authority, early years, and high needs. Local authorities are required to set the Schools Budget at least equal to the amount of DSG received. For 2024-25 the High Needs Block will continue to record a deficit which is required to be carried forward for recovery from future DSG under current legislation. The local authority can make no contribution to DSG without the approval of the Secretary of State, the Schools Budget is therefore set at the level of grant and must contain all its spending pressures within that grant.
14. There is no change to the basic structure of DSG for 2024-25 and remains divided into four separate funding blocks:
  - Schools Block: funds delegated budgets for maintained schools and academies and school growth.
  - The Central Services Block: funds historic costs and other prescribed local authority areas of expenditure including the local authority's statutory duties for all schools.
  - Early Years: funds the free entitlement to early education for 2-, 3- & 4-year-olds. including the extended offer for 2-year-olds from April and September 2024 and a maximum of 5% allocated to meet for the cost of the services that support the early years sector.
  - High Needs: funds provision for pupils with SEN, the PRU and other services for vulnerable children such as the Secondary Education Inclusion Partnerships, Children with Medical Needs and Specialist Teaching Services.
15. The 2024-25 Children and Family Services Budget was considered by the Children and Family Services Overview and Scrutiny Committee on 23 January 2024, by

the Cabinet on 19 December and 9 February 2024 and budget proposals will be considered by the County Council on 21 February 2024 and is shown as **Appendix B**.

**Role of the Schools Forum in setting the 2024-25 Schools Budget:**

16. The Central School Services Block holds the retained budgets for several areas of expenditure centrally retained by the local authority through provisions contained within the School and Early Years Finance (England) Regulations, these budgets are subject to restrictions, and some are subject to some decisions for the Schools Forum.
17. Whilst the DFE have alluded to changes in Schools Forum responsibilities as a result of the introduction of the National Funding Formula (NFF) which restricts local decision making in respect of school budgets, the role of Schools Forum is unchanged. It can be envisaged that the Schools Forum will have a key role in the final stages of the national implementation of the NFF for maintained and academy primary and secondary schools and preparing schools for any changes that may impact upon school funding. The following table sets out the areas of expenditure that through legislation fall to be met through the Schools Budget and with decisions vested in the Schools Forum and which apply to all local authorities for 2024/2:

<b>Item</b>	<b>Approval For</b>	<b>Action</b>
1.	De-delegation from mainstream school budgets	<p>A decision on de-delegation for School Improvement Services for maintained schools is required and is a separate item on the agenda.</p> <p>De-delegation can only be in respect of maintained schools only, all budgets for academies are required to be fully delegated. Only mainstream school members of Schools Forum are able to make de-delegation decisions.</p>
2.	To create a fund for pupil number growth to support the local authority's duty for place planning and agree the criteria for maintained schools and academies to access this fund.	<p>Schools Forum approved the policy for funding school growth from April 2024 at its meeting on 21 November 2023</p> <p>A revenue budget to meet the cost arising from commissioning additional school places required to meet the basic need for sufficient school places. The proposed budget is £2.3m (2023-24 £2.4mm)</p>
3.	<p>Funding for the local authority in order to meet prescribed statutory duties placed upon it.</p> <p>This funding now includes funding for local authority statutory duties for all schools previously funded through the retained duties element of ESG.</p>	<p>The budgets falling into this category are:</p> <ul style="list-style-type: none"> <li>• Servicing the Schools Forum £8,570 (2023-24 £8,570), this budget meets the cost of operating the Schools Forum.</li> <li>• Admissions £366,000(2023-24 £366,000). This meets the local authority's statutory responsibilities for admissions and is funded from the Schools Block.</li> <li>• Local Authority Statutory / Regulatory Duties, Asset Management and Central Support Services £1.9m. This largely consists of recharges from services outside the Children and Families Department that support budgets funded from DSG such as finance, ICT, property. It also includes funding previously allocated as central teacher pension grant.</li> </ul>
4.	Funding for historic costs met by the local authority. Following the baselining exercise undertaken to determine the 2017/18 DSG baselines the Department for Education have set out their expectation that these costs	<ul style="list-style-type: none"> <li>• Premature Retirement Costs £674,900 (2023-24 £674,900), these are historic costs relating to school staff where the commitment remains with the local authority and relates to both maintained schools and academies. This appears on the</li> </ul>

	<p>should unwind over time and have begun annual reductions in funding. This may be the case for the element relating to schools causing concern, but no funding will be released from premature retirement for significant periods of time given that the local authority remains supporting such costs arising from pre-1997. The DfE retain a guarantee that funding for premature retirement costs will not fall below DGS commitments</p>	<p>Human Resources line of the budget statement.</p> <ul style="list-style-type: none"> <li>Miscellaneous £248,000 (2023-24 £248,000). This is the commissioning budget for maintained schools causing concern, whilst the number of maintained schools has reduced overall the number of schools requiring LA support is largely unchanged.</li> </ul>
5.	<p>Funding for central early years expenditure, which includes funding for checking eligibility of pupils for an early year's place in addition to the local authority's statutory responsibilities in this area. Centrally retained funding must not exceed 5% of the Early Years DSG. The increased amount for 2024-25 reflects the increase in the early years offer and its administration.</p>	<p>Schools Forum are asked to approve expenditure of £2.3m (2023-24 £1.8m).</p>

18. Where the decision-making power is vested in the Schools Forum, the local authority may seek adjudication from the Secretary of State should approval not be granted. This would be sought should Schools Forum not approve the centrally funded items, there is no other source of funding for the local authority to meet these commitments which are all incurred as a result of the local authority's statutory role in schools. Retention of these budgets is consistent with that of previous years.

19. A further budget for school copyright is held centrally under provisions within the School and Early Years Finance (England) Regulations. This funds copyright licences within a nationally negotiated contract by the Secretary of State for all academies and maintained schools, as a result of this national contract individual schools no longer meet these costs directly. The local authority 2023-24 cost is determined by the DfE and the cost for 2023-24 has not yet been confirmed, provision has been made for an estimate of £747,000 (2023-24 £604,782).

### **Dedicated Schools Grant:**

20. For 2024-25 the Dedicated Schools Grant (DSG) remains calculated in four separate blocks as set out below:

<b>Funding Block</b>	<b>Areas Funded</b>	<b>Basis for Settlement</b>
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<p>Schools Block Est £521.4m consisting of:</p> <ul style="list-style-type: none"> <li>• School formula funding £518.5m</li> <li>• School Growth £2.8m</li> </ul>	<p>Individual budgets for maintained schools and academies.</p> <p>Growth funding for the revenue costs of delivering additional mainstream school places and to meet the local authority's duty to ensure a sufficient number of school places.</p> <p>DSG is notionally allocated to Leicestershire for all maintained schools and academies. A locally agreed funding formula is applied to this to determine school budgets, for maintained schools these are allocated directly by the local authority, for academies the funding is recouped from the settlement by the Education and Skills Funding Agency (ESFA) who then directly fund academies.</p>	<p>2024-25 sees further transition to the National Funding Formula (NFF) by the DfE. The NFF continues to attribute units of funding to pupil characteristics. The grant settlement is based on:</p> <ul style="list-style-type: none"> <li>• the aggregate of pupil led characteristics for each individual school:</li> <li>• a block allocation for school led factors.</li> </ul> <p>These allocations are required to be fully delegated to schools, the only exception being any elements of de-delegated funding for maintained school agreed by the schools Forum following consultation with schools.</p> <p>The NFF means that all local authorities receive the same amount of funding for a number of pupil related characteristics. Differences in funding levels relate to the incidence of pupil characteristics rather than differing funding levels</p> <p>The allocation of funding to support new school growth will be retained to meet the future costs of new and expanding schools.</p> <p>In respect of school formula funding this represents a cash increase of 5.46</p>
<p>Central School Services Block £3.9m</p>	<p>This funds historic financial commitments related to schools such as premature retirement costs, some budgets related to schools that are centrally retained e.g., admissions, servicing the schools Forum and school copyright licences. This block now includes funding from the retained duties</p>	<p>This is distributed through a per pupil allocation basis and is retained by the local authority.</p> <p>The funding allocation for some historic financial commitments is being reduced nationally as the DfE have an expectation</p>

	<p>element of the former Education Services Grant for the responsibilities that local authorities have for all pupils such as school place planning and asset management.</p>	<p>that these financial commitments will naturally expire. As for 2023-24 the DfE will allow local authorities to claim additional DSG if they have insufficient funding to meet school historic premature retirement costs which do not expire.</p>
<p>High Needs Block</p> <p>£108.5m</p>	<p>Funds special schools and other specialist providers for high needs pupils and students, the pupil referral unit and support services for high needs pupils including high needs students in further education provision.</p> <p>As with the Schools Block this includes funding for special academies and post 16 providers which is recouped by the ESFA who then directly fund academies.</p> <p>Confirmation of the 2024-25 grant is not expected until March 2024.</p>	<p>The formula is based upon population of 0–19-year-olds, rather than the 0 -25-year-old population it supports, and proxy indicators for additional educational need including deprivation, ill health, disability, and low attainment. Also included is an element based on historic spend. The formula also includes a funding floor to ensure that local authorities do not receive a funding reduction as a result of the introduction of the formula. Leicestershire receives £2.8 (3%) through this element.</p>
<p>Early Years Est</p> <p>£63.2m</p>	<p>Funds the Free Entitlement to Early Education (FEEE) for 2-, 3- and 4-year-olds and an element of the early learning and childcare service. The entitlement to FEEE expands to 15 hours for 2-year-olds from April 2024 and to under 2's in September 2024</p> <p>The grant is based on the universal hourly base rate plus additional needs measured with reference to free school meals, disability living allowance and English as an additional language.</p> <p>The initial settlement is based on the January 2023 census. The grant will be updated in July</p>	<p>The allocation is based on individual pupil characteristics and converted to a rate per hour of participation.</p> <p>Leicestershire receives the lowest rate of £5.47 per hour for 3- and 4-year-olds and the the 5<sup>th</sup> lowest rate of £7.27 3 per hour for 2-year-olds and £9.86 per hour for under 2's.</p>

	2024 for the 2024 January census and again in June 2025 for the January 2025 census. The final grant will not be confirmed until June 2025.	
<b>£697.0m</b>	<b>2024-25 Estimated DSG</b>	

The 2024-25 MTFS continues to set the overall Schools Budget as a net nil budget at local authority level. However, in 2024-25 there is a funding gap of on the High Needs Block of £16.9m which will be carried forward as an overspend against the grant.

### **Schools Block:**

- 21.21 School funding continues to be delivered by the National Funding Formula (NFF) which funds all pupils at the same rate irrespective of the authority in which they are educated. The NFF uses pupil characteristics each with a nationally set funding rate to generate school level funding to local authorities. Within the NFF only the per pupil entitlement is universal to all. Other factors reflect the incidence of additional needs such as deprivation and low prior attainment. Funding levels between local authorities and individual schools within those local authorities vary as a result of pupil characteristics rather than national funding levels.
22. Local authorities remain responsible for setting their own local funding formula. However, the DfE have established significant restrictions and only minimal movements from the NFF are allowed. The Leicestershire funding formula reflects the NFF with two exceptions, the first being changes to pupil numbers and subsequent pupil funding protections for school affected by age range change and some funding for school required to rent either premises or playing fields. The former of these changes has been approved by the DfE, for the latter approval is contingent on the provision of lease agreements to the DfE.
23. 2024-25 Schools Block DSG settlement is £521.4m, with school being guaranteed a minimum increase per pupil of 0.5%.
24. Additionally, within the Schools Block, but separate to funding for individual schools, local authorities receive funding for the initial revenue costs of commissioning additional primary and secondary school places. The DfE have changed the funding methodology for the grant and introduced minimum funding requirements linked to payment by place rather than by block allocations. This has in turn required a new policy to be adopted which links the payment rates received within the grant allocation to the payments made to schools. The revised policy was considered and approved by the schools Forum on 21 November and will be applicable to schools encountering new growth from April 2024. The grant is £2.8m and will need to meet the costs of school growth currently within the system that is not fully completed, largely new schools not yet with their full contingent of year groups, and school expansions undertaken from September 2024. Once new places for September 2024 have been confirmed this will be combined with revised expectations on when new schools arising from housing growth will open to assess the full call on the grant.



25. It remains possible for local authorities to transfer up to 0.5% of the Schools Block DSG to High Needs following consultation with schools and with the approval of the schools Forum. Secretary of State approval can be sought where Schools Forum do not agree a transfer, where local authorities wish to transfer more than 0.5% and for local variations to some of the technical aspects of the NFF. No such transfer is proposed for 2024-25 although there is growing pressure from the DfE through The Delivering Better Value in SEND (DBV) Programme to consider this for future years.

### **2024-25 School Funding Formula:**

26. The provisional Schools Block settlement was issued in July 2023 and subsequently updated in October 2023 for what the DfE stated as an error in calculating pupil forecasts. This resulted in reduced per pupil allocations for schools, the settlement delivers a minimum per pupil increase of £0.5%. The NFF delivers a minimum amount of funding per pupil, £4,610 for primary and £5,771 for Key Stage 3 and £6,331 per Key Stage 4 pupil.

27. Schools remaining on the funding floor are vulnerable to changes in future levels of DfE protection. 40 schools (17%) remain on the funding floor and at +0.5% per pupil budget allocations do not reflect the current inflationary pressure in these schools which will encounter real terms decrease in funding. As funding protection is at a pupil level, schools with decreases in pupils will see an overall decrease in funding. For many small schools this issue is posing significant financial concerns. Schools will continue to get a grant to provide financial support to meet the costs of the 2023 teacher pay award.

28. Whilst the NFF for schools is based upon the 2023 School Census, funding for local authorities is based upon the pupil characteristics recorded on the 2022 school census. Any increase in pupils eligible for additional funding i.e. Free School Meals, is unfunded and results in it not being possible to meet the cost of fully delivering the NFF from the Schools Block DSG. The national regulations allow for gains for individual schools to be capped and scaled to ensure the formula is affordable. Capping and scaling was required for Leicestershire in 2023-24. The detail of the Leicestershire Funding Formula is shown at **Appendix D**.

29. Local authorities are required to use the DfE produced data to construct their school funding formula which wasn't received until late December meaning that the timescales for constructing budgets and submission of them to the DfE by 23 January is exceptionally challenging and leaves very little opportunity for consultation. Whilst Schools Forum is a significant stakeholder in all decisions on the school formula local authorities have to act urgently to address any funding gap.

30. As presented to Schools Forum on 21 November 2023 a dis-application request was submitted to the DfE for factors additional to the NFF included in the Leicestershire Funding Formula:

- An exceptional premises factor that funds costs incurred in some school on rent for either additional premises and / or sports grounds for 7 schools who receive a total of £84,592
- An adjustment to the pupil count in respect of September pupil movements as a result of schools undertaking age range changes or schools affected by them

together with an adjustment to the Minimum Funding Guarantee to ensure they budgets are not disproportionately affected by the differential between the funding for KS3 pupils and KS4 pupils which is higher. Age range change in secondary schools is almost complete and this adjustment will no longer be required once the process is complete.

The DfE have approved the disapplication requests for 2024-25 but have stated in respect of rent payments that this will only be considered for 2025/26 if lease agreements supporting all payment have been provided to them by 1 April 2024.

31. In processing the 2023 census data an affordability gap between the DSG received and the cost of the 2024-25 NFF of £1.2m was identified, this relates to increased numbers of pupils eligible for free school meals and recorded as having English as a second language, simply the DfE have not provided Leicestershire with sufficient funding to deliver the NFF. At a recent regional finance officers meeting most authorities were also reporting affordability gaps. There is no national data that quantifies a national shortfall within local authority schools block funding to meet the cost of the NFF, DfE data shows that in 2023/14 32 of the 150 England local authorities were required to cap and scale individual school budgets and the national affordability gap was £43m.
32. There are only three options available to address a funding gap all of which were assessed:
  - Provide additional funding of £1.2m. The financial position of the local authority does not allow for this which would also require Secretary of State approval.
  - Reduce values within the school funding formula. Leicestershire has formally adopted the National Funding Formula. Any change to the formula values within could be viewed as a change to the formula which would require full consultation with schools. Additionally, the DfE have now required local authorities to move closer to the NFF values set nationally and may only use factors set out within it which restricts options available.
  - Introduce capping and scaling to the outcome of the NFF. This is the approach the DfE set out to follow to ensure that local formulae are affordable. This is the approach adopted. It should be noted that this was the process followed nationally by the DfE in the first two years of transition to the NFF and in Leicestershire for 2023-24.
33. Irrespective of what methodology is adopted to achieve affordability local authorities are unable to make any adjustments to their formula that results in schools being funded below the nationally set Minimum Per Pupil Funding Levels (MPPL's). It is not possible to adopt an adjustment that results in an even impact across schools. The funding guarantees within the NFF i.e., the MPPL's and the Minimum Funding Guarantee (MFG) may reinstate any reduction in formula factors and protects those schools sitting on or slightly above the funding floor. Capping and scaling impacts on the schools that are the highest in year gainers from the NFF.
  - Capping is applying a maximum percentage of year-on-year funding gain.
  - Scaling is applied to the cap to scale back its impact.
34. It is important to note that capping and scaling is not a reduction in school funding but a limit on the amount of year-on-year funding gain available to an individual school. This action is only necessary as the DSG allocation from the DfE to Leicestershire is lower than the cost of the NFF for Leicestershire Schools. No

funding is being removed to be held centrally and 2024-25 school budgets are set at the level of funding received.

35. Modelling identifies that to limit Leicestershire school NFF allocations to the funding received by the application of only a cap on gains would require that cap to be set at and affect schools. Spreading the impact wider across more schools minimises To minimise the impact as far as the funding regulations allow required a cap of 1.6% with a scaling factor of 50%, this affects 149 schools who will receive a reduced financial gain for 2024-25.
36. The NFF sets guaranteed funding levels through either the MFG or MPPL's and schools with these minimum increases therefore cannot be affected by any reduction in gain.
37. Whilst local authorities are required to apply the cap and scale equally to maintained school and academy budgets, for academies the values may differ from that modelled as the baseline for academy budgets applied by the DfE when calculating GAG may differ from that provided to the local authority.
38. Irrespective of the capping and scaling mechanism all Leicestershire schools will receive the funding guarantees set within the 2024-25 NFF, will receive an increase in per pupil funding and will receive all the funding the DfE have provided for the NFF.
39. The school funding formula has been submitted as required to the DfE for validation against the school funding regulations. Once this has been received budgets for maintained schools will be issued by the local authority in February, the ESFA will issue budgets to academies in March.

#### **De-Delegation:**

40. Following consultation with maintained schools, Schools Forum approved de-delegation for school improvement functions for both 2022-23 and 2023-24 following withdrawal of DfE grant to local authorities. A further request for de-delegation for 2024-25 is a separate item on the agenda for today's meeting.

#### **High Needs:**

41. The structure of the High Needs NFF is unchanged from 2023-24 and the provisional settlement at £108.439m and a 3% increase per head of population. However, it should be noted that the population factor accounts for just £38.7m (36%) of the settlement figure meaning that 63% of the formula is subject to no uplift unlike the schools NFF where all funding factors have been increased for 2024-25.
42. Leicestershire remains at the funding floor i.e., the application of the high needs NFF would generate a lower settlement without this protection. The NFF remains unresponsive to changes in the overall SEN population:
  - £10.1m (9%) of the NFF is driven by the number pupils in special school and independent school places.
  - £31.8m (28%) of the formula relates to historic spend from 2017/18, this was £58.4m compared to a forecast spend of £121.2m for 2023-24.
  - £2.8m (3%) of the formula is from the funding floor.

43. There is no indication of whether the high needs NFF will be reviewed although there is an expectation of national tariffs arising from the SEND and Alternative Provision Action Plan. There is no indication of timescales for any associated funding changes and the only reference within the settlement is "... by the end of 2025, the department [DfE] will have made progress towards introducing a national framework of banding and price tariffs." It is unlikely that any changes to funding structure, and indeed the method by which local authorities are funded, before the 2027 financial year. Additionally given that the NFF for mainstream schools commenced in 2018 and remains unfinished, funding change in this financially and politically sensitive area could be many years away.
44. The Leicestershire Medium Term Financial Strategy (MTFS) classifies any action that reduces cost through a number of actions such as efficiency gains and growth reduction as saving. The High Needs finance plan presented within the MTFS, and through the TSIL Programme, includes the unmitigated cost of SEN placements and represents the forecast cost and number of placements if no cost reduction activities take place.
45. The financial plan makes provision for two levels of savings achieved purely by cost reduction through operational changes delivered through TSIL. Whilst shown as savings, both areas represent reductions in predicted future costs and do not affect the level of provision for pupils which remains driven by ensuring that the right children, have the right support within the provision appropriate for their needs and at the right time:

Additional Local Specialist Places. Overall, over the MTFS period a total of 135 additional places are scheduled to be delivered, which will be achieved through the opening of the Bowman Free School in Shepshed and expansion of current provision in both special schools and resource bases attached to mainstream schools. This is estimated to result in a cost reduction of £2.5m in 2024-25 rising to £13.8m in 2027/28 by meeting pupil needs in local provision without the need for a higher cost independent school. A further special free school is being built by the DfE on Farley Way in Quorn, but its opening is forecast outside the 2024-25-2027/28 MTFS period.

Transforming SEND and Inclusion in Leicestershire. Through reducing the number of starts in specialist provision, improved decision making and consistency in allocation of resources, the TSIL programme is forecast to reduce cost by £3.8m in 24/25 rising to £27.7m in 2027/28. The programme is a seven-year programme with total of £36.5m of cost savings achieved in the seven years to 2028/29. Savings presented assume a cost reduction against a higher cost provision offset against the cost incurred in the alternative placement.

46. The financial benefits accruing from the TSIL Programme are set out below:

	2024/25	2025/26	2026/26	2027/28
Cummulative	£,000	£,000	£,000	£,000
Reduction in the number of EHCP Needs Assessment Requests	-228	-660	-1,231	-1,778
Reduction in Assessment Conversion Rate	-352	-861	-1,430	-1,918
Reduced Mainstream EHCP Cost	-345	-948	-1,634	-2,315
Reduction in the number of Early Years Specialist Starts	-587	-1,206	-1,839	-2,478
Reduction in the number of Non Early Years Specialist Starts	-1,333	-3,840	-6,721	-9,779
Reduction in Non Early Years Specialist Cost	-1,333	-3,840	-6,721	-9,779
Savings Achieved at Annual Reviews	391	380	380	380
<b>Total - Potential Cost Reduction Savings</b>	<b>-3,788</b>	<b>-10,976</b>	<b>-19,195</b>	<b>-27,666</b>

47. The forecast position on the High Needs element of the DSG over the MTF5 period is shown below:

	2024/25	2025/26	2026/27	2027/28
	£,000	£,000	£,000	£,000
Grant Income	-109,176	-112,430	-115,781	-119,233
Placement Costs	120,579	133,297	147,279	162,705
Other HNB Cost	10,679	11,279	11,279	11,279
Commissioning Cost - New Places	162	37	0	0
Invest to Save Project Costs - TSIL	986	986	986	986
<b>Total Expenditure</b>	<b>132,406</b>	<b>145,599</b>	<b>159,544</b>	<b>174,970</b>
<b>Funding Gap Pre Savings / Cost Reduction</b>	<b>23,230</b>	<b>33,169</b>	<b>43,763</b>	<b>55,737</b>
TSIL Programme Defined Opportunities	-3,788	-10,976	-19,195	-27,666
Increase in Local Specialist Places	-2,480	-5,995	-9,868	-13,803
<b>Total Savings / Cost Reduction</b>	<b>-6,268</b>	<b>-16,972</b>	<b>-29,063</b>	<b>-41,469</b>
<b>Annual Revenue Funding Gap</b>	<b>16,963</b>	<b>16,197</b>	<b>14,700</b>	<b>14,268</b>
<b>Cummulative High Needs Deficit Brought Forward</b>	<b>48,501</b>			
<b>Cummulative High Needs Funding Gap</b>	<b>65,464</b>	<b>81,661</b>	<b>96,361</b>	<b>110,629</b>
Surplus (-ve) / Deficit Other DSG Blocks	-8,060	-8,057	-7,557	-4,957
<b>Dedicated Schools Grant Surplus (-ve) / Deficit</b>	<b>57,404</b>	<b>73,604</b>	<b>88,804</b>	<b>105,672</b>
<b>High Needs Spend as % of High Needs DSG</b>	<b>122%</b>	<b>130%</b>	<b>139%</b>	<b>148%</b>
<b>Surplus / Deficit as % of Total DSG</b>	<b>8%</b>	<b>10%</b>	<b>12%</b>	<b>14%</b>

As can be seen in the above table placement expenditure is 110% of High Needs DSG in 2024-25 rising to 136% in 2027/28 if no actions are taken to achieve value for money and effective management of placements.

48. Local authorities are required to carry forward DSG as an unusable reserve through the continued use of a Statutory Accounts override and may only now contribute to DSG with the approval of the Secretary of State. The accounts override legislation is confirmed to March 2026 when it is expected to end. Unless further legislation changes this, from this point local authorities will be required to make financial provision for the deficit.
49. It is nationally recognised that additional funding alone will not address the financial difficulties many of which are created by a system where school and parental expectations have a greater influence than a local authority assessment of needs, appropriate provision and affordability. It is clear that policy changes are needed. Whilst the DfE's Change programme may deliver some of that change in the long term there are no short- or medium-term solutions to address the financial challenges. At the continued levels of expected growth, the position is completely unsustainable and puts the Council's finances in a very difficult position. As such it is essential that the planned measures to contain ongoing growth, are successful, but additional measures put in place to reduce both demand and costs.
50. Despite the challenging financial position, the local authority budget makes provision for growth funding to support SEN services post TSIL through an additional annual investment of £1.2m.
51. The TSIL programme is now well into its 'implementation phase', with the majority of the designed changes having been implemented across the target areas – ranging from specific teams within the County Council to the entirety of the SEND system in Leicestershire. This will deliver significant improvements and cost reductions. The programme predominantly aims to deliver solutions to this for new entrants into the SEND system, and not to inappropriately change provision for a child.
52. The TSIL programme has considered workload and performance within the Special Educational Needs Assessment (SENA) Service. The Service is responsible for delivering the local authority's statutory duty under the SEND Code of Practice to carry out statutory assessment and review of children and young people who have an EHCP from age 0 – 25, write Education Health and Care (EHCP's) plans and identify and secure the provision to meet the needs and are key contributors to meeting the 20-week statutory timeline for assessments but are dependent upon other advice givers to do so.
53. The review identified that the current model was failing to achieve statutory duties:
  - 1% of new EHCP's were delivered on time
  - 10% of EHCP amendments were completed in the required 12 week
  - 33% of annual reviews were completed
  - 12% of phase transfers were completed on time
54. A review of the SENA Service considered 'ways of working' as well as well as capacity. A new operating model has created three specialist teams focusing on assessments, reviews and placements. This will improve productivity by creating

expert teams in each of these areas and is estimated to improve productivity by c30%. The review also considered capacity from a performance perspective but also the current position of agency staff. The growth request will increase staffing through expanding case manager numbers and management capacity. Workflow tracking will allow the effective management of staffing levels to respond to peaks and troughs in service demand as well as changing trends with a clear link between staffing needs and service volume.

55. The growth funding, alongside changes in the Education Psychology (EP) Service, will support a new service structure and approach to managing workload. It will:
- Improve the timeliness of assessments, reviews, and placements – 11% of assessments are now being completed within the 20-week timeframe, compared to 2% in 2022 and 0% for the first half of 2023. The programme will be continuously seeking to drive this number up.
  - Improve communication with parents and schools with clear steps in all processes, in turn reducing complaints and tribunals in the longer term.
  - Ensure that every child achieves the right support at the right time, and placements will meet need.
56. Under the Schools and Early Years Finance (England) regulations the costs of the SEN assessment service falls to the local authority budget. However, the financial benefit is through reduced placement costs which, under the same regulations, fall to be met from High Needs DSG. Whilst local authorities cannot directly contribute to DSG without the permission of the Secretary State this position clearly sets out the contradictory nature of the SEN funding system.
57. The achievement of some TSIL benefits is also dependent upon the delivery of the above but also sufficient capacity to engage proactively with parents and schools, managing performance through case tracking and understanding specialist provision particularly the capacity they have and the children they can best support. To respond to this position and mitigate its impact on both the delivery of statutory duties and programme savings a growth bid of £1.2m has been considered necessary within the MTFS without which it is estimated that c£9m of TSIL benefits could be at risk.
58. **Appendix E** set out the number of specialist places commissioned for 2024-25 and their average unit cost. It should, be noted that these are the minimum number of places being commissioned and additional places may be commissioned throughout the year as need arises. The average unit cost will also vary as needs and costs change throughout the year.

### **Central Services Block:**

59. The central services block funds a number of school-related expenditure items such as existing school-based premature retirement costs, copyright licences under a national DfE contract for all schools and other historic costs. The 2024-25 settlement is £3.9m.
60. The provisional settlement continues an annual reduction of 20% for the Historic Costs element of the settlement but a guarantee remains in place to ensure that funding does not decrease below the financial commitment to meet former teacher

employment costs. The Leicestershire allocation is £118k below the cost and a claim for additional funding will be submitted in February.

### **Early Years Block:**

61. The DfE have announced additional early years DSG to extend early years entitlements. In addition to the offer of the Free Entitlement to Early Education (FEEE) of 15 hours for 38 weeks per year for three and four-year-olds, the existing two-year-old entitlement to 15 hours of free childcare for eligible children of disadvantaged parents expands to include to 15 hours of free childcare for eligible children of working parents starting from April 2024 for two-year-olds and September 2024 for children aged between nine months and two years-old.
62. Whilst the Early Years DSG settlement has yet to be published it is estimated to be £63.2m and based on funding rates of £4.77 per hour for the three – four-year-olds and £7.07 for two-year-olds. Local authorities are required to pass through 95% of the settlement to providers, the remaining 5% meeting the cost of the Early Learning and Childcare service and continuing to recoup the early years deficit recorded in 2022-23.
63. The local authority hourly rate announced by DfE provides funding to support providers with the core costs of providing entitlement hours. Local authorities are required to pass a minimum of 95% of funding to providers, local authorities are able to retain 5% of total funding which fund local authorities to administer the entitlements locally. The DfE view Local authorities being best placed to determine how to use their total funding allocation to meet the needs of their communities are required to set local provider hourly rates. For 2024-25 95% is delegated to providers for three and four year olds and 97% for the twos and under to ensure the highest funding rate is available to providers.
64. The 95% pass through rates includes:
- the universal hourly base rate, which is paid to all providers.
  - supplements for deprivation.
  - special educational needs inclusion fund (SENIF), which should be targeted at children with lower level or emerging special educational needs (SEN).
  - contingency funding, which is extra money set aside for changes in the number of children taking up the entitlements throughout the year.
65. Following consultation with providers the 2024-25 rates are set out below. The base rate has increased by £0.58 per hour for 3- and 4-year-olds and by £1.68 per hour for 2-year-olds. Leicestershire's specialist and maintained nurseries are funded as special schools.

	<b>2023-24 £ per Hour</b>	<b>2024-25 £ per Hour</b>
<b><u>3- &amp; 4-Year-Olds:</u></b>		
Base Rate	4.44	5.02
Deprivation top-up	0.04 – 0.08	0.04 – 0.08



<b><u>2-Year-Olds:</u></b>		
Base Rate	5.33	7.01
<b><u>Under 2's:</u></b>		
Base Rate	N/A	9.49
Deprivation top-up	N/A	0.04 – 0.08

### **Funding School Growth**

66. Within the Schools Block, but separate to funding for individual schools, local authorities receive funding for the initial revenue costs of commissioning additional primary and secondary school places. For 2024-25 the grant is confirmed as £2.8m. The growth fund can only be used to:

- support growth in pre-16 pupil numbers to meet basic need.
- support additional classes needed to meet the infant class size regulation.
- meet the revenue cost of new schools.
- meet revenue costs, for schools, of removing or repurposing surplus places.

From 2024 to 2025 local authorities are required to provide growth funding where a school or academy has agreed with the local authority to provide an extra class to meet basic need in the area (either as a bulge class or as an ongoing commitment).

The growth fund must not be used to support:

- schools in financial difficulty; any such support for maintained schools should be provided from a de-delegated contingency.
- general growth due to popularity; this is managed through lagged funding. This includes cases where academies have admitted above pupil admission numbers (PAN) by their own choice.

67. Schools Forum agreed a revised Growth Policy at its meeting of 21 November 2023 as a result in The DfE's introduction of new minimum requirements for local authorities. It should be noted that the growth fund relates exclusively to mainstream schools and cannot be used to support new SEND provision without a transfer from the schools to high needs block, the cost of commissioning new SEND provision falls to be met from the high needs block as there is no DfE revenue funding for establishing additional specialist provision and therefore contributes to the overall deficit.

### **Dedicated Schools Grant Reserve:**

68. Local authorities continue to be required to carry any DSG deficit forward for recovery against future years grant and may also only contribute local resources to the Schools Budget with the permission of the Secretary of State.

69. Leicestershire is one of 55 authorities within the DfE's Delivering Better Value in SEND (DBV) Programme. The programme provides support through both a SEND and a financial advisor and has resulted in a grant of £1m to support SEND transformation but this support has been slow to mobilise. The DfE have required

a submission of a DSG management plan which has recently been submitted and constitutes the financial action and the TSIL programme as set out in this report. A response from the DfE has not yet been received.

70. It is forecast that the DSG reserve will remain in deficit for the period of the MTF5 as a result of the continued and increasing overspend on high needs, this will partially be offset by the accumulation of funding allocated to the authority to meet the revenue costs of new and expanding schools. Overall, the high needs deficit for 2024-25 is projected to be £64.5m rising to £110.6m in 2027/28. Overall, the DSG deficit is forecast at £57.4m (8% of Total DSG) rising to £105.7m (14% of DSG) in 2027/28.

71. Whilst the TSIL programme will deliver further cost reductions in future years outside the current MTF5 period the financial position is clearly unsustainable and remains the most significant financial risk for the Council.

**Notional SEN Budget:**

72. The Notional SEN budget is an identified amount of funding within a schools overall delegated budget that is to contribute to the special educational provision of children with SEN or disabilities and is to guide schools in the allocation of resources to meet additional needs of pupils. In terms of high needs, the national funding system sets out that element 2 funding is met from the notional SEN budget:

£10,000	↑ Paid by Local Authority for each occupied place - may be more than one funding authority ↓	Total cost of provision specified in Education, Health and Care Plan Needs less £6,000  <b>High Cost, Low Incidence</b>	E l e m e n t  3	Element 3 funding - sometimes referred to as 'Top-up' is paid where the additional provision within the Education, Health and Care Plan exceeds £6,000 by the local authority with financial responsibility for the pupil and is in addition to the school delegated budget
	↑ £6,000 ↓	First £6,000 of cost of provision specified in Education, Health and Care Plan  <b>Low Cost, High Incidence</b>	E l e m e n t  2	Element 2 Funding is met within the school delegated budget from the Notional SEN Budget. This is subsidiary calculation within the delegated budget consisting of 4% AWPU, 50% Low Prior Attainment and 67% IDACI. It is a financial measure of the expected level of SEND within the school population.
	↑ £4,000 ↓	Universal provision for all Pupils  <b>Universal</b>	E l e m e n t  1	Element 1 Funding is the delegated pupil led funding for all schools and not affected by the individual level of need of pupils

\* Delegated budget refers to the S251 Statement for maintained schools, GAG for academies and Core Funding for FE Providers

73. The calculation of the Notional SEN Budget is locally defined. A review of the Notional SEN was received by Schools Forum at the meeting on 21 November 223 and its calculation is unchanged for 2024-25. The calculation captures the formula factors that correlate to the expected incidence of SEN rather than indicators that

are the result of an identified SEN needs through, for example, the number of EHCP's within the school. The proportions and funding factors upon which the notional SEN budget is calculated are detailed out in the following table, the calculation is individual to each school and therefore the proportion of the overall school budget will vary:

<b>Funding Factor</b>	<b>2024-25 % to Notional SEN</b>
Age Weighted Pupil Unit	4%
Prior Attainment	50%
IDACI	67%
<b>Total Notional SEN Budget Contained within the Funding Formula</b>	<b>£37.687m</b>

As the Notional SEN Budget is intrinsically linked to the funding formula it is subject to similar increased to that for overall pupil funding. The 2024-25 notional SEN budget is an increase of £1.38m (5%) from 2023-24

74. In accordance with the High Needs Operational Guidance the local authority will continue to assess schools where the notional SEN budget is insufficient to meet commitments to element 2 funding. This compares the aggregated commitment to Element 2 costs and notional SEN budget. Where the notional budget is shown to be insufficient to meet commitments an additional payment will be made to schools. Schools should, within their management processes, consider how their SEN notional budget is fully deployed to support pupils within the mainstream school environment.

#### **Excluded Pupils:**

75. The arrangements for reclaiming funding are set out in the School and Early Years Finance Regulations are mandatory for any pupil permanently excluded. They are required to reflect the funding attributable to a pupil of same age and circumstances and is therefore based on the average per pupil funding value for primary, Key Stage 3 and Key Stage 4. These values are detailed in the following table and will be applied as the deduction to school budgets from April 2023.

<b>School Phase</b>	<b>Annual Rate £</b>	<b>Daily Rate £</b>
Primary	4,160.70	21.90
Key Stage 3	5,866.10	30.87
Key Stage 4	6,612.50	34.80

Deductions will also be made in respect of the pupil premium if applicable to an individual pupil.

76. It should be noted that budget deductions for permanently excluded pupils are required from the excluding schools under the finance regulations irrespective of whether the excluded pupil was recorded on the October census driving the school budget.
77. These rates will also be applied to the funding adjustments made in relation to dual registered pupils at Oakfield, the charges levied for the education of children with medical needs and will be recommended to the Secondary Education Inclusion Partnerships.

### **Pupil Premium:**

78. Pupil Premium rates have been increased for 2024-25 and are set out below:

	<b>2023-24 £ per Pupil</b>	<b>2024-25 £ per Pupil</b>
Primary Free School Meals 6	1,455	1,480
Secondary Free School Meals 6	1,035	1,050
Looked After and Previously Looked After Children	2,530	2,570
Service Premium	335	340

79. The allocations are passported intact by the local authority to maintained schools for eligible pupils on the school roll but are retained by the local authority for looked after children which is allocated by the Head of the Virtual School, academies receive funding directly from the ESFA.

### **The Local Authority Budget:**

80. Demand for Children and Family Services continues to increase with growth of £41.3m projected over the period of the MTFs, as the requirement to meet CFS needs before intervention, arising from demographic growth and an increased need for social care. The continuing impacts of the pandemic and cost of living crisis provide additional challenges which are likely to be far-reaching as the effects have a cumulative impact on families, increasing the likelihood of family breakdown and the need for care services.
81. This revised MTFs for 2024-28 projects a gap of £6m in the first year that will need to be balanced by the use of earmarked reserves. There is then a gap of £33m in year two rising to £83m in Year 4. Delivery of the MTFs requires savings of £164m to be made from 2024-25 to 2027/28, unless service demand reduces, or additional income is secured. This MTFs sets out in detail £81m of savings and proposed reviews that will identify further savings to reduce the £83m funding gap on the main revenue budget and the £111m estimated funding gap on High Needs in 2027/28. High Needs expenditure within the Government grant going forwards has (in recent years) exceeded grant to the extent that a cumulative deficit of £65m is forecast by the end of the current financial year. Strong financial control plans and discipline will be essential in the delivery of the MTFs.

82. In order to set out the full context of the financial challenges facing the department the provisions for growth and savings set out in the Children and Family Services budget for 2024/2 – 2027/28 are summarised below. The significant challenge within this section of the budget continues to be the growth in the number and cost of social care placements and the staff required to support both services for both looked after children and vulnerable children and their families. The growth and savings attributed to the department are shown below:

References		<b><u>GROWTH</u></b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>
			<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
		<b><u>CHILDREN &amp; FAMILY SERVICES</u></b>				
**	G1	Demographic growth & increasing cost of Social Care Placement mix	13,700	21,400	30,100	39,800
**	G2	Front-line social care staff - increased caseloads	0	250	250	350
	G3	Post Transforming SEND & Inclusion In Leicestershire(TSIL) sustainability	1,200	1,200	1,200	1,200
	G4	Unaccompanied Asylum Seeking Children (UASC) - increased demand/cost	2,250	2,250	2,250	2,250
	G5	Demand management	-1,050	-1,150	-1,310	-2,290
		<b>TOTAL</b>	<b>16,100</b>	<b>23,950</b>	<b>32,490</b>	<b>41,310</b>
		<b><u>SAVINGS</u></b>				
		<b><u>CHILDREN &amp; FAMILY SERVICES</u></b>				
**	CF1	Eff Innovation Partnership - Creation of Assessment & Resource team and Hub and investment in residential accommodation	-1,000	-1,250	-1,500	-1,500
*	CF2	Eff Departmental establishment modelling / Re-design	0	-440	-940	-940
**	CF3	Eff Defining CFS For the Future Programme - Phase 2 (including Dept. Eff. Savings)	-200	-1,100	-1,700	-2,300
**	CF4	SR Education Quality & Therapeutic Services Review	-355	-355	-355	-355
	CF5	Eff Reduced Care Costs through growth of internal family based placements	-750	-1,250	-2,100	-3,100
	CF6	Eff Defining CFS For the Future Programme 3: Smarter commissioning and procurement - Social Care Placements and externally commissioned services	0	-1,900	-3,200	-4,950
	CF7	Eff SEND Service - Demand reduction and reduced tribunals	0	-100	-250	-400
		<b>TOTAL</b>	<b>-2,305</b>	<b>-6,395</b>	<b>-10,045</b>	<b>-13,545</b>

References

**SAVINGS**

2023/24

2024/25

2025/26

2026/27

£000

£000

£000

£000

**CHILDREN & FAMILY SERVICES**

**	CF1	Eff	Pathways workstream - Focus on prevention, drift and duration of interventions across all pathways	-215	-280	-395	-450
**	CF2	Eff	Settings workstream - Reduced care placement costs through growth of in-house capacity & supported lodgings and a review of placements	-900	-2,670	-4,490	-6,470
**	CF3	Eff	Disabled Children's Service Enablement Workstream	-100	-150	-200	-250
			<i>Total Defining CFS For the Future Programme</i>	<i>-1,215</i>	<i>-3,100</i>	<i>-5,085</i>	<i>-7,170</i>
**	CF4	Eff	Innovation Partnership - Creation of Assessment & Resource team and Hub and investment in residential accommodation	-250	-500	-1,000	-1,250
**	CF5	Eff	Departmental efficiency savings	0	-200	-500	-800
	CF6	Eff	Departmental establishment modelling / Re-design	0	0	-440	-940
	CF7	Eff	Defining CFS For the Future Programme - Phase 2	0	-1,000	-1,500	-2,000
	CF8	Eff	Alternative approach for delivering anti-bullying	-50	-50	-50	-50
	CF9	SR	Review Virtual School provision	0	-355	-355	-355
			<b>TOTAL</b>	<b>-1,515</b>	<b>-5,205</b>	<b>-8,930</b>	<b>-12,565</b>

**Reference Key**

\* items unchanged from previous Medium Term Financial Strategy

\*\* items included in the previous Medium Term Financial Strategy which have been amended

Eff - Efficiency saving

SR - Service reduction

Inc - Income

**Capital Programme:**

1. The proposed Children and Family Services capital programme totals £89.8m, for which the majority (£65.1m) there is external funding or capital receipts expected, and £24.5m prior years' external funding held in reserves, resulting in £266k call on LCC capital funding over the four-year life of the proposed MTFs as per the summary table below.
2. The programme continues to focus upon the delivery of additional primary and secondary school places and additional places to be delivered to support the Transforming SEND and Inclusion in Leicestershire (TSIL) programme. £63.6m is proposed to be invested in the provision of additional placements; £13.9m for SEN and £12.3m for investment in other capital requirements including completing the

investment in residential homes, strategic capital maintenance and improved schools' access and security.

<b>CFS Capital Programme '£000</b>	<b>2024-25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>Total</b>
Additional School Places	24,401	33,487	4,967	700	<b>63,555</b>
SEND Programme	12,650	1,250	0	0	<b>13,900</b>
Other Capital	3,946	2,800	2,800	2,800	<b>12,346</b>
<b>Total</b>	<b>40,997</b>	<b>37,537</b>	<b>7,767</b>	<b>3,500</b>	<b>89,801</b>

### **Provision of Additional School Places:**

85. The investment in additional school places totals £63.6m over four years including £24.4m next year. The programme is funded through the Basic Need grant from the DfE and S106 developer contributions.

### **SEND Programme:**

86. The four-year investment in the SEND programme is £13.9m and contains funding for developments to support the TSIL programme.

87. The majority of the capital programme is likely to be funded by external grant and developer S106 contributions as follows:

<b>Capital Resources '£000</b>	<b>2024-25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>Total</b>
Grants	5,636	19,577	3,500	3,500	32,213
External Contributions / S106	9,120	14,288	4,297	1,693	29,398
Earmarked capital receipts	1,750	1,672	0	0	3,422
Discretionary Capital Funding	266	0	0	0	266
Prior Years' grant funding held in reserve	24,225	2,000	-30	-1,693	24,502
<b>Total Resources</b>	<b>40,997</b>	<b>37,537</b>	<b>7,767</b>	<b>3,500</b>	<b>89,801</b>

88. Basic Need Grant is received from the DfE based upon the need to create additional mainstream school places. Grants of 3.1m and £17.1m have been confirmed for the years 2024-25 and 2025/26 respectively but estimates of £1m have been included for the final two years of the programme. The grant reflects the overall place need across the County and for both maintained schools and academies. The grant meets the infrastructure costs of creating new places in

primary and secondary schools. Eligible revenue costs fall to be met from the local authority's growth fund, funded from DSG for primary and secondary schools.

89. Strategic Maintenance Grant is received from the DfE for the maintenance of maintained schools only. This grant is based on a formula that considers pupil numbers and the overall condition of the school estate. The grant reduces as schools convert to academies. Local authority allocations are yet to be confirmed. An assumption of £2m per annum has been included in the MTFS.

90. S106 Contributions it is estimated that a total of £29.4m of S106 contributions fund the proposed programme, £9.1m in 2024-25. Estimates for the latter two years of the MTFS are less certain and are dependent upon the speed of housing developments.

### **Appendices:**

The following are appendices to this report:

- Appendix C 2024-25 Children and Family Services Proposed Budget
- Appendix D 2024-25 Leicestershire Schools Funding Formula
- Appendix E 2024-25 High Needs Commissioned Places

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