

Children Looked After and High Needs Education Funding: Surrey County Council Position Statement as at February 2024

The Guidance

High needs funding: 2023 to 2024 operational guide advises that recoupment of education costs will not normally be appropriate because as from 2018 the high needs funding formula and associated arrangements have been designed to ensure that local authorities' allocations of funding for SEND are based on the characteristics of the children and young people living in their area, including any Looked After Children.

The guidance (para 18.1) states "Inter-authority recoupment may remain appropriate in some circumstances, however, following mutual understanding and agreement on how the costs of educating looked after children are funded through the local authorities' respective funding allocations. For example, recoupment may be appropriate for cross border pupils (Wales). In the case of emergency or temporary placements by the local authority responsible for the looked after child/children, it may be reasonable for the placing local authority to pick up the costs (via recoupment) until a more permanent placement is made and/or the transfer of the EHC plan is arranged. Although such costs may be met directly in these circumstances, inter-authority recoupment may be appropriate in the short term, for example, where a temporary placement decision of the local authority responsible for the looked after child/children has an unreasonable short-term financial consequence for another local authority because they have not had time to plan for the expenditure from their high needs budget."

Surrey CC Position

All LAs need to have a consistent position with regard to CLA and high needs education funding which is based on this guidance but also ensures there is a clear framework and equitable treatment of cases across all LAs to ensure there are no delays in arranging and funding education. It is Surrey's expectation that any discussions about funding must not delay education for any looked after child.



Surrey CC position is as follows:

- Where LA “A” place a child in Surrey and that child receives their education in LA “C” then the expectation would be that any high needs expenditure would be paid by LA “A”
- Where LA “A” place a child in Surrey who attends a school in Surrey then the expectation would be that any high needs expenditure would be paid by LA “A”
- Where Surrey place a child in LA “A” and high needs expenditure is incurred by LA “A” the expectation would be that any high needs expenditure would be paid by Surrey
- Where Surrey place a child in LA “A” who is then educated in LA “B” the expectation would be that any high needs expenditure would be paid by Surrey
- Any children placed by another LA in a Surrey school on a 38 or 52 week residential basis remains the responsibility of the placing LA in full and vice versa

Next Review date : February 2025

This guidance will be reviewed sooner in light of any changes to current legislation or issue of updated guidance from DFE or ADCS

Surrey Virtual School and Surrey Education and Lifelong Learning

