

**STATUTORY DIRECTION TO SLOUGH BOROUGH COUNCIL IN RELATION TO ITS SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) SERVICE PROVISION, UNDER SECTION 497A(4B) OF THE EDUCATION ACT 1996**

WHEREAS:

1. The Secretary of State for Education (“the Secretary of State”) has carefully considered the Joint Ofsted and the Care Quality Commission (CQC) report in respect of Slough Borough Council (“the Council”) of its Joint Local Area SEND inspection published 6 November 2025. The inspection report found widespread and/or systemic failings leading to significant concerns about the experiences and outcomes of children and young people with special educational needs and/or disabilities (SEND).
2. Previous to this inspection, on 4 August 2023, the Secretary of State issued a Statutory Direction requiring the Council to take a number of steps to improve its SEND services. This was on the basis of a lack of progress towards the Written Statement of Action produced by the Council covering the 7 significant areas of weakness in the local area’s SEND practice, identified during Ofsted/CQC’s October 2021 Area SEND inspection. The Direction required the Council to cooperate with a Commissioner for Children’s Services in Slough (“The Children’s Services Commissioner”).
3. The Secretary of State has carefully considered:
  - a. Reporting by the previous Children’s Services Commissioner’s, which found that there had been some progress in performance indicators and signs of improvement, but from a very low base, with services still in a ‘transition phase’ and requiring ‘sustained intensive monitoring with a recommendation to retain a Commissioner for SEND’.
  - b. The November 2025 Ofsted/CQC report which identified widespread and/or systemic failings in SEND service provision, and determined that the local area partnership must produce a Priority Action Plan (PAP) to address 5 Areas for Priority Action (APA) and update their Strategic Plan to address 3 Areas for Improvement.
4. The Secretary of State is therefore satisfied that the Council is continuing to fail to perform to an adequate standard in some or all of the functions of Part 3 of the Children and Families Act 2014 (“the 2014 Act”) (“the SEND functions”) to which s.497A of the Education Act 1996 (“the 1996 Act”) applies.
5. The Secretary of State has appointed Deborah Glassbrook as Commissioner for SEND services in Slough (“the SEND Commissioner”) in accordance with, and for the purposes of, the terms of reference (“the Terms of Reference”) set out in the Annex to this Direction.

6. The Secretary of State, having considered representations made by the Council, considers it expedient, in accordance with her powers under section 497A(4B) of the 1996 Act, to direct the Council as set out below in order to secure that all of the Council's SEND functions are performed to an adequate standard.

NOW THEREFORE:

7. Pursuant to her powers under section 497A(4B) of the 1996 Act, the Secretary of State directs the Council as follows:
  - a. To comply with any instructions of the Secretary of State or the SEND Commissioner in relation to the improvement of the Council's exercise of its SEND functions and provide such assistance as either the Secretary of State or the SEND Commissioner may require;
  - b. To co-operate with the SEND Commissioner, including, on request, allowing her at all reasonable times access to:
    - i. any premises of the Council;
    - ii. any document of, or relating to, the Council; and
    - iii. any employee or member of the Council,

which appear to the SEND Commissioner to be necessary for achieving the purposes of and carrying out the responsibilities set out in the Terms of Reference.

- c. To provide the SEND Commissioner with such amenities, services, and administrative support as they may reasonably require from time to time for the carrying out of their responsibilities in accordance with the Terms of Reference, including:
      - i. Providing employee or member of the Council, time or support;
      - ii. Providing office space, meeting rooms or computer facilities, and
    - d. To co-operate with the SEND Commissioner as she undertakes her assessment to understand the capacity and effectiveness of the SEND system. This may include reviewing specific areas where challenges or blockages have been identified.
8. For any review or assessment, the Council must provide the person(s) conducting it with:
  - iii. access to, and time with, staff and leadership;
  - iv. accurate and up to date data on performance and quality;
  - v. facilities to carry out the reviews;

- vi. access to case files, minutes of meetings, supervision records or any other relevant information.

Prior to any reviews, the Council should provide its own assessment of improvement. This may reflect, but is not limited to:

- vii. progress against the improvement plan objectives;
- viii. data and evidence demonstrating impact for children, young people and their families including measurable outcomes, service performance indicators, and qualitative feedback that reflects improved experiences;
- ix. involvement of safeguarding partners and the suitability and effectiveness of governance arrangements;
- x. staff surveys;
- xi. staff supervision and the quality of feedback.

9. Developed in conjunction with the Commissioner, the Council must ensure there are clear governance arrangements with regular performance meetings, public reporting to the relevant Council committee and formal reviews with the Commissioner. These arrangements must demonstrate and satisfy the Secretary of State and the Commissioner that there is sufficient oversight and input to deliver the goals of the Statutory Direction and align with existing local governance where appropriate.

10. The Council is required to submit its Priority Action Plan (PAP) to the Department for Education (“the Department”) and NHS England setting out:

- I. The governance and accountability structures and processes that will support the next phase of improvement;
- II. The actions the Council is now taking (and has taken since inspectors left) to respond to their outstanding concerns;
- III. The impact measures to which the Council is working, being clear on the improvements that will be delivered in the next 18 months.

11. The Council is required to engage with the Department who will work with the Council’s Improvement board to agree the final PAP. The Department will undertake reviews of progress against the Council’s PAP and Strategic Plan every 6 months, and more regularly where appropriate. The Department will also undertake Area for Priority Action Deep Dives. These reviews may cover but not exclusive to: culture; performance; leadership, management, and governance; quality of workforce training and support; multi-agency arrangements- including the role and contribution of seeking and accounting for the views of the children and families.

12. The Council is required to engage with targeted support offers that have been identified by the Department and/or Commissioner, to strengthen local authority capacity and drive improvements in service delivery.
13. The Council is required to attend periodic meetings with the DfE Minister to provide assurance on progress against agreed improvement plans, ensuring transparency and accountability in reporting outcomes.
14. This direction will remain in force until it is revoked by the Secretary of State and does not affect the Direction to Slough Borough Council in relation to Children's Social Care Services issued on (date to be inserted).

Signed on behalf of the Secretary of State for Education

Paul Schofield, Deputy Director, South East Regions Group

A Senior Civil Servant in the Department for Education

Dated: January 2026

## **Non-Executive Commissioner for SEND**

### **Slough Borough Council Terms of Reference**

In July 2025, Slough were found to have widespread and/or systemic failings leading to significant concerns about the experiences and outcomes of children and young people with special educational needs and/or disabilities (SEND) identified through the Local Area SEND inspection. The report published in October 2025 identified that the local area partnership must produce a Priority Action Plan (PAP) to address 5 Areas for Priority Action (APA) and update their Strategic Plan to address the 3 Areas for Improvement in relation to its Special Educational Needs and Disability (SEND) service provision.

Previous to this inspection, on 4 August 2023, the Secretary of State issued a Statutory Direction requiring the Council to take a number of steps to improve its SEND services. This was on the basis of a lack of progress towards the Written Statement of Action produced by the Council covering the 7 significant areas of weakness in the local area's SEND practice, identified during Ofsted/CQC's October 2021 Area SEND inspection. The Direction required the Council to cooperate with a Commissioner for Children's Services in Slough ("The Children's Services Commissioner").

Reporting by the previous Children's Services Commissioner's found that there had been some progress in performance indicators and signs of improvement, but from a very low base, with services still in a 'transition phase' and requiring 'sustained intensive monitoring with a recommendation to retain a Commissioner for SEND'.

The Secretary of State is satisfied, therefore, that the Council's SEND functions are not being performed to an adequate standard as required by s.497A of the Education Act 1996.

This Statutory Direction requires that the Council will work with the SEND Commissioner to design and deliver robust, realistic, and achievable plans to improve its SEND services. These plans will focus on addressing the Priority Actions and Areas for Improvement identified by Ofsted and CQC, as well as any other significant concerns. Specifically, the SEND Commissioner will:

1. Bring together evidence and provide a review of the SEND functions in Slough including the scope, budgets and governance arrangements, reporting to the Parliamentary Under Secretary of State by February 2026 in the first instance. This will be followed by further reports on the Council's progress within timescales to be agreed.
2. Issue any necessary instructions to the Council for the purpose of securing immediate improvement in the delivery of SEND services. Following this, to provide effective oversight with the aim of ensuring the pace of improvement is maintained and that improvements to SEND services are sustainable. This may include working with other appropriate experts and stakeholders to identify ongoing improvement requirements such as commissioning expert

reviews; and to recommend any additional support required to deliver those improvements.

3. Utilise their expertise and experience to support and challenge the Council's political, corporate and SEND services leadership, to continue to make progress in addressing priority action areas and system/ strategic blockages to improvement; this may also include working with practitioners of different levels to:
  - a. develop competence and improve performance;
  - b. help foster a culture of reflection, challenge and support; and
  - c. develop strengthened governance arrangements to ensure there is effective oversight and monitoring of the whole SEND system.
4. Work closely with MHCLG Best Value Commissioners ensuring collaboration across Government Department interventions; more specifically:
  - a. To maintain oversight and provide advice on key appointments relating to SEND to support the Council in assessing and ensuring it has the right capacity and capability in place to sustain and increase the pace of improvement; and
  - b. Maintain oversight and provide advice on key financial decisions relating to the strategic and operational running of SEND services.
5. Participate in any DfE-led reviews of the Council's progress.
6. Chair the SEND Improvement and Impact Board. The Board meeting should be in person and scheduled on a 4 to 6-weekly basis and with the timings of which to be kept under review.
7. Bring together existing expert advisors and delivery leads from the Council to monitor and evaluate the impact of improvement efforts across education, health and social care services for SEND children. The key priorities should be overseen by the SEND Improvement and Impact Board