

## Minutes of the Schools Forum

27 June 2019

-: Present :-

Lisa Finn, Stewart Biddles (Chairman), Roger Hughes, Maurice Codd, Adam Morris, Lindsey Kings, Mike Lock, Daneian Rees, Jim Piper, Tim Stephens and Jayne Jones

(Also in attendance: **Rachael Williams** (Assistant Director of Education, Learning & Skills), **Dan Hamer** ((Head of Vulnerable Pupils), **Martin Phillips** (Chief Finance Officer), **Rob Parr** (Senior Accountant) and **Sue Moses** (Clerk)

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### 1. Apologies/Changes to Membership

Stewart welcomed everyone to the meeting.

Apologies were received from Clive Starr, Sally Timms, Dan Hallam and Alison Botham.

No apologies received from Stephen Hulme

### 2. Minutes of the last meeting

Stewart asked everyone to go through the last minutes page by page.

It was noted that:

- Election of Vice Chair is on today's agenda. Stewart reported that he had received no nominations.
- Agreement to a set of principles in place in the event of new further money becoming available – postponed due to the deficit recovery plan- agenda item next meeting
- Report on High Cost Pupils – Dorothy reported that Plymouth have attended one SEN panel and recognised that the thresholds being used were appropriate. Dorothy will present a report in October Forum on Post 16 children for primary, special and mainstream children. Rachael confirmed that providers have been requested to complete their data collection forms as a matter of receiving post 16 learner funding and this has been added to their contract. Report back to School Forum in October 2019.
- IOSS Funding Report – Rachael said that the findings of the outreach services currently commissioned will be reported at the November Forum.

It was agreed that with the minor adjustments the minutes of 7<sup>th</sup> March 2019 were an accurate account of the meeting.

**3. Matters arising**

None

**4. Election of Vice-Chair**

Stewart asked for volunteers from School Forum members for the post of Vice Chair. Rachael emphasised that it was really important to have a Vice Chair due to the critical decisions School Forum has to make and that the Local Authority cannot chair this meeting.

Lisa Finn put her name forward.

It was unanimously agreed that Lisa be appointed to the Vice Chair role.

**5. Annual review of school representation**

Stewart thanked Roger for his representation, Roger was a representative for the primary maintained sector, however with the greater proportion of primary schools now being academies the replacement for Roger will need to come from an academy rather than a maintained school. Roger reported that there was less representation from heads in Brixham and Paignton and that he would be writing to seek representation from an Academy head in one of these towns.

**Action: Roger to seek representation from an Academy head to join School Forum membership through the TAPS newsletter**

**6. Financial Report**

Rachael detailed the breakdown of the financial position of the Local Area for 2018/2019 which summarises where we were and where we are going. The report will enable members to note the outturn position and the significant factors contributing towards spend.

School Forum noted the table details in the main areas of both over and under spend.

Rachael said that:-

- The final Dedicated Schools Grant (DSG) outturn position 2018/2019 for funded activities overspend is £2.165m. This is an improved position than reported in March 2019, however, it cannot be under-estimated the amount of deficit we sit with.
- The overall position of the Dedicated Schools Grant (DSG) taking previous deficits into account at the end of 2018/2019 is an overspend of £2.655m
- The forecast outturn position for 2019/2020 of the Dedicated Schools Grant (DSG) is forecast to overspend by £964k, this is made up of the same budget lines in EHCPs, top up allocations and special school numbers

Rachael said that there was also pressures within the Early Years Block that are demand led and remains volatile. She said that School Forum will be informed of any adjustments to figures at the next meeting.

School Forum noted the Early Years Block table which shows all early years' offers for 2 year old, universal 15 hours and extended 30 hours against the national picture.

Rachael asked School Forum to reference Appendix 2 (tops ups) of the report which illustrates an increase in pupils numbers, EHCPs and funding above £6k allocated as a top-up per eligible pupils resulting in a significant budget pressure into 2019/2020.

School Forum asked about when the work would be completed about capping the top up payment process. Rachael informed everyone that this is a long term process because of the legal process required which will involve significant amount of consultation with schools and parents. She said that the Higher Needs Group have given a timeline to progress this work in the next academic year when schools will be given sufficient notice, parents the right to appeal any decisions and allow learning from other local authorities.

Dorothy reported that SEND Monitoring Officers when reviewing a plan will ask school to consider whether reductions can be made.

Rachael further updated School Forum that Torbay continues to have a greater number of children requiring additional support up to and including a special school place than the funds available in the higher needs block can meet. This demand pressures is driven by schools and parents requesting additional support and/or children are assessed for an EHCP. She also reported that there is a delay in diagnosis for many children, this can lead to the creation of additional bespoke packages that have a significant cost. The Local Authority is working with the CCG to escalate this concern and take action.

School Forum were concerned that although there is robust processes in place to administer an EHCP there is still an increase in funding to support and manage children.

Rachael said that she felt that this issue was actually relating to SEMH children, with an increased noted in request above the age of 10. The Local Authority recognises that unmet need in earlier years with parents and families can lead to a need for an EHCP in later years.

School Forum recognised that how to support schools earlier was a complex challenge.

Rachael asked everyone to note the information within the table on Special Schools which demonstrates the rise in Special Schools and High Needs Adjustments against the baseline figures.

School Forum noted:-

- The increase number of commissioned places so that students are not placed out of area
- There is a competition for every special school place in Torbay where places are good value for money
- Final outturn figure shows signs of concern as the number of pupils coming in is not known

Rachael requested School Forum note the financial position and continue to work with the Local Authority through the mechanism of the Higher Needs Recovery Group to enact the financial recovery.

School Forum endorsed the financial recovery plan and were happy to work with the Local Authority.

## **7. DfE recovery plan for deficits above 1%**

Rachael talked through a powerpoint presentation. This presentation outlined the DfE requirement to create a recovery plan that would bring the Local Area back into a balanced budget and deal with the deficit within three years. An explanation followed demonstrating the current position within Torbay and the actions that can be taken to make some reductions in spend. However it was recognised that the ability to create a recovery plan that was compliant with the expectation was not possible due to the funding allocated and the increased demand. The presentation gave a clear explanation to the evidence and rationale for the position.

School Forum reflected on the proposals and noted that:-

- School Forum can evidence savings from our continuous improvement i.e. Chestnut/Occombe, Burton Academy Assessment places, Medical Tuition Service and Exclusions –
- Joint Funding Panel is now in operation to consider funding contributions for Out of Area High Cost Placements – it was noted that contribution to Health is listed as services within the EHCP. At present there is only one plan that has a health financial contribution.
- Local circumstances that have contributed to the deficit relate to EHCP top-ups, special schools numbers and bespoke packages including increase in post 16 provision
- Recognised that other local authorities are facing similar concerns around not being able to bring their DSG balance into account
- Recognised risk to Local Authority through audit process
- Change of 2014 EHCP legislation created long term issues
- Lead Member for Children's Services Cordelia Law is writing a letter of support about the DfE funding decisions
- Any virement proposals would be dependent if new money is made available

Stewart asked everyone to vote:-

*Vote: Do School Forum agree to the submission of the plan being submitted which shows reduction but a growth from the original position.*

**For: 8**

**Against: 0**

**Abstain: 3**

**Action: Rachael to circulate power point presentation to School Forum**

## **8. Progress on current recovery plan actions and the work of the HNRG**

Rachael reported that following School Forum agreement to a recovery plan, a RAG rated table of progress has been produced.

This demonstrates progress to date for:-

- Establishment of a Peer to Peer Challenge System – Dan reported that the secondary peer to peer challenge group regularly meets and is proactively trying to seek solutions for young people that have vulnerabilities by the use of managed moves and support packages. School Forum noted the impact on reduction in number of students excluded in Terms 1 and 3 and increased managed moves. Primary peer to peer challenge group has been less impactful due to attendance, however, a new model is being proposed to Headteachers with termly meeting with a CPD offer.
- Revision of Fair Access Protocol – currently being revised to better meet the needs of vulnerable students and out to consultation
- Providing independent advice to parents – system designed to support students without an EHCP; TASH recommended that this is called a mediation service. Access will be provided on the local offer website where schools will be able to access support
- Providing training and information to governors including SEND Audit – Karen Gannon has completed audits in many Torbay schools and this is being used to draw together the agenda for the SEND network and forum. Governor training – Dorothy has provided SEND governor training to 19 governors this week. It was noted that Governors did not know about the SEND Network and they will be contacted directly.
- Exclusion Recovery process – Trajectory now completed
- Cost Recovery for placements – cost recovery has happened for students who have returned to their mainstream school
- Commissioned placement reductions – costs rising due to sector pricing and demand – trajectory red
- Alternative provision within our local area – STEPS provision has been expanded and will accommodate additional children from September 2019. Great Parks have been secured as permanent venue.
- Appropriate contribution from health and social care – education continue to only contribute to necessary education costs towards a social care placement.
- Request for statutory assessment stemming demand – red trajectory –

- Element 3 top up and banding review – initial project document outlining the process for banding has been agreed. SENCOs will be invited to attend the banding review meeting in September 2019

Rachael asked that School Forum note the position against the current recovery plan and that members take action to share the position with all schools and request the engagement in partners in groups to develop expertise and stem demand.

**Actions:**

**Roger to circulate heads meeting notes through newsletter**

**Sharing of budget plan – School Forum to set a briefing meeting for all head teachers in September to communicate a clear recovery plan**

**Stewart to write to TASH chair about updating secondary heads**

**9. DfE call for evidence**

Rachael informed everyone that members of the Higher Needs Recovery Group and School Forum have been requested to support a collation of a local area response to the call for evidence. This will be a short task and finish group to look at gathering information and propose a local area response.

Rachael said that there had only been 4 responses to the invitation sent to School Forum and the Higher Needs Recovery Group members for a meeting on 3<sup>rd</sup> July.

Stewart emphasised the importance of making a joint local area response as a non-response would indicate that we are happy with the current arrangements.

Stewart agreed to attend the meeting as School Forum chair.

**Action: Invitation to be sent out for meeting on 3<sup>rd</sup> July at 1330 to School Forum and Higher Needs Recovery Group members**

**10. Elective Home Education**

Dan reported an update on the progress made with Elective Home Education as part of the recovery plan.

He said that Schools Forum had made provision for a full time equivalent post to supplement the work of the EHE Officer which is assisted by a Business Support Officer.

He said that since September 2018 there were 208 children registered with the local authority as being educated at home, however, with the increase in resources within the Vulnerable pupil team the number of registered children has fallen to less than 170. This has been achieved by making timely visits and discuss options with families.

Rachael requested that School Forum agree to fund a permanent EHE Officer post.

School Forum unanimously agreed to fund a permanent EHE Officer post at the cost of £40k

#### **11. Post audit action plan**

Rachael highlighted the School Forum audit report progress.

It was noted that:

- 1.7.1 would remain yellow as it is good practice to review ongoing work within School Forum and the Higher Needs Recovery Group
- 1.8.1 Education Newsletter will be removed from the column.
- 1.91- Rachael informed everyone that currently work is progressing in finding a solution to ensuring that current School Forum papers are available through google at the top of the page.

#### **12. Items for next meeting**

- Agreement to a set of principles in place in the event of new further money becoming available (RW)
- Report on Post 16 children for primary, special and mainstream children (DH)
- Post 16 update: Collection of data collection forms (RW)
- Financial Report: Update on Early Years Block adjustment figures (RW)

#### **13. Future meeting dates**

**Next Meeting Date of School Forum: 10<sup>th</sup> October 2019 0900-1100**