

Record of Officer Decision

Safety Valve Intervention Programme 2023

Decision Taker and Date Decision Taken:

Chief Executive on 9 March 2023

Summary of Matter or Issue Requiring Decision:

Torbay Council is part of the Safety Valve programme with the Department for Education (DfE). This intervention programme aims to agree a package of reform to bring the Dedicated School Grant (DSG) deficit under control by reducing the spend on the high needs budget. This is the element of the grant that is used to directly support children with special educational needs and/or disabilities (SEND) and has experienced pressures.

The Council meeting on 7 March 2023 determined, as part of its budget, that subject to an offer of an agreement being made by the Department for Education and in consultation with the Director of Children's Services, Chief Finance Officer, Cabinet Member for Children's Services and Cabinet Member for Finance, the Chief Executive is authorised to approve the "safety valve" agreement in relation to the Higher Needs Block deficit.

The negotiations between the Council and DfE have now concluded and a deliverable and proportionate management plan has been agreed with the DfE. The plan will help mitigate the increasing financial pressures, which will bring the budget back in line without impacting on the Council's financial reserves and still meet the needs of local children and young people.

DfE has committed to supporting Torbay Council by agreeing £12.9 million of funding over the next five years. In order to receive the £12.9 million funding to clear the deficit, the Council needs to maintain a balanced budget throughout the five year period and also ensure that it meets the targets identified within the DSG Management Plan. DfE will monitor both aspects during this time.

Although the financial forecast within the management plan predicts a balancing of the DSG budget by 2025/26, Torbay Council will still be carrying a cumulative financial deficit that is presently subject to a statutory override.

Decision Taken:

That, following agreement of the management plan with DfE and in consultation with the Director of Children's Services, Chief Finance Officer, Cabinet Member for Children's Services and Cabinet Member for Finance, the "safety valve" agreement in relation to the Higher Needs Block deficit be approved.

Summary of Reason(s) for Decision Taken:

The decision is being taken to ensure that Torbay Council reduces the fundamental financial risk to the Council and schools associated with the increasing cumulative deficit on the Higher Needs Block that is part of the ring fenced Dedicated Schools Grant, by successfully securing funding for the current and future accumulated deficit.

Summary of Alternatives or Options considered and rejected and Background Papers:

None.

Details of any conflict of interest and dispensation granted to the Officer taking the decision or by any Member of the Council in delegating responsibility for any specific express delegation:

None.

Implementation:

This decision will be implemented immediately.

A copy of this decision and any supporting documentation considered by the Officer taking this decision may also be available for inspection by the public at the Council's offices or posted upon payment of any copying and postage charges. Any member of the public wishing to take up either of these options is asked to please ring (01803) 207087 or email governance.support@torbay.gov.uk

Signed: _____ Date: 22 March 2023

Chief Executive