

Schools Forum Meeting Agenda

Thursday, 27 June 2019 at 9.00 am
to be held in Mezzanine Room 4 - Tor Hill House, Union Street, Torquay, TQ2 5QW

Membership

Stewart Biddles (*Chair & Primary Academy Head*)
Roger Hughes (*Primary Maintained Head*)
Maurice Codd (*Primary Maintained Governor*)
Adam Morris (*Primary Maintained Head*)
Lindsey Kings (*Secondary Academy Deputy Head*)
Sally Timmins (*Secondary Academy Governor*)
Jayne Jones (*Early Years*)
Dan Hallam (*Post 16*)

Mike Lock (*Vice-Chair & Special Academy Head*)
Tim Stephens (*Primary Academy Governor*)
Jim Piper (*Primary Academy Deputy Head*)
Daneian Rees (*Secondary Academy Rep*)
Clive Star (*Secondary Academy Governor*)
Lisa Finn (*Secondary Academy Rep*)
Steven Hulme (*PRU*)

1. **Apologies/Changes to Membership**
2. **Minutes of the last meeting** (Pages 3 - 8)
3. **Matters arising**
4. **Election of Vice-Chair**
5. **Annual review of school representation**
6. **Financial Report** (Pages 9 - 16)
7. **DfE recovery plan for deficits above 1%**
Presentation
8. **Progress on current recovery plan actions and the work of the HNRG** (Pages 17 - 19)
9. **DfE call for evidence** (Page 20)
Deadline 31st July 2019
10. **Elective Home Education** (Pages 21 - 23)
11. **Post audit action plan** (Pages 24 - 25)
Review of progress

For further information on School Forum, please contact:

Stewart Biddles, Chair, sbiddles@rivieraet.co.uk

Rachael Williams, Assistant Director, Education, Learning & Skills, Rachael.williams@torbay.gov.uk

Mike Freeman, Clerk, Michael.freeman@torbay.gov.uk

12. Items for next meeting

- Analysis of High Cost Placements – Dorothy Hadleigh
- IOSS Impact report

13. Future meeting dates

- Thursday 10th October 2019, 09:00, Mezzanine Room 4, Tor Hill House
- Thursday 28th November 2019, 09:00, 4th Floor South, Tor Hill House
- Thursday 23rd January 2020, 09:00, 4th Floor South, Tor Hill House
- Thursday 12th March 2020, 09:00, Venue TBC



Minutes of the Schools Forum

7 March 2019

Mezzanine Room 3, Tor Hill House

-: Present :-

Roger Hughes (Chairman/Primary Maintained Head), **Mike Lock** (Vice-Chair/Special Schools), **Stewart Biddles** (Primary Academy Head), **Adam Morris** (Primary Maintained Head), **Tim Stephens** (Primary Academy Governor), **Maurice Codd** (Primary Maintained Governor), **Lindsey Kings** (Secondary Academy Deputy Head), **Daniean Rees** (Secondary Academy Rep), **Jason Trevarthen** (Secondary Academy Rep – Substitute for Lisa Finn) **Clive Star** (Secondary Academy Governor), **Dan Hallam** (Post 16) **Jayne Jones** (Early Years)

Rachael Williams (Assistant Director of Education, Learning & Skills), **Dan Hamer** (Head of Vulnerable Pupils), **Alison Eden** (Senior Accountant) and **Mike Freeman** (Clerk)

1. Apologies/Changes to Membership

Apologies were received from Sally Timmins, Jim Piper, Steven Hulme and Lisa Finn. Jason Trevarthen attended as Lisa's substitute.

Alison Botham and Rob Parr sent apologies, Alison Eden attended from the Finance team.

2. Minutes of the last meeting

Minutes of the last meeting were agreed as a true record.

3. Matters arising

None.

4. Election of Chair and Vice Chair

Given Rogers decision to stand down as Chair of Schools Forum, members were sent an email asking for nominations for a new Chair. Two nominations were received, both in favour of Stewart Biddles. No further nominations were brought to the meeting, therefore Stewart has been elected Chair, and will succeed Roger.

Mike Lock will also be standing down from his role as Vice-Chair. At present, there has been no nominations for this position, therefore this will be deferred until the

next meeting in June. Members were asked to speak to colleagues, with any interested parties being nominated via email to the Clerk.

Action – MF to source Vice-Chair nominations

5. Virement Decision

Rachael was pleased to announce that the LA has received notification that the Virement application of 1.79% of the overall DSG budget, as agreed at Schools Forum, was successful and is now being enacted. Budgets have now been sent out to schools, but the LA has not had any responses from schools following this announcement.

6. Financial Report

Rachael Williams shared with the Forum a financial report detailing the current outturn position, which has reduced from £2.716m in January to £2.620m. Taking onto account the additional Higher Needs allocation of £268k that was agreed by members at January Forum, the final outturn position at the end of the year is expected to be £2.35m.

After calculations based on the Spring census data, there is a predicted underspend in the Early Years Block of £282k. However, early calculations indicate that may be a negative adjustment in the Summer, predicted to be approximately £216k. Members agreed that the underspend should be kept in contingency because of this, and voted as follows:

Vote – to hold the £282k as a contingency to cover the expected negative adjustment in Summer 2019:

For: 12
Against: 0
Abstain: 0

Given this underspend, The adjustment received from last year's Early Years funding, initially being held to mitigate any overspend in this year's budget, was then discussed, with members debating how best to allocate these funds. Two options were considered on how to use this funding, with a third option proposed by members at the meeting. Votes were as follows:

Option A - Allocate the funding to providers in a lump sum based on the hours claimed over the last three headcounts.

For: 1
Against: 10
Abstain: 1

As this option was rejected by members, voting then moved on to option B.

Option B – Re-allocate the funding to repay the Higher Needs block contribution to the Early Years SEN Inclusion Fund (ALFEY Funding), bringing the overall deficit position to a lower level:

For 6

Against: 6

Abstain: 0

In the event of a tie, the Chair has casting vote, therefore the motion carried. Because of this, Option C, which proposed a 50/50 split between the first two options, was not voted on.

It was felt that this was a good opportunity to alleviate some of the pressure and reduce the Higher Needs debt.

There is an overspend in the SEN Inclusion budget of £16k, however there is an underspend of £15k in the DAF (Disability Access Fund) which was felt could be used to offset this. Members voted as follows:

To use the £15k underspend in the DAF to offset the ALFEY overspend:

For: 12

Against: 0

Abstain: 0

The Higher Needs Block remains of significant concern, with an overspend of £160k projected, due in part to an increase in the number of requests for additional funding above the £6k allocated to schools. However, it was noted that the work of the HNRG (Higher Needs Recovery Group) is beginning to have some effect. The work of the Peer Challenge Group is ongoing, Secondary Heads will be meeting shortly to discuss the managing of children at risk of exclusion, with any proposals being brought to Schools Forum in the future.

Members noted the findings of this report, and thought that it would be beneficial to have an agreed set of principles in place, in the event of further new money becoming available. A discussion on this will be held at the next Forum in June.

Action – MF to add to June agenda.

7. Report on High Cost Pupils

Rachael presented a report from Dorothy Hadleigh, head of SEN on High cost placements. The number of RSAs (Requests for Statutory Assessments) has continued to increase. As part of the ongoing partnership, colleagues from Plymouth are now attending Torbay SEN panel, Schools Forum will receive a report from Plymouth on the threshold decisions being made in due course.

It was recognised that the use of bespoke packages are becoming more significant, due in part to our special schools being at capacity, as well as trying to reduce the

number more costly out of area placements. Two students currently on such placements will be moving back to Torbay specialist provisions in 2019, generating a saving of £60k. The number of placements at independent provisions has remained the same since September.

The SEN casework team are looking at value for money. Bespoke packages, being used to maintain a child on a mainstream role, is the area of most concern at present. Rachael has asked independent consultants from the Local Government Association to look at these, and is working with Dorothy on what is driving the current overspend.

Rachael was pleased to announce that funding has been secured to increase the capacity of the SEN team from April 2019, and will be looking to appoint one additional SEN caseworker, 2 x SEN monitoring officers and one EHCP writer.

Post 16 placements continue to rise, a transition board has now been set up with Adult Social Care, and a Post commissioning officer, funded by Adult Social Care has been appointed. Joint funded placements are being looked at by consultants, their recommendations will be reported on at a future forum when available.

The Forum thanked Dorothy and the SEN team for the detailed report and their ongoing hard work. It was requested that future reports could include a breakdown of Primary/Mainstream/ post 16 children, rather than Pre and Post 16.

ACTION – RW to speak with Dorothy re further breakdown of figures.

8. Higher Needs Recovery Group

Dan Hamer, Head of Vulnerable Pupils, presented analysis on permanent and fixed term exclusions. There is a significant number of permanent exclusions when compared to our statistical neighbours in Devon and Plymouth, however we have seen a reduction in exclusions from Special Schools, with work being done to arrange packages that meet children's need before the point of exclusion is reached. There continues to be an increase in fixed term exclusions across the sector, with persistent disruptive behaviour the main reason. Dan is continuing to work with the Troubled Families team, Social Care colleagues and the Turning Corners Project on this.

Some recoupmnt has taken place, assessment places at Burton Academy are now charged for, which has seen places reduce. However, there remains some problems with reintegration.

Transitionary events between Early Years settings and Primary Schools are being trialled locally this year, with a view to providing a more co-ordinated approach to transitions.

Members noted the findings of the report, and thanked Dan for his ongoing work.

Please note that at the conclusion of this item Lindsey Kings left the meeting.

9. Activity Led Funding in Early Years Report

An update on the current position of ALFEY (Activity Led Funding in Early Years) funding, as well as a detailed explanation of the current banding system, was shared with members. It is recognised that the number of children in receipt of ALFEY funding continues to rise, but also that the complexity of need for the children is growing as well. If this trend continues it is felt that the £250k allocated by Schools Forum for ALFEY will not be sufficient, so the ALFEY panel has proposed ceasing level 1 funding, instead offering alternative support to settings to support children that would previously meet level 1 criteria. This support would help to ease the additional pressure on placed on settings by ceasing the funding. Members note the actions agreed by panel.

10. Post 16 update

Rachael presented to members a progress update on the Post 16 progress – As agreed by the Post 16 task and finish group, set up in December 2016, Data is now being monitored on a termly basis, with Pathway Plans in place for each young person that enables caseworkers to assess the value for money of each placement.

Providers have been sent a data collection exercise, with a number of key indicators measured. Rachael was pleased to announce that of the completed returns, 88.2% of students have completed their course, of these 67% are remaining in education and 5.8% have moved in employment. It was however concerning to note that 6.7% of young people were reported as NEET (Not in Education, Employment or Training).

Moving forward, it was agreed that Forum should write a letter to providers to chase outstanding data collection forms. It was felt that any future contracts with providers should now include the forms as standard. The next Post 16 working party is in April, the group will look at writing measurable targets for providers, to enable a fair comparison between provisions.

Action – RW to write letter to providers on behalf of Forum requesting the completion of data collection forms.

11. IOSS funding report

Please note, due to earlier items overrunning, and the need for members to vote, this item was discussed earlier than shown in the agenda.

It was reported that funding for the IOSS (Intensive Outreach Support Service) has ceased, due to national changes in the funding received by Local Authorities. Members were asked to consider the delivery of the service in the future, and how this can be funded.

Rachael presented three options for consideration, with members asked to vote on each one:

Option A: School Forum ask officers to conduct an evaluation of all outreach services currently commissioned by the Higher Needs Budget and bring a proposal to the Higher Needs Recovery Group for consideration and a final decision by School Forum.

For: 12

Against: 0

Abstain: 0

With members in unanimous agreement, Option B, *School Forum works to find an alternative solution to funding the IOSS service, through direct payment from schools or other mechanisms*, was not voted on.

It was agreed that looking at all of the outreach services currently commissioned through the Higher Needs Block would enable the Forum to see what investments give the biggest returns. The findings of this work will be reported on at October's Forum.

Please note that at the conclusion of this item Maurice Codd left the meeting.

12. Items for next meeting

- Election of Vice Chair
- Financial Report
- High Needs Recovery Group – Verbal update
- Annual review of school representation
- Post audit action plan

13. Future meeting dates

- Thursday 27th June 2019, 09:00, Venue TBC
- Thursday 10th October 2019, 09:00, Mezzanine Room 4, Tor Hill House
- Thursday 28th November 2019, 09:00, 4th Floor South, Tor Hill House
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School Forum 27th June 2019
Financial Report

Introduction

The following report contains a detailed breakdown of the financial position of the Local Area for 2018/2019. The report enables members to note the outturn position and the significant factors contributing towards the spend. The report covers the following items

- Final Outturn position 2018/2019
- Forecast Outturn position 2019/2020
- Contextual information regarding Early Years Block
- Contextual information regarding Higher Needs Block
- Position and recommendations

Final Outturn position 2018/2019

Dedicated Schools Grant (DSG) funded activities **overspent by £2.165m.**

The following table details the main areas of both over and under spend.

Budget Heading	Budget	Outturn Actuals	Over / (Under) Spend
Early Years 2, 3 & 4 yr old payments – PVI's	£4.912m	£4.580m	(£332k)
Estimated budget clawback from ESFA for changes in Early Years pupil numbers between Jan 18 (5/12ths funding) & Jan 19 (7/12ths funding)			£165k
Early Years – ALFEY	£250k	£266k	£16k
Early Years – Pupil Premium & Disability Access Fund	£129k	£91k	(£38k)
Early Years – 5% retained element, plus grant	£411k	£344k	(£67k)
Joint Funded Placements	£550k	£476k	(£74k)
Recovery of funding from schools for Excluded Pupils	(£150k)	(£105k)	£45k
Recovery of funding from schools for MTS	£0k	(£29k)	(£29k)
Independent Special School Fees	£2.720m	£2.455m	(£265k)
Other packages for EHCP pupils / recoupment from other authorities	£355k	£655k	£300k
Medical Tuition Service / Virtual School / Hospital Tuition	£1.152m	£1.150m	(£2k)
School contingencies (Rates, planned pupil growth, NQT induction etc)	£291k	£294k	£3k
EHCP in-year adjustments (see separate paper for details)	£330k	£486k	£156k
Special Schools / High Needs in-year adjustments (see separate paper for details)	£514k	£937k	£423k
School Intervention / Commissioning (includes School Improvement Grant)	£209k	£147k	(£62k)
Other areas – Admissions / SEN contracts / SACRE / EAL / Travellers Ed. / Business Support			(£6k)
Additional High Needs Funding allocated by ESFA in Dec 18	£268k	£0	(£268k)
Required contribution from reserves in 18/19 to set a balanced budget	(£2.2m)	£0	£2.2m

This is an improved position than reported in March 2019.
The overall position of the Dedicated Schools Grant taking previous deficits into account at the end of 2018/2019 is an overspend of £2.655m.

Forecast Outturn Position 2019/20

Dedicated Schools Grant (DSG) funded activities are currently forecast to **overspend by £964k**.

The following table details the main areas of both over and under spend. Many of these budgets are demand led and will be monitored during 19/20 and revisions reported accordingly.

Budget Heading	Budget	Actuals to date	Projected Outturn	Over / (Under) Spend
Early Years 2, 3 & 4 yr old payments – PVI's	£5.027m	£1.007m	£5.027m	£0k
Early Years - ALFEY	£250k	£107k	£290k	£40k
Early Years – Pupil Premium & Disability Access Fund	£136k	£6k	£111k	(£25k)
Early Years – 5% retained element	£372k	£49k	£372k	£0k
Joint Funded Placements	£500k	£163k	£500k	£0k
Recovery of funding from schools for Excluded Pupils, Medical Tuition Service and Elective Home Education	(£704k)	(£0k)	(£654k)	£50k
Independent Special School Fees	£2.620m	£660k	£2.520m	(£100k)
Other packages for EHCP pupils and SEND personal budgets	£718k	£225k	£968k	£250k
Payments to / recoupment from other authorities for Special School places	(£129k)	(£23k)	(£189k)	(£60k)
Medical Tuition Service / Virtual School / Hospital Tuition / Vulnerable Students Team	£1.237m	£208k	£1.237m	£0k
School contingencies (Rates, planned pupil growth, NQT induction etc)	£532k	£108k	£412k	(£120k)
EHCP in-year adjustments (see separate paper for details)	£500k	£18k	£379k	(£121k)
Special Schools / High Needs in-year adjustments (see separate paper for details)	£400k	£101k	£700k	£300k
School Intervention / Commissioning (includes School Improvement Grant)	£177k	£29k	£177k	£0k
Business Support	£163k	£28k	£163k	£0k
Required contribution from reserves in 19/20 to set a balanced budget	(£750k)	£0	£0	£750k

The significant area of volatility is within the Higher Needs Block. There are also pressures within the Early Years Block that are demand led and the picture remains volatile until key census collections. The demand led pressures of both areas are detailed below,

Early Years Block

There continues to be a high take up of all early years' offers.

	Torbay	National
2 year old	70%	72%
Universal 15 hours	99%	94%
Extended 30 hours	105%	90%

At this early stage officers are not making projected end figures as the census information will need to be gathered.

The calculations using 2019 census data and the existing 2018 census continue to indicate that there will be a negative adjustment in the summer 2019. The school forum will be informed of the adjustment figure at the next meeting.

Higher Needs Overview

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 pressure is in the great majority driven by schools requesting additional support and/or that children are assessed for an education health and care plan (EHCP). The work of the Higher Needs Recovery Group continues to focus on a diagnostic approach to identifying high cost areas and potential mechanisms for change. The actions included in the recovery plan are being addressed and implemented.

In addition to the placement costs there continues to be an increase in the request for additional funds above the £6,000 allocated to schools. The following table indicates the position to date.

Education, Health & Care Plan Funding for 17/18 & 18/19			
	17/18	18/19	Increase / (Decrease)
Number of pupils with EHCP	373	395	22.00
Number of FTE's with EHCP	353	359	6.00
	£	£	£
Funding below £6k allocated through school formula elements	2,047,279	2,129,835	82,556
Funding above £6k allocated as a top-up per eligible pupil	1,234,164	1,507,657	273,493
EHCP Contingency	200,000	330,000	130,000
In-Year adjustments			
April	25,735	175,869	150,134
May	45,249	18,302	(26,947)
June	13,913	25,258	11,345
July	0	0	0
August	127,405	82,018	(45,387)
September	40,866	69,403	28,537
October	32,141	39,935	7,794
November	6,622	43,236	36,614
December	27,323	6,064	(21,259)
January	14,088	11,698	(2,390)
February	13,992	14,216	224
March	4,404	201	(4,203)
Total - In-Year adjustments	351,738	486,200	
Overspend	151,738	156,200	

The following table demonstrates the rise in Special Schools and High Needs Adjustments, against the baseline figures.

Position

The final outturn position of the Local Area continues to be of significant concern. The position remains volatile and continued actions need to be taken to try to mitigate spend.

The 2019/2020 position is based on known information and current demand within the system. Additional requests and bespoke arrangements will add to the over spend.

Recommendations

It is requested that Schools Forum

1. 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 plan.

Rachael Williams
Assistant Director Education, Learning and Skills

Special School and other High Needs funding adjustments for 18/19

	Combe Pafford	Combe Pafford	Mayfield School	Mayfield Chestnut	Mayfield Total	Brunel SEMH	Burton AP	B & B Total	Totals	Totals £
Number of places - January 18	252		198	32	230	56	50	106.00	588.00	
Number of pupils - January 18	249		200	33	233	54	63	117.00	599.00	
Number of places - September 18	252		198	32	230	56	50	106.00	588.00	
Initial Place led funding		2,520,000			2,300,000			1,060,000		5,880,000
Initial Pupil led funding		779,876			1,914,042			1,300,500		3,994,418
Initial pupil specific additional funding		46,440			35,905			38,083		120,428
Other funding - Outreach / exclusions / rent					201,174					201,174
Total initial funding		3,346,316			4,451,121			2,398,583		10,196,020
In-Year adjustments	Pupils	Funding £	Mayfield Pupils	Chestnut Pupils	Funding £	SEMH Pupils	AP Pupils	Funding £	Pupils	Funding £
April	250	5,132	200	36	93,255	54	69	249,100	609	347,487
May	250	2,228	203	38	99,623	54	68	(9,029)	613	92,822
June	248	(13,301)	203	38	(9,757)	53	67	(19,442)	609	(42,500)
July	246	(1,465)	203	38	(4,391)	55	42	(164,468)	584	(170,324)
August	246	0	203	38	0	55	42	0	584	0
September	251	(8,217)	204	30	(45,373)	50	44	(27,825)	579	(81,415)
October	251	(279)	204	29	(5,543)	50	53	44,325	587	38,503
November	250	(2,138)	204	31	9,238	51	55	13,825	591	20,925
December	250	0	203	31	(4,202)	51	59	13,133	594	8,931
January	248	(2,603)	207	28	4,475	51	59	0	593	1,872
February	246	(608)	205	29	(403)	54	55	173	589	(838)
March	245	1,319	206	29	563	55	60	5,228	595	7,110
Total In -year pupil / place led adjustments		(19,932)			137,485			105,020		222,573
Enhanced Provision										17,602
Additional pupil top-ups for ASC EP at Preston and Brixham										71,657
EP ASC - The Spires (from 6 to 9 places from Sept 18)										17,500
EP - PCSA (6 places from Sept 18 - 7/12th of £63k)										36,750
Pilot Scheme - Play Torbay (agreed by Schools Forum)										18,978
2% funding increase agreed by Schools Forum		66,926			89,022			47,972		203,920
ASC Outreach - Preston Primary										20,000
Funding for 6th Day Provision Mayfield / Chestnut Jan - Mar 19										25,000
Burton Academy - to guarantee funding for 55 pupils during Jul & Aug 18										21,320
In-year pupil specific additional funding		43,075			62,893			176,047		282,015
Total - In-Year adjustments		90,069			289,400			329,039		937,315
Special School contingency budget										400,000
Adjustment from ESFA - Import / Export of HN Pupils between LA's										114,000
Total Funding Available										514,000
Overspend										423,315

Education, Health & Care Plan Funding for 18/19 & 19/20

	18/19	19/20	Increase / (Decrease)
Number of pupils with EHCP	395	444	49.00
Number of FTE's with EHCP	359	401	42.00
	£	£	£
Funding below £6k allocated through school formula elements	2,129,835	2,383,233	253,398
Funding above £6k allocated as a top-up per eligible pupil	1,507,657	1,929,955	422,298
EHCP Contingency	330,000	500,000	170,000
In-Year adjustments			
April	175,869	89,037	(86,832)
May	18,302	(2,510)	(20,812)
June	25,258	25,258	0
July	0	0	0
August	82,018	82,018	0
September	69,403	69,403	0
October	39,935	39,935	0
November	43,236	43,236	0
December	6,064	6,064	0
January	11,698	11,698	0
February	14,216	14,216	0
March	201	201	0
Total - In-Year adjustments	486,200	378,556	
Projected (underspend) / overspend	156,200	(121,444)	

Notes

Based on Apr 19 to May 19 in-yr adjustments, and the same allocation for the remainder of the financial year as 18/19, it is anticipated the EHCP contingency will underspend by

£121,444

School Forum 27th June 2019
Progress Against Current Recovery Plan

Introduction

School Forum agreed a recovery plan that included a number of measures alongside the virement application. The following report demonstrates the progress that is being made against each agreed action.

Strengthening an inclusive and accountable culture

Action required	Progress to date	RAG Rating
<p>Establishment of a Peer to Peer Challenge system</p>	<p>The secondary peer to peer challenge group is well established with regular attendees. The group are pro-actively trying to seek solutions for young people that have vulnerabilities by the use of managed moves and support packages. Young people are being flagged at an earlier opportunity for behavioural needs, allowing a greater amount of planning rather than a permanent exclusion.</p> <p>Impact noted to date is:</p> <ol style="list-style-type: none"> 1. A reduction the number of students excluded in Terms 1 and 3. 2. An increased use of managed moves to prevent exclusion. 3. An increase in referrals to the Troubled Families team with each school nominating 8 children per term to receive focussed. support from the team's Youth Worker <p>An increase in the use of annual reviews to establish whether an EHCP can be amended to better meet need and maintain a place in a mainstream school.</p> <p>The primary phase peer to peer challenge group has been less impactful due to the attendance not being as frequent. Dan Hamer has written to all Headteachers regarding a proposed model of termly meetings with a CPD offer included.</p>	
<p>Revision of the Fair Access Protocol</p>	<p>The Fair Access Protocol has been revised to better meet the needs of vulnerable students and to clarify the circumstances under which the school can make a fair access representation. This is now out for consultation.</p> <p>At the same time the Lead for Student Services has issued guidance to the admissions team on in year admissions processes and the escalation pathway if a child is proving difficult to place.</p> <p>The teams are next looking to establish a system that identifies challenging year groups before places are offered. This will allow a dialogue between schools and with the LA and certainty for all that context is considered when placing.</p>	

Providing independent advice to parents	A specification has been designed and we have consulted with the Higher Needs Recovery Group and Secondary Headteacher group regarding the establishment of the service. The service will be commissioned from September 2019.	
Providing training and information to governors – including an SEND Audit	<p>The SEND audits are being conducted by Karen Gannon. The majority of schools have booked the SEND audit and those schools that have not signed up are being contacted by Dorothy Hadleigh. The SEND audits are being returned to the Local Authority and emerging themes are being pulled together. The thematic areas for development will form part of the training delivered through the SEND network.</p> <p>Dan Hamer provided an opportunity for Governor Training through the TTSA network. Unfortunately this was only taken up by very small numbers. This will be offered again and promoted. To provide in house training Dan has been attending governor review meetings and will provide in house training where appropriate.</p>	

Ensuring children and young people have access to alternative and bespoke provision

Action required	Progress to date	Trajectory
Exclusion recovery process	The mechanism for exclusion recovery have been adopted and are being used.	
Cost recovery for placements	Cost recovery has taken place for students or students have returned to their mainstream school. The recovery process has included a period of negotiation for individual pupils in year 10 and year 11. Where appropriate recovery is taking place for pupils being taught in the named provisions.	
Commissioned placement reductions	<p>The commissioned placement costs are rising due to sector pricing and demand. Individual packages are being reviewed and stepped down where appropriate. The Local Authority has to secure a commissioning resource to conduct further work.</p> <p>Dan Hamer is working with leadership at Burton Academy to establish clear expectations for reintegration to mainstream education from exclusion. Of 36 exclusions from the secondary sector this academic year to date, 10 have returned to mainstream.</p>	
Alternative provision within our local area.	The STEPS provision has been expanded and will accommodate additional children from September 2019. This provision will bring in £120k savings against current spend on placements.	

<p>Appropriate contribution from health and social care.</p>	<p>The education department continue to only contribute the necessary education cost towards a social care placement. Where need can be met on a local basis the education component is capped to the value.</p> <p>There are on-going conversations with Health regarding the DST forms and making representation for health funding. This is being considered on a CCG wide level and will take time to rectify. We are gathering intelligence from other Local Areas who are now re-charging Health for the delay in diagnosis and any interim costs that are occurred due to bespoke packages being put in place.</p>	
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Ensuring the right children, achieve the right level of support, at the right cost

Action required	Progress to date	Trajectory
<p>Request for statutory assessment stemming demand</p>	<p>The request for statutory assessments continue to grow with a 20% increase since noted since January 2019. To meet demand a weekly rather than fortnightly panel has been convened. The panel has been observed by a neighbouring authority and thresholds considered appropriate. However there is an emerging theme that SEMH needs are address differently across Local Areas and may not result in the need for an EHCP.</p>	
<p>Element 3 top up and banding review.</p>	<p>A project initiation document outlining the process for banding has been created and agreed by the Higher Needs Recovery Group. Internal meetings are taking place to review the systems developed by a variety of LA's and these have been pulled together into an options/principles document. The internal meeting will now be extended to include SENCO's. Dorothy Hadleigh will be writing to Headteachers.</p>	

Recommendations

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

Rachael Williams
Assistant Director Education, Learning and Skills

School Forum 27th June 2019
SEND Call for Evidence

Introduction

The Local Authority and partner agencies have received notification of the following call for evidence.

SEND funding call for evidence

As you will be aware, in December 2018 the Secretary of State announced our intention to hold a call for evidence on the current funding arrangements for those with special educational needs, those with disabilities, and those who require alternative provision.

This call for evidence is intended to help us understand how the current available funding is distributed, and what improvements to the financial arrangements could be made in future. We are also aware of the wider concerns about the overall amount of funding and the pressures on their budgets that many are reporting: we are separately looking carefully at this ahead of the next government Spending Review.

The call for evidence can be accessed at <https://www.gov.uk/government/consultations/send-and-ap-provision-call-for-evidence> and will be open from now until 31 July 2019.

Recommendations

The Local Authority co-ordinates a task and finish group to gather intelligence from a number of perspectives and co-ordinates a Local Area response.

School Forum and Higher Needs Recovery Group Members have been asked to provide representation to the meeting planned for 3rd July 2019.

Rachael Williams
Assistant Director Education, Learning and Skills

School Forum 27th June 2019

Elective Home Education

Introduction

This report provides an update on the progress made with Elective Home Education as part of the recovery plan.

Schools Forum made provision for a full time equivalent post to supplement the work of the Elective Home Education Officer. This work is focused on lowering the number of children who are home educated in Torbay to address the concerns about:

Working with parents and partner agencies to ensure effective safeguarding arrangements for this cohort.

To ensure that the education for this group is suitable.

To benefit the wider education system in Torbay by drawing down the funding associated with children returning to mainstream education.

The Initial Position

In September 2018 there were 208 children (approximately) registered with the local authority as being educated at home. The figure is approximate as multiple recording systems had been in use. These were rationalised to create a baseline.

New registrations were followed up but review of existing education was hampered by the number of students leaving mainstream schooling. At its peak this was 4 children a week with the service's entire capacity absorbed into working with these families, leaving no capacity to look at pupils already educated at home.

Enhanced Service

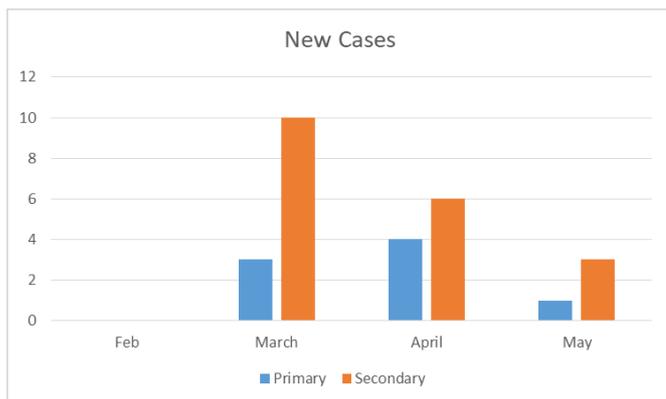
The School Forum investment alongside Council revenue funds has enabled the Vulnerable Students Team to re-structure to better meet need. Business support has allowed the creation of monthly dashboards and the centralised administration of case notes and appointments.

The existing EHE Officer has temporarily increased from 0.6FTE to Full Time and a 0.6 FTE EHE Officer has been appointed for 12 months. Their work is also being supported by a Business Support Apprentice

2019 Data

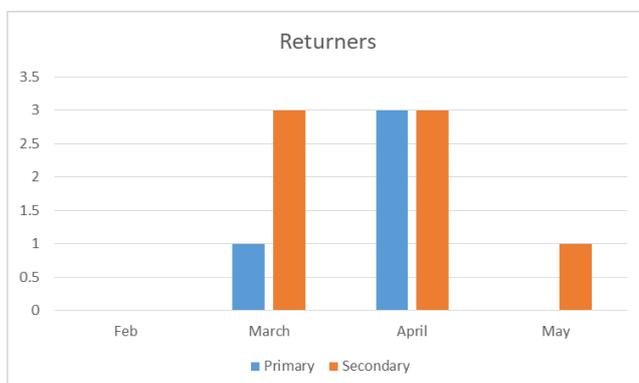
The number of new cases is falling month by month as the team is able to make timely visits and discuss options with families.

At the same time schools have increasingly engaged with the team to identify families who need to have their responsibilities under home education explained before making any decision



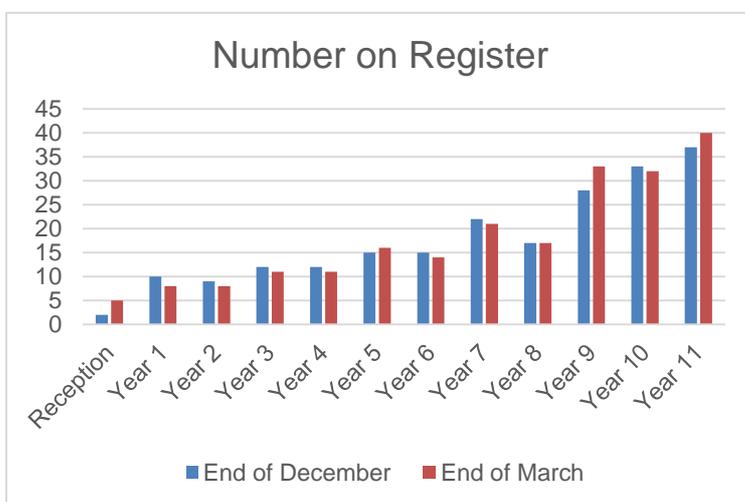
There is still work to be done with individual schools. There is a concern around one secondary who have 19 students choosing EHE in two terms against a sector average of 4 this will be picked up through the LA/Trust conversations.

At the same time as the number of new cases is declining, the numbers returning to mainstream education are remaining constant giving a reduction in overall numbers.



The numbers on the register have fallen in all years except at transition boundaries with the largest increase being at Year 9.

This may be for a range of reasons around Key Stage transition. For Year 9 this includes an element of students who leave mainstream schooling as they are moving to South Devon High School for Year 10 and do not wish to start Key Stage 4 courses in a school they will be leaving.



Action needs to be taken to ensure there is no loss of provision

When Year 11 leave the register the total will be 176 students at current numbers. This is against a peak of 242 in July 2018.

Future Work

The next priorities for the team are:

1. Maintain the focus on meeting new cases within 2 weeks and ideally 1 week.
2. Work with 'stuck' cases to move them forward and back into mainstream where the education is deemed unsuitable.
3. Work with SEND colleagues to ensure that children with EHCPs are having their identified needs met.
4. Ensure that all existing cases have an annual review with parents. This work has already started a conversation about two children returning to mainstream provision.

Dan Hamer
Head of Vulnerable Pupils

Audit Ref	What? (as per Devon Audit Partnership report)	Who?	Task Number	Task	By When	Success Measures	Status	Priority	Comments
1.1.1	Terms of reference should be completed in order to define the purpose and structure of the Torbay Schools Forum. It should contain clear and specific information on how the forum is organised and what they are trying to achieve.	RW	1	Re-name the document to "Standing Orders and Terms of Reference" and review to include all items listed are included.	Mar-18	Terms of Reference and Standing Orders define the purpose and structure of the School Forum and enables members to know how it is organised and the overall aim.		High	Terms of References have been updated.
1.2.1	Forum members should be proactive in raising the profile of issues from their represented group within the forum meetings. Discussions regarding any issues/questions etc. from their represented group should be raised at the forum meetings and recorded in the minutes for review. To ensure responsibilities and processes for communication with represented groups are clear they should be set out in Terms of Reference.	RW/MF	2	Ensure the review of the terms of Reference takes into consideration the recommendations that a members responsibility will be to seek the views of their group. Ensure that the minutes reflect the detailed discussions conducted at the meeting.	Mar-18	School Forum should be aware of the views of stakeholders through their representatives at Forum. The questions and issues raised by members will be accurately minuted. The role of Forum Members will be understood through the inclusion of responsibilities through the Terms of Reference and Standing Orders document.		High	Terms of Refence have been updated to include the roles and responsibilities of Forum Members to consult with their represented group. Minutes are becoming increasingly detailed. This needs to be monitored over time.
1.3.1	The meeting minutes should clearly record the level of challenge and discussion of each of the agenda items. They should provide a sense of the discussions held and the options presented at the meeting to non-attendees and then clearly record the conclusions and action agreed in relation to each of the agenda items.	MF	3	Ensure that minutes provide more detailed summaries of points raised in discussions leading to a decision.	Jan-18	Minutes accurately reflect the full discussion that has taken place at the Forum.		High	Minutes of the forum held in January 18 demonstrated greater detail. This needs to be monitored over time.
1.4.1	Clear votes should be taken in relation to recommendations and decisions. To ensure clarity in the voting process it is important to document the procedures for making decisions. There is the opportunity or include these as part of the Forum Terms of Reference.	RH/MF	4	Ensure voting procedures remain in the revised standing orders and Terms of Reference. Use voting more often and record outcomes in minutes.	Jan-18	Voting is used to take forward recommendations and decisions for all relevant matters. Standing Orders include voting procedures.		High	Voting continues to be used at Forum Meetings and the group need to challenge and review if this is being used as frequently as needed.
1.5.1	Due to a significant increase on a forecast overspend an urgent/unscheduled meeting should have been called by Schools Forum. Leaving the discussions until the June meeting has meant that there was insufficient time for the Forum to make a decision, and a working group had to set up to manage and make decisions required on the overspend. In addition, due to the known overspend issue that needed to be discussed, and as an urgent meeting had not been scheduled, extra time should have been allocated to this meeting and advanced notice given to ensure that all members of the forum could attend the entire meeting.	RW/RH	5	The Local Authority to notify the Chair in the circumstances of significant and unexpected events. Chair to consider email discussion or an extra meeting. Indicate anticipated length of the meeting on the agenda.	As needed	Extrordinary meetings and e-mails will be used to cascade information between meetings where appropriate.		High	Recommendations have been put in place, an exceptional meeting was called at the start of October.
1.6.1	It is recommended that the more long term budget projections are developed and requested from the LA for monitoring by the Forum. This will enable the Forum to scrutinise future budgets and identify savings in the long term, therefore avoiding having to make immediate budget decisions as is currently required.	RW/ members of the Working Party.	6	The Forum is calling together a working party to develop and monitor a Recovery Plan for costs associated with High Needs Pupils.	Apr-18	Longer term budget forecasting are in place and can used by the Higher Needs Recovery Group.		High	Trajectory work has started to be conducted by the LA and will form part of the agenda for the Higher Needs Recovery Group.
1.7.1	The Forum members should be communicating the budget pressures with the educational groups they are representing and reporting any feedback at Forum meetings. By including the Local area, ideas, savings and opportunities can be identified and discussed at Forum meetings, which could contribute to balanced budgets and prepare for the possibility of the hard funding blocks in the future. For example, Forum members have identified that the area of pupil exclusions are well managed within some schools without the need for a pupil placement, which can be very costly. By identifying and sharing areas of good practice the local area community could potentially contribute to the better management of budgets within the individual funding blocks.	RW/ members of the Working Party.	7	The Higher needs Recovery Group Terms of Reference will include the identification of good practice.	Mar-18	School Forum are able to find solutions through the identification and implementation of good practice.		High	Higher Needs Recovery Group identified good practice and value for money examples at a local secondary school. This will continue to be a focus of the group.

1.8.1	Forum members should be reporting back to their represented areas to ensure good open channels of communication are being achieved. The members should report that needs to be achieved, decisions made and the outcomes of the Forum meetings. By involving the educational community it means that they are aware of the budget pressures being faced and potentially how they could contribute to ideas to address any future overspend. The good practice guide includes how the Forum members could consider communicating with the community. It is a requirement that information relating to the schools forum is publicly available.	RW/RH	8	Re-name the document to "Standing Orders and Terms of Reference" and review to include all items listed are included.	Mar-18	Mechanisms for communication ensure that all schools and stakeholders are aware of the work of Forum and the situations that are being addressed.		High	Education Newsletter in place that will be cascaded to Heads, Governors and wider stakeholders. This will include an update from the forum chair. Forum chair is sharing a communication straight after the meeting with all Headteachers.
1.9.1	The Schools Forum area of the Torbay Council website should be made more accessible and clearly signposted for public review. All papers, documentation and information regarding the Forum including its roles and responsibilities and contact details, as required by the practice guide, should be made available. Many local authorities' dedicated Schools Forum websites post key information for members and any other interested parties and can be reviewed for ideas regarding the information included on the Torbay Forum.	RW/MF	9	Local Authority to provide a dedicated School Forum Web page that is accessible and inclusive of all relevant information.	Sep-18	The website will be accessible and used by the school community including governors.		High	Minutes and Agendas have been uploaded and a link sent to where to find the information. Minutes are now sent to all Headteachers & Early Years Providers. Headteachers are also requested to cascade minutes to Governors. The Website is now in the process of being updated to reflect current membership, and to make it more accesible to members of the public.
1.10.1	The Forum should take full advantage of all opportunities to raise the profile of the Schools Forum and encourage the local area to engage with them	RW/RH	10	Arrange for Forum members to receive the "Schools Forum Operation and Good Practice Guide Revised September 2017". Forum to discuss the possible implementation of other opportunities to raise the profile of its work.	Jan-18	Members have a copy fo the School Forum Operation and Good Practice Guide and are acting to seek representation from colleagues.		High	Forum Members received this in January 18