

Schools Forum Meeting Agenda

Thursday, 18th June 2020 at 10.00 am
to be held via Zoom Conference Facility

Membership

Stewart Biddles (<i>Chair & Primary Academy Head</i>)	Lisa Finn (<i>Vice-Chair & Secondary Academy Rep</i>)
Ken Kies (<i>Primary Academy Head</i>)	Tim Stephens (<i>Primary Academy Governor</i>)
Maurice Codd (<i>Primary Maintained Governor</i>)	Jim Piper (<i>Primary Academy Deputy Head</i>)
Adam Morris (<i>Primary Maintained Head</i>)	Daneian Rees (<i>Secondary Academy Rep</i>)
Lindsey Kings (<i>Secondary Academy Deputy Head</i>)	Clive Star (<i>Secondary Academy Governor</i>)
Sally Timmins (<i>Secondary Academy Governor</i>)	Mike Lock (<i>Special Schools Head</i>)
Jayne Jones (<i>Early Years</i>)	Steven Hulme (<i>PRU Head</i>)
Dan Hallam (<i>Post 16</i>)	

- 1. Apologies/Changes to Membership**
- 2. Minutes of the last meeting** (Pages 3 - 6)
- 3. Financial Report** (Pages 7 - 11)
Rachael Williams
- 4. Impact of Covid-19**
Verbal update by Rachael Williams
- 5. Discussion with EFSA on recovery plan and moving forward**
- 6. Post 16 report** (Pages 12 - 13)
Dorothy Hadleigh
- 7. Items for next meeting**

Please note that the following items have been deferred from this meeting given the current pandemic, and will be discussed at a

For information relating to this meeting or to request a copy in another format or language please contact:

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future meeting when appropriate:

- Audit Action Plan update
- Verbal update on the managing exclusions trial.

8. Future meeting dates

- Thursday 8th October 2020
- Thursday 19th November 2020
- Thursday 14th January 2021



Minutes of the Schools Forum

Thursday 7 May 2020

-: Present :-

Stewart Biddles (Chairman), Primary Academy Head; **Lisa Finn (Vice-Chair)** Secondary Academy Rep; **Adam Morris**, Primary Maintained Head; **Ken Kies**, Primary Academy Head; **Maurice Codd**, Primary Maintained Governor; **Tim Stephens**, Primary Academy Governor; **Lindsey Kings**, Secondary Academy Deputy Head; **Daneian Rees**, Secondary Academy Rep; **Julie Chubb**, Secondary Academy Representative (replacing Clive Star); **Jim Piper**, Primary Academy Deputy Head; **Dan Hallam**, Post 16; **Mike Lock**, Special Schools Head; and **Jayne Jones**, Early Years Rep

-:Also in attendance :-

Rachael Williams, Assistant Director for Education, Learning and Skills; **Martin Phillips**, Head of Finance; **Dorothy Hadleigh**, Head of SEN; **Rob Parr**, Principal Accountant; **Dan Hamer**, Head of Vulnerable Pupils; **Michael Freeman**, Clerk

1. **Apologies/Changes to Membership**

Apologies were received from Sally Timmins and Clive Star. The Forum welcomed Julie Chubb as Clive's replacement.

2. **Minutes of the last meeting**

Minutes of the previous meeting, held 23rd January 2020, were approved with one amendment.

Under Item 5, ESFA / School Minister Visit, the second bullet point has been amended to say that Torbay has received additional Higher Needs funding, rather than Special Schools funding as originally recorded.

Rachael Williams, Assistant Director of Education, Learning and Skills, informed the Forum that work on changes to the current 6 day provision model in managing exclusions, as voted by members under item 6 of the minutes, was ongoing.

3. **Financial Report**

Rachael presented members with an updated financial report. At present, DSG funded activities is currently overspent by £1.122m. Demand led pressures in both the Early Years and Higher Needs blocks were felt to be the areas of most concern.

Spring census data has now been collated and the Early Years budget currently indicates an underspend of £365k. This is largely down children claiming fewer hours than funded through the Early Years census. However, members were asked to note that officers' estimate there will be a negative adjustment in the summer of 2020, calculated to be approx. £220k. Further details will be provided to Forum once the DfE has made this adjustment, but it was felt that the current underspend should be kept in contingency to mitigate against this.

Significant pressure on the Higher Needs block remains, due to the large number of children in Torbay with Education, Health and Care Plans and also the large number of children moving into the area. The LA has also seen an increase in the number of tribunals because of the demand for Special School places. Members were pleased to note that the work of the LA on allocations of funds above £6k were beginning to have an impact, and that additional contingency funds in this year's budget have not been fully used.

However, officers explained that all calculations on these budgets were made prior to the ongoing COVID-19 pandemic, and in light of this the current financial position may be subject to change. Rachael has held talks with the DfE and the Regional Schools Commissioner and have asked them to reconsider the deficit budget, however local authorities are still being asked to take action to reduce spend. Members felt it disappointing that there is a lack of flexibility given the current situation.

The Forum noted the findings of the financial report and agree to continue working with the LA to enact the financial recovery plan.

Dan Hamer, Head of Vulnerable Pupils, then spoke to members on recoupmnt, in particular queries that schools have been raising with regards to the validity of the recharging process. Dan outlined a proposal to charge schools in half term, rather than at the end of term, making it easier for schools to budget for. Members agreed to trial this approach, Dan will now send out reminders to schools prior to invoices being sent out.

4. Covid-19 - Impact

Rachael gave an update on the current COVID-19 pandemic, and the work the local authority is undertaking on managing this.

Increased demand is expected on all budgets, with the Higher Needs block expected to see the greatest impact, as more transitional support will be required, as well as additional requests for element three top ups. Concerns were raised of the risks of family breakdown, domestic violence and the impact that lockdown is having on SEN Children. The LA is working closely with MTS to cope with this demand, modelling is ongoing.

Rachael has now joined a joint incident management team along with colleagues from Devon, Torbay and Plymouth. The Chief Executive for Torbay has also been meeting with Kevin Foster MP to discuss support.

The Forum asked whether the LA has seen less requests for top-up due to schools being closed. Dorothy Hadleigh, Head of SEN, stated that although there have been less requests through the Annual Review process, new plans are still being issued as normal. New SEND legislation has been issued last week, requiring the LA to ensure they are making reasonable endeavours to ensure the needs of every child with an EHCP are being met. Dorothy warned colleagues that they are expecting an increase in complaints as a result of this legislation.

Members then shared their concerns about the Edenred voucher system, and that the system is at breaking point. Officers reassured members that Torbay is aware of the issues, and have complained to Kevin Foster MP. Torbay Food alliance is also aware of the current problems, however it was noted that there is no pressure on food banks at the moment despite this.

Rachael explained that 565 laptops are now on order for Social Care children. Delivery of these is expected the first week of June. There has been some problems in obtaining 4G routers, further guidance is being sought. It is anticipated that the LA will not be asking for the laptops back, therefore agreements around guarantees, breakages etc. will be the responsibility of each school.

Members noted the updates, and were in agreement that further clarity on the COVID crisis is needed. Rachael assured colleagues that the LA is continuing to seek a response from the ESFA.

5. ESFA and Higher Needs Recovery

The planned visit from the ESFA in March was cancelled due to the COVID-19 crisis. A video conference has now been scheduled for Thursday 14th May. The Local Authority are keen for this to be seen as an opportunity to talk about the wider budgetary issues, in particular processes for DSG recovery, rather than just COVID-19.

Work on the Higher Needs recovery plan continues, with Panels now meeting remotely. Members were informed that there has been an increase in SEN tribunals, and were asked to note that the current situation has made it difficult for the LA to put its views across.

Officers are continuing their work on Element 3, however banded review proposals have stalled at present due to staffing issues. It was disappointing to note that after visiting Leeds Council the LA did not feel that the model employed there offered a viable solution to the Higher Needs issues. The visit did however offer both authorities the opportunity to share exemplars of good practice.

With regard to commissioning, Officers have been working to reduce costs on Post 16 provision by block booking provider sin advance, Members were pleased to note that there has been no increase in costs on bespoke packages or residential placements at present.

The forum gave thanks to the LA and partners for their ongoing work.

6. Items for next meeting

- Update on the financial impact of COVID-19

Please note that the following items have been deferred from this meeting given the current pandemic, and will be discussed at a future meeting when appropriate:

- Audit Action Plan update
- Verbal update on the work of the P16 team
- Verbal update on the managing exclusions trial.

7. Future meeting dates

Proposed meeting dates are as follows:

- Thursday 11th June 2020
- Thursday 8th October 2020
- Thursday 19th November 2020
- Thursday 14th January 2021

**School Forum 18th June 2020
Financial Report**
Introduction

The following report contains a detailed breakdown of the financial position of the Local Area for 2020/2021. The report enables members to note the outturn position and the significant factors contributing toward the spend. The report covers the following items

- Forecast outturn position 2020/2021
- Contextual information regarding Early Years Block
- Contextual information regarding Higher Needs Block
- Position and Recommendations

Forecast Outturn Position 2020/21 – Forum 11th June 20

Dedicated Schools Grant (DSG) funded activities are currently forecast to **overspend by £2.2m**

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 20/21 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 & Academies	£6.070m	£1.131m	£6.070m	£0
Early Years – ALFEY	£265k	£106k	£265k	£0
Early Years – Pupil Premium & Disability Access Fund	£130k	£2k	£105k	(£25k)
Early Years – 5% retained element	£364k	£45k	£360k	(£4)
Joint Funded Placements	£600k	£171k	£600k	
Recovery of funding from schools for Excluded Pupils, Medical Tuition Service and Elective Home Education	(£386k)	(£0)	(£286k)	£100k
Independent Special School Fees	£2.685m	£614k	£2.685m	£0
Other packages for EHCP pupils and SEND personal budgets	£1.077m	£149k	£1,197m	£120k
Payments to / recoupment from other authorities for Special School places	(£230k)	(£9k)	(£230k)	£0
Medical Tuition Service / Virtual School / Hospital Tuition / Vulnerable Students Team	£1.390m	£212k	£1.348m	(£42k)
School contingencies (Rates, planned pupil growth, NQT induction etc)	£261k	£63k	£239k	(£22k)
EHCP in-year adjustments (see separate paper for details)	£350k	£17k	£245k	(£105k)
Special Schools / High Needs in-year adjustments (see separate paper for details)	£600k	£273k	£600k	£0
School Intervention / Commissioning (includes School Improvement Grant)	£142k	£7k	£142k	£0
Business Support	£188k	£28k	£177k	(£11k)
Other – including Admissions, EAL, Advisory Teachers				(£11k)
Deficit DSG budget set for 20/21	(£2.2m)	£0	£0	£2.2m

The two areas of significant volatility are within the Early Years Block and Higher Needs Block.

Early Years Block

The annual adjustment for Early Years Funding has not been received. When this information is provided we will ensure that this is brought back to the Forum. At this stage we are not predicting an over/under spend position on the block as we will use census information to determine the likely projection.

During Covid 19 the use of the Early Years Block has been debated and there has been a recent announcement on the ability to use funds within the block to move money between providers. As a Local Authority we have supported settings to continue to receive funds, to ensure that a strong position of sufficiency is maintained post Covid 19. It is appropriate for School Forum to note that the Early Years system has been heavily impacted by Covid 19 as there has been no ability to secure external income through parental fees or charges.

The Early Years Team continue to review this block and will bring forward any changes proposed for approval at Forum level.

Higher Needs Block

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 to consider the allocation of funds above £6k is starting to have an impact. We are also noting the impact on Covid 19 within the budget as work has been delayed to review and issue plans. The following table provides the most up to date information, but Forum will need to monitor this closely as systems and processes begin to emerge post Covid 19.

Education, Health & Care Plan Funding for 19/20 & 20/21			
	19/20	20/21	Increase / (Decrease)
Number of pupils with EHCP	444	470	26.00
Number of FTE's with EHCP	401	429	28.00
	£	£	£
Funding below £6k allocated through school formula elements	2,383,233	2,554,879	171,646
Funding above £6k allocated as a top-up per eligible pupil	1,929,955	2,122,040	192,085
EHCP Contingency	500,000	350,000	(150,000)
In-Year adjustments			
April	89,037	16,946	(72,091)
May	(2,510)	(2,510)	0
June	21,302	21,302	0
July	12,688	12,688	0
August	4,248	4,248	0
September	84,471	84,471	0
October	32,871	32,871	0
November	24,573	24,573	0
December	35,172	35,172	0
January	9,789	9,789	0
February	5,291	5,291	0
March	591	591	0
Total - In-Year adjustments	317,523	245,432	
Projected (underspend) / overspend	(182,477)	(104,568)	
Notes			
Based on Apr 20 adjustments, and the same allocation for the remainder of the financial year as 19/20, it is anticipated the EHCP contingency will underspend by			(104,568)

The following table demonstrates the numbers of Special School Commissioned Placements and Adjustments.

Special School and other High Needs funding adjustments for 20/21										
	Combe Pafford	Combe Pafford	Mayfield School	Mayfield Chestnut	Mayfield Total	Brunel SEMH	Burton AP	B & B Total	Totals	Totals £
Number of places - January 20	252		217	33	250	56	50	106.00	608.00	
Number of pupils - January 20	248		216	33	249	47	60	107.00	604.00	
Number of places - September 20	262		231	32	263	56	55	111.00	636.00	
Initial Place led funding		2,578,333			2,575,833	560,000	529,167	1,089,167		6,243,333
Initial Pupil led funding		981,746			2,315,603	680,090	634,380	1,314,470		4,611,819
Initial pupil specific additional funding		25,362			54,176	51,967	0	51,967		131,505
Other funding - Outreach / exclusions / rent					235,921			0		235,921
Pupil Premium		153,025			152,205	62,553		62,553		367,783
Total initial funding		3,738,466			5,333,738	1,354,610	1,163,547	2,518,157		11,590,361
In-Year adjustments	Pupils	Funding £	Mayfield Pupils	Chestnut Pupils	Funding £	SEMh Pupils	AP Pupils	Funding £	Pupils	Funding £
April	248	22,645	216	34	15,691	49	64	182,065	611	220,401
May	248	0	216	34	0	50	63	3,572	611	3,572
June									0	0
July									0	0
August									0	0
September									0	0
October									0	0
November									0	0
December									0	0
January									0	0
February									0	0
March									0	0
Total In -year pupil / place led adjustments		22,645			15,691			185,637		223,973
Enhanced Provision (in-year changes in pupil numbers)										11,773
In-year pupil specific additional funding		3,940			19,740			13,771		37,451
Total - In-Year adjustments		26,585			35,431			199,408		273,197
Special School / High Needs contingency budget										600,000
Adjustment from ESFA - Import / Export of HN Pupils between LA's										
Total Funding Available										600,000
Current (underspend) / overspend										(326,803)

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 and mitigate spend.

The cumulative overspend of the DSG is now £3.778m

Recommendation and Decisions

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

Update on the work of the Post 16 SEN Casework Team

Introduction

The Post 16 SEN Casework Team currently consists of Laureen Wardle (0.8fte) and Faye Cooper (0.6fte). Laureen is the Lead Officer and has worked with the range of Post 16 providers we use to ensure the provision available meets the needs of the students with Education, Health and Care Plans.

Some students who were previously placed out of area are returning to Torbay for Post 16 provision, and these developments are an exciting opportunity. The positivity the SEN Team are encountering from providers has been very much appreciated and welcomed.

The bespoke provision which was set up at South Devon College from September 2019 has been a success with students who would previously become NEET re-engaging and making significant progress. We are now discussing how this can be built upon and developed further. This approach provides Torbay with value for money, and better outcomes for the students concerned.

The Post 16 Panel has become a strong and effective mechanism, where close scrutiny and challenge is forthcoming. There are a number of Post 16 providers represented on this Panel, and their input is very effective and much appreciated. The solution focussed discussions have allowed creative approaches to be developed, and new approaches have emerged to meet the needs of some of the more complex students. This innovative response is creating a broader range of provision for our students, with value for money, and better outcomes as the focus.

Providers are also more aware of the expectations the SEN Post 16 Team and the Head of Service has of the provision they offer to Torbay students. The rigorous scrutiny and challenge is resulting in better PfA (Preparing for Adulthood) outcomes for the students.

This year has been a particularly challenging one, with COVID-19 circumstances, however the Post 16 providers have been superb in finding creative solutions to support the students. The collaborative approach is a strength which I am sure we will continue in the future, and some of the virtual learning opportunities have suited some of our students more than the traditional face to face learning.

Transition arrangements for students due to transfer to Post 16 provisions in September 2020 are occurring, and once again creative solutions are being implemented. Close liaison with students, parents, providers and the SEN Team is in place and working effectively.

One of the challenges we need to continue to address is the better sharing of student information in order to ensure receiving provisions are aware of learning styles which

suit the student involved, and to avoid duplication and best build on the learning the student has already achieved.

There has been rigorous tracking of students to ensure the number of NEET students is reduced, with appropriate support, guidance and engagement put in place. This has required a great deal of SEN Casework Officer time, and further staffing will ensure this can be strengthened.

A more focussed effort to cease EHCP's where they are no longer required has been adopted, and is proving worthwhile.

Recommendations

In order to build on the work of the Post 16 Team there is a capacity issue, and until additional staffing is appointed we are unable to expand on the work currently undertaken.

On-going discussion and developments with the Post 16 providers to support the range of needs we have in Torbay.

Strengthening the links between mainstream schools and Post 16 providers in order to ensure collaborative approaches occur in the best interests of Torbay students.

Dorothy Hadleigh
Head of Service (SEND)