

Minutes of the Schools Forum

Thursday 8th October 2020

-: Present :-

Stewart Biddles (Chairman), Primary Academy Head; **Lisa Finn (Vice-Chair)** Secondary Academy Rep; **Adam Morris**, Primary Maintained Head; **Ken Kies**, Primary cademy Head; **Tim Stephens**, Primary Academy Governor; **Lindsey Kings**, Secondary cademy Deputy Head; **Daneian Rees**, Secondary Academy Rep; **Clive Star**; Secondary demy Rep; **Jim Piper**, Primary Academy Deputy Head; **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; **Laureen Wardle**, SEN Post 16 Caseworker; **Rob Parr**, Principal Accountant; **Dan Hamer**, Head of Vulnerable Pupils; **Michael Freeman**, Clerk

1. **Apologies/Changes to Membership**

Apologies were received from Maurice Codd. The Forum welcomed Laureen Wardle, Post 16 casework officer, to the meeting on behalf of Dorothy Hadleigh.

2. **Minutes of the last meeting**

From item 5 of Junes meeting, Rachael informed members that the SEN review has not been published yet, and therefore we have not been able to invite Keith Hawkins (ESFA) to re-attend Forum.

Form Item 7, Adam Morris announced that he will be meeting with Nancy Meehan, Director of Children's Services, on Monday 12th October for a discussion on the work of Schools Forum. Other members expressed an interest in meeting Nancy as well, Rachael will feed this back to her.

Due to the ongoing COVID pandemic, the Audit Action Plan scheduled for today's meeting has been postponed and will be added to Novembers Agenda.

Minutes were agreed as a true record.

3. **Financial Report**

Rachael Williams, Assistant Director of Education, Learning and Skills, shared an

updated financial report, detailing the current outturn position and the factors contributing to this.

Current overspend now stands at £2.1m, down from £2.2m. Pressures remain in same parts of system, with the additional impact of the COVID-19 pandemic. Members were asked to note that the overspend would be higher but the ESFA has not recouped funds for the delayed opening of St Michaels Primary.

The Early Years block continues to be under pressure. There has been a claw back of £45k, due to the calculation of the adjustment figure from the DfE. Census headcount data is being collected, but COVID has had a significant impact on the sector, as many children are not returning to Early Years provisions when compared to schools. Their ability to draw income has been greatly reduced, and despite guaranteed funding being in place for the Autumn term members were concerned that no decisions have yet been made by the DfE on the Spring and Summer terms.

Members asked whether Schools Forum could take action to support the EY sector further, however without the reassurance of Spring and Summer term mitigations from the DfE it was felt that this was difficult to prepare.

Rachael explained that this was a national challenge not unique to Torbay, and agreed to a review of the underspend for the next Forum meeting.

There remains pressure on the Higher Needs block due in part to the greater number of children in Torbay requiring additional support. Members were shown a table detailing in year adjustments, and whilst figures remain similar to last year it was felt that ongoing work on the allocation of funds above £6k is beginning to have an impact. However, members were asked to be mindful of the pressures that COVID-19 is having on the system.

Members noted the findings of the report, and agreed to the recommendation to continue the work of the Higher Needs Recovery Group to enact the financial recovery plan.

Action

- **The LA to conduct a review of the in-year underspend of the Early Years block to present at November's Schools Forum.**

4. Future budget indications

Rob Parr, Principal Accountant, presented members with an overview of the provisional DSG position for 2021/22. There is expected to be increases in minimum per pupil funding levels for both Primary and Secondary pupils, as well as an increase of 2% (from 1.84% in 2020/21) per pupil for schools on the Minimum Funding Guarantee. The biggest upshift will be in the Higher Needs block, with an 8% increase.

Although positive, Members were mindful that the increases are related to changes in baseline figures, with the Teachers Pay and Pensions Grants now being included instead of being paid as separate grants as was previously the case. Colleagues noted the findings, but were in agreement that the proposed increase is not enough, only covering the proposed Teachers Pay Award for next year.

Members remain keen to stick to principles already agreed by Schools Forum, and requested that a report based on these principles be presented at November's meeting.

A separate paper on Special Schools funding and allocations will also be presented at November's meeting, Mike Lock asked to be involved in the process in his role as Special Schools representative.

5. Deficit position statement

An update on the current Deficit position was presented to members. Whilst the current budget deficit stands at £3.778m, there is an anticipated £2.109m outturn position in 2021, leading to a potential £5.887m deficit overall. Rachael explained the challenges in trying to recall the historic deficit during the COVID-19 pandemic, and presented two actions that the Forum could take in line with 2021/22 regulations:

1. Transfer 0.5% of Schools Block to Higher needs block, subject to Schools Forum approval.
2. Submit a disapplication request to the Secretary of State for movements above 0.5%

The LA is of the opinion that action 1 would offer a more realistic opportunity to get as close as possible to a balanced budget for 2021/22, before addressing the historic deficit in 2022/23. This upshift in funds would be approximately £430K, based on provisional DSG allocations.

Rachael explained to members that the number of pupils, not the per pupil costs continue to be the reason for the deficit. Torbay remains an outlier in comparison to statistical neighbours, but this is a growing problem in other LAs. Members requested that this data be shared at the next Schools Forum.

The ESFA are aware of the challenges, and are asking Schools Forum to complete a Deficit Management Plan. Members were in agreement to seek representation from School colleagues on the possible actions, with a view to recording a decision at November's meeting.

Actions

- **Rachael to share this paper with Torbay headteachers.**
- **Members to seek comments from colleagues on deficit position and available actions before November Schools Forum.**

6. COVID Update

Rachael gave a verbal update on the challenges being presented by the COVID-19 pandemic.

Members were asked to recognise the additional pressures that the pandemic is having on budgets. Rachael explained that there is currently £3800 per week for COVID mitigations, and has written to Headteachers/CEOs asking for their individual mitigations. Dan Hamer is in the process of collating Schools Attendance information.

The LA is experiencing issues with schools transport. The Department for Transport has allocated £134k in funding for commission of additional public buses, however the LA has expressed that this is not sustainable.

Members asked about the COVID grant that schools claimed for in the Summer, and whether schools have received it yet. Rachael agreed to raise this with headteachers at next weeks' COVID Briefing.

7. Post 16 Report

The Forum heard from Laureen Wardle, Post 16 officer, who provided an update on the work of the Post 16 team and the key expenditure relating to this. There has been a significant increase on the number of Post 16 children with EHCPs (current cohort is 476, up from 378 in January 2020). This is explained in part due to the large number of RSAs in Torbay and an increase in families moving into the area. However, the main reason for the increase is the ongoing COVID-19 pandemic, as a lack of employment opportunities has led to students opting to remain in further education.

There has been a mixed response to the move to online learning. Whilst it was pleasing to hear that some students have engaged well, some students with SEMH/Anxiety issues have regressed slightly.

Laureen thanked members on behalf of South Devon College for the investment in their bespoke provision. 5 students have successfully completed their placements and have moved on to mainstream college, and the 6 students on role this year, previously on Out of Area placements, have all made excellent starts.

Demand at both Eat That Frog and ROC college continues to grow, but members were pleased to note that these more solution focused providers have been responsive in meeting the demand, and are demonstrating great outcomes for their students. Regular review panels are in place, and the Post 16 and SEND Monitoring teams continue to monitor the outcomes for students.

Members thanked Laureen for the ongoing work of her team, and requested that a further update be presented in January.

8. EHE recharge decision

At the request of schools, Dan Hamer, Head of Vulnerable Pupils has reviewed the current policy of recharging for Elective Home Education (EHE) places at the rate of the MFG, plus all personalised funding, at a weekly rate. Dan proposed to members that for the year 2020/21 EHE should be recharged at 50% for all children, except children who were persistently absent or had greater than 4 session of fixed term exclusion (FTE). This would be for a period of 1 year only, with a return to the agreed system in 2021/22.

Members felt that the proposal was reasonable in light of the current pandemic, but sought assurances from the LA the adjustment figures be based on current figures, (the EHE cohort has risen from 35 children to 58 at present). It was felt fair to share the burden with all schools, given that any school could be in a difficult position should they have any cases of COVID.

It was asked how this would impact the forecast outturn position, however this would be difficult to predict given that there has been no recharging during lockdown. The expectation remains that schools will work to prevent EHE. It is recognised that some schools have engaged with parents, but parents are refusing to send children back to school. Mediation services has worked with families and penalty notices are being issued.

After discussion, member voted on the proposal as follows:

To adopt recharging EHE at 50% for 2020/21, with the above exception:

For: 11

Against: 0

Abstain: 0

Unanimous

9. Outreach service decision

Dan gave an update on the Primary phase outreach services. A Service Level Agreement has now been agreed with Mayfield Chestnut to support Primary school children with SEMH, ASC and learning difficulties. However, outreach services are still stretched by demand, and analysis of the SLA has identified a pressure of £38k on the service due to uncosted management and administration.

After conversations with Mayfield School, Dan presented a proposal to Forum for the outreach services budget to be increased to £200k (an increase of £16,258). Mayfield School have agreed to cover the remaining £21,742 to meet the increased demand. Members voted as follows:

To increase the Outreach Services budget to £200k, from the £183k as previously agreed by Forum:

For: 11
Against: 0
Abstain: 0

Unanimous

Members gave thanks to Dan and Mayfield outreach for their hard work.

10. Items for next meeting

- Audit Action Plan
- Early Years update
- Management Plan update
- Vote on De-delegation and Centrally retained items.

11. Future meeting dates

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