

Schools Forum Meeting Agenda

Thursday, 11 March 2021 at 9.00 am
to be held via Zoom - Virtual

Membership

Stewart Biddles (*Chair & Primary Academy Head*)
Ken Kies (*Primary Academy Head*)
Maurice Codd (*Primary Maintained Governor*)
Adam Morris (*Primary Maintained Head*)
Steve Margetts (*Secondary Academy Head*)
Sally Timmins (*Secondary Academy Governor*)
Jayne Jones (*Early Years*)
Dan Hallam (*Post 16*)

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

1. **Apologies/Changes to Membership**
2. **Minutes of the last meeting** (Pages 3 - 6)
3. **Election of Chair of Schools Forum**
4. **Primary representation**
5. **Term of Reference** (Pages 7 - 13)
6. **Financial Report** (Pages 14 - 18)
Rachael Williams & Rob Parr
7. **Early Years Funding** (Pages 19 - 26)
Sarah White, Early Years Finance & Business Officer
8. **COVID Prevention funding** (Pages 27 - 28)
Rachael Williams
9. **Elective Home Education**

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

Mike Freeman, Clerk
01803 208261

Michael.freeman@torbay.gov.uk

10. Torbay Promise Update

Steve Margetts

11. Any Other Business

12. Items for next meeting

13. Future meeting dates

- Thursday 6th May, 09:00
- Thursday 17th June, 09:00

- Thursday 14th October, 09:00
- Thursday 25th November, 09:00



Minutes of the Schools Forum

29 January 2021

-: Present :-

Stewart Biddles (Chairman), Primary Academy Head; **Lisa Finn (Vice-Chair)** Secondary Academy Rep; **Adam Morris**, Primary Maintained Head; **Ken Kies**, Primary Academy Head; **Tim Stephens**, Primary Academy Governor; **Alex Newton**, Secondary Maintained Head; **Steve Margetts**, Secondary Academy Head; **Clive Star**; Secondary Academy Rep; **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; **Rob Parr**, Principal Accountant; **Dan Hamer**, Head of Vulnerable Pupils; **Dorothy Hadleigh**, Head of SEN; **Nancy Meehan**, Director of Childrens Services; **Michael Freeman**, Clerk

1. **Apologies/Changes to Membership**

Apologies were received from Maurice Codd and Sally Timmins. After a review of the terms of office at the last meeting, there have been some changes to the membership. Daniean Rees and Lindsey Kings have both stood down from Forum. Members were pleased to welcome both Steve Margetts (Secondary Academy Head) and Alex Newton (Secondary Maintained Head) to their first meeting.

2. **Minutes of the last meeting**

Minutes of the last Schools Forum were agreed. Rachael Williams, assistant director for Education, Learning and Skills, gave updates to the following items:

From item 5 of the agenda, Special Schools funding, Rachael will be meeting with Steve Margetts to discuss the Torbay Promise Initiative shortly, and will provide an update at March Forum.

Item 6, Management plan update – Rachael has met with the Senior Leadership Team on 27th January, and was pleased to announce that £200k will be given to Schools Forum as part of a wider COVID grant. It is felt that this may offset some of the current pressures on the budget.

There has been further changes to the ESFA Higher Needs recovery template, which will now require the support of the HNRG (Higher Needs Recovery Group) to repopulate. Rachael has asked for some business support to help with this. Whilst this delay was frustrating, it was felt that this was for the right reasons.

3. Schools Forum Terms of Reference

In a change to the order of the agenda, The Forum next discussed the membership of Schools Forum. An updated Terms of Reference as agreed at the previous meeting was shared with Forum, and discussion centred on whether members representing schools in the same academy trusts would present a possible conflict. Members also asked that the ToR be updated to include one Secondary Governor seat from non-selective schools. A vote was held on the two proposed changes as follows:

To amend the Terms of Reference to state that no more than one representative from a single academy trust can join Schools Forum, unless there are no other nominations from that particular sector:

For: 12
Against: 0
Abstain: 0

Motion carried

To update the membership of the Secondary Sector to include one representative from selective schools:

For: 12
Against: 0
Abstain: 0

Motion carried

Members felt that these changes would lead to a fairer representation of schools, and requested that the Terms of Reference be updated.

Action – Clerk to update Terms of Reference.

4. Financial Report

Rachael shared with members an updated financial report. The deficit position has increased by £105k since November, leading to a forecast overspend of £2.60m. Pressures continue to be due to children moving into Torbay, and the additionality that these bespoke packages require. £2.2m of in pressures has led to a current cumulative overspend on the DSG budget of £3.778m

Early Years census returns are now in, and spring headcount data is now being processed. The DfE have now clarified that all children, including those not currently attending, are included in the headcount, which will not negatively impact on the funds that would have been received. It was pleasing to note that COVID discretionary grants are available to the Early Years sector. Whilst it was

recognised that this doesn't cover all funds that settings have lost throughout the pandemic, it will be of help to the sector.

The Higher Needs block continues to be an area of concern, anxiety around returning to school has led to some children requiring bespoke packages to be maintained. These are however being reviewed on a half termly basis. Two further independent special school places have now been put in place, leading to an unanticipated £118k increase on the budget.

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

5. DSG Allocation 2021-22

As requested by Schools Forum, Rob Parr, Principal Accountant, provided a breakdown of the DSG budget position and a comparison of the allocation with the previous year. The budget for 2021/22 stands at £119m, an increase of approx. £8.3m from 2020/21. It is anticipated that in year pressures will lead to a deficit position of £2.6m on the budget.

Members discussed the need for a robust and achievable recovery plan moving forward, and the reasons for the ESFA rejecting the recovery plan submitted by the Forum last year. It was recognised that such a deficit is not unique to Torbay, with 109 LAs reporting an overspend this year, and Rachael explained that Torbay is looking at models from other LAs further ahead in the process for guidance.

Members expressed frustrations with the situation, and feel that the problem will not be resolved without government help. Independent auditors brought in to address the deficit have only been able to identify savings of £250k. Whilst the members felt that the Forum has got better at identifying pressures, any steps taken only tries to keep the overspend from increasing as slowly as possible, rather than address the initial deficit.

Members thanked officers for the update.

6. SEND Covid-19 update

The Forum heard from Dorothy Hadleigh, Head of Service for SEN, who provided an update on the pressure the SEN department are facing in the COVID pandemic.

Dorothy was pleased to report that the team has been proactive in seeking to end expensive out of area placements by moving children back into Torbay, however large numbers of families continue to move into the area. Whilst packages are being continued in these circumstances, these placements are under constant review.

It was noted that exemptions to EHCP (Education, Health and Care Plans) timescales are no longer in place, unlike the first national lockdown. Current

legislation is focused only on timescales, and more KPIs (Key Performance Indicators) are being introduced to monitor the Annual Review process.

There has been an increase in schools asking for top ups to existing element 3 funding. Whilst the SEN team are obligated to pay for provision even if remote learning is in place, the SEN monitoring team are working with schools to find a solution.

The team has seen greater pressure on bespoke packages, as children are not coping in the current situation. These packages are under close scrutiny, with caseworkers assessing the impact they are having on the child every 5 weeks.

Analysis is now complete on the 19/20 pathway plans. The Post 16 team are in the process of writing the report, this will be shared with the HNRG and Schools forum when available. 20/21 pathway plans are now underway. The team are unable to cease plans at present, as COVID has led to a lack of employment opportunities, however where plans are being maintained staff are being asked to evidence value for money.

Members noted the findings of the report and gave thanks to Dorothy and her team for their ongoing work.

7. Items for next meeting

- Update to Terms of Reference
- Update on Torbay Promise Initiative
- Early Years update

8. Future meeting dates

- Thursday 11th March, 09:00
- Thursday 6th May, 09:00
- Thursday 17th June, 09:00

- Thursday 14th October, 09:00
- Thursday 25th November, 09:00

TORBAY COUNCIL

TORBAY SCHOOLS' FORUM

Terms of Reference **March 2021**

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

Mike Freeman, Clerk of Schools Forum

01803 208261

michael.freeman@torbay.gov.uk

Page 7

Remit of the Torbay Schools Forum

1. By virtue of section 47A of the School Standards and Framework Act 1998 (as amended by the Education Act 2002), Torbay Council was required to establish a schools forum. These standing orders should be read in conjunction with appropriate legislation and relevant guidance.

The Schools Forum will be consulted on matters set out in the Schools Forums (England) Regulations 2012, that is:

- Amendments to the school funding formula
 - Arrangements for the education of pupils with special educational needs
 - Arrangements for the use of pupil referral units and the education of children otherwise than at school
 - Arrangements for early years provision
 - Administrative arrangements for the allocation of central government grants paid to schools via the local authority
2. Consultation must also take place when a local authority is proposing a contract for supplies and services which is to be funded from the Schools Budget and is in excess of the EU procurement thresholds. The consultation must cover the terms of the contract at least one month prior to the issue of invitations to tender.
 3. Specific delegated powers as outlined in guidance on matters such as the de-delegation of funding.

Membership of the Schools Forum

4. The majority of forum members must be “school and academy members” (see paragraph 5). Up to 33% of the forum’s total membership may be appointed from other organisations.
5. School and academy members must be Headteachers (or deputy Headteacher or bursar elected on behalf of a Headteacher) or governors. They must represent nursery, primary and secondary schools and the relative number representing each should take account of the relative numbers of pupils in those sectors. Membership of the secondary sector should include one representative from selective schools. There must be representation of special schools and the PRU.

The membership of the Torbay Schools Forum will comprise 13 school members and 2 non-school members, as set out below:

School Members		
Sector	Headteacher	Governor
Primary*	1	1
Primary Academy*	3	1
Secondary	1	1
Secondary Academy	2	1

2

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

Mike Freeman
01803 208261
Page 8
michael.freeman@torbay.gov.uk

Special Schools	1	0
PRU	1	0
<i>* at least one primary school member will also be a representative with a nursery</i>		
Non-School Members		
Sector	Representative	
Early Years PVI	1	
14-19 Provider	1	

6. No Academy shall be represented by more than one person on the Forum, unless there are no other nominations from that particular sector, or it is as a result of substitution.
7. Schools members will be elected by that group according to an agreed process.
8. Academy members will be elected by the proprietary bodies of the academies in the local authority's area.
9. In relation to the non-school members, the 16-19 representative will be elected by 16-19 education providers. The early years' representatives will be appointed by the local authority after consultation with the Early Years Advisory Board.
10. If a group is unable to provide an elected representative the LA, in consultation with the chair of Schools Forum, will appoint an appropriate representative.
11. The term of office for members of the Schools Forum will be a maximum of three years, subject to their eligibility. At the end of their term of office, individuals may stand down or the group they represent may replace them. Should an individual wish to stand down upon expiry of their term of office, the clerk should be notified of this in writing before the Local Authority seeks nominations from within the relevant sector. There is no limit to the number of consecutive terms of office an individual may serve, subject to their eligibility, however any individuals wishing to remain a Forum member must notify the Local Authority.
12. The Local Authority may end the appointment of any Forum member before the expiry of his or her term of office if the member concerned ceases to hold the office by virtue of which he or she became eligible for appointment to the Forum.
13. Any resignations must be given in writing to the Clerk of the Forum.
14. The EFA will be entitled to nominate an observer who will be entitled to attend all meetings of the Forum.

Quorum

15. The Forum will be quorate when 40% of the members (excluding vacancies) are present.
16. The Forum can continue to meet if it is not quorate, but any advice given to the Local Authority as a result of such a meeting would not have to be taken into account by the

Authority.

Non-attendance at Meetings and Substitute Members

17. Any member who is unable to attend a meeting may send an eligible substitute (who will have voting rights, as appropriate) on their behalf provided that the Clerk (or the Clerk) is notified in writing prior to the commencement of the meeting. For the avoidance of doubt, a Headteacher who has chosen to be a governor may not act as a substitute for an absent governor.
18. Any member who fails to attend two consecutive meetings of the Forum in a six month period may be asked to resign unless the Forum determines that the absences were authorised. This Standing Order applies even if the member has opted to send a substitute on their behalf.

Chairman and Vice-Chairman

19. The Chairman of the Forum will be elected annually from within the membership of the Forum at the first meeting of the academic year.
20. The Vice-chairman will be appointed annually from within the membership of the Forum.
21. The term of office of the Chairman and Vice-Chairman will be one year although there is no limit on the number of consecutive terms of office that an individual may serve.
22. In the absence of the Chairman at any meeting, the Vice-chairman will preside at the meeting. In the absence of the Chairman and the Vice-chairman at any meeting, a chairman for that meeting will be elected.
23. The person presiding at any meeting of the Forum may exercise any power or duty of the Chairman.
24. The Chairman and/or Vice-chairman shall cease to hold office if they resign from, or cease to be members of, the Forum. The election/appointment of a Chairman/Vice-chairman will then take place at the next meeting of the Forum.

Clerk

25. A Clerk to the Forum will be appointed from nominations from the Local Authority.

Meetings of the Forum

26. A minimum of four meetings of the Forum must be held each year.
27. The Local Authority must arrange for meetings to be held to enable the Forum to be

4

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

Mike Freeman
01803 208261
Page 10
michael.freeman@torbay.gov.uk

consulted on the issues listed in the Schools Forums (England) Regulations 2012

28. Meetings of the Torbay Schools' Forum will be held in public. However, there may be occasions when it is appropriate for the Forum to consider matters without the public and the press present. The Forum may by resolution exclude the press and public if a majority of those voting on the matter consider that because of the nature of the business to be considered it is appropriate to do so.
29. In addition, the Forum may, from time-to-time, invite the attendance of people with particular expertise to meetings. These people may speak but not vote.
30. Agendas, reports and minutes of the Torbay Schools' Forum will be published on the Council's website at www.torbay.gov.uk/education/schools/schoolsforum.
31. The Clerk will convene meetings of the Forum. Whenever possible, two weeks' notice of the date of meetings will be given. An agenda (together with any supporting documents) will be circulated at least five clear working days before the meeting, as far as is practicable.
32. The duration of the meetings will be a maximum of three hours unless agreed by the Forum.

Cancellation of Meetings

33. The Clerk will inform all parties concerned of the cancellation of any meetings of the Forum.

Voting

34. Unless these Standing Orders or the law provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the motion was put.
35. If there are equal votes for and against, the Chairman (whether or not he or she has voted) will have a casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote.
36. The Chairman will take the vote by show of hands unless it is agreed that a secret ballot should take place, in which case the Clerk to the Forum will circulate voting slips to all members, collect and count the votes and announce the results immediately. The numbers of those voting for, against or abstaining will be recorded in the minutes.

Urgent Decisions Taken Under the Five-day Rule

37. With the agreement of the Chairperson, if an urgent decision is required and it is not practical to call a special meeting of the Forum a paper shall be circulated via email to all Members of the Forum. The circulation of the paper will trigger a period of five working days during which members can give consideration. If before the end of the five-day period any member wishes to raise an issue regarding the content of the paper they should inform the Clerk. If the issue cannot be resolved the paper will be deferred for consideration at the next meeting

5

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

Mike Freeman
01803 208261
Page 11
michael.freeman@torbay.gov.uk

of the Forum. If there are no objections to the proposal(s) the paper will be deemed to be approved by the Forum on the expiration of the five working days period. All decisions taken under the five-day rule will be reported to the next available meeting of the Forum.

Record of Proceedings

38. The Clerk will provide minutes of the proceedings and decisions of the Forum. A copy of the minutes will be signed by the Chairman at the next meeting in order to approve them as a correct record.

39. Roles and Responsibilities

The constituent members of the Forum will be responsible for disseminating the decisions and consultation of the forum to the members they represent. Members will additionally be expected to seek the views of the group they represent, and communicate these effectively at meetings.

Conduct of Members of the Forum

40. Members of the Schools Forum are expected to act in accordance with the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
41. Individual members of the Schools Forum should consider their own position in relation to the declaration of interests and, in exceptional circumstances, may feel it appropriate to declare an interest and possibly withdraw from the meeting.

Expenses

42. Members of the Forum will be eligible to re-claim travel and other expenses in accordance with the Scheme of Allowances appended to these Standing Orders.

Indemnification for Members

43. The Local Authority will indemnify members against reasonable legal costs and expenses arising from recommendations made in good faith.

Terms of Reference

44. A copy of the Terms of Reference of the Torbay Schools Forum will be given to each member of the Forum.

TORBAY SCHOOLS FORUM

Allowances Scheme

1. Members of the Schools Forum who are Headteachers may claim any travel and subsistence allowance in line with their terms and conditions of employment
2. Members of the Schools Forum who are Governors must register as volunteers with Torbay Council in order to claim any travel and expenses allowance. The Council has no obligation to tax any payments to volunteers and does not send any returns to the Inland Revenue in this respect. Volunteers are responsible for reporting to the Inland Revenue any income which they have received that is taxable and it is recommended that they contact their local office if they have any questions.
3. Volunteers can only be reimbursed for actual expenditure and must submit a claim form including receipts (unless claiming for mileage).
4. Volunteers can claim 40p per mile for travel to and from Forum meetings.
5. An allowance of up to £5.84 per hour may be claimed by volunteers when a carer has to be engaged to enable that volunteer to attend meetings of the Schools Forum. The allowance will cover paid care for the following who live with the volunteer:
 - Children aged 15 years and under;
 - Elderly relative requiring constant care;
 - Disabled relative requiring constant care; or
 - Relative with learning disabilities requiring constant care.

The paid carer cannot be a member of the immediate family or household.

6. Any other members of Forum who are not entitled to claim under any other scheme (i.e. from the organisation they are representing) may claim travel and expenses allowances in line with paragraphs 2-5 above.
7. If there is a financial consequence to a school by a representative attending a meeting of the Torbay Schools Forum, a claim may be made under the relevant allowances scheme.

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

Mike Freeman
01803 208261
Page 13
michael.freeman@torbay.gov.uk

Financial Report School Forum 11th March 2021

Introduction

The following report contains a detailed breakdown of the projected 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

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.

Dedicated Schools Grant (DSG) funded activities are currently forecast to **overspend by £2.041m**. This is a reduced deficit position of **£559k** from the previous Forum Meeting.

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	£5.638m	£5.277m	£5.538m	(£100k)
Estimated budget clawback from ESFA for changes in Early Years pupil numbers between Jan 20 (9/12ths funding) & Jan 21 (3/12ths funding)				£100k
Early Years – ALFEY	£265k	£262k	£282k	£17k
Early Years – Pupil Premium & Disability Access Fund	£130k	£70k	£83k	(£47k)
Early Years – 5% retained element	£364k	£293k	£339k	(£25k)
Reclaim from ESFA of Early Years pupil no. adjustments between Jan 19 and Jan 20 higher than anticipated.				£45k
Joint Funded Placements	£600k	£559k	£588k	(£12k)
Recovery of funding from schools for Excluded Pupils, Medical Tuition Service and Elective Home Education	(£386k)	(£129k)	(£180k)	£206k
Independent Special School Fees	£2.685m	£2.730m	£2.819m	£134k
Other packages for EHCP pupils and SEND personal budgets	£1.125m	£1.016m	£1.350m	£225k
Payments to / recoupment from other authorities for Special School places	(£230k)	(£200k)	(£230k)	£0k

Medical Tuition Service / Virtual School / Hospital Tuition / Vulnerable Students Team	£1.404m	£1.198m	£1.338m	(£66k)
School contingencies (Rates, planned pupil growth, NQT induction etc)	£261k	£169k	£169k	(£92k)
EHCP in-year adjustments (see separate paper for details)	£350k	£270k	£276k	(£74k)
Special Schools / High Needs in-year adjustments (see separate paper for details)	£600k	£619k	£650k	£50k
School Intervention / Commissioning (includes School Improvement Grant)	£142k	£68k	£85k	(£57k)
Business Support	£190k	£144k	£161k	(£29k)
Other – including Admissions, EAL / Travellers, Advisory Teachers				(£70k)
Delay in opening of St Michael's Primary, no ESFA recoupment of funds in 20/21.				(£217k)
Contribution from LA Covid grants towards salary costs of employees funded by DSG				(£195k)
High Needs in-year pupil number adjustment– Net import of pupils from other authorities reduced from 103 to 95 pupils				£48k
Deficit DSG budget set for 20/21	(£2.2m)	£0	£0	£2.2m
Total – Forecast Outturn Position 20/21				£2.041m

Since the previous Forum we have applied the contribution of the LA Covid Grant to the budget, which has supported the overall deficit position by £195k.

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

Early Years Block

The Early Years spring headcount has been processed. School Forum will receive a detailed presentation on the demand and funding process for the Early Years block as part of the agenda.

The presentation will also cover the management of over and underspends within this block.

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. However there is now greater clarity on some of the budgets that have impacted on the out turn position. This has resulted in a reduction of circa £364k compared to the outturn position in January 2021.

This improved position can be attributed to the following aspects:-

- Demand patterns not being within the normal rates during the pandemic.
- Officers not including demand reductions, as this has been hard to predict during this period.
- Not being able to get clear dispute resolutions with neighbouring authorities.
- Not all commissioned packages have cost as much as the original amount raised on FIMS due to the variance in provision/requirements over the year.

Reporting table on EHCP Allocation above £6k

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)	(104)	2,406
June	21,302	(11,737)	(33,039)
July	12,688	4,062	(8,626)
August	4,248	42,398	38,150
September	84,471	89,367	4,896
October	32,871	72,833	39,962
November	24,573	50,539	25,966
December	35,172	16,915	(18,257)
January	9,789	(11,583)	(21,372)
February	5,291	5,291	0
March	591	591	0
Total - In-Year adjustments	317,523	275,518	
Projected (underspend) / overspend	(182,477)	(74,482)	
Notes			
Based on Apr 20 to Jan 21 in-yr adjustments, and the same allocation for the remainder of the financial year as 19/20, it is anticipated the EHCP contingency will underspend by			(74,482)

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	248	4,607	216	34	0	51	65	38,013	614	42,620
July	248	0	215	34	(10,285)	53	50	(97,241)	600	(107,526)
August	248	0	215	34	0	53	50	0	600	0
September	258	38,944	227	31	37,741	49	43	(76,936)	608	(251)
October	257	(226)	227	30	(6,030)	50	44	12,522	608	6,266
November	256	3,788	227	30	0	50	44	0	607	3,788
December	257	7,854	225	30	(4,897)	51	50	25,969	613	28,926
January	255	(1,578)	225	32	6,030	50	50	(3,618)	612	834
February	255	504	225	33	2,010	50	50	0	613	2,514
March									0	0
Total In -year pupil / place led adjustments		76,538			40,260			84,346		201,144
Enhanced Provision (in-year changes in pupil numbers)										29,396
Excluded Pupils / 6th Day Provision Mayfield (Sept - Dec)										38,000
Excluded Pupils / 6th Day Provision Mayfield or other provision (Jan - Mar)										28,500
Additional outreach funding for Mayfield										17,868
In-year pupil specific additional funding		60,465			148,048			95,161		303,674
Total - In-Year adjustments		137,003			188,308			179,507		618,582
Special School / High Needs contingency budget										600,000
Current (underspend) / overspend										18,582

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

Early Years Funding & Census

Sarah White – Early Years Finance & Business Officer

Page 19

TORBAY COUNCIL

Agenda Item 7

What is the Early Years Census?

- Each January the LA submits the EY census.
- The EY census is informed by the PVI sector and the nursery classes within the Primary sector.
- The census figures are used to calculate the Local Area budget; the EY block of the DSG.
- The budget is calculated by the DfE each year based on the previous year's final census data, then adjusted in July based on actuals.

E.g. the 2020-2021 EY block was initially calculated using the 2019 census numbers (because it is set prior to the census) and was then adjusted in July 2020 based on the January 2020 census numbers.

Budgets are usually calculated and adjusted as follows:

Financial year April 2019 to March 2020

5/12 of 2019 census numbers (to account for April 2019 to August 2019)

7/12 of 2020 census numbers (to account for September 2020 to March 2020).

- Officers estimate the July adjustment to provide a forecast outturn position for the budget; this is tricky to achieve precisely due to the census' being in 2 different places and being based on PTE (part time equivalent) attendance; impacted by stretched offers within the PVI sector.
- Every academic year is therefore funded using one census return, once adjustments are made.
- The aim of the DfE is to fund Local Areas at the mid-point of the academic year (hence spring), allowing for lower attendance in autumn and higher attendance in summer which then should provide a balance.

The last 12 months....

- **Spring 2020** – normal census process, no impact from pandemic
- **Summer 2020** - all settings were funded as usual
- **Autumn 2020** – LAs were given guidance that they should fund EY providers as if the pandemic were not happening.
 - DfE confirmed that Autumn 2020 would be funded using January 2020 census figures
 - Torbay used the recommended process of using Autumn 2019 figures as a minimum funding guarantee for group providers.
- **January 2021** – the DfE returned to participation funding
 - Currently, the 2021-2022 budget will be based on 9/12 January 2020 census and 3/12 January 2021 census.

What does that mean financially?

Summer 2020

Average attendance numbers in summer

307

(this started at 72 children and increased to 708 across the term)

Number of children funded weekly in summer

1999 3&4YOs and 351 2YOs

Approximate funding

£1.5m

Autumn 2020

Total of funding paid to ensure providers received
Autumn 2019 funding as a minimum

(Aut 2019 funding minus Aut 2020 final funding)

£326,000

Census numbers

Spring 2020 census numbers

2YO	3&4YO Uni	3&4YO Ext
360.66	1676.5	617.71

Spring 2021 census numbers

2YO	3&4YO Uni	3&4YO Ext
293.99	1598.01	615.67
-66.67	-78.49	-2.04

Note – these numbers are still subject to change and are not finalised

Estimated numbers based on 9/12 January 2020 and 3/12 January 2021

2YO	3&4YO Uni	3&4YO Ext
343.99	1656.88	617.20

Impact of census numbers

Adjustment					
	Current census	New census (based on 9/12 and 3/12)	Adjustment (new – current)	Adjustment £ (adjustment x per child annual rate)	Per child annual rate
2YO	360.66	343.99	-16.67	-£50,162.51	£3,009.60
3&4YO uni	1676.5	1656.88	-19.62	-£48,989.53	£2,496.60
3&4YO ext	617.71	617.20	-0.51	-£1,273.27	£2,496.60
				-£100,425.31	

This estimate shows that we should expect a negative adjustment and early indicators suggest it will be in the region of £100k. This is subject to change based on duplicate checking cross-LA areas (Devon are still in the process of uploading their census') and other amendments.

Forecast final position

- A rough estimate shows the EY budget will be overall £35,000 underspent.
- The SEND Alfey budget is forecast to be £18,000 overspent.
- This means that when we receive the negative adjustment in the region of £100,000, we will be approximately £83,000 overspent.

Page 25

Important note...

- Depending on the government's decisions around EY funding over the next 12 months, the low census numbers on this current census could have a significant impact on the 2022-2023 budget because 5/12 of that budget will potentially be based on these figures.

Principles for future spend management

The Local Area is dedicated to passing the maximum funding to providers and recognises that each year there is a budget surplus or deficit that needs to be addressed. The following principles are recommended for agreement by Schools Forum for Officers to apply in these circumstances:

- Basic funding (the hourly rate for 2, 3 and 4 year olds) is calculated and paid to providers. This is participation funding based on termly headcount submissions and is for all eligible children to cover the cost of their early education.
Part way through the year, after the January census, Officers estimate the final budget position for the Early Years block.
- Where there is a surplus budget, this will be used to enhance the next deprivation payment, allowing for an increased per-child rate; dependent on the number of eligible children.
- Where there is a deficit budget, this will be deducted from the deprivation budget, resulting in the minimum per child-rate being paid to providers. There is a guarantee that providers will always receive the minimum amount, even in the event of a deficit budget.

Covid Prevention Funding Schools Forum 11th March 2021

Contextual Information

Torbay Local Area has a higher number of Education Health and Care Plans than all other Authorities in England. Although the requests for statutory assessments have reduced during the pandemic, we anticipate that this may only be a lag in the system and a surge in demand for Education Health and Care Plans may occur when schools fully reopen. This has already been noted with an average of 10 requests being presented to panel each week.

Alongside the national catch up and recovery programmes being proposed by the Department for Education the Local Authority wish to work in partnership with schools and families to overcome some of the difficulties children may experience on re-entry to school, without the need for a longer term Education Health and Care Plan.

For many children lost learning and challenging behaviour maybe a short term consequence of the pandemic and through a short term offer of support, they may quickly get back on track.

For this reason Torbay Council will use £250k of Covid Investment to support the reintegration of children into their school. It is anticipated that this fund could support short term interventions.

Principles of Providing Support

- The support will be provided for a six week period only to enable integration back into school support processes.
- There will not be a request statutory assessment for at least two terms, due to the evidence of intervention required and impact.
- The funds will not be used for children already awaiting an EHCP assessment.
- The funds will not be used for children with an Education Health and Care Plan.
- The funds will be for mainstream education providers only.
- The funds will need to be matched with an equivalent offer from the education provider.
- The funds will focus on children not attending school on a full time basis and/or children who are attending but not able to access education due to anxiety or behaviour.
- The support will be provided in the school, children will not be placed with an externally commissioned service.

Management of the process

- The children eligible for support will be managed by a panel of school leaders, who will prioritise children across the system.
- The panel will not be able to award an extension to the six week period.
- An application window will open and all awards will be made within a single window (depending on school re-opening plans – requests in by end of April – provision in place May /June)
- Outcomes monitoring through attendance and engagement figures

Recommendation

- School Forum accept the additional funding being provided.
- School Forum delegate the design of the system to the Higher Needs Recovery Group and ask for a progress/outcomes report in June 2021.

Rachael Williams

Assistant Director Education, Learning and Skills