

Schools Forum Meeting Agenda

Thursday, 25 November 2021 at 9.00 am
to be held in Teams - Virtual

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>)
Jim Piper (<i>Primary Academy Deputy Head</i>)	Adam Morris (<i>Primary Maintained Head</i>)
Alex Newton (<i>Secondary Maintained Head</i>)	Steve Margetts (<i>Secondary Academy 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>)	

- 1. Apologies/Changes to Membership**
- 2. Minutes of the last meeting** (Pages 2 - 5)
- 3. Financial Report** (Pages 6 - 11)
- 4. De-Delegation Decisions** (Pages 12 - 14)
- 5. Recovery Plan update** (Pages 15 - 17)
- 6. SEND Data - Requests for Statutory Assessment** (Pages 18 - 23)
- 7. Post 16 impact report** (Pages 24 - 27)
- 8. Items for next meeting**
- 9. Future meeting dates**

For information relating to this meeting or to request a copy in another format or language please contact:
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Minutes of the Schools Forum

14 October 2021

-: Present :-

Stewart Biddles (Chairman), Primary Academy Head; **Lisa Finn (Vice-Chair)** Secondary Academy Rep; **Tim Stephens**, Primary Academy Governor; **Alex Newton**, Secondary Maintained Head; **Clive Star**; Secondary Academy 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**, Chief Accountant; **Rob Parr**, Principal Accountant; **Dan Hamer**, Head of Vulnerable Pupils; **Dorothy Hadleigh**, Head of SEN; **Michael Freeman**, Clerk

1. Apologies/Changes to Membership

Apologies were received from Sally Timmins, Steven Hulme, Ken Kies, Adam Morris, Steve Margetts and Nancy Meehan.

Rachael informed the meeting that nominations have been sought for a Primary Governor to replace Maurice Codd. Our outstanding Post 16 representative is being appointed by South Devon College; it is expected they will be in post ready for Novembers meeting.

2. Minutes of the last meeting

Members agreed that the minutes of the last meeting held 17th June were a true and accurate reflection of the meeting.

Rachael explained that it was not possible to meet in September, however a workshop has now been set up on the 15th November to discuss ongoing developments. The legal information on recharging will be posted with the minutes, whilst the Element 3 banding due to be on today's agenda will now be looked at in Novembers meeting.

3. Financial Report

Rachael presented to members the latest Financial Report. There remains a significant overspend on DSG funded activities, currently forecasted at £2.992m.

Cumulative overspend now stands at £5.826m, with a forecast outturn position of £8.818m by the end of 2021/22.

The two areas of significant volatility remain the Higher Needs and the Early Years blocks, with the biggest change being the number of EHCP in-year adjustments which has led to an overspend of £516k. It was explained that as the Early Years census is currently taking place, and update on this block will be reported to members at Novembers meeting.

It was asked if there was any update on the planned SEN review. Rachael explained that there has been no comment on this from the DfE, it is not anticipated that the review will be launched in the near future.

Members noted the findings of the financial report and agreed to continue to work with the LA and the Higher Needs Recovery Group to reduce budget spend.

4. Feedback on ESFA meeting

Local Authority officers have recently met with colleagues from the ESFA, to discuss Torbay's current deficit position. Discussion was based around two main issues, namely how can the local area get to a balanced budget position, and what can be done to reduce the current deficit.

The ESFA gave the examples of both Plymouth and Lincolnshire councils, who have both successfully managed to reduce their spend. Rachael will contact colleagues from these authorities for their suggestions. Nancy has also recently visited Croydon Council, who have managed to reduce their budget. Rachael will ask Nancy to provide feedback from this visit at the next School Forum.

The number of requests for EHCPs in Torbay continues to rise. The ESFA have asked why this is, and queried whether schools are being inclusive enough. Members acknowledged that we are seeing a large number of requests for special school places, and agreed that this does need to be looked at. Members also felt that we need to look at how schools are using money delegated for SEN support.

It was noted that both the examples given by the ESFA, Plymouth and Lincolnshire councils, are run as Community Interest Companies, and have the backing of school groups. Members asked whether or not this could be an option for Torbay. It was felt that further conversations with school colleagues around inclusivity was needed before exploring this. Torbay currently refuses 26% of all RSAs (Requests for Statutory Assessments), which could be seen by the DfE as further evidence of schools not being inclusive. It was noted however, that requests come in from all sectors, not just schools, and that parental requests are being refused for similar reasons.

Members thanked officers for their feedback, and requested that detailed updates on EHCP rates, rather than just the total figures, could be presented at future meetings.

Action – officers to produce more detailed analysis of EHCP figures ready for the next meeting.

5. Feedback on Overview and Scrutiny Presentation

Rachael gave feedback to members from the Overview & Scrutiny meeting held on the 13th October, which was attended on behalf of Schools Forum by Rachael Williams and Martin Phillips. The presentation that was presented to councillors at the meeting was shared with the forum, outlining the steps taken to reduce the deficit position, and the reasons for the current position.

Rachael felt that the presentation was well received and helped to make councillors aware of the current issues. Further clarity on the future of the Statutory Override process is being sought, as members expressed concerns that the planned removal of this in 2023 would impact on schools budgets.

It was noted that the minutes and papers of the Overview & Scrutiny meeting are available on the Torbay Council website.

6. Future Budget Indications

Members were shown a comparison of the 21/22 and 22/23 DSG funding allocations. There is an increase of 2.62% on the Schools block and an increase of 9.59% on the Higher Needs block. Minimum per pupil funding has increased to £4,265 for Primary pupils and £5,525 for Secondary pupils. Early years allocations for 22/23 have not been released yet.

If Schools Forum proceeds with the virement of 0.5% from the Schools Block to the Higher Needs block, this figure would be £459k. Rob Parr informed members that any disapplication for movements above 0.5% would need to be submitted to the Secretary of State before the 19th November 2021. Members asked whether we were in a position to agree to the virement today, however it was agreed that colleagues outside of Forum should be given the opportunity to discuss first.

As the next Schools Forum takes place after the deadline for disapplication, members agreed to hold an extraordinary meeting on the 15th November to discuss this in further detail.

Action – Clerk to set up extraordinary meeting and invite members.

7. Covid Impact Report

Members were shown a report detailing the impact that the COVID pandemic has had on children and young people, and how the Covid Outbreak Management Funding allocated to schools has been used to support them.

A total of 10 Primary and 5 Secondary impact reports were returned to the LA, demonstrating a wide range of interventions that schools have been able to put in place. Whilst many children have struggled with returning to school after lockdown, it was positive to note that attendance had largely increased, and that many schools were now able to implement some 1:1 work with those children struggling the most.

Members were pleased to be able to evidence the positive impact the funding has had on children's wellbeing and engagement with learning, and thanked Rachael for this information.

8. Items for next meeting

- De-Delegation
- Deficit recovery plan update
- EHC figures
- Information from other Local Authorities

9. Future meeting dates

- Thursday 25th November, 09:00
- Thursday 20th January, 09:00
- Thursday 10th March, 09:00
- Thursday 5th May, 09:00
- Thursday 16th June, 09:00

Financial Report School Forum 25th November 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 2021/2022
- Contextual information regarding Early Years Block
- Contextual information regarding Higher Needs Block
- Position and Recommendations

Forecast Outturn Position 2021/22

Dedicated Schools Grant (DSG) funded activities are currently forecast to **overspend by £3.202m**. This is an additional pressure of £210k since the previous 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 21/22 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	£5.784m	£3.377m	£5.784m	£0
Early Years – ALFEY	£270k	£193k	£285k	£15k
Early Years – Pupil Premium & Disability Access Fund	£133k	£36k	£100k	(£33k)
Early Years – 5% retained element	£345k	£188k	£340k	(£5k)
Joint Funded Placements	£550k	£341k	£520k	(£30k)
Recovery of funding from schools for Excluded Pupils, Medical Tuition Service and Elective Home Education	(£250k)	(£68k)	(£175k)	£75k
Independent Special School Fees	£3.100m	£1.463m	£3.300m	£200k
Other packages for EHCP pupils and SEND personal budgets	£1.407m	£726k	£1.532m	£125k
Payments to / recoupment from other authorities for Special School places	(£260k)	(£145k)	(£230k)	£30k
Medical Tuition Service / Virtual School / Hospital Tuition / Vulnerable Students Team	£1.500m	£750k	£1.400m	(£100k)
School contingencies (Rates, planned pupil growth, NQT induction etc)	£308k	£256k	£276k	(£32k)
EHCP in-year adjustments (see separate paper for details)	£340k	£751k	£895k	£555k
Special Schools / High Needs in-year adjustments (see separate paper for details)	£600k	£436k	£550k	(£50k)
School Intervention / Commissioning (includes School Improvement Grant)	£145k	£57k	£105k	(£40k)
Business Support	£195k	£112k	£182k	(£13k)
Other – including Admissions, EAL / Travellers, Advisory Teachers, SEN contracts				(£95k)
Deficit DSG budget set for 21/22	(£2.6m)			£2.6m
Total – Forecast Outturn Position 21/22				£3.202m

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

Early Years Block

The Early Years autumn headcount is being processed. However the service have provided a detailed report on the anticipated numbers and impact, attached as an appendix.

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. Although the normal pressures on additional requests for support remains, the two areas with significant increase from October 2021 are listed below:-

Independent Special School Fees (rise of £128K from previous report)

The increase equates to three students where a new school placement has needed to be commissioned in the last month. One young person requiring post 16 provision has been placed at Preston Bridge (agreed by the post 16 panel), One year 7 student had no year 6 transfer offer, as no local school could be identified. This young person is now accessing Preston Bridge School. The third young person is being educated at Phoenix Bay.

Other packages including SEND (rise of £34k since previous report)

The additionality in this budget line is in relation to staff vacancies and absence within schools. Whilst schools are struggling to recruit and children have had alternative packages of support, these have been extended until a staff member is available to support the child and young person.

The following table demonstrates the final position on the EHCP allocation of funding above £6k.

Education, Health & Care Plan Funding for 20/21 & 21/22			
	20/21	21/22	Increase / (Decrease)
Number of pupils with EHCP	470	463	(7.00)
Number of FTE's with EHCP	429	407	(22.00)
	£	£	£
Funding below £6k allocated through school formula elements	2,554,879	2,426,210	(128,669)
Funding above £6k allocated as a top-up per eligible pupil	2,122,040	2,206,696	84,656
EHCP Contingency	350,000	340,000	(10,000)
In-Year adjustments			
April	16,946	214,516	197,570
May	(104)	92,973	93,077
June	(11,737)	76,491	88,228
July	4,062	52,297	48,235
August	42,398	32,649	(9,749)
September	115,109	281,701	166,592
October	72,833	72,833	0
November	50,539	50,539	0
December	16,915	16,915	0
January	(11,583)	(11,583)	0
February	15,276	15,276	0
March	0	0	0
Total - In-Year adjustments	310,654	894,607	
Projected (underspend) / overspend	(39,346)	554,607	
Notes			
Based on April 21 - Sept 21 in-year adjustments, and the same allocation for the remainder of the financial year as 20/21, it is anticipated the EHCP contingency will overspend by			554,607

Reporting table on EHCP Allocation above £6k

The other area of growth can be noted in the comparator report below:

Special School and other High Needs funding adjustments for 21/22										
	Combe Pafford	Combe Pafford	Mayfield School	Mayfield Chestnut	Mayfield Total	Brunel SEMH	Burton AP	B & B Total	Totals	Totals £
Number of places - January 21	262		231	32	263	56	55	111.00	636.00	
Number of pupils - January 21	255		225	32	257	50	50	100.00	612.00	
Number of places - September 21	262		231	32	263	56	55	111.00	636.00	
Initial Place led funding		2,620,000			2,630,000	560,000	550,000	1,110,000		6,360,000
Initial Pupil led funding		1,256,417			2,621,345	790,050	577,250	1,367,300		5,245,062
Initial pupil specific additional funding		40,134			71,198	60,270		60,270		171,602
Previously Teachers Pay & Pension Grants		172,920			173,580	36,960	36,300	73,260		419,760
Other funding - Outreach / 6th day provision / rent					289,174			0		289,174
Pupil Premium		140,515			168,830	32,470	35,335	67,805		377,150
Total initial funding		4,229,986			5,954,127	1,479,750	1,198,885	2,678,635		12,862,748
In-Year adjustments	Pupils	Funding £	Mayfield Pupils	Chestnut Pupils	Funding £	SEMH Pupils	AP Pupils	Funding £	Pupils	Funding £
April	257	91,257	228	32	24,375	51	51	27,346	619	142,978
May	257	(3,618)	229	34	50,238	54	53	64,619	627	111,239
June	253	(14,830)	228	32	(29,004)	54	56	37,196	623	(6,638)
July	252	(5,303)	228	31	(10,005)	54	35	(181,834)	600	(197,142)
August	252	0	228	31	0	54	35	0	600	0
September	269	65,829	233	32	34,927	51	32	(47,856)	617	52,900
October	268	(12,586)	232	31	(10,733)	50	34	3,645	615	(19,674)
November	267	(1,422)	231	33	7,731	48	36	(3,547)	615	2,762
December									0	0
January									0	0
February									0	0
March									0	0
Total In -year pupil / place led adjustments		119,327			67,529			(100,431)		86,425
Enhanced Provision (in-year changes in pupil top-ups)										27,164
Enhanced Provision (in-year increases in place numbers)										39,167
Excluded Pupils / 6th Day Provision (Sept - Dec) - Mayfield										38,000
Excluded Pupils / 6th Day Provision (Jan - Mar)										28,500
Occombe House - additional rent - Mayfield										12,336
In-year pupil specific additional funding		36,914			141,390			26,549		204,853
Total - In-Year adjustments		156,241			208,919			(73,882)		436,445
Special School / High Needs contingency budget										600,000
Current balance (under) / over										(163,555)

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 £5.826m

The projected cumulative outturn position at the end of 2021/2022 would be £9.028

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.
2. Request Officers and the Cabinet Member for Children to make representation on the additional demands within the Higher Needs Block on behalf of the School Forum.

Rachael Williams

Divisional Director Education, Learning and Skills

Early Years Census & Returns – School Forum 25th November 2021

All local authorities are eligible for top-up funding for any of the government’s 2, 3 and 4-year old early years entitlements if the take up of any of those entitlements, at the time of the January 2021 census, are lower than 85% of their January 2020 census in childcare attendance hours, and this take-up has then increased over the course of the term. The ESFA provided Local Areas with the figures equivalent to 85% of January 2020. Below is the Torbay information:

LA		3-4 year old Universal hours		3-4 year old Extended hours		2 year old entitlement	
LA number	LA name	Jan 2020 PTEs	85% of Jan 2020 PTEs	Jan 2020 PTEs	85% of Jan 2020 PTEs	Jan 2020 PTEs	85% of Jan 2020 PTEs
880	Torbay	1,677	1,425	618	525	361	307

This is the data comparison:

	3-4 year old Universal hours	3-4 year old Extended hours	2 year old entitlement
January 2020 (85%)	1,425	525	307
January 2021	1597.3	621.64	293.22
Difference	↑ 172.3	↑ 96.64	↓ 13.78

Torbay Council is therefore not going to be eligible for any top up funding for the 3 and 4 year old entitlements but is likely to be eligible for some additional 2 year funding on the basis of the summer or autumn term counts. The summer term count was submitted in July 2021 and the autumn term count will be submitted once approval from the S151 Officer is received.

More information regarding the termly data is below:

	2 year old entitlement
January 2020 (85%)	307
January 2021	293.22
Difference	↓ 13.78
Summer 2021	330
Difference	↑ 36.78
Autumn 2021	369
Difference	↑ 39

The LA should receive top up funding to 85% of the January 2020 census, with 307 PTE being the maximum funding payable. The budget will therefore be based on the following figures:

Budget				
		2YO	3YO U	3YO ex
2020	9/12	270.50	1257.38	463.28
2021	3/12	76.75*	399.325	155.41
		347.25	1656.70	618.69

* based on 3/12 of 307 PTE, accounting for the expected top up

These are the financial implications:

	Current PTE	New PTE	Adjustment PTE	Adjustment £	Per child rate
2YO	360.66	347.25	-13.42	-£40,373.78	£3,009.60
3YO U	1676.5	1656.70	-19.80	-£49,432.68	£2,496.60
3YO ex	617.71	618.69	0.98	£2,452.91	£2,496.60
				-£87,353.55	

The estimated adjustment is therefore £87k. The top up for 2 year olds (if received) had an impact of reducing the clawback by £10k (without this top up the clawback would have been £97k).

These are estimations only.

**De-Delegation and Centrally Retained Decisions for 2022/23
Schools Forum 25th November 2021**

1. Why is this coming here – what decision is required?

Under the Government's current funding rules there is an assumption of delegation for a number of budget areas which are currently held centrally for maintained schools and are delegated for academies. Each year maintained schools' representative on the Schools Forum vote, by phase and on behalf of the schools they represent, to de-delegate these areas i.e. allow the LA to hold the budgets rather than delegate to schools; where it is proposed by the local authority. The outcome of the vote is binding for all maintained schools of that phase.

For 2022/23, Torbay Council Children's Services is proposing the option of de-delegation for all of the areas shown in the table below. It is for Torbay's Schools Forum to vote on each on behalf of schools. The vote is being carried out at this time to enable schools and services time plan for their budgets and responsibilities for 2022/23.

Under the national funding arrangements the government wants schools to have the opportunity to have as much funding and responsibility delegated to them as possible. The vote determines whether or not a range of costs currently met centrally will transfer to maintained schools for them to manage themselves.

Academies are not part of these arrangements since these responsibilities and the funding for them are automatically delegated to academies through the ESFA.

Actual figures for 2022/23 will change from those presented, as they will be based on the October 21 census, this data will be available towards the end of December. See individual sheet for detail and voting boxes.

2. Centrally Retained budgets

These budget areas can be retained with the agreement of the Schools Forum. For Torbay this is Planned Pupil Growth, School Admissions Service, Servicing the Schools Forum and the centrally retained element of the Early Years Block (5%). The School Forum is required to approve the amounts against each budget area. See individual sheet for detail and voting boxes.

All Members of the Schools Forum have an EQUAL vote on these items.

3. Recommendations

That the Schools Forum considers the proposals and for:-

Maintained schools members vote on the de-delegation items on behalf of the phase of schools they represent.

All schools and academies vote on centrally retained items.

Rachael Williams

Divisional Director Education, Learning and Skills

SCHOOLS FORUM 25/11/21

DE-DELEGATION FOR 22/23 - DECISION FOR SCHOOL FORUM (MAINTAINED PRIMARY & SECONDARY SCHOOL MEMBERS ONLY)

THESE FIGURES WILL BE UPDATED ONCE OCT 21 PUPIL NUMBERS ARE KNOWN

DfE No.	School Name	Pupil Numbers NOR Oct-20	Eligible FSM Nos.	EAL Pupils	FSM Eligibility £	Insurance £	EAL £	Travellers Education £	Rates £	Total De-delegation £
2407	Furzeham Primary	267	63.00	3.39	(495)	(3,997)	(714)	(331)	0	(5,536)
2439	White Rock Primary	596	117.00	7.05	(918)	(8,922)	(1,484)	(739)	0	(12,064)
2455	Homelands Primary	206	54.00	5.79	(424)	(3,084)	(1,219)	(255)	0	(4,982)
2460	Watcombe Primary	206	83.00	2.34	(652)	(3,084)	(493)	(255)	0	(4,484)
2469	Sherwell Valley Primary	642	97.00	6.97	(761)	(9,611)	(1,468)	(796)	0	(12,636)
	TOTAL PRIMARY SCHOOLS	1,917	414.00	25.54	(3,250)	(28,697)	(5,378)	(2,377)	0	(39,702)
4117	The Spires College	1,008	248.00	15.03	(1,947)	(15,090)	(3,165)	(1,250)	0	(21,451)
4601	St Cuthbert Mayne School	797	240.00	9.01	(1,884)	(11,931)	(1,897)	(988)	0	(16,701)
	TOTAL SECONDARY SCHOOLS	1,805	488.00	24.04	(3,831)	(27,021)	(5,062)	(2,238)	0	(38,152)
	TOTAL PRIMARY AND SECONDARY	3,722	902.00	49.58	(7,081)	(55,718)	(10,440)	(4,615)	0	(77,854)
PRIMARY - Is funding going to be de-delegated (Y/N)										
SECONDARY - Is funding going to be de-delegated (Y/N)										

Note: From 22/23 rates will be paid directly from ESFA to LA's on behalf of all schools, therefore there will no longer be a requirement to adjust for in-year rates revaluations.

	Unit Value per pupil £	Unit Value per FSM pupil £	Unit Value per EAL pupil £
Rates (Contingency)	5.51		
Travellers Education - EAL	1.24		
Free School Meals eligibility		7.85	
Insurance	14.97		
Support to ethnic minority groups - EAL			210.56

SCHOOLS FORUM 25/11/21 - DECISIONS FOR CENTRALLY RETAINED SERVICES 2022/23 - ALL SCHOOLS

Number	Service Type	2021/22	Proposed 2022/23	Vote Y/N	Note
1	Planned Pupil Growth	£282,803	£511,000		1
2	Schools Admissions Services	£126,225	£127,487		2
3	Servicing the Schools Forum	£35,000	£35,350		2
4	Central Early Years Block provision (5% retained)	£345,400	£345,400		3
5	Funding moved from Schools Block to High Needs	£427,736	£457,317	N	4

All Members of Schools Forum have an equal vote

Notes:

- 1 The Planned Pupil Growth is based on the forecast Oct 21 pupil numbers provided by Admissions Team, this allocation will change when actual Oct 21 numbers are known. PPG is required for St Cuthbert Mayne (30 pupils) £76k & St Michael's Primary from Sept 2022 £100k. The remaining £335k could be used as a funding source for SEMH preventative services to be utilised throughout 22/23.
- 2 The 21/22 figures have been taken from the Section 251 budget return to DfE. 1% has been added for 22/23 potential pay award / increments.
- 3 Subject to a small variation when final 22/23 Early Years allocations are known.
- 4 This is 0.5% of the provisional 22/23 Schools Block of £91.463m.

Split of deficit DSG budgets for 21/22 to 25/26 for DSG recovery plan

Mitigated

This assumes a 0.5% virement from Schools Block to High Needs for all years.

All figures based on pupil number projections within recovery plan. and assumed % increase in funding from ESFA.

% increases in HNB allocations has been assumed at 9.59% for 22/23 and 5% for each of the following years.

	21/22	22/23	23/34	24/25	25/26
	£	£	£	£	£
Block Split of DSG budget					
SB Primary & Secondary School allocations	88,593,000	90,914,137	92,732,419	94,587,068	96,478,809
SB Planned Pupil Growth	278,900	286,207	291,931	297,770	303,725
SB School insurance (de-delegation)	55,700	57,159	58,303	59,469	60,658
SB Rates Revaluations	20,500	21,037	21,458	21,887	22,325
SB English as an additional language / Travellers Education	15,100	15,496	15,806	16,122	16,444
HNB Special School allocations	12,485,600	12,891,483	13,364,581	13,704,192	14,066,446
HNB EHCP - element 3 top-up allocations for schools	2,206,700	2,326,730	2,442,143	2,566,789	2,691,435
HNB Mitigation - EHCP banding review - element 3 top-ups	0	0	(220,670)	(220,670)	(220,670)
HNB Independent Special School Fees	2,200,000	2,426,754	2,561,842	2,677,632	2,725,877
HNB Mitigation - improved commissioning arrangements	0	(100,000)	(100,000)	(100,000)	(100,000)
HNB South Devon College place funding	1,400,000	1,544,298	1,630,263	1,703,947	1,734,649
HNB EHCP - bespoke education packages	1,348,500	1,421,849	1,492,378	1,568,548	1,644,719
HNB Medical Tuition Service	1,011,700	1,038,207	1,058,971	1,080,150	1,101,753
HNB South Devon College allocations - element 3	900,000	992,763	1,048,026	1,095,395	1,115,132
HNB Enhanced Provision - Primary & Secondary Schools	795,600	868,879	889,816	889,816	889,816
HNB Special school & high needs in-year adjustments for schools	600,000	600,000	600,000	600,000	600,000
HNB Joint funded placements (education element of social care residential placements)	550,000	550,000	550,000	550,000	550,000
HNB EHCP in-year adjustments for schools	340,000	540,000	540,000	540,000	540,000
HNB Early years - SEN payments (funded from HNB)	100,000	100,000	100,000	100,000	100,000
HNB Virtual School Team	252,200	257,244	262,389	267,637	272,989
HNB Business Support Team	194,500	198,390	202,358	206,405	210,533
HNB Vulnerable Pupils Team	127,700	130,254	132,859	135,516	138,227
HNB Hearing Impaired Service / Advisory Teachers	157,300	160,446	163,655	166,928	170,267
HNB School Intervention / Commissioning	95,000	95,000	95,000	95,000	95,000
HNB Outreach VI Service Contract	65,000	0	0	0	0
HNB Hospital Tuition	44,600	44,600	44,600	44,600	44,600
HNB Childcare Southwest & BET - rent for land & buildings	(28,000)	(28,000)	(28,000)	(28,000)	(28,000)
HNB Recoupment to / from other local authorities - element 3 (Special)	(200,000)	(200,000)	(200,000)	(200,000)	(200,000)
HNB Recoupment to / from other local authorities - element 3 (Mainstream)	20,000	20,000	20,000	20,000	20,000
HNB Income from schools - Excluded Pupils, Medical Tuition Service & Elective Home Education	(250,000)	(175,000)	(175,000)	(175,000)	(175,000)
EYB Early years - PVI 2, 3 & 4 year old payments	4,068,500	4,149,870	4,232,867	4,317,525	4,403,875
EYB Early years - School nursery allocations	2,204,200	2,248,284	2,293,250	2,339,115	2,385,897
EYB Early Years Advisory Service	345,400	352,308	359,354	366,541	373,872
EYB Early years - SEN payments	170,000	173,400	176,868	180,405	184,013
EYB Early years - DAF & Pupil Premium	133,400	136,068	138,789	141,565	144,396
EYB Early years - Deprivation payments	120,000	122,400	124,848	127,345	129,892
CSB Vulnerable Pupils Team	66,200	67,524	68,874	70,252	71,657
CSB PFI unitary charge (The Spires College & Homelands Primary)	456,600	456,600	456,600	456,600	456,600
CSB Support services recharge / school insurance	218,000	222,360	226,807	231,343	235,970
CSB Admissions & Student Services Team	148,500	151,470	154,499	157,589	160,741
CSB Senior Management & Support	139,100	141,882	144,720	147,614	150,566
CSB Schools Capital & Planning Team	103,500	103,500	103,500	103,500	103,500
CSB Licences for Schools	100,600	100,600	100,600	100,600	100,600
CSB SACRE	8,200	8,200	8,200	8,200	8,200
CSB Apprentice Levy	5,000	5,000	5,000	5,000	5,000
CSB ATP Sink Fund (TGGS)	7,200	7,200	7,200	7,200	7,200
CSB NQT induction	24,000	24,000	24,000	24,000	24,000
Total budget required to meet anticipated costs	121,698,000	125,468,600	128,221,104	131,055,594	133,815,714
Split of budget					
Schools Block	89,401,500	91,743,819	93,578,696	95,450,270	97,359,275
Central Schools Block	1,168,500	1,133,445	1,099,442	1,066,458	1,034,465
Early Years Block	7,041,500	7,182,330	7,325,977	7,472,496	7,621,946
High Needs Block	21,486,500	23,547,055	24,724,408	25,960,629	27,258,660
Total Budget	119,098,000	123,606,650	126,728,522	129,949,853	133,274,346
Split of anticipated spend					
Schools Block	88,963,200	91,294,036	93,119,917	94,982,315	96,881,961
Central Schools Block	1,276,900	1,288,336	1,300,001	1,311,899	1,324,035
Early Years Block	7,041,500	7,182,330	7,325,977	7,472,496	7,621,946
High Needs Block	24,416,400	25,703,898	26,475,210	27,288,885	27,987,773
Total anticipated spend	121,698,000	125,468,600	128,221,104	131,055,594	133,815,714
Deficit DSG	2,600,000	1,861,950	1,492,582	1,105,742	541,369
Cumulative DSG deficit brought forward from previous years	5,825,259	8,425,259	10,287,209	11,779,791	12,885,533
Cumulative deficit for DSG	8,425,259	10,287,209	11,779,791	12,885,533	13,426,902

Split of deficit DSG budgets for 21/22 to 25/26 for DSG recovery plan

Mitigated without virement in 22/23

This assumes no 0.5% virement in 22/23, but 0.5% for the following years from Schools Block to High Needs.

All figures based on pupil number projections within recovery plan and assumed % increase in funding from ESFA.

% increases in HNB allocations has been assumed at 9.59% for 22/23 and 5% for each of the following years.

	21/22	22/23	23/34	24/25	25/26
	£	£	£	£	£
Block Split of DSG budget					
SB Primary & Secondary School allocations	88,593,000	91,363,920	92,741,415	94,596,243	96,488,168
SB Planned Pupil Growth	278,900	286,207	291,931	297,770	303,725
SB School insurance (de-delegation)	55,700	57,159	58,303	59,469	60,658
SB Rates Revaluations	20,500	21,037	21,458	21,887	22,325
SB English as an additional language / Travellers Education	15,100	15,496	15,806	16,122	16,444
HNB Special School allocations	12,485,600	12,891,483	13,364,581	13,704,192	14,066,446
HNB EHCP - element 3 top-up allocations for schools	2,206,700	2,326,730	2,442,143	2,566,789	2,691,435
HNB Mitigation - EHCP banding review - element 3 top-ups	0	0	(220,670)	(220,670)	(220,670)
HNB Independent Special School Fees	2,200,000	2,426,754	2,561,842	2,677,632	2,725,877
HNB Mitigation - improved commissioning arrangements	0	(100,000)	(100,000)	(100,000)	(100,000)
HNB South Devon College place funding	1,400,000	1,544,298	1,630,263	1,703,947	1,734,649
HNB EHCP - bespoke education packages	1,348,500	1,421,849	1,492,378	1,568,548	1,644,719
HNB Medical Tuition Service	1,011,700	1,038,207	1,058,971	1,080,150	1,101,753
HNB South Devon College allocations - element 3	900,000	992,763	1,048,026	1,095,395	1,115,132
HNB Enhanced Provision - Primary & Secondary Schools	795,600	868,879	889,816	889,816	889,816
HNB Special school & high needs in-year adjustments for schools	600,000	600,000	600,000	600,000	600,000
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HNB School Intervention / Commissioning	95,000	95,000	95,000	95,000	95,000
HNB Outreach VI Service Contract	65,000	0	0	0	0
HNB Hospital Tuition	44,600	44,600	44,600	44,600	44,600
HNB Childcare Southwest & BET - rent for land & buildings	(28,000)	(28,000)	(28,000)	(28,000)	(28,000)
HNB Recoupment to / from other local authorities - element 3 (Special)	(200,000)	(200,000)	(200,000)	(200,000)	(200,000)
HNB Recoupment to / from other local authorities - element 3 (Mainstream)	20,000	20,000	20,000	20,000	20,000
HNB Income from schools - Excluded Pupils, Medical Tuition Service & Elective Home Education	(250,000)	(175,000)	(175,000)	(175,000)	(175,000)
EYB Early years - PVI 2, 3 & 4 year old payments	4,068,500	4,149,870	4,232,867	4,317,525	4,403,875
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CSB Apprentice Levy	5,000	5,000	5,000	5,000	5,000
CSB ATP Sink Fund (TGGS)	7,200	7,200	7,200	7,200	7,200
CSB NQT induction	24,000	24,000	24,000	24,000	24,000
Total budget required to meet anticipated costs	121,698,000	125,918,383	128,230,100	131,064,770	133,825,074
Split of budget					
Schools Block	89,401,500	91,743,819	93,578,696	95,450,270	97,359,275
Central Schools Block	1,168,500	1,133,445	1,099,442	1,066,458	1,034,465
Early Years Block	7,041,500	7,182,330	7,325,977	7,472,496	7,621,946
High Needs Block	21,486,500	23,547,055	24,724,408	25,960,629	27,258,660
Total Budget	119,098,000	123,606,650	126,728,522	129,949,853	133,274,346
Split of anticipated spend					
Schools Block	88,963,200	91,743,819	93,128,912	94,991,490	96,891,320
Central Schools Block	1,276,900	1,288,336	1,300,001	1,311,899	1,324,035
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Total anticipated spend	121,698,000	125,918,383	128,230,100	131,064,770	133,825,074
Deficit DSG	2,600,000	2,311,733	1,501,578	1,114,917	550,728
Cumulative DSG deficit brought forward from previous years	5,825,259	8,425,259	10,736,992	12,238,570	13,353,487
Cumulative deficit for DSG	8,425,259	10,736,992	12,238,570	13,353,487	13,904,215

Split of deficit DSG budgets for 21/22 to 25/26 for DSG recovery plan

Unmitigated

This assumes no 0.5% virement from Schools Block to High Needs from 22/23 onwards and no other savings.

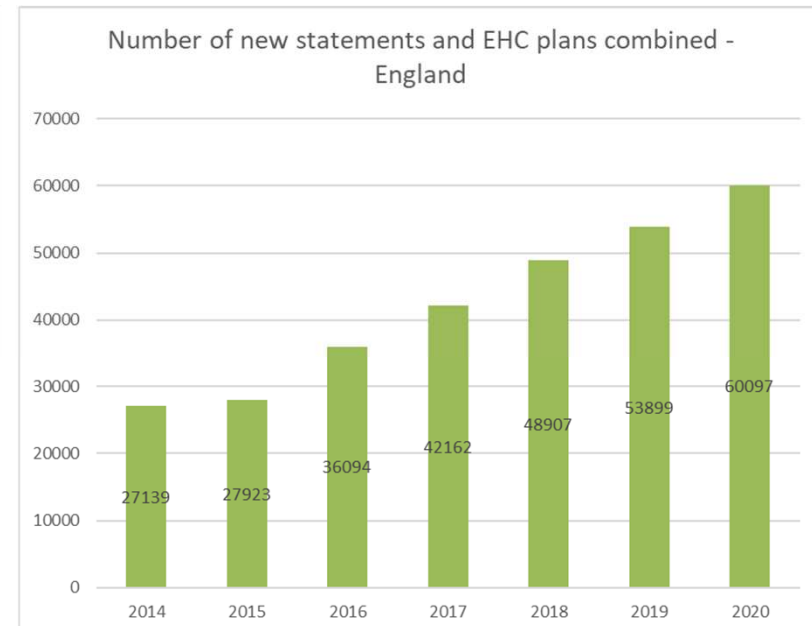
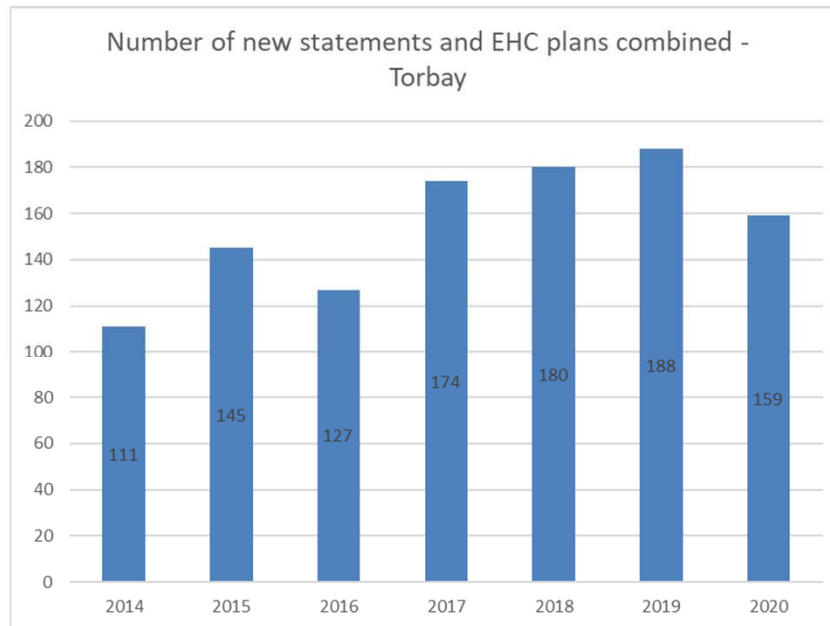
All figures based on pupil number projections within recovery plan and assumed % increase in funding from ESFA.

% increases in HNB allocations has been assumed at 9.59% for 22/23 and 5% for each of the following years.

	21/22	22/23	23/34	24/25	25/26
	£	£	£	£	£
Block Split of DSG budget					
SB Primary & Secondary School allocations	88,593,000	91,363,920	93,191,198	95,055,022	96,956,122
SB Planned Pupil Growth	278,900	286,207	291,931	297,770	303,725
SB School insurance (de-delegation)	55,700	57,159	58,303	59,469	60,658
SB Rates Revaluations	20,500	21,037	21,458	21,887	22,325
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HNB School Intervention / Commissioning	95,000	95,000	95,000	95,000	95,000
HNB Outreach VI Service Contract	65,000	0	0	0	0
HNB Hospital Tuition	44,600	44,600	44,600	44,600	44,600
HNB Childcare Southwest & BET - rent for land & buildings	(28,000)	(28,000)	(28,000)	(28,000)	(28,000)
HNB Recoupment to / from other local authorities - element 3 (Special)	(200,000)	(200,000)	(200,000)	(200,000)	(200,000)
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CSB Schools Capital & Planning Team	103,500	103,500	103,500	103,500	103,500
CSB Licences for Schools	100,600	100,600	100,600	100,600	100,600
CSB SACRE	8,200	8,200	8,200	8,200	8,200
CSB Apprentice Levy	5,000	5,000	5,000	5,000	5,000
CSB ATP Sink Fund (TGGS)	7,200	7,200	7,200	7,200	7,200
CSB NQT induction	24,000	24,000	24,000	24,000	24,000
Total budget required to meet anticipated costs	121,698,000	126,018,383	129,000,553	131,844,219	134,613,698
Split of budget					
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Central Schools Block	1,168,500	1,133,445	1,099,442	1,066,458	1,034,465
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Total Budget	119,098,000	123,606,650	126,728,522	129,949,853	133,274,346
Split of anticipated spend					
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Central Schools Block	1,276,900	1,288,336	1,300,001	1,311,899	1,324,035
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High Needs Block	24,416,400	25,803,898	26,795,880	27,609,555	28,308,443
Total anticipated spend	121,698,000	126,018,383	129,000,553	131,844,219	134,613,698
Deficit DSG	2,600,000	2,411,733	2,272,031	1,894,366	1,339,352
Cumulative DSG deficit brought forward from previous years	5,825,259	8,425,259	10,836,992	13,109,023	15,003,389
Cumulative deficit for DSG	8,425,259	10,836,992	13,109,023	15,003,389	16,342,741

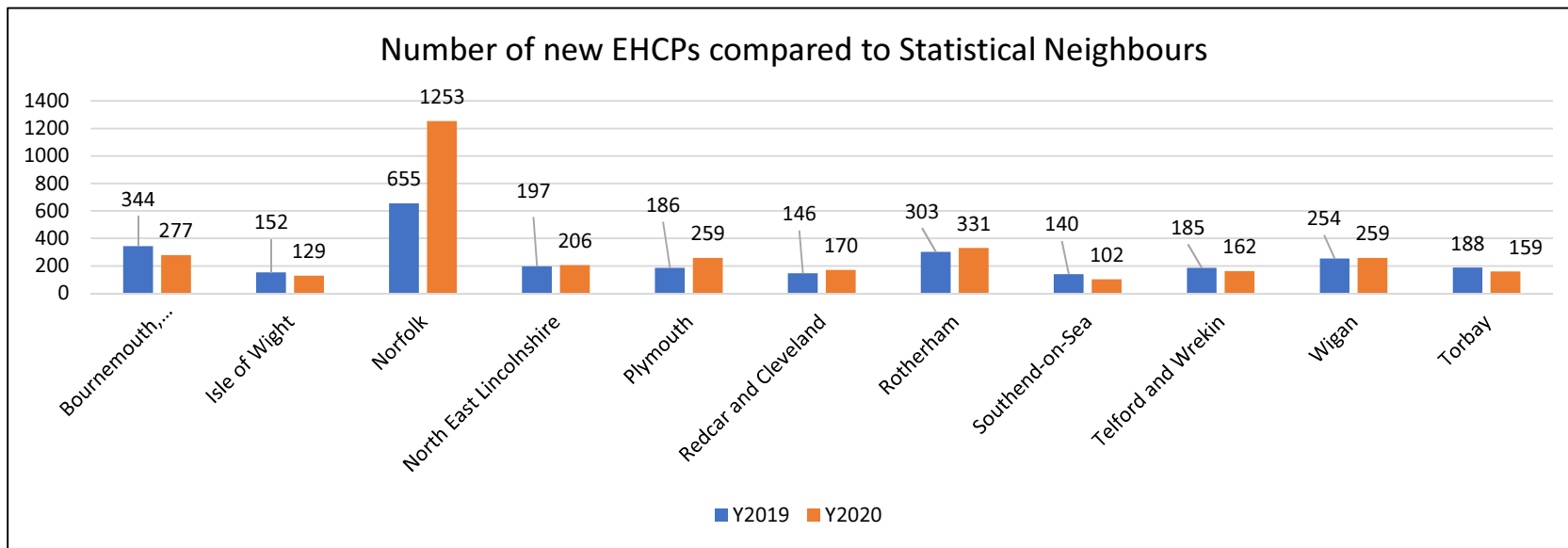
Request for Statutory Assessment Data

November 2021



The number of new plans issued within a calendar year has increased from 111 in 2014 to 159 in 2020 (+43%). This compares to an increase of 121% in England over the same period..

2020 was the first year to see a decrease in new plans since 2016. Based on 2019 figures the above comparison would be Torbay 69%, England 99%.



4 out of 10 of Torbay's Statistical Neighbours group had a decrease in the number of new EHC plans issued. Overall the group average (not including Torbay) showed an increase in new plans of 23%, however this is significantly skewed by Norfolk who reported a 91% increase. If Norfolk are removed from the calculation then the group showed a decrease of -1%.

% of Pupils with Statement of (SEN) or (EHC) Plans

Local Authority, Region and England	2014	2015	2016	2017	2018	2019	2020	2021	Change
Torbay	4.00	4.20	4.40	4.50	4.80	5.00	5.30*	5.50	0.20
South West	2.80	2.80	2.70	2.70	2.80	3.00	3.30	3.80	0.50
Statistical Neighbours	3.14	3.06	3.06	3.13	3.37	3.49	3.63	3.92	0.29
England	2.80	2.80	2.80	2.80	2.90	3.10	3.30	3.70	0.40

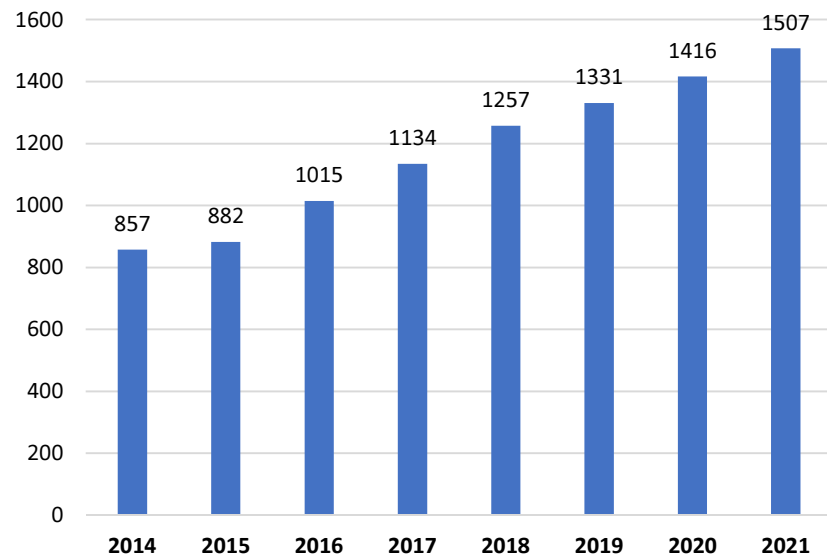
**Note, due to an incorrect submission on Spring 2020 school census the LAIT shows Torbay as 4.4 in 2020. Actual number is 5.3% as denoted above (a 0.3% increase)*

The Torbay % of pupils with a statement or EHCP has risen each year since 2014. Torbay remains a significant outlier compared to national, regional and statistical neighbours groups.

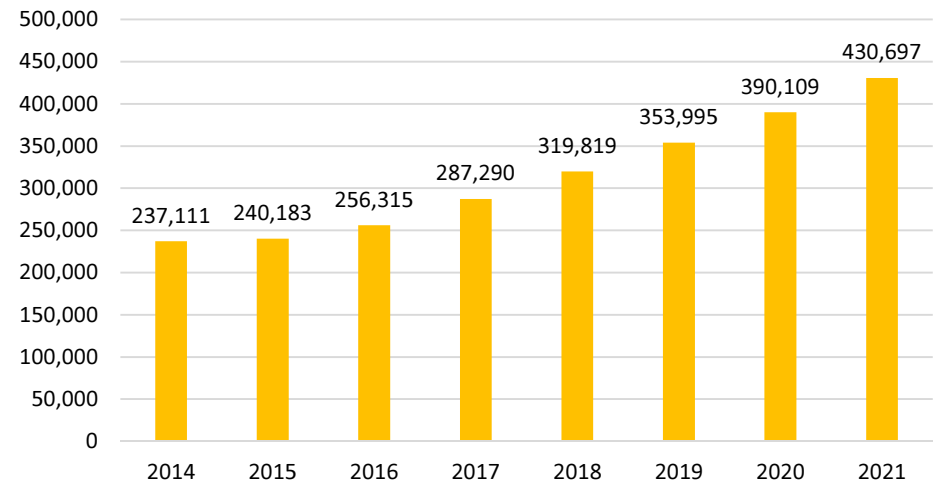
RSA request to date this year

<u>Total number of RSA requests in:</u>			
	2019	2020	2021 *as at 15/11/21
New Requests	317	201	249
Refused to Assess	97	51	69
Assessments stopped	4	0	0
Refused during assessment	0	0	1
No EHCP following assessment	13	11	4
Assessments completed	203	139	127
Assessments progressing	0	0	48
Final EHCP Issues	187	160	182

Torbay - Number Statements and EHCPs combined



England – Number of Statements and EHCPs combined



The total number of Torbay EHCPs has risen from 857 in 2014 to 1507 in 2021, an increase of 76%. This compares to England which has seen an increase of 82% within the same period.

Post 16 Pathway Plan - School Forum 25th November 2021

Introduction

The following report provides an overview of the Post 16 Pathway Plan process and the impact these are having, along with proposed next steps.

Context

Contract management and data requirements for Post 16 High Needs Torbay Pupils has existed for several years and was an initiative which originated from the School Forum and taken on by the High-Cost Post 16 Placements Working Group.

The process provides closer scrutiny of the Torbay students who are in Post 16 placements, the progress they are making, and the outcomes achieved. Commissioned providers are requested to complete a Post 16 Data Collection Form and Pathway Plan documents.

The **Data Collection Form** is used to measure a range of financial, attendance and destination data to assist in monitoring 'value for money'. These are returned termly. The information within the data collection form is used to: -

- Calculate an indicative cost per hour
- Calculate an average attendance % (non-completers are taken out of the term calculation) and completion %
- % of those progressing in education
- % of those achieving employment
- % of those becoming NEET
- % of those transitioning into Community Inclusion Services (adult social care day services)
- % of those transitioning into Independent Living

A **Pathway Plan** is submitted for each individual learner in the autumn term and then again in the summer term. Individual targets are set at the beginning of the academic year and outcomes are then tracked when results are known. As well as accreditation, targets could include examples such as finding part time employment, passing a driving test, completing a first aid course etc.

To ensure a level of consistency across all providers, the Post 16 Team will review the targets set at the beginning of the year before 'signing' off the Pathway Plan. The completed Pathway Plan will then be RAG rated once the actual outcomes have been returned.

RAG Rating

- Red – No targets met.
- Amber – Targets partially met
- Green – All targets met.

Overview of Pathway Plans returned

2018- 2019	166 completed
2019 -2020	262 completed
2020-2021	304 completed

The Post 16 SEND Casework Officers have reviewed, monitored, and evaluated all the Pathway Plans which are received. Where it is an incomplete submission the SEND Casework Officers have contacted the provider and clarified what additional aspects need to be completed and Plans resubmitted. It is necessary for all aspects to be completed to ensure the analysis is impactful. This exercise is undertaken upon receipt of the initial Pathway Plan and at the end of the academic year when the review of the Pathway Plan is undertaken. The Team also monitor progress throughout the year, challenge where necessary, and review cases where there are attendance issues.

The termly attendance returns have identified some attendance/ engagement issues. There have been occasions where the student chooses not to engage in the provision identified, and following discussions with the providers, student and parents/carers some placements have then been ceased.

Detailed analysis of 2020-21 data

Reported information from 17 of the Post 16 providers show that there were 336 students who started in September 2020 of which 297 completed (88%).

Attendance figures showed 88 with 96% or above attendance (30%)

Of the 304 completed Pathway Plans returned for 2020-2021 (90% return rate) 229 reported an outcome:

75 of the 229 (32%) did not include destination data

Continuing education	189 / 229	82%
Employment	18 / 229	8%
NEET	22/ 229	10%

RAG of individual targets:

- Green 89 (26%)
- Amber 171 (51%)
- Red 44 (13%)

77% of students have therefore achieved the majority or all the targets set for them during the beginning of the 2020-2021 academic year. The Post 16 Team has an insight as to why the remaining 13% did not achieve their targets, and they are using this intelligence in discussions with the providers for future developments.

The providers where many of our students are placed have been engaged in this process. We would like to record our thanks to Combe Pafford, Mayfield, ROC, Eat That Frog and South Devon College They have persevered with the tweaks we have made along the way, provided constructive feedback, and seen the value of the information we are gathering. The conclusions which are evident are: -

- The majority of students have achieved good outcomes at a time when the pandemic was creating instability.
- Inclusive practice from providers, and better Preparing for Adulthood (PfA) outcomes are being achieved.
- Majority of our learners are remaining in Torbay to access our local FE Provider, a small number are accessing provision in Devon, Plymouth and Cornwall.
- The focussed discussions from the outset regarding expectations has been beneficial to all parties, including the students themselves and their parents/carers.

Some out of area providers have been resistant to this process and are stating that as this is not a statutory requirement they do not wish to participate. They are however meeting the statutory requirement of undertaking the Annual Review of the EHCP. The Post 16 SEND

Casework Team have spent a large proportion of their time talking to these providers to discuss reasoning behind this process.

The **Post 16 High Needs Learner Panel** has also provided a mechanism to consider requests for high-cost packages. As providers are part of this panel it has enabled careful consideration to some very costly request, and creative alternatives have been pursued, which has allowed more students to remain locally, and have their needs well met.

Placements are all reviewed annually with no automatic assumption that the student will remain for a specific number of years within the provision, such as 3 years /5 days a week. Decisions are made on evidence of outcomes being achieved. The Panel members also advise on targets and expectations.

As a result of this greater scrutiny, it has also helped to identify those students who would benefit from an up-to-date educational psychology assessment. These assessments have provided a robust focus on EHCP Preparing for Adulthood outcomes.

Summary

The Post 16 Pathway Plan process has allowed more scrutiny and focussed discussions around expectations the LA has of the providers, and students themselves. It has provided us with a more strategic overview.

This process currently does not include Mainstream 6th Forms or Alternative Providers, therefore is not a complete picture of the overall Post 16 cohort.

Actions to date

1. Data returns have been analysed and used to inform strategic discussions with providers who have submitted the returns.
2. Discussions regarding gaps in information have been held, as if this process is to be impactful all aspects need to be covered in returns.
3. Providers who have not co-operated in returning Pathway Plans have been approached on several occasions. Some out of area provisions are stating that as this is not a statutory requirement they do not wish to participate.
4. Post 16 HNL Panel has advised on solution focussed alternatives which have allowed more students to have their needs met locally.

Recommended Actions and decisions

1. School Forum members to agree whether Pathway Plans should continue to be expected of providers.
2. LA Officers to work with Post 16 providers and others who are currently not included in this process. Seek their agreement and co-operation to participate from 2022 onwards.
3. School Forum members to decide course to be taken regarding those Out of Area providers who are resistant.
4. Share detailed information, and this report, with the Post 16 Panel.
5. Use the data to explore to ensure focussed discussions occur with providers where targets are not being met.
6. Agree an annual update report is returned to Schools Forum.

Laureen Wardle, Post 16 Lead SEND Casework Officer
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