

## Minutes of the Schools Forum

17 November 2021

### -: Present :-

**Stewart Biddles (Chairman)**, Primary Academy Head; **Lisa Finn (Vice-Chair)** Secondary Academy Rep; **Tim Stephens**, Primary Academy Governor; **Tony Jordan**, Secondary Maintained Rep (replacement for Alex Newton); **Jim Piper**, Primary Academy Deputy Head; **Steve Margetts**, Secondary Academy Head; **Steven Hulme**, PRU and **Sarah Forster**, Secondary Academy Rep, (replacement for Sally Timmins)

### -: Also in attendance :-

**Rachael Williams**, Divisional Director for Education, Learning and Skills; **Rob Parr**, Principal Accountant; **Michael Freeman**, Clerk

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### 1. Apologies/Changes to Membership

Apologies were received from Martin Phillips, Ken Kies, Mike Lock and Clive Star. Sarah Forster attended the meeting as a substitute for Sally Timmins, and Tony Jordan attended on behalf of Alex Newton.

Officer apologies were also noted from Nancy Meehan, Martin Phillips, Dan Hamer and Dorothy Hadleigh.

### 2. Discussion on Virement decision

School Forum has agreed to support the local authority's deficit recovery plan, whilst recognising that any decision on virement would need to be voted on by Members. This extraordinary meeting has been called to offer members the opportunity to discuss the situation and to hold a vote on what actions the forum recommends, before the disapplication deadline. Members were provided with the information on the virement ahead of the meeting and this built on our meeting in June 2021.

Members were shown a paper written by Secondary Heads, outlining their position on the proposed virement. Steve Margetts spoke on behalf of Secondary colleagues, reiterating their thoughts that any virement will not address the problem of the overall deficit, and felt that taking money from schools at a time when additional funding for COVID recovery is being sought is not pragmatic. Secondary

colleagues were also wary of adding to Higher Needs pressure further down the line.

Rachael commented upon the second bullet point where it stated the Higher Needs Recovery Group had been asked to sign a confidentiality statement. Rachael explained that had taken place as the group were in receipt of commercially sensitive information regarding individual package costs. The School Forum members could view this information and have the same confidentiality statement. This has never been requested.

The Chair thanked Steve for his thoughts and whilst wishing to remain supportive of the LA recovery plan, noted the position of Secondary colleagues.

Lisa Finn asked what the long term impact of not approving the virement will be. No one is happy with the proposal, but can the ESFA impose any sanctions if they choose? Whilst the ESFA have not given an answer to this question, members agreed that if they do not vote in favour of virement, any unintended consequences later on will need further exploring.

Rachael reminded members that this is the deficit recovery plan of the School Forum, and that the budget deficit sits on the Dedicated Schools Grant. Rachael shared that the LA is not being considered for safety valve funding at present, as in the view of the ESFA Torbay still has too many EHCPs and are not inclusive enough in their practice. The LA continues to engage with the ESFA around this, but Rachael explained that the ESFA will ask direct questions to Forum if they do not see improvement and are requesting solutions.

Steve clarified to members that Secondary colleagues are accepting that a solution to the deficit needs to be found, but wanted it acknowledged that given the COVID pandemic this is a unique year, and with children behind in their learning and struggling to come back to school the timing of this decision is poor. The COMF funded had been provided from the Local Authority in recognition of this, so it feels wrong to also be taken the equivalent value out of the budget.

Tim Stephens echoed Steve's thoughts on this being a unique year, acknowledging that the impact of COVID is still being felt and had not been factored into schools budgets. Tim asked if we agree to use schools reserves to support a virement, what will happen next year? Stewart explained that he thinks the ESFA look at Torbay schools reserves as a whole (i.e. not on an individual school basis) and that across Torbay reserves won't entirely be swallowed up. Tim then asked whether there are any cost reductions elsewhere that can be used to offset some of the deficit rather than virement. Rachael explained that there are no savings being made in other areas, and that the in-year deficit continues to increase.

Steven Hulme asked whether schools are being as inclusive as possible, given we have seen a year on year increase in the number of secondary exclusions.

Tim asked how we will ever get to a balanced budget, given the in-year growth in deficit. It was not felt viable to use schools reserves, once they are used it seems unlikely that schools will have reserves to use in future years.

Rachael asked Forum Members to consider if they do not wish to support a  
virement, what would they like to stop in the Higher Needs spending area.

Steve expressed his frustrations on the lack of investment in the Torbay Promise Initiative. Despite positive talks no money has been forthcoming for this project, which can be seen as an opportunity to save money in the long run, by reducing the number of special school and out of area placements needed.

Members were in agreement that regardless of the outcome of today's vote, a root and branch review of the HNRG is needed. It was asked whether the Dedicated Schools Grant could have a charge placed upon it, however officers have raised this with the ESFA and are yet to receive a response.

After discussion, Members voted as follows:

*School Forum to approve the LA applying to the Secretary of State for a 0.5% virement from the Schools Block to the Higher Needs Block:*

**For: 4**

**Against: 7**

**Abstain: 1**

Motion not carried.

(Please note that in offering their apologies for this meeting Clive Star, Mike Lock and Ken Kies voted via email).

**Action – A School Forum Workshop to be set up and include the HNRG members. This workshop will enable members to spend additional time outside of normal business reviewing the higher needs issues and the governance arrangements around this.**

### **3. Items for next meeting**

Agenda for the next School Forum will be published Thursday 18<sup>th</sup> November.

### **4. Future meeting dates**

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