

## **Schools Forum Meeting Agenda**

Thursday, 19 January 2023 at 9.00 am  
to be held in Microsoft Teams

### **Membership**

Stewart Biddles  
Lisa Finn  
Steven Hulme  
Mike Lock  
Clive Star  
Jim Piper

Tim Stephens  
Jayne Jones  
Steve Margetts  
Kelly Sooben  
Sarah Tomkinson  
Alex Newton

1. **Islington Partnership**
2. **Apologies/Changes to Membership**
3. **Minutes of the last meeting** (Pages 2 - 4)
4. **Financial Report** (Pages 5 - 9)
5. **Early Years Funding - Budget Allocation & Hourly Rates** (Pages 10 - 11)
6. **Post 16 Pathway Plans** (Pages 12 - 13)
7. **Safety Valve Recovery Plan**
  - Engagement on the DSG Management plan and next steps
  - Universally available provision and the progress towards an agreed graduated response
  - Annual Reviews
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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### SCHOOL FORUM MINUTES

#### -: Present: -

**Lisa Finn (Vice-Chair)** Secondary Academy Rep; **Jim Piper**, Primary Academy Deputy Head; **Alex Newton**, Secondary Maintained Head; **Steven Hulme**, PRU; **Mike Lock**, Special Schools Head; **Sarah Tomkinson**, Primary Maintained Head; **Rob Parr**, Principal Accountant; **Dan Hamer**, Head of Vulnerable Pupils; **Hannah Spencer**, Head of SEND Improvement; **Jim Piper**, Primary Academy; **Tim Stephens**, Early Years

#### -: Also in attendance: -

**Rachael Williams**, Divisional Director for Education, Learning and Skills; **Nancy Meehan**, Director of Children Services, Susan Kemp, Clerk

Lisa has agreed to Chair the meeting in Stewart's absence.

#### 1. Exclusion of the Press and Public

The Chair asked members to vote on whether School Forum can exclude the press and public from the meeting prior to consideration of the sensitive and confidential Safety Valve agenda item.

A vote was taken which was unanimously agreed that School Forum will exclude the press and public from this part of meeting due to the Safety Valve agenda item which is sensitive and confidential.

#### 2. Apologies/Changes to Membership

Stewart Biddles (Chair) Primary Academy; Jayne Jones, Early Years, Steve Margetts, Secondary Academy, Michael Freeman, Clerk, Martin Phillips, Director of Finance; Clive Star, Secondary Academy, Kelly Sooben, South Devon College. Rachael has taken steps to fill the primary representative.

#### 3. Minutes of last meeting

Members agreed that the last minutes 26/06/22 to be an accurate record of the meeting and reviewed the actions taken.

Follow up actions from last meeting:

- Action – Officers to predict cost of bespoke packages to be discuss at October Meeting – due to meeting being stepped down this will be an agenda item in January 2023.
- Action – SEN officers to talk to EY providers around parental RSAs. – work progressing
- Action – Officers to share WSOA targets with colleagues at SENCO Forum. Meeting planned for 8<sup>th</sup> December.
- Action – Officers to share presentation with colleagues in TAPS/TASH to ensure appropriate membership and contributions. Completed

Attendees gave reassurances that nobody else was present in the virtual meeting for the private discussion agenda item.

## 4. Safety Valve Discussion

Nancy Meehan Director of Children's Services gave an overview of the aspects discussed within the DSG Management Plan in July with the ESFA financial management team. Following a significant amount of work around data analysis the Finance Management team were impressed with our knowledge and understanding of the level of understand we had of our children. The DSG Management plan delivery success is built upon changing culture and practice, this will be achieved through the delivery of our local area written statement of action for SEND, our change in practice to Family Hubs and different way of working across partnership agencies.

She highlighted the primary area of need that the Local Area continues to have higher representation than those seen nationally and regionally for SLCN, SEMH, MLD and ASC. Work will progress to lessen the reliance for the need for an EHCP, review existing plans and where appropriate through targeted work cease plans.

Further work will progress to -

- Pool Section 75 budgets to reduce the number of children on a waiting list
- Use SENK support to assist young people
- SEND being an integral part of family hubs supporting early years through the home learning environment and outreach speech and language
- Health to contribution to EHCP where child has an underlying medical need or a school is paying for specialist nursing which should be sourced by health.

Nancy in response to a question about the long-term historic lack of financial contribution from NHS said that it has been made clear to the Chief Nurse that the higher needs funding block will not be funding medical needs in EHCPs. The Chief Nurse now sits on the SEND Strategic Board and Rachael reported that Hannah Pugliese is collaborating directly with us on the joint commissioning work.

School Forum noted that there is a health representative on Tribunal cases and is held accountable for any health needs of the child.

School Forum noted the data analysis with the Safety Valve recovery plan and that aspects of need may not change.

Rachael highlighted the altered trajectory of growth and targeted prevention for statutory assessment, ceasing of plans and increase of enhanced resource provision.

School Forum noted the remodelling of the diagnostic pathway for neurodiversity and that it will take time to resolve the large waiting plans.

Rachael reported that there is a dashboard to track progress and hold officers accountable to lack of progress in targeted actions.

In response to how to measure impact at school level Rachael responded by: -

- Moving forward Post 16 providers change to deal with 11 – 15 provisions
- Prevention and engagement within family hubs
- Creating helplines within family hubs for SEND

Rachael emphasised the importance of engaging the schools into the Safety Valve Recovery plan. A meeting will be prioritised in January 2023 to roll out the spread of information. TASH will add an agenda item in January about the Safety Valve Recovery Plan.

The Chair asked for School Forum to give their principal support to the proposed plan.

School Forum unanimously agreed to the proposed Safety Valve Recovery Plan.

## **5. Financial Report**

It was agreed to defer this item for more detailed discussion at the next School Forum meeting in January 2023.

## **6. De-Delegation Decisions**

School Forum noted the reason the de-delegation and centrally retained decision for 2023/24 were being proposed for consideration.

- Maintained schools voted on the de-delegation items on behalf of the phase of schools
- All schools and academies voted on centrally retained items

Both maintained schools and all schools/academies voted to unanimously support the proposals.

## **7. Review of Notional SEN Allocations**

Rachael shared the October new operational guidance for the review of the Notional SEN Allocation.

School Forum considered how local decisions compared with the new guidance and agreed that School Forum should continue with its current practice.

## **8. Any Other Business**

School Forum agreed that the next meeting on 19<sup>th</sup> January 2023 will be virtual and not face to face. In the future School Forum meetings will be face to face every other meeting or as agreed by the Forum.

**Financial Report School Forum 19<sup>th</sup> January 2023**

**Forecast Outturn Position 2022/23**

Dedicated Schools Grant (DSG) funded activities are currently forecast to **overspend by £2.864m**.

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 22/23 and revisions reported accordingly.

<b>Budget Heading</b>	<b>Budget</b>	<b>Actuals to date</b>	<b>Projected Outturn</b>	<b>Over / (Under) Spend</b>
Early Years 2, 3 & 4 yr old payments – PVI's & Academies	£6.060m	£4.420m	£6.060m	£0k
Early Years – ALFEY	£295k	£202k	£295k	£0k
Early Years – Pupil Premium & Disability Access Fund	£160k	£86k	£137k	(£23k)
Early Years – 5% retained element	£338k	£223k	£283k	(£55k)
Joint Funded Placements	£450k	£254k	£320k	(£130k)
Recovery of funding from schools for Excluded Pupils, Medical Tuition Service and Elective Home Education	(£175k)	(£134k)	(£175k)	£0k
Independent Special School Fees	£3.562m	£1.780m	£3.631m	£69k
Other packages for EHCP pupils and SEND personal budgets	£1.512m	£1.011m	£1.646m	£134k
Payments to / recoupment from other authorities for Special School places	(£125k)	£136k	(£25k)	£100k
Medical Tuition Service / Virtual School / Hospital Tuition / Vulnerable Students Team	£1.587m	£1.420m	£1.559m	(£28k)
School contingencies (Planned pupil growth, NQT induction etc)	£128k	£113k	£118k	(£10k)
EHCP in-year adjustments (see separate paper for details)	£550k	£692k	£703k	£153k
Special Schools / High Needs in-year adjustments (see separate paper for details)	£400k	£472k	£500k	£100k
School Intervention / Commissioning (includes School Improvement Grant)	£121k	£65k	£86k	(£35k)
Business Support	£201k	£136k	£178k	(£23k)
Senior Management, Admissions, EAL / Travellers, SACRE	£321k	£227k	£313k	(£8k)
Visually impaired / Hearing impaired / Advisory Teachers	£198k	£85k	£118k	(£80k)
Deficit DSG budget set for 22/23	(£2.7m)			£2.7m
<b>Total – Forecast Outturn Position 22/23</b>				<b>£2.864m</b>

The area of significant volatility continues to be in the Higher Needs Block.

**Early Years Block**

Take up of early years placements continue to be high. There is currently a surplus of early years capacity that exceeds the demand as it is noted that parental paid for hours have significantly reduced. The impact of the cost of living crisis is both having a detrimental impact on the revenue and costs that are associated with early years provision. A separate paper and agenda item have

been included to discuss the allocation of additional money received within the early years block.

## Higher Needs Block

Torbay continues to have a greater number of children and young people requiring support up to and including a special school place than the funds available in the higher needs block. The impact of in year EHCP adjustments continues to be an area of concern and demand.

Education, Health & Care Plan Funding for 21/22 & 22/23			
	21/22	22/23	Increase / (Decrease)
Number of pupils with EHCP	463	512	49.00
Number of FTE's with EHCP	407	463	56.00
	£	£	£
Funding below £6k allocated through school formula elements	2,426,210	2,774,332	348,122
Funding above £6k allocated as a top-up per eligible pupil	2,206,696	2,967,540	760,844
EHCP Contingency	340,000	550,000	210,000
<b>In-Year adjustments</b>			
April	214,516	133,189	(81,327)
May	92,973	97,442	4,469
June	76,491	65,574	(10,917)
July	52,297	116,471	64,174
August	32,649	221,556	188,907
September	281,701	35,796	(245,905)
October	43,591	(33,353)	(76,944)
November	43,590	44,883	1,293
December	30,737	10,002	(20,735)
January	(4,276)	(2,023)	2,253
February	22,417	14,328	(8,089)
March	(1,973)	(461)	1,512
<b>Total - In-Year adjustments</b>	<b>884,713</b>	<b>703,404</b>	
<b>Projected (underspend) / overspend</b>	<b>544,713</b>	<b>153,404</b>	
<b>Notes</b>			
Based on April - Dec 22 in-year adjustments, and an average of the past 3 years (21/22, 20/21 & 19/20) per month for the remainder of the financial year, it is anticipated the EHCP contingency will overspend by		<b>153,404</b>	

## Special School Profile

The following table details the special school profile:

## Financial Report School Forum 19<sup>th</sup> January 2023

	Combe Pafford	Combe Pafford	Mayfield School	Mayfield Chestnut	Mayfield Total	Brunel SEMH	Burton AP	B & B Total	Totals	Totals £
Number of places - January 22	262		263		263	56	55	111.00	636.00	
Number of pupils - January 22	264		261		261	47	39	86.00	611.00	
Number of places - September 22	265		263		263	56	55	111.00	639.00	
Initial Place led funding		2,637,500			2,630,000	560,000	550,000	1,110,000		6,377,500
Initial Pupil led funding		1,551,207			2,924,760	816,672	495,105	1,311,777		5,787,744
Initial pupil specific additional funding		61,673			162,744	36,800		36,800		261,217
Previously Teachers Pay & Pension Grants		174,075			173,580	36,960	36,300	73,260		420,915
Other funding - Outreach / 6th day provision / rent					318,093			0		318,093
Pupil Premium		141,105			182,435	35,460	32,505	67,965		391,505
<b>Total initial funding</b>		<b>4,565,560</b>			<b>6,391,612</b>	<b>1,485,892</b>	<b>1,113,910</b>	<b>2,599,802</b>		<b>13,556,974</b>
<b>In-Year adjustments</b>	<b>Pupils</b>	<b>Funding £</b>	<b>Mayfield Pupils</b>	<b>Chestnut Pupils</b>	<b>Funding £</b>	<b>SEMH Pupils</b>	<b>AP Pupils</b>	<b>Funding £</b>	<b>Pupils</b>	<b>Funding £</b>
April	264	103,334	231	32	23,830	51	48	183,759	626	310,923
May	264	(823)	229	33	(963)	50	47	(27,565)	623	(29,351)
June	261	(2,402)	230	32	(4,825)	50	50	31,738	623	24,511
July	261	0	230	34	29,715	51	45	(34,574)	621	(4,859)
August	261	0	230	34	0	51	45	0	621	0
September	266	35,165	232	31	(47,330)	46	44	(58,085)	619	(70,250)
October	262	(11,208)	231	30	(11,915)	48	38	(20,709)	609	(43,832)
November	263	6,061	228	31	(8,363)	52	39	34,250	613	31,948
December	265	3,721	229	32	7,943	54	43	28,511	623	40,175
January									0	0
February									0	0
March									0	0
<b>Total In -year pupil / place led adjustments</b>		<b>133,848</b>			<b>(11,908)</b>			<b>137,325</b>		<b>259,265</b>
Enhanced Provision (in-year changes in pupil top-ups)										487
Enhanced Provision (in-year increases in place numbers)										8,333
Preston Enhanced Provision - Teaching Support Sept 22 - Mar 23										15,243
Additional funding - Steps provision Sep 22 - Mar 23										33,943
Excluded Pupils / 6th Day Provision - Mayfield (Sept - Mar)										70,158
In-year pupil specific additional funding		26,121			82,845			(24,056)		84,910
<b>Total - In-Year adjustments</b>		<b>159,969</b>			<b>70,937</b>			<b>113,269</b>		<b>472,339</b>
Special School / High Needs contingency budget										400,000
<b>Current balance (under) / over</b>										<b>72,339</b>

## Financial Report School Forum 19<sup>th</sup> January 2023

### DSG Funding Comparison

The following information is provided as a comparison as of 16.12.22 of the DSG position for 2022/23 to 2023/24. Work to provide the school allocations aligned with the decisions taken by School Forum progresses and schools will receive notification of their allocation in early February.

<b>Comparison of initial DSG funding between 22/23 and 23/24 before academy recoupment</b>				
	<b>22/23</b>	<b>23/24</b>	<b>Increase /</b>	
	<b>DSG</b>	<b>DSG</b>	<b>(Decrease)</b>	
	<b>as at 16/12/21</b>	<b>as at 16/12/22</b>		
	<b>from ESFA</b>	<b>from ESFA</b>		
<b>Funding type</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>Note</b>
Schools Block	91,847,445	97,735,774	5,888,329	1
Central Schools Block	1,089,945	859,362	(230,583)	2
Early Years - 3 & 4 Yr Olds	4,196,543	4,528,282	331,739	3
Early Years - 3 & 4 Yr Olds (Increase to 30 hrs)	1,633,510	2,011,137	377,627	3
Early Years - 2 Yr Olds	930,976	1,110,367	179,391	3
Early Years Pupil Premium	101,315	105,816	4,501	3
Early Years - Disability Access Fund	57,600	62,928	5,328	3
High Needs Block	23,572,260	25,634,390	2,062,130	
Additional High Needs Block	830,496	1,015,718	185,222	
<b>Total Initial DSG</b>	<b>124,260,090</b>	<b>133,063,774</b>	<b>8,803,684</b>	
<b>Note</b>				
1. The Schools Block allocation for 22/23 was based on 17,459 pupils and for 23/24 is based on 17,538 pupils.				
1. £2.719m has been added in 23/24, in 22/23 it was the separate School Supplementray Grant.				
1. Includes Pupil Growth funding of £456,993.				
1. £689k will be recouped by ESFA, they will then pay rates directly to the LA on behalf of schools.				
1. £456k has been added for historic PFI charges in Homelands and The Spires.				
2. Funding has moved out of CSSB into Schools Block to fund historic PFI charges in Homelands & The Spires.				
3. The Early Years allocations for 23/24 will be updated in-year by the ESFA once the Jan 23 & Jan 24 numbers are known.				

## Financial Report School Forum 19<sup>th</sup> January 2023

### Position

The forecast outturn position of the Local Area continues to be of significant concern. The position although better understood remains volatile and continued actions and momentum are required across the system to meet needs differently.

**The in year overspend of the DSG is currently £2.864m**

**The cumulative overspend of the DSG is now £11.863m**

### Recommendation

School Forum continue to work with the Local Authority to make the necessary reductions in the budget through the Safety Valve process.

### Early Years Funding – Budget Allocation & Hourly Rates School Forum 19<sup>th</sup> January 2023

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#### Contextual Information

The Early Years block of the DSG allocation for 2023-2024 was published by the ESFA on Friday 16th December 2022. This budget is used to calculate the hourly rates for providers from April 2023 through to March 2024. Local authorities are required to pass through 95% of the EY block to providers.

The budget has provided the Local Area with increased rates and includes the changes to the Early Years National Funding Formula (EYNFF) following the consultation in summer 2022. The main changes to the EYNFF following the consultation includes:

- Updating the underlying data used within the formula for 2023-24 and performing this update annually.
- Mainstreaming the early years element of the teachers' pay and pensions grant into the 3- and 4-year-old budget allocation.
- An additional £20m investment to help meet the cost of the National Living Wage increase from April 2023.

Consideration has been given to the most effective way to distribute the additional grant funding within the 3- and 4-year-old budget received, replacing the Teacher's Pay and Pensions Grant. The proposal is that this grant is used to uplift the rate of funding paid to all providers in recognition of the additional financial burden experienced through increased payroll costs and rising operational costs. Whilst it may result in small losses of income for school nurseries, it is important to ensure equity across all Early Years provision to ensure maintained quality of provision, sufficiency of childcare places, supporting good outcomes for children.

#### Torbay Local Area Early Years Funding Formula

There is no proposed change to the local formula Torbay Council uses to calculate the hourly rates. The formula is as follows:

Total budget - 5% retained = net budget (95%)

Net budget – (Deprivation budget + SEND budget) = budget remaining for hourly rates

Remaining budget ÷ number of children on census ÷ 570 hours = hourly rate for providers

This is used for both the 2-year-old and 3- and 4-year-old funding streams.

#### Funding figures and new hourly rate information

5% retained total = £382k

EY block contribution to SEND Inclusion Funding (known as Alfey) - £195k Added to the £100k from HNB gives a total SEND budget of £295k.

Deprivation budget - £220k to accommodate schools and PVI providers

New hourly rate for 3&4YOs = £4.40 per hour

An increase of 25 pence per hour compared to the current rate of £4.15

New hourly rate for 2YOs = £5.42 per hour

An increase of 25 pence per hour compared to the current rate of £5.17

## **Recommendation**

It is requested that Schools Forum:

1. Endorse the above budget and hourly rates increases.

**Post 16 Pathway Plans School Forum 19<sup>th</sup> January 2023**

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**Contextual Information**

School Forum established a process for the contract management and data requirements for Post 16 High Needs Learners as a mechanism for monitoring the outcomes coming from each provider. The mechanism was established to provide a greater amount of clarity and system reporting for the money spent within the higher needs budget. The process has been in place for four years.

The process currently in place is that providers have to provide a data collection form and a pathway plan for each learner.

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 review the targets set at the beginning of the year before 'signing' off the Pathway Plan. The completed Pathway Plan is then reviewed and RAG rated.

**A proposed new way of working:**

The process designed and put in place by School Forum was necessary during the period where we were growing the post 16 opportunities and the pathways for young people were less defined.

The pathway plans, during this phase were an important part of ensuring that we were able to scrutinise and create opportunities that were meeting young people's needs. They also enabled an overview to be achieved at a time when the SEND code was being embedded within the post 16

landscape.

With no ways of working now being established we have reached a point where the information included within individual pathway plans is now captured at the point of an annual review and there is duplication required to produce both documents. Our internal SEND system has also been updated to capture the outcomes from annual reviews meaning that our CAPITA system will be able to report on outcomes through automated reports.

The work to produce pathway plans, could now become a distraction from the work we need to conduct to ensure that all annual reviews are conducted in a timely way, with quality information provided and robust decision making being taken. The annual review process is being reviewed and enables the Preparing for Adulthood outcomes to be consistently considered and tracked.

The data return and collection report is still required to ensure that the most up to date information is received on a termly basis and to enable important checks to be made.

### **Recommendation**

- The School Forum step down the requirement of post 16 providers to produce a pathway plan for individual pupils.
- The School Forum endorse supporting Post 16 providers in using the capacity to support the annual review process to gather the intelligence needed.
- The data produced from the process is replicated from the CAPITA Programme as it develops
- The Post 16 providers continue to provide the contextual pupil data sheet.