

Schools Forum Meeting Agenda

Thursday, 14 June 2018 at 9.00 am
to be held in Mezzanine Room 3 - Tor Hill House, Union Street, Torquay, TQ2 5QW

Membership

Roger Hughes (<i>Chair & Primary Maintained Head</i>)	Mike Lock (<i>Vice Chair & Special Academy Head</i>)
Stewart Biddles (<i>Primary Maintained head</i>)	Daneian Rees (<i>Secondary Maintained Head</i>)
Maurice Codd (<i>Primary Maintained Governor</i>)	Clive Star (<i>Secondary Academy Governor</i>)
Dan Hallam (<i>Secondary Maintained Rep</i>)	Jan Chopping (<i>Secondary Academy Governor</i>)
Adam Morris (<i>Primary Maintained Head</i>)	Jim Piper (<i>Primary Academy Deputy Head</i>)
Lindsey Kings (<i>Secondary Academy Deputy Head</i>)	Steven Hulme (<i>PRU Head</i>)
Tim Stephens (<i>Primary Academy Governor</i>)	Lisa Finn (<i>Secondary Academy Rep</i>)
Jayne Jones (<i>Early Years</i>)	

- 1. Minutes of the last meeting** (Pages 3 - 7)
- 2. Matters arising**
 - a) Verbal update on Early Years Census plans - Rachael Williams
 - b) Recoupment Recovery - attached
- 3. Financial Report** (Pages 8 - 18)
Rachael Williams
- 4. Report and recommendations from Schools Forum working group** (Pages 19 - 21)
- 5. Higher Needs Recovery Group** (Pages 22 - 82)
Rachael Williams
- 6. IOSS Monitoring report** (Pages 83 - 84)
Rachael Williams
- 7. Elective Home Education** (Pages 85 - 88)
Rachael Williams
- 8. Post Audit Action Plan** (Pages 89 - 90)

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

Mike Freeman,

9. Annual Review of School Representation

Roger Hughes

10. Items for next meeting

- Financial Report
- Higher Needs Recovery Group
- Audit Action Plan Report

11. Apologies/Changes to Membership

12. Future meeting dates

- Thursday 11th October 2018, Mezzanine Room 3, Tor Hill House
- Thursday 29th November 2018, Mezzanine room 3, Tor Hill House
- Thursday 17th January 2019, Mezzanine Room 3, Tor Hill House
- Thursday 7th March 2019, Mezzanine Room 3, Tor Hill House

All meetings begin at 09:00 until 11:30.

Rachael Williams
Assistant Director of Education, Learning and Skills
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Roger Hughes
Schools Forum Chair
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Mike Freeman
Clerk to Schools Forum
Michael.freeman@torbay.gov.uk

Minutes of the Schools Forum

Thursday 8th March 2018
Mezzanine 3, Tor Hill House 09:00-11:30

-: Present :-

Roger Hughes (Chair), **Mike Lock** (Vice-Chair), **Steven Hulme** (PRU), **Jayne Jones** (Early Years Rep), **Adam Morris** (Primary Maintained Head), **Jane Young** (Primary Academy Head - replacement for Jim Piper), **Tim Stephens** (Primary Academy Governor), **Lisa Finn** (Secondary Academy Rep), **Lindsey Kings** (Secondary Academy Deputy Head), **Daneian Rees** (Secondary Maintained Rep), **Jan Chopping** (Secondary Academy Governor)

Andy Dempsey (Director of Children's Services), **Rachael Williams** (Head of Education, Learning and Skills), **Dan Hamer** (Head of Vulnerable Pupils), **Martin Phillips** (Head of Finance), **Dorothy Hadleigh** (Head of SEN).

1. Apologies/Changes to Membership

Apologies were received from Stuart Biddles, Clive Star and Maurice Codd. Jane Young attended in place of Jim Piper. The Forum welcomed Jayne Jones to her first meeting as Early Years representative, and welcomed Tim Stephens in his new role as Primary School Governor.

2. Minutes of the last meeting

Minutes of the last meeting were agreed as a true record.

3. Matters arising

Rachael Williams informed members that talk with the DfE around Early Years Census plans (Item 4 of January meeting) is still ongoing, although written confirmation has not yet been received. An update on this will be provided at the June Forum.

Members expressed concerns that the Schools Forum webpage is out of date, and is not east to find on the Authority's Website. Mike Freeman is working with the Governance Support team to update this.

4. Financial Report

Rachael Williams, Head of Education, presented members with an update on the current financial situation. The current outturn position of £947,000 overspend, whilst still significant, has improved considerably from the 1.217m predicted in January.

The Early Years census from January has now been collated, leading to more accurate data and a revised position of £180k underspend. Surplus funds can now be used to offset the Early Years block overspend from last year.

Cost in the Higher Needs block continue to rise as more children are going through the Request for Statutory Assessment (RSA) process.

There is no change to the DSG reserve position, this remains the same as January 2018.

Members then raised a question around schools allocations, and if they can see other schools allocations. It was confirmed by Martin Phillips that this will be a public document, and will bring to June Schools Forum for discussion. A link to the document will be circulated to members before this.

Discussion then moved onto Special School Funding Allocations, with members being shown a table modelling different funding top ups and the impact these would have on each Special School.

Members felt that an increase in top up in line with what mainstream schools receive would be fair, and after discussion a decision to top up the allocations by 2%, creating an additional £204k to Special Schools Budgets was put to vote. Officers advised caution, highlighting it would be creating an extra overspend by doing this, and reiterated the Local Authorities current position of virement, (with the potential for disapplication), and raised the point that a Higher Needs Recovery Group is already looking at Overspends.

To top up Special Schools allocations by an additional 2% (please note vote was open to schools members only, not Local Authority officers):

Yes: 7

No: 2

Abstain: 2

The motion was passed, and it was agreed that Special Schools would model the implications of the top up and present to members at June Forum.

Action – Martin Phillips to provide a link to all members when Schools Allocations figures are available.

Action – Mike Lock to set up working party with Special School colleagues to model percentage increase agreed in today's vote.

For further information on Schools Forum, please contact:

Roger Hughes, Chair, ecotaps@hotmail.com

Rachael Williams, Head of Education, Learning & Skills, Rachael.williams@torbay.gov.uk

Mike Freeman, clerk, michael.freeman@torbay.gov.uk

5. Higher Needs Recovery Group

Rachael Williams fed back to members details of the 1st Higher Needs Recovery Group meeting, established at the request of Schools Forum in January 2018. Terms of Reference for the Group was discussed, and it was agreed that the Group will not make decisions themselves, but make recommendations that can be brought to Schools Forum for decision. Members were in agreement that schools will be required to sign up to the Recovery Plan.

Discussion revolved around the current demands on the system, detailing the numbers of pupils requiring both EHCP and SEN support. An overview of the Higher Needs budget, with a breakdown of spend against each area of activity was then discussed, to look at what is driving the demand on the funding block.

The next meeting will look into a deeper comparison of Torquay with its statistical neighbours, and also look at permanent and fixed term exclusions.

It was recognised that a chair is yet to be appointed for this meeting, this will be resolved at the next meeting on 19th April. Members were in agreement that the Chair should come from a Secondary Mainstream school, as it was felt that savings should start to be made from this sector.

6. Update on ALFEY funds

A report from the Early Years Team was shared with members, detailing ALFEY (Activity led Funding in Early Years) spending and the changes made to the ALFEY process. A new panel is now in place, which meets half termly, consisting of representatives from the Early Years' Service and from PVI settings. It was felt that the panel process offered greater scrutiny of applications, and this has led to both a reduction in the total number of children in receipt of ALFEY and the number of children who place in the higher score brackets. Although the LA is still anticipating an overspend this has now been greatly reduced.

Schools Forum recognises the success of this new process, and acknowledges the work of the panel in reducing costs when the introduction of 30 hours funding could have increased spending. Members agree that introducing a peer challenge element to the Panel is something that could be replicated in other working parties.

7. Report on High Cost pupils

Dorothy Hadleigh, Head of SEN, shared with members an analysis of High Cost Placements. There continues to be a significant increase in the number of Requests for Statutory Assessments (RSAs), and it is recognised that Torbay has a high rate of Statements/Education Health and Care Plans when compared both nationally and to our statistical neighbours. Pressure remains on Specialist Provisions, with

Special Schools in Torbay now at capacity, and also on bespoke packages, due to the closure of one independent school in Torbay.

There has, however, been some success in the Joint Funded Placements block, where the work of Education and Social Care colleagues led to 2 students being placed in out of area mainstream special schools, rather than in independent schools, leading to a saving of approximately £150,000. It is also noted that work is ongoing around Post 16 provisions, with a peer panel now in place to discuss cases.

The Forum notes the contents of this report, and requests that updates continue on a six monthly basis.

8. Permanent Exclusion Data

A report was shown to Forum members by Dan Hamer, Head of Vulnerable Pupils. Both fixed term and permanent exclusions are high, and the rate is increasing when compared to our statistical neighbours. There is particular concern around the high proportion of SEN children/ children open to Social Care that are being excluded.

It is recognised that the hard work of the Challenging Behaviour Group has led to some pressure being relieved on the Burton Provision, with 19 students being identified as being ready to leave, creating capacity to take in excluded students.

The Forum notes the contents of this report, and requests that the Higher Needs Recovery Group considers these findings in greater depth.

9. Recoupment Presentation

Following a number of requests from Schools asking for the Local Authority to explain the recoupment methodology, it was felt that Schools Forum should revisit how recoupment is currently worked out. A presentation by Dan Hamer was shown to members detailing the current formula and alternative options, by looking at a model being used by Portsmouth.

A proposal put to members that Recoupment should reflect the minimum funding schools receive for a child, not by AWP (Age Weighted Pupil Unit). The maximum amounts received would not rise, as we are already over the Minimum Funding Guarantee, but it is felt that this would lead to a fairer amount being recouped at the lower end for children without significant extra funding.

Although it was felt that a decision should not be made at present, members note the findings of the presentation, and note the assurances from officers that due process is in place when recouping from all schools. Members were in agreement that solutions should be sought at the Higher Needs Recovery Group, and be brought back to Forum for discussion at a later date.

Action – Dan Hamer to send copies of the presentation to members.

For further information on Schools Forum, please contact:

Roger Hughes, Chair, ecotaps@hotmail.com

Rachael Williams, Head of Education, Learning & Skills, Rachael.williams@torbay.gov.uk

Mike Freeman, clerk, michael.freeman@torbay.gov.uk

10. Verbal update on Plymouth Partnership

Andy Dempsey, Director of Children's Services, updated the forum on the future partnership with Plymouth Council. A joint Director has been appointed and is expected to be in post from 1st April. Andy will remain in post for the transition period, and will lead the Local Authority through the upcoming Ofsted inspection.

It is expected that Andy will be leaving the Council towards the end of May, and as such this will be his last meeting. Alison Botham, the new joint DCS for Plymouth/Torbay will attend in his place in future. The Forum would like to express their Gratitude towards Andy, and thank him for his hard work over the last two years.

Please note – at the conclusion of this agenda item Mike Lock and Adam Morris left the meeting.

11. Post Audit Action Plan

An Action Plan was shown to members, detailing actions to be taken as a response to the audit of Schools Forum undertaken last year. Tasks were given a Red, Amber or Green rating depending on their status, and members agreed that this action plan should be updated and brought to future forums until all tasks have been completed.

12. Items for next meeting

- Financial Report
- High Needs Recovery Group
- Annual Review of School Representation
- IOSS Monitoring report
- Audit Action Plan update

13. Future meeting dates

- 14th June 2018, 09:00, Mezzanine Room 4, Tor Hill House
- 11th October 2018, 09:00, Mezzanine Room 4, Tor Hill House
- 29th November 2018, Venue TBA
- 17th January 2019, Venue TBA
- 7th March 2019, Venue TBA



School Forum Financial Report

The following report contains a detailed breakdown of the financial position of the Local Area for 2017/2018 and early information on the budget year 2018/2019.

The report enables members to note the outturn position and the significant factors contributing towards the spend. The report covers the following items;

- Outturn position 2017/2018
- Contextual information regarding Early Years Block
- Contextual information regarding Higher Needs Block
- DSG school allocation for 2018/2019
- Special school allocation for 2018/2019
- Position and recommendation

Outturn position 2017/2018

Dedicated Schools Grant (DSG) funded activities **overspent by £983,000**.

The table below details the main areas of both over and under spend and final outturn position.

Table 1: Overview of key Budget Elements

Budget Heading	Budget	Outturn Actuals	Over / (Under) Spend
Early Years 2, 3 & 4 yr olds	£6m	£5.705m	(£295k)
Early Years - ALFEY	£220k	£212k	(£8k)
Early Years – Pupil Premium & Disability Access Fund	£126k	£87k	(£39k)
Joint Funded Placements	£500k	£501k	£1k
Recovery of funding from Excluded Pupils (see separate paper for details)	£0	(£158k)	(£158k)
Independent Special School Fees	£2.12m	£2.427m	£307k
Other packages for statemented / EHCP pupils / recoupment from other authorities	£163k	£403k	£240k
Medical Tuition Service / Virtual School / Hospital Tuition	£908k	£1.012m	£104k
School contingencies (Rates, planned pupil growth etc)	£315k	£244k	(£71k)
Statementing / EHCP in-year adjustments (see separate paper for details)	£200k	£352k	£152k
Special Schools / High Needs in-year adjustments (see separate paper for details)	£244k	£1.126m	£882k
School Intervention / Commissioning	£324k	£236k	(£91k)
Other – Early Years Team / Admissions / Business Support / EAL			(£41k)
Total overspend			£983k

It is important to note that the demand led nature of expenditure in the Early Years and Higher Needs block alongside the adjustment in payments to providers make it problematic to determine the position until the final outturn.

Early Years Block Overview

Since the previous School Forum meeting, the Local Authority has now completed the final payments and adjustments to all Early Years providers.

The take up of all statutory offers within Early Years remained high compared to both National and statistical neighbours.

2 year old offer	75%
3 and 4 year old 15 hours	100%
3 and 4 year old 30 hours offer	97%
<i>(average take up 23 hours)</i>	

Officers have worked hard to understand any recoupage that may occur from the Department for Education and this is reflected in the final figure. However, members should treat this final position statement with caution as the adjustment figure is difficult to predict from the DfE and will not be published until July 2018.

The final ALFEY budget position is testament to the rigorous process implemented by Officers involving peer challenge and financial scrutiny of decision making. With the final position demonstrating a £8k underspend.

In 2016/2017 the budget for the Early Years block was significantly overspent, at this point Forum used reserve funds to cover the overspend. This year the Early Years underspend will need to be used to cover the overspend in DSG which could in part have been dealt with using the reserve. This creates a balanced position on the Early Years budget line over the two years.

Moving forward, the position of Early Years funding will continue to be closely monitored. If surplus funds continue to be generated, Officers will bring detailed reports to a future meeting, giving recommendations of how the money should be allocated to the Early Years sector.

Joint Funded Placements

There will always be children that require specialist provision to meet both Social Care and education needs. Working with the Assistant Director for Safeguarding we have overhauled the joint funded placement decision process. All joint funded placements are now agreed directly with myself and cost apportioned to educational need. The consequence of this change has provided a near balance budget position of £1k overspend.

This protocol will continue with no delegated sign off lower than Assistant Director Level.

School Commissioning/Intervention and Central Services

The Local Authority has taken effective steps to manage the central allocation of DSG. Working in partnership with the Teaching Schools, DfE and RSC we have collectively attracted additional investment into the Local Area resulting in an offer to schools that was less reliant on the LA investment than in previous years.

Schools in Torbay continue to perform well with fewer schools needing intervention funds due to Ofsted categories.

The Local Authority has also managed staffing budgets within Education effectively and worked within the allocated window.

For the reasons above the outturn position is a **£131,000** underspend

Higher Needs Overview

Torbay continues to have a greater number of children requiring additional support up to and including a special school place than funds available in the Higher Needs Block can meet. The demand pressures in the great majority of cases are driven by schools requesting additional support and/or that children are assessed for an Education, Health and Care Plan (EHCP).

The Higher Needs Group have focussed on a diagnostic approach to identifying high cost areas and potential mechanisms for change. (This is included in Agenda item 6)

One of the key drivers for overspend is the EHCP in year adjustments for additional funds above the £6,000 allocated to schools 'Element 3' the table indicates the final year end position.

Table 2: Element 3 Top Ups

Education, Health & Care Plan Funding for 16/17 & 17/18			
	16/17	17/18	Increase / (Decrease)
Number of pupils with an EHCP	362	373	11.00
Number of FTE's with an EHCP	334	353	19.00
	£	£	£
Funding below £6k allocated through school formula elements	1,914,223	2,047,279	133,056
Funding above £6k allocated as a top-up per eligible pupil	926,146	1,234,164	308,018
EHCP Contingency	238,400	200,000	(38,400)
In-Year adjustments			
April	110,476	25,735	(84,741)
May	23,628	45,249	21,621
June	19,756	13,913	(5,843)
July	8,445	0	(8,445)
August	114,700	127,405	12,705
September	63,804	40,866	(22,938)
October	34,132	32,141	(1,991)
November	(4,951)	6,622	11,573
December	19,419	27,323	7,904
January	(11,636)	14,088	25,724
February	22,423	13,992	(8,431)
March	1,663	4,404	2,741
Total - In-Year adjustments	401,859	351,738	
Overspend	163,459	151,738	

In addition to this a factor of significant concern is the growth in commissioned placements at our Special Schools and Alternative Provisions above that anticipated at the start of the year. **Appendix 1** describes the impact on the budget of the increased commissioned numbers and the funding adjustments received.

DSG Allocation 2018/2019

The following table details the main areas of demand led budgets that will be monitored during 2018/2019 and revisions reported accordingly.

Table 3: Budget Breakdown 2018/2019

Budget Heading	Budget	Actuals to date
Early Years 2, 3 & 4 yr old payments – PVI's	£4.647m	£1.032m
Early Years - ALFEY	£250k	£92k
Early Years – Pupil Premium & Disability Access Fund	£128k	£4k
Early Years – 5% retained element	£370k	£51k
Joint Funded Placements	£550k	£106k
Recovery of funding from Excluded Pupils	(£150k)	£0
Independent Special School Fees	£2.720m	£765k
Other packages for EHCP pupils / recoupment from other authorities	£355k	£47k
Medical Tuition Service / Virtual School / Hospital Tuition	£1.122m	£181k
School contingencies (Rates, planned pupil growth, NQT induction etc)	£291k	£48k
EHCP in-year adjustments (see separate paper for details)	£330k	£176k
Special Schools / High Needs in-year adjustments	£400k	£609k
School Intervention / Commissioning (includes School Improvement Grant)	£209k	£22k

The table below shows the allocated budget for Element 3 top-up for 2018/2019. It makes a comparison to 2017/2018 to enable an overview of in year adjustments. For the purposes of this report April is populated and you will note there is a significant adjustment within this year above that of last year's position.

Table 4: Element 3 top-ups 2018/2019

Education, Health & Care Plan Funding for 17/18 & 18/19			
	17/18	18/19	Increase / (Decrease)
Number of pupils with EHCP	373	395	22.00
Number of FTE's with EHCP	353	359	6.00
	£	£	£
		2,129,83	
Funding below £6k allocated through school formula elements	2,047,279	5	82,556
Funding above £6k allocated as a top-up per eligible pupil	1,234,164	1,507,657	273,493
EHCP Contingency	200,000	330,000	130,000
In-Year adjustments			
April	25,735	175,869	150,134
May	45,249	45,249	0
June	13,913	13,913	0
July	0	0	0
August	127,405	127,405	0
September	40,866	40,866	0
October	32,141	32,141	0
November	6,622	6,622	0
December	27,323	27,323	0
January	14,088	14,088	0
February	13,992	13,992	0
March	4,404	4,404	0
Total - In-Year adjustments	351,738	501,872	
Projected (underspend) / overspend	151,738	171,872	
Notes			
Based on Apr 18 to Apr 18 in-yr adjustments and the same allocation for the remainder of the financial year as 17/18, it is anticipated the EHCP contingency will overspend by £171,872			

In March 2018 School Forum requested the individual school allocations for 2018/2019. **Appendix 2** provides this information.

Special School Funding 2018/2019

To provide the same transparency for Special Schools we have included Special School commissioned placements and funding allocations. These can be viewed in **Appendix 3**.

In addition to the commissioned places **Appendix 4** shows the Special School funding allocations 2018/2019 for pupil top-ups including the 2% increase agreed at School Forum in March 2018.

Whilst compiling the funding profiles Officers have reviewed the current mechanism for allocating base funding to Special Schools that go above commissioned numbers. The current mechanism for allocating funds is;

- Schools attract £10k (if increase takes place between April – August) and £5k (if increase takes place between September – March). The pupil top-up value is given pro-rata, so if a pupil joins in December, they would receive 4/12ths funding of the top up value.

Moving forward, Officers recommend to School Forum that a change takes place in the allocation methodology.

- The proposed recommendation is any place above commissioned numbers would attract funding pro-rata, as per pupil top-up. Therefore if a place increased from January the school would receive £2,500 (3/12ths of the £10k) instead of the current £5k. Pupil top-up would continue as with the current mechanism.

The School Forum should remain vigilant to the decision that has been taken regarding a 2% increase to the base funding of Special Schools. The national base funding has not been enhanced and remains at £10,000 per place. School Forum have taken this decision in good faith, on an equity basis. It should be noted that the decision may not be viewed favourably in any future virement application, as it is a discretionary decision that has led to an increased budgetary pressure. Therefore Officers recommend that Special Schools are informed at the earliest opportunity that base funding in 2019-2020 will return to the national level provided, enabling the Special Schools to make decisions that do not cause financial hardship in the future.

Position

The final outturn position of the Local Area continues to be of significant concern. The position although improved from the initial projection remains volatile, with no quick solutions that can balance the budget.

The provision of £369k provided by the virement of funds from the schools block leaves the School Forum with a **£614k** position to recover.

Early budget indicators for 2018-2019 suggests a pressure of £1.5 million at year end based on existing commissioned numbers and pupil numbers. School Forum will receive further reports in October 2018 detailing the spend.

Recommendations

It is requested that School Forum;

1. Note the financial position and continue to work with the Local Authority through the mechanism of the Higher Needs Recovery Group to create a financial recovery plan.
2. School Forum consider the Officer recommendation that the base funding for special schools returns to the national level (current £10k) in 2019/2020.
3. School Forum consider the recommendation to alter the base funding allocation for Special Schools going above commissioned numbers using a pro rata formula.

Rachael Williams

Assistant Director of Education, Learning and Skills

Special School and other High Needs funding adjustments for 17/18

Appendix 1	Combe Pafford	Combe Pafford	Mayfield School	Mayfield Chestnut	Mayfield Total	B & B SEMH	B & B AP	B & B Total	Totals	Totals £
Number of places - January 17	234		188	30	218	56	40	96.00	548.00	
Number of pupils - January 17	235		190	31	221	43	31	74.00	530.00	
Number of places - September 17	252		198	30	228	56	50	106.00	586.00	
Initial Pupil led funding		728,076			1,813,344			853,500		3,394,920
In-Year adjustments	Pupils	Funding £	Mayfield Pupils	Chestnut Pupils	Funding £	SEMH Pupils	AP Pupils	Funding £	Pupils	Funding £
April	233	(14,548)	192	30	47,608	45	38	92,500	538	125,560
May	232	(4,332)	190	31	(2,102)	46	45	72,875	544	66,441
June	233	1,948	189	33	23,450	47	54	82,083	556	107,481
July	233	0	188	34	4,938	49	61	69,375	565	74,313
August	233	0	188	34	0	49	61	0	565	0
September	249	40,009	197	31	21,342	51	56	(12,542)	584	48,809
October	250	2,363	198	33	8,522	51	54	(9,500)	586	1,385
November	250	0	200	33	15,377	51	55	3,958	589	19,335
December	250	0	200	33	0	52	59	32,000	594	32,000
January	249	(1,144)	200	33	0	54	63	36,000	599	34,856
February	250	788	200	33	0	55	67	28,500	605	29,288
March	250	0	200	35	5,883	56	66	292	607	6,175
Total In -year pupil / place led adjustments		25,084			125,018			395,541		545,643
Enhanced Provision										16,565
Enhanced Provision ASC - The Spires										41,577
April - Sept (Additional Places)								85,834		85,834
Additional ASC & 6th form places		51,027			26,291					77,318
Brixham College - Additional Staffing										75,000
ASC Outreach - Preston Primary										20,000
Chestnut provision PX					20,000					20,000
Review of High Needs Grant										(48,922)
Link Funding (Sept - Mar)								(84,525)		(84,525)
Occombe House Rent					30,106					30,106
Pupil specific additional funding		123,021			37,619			128,552		289,192
Sept - Mar DSG recoupment (10 AP Places)								58,500		58,500
Total - In-Year adjustments		199,132			239,034			583,902		1,126,288
Special School contingency budget										244,400
Overspend										881,888

Appendix 2

SCHOOL ALLOCATIONS FOR 18/19

School Name	Pupil Numbers Oct 17	Per Pupil Entitlement £	School Specific Lump Sum £	Deprivation on FSM / IDAC £	Low Cost, High incidence SEN Attainment £	PFI £	Split Sites £	NNDR General Rates £	English as an Additional Language £	Total Formula Allocation £	Funding to ensure minimum per pupil levels £3,300 P or £4,600 S £	Revised Formula Allocation £
All Saints Babbacombe CofE Primary School	204	572,461	85,000	97,782	38,984			3,850	4,514	802,590	0	802,590
Barton Hill Academy	586	1,644,421	85,000	538,251	185,363		10,649	6,756	19,217	2,489,658	0	2,489,658
Brixham C of E Primary School	212	594,910	85,000	65,977	35,910			21,480	0	803,277	0	803,277
Cockington Primary School	564	1,582,686	85,000	329,195	126,986			10,615	33,407	2,167,888	0	2,167,888
Collaton St. Mary C of E Primary School	208	583,685	85,000	80,672	29,302			5,275	2,241	786,176	0	786,176
Curledge Street Academy	414	1,161,759	85,000	267,599	100,113		7,523	8,948	6,742	1,637,684	0	1,637,684
Eden Park Primary Academy	391	1,097,216	85,000	166,599	97,305		7,105	5,663	4,494	1,463,383	0	1,463,383
Ellacombe Academy	351	984,969	85,000	304,862	58,390		6,378	5,719	14,177	1,459,496	0	1,459,496
Furzeham Primary and Nursery School	275	771,700	85,000	85,504	49,706			30,569	7,294	1,029,772	0	1,029,772
Galmpton C of E Primary School	219	614,553	85,000	37,152	29,605			2,544	745	769,599	0	769,599
Hayes School	408	1,144,921	85,000	270,372	112,521			5,472	7,506	1,625,791	0	1,625,791
Homelands Primary School	207	580,879	85,000	119,762	41,937	59,647		26,376	4,533	918,134	0	918,134
Ilsham Academy	174	488,275	85,000	41,989	9,820		3,162	1,573	4,501	634,320	0	634,320
Kings Ash Academy	358	1,004,612	85,000	409,832	114,534			14,994	3,056	1,632,029	0	1,632,029
Oldway Primary School	637	1,787,537	85,000	139,146	74,742			16,100	9,740	2,112,266	0	2,112,266
Our Lady of the Angels Catholic Primary School	173	485,469	85,000	95,038	34,616			6,951	12,007	719,081	0	719,081
Preston Primary School	321	900,784	85,000	76,683	57,911			6,360	3,018	1,129,755	0	1,129,755
Priory Roman Catholic Primary School	163	457,407	85,000	95,757	48,236			2,591	7,069	696,061	0	696,061
Roselands Primary School	310	869,916	85,000	124,141	45,326			5,985	2,254	1,132,622	0	1,132,622
Sacred Heart Catholic Primary and Nursery School	207	580,879	85,000	131,535	39,842		3,762	2,743	9,008	852,769	0	852,769
Sherwell Valley Primary School	645	1,809,986	85,000	154,652	117,336			64,090	3,724	2,234,788	0	2,234,788
Shiphay Learning Academy	421	1,181,402	85,000	72,483	100,031			7,001	10,485	1,456,402	0	1,456,402
St. Margaret Clitherow Catholic Primary School	123	345,160	85,000	42,903	25,390			4,205	0	502,658	0	502,658
St. Margaret's Academy	409	1,147,728	85,000	219,470	100,896			5,465	2,998	1,561,557	0	1,561,557
St. Marychurch C of E Primary School	308	864,303	85,000	155,301	68,160			4,830	4,475	1,182,070	0	1,182,070
Torre C of E Primary School	296	830,629	85,000	144,272	61,249			5,725	9,804	1,136,680	0	1,136,680
Upton St. James Primary	101	283,424	85,000	93,213	20,972		1,835	1,262	3,769	489,475	0	489,475
Warberry C of E Primary School	393	1,102,829	85,000	176,710	65,781			6,260	12,803	1,449,382	0	1,449,382
Watcombe Primary School	195	547,205	85,000	180,766	53,916			13,003	1,470	881,360	0	881,360
White Rock Primary School	544	1,526,562	85,000	154,680	82,959			14,002	3,846	1,867,049	0	1,867,049
TOTAL PRIMARY SCHOOLS	9,817	27,548,269	2,550,000	4,872,299	2,027,838	59,647	40,415	316,407	208,897	37,623,773	0	37,623,773
Brixham Academy	986	4,014,044	110,000	376,715	273,876			33,278	5,157	4,813,070	0	4,813,070
Churston Ferrers Academy	738	2,998,973	110,000	92,700	632			36,482	573	3,239,360	155,440	3,394,800
Paignton Community & Sports Academy	1,277	5,155,372	110,000	677,490	466,673		213,683	76,940	6,303	6,706,461	0	6,706,461
St Cuthbert Mayne Joint Catholic and C of E School	768	3,142,109	110,000	439,306	234,158			29,181	13,752	3,968,506	0	3,968,506
The Spires College	728	2,946,718	110,000	440,144	223,932	226,223	36,460	50,476	9,283	4,043,236	0	4,043,236
Torquay Academy	1,147	4,635,930	110,000	629,841	326,777			53,264	12,617	5,768,430	0	5,768,430
Torquay Boys' Academy	790	3,211,886	110,000	85,166	13,235			43,940	573	3,464,800	169,200	3,634,000
Torquay Grammar School for Girls	712	2,885,440	110,000	88,096	2,756			37,520	0	3,123,811	151,389	3,275,200
TOTAL SECONDARY SCHOOLS	7,146	28,990,473	880,000	2,829,458	1,542,039	226,223	250,143	361,081	48,258	35,127,674	476,029	35,603,703
TOTAL PRIMARY & SECONDARY	16,963	56,538,742	3,430,000	7,701,757	3,569,877	285,870	290,558	677,488	257,156	72,751,447	476,029	73,227,476

School Name	Total MFG Allocation £	Total School Allocation Higher of Formula or MFG £	Total School Allocation Determined by	Scaling required to meet minimum per pupil levels £3,300 P or £4,600 S £	Final Allocation after Scaling £	Funding per pupil after scaling £	Nursery Funding £	EHCP's Above £6k £	Enhanced Provision £	De-delegation agreed by Schools Forum £	Pupil Premium £	Total School Funding £
All Saints Babbacombe CofE Primary School	763,765	802,590	Formula	(3,717)	798,873	3,916.05		19,180		0	64,260	882,313
Barton Hill Academy	2,688,176	2,688,176	MFG	0	2,688,176	4,587.33	154,710	35,764	62,390	0	452,940	3,393,979
Brixham C of E Primary School	798,604	803,277	Formula	(447)	802,830	3,786.94	77,819	36,639		(6,177)	86,020	997,131
Cockington Primary School	2,125,602	2,167,888	Formula	(4,046)	2,163,842	3,836.60		69,626		0	282,020	2,515,488
Collaton St. Mary C of E Primary School	735,777	786,176	Formula	(4,823)	781,353	3,756.50		4,673		0	44,800	830,826
Curlidge Street Academy	1,592,800	1,637,684	Formula	(4,295)	1,633,389	3,945.38	186,820	76,673		0	248,040	2,144,922
Eden Park Primary Academy	1,463,714	1,463,714	MFG	0	1,463,714	3,743.51	118,264	7,467		0	186,640	1,776,086
Ellacombe Academy	1,521,644	1,521,644	MFG	0	1,521,644	4,335.17	67,705	34,917		0	228,240	1,852,506
Furzeham Primary and Nursery School	1,005,767	1,029,772	Formula	(2,298)	1,027,474	3,736.27	63,756	4,977		(10,373)	91,260	1,177,094
Galmpton C of E Primary School	749,339	769,599	Formula	(1,939)	767,660	3,505.30		13,155		0	50,120	830,935
Hayes School	1,575,225	1,625,791	Formula	(4,839)	1,620,952	3,972.92	106,729	17,493		0	197,280	1,942,455
Homelands Primary School	887,635	918,134	Formula	(2,919)	915,215	4,421.33	80,933	39,927		(7,627)	99,260	1,127,708
Ilsham Academy	623,344	634,320	Formula	(1,049)	633,271	3,639.49		7,436		0	46,200	686,907
Kings Ash Academy	1,548,978	1,632,029	Formula	(7,948)	1,624,081	4,536.54	118,496	73,673		0	302,280	2,118,530
Oldway Primary School	2,050,809	2,112,266	Formula	(5,881)	2,106,385	3,306.73	116,337	39,179		0	164,340	2,426,240
Our Lady of the Angels Catholic Primary School	676,877	719,081	Formula	(4,039)	715,042	4,133.19		26,123		0	56,080	797,244
Preston Primary School	1,127,753	1,129,755	Formula	(191)	1,129,564	3,518.89		36,346	121,520	0	107,100	1,394,530
Priory Roman Catholic Primary School	640,943	696,061	Formula	(5,275)	690,786	4,237.95		38,926		0	66,860	796,571
Roselands Primary School	1,093,306	1,132,622	Formula	(3,762)	1,128,860	3,641.48		37,133		0	95,900	1,261,893
Sacred Heart Catholic Primary and Nursery School	811,350	852,769	Formula	(3,964)	848,805	4,100.51	94,186	17,801		0	98,920	1,059,711
Sherwell Valley Primary School	2,173,084	2,234,788	Formula	(5,906)	2,228,882	3,455.63	166,920	50,555		(19,667)	128,060	2,554,750
Shiphay Learning Academy	1,434,436	1,456,402	Formula	(2,102)	1,454,300	3,454.39	95,059	46,022		0	97,480	1,692,861
St. Margaret Clitherow Catholic Primary School	480,198	502,658	Formula	(2,149)	500,509	4,069.18		13,959		0	38,920	553,388
St. Margaret's Academy	1,518,706	1,561,557	Formula	(4,101)	1,557,456	3,807.96		29,221	73,134	0	174,500	1,834,310
St. Marychurch C of E Primary School	1,142,534	1,182,070	Formula	(3,784)	1,178,286	3,825.60	103,313	25,680		0	116,000	1,423,279
Torre C of E Primary School	1,083,325	1,136,680	Formula	(5,106)	1,131,574	3,822.88	119,479	40,089		0	97,640	1,388,782
Upton St. James Primary	461,906	489,475	Formula	(2,639)	486,836	4,820.16		12,992		0	69,960	569,788
Warberry C of E Primary School	1,398,831	1,449,382	Formula	(4,838)	1,444,544	3,675.68	116,944	29,184		0	125,020	1,715,692
Watcombe Primary School	863,666	881,360	Formula	(1,694)	879,666	4,511.11	111,671	32,661		(6,374)	103,940	1,121,564
White Rock Primary School	1,838,309	1,867,049	Formula	(2,750)	1,864,299	3,427.02	83,769	85,326		(16,907)	187,340	2,203,828
TOTAL PRIMARY SCHOOLS	36,876,403	37,884,769		(96,501)	37,788,268		1,982,909	1,002,796	257,044	(67,125)	4,107,420	45,071,312
Brixham Academy	4,619,663	4,813,070	Formula	(18,508)	4,794,562	4,862.64		66,530	144,585	0	248,905	5,254,582
Churston Ferrers Academy	3,122,180	3,394,800	Formula	0	3,394,800	4,600.00		23,635		0	65,735	3,484,170
Paignton Community & Sports Academy	6,521,954	6,706,461	Formula	(17,658)	6,688,803	5,237.90		176,127		0	456,665	7,321,595
St Cuthbert Mayne Joint Catholic and C of E School	3,832,416	3,968,506	Formula	(13,023)	3,955,483	5,150.37		27,143		(27,588)	252,415	4,207,454
The Spires College	3,952,449	4,043,236	Formula	(8,687)	4,034,549	5,541.96		131,747	124,691	(24,854)	273,910	4,540,044
Torquay Academy	5,693,180	5,768,430	Formula	(7,201)	5,761,229	5,022.87		63,690		0	414,830	6,239,749
Torquay Boys' Academy	3,349,066	3,634,000	Formula	0	3,634,000	4,600.00		3,504		0	64,780	3,702,284
Torquay Grammar School for Girls	3,018,629	3,275,200	Formula	0	3,275,200	4,600.00		12,485		0	66,710	3,354,395
TOTAL SECONDARY SCHOOLS	34,109,537	35,603,703		(65,077)	35,538,626			504,862	269,276	(52,442)	1,843,950	38,104,272
TOTAL PRIMARY & SECONDARY	70,985,939	73,488,473		(161,578)	73,326,895		1,982,909	1,507,657	526,320	(119,567)	5,951,370	83,175,584

SPECIAL SCHOOL FUNDING ALLOCATIONS 18/19 - MAY 18

Appendix 3

Type of Place	Number of agreed Places	Number of Pupils April 18	Number of Pupils May 18	Funding per Place £	Top-up per pupil above £10k per place £	Total Place Funding £	Total Pupil Funding £	Other Funding £	Total Funding £
Combe Pafford									
Autism	38	56	56	10,000	5,132	380,000	287,369		667,369
BESD 1	19	21	21	10,000	5,690	190,000	119,483		309,483
SLD	2	6	6	10,000	5,567	20,000	33,402		53,402
Hearing	2	2	2	10,000	5,444	20,000	10,889		30,889
MLD 1	63	47	47	10,000	551	630,000	25,874		655,874
MLD 2	53	41	41	10,000	1,402	530,000	57,473		587,473
MLD 3	27	27	26	10,000	2,538	270,000	66,187		336,187
PD	9	12	12	10,000	5,132	90,000	61,578		151,578
SpecLD	4	2	2	10,000	2,477	40,000	4,953		44,953
SLCN	32	35	36	10,000	4,968	320,000	178,420		498,420
Visual	3	1	1	10,000	8,532	30,000	8,532		38,532
Additional funding for specific pupils								48,000	48,000
Total	252	250	250			2,520,000	854,162	48,000	3,422,162
Mayfield & Chestnut									
PMLD	52	49	51	10,000	12,606	520,000	640,818		1,160,818
BESD1 - Chestnut	32	36	38	10,000	11,085	380,000	419,371		799,371
SLD	146	151	152	10,000	6,752	1,510,000	1,025,753		2,535,753
Additional funding for specific pupils								39,105	39,105
Other funding (see note)								201,174	201,174
Total	230	236	241			2,410,000	2,085,942	240,279	4,736,221
Note: Funding is for Mayfield & Chestnut Outreach, Permanent Exclusions and Occombe House Rent.									
Burton & Brunel									
Brunel - SEMH	56	54	54	10,000	13,480	560,000	727,895		1,287,895
Burton - Alternative Provision	50	69	68	10,000	9,850	690,000	670,648		1,360,648
Additional funding for specific pupils								79,534	79,534
Total	106	123	122			1,250,000	1,398,543	79,534	2,728,077
Overall Total	588	609	613			6,180,000	4,338,647	367,813	10,886,460

Appendix 4

SPECIAL SCHOOL FUNDING ALLOCATIONS 18/19 FOR PUPIL TOP-UPS

Type of Place	Number of Pupils Jan 18	Initial Top-up per pupil £	Initial Pupil Funding £	Revised top-up per pupil 2% funding Increase £	Revised Pupil Funding £	Funding Increase £
Combe Pafford						
Autism	54	4,726	255,204	5,132	277,105	21,901
BESD 1	21	5,240	110,040	5,690	119,483	9,443
SLD	6	5,127	30,762	5,567	33,402	2,640
Hearing	2	5,014	10,028	5,444	10,889	861
MLD 1	47	507	23,829	551	25,874	2,045
MLD 2	41	1,291	52,931	1,402	57,473	4,542
MLD 3	27	2,337	63,099	2,538	68,514	5,415
PD	13	4,726	61,438	5,132	66,710	5,272
SpecLD	2	2,281	4,562	2,477	4,953	391
SLCN	35	4,575	160,125	4,968	173,866	13,741
Visual	1	7,858	7,858	8,532	8,532	674
Total	249		779,876		846,802	66,926
Mayfield & Chestnut						
PMLD	49	12,046	590,254	12,606	617,707	27,453
BESD1 - Chestnut	33	10,592	349,536	11,085	365,793	16,257
SLD	151	6,452	974,252	6,752	1,019,564	45,312
Total	233		1,914,042		2,003,064	89,022
Burton & Brunel						
Brunel - SEMH	54	13,000	702,000	13,480	727,895	25,895
Burton - Alternative Provision	63	9,500	598,500	9,850	620,577	22,077
Total	117		1,300,500		1,348,472	47,972
Special School Totals	599		3,994,418		4,198,338	203,920
Enhanced Provisions						
St Margarets Academy - HI	2	567		657		
Preston Primary - ASD	16	1,595		1,848		
Barton Hill Academy - S & L	10	239		277		
The Spires College - HI	7	1,813		2,101		
The Spires College - ASD	0	1,639		1,899		
Brixham Academy - ASD	15	1,639		1,899		
		Increase £		% increase using top-ups		
Special Schools						
Combe Pafford - 2% increase		66,926		8.58		
Mayfield & Chestnut - 2% increase		89,022		4.65		
Burton & Brunel - 2% increase		47,972		3.69		
Total 2% increase Special Schools		203,920				
2% increase for Enhanced Provision		10,526				
Overall Total		214,446				

Schools Forum 14th June 2018



Report and Recommendations from School Forum Working Group – Special School Allocations

Meeting at Combe Pafford School 14th March 2018

Present: -

Mike Lock	Combe Pafford School
Matt Caunter	Brunel Academy
June Palmer	Mayfield School
Stephen Hulme	Burton Academy
Rob Parr	LA Finance Team

Background to the meeting

Torbay was allocated an additional £2.2 million in the 18/19 DSG Schools Block, as a result of being an historically underfunded LA's. This funding could only be allocated to mainstream schools and no additional funding has been received for Special Schools (through the High Needs block). Torbay currently has significant pressures on it's High Needs block contributing to an overspend within the DSG. Martin Phillips (Head of Finance) at Torbay Council had been approached regarding additional funding for Special Schools but due to current pressures facing the High Needs and no increase from the ESFA, felt unable to agree to an increase. ML approached Rachael Williams and Andy Dempsey about this, as special schools are facing the same cost pressures as other schools. Papers were taken to 8/3/18 Schools Forum, showing a model for additional funding based on increases of 1%, 2% and 3% of the top up funding only (which in Combe Pafford's case equated to 0.4% of their total funding). A discussion was had at Schools Forum and a vote taken, agreeing to Special Schools being allocated 2% of their total allocation of £10.196m, this equated to £204k.

Purpose of the meeting

To discuss the fairest way to split the 2% (£204,000) allocated between special schools.

Main points of the discussion were

Rob Parr said he could see why, but not necessarily agree with the decision, he felt the reason that it should only be 2% of top ups was because the £10k per place led funding comes direct from the ESFA and the ESFA did not increase the £10k per place funding. Matt Caunter said that this should have been made clear at the meeting . June Palmer agreed with this. They all agreed that Special Schools have the same cost pressures on them as mainstream schools including staffing pay increases. Mike Lock showed a document which demonstrated that out of 10 special academies, Combe Pafford had the lowest per pupil funding at £15,764, the highest being £39,000 and the average special school £26,000.

In discussion about the High Needs pressures, which belongs to all Torbay Schools, Rob said he had recently been to a regional meeting regarding school funding and that other LA's were applying a range of measures, including the use of the disapplication process to address the pressures all are facing within High Needs. It was discussed that all schools need to acknowledge that the current financial position needs to be addressed as a matter of urgency and take joint ownership of the contributing factors.

Matt Caunter asked who makes the decision as to how long the overspend can be carried forward. Obviously, this is of concern to the wider council financial position, but remains an issue which needs to be addressed by the Local Area and dealing with the on-going pressures remains a Dedicated School Grant (DSG) issue.

Rob also mentioned the High Needs pressures were discussed at length at the regional meeting he recently attending. Some attendees felt that HN issues are proving difficult for ESFA to address and by the introduction of the National Funding Formula in 20/21 the High Needs block may no longer form part of the DSG. The High Needs funding could be subsumed within LA funding which would to a degree, alleviate the problem for the ESFA.

Rob prepared and shared a spreadsheet showing the impact of the proposed 2% increase for each of the special schools. It was felt that the best option is to build the increase into the per pupil top-up bandings.

Mike Lock explained that Tim Stevens (Primary Academy Governor) rep on SF had phoned him asking about additional funding in Enhanced Provisions within mainstream schools, if 2% was applied to those, this would equate to an additional £11k on top of the £204k agreed at 8/3/18 Schools Forum.

Heads were in agreement that to be consistent, the top-up rates within Enhanced Provisions should also be increased, as they are also funded on £10k per place.

Outcome of the meeting

Rob to recalculate the apportionment of the money to the four special schools and Enhanced Provisions and circulate to the people present and then attach to these minutes in preparation for the next Schools Forum.

Meeting closed at 11am

Mike Lock

Head of Combe Pafford

Higher Needs Recovery Group

Context

The Higher Needs Recovery group (HNRG) is tasked by School Forum with addressing the overspend on the higher needs block within the DSG.

Since the last Forum meeting, the HNRG has met twice and considered information, data and financial reports to make some recommendations.

The following paper provides a synopsis of the two meetings, for your information the full minutes and reports are also included.

Meeting held 19th April 2018

The group considered the following agenda items;

1. Statistical information
2. Exclusions and recoupment
3. Vision for managing pupil movements
4. Business case for Paignton Community and Sports Academy
5. Business case for Play Torbay
6. Identification of priority area

The group discussed at length proposals to re-design the local system to ensure equity and transparency in the management of pupil movements outside of admission round. The group agreed with the Officers recommendations to;

- Apply MFG to the recoupment process for Permanent Exclusions
- Add a staged "Managed Transfer" process to the Torbay model for managing pupil movements
- Adopt a 3% of the school roll limit for each year to help manage pupil referral placements with equity

Following the meeting the Head of Vulnerable Pupils has given the same presentation to Secondary and Primary Headteachers. All parties have been provided with an opportunity to feedback on the proposal. Where questions have been raised, an individual school visit has taken place.

The HNRG also received two invest to save projects for consideration;

- The development of an area based provision at Paignton Academy for six KS3 pupils that are currently taught out of area
- The investment in a pilot project with Play Torbay and the Youth Trust to provide re-integration support to pupils returning to mainstream from alternative provision

Following the meeting a letter was sent to all School Forum Members seeking agreement to proceed with the projects. Sufficient votes in favour were received, this has enabled Officers to proceed with the establishment of the projects.

Meeting held on the 25th May 2018

At this meeting the Assistant Director for Education presented a comprehensive paper providing information on the possible mechanisms that are available locally to deal with the deficit and future budget pressures. The paper covered the;

- Virement process and outcome of Local Areas seeking approval to move funds across blocks above the 0.5% permitted cap
- Budgetary implications of reducing the Element 3 top up payments to schools
- Capping or reducing the commissioned number of specialist placements at Special Schools, Alternative Provision or Independent Placements

The group considered all options and agreed that a combined approach including the use of a virement application might be the best way forward.

The group recommends to Forum that Officers work on building a proposal using a combination of the above that can be consulted upon with schools post forum approval.

Recommendations

1. To accept the Business Case for establishing an enhanced resource base to reintegrate children from out of area provision. This would be managed by PCSA for Key Stage 3 students at the Yalberton site.
APPROVED
2. To run a pilot programme with the Youth Trust/Play Torbay securing effective reintegration into mainstream settings from alternative provision. This programme would run from 9-12 weeks and be managed by Play Torbay. The students targeted are from across all key stages and would benefit from a programme that includes support from parents and an offer outside term dates.
APPROVED
3. To adopt a proposal that all schools have an expectation that they will accept a limit of children on managed moves or reintegrating from alternative provision. There will be an agreed limit which is intended to ensure equity and clarify the places available to the Pupil Referral Panel under Fair Access. The proposed figure is 3% of the school roll for each year based on the October school census.
APPROVED
4. To use MFG as a mechanism for recoument of Permanent exclusions.
5. To adopt a 'managed transfer' in addition to a 'managed move' process to support the movement of pupils outside of admissions round.
6. To task Officers with creating a full business plan for the recovery of the higher needs deficit using a combined approach of limiting commissioned numbers, reviewing Element 3 'top up' payments, and seeking a virement application via Schools Forum or a disapplication to the Secretary of State. The full business case would be presented to School Forum and if agreed be consulted upon with the sector in September/October 2018.

Rachael Williams

Assistant Director of Education, Learning and Skills

MINUTES FROM HIGHER NEEDS RECOVERY GROUP MEETING HELD ON
19th April 2018

<p>Present: Rachael Williams, Andy Dempsey, Rob Parr, Dorothy Hadleigh, Matt Gifford, Daniel Hamer, Adam Morris, Ken Kies, Sandra Wright, Mike Lock, Brian Chapman, John Demeger, Siobhan Grady, Samantha Meyer, Amanda White, Gail Rogers, Mark Eager, Jason Trevarthen and (Magenta Guthrie - notes)</p>	<p>Actions</p>
<p>Apologies</p>	
<p>Roger Hughes, Julie Chubb, Steven Hulme, Stephen Kings, Sheena Wright</p>	
<p>1. Welcome and Introductions</p>	
<p>Andy welcomed everyone to the meeting. Andy is deputising for Roger today. The group need to come to a decision as to whether we want to recommend to Schools Forum that they take certain actions in dealing with the higher needs pressure.</p>	
<p>2. Review of previous minutes</p>	
<p>Andy asked that the minutes have page numbers going forward. The only issue at the last meeting was the election of the Chair, Roger is Chair which everybody was happy with. In the ToR, the Deputy Chair would be the Director of Children’s Services, we have moved to a joint DCS model, Alison Botham is the DCS for Torbay and the DCS for Plymouth, she is not the DCS for Torbay and Plymouth as this does not exist as an entity. Andy asked the group if during the transition period Alison is not available, for Rachael to represent the Local Authority. Andy will check with Alison later today and get back to the group on Alison’s availability to attend this group.</p> <p>Rachael said that Roger had asked the election of Chair to be added to the meeting agenda today. Roger took the Chair position last time but wanted it discussed at this meeting. It is agenda item number 3, this will be discussed in Roger’s absence.</p> <p>The minutes were agreed as accurate. Dan asked if as people substitute for others a confidentiality statement needs to be signed, Magenta handed out confidentiality statements to those who were not present at the first meeting. Anyone who is representing anyone else at the meeting today needs to sign a confidentiality statement due to the nature of what is being discussed.</p> <p>Dorothy said that the transfer process has been completed, all statements no longer exist in Torbay apart from 2 that are high complex individuals. Andy added that it is worth noting that despite having a much higher rate of EHCP, our transition from statement to EHCP by the March 2018 deadline has been completed apart from the 2</p>	<p>AD</p>

cases which relates to complexity. One of Andy's concerns is that we lack capacity within the LA to do the annual review to ensure the plans develop and change. There is a danger that if the original plan is a high cost high intensity package, we need to review that package to make sure it remains proportionate to the child's needs.

Mike asked if this is being solved, Andy said that we are putting a resource in place to start that review process. The focus had been on transition from statement to EHCP. Rachael said we currently have 2 job descriptions going through job evaluation for monitoring officers and some administrative capacity and an IT solution for everyone to upload their information ahead of an annual review cycle. Andy said that this will have to be managed within the existing department budget, it is not further growth.

Siobhan highlighted that there will be an additional pressure on partners, review's need to be timed so they do not all come at once. Andy said that we need to find a solution as this is a statutory requirement. We should be able to inform the group at the next meeting who has been appointed.

Agenda item 7 at the last meeting- SEND budget presentation. Rachael said we were asked to look at the Health and Social Care contributions into the EHCP process, we can look at the Social Care contributions around joint placements, we are not able to quantify the investment into an individual EHCP plan.

When you look through the plans, they are listed as services provided to children rather than quantity or a resource. EHCP plans appear to be funded by Education as a budget but the services are wrapped around from the other organisations. This will be taken to the SEND operational meeting where we have Social care and Health colleagues to say do we need to change that in our process of putting forward our agreed plan. Andy asked for people's views, are we committing ourselves to a lot of work? Siobhan said they would be interested in the outcome for those above and beyond and that the costs normally relate to National tariffs. Matt said that we need to be able to offer a personal budget so we have to be able to break it down. We would only need a huge amount of detail when there are requests for personal budgeting. John Demeger said it does need disentangling at the consultation stage. Speech and Language is often assumed this comes under education, they cannot provide Speech and Language so assuming it is provided elsewhere, they can accept the pupil. Gail Rogers said there needs to be sufficiency in the other areas. Breaking down what is being offered shows the total required resource from partner services, which indicates if there is enough in the block.

Andy said the starting point was is the balance of funding between Health and Social Care equitable. In some circumstances we would need to know the detail, either through personal budgeting or can an institution meet the needs of the pupil. The group will not try to review every case but we need a process at an individual level. Rachael said that the group need to take the report of the joint funded places between Education and Social Care and to be aware of the contribution that Education are making to those residential places. Schools Forum have received this report- Rachael to circulate this report. Siobhan said the NHS have a real push around personal health budgets.

Andy did speak with Jo Olsen (Devon) but not about this. Andy has a telephone call scheduled later this week and asked that the action is left on the agenda/minutes:

RW

<p>Dorothy Hadleigh said that Devon County Council had a different protocol and Andy Dempsey said that he would speak to their Chief Officer for Children’s Services about this.</p>	<p>AD</p>
<p>3. Election of Chair</p>	
<p>Andy said that Roger reluctantly was drawn into the role of Chair. Everyone agreed that they are happy with Roger as Chair, and as Chair of Schools Forum, Roger brings continuity to the group. No one wanted to remove Roger’s role as Chair of this group.</p> <p>Andy asked what colleagues want to see from the new DCS. It was agreed that the DCS should attend this meeting. Mike highlighted this is pressing issue for schools so the DCS should attend. Andy will discuss with Alison Botham (new DCS) that members would like the DCS at this meeting and to attend Schools Forum.</p>	<p>AD</p>
<p>4. Statistical Information (Presentation)</p>	
<p>Matt has put in the figures alongside the 10 statistical neighbours. In the % of pupils with EHCP, Torbay are still an outlier. Dorothy said that the stats to do with SEN in the census are released in June which will show if the gap is widening or on par. A number of LA’s who previously avoided EHCP’s and delegated money to SEN support are now reviewing and revising that. Rachael said because of the age banding we have, we know there are children within our system that are historically higher than other areas, therefore we can assume the gap will not close significantly because of the children within the system and we are not ceasing their plans.</p> <p>We are almost in line with statistical neighbours and the South West for % of SEN support. The % of all pupils with SEN includes SEN support as well as EHCP’s. In SEN Primary need for Primary, Secondary and Special schools, Torbay remain the outlier in certain areas. Rachael said comparing our data to National and statistical neighbours has not changed our position. Devon and Somerset have changed their system by not allocating element 3 until an EHCP is in place. Andy said that we are over represented on SEMH and under represented on MLD.</p> <p>Roger asked at the last meeting if we can get information on what year group the plans are ceasing in, which Matt said we have to go back to Capita for. Matt will bring this back to the next meeting. Rachael said that from the information we can note that a request for an RSA comes in transition; reception into primary and year 6 going into year 7, this is probably driven by the fact a new provision is required. John Demeger said that a couple of schools have told him off the record that they know there is a need but wait until the pupil is leaving year 11, although the data shows this is not the case for year 6.</p>	<p>MG</p>

5. Exclusions and recoupment

Andy said this has been discussed at Schools Forum. Dan said we continue to see an increase year on year with exclusions, significant numbers of children being excluded from mainstream schools and academies, this is not reflected in the number of pupils going back into mainstream school. We need to look at how we can increase flow back into mainstream. 2013/2014 exclusions started to increase. The rate of exclusion is beyond the national rate of exclusion, we are now an outlier. Fixed term exclusions are also increasing. There are concerns around exclusions for drugs and alcohol as guidance says this isn't a reason to exclude. SEN students are far more likely to be excluded for a fixed term than their peers; 3 times more likely to be excluded for a fixed term and 8 times more likely to have repeated fixed term exclusions. Rachael said couple that back with the higher proportion of SEMH children within Torbay and link that with the exclusion data. SEN national data doesn't differentiate between K and E, so every SEN child does include SEMH.

Secondary permanent exclusions reasons are persistence disruptive behaviour and assault on a pupil, drug and alcohol is at the same level. Primary are increasingly seeing assault on an adult as a reason for exclusion.

Special schools fixed term exclusions are slowly declining, the reasons for exclusions are assault on a pupil which is becoming more prevalent, or persistence disruptive behaviour, these may sit together.

In the Spring term, there were 8 permanent exclusions within the first month of coming back. Rachael added that out of all those excluded pupils coming in, those children are not going into mainstream as a matter of course, so the investment from the higher needs block is considerable. Out of 42 pupils that came out of the system, only 10 went back into any provision. Rachael gave figures of £20,000 as a minimum amount of package associated with any child coming out of the system up to £50,000.

Dan went through the current funding recoupment model, the guidance says the LA should take from the schools budget the in-year amount pro rata for all funding attached to that child. Dan showed the group the formula that is being used nationally (MFG). This ensures the recoupment is appropriate for the child that has been excluded. There is a fair amount of money that should follow a child into AP. At KS3, MFG is almost £1000 higher attached to the child opposed to AWPU. If you exclude a KS3 child at the beginning of the year, it left schools with a residual sum. We would recoup appropriate to the funding we send to schools per child.

We would like to recommend to Schools Forum from 1st September to adopt MFG as opposed to AWPU. Andy said this may incentivise exclusions and give a more inclusive approach because of the financial impact. Andy highlighted we are not a decision making group, but we can recommend to Schools Forum. Andy asked if we are content as a group to recommend this to Schools Forum. Everyone agreed to recommend the adoption of a recoupment model based on MFG to Schools Forum from 1st September and that this is communicated to all schools at the earliest opportunity. Ken agreed the

<p>proposal will help the finances a little but doesn't think it will help the number of exclusions, excluding pupils seems archaic and sometimes it is because the parents expect it. Andy said that there is an emerging awareness in Ofsted around the movements of pupils outside of admissions rounds.</p> <p>Rachael to write to Schools Forum to adopt MFG funding from 1st September</p>	RW
6. Vision for managing pupil movements (Presentation)	
<p>Rachael said that in Torbay we have identified that there is a higher rate of pupil movement between provisions and out of the system into AP and Special schools particularly at KS3 and KS4. This has been flagged by Ofsted who will be writing to the LA formally with the data so the LA can go to Headteachers. Ofsted had been asked to consider if this was an Ofsted priority at the request of Assistant Director Association Group in the SW. When Rachael receives the letter from Ofsted, it will be shared at the secondary Heads meeting.</p> <p>There is support available for schools currently; Educational Psychology, request for statutory assessment, referral to PRP and intensive outreach service. Schools appear to be prioritising Educational Psychology time elsewhere and not on pupils that are at risk of exclusion. There was recently a secondary peer challenge group which was a success, the next meeting is due to take place on 2nd May. The group talked about strategies and interventions, what had been successful for them. In the meeting, they confirmed 19 children on managed moves backwards and forwards between Brunel and mainstream education. PRP is an admissions and placement panel, not a peer challenge panel. A lot of conversation takes place about individual children and it is felt this is not the place.</p> <p>Dan showed the current model used which is a 2 step model. Mark asked if the figures also include parental choice, it could be in the best interest of the child to move schools. Rachael confirmed Ofsted have not done a breakdown of those figures, they will be giving them to the LA to do the reasons behind the pupil movements. Dan went through the proposed new 3 step model that Portsmouth LA have developed by adding an extra step in the model- managed transfer. Handled like a managed move, funds would be transferred, unlike managed moves, there is no return path. The schools work together and do the pro rata funding transfer at an earlier point. The initial school would bear the cost of a permanent exclusion if that happens within the first 2 terms. It is recognised that some children will not hit this step. Mark asked if oversight from the LA is a brokerage or is it just an awareness that is happening. Dan said on managed transfers it would be a brokerage. Mark asked if a permanent exclusion would affect the excluding school or the original school. Dan answered the original school would bear the financial cost and the statistical figure of the permanent exclusion. There is no cost to the higher needs block for the extra step.</p> <p>To support this, we need a changed model, not PRP. Mark was not sure on separating the secondary schools between selective and non-selective, Dan explained that all secondary schools were invited to the peer challenge group and the non-selective were</p>	

the schools that turned up. Hopefully going forward, the schools will combine and have 2 groups of 4 mixed with selective and non-selective. Andy said the numbers need to be managed so they are directed across the system based on child's presenting need rather than capacity alone. Andy pointed out this would apply to all schools, selective and non-selective, if passed through Schools Forum.

Dan said that PRP is subject to change. Rachael said this is a principal and needs to be brought back, this is a mechanism and to see if the group think this would work. It also needs linking into the admissions process and needs signing off by the DfE.

The recommendation is to support the new model. Schools would only take 3% rounded up at the number on roll at census, not just fill a school that has vacant places. Brian asked what is considered reasonable steps, what is funded in one secondary may not be funded in another. Dan said that this is the duty of the peer challenge group, to identify what is reasonable. Rachael said that we need a support document of what is a reasonable adjustment, and to give good practice examples. Andy said this should be coproduced with the schools.

The group agreed three recommendations: that we recommend to Schools Forum to adopt the 3 stage model, HOS review the structure of PRP to reflect the structure of peer challenge groups, adopt the expectation of schools to support the new model around the 3%.

Andy proposed an amendment; Higher Needs Groups tasks the HOS with refining the 3 stage model with particular reference to the role of PRP and peer challenge groups with respect to the managed moves and transfer. We are not ready to take a detailed model to Schools Forum. Dan highlighted the 3% is an urgent need, can this be a recommendation outside of the 3 step model?

Andy tasked Rachael to draft a letter to Schools Forum proposing at the earliest opportunity to implement or work towards the 3%, this then needs to be communicated to schools at the earliest opportunity. The fair access protocol still runs as normal.

Ken asked if we have a system that encourages exclusion. Is it that we are more likely to get support from SEN if a pupil is close to exclusion? Dan said he thinks we don't, because of the number of children being excluded, a lot of the intervention support places are currently meeting the needs of the pupils being excluded.

Rachael said that she and Sandra meet regarding the outreach services from Chestnut. Some schools were using the outreach service as a support mechanism for getting an area of provision above others. They are looking at ceasing this if the school is not playing a part at keeping the child within mainstream.

Adam wrote a list of behavioural thresholds which are still in place, Ken asked if all schools are using this and do secondary's have something similar? Brian said they do.

Jason said we haven't mentioned progress, some schools will be fair and try to equally share, if you look at the progress of the students, which is what is encouraging the students out of the school, lack of progress.

HOS

RW

<p>Rob asked if there is a difference between the pro rata funding and the exclusion funding, Dan said that the funding is taken through to the next year.</p> <p>This will go to both secondary and primary heads meetings.</p>	
<p>7. Business Case for PCSA</p>	
<p>Initial discussions have taken place with Paignton for an enhanced provision for KS3 pupils that we are having trouble finding provision for and have no other option than going out of area. Primarily they are placed at On Track, the cost is in the region of £55k. Once a child is placed there, it is difficult to get them out and the outcome of the students and the progression they make is limited.</p> <p>We would like to propose 6 students from September (students already identified), Paignton have identified key staff. Rachael said this brings the investment back into our local area, we are not proposing this is a wide provision that anyone can refer to. We would like to de-invest at On Track and use the money to pay for a place at Paignton at a reduced cost. Dorothy said we invest a lot into bespoke therapeutic packages.</p> <p>Mike said this seemed like a good, practical suggestion to get pupils out of expensive, out of area provision and back to the local area.</p> <p>Brian said there is an offsite centre that has the capacity for this provision. 3 staff would be needed for the initial 6 students identified. If the placements go well, the pupils can move into mainstream provision at Paignton on a trial basis. The capital costs have been covered, Rachael said that £100,000 has been allocated from the SEND budget.</p> <p>Ken asked if there was a similar plan for primary school pupils, Dorothy said that Paignton approached the LA about this, and if any primary schools would like to develop a provision then to let her know.</p> <p>Jason said that recruitment would need to take place to ensure a transparent process.</p> <p>Rachael to write to Chair of Schools Forum to ratify this decision, this needs to be done within 5 days due to lack of time.</p> <p>Dorothy said this is not an opportunity for schools to identify pupils, Rachael added we do not want to backfill the places that have been freed up at On Track.</p>	<p>RW</p>
<p>8. Business Case for Play Torbay</p>	
<p>Dan introduced the business case from Play Torbay, there have been lots of cases where the child is ready to re-enter mainstream provision but is refusing. What is being proposed is that Play Torbay work with the child at the point they have been identified for</p>	

<p>reintegration, the alternate provision start to withdraw and Play Torbay support the child in mainstream. The child still has someone they know across both settings.</p> <p>The proposal is to operate a pilot at a cost of approximately £22,000 with a saving of £150,000 if you allow for the cost of the pilot if you project those children staying in AP for a year. The children identified are 3 from Burton, 1 from Apricot and 2 that have been identified for On Track but will probably end up being supported by Chestnut where we have to commission extra provision because Chestnut are full.</p> <p>Sandra said the majority of these children that we are trying to transition have got significant attachment needs, what they have found for a successful transition is having a key adult.</p> <p>Rachael said she has been working with Play Torbay over the last year. They have drawn down lottery funding and the CEO of the big lottery has been to visit. We have worked with Play Torbay to identify the children, they will have a key adult in the mainstream school. Andy asked if Rob was happy with the funding which he was.</p> <p>Rachael said that Play Torbay would continue to work with children and parents during the school holidays so the work put in during term time is not lost, this is when the transition is most likely to fail.</p> <p>Andy said that there is currently not enough resource to work with the parents, Andy would like Rachael to write to Schools Forum to recommend they invest, to save time, send the letter via email.</p>	RW
<p>9. Identification of priority areas</p>	
<p>Rachael said that Rob has been attending a regional fair funding meeting. Some LA's have been clawing back money by removing Element 3 or cutting the bands of element 3, some are looking at the number of commissioned places and withdrawing some. Somerset have worked with Schools Forum in a successful disapplication of 8% from the designated schools grant to the higher needs block, this is 7.5% above the cap. We are taking action to find out how other LA's are dealing with the pressure. Rachael said the group need to be prepared for radical proposals in order to save the money they have been tasked with. Rob has been given additional support from Hampshire to carry out some of the work.</p> <p>Andy said that we need a position paper on how other areas are dealing with the budget pressures, Andy tasked Rachael and Rob to do this. There will need to be broad conversations to go to Schools Forum.</p>	RW/RP
<p>10. Future Meeting Dates and Agenda</p>	
<p>The next meeting is on Friday 25th May at TLH Carlton from 9am to 11am</p>	



Higher Needs Recovery Group - 19th April 2018

Business case for Enhanced Resource Provision at Paignton Community and Sports Academy

Introduction

Initial discussions have been held with the Senior Leadership Team at PCSA regarding the option of setting up an Enhanced Resource Provision for Key Stage 3 pupils. This provision would specifically be for students who require a highly intensive support package in order to provide them with the best opportunity to succeed in a mainstream secondary school environment.

The students may have severe anxiety / separation anxieties and need substantial support with their academic learning. There may be some associated behavioural difficulties, however these will not be the main area of need.

Proposal

The intention is to initially develop a provision for 6 pupils, from September 2-18. This would be located at the Yalberton site with opportunities for mainstream integration when felt to be appropriate. Each student would be subject to an EHCP naming the provision, with regular reviews of progress and outcomes.

The intention is to return some students from out of area provisions, in addition to avoid having to place other students at costly out of area independent provision, which range from £40,000 to £55,000 per student each year.

This will also relieve some pressure on places at Combe Pafford, which is the other provision which is sometimes put in place due to no other options being available.

Costings

The proposed funding for this provision would initially be a full year cost of £60,000 (£10,000 per student) with a top up element according to pupil need.

Dorothy Hadleigh

16 April 2018

Securing Effective Reintegration from Alternative Provision into Mainstream Education

Introduction

Since January 2018 there have been several cases of students refusing to reintegrate from alternative provision and MTS into mainstream settings. There have also been concerns expressed by both primary and secondary colleagues about the transitional support provided to these students.

This has been for a range of reasons including:

1. Student anxiety about the possibility of exclusion from a new placement.
2. A desire to remain with peers and staff in the alternative provision / MTS.
3. Parental anxiety over the move.
4. A lack of support for the reintegration from partner agencies.
5. School concerns about the support available to support the transition.

To this point support - particularly at secondary - has been dependant on the availability of resources and has necessarily been time limited. Most frequently this support has been provided by the alternative provision / MTS. While welcome this support may not address all areas of concern, specifically:

- a. There is not always a belief that the student has an advocate in the process.
- b. There is the perception of a 'slow handover' rather than supported transition.
- c. Support is only in place for the managed move portion of the reintegration.
- d. Parental concerns are not actively addressed through support.

For these reasons there have been reintegration's that have failed as students sabotage them by making poor choices and actively seeking a return to the alternative setting.

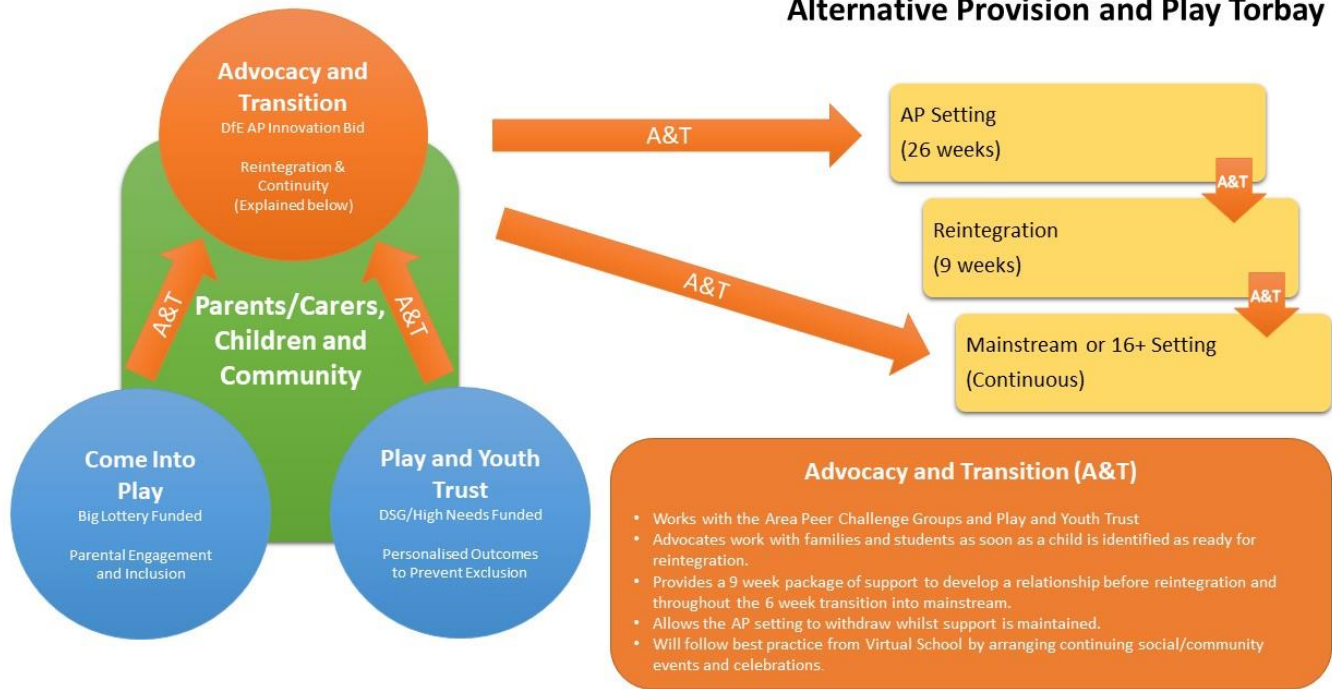
Proposed Support

It is proposed that the transitional support for students judges to be at risk of failing to reintegrate will be provided by a third party advocacy service.

For students and families the intention is for this work to:

1. Engage with student as soon as they are identified as being 'ready' for reintegration by the Challenging Behaviour Peer Group, the PRP or the AP/MTS.
2. The Peer Groups would also be able to access this support (funded by the on roll school) to support Managed Moves.
3. Support the student through the transition process.
4. Engage with the family and link to work with families in the community such as 'Come Into Play'
5. Provide planned, continuous advocacy for the family and student over the medium term.

Alternative Provision and Play Torbay



For schools and the local authority the intention is to:

1. Reduce the costs incurred through placements in both commissioned and bespoke AP placements through successful reintegration into mainstream.
2. Remove the perception of AP settings as a 'chosen educational setting' for parents, students and partner organisations.
3. Increase the availability of AP places allowing intervention places to be purchased by schools.

Pilot Funding

There is no additional funding for this proposal. As with all provision it must be resourced from the existing High Needs budget.

The students currently under consideration for the pilot programme are:

Student ID	M/F	18/19 Yr	Current Setting	Current Funding	Transition Type	Trns Cost	Mainstream Funding
1	F	11	Burton	£19,500	1:1	£3,645	£4,600
2	F	9	Burton	£19,500	2:2	£3,645	£4,600
3	M	9	Burton	£19,500	2:2	£3,645	£4,600
4	F	9	Apricot	£51,000	1:1	£3,645	£4,600
5	F	6	OnTrack	£51,000	1:1	£3,645	£3,300
6	M	4	OnTrack	£51,000	1:1	£3,645	£3,300
				£211,500		£21,870	£25,000

Recommendation

That the HNRG approves a spend of £22,000 for a pilot to run for 9 weeks for the students listed. Starting as the 12 week provision for 4, 5 and 6 draws to a close and sooner for 1, 2 and 3 to allow transition to mainstream provision from September 2018.

Higher Needs Recovery Group - 19th April 2018



Permanent and Fixed Term Exclusion Analysis

Introduction

This is the fourth report of permanent exclusions and fixed term exclusion occurring in the Local Area across all phases and provisions. The report sets out to provide an overall picture of the local trends over a period of time and the most recent intelligence held by the Local Authority.

This is the first report since the introduction of the new protocol for Secondary School permanent exclusions. The Torbay protocol states that:

- Students on their first permanent exclusion will be placed at Burton but will not enter that facility.
- First permanent exclusion students will go straight to a parental preference managed move to mainstream.
- Second permanent exclusion students will transfer into Burton for intervention work before being considered for reintegration

The report provides no solutions, but is vital evidence for the Higher Needs Recovery Group to consider and action as part of the agreed plan.

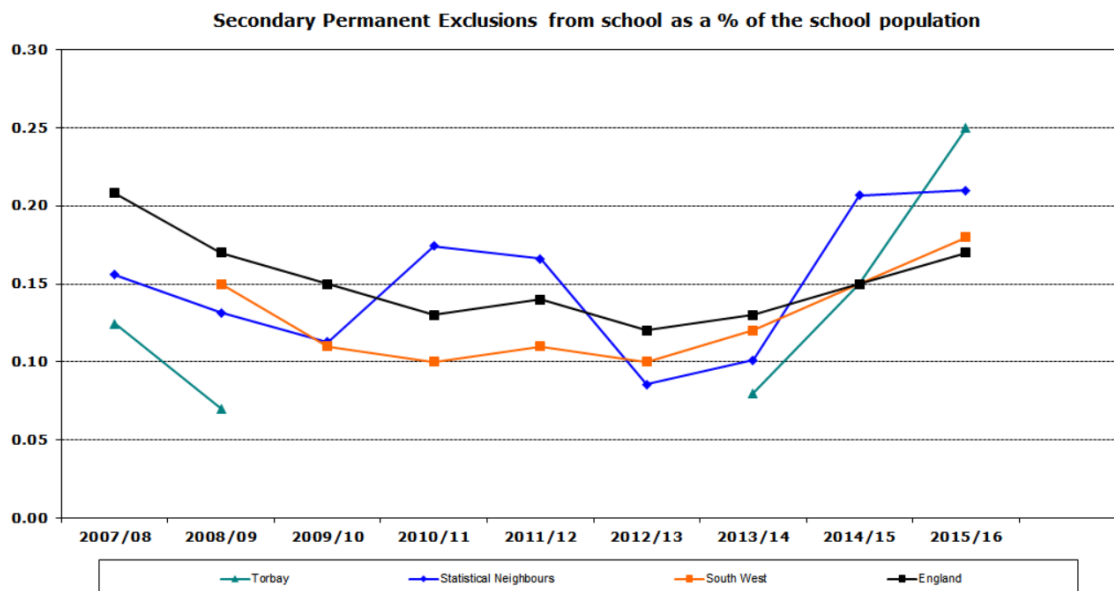
Historical Data, Compared to National and Statistical Neighbours

The number of permanent exclusions has risen significantly since 2013/2014. Although this mirrors a national trend, pupils attending a Torbay Secondary School are more likely to be excluded than the national group and our statistical neighbours. Of particular concern is the higher proportion of students with SEN and /or who are open to Social Care who are excluded. There is also a significant challenge in our rate of increase in permanent exclusions which far exceeds that of our statistical neighbours.

Permanent Exclusions

	2013/14	2014/15	2015/16	2016/17	2017/18 To Date
Primary	3	2	6	4	4
Secondary	10	14	23	27	27
Special	0	0	3	1	1
Total	13	16	32	32	32

		2017/18 to Jan 31st								
		Primary	Primary SC	Primary SEN	Secondary	Secondary SC	Secondary SEN	Special	Special SC	Special SEN
Number of Students PEX		4	1	1 (2)	27	6	8	1	0	1



Fixed term

In addition to the increased number of permanent exclusions there has also been a significant increase in the number of days missed from school through issuing fixed term exclusions. For the purpose of the report a comparison is provided for the Autumn term over three years.

	Aut 2015	Aut 2016	Aut 2017	2016/17	17/18 to Date
Primary	129 days	125 days	152.5 days	394 days	191.5 days
Secondary	266.5 days	382.5 days	352.50 days	1372.5 days	471 days
Special	99.5 days	135 days	70.50 days	336 days	145 days

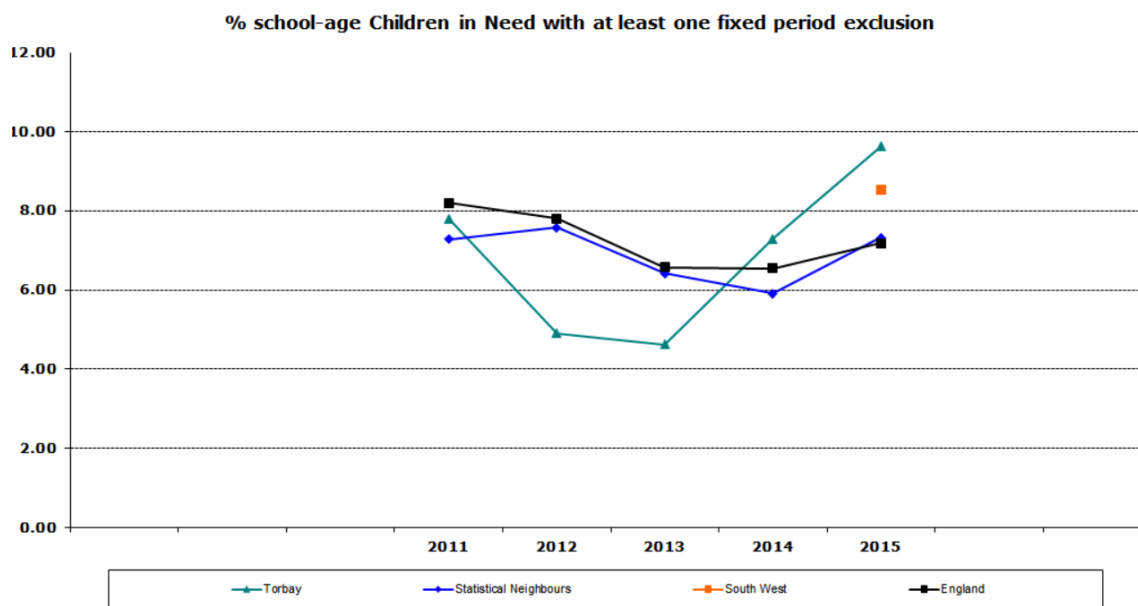
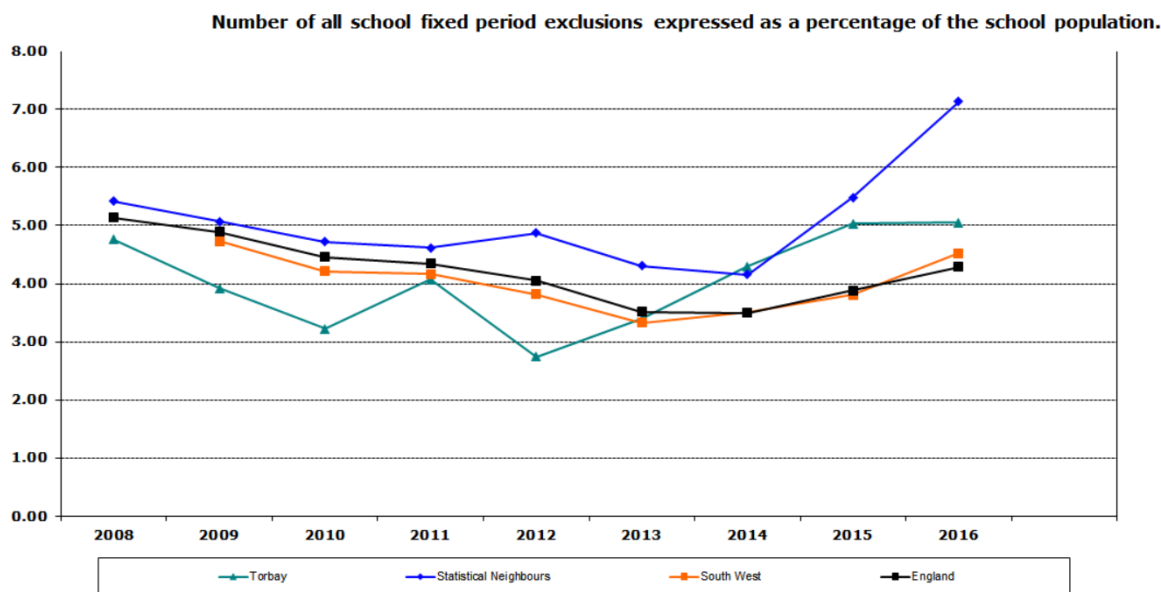
The following charts demonstrates the number of pupils that have been excluded that are known to social care and SEN services.

		2017/18 to Jan 31st														
		100%	3.30%		15.40%		100%	4%		15%						
		Primary	Primary Soc Care	%	Primary SEN	%	Secondary	Secondary SC	%	Secondary SEN	%	Special	Special SC	%	Special SEN	%
Number of Students FTE		35	9	26%	24	69%	123	12	10%	40	33%	70	0	0%	51	73%
Number of Students >1 FTE		23	5	22%	19	83%	47	6	13%	22	47%	32	0	0%	24	75%
Number of Students PEX		4	1	25%	1	25%	27	6	22%	8	30%	1	0	0%	1	100%

Note: Although the data shows 1 SEN student with a PEX, 2 of the others are being considered under RSA's.

The analysis above demonstrates that:

1. SEN students are far more likely to be excluded for a fixed term than their peers.
2. They are also more likely to have repeated fixed term exclusions in Primary school.
3. Children open to Social Care are more likely than their peers to be excluded and this rate of disadvantage is accelerating compared to our statistical neighbours.



Autumn Term 2017 Permanent Exclusions

The Local Authority continues to monitor permanent exclusions. Since taking up his post Dan Hamer (Head of Vulnerable Pupils) has begun to request additional information following the notification to the Local Authority. This has enabled the Local Authority to question decisions and also ensure that the next provision is carefully considered. The evidence presented by schools continues to be of varying quality and a communication regarding the types of information required has been sent to schools.

The following charts demonstrates the number of permanent and fixed term exclusions issued in the autumn term 2017 by phase. For the fixed term exclusions there is a comparison provided to Summer 2017 data.

Primary Permanent Exclusions- Autumn 2017

2 primary schools permanently excluded 4 pupils this term for Persistent Disruptive Behaviour. One is open to Social Care and One is SEN (see note above).

Secondary Permanent Exclusions – Autumn 2017

6 secondary schools permanently excluded 27 pupils. The category of exclusion is recorded below. Out of the 27 pupils 6 were known to Social Care

	Assault on an Adult	Assault on a Pupil	Drug and Alcohol	PD Behaviour	Racist Abuse	Verbal Abuse of and Adult	Verbal Abuse of a Pupil
No.	1	5	5	8	1	4	3

Primary Fixed Term Exclusions –Autumn 2017

23 primary schools have issued one or more fixed term exclusion during the Autumn Term.

Type	Summer 17	Autumn 17
Assault on Pupil	12	13
Assault on adult	34	43
Persistent disruptive behaviour	15	6
Verbal abuse of adults	6	2
Verbal abuse of pupils	1	1
Total	73	65

Secondary Fixed Term Exclusions –Autumn 2017

8 secondary schools have issued one or more fixed term exclusion during the Autumn Term.

Type	Summer 17	Autumn 17
Assault on Pupil	28	16
Assault on adult	2	1
Persistent disruptive behaviour	72	69
Bullying	7	1
Verbal abuse of adults	36	34
Verbal abuse of pupils	7	3
Sexual Misconduct	2	5
Drug and alcohol	9	10
Damage	6	1
Racist Abuse	1	1
Theft	2	5
Other	14	15
Total	186	161

It should be noted that although there has been a reduction in fixed term exclusions compared to the summer term, there has been a rise in permanent exclusions

Special School Fixed Term Exclusions –Autumn 2017

3 special schools have issued one or more fixed term exclusion during the Autumn Term.

Type	Summer 17	Autumn 17
Assault on Pupil	18	26
Assault on adult	13	19
Persistent disruptive behaviour	20	11
Verbal abuse of adults	13	4
Verbal abuse of pupils	1	1
Drug and alcohol	10	9
Damage	8	1
Theft	1	0
Racist Abuse	0	1
Bullying	0	0
Other	3	8
Total	87	80

Spring Term – Until 31st January 2018

The number of both permanent and fixed term exclusions has stabilised within the term. For the period 1st to 31st January 2018 the figures are:

	Fixed Term	Permanent
Primary	29.5 days	3
Secondary	60 days	5
Special	10 days	0

There has been a limited flow back into mainstream provision and it has become increasingly challenging for the Pupil Referral Panel to make managed moves take place and for the outcome to remain positive.

This is starting to show signs of improving through the hard work of the Challenging Behaviour Group in a meeting on 31st January. The schools represented in this group have identified 19 students who have left, or will imminently leave Burton provision. This will create space for the provision to take in excluded students and undertake some limited assessment work.

Recoupment Formula

School Forum are the statutory body for setting the recoupment mechanism to be applied across all schools that permanently exclude a pupil. The Local Area has not revisited the formula applied for many years and School Forum took the decision on the 8th March 2018 to refer this to the Higher Needs Recovery Group for consideration.

The following extract is taken from the national guidance Schools Revenue Funding 2018 to 2019 Operational Guide:

“When a pupil is excluded from a mainstream maintained school, the local authority must deduct from the school’s budget in-year the amount within the formula relating to the age and personal circumstances of that pupil, pro rata to the number of complete weeks remaining in the financial year from the ‘relevant date’.

This means the deduction should cover not just the basic entitlement, but also the relevant amounts for pupil-led factors, such as free school meals or English as an additional language, where the pupil attracted funding through those criteria.”

Our current method is:

Funding Factor	Amount
AWPU – Primary	£2,806.18
AWPU – KS3	£3,862.65
AWPU – KS4	£4,386.61
Working figure for 16+	£4,000.00
FSM6 – Primary	£1,320.00
FSM6 – Secondary	£935.00
Service Children	£300.00
Care Leavers / Adopted from Care (Not Guaranteed)	£2,300.00
SEN Funding	£6,000.00 - £18,000.00

Under the current arrangements this gives this range of recoupment.

Funding Range	Amount
Primary	£2,806.18 - £4,426.18
KS3	£3,862.65 - £5,482.65
KS4	£4,386.61 - £6,006.81
Working figure for 16+	£4,000.00
SEN Funding	£6,000.00 - £18,000.00

The Head of Vulnerable Pupils has undertaken an analysis of current models used by other Local Authorities and has identified the following good practice. It is recommended that we amend the current recoupment process to the following model:

$$(A \times (B/52)) + C$$

A is the amount determined by the LA in accordance with this part, that would be attributable to a pupil of the same age and personal circumstances as the pupil in question at primary or secondary schools maintained by the authority for the full funding period.

- Minimum Funding Guarantee amount (dependant on Key Stage)
- Pupil Premium (for individual identifiable pupil)
- Top Up (High Tariff Needs Funding) Funding (for individual pupil)
- Looked After Child funding
- Deprivation funding (FSM6)
- Prior Lower Attainment funding
- English as an Additional Language

B is a measure of weeks left (hence the divide by 52). 52 has been chosen as base running costs are across a calendar year.

C is currently the £4,000 financial adjustment order if the governing body refuses to take a pupil back after an independent review panel have advised reinstatement

Using the AWPU as Factor A		
Funding Range	Minimum Amount	Maximum Amount
Primary	£ 2,806.18	£ 4,426.18
KS3	£ 3,862.65	£ 5,482.65
KS4	£ 4,386.61	£ 6,006.81
Working figure for 16+	£ 4,000.00	£ 4,000.00
April 1st Exclusion Range	Minimum Amount	Maximum Amount
Primary	£ 2,806.18	£ 4,426.18
KS3	£ 3,862.65	£ 5,482.65
KS4	£ 4,386.61	£ 6,006.81
Working figure for 16+	£ 4,000.00	£ 4,000.00
All Plus £4,000 and £6,000 - £18,000 Element 2&3 funding approx if a school refuses to readmit after direction or successful appeal.		
Oct 1st Exclusion Range	Minimum Amount	Maximum Amount
Primary	£ 1,403.09	£ 2,213.09
KS3	£ 1,931.33	£ 2,741.33
KS4	£ 2,193.31	£ 3,003.41
Working figure for 16+	£ 2,000.00	£ 2,000.00
All Plus £4,000 and £3,000 - £9,000 Element 2&3 funding approx if a school refuses to readmit after direction or successful appeal.		

Using the MFG as Factor A			
Funding Range	Minimum Amount	Diff	Maximum Amount
Primary	£ 3,300.00	£493.82	£ 4,426.18
KS3	£ 4,600.00	£737.35	£ 5,482.65
KS4	£ 4,600.00	£213.39	£ 6,006.81
Working figure for 16+	£ 4,000.00	£ -	£ 4,000.00
April 1st Exclusion Range	Minimum Amount	Diff	Maximum Amount
Primary	£ 3,300.00	£493.82	£ 4,426.18
KS3	£ 4,600.00	£737.35	£ 5,482.65
KS4	£ 4,600.00	£213.39	£ 6,006.81
Working figure for 16+	£ 4,000.00	£ -	£ 4,000.00
All Plus £4,000 and £6,000 - £18,000 Element 2&3 funding approx if a school refuses to readmit after direction or successful appeal.			
Oct 1st Exclusion Range	Minimum Amount	Diff	Maximum Amount
Primary	£ 1,650.00	£246.91	£ 2,213.09
KS3	£ 2,300.00	£368.68	£ 2,741.33
KS4	£ 2,300.00	£106.70	£ 3,003.41
Working figure for 16+	£ 2,000.00	£ -	£ 2,000.00
All Plus £4,000 and £3,000 - £9,000 Element 2&3 funding approx if a school refuses to readmit after direction or successful appeal.			

This has no effect on the maximum recoupment but reflects the MFG.

Recommendation

Higher Needs Recovery Group note the report and put forward a recommendation to Schools Forum to adopt the recoupment formula applying MFG.



A Proposed Vision for Managing Pupil Movements

A Discussion Document

The Current System

Support is available to schools including:

- **Educational Psychology Support** – This is for Therapeutic Support and Assessment
- **Requests for Statutory Assessment**
- **Referral via the Pupil Referral Panel for Assessment Places**

Recent cases suggest that schools are reluctant to use Education Psychology and other professionals' time to assess need if they feel that an EHCP is unlikely to be forthcoming.

Peer Challenge is often only available at the Pupil Referral Panel. This is usually after a Permanent Exclusion and is too late for the student to remain in mainstream education.

Recently there has been a meeting of the Secondary Challenging Behaviour Group that started to establish a pattern for resolving issues and challenging peers.

The Pupil Referral Panel is an Admissions and Placement Panel that is highly effective in this roll. It is not the forum for an in depth discussion of the support in place for children at risk of exclusion or of unmet need for excluded students.

The Current Mechanism for Children Moving Between Educational Establishments (Not EHCP)

Managed Move

- Schools agree to move a student on a 'trial basis'.
- Needs parental agreement.
- Some oversight from the LA.

Permanent Exclusion

- Outcomes for child adversely effected.
- LA has to resource '6 day' provision (1 day for CLA)
- Overseen by LA.
- School has exclusion in their dataset.

Managed Move Funding

- No cost to the High Needs Block
- Funds transferred between schools

Permanent Exclusion Funding

- Significant Cost to High Needs Block
- Pro rata Recoupment from the School to LA

A Possible Model For Improvement

Adding to the 2 Step Model

Managed Move

- Schools agree to move a student on a 'trial basis'.
- Needs parental agreement.
- Single form submitted to LA for approval.

Managed Transfer

- Schools agree to move a student
- Needs parental agreement.
- Oversight from the LA.

Permanent Exclusion

- Outcomes for child adversely effected.
- LA has to resource '6 day' provision (1 day for CLA)
- Overseen by LA.
- School has exclusion in their dataset.

Managed Move Funding

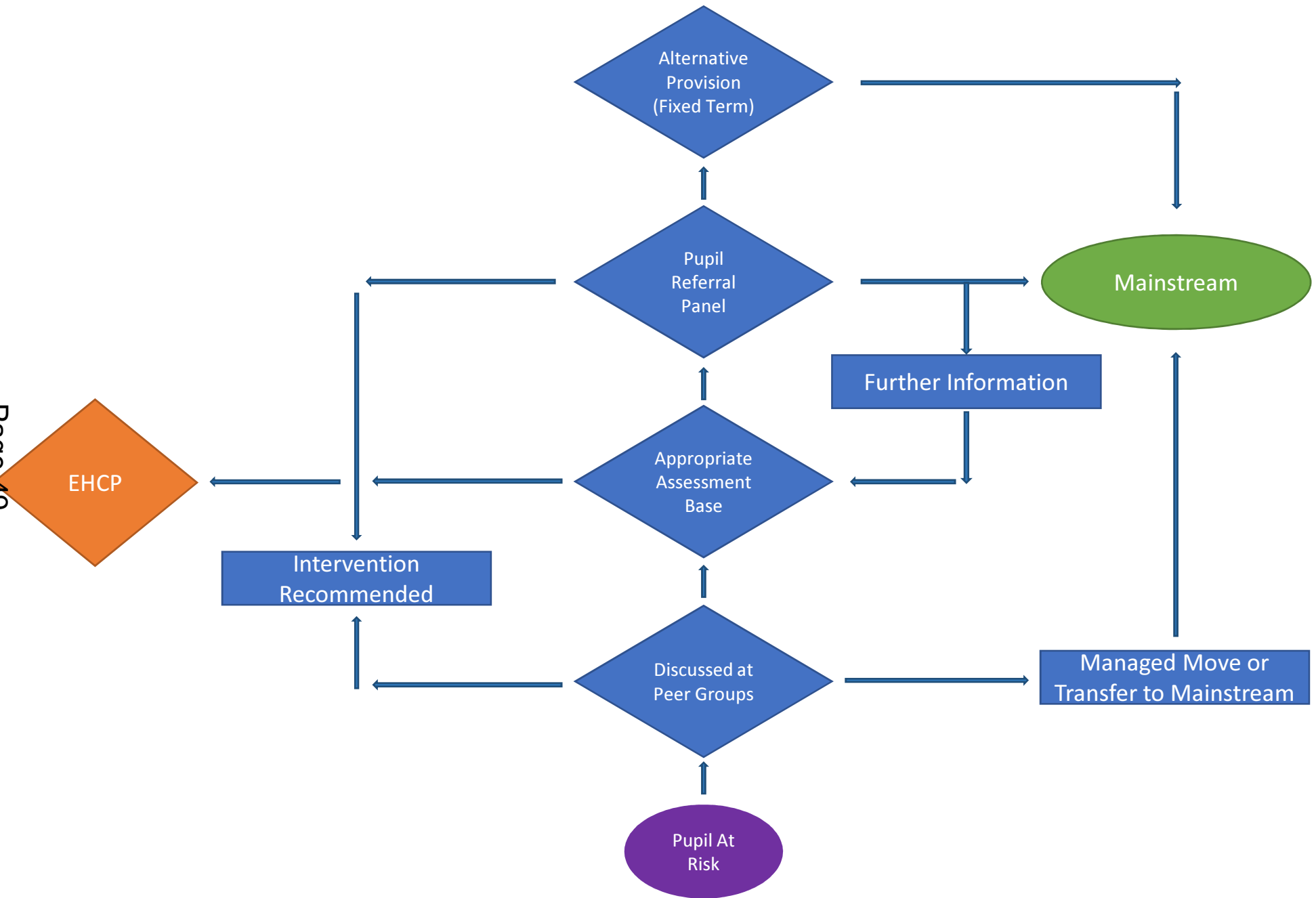
- No cost to the High Needs Block
- Funds transferred between schools

Managed Transfer Funding

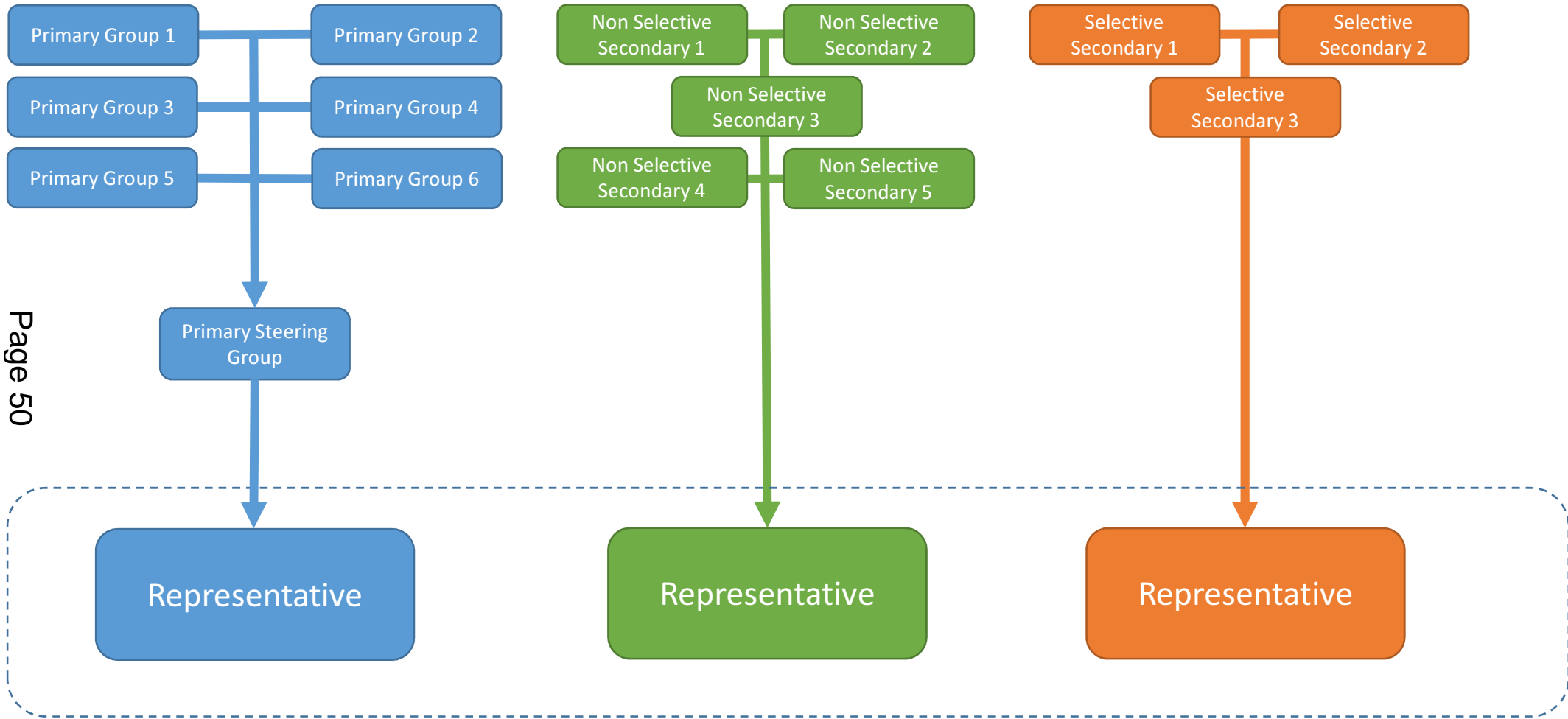
- No cost to the High Needs Block
- Pro rata funding transferred between schools.
- Exiting school bears the costs of any exclusion in the next 2 terms.

Permanent Exclusion Funding

- Significant Cost to High Needs Block
- Significant recoupment from the School to LA
- Bounty to the next mainstream setting.



Peer Challenge and Support Groups



Recommendations to Support the New Model

It is proposed that all schools act in the following way;

1. Students at risk of exclusion or excluded for persistent disruption will be discussed at peer group. This group should be content that all reasonable steps have been taken prior to referral to the Pupil Referral Panel or a Permanent Exclusion.
2. All students excluded for reasons other than unexpected single events should have been considered for assessment by the Educational Psychology Service. (EP)
3. Students who are permanently excluded and have no EP referral will receive one as soon as practical. This will be at a cost to the excluding school for persistently disruptive students.
4. Consideration should be given to evidence of a Request for Statutory Assessment for persistent disruptive students.
5. All managed moves should be submitted to the Heads of Service for Admissions and Vulnerable Pupils (and SEND if appropriate) to allow oversight.
6. Creation of a consistent, small, number of places in each school. It is proposed that this would be 3% (rounded up) of the number on roll in a year group at the October Census point. This will allow transparency in placing managed moves and reintegrating students from Alternative Provision.

Longer Term

- Use a proportion of the savings from more effective use of interventions and provision to fund an assessment service to advise and support the peer challenge groups.

Establish small groups focused on exclusion or SEMH at mainstream settings that are supported by outreach but resourced on a model whereby a school would provide a 6 place provision for a fixed term and other schools would buy in. It is anticipated that different schools would develop expertise in different areas creating a 'local area base' model.

Proposed Recommendations to Schools Forum

- Adopt the three stage Model for students at risk of exclusion.
- Task Heads of Service with reviewing the structure of the Pupil Referral Panel
- Adopt the recommended expectations of schools to support the new model.

Special Educational Needs Statistical Context

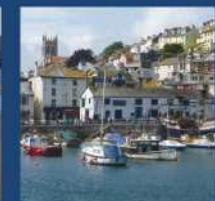
- 4.5% of Torbay pupil population
 - 2.8% nationally have a Statement or EHC plan
 - 3.2% statistical neighbours group
- 1275 Statements / EHC Plans to date
 - 888 in September 2014
- 64% increase in requests for statutory assessment (RSA) since 2013/14

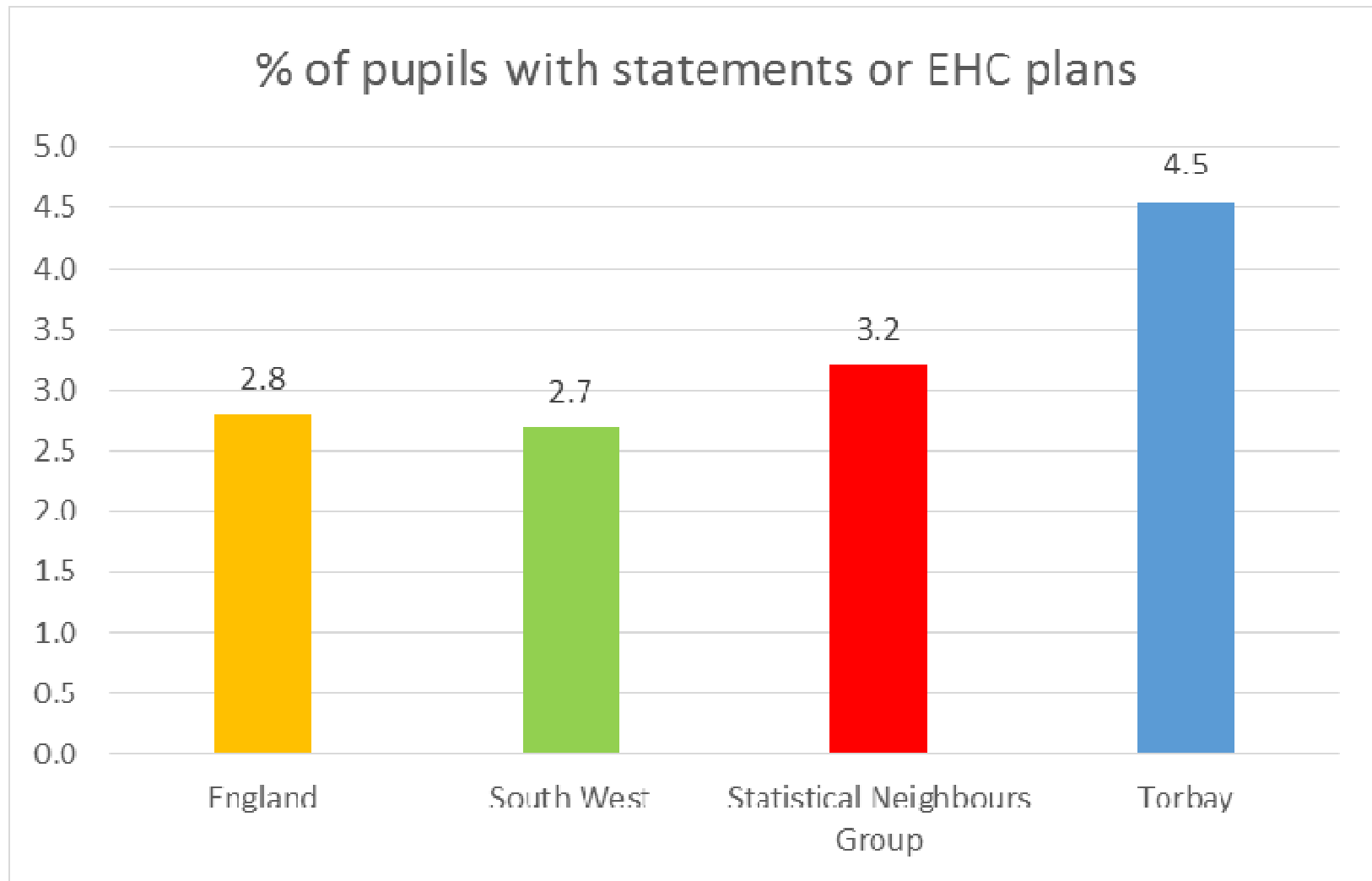


Requests and conversion rates

	Sept 13–Aug 14	Sept14-Aug15	Sept15-Aug16	Sept16-Aug17
RSA's	133	161	176	216
Refused to assess	18 (14%)	21 (13%)	42 (24%)	40 (18%)
Assessment completed		136	130	169
Other		4	4	6

Update: 107 new RSA's since Sept 17. Estimate 250 by Aug 18.

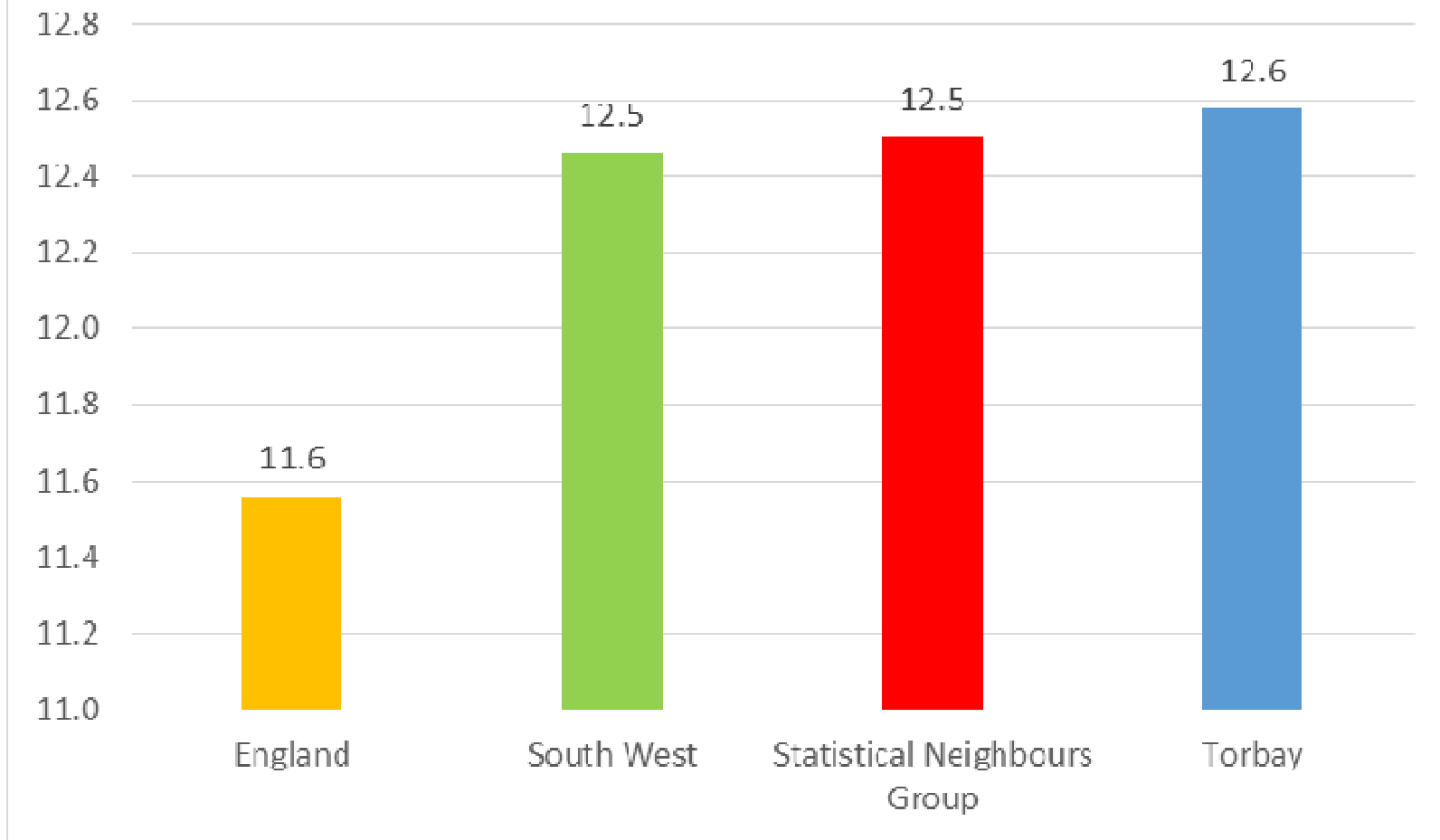




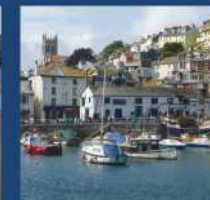
Census Jan 17



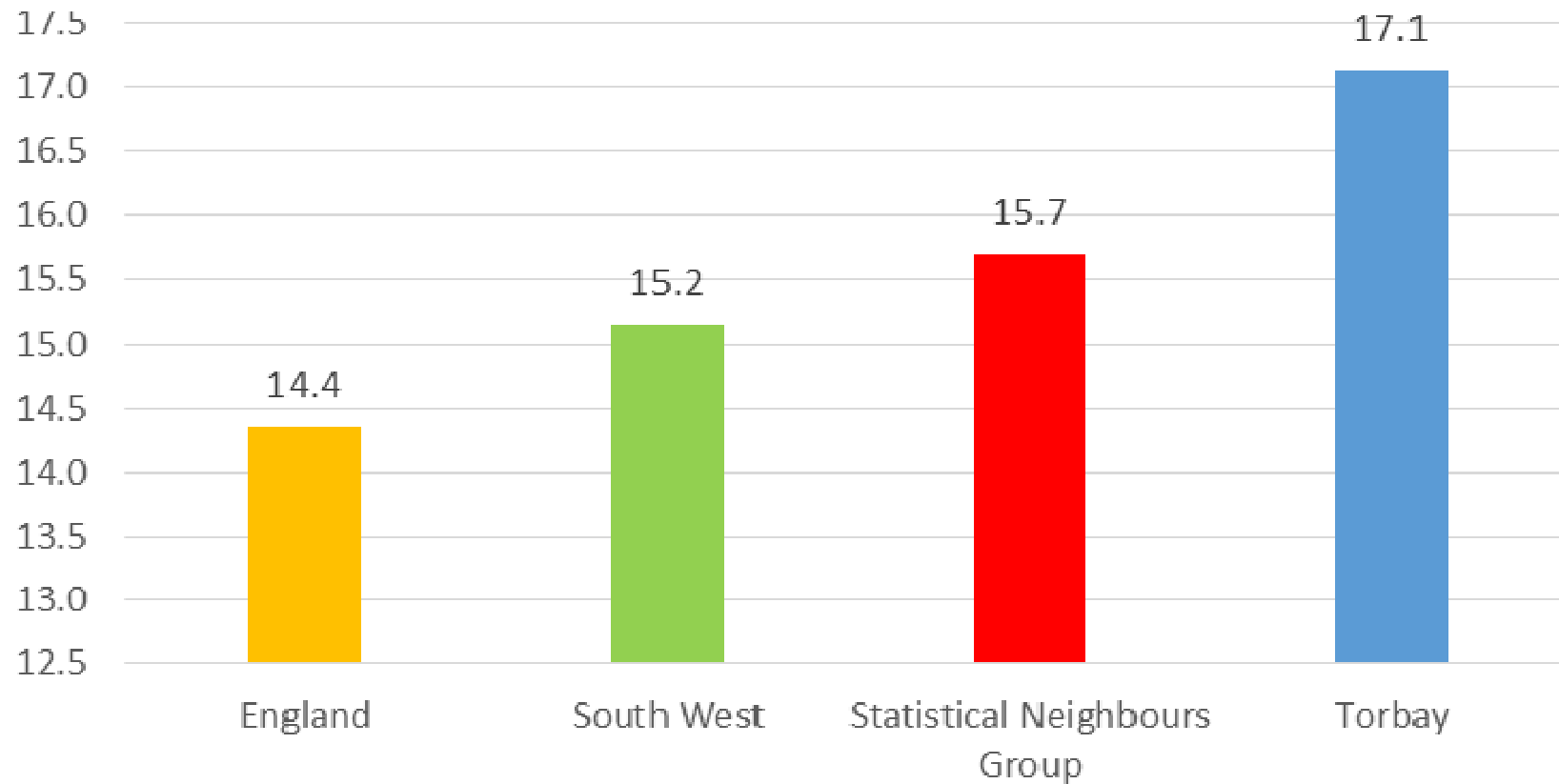
% of pupils on SEN Support



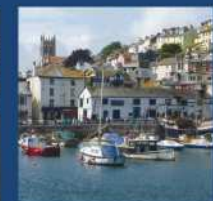
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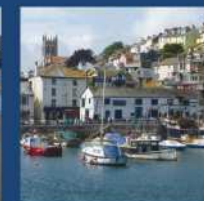
% of all pupils with SEN



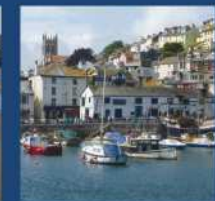
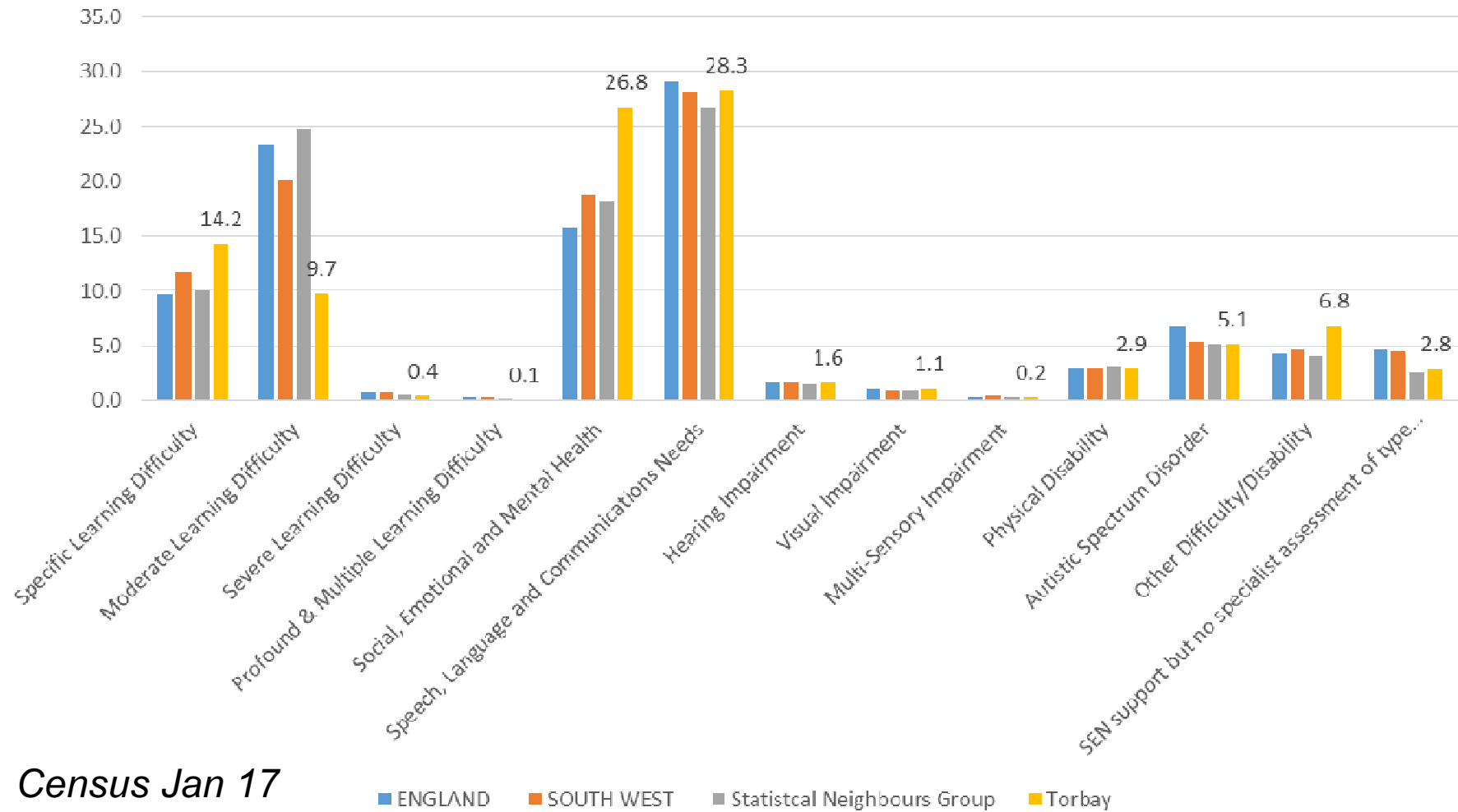
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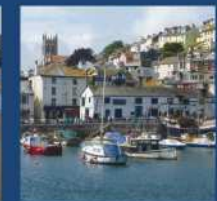
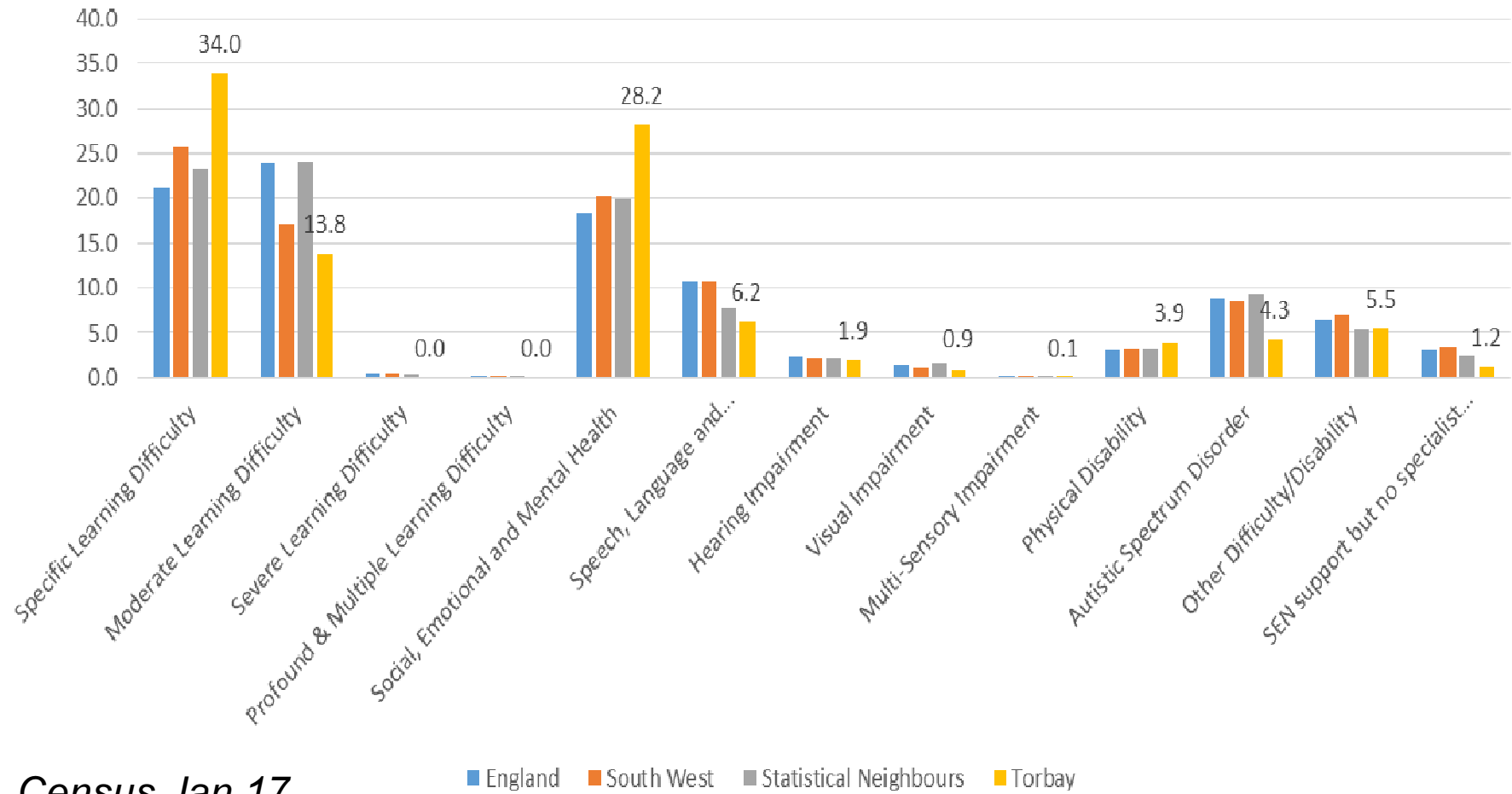
Statistical Neighbours (SN) Group							
	Total Pupils	Statements /EHCP	Statements or EHCP %	SEN Support	SEN Support%	Total SEN	Total SEN %
England	8,669,080	242,184	2.8	1,002,069	11.6	1,244,253	14.4
South West							
Redcar and Cleveland	22,007	781	3.5	3,125	14.2	3,906	17.7
Blackpool	18,977	543	2.9	2,861	15.1	3,404	17.9
Wigan	46,658	1,277	2.7	5,686	12.2	6,963	14.9
North East Lincolnshire	23,992	494	2.1	2,578	10.7	3,072	12.8
Rotherham	44,831	1,154	2.6	5,916	13.2	7,070	15.8
Telford and Wrekin	29,523	1,076	3.6	4,384	14.8	5,460	18.5
Norfolk	119,959	3,705	3.1	14,884	12.4	18,589	15.5
Southend-on-Sea	30,249	1,024	3.4	2,504	8.3	3,528	11.7
Isle of Wight	17,677	638	3.6	2,524	14.3	3,162	17.9
Plymouth	39,982	1,446	3.6	4,936	12.3	6,382	16.0
Torbay	20,264	922	4.5	2,548	12.6	3,470	17.1
SN Group	414,119	13,060	3.2%	51,946	12.5%	65,006	15.70%



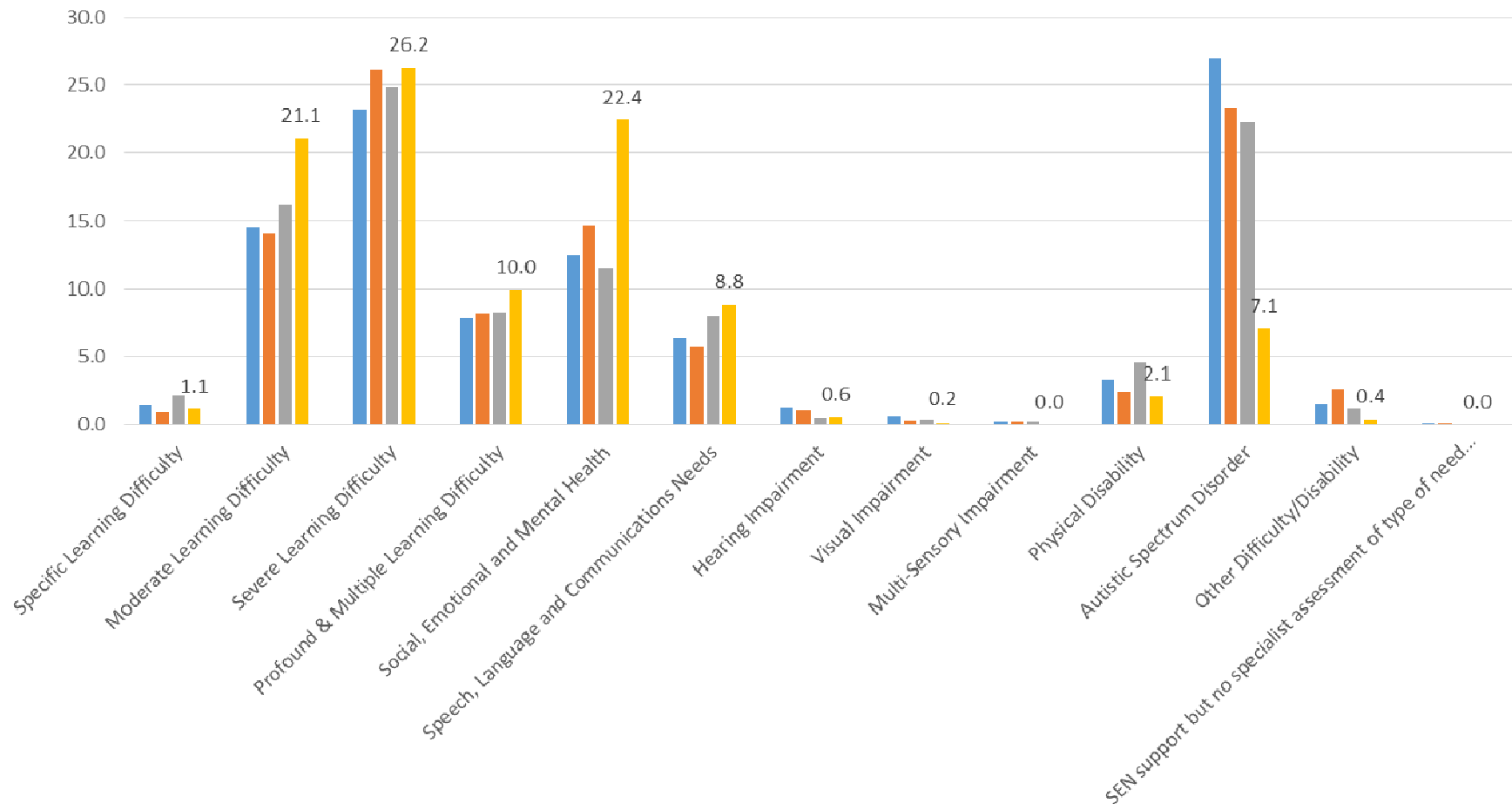
SEN Primary Need % by Primary School



SEN Primary Need % by Secondary School



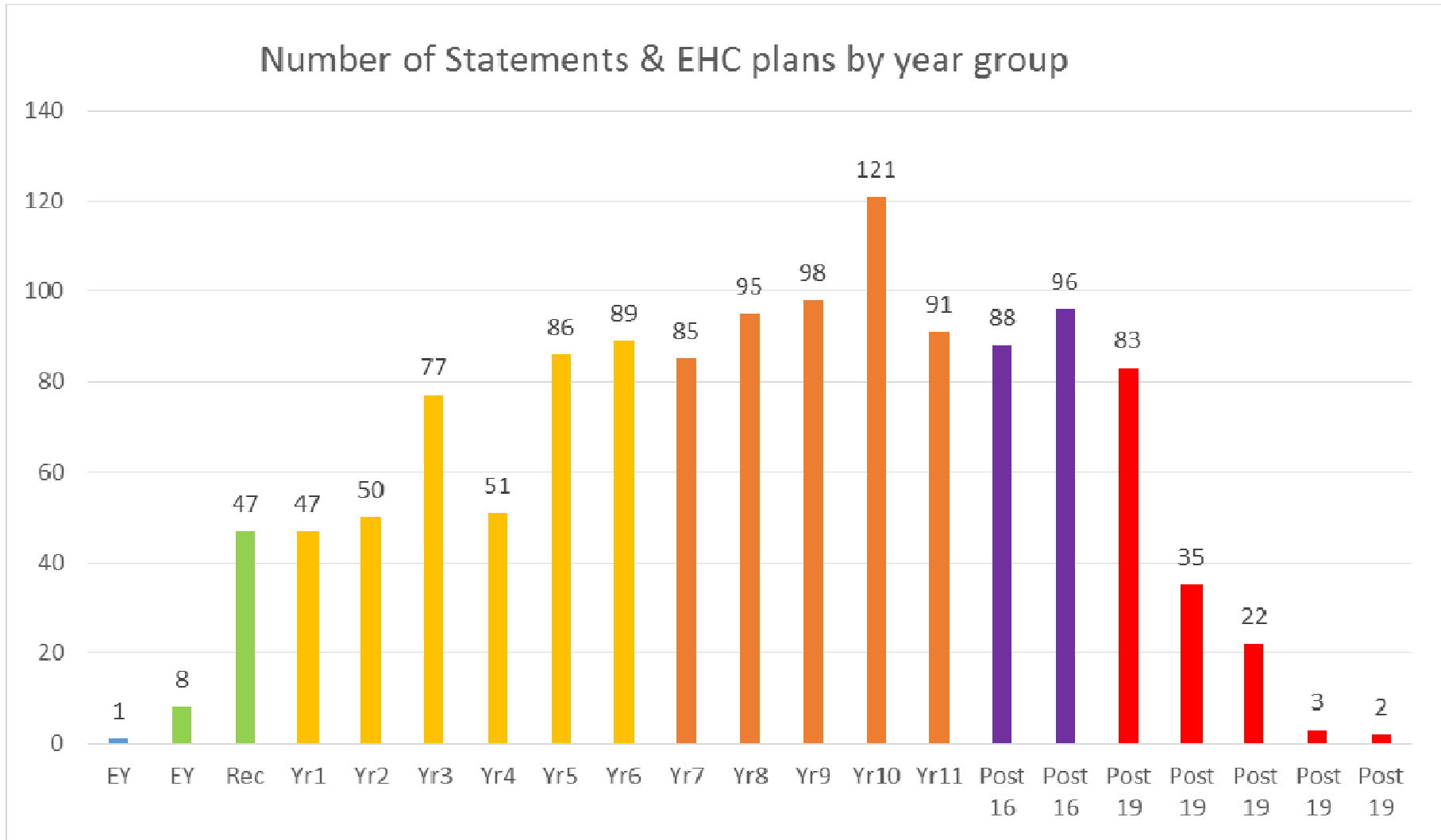
% Special Schools pupils with SEN by their primary type of need



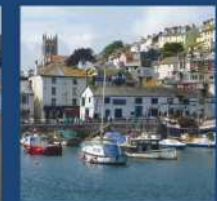
Census Jan 17

■ England ■ South West ■ Statistical Neighbours ■ Torbay ■

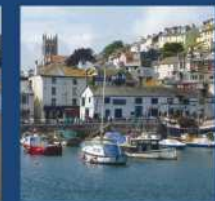
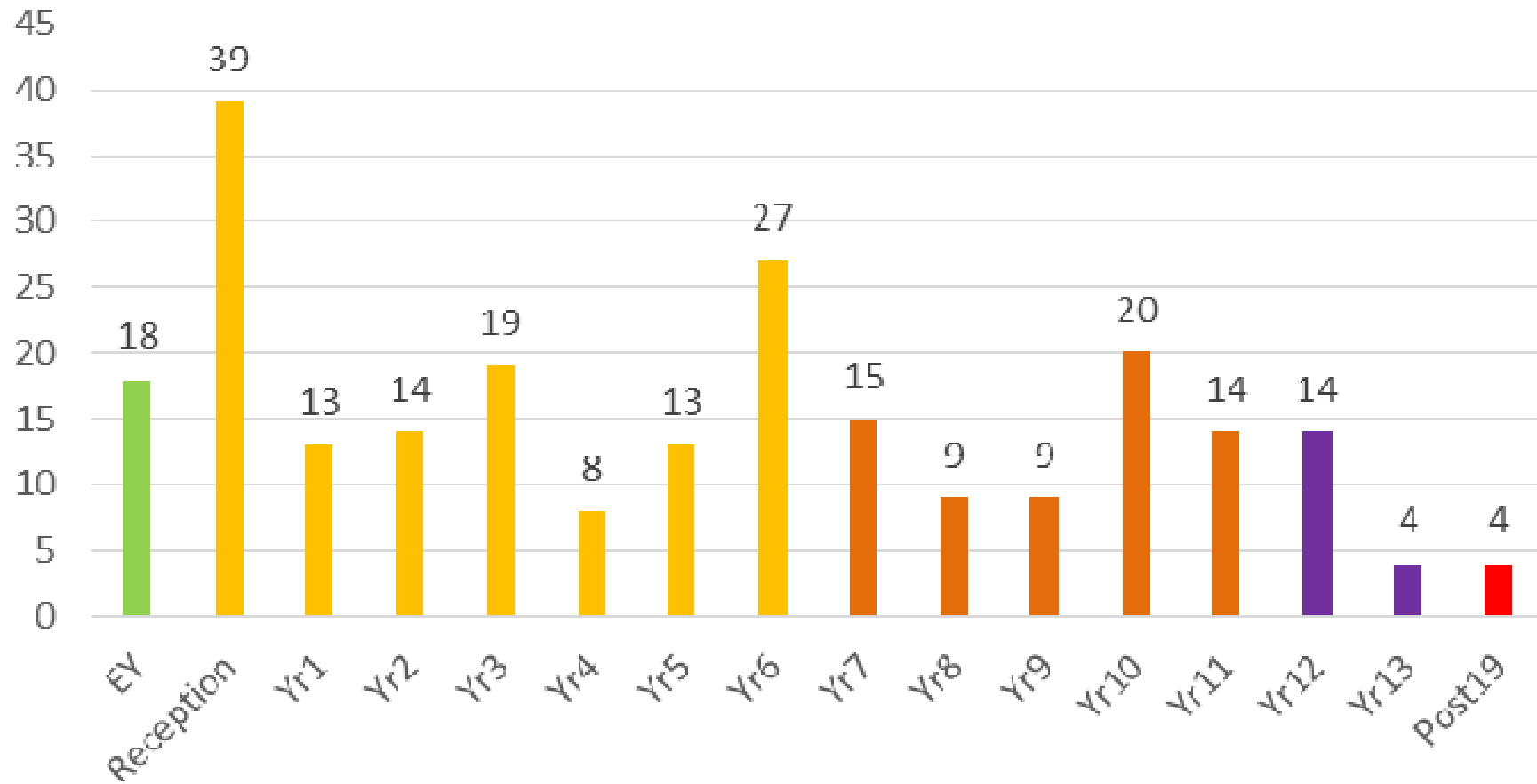




SEN Team data Feb 18



All RSAs started in 2017 by year group



Any Questions . . .



MINUTES FROM HIGHER NEEDS RECOVERY GROUP MEETING HELD ON
25th May 2018

<p>Present: Roger Hughes, Rachael Williams, Andy Dempsey, Rob Parr, Matt Gifford, Daniel Hamer, Ken Kies, Sandra Wright, Mike Lock, Brian Chapman, Samantha Meyer, Stephen Kings, Mark Eager, Steven Hulme, and (Magenta Guthrie - notes)</p>	<p>Actions</p>
<p>Apologies</p>	
<p>Julie Chubb, Sheena Wright, Dorothy Hadleigh, Adam Morris, John Demeger, Siobhan Grady, Gail Rogers</p>	
<p>1. Welcome and Introductions</p>	
<p>Roger went through the apologies, John Demeger and Sheena Wright also sent their apologies since the agenda was sent out. Roger welcomed Stephen Kings, CEO of Bay Education Trust.</p>	
<p>2. Review of previous minutes</p>	
<p>Roger asked if everyone was happy that the minutes of the last meeting were accurate, Brian agreed. Roger asked if anyone wanted to raise anything and went through each page, Roger asked a question about page 2 of the minutes around the progress of the jobs for the EHCP monitoring officers, Rachael said that we now have the grading's for the post so can advertise them hopefully straight after half term. Roger said we do not need any further updates on this. Roger asked about the letter from Ofsted, Rachael said the letter was discussed at the Secondary Heads meeting but we were not able to share it as it has not yet been received.</p> <ol style="list-style-type: none"> 1. Andy hasn't been able to confirm attendance yet, Rachael sent a list of dates to Alison of meetings that we would like her to attend, Andy has communicated the group's expectations of Alison attending. Rachael met with Alison and agreed that Alison would attend the HNRG. Andy added that he thought one of the things Headteachers wanted was a greater voice within the Council, Rachael has been promoted to Assistant Director of Education, Learning and Skills from 1st June and will be a permanent member of the Council's SLT. Andy asked Rachael to write a letter detailing her appointment as Assistant Director. 2. Rachael apologised that the report on joint funded placements had not been circulated, it will be circulated with the minutes of this meeting. 3. Andy spoke with Jo Olsen (Devon), nothing material to report back at this point. Approach to placing SEN pupils is an issue for both Plymouth and Devon, Andy will come back with something in due course. 4. This was covered under action 1 	<p>Rachael</p> <p>Rachael/ Magenta</p>

<ol style="list-style-type: none"> 5. Matt reported that a report on ceasing EHCPs cannot be done, Roger and Rachael agreed prior to the meeting commencing that it is not worth someone creating a system to create a report. Rachael fed back that our Capita system doesn't demonstrate when plans are ceasing, but we know from intelligence within our SEN team that plans are being ceased because of an age or if they move out of area. Until we have annual review systems in place the report wouldn't demonstrate anything to this group. Also, a request from this group to have this report is not possible yet as we do not have the mechanism within the Council to write this report. Roger asked if Capita cannot produce this report, can it be done through the annual review? 6. At the June Schools Forum meeting a decision will be taken around the MFG formula 7. Dan gave an update; the 3 stage model is still ongoing, we are awaiting DfE's feedback, Dan wrote to them last week around the legality. Dan will be talking to them at the South West exclusions forum which is next month. Rachael added that Dan presented the model at both the Secondary Heads meeting and the TAPS meeting, both sectors have had the opportunity to respond. Dan said we have only had 1 written response so far. Rachael reminded everyone that if they wish to have a view on this, they need to feedback before the June Forum where a decision will be made. Roger asked if it had been sent electronically and asked Dan to send separately to the TAPS minutes with a response deadline. 8. Covered in above action 9. Following the last meeting, we needed quick decisions regarding the Pilots for Play Torbay and PCSA, enough responses were received from Forum members in favour of both pilots to go ahead. Roger fed back that there were 8 or 9 yes's, no abstentions received. 10. Covered in above action 	<p>Dan</p>
<p>3. Update on Play Torbay Pilot</p>	
<p>Dan gave a verbal update, Play Torbay and Youth Trust are working with 7 students around reintegration into maintained mainstream places. They have contacted all schools involved. There have been some issues around locations where some of the children should not be on Play facilities who are co-located with schools where they have existing problems. The work starts across half term with families and on Monday after half term with children. Rachael said we will bring back an update after week 5 at the meeting on 5th July and at the end of the pilot a report to say if the pilot was successful. Rachael said that in setting up that process, some of the children initially identified are no longer involved due to the schools not willing to wait for the provision to be put in place. There is still a challenge that although we are putting an offer to schools to help them to maintain the placement, some children have not lasted long enough in their current school. Andy added that the ultimate stress test will be does it help maintain a universal place, unless there is a greater appetite and we have fewer children in the high cost part of the system, it will crash.</p>	

<p>4. Update on PCSA Pilot</p>	
<p>Rachael gave a verbal update, this was agreed through Forum to set up the 6 place provision at PCSA with the support of Stephen and his trust. So far, 3 pupils have been identified, there were 6 however the other 3 were not out of area so have not been given a place. 1 of the 3 identified would have been given a place at Ratcliffe and 2 are returning from On Track, 1 of the pupils is year 8, the others are year 7. There are still 3 places available. Each of the placements are currently £50K, we still need to work with PCSA to identify the cost, the Element 3 will need to be looked at when the children come into the provision, but it could be potentially a saving of £25k per placement as an annual fee. Andy said that there should be a cost avoidance model, we need to demonstrate this is a good outcome for the child. The 3 places that are still available are being kept open for children currently out of area not to fill capacity.</p>	
<p>5. Discussion paper on financial recovery options</p>	
<p>Rachael went through the contents of the paper; at the last meeting we agreed to look at what other local areas were doing and wanted to look at the types of actions that we would need to take in order to recover the position. In 2016/17 we had a £439k recovery position, this was increased by £1.528m (overspend on Higher Needs block) in 2017/18. We were fortunate that some of the overspend was offset against underspend and reserves and was brought down to £614k. The current trajectory of overspend for 18/19 is in the region of £1.6m, therefore we are looking at potentially £2m worth of savings to get to a balanced budget this year. Panel see's around 10 children each week, requests are coming in which will add to the position. Last year we dealt with some of the deficit through the virement, we applied the maximum virement of 0.5% and rather than seek a disapplication to get above 0.5%, this group was established to work towards a balanced budget. The report sets out serious actions to get to a position to recover some of the debt. The report contains the outcomes of 27 virement applications that were made last year. We haven't been able to find the percentage each of these achieved, Bath and North East Somerset 0.9% agreed without Schools Forum, South Gloucestershire achieved 8% with agreement of Schools Forum. Through the regional groups, Rachael and Rob will try to find out some more figures. The report demonstrates what we can consider as a local area.</p> <p>We can consider 3 options; to reduce the agreed per pupil top up paid by the LA, reduce the number of independent school placements, or reduce/not exceed the commissioned capacity within specials schools and alternative provision. There can be no negotiations on the core funding. Some LA's have already cut Element 3 funding, although this has not yet been tested legally. The report shows how we have increased the Element 3 top up over a number of years. This increase is without increasing the unit values. There are currently around 424 pupils receiving the top up.</p> <p>11 pupils placed on joint packages with Social Care, of which Education are picking up around 25% of the total cost. Lots of work has been done around proportion Education are funding, Rachael gave an example of a child moving out of area,</p>	

Education can meet his needs in area therefore we are meeting the Education costs up to that level.

The chart demonstrates we have a higher number of children taught within special schools or alternative provision than most local areas and the national average. We hear that schools require Element 3 top up above what other schools need because we don't have sufficient special school places or alternative provision in the local area, however, the chart demonstrates we have more availability than most local areas.

In the next chart, the 250 pupils does include the post 16 provision at Combe Pafford, numbers pre 16 have not changed. There has been significant growth since January 2015 for the majority of provisions. The LA's view is that these have been needed for the following reasons; complex needs, complex pupils moving into the area, increase in exclusions, stronger pushback from mainstream schools to admit or maintain pupils and tribunal decisions.

The impact of making these changes is demonstrated in the next tables. We haven't included a reduction in independent placements, this can be done, the reason is there is an independency between Health and Social Care, what we can change around that is limited. Not proposing a 100% reduction in Element 3, this is the current spend. South Devon College's Element 3 figures are; £204,624 currently received, 3% reduction £6,139, 5% reduction £10,231, 10% reduction £20,462. Potential total savings of 3% reduction £135,000, 5% reduction £225,000, 10% reduction £450,000.

Rob informed Rachael this morning that we have added another £100,000 this week to the table on page 7 (*number of pupils Apr-18*) due to another 4 pupils being placed this month. There are 588 special school and alternate provision places commissioned but we are currently using 609.

This hasn't been modelled based on the impact of the decisions and we have not looked at it from an individual pupil point of view. Haven't looked at cost shunts, element 3 reducing further cost down the line i.e. more exclusions, written from a financial perspective. We can opt for a disapplication, however we need a recovery plan to submit with this and a disapplication cannot be repeated year after year. Andy said that is the responsibility of the Section 151 Officer who is the Council's financial officer to ensure the Council delivers a balanced budget, he will have no choice if schools don't take action to seek a disapplication to the full amount. The DfE will see we have a prevalence of children in the high cost part of the system of almost twice the national rate and ask why is that happening, they may support rather than a Council going bust and issuing a 141 notice as the Council do not have the reserves to deal with the deficit. The LA will act in its own interest at some point because it does have a lawful duty to deliver a balanced budget, the sense is this will be 2019/20.

Roger asked if we need a 3 year plan, it was agreed this is what is needed. Rachael said the plan would have to go alongside the plan for virement. Roger said the plan has to deal with the deficit and the continuing pressure, the plan needs to look at saving £1.5-£2m a year. Andy said there is a degree of urgency due to the change to the schools funding formula, current rules will call into question a forum like this,

Rachael

therefore we only have around 1 year to make the disapplication. Stephen said the figure that jumps out of the paper to him is the 2.6% (*referring to pupils in special schools as a % of total pupils per area*), why is it as high as it is? Rachael said some of the questions in the first meeting were around this, part of the reason is down to historic decision making, there is a cohort of children moving through the system, there is a high prevalence of children with EHCP's when they enter reception. We need to look at our threshold for decisions, some of this is tested through an audit process, although at the moment this shows there is medical evidence to back this up, children out of area moving in with plans already in place. The secondary behaviour leads visited Blackpool and it was discovered that they do things quite differently. The chart shows children with EHCPs within a special or AP, we are moving towards Burton not having any children with an EHCP. Mike said that historically Torbay has always been high, we need to implement a range of measures some of which we can be put in straight away, for example a cap on numbers. Need to be careful when comparing, in Plymouth there are no post 16 specialist provisions, it would be a truer comparison if we could show post 16 and pre 16 figures. Rachael said that she thinks the chart shows up to KS4 but will check this out.

Rachael

Dan said that if we look at year 11 leaving Burton and the number going into those places, there is 1 place on commissioned numbers left. Sandra added that the likely outcome of reducing funding to keep more complex children in mainstream schools is that they will be excluded which will then put additional pressure onto AP's. Mike said we need to make sure the most complex are in the special schools, we are not doing enough to get the high cost placements back into the local area. Mark supported that the model happening at PCSA seems to be a brilliant model. Dan said at the secondary heads meeting, when he presented the 3% model there were questions raised. Andy said we can push back on this as if it is passed through Schools Forum, it will need to be adopted by all schools. This says there is a lack of inclusivity in the system, twice the national rate. The options we can control are the top up elements, commissioned places and holding the line at thresholds.

Rachael spoke about the thresholds, currently there are 4 mediations happening and a tribunal case that is looking at our threshold applications. Brian has been Chairing the panel for the last few weeks and can testify it is a robust discussion. Brian added that in 2014 when the new code of practice came in for SEN, he visited a few places to look at their models and our thresholds matched almost perfectly with those LA's.

Steven said approximately 10 people that are funded at the highest rate in AP of £19,500 are due to taking cannabis onto the school site and are now stuck in the system. Schools are automatically excluding for a relatively minor offence. Dan said there is support from SENDIASS, 2 of those are going to appeal. Rachael said this is the importance of Dan's post- to challenge these decisions.

Mike came back to £200,000 on 4 pupils at On Track, if they are there for 2 years that is £400,000. Ken said that Eden Park would be prepared to replicate the model at PCSA providing suitable accommodation can be found and it is funded appropriately without the school itself topping it up. Ken asked why there is not an offer for schools in Torbay to replicate this?

Rachael agreed, some Headteacher's have come back to say they would also be willing to set up a provision but most of them would need investment. Some of the problem is around our capacity to go out and have those conversations, there is also an issue around the capital cost of stepping up those provisions. At PCSA the money is coming from the SEND Capital pot- £125k a year given to the LA. The area resourced base model is part of Dan's plan of having the peer group challenges. The whole system needs to not generate new placements. We need a system that enables children taught out of the area to return and access these places.

Mike asked about a line in page 4- 'there remains limited contribution from health into the cost of complex packages', do we know how much of Health we are paying? Andy said we have raised this with health, a panel has been set up to review contributions, Education are due to attend after half term. In Social Care, out of 320 packages for LAC, Health are contributing to 2 of those packages. Rachael said our focus will be on SEMH as we are above national for SEMH EHCP plans and the therapeutic offer. There is an element of both it not being provided and it being provided but Education are paying. Rachael said the contribution of the Health appendix C into the EHCP process is limited, you then cannot quantify what the investment from Health should be as you cannot identify the need. The CCG Commissioner for SEND is now part of the audit process.

Mike asked about the new positions to challenge the annual reviews, this was covered in the actions at the beginning of the meeting, it is a central Council investment. Brian said that when you complete an annual review, you don't have to explain how you are spending the Element 3. Andy said we need to look at what are the most impactful actions that we can take that don't de-stabilise the system and that bring us more in line with other areas. Sam said identifying children early and supporting them and their families from an early age is key, the top up element allows that to happen, there would be a knock on for primary schools if this was reduced. Mark said that within 8 secondary schools, there are pockets of where those complex pupils are, in Blackpool, they would be spread across more schools, you cannot underestimate the complexity of the concentration element, reducing the funding would hit those schools where those children are, you are then going to create a system of fear where the schools that need the funding the most will be at a disadvantage. It could create more pupils coming out of the system as the inclusive schools won't be able to support the more complex pupils. Andy agreed with Mark, it needs to link with the agreement Dan is trying to forge. Some schools were resisting 3% whilst other schools are taking 10-15%. We need to get the equity right before adjusting the unit income. Mike said that the virement has to be an option, some schools if they like it or not will be contributing. Sam said that it wouldn't just be those schools that take more complex children getting a cut, its all schools, if you have more children you take a bigger cut and if you have less you take a smaller cut. Dan said this is the reason for creating peer challenge groups, its less problematic if you are within a school and you exclude a child, if you have to justify it at panel, it makes it harder.

Roger said, now we have a plan, we can go for a virement. Rob said schools wouldn't see it because the top slice happens before it goes to schools. Andy said it doesn't address the underlying behavioural issues, it would be a significant figure of around 6-8%, this can be linked with the debate around how PEX's are handled and inclusivity.

Rachael added that we need to cap commissioned places and leave available places in the SEMH provision. Roger said we are where we are because of the change in the system, we would take it out of next year's funds before we allocate it to schools. Rachael said that there are too many people in Torbay requiring this type of provision. The panel receives the majority of applications through a school requesting it, there has to be some work within the school around meeting the child's needs with SEN support. Matt said that our tribunal rate is really low which could indicate we just say yes. Rachael said the mediations and tribunals take a lot of officer time, we do need to look at SEN resources, we are reliant on a small work force that would need to increase to make these changes. Brian said that Element 3 has not increased since 2011, between Element 2 and 3, PCSA receive around £400k, they spend over £550k meeting the needs of those pupils. If you take off the Element 3, you can look at when the school withdrew some of the SEN funding, the applications for EHCP's increased, request for places like Burton increased, PEX's increased. You could find that you have more EHCP applications if you take away funding to support schools. Andy said a continuation of what is currently being done is not an option. Legal advice needs to be sought around cutting the top up Element, Roger said it is the option that saves the largest amount of money. Rachael said we need to decide which options we are going to choose, no virement and reduce top ups, or virement with other actions. Mike said we want to keep the virement option open until we have the high cost spending under control, as we may not need a virement. Andy said as it stands, Schools Forum would be removed in 2020 so virement will not be an option. Mike asked if we could do a high virement this year. The plan that goes with the virement needs to detail actions for dealing with deficit in the future. Rob said that North Somerset are invoicing their schools over 5 years for the amount above the virement agreed.

Roger said we have the makings of a plan to go alongside the virement application. We should be able to make the application in 2019/20. £600k left from last year, £1.6m projection for this year is £2.2m. We also need to deal with the pressures moving forward until the actions start to take effect. Andy said the paper needs to shift its focus to be a whole system proposal. The proposal would be; a capped approach towards places, a link to 3% allowance around pupil movement outside admissions round, out of area places back in to the local area, adjustment to the top up is a potential for later, model a full virement and a virement at different levels. Rachael said that people do believe they are acting within the system, during TAPs, Dan received an email about excluding a pupil from a Head in the room. Rachael's ask of Andy as DCS is to provide the capital for schools to create the resource bases and consider SEN Central Capacity to undertake the work to challenge and support. Dan said that some schools have set up provisions independently, we need to be equitable in recognising the schools that have done it themselves. Rachael said we can push Health, what is the offer from them if we keep children locally?

Roger summarised Andy's points; cap on places, 3% model, dealing with out of area children, keep top up adjustment back if needed, deal with the rest with a virement in 2019. Sandra said that lots of schools are picking up Health and Social Care costs, for example schools employing family support workers, purchasing play therapy. Andy answered that Torbay's rate of Children in Care is higher than others, 20% of the population have been known to Social Care. There are too many children in our care. The spend on 300 children is £5m+, we spend £13.5m on Social Care placements.

<p>The biggest gap institutionally is Health contribution. Rachael said that there are historic costs around Social Care not contributing, leaving no option than to issue an EHCP. The big gains won't be around Education in the Health contribution it will be with regard to contribution to joint funded placements.</p>	
<p>Roger asked Rachael to summarise the actions:</p>	Rachael
<ul style="list-style-type: none"> • Model virement 	Rachael
<ul style="list-style-type: none"> • Pull together narrative report to present to wider school community, include aspect around the challenge and holding people to account 	Rachael
<ul style="list-style-type: none"> • Work on capital investment needed- are there a group of children that can return into the local area 	Andy/ Rachael
<ul style="list-style-type: none"> • Cap on places in special schools 	Rachael
<ul style="list-style-type: none"> • Work on 3% model 	Dan/ Rachael
<ul style="list-style-type: none"> • Governors briefing on their role in challenging exclusions 	Rachael
<p>The above need to be proposed as a recovery mechanism to schools in September. The recovery mechanism needs to be agreed by Schools Forum. All papers/outcomes of the above to be brought back to the next meeting on 5th July.</p>	
<p>The next meeting is 5th July at 9am in Tor Hill House, mezzanine room 4</p>	

Summary of actions	
Andy asked Rachael to write a letter detailing her appointment as Assistant Director.	Rachael
<i>(report on joint funded placements)</i> Rachael apologised that this has not been circulated, it will be circulated with the minutes of this meeting.	Rachael/ Magenta
(3% model) Dan to send separately to the TAPS minutes with a response deadline.	Dan
3 year recovery plan to submit alongside application for disapplication	Rachael
Rachael to check if the chart shows up to KS4 <i>(page 4)</i>	Rachael
Model virement	Rachael
Pull together narrative report to present to wider school community, include aspect around the challenge and holding people to account	Rachael
Work on capital investment needed- are there a group of children that can return into the local area	Andy/ Rachael
Cap on places in special schools	Rachael



Work on 3% model	Dan/ Rachael
Governors briefing on their role in challenging exclusions	Rachael

Higher Needs Recovery Group - 25th May 2018

Context

The Higher Needs Recovery Group is tasked by School Forum with addressing the overspend on the higher needs block within the DSG. The position in 2016-2017 was £439k the position in 2017-2018 is £1.528m. By offsetting some of the cost against underspends and reserves the recovery position is £614k. The trajectory information and current analysis of need and growth demonstrates there will be a continued overspend in 2018-2019.

The mechanism for recovery available is to seek ministerial approval through an application to apply a disapplication of the 0.5% cap of virement between DSG and the Higher Needs Block.

School Forum took the decision to apply a virement of up to the permitted 0.5%, but did not support an application to dis-apply a further virement above the 0.5% cap, opting instead to establish a recovery group as a mechanism to plan for dealing with the debt and future need.

This report is provided as a discussion document and to aid thinking about the options available to the Higher Needs Recovery Group to deal with the deficit.

What happened with virement application?

In 2017-2018, twenty seven local authorities took the decision to request virement. The outcome of the virement positions are summarised below.

Councils given permission to move up to 0.5% without agreement from their Schools Forum	
Bromley	Trafford
Middlesbrough	West Sussex
Councils refused permission to move up to 0.5% without agreement from their Schools Forum	
Dorset	Hillingdon
Hackney	Wokingham
Councils refused permission to move more than 0.5% without agreement from their Schools Forum	
Barnsley	Kingston upon Thames
Bath and North East Somerset	Lambeth
Councils given permission to move more than 0.5% with agreement from their Schools Forum	
Bolton	Oldham
Bournemouth	Poole
Bristol	South Gloucestershire
Hartlepool	Southwark
North Somerset	Thurrock
Northumberland	
Councils refused permission to move more than 0.5% with agreement from their Schools Forum	
Derby	Hull
Hammersmith and Fulham	Rotherham

Local areas that are left with no flexibility to move funds are having to take considerable steps to ensure a balanced budget can be achieved, the following section sets out what options are available.

What is available for Local Areas to consider?

The high needs funding system has two main components, these are place funding (core funding) and top up funding. The following table sets out how high needs provision is funded in different types of provider for both pre and post 16 students.

	Pre-16	Pre-16	Post-16	Post-16
Type of provision	Core funding	Top up funding (real time)	Core funding	Top up funding (real time)
Mainstream schools, mainstream academies and mainstream free schools	Included within the per-pupil funding through the local schools funding formula. The first £6,000 of additional support costs is delegated within school budget and academy grant derived from local schools funding formula	Agreed per-pupil top up paid by commissioning local authority	Element 1 (based on 16 to 19 national funding formula) plus element 2 (£6,000) based on the number of places to be funded	Agreed per-pupil top-up paid by commissioning local authority
SEN units and resourced provision in mainstream schools, academies and free schools	A combination of per-pupil funding through the local schools funding formula, plus £6,000 per place for those occupied by pupils on roll, and £10,000 per place for the remainder of places to be funded	Agreed per-pupil top-up paid by commissioning local authority	Element 1 (based on 16 to 19 national funding formula) plus element 2 (£6,000) based on number of places to be funded	Agreed per-pupil top-up paid by commissioning local authority
Maintained special schools, special academies, special free schools, and non-maintained special schools	£10,000 per place based on number of places to be funded	Agreed per-pupil top-up paid by commissioning local authority	£10,000 per place based on number of places to be funded	Agreed per-pupil top-up paid by commissioning local authority
Nursery schools	Per pupil funding through the early years funding formula. The place funding system doesn't operate in 0 to 5 year only settings	Agreed per pupil funding paid by commissioning local authority	N/A	N/A
Independent schools	Place funding system doesn't operate in independent schools	Agreed per-pupil funding paid by commissioning local authority	Place funding system doesn't operate in independent schools	Agreed per-pupil funding paid by commissioning local authority
Maintained pupil referral units, AP academies and AP free schools	£10,000 per place based on number of places to be funded	Agreed per-pupil top-up paid by commissioning school or local authority	Element 1 (based on 16 to 19 national funding formula) plus element 2 (£6,000) based on number of places to be funded	Agreed per-pupil top-up paid by commissioning local authority
FE institutions, special post 16 institutions and ILPs	N/A	N/A	Element 1 (based on 16 to 19 national funding formula) plus element 2 (£6,000) based on number of places to be funded	Agreed per-pupil top-up paid by commissioning local authority

The chart demonstrates that there are limited options available to Local Areas to alter spend within the Higher Needs Block.

The options that exist are to:

- **Reduce the agreed per pupil top up paid by the Local Authority**
- **Reduce the number of Independent school placements**
- **Not exceed or reduce the commissioned capacity within special school and alternative provision providers**

The work being conducted by authorities to alter provision is at an early stage and is yet to be tested through tribunals or legal scrutiny.

What is Torbay’s current position against each of the options?

Agreed per pupil top up rate (Element 3)

Torbay currently uses an Activities Led Fund Calculator to allocate a delegated budget for per pupil top ups. The needs are assessed against four areas as set out in appendix 1. The total fund is then confirmed to schools through a delegated budget letter.

Currently there are 424 (386.84 FTE) pupils in receipt of an Element 3 top up. The payments range from £0 to £26,805 with an average payment being £4,245.

The Element 3 payment amounts have significantly grown over many years.

2014 – 2015 = £609k
 2015 – 2016 = £733k
 2016 – 2017 = £926k
 2017 – 2018 = £1.234m

The current spend on Element 3 top ups is £1.683M.

The cost calculator used to allocate a budget was established in 2011 and there has been no additional funds allocated to the unit costs paid. Schools report that the funds being allocated are insufficient to cover all the costs.

Independent School Placements

Torbay uses Independent School Placements to manage the needs of very complex children and young people often as part of a wider package of support with Social Care.

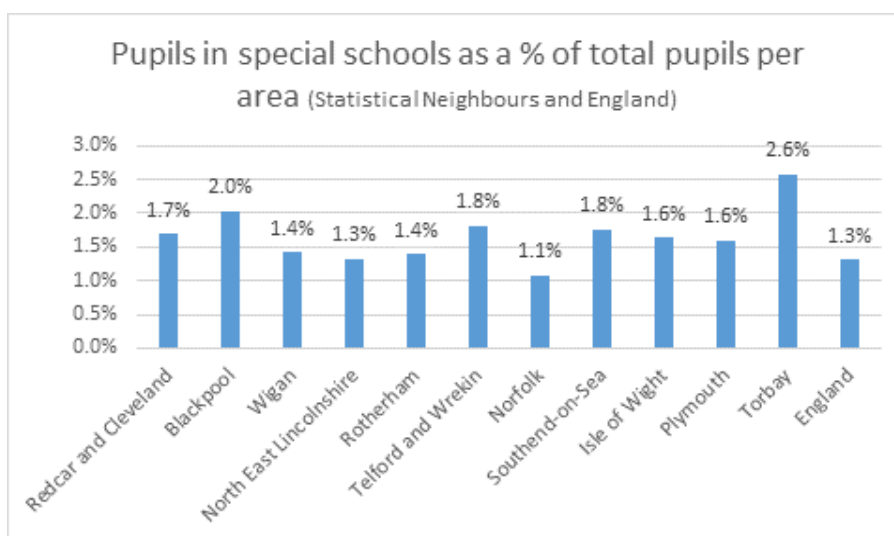
Currently we have 11 pupils taught in Independent School Placements that are jointly funded. The costs of these placements are listed below.

Name of Provision	Total Cost of Provision	Education Contribution Per Year
Acorns	£181,268	£40,268
Willows School	£179,678	£28,678
Aspiration Care	£232,750	£24,750
Oaklands Park	£81,690	£14,690
Libra (5 pupils)	£918,846	£291,846
Woodlands Development Centre	£273,018	£28,018
Young Foundations Ltd	£95,000	£54,000
	£1,962,250	£482,250

The Local Authority has worked with Social Care to ensure that the costs of packages are attributed appropriately across agencies. There remains limited contribution from health into the cost of complex packages.

Commissioned Capacity at Special Schools and Alternative Provision

Torbay has a high percentage of children and young people taught in special or alternative provision.



Despite increased place numbers, the demand for these placements outweighs the number of places commissioned by the Local Area.

	Jan 15	Jan 16	Jan 17	May 18
Combe Pafford	224	228	235	250
Mayfield	152	179	190	203
Chestnut	22	28	31	38
Brunel and Burton Academy (Torbay School)	94	94	74	122
Preston – Autism Provision	16	15	16	17
Brixham – Autism Provision	16	18	18	16
Hearing Impaired Provision	8	7	7	9
Barton Language Unit	10	10	10	10
Independent/ Non Maintained Specials	34	36	31	32
Post 16 Placements		51 (FE) 23 (Bespoke)	99 (FE) 25 (Bespoke)	102 (FE) 46 (Bespoke)

The Local Authority has been required to go above commissioned numbers for the following reasons:

- Complex needs being identified through EHCP process
- Complex pupils moving into the area
- Increased numbers of excluded pupils
- Reluctance of mainstream schools to admit or maintain pupils
- Tribunal decisions

What would be the financial impact of changing these arrangements?

As illustrated at the start of the report, the Local Area is required to make some significant decisions regarding how to meet the deficit position and stem the projected spend on the Higher Needs budget. The following tables demonstrate the financial impact of making changes to two options. Each of these options are provided for illustrative purposes and would need significant testing and impact assessments to ascertain viability. The third option of modelling independent placement reductions has not been included due to the interdependency of decisions across social care and health.

Per Pupil Top Up (Element 3)

The following table demonstrates the impact of a reduction in the per pupil top up (element 3). It models a 50% and 25% reduction to the current funding provided to schools. The figures are provided for illustrative purposes.

EHCP Funding for 18/19 for Element 3 over £6k				
School DfE	School Name	Element 3 100% Reduction £	Element 3 50% Reduction £	Element 3 25% Reduction £
PRIMARY SCHOOLS				
2407	Furzeham Primary	4,977	2,489	1,244
2434	Curledge Street Academy	85,482	42,741	21,370
2438	Oldway Primary	55,073	27,536	13,768
2439	White Rock Primary School	85,501	42,750	21,375
2453	Cockington Primary School	72,371	36,185	18,093
2454	Ellacombe Academy	34,917	17,458	8,729
2455	Homelands Primary School	37,667	18,834	9,417
2456	St. Margaret's Academy	37,910	18,955	9,477
2460	Watcombe Primary School	40,334	20,167	10,083
2464	Preston Primary School	44,055	22,028	11,014
2468	Shiphay Learning Academy	55,656	27,828	13,914
2469	Sherwell Valley Primary School	59,679	29,840	14,920
2473	Roselands	48,345	24,172	12,086
2474	Barton Hill Academy	36,252	18,126	9,063
3103	Brixham C of E Primary School	41,821	20,911	10,455
3119	Ilsham Academy	7,436	3,718	1,859
3120	Upton St. James Primary	12,992	6,496	3,248
3121	Warberry	29,184	14,592	7,296
3600	Galmpton C of E Primary School	13,155	6,578	3,289
3601	St. Margaret Clitherow Catholic Primary School	13,959	6,979	3,490
3613	Sacred Heart Catholic Primary	21,951	10,975	5,488
3614	Queensway Catholic Primary School	26,123	13,061	6,531
3615	All Saints Babbacombe C of E Primary School	19,180	9,590	4,795
3616	St. Marychurch C of E Primary School	32,931	16,465	8,233
3617	Priory Roman Catholic Primary School	43,936	21,968	10,984
3618	Torre C of E Primary School	58,924	29,462	14,731
3619	Collaton St. Mary C of E Primary School	4,673	2,337	1,168
3751	Eden Park Primary Academy	14,147	7,074	3,537
3752	Kings Ash Academy	95,761	47,881	23,940
5200	Hayes School	17,493	8,747	4,373
	Total Primary	1,151,882	575,941	287,970
SECONDARY SCHOOLS				
4114	Torquay Grammar School for Girls	12,485	6,243	3,121
4115	Torquay Academy	74,304	37,152	18,576
4116	Churston Ferrers Academy	23,635	11,817	5,909
4117	The Spires	129,169	64,585	32,292
4118	Brixham College	74,729	37,364	18,682
4119	Paignton Community & Sports Academy	193,257	96,629	48,314
4601	St Cuthbert Mayne Joint Catholic and C of E School	20,561	10,281	5,140
5401	Torquay Boys' Grammar School	3,504	1,752	876
	Total Secondary	531,644	265,822	132,911
	Current Spend	1,683,526		
	Potential Saving		841,763	420,882

The following tables demonstrates a reduction in the top up values that are provided to special schools and the indicative financial impact of a reduction. The reductions have been modelled at 3%, 5% and 10%. The figures are provided for illustrative purposes.

SPECIAL SCHOOL PUPIL FUNDING 18/19 - WITH REDUCTIONS IN TOP-UP VALUES												
	Current Top-up per pupil £	3% reduction Top-up per pupil £	5% reduction Top-up per pupil £	10% reduction Top-up per pupil £	Number of Pupils	Current Pupil Funding £	3% reduction Pupil Funding £	Funding (Decrease) £	5% reduction Pupil Funding £	Funding (Decrease) £	10% reduction Pupil Funding £	Funding (Decrease) £
Combe Pafford												
Autism	5,132	4,978	4,875	4,619	56	287,392	278,770	(8,622)	273,022	(14,370)	258,653	(28,739)
BESD 1	5,690	5,519	5,406	5,121	21	119,490	115,905	(3,585)	113,516	(5,975)	107,541	(11,949)
SLD	5,567	5,400	5,289	5,010	6	33,402	32,400	(1,002)	31,732	(1,670)	30,062	(3,340)
Hearing	5,444	5,281	5,172	4,900	2	10,888	10,561	(327)	10,344	(544)	9,799	(1,089)
MLD 1	551	534	523	496	47	25,897	25,120	(777)	24,602	(1,295)	23,307	(2,590)
MLD 2	1,402	1,360	1,332	1,262	41	57,482	55,758	(1,724)	54,608	(2,874)	51,734	(5,748)
MLD 3	2,538	2,462	2,411	2,284	27	68,526	66,470	(2,056)	65,100	(3,426)	61,673	(6,853)
PD	5,132	4,978	4,875	4,619	12	61,584	59,736	(1,848)	58,505	(3,079)	55,426	(6,158)
Spec D	2,477	2,403	2,353	2,229	2	4,954	4,805	(149)	4,706	(248)	4,459	(495)
SLCA	4,968	4,819	4,720	4,471	35	173,880	168,664	(5,216)	165,186	(8,694)	156,492	(17,388)
Visual	8,532	8,276	8,105	7,679	1	8,532	8,276	(256)	8,105	(427)	7,679	(853)
Totals					250	852,027	826,466	(25,561)	809,426	(42,601)	766,824	(85,203)
Mayfield & Chestnut												
PMLD	12,606	12,228	11,976	11,345	49	617,694	599,163	(18,531)	586,809	(30,885)	555,925	(61,769)
BESD1 – Chestnut	11,085	10,752	10,531	9,977	36	399,060	387,088	(11,972)	379,107	(19,953)	359,154	(39,906)
SLD	6,752	6,549	6,414	6,077	151	1,019,552	988,965	(30,587)	968,574	(50,978)	917,597	(101,955)
Totals					236	2,036,306	1,975,217	(61,089)	1,934,491	(101,815)	1,832,675	(203,631)
Burton & Brunel												
Brunel - SEMH	13,480	13,076	12,806	12,132	54	727,920	706,082	(21,838)	691,524	(36,396)	655,128	(72,792)
Burton – A/P	9,850	9,555	9,358	8,865	69	679,650	659,261	(20,390)	645,668	(33,983)	611,685	(67,965)
Totals					123	1,407,570	1,365,343	(42,227)	1,337,192	(70,378)	1,266,813	(140,757)
Special School Totals					609	4,295,903	4,167,026	(128,877)	4,081,108	(214,795)	3,866,313	(429,590)

Commissioned Placements in Special Schools and Alternative Providers

The following table demonstrates the impact of working within our commissioned numbers, compared to our actual take up. The table is broken down into provider and category of need.

SPECIAL SCHOOL FUNDING ALLOCATIONS 18/19 - COMPARING COMMISSIONED PLACES WITH ACTUAL APR 18 POSITION										
Type of Place	Funding if allocated as places are commissioned					Funding based on Apr 18 pupil numbers				
	Top-up per pupil £	Number of Places 18/19	Pupil Funding £	Place Funding £	Total Funding £	Number of Pupils Apr-18	Pupil Funding £	Place Funding £	Total Funding £	Variation Increase / (Decrease) £
Combe Pafford										
Autism	5,132	38	195,016	380,000	575,016	56	287,392	560,000	847,392	272,376
BESD 1	5,690	19	108,110	190,000	298,110	21	119,490	210,000	329,490	31,380
SLD	5,567	2	11,134	20,000	31,134	6	33,402	60,000	93,402	62,268
Hearing	5,444	2	10,888	20,000	30,888	2	10,888	20,000	30,888	0
MLD 1	551	63	34,713	630,000	664,713	47	25,897	470,000	495,897	(168,816)
MLD 2	1,402	53	74,306	530,000	604,306	41	57,482	410,000	467,482	(136,824)
MLD 3	2,538	27	68,526	270,000	338,526	27	68,526	270,000	338,526	0
PD	5,132	9	46,188	90,000	136,188	12	61,584	120,000	181,584	45,396
SpecLD	2,477	4	9,908	40,000	49,908	2	4,954	20,000	24,954	(24,954)
SLCN	4,968	32	158,976	320,000	478,976	35	173,880	350,000	523,880	44,904
Visual	8,532	3	25,596	30,000	55,596	1	8,532	10,000	18,532	(37,064)
Totals		252	743,361	2,520,000	3,263,361	250	852,027	2,500,000	3,352,027	88,666
Mayfield & Chestnut										
PMLD	12,606	52	655,512	520,000	1,175,512	49	617,694	490,000	1,107,694	(67,818)
BESD 1 – Chestnut	11,085	32	354,720	320,000	674,720	36	399,060	360,000	759,060	84,340
SLD	6,752	146	985,792	1,460,000	2,445,792	151	1,019,552	1,510,000	2,529,552	83,760
Totals		230	1,996,024	2,300,000	4,296,024	236	2,036,306	2,360,000	4,396,306	100,282
Burton & Brunel										
Brunel - SEMH	13,480	56	754,880	560,000	1,314,880	54	727,920	540,000	1,267,920	(46,960)
Burton - Alternative Provision	9,850	50	492,500	500,000	992,500	69	679,650	690,000	1,369,650	377,150
Totals		106	1,247,380	1,060,000	2,307,380	123	1,407,570	1,230,000	2,637,570	330,190
Special School and Alternative Provision Totals		588	3,986,765	5,880,000	9,866,765	609	4,295,903	6,090,000	10,385,903	519,138

Conclusion

The paper sets out a range of complex models to aid decision making. Each of these decisions if taken would have significant consequences. The modelling demonstrates that to achieve the balanced budget, the Higher Needs Recovery Group are going to need to take decisions of this nature and complexity. The modelling demonstrates that the group can start to achieve a recovery position through the reduction in commissioned placements and per pupil top up allowances. The savings would go some way to achieving a balanced budget. However the impact of such decisions are not fully understood and could lead to additional costs. Obvious examples of this could be costs associated through tribunal decisions, increased permanent exclusions and increased costs on mainstream and other service budgets.

The paper has been written from a financial perspective and as such the full impact assessment on the decision for a child or young person has not been undertaken. This work would need to be detailed and include mitigating actions if progressed.

Working in partnership with the Local Authority the Higher Needs Recovery Group need to bring forward options that recover the budget position as part of a co-ordinated plan. The plan may include a further agreement to apply the 0.5% virement, however this will not address the level of savings required. For this reason a decision to take no action cannot be considered as an option.

Recommendation

- That the Higher Needs Recovery Group debate the content of the report and provide recommendations to Officers on options to progress.

Rachael Williams

Head of Education, Learning and Skills

Intensive Outreach Support Service Progress Report Autumn 2017 to Spring 2018



The intensive outreach support service (IOSS) has had some significant staff changes during this time period and two new recruitment cycles have ensued. The service was temporarily under staffed. One new worker commenced employment on 22nd November 2017 and a second on 7th December 2017. Both workers had a period of induction before Christmas.

Within this time period they have completed work with two schools and are part way through work with one more school. One worker had to work in a different way with one additional family following a permanent exclusion as instructed by the LA. They have worked with four children and families in total.

The impact of the work carried out is being monitored and measured in several ways

- Does the child maintain their school placement or move to a more appropriate educational provision
- Does the child show progress on behaviour thresholds
- Does the child show progress in their Thrive assessment
- Does the feedback from the school show positive changes
- Does the feedback from the families show positive changes
- Are the advised strategies being implemented
- Are the advised strategies still being implemented on the post service monitoring visit

An additional impact is the wider development in the whole school when working with children with SEMH (Social, Emotional and Mental Health). It has been reported by schools that there has been many benefits including:

- Staff training impacting on whole school approach to SEMH and a transference of strategies for a range of children
- An improved management of unstructured times resulting in fewer incidents
- Improved positive behaviour for learning plans
- Improved communication
- Improved parent engagement
- Improved transitions
- An improved understanding of how schools can avoid the need for specialist provision

Feedback forms and post service evaluations are being updated after each piece of work

Below is a summary of the impact seen so far in each school:

School	Worker	Time allocation	Child remained in school or moves school to a specialist provision	Actions implemented by the school	Reduction on behaviour threshold	Increase in Thrive assessment level	Action still in place on monitoring visit	School Feedback	Family feedback
K	1	29 days	Yes	Limited	High 4 to Low 4	No	TBC	Positive for all aspects	Positive for all aspects
L	2	40.5 days	Yes	Yes	no	4%	TBC	Positive for all aspects	Positive for all aspects
M	2	Started 28.03.18 - ongoing	Yes	Yes	TBC	TBC			

Ongoing progress:

- One worker is currently supporting a child who is Permanently Excluded and was unable to gain a school place. This work is due to complete on 30.04.18
- Facilitate schools to become more attachment aware: many schools have taken on board training from the IOSW which further developed their understanding of attachment difficulties.
- Update the IOSS policy
- Improve strength of child voice in evaluations: the child's voice is heard through reviews, this will be developed further
- Evidence time spent in each school by each worker: IOSW create a termly analysis report, a daily summary and timetable monitored by the IOSS line manager
- Exit and entry from the end of a piece of work to the start of a new piece of work will be dovetailed: Dovetailing has taken place depending on the level of need by the school, family and child. This has been successful.
- Plan for the continuation of family support when the Outreach worker finishes: This is now part of the service agreement, this has met some resistance in terms of school's capacity.

Next Steps:

- Developing a child's evaluation
- Deliver training to all schools around SEMH packs to support all children with SEMH bookings currently being taken
- Working alongside the Troubled Families program to provide better outcomes for vulnerable children and families

Sandra Wright

Head of Chestnut School



Elective Home Education

Context

Torbay Authority supports the right of parents to educate their children at home and works on the premise that most who do so are educating their children well. We take our duties to ensure that all children who are educated at home receive a good education and are appropriately safeguarded seriously.

Nationally there is a belief that the number of home educated children are rising (a survey conducted by the Association of Directors of Children's Services ADCS) in the Autumn of 2017 suggested that numbers had risen by over 20% in the previous 18 months. This survey indicated there were 45,500 children registered nationally currently home educated.

The DfE has recently launched a Call for Evidence from all sector partners and a draft revised statutory framework for LA's setting out new duties and powers to oversee Elective Home Educated pupils. This will require the Local Authority to have greater oversight of the educational programmes of pupils.

Torbay context

It should be noted that there is no systematic collection of data prescribed centrally, Torbay like many authorities operate a voluntary registration scheme and uses levers such as removal from school roll to conduct follow up work. The figures below depict those children on the voluntary register however it should be noted that there may be a number of children that are unknown to the Local Authority.

Number of EHE pupils	
Primary phase	100
Secondary phase	155
Total	255

The information held locally informs us that there are a number of reasons for Elective Home Education;

- Parental choice
- Withdrawal of children due to attendance issues and subsequent action
- Withdrawal of children as an alternative to the child being formally excluded
- Withdrawal of children as a consequence of a school not dealing with special educational needs
- Parental dissatisfaction
- Home education as an alternative to unwanted school allocations

What is our current response to Electively Home Educated children?

The Local Authority has developed a comprehensive process to identify any known EHE pupils that are also known to SEND and safeguarding services. This workbook completed on a weekly basis enables the targeting of resources to the identified families (Appendix vi).

The Local Authority currently has a 0.6 FTE Elective Home Education Officer, this is funded through Local Authority revenue. His ability to deliver our process and the duties outlined in the draft guidance is compromised due to capacity.

This capacity issue can lead to a loss of schooling for a child or young person, making it harder for reintegration once initial visits have taken place. The delay in initial visits also means that the ability of the child to return to the original school due to off rolling is not always possible.

Financial Impact

As well as the impact on the individual pupil where a good quality home education offer is not provided, there is also a financial impact for the Local Area.

The Electively Home Educated pupils do not feature on a census return and as such no funds are drawn down into the Local Area. If all of the current pupils were registered in a school, this would equate to an annual figure of £921,262 (based on AWPU).

Conclusion

It is fully accepted that for many children and families elective home education is a lifestyle choice and can result in high quality education outcomes. However, for some children and families that have been marginalised out of a mainstream offer, we must do all we can to ensure that the child is not adversely affected. To do this we must be able to enact our protocol in a timely and robust manner.

For this reason I recommend that School Forum consider funding a full time EHE Officer at the cost of £46K in addition to the 0.6FTE currently funded by the Local Authority.

This post would only need to return an average of **12 pupils** returning to a mainstream offer to offset the cost of the post.

Recommendation

That School Forum agree to fund an Elective Home Education Officer 1 x FTE at the cost of £46k per annum.

Rachael Williams

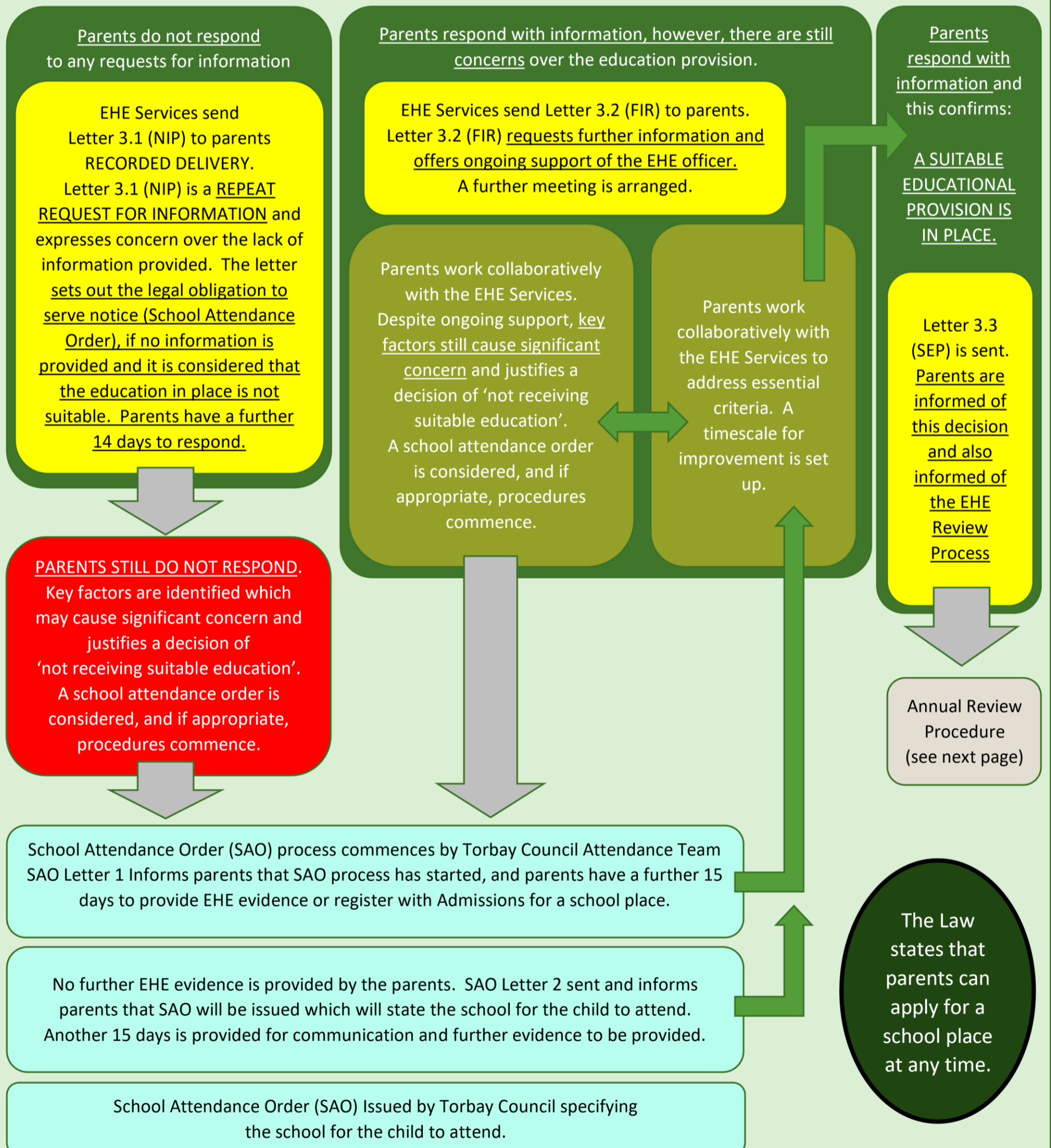
Assistant Director of Education, Learning and Skills

Identifying concerns and providing support

Torbay Children's Services provide ongoing support to all those parents who choose to home educate.
Torbay Children's Services also act if it appears that a child is not receiving a suitable education.

The procedures below set out a clear and transparent framework that provides the necessary guidance for parents.

(NIP = No Information Provided FIR = Further Information Required SEP = Suitable Educational Provision)

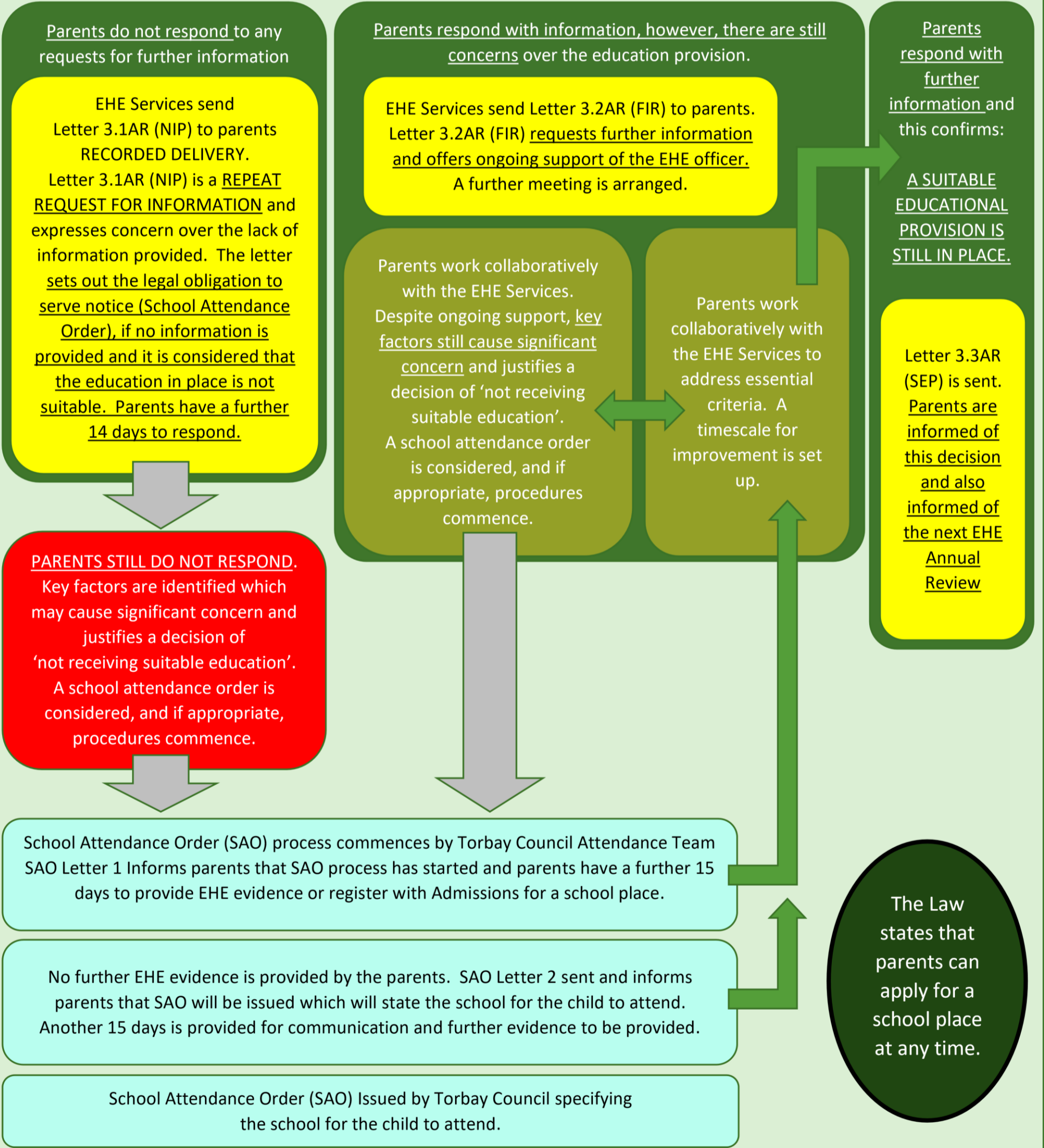


EHE Annual Review Process

The Annual Review meeting with the EHE Services provides the opportunity for home educating families to reflect on their child's progress over the preceding 12 months. Parents should provide information that demonstrates a brief record of the child's achievements and progress.

The following procedures set out a clear and transparent framework that provides the necessary guidance for parents.

The EHE Services send an Annual Review Letter to parents
This Annual Review Letter requests a home visit so that parents can demonstrate that their child is still receiving an efficient full-time education suitable to their age, ability and aptitude and to any SEN they may have.



Post Audit Action Plan									
Audit Ref	What? (as per Devon Audit Partnership report)	Who?	Task Number	Task	By When	Success Measures	Status	Priority	Comments
1.1.1	Terms of reference should be completed in order to define the purpose and structure of the Torbay Schools Forum. It should contain clear and specific information on how the forum is organised and what they are trying to achieve.	RW	1	Re-name the document to "Standing Orders and Terms of Reference" and review to include all items listed are included.	Mar-18	Terms of Reference and Standing Orders define the purpose and structure of the School Forum and enables members to know how it is organised and the overall aim.		High	Terms of References have been updated.
1.2.1	Forum members should be proactive in raising the profile of issues from their represented group within the forum meetings. Discussions regarding any issues/questions etc. from their represented group should be raised at the forum meetings and recorded in the minutes for review. To ensure responsibilities and processes for communication with represented groups are clear they should be set out in Terms of Reference.	RW/MF	2	Ensure the review of the terms of Reference takes into consideration the recommendations that a members responsibility will be to seek the views of their group. Ensure that the minutes reflect the detailed discussions conducted at the meeting.	Mar-18	School Forum should be aware of the views of stakeholders through their representatives at Forum. The questions and issues raised by members will be accurately minuted. The role of Forum Members will be understood through the inclusion of responsibilities through the Terms of Reference and Standing Orders document.		High	Terms of Refence have been updated to include the roles and responsibilities of Forum Members to consult with their represented group. Minutes are becoming increasingly detailed. This needs to be monitored over time.
1.3.1	The meeting minutes should clearly record the level of challenge and discussion of each of the agenda items. They should provide a sense of the discussions held and the options presented at the meeting to non-attendees and then clearly record the conclusions and action agreed in relation to each of the agenda items.	MF	3	Ensure that minutes provide more detailed summaries of points raised in discussions leading to a decision.	Jan-18	Minutes accurately reflect the full discussion that has taken place at the Forum.		High	Minutes of the forum held in January 18 demonstrated greater detail. This needs to be monitored over time.
1.4.1	Clear votes should be taken in relation to recommendations and decisions. To ensure clarity in the voting process it is important to document the procedures for making decisions. There is the opportunity or include these as part of the Forum Terms of Reference	RH/MF	4	Ensure voting procedures remain in the revised standing orders and Terms of Reference. Use voting more often and record outcomes in minutes.	Jan-18	Voting is used to take forward recommendations and decisions for all relevant matters. Standing Orders include voting procedures.		High	Voting continues to be used at Forum Meetings and the group need to challenge and review if this is being used as frequently as needed.
1.5.1	Due to a significant increase on a forecast overspend an urgent/unscheduled meeting should have been called by Schools Forum. Leaving the discussions until the June meeting has meant that there was insufficient time for the Forum to make a decision, and a working group had to set up to manage and make decisions required on the overspend. In addition, due to the known overspend issue that needed to be discussed, and as an urgent meeting had not been scheduled, extra time should have been allocated to this meeting and advanced notice given to ensure that all members of the forum could attend the entire meeting.	RW/RH	5	The Local Authority to notify the Chair in the circumstances of significant and unexpected events. Chair to consider email discussion or an extra meeting. Indicate anticipated length of the meeting on the agenda.	As needed	Extroinary meetings and e-mails will be used to cascade information between meetings where appropriate.		High	No items have required this to be used. However the process is understood and would be enacted.
1.6.1	It is recommended that the more long term budget projections are developed and requested from the LA for monitoring by the Forum. This will enable the Forum to scrutinise future budgets and identify savings in the long term, therefore avoiding having to make immediate budget decisions as is currently required.	RW/ members of the Working Party.	6	The Forum is calling together a working party to develop and monitor a Recovery Plan for costs associated with High Needs Pupils.	Apr-18	Longer term budget forecasting are in place and can used by the Higher Needs Recovery Group.		High	Trajectory work has started to be conducted by the LA and will form part of the agenda for the Higher Needs Recovery Group.

1.7.1	The Forum members should be communicating the budget pressures with the educational groups they are representing and reporting any feedback at Forum meetings. By including the Local area, ideas, savings and opportunities can be identified and discussed at Forum meetings, which could contribute to balanced budgets and prepare for the possibility of the hard funding blocks in the future. For example, Forum members have identified that the area of pupil exclusions are well managed within some schools without the need for a pupil placement, which can be very costly. By identifying and sharing areas of good practice the local area community could potentially contribute to the better management of budgets within the individual funding blocks.	RW/ members of the Working Party.	7	The Higher needs Recovery Group Terms of Reference will include the identification of good practice.	Mar-18	School Forum are able to find solutions through the identification and implementation of good practice.		High	Higher Needs Recovery Group identified good practice and value for money examples at a local secondary school. This will continue to be a focus of the group.
1.8.1	Forum members should be reporting back to their represented areas to ensure good open channels of communication are being achieved. The members should report that needs to be achieved, decisions made and the outcomes of the Forum meetings. By involving the educational community it means that they are aware of the budget pressures being faced and potentially how they could contribute to ideas to address any future overspend. The good practice guide includes how the Forum members could consider communicating with the community. It is a requirement that information relating to the schools forum is publicly available.	RW/RH	8	Re-name the document to "Standing Orders and Terms of Reference" and review to include all items listed are included.	Mar-18	Mechanisms for communication ensure that all schools and stakeholders are aware of the work of Forum and the situations that are being addressed.		High	Education Newsletter in place that will be cascaded to Heads, Governors and wider stakeholders. This will include an update from the forum chair. Forum chair is sharing a communication straight after the meeting with all Headteachers.
1.9.1	The Schools Forum area of the Torbay Council website should be made more accessible and clearly signposted for public review. All papers, documentation and information regarding the Forum including its roles and responsibilities and contact details, as required by the practice guide, should be made available. Many local authorities' dedicated Schools Forum websites post key information for members and any other interested parties and can be reviewed for ideas regarding the information included on the Torbay Forum.	RW/MF	9	Local Authority to provide a dedicated School Forum Web page that is accessible and inclusive of all relevant information.	Sep-18	The website will be accessible and used by the school community including governors.		High	Minutes and Agendas have been uploaded and a link sent to where to find the information. Minutes have been sent directly to all schools for cascading and information.
1.10.1	The Forum should take full advantage of all opportunities to raise the profile of the Schools Forum and encourage the local area to engage with them	RW/RH	10	Arrange for Forum members to receive the "Schools Forum Operation and Good Practice Guide Revised September 2017". Forum to discuss the possible implementation of other opportunities to raise the profile of its work.	Jan-18	Members have a copy fo the School Forum Operation and Good Practice Guide and are acting to seek representation from colleagues.		High	Forum Members received this in January 18