

Schools Forum Meeting Minutes

Thursday, 25 November 2021 at 9.00 am
Haled via Teams - Virtual

-: Present :-

Lisa Finn (Vice-Chair) Secondary Academy Rep; **Tim Stephens**, Primary Academy Governor; **Alex Newton**, Secondary Maintained Head; **Jim Piper**, Primary Academy Deputy Head; **Mike Lock**, Special Schools Head; **Jayne Jones**, Early Years Rep; **Steven Hulme**, PRU; **Steve Margetts**, Secondary Academy Head, **Julie Chubb**, Secondary Academy Rep (replacement for Clive Starr) and **Dave Saunders** (Primary Maintained Rep, replacement for Adam Morris)

-: Also in attendance :-

Rachael Williams, Assistant Director for Education, Learning and Skills; **Martin Phillips**, Chief Accountant; **Dan Hamer**, Head of Vulnerable Pupils; **Dorothy Hadleigh**, Head of SEN; **Michael Freeman**, Clerk

1. Apologies/Changes to Membership

Apologies were received from Stewart Biddles, Sally Timmins, Clive Star and Adam Morris. The Forum welcomed Julie Chubb and Dave Saunders as replacements for Clive and Adam. Lisa Finn replaced Stewart as Chair for this meeting.

2. Minutes of the last meeting

Rachael Williams updated members on the actions of Octobers Meeting. Nancy Meehan will give feedback on her Croydon visit at January's meeting. We have received a nomination for the vacant Primary Governor post, it is anticipated they will be available for January's meeting.

3. Financial Report

The Forum heard from Rachael Williams, Divisional Director Education, Learning and Skills, with an updated financial report. Since the last meeting, there is now an additional pressure of £210k, meaning the current forecast overspend on DSG funded activities is £3.202m.

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

Mike Freeman, Clerk
01803 208579
Michael.freeman@torbay.gov.uk

Members were shown an additional paper from the Early Years team, detailing the figures from the ESFA on top-up funding for Early Years. Officers are still working through census data, but it is thought the LA should receive top up for 2 year old funding of 85% of the January 2020 census, leading to an estimated adjustment figure of £87k. It was noted that there is unlikely to be any top-up for 3 and 4 year olds.

The Higher Needs block remains volatile, there has been an increase of £34k on the Other packages including SEND budget line, due to staff vacancies and absence within schools. There has also been an increase of £128k on Independent Special School Fees, as three children have required new placements since October. Rachael explained to members that all other options were exhausted before commissioning these placements, and assured them that the LA continues to work with mainstream partners to meet needs locally.

Members noted the findings of the report, and agreed to the recommendations requested by Rachael, 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 enact the financial recovery plan.
2. Request Officers and the Cabinet Member for Children to make representation on the additional demands within the Higher Needs Block on behalf of the School Forum.

4. De-Delegation Decisions

Rachael explained to members that each year a decision needs to be taken on money that is de-delegated back to the local authority to conduct activities for our maintained schools. Three separate votes are required, firstly for maintained Primary schools only, then maintained secondary schools, with the final vote open to all members.

De-delegations are the same as previous years. Voting was as follows:

For maintained Primary Schools to de-delegate services to the LA for 2022/23:

For: 5 **Unanimous**
Against: 0
Abstain: 0

For maintained Secondary Schools to de-delegate services to the LA for 2022/22:

For: 2 **Unanimous**
Against: 0
Abstain: 0

The next part of the vote was on Centrally Retained Items, and budget areas that can be retained with the agreement of the Schools Forum. For Torbay this is Planned Pupil Growth, School Admissions Service, Servicing the Schools Forum and the centrally retained element of the Early Years Block (5%). This vote was open to all Forum members:

For centrally retained services for 2022/23:

For: 9 **Unanimous**
Against: 0
Abstain: 0

5. Recovery Plan update

Rachael presented an update on the recovery plan. Members were shown templates with further detail of the split of DSG budgets for 2021/22 to 2025/26. Three separate scenarios were presented, one assuming virement, one assuming no virement but 0.5% for the following years from the Schools block to High Needs block, and one final template that assumes no virement or mitigations at all.

Alex Newton asked Dorothy what her biggest concerns were as lead officer for SEN. Dorothy's main concerns were the pressure in demand for special school places, and ensuring consistent and inclusive practice across Torbay. Alex felt that the current way of spending is not working. She echoed the thoughts of other members by asking if it is felt that schools are not being inclusive enough, why is this the case?

Steve Margetts felt that schools were being blamed unfairly for the deficit, and asked who is accountable for the budget. Martin explained that it is the responsibility of School Forum, with the support of the LA.

Tim Stephens made the point that Torbay is not alone on this issue, and recognised the need for collective discussions with neighbouring LAs to make fully informed decisions. He then asked when the National Funding Formula is expected to be implemented. Rachael clarified that this work is underway and we have identified 2 authorities already. She also explained that the statutory override process is in place until 2023, and it will be hard to know the impact of the NFF until then.

Julie Chubb asked whether budgets are being set realistically at the start of the year. Martin said that the budgets and actuals are similar each year. Whilst there is always some variance in the two figures, it is not felt that this is significant.

Dorothy explained that extending EHCP support until the age of 25 has had an impact on the service, with both the number of young people Post 16 and Post 19 increasing year on year. Whilst the LA does challenge some of these plans, it was noted that other authorities have lost tribunals when doing so.

Rachael spoke about the work of the Higher Needs Recovery Group, and the difficulties they are experiencing. She suggested that a meeting between members of School Forum and the HNRG should be held to workshop ideas and agree a collective decision on the next steps.

Action – Clerk to arrange workshop between School Forum and the HNRG to discuss future demands.

6. SEND Data - Requests for Statutory Assessment

Dorothy Hadleigh, Head of SEN, shared analysis of SEN data and the number of Requests for Statutory Assessments received by the LA.

It was noted that the number of new EHCPs (Education, Health & Care Plans) being issued in Torbay is gradually reducing this year, which bucks the trend of our statistical neighbours, who have largely seen their numbers grow. Dorothy explained that there is currently a 25% refusal rate of new RSAs.

Torbay remains an outlier in terms of the percentage of children that have an EHCP, however this percentage has not increased at the same rate as can be seen in other neighbouring authorities or in England as a whole.

Dorothy and her team continue to look at whether some children still need an EHCP, and some ceasing of plans is happening where appropriate. Work is also underway on year 6 transfers, particularly why almost half of those with EHCPs transferring from mainstream primary into secondary are requesting special school places.

Rachael explained to members that this has not been reported on before as officers wanted to make sure that it was not an anomaly, however evidence now suggests that this forward trajectory is being sustained. Members noted the findings of the report and thanks Dorothy and her team.

7. Post 16 impact report

Dorothy presented to members an overview of the Post 16 pathway plan process and the impact this is having. Pathway plans are submitted for each individual learner in a Post 16 placement at the start of the academic year, enabling the LA to monitor the value for money of placements, as well as the outcomes being achieved for Torbay children and young people.

Members were please to note that we have seen a 90% return rate from providers this year, and of these, 77% of students have achieved the majority or all of the targets set for them at the beginning of the year.

There has been some resistance from out of area providers that do not wish to complete pathway plans, as it is not a statutory requirement. Whilst the LA only has a small number of students in these placements, the Post 16 team is continuing to engage with providers to complete plans.

Dorothy then suggested 6 actions for School Forum to consider:

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

providers where targets are not being met.

6. Agree an annual update report is returned to Schools Forum.

Members agreed to implement all 6 of the above actions, and thanked Dorothy for her update.

8. Items for next meeting

9. Future meeting dates

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