

## Minutes of the Schools Forum

29 November 2018

-: Present :-

**Roger Hughes** (Chair/Primary Maintained Head), **Maurice Codd** (Primary Maintained Governor), **Adam Morris** (Primary Maintained Head), **Sam Meyer** (Primary Academy Rep - substitute for Stewart Biddles), **Tim Stephens** (Primary Academy Governor), **Lindsey Kings** (Secondary Academy Deputy Head), **Mike Lock** (Vice-Chair/Special Schools), **Daneian Rees** (Secondary Maintained Rep), **Dan Hallam** (Post 16), and **Jayne Jones** (Early Years)

**Alison Botham** (Director of Children's Services), **Rachael Williams** (Assistant Director of Education, Learning & Skills), **Dan Hamer** (Head of Vulnerable Pupils), **Rob Parr** (Principal Accountant) and **Mike Freeman** (Clerk)

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### 1. Apologies/Changes to Membership

Apologies were received from Jim Piper, Steven Hulme, Lisa Finn & Clive Star. Stewart Biddles also sent apologies, and Sam Meyer attended as his substitute.

### 2. Minutes of the last meeting

Minutes of both the exceptional meeting held 1<sup>st</sup> October 2018 and the Schools Forum held 11<sup>th</sup> October 2018 were agreed as a true record of the meetings.

### 3. Matters arising

From item 1 of the minutes of 11<sup>th</sup> October, Work is ongoing in trying to source a new Secondary Academy Governor to join the Forum. It is noted that Debbie Horn is attending a meeting with Secondary Heads next week, she will be asking for representatives then.

From Item 3, Members have not received minutes of the Higher Need Recovery Group.

Also from Item 3, Dan Hamer, Head of Vulnerable Pupils, gave a brief update on recruitment. The Elective Home Education Officer has now been increased into a full time position, and a Business Support Officer has also been appointed.

**Action – MF to speak to Sue Moses and ensure HNRG minutes are sent out shortly.**

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*Mike Freeman, Clerk, [Michael.fremman@torbay.gov.uk](mailto:Michael.fremman@torbay.gov.uk)*

#### 4. Financial Report

An update on the current financial situation was shared with members. The DSG is currently forecast to overspend by £2.695m, an increase of approx. £38k since October's meeting. Main areas of overspend continue to be on EHCPs (Education, Health & Care Plans) and Specialist Provisions.

The Early Years block continues see all statutory offers are being taken up in line with national averages, however members note that there has been a reduction in the number of eligible families for the two year old offer, however take up of three and four year old offers and the 30 hours offer remains high. These take ups are in line with projections, but officers will continue to monitor the situation.

Members asked what will happen with any additional funding that was carried forward from last year, but were assured that discussions on this would take place at the March 2019 Forum, once all Census data has been collated.

In the Higher Needs Block, there continues to be a large number of RSAs (requests for Statutory Assessments), however it was noted that there is now greater scrutiny in the decision making process. Rachael Williams was pleased to announce that Plymouth colleagues will be joining our EHCP panel in January to help with this.

There has been an £8,000 increase in Element 3 top ups since October's Forum. There were concerns that the budget for these continues to rise year on year, and it was suggested by members that the LA could request reductions from schools as part of the Annual Review process.

An overview of Special Schools was then shown to members. It was noted that Special Schools places are currently at capacity, meaning that the LA is forced to look at more expensive external provisions for children needing specialist placements.

The current financial position remains of significant concern. Because of this, members were in agreement that the disapplication request should still be sent to the Secretary of State, and felt that the Higher Needs Recovery Group should continue to meet to create a further financial plan.

#### 5. De-delegation of services

A discussion was then held on whether schools want to continue to de-delegate monies back to the LA to allow them to carry out certain provisions. Members queried what Education Functions are and what would happen if they opted to not de-delegate these. It was felt that the LA would still have to perform these functions for maintained schools, as part of their statutory duty.

Votes were held firstly for maintained schools only, and it was agreed to vote on Education Functions separately from the other provisions:

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*To de-delegate monies for 19/20 back to the LA for free School Meals, Insurance, EAL, Travellers Educations and Rates:*

Maintained Primary Schools:

**Yes: 3**

**No: 0**

**Abstain: 0**

Maintained Secondary Schools:

**Yes: 1**

**No: 0**

**Abstain: 0**

*To de-delegate monies for 19/20 for Education Functions only:*

Primary Maintained Schools

**Yes: 2**

**No: 1**

**Abstain: 0**

Secondary Maintained Schools:

**Yes: 0**

**No: 1**

**Abstain: 0**

The second part of the item was a vote on de-delegating centrally retained services for 19/20, and was open to all schools.

**Yes: 9**

**No: 0**

**Abstain: 1**

## **6. Virement of permitted 0.5%**

At Octobers' Exceptional Schools Forum, members agreed to submit a disapplication to the Secretary of State of 1.79%. Should this disapplication not get approved, a decision on whether to still vire the maximum allowed, a figure of 0.5% (or £378,000) needed to be taken.

Members noted that the request submitted to the Secretary of State already includes this figure, and any decision made on the 0.5% will only come into effect should the original disapplication request be turned down.

Vote – to agree to vire 0.5% if the disapplication request is turned down:

**For: 9**

**Against: 1**

**Abstain: 0**

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Members were reassured that all funds would be divided based on the same model as the 1.79% disapplication, using figures from 17/18.

## 7. DFE Consultation

Rachael Williams presented to members a consultation document released by the DfE, on how LAs and Schools Forum should be dealing with the deficits of the DSG (Dedicated Schools Grant). Members were reassured that the approach to the deficit position is appropriate, and that the Forum is taking actions that are expected by the DfE.

A response to this consultation has been sent out by F40 members detailing their views, Forum members were in agreement that there is a limited scope for moving monies within the DSG, and that the current position is not sustainable.

## 8. Verbal update on local consultation

Rachael Williams provided an update on the consultation, which closed on the 21<sup>st</sup> November. There has been 994 responses, with the following results:

*1. Do you support the proposals listed in Strengthening an Inclusive and accountable culture?*

*Yes 32%*

*No 48%*

*No response 20%*

*2. Do you support the proposals listed in Ensuring Children have access to alternative and bespoke provision?*

*Yes 39%*

*No 37%*

*No response 24%*

*3. Do you support the proposals listed in ensuring the right children achieve the right level of support, at the right cost?*

*Yes: 43%*

*No: 33%*

*No answer: 24%*

*4. Do you support the Virement application to deal with the deficit budget position?*

*Yes: 7%*

*No: 89%*

*No Answer: 3%*

As well as a public consultation, the proposals were also discussed at a full Scrutiny Meeting, in which councillors wished to make their support of virement known. A response to the consultation is being written and will be published next week.

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## 9. Interim 6 Day Provision for Excluded Primary Students

Dan Hamer presented a proposal for an interim 6 day provision for children who have been permanently excluded. This would be a one year provision from January 2019, based at Occombe House and funded at a cost of £100,000. There will be places for 6 children on 12 week placements, with the expectation that these children would be reintegrated back into mainstream at the end of the placement.

Although not an immediate reduction in pressure on the High Needs block, it is anticipated that this provision would ease the pressure on Mayfield-Chestnut and lead to savings of approximately £148,000. It is also hoped that the new provision will also improve the current reintegration rate of excluded pupils going back into mainstream schools, leading to savings in future.

Vote – to approve the recommendations of the HNRG and establish an Interim 6 day provision.

**For: 9**  
**Against: 0**  
**Abstain: 1**

## 10. Transitional Payment Arrangements for Discretionary Alternative Provision

Due to ongoing pressure in the High Needs Block, it is felt that not charging referring schools for assessment places at Burton or the Medical Tuition Service is no longer feasible. Dan Hamer presented to members a new arrangement whereby schools will be charged the cost of assessment places at these provisions.

As it was considered unreasonable to expect schools to cover these costs immediately, it was proposed that assessment places be charged at a rate of 50% (£270 per week at Burton and £79 per week at MTS) from January 2019, with the full rate commencing on 1<sup>st</sup> April 2019.

Members were reassured that this would lead to minimal impact on schools, and agreed that the current position of providing extra funding to maintain places at the two provisions is not sustainable. Any recoupment will go back into the Higher Needs Block.

Members queried whether it was reasonable to ask schools to pay these costs from January to March when budgets for the financial year have already been planned for. However it was felt that whilst it would be an unplanned cost, the children have already been funded for.

Vote – to agree to the transitional arrangement and charge schools at a rate of 50% for an assessment place from January – March, with the full rate commencing on 1<sup>st</sup> April 2019:

**For: 9**  
**No: 1**

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**Abstain: 0**

### **11. Impact report from head of Vulnerable Pupils**

Dan Hamer fed back to members his ongoing work as Head of Vulnerable Pupils, and the impact this has had since he joined the LA in January 2018.

Members acknowledge the impact that Dan has had and feel that his work needs recognising in the wider community. It was requested that an impact report be brought to future forums on an annual basis.

*\*Please note that during this item both Mike Lock and Adam Morris had to leave the meeting\**

### **12. IOSS impact report**

Members were shown a progress report on the Intensive Outreach Support Service, written by Sandra Wright, Head of Chestnut Centre. The report raised the continuing issues of staffing, largely due to outreach workers choosing to follow children that are being reintegrated into mainstream schools.

The report highlights the impact of the IOSS, with children under the service seeing a significant de-escalation in their behaviour thresholds.

It was noted that funding for the IOSS is due to cease in January. A decision on the future of the service will be discussed by members at the next Schools forum in January.

Members requested that updated reports on the service be presented at Forum on a 6 monthly basis.

### **13. Review of Standing Orders**

As a result of some confusion at a previous meeting around who can and cannot act as a substitute for members, The Chair presented to members an amendment to paragraph 17 of the Schools Forum Terms of Reference:

*Any member who is unable to attend a meeting may send an eligible substitute (who will have voting rights, as appropriate) on their behalf provided that the Clerk (or the Clerk) is notified in writing prior to the commencement of the meeting. For the avoidance of doubt, a Headteacher who has chosen to be a governor may not act as a substitute for an absent governor.*

A vote was held to approve the above changes:

**For: 8**

**Against: 0**

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**Abstain: 0**

**Action – MF will update Terms of Reference and upload to Schools Forum webpage.**

**14. Audit Action Plan update**

Members received an update on the Audit Action Plan. It was agreed that items 1.6.1, 1.7.1 and 1.9.1 should remain as amber status, as work on these is ongoing.

It was felt by the Chair that updates on this item were no longer necessary at every meeting, and it was instead agreed to provide an update every 6 months.

**15. Items for next meeting**

- Finance Report
- Outcome of Consultation Report
- IOSS funding update
- Meeting dates for 19/20

**16. Future meeting dates**

- Thursday 17<sup>th</sup> January 2018, 09:00, 4<sup>th</sup> Floor Meeting Room, Tor Hill House
- Thursday 7<sup>th</sup> March 2019, 09:00, Mezzanine Room 3, Tor Hill House.