

Minutes of the Schools Forum

16 June 2022

-: Present :-

Stewart Biddles (Chair) Primary Academy Rep; **Lisa Finn (Vice-Chair)** Secondary Academy Rep; **Jim Piper**, Primary Academy Deputy Head; **Alex Newton**, Secondary Maintained Head; **Steven Hulme**, PRU; **Mike Lock**, Special Schools Head; **Jayne Jones**, Early Years Rep; **Steve Margetts**, Secondary Academy Head, **Sarah Tomkinson**, Primary Maintained Head;

-: Also in attendance :-

Rachael Williams, Assistant Director for Education, Learning and Skills; **Martin Phillips**, Director of Finance; **Dan Hamer**, Head of Vulnerable Pupils; **Rob Parr**, Principial Accountant; **Michael Freeman**, Clerk

1. Apologies/Changes to Membership

Apologies were received from Tim Stevens, Clive Star, Kelly Sooben, Martin Phillips and Dorothy Hadleigh.

Chair to follow up with Sally Timmins about attendance at these meetings.

2. Minutes of the last meeting

Minutes of the last meeting held on 5th May were agreed as a true record.

3. Financial Report

Rachael and Rob shared with Forum a detailed breakdown of the final outturn position of the Local Area for the year 2021/22. The forecast on Dedicated Schools Grant activities is an overspend of £2.711m, there is an existing cumulative overspend of the DSG of £8.999m.

Members were shown a breakdown of both the Early Years and Higher Needs Blocks, along with Special Schools spend. It was pleasing to note that Early Years take up is now back to pre COVID levels. It was asked how the LA compares nationally post- COVID, and how much additional need we have seen. Although the LA has some local data available, and the RSA panel is looking at COVID catch ups, members were told that there are no national figures available for comparison.

Rachael explained that a new Bespoke Packages of Support Panel has been set up to review all children and young people that have bespoke packages of education in place. The panel will consist of colleagues from Social Care, SEN and Finance, There is also a vacancy for one member from the Education sector, which Rachael agreed will be advertised at both TAPS and TASH. The Terms of Reference for this panel have been agreed, it is proposed that the panel meets on a fortnightly basis.

Members noted the current financial position and agreed to continue to work with the LA on the recovery plan.

Action – Officers to predict cost of bespoke packages to discuss at October’s meeting.

4. Written Statement of Action - Progress Report

Rachael shared with members an update on the Written Statement of Action. The Written Statement of Action was approved by Ofsted and the CQC in April 2022 and work has started at pace to ensure that the outcomes can be achieved in line with the commitment made in the statement. Whilst most of the tasks identified have now begun, (27 actions were due to have started in April 2022, 26 have been started (97%)), Rachael explained that task 10b, Ensure EHCPs reflect the provision available from the voluntary and community sector where appropriate, is an emerging challenge and officers are now beginning to model how that would look.

Rachael pointed members to a booklet produced by Cambridge LA on their WSOA. Members asked whether Torbay could look at producing their own version to help shared understanding.

The first monitoring visit to assess progress will take place in September 2022. Members thanked Rachael for the update, expressing their encouragement that things are on track.

5. Safety Valve conversation feedback

Rachael updated members on her meeting with Keith Thompson, SEND advisor, held on 13th June. Keith shared updates on those LAs that already have safety valve funding. Whilst they evidence of savings is not publically available at this stage there are anecdotal reports that those Las are beginning to see a reduction in demand.

Keith explained that in order to help, Torbay needs to demonstrate we have a grip on spend. In order to secure safety valve funding, the DSG has to show break even by 2026. Rachael reiterated that this will require a whole systems approach, with shared accountability and ownership to meet needs differently. Members asked what this investment will look like i.e. will it be in the form of services – this is not

clear at present, although a report has been recently released by the ESFA on learning from the Safety Valve. Rachael will share this with forum.

Rob informed members that he is currently in conversation with finance colleague in Devon, who warned that it is not a quick process, explaining that it took them 12 months to secure funding. Officers will also be meeting with directors of LAs to learn about safety valve processes and good practice.

Members expressed concern on where a safety valve agreement would leave School Forum in terms of budget responsibility/powers, and whether Forum will lose powers to make decisions? Rachael shared that the Safety Valve process will bring additional scrutiny and questions and that all work will need to be transparent and open to external challenge. This will include School Forum that have a pivotal view in the recovery plan to be delivered.

Members also asked if there is a contextual understanding of Torbay? Whether the ESFA take into consideration our nuances we are not sure. Rachael shared with Forum that Torbay has to be aligned with statistical neighbours, our data shows at present that we are significant outlier and we need to own this and take action locally to try and drive forward change in our local area.

Rachael stated that the ESFA has an expectation that much like the Written Statement of Action, the Safety Valve would be co-produced with parents. Members agreed that further conversations with parents are needed when applying for Requests for Statutory Assessments. Whilst there has been an increase in RSAs being turned down at SEND panel, officers have seen an increase in the number of parental RSAs being submitted.

Action – SEN officers to talk to EY providers around parental RSAs.

6. Presentation on the WSOA targets and associated financial plan

Rachael shared with colleagues a PowerPoint on the work of the WSOA and how this correlates with the Safety Valve conversation as well. The aim is to see a reduction in number of RSAs, with Torbay currently seeing an average of 181 RSA each year, if we were aligned to national rates, we would expect to see an average of around 118 per year. The LA has an RSA refusal rate of 14.25% which is beginning to have an impact, however officers warned that more refusals could also lead to more tribunals in future.

If the number of RSAs in Torbay were reduced down to the national average, the LA would see savings of approx. £723k. Further savings were identified in reducing the rate of exclusions down to the national average, leading to savings of £345k, and increasing the number of apprenticeships/pathways available to P16 students, bringing potential savings of £75k.

Members queried whether we are issuing EHCPs to children that don't need them. This is a question that we continually need to challenge ourselves on. We need to ensure that the issuing of an EHCP is the correct approach or should we be

meeting need through a better graduated response or early help offer. A fundamental part of the WSOA is to consider how we can meet need through improved multi agency early help and a well implemented multi agency graduated response. Members agreed that it will be difficult to change parents perceptions around EHCPs, but recognised the importance of parents being able to feel confident that their child's needs can be met without an EHCP, the importance of the SENDCO and school role in doing this was noted.

Members recognised the need to work differently through a multi-agency approach. Rachael felt it important that all partners in the graduated response should be held accountable, at present the graduated response is predominately focused on education and the system as whole needs to be accountable. Whilst acknowledging that the targets are ambitious, Rachael wanted the WSOA to demonstrate what could be achieved, and will provide members with an update at every Forum moving forward.

Action – Officers to share WSOA targets with colleagues at SENCO Forum.

7. Presentation on the work to review panels in place to help meet need early

Dan Hamer shared with Forum a presentation on the current panel system for children requiring school places in Torbay and those at risk of losing their school placements. The proposals moving forward are to ensure that all partners are coordinating together. The new proposal has the following aims: Ensure the best outcomes for all children, to secure coordinated support from all partners, support the WSOA Inclusion and Culture threads and to develop a regular pattern of reporting for strategic policy making. The new system would consist of a Medical Panel, in order to implement the graduated response, a Placement Panel to replace the Pupil Referral Panel, a Secondary At Risk Panel (replacing the Secondary peer Group) and two Primary At Risk panels replacing the Primary Peer Group.

Dan explained that the intention is to go live with these new arrangements at the start of the next academic year in September. Members thanks Dan for the presentation and felt encouraged by the new arrangements, feeling that the new membership of the panels is very exciting.

Action – Officers to share presentation with colleagues in TAPS/TASH to ensure appropriate membership and contributions.

8. AOB

Dan explained to members an emerging problem with Primary exclusions. Whilst on average there is 5/6 exclusions per year, a shortage of staff within the sector has seen 11 exclusions already this year. The Vulnerable Pupils team currently has three children that cannot be placed anywhere, with further exclusions expected. With this in mind, Dan proposed that the behaviour outreach programme be temporarily halted until the end of the school year, freeing up the staff to accommodate the children at St Margaret Clitherow School. Dan recognised that

this is only a short term solution, but stressed that all other options, including alternative provisions, have been exhausted and this is the only resource available at present.

Members recognise that this option is not ideal, but agreed to the proposal as no alternative is available. Members felt that work needs to happen in mainstream schools earlier to prevent this situation in future.

The Forum was then asked for their thoughts on this being the first face to face meeting of Schools Forum for over two years, and whether they would like to proceed with this arrangement for future meetings. After discussion, it was agreed that the first meeting of each term would be held face to face, with the second meeting being held via Teams.

Action – Clerk to book meeting rooms for 2022/23.

9. Items for next meeting

- Virement update
- WSOA targets

10. Future meeting dates

- Thursday 13th October, 09:00 (In person)
- Thursday 24th November, 09:00 (Virtual)
- Thursday 19th January 2023, 09:00 (In person)
- Thursday 23rd March 2023, 09:00 (Virtual)
- Thursday 4th May 2023, 09:00 (In person)
- Thursday 15th June 2023, 09:00 (Virtual)