

## DEVON EDUCATION FORUM

16 January 2017

### Present:-

#### Schools Members

##### Primary School Head teachers

Mr M Boxall

Mr A Dobson

Mr J Stone

Mr P Walker

Exeter Countess Wear

Marwood Primary

Denbury Primary

Genesis Academy Trust (*Academy Member*)

##### Primary School Governors

Mrs A Blewett

Mr M Dobbins

Ms M Wallis

Mr A Walmsley

Kings Nympton Primary

Exmouth Marpool Primary

Whimple School (**Chairman**)

First Federation (*Academy Member*)

##### Secondary School Head teachers

Mr D Chapman

Mrs J Phelan

Mrs M Marder

Okehampton CC

Cullompton CC

The Ted Wragg Multi Academy Trust (*Academy Member*)

##### Secondary School Governors

Ms J Elson

Mr M Juby

Exmouth CC (*Academy Member*)

Braunton (*Academy Member*)

##### Nursery School

Mrs S Baker

Westexe

##### Special School HeadTeacher

Ms B Caschere

Exeter Southbrook

##### Special School Governor

Mrs F Butler

Marland School

##### Non-Schools Members

Mr N Williams

Councillor James McInnes

Ms G Rolstone

Mrs R Saltmarsh

Teachers Consultative Committee

Cabinet Member – Children, Schools and Skills

Early Years Private, Voluntary & Independent

Standards Committee Monitoring

##### Apologies

Ms B Alderson

Mrs T de Bernhardt Dunkin

Mr R Haring

Mr J Searson

Teachers Consultative Committee

16-19 West England School & College

Ivybridge CC (*Academy Member*)

Exeter Diocesan Board of Education

**26        Minutes**

**DECISION:**

That the minutes of the meeting held on 19 October 2016 be signed as a correct record.

**27        Matters Arising from the Last Meeting and Report back on Issues Raised with Cabinet**

**DISCUSSION:**

Members expressed disappointment that the option to extend the Learning Development Joint Venture Partnership with Babcock LDP beyond the initial contract period of 2019 by a further 3 years was approved by Cabinet 11 January 2017 without any consultation with the associations, when they had been involved in the initial joint venture arrangements.

The Head of Education & Learning reported that this was extended given the desire to provide stability for services at a time of uncertainty and the current contractor's record, but that the associations would have involvement in the annual decisions.

**ACTION:**

Head of Education & Learning (Dawn Stabb)

**28        Chief Officer for Children's Services Update, Children's Partnership, Children's Services (Draft) Delivery Plan (DEF minute 775)**

**DISCUSSION:**

The Forum considered the Draft Plan by the Chief Officer for Children's Services (DEF/17/05) and with the responsibility for the draft with the Devon's Children's Alliance, detailed 5 key shifts in direction with 7 priorities around education and health & wellbeing and underpinning the Children and Young People priority in the Wider Devon Sustainability and Transformation Plan (STP).

A workshop was being held towards the end of January on how to deliver priorities for 2017/18 with consideration by the respective groups involved in building the plan before final completion. The operational delivery plan with its performance framework would give a stronger focus for 2017/18.

**29        Head of Education & Learning Update and Strategy for Special Educational Needs and Disabilities (SEND)**

**DISCUSSION:**

The Forum considered the report of the Head of Education & Learning (DEF/17/03) giving an update on:-

**(a) Outcomes for Children Looked After (by any authority) in Devon mainstream Schools - LA Raise on line data**

Devon outcomes for Children Looked After (CiC) was now outperforming the national average in key stages 1, 2 and 4, showing a very positive upward trend in performance for CiC. Although the attainment 8 measure was lower than the national average there were various reasons for this and with ongoing work to raise this figure.

The Forum's appreciation of all staff working and improving picture within CiC was expressed.

**(b) Special Educational Needs (SEN) Update, SEND (SEN & Disabilities) Peer Review and latest SEND Performance Data**

**(i) SEND Peer Review**

A presentation was given and summary of the outcome of the SEND Peer Review Pilot 23-25 November 2016 as tabled, looking at themes from the Code of Practice and those for a particular focus, highlighting strengths, weaknesses and key messages.

Overall the review was very positive and of real value and members welcomed the Peer Review.

The full SEND strategy now in its final draft stages going out to consultation 17 January 2016 (see (c) below), a Self Evaluation plan being undertaken in January and development of a full implementation plan.

**(ii) SEND Performance Data**

Initial 2015/16 Key Stage results indicated nearly all measures were above the National Average (although KS4 progress was slightly below for those with an Education, Health and Care Plan (EHCP)).

Members also considered the current position on Statements transitioning to EHCPs, with the percentage of plans converted and complete within statutory time scale improved dramatically due to changes in working practices with a new multi agency paperless process for handling new assessments due to be implemented by end February.

The Head of Education & Learning was also overseeing the completions of a full SEN annual report to aid close monitoring of all aspects of the SEN service, the contents of which would be shared with the associations shortly.

**(c) Strategy for Special Educational Needs and Disabilities (SEND)**

Agenda item 10, ie Report of the Head of Education & Learning (DEF/17/02) was also considered alongside this item and received by members.

The strategy consultation for parents, professionals and special school children would run from 17 January 2016 - 17 March inclusive and was available online at:-  
<http://healthwatchdevon.co.uk/speak-out/send-strategy-consultation/>

**ACTION:**

Head of Education & Learning (Dawn Stabb): SEN Annual Report to associations when complete.

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**Finance Update**

**DISCUSSION:**

The Forum considered the report of the Head of Education & Learning and County Treasurer (DEF/17/01).

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 4 January 2016.

The report (DEF/17/01) covered:-

Dedicated Schools Grant (DSG) 2017/18: Budget Planning  
EFA funding allocations 2017/18 announced 20 December 2016  
Schools, High Needs and Early Years Block

Education Services Grant (ESG)  
Apprenticeship Levy  
Other Schools Grants  
Month 8 DSG monitoring position 2016/17.

(Note: There was a correction to section 5 paragraph 3 (Education Services Grant) that the proposed top slice of £15 was for all schools to cover the statutory retained duties by the local authority – not only maintained).

The national funding formula consultation 2018/19 implications were to be considered by a Task and Finish Group prior to the next Schools Finance Group and next Forum in March, before the formal consultation response being submitted by 22 March 2017.

In relation to the DSG 2017/18 and consultation and consideration by DEF 19 October 2016 and following work of the Task Group and with budget holders, a report (CT/17/07) was approved by Cabinet on 11 January 2017, with officers recommending the transfer of £2.22m from the Individual Schools Budget to the High Needs budget (reduction in Age Weighted Pupil Unit AWPU of £33). This, along with further management action by the service, would eradicate the current budget deficit by outturn 2018/19 (ie payback any carry forward overspend over the next 2 years, alongside negating fully the underlying budget deficit). This was lower than the "up to £4.5m" limit transfer (£55 AWPU reduction) unanimously rejected by DEF in October. Cabinet also recognised it was planned to bring a proposal to DEF's 15 March 2017 meeting to carry forward the forecast overspend in High Needs in to the 2017/18 financial year.

During a comprehensive discussion Forum members raised concerns as summarised including:-

- clarity around the £33 reduction to the AWPU. In order to release £2.22m to the High Needs block funding of £3m has been top-sliced from schools in order to take into account the affect of the Minimum Funding Guarantee (MFG);

- disappointment that the additional £1m uplift funding into the schools block was moved directly to High Needs; If this amount was allocated to schools this would amount to £44 reduction per child rather than £33 reported to Cabinet;

- that some Forum members suggested only £11 per pupil should be transferred to the High Needs Block, not £33, after additional monies received in the settlement;

- effect of lower AWPU on the baseline for the national funding formula ongoing into the future;

- delayed circulation of impact assessment to Cabinet which Phase associations and schools had not had sight of;

- whether the full implications and impact within schools of the above decision had been acknowledged by Cabinet;

- extension of the Babcock LDP contract meaning funding made available for Babcock services rather than finding £2m to address the High Needs funding issue (noted that the Babcock contract included Education Psychologist's time etc which supported High Needs);

- High Needs funding pressures may continue into the future;

- lack of responses by MPs and Councillors to representations made by the Phase Associations and schools, engagement and the decision making process;

- Early Years proposed increase to the hourly provider rate without consultation; providers advised accordingly of new increase prior to this Forum's meeting; representations made to the EY PVI representative.

The Cabinet Member for Children, Schools and Skills and officers responded to all of the points above but Forum members remained unanimously dissatisfied at the current budgetary position and implications of the above in its totality.

Further, in respect of ESG retained statutory services (section 5 of the report), members expressed reservation at making a decision on this day regarding the £15 top slice of the new extra funding given the new information come to light on this day and affected all schools rather than maintained only, with insufficient time to consult colleagues. The County Treasurer advised a return was due to be made to EFA by 20 January and so a delay was problematic. As the responsibility for decision making was a Forum one, a vote against the recommendation would mean the LA would have to refer this to the Secretary of State. Members asked for further clarity including a full breakdown of general and retained duties with the detail being submitted to SFG and a summary to DEF.

The meeting adjourned whilst members considered their positions regarding the ESG proposals.

**DECISION:**

(a) that the Dedicated Schools Grant (DSG) 2017-18 announcement on 20th December 2016 as set out in sections 1 of the report be noted;

(b) that this Forum does not support sections 2-4 of the report and expresses dissatisfaction at the funding pressures, specifically in the Schools Block, High Needs Block and lack of transparency in Early Years funding for 2017-18;

***(Vote: all phases maintained and academy, PVI)***

(c) that officers be requested to look further at the interpretation of EY provider rates consultation guidance;

(d) that the Cabinet Member for Children, Schools and Skills be thanked for his work and of others in securing a Westminster Hall debate on funding for Devon schools to be attended by the Cabinet Member on 18 January 2017;

(e) that this Forum does not support the ESG proposals for the funding of statutory retained services as set out in section 5 of the report, in view of concerns regarding the detail of information, transparency, processes and impact with all the other changes forced upon Devon Education;

***(Vote: all phases maintained and academy, PVI)***

(f) that the Apprenticeship Levy and Other Schools Grants for 2017-18 as set out in sections 6 & 7 of the report be noted and the County Treasurer be asked to clarify further the detail on section 7;

(g) that the Month 8 DSG monitoring position as set out in section 8 of the report be noted.

**ACTION:**

County Treasurer (Nicola Allen, Julian Dinnicombe)

**DISCUSSION:**

The Forum considered the report of the Chief Officer for Children's Services (DEF/17/04) on Government apprenticeship changes and impact upon the Council and schools as employers and preparatory action being taken, together with an Overview for schools on the impact on different types of schools, with Government web links in Appendix 1.

Key changes were:-

- introduction of an Apprenticeship Levy from April 2017 which meant employers with an annual pay bill of £3m+ would pay 0.5% of their pay bill into a Levy account to fund apprenticeship training;
- introduction of a Public Sector Apprenticeship Target for public bodies employing more than 250 employees, anticipated from April 2017, with 2.3% workforce undertaking apprenticeship qualifications;
- new Institute of Apprenticeships overseeing broader apprenticeship qualifications and scope;
- significant difference in Government contribution to training costs for Levy and Non-Levy paying employers as detailed in the report.

In response to questions it was noted:- that there would be opportunities for schools with 6<sup>th</sup> forms to set up as apprentice training providers within strict criteria and interested schools should contact the Government's National Apprenticeship Service, as detailed in the report, for further information; LA to consider method for maintained schools to obtain funding from the Devon Levy pot; there are opportunities for small schools to explore sharing apprenticeships with other schools, it is helpful for employers to move away from thinking about apprenticeships in the traditional sense and instead see it as an opportunity for staff, of all ages and in a wider range of roles to undertake apprenticeship qualifications.

For maintained schools that come under Devon County Council's overall Levy cost, estimated apportionment of the Levy costs for 2017/18 budget planning purposes are available at: [https://devoncc.sharepoint.com/sites/PublicDocs/Education/\\_layouts/15/download.aspx?guestaccesstoken=S1wadPM29I9BCXf5SUBwLvgm%2bwYNd6v4fXo25%2fi7DE%3d&docid=0849396e4ca604fd6ad8b6bc268203c35&rev=1](https://devoncc.sharepoint.com/sites/PublicDocs/Education/_layouts/15/download.aspx?guestaccesstoken=S1wadPM29I9BCXf5SUBwLvgm%2bwYNd6v4fXo25%2fi7DE%3d&docid=0849396e4ca604fd6ad8b6bc268203c35&rev=1). This forms part of a wider communication available at: <https://new.devon.gov.uk/schcomms/sc/012017-4017/>

## **32 FIPS (Financial Intervention Panel for Schools) Update (DEF minute 24, 19.10.16)**

### **DISCUSSION:**

Following the last meeting and the impact of current budgetary decisions and AWPU reduction the Head of Education & Learning updated members ie:-

The number of maintained schools with predicted deficits for 2016/17 was 25 (12 of which were required to take redundancy and other measures).

The number of maintained schools with predicted deficits for 2017/18 was 31. With the proposed AWPU changes a further 14 schools could also have deficits in 2017/18.

At this stage it was unclear which schools had already accounted for changes in AWPU or the new additional Apprenticeship Levy of 0.5% payroll for eligible schools.

In view of the additional financial pressures on schools in the coming year it was considered the FIPS criteria should be reviewed to ensure FIPS was sustainable and to offer preventative advice to all schools to help to mitigate difficulties.

### **DECISION:**

That the Schools Finance Group (SFG) review the role and criteria of FIPS.

### **ACTION:**

County Treasurer (Adrian Fox), Head of Education & Learning (Dawn Stabb, Heidi Watson-Jones)

**33      Standing (and other) Groups**

(a) The Forum received the following minutes of its standing groups:-

**(i) Schools' Finance Group (SFG)**

Minutes of the meeting held on 4 January 2017 (considered under Finance Update minute 30 above);

**(ii) School Organisation, Capital and Admissions (SOCA)**

Minutes of the meeting held on 16 January 2017.

**(b) Schools Funding Challenges Task & Finish Group**

**DISCUSSION:**

This group met in the Autumn 2016 term to raise the awareness amongst MPs of the ongoing formula funding issues and the current High Needs pressures. The Associations and individual schools had written to MPs to compliment the ongoing lobbying of the County Council.

As referred to in the Finance Update minute 30 above, a Westminster Hall debate on funding for Devon schools was to be attended by the Cabinet Member for Children, Schools and Skills on 18 January 2017.

**34      Dates of Future Meetings**

Wed 15 March 2017

Wed 21 June 2017

Wed 18 October 2017

Monday 15 January 2018

Wed 21 March 2018.

To be held at 10am at County Hall, Exeter.

DCC Calendar of meetings available at:-

<http://democracy.devon.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

**DECISION:**

that in view of the current budgetary and High Needs pressures a further meeting of the Schools Finance Group (SFG) be held if required.

**ACTION:**

Head of Education & Learning (Heidi Watson-Jones)

The Meeting started at 10.00 am and finished at 12.45 pm  
The Schools Forum web is [www.devon.gov.uk/schoolsforum](http://www.devon.gov.uk/schoolsforum)