

**DEVON EDUCATION FORUM
(Devon's Schools Forum)**

11 May 2011

Present:-

Schools Members
Primary School Headteachers

| | |
|----------------|---|
| Mrs J Baker | Barnstaple Orchard Vale Primary |
| Mrs A Ladbrook | East Worlington Primary |
| Mr P Jones | Blackpool CE Primary (<i>substitute member</i>) |
| Mrs H Nicholls | South Brent Primary |
| Mr P Walker | Sidmouth St Nicholas CE Primary |
| Mrs L Wells | Lydford Primary |

Primary School Governors

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|---------------|-------------------------|
| Mrs P Barnard | Sandford Primary |
| Mrs A Blewett | Kings Nympton Primary |
| Mr R Butler | Axminster Primary |
| Mr M Dobbins | Exmouth Marpool Primary |
| Mr D Tall | Meavy CE Primary |

Secondary School Headteachers

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| Mr D Fitzsimmons | Holsworthy CC |
| Mr V Game | Teign School |
| Mr A Lovett | Tiverton High School |
| Mr D Sharratt | Braunton CC |

Secondary School Governors

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|------------------------|-------------------------------|
| Commander M Bamborough | Gt Torrington CC |
| Mr M Canham | Barnstaple The Park School |
| Mr I Courtney | Okehampton CC Chairman |
| Mr D Paterson | Newton Abbot College |
| Mrs C Williams | Newton Abbot, Coombeshead CC |

Special School Headteacher

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| Mr K Bennett | Marland School |
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Special School Governor

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| Mrs Faith Butler | Marland School |
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Nursery

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|-------------|---------|
| Mrs S Baker | Westexe |
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Academies

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Non-Schools Members

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|-------------|--|
| Ms D Booth | Officer with responsibility for Vulnerable Children |
| Mr M Gurney | Teachers Consultative Committee (<i>substitute member</i>) |
| Ms J Foster | 14-19 (<i>substitute member</i>) |

Observers

| | |
|-----------------------|---|
| Councillor C Channon | Cabinet Member - Schools & Skills |
| Councillor V Newcombe | Chairman - CYPS Scrutiny Committee |
| Mrs J Warne | Ellen Tinkham (<i>Special Schools HT substitute member</i>) |

Apologies

| | |
|-----------------|------------------------------|
| Ms T Blyth | Roman Catholic Diocese |
| Mr M Boxall | Exeter Montgomery Primary |
| Mrs Fran Butler | EYCS |
| Mr D Chapman | Okehampton CC |
| Mrs L Heath | Uffculme School |
| Ms E Lincoln | Early Years PVI (TRIO) |
| Mr J Peart | 14-19 |
| Mrs Y Short | Newton Abbot Bearnas Primary |
| Mrs M Street | Exeter Isca College |
| Dr C Woodhouse | The Axe Valley CC |

536 Minutes

DECISION:

That the minutes of the meeting held on 23 March 2011 be signed as a correct record.

537 Membership

The Chairman welcomed:-

Mr Andrew Lovett (DASH, Tiverton High School) replacing Ms Faith Jarrett.
Mrs Amanda Blewett (DAG Primary substitute member) is now a full member replacing Ms Jo Frith.

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

DISCUSSION:

The Cabinet Member – Schools & Skills reported on:-

The Education Bill and Cabinet's support to retain the Devon Local Admissions Forum, minute 340(c)(ii). Cabinet resolved *"that, recognising that the Devon Local Admissions Forum have also expressed concerns at the proposed removal of the statutory requirement for Local Authorities to convene Admissions Forums under the Education Bill, that Forum be asked to consider whether it should continue in some form on a discretionary basis and continue to advise other committees and forums as appropriate."*

Other issues raised included:- Press reporting of pupil attendance at school; education and school functions under the proposed new council structure; the Carbon Trust.

539 Director's Update

DISCUSSION:

The Director for Learning & Schools outlined key points including:-

Progress with the DCC Restructure - noting the achievement of service managers and schools in meeting budget reduction targets against a huge amount of change;

Who's Who Contacts Booklets (Education & Learning Portfolio and the Early Years and Families Portfolio, both for summer term only) would be available shortly and made available to members;

Munro Review Final Report on Child Protection Published 10 May 2011 – executive summary essential reading for schools;

James Review on Education Capital and Green Capital Fund – to be considered further under the Schools Organisation Forum (please see minute 544(a)(iii)(B) below);

New National Curriculum - The Association of Directors of Children's Services response to the National Curriculum Review 14 April 2011;

Headteacher Salaries and Additional Earnings – schools would welcome guidance from HR on extending temporary appointments and the accrual of rights. The Financial Intervention Panel – Schools (FIPS) would be considering advice to be sent to all governing bodies and would also be contacting a small number of schools and headteachers individually where they may be directly affected by the School Teachers Review Body (STRB) guidelines on pay ranges;

Financial Intervention Panel – Schools (FIPS) – vulnerable budgets, staff appointment and reducing the impact on the Dedicated Schools Grant (DSG) redundancy budget to benefit all schools.

DECISION:

That guidance from HR be sent to schools on extending temporary appointments and the accrual of rights and the Financial Intervention Panel send advice on headteacher salaries and additional earnings to all governing bodies and those directly affected by any changes.

ACTION: CYPS (Judith Johnson, Helen Crossfield, Helen Dickson)

540 Finance Update

DISCUSSION:

The Forum considered the report of the Executive Director of Children & Young People's Services (DEF/11/04) on:-

Corporate Update
Budgets for 2011/12
Standards Funds
New Schools Financial Value Standards
DPLS
Papers out for consultations
Further inclusions to the LDP

The final 2010/11 position would not be known until late May (to be reported to the next meeting) but early indications on the Dedicated Schools Grant (DSG) showed an increase in the level of underspend. The provisional outturn for the general fund element of CYPS for 2010/11 indicated a £300k overspend against a backdrop of in year Area Based Grants (ABG) cuts to the CYPS directorate of £3.1m. This was a very good position for CYPS. The DSG carry forward was likely to be in the region of £15.9m. This was made up of school balances of £14.8m and carry forward on the central expenditure of the DSG of £1.1m. School balances on schools maintained on 1 April 2010 and 31 March 2011 (ie those schools not converted to academies during the year) had increased by £3m (£11.8m to £14.8m) equating to 3.9% of school budgets. The academies balances would be brought to the next meeting. Provision had been made in the 2011/12 budgets for recoupment on academies, the figures for which were very volatile at present given the rapidly changing number of schools converting.

There had been for the first time ever an underspend for in-year SEN statements and there was a question on the funding around the 0.6 SEN allocation and whether some statements had been issued without resource which would be clarified.

There was concern at the indication from the DfE over recent weeks that there would not be clawback on the 5% of the standards funds due for 2010/11 and that DfE had indicated this could be treated as a year end adjustment in perpetuity whilst recognising the need for a satisfactory definitive solution for implementation by 2012/13.

The proposed new Schools Financial Value Standard (SFVS) had been published, offering a "lighter touch" approach and was less cumbersome than the former FMSiS system:-
<http://www.education.gov.uk/schools/adminandfinance/financialmanagement/a0075378/schools-financial-value-standard-sfvs-consultation>

The School Finance Group (SFG) had reviewed the current core (universal entitlement) and non-core provision of the Devon Personalised Learning Service (DPLS) which showed a disparity across the county. It was intended to provide an equitable core service to all schools and have a charging framework for all non-core services, as well as a proportion of money to follow the pupils being supported through DPLS whilst they remain on roll at schools.

There were two important consultations (deadline for consultations 25 May 2011) ie the Schools Funding Reform and Academies Pre-16 Funding: Options for the 2011/12 Academic Year. Members stressed the importance for all schools and interested parties to respond to both consultations and requested DCC's response to be sent to schools as soon as possible to aid their responses, along with officer guidance on key questions to address.

The Local Learning Community (LLC) Budget 2011/12 was also tabled and a letter was going out to LLCs this week giving the allocations for 2011/12. It was important for LLCs to respond to SFG's review on how the allocations were being used so that SFG could test the value for money and to take this into account for 2012/13.

DECISION:

(a) that the potential for in-year reductions due to academy conversions not yet known be noted (paragraph 3.2 of the report);

(b) that in respect of the proposed non-payment of 5% of the standards fund by the DfE (paragraph 4 of the report):-

(i) representations be made to the DfE:-

"that DfE need to be aware that the £1.6m funding pressure for Devon is an added burden on an authority which is 6th worst funded nationally. There is no capacity within the DSG to deal with this funding pressure. This situation has arisen through no fault of schools or the local authority, it is not accepted by the Devon Education Forum (Devon's Schools Forum) that this amount can be "written off" over a number of years as this will impact on the education of children and young people in the future. DfE need to ensure this funding is paid in full";

(ii) the above be drawn to the attention of the Local Government Association who have also made representations;

(iii) the treatment of the 5% Standards Fund payment in line with DfE guidance be noted;

(c) that the need to draw up a charging framework for the DPLS for all non-core areas of work currently provided to school staff and pupils which would include a phased approach between September 2011 to April 2012 be approved (paragraph 6.3 of the report);

(d) that the Devon Personalised Learning Service (DPLS) securing an appropriate proportion of the AWPU, statement and pupil premium funding for pupils supported by the DPLS but remaining on school rolls be approved (paragraph 6.4 of the report);

(e) that the DfE school and academy funding proposals currently out for consultation be noted and DCC's response be forwarded to schools as soon as possible (paragraph 7 of the report);

(f) that clarification be sought on the funding around the 0.6 allocation for SEN and whether some statements had been issued without resource.

ACTION: CYPS (Nicola Allen)

541 Devon Catering and Cleaning Service Update

DISCUSSION:

The Executive Director of Children & Young People's Services reported on progress with the establishment of the Joint Venture Company (JVC) since the last meeting and that full consultation with DCCS staff was being undertaken at present. Pension issues had now been resolved, in that within the "pass through" arrangements risks would remain with DCC. School Finance Group had requested a number of issues to be clarified. Schools would have an individual price on a cost plus basis and although costs to schools were not expected to be higher than agreed, this could not be guaranteed. Norse was expecting schools to give 3 months notice if opting out of their agreements with Norse. DAPH questioned how schools could be protected from increased costs due to unforeseen circumstances within the cost plus

pricing and requested that any agreement addressed this from the outset. For example small schools could see price increases due to the location of the kitchens changing which was out of their control.

DECISION:

(a) that the cost plus arrangement be examined within the agreement to avoid schools being vulnerable to price increases as far as possible;

(b) that the Project Board be requested to look at potential problems to small schools as soon as possible and that members pass on any examples or comments to the Project Manager for consideration by the Board as necessary.

ACTION: CYPS (Ray Beale)

542 Safeguarding in Devon Schools Report Update

DISCUSSION:

The Forum received an update report of the Executive Director of Children & Young People's Services (DEF/11/12) covering Ofsted summary (November 2010 to March 2011); the Multi Agency Safeguarding Hub (MASH); Audits; Multi-Agency Case Audit; Police 121As (ie police reports on incidents attended when a child is present); Safeguarding issues from an education & learning perspective. The Education Safeguarding Officer also reported on the Munro Review Final Report on Child Protection published on 10 May 2011, the full implications of which would be carefully considered.

DAPH expressed concern at the possible delay of reporting police 121As to schools and the mechanism used. However officers explained that liaison was with one designated safeguarding member of staff per school, with some contact details still awaited for these staff despite reminders. In addition only 198 out of 400 audits had been returned despite several reminders, making it impossible to prepare the annual report on time.

DECISION:

That the Director for Learning & Schools take these matters of concern up including contacting the Chairs of Local Learning Communities.

ACTION: CYPS(Judith Johnson, Jane Lake)

543 Performance of Schools by Key Stages F-KS5

DISCUSSION:

The Forum received the annual report of the Executive Director of Children & Young People's Services on the performance of pupils in Devon schools in summer 2010 by key stage, together with outcomes for children and young people with additional needs and OfSTED inspection outcomes 2009-10 and 2010 to date. The 2010 performance showed improvements in all key stages and that Devon was in line or better than the national performance in all measures and well ranked against its statistical neighbours despite being the 6th least funded local authority.

Members welcomed this useful document and its new format. Associations would continue to encourage schools to submit data so the report contained the whole picture and academies had also agreed to a data sharing protocol. Schools could also find it helpful to obtain their individual school breakdown and breakdown by school clusters which would be investigated potentially as a traded offer. Although greatly improved, the presentation of special school statistics would also be developed further for future publications. This document would now be sent to schools.

DECISION:

that the annual report be sent to schools as soon as possible, subject to the deletion of the table on page 53 and members comments on individual school and cluster analyses and further developments for next year's report be looked into.

ACTION: CYPS(David Lowes)

544 Standing Groups etc

(a) The Forum received the following minutes of its standing groups. Minutes discussed and/or brought to the Forum's attention included:-

(i) Forum for Learning and Achievement

Minutes of the meeting held on 4 May 2011.

DISCUSSION:

Minute A2 Service Delivery Agreement with the Learning & Development Partnership (LDP) noted;

Minute B2 Extended & Family Services

The Director of Learning & Schools reported on the Dedicated Schools Grant ringfenced topslice for Local Learning Communities (LLCs) for 2012/13 for partnership collective working (used at LLC level rather than individual school level). This was supported in that schools wanted to work together. It was also possible for example that special schools may form their own LLC. There were also some forward planning difficulties when funding was on a year by year basis.

DECISION:

(A) that the group of LLCs Chairs be requested to consider governing body representation on LLCs and the Director of Learning & Schools have discussions with HR and finance on advice and support that could be given around issues arising from the year by year funding;

(B) that the CYPS business models publication be circulated to and good practice shared with LLCs;

(C) that all types of LLCs be treated equitably.

ACTION: CYPS (Sue Clarke, Phillipa Court)

Minute B6 Music Grant 2011/12

DEF noted that just 10% of the overall grant had been reduced.

DECISION:

(A) that the 2010/11 arrangements be continued for this final transition year ie devolution of one third of the funds to LLCs;

(B) that Devon Music Service note that this Forum encourages the music service being made available to all Devon children.

ACTION: CYPS (Judith Johnson, Ken Parr)

(ii) School Finance Group (SFG)

Minutes of the meeting held on 28 April 2011.

DISCUSSION:

SFG issues for DEF were considered elsewhere within DEF's meeting.

ACTION: -

(iii) School Organisation Forum**DISCUSSION:**

(A) Minutes of the meeting held on 4 May 2011 - noted

(B) CYPS Capital Programme and the James Review update - DEF considered the report of the Executive Director of Children & Young People's Services (DEF/11/13) arising from SOF's meeting held on 4 May 2011, including a summary of the James Review recommendations (Appendix A to the report). The James Review focused on the bureaucracy and costs associated with delivering the former Building Schools for the Future Programme. The James review recommended a more streamlined approach to delivery of significant education building projects via a central procurement body. The review highlighted that devolved funds had not fulfilled the objectives they set out to achieve resulting in the subsequent reduction in school formula capital (D78) by 80%. With regard to the CYPS capital programme DAPH asked about the auditing of the D78. As a consequence of the reduction in funding the LA no longer maintained the procedure that required schools to apply to draw down D78 funding, having replaced the procedure by pass-portioning future D78 allocations directly to school budgets. DAPH expressed the need for School Finance Group to be informed. Future funding was likely to comprise of basic need and condition (in some cases referred to as dilapidations) and schools therefore needed to ensure condition data was kept up to date, as and when school funded improvement projects were complete. DAPH wished to understand the criteria for a tie-breaker in determining which applications were successful within a particular priority of school scheme.

DECISION: that the Forum noted:-

- (I) that the CYPS capital programme report was approved by the Cabinet on 9 March 2011;
- (II) the challenges in delivering the CYPS capital programme (paragraph 2.1 of the report);
- (III) the future SOF capital programme reporting arrangements (paragraph 2.2 of the report);
- (IV) the initial assessment of the James Review (paragraph 3 of the report) and current lack of certainty relating to the future delivery of education capital projects;
- (V) that the tie-breaker criteria and explanation of the process used in determining applications be shared with the associations.

ACTION: CYPS (Chris Dyer)

(iv) Commissioning Board - nil

This board was to cease operating - please see minute 544(b) below.

(v) 14-19 Strategic Leadership Group - nil**(b) Representations and Progress from Various Standing and Task & Finish Groups Taking Forward the Devon Education Forum****DISCUSSION:**

The Forum considered a report of the Task & Finish group (DEF/11/14) following its meeting on 4 May 2011 to consider future representation of academies on the Forum in view of their

rapidly changing number and to review the role and structure of DEF and its standing groups, with the Forum itself generally considered to be too large to operate efficiently. The Task & Finish Group also considered a paper by DAPH to the last Forum on the role of DEF and its sub groups. A further review could also be necessary in the light of any changes to the funding formula currently out for consultation.

Annex A to DEF/11/14 set out the current and proposed membership of DEF and its standing groups and written representations had been received from the Early Years, Private Voluntary and Independent Sector representatives to maintain their current two voting Non-School Member places on the Forum.

Members also felt that:-

- the 14-19 Strategic Leadership Group should continue given its different membership and remit to that of the Forum for Learning & Achievement; and
- that although the Commissioning Board should cease, its work would be best considered by any of the other standing groups as appropriate on a case by case basis.

DECISION:

The Forum recommends to Cabinet:-

(a) that the existing Phase Association membership is broadly proportionate to the number of academies within the phase;

(b) that the Phase Executives put forward their nominations for membership of DEF in line with these proportions;

(c) that letters will be sent to Academy Governing Bodies requesting approval of these nominations. Academies then have the opportunity to either approve the nomination(s) or put forward an alternative candidate;

(d) that Schools and Academies Membership of DEF be reviewed annually (to return to 4 yearly appointments (50% every 2 years) when school organisation stabilises). January pupil data to be used to assess the proportionate representation;

(e) that the voting membership of DEF reduces from 36 to 30 in line with Annex A to this report, subject to the Early Years Private Voluntary and Independent sector remaining at 2 representatives;

(f) that the number of meetings each year reduces from 7 to 5, to be held as follows:-

- Early January – to link with the budget setting timetable.
- Mid March – to finalise budget issues.
- Late June – to consider the outturn for the previous year.
- Late September – normal business
- Mid November – to start the budget process
(this may also be a half day conference along with a half day meeting)

(g) that the timings for the Forum's meetings be reviewed further to best utilise members' time and the Associations subsequently review the timings for their respective group meetings accordingly;

(h) that DEF Terms of Reference and Constitution be amended to reflect the changes;

(i) that the Schools Organisation Forum be renamed Schools Organisation and Policy Forum;

(j) that the Commissioning Board cease, but its work be undertaken by any of the other standing groups as appropriate on a case by case basis;

(k) that the Schools Finance Group, the Forum for Learning and Achievement and the 14-19 Strategic Leadership Group remain.

(l) that Standing Group meetings be held line with the DEF calendar i.e. 5 per annum;

(m) that all remaining sub groups review and update their terms of reference.

ACTION: CYPs(Nicola Allen), OCX(Fiona Rutley)

(c) Minutes for information

Local Admissions Forum (LAF)

Minutes of the meeting held on 17 March 2011.

The Director of Learning & Schools reported on LAF's discussions on the need for continued admissions data from academies (minute 79) and LAF's request that academies be invited through the Devon Education Forum to make data available regarding in-year admissions. DEF noted however that all academies had already agreed to a data sharing protocol and so there should be no issue in obtaining this.

545 Future Meetings

All meetings to commence at 2pm* at County Hall, Exeter (unless otherwise indicated):-

***timings under review**

Wed 29 June 2011

Wed 28 September 2011

Fri 4 November 2011 (conference) *for members only, all day, venue to be confirmed*

Wed 7 December 2011

Wed 18 January 2012

Wed 21 March 2012

Wed 16 May 2012

ACTION: OCX(Fiona Rutley)

The meeting started at 2pm and finished at 5.10pm.

The Schools Forum web is www.devon.gov.uk/schoolsforum