

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

7 December 2011

Present:-

Schools Members

Primary School Headteachers

Mr M Boxall	Exeter Montgomery Primary
Mr A Dobson	Marwood Primary ( <i>substitute member</i> )
Mr J Galling	Exmouth, Brixington ( <i>substitute member</i> )
Mr P Walker	Sidmouth St Nicholas CE Primary
Mrs J Baker	Barnstaple Orchard Vale Primary ( <i>Academy member</i> )

Primary School Governors

Mrs P Barnard	Sandford Primary
Mrs A Blewett	Kings Nympton Primary
Mr R Butler	Axminster Primary
Mr M Dobbins	Exmouth Marpool Primary
Mrs Y Short	Newton Abbot Bearnas Primary

Secondary School Headteachers

Mr D Fitzsimmons	Holsworthy CC
Mr A Lovett	Tiverton High School
Mr D Sharratt	Braunton CC
Mr V Game	Teign School ( <i>Academy member</i> )

Secondary School Governors

Mr M Canham	Barnstaple The Park School
Mr I Courtney	The Dartmoor Federation <b>Chairman</b>
Mrs M Ewings	Tavistock CC ( <i>substitute member</i> )
Dr C Woodhouse	The Axe Valley CC
Commander M Bamborough	Gt Torrington School ( <i>Academy member</i> )

Special School Headteacher

Mr M Dean	Bidwell Brook School
Mrs J Warne	Ellen Tinkham School

Special School Governor

Mrs Faith Butler	Marland School
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Non-Schools Members

Ms D Booth	Officer with responsibility for Vulnerable Children
Mr M Gurney	Teachers Consultative Committee
Ms E Lincoln	Private Voluntary and Independent Early Years

Observers

Councillor C Channon	Cabinet Member - Schools & Learning
Councillor A Davis	Cabinet Member - Children's Services

Apologies

Mrs S Baker	Westexe (Nurseries)
Mr D Chapman	Okehampton CC
Mrs H Nicholls	South Brent Primary
Mr J Peart	14-19
Mrs L Wells	Lydford Primary
Mrs C Williams	Newton Abbot Coombeshead CC

**564 Minutes**

**DECISION:**

That the minutes of the meeting held on 28 September 2011 be signed as a correct record.

**565 Membership**

The Chairman welcomed Mr Vyv Game who had now been appointed to fill the vacancy of Secondary academy member (DASH).

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

**DISCUSSION:**

**(a) School Organisation Bowhill Primary School, Exeter - Cabinet minute 408**

The Cabinet Member – Schools & Learning reported that the Cabinet on 9 November 2011 had given approval to proceed to the next stage of issuing a Public Notice and seeking planning permission for the expansion of Bowhill Primary School, Exeter, to help to alleviate the significant pressure on school places in Exeter and particularly reception places in schools west of the River Exe.

**(b) “The Importance of Music”, National Plan for Music Education - Bids from Schools by 13 January 2011**

The Cabinet Member – Schools & Learning also drew to members’ attention the new National Plan for Music Education (which had been considered by the Forum for Learning & Achievement, minute B2, 7 December 2011). The plan promoted music education hubs to fulfil schools’ primary responsibility for delivering the music curriculum and bids were invited for hub funding. Devon was now in a strong position to respond to this through its new Devon Music Education Hub (lead by the Devon Music Service) and schools were invited to submit bids to the Devon Music Service by 13 January to be considered as part of the Devon response.

**DECISION:**

that clarification be sought on bids for early years settings and the early years, private voluntary and independent member be advised accordingly.

**ACTION:** Head of Education & Learning (Kenn Parr)

**567 Learning Environments and Strategic Planning Update**

**DISCUSSION:**

The Forum received the joint report of the Heads of Planning, Transportation & Environment and Head of Capital Development & Waste Management (DEF/11/20) on the new structure, functions and contacts that replaced the former CYPS learning environments and strategic planning functions.

Mr Dave Black was Head of Planning, Transportation & Environment, whose service included the Strategic Planning Team which was managed by Mr Simon Niles, responsible for all aspects of Children’s Service and education provision strategic planning. This team included school planning, places and statutory obligations eg basic needs for school places, new schools, monitoring the planning system and local development frameworks. Now that this service also covered all planning aspects for the county council there was a more holistic view

eg on S106 developer contributions and planning the whole infrastructure package for a community.

Mr David Whitton was Head of Capital Development & Waste Management and this service included the schools asset management/capital delivery team which had retained the Learning Environments Team title managed by Mr Chris Dyer. This team's responsibility included managing the council's maintained school estate, working with and monitoring NPS South West Ltd, capital investment, capital maintenance, capital resources bids and statutory obligations.

## **568 Safeguarding (min 562(a)(ii))**

### **(a) Strategic Position and Governance**

#### **DISCUSSION:**

Mr Rory McCallum, Head of Child & Adult Protection presented the council's strategic position on safeguarding and governance in relation to child and adult protection, including the statutory responsibilities of both Councillor Andrea Davis, Cabinet Member - Children's Services and Ms Jennie Stephens, Strategic Director People and governance roles of the Head of Child & Adult Protection and senior managers within this service. The county council's reorganisation had ensured there were clearly defined safeguarding responsibilities and accountability.

### **(b) Multi Agency Safeguarding Hub (MASH)**

#### **DISCUSSION:**

Mr Rory McCallum, Head of Child & Adult Protection gave a presentation on Devon's MASH, established to identify and make safe vulnerable people at the earliest opportunity through securely sharing information across the safeguarding partnership. Devon's approach helped to mitigate the risk to vulnerable people and enabled more informed decisions to be made which could be measured on a case by case basis. The MASH was unique to Devon and had been recognised nationally with eg London boroughs interested in establishing similar networks.

Whilst DAPH recognised the safeguarding governance within the authority and the role of MASH, their concerns remained that at a local school level there was inconsistency in procedural operations, since there were not consistent procedures in place in every school and there were inconsistencies in how schools communicated with other agencies and in the expectations on schools. The Head of Service undertook to follow up DAPH's specific concerns. He also offered to attend future forum meetings as appropriate to provide updates on safeguarding issues.

#### **DECISION:**

(i) that DAPH forward details of their specific concerns to the Head of Child & Adult Protection (and copied to the Cabinet Member - Children's Services) to be looked into;

(ii) that the safeguarding governance and MASH presentations be circulated to members.

**ACTION:** (i) DAPH and Head of Child & Adult Protection (Rory McCallum); (ii) Office of the County Solicitor (Fiona Rutley)

## **569 Norse - Cleaning and Catering Joint Venture**

#### **DISCUSSION:**

The Forum considered a report by Norse (DEF/11/21) and its recent formation of a joint venture company with the county council, in which DCC had a 20% stake, but would share

50% of the profit. The Devon Norse Liaison Board which included a representative from each of the phase associations as well as DCC and Norse representation. This had been established to provide a forum between the client and provider to look at contract performance activities, to consider association feedback and to make recommendations to the corporate board. The liaison board would shortly review the draft business plan for the next 12 months.

DAPH reported that a number of schools and particularly small schools had expressed dissatisfaction over the service provided for catering, that this was not what schools had anticipated for the price and that some schools were considering ending their contracts. However no written communication had been received by the Managing Director of Devon Norse about individual school concerns and he felt there had been confusion by some schools about free school meal funding, individual school budgets and what costs had been factored in. Devon Norse was happy to continue to hold discussions with individual schools to try to help resolve some of the difficulties and was exploring flexible menus from January, indemnity cover eg for replacement equipment and to minimise premises related costs. The report also detailed significant actions by Devon Norse to reduce costs and particularly spiralling food and labour costs with a major reduction in labour costs since June and September this year. Norse reported that there had also been examples of where the new catering service was working well, with 100% increase in daily intake giving reasonable returns. Norse was unable to cross subsidise other schools but should schools wish to work together within local learning communities benefits could be shared. Norse would be contacting schools early in January with indicative school budgets.

DAPH felt that the council should write to schools pointing out their obligations in the provision of meals, should they be considering withdrawal from the contract, including TUPE transfer should the contract be transferred to another provider. The County Treasurer pointed out that the situation regarding TUPE transfer had been notified to schools on two occasions already, however it was agreed that a further communication pointing out schools' obligations in the provision of meals and the legal position should a school terminate or transfer the contract, should be sent.

Although Norse would try to redeploy staff wherever possible any redundancy costs that followed from a school's decision to terminate any meals service would not be born by Devon Norse.

**DECISION:**

that the Head of Education and Learning and the County Treasurer write to schools to remind them of their obligations when considering their future cleaning and catering services (including duty to provide free school meals, TUPE staffing costs and 3 month contract notice period).

**ACTION:** Head of Education and Learning (Caroline Armstrong and Melanie Wellard)

**570 Head of Education & Learning's Update**

**DISCUSSION:**

The Head of Education & Learning updated members on:-

(a) School services map (tabled);

**(b) Progress with the Learning & Development Partnership (LDP) Joint Venture and Commissioning Process**

The bid evaluation process was in its final stages with a recommendation on the preferred bidder from the evaluation group being made to Cabinet and the official announcement anticipated by Cabinet on 11 January 2012. The next stage was moving towards a contract entailing detailed work (eg TUPE, premises and funding) with implementation planned for Easter 2012 which should secure inclusion and improvement services for DCC and schools. The Head of Education & Learning was developing the commissioning processes and

considering 35 service delivery agreements being grouped within 4 themes with the role and focus of the county council around the vulnerable at risk and gaps in the outcomes for children and young people. The service requirements and outcomes included provision for statutory duties, open book accountancy and performance indicators. The move to a commissioning environment over the next 2-3 years would see the county council focussing on its statutory responsibilities and roles and schools purchasing a range of improvement and enrichment packages.

**(c) Dialogue with the DfE on Schools Underperforming and Not Hitting Floor Targets**

There was a fundamental shift in the DfE's definition of school underperformance with the bar being raised. The county council's plan for supporting vulnerable schools and addressing underperformance had been well received, with a very positive dialogue with the DfE. The Secretary of State now had more powers to intervene in coasting and underperforming schools, those flat lining above floor targets and schools receiving two satisfactory Ofsted inspections. Ofsted was considering school performance in a broader context and over a longer time frame and there was a national focus on the performance of secondary schools. Where floor standards were not met there would be an assumption that schools would benefit from a sponsored academy approach and the DfE was considering a number of sponsors. National Leaders of Education (NLE's) were outstanding headteachers supporting other schools in difficulty and there was a need to develop such support and school improvement capacity within Devon. The Devon LDP was now refocusing the work of the Targeted Intervention and Support Programme (TISP) towards early intervention and preventative work with Devon schools and governors.

**(d) Education Reform Conference, London, 6 December 2011**

(attended by the Cabinet Member – Schools & Learning and Head of Education & Learning)

Ofqual was the new examination and standards regulatory watchdog for England and was seeking views on school confidence levels in standards and qualifications. In its report due to be published in January "A" levels were considered fit for purpose and in comparison to other countries A levels were flexible, even though a narrow range of subjects were offered. There was confidence that A level assessment was fair and equitable and that A levels prepared young people very well for university. The phase associations may wish to ensure their voice was heard through Ofqual and the watchdog's report in January on A levels and other examinations was awaited.

**DECISION:**

that the Head of Education & Learning formally places on record her thanks to all the headteachers involved for their input into the LDP joint venture preferred bidder process.

**ACTION: -**

**571 Finance Update**

**DISCUSSION:**

The Forum considered the report of the Head of Education & Learning (DEF/11/22) on:-

Corporate Update

Proposals for simplifying Devon's school funding formula

Month 6 Budget Monitoring position 2011/12

Stepping Stones THRIVE update from the School Finance Group (SFG)

Corporately government grant announcements were expected imminently. 2011/12 monitoring up to month 6 showed the overall savings were currently on target to be achieved within People Services, with a forecast of £600k underspend.

A very low response had been received to the Devon consultation to simplify its school funding formula for free school meals and dual use sports facilities (with all but one response either yes or don't know as detailed in the appendix to the report). The SFG recommended that for free school meals retrospective adjustments should cease and funding should be on the basis of take up of free school meals as reported for the previous 12 months prior to the January census. This was a slight alteration in the methodology, in line with a suggestion by one of the respondents to the consultation. SFG also recommended there should be no further retrospective adjustments from 2012-13 in either free school meals or dual use sports facilities. In response to a question the County Treasurer advised that under the proposal free school meals funding for the year from each April was to be based on the actual figures for the 12 months to January immediately preceding, and that this would take effect from April 2012.

Dedicated Schools Grant (DSG) Budget monitoring 2011/12 for month 6 indicated there was likely to be a year on year increase in the DSG surplus. At month 6 the overall forecast underspend was £1.7m, increased from £1.1m brought forward from 2010/11 which would continue to be watched closely. The main contributing factors remained – application of the last of the standards fund to support the extension of the free early years entitlement; bonus arising from retention of funding of business rates for some of the in year academy conversions.

Further progress had been made with the THRIVE programme rollout which SFG had considered in detail (SFG minute B10). SFG had endorsed the proposed way forward, subject to LDP SDA issues around supervision and continuing quality assurance being reviewed by the Forum for Learning & Achievement.

Government funding announcements were expected on 8 December 2011 with details to be considered by SFG on 4 January and by this Forum on 18 January 2012, prior to the Cabinet and County Council budget.

The County Treasurer also requested a formal recommendation to Cabinet approving the SFG recommendation (SFG minute B2) to move to the issue of a single budget for each Federation from the start of the 2012/13 financial year.

**DECISION:**

(a) that the low number of consultation responses on simplifying the school funding formula be noted and Cabinet be recommended to simplify for 2012/13 the schools funding formula in respect of funding for free school meals and dual use sports facilities;

(b) that progress with implementation of THRIVE (SFG minute B10) and in particular the ongoing work to ensure that value for money and question & answer processes are secure before contracts are agreed be noted;

(c) that in respect of the school budget allocations for 2012/13 Cabinet be recommended to approve the issuing of a single budget for schools in Federations.

**ACTION:** County Treasurer (John Holme, Caroline Armstrong)

**572 Financial Intervention Panel Schools (FIPS) Annual Report**

**DISCUSSION:**

The Forum considered the report of the Head of Education & Learning (DEF/11/23) on:-

FIPS business for the 2010/11 in scrutinising budgets and recovery plans of schools in financial difficulties. There had been a number of representations from schools prior to academy conversion. Cases coming before the panel were also increasingly more complex.

**DECISION:**

that the Financial Intervention Panel Schools (FIPS) annual report be noted and circulated to schools and governors.

**ACTION:** County Treasurer (Caroline Armstrong)

**573 Standing Groups etc**

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

(i) School Finance Group (SFG)

Minutes of the meeting held on 23 November 2011:-

All matters had been considered under the Finance Update report and the FIPS annual report (minute 571 and minute 572 above respectively).

(ii) School Organisation and Policy Forum (SOPF)

Minutes of the meeting held on 22 November 2011.

(iii) Forum for Learning and Achievement (FLA)

Minutes of the meeting held on 21 November 2011:-

- Minute A4 LDP joint venture and service delivery agreements was considered under the Head of Education & Learning's Update (minute 570(b) above);

- Minute B2 Devon Music Education Hub and new National Plan for Music Education was considered under minute 566(b) above.

(b) Representations and progress from various standing and task & finish groups

nil

(c) Other Groups

(i) 14-19 Strategic Leadership Group

Minutes of the meeting held on 28 November 2011 - to be circulated to members when available.

**ACTION:**

14+ (John Peart), Office of the County Solicitor (Fiona Rutley)

(ii) Local Admissions Forum

Minutes of the meeting for information held on 17 November 2011 - noted.

**574 Dates of Future Meetings**

Existing calendared meetings

Meetings to commence at 10am at County Hall, Exeter (unless otherwise indicated)

Wed 18 January 2012

Wed 21 March 2012

W 27 June 2012 – clash with Devon Music Mix\*

W 26 September 2012

W 21 Nov 2012 all day - seminar for Forum members only and Forum meeting

W 23 Jan 2013

W 20 March 2013.

**\*DECISION:**

that an alternative date be considered for 27 June 2012 meeting since schools were now likely to be involved with Devon Music Mix.

**ACTION:**

Office of the County Solicitor (Fiona Rutley)

The meeting started at 2pm and finished at 4.50pm.

The Schools Forum web is [www.devon.gov.uk/schoolsforum](http://www.devon.gov.uk/schoolsforum)