

Phil Norrey
Chief Executive

To: The Chair and Members of the
Devon Education Forum

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 16 January 2019
Please ask for : Fiona Rutley 01392 382305

Email: fiona.rutley@devon.gov.uk

DEVON EDUCATION FORUM

Wednesday, 23rd January, 2019

A meeting of the Devon Education Forum is to be held on the above date at 10.00 am in the Committee Suite - County Hall to consider the following matters.

P NORREY
Chief Executive

***The meeting will be followed by a light buffet lunch.
It would be helpful if members were to confirm their attendance***

AGENDA

PART I - OPEN COMMITTEE

- 1 Apologies for absence
- 2 Minutes (Pages 1 - 8)
Minutes of the meeting held on 20 November 2018 attached.
- 3 Items Requiring Urgent Attention
Items which in the opinion of the Chairman should be considered at the meeting as matters of urgency.
- 4 Matters Arising from the Last Meeting and Report back on Issues Raised with Cabinet
To consider any matters arising from the last meeting where no otherwise covered on this agenda and to report on items considered at the Cabinet.

5 Membership

6 (1010) Head of Education & Learning Update
Head of Education & Learning to report.

SPECIFIC AGENDA ITEMS

ITEMS FOR DEBATE AND INFORMATION

7 (1030) Finance Update (Pages 9 - 16)
Report of the Chief Officer for Children's Services and County Treasurer (DEF/19/01) attached.

STANDARD AGENDA ITEMS

ITEMS FOR DEBATE AND INFORMATION

8 (1050) Standing (and other) Groups (Pages 17 - 28)
To review action for the Fourm from its groups and to receive minutes:-

(a) Schools' Finance Group

Minutes of the meeting held on 9 January 2019, attached.

Also available at

<https://new.devon.gov.uk/educationandfamilies/school-information/devon-education-forum/schools-finance-group>

(b) School Organisation, Capital and Admissions Forum

Minutes of the meeting held on 8 January 2019, attached.

Also available at

<https://new.devon.gov.uk/educationandfamilies/school-information/devon-education-forum/school-organisation-capital-and-admissions-group-soca>

9 Correspondence

10 Dates of Future Meetings
Meetings to be held at County Hall, Exeter, at 10am (unless otherwise specified):-

Wed 20 March 2019

Wed 19 June 2019

Wed 20 Nov 2019

Wed 22 January 2020

Wed 18 March 2020.

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

(1100) Close

VOTING (see below)

FAILED AMENDMENTS AND VOTING FIGURES MAY BE RECORDED WHERE REQUESTED BY AN ASSOCIATION OR SINGLE MEMBER REPRESENTATIVE (for contentious issues)

Voting Representatives are Schools, Academies and Non-Schools Members, excepting Regulations restrict the voting arrangements by only allowing Schools and Academy members and the PVI private, voluntary and independent sector early years to vote on the funding formula. Additionally for de-delegation matters only the relevant maintained schools members may vote (primary and secondary, vote by phase). In relation to the scheme for financing schools all maintained schools members may vote (all phases).

Coloured voting cards for restricted voting:-
Schools members (maintained) primary - gold
Schools members (maintained) secondary - beige
Academies (mainstream and alternative provision) - blue
Special Schools, Nursery Schools – pink
PVI - orange

FORMAL OBSERVERS, ATTENDEES AND ANY SUBSTITUTE MEMBER ATTENDING IN ADDITION TO THEIR RESPECTIVE FULL MEMBER ARE EXEMPT FROM VOTING

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

The Devon Education Forum web is www.devon.gov.uk/schoolsforum
The proceedings of this meeting may be recorded for broadcasting live on the internet via the Devon Education Forum's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public.

For information on travelling to County Hall please see <http://www.devon.gov.uk/travelling-to-countyhall.htm>

DEVON EDUCATION FORUM

20 November 2018

Present:-

Schools Members

Primary School Headteachers

Mr M Boxall

Mr A Dobson

Mr J Stone

Mr P Walker

Exeter Children's Federation

Marwood Primary

Denbury Primary

First Federation Trust (*Academy Member*)

Primary School Governors

Mr M Dobbins

Ms M Wallis

Exmouth Marpool Primary

Whimble School (**Chair**)

Secondary School Headteachers

Mr R Haring

Ms M Marder

Ms A Mitchell

Mrs J Phelan

Ivybridge CC (*Academy Member*)

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

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

Cullompton CC

Secondary School Governors

Ms J Elson

Mrs J Larcombe

Mr T Newman

Exmouth CC (*Academy Member*)

Uffculme Academy Trust (*Academy Member*)

Chulmleigh Academy Trust (*Academy Member*)

Special School Headteacher

Ms S Pickering

Millwater School

Special School Governor

Mrs F Butler

Marland School

Alternative Provision

Mr R Gasson

WAVE Multi Academy Trust (*Academy Member*)

Non-Schools Members

Mr R Gurney

Mr J Searson

Mrs S Barnett

Mr M Walsh

Teachers Consultative Committee

Exeter Diocesan Board of Education

Early Years Private, Voluntary & Independent

16-19, Exeter College (*Substitute Member*)

Observer

Councillor J McInnes

Cabinet Member – Children's Services and Skills

Apologies

Mrs A Blewett

Mr A Walmsley

Mrs T Sturtivant

Mrs S Baker

Mr B Blythe

Kings Nympton Primary

First Federation (*Academy Member*)

Tiverton High

Westexe

PETROC

Agenda Item 2

DEVON EDUCATION FORUM
20/11/18

85 Election of Chair and Vice-Chair

DECISION: that Maria Wallis and Faith Butler be elected Chair and Vice-Chair respectively until the autumn term meeting 2020 (2 years).

86 Minutes

DECISION:

That the minutes of the meeting held on 20 June 2018 be signed as a correct record.

87 Items Requiring Urgent Attention

There was no item raised as a matter of urgency

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

DISCUSSION:

The Chair congratulated Councillor James McInnes on becoming the Chair of the f40 Group which represented 41 English local authorities with historically low funding for education.

89 Membership

DISCUSSION:

The Chairman welcomed new members and the following membership changes were noted:-

Paul Walker – Primary academy full member (instead of substitute member)
Sarah Pickering – Special School Headteacher (instead of substitute member)
Mike Gurney – TCC (formerly served on DEF) and
Rob Gasson – Alternative Provision

Nicky Dunford, Rachel Shaw - Primary academy substitute member
Sammy Crook – Secondary maintained substitute member.

DECISION:

That the Forum's appreciation be conveyed to Bev Alderson who was the TCC member until this summer 2018, for her support and commitment to DEF.

ACTION:

County Solicitor (Fiona Rutley)

90 Finance Update

DISCUSSION:

The Forum considered the report of the Head of Education & Learning and County Treasurer (DEF/18/08) and received a note circulated at the meeting from the County Treasurer on the current Month 6 forecast which included a breakdown and figures in relation to management action taken.

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 7 November 2018 and The School Organisation, Capital and Admissions Forum of 25 September 2018.

The Report covered the Month 6 Dedicated Schools Grant (DSG) budget monitoring position.

Points highlighted at the meeting were:-

- Review of Independent School placement for Adults in their 3rd - 5th year of post 16 education: a request to clarify interpretation of the Regulations regarding whether the deficit (£2,473,000) should be treated as a carry forward to 2019/2020 in the High Needs Block (N.B. clarification from the Treasurer is appended to these Minutes);
- the EHCP costs did not relate to employee costs and budget pressures had built up over several years as a result in demand led pressures and reducing budgets;
- the need for continued political pressure for allocation of additional resources, noting the active campaigning by the f40 Group led by its new Chair, Councillor McInnes;
- the recent visit to Devon by the Secretary of State for Education when he had listened to representations from the Cabinet Lead for Children's Services and as Chair of the f40 Group, the Chair of DEF and other DEF Members and senior Local Authority Officers;
- attendance by the f40 Chair at the Manchester Conference when the case for fair funding was strongly put which appeared to be acknowledged by Ministers, especially in terms of the High Needs Block and the need to press the case with Treasury Ministers in a detailed and evidence-based manner to highlight the recent impact with a decline in KS4 performance in Devon; and
- the high costs of Independent School Placements and the need for early planning to alleviate cost pressures and difficulties in effective strategic planning attributable, in part, to the Free School programme.

DECISION: that the Month 6 DSG budget monitoring position be noted, and that confirmation of the position be sought from the Treasurer regarding the first bullet point above (**clarification appended to the Minutes**).

ACTION:

County Treasurer (Adrian Fox)

91 Schools' Funding Consultation and Arrangements 2019-20

DISCUSSION:

The Forum considered the report of the Chief Officer for Children's Services and County Treasurer (DEF/18/09) on Schools Funding and Devon's consultation with schools during the autumn term 2018.

Members' and Officers' discussion included: -

- the need for per pupil/capita information and not just global figures, and the Forum noted that this data was available from the Schools Budget Calculator; SFG had been provided at the September meeting with information for the options and all schools could see data across Devon via the School Budget Share Calculator;
- regular monthly updates would be produced for the SFG meetings and an additional meeting in July would also be programmed and an explanation had been provided prior to the cancellation of the SFG meeting;
- the operational guidance was fully understood by the relevant officers [N.B. the County Council was confident that it delivered provision in line with the guidance, as referred to in Minute 90];
- the DEF and the County Council recognised the rising costs of services to and within Schools;

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- the detrimental impact if the proposed 0.5% transfer from the DSG Schools Block to the High Needs Block, noting the pressures in both areas, the limited benefit the transfer would have for children with special needs, the work done presently by schools to support children with special needs which would be adversely affected by any decrease in funding and recognising that it would be for one year only; and
- that in light of the vote taken at (a) (ii) below Officers would be meeting with the Cabinet Lead on 26 November 2018 before making a submission to the Secretary of State (by 30 November) and that meeting would be fully cognisant of the **unanimous** vote taken by the Forum at this meeting.

DECISION:

(a) that Cabinet be recommended (in respect of the proposals for the 2019-20 schools revenue funding formula (as set out in section 1 of report DEF/18/09): -

(i) that the formula factors for distributing the funding to schools be approved, in that, the Minimum Funding Guarantee be set at 0% and the Minimum Funding Level be maintained at 2018-19 funding levels. *(Note that the final funding rates may change subject to affordability when the October 2018 pupil data and Schools Block DSG settlement is confirmed in late December 2018;*
(Vote: Schools, Academies and PVI members)

(ii) that the transfer of 0.5% to the High Needs Block be NOT approved, [despite the response to question one (as set out in section 1 of report DEF/18/09) and the continued funding pressures within the block];
(Vote: Schools, Academies and PVI members)

(iii) that in view of the Vote taken at (ii) above, the School's Forum agree Option B as it recognises the schools views to maintain a 0% MFG with the understanding that if the authority received additional growth funding from the new methodology from the DfE that it is revised to Option C (as detailed in the Report DEF/18/09);

(b) that the de-delegation or delegation proposals for maintained primary and maintained secondary schools respectively (as set out in section 2.2 and appendix C of report DEF/18/09) be approved;
(Vote: Maintained primary members)
(Vote: Maintained secondary members)

(c) that the centrally held funding allocations (as set out in section 3 and 3.14 and appendix D of report DEF/18/09) be approved, namely: -

(i) to continue to give £60,000 for the Emotional, Psychological and Social Wellbeing Service, co-produced by Public Health Devon and schools;

(ii) to retain the funding centrally at the same level as 2018-19 for Phase Associations;

(iii) Option 1 to increase the rate to £5.28 per pupil for Schools Admissions Service.

(Vote: Schools, Academies and PVI members)

(d) that the local authority's disapplication requests that have been applied for and awaiting approval allocations (as set out in section 4 of report DEF/18/09) be noted.

ACTION: County Treasurer (Adrian Fox)

92 Head of Education & Learning Update and Attainment 2017/18

DISCUSSION:

The Forum received the Education and Learning 2017/18 Initial Attainment Report which covered an overview of attainment from the Foundation Stage to Post 16 and details within each stage. The Head of Education and Learning would present the findings and trends in detail to a future meeting. The data remained subject to validation by the DfE.

The Forum noted that this year Devon had seen a drop-in progress at Key Stage 4 and this had resulted in performance falling just below the National averages and Devon's statistical neighbours.

ACTION:

Head of Education & Learning (Dawn Stabb)

93 Devon Inclusion Project

DISCUSSION:

The Forum received the report of the Head of Education & Learning (DEF/18/10), together with the Annual Exclusions Report 2017/18 (also presented to the Children's Scrutiny Committee on 19 November 2018).

The Inclusion Project was a collaborative approach with Devon Schools to reduce the number of: -

- fixed term and permanent exclusions;
- pupils out of school on reduced timetables; and
- pupils missing school due to medical needs.

The Head of Education and Learning and Members' comments included: -

- the ongoing work to identify children missing school due to medical needs and request by the Forum for more information relating to the number/identity of the Schools affected;
- the number of exclusions was declining, however there was an increase in Parents appealing to the Independent Review Panel whose fees to Schools had increased; and
- the number of Free School Meal entitlement had decreased significantly and the reasons for this was being investigated by the Local Authority and the Forum Members were asked to use their influence to increase awareness amongst parents of their entitlement (as part of the LA campaign) as this had a direct impact on the Dedicated Schools Grant (DSG) and the High Needs Block.

94 Standing (and other) Groups

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

(a) Schools' Finance Group (SFG)

Minutes of the meeting held on 7 November 2018 (considered under Finance Update minute and Schools funding Consultation minute above.)

(b) School Organisation, Capital and Admissions (SOCA)

Minutes of the meeting held on 25 September 2018.

95 Dates of Future Meetings

Meetings to be held at County Hall, Exeter, at 10am (unless otherwise specified):-

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Wed 23 January 2019
Wed 20 March 2019

Wed 19 June 2019
Wed 20 Nov 2019
Wed 22 January 2020
Wed 18 March 2020.

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

The Meeting started at 10.00 am and finished at 11.50 am

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

In response to the Devon Education Forum query around incorrect use of the Dedicated Schools Grant - High Needs Block, in particular, the following extract for students aged 19 - 25.

Students aged 19 to 25 with an EHC plan

1. *Students aged 19 to 25 with EHC plans who are continuing in education may have a range of options, including attending FE institutions, ILPs and SPIs. The school funding regulations require that a local authority may not use its high needs budget to fund places, or pay top-up funding, for 19 to 25 year-olds attending a maintained school, an academy school, an alternative provision academy, a non-maintained special school, or an independent school. There is an exception for those 19-year-olds who are completing a secondary education course started before they were 18-years-old.*

2. *Some schools may consider that they have the appropriate specialist expertise to prepare students aged 19 to 25 with an EHC plan for adult life, including independent living and employment. To receive high needs funding for such young people, a school would have to set up a legally and financially separate entity to provide the appropriate environment for young people of that age. Once established, to be eligible for ESFA funding the new entity should follow the process set out [above](#).*

3. *For information on learners aged 19 to 25 without an EHC plan see [annex 3](#).*

Since the introduction of the Code of Practice the above has been in place for post 19 learners and has always been adhered to in making post 19 placements. To add clarity, we have outlined DCC practice.

All learners are entitled to 3 years post 16 in any post 16 provider and this is funded through a combination of ESFA funding for the place and £6,000 for every high needs learner, then top up for those high needs learners from the LA.

It should be noted that NCY 14 is the year learners turn 19. These learners are identified by the LA every year on the high needs return to the ESFA.

Post 19 refers to students in National Curriculum Year (NCY) 15 and onwards.

Funding is restricted

“...may not use its high needs budget to fund places, or pay top-up funding, for 19 to 25 year-olds attending a maintained school, an academy school, an alternative provision academy, a non-maintained special school, or an independent school.”

Once in NCY 15 funding is restricted to:

- 1) Those with EHCPs
- AND**
- 2) Only in certain providers – as per guidance. These providers are FE Colleges, Independent Learning Providers (those providing apprenticeships), Specialist post 16 institutions. This status is confirmed through DfE/ESFA databases.

This guidance applies to all post 19 learners in education agreed by DCC SEN team.

DCC does not and will not fund any provision post 19 in maintained school and academies (including special schools), non-maintained special schools or Independent schools in line with guidance.

There is currently one provider who we have been using (placements are historical) which we have advised to seek SPI approval from ESFA in order for us to maintain the arrangements. If they do not we will be unable to place with them in future. We have informed this provider of this. This provider has 7 post 19 learners; 3 of whom have confirmed end dates this academic year, the other 4 are being informed of the funding restrictions this term and an end date will be confirmed.

Exceptions

“There is an exception for those 19-year-olds who are completing a secondary education course started before they were 18-years-old”.

Currently there are two post 19 learners who are in exceptional arrangements one of whom was maintained under direct order of Tribunal.

FINANCE UPDATE REPORT OF THE COUNTY TREASURER AND CHIEF OFFICER FOR CHILDREN'S SERVICES

Recommendations

It is recommended that DEF:

- a) Note the Dedicated Schools Grant (DSG) 2019/20 announcement on 17 December 2018 as set out in section 1.
All to note
- b) Note the Schools Block, High Needs Block and Early Years Block for 2019/20 as set out in section 2 to 6.
All to note
- c) Note month 8 DSG monitoring position as set out in section 7.
All to note

Dedicated Schools Grant 2019/20: Budget Planning

1. Introduction

On the 17 December 2018 the Education and Skills Funding Agency (ESFA) announced the Schools Funding allocations for 2019/20.

Note that the final allocations will be adjusted through the year for recoument academies and the updated early year's census. Individual maintained school budget allocations will be confirmed by 28 February 2019 following ratification by the ESFA; Academies will receive their notifications directly from the ESFA.

Table 1: Notional Block Allocation at 17 December 2018

	Per pupil funding rate	No of pupils	2019/20 Allocation £m	2018/19 Adjusted Baseline £m
DSG Schools Block				
Schools Primary budgets, including Academies	£3,906.84	55,898	218.384	215.513
Schools Secondary budgets, including Academies	£4,916.57	35,339	173.747	170.143
Growth, Premises and Mobility			8.892	8.462
Notional Block Total			401.023	394.118
Central Schools Service Block				
Ongoing Responsibilities	£26.87	91,237	2.452	2.377
Historic Commitments			1.186	1.186
			3.638	3.563

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	2019/20 Allocation £m	2018/19 Adjusted Baseline £m
High Needs Block		
Baseline allocation	67.873	66.849
Additional High Needs Funding (December 2018 Announcement)	1.543	1.543
Deduction for direct funding of high needs places by EFA	(5.319)	(5.970)
	64.097	62.422

Early Years Block	Per pupil hourly funding rate	Pupil Part time equivalent	2019/20 Allocation £m	2018/19 Final Allocation £m
3 & 4 year olds	£4.30	10,044.27	24.619	24.619
3 & 4 year olds additional 15hrs	£4.30	3,384.96	8.296	8.296
2 year olds	£5.20	1,658.23	4.915	4.915
Maintained Nursery School Supplementary Funding			0.109	0.110
Disability Access Fund			0.154	0.121
Early Years Pupil Premium			0.277	0.277
			38.370	38.338

Total DSG settlement	507.128	498.441
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2. Schools Block

The Schools Block allocation for 2019/20 is £401.02millions, which is an additional funding of £6.91millions from 2018/19. This is due to the additional funding received through the National Funding Formula (NFF) of £430,000 for Growth, Premises and Mobility (Growth saw an additional £1.22millions using the new DfE methodology of funding offset by a reduction in the Premises and Mobility factors of £786,000). The remaining £6.48millions is due to the rise in pupils across the sectors of 852 pupils. (volume increase £3.81millions and price increase £2.66millions)

With the revision of the local formula factors per the new underlying data the schools block has moved as far as it possibly can towards implementing the national funding formula factor.

As part of the consultation it was agreed that no school would see a reduction to the level of funding they received for 2018/19 unless there is change in underlying pupil factors; a reduction in non-pupil related factors or a drop-in pupil numbers.

Minimum Funding Guarantee (MFG) for 2019/20 is to be set at 0% compared to the plus 0.5% of 2018/19. 214 Schools will receive MFG this year compared to 122 in 2018/19, although note that 63 of these receive MFG of less than £3,863 (or in other words, less than one pupil's worth of KS3 Basic Entitlement (AWPU)).

3. Central School Services Block

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The Central Schools Service Block is a new block from 2018/19 which recognises the Ongoing Responsibilities of Education Services Grant (ESG), Admissions, Copyrights and Schools Forum along with Historic Commitments for Phase Associations and Termination of Employment Costs.

4. High Needs Block

The High Needs Block continues to be under considerable budgetary pressure and before the additional funding announcement, the total additional budget requirement for 2019/20 was identified as £7.70millions. This was the net pressure after management action and savings identified of £1.25millions.

With the settlement announcement including the additional allocation (as above) the budget shortfall reduces to £5.34millions.

The budget required and the proposals to fund or manage them are summarised in Table 2 below:

Table 2: High Needs Budget 2019/20

High Needs budget 2019/20	Budget Required £'000	Budget Change £'000	In year Management Action £'000	Notes ref
Alternative Provision / Hospital Ed.	2,986	421		4.1
Children in Care and Exclusions	1,451	(76)		4.2
Closing the Gap	1,500	0		
Inclusion	334	(15)		4.3
Maintained Special Schools	29,119	1,920		4.4
Nursery Plus	1,164	0		
Independent Special Schools	20,385	5,111	5,335	4.5
Recoupment	624	220		4.6
Safeguarding Every Learner	144	0		
Mainstream SEN	10,988	39		4.7
SEN Services	924	0		
Support Centre Funding	1,305	(19)		4.8
	70,924	7,601	5,335	

Detailed explanation of pressures and planned actions

4.1. Alternative Provision (AP) includes Hospital Education. Budget was insufficient for 2018/19 so the change reflects previous years' growth and is required to meet cost of main AP provider contract, based on a planned level of 160 per month £261,000, plus £150,000 for other AP providers to meet statutory requirements for emergency school placements. Small grant increases due to known pupil numbers for Pupil Premium £4,000, Universal Infant Free School Meals (UIFSM) £1,000 and Teacher's Pay Grant £5,000, all matched in the Schools Block.

The management action to reduce the number of placements within AP for 2019/20 is anticipated through working with the Devon Inclusion Partnership and WAVE MAT. This should help manage the pupil numbers within the contract and avoid additional cost of increasing exclusions.

4.2. Children in Care and Exclusions is funding for Pupil Premium for Looked After Children (LAC), DSG contribution towards staffing in Employment & Skills team plus CIC personal educational allowance, supplementary funding and incidental costs. The 2019/20 budget reflects a rise in the pupil premium rate for LAC from £1,900 to £2,300 per pupil.

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4.3. Inclusion saving is the removal of Employment and Skills budget (£15,000)

4.4. Maintained special schools. Part of the SEN strategy is to invest in our maintained special schools to increase our own capacity to meet growing demand for placements in this type of provision. The 2019/20 budget for placements has been increased by £1.63millions, which covers planned growth of 112 placements (Full Year Equivalent) including the new school, Charlton Lodge which opens September 2019. Other adjustments are an increase in Pooling budget (£19,000) and £175,000 in settlement set aside for ESFA recoupment for Charlton Lodge.

Other grant increases due to known pupil numbers for Pupil Premium and UIFSM £28,000, Teacher's pay grant £108,000, PE & Sport grant £1,000 all matched in the Schools Block.

4.5. Independent special schools. The budget had a shortfall in 2018/19 of £1.12millions before allowing for growth and increasing numbers of complex cases and lack of capacity in-house is leading to escalating demand on high cost Independent Special School placements.

Management Action required in year to meet pressures of £5.34millions will be challenging given that savings from the current management action plans around commissioning block contracts and reviewing post 16 placements in their 3+ year of education are already earmarked to cover the planned carry forward of the 2018/19 deficit.

4.6. Recoupment. Exports are higher than imports for Devon and budget has needed to be increased by £340,000 to meet the current level of funding required.

4.7. Mainstream SEN. Demand for placements in FE colleges has increased by £976,000 after adjustments in year for revised places and import/exports. SEN therapy commitments require a budget increase of £66,000 and Post 16 increase of £18,000. Part of the additional settlement has been allocated to offset this cost, with the balance funded from savings through management action achieved by aligning EHCP funding with need descriptors (£844,000), removal of contingency budget (£33,000) and exports are higher than imports for Devon reducing the budget by (£183,000).

4.8. Support Centre Funding reduction in planned places (£19,000).

5. Early Years Block

Funding in 2019/20 sees the second year for the additional 15-hour entitlement (the 30 hour childcare policy).

The formula allocates funding to local authorities for the existing 15-hour entitlement for all 3 and 4 year olds and the additional 15 hours for 3 and 4 year old children of eligible working parents. The funding rates for both entitlements are the same.

From April 2017 Devon have been funded at £4.30 per hour for 3 and 4 year olds (national average of £4.79) and £5.20 for 2 year olds (national average of £5.39). There is no change expected until 2020.

6. Other Schools Grants

Other Schools Grants are summarised in Table 3 below

Table 3: Other School Grants

Grant	£m
Pupil Premium	24.222
UIFSM Grant	8.404
PE & Sports Premium	5.602

Teachers Pay Grant	3.807
	42.035

Pupil Premium

The funding rates for Pupil Premium remain the same as for 2018/19 apart from the LAC as stated in 4.2. The illustrative budget is as per 2018/19. Allocations for 2019/20 are expected to be announced by the ESFA in June 2019.

Universal Infant Free School Meals (UIFSM) Grant

The grant for universal infant free school meals (UIFSM) is at a meal rate of £2.30 for the 2018/19 academic year. We will be notified of further details by the ESFA in the new year. The illustrative budget is based on the latest available data for the 2018/19 academic year.

PE & Sports Premium

The illustrative budget is based on the latest available data for the 2018/19 academic year. We will be notified of further details by the ESFA in the new year.

Teachers Pay Grant

The illustrative budget is based on the latest available data for the period September 2018 to March 2019, forecast for a full financial year. We will be notified of further details by the ESFA in the new year.

7. Month 8 DSG budget monitoring position

In November the DFE confirmed the revised DSG settlement allocation of £281.24millions including Early Years (before recoupment for academies). This is ring-fenced grant and any surplus/deficit will be shown as an assumed carry forward.

The 2017/18 carry forwards total £19.28millions have been approved by cabinet and are included within the above.

Table 4: Summary of Month 8 forecast position and major variations:

Dedicated schools Grant					
	Net Budget	Net spend	Forecast at	Variance	Movement from
	£'000	£'000	Mth 8	£'000	Previous Mth
			£'000		£'000
Schools delegated budget	211,360	134,990	211,360	0	0
DSG and School funding	(307,483)	(194,320)	(307,851)	(368)	0
Total DSG	(96,123)	(59,330)	(96,491)	(368)	0
					7.1
De-delegated budgets	6,324	2,981	6,252	(72)	(2)
Central Provision (Schools)	5,172	3,406	5,173	1	8
High Needs Funding	65,250	43,455	68,904	3,654	(330)
Early Years & Childcare Services	38,657	24,584	38,587	(70)	0
Total DSG central budgets	115,403	74,426	118,916	3,513	(324)
					7.2
					7.3
					7.4
					7.5
Overall Net DSG budget	19,280	15,096	22,425	3,145	(324)

1.1 Schools - Underspend £368,000

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The underspend of £368,000 is due to the Early Years Spring 2018 lagged settlement which included additional income for 3 and 4 year olds £279,000; Disadvantaged 2 year olds £73,000; Early Years Pupil Premium £5,000 and Supplementary Early Years £11,000. Costs linked to this funding were seen in 2017/18.

1.2 De-delegated budgets – Underspend £72,000 after carry forwards

De-delegated budgets are showing an underspend of £72,000 which relates to the surplus balances within Trade Unions and Copyrights.

In addition, there are ring fenced surplus budgets currently being forecast within Schools' Contingency of £919,000 and the Maternity scheme of £524,000. These are ring fenced for the maintained schools and will be carried forward into 2019/20 to meet future costs/commitments on these budget lines.

1.3 Central Provision within Schools – Breakeven after carry forwards

Central Provision is near breakeven as the balances within School Growth and Phase budgets, whether deficit or surplus will be carried forward to 2019/20.

1.4 High Needs – Overspend £3.7millions after carry forwards

On the 17 December the Secretary of State announced an additional £250millions of funding for high needs, across the two financial years 2018/19 and 2019/20. This has been allocated on the basis of ONS projections for 2 to 18 year old population in 2019 and sees Devon receive £1.54millions in each year.

The additional High Needs funding is offset by 25 additional Independent Special School placements during November totalling £841,000, plus £310,000 of growth in ISP placements now included and Medical and PEX students with unregistered School places £135,000.

The overspend within the High Needs Block, following the adjustment for the carry forward request, is currently forecast at £3.7millions, a saving of £330,000 from month 7. Excluding the carry forward adjustment the overspend is £6.2millions.

Table 5: Summary of High Needs budgets and forecast position as at Month 8

High Needs				
	Budget	Mth 8 Forecast	Variance	Movement Previous Mth
	£'000	£'000	£'000	£'000
Alternative Provision	2,277	2,616	339	135
Children in Care and Exclusions	1,486	1,451	(35)	(35)
Closing the Gap	1,500	1,500	0	0
Inclusion	349	349	0	0
Nursery Plus	1,164	1,164	0	0
Safeguarding Every Learner	144	144	0	0
SEN Mainstream	10,821	10,843	22	(80)
SEN Services	924	924	0	0
Maintained Special Schools	29,451	29,817	366	32
Hospital Education Services	375	375	0	0
Recoupment	284	684	400	0

Other Special School Fees	15,111	17,703	2,592	(391)
Support Centre Funding	1,364	1,334	(30)	9
TOTAL	65,250	68,904	3,654	(330)

1.5 Early Years – Underspend £70,000

The underspend is in relation to Trajectory funding, pupil led factors in Deprivation and FSM which has been partially offset by Tresillian balance and SEND funding.

1.6 Management Action

The service is continuing to review the demands in the 0-25 Team to reduce the overspend of the High Needs Block. For 2018/19 the savings to date have totalled £3millions however, there remains growing pressures across the section.

Management Actions totalling £2.4millions have already been identified for 2019/20. This is expected to come from a review students currently in their 3rd – 5th years of post-16 education and reviewing block contracts. This is already being shown as a deficit carry forward within the year end projections.

1.7 Disapplication Request

As part of the schools consultation schools were asked to transfer 0.5% of the Schools Budget to High Needs. Schools Forum voted unanimously against the transfer and the authority has put a disapplication request to the Secretary of State to reverse the decision and allow the authority to transfer the funding £1.9millions (October 2017 Census).

In December 2018 the DfE provided the DSG Settlement for 2019/20 and uses the October 2018 census data and revised underlying factors. This has meant that after allocating funds to Schools from the block and after actioning the agreed decisions from the consultation there is only £1million that could be transferred.

Devon has therefore revised its disapplication request accordingly to 0.25% so that no school loses funding from that received in 2018/19, unless there is a reduction in non-pupil related factors or a decline in pupil numbers.

The additional funding from the Secretary of State of £1.54millions in 2018/19 and 2019/20 although helpful to the High Needs block does not resolve the overall issue of underfunding within the block. This additional money means that there is still a funding pressure in 2018/19 of £3.65millions and potential pressure for 2019/20 of £5.34millions. Hence why there remains a request to reverse the disapplication to transfer the funds.

1.8 Carry Forward Decisions

Carry forward proposals will be taken to DEF meeting for approval on 14th March as by early March the outturn position will be far more certain than at present. Management Actions already identified through a review of block contracts in ISPs and review students in their 3rd-5th year of post-16 education for 2019/20 will be included.

1.9 Recommendation:

Schools Forum is asked to note the update as set out in section 7 above

All to note

MARY DAVIS
County Treasurer
Services

JO OLSSON
Chief Officer for Children's

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Please ask for: Adrian Fox
Adrian.fox@devon.gov.uk

SCHOOLS FINANCE GROUP
on 9 January 2019 at Larkbeare House

ISSUES FOR DEF ON 23 JANUARY 2019

Item 2	DSG Monitoring – Month 8 SFG noted the Secretary of State announcement of an additional projected allocation to High Needs Block across 2019/20 and 2020/21. Devon anticipates an additional allocation of £1.5m in each year.
Item 3	Financial Planning 2019/20 SFG noted that a disapplication request has been submitted to Secretary of State to reverse the DEF decision of 17 December and allow the LA to transfer £1.9m (0.5%) from the Schools Block to the High Needs Block. In the light of the recent funding settlement, Devon has subsequently reviewed the proposal and will make a revised submission proposing a transfer of 0.25% by 15 January.
Item 5	Fairer Funding Case Studies SFG and DEF supported the proposal to circulate a template case study to Devon schools requesting information to support F40 Fairer Funding campaign.
Item 6	Mutual Fund Board Mutual Fund Board approved proposed reduction in premiums for teaching and support staff from 2019/20.
Item 7	Funding Consultation 2020/21 SFG agreed that the 2020/21 Schools funding consultation period will take place between Wednesday 2 October and Friday 18 October 2019, with consultation events to be arranged avoiding the 9 -11 October.

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SCHOOLS FINANCE GROUP Notes of meeting on 9 January 2019 at Larkbeare

		Attendance		
		9/1/19	7/11/18	23/5/18
DCC				
Adrian Fox (Chair)	Head Accountant (E&L)	✓	✓	✓
Dawn Stabb	Head of Education & Learning	✓	✓	✓
Julia Foster	SEN Strategy Manager	✓	✓	✓
Karlien Bond	Senior Accountant (Schools)	✓	Apologies	✓
Heidi Watson-Jones	Service Support Officer (E&L)	✓	✓	
DAPH				
David Barnett	Chudleigh Primary		✓	✓
Jonathan Bishop	Broadclyst Primary	✓	Apologies	Apologies
Alun Dobson	Marwood Primary	✓	✓	Apologies
Jamie Stone	Denbury Primary	✓	✓	✓
Paul Walker	First Federation	✓	✓	Apologies
DASH				
Daryll Chapman	Dartmoor MAT	✓	✓	✓
Gareth Roscoe	The Park Community School	✓	✓	Apologies
Lorraine Heath	Uffculme School	✓	✓	✓
Matthew Shanks	Coombeshead Academy	✓	✓	✓
Julie Phelan	Cullompton Community College		✓	
SHAD				
Keith Bennett	Marland School	Apologies	✓	✓
Jacqui Warne	Learn to Live Federation	✓	Apologies	✓
DAG				
Faith Butler	Special	Apologies	✓	✓
Malcolm Dobbins	Primary	✓	✓	✓
Alex Walmsley	Secondary	✓	Apologies	✓
EY Providers				
Sandra Barnett	Early Years – PVI providers	✓	✓	✓
In Attendance				
Katrina Harverson	Senior Accountant (E&L)	✓		
Donna Anstiss	Senior Accountant (E&L)	✓		

1. Item/Focus: Minutes and Matters Arising from meeting on 7 November 2018

Discussion:

- JF confirmed that Plymouth High Needs bandings have been shared with Devon, and that Torbay will be revising theirs shortly.
- Noted Devon schools appear to be funded at a higher rate than Plymouth.

Key Decision/ Issues for DEF: Minutes agreed as an accurate record.

Action:

2. Item/Focus: DSG Monitoring – month 8

DSG

- DSG £3.1m overspend forecast at month 8
- Noted additional high needs funding coming across next 2 financial years. Devon expecting additional £1.5m in each year.
- Noted decrease from month 7 due to additional HN funding, offset by additional independent special school placements during November, ISP placement growth and funding for medical and PEX students with unregistered school places.
- Tresillian Nursery now transferred to an external provider.
- Disapplication request has been submitted to Secretary of State to reverse DEF decision of 21 November and allow the LA to transfer £1.9m. With the additional funding given of £1.5m in 2018/19 and 2019/20 by the Secretary of State Devon has reviewed proposal and will make a revised submission by 15 January. Still awaiting confirmation of additional information required by DfE with regard to reporting a DSG 1% deficit with a three-year recovery plan.

Growth Fund

- Noted additional £1.2m coming into the Authority giving a total £2.7m, which has been capped by the DfE. This is expected to offset an expected overspend during 2018/19, resulting in a forecast carry forward of £1.5m at year end.
- Forecasts currently for 2019/20 and 2020/21 appear balanced and stable.

Key Decision/ Issues for DEF:

SFG noted the updated position.

Action:

3. Item/Focus: Financial Planning 2019/20

Discussion:

- Schools block allocation announced by ESFA on 17 December 2018. Noted that the £6.91m increase is largely due to a rise in pupil numbers within Devon schools. Whilst the National Funding Formula increases by £430k (net of increased growth and decrease in premises funding)
- High Needs Block pressures continue. Additional budget requirement for 2019/20 identified before additional allocation at £7.7m, after management action and identified savings taken into account. Following settlement, anticipated budget shortfall reduces to £5.3m.
- AP budget revised to reflect growth in 18/19 and emergency school placements. Management Action in place with Wave MAT to reduce AP placements during 19/20.
- Disapplication request reduced to 0.25% following allocation of the October 2018 census outcome and changes in underlying factors within the final settlement.
- Heads requested further clarity around the Options discussed at November DEF and an explanation about how the position has shifted following the additional £1.5m coming into the DSG.
- AF explained that the DEF vote for a freeze in minimum funding guarantee has in effect reduced the available funding to go back into school funding. DS explained that Devon County Council has acknowledged the consultation to outcome that no schools will lose funding during 2019/20 financial year, even though the HNB pressures will have increased.
- AF explained that 'Option B' (as per November DEF report) needs to be considered should the Secretary of State refuse the disapplication. Using October 2017 census data, 17 schools would see an increase in funding due to the adjustment of the MFL.
- The group discussed whether there would be benefit in the authority breaching the government's 1% threshold regulation and thereby having to prepare a 3-year recovery plan for the ESFA. AF confirmed that currently recovery would not appear to be possible within three years. There was frustration amongst heads that the ESFA is not fully recognising the real pressures in local authorities and schools.
- DCC remains confident that clear and consistent messages from F40 and local authorities regarding high needs pressures are being given to DfE and ESFA. The group felt that the recent two-year settlement decision is a message that the government recognises there is insufficient

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funding in the system nationally. A case should be prepared which parents will clearly understand to inspire public understanding of the situation.

- It was felt that a demonstration that budgets are generally manageable, apart from High Needs, would clearly indicate the severity and focus of the pressure.
- SFG agreed that that further clarity on the underlying data on Independent Special School placements would improve understanding on how this particular area has escalated within the wider HNB budget.
- **JF** undertook to prepare a report on children in independent placements, and those who could be placed in-house were appropriate provision available. The group discussed List 41 schools which have same legislative status as maintained schools for placements although at a much higher cost. Investigation into capping of fee levels being undertaken. Acutely aware of financial impact of children entering the system with unknown and therefore unmet need.
- Concerns were raised around the perception that government have no understanding of the specific impact of independent sector costs on education budgets. Need MPs to fully understand and grasp this issue.
- Very clear and transparent communication is needed as soon as possible for schools to highlight to Headteachers the key issues being faced in Devon.
- DS outlined that school performance outcomes have seen a significant decline, and this could be in part as a result of funding pressures on schools. SFG felt that greater scrutiny of the Schools Block, as well as the HNB is required to ensure that a range of outcomes improves, mindful that other agencies also have involvement in securing those outcomes.
- LH and AW requested that the LA revisit its decision to apply to the Secretary of State for a disapplication, in light of the national message to which the government has responded with additional HNB funding allocations.
- The group discussed the impact to school budgets that any further reduction or complete withdrawal of disapplication could make. Heads wished to clarify that they remain unhappy that the proposed reduced 0.25% transfer to HNB is being taken forward by the LA.
- SFG requested that ISP budget line be scrutinised separately from the rest of the High Needs Block with a view to specifically addressing escalating pressure.
- APT to be prepared for ESFA by 21 January 2019. 15 January deadline for disapplication revisions. Notification from DfE expected before the end of February as the 28 February date to notify maintained schools of their planned budgets for 2019/20.
- Online budget calculators already available for schools under the consultation section for both taking the transfer or Option B (using October 2017 census data) Updated versions will be available after APT submitted on 21 January.
- Heads felt that school leaders are becoming frustrated with the complex situation.

Key Decision/ Issues for DEF:	Report noted
Action:	<p>JF to prepare report on placements within Independent Special Schools to provide a clear understanding of the issues particular to the ISP budget line.</p> <p>AF/JF to prepare clear chronology / list of key issues and impacts on High Needs Block / Independent School placements to give school leaders clarity on the complex situation</p> <p>AF/JF to arrange for separate scrutiny of ISP budget lines and issues</p>

4. Item/Focus: High Needs Funding

Discussion:

- Devon has seen a 28% increase in children with EHCPs over last 12 months. This growth is in maintained special schools and independent placements, with a reduction in number of EHCPs in mainstream.
- Planned expansion in special schools and FE colleges is a positive pressure.
- Increased pressure from the Independent Sector is due to both an increase in pupil numbers and the increase in fee costs. On Track and ACE in particular provide for a significant number of Devon children, each placement currently negotiated individually. LA looking at how an overarching block contact could provide commissioning efficiencies.
- EHCPs are not ceasing, as anticipated at the introduction of the Code of Practice, after a child

reaches 19 years old. There are ongoing difficulties around transition to adult services provision. Education and Health are looking closely at what constitutes an appropriate time to end an EHCP for these young adults.

- SFG agreed that increased scrutiny specifically on ISP budget will improve wider understanding of these complex issues.
- The group briefly discussed the recent SEND Ofsted inspection.
- Discussed the establishment of new special schools in Tiverton and Newton Abbot. Reiterated that new provision must be based on evidence of need geographically to be most effective. Noted that no capital bids were submitted within Wave 13 for special or AP provision.
- SEN Strategic Plan includes establishment of special provision generated through development funding from areas of new house building. Discussed useful contribution of resource bases within mainstream schools in addition to establishing stand alone specialist provision.
- Considered post-16 provision for children with more complex needs, noting that some progress is being made to ensure that children with high needs who have been successful in mainstream schools can continue their education in a mainstream FE college.
- The group registered concerns, as discussed in a previous meeting, that the challenging targets for HNB management action in 2019/20 are likely to be unachieved.
- High Needs Block Review showing trends on spending during 2017/18 to be circulated to SFG.

**Key Decision/
Issues for DEF:**

-

Action:

JF to circulate High Needs Block Review report.

5. Item/Focus: Fairer Funding Case Studies

Discussion:

- F40 looking at how the impact of school funding pressures, particularly for SEND, can be articulated to better highlight issues for local MPs.
- Draft template circulated to collate case studies to support fairer funding campaign. Aiming to provide information to F40 Executive for their next meeting.
- Agreed that Survey Monkey format would be preferable.
- Data to be anonymised but must reflect local issues for greatest resonance with local MPs.
- Narratives required around staffing changes, class sizes, budget reductions, impact on pupils, learning support, offer for families, wider range of care which is no longer available, impact of teaching staff providing social care / breakfasts, loss of pastoral and family support workers, mixed age class structures, risk to continued access to wider curriculum opportunities.
- Include County-wide analysis of number of families choosing EHE for different reasons.
- Pre-populating key data as much as possible before issuing would be helpful.
- Mindful of asking Heads to spend time on compiling another data return.
- Include number of children with medical referrals specifically on ASC pathway. This should be available within census return.
- Impact on whole-school SEN learning support would be valuable to log, to include learning support ratio to children with SEN, as well as support ratio to all pupils. Heads seeing that Learning Support staff are increasingly allocated to children with EHCP on a 1:1 basis rather than to wider support in the classroom to enhance the learning for all pupils.
- Considered how student narrative could be included around aspirations for their future, mental health concerns, which is included in annual SHEU survey responses.
- Discussed how schools will complete the case study – best outcomes will require input from Heads, SENCO, Business Manager
- Suggested presenting national statistics (WorthLess?campaign) to schools, with a request to agree/ add local narrative

**Key Decision/
Issues for DEF:**

SFG and DEF supported the proposal to circulate a template case study to Devon schools requesting information to support F40 Fairer Funding campaign.

Action:

AD to re-draft template and circulate prior to DASH Exec on 11/1.

6. Item/Focus: Mutual Fund Board and Appeals

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Discussion:	
<ul style="list-style-type: none"> • Month 8 forecasting £435k surplus balance at year end. • LA proposed to reduce premiums for 2019/20 for teaching staff by 20% and support staff by 10%. • Heads sought reassurance that the teachers and support staff premiums are adequately covering the costs of respective claims. Karlien Bond confirmed that this has been modelled and is sustainable. • Board considered appeal from KEVICC relating to a claim submitted late. The Board rejected the appeal based on precedent. • SFG suggested that reminders be sent to member schools that should a key member of staff 	
Key Decision/ Issues for DEF:	<ul style="list-style-type: none"> • Mutual Fund Board approved proposed reduction in premiums for teaching and support staff from 2019/20. • Mutual Fund Board rejected appeal from KEVICC.
Action:	<p>KBo to inform KEVICC of Mutual Fund Board decision</p> <p>KBo to remind Mutual Fund members of expectation that claims must be submitted in a timely manner</p>
7. Item/Focus: Any Other Business	
Consultation dates and additional SFG meeting.	
<ul style="list-style-type: none"> • Proposed July meeting be permanently set in the SFG timetable. September meeting to be extended to a whole day to enable consideration of SFG business and consultation planning. • Mindful that November SFG will be first opportunity to consider DSG monitoring from the new term. • Consultation period proposed Wed 2nd to Friday 18th October 2019, with three events during the period. Noted DAPH Leadership Conference 10/11 October. 	
Key Decision/ Issues for DEF:	
Action:	AF / HWJ to set Consultation event dates.


Next meeting: Wednesday 6 March 2019

SCHOOLS ORGANISATION, CAPITAL AND ADMISSIONS GROUP
Notes of meeting
on 8 January 2019 at Larkbeare

Items for DEF on 23 January 2019

Item 6	<p>Compliance with the School Admissions Code</p> <p>SOCA endorsed the recommendations for LA action with regard to non-compliance with School Admissions Code requirements:</p> <ul style="list-style-type: none"> • LA will work with the Academy Trust to resolve identified areas of non-compliance and support the MAT in delivering statutory responsibilities. • LA will report continued non-compliance by Academies to ESFA and RSC. • LA will challenge a school seeking to refuse admission on behavioural grounds, and will not defend an appeal on behalf of an own admissions authority school where it believes the refusal is unlawful. • Devon LA will seek changes in arrangements applied by other LAs including forms requesting information inappropriate for the admissions process.
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		Attendance		
		8/1/19	25/9/18	5/6/18
DCC				
Neil Pateman (Chair)	Built Environments Capital Programme Manager	✓	✓	
Simon Niles	Children's Strategy Manager	Apologies	✓	-
Andrew Brent	Policy Officer	✓	✓	✓
Fran Butler	EY Childcare Sufficiency Lead	✓	✓	✓
Christine McNeil	School Organisation Policy Manager	✓	Apologies	✓
Heidi Watson-Jones	Service Support Officer (Education)	✓		
DAPH				
Hilary Priest	The Grove Primary	Apologies	✓	✓
Colin Butler	Offer Valley Federation	✓	✓	
Penny Hammett	Payhembury Primary	✓	✓	✓
Mel Smallwood	Bishops Tawton Primary	✓	✓	
Alun Dobson	Marwood Primary			✓
DASH				
Daryll Chapman	Dartmoor MAT	✓	✓	Apologies
Rob Haring	Ivybridge Community College	✓	Apologies	✓
SENTient Heads				
Sam Barham	Lampard Community School	Apologies	✓	✓
DAG				
Ian Rogers	DAG	✓	✓	✓
Diocesan Representatives				
tbc	Plymouth CAST	-	-	-
Christina Mabin	Exeter Anglican Diocese (Admissions)	✓	✓	✓
Richard Power	Exeter Anglican Diocese (Capital)	✓	✓	Apologies
Union Representatives				
Nigel Williams	Corporate Forum (Education) NASUWT	✓	-	
In Attendance				
Nigel Coleman	NPS	✓	✓	✓

1. Item/Focus: Minutes and Matters Arising from meeting on 25 September 2018	
Discussion:	
<ul style="list-style-type: none"> Survey re. staggered entry to primary school in hand. 	
Key Decision/ Issues for DEF:	<ul style="list-style-type: none"> Minutes of previous meeting agreed as an accurate record.
Action:	<ul style="list-style-type: none"> Simon Niles to bring update on surplus places to February meeting.
2. Item/Focus: SOCA Terms of Reference	
Discussion:	
<ul style="list-style-type: none"> Revised draft circulated for comment. Agreed to remove reference to traded admissions service, as from 1 April 2019 this will no longer be relevant Agreed Phase Associations will continue to determine representation and length of term of their membership. 	
Key Decision/ Issues for DEF:	Group agreed to endorse amendments as presented. Report noted
Action:	<p>HWJ to revise and circulate updated Terms of Reference document</p>  <p>SOCA Terms of Reference</p>
3. Item/Focus: Proposed Admission Arrangements 2020/21	
Discussion:	
<ul style="list-style-type: none"> Consultation process concluded 4 January 2018. Arrangements must be determined by 28 February and published by 15 March 2018. 8 Feb Cabinet meeting for determination for co-ordinated schemes and DCC community and VC schools; Full Governing Body or Academy Trust Board meetings to agree determination for VA, Foundation, Academies, Free Schools, Studio Schools or UTCs. Discussed Supplementary Information Form for consideration of prioritisation due to exceptional need. To be introduced for 2020/21 (not for in year admissions during 2019/20) Discussed importance of open and honest information about the child being provided at time of admission, and frustration in trying to accommodate a pupil which a school is not appropriately prepared for. Noted that Parental Preference will be prioritised. Noted proposed amendments including removal of references to EU, replaced by right of entry into/abode in the UK. All faith schools have been asked to review faith oversubscription criteria. Diocese has looked into this, to determine whether local pupils are being displaced. Diocesan guidance will be drafted, which although not statutory, C of E schools should have regard to follow such guidance. Mindful of 2 year lead-in for any new arrangements and guidance around admissions. Noted DCC advice to Kingsbridge CC and Uffculme School Admissions Authorities not to include additional feeder primary schools due to ongoing oversubscription and unreasonable raising of parental expectation for admission. No changes proposed to transport arrangements. All schools encouraged to have a separate 6th form admission policy due to differences in timeframes and arrangements. AB to send communication to all relevant schools regarding arrangements. Discussed arrangements for dormant or closing sixth form accommodation – schools must be mindful of timeline for RSC to comply with admissions determination. Noted liaison between Schools, FE sector and other LAs is required when considering a sixth form closure to ensure 	

	<p>placement sufficiency.</p> <ul style="list-style-type: none"> Headteachers wished to express that they felt Devon runs an efficient and good quality admissions service. It was felt that this was partly due to schools' commitment to being inclusive and cooperating well.
Key Decision/ Issues for DEF:	Report noted
Action:	AB to circulate communication to secondary schools regarding sixth form admission
4. Item/Focus: Fair Access Protocol	
Discussion:	
<ul style="list-style-type: none"> New protocol established from summer term 2018 for in-year admission of vulnerable children who otherwise would not be in school. Fair Access to secondary school often involves children new to the authority, admitted under the 3% rule. Little change to protocol for this phase. Primary phase saw higher numbers under revised Fair Access Protocol, enabling more vulnerable children to access a local school more quickly. Noted particular pressure in Years 1 and 2, and in East Devon where there is very little vacant capacity. Noted further work to be undertaken to review policies around re-integration of children from alternative provision, supporting children at risk of exclusion, and admission of pupils through a range of processes e.g. EHCP named schools. 	
Key Decision/ Issues for DEF:	Report noted
Action:	AB to report back at next meeting
5. Item/Focus: Admission of Children in Care and those Formerly in Care	
Discussion:	
<ul style="list-style-type: none"> Noted Virtual School presumption of admission for children in care or formerly in care. Noted other LAs do not always demonstrate such a level of commitment to CiC. Some difficulties can arise where carers or social care staff do not follow the Virtual School protocols, including Planning for Success process. Schools are requested to make contact with AB if they are approached informally regarding an admission of a CiC. Discussed what arrangements would be put in place for an out of county student formerly placed in AP in another LA. Admissions team in liaison with Inclusion would normally determine appropriate provision, (e.g. dual registration or reintegration into mainstream), based on report provided by former setting. Presumption would be a replication of provision in former LA in first instance. 	
Key Decision/ Issues for DEF:	Update noted
Action:	
6. Item/Focus: Compliance with the School Admissions Code	
Discussion:	
<ul style="list-style-type: none"> Concerns have been identified around a particular Academy Trust which is using unlawful application forms for admission arrangements, admissions are being refused on basis of a student's additional needs and reports of behaviour. Diocesan advice has been offered. Devon Admissions Team continues to work with the MAT towards an appropriate outcome to ensure legal compliance with the School Admissions Code, however ongoing non-compliance will be reported to the ESFA and the RSC as a breach of the schools funding agreement. Discussed issues of parental preference enabling multiple moves from school to school which 	

<p>could be to the detriment of other pupils.</p> <ul style="list-style-type: none"> The group discussed the process of Managed Moves and the increasing implications for schools, particularly in the SW. Headteacher concerns to be fed back to Marc Kastner. Headteachers reiterated that schools do not willingly refuse admission but are mindful of exceptional circumstances, and professional consideration of the needs of individual children. 	
<p>Key Decision/ Issues for DEF:</p>	<p>SOCA endorsed the recommendations as outlined:</p> <ul style="list-style-type: none"> LA will work with the Trust to resolve identified areas of non-compliance and support the MAT in delivering statutory responsibilities. LA will report non-compliance by Academies to ESFA and RSC. LA will challenge a school seeking to refuse admission on behavioural grounds, and would not defend an appeal on behalf of an own admissions authority school where it believes the refusal is unlawful Devon LA will seek change in arrangements applied by other LAs including forms requesting information inappropriate for admissions process
<p>Action:</p>	
<p>7. Item/Focus: Admission Arrangements and School Websites</p>	
<p>Discussion:</p> <ul style="list-style-type: none"> The group was reminded that each school website / Academy Trust website must publish determined admissions policies on their website and proposed policies during the consultation period 	
<p>Key Decision/ Issues for DEF:</p>	
<p>Action:</p>	<p>Phase Associations to remind schools of the expectation that admission policies are to be published on websites.</p>
<p>8. Item/Focus: Early Years Update</p>	
<p>Discussion:</p> <ul style="list-style-type: none"> Noted the take up of provision for 2, 3 and 4 year old provision and extended hours provision. Considering issues of eligibility, mindful of significant number of families in the area with seasonal, part time or zero hours employment. EY Capital projects have been submitted for Littleham (Exmouth) and Bearnas (Newton Abbot). Noted difficulties in identifying schools with required proportion of children on Free School Meals (20%). Successful applications will be notified in March. 	
<p>Key Decision/ Issues for DEF:</p>	<p>Report noted</p>
<p>Action:</p>	
<p>9. Item/Focus: NPS Update</p>	
<p>Discussion:</p> <ul style="list-style-type: none"> Noted DMP / DAMA scheme membership adjustments due to academisation. Requested separate VA Promise and DMP maintenance works data. Noted reliance on schools and contractors working together under DAMA. Improved communication between schools and contractors would be helpful to ensure accurate picture of compliance and completion of work within appropriate timeframes. Particular concerns noted around tolerance for completion of Heating works. No changes to contractors, no complaints received. 	
<p>Key Decision/ Issues for DEF:</p>	<p>Report noted</p>
<p>Action:</p>	<p>NC to request separate data for DMP and VA Promise scheme schools for next report</p>

10. Item/Focus: Capital Programme Update

Discussion:

- Tabled draft 2019/20 capital maintenance programme (collected back at end of meeting). To be approved at February Cabinet.
- Some 2018/19 projects due for completion Feb half term, and some deferred to Summer 2019 as not able to complete during 2018.
- Noted 2019 schedule includes compliance works. All projects prioritised according to agreed SOCA processes based on condition data.
- 22 schools currently on proposed programme, however around 50 had been shortlisted for potential projects.
- Schedule based on expectation of allocation of approximately £4m, amount to be confirmed.
- NP meeting with NPS on 9/1/19 to discuss the schedule, aiming to ensure that projects are started in good time, with contractors engaged in advance to ensure summer holiday works are completed.
- Discussed pilot project linked to green energy, for which funding which ceased. **NP** to look into circumstances of 12 schools involved and report back on possible options for continuance.
- Document published by DfE / ESFA around building material failure identified in Kent. Devon and NPS have undertaken a review of Devon schools building stock, the results of which will be investigated further. **NP** to circulate document for information.

Key Decision/ Issues for DEF:	Report noted
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Action:	<ul style="list-style-type: none"> • NP to look into outcome of Green Energy pilot school capital projects. • NP to circulate DfE document re. building material failure.
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11. Item/Focus: School Organisation Update

Discussion:

- Noted guidance on making significant changes to an open academy (and closure by mutual agreement)
- Statutory processes re. recommendations made within Strategic Review of SEN will shortly be consulted on.
- Charlton Lodge Free School presumption with ACE sponsorship. On track to open September 2019. Noted additional information was requested by DfE and submitted before Christmas break. Noted expectation that the sponsor would consult widely on proposals, including with Union groups. – *post meeting note*: ACE carried out their Section 10 Consultation, which ended on 30 November 2018, and included all Unions.
- St James, Okehampton Primary relocation to permanent site in February 2019.
- Lowering the age range – Schools were reminded of requirement to consult fully with LA before age range can be lowered.

Key Decision/ Issues for DEF:	Update noted
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Action:	
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NEXT MEETINGS

Tuesday 26 February 2019 9.30am at Larkbeare (Exe Room)
 Tuesday 24 September 2019 9.30am – venue tbc
 Tuesday 7 January 2020 9.30am at Larkbeare (Exe Room)
 Tuesday 3 March 2020 9.30am at Larkbeare (Exe Room)

