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To: The Chair and Members  
of the Devon Education  
Forum

County Hall  
Topsham Road  
Exeter  
Devon  
EX2 4QD

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Date: 10 November 2020

Contact: Fiona Rutley 01392 382305

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### **DEVON EDUCATION FORUM**

Wednesday, 18th November, 2020

A meeting of the Devon Education Forum is to be held on the above date at 10.00 am to consider the following matters. This will be a virtual meeting (via Teams).

Phil Norrey  
Chief Executive

### **A G E N D A**

#### **PART I - OPEN COMMITTEE**

1 Apologies for absence

2 Election of Chair

To be elected from amongst DEF members, excluding any member of the Forum who is an elected member or officer of the authority (2 year term - until the autumn term meeting 2022).

3 Election of Vice-Chair

To be elected from amongst DEF members, excluding any member of the Forum who is an elected member or officer of the authority (2 year term - until the autumn term meeting 2022).

4 Minutes (Pages 1 - 8)

Minutes of the meeting held on 17 June 2020 attached

5 Items Requiring Urgent Attention

Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.

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

To consider any matters arising from the last meeting where not otherwise covered on this agenda and to report on items considered at the Cabinet.

7 Membership

8 Head of Education & Learning Update

Head of Education & Learning to report.

**SPECIFIC AGENDA ITEMS**

9 SEND 100 Project

Head of Education & Learning to report on this outreach work to schools project.

10 Finance Update (Pages 9 - 16)

Report of Chief Officer for Children's Services and County Treasurer (DEF/20/08) attached.

11 2021-22 Schools Funding Arrangements - Devon Consultation Responses (Pages 17 - 38)

Report of Chief Officer for Children's Services and County Treasurer (DEF/20/09) attached.

12 Additional Support for Covid-19 Costs Funding for Schools (Pages 39 - 46)

Correspondence from Councillor McInnes, Deputy Leader and Cabinet Member Children's Services & Schools, Chair of f40, attached.

## **STANDARD AGENDA ITEMS**

### **ITEMS FOR DEBATE AND INFORMATION**

13 Standing (and other) Groups (Pages 47 - 70)

To review action for the Forum from its groups and to receive minutes:-

(a) Schools' Finance Group

Minutes of the meeting held on 15 July, 9 September and 4 November 2020, 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 22 September 2020, attached

Also available at

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

14 Correspondence

15 Dates of Future Meetings

Meetings usually held at County Hall, Exeter, at 10am (unless otherwise specified). However please check venue during the current situation:-

Wednesday 20 January 2021

Wednesday 17 March 2021

Wednesday 16 June 2021

Wednesday 17 November 2021

Wednesday 19 January 2022

Wednesday 16 March 2022

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

16 Exclusion of the Press and Public

RESOLVED that the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information namely, information relating to the financial or business affairs of a third party and of the County Council (as the authority holding that information) and by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

VOTING:

Failed amendments and voting figures may be recorded where requested (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.

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).

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

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The proceedings of any meeting may be recorded and / or broadcasted live, apart from any confidential items which may need to be considered in the absence of the press and public. For more information [go to our webcasting pages](#)

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Members of the public may also use social media to report on proceedings.

### **Declarations of Interest for Members of the Council**

It is to be noted that Members of the Council must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

### **WiFi**

An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall.

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**Induction Loop available**



## DEVON EDUCATION FORUM

17 June 2020

### Present:-

#### Schools Members

##### Primary School Head teachers

Mr C Butler

Mr A Dobson

Mr J Stone

Mr P Walker

Otter Valley Federation (*Substitute Member*)

Marwood Primary

Denbury Primary

First Federation Trust

##### Primary School Governors

Mrs A Blewett

Mr M Dobbins

Ms M Wallis

Mr A Hines

Kings Nympton Primary

Exmouth Marpool Primary

Whimble School (**Chair**)

Rydon Primary (Education SW Trust) (*Academy Member*)

##### Secondary School Head teachers

Mr R Haring

Ms L Heath

Ms A Marder

Mrs J Phelan

Ivybridge CC (*Academy Member*)

Uffculme Academy Trust (*Academy Substitute Member*)

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

Cullompton CC

##### Secondary School Governors

Mrs J Larcombe

Mrs T Sturtivant

Mr A Walmsley

Uffculme Academy Trust (*Academy Member*)

Tiverton High

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

##### Nursery School

Mrs S Baker

Westexe

##### 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 M Gurney

Mr J Searson

Mrs L Wright

Mr B Blythe

Teachers Consultative Committee

Exeter Diocesan Board of Education (*Substitute Member*)

Early Years Private, Voluntary & Independent

PETROC

##### Observer

Councillor J McInnes

Ms C Muffett

Cabinet Member – Children’s Services and Skills

Education & Skills Funding Agency

##### Other Forum Members

Mrs S Crook

Ms R Shaw

Federation for Tiverton High Schools – *Substitute observing*

South Dartmoor (*Academy Member*) – *Substitute observing*

##### Apologies

Mr M Boxall

Ms J Elson

Ms M Mitchell

Exeter Children’s Federation

Exmouth CC (*Academy Member*)

Ted Wragg Multi Academy Trust (*Academy Member*)

# Agenda Item 4

DEVON EDUCATION FORUM  
17/06/20

## 149 Meeting Procedures - Briefing and Etiquette

The Forum and attendees received a presentation from the Clerk to the Forum on the process and etiquette for remote meetings.

## 150 Minutes

### DECISION:

That the minutes of the meeting held on 18 March 2020 be signed as a correct record.

## 151 Matters Arising from the Last Meeting and Report back on Issues Raised with Cabinet/f40

### DISCUSSION:

The Cabinet Member - Children, Schools & Skills expressed his thanks to schools for their response to the Coronavirus (COVID-19) pandemic in supporting Devon's pupils as much as possible at this time. He also updated on national f40 issues.

## 152 Membership

### DISCUSSION:

There had been no interim membership changes (see also DEF proportionality autumn term 2020 minute below).

## 153 Head of Education & Learning Update and Coronavirus (COVID-19) - Communications and Advice to Schools

### DISCUSSION:

The Head of Education & Learning reported on the LA's work with schools in response to the Coronavirus (COVID-19) pandemic, together with data indicating:-

- that Devon's school attendance and wider opening during the pandemic to 15 June 2020 was above the national average;
- the level of direct support for SEND pupils who were currently out of school;
- that EHCP timeliness was above the national average;
- future considerations (e.g. school and transport capacity; plans for the summer and national plans for September 2020).

Discussion included:-

- work done by Devon's COVID Education Strategy Group (at pandemic height meeting daily);
- targeted support/EH4MH - for anxiety, mental health and wider needs of young people and families resulting from Coronavirus (COVID-19);
- prioritised support for the most vulnerable pupils;
- role of the Corporate Recovery Group in health & wellbeing and mental health (including for school staff who had worked through school holidays);
- Devon LA website to expand on school opening updates etc for parents;
- the good collaborative working between the LA and schools;
- commitment in Devon to rebalance and ensure that resources were made available for disadvantaged children to catch up;
- planning next stages and local outbreak management plans;
- free school meals/food parcels – challenges in rural areas; and



-SAGE review of COVID-19 bubble size arrangements to potentially increase school capacity.

The Chief Officer for Children’s Services expressed gratitude on behalf of Devon LA to schools for their response to the pandemic, noting that Devon had a significantly higher percentage of vulnerable pupils in school than in the rest of England

**DECISION:** that the Head of Education & Learning request the DfE to review pupil COVID-19 bubble size.

**ACTION:**

Head of Education & Learning (Dawn Stabb)

154

**Finance Update**

**DISCUSSION:**

The Forum considered the report of the Chief Officer for Children’s Services and County Treasurer (DEF/20/04).

*NB: the last two pages of report (DEF/20/04) (pages 15 and 16 of the published agenda) should be discounted as they had been included in error.*

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 3 June 2020.

The report (DEF/20/04) covered:-

- Dedicated Schools Grant (DSG) and Schools Funding Outturn Report (2019/20);
- Allocation of Carry Forward from 2019/20; and
- Mutual Fund.

Members’ discussion included:-

-£19.8m High Needs Block deficit and the effect of SEN tribunal decisions outside of Local Authorities’ control on this. The Cabinet member confirmed that f40 was continuing to lobby government regarding this and other HNB national issues.

-In considering the proposed HNB deficit reserve carry forward (Section 2 (Table 4 (2.8)) of report (DEF/20/04), members noted this followed current DfE advice pending a recovery plan. Members acknowledged that that DfE Guidance was awaited to form the DSG recovery plan and the current situation was unsatisfactory.

**DECISION:**

(a) that the DSG Draft Outturn position (subject to Statement of Accounts sign off) as set out in section 1 of report (DEF/20/04) be noted.

(b) that the allocation of the carry forwards from 2019/20 as set out in Section 2 (Table 4) of report (DEF/20/04) be noted/approved as indicated below:-

**Table 4: Carry Forward from 2019/20**

Budget Line	Amount £'000	Notes	DEF Decision*
Mainstream School balances	13,492	Automatically carried forward in Individual School budgets	2.2 noted
Growth Fund	632	Rolled forward 2019/20 underspend to fund ongoing growth fund	2.2 noted
<b>Total Schools</b>	<b>14,124</b>		

# Agenda Item 4

DEVON EDUCATION FORUM  
17/06/20

Maternity	743	Rolled forward 2019/20 underspend to fund ongoing maternity cover	2.3 noted
Schools and DSG Contingency	1,403	Rolled forward to fund contingency agreements in 2020/21 onwards	2.3 noted
Invest to save projects	96	Rolled forward for payments linked to projects in 2020/21	2.3 noted
<b>Total De-delegated</b>	<b>2,242</b>		
Phase Associations	42	Rolled forward to fund phase association agreements in 2020/21 onwards	2.3 noted
Other DSG Services	(28)	Rolled forward to be offset by MFEP arrangements in 2020/21	2.3 noted
<b>Total Central Provision (Schools)</b>	<b>14</b>		
Special School Balances	2,488	Automatically carried forward as Individual School budgets	2.4 noted
Hospital Education	151	Automatically carried forward as Individual School budgets	2.4 noted
<b>Total High Needs</b>	<b>2,639</b>		
Early Years Other Early Years Grants	236	PVI Pupil Premium and Teachers Pay Grant arrangements in 2020/21	2.5 approved
Early Years	191	Disability Access Fund	2.6 approved
Early Years	313	Rolled forward 2019/20 underspend to review one-off Summer Term financial support	2.7 approved
<b>Total Early Years</b>	<b>740</b>		
<b>Total Carry forward requested</b>	<b>19,760</b>		
HNB Deficit Reserve	(19,772)	Deficit Balance of HNB funding pressure to be allocated to Deficit Reserve per Government guidance	2.8 approved
<b>Total High Needs Deficit Reserve</b>	<b>(19,772)</b>		

(\*Vote: Schools, Academies and PVI members - Table 4 (2.2-2.7)

(\*Vote: Schools, Academies and PVI members – Table 4 (2.8).

(c) that the year-end Mutual Fund position as set out in Section 3 of report (DEF/20/04) be noted.

## ACTION:

County Treasurer (Adrian Fox/Matthew Thorpe)

155

## Dedicated Schools Grant - Month 1 2020/21

## DISCUSSION:

The Forum considered the report of the Chief Officer for Children's Services and County Treasurer (DEF/20/05) regarding Month 1 forecast with a funding shortfall of £23.2m, with focus on High Needs Block area of the budget. Additionally the DfE had provided numerous documents on financial support and expectations for schools in relation to the Coronavirus (COVID-19) pandemic.

Members' discussion included:-

-DfE guidance would be welcomed as soon as possible regarding additional support the DfE had put in place to help schools meet COVID-19 additional costs during March to July 2020 (including the furloughing of contractors e.g. for school meals), as it was understood that this was to be a narrow criteria (paragraph 1.21 of the report);

-concern expressed that whilst the LA was currently working on the recovery plan for the DSG deficit, Guidance for 2020/21 have not yet been received from the DfE, or a deadline for this to be submitted. Whilst the total DSG deficit was projected to be £43m by end 2020/21 this level of deficit was unlikely to be resolved on current levels of funding (paragraph 1.22 of the report);

-in relation to consultancy work for specialist SEND support in mainstream settings to reduce HNB costly intervention from independent providers this had unfortunately had some delay due to the pandemic but was now proceeding again (paragraph 1.25 of the report).

**DECISION:**

that month 1 DSG monitoring position as set out in section 1 of report (DEF/20/05) be noted, subject to members' reservations expressed above.

**ACTION:**

County Treasurer (Adrian Fox/Matthew Thorpe).

**156 Financial Intervention Panel Schools (FIPS) - Annual Report 2019/20**

**DISCUSSION:**

The Forum considered the report of the Chief Officer for Children's Services and County Treasurer (DEF/20/06) giving the annual picture and analysis of the Officer Panel's support to schools in financial difficulty once satisfied the governing body had taken every action possible. There remained uncertainty around the continued challenging fiscal environment and FIPS continued proactively to early identify and engage with schools with vulnerable budgets.

Forum members highlighted the following:-

-inclusion of more school data within future reporting (eg pupil numbers to help identify the type of school requiring targeted support);

-further consideration of the percentage of maintained secondary schools using FIPS service;

-budget modelling;

-further clarification required on whether any school financial pressures resulting from the Coronavirus (COVID-19) pandemic would be considered by FIPS.

**DECISION:**

that report (DEF/20/06) be noted and further details on school types/data be provided to Forum members.

**ACTION:**

County Treasurer (Adrian Fox/Matthew Thorpe)

# Agenda Item 4

DEVON EDUCATION FORUM  
17/06/20

## 157 Maintained Nursery Schools - Buying into de-delegated services

(Maintained Nursery School representative, Mrs Baker declared an interest in this matter).

### **DISCUSSION:**

The Forum considered the report of the Chief Officer for Children's Services and County Treasurer (DEF/20/07) following an approach by maintained nurseries. However since the publication of this report, further clarity had been received from the Department for Education (ESFA) i.e. that:-

*De-delegation does not apply to nursery schools and therefore there is no vote entitlement. However they are able to buy into any de-delegated services if the LA allows. This will be on a traded basis per each individual nursery, not a blank de-delegation.*

The Officers' recommendation was therefore amended as follows:- that DEF approves that Maintained Nurseries be permitted to buy into de-delegated services as set out by the DfE.

In discussion Forum members recognised that currently maintained nurseries had no other means of obtaining certain services for which there was an immediate need, whereas there was provision for maintained primary and maintained secondary schools, as well as academies (via a different mechanism). However it was also recognised that a two tier approach might be created when compared with maintained primary and secondary schools if maintained nurseries were able to select only specific services and members felt this particular aspect should be explored further. The Forum wished to therefore assist maintained nurseries in the short term whilst they reviewed best practice for all for the longer term.

### **DECISION:**

that Maintained Nursery Schools be permitted to buy into de-delegated services as set out by the DfE for 2020/21, but that the Schools Finance Group review a longer term solution within the next 12 months.

*(Vote: Maintained Primaries);  
(Vote: Maintained Secondaries).*

### **ACTION:**

County Treasurer (Adrian Fox/Matthew Thorpe)

## 158 DEF Proportionality Autumn Term 2020

### **DISCUSSION:**

The Chair and all DEF members had been consulted upon the marginal change to the pupil census data,

### **DECISION:**

that the number of seats on DEF allocated proportionality to reflect pupil numbers would remain the same across phases, apart from the primary phase to be a total of 5 maintained:3 academy members (instead of 6:2), with elections being held accordingly.

**ACTION:**

County Solicitor (Fiona Rutley) and Phase Associations' elections officers.

**159 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 3 June 2020 (considered under Finance Update minute above)

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

(no meeting).

**160 Dates of Future Meetings**

Meetings at 10am (unless otherwise specified – venue to be confirmed, please check webpage for any update)\* :-

Wednesday 18 November 2020

Wednesday 20 January 2021

Wednesday 17 March 2021.

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

*(a 10 minute adjournment then followed before the next business).*

**161 Exclusion of the Press and Public**

**DISISION:** that the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information namely, information relating to the financial or business affairs of a third party and of the County Council (as the authority holding that information) and by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**162 Learner Services to Schools Re-Commissioning Update**

(An item taken in the absence of the press and public – see minute 161 above)

(Schools Members: Mrs Blewett, Mrs Pickering and Mrs Sturtivant, declared an interest by virtue of agreement arrangements and withdrew from the meeting).

**DISCUSSION:**

The Head of Education & Learning updated the Forum on the position with the Learner Services to Schools re-commissioning.

# Agenda Item 4

DEVON EDUCATION FORUM  
17/06/20

## **DECISION:**

That the Forum supports the Head of Education & Learning's proposed recommendation to Cabinet's next meeting on 8 July 2020 as outlined to Forum members.

**163**

### **Retiring Members**

(a) The Chair on behalf of the Forum thanked members for their contribution who were retiring/standing down from DEF:-

Mr Martyn Boxall, Mrs Julie Phelan, Mrs Teresa Sturtivant; and

Mrs Lydia Wright (temporary basis only, attendance to be covered by named substitute).

(b) Forum Members and the Chief Officer for Children's Services expressed appreciation to the Chair for her service at her last meeting.

The Meeting started at 10.00 am and finished at 1.00 pm

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

## FINANCE UPDATE

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

#### RECOMMENDATIONS

It is recommended that DEF:

- a) Note DSG Deficit as at month 6 as set out in section 1
- b) Note month 6 DSG monitoring position as set out in section 2.

#### Budget Monitoring Report - Month 6 (2020/21) – Dedicated Schools Grant

##### Executive Summary

- The Month 6 forecast for the Dedicated Schools Grant (DSG) is a net overspend of £27.8millions, this is the in-year position.
- The approved deficit reserve for the Dedicated Schools Grant (High Needs Block) has increased to £47.74millions. This will be offset by £175,000 additional income for the prior year which has been received in the July settlement and will be applied to the deficit at outturn
- The in-year High needs block overspend of £5.1million can be summarised as:
  - £2.47millions mainstream EHCPs,
  - £2.29millions increase demand for Independent schools,
  - £632,000 estimated increase in cost of FE provision (to be reviewed in autumn term).
  - £216,000 increase in maintained and academy special school provision and plus package top upsOffset by savings in Alternative provision of £382,000 and Nursery Plus £133,000.
- There has been an adverse variance of £915,000 since month 5 which is due to revised costings on the new academic year data: £557,000 increase in mainstream EHCPs; £142,00 in independent school provision; £48,000 new nurture unit; £90,000 maintained and academy special school provision and other smaller variations in high needs and central services.
- The demand wave profiling related to the impact of the Covid-19 pandemic on the mental health of students has identified potential additional costs of £307,000 for this financial year, these costs are currently not included in the forecast.

#### 1. DSG Deficit Recovery Plan

	£'000
Deficit High Needs Budget Reserve	19,772
Identified funding gap (Recovery Plan yr 2)	22,848
In-year deficit 20/21	5,123
<b>Total DSG Deficit Reserve</b>	<b>47,743</b>

# Agenda Item 10

- 1.1. In 2019/20 we reported the HNB deficit of £19.7millions, carried forward as a deficit reserve as per government guidance. This year we are predicting an increase to the deficit of £27.9millions, this will be carried forward to 2021/22.
- 1.2. The Authority is locked in a cycle where a lack of affordable Special School provision creates reliance on the more costly Independent sector to meet demand and parental preference. This leaves the budget under pressure and therefore unable to support and provide investment in the mainstream schools general SEN provision, which is required in order to avoid the initial demand for Education, Health and Care Plans (EHCPs) as a route to accessing funds and the consequential costs of children leaving mainstream for Special school provision.
- 1.3. We are currently working on the management plan for the overall DSG deficit as per DfE guidance and template.
- 1.4. **Recommendation**  
That DEF note the DSG Deficit as at month 6 as set out in section 1  
**All to Note**

## 2. Schools

- 2.1. In July the DfE confirmed the revised DSG settlement allocation of £540millions including Early Years (before recoupment for academies), based upon pupil numbers as at the October 2019 Schools census and January 2019 Early Years census.
- 2.2. The working budget is now inclusive of recoupment adjustments totalling £272.6millions plus other school grants of £29.7millions. The budget includes the 2019/20 carry forwards of £19.8millions approved by cabinet.

**Table 1: Summary of Month 6 forecast position and significant variations**

	Net Budget £'000	Net spend Mth 6 £'000	Forecast at Mth 6 £'000	Variance £'000	Deficit / (Surplus) Balance £'000	Movement from Previous Mth £'000	Ringfenced CF included in forecast £'000
Schools delegated budget	197,386	92,135	197,386	0	0	0	1,740
Academy Grants	314	199	314	0	0	0	0
DSG and School funding	(302,811)	(155,651)	(302,986)	(175)	(175)	(175)	0
<b>Total DSG</b>	<b>(105,111)</b>	<b>(63,317)</b>	<b>(105,286)</b>	<b>(175)</b>	<b>(175)</b>	<b>(175)</b>	
De-delegated budgets	5,969	1,640	5,970	1	1	0	2,962
Central School Services Block	4,189	521	4,194	5	5	5	0
High Needs Funding Early Years & Childcare Services	97,702	49,821	102,825	5,123	5,123	910	0
<b>Total DSG central budgets</b>	<b>39,859</b>	<b>19,816</b>	<b>39,859</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Identified funding gap (Recovery Plan year 2)	(22,848)	0	0	22,848	22,848	0	0
<b>Overall Net DSG budget</b>	<b>19,760</b>	<b>8,481</b>	<b>47,562</b>	<b>27,802</b>	<b>27,802</b>	<b>740</b>	



## De-delegated Schools Budget

- 2.3. Currently showing as breakeven for 2020/21 with potential carry forward of £2.9millions at month 6. As per Devon Education Forum (DEF) any surplus will be ring-fenced for the maintained schools and carried forward to 2021/22 to meet future costs/commitments within these budget lines. Any deficit will be carried forward and met from adjusting the 2021/22 allocations of the maintained schools.

## Central School Services Block (CSSB)

- 2.4. The budget is projected to breakeven. The CSSB continues to provide funding for local authorities to carry out central functions on behalf of maintained schools and academies, comprising two distinct elements:
- ongoing responsibilities
  - historic commitments

## High Needs

- 2.5. The High Needs Block remains under significant pressure and is reporting an in-year deficit of £5.1millions in addition to the DSG deficit reserve of £22.8millions for this financial year.

**Table 2: Summary of High Needs budgets and forecast position as at Month 6**

	Budget £'000	Mth 6 Forecast £'000	Deficit / (Surplus) Balance £'000	Variance £'000	Movement Previous Mth £'000
Alternative Provision	3,282	2,900	(382)	(382)	52
Children in Care and Exclusions	1,367	1,367	0	0	0
Closing the Gap	1,500	1,500	0	0	0
Inclusion	334	334	0	0	0
Nursery Plus	1,164	1,031	(133)	(133)	31
Safeguarding Every Learner	144	144	0	0	0
SEN Mainstream	12,969	15,434	2,465	2,465	557
FE Colleges	1,318	1,950	632	632	0
SEN Services	871	914	43	43	(10)
Maintained & Academy Special Schools	35,635	35,851	216	216	90
Hospital Education Services	443	443	0	0	0
Recoupment	760	760	0	0	0
Other Special School Fees	36,486	38,776	2,290	2,290	142
Support Centre Funding	1,429	1,421	(8)	(8)	48
<b>TOTAL</b>	<b>97,702</b>	<b>102,825</b>	<b>5,123</b>	<b>5,123</b>	<b>910</b>

### Alternative Provision £382,000 underspend

- 2.6. The budget includes the main AP contract for 160 planned places, forecast assumes 139 average AP placements, removal of additional Medical commissioning saves £183,000 (after allowing for planned rise from new academic year) plus savings in other commissioning of £75,000 giving a total contract saving of £436,000. This is offset in part by the £34,000 for Diabetes funding in School costs for the summer term and £20,000 overspend on Post 16 medical support.

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## Nurse Plus £133,000 underspend

2.7. Expenditure based on last financial year and assumes redundancy clawback of £116,000. Settings were originally advised in February 2020 and formally written to in September 2020. This is a reduction of £31,000 as settings have seen increases to staffing costs since the previous estimate was made.

## SEN Mainstream £2.46millions overspend

2.8. This covers personalised education packages and Education, Health and Care Plans (EHCPs) as well as the central SLAs which support them. There is an adverse variance on Mainstream EHCPs in total is £2.1millions.

Service Area	Price variance			Volume variance			Total Over/(under) spend
	Budget	Actual Average	Total price forecast variance	Budget	Actual Average	Total volume forecast variance	
EHCP	£3,259	£3,304	£112,815	2,486	2,507	£68,439	£181,254
Plus Packages	£9,595	£10,005	£122,180	210	298	£844,360	£966,540
<b>Mainstream EHCPs</b>			<u>£234,995</u>			<u>£912,799</u>	<u>£1,147,794</u>

2.9. The mainstream pre-16 EHCP forecast includes lump sums £89,000; prior year payments of £41,000; prior period growth £164,000; invoices paid direct £32,000 as well as the more significant shortfall for element 2 funding at £640,000 overspend. Many schools have surplus element 2 but there are EHCPs in schools where there is insufficient AEN, this is difficult to predict at budget prep and has increased by £218,000 since month 5 with the new term's data now available.

2.10. Post 16 overspend of £47,000 relates to shortfall of element 2 funding for maintained schools and element 3 funding in maintained and academies compared with demand.

2.11. Home Education personal budget has been based on 68 pupils at an average cost of £6,779, actual average cost increased to £11,473 resulting in an overspend of £340,000.

2.12. Tutoring -specialist provision budget based on 49 pupils, average cost £5,880, is forecasting 62 pupils with an average cost of £5,724 resulting in an overspend of £160,000.

2.13. SEN Therapies budget will save £213,000 after the MSI contract hourly rate was negotiated lower plus reduced commissioning but has been offset by £15,000 of additional resources.

2.14. Since month 5 the EHCP cost forecast was increased by £542,000 (net) due to increases in average costs and volume of £265,000 plus £51,000 lump sums, £218,000 in element 2 shortfall and £15,000 hearing device contract increase.

## FE Colleges £632,000 overspend

2.15. The top up commitments exceed budget by £1.047million on summer data. Budgeted savings of £726,000 are assumed achievable but FYE so have been pro-rated to £423,500. £20,000 relates to 2019/20 Learn Devon additional cost.

## SEN Services £43,000 overspend

2.16. £53,000 overspend relates to agreement reached after budget prep that the contribution to the Employment and Skills team would continue for a further year and is offset by £10,000 saving in EYCNS running costs.

## Maintained Special Schools £216,000 overspend

2.17. Maintained Special Schools are reporting to overspend of £216,000. Place funding was increased as part of 2020/21 budget prep to guarantee funding into our Maintained Special Schools, alongside this the actual places also increased with the majority now at full capacity.

2.18. Numbers on roll currently 1,409 (vs 1,418 budgeted). Forecast assumes further growth of 16 placements for the academic year and that some of those may well attract additional base payments as they would exceed planned numbers. The following table shows the price and volume variances to budget:

Service Area	Price variance			Volume variance			Total over/(under) spend
	Budget	Actual Average	Total price forecast variance	Budget	Actual Average	Total volume forecast variance	
Special School top ups	£11,787	£11,775	(£26,232)	1,381	1,374	(£76,616)	(£102,848)
Exceeded places				0	21	£175,000	£175,000
Plus Packages	£11,295	£13,539	£44,877	12	20	£90,360	£135,237
<b>Maintained and Academy Special Schools</b>			<b>£18,645</b>			<b>£188,745</b>	<b>£207,389</b>

2.19. The Core Offer was increased by 2% for Top up payments for all maintained special schools as part of 2020/21 budget prep, however since budget prep it has been agreed that a 2% increase will also be awarded to residential funding resulting in a forecast overspend of £49,000. There are enhanced offer payments £27,000 which were not budgeted.

2.20. There has been an increase to joint funded residential placements identified since budget prep and further income is expected and included in forecast of £60,252 and prior year savings adjustment of £5,000.

2.21. There has been an increase of £90,000 since month 5 due to the updated autumn term numbers on roll which have been higher than estimated and 3 new plus packages agreed costing £18,400 this financial year.

## Recoupment

2.22. Net export pressure identified of £96,000 (includes element 2 and 3) according to latest import/export reports from ONE system and analysis of the proposed top slice of element 2 by the ESFA (we are a net exporter, an increase since last year of 30 pupils).

2.23. The summer schedules are still awaited from other LAs which will confirm if our export top up commitment data is accurate. Estimate allows for £150,000 spend on Tier 4 beds.

2.24. The budget allowed for £385,000 growth in element 2 top slice for net exports, this has been advised as £183,000 for 2020/21 so the balance will cover the £96,000 overspend and balance vired back towards the recovery plan for 2020/21 and used towards 2021/22 growth next year.

## Independent Special Schools £2.29millions overspend

2.25. The independent budget is reporting an overspend of £2.29millions, this is due to the total average placement numbers at 788 compared to 720 budgeted.

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2.26. Overall there are currently 784 placements in the Independent sector, set to rise to 892 by the end of the Spring term. There have been 116 new starters (plus 5 placements extended from last month) for the new academic year which is an increase of 45.4% from 2019/20 academic year. Of the 116 known new starters, 60 are leaving a mainstream school and entering specialist provision.

Service Area	Price variance			Volume variance			Total Over/(under) spend
	Budget	Actual Average	Total price forecast variance	Budget	Actual Average	Total volume forecast variance	
Sole Funded	£49,891	£48,343	(£1,161,000)	673	750	£3,841,607	£2,680,607
Joint Funded	£85,680	£103,574	£375,774	25	21	(£342,720)	£33,054
Adults	£52,345	£68,282	£239,055	17	15	(£104,690)	£134,365
Virtual School	£10,000	£11,099	£2,198	5	2	(£30,000)	(£27,802)
<b>Independent Schools</b>			<b>(£543,973)</b>			<b>£3,364,197</b>	<b>£2,820,224</b>

2.27. There are currently 81 post 18 pupils who are being funded in their 3rd to 6th year of education which is costing Devon £3.7millions in 2020/21.

2.28. A task and finish group has been set up to review Independent Schools and Colleges to ensure commissioning is happening effectively and efficiently. The group have met and tasks and actions have been compiled and agreed. Procurement and Finance are sitting on this group and also a sub task group to look at the core offer for Independent Schools. Work is currently being undertaken to analysis each of the Independent Schools core offers and benchmark this against a set of agreed KPI's.

2.29. A further review is being undertaken of the top 12 independent providers who Devon commission with, the group have been asked to produce a specific action plan focusing on negotiation with top 12 independent settings with whom placements are being commissioned with at the moment and where costs are over and above £1 million with the Provider. The aim is to achieve cost savings on placements to help to manage the overspend projected on the High Needs Funding Block.

2.30. Since month 5, average placement numbers have risen by 14 resulting in £708,000 volume variance and a favourable price variance of £566,000. Within the price variance we have seen our miscellaneous costs reduce by £100,000 due to a review of the outstanding creditors for 2019/20 and no longer being required.

2.31. There are some additional costs for Independent Schools in relation to Covid-19 these are in relation to placements which have been extended for either a further term or an academic year due to the impact of learning for some individuals during Covid-19 (see table below)

NCY	No of pupils	20/21 forecast
16	3	75,674
17	2	91,812
18	3	89,480
19	3	74,329
20	1	26,225
<b>Grand Total</b>	<b>12</b>	<b>357,521</b>

## Support Centres £8,000 underspend

2.32. Savings in element 1 base funding of £50,000 and £28,000 due to reduced commissioning for language support (budgeted to commission from Babcock) along with prior year savings of £10,000 have been offset by additional exceeded place and top up funding of £32,000 and new unit for September 2020 costing £48,000 this financial year.

## Early Years

2.33. Summer EYEF data in and take up of all age groups was noticeably lower due to the pandemic. Protection funding is in place for autumn so should not cause budget pressure.

2.34. SEND applications for funding for autumn term is 50% lower than requests previously but this could be offset by SEND children deferring their school start date.

2.35. There are savings on training and venue hire budgets due to cancelled courses. In year savings plus transitional funding budget will be used to support settings through the recovery period. Financial support may be required for long term sustainability due to the loss of fee paying income in settings where they either have temporary closure or send bubbles home due to Covid-19.

## **Impact of Covid-19 Pandemic**

2.36. The DfE have provided numerous documents on financial support and expectations for schools during coronavirus (Covid-19). The impact of the Covid-19 pandemic on special educational needs of younger people which may offset depending on the length of the delay.

2.37. As part of the recovery phase as children returned to school there has been a strategy put in place for children's mental health and their anxieties with appropriate resources made available to schools for them to signpost to relevant agencies.

2.38. The impact of the pandemic on the mental health of students and the support they require for the new academic year have been considered and costed.

	£'000
AP Medical (10% Rapid rise in demand)	72
Home Education	17
Tutoring & specialist provision	10
Yr0 – Yr11 5% increase in Mental Health EHCP provision (Rapid rise scenario)*	193
Yr12 – Yr19 5% increase in Mental Health EHCP provision (flatter rise scenario)*	15
<b>TOTAL:</b>	<b>307</b>

\*Growth has been seen in EHCPs and the service need to review if this is seeing an impact from Covid-19 in requests or applications started before the pandemic only.

## **Risks / Notes**

2.39. The impact of the Covid-19 pandemic on the demand on the High Needs block is uncertain and does not form any part of the pressure reported. It has been modelled under different scenarios and the above assumes the 10% rise in demand but will remain on review as placements settle.

2.40. The autumn term 2020 for Early Years will be based on January 2020 census (normally would be January 2021). Need to consider if we would expect our January 2021 census to be higher. 2-year-old uptake may increase with unemployment yet equally the entitlement to 30 hours may reduce.

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- 2.41. Budgeted assumptions and short-term growth assumptions for Independent placements continue to fall short of the growing actual demand for placements so need to look carefully at future projections and ensure they are realistic.
- 2.42. Continued demand will be put on the funding over the coming months along with the need to produce the management plan to bring the High Needs Block to a balanced budget in the coming years and over time bring down the deficit reserve per government guidance.
- 2.43. **Recommendation**  
That DEF note month 6 DSG monitoring position as set out in section 2  
**All to Note**

**MARY DAVIS**  
County Treasurer

**JO OLSSON**  
Chief Officer for Children's Services

Please ask for: Adrian Fox  
[Adrian.fox@devon.gov.uk](mailto:Adrian.fox@devon.gov.uk)

## 2021-22 SCHOOLS FUNDING ARRANGEMENTS

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

#### Recommendations

It is recommended that DEF:

- a) Specifically approve the proposals for the 2021-22 schools revenue funding formula as set out in section 1 and make recommendations to Cabinet.  
**All to vote**
- b) Specifically approve the proposals for Movement between blocks as set out in section 2 and make recommendations to Cabinet.  
**All to vote**
- c) Specifically agree the de-delegation proposals for maintained primary and maintained secondary schools as set out in section 3 and Appendix C  
**Vote: Maintained primary representatives**  
**Vote: Maintained secondary representatives**
- d) Specifically agree the centrally held funding allocations as set out in section 4.  
**All to vote**
- e) Note the local authority's disapplication requests that have been applied for and awaiting approval  
**All to note**

#### 1. Schools Funding

- 1.1. In September 2017 the Department of Education (DfE) published the arrangements for reforming the funding for Schools and High Needs. The transition to the full National Funding Formula (NFF) was due to be implemented from 2020-21.
- 1.2. However, in 2021-22 as in previous years, the local authority will continue to set a local schools funding formula, in consultation with its schools, under what is known as a 'soft' NFF. The government is expected to, later this year, put forward plans to move to a 'hard' NFF in the future, which will determine school funding allocations directly, rather than the local formulae.
- 1.3. The NFF will set notional allocations for each school, which will be aggregated and used to calculate the total schools block received by each local authority
- 1.4. In August 2019 the government announced that they were to invest over £14 billion in primary and secondary education between 2020-21 and 2022-23. The funding package for schools (5 to 16 year olds) included £2.6 billion for 2020-21, £4.8 billion for 2021-22, and £7.1 billion for 2022-23 compared to 2019-20.
- 1.5. In addition to this it was confirmed that a further £1.5 billion each year will continue to fund additional pension costs for teachers and almost £0.5 billion for teachers' pay awards.

#### Increased funding factor values

- 1.6. The DfE have issued the 'Schools Revenue Funding 2021 to 2022' operational guidance in July 2020. As the authority retains local discretion for 2021-22 the factor values and parameters may continue to differ from those used in the NFF.



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- 1.7. Devon moved the local funding formula to the national funding formula rates in 2020-21 with the expectation that all primary and secondary schools would be on the NFF for the implementation of the 'hard' formula this year and as such the authority is proposing to maintain the funding at the NFF rates for 2021-22. Appendix D shows the revised values.
- 1.8. The additional funding invested in schools for 2021-22 means that the key factors in the NFF increase by 3% (then rounded). This means that schools which are already attracting their NFF allocations will attract a significant increase in both cash and real terms. On top of this 3% uplift, the DfE have added a further £180 for primary pupils and £265 for secondary pupils to the AWPU to reflect the rolling in of the teacher's pay and pension grants to the NFF, as set out in below.
- 1.9. In 2021-22 Devon has been given illustrative allocations with additional funding of £19.1 million based on the 2019 October census data.

## Teachers' pay grant (TPG) and teachers' pension employer contribution grant (TPECG)

- 1.10. In the 2021-22 financial year the TPG and TPECG will be rolled into mainstream funding through the schools and high needs national funding formula.
- 1.11. The TPG and TPECG will continue to be paid for academies at the start of their 2021-22 academic year. Details of the grant are set out in the [TPG methodology document and the TPECG methodology document](#).

## Consultation 2021-22

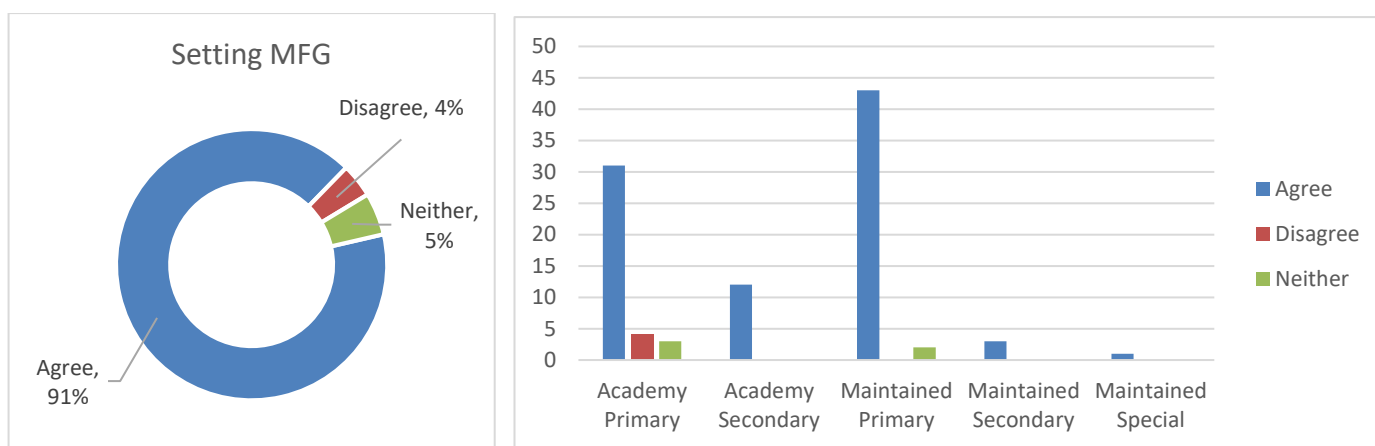
- 1.12. The local authority consulted on Devon's proposals for the 2021-22 schools revenue funding formula. ([Consultations: Support for Schools](#)). Modelling was based on the Schools Block and the October 2019 census data. Note that the final DSG settlement will be based on the October 2020 census data.
- 1.13. Between 1–18 October 2020 and across 3 online events representatives from across Devon's 363 schools were invited to take part in the annual school's funding consultation. In all, 149 representatives attended the events from 114 schools.
- 1.14. Only 99 individual schools (27% of all schools) completed the consultation which is the second year for such a low turnout and compares to 116 schools, 29% in 2019 and 155 schools, 43% in 2018. A full analysis of participation is attached to this report at Appendix A - 2021-22 Schools Revenue Funding Formula.
- 1.15. In consulting with schools on designing the funding formula in 2021-22 we asked that schools considered the following in addition to bringing the funding levels up to the new NFF factor rates for the next funding period.
  - Set the Minimum Funding Guarantee to at plus 2% with the option to review in December
  - Top slice funding for the Phase Associations (Devon SLS and DAG)
  - One-year adjustment to the Basic Entitlement (AWPU) if funding received above that of NFF allocation.

## Minimum Funding Guarantee

- 1.16. Minimum Funding Guarantee (MFG) is a way to protect schools from excessive year-on-year changes to the funding on a per-pupil rate. For 2021-22 the DfE are stating that it must be set at between plus 0.5% and plus 2.0% per pupil compared against the previous year.  
**Note:** Budgets may still go down due to a reduction in non-pupil related factors or a drop in pupil numbers or the Minimum Funding Guarantee calculation.



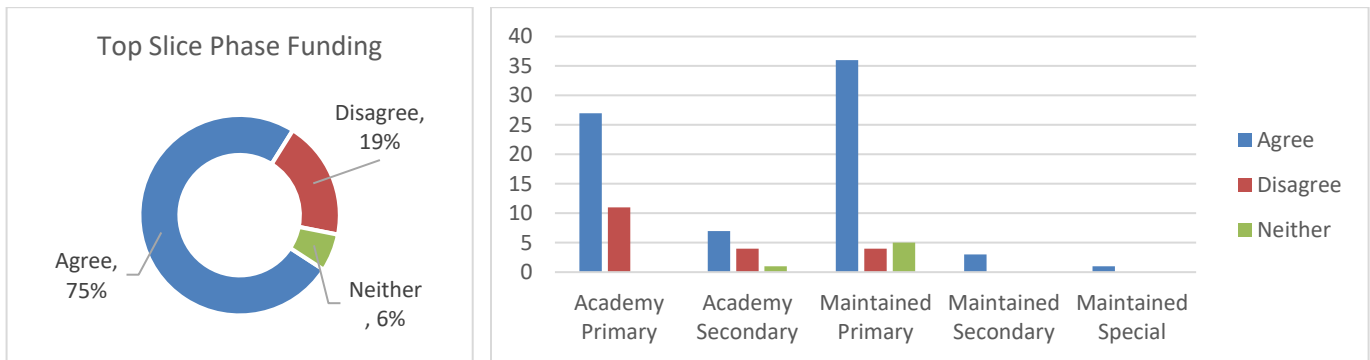
- 1.17. In 2021-22 in order to maximise the funding passed to schools the authority is proposing to an MFG level of plus 2%. By placing the MFG at 2% it will ensure that the pay award announced for NJC support staff from April 2020 and for teachers from September 2020 is covered.
- 1.18. It should be noted that to ensure affordability, the authority will use the MFG factor by adjusting the percentage per pupil between plus 2% down to plus 0.5%. Clarification of the rate used will be brought to the January 2021 Schools Finance Group and Schools Forum meeting for approval once the DSG allocations are known in December 2020.
- 1.19. The response to the question shows that 90 out of 99 schools that responded (91%) agreeing to the proposal.



## Top slice funding for Phase Associations

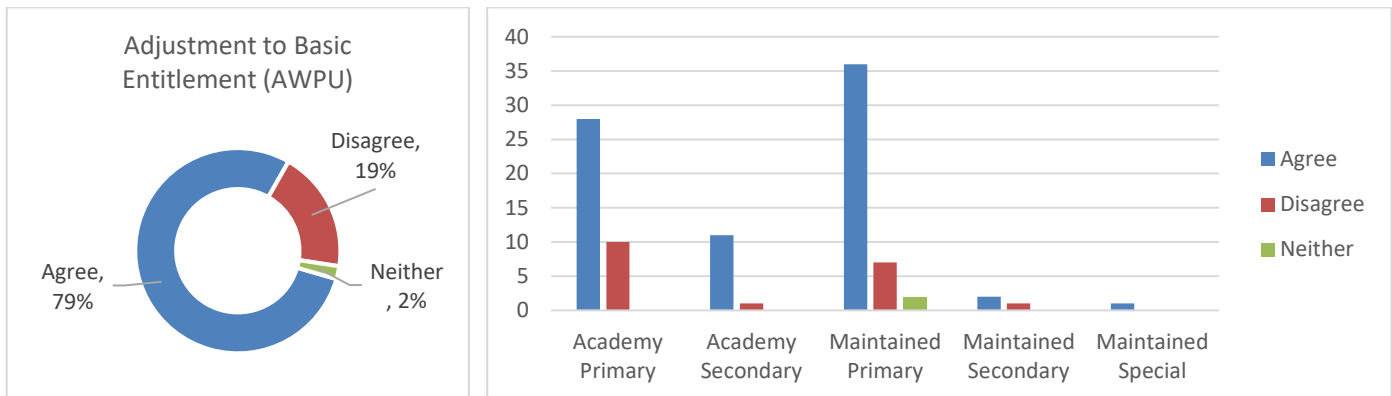
- 1.20. The DfE, in line with previously stated policy, have started to reduce the funding for Historic Commitments made prior to 2013-14. That reduction, for a second year, of 20% has been reflected in the Central School Services Block (CSSB) (Revenue Funding Consultation Paragraphs 122-140).
- 1.21. Due to the reduction to the Historic Commitments funding is only available to support the Termination of Employment costs and as such the mainstream Phase Association (Devon SLS and DAG) funding totalling £223,000 will need to be top sliced to ensure that both maintained schools and academies fund and benefit from this function.
- 1.22. As this service / function relates to both maintained schools and academies it was proposed that this funding should be taken from the Schools Block prior to funding be allocated to individual schools.
- 1.23. The response to the question shows that 74 out of 99 schools that responded (75%) agreeing to the proposal.

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## One-year Adjustment to Basic Entitlement (AWPU)

- 1.24. After allocation of the funding to all schools thought the NFF factors there remains a balance of £1.4 million unallocated when using the indicative funding formula from the DfE. This means that all schools have received funding in line with that of the government's 'hard' formula.
- 1.25. It was proposed in the consultation that this unallocated funding should be used to part fund a movement between blocks as schools have been allocated the funding per NFF. However, for fullness the question was asked that if funding was greater that needed to fulfil the complete introduction of the NFF would they want a one-year adjustment to the Basic Entitlement (AWPU).
- 1.26. The response to the question shows that 78 out of 99 schools that responded (79%) agreeing to the proposal to increase the Basic Entitlement (AWPU).



### 1.27. Recommendation:

That Schools Forum recommends to Cabinet that:

- i. Set the MFG at plus 2% reducing to plus 0.5% depending on affordability
- ii. Top slice Phase Association funding prior to individual school budget allocation
- iii. One-year adjustment to Basic Entitlement (AWPU) for all pupils if funding permits.

**Note** that the final funding rates may change subject to affordability when the October 2020 pupil data and Schools Block DSG settlement is confirmed in late December 2020.

**All to vote**

## 2. Movement between Blocks

- 2.1. The local authority's DSG consists of 4 blocks of funding: The Schools Block, Central School Services Block, High Needs Block and Early Years Block. The blocks are ring-fenced, but the LA retains limited flexibility to transfer up to 0.5% of the DSG to another block, with the approval of Schools Forum.

- 2.2. However, in view of the considerable increases in funding the DfE has provided, there are a number of constraints on the movements away from the schools block. In 2021-22, the block transfer cannot include the additional funding LAs have been allocated for the teachers' pay and pensions grants, therefore guaranteeing that all this funding remains with schools.
- 2.3. The national increase in high needs funding, from 2020-21 to 2021-22, will amount to £730 million (or 10%) extra for children with Special Educational Needs and Disabilities (SEND). Using the 2020-21 allocations as a baseline with a minimum per head increase of 8.0%.
- 2.4. This is distributed through the formula ensuring that the funding floor will increase by a minimum percentage compared to the baseline of 8.0% and the limit to gains will be 12.0% per head of population, so that authorities due to gain under the formula see an increase up to 12.0% before their gains are capped. This is an increase of £10.2 million for Devon, of which £1.2 million relates to teacher's pay and pensions grants, but still not sufficient to meet the demands for Devon.
- 2.5. As representatives are aware there has been a continued year on year increase in the demand placed on the High Needs Block due to increased numbers of children requiring support with their Education, Health and Care Plan (EHCP) as well as the need to use the independent sector due to limited placements within the LAs special schools (even with the current expansion).
- 2.6. As of September 2020, Devon's High Needs Block is seeing an in-year deficit of £5.1 million in addition to the recognised funding shortfall of £22.8 million. This increased demand on the funding allocation as well as the 2019-20 overspend of £19.8 million means that by 31 March 2021, the deficit carried in the Dedicated School Grant Reserve (DSG Reserve) is forecast to be £47.8 million. Not something that can be sustained.
- 2.7. In 2020-21 Devon requested a transfer 0.5% from the Schools Block to the High Needs Block. However, the proposals submitted to schools and the forum in January 2020 were declined. An alternative proposal by Schools Forum to transfer £100,000 was submitted and passed to undertake a study to identify national good practice; regional and national data to support change; wider transformation work in settings; and outreach support to build confidence around the needs of children and young people.
- 2.8. The findings of this independent review ([SEND 100 Project](#)) have been made available to all schools via the consultation process in order to provide the support to why there is a need to request a 0.5 % transfer between the blocks for 2021-22. **It is in no way intended to be used to plug the gap in funding, but to facilitate better use of funds and ultimately provide the best outcomes for the children of Devon.**
- 2.9. As part of the consultation schools were asked 3 questions around the transfer of funding from the Schools Block to the High Needs Block. These were:
  - 1) Do you agree to the unallocated £1.4 million funding part fund the movement between blocks;
  - 2) That the balance of £740,000 come from an AWPU contribution or by capping and scaling the large increases some had seen;
  - 3) If they disagreed to either or both the above should the funding remain or go to schools with an explanation to their decision.

## **Move £1.4 million Unallocated Schools Block Funds to High Needs Block**

- 2.10. For 2021-22 Devon wishes to transfer 0.5% from the Schools Block to the High Needs Block on a one-year basis in order to reduce demand on the HNB and over time the DSG deficit reserve (£47.7 million).

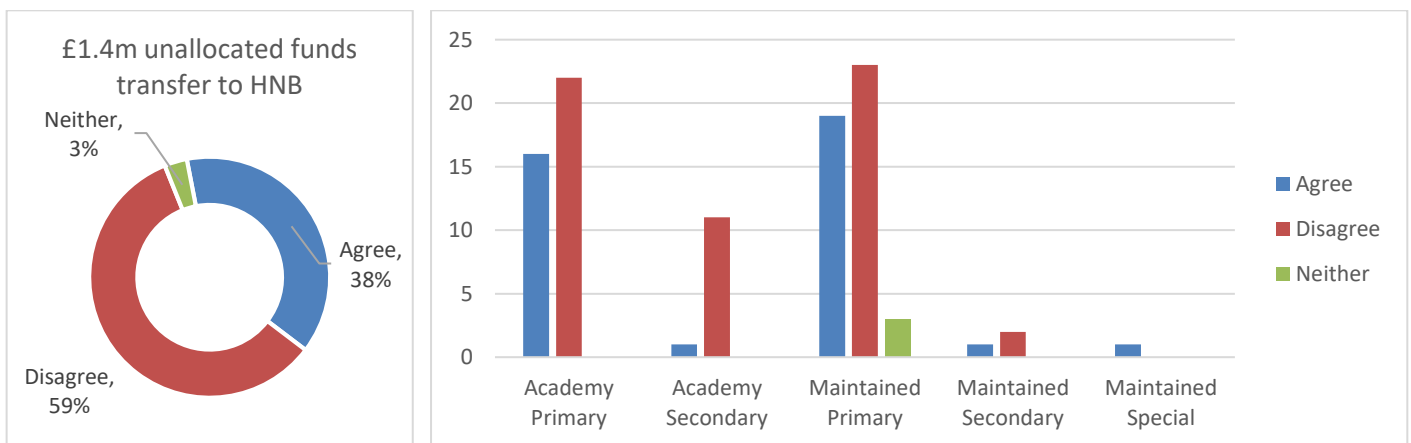
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2.11. The transfer would be used to fund the first year of funding for additional outreach support and advice for primary and secondary schools so that they can better accommodate the needs of children and young people with SEN. This transfer would not be used to offset the current shortfall in the HNB. It would help make schools and parents feel more confident about the school's abilities to meet the needs of children and young people without resource to an EHCP; and if they have an EHCP, without the need for a special school. By supporting children and young people with SEN/D to stay in mainstream, Devon is preparing them as well as it can for life: Life is mainstream.

2.12. The 0.5% transfer for Devon equates to £2.18 million or £34.05 per mainstream pupil after allowing for MFG at +2% and protections.

**Note:** Some schools may see no change in their funding across some or all of these options due to the protection given in the MPPL and MFG.

2.13. In response 58 out of 99 schools (59%) disagreed with the remaining £1.4 million funding being used to part fund a £2.18 million (0.5%) movement between blocks, after allocating the funding to schools at the NFF rates and MFG of 2%



## How to fund the 0.5% transfer balance from Schools Block Funds to High Needs Block

2.14. Schools were given 3 options on how they we could transfer the additional £740,000 to bring the total transfer from the Schools Block up to the 0.5% (£2.18 million).

### Option 1: Contribution from Basic Entitlement (AWPU)

2.15. Based on the current indicative data of 91,672 pupils schools would see a per pupil contribution of £18.32, as there is also the need to fund MPPL and MFG protection across other schools as the AWPU rate changes. This is explained in the table below.

	Per Pupil	Total
Contribution from AWPU	£18.32	£1,679,000
Recycled to MPPL Protection	(£9.19)	(£842,000)
Recycled to MFG 2% Protection	(£1.03)	(£94,500)
Balance to transfer to HNB	£8.10	£742,500
Balance after NFF allocated to schools	£15.75	£1,443,500
	£23.85	£2,186,000

\* figures rounded to nearest £500

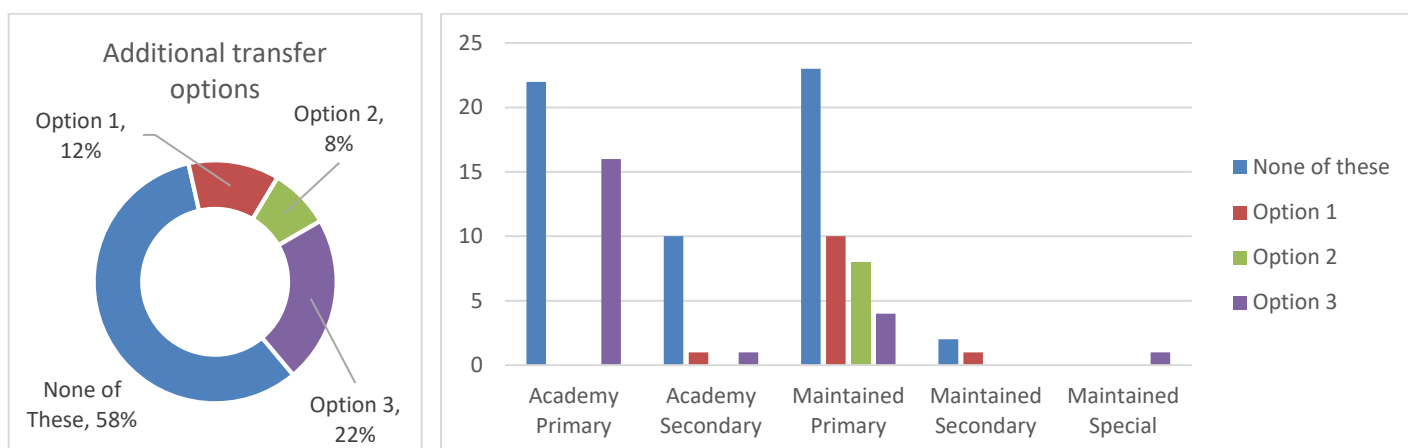
2.16. Funding in this way will see 220 schools reduce their overall gains by between 0.01% and 0.47%. The remaining 127 schools see no reduction in funding as they are either protected through the MPPL or MFG.

## Option 2: Capping at 2% and scaling of 23.48%

- 2.17. When using capping and scaling the guidance states that the cap must be set at least as high as the MFG threshold. In this option the cap is set at the MFG of 2% and scaling applied of 23.48% to smooth increases greater than 2% on the pupil factors.
- 2.18. The scaling adjustment will mean that for every £1 of increased funding received above the 2% you will continue to receive 76p whilst the remainder goes to fund the additional amount required to achieve the 0.5% transfer to the HNB.
- 2.19. Under this option 219 schools will see their overall gains reduce by between 0.01% and 1.32%. The remaining 128 schools see no reduction in funding as they are either protected through the MPPL or MFG.

## Option 3: Capping at 3.74% and Scaling at 100%

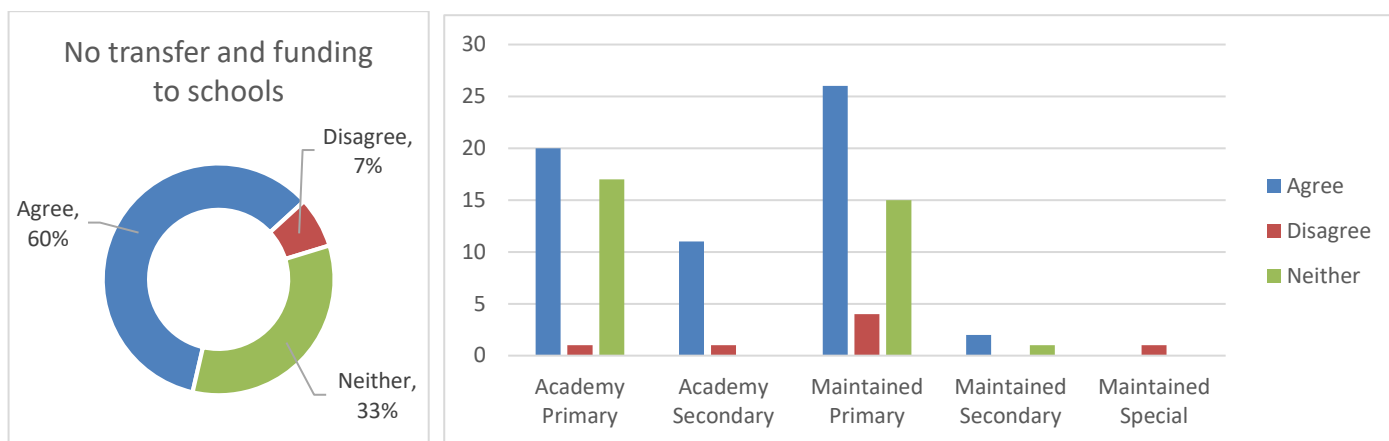
- 2.20. In Option 3 gains have been capped at the maximum level of 3.74% and therefore we scale at 100%. Any gains that a school has above this for pupil factors will be used to achieve the 0.5% transfer to the HNB.
- 2.21. Under this option 128 schools will see their overall gains reduce by between 0.02% and 4.38%. The remaining 219 schools see no reduction in funding as they are either protected through the rise in the capping to 3.74%, MPPL or MFG.
- 2.22. Schools had a mixed view to how they may or may not want to transfer the additional funds across to the High Needs Block. 42 out of 99 schools (43%) wished to transfer funds with the preferred option being to cap increases to 3.74%. Whilst the remaining 57 schools did not want to see their NFF allocation reduced or capped.
- 2.23. It is worth noting that of those 57 schools rejecting any option 13 see no change to their overall funding whatever the result of transferring their monies due to funding protections they receive.



## **How to use funding if Schools did not agree to transferring £1.4 million and/or £740,000**

- 2.24. The third question in this section sought Devon school's view on how the money should be used if not for the transfer of 0.5% to High Needs.
- 2.25. The school's response to this saw 59 out of the 99 schools (60%) agree that funding should go to or remain in the schools for 2021-22.

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2.26. On further analysis of the explanation to support the responses given by schools it is clear that some schools have partly agreed with the Proposals discussed to transfer the £1.4 million or £740,000.

2.27. 4 of the schools that agreed to no transfer and funding to schools have commented that they would be happy to use the £1.4 million as effectively extra money that if given to the schools this year could not be there next year, but could not agree to the £740,000 being taken from schools.

2.28. Similarly, there were 3 schools who agreed who did not want to transfer the £1.4 million, but happy for the £740,000 to be transferred sighting the Outreach as a good idea but would prefer a centrally funded or bought-in service.

2.29. With these part preferences in mind this shows that 47 schools (47%) were in favour of some funding transfer from the overall School Block funding to High Needs

2.30. From the remaining schools that provided a reason to the funding staying within or being added to the schools' block.

- 32 schools wanted all funding to be within the school for them to target the extra monies on a school by school basis, which may include SEN pupils.
- 10 schools highlighted concerns that the Outreach service was a good idea but what would the impact be to schools in the current climate or where unsure that one year of funding would be sufficient to make a difference.
- 3 schools highlighted the need for Government to provide the additional funding.

2.31. A full list of the responses is attached in Appendix B.

## **Conclusions to transferring funding from Schools Block to High Needs Block.**

2.32. Bringing the responses in from the above 3 proposals of those schools that completed the consultation shows that there remains a perception of underfunding within some schools, but this needs to be considered alongside the requirement to provide a balanced DSG by the DfE. Particularly whilst there is a significant deficit with no guarantee that Central Government will fund it in the next round of funding reviews.

2.33. The SEND 100 report findings included within the consultation to schools was commissioned by the Schools Forum in January 2020 after the request to transfer funds to the High Needs Block as part of the 2020-21 funding consultation was rejected.

- 2.34. To enable any possibility for a change in the service and to ensure that children across all Devon's schools are given the best possible start in life the Forum needs to consider the transfer upto 0.5% to support any SEND 100 findings agreed.
- 2.35. As mentioned earlier in this report the allocation of indicative funding for 2021-22 has been made applying the NFF rates set by the DfE for 2021-22 resulting in £1.4 million being unallocated. **If the schools had now been in 'hard' formula they would not be seeing this funding at all** and with this in mind it is felt that this money should go across to start initiatives and new actions within the High Needs Block to help provide some of the changes and reductions in spending across SEN identified in the SEN 100 report.
- 2.36. We understand the concerns around the second part of the transfer as some schools will see a reduction to the funding, they have available through the NFF whether this is through a contribution to AWPU or from capping the increases seen in 2021-22 funding. For that reason, we would propose not to take the additional £740,000 from the schools as part of the funding arrangements.
- 2.37. School representatives will recall that there is an alternative solution to obtain the £740,000 by using the underspend from the Growth Fund. This decision will need to be agreed by Schools Forum as part of the year end process, but based on the surplus funding from 2019-20 there is £632,000 available and that would cover the majority of this difference whilst retaining some surplus within growth for any additional demands in 2021-22.
- 2.38. Devon is therefore proposed to transfer £1.4 million (0.3%) from within the Dedicated Schools Grant to High Needs Block for 2021-22, to fund the first year of additional outreach support, through central support teams, for primary and secondary schools so that they can better accommodate the needs of children and young people with SEN.
- 2.39. After discussions at the recent Schools Finance Group the consensus of the representatives wished the recommendations to Schools Forum to reflect the outcomes of the 99 schools (27%) that replied to the consultation and that the options were rejected per the majority of 58 schools. It was also recognised that there is an alternative if part/no funding is transferred through the movement between blocks via the surpluses in the Growth Fund.
- 2.40. **Recommendation:**  
That Schools Forum recommends to Cabinet that:
- i. The unallocated funding of the NFF should not be transferred for 2021-22 to the High Needs Block to undertake actions identified by the SEND 100 Report Findings
  - ii. Consideration to not transfer the additional funding through one of the options proposed in the consultation.
  - iii. To agree in principle to allocate growth funding underspend to HNB as part of the 2020-21 year end process.

**All to vote**

### 3. Delegation and De-delegation

- 3.1. The following services were delegated in 2020-21 but were able to be de-delegated from the primary and/or secondary maintained schools subject to Schools Forum decision by the representatives in each sector.
- 3.2. De-delegation is not an option for academies, special schools, nurseries or PRUs. Where de-delegation has been agreed for maintained primary and secondary schools, it is the Department's presumption that the Local Authority will offer the service on a buy-back basis to those schools and academies in their area which are not covered by the de-delegation.



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- 3.3. In the case of maintained special schools and maintained PRUs, the funding for such services, will be included in the top-up. Academies will continue to receive a share of funding for these services in their delegated budget.
- 3.4. Decisions taken on de-delegation in 2020-21 were for one year only, so decisions for each service will be required in 2021-22;
- Contingencies (including schools in financial difficulties and deficits of closing schools)
  - Behaviour support services
  - Support to under-performing ethnic groups and bilingual learners
  - Maternity
  - Trade unions and public duties
  - Licences and subscriptions (not covered by a national licence which DfE charge the local authority)
- 3.5. The per pupil rates for these services are identified in the [Schools Delegation Calculator](#) which is on the consultation webpage.
- 3.6. Schools were asked to indicate whether they thought that for these relevant local services, funding should continue to be de-delegated to Devon County Council to commission services to the value committed for 2020-21 (Option 1) or whether monies should be delegated back to schools (Option 2). The consultation responses of the 48 maintained schools can be found at Appendix C Delegation and De-delegation
- 3.7. **Recommendation:**  
SFG to advise the Maintained schools representatives of Schools Forum to decide, phase by phase, the delegation or de-delegation of the services listed in Section 3.4 and Appendix C.  
**Vote: Maintained Primary Schools**  
**Vote: Maintained Secondary Schools**

## 4. Central School Services Block

- 4.1. The Central School Services Block (CSSB) was introduced in 2018-19 and continues to provide funding for local authorities to carry out central functions on behalf of maintained schools and academies.
- ongoing responsibilities
  - historic commitments
- 4.2. In 2021-22 the DfE has increased the total funding for the ongoing responsibilities by 3.8%. This funds all local authorities for the functions they have a statutory duty to deliver for all pupils in maintained schools and academies.
- 4.3. Local authorities will continue to be protected so that the maximum per-pupil year-on-year reduction in funding for ongoing responsibilities is -2.5%, while the year-on-year gains cap will be set at the highest affordable rate of 6.45%.
- 4.4. In 2021-22, for those local authorities that receive it, historic commitments funding will be reduced by 20%. The protection against a local authority losing an amount equivalent to more than 0.5% of its 2020-21 schools block allocation has been discontinued.
- 4.5. In discussions with the DfE the service provided by the Phase Associations (Devon Schools Leadership Services, SENtient & DAG) relates more to consultation costs (Schedule 2, paragraph 19 in the regulations) than to the costs of the Schools Forum. Although they do not have plans to withdraw funding for specific expenditure items within historic commitments, they are withdrawing local authorities' total historic commitment funding over time as stated above.



4.6. Devon has been successful in obtaining from the DfE a protection from having a reduction that took the total historic commitments funding below the total value of our ongoing Termination of Employment costs, in recognition of the lead in times required for such costs to unwind.

## Centrally Retained Services

4.7. Only a limited number of services can be retained centrally, and the Local Authority must seek approval from Schools Forum to retain central funding for these services.

4.8. The relevant services that can be centrally retained before allocating formula but no new commitments or increases in expenditure from 2020-21

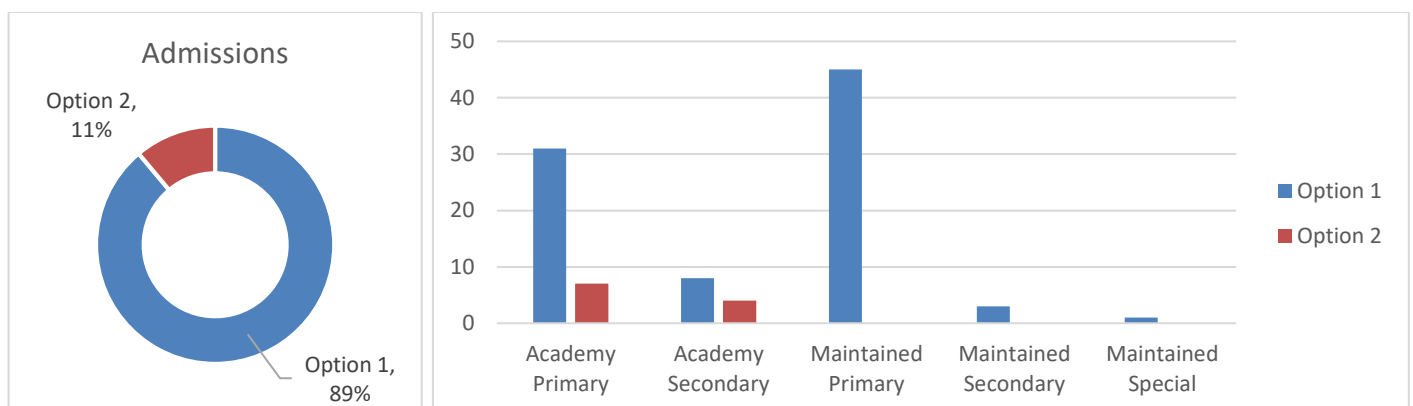
- Capital expenditure from revenue
- Termination of employment costs

4.9. This limit no longer applies to Admissions or the Servicing of Schools Forum.

4.10. Information on each of the services covered by central services decisions can be found in the 2021-22 Budget Consultation document on the [Schools Consultation website](#)

## Schools Admissions

4.11. Schools Admissions are seeking to maintain the funding at £5.28 per pupil to give an overall funding of £484,000 or for monies to remain in the schools budgets. 88 out of 99 schools (89%) agreed to option 1 with maintaining the funding at the £5.28 per pupil.



4.12. The following are no longer recognised a centrally supplied service through historic commitments as explained in the consultation documentation. However, Schools Forum will need to decide whether they wish to continue in funding the service or seek alternative arrangements.

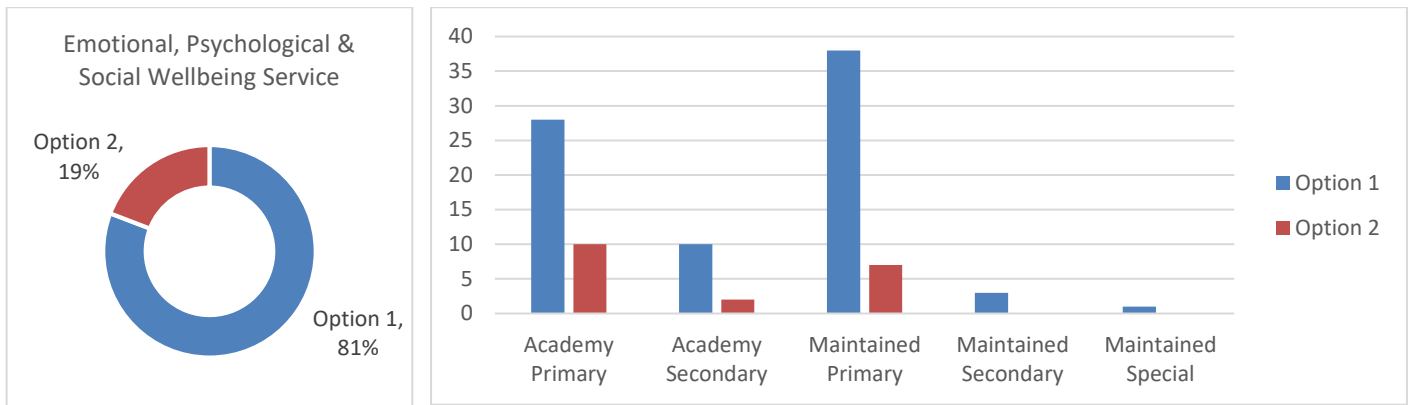
- Emotional, Psychological & Social Wellbeing Services
- Phase Associations

## Emotional, Psychological & Social Wellbeing Services

4.13. Schools have made an annual contribution of £60,000 to the service since 2015. The Public Health contracts for these services have now ended, however Young Devon are now commissioned by NHS Devon CCG to provide the direct support service to children and young people. Whilst Kooth has been commissioned for the Devon area by Children and Families Health Devon. Schools have been asked if they wish to continue to fund this arrangement for 2021-22.

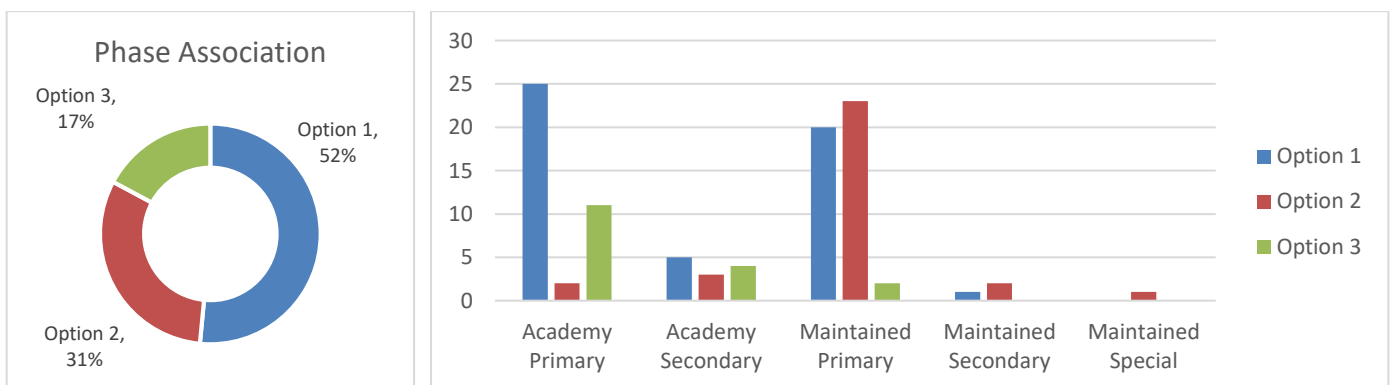
4.14. The response shows that 80 out of 99 schools (81%) agreed to continue to contribute £60,000 for the area of work.

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## Phase Associations

- 4.15. Since April 2014, the DAPH Office has provided business support for DASH and since this time the two phases have worked closely together in partnership. During 2019-20, the primary and secondary phase associations combined to form a new joint Charitable Incorporated Organisation (CIO) known as Devon School Leadership Services (Devon SLS) CIO.
- 4.16. For 2021-22 it is proposed that Phase Associations will be funded by way of top slice arrangement of £223,000 from the Schools Block for Devon SLS and DAG and £47,000 pooled from the High Needs Block for SENTient Heads.
- 4.17. This funding structure will ensure that all Devon schools (primary, secondary and special) and governors are fully subscribed members of their respective Phase Association. For Devon SLS CIO, this will enable existing core functions to be delivered as a fully sustainable business model, supported by a Commissioned Services Agreement with the Local Authority alongside a portfolio of traded services.
- 4.18. Schools were asked to consider whether they wished to maintain Phase Association funding or that it is no longer centrally funded and reliant on a subscription model of invoicing schools directly.
- 4.19. In addition, the option was put to schools as to whether they wished to fund the £270,000 on an annual arrangement or to agree a 3-year arrangement to 2023-24 at £270,00 per annum.
- 4.20. From the responses 82 out of 99 schools (83%) agreed to continue to fund the Phase Associations with 51 of the 99 schools (52%) wanting to continue with the one-year agreement.



- 4.21. We only had one comment linked to this part of the consultation which was received from one Multi-Academy Trust that they felt disappointed that representatives from the phase

associations (who represent us to you) presented a view to us that seemed to represent your view.

4.22. **Recommendation:**

That SFG endorses the proposals for Schools Forum consideration:

- i. to retain the funding centrally at the same level per pupil as 2020-21 for Schools Admissions Service.
- ii. to continue to give £60,000 for the Emotional, Psychological and Social Wellbeing Service.
- iii. to top slice £223,000 from the Schools Block to fund the Phase Association (Devon SLS and DAG) for one year.

**All to Vote**

## 5. Disapplications

5.1. **Basic Entitlement (AWPU)**

Request for one-off uplift in the Basic Entitlement (AWPU) included in 2020-21 School Budget Shares, to be excluded from the 2020-21 final baselines.

5.2. **Recommendation:**

That SFG notes the local authority's planned disapplication requests.

**All to Note**

**MARY DAVIS**  
County Treasurer

**JO OLSSON**  
Chief Officer for Children's Services

Please ask for: Adrian Fox  
[Adrian.fox@devon.gov.uk](mailto:Adrian.fox@devon.gov.uk)

2021-22 SCHOOLS REVENUE FUNDING FORMULA

School Based  By School Type	2018			2019			2020			Variation from previous year	
	Total School Base	Total School Response	% Response	Total School Base	Total School Response	% Response	Total School Base	Total School Response	% Response	No of Schools	%age change
	Maintained Primary	179	67	37%	172	50	29%	162	45	28%	(5)
Maintained Secondary	9	7	78%	8	7	88%	6	3	50%	(4)	-50%
Maintained Special	10	5	50%	10	1	10%	9	1	11%	0	1%
Academy Primary	129	59	46%	138	35	25%	149	38	26%	3	2%
Academy Secondary	33	17	52%	34	13	38%	36	12	33%	(1)	-3%
Academy Special	0	0	0%	1	0	0%	1	0	0%	0	0%
	<b>360</b>	<b>155</b>	<b>43%</b>	<b>363</b>	<b>106</b>	<b>29%</b>	<b>363</b>	<b>99</b>	<b>27%</b>		

By Phase	2018			2019			2020		
	Total School Base	Total School Response	% Response	Total School Base	Total School Response	% Response	Total School Base	Total School Response	% Response
	All Primary	212	84	40%	310	85	27%	311	83
All Secondary	9	7	78%	42	20	48%	42	15	36%
All Special	10	5	50%	11	1	9%	10	1	10%
	<b>231</b>	<b>96</b>	<b>43%</b>	<b>363</b>	<b>106</b>	<b>30%</b>	<b>363</b>	<b>99</b>	<b>27%</b>

## LIST OF RESPONDING SCHOOLS

[Alphabetical by School name within Phase within Status]

### Maintained - Primary

Ashwater Primary School	8782201	Maintained Primary
Awliscombe Primary School	8783300	Maintained Primary
Beaford Community Primary & Primary School	8782206	Maintained Primary
Bishops Nympton Primary School	8782210	Maintained Primary
Bishops Tawton Primary School	8782211	Maintained Primary
Bishopsteignton Primary School	8782402	Maintained Primary
Bovey Tracey Primary School	8782404	Maintained Primary
Bradley Barton Primary School	8782472	Maintained Primary
Chudleigh CE Community Primary School	8783105	Maintained Primary
Cornwood C of E Primary School	8783152	Maintained Primary
Decoy Primary School	8782431	Maintained Primary
East Anstey Primary School	8782223	Maintained Primary
Exminster Community Primary	8782420	Maintained Primary
Feniton C of E Primary School	8783312	Maintained Primary
Halberton Primary School	8782718	Maintained Primary
Halwill Primary School	8782228	Maintained Primary
Hatherleigh Community Primary School	8782605	Maintained Primary
Heathcoat Primary	8782723	Maintained Primary
Holsworthy C of E Primary School	8783063	Maintained Primary
Horwood and Newton Tracey Primary School	8782231	Maintained Primary
Ilfracombe C of E Junior School;	8783065	Maintained Primary
Kings Nympton Primary School	8782235	Maintained Primary

### Maintained - Secondary

South Molton Community College	8784057	Maintained Secondary
St Peter's C of E VA school	8784607	Maintained Secondary

Kingskerswell C of E Primary	8783112	Maintained Primary
Langtree Community School	8782237	Maintained Primary
Marwood School	8782238	Maintained Primary
Payhembury Primary School	8783016	Maintained Primary
Rackenford Primary	8783772	Maintained Primary
Shaugh Prior Primary School	8782618	Maintained Primary
Shirwell Primary School	8782244	Maintained Primary
St Giles on the Heath Primary	8782242	Maintained Primary
St Martins C of E Primary School	8783005	Maintained Primary
St Michael's Church of England Primary School	8783128	Maintained Primary
St Peter's C of E Primary, Budleigh Salterton	8783304	Maintained Primary
Stoke Canon C of E Primary School	8783024	Maintained Primary
Tavistock Primary & Nursery School	8782623	Maintained Primary
The Erme Primary School	8782609	Maintained Primary
Tipton St. John Church of England (VA) Primary School	8783319	Maintained Primary
Uplowman CofE Primary School	8783026	Maintained Primary
Uppottery Primary School	8782073	Maintained Primary
West Hill Primary School	8782058	Maintained Primary
Willand School	8782075	Maintained Primary
Willowbrook School	8782724	Maintained Primary
Winkleigh Primary School	8782252	Maintained Primary
Withycombe Raleigh	8783011	Maintained Primary
Woolsery Primary School	8782254	Maintained Primary

### Maintained - Special / PRU

Devon Hospital School	8781110	Maintained Special
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Tiverton High School	8784192	Maintained Secondary
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**Academy - Primary**

Ashburton Primary School	8782401	Academy Primary
Aveton Gifford Primary	8783100	Academy Primary
Bearnes Primary School	8783115	Academy Primary
Bere Alston Primary School	8782094	Academy Primary
Blackpool CE Primary School	8783102	Academy Primary
Bowhill Primary School	8782042	Academy Primary
Brixington Primary	8782051	Academy Primary
Broadhempston Primary School	8782408	Academy Primary
Buckfastleigh Primary School	8782409	Academy Primary
Cheriton Bishop Primary School	8782006	Academy Primary
Chudleigh Knighton Primary School	8783106	Academy Primary
Chulmleigh Primary School	8782219	Academy Primary
Colyton Primary School	8782096	Academy Primary
Diptford CofE Primary School	8783108	Academy Primary
Drake's CofE Primary School	8783308	Academy Primary
East Worlington Primary	8782224	Academy Primary
Gatehouse Primary Academy	8782044	Academy Primary
Harbertonford CofE Primary School	8783604	Academy Primary
Hawkchurch Primary	8783012	Academy Primary

Hennock Primary School	8782421	Academy Primary
Holbeton Primary School	8782607	Academy Primary
Lady Seawards Primary	8783307	Academy Primary
Lapford Community Primary School	8782260	Academy Primary
Musbury Primary	8782053	Academy Primary
Newton Ferrers Primary	8783156	Academy Primary
Rockbeare Primary	8783317	Academy Primary
Salcombe Primary	8783124	Academy Primary
Sherford Vale School	8782071	Academy Primary
Sidmouth Primary School	8783318	Academy Primary
St Thomas Primary	8782032	Academy Primary
Starcross Primary School	8782442	Academy Primary
Stowford School	8782709	Academy Primary
Uffculme Primary School	8782072	Academy Primary
Wembury Primary School	8782624	Academy Primary
Westcliff Primary	8782064	Academy Primary
Willowbank Primary School	8782084	Academy Primary
Woodlands Park Primary School	8782716	Academy Primary
Yealmpton Primary School	8782626	Academy Primary

**Academy - Secondary / All-Through**

Atrium Studio School	8784018	Academy Secondary
Braunton School & Community College Academy Trust	8784053	Academy Secondary
Chulmleigh Community College	8784054	Academy Secondary
Exmouth Community College	8784012	Academy Secondary
Isca Academy	8784006	Academy Secondary
Ivybridge Community College	8784184	Academy Secondary

Newton Abbot College	8785404	Academy Secondary
South Dartmoor Community College	8784108	Academy Secondary
St James School	8784016	Academy Secondary
St Lukes Church of England School	8784501	Academy Secondary
Uffculme School	8785405	Academy Secondary
West Exe School	8784023	Academy Secondary

## APPENDIX B

### PROPOSAL 6 TRANSFER OF FUNDS: RESPONSES

1. Outreach services are a good idea but would prefer them to be centrally funded or a bought-in service.
2. Schools are struggling financially already, and every year we are told that HNB is vastly overspent. It's not a school problem that we should be penalised for, the money should be requested from Government. SEND 100 is totally impracticable and will be an absolute post code lottery of support.
3. Schools are underfunded and need to retain as much funding as possible, this is even more crucial as we are a small, rural primary school.
4. SEND funds are wasted on private providers making large profits, when in school we get inadequate funding for children who often have complex needs.
5. The funding should go to the schools, after years of a formula not supporting small schools.
6. Whilst we recognise the pressures on the HNB, we also have pressures in the DSB. We would prefer to target the extra monies ourselves on a school by school basis which may include additional support for SEN students.
7. Would rather have the money in school budget
8. greater choice accountability and control of resources to target specific needs
9. I am happy to support the transfer of funding as per proposal 4/5
10. In part, and based on my limited understanding, to create pressure on central government to fund Devon children and Devon SEND children fairly.
11. Enable us as a MAT to determine need and put in place the best provision possible for our students.
12. Funding for the High needs block should come directly from central government and not be taken from school budget which are already under tremendous pressure due to historical inadequate funding and the recent additional costs due to COVID-19.
13. Proposal 5 funding should stay in the schools block, this will allow children within school to be supported. The outreach support could be scaled down or funded in other ways. Also I would question how this can be sustained through years 2 and 3
14. School budgets are squeezed enough.
15. The 'project' proposed has little detail behind it and is not sustainable for a 12 month period. There is no detail about how it would be staffed or quality assured, what the thresholds might be for accessing outreach support and how much support 360 schools would get from a proposed 12 FTE staff members. Schools are better able to meet their children's needs on the shop floor.
16. The school is not funded sufficiently to meet the needs of SEND pupils. There is a huge amount of bureaucracy around SEND and insufficient support for children with SEND. For primary aged children there is a lack of alternative provision available therefore the school ends up sourcing its own resources, out of its own budget to meet the needs of the children. The school is often left holding high needs children and when placing high needs children no consideration is given to the balance already within the school.
17. There is no guarantee that the actions suggested in the SEND100 report will have any impact on either the deficit in high needs funding or improve the provision for children in mainstream schools. Unless the revenue stream is ongoing, there is a risk of the actions disappearing after one year and therefore this funding will have effectively been wasted. I would prefer to see more special school places. I would also prefer more money in school budgets

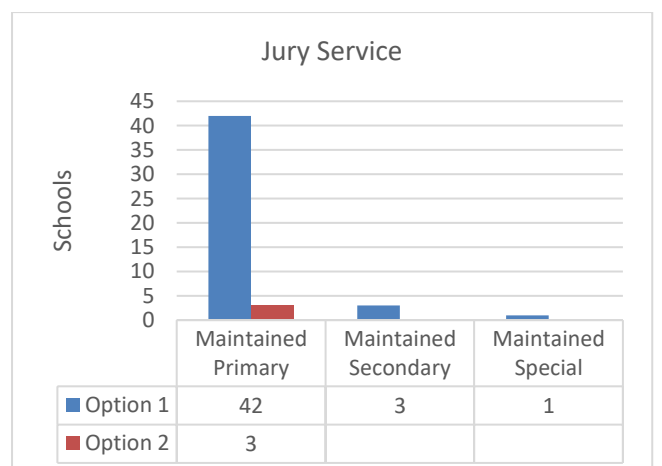
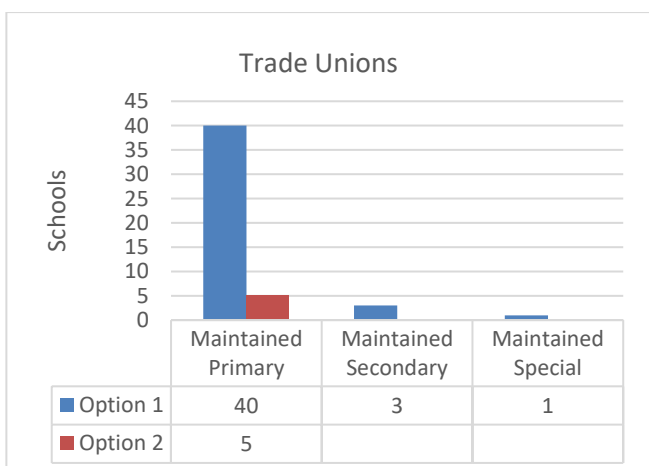
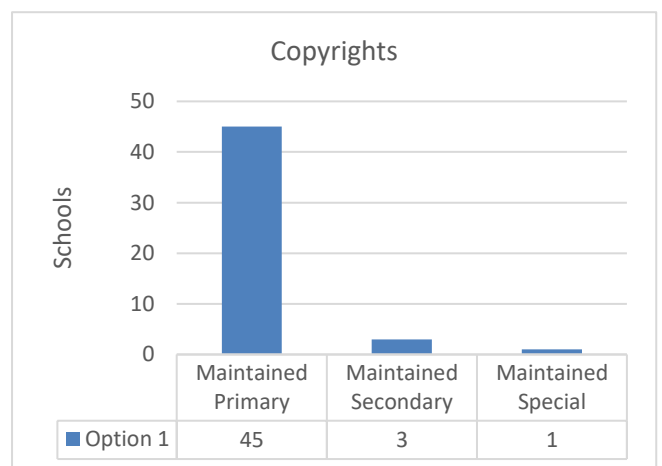
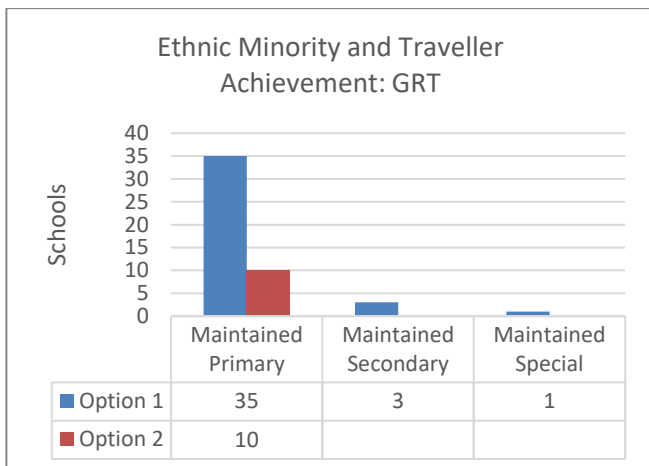
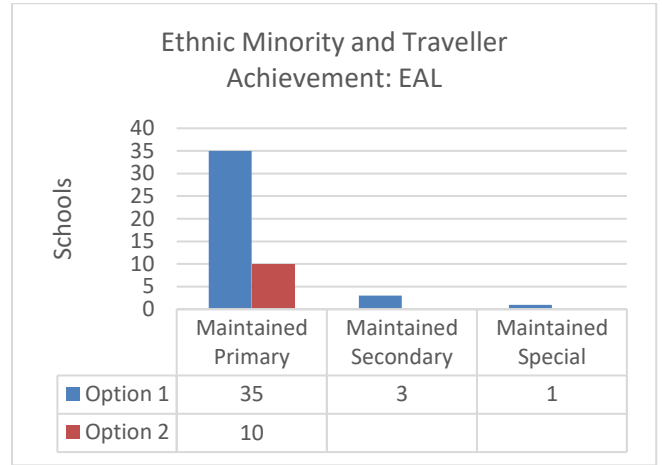
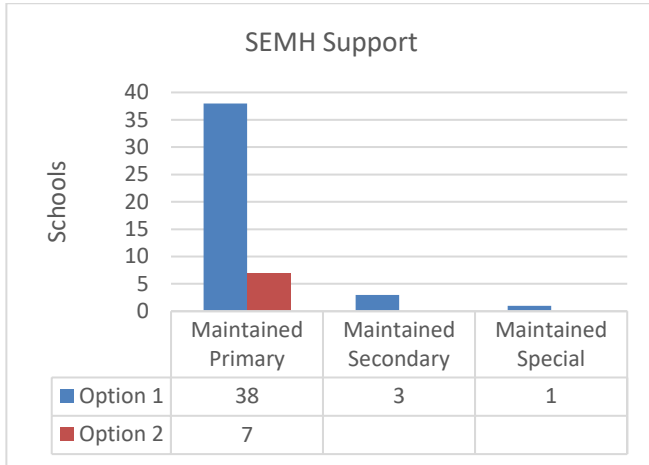
# Agenda Item 11

so that I can spend it on bespoke support for my children, EP referrals and other interventions. I do not feel that this proposal represents good value for money.

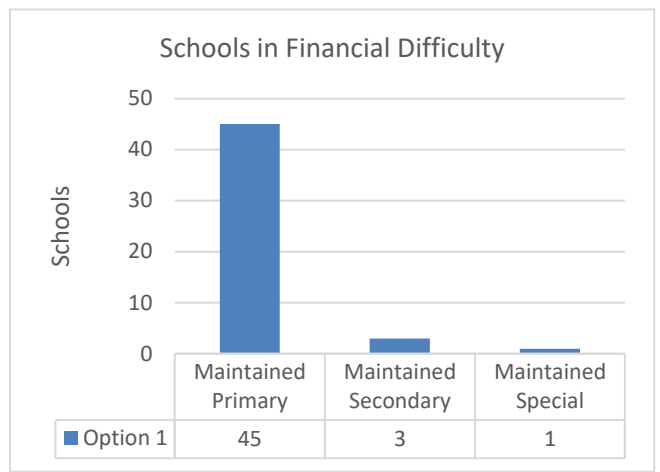
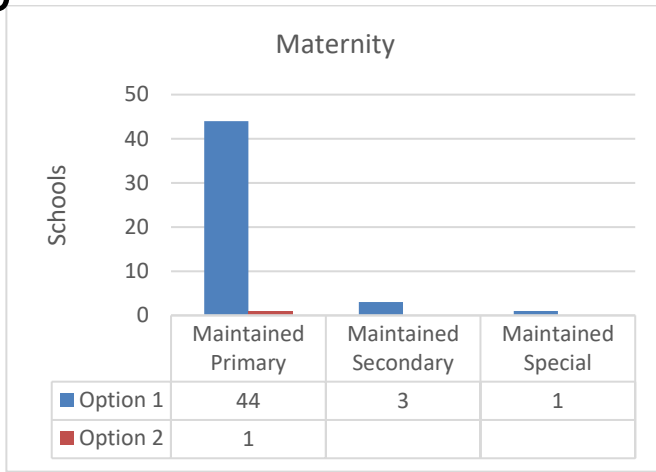
18. This funding would be targeted within schools to help pupils who are in most need. Support at school level is more appropriate.
19. We believe that the School can decide better where these resources are allocated based on headteacher judgement. We have agreed to this on the understanding that the extra funding will all come to the schools.
20. We want children to benefit from as much funding as possible.
21. Proposal 4 - happy to use the £1.4m as effectively extra money that if given to schools this year could not be there next year. Proposal 5 - Not happy to fund the £700k effectively by reducing schools budget. Proposal 6 - Badly worded as I have agreed to 4, not 5 there are no funds to return to schools, it is just not being taken away from their gain. Therefore, the SEND 100 project needs to be adjusted to fit the budget of £1.4m
22. Is outreach support appropriate in the current climate? Unclear as to the impact of this programme for individual schools and overall effect on High Needs Block costs going forward. Likely that this will need to continue for future years - money needed in school budgets. Issues with High Needs Block is funding levels, and taking money from schools to try and impact this will not address the underlying issue
23. It is a concern that the outreach support funding will need to be ongoing if it is to be sustainable so providing it for one year does not make any sense.
24. Money should be found from somewhere else and not taken from AWPU as this will impact on more pupils
25. The project is only for a 12-month period, why invest £2.18 million in a project which may only last for a short period of time? With the Covid-19 situation, how are outreach support workers actually going to function, as it might not be appropriate for these workers to attend different schools. We would not want a situation where these workers have to function virtually, as this would not meet the needs of our EHCP students. One of the key elements mentioned in the proposal, was preparing students for life, as they will not receive one to one support when they leave education. However, many students who are entitled to an EHCP need this support to access education in a mainstream school.
26. Our budgets are already stretched, and our building is elderly - we need the funds unfortunately, it would have been nice to have helped.
27. We would rather decide how we spend our full budget, especially with SEND.
28. Proposal 4 is acceptable to us. Agree that the SEND 100 project is good in principle, but do not want to give more monies from school budgets to fund this, as there is no long-term plan to sustain this.



## DELEGATION AND DE-DELEGATION



# Agenda Item 11



## ADDITIONAL COMMENTS

1. Woolser Primary School has had several Latvian children join the school over the last few years, and when support has been requested, we've been supplied with picture cards, and no other input. This was not a new and helpful idea.

## CHANGES IN FORMULA FACTORS IN 2021-22

PRIMARY	Formula Factors 2019 -20	Formula Factors 2020-21	Proposed Factors 2021-22	Change
AWPU Primary	£2,747	£2,866	£3,123	£257
Free School Meals Primary	£440	£450	£460	£10
Free School Meals Ever 6 Primary	£540	£560	£575	£15
IDACI P Band F	£200	£210	£215	£5
IDACI P Band E	£240	£250	£260	£10
IDACI P Band D	£360	£375	£410	£35
IDACI P Band C	£390	£405	£445	£40
IDACI P Band B	£420	£435	£475	£40
IDACI P Band A	£575	£600	£620	£20
EAL3 (P)	£515	£535	£550	£15
Low Attainment (P)	£1,022	£1,065	£1,095	£30
Mobility Primary	£0	£875	£900	£25
Lump Sum Primary	£101,105	£114,400	£117,800	£3,400
Sparsity Funding Primary	£25,000	£26,000	£45,000	£19,000
Minimum per-pupil Funding Primary	£3,455	£3,750	£4,180	£430

SECONDARY	Formula Factors 2019-20	Formula Factors 2020-21	Proposed Factors 2021-22	Change
AWPU KS3	£3,863	£4,027	£4,404	£277
AWPU KS4	£4,386	£4,570	£4,963	£393
Free School Meals Secondary	£440	£450	£460	£10
Free School Meals Ever 6 Secondary	£785	£815	£840	£25
IDACI S Band F	£290	£300	£310	£10
IDACI S Band E	£390	£405	£415	£10
IDACI S Band D	£515	£535	£580	£45
IDACI S Band C	£560	£580	£630	£50
IDACI S Band B	£600	£625	£680	£55
IDACI S Band A	£810	£840	£865	£25
EAL3 (S)	£1,385	£1,440	£1,485	£45
Low Attainment (S)	£1,550	£1,610	£1,660	£50
Mobility Secondary	£0	£1,250	£1,290	£40
Lump Sum Secondary	£110,000	£114,400	£117,800	£3,400
Sparsity Funding Secondary	£65,000	£67,600	£70,000	£2,400
Minimum per-pupil Funding Secondary	£4,755	£5,000	£5,415	£415



Councillor James McInnes  
Cabinet Member for Children Services and Schools

Secretary of State for Education  
Gavin Williams

[gavin.williamson.mp@parliament.uk](mailto:gavin.williamson.mp@parliament.uk)

From: Cllr James McInnes  
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20 October 2020

Dear Mr Williamson,

I am writing to you as deputy leader of Devon County Council and the Cabinet Member responsible for schools as well as the National Chairman of f40.

I want to highlight the difficulties that many schools in Devon, and nationally, are having in trying to balance their budgets because of the extra costs of dealing with the Covid-19 crisis.

Schools in Devon have done a remarkable job since the start of the pandemic in providing an education for our children. First for the children of key workers and vulnerable children, later for all pupils in Reception, Year 1 and Year 6 in our primaries and then for Years 10 and 12 in our secondaries.

Since the start of the new academic year in September all of our schools have been open to all pupils. Despite a number of schools having to send home some year groups or bubbles to self-isolate, our latest figures show a 93 percent attendance rate.

So our schools and my hard-pressed education officers have done everything that has been asked of them, particularly in giving parents the reassurances on safety they needed to send their children back to the classroom in the first place.

Apart from the human cost, this has also come at a financial cost. Schools have been scrupulous in ensuring their premises have been kept clean and stocked with hand sanitiser and other essentials, but this has meant a considerable increase in their bills for cleaning and caretaking.

The latest instruction to provide tailored home learning for pupils having to self-isolate has greatly increased the pressure on teachers who are finding they have to do this on top of their classroom teaching duties.

And when teachers are required to self-isolate, their heads are having to find extra funds to pay for supply teachers to take up the strain.

In Devon all this is compounded by the historic under-funding of our schools compared to the national average.

I am only too aware of the huge obstacles the Government has had to overcome during this unprecedented crisis and the vast amount of money that continues to be spent in supporting the people of this country.

# Agenda Item 12

But I would point out that our children – and so their parents – have paid a very high price for protecting the health of this nation and particularly our older and more vulnerable people. The time is now right to re-balance that situation.

I would like to emphasise that I welcome the extra funding that has been made available to education and your Government's commitment to levelling up school finance in areas like Devon. However, much of the additional funds that schools have received have been dissipated by the costs of Covid in hiring supply teachers, ensuring virtual learning is in place, organising one-to-one learning for self-isolating pupils and ever more rigorous cleaning and caretaking.

The National Association of Head Teachers says that in just the first few weeks of term, schools have spent an average of £8,017 on enhanced cleaning supplies, personal protective equipment, hand-washing stations and other measures.

No one is disputing that the costs of this pandemic will not have to be paid for in time but I would urge you, as Education Secretary, to ensure our schools have the resources they need now to continue to provide a Covid-safe education for their pupils. I believe education has to be one of our top priorities for extra spending so we can restore the terrible loss of learning that our children have suffered as a result of this crisis.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'James McInnes', written in a cursive style.

James McInnes



October 20, 2020

## **Continuing impact of Covid-19 on school and education funding**

Dear Mr Foot/Mr Goldman

I hope you and your colleagues at the Department for Education continue to be well through these difficult times.

Since I last wrote to you in August, the f40 group has been in dialogue with our members, both from local authorities and schools, about the continuing impact of Covid-19.

While f40 would very much welcome an opportunity to meet with you remotely later in autumn, we felt it would be useful to share now some of the feedback we have received.

We appreciate you are under increased pressure, but feel a grassroots perspective is of benefit.

f40 believes the impact on schools should be continually monitored, and the criteria for claiming back extra expenses regularly reviewed.

While we welcomed the additional funding announced for schools last year, much of it is being swallowed up by the increases to teachers' pay and pensions, and now Covid-19.

In real terms, schools are much worse off than they were five years ago and simply cannot meet the additional demands placed on them now due to the pandemic.

### **1. Additional teaching costs**

Since schools returned in September, one of the greatest challenges for headteachers has been ensuring that their schools have sufficient teaching staff in place every day.

As the number of Covid cases rises, more and more teachers are having to isolate if they have possible symptoms, or if they have been in contact with someone who has tested positive.

Some teachers are also having to stay home to look after their own children who are isolating.

The impact on schools is enormous.

The squeeze on education budgets in recent years has led many schools to reduce the number of teaching staff to the bare minimum. That means they now have no spare capacity when teachers are absent.

During the pandemic, schools are having to increasingly rely on supply teachers to provide cover. This is exacerbated when Covid tests are not quickly or locally available.

If teachers could be tested immediately, those that receive a negative result could return to the classroom, rather than having to spend unnecessary time away from school.

Such is the extent of the issue, many schools have already spent their annual supply teaching budget. As time goes on and costs continue to be incurred, schools are having to consider the

trade-off between opening in full and the threat that may pose to the future financial sustainability of the school.

A number of headteachers have considered using their school budgets to buy testing kits themselves – in order to get teachers with a negative result back in the classroom quickly. They were eager to know whether it would be an appropriate use of budget, claiming it was the only way they could keep costs down and schools open during particularly trying times.

We do not believe schools should have to use their teaching budget to pay for Covid tests but agree with them that it would be a better use of their budget if it saved them substantial sums on supply teachers.

**Suggestion:** f40 believes Government should pay the additional staffing costs of schools, where they have arisen due to the pandemic.

**Suggestion:** Priority should be given to schools and teachers during the testing process, similar to that given to health care workers, to ensure teachers can return to the classroom at the earliest opportunity.

**Suggestion:** Additional testing kits should be supplied to schools on a rolling programme.

## **2. Additional teaching resources**

Schools, particularly primary schools, are having to spend more on teaching resources.

Social distancing measures mean children can no longer sit together and share learning resources and equipment, as in the past. This is a direct additional cost to schools caused by the pandemic.

**Suggestion:** Schools be allowed to claim back extra costs for learning resources brought about by Covid-19.

## **3. Extraordinary additional costs**

The current guidelines around reclaiming additional expenses have been in place since the spring, and we believe they are now too narrow for the current situation. The range and breadth of additional costs for schools is constantly expanding as they navigate their way through the pandemic.

Schools need ongoing assistance with generic extra costs, such as deep cleaning and the displaying of information signs, however, a range of additional 'other' costs are also emerging.

While we encourage schools to make savings where they can, we believe no school should be worse off because of Covid-19.

Some schools may also have unique costs to them, which we believe should be included in the criteria for claiming back expenses.

For example, special educational needs schools are spending substantial sums on PPE, such as aprons, masks, and gloves. This is considered essential as some children with additional needs are prone to spitting, biting, and licking, increasing risk of infection, but it is costly.

Examples of emerging additional extra costs include:

- Additional water usage due to extra hand washing
- More frequent emptying of cesspits due to the increase in water usage
- PPE
- Remote learning platforms



- Extra toilet blocks
- Additional lunch/dining room equipment to aid social distancing (trays, cutlery, crockery)

**Suggestion:** f40 believes allowance should be made for schools to recoup 'other' extra expenses that are not already included on the claims form, and which may be specific to their situation. At the end of the financial year(s), it should become clear if they need to pay back funds.

#### **4. Winter costs**

Schools are expecting their heating costs to rise this winter as a direct result of the pandemic.

In order to reduce the risk of Covid infections passing between pupils and teachers, schools have been advised to keep buildings well ventilated by keeping windows open wherever possible.

This hasn't posed a problem during the warmer months, but now autumn is here, schools are having to use their heating systems more frequently, and increase the temperature, to compensate for the open windows.

**Suggestion:** Schools should be allowed to claim for additional heating costs by submitting this year's heating bill along with a comparative bill from the same period last year.

#### **5. Loss of income**

Many schools are facing financial hardship because their income streams continue to be frozen. These could be after school clubs, or the hiring out of sports and community facilities.

In many cases, while the income is no longer coming in, the costs associated with them, such as staff and leasing costs, are continuing.

Some schools have had no choice but to wind up certain activities, which is a loss to their community and has also incurred associated redundancy costs.

**Suggestion:** We believe the DfE should support schools who have lost income by agreeing to subsidise a percentage of it – for example, funding 75% of lost income. This would be in line with the approach taken with local authorities.

#### **6. Extra learning support**

Many local authorities are reporting a sharp spike in EHCP applications since September.

f40 does not believe EHCPs are the right solution for all children and should only be used when long-term special educational needs are identified.

We feel they should not be applied to children who have fallen behind due to coronavirus, or who have anxieties relating to the pandemic.

However, greater funding for early intervention programmes should be available to restore emotional well-being and provide additional support to children who need it due to the impact of Covid.

While the catch-up grant goes somewhere towards this, it will not be sufficient to meet the demand of every school. Also, schools may have to use the catch-up grant to ease wider funding pressures, rather than targeting it at specific pupil need.

By putting additional funding into learning support now, Government will save money in the long-term on EHCPs and special educational needs.

Local authorities can play a key role in bringing together large numbers of schools, along with other key services, such as social care.

**Suggestion:** Additional early intervention funding, over and above the £1bn catch-up grant, should be provided to ensure additional emotional well-being and learning support can be provided – reducing the likelihood of children needing EHCPs and to help children progress.

## 7. School transport

Local authorities and schools welcomed the additional funding to assist with school transport in September and have done incredibly well to ensure children get to and from school according to the new safety measures.

While we welcome the new injection of funds for school transport announced last week, £27m, we fear this will not be enough to meet demand, especially in large rural counties.

For example, in Devon we had a shortfall in extra school transport costs of £100,000 between the start of September and the October half-term. That is additional spending that Devon County Council cannot afford.

We need a commitment to fund the extra school transport required until the Covid restrictions end – whenever that might be.

**Suggestion:** f40 believes Government should make a long-term commitment to fund all additional extra school transport costs brought about by the pandemic until social distancing measures and restrictions are removed.

## 8. School census

The school census is taking place this month and concerns have been raised around the accuracy of the census in relation to the funding requirements of each school next year.

In recent weeks there has been a noticeable rise in Elective Home Education (EHE), with one council claiming a 500% rise in applications, from 70 during this period last year to 350 now.

We believe this is a direct result of the pandemic.

Children who are being educated at home will not be included in the school census, and thus not included in school budget forecasts for next year.

However, a large number of these children may return to the school system later this academic year – creating a funding shortage for their schools.

When these children return, they may also require greater learning support and may qualify for Free School Meals, yet their school will not receive funding to cover either purely because they missed the census.

**Suggestion:** f40 believes the Department for Education should prepare for discrepancies in the census due to the high number of children taken out of schools due to Elective Home Education. We believe schools should be paid an additional sum to cater for the likelihood of children being brought back into the system next year, and to enable them to provide extra learning support where needed.

## 9. SEND

Special Educational Needs continues to be a major concern for f40, with the needs of pupils outstripping available budgets, and EHCP applications continuing to rise.

The situation is only going to get worse unless the High Needs system is overhauled, with less reliance on EHCPs and greater emphasis on school inclusion.

Many councils have growing deficit SEND budgets and these will continue to increase unless action is taken now to deal with the High Needs crisis.

We urge Government to resume its review of SEND as soon as possible, and report back with recommendations at the earliest opportunity.

Schools need support systems, guidance and additional funding to enable them to be flexible in the way they work, which can enable them to be properly inclusive of pupils with SEND.

And local authorities need additional funding to settle the huge deficit budgets they currently have, which is running close to £20m in some councils.

**Suggestion:** The review into SEND be resumed as soon as possible.

**Suggestion:** The SEND system be overhauled, with less reliance on EHCPs and greater emphasis on inclusion at mainstream schools. Schools should be given greater funding, guidance and support in order to provide the right level of care and education to pupils with High Needs.

**Suggestion:** Local authorities should be given additional funding to pay off the deficit SEND budgets they have accrued.

## **Conclusion**

Once again, thank you for taking the time to read some of the feedback we have received from our members.

If you would like to discuss it in more detail, don't hesitate to contact me, or f40 Secretary Karen Westcott, and we will be happy to arrange something.

Kind regards

James McInnes  
Chairman  
f40  
07961 275814

cc. Karen Westcott  
07545 210067



## Schools Finance Group: Notes of meeting on Wednesday 15 July 2020

### Attendance

#### DCC

Karlien Bond (chair)  
Adrian Fox **Apologies**  
Dawn Stabb  
Heidi Watson-Jones (notes)

Senior Accountant (Schools)  
Head Accountant (Education & Learning)  
Head of Education & Learning  
Service Support Officer (E&L)

#### DAPH

Jonathan Bishop **Apologies**  
Alun Dobson  
Penny Hammett (*for JB*)  
Jamie Stone (part)  
Paul Walker (part)

Cornerstone Academy Trust  
Marwood Primary  
FORT Federation  
Denbury Primary  
First Federation MAT

#### DASH

Daryll Chapman  
Sammy Crook  
Andrew Davis  
Lorraine Heath **Apologies**  
Matthew Shanks

Dartmoor Trust  
Tiverton Federation  
Exmouth Community College  
Uffculme Academy  
Education South West

#### SENtient Heads

Keith Bennett **Apologies**  
Jacqui Warne **Apologies**

Marland School  
Learn to Live Federation

#### DAG

Faith Butler  
Malcolm Dobbins  
Alex Walmsley

Special School Governors  
Primary Governors  
Secondary Governors

#### Early Years Providers

Lydia Wright

Early Years / PVI providers

#### Other DCC Officers

Julia Foster  
Katrina Harverson  
Donna Anstiss  
Helen Moltano (part)

Senior Manager SEND  
Senior Accountant (Education)  
Accountant (Education)  
Consultant

# Agenda Item 13

## Schools Finance Group:

### Notes of meeting on Wednesday 15 July 2020

#### 1. Minutes of Previous Meeting – 3 June 2020

- AF has sought further clarity on recovery plan from DfE but awaiting feedback
- Agreed that costs would be covered by the Mutual Fund for additional hours worked by part-time staff during Covid. Mutual Fund webpages have been updated to reflect this.
- Minutes agreed as an accurate version.

#### 2. DSG Month 2 Report

- Updated report circulated.
- Carry forwards have now been agreed and will be included in month 4 report.
- £168k in year deficit predicted for High Needs Block. Noted increases particularly in Plus Packages, and mainstream SEN.
- Independent Special Schools showing a favourable variance due to reductions in cost and placement numbers. Task & Finish Group looking at contracting arrangements and suitability of core provision offers.
- **DSG Recovery Plan** – deficit reserve to be carried forward as per DfE Guidance. Revised guidance and deadline awaited from DfE. AF to attend national working group considering the detail and implications.
- Noted the presentation of the DSG negative reserve in the budget report is as prescribed by DfE. **ACTION: DS and AF** to consider how this may be presented differently for next report
- **Impact of Covid-19 Pandemic** – noted DfE expectation that schools will use any surplus budget position to cover unexpected costs. Covid-19 impact has not been identified in the budget pressures currently reported.
- **Longer term impact of Covid-19 on EHCP demand** will be monitored.
- SFG discussed comparison against other local authorities with respect to the deficit funding gap. Noted that benchmarking against other LA positions and cost drivers is in hand and that Devon officers are involved in national working groups to consider the issues in advance of further DfE guidance.
- F40 and Worthless are involved in ongoing lobbying for school funding reform.
- Considered use of Plus Packages – a mechanism for enabling children with SEN to remain in mainstream schools. This arrangement appears to be becoming more of a normal way of working, and the consistency and cost of these packages will be monitored from September.

#### Action

**DS & AF** to discuss how to achieve further clarity of presentation of HNB deficit reserve.

#### 3. SEND / High Needs Update

##### Independent Special Schools

- Statutory Assessments and naming placements have been maintained during Covid-19, the latter to ensure that all children are linked to an educational setting for safeguarding purposes. Reduced fees have been negotiated for new starters with independent settings where children would not be attending due to Covid-19.
- The Independent sector is still being widely used and an increase in capacity in maintained special school provision continues to be pursued.
- Currently investigating the development of a new SEMH school and seeking free school presumption for a site in Okehampton.

## Schools Finance Group: Notes of meeting on Wednesday 15 July 2020

- Noted increasing parental requests for placements in a small setting, resulting in an increase in placements in mainstream independent schools.
- Noted that parental confidence in mainstream schools being able to provide for their children's SEN is a factor in parental preference.
- Discussed how LA/school evidence and witnesses around suitability of LA schools to meet SEN needs compared to independent schools needs to be more robust, and Tribunal findings are predominantly in favour of parental preference.
- Independent providers are in a strong position to determine their own fee levels to accommodate particular learners. Lobbying is taking place nationally to review the legal position around the funding of independent settings through the DSG High Needs Block.
- Noted Magdalen Court school seeking to move from a mainstream to specialist provider.
- Expecting an increase in requests for post 16 provision to be extended due to the impact of Covid-19.
- During Covid-19, QA checks all independent providers have been undertaken and the LA has in the main been assured that processes and practice are appropriate.
- SFG discussed placements jointly funded with care and health. The group was reminded of the agreement of a 50/50 split for places jointly funded with children's social care. Adult social care funding agreement is different, and funded in line with ASC assessment protocols, with education funding the remainder of the placement cost.

### 4. Mutual Board and Appeals

- Noted £590k surplus currently being held.
- Predicting an increase in claims from September, and these may be higher than normally seen, due to Covid-19 impact.
- Options for either increasing benefit or reducing the premium will be considered.
- Heads suggested that a rebate for schools unable to access the fund during the Covid-19 period due to operational issues might be a helpful way forward.
- Options will be modelled when the impact of Covid-19 period on claims has been seen.

#### Action

Options to be modelled for appropriate distribution of excess surplus balance following assessment of Covid-19 impact on claim levels. **KB**

### 5. SEND 100 Project

- Project scope has been developed by Helen Moltano, with Dawn Stabb, Alun Dobson and Matthew Shanks.
- Next steps will involve discussions with Heads, teachers and SENDCos to consider how different types of SEN outreach provision might build confidence in mainstream schools to better support children with SEN without seeking formal EHCP assessment.
- Considered how MAT structures may be able to provide an additional perspective.
- Helen Moltano will liaise with Parent Carer Forum to seek parent views over the summer.

# Agenda Item 13

## Schools Finance Group:

### Notes of meeting on Wednesday 15 July 2020

- Aim for this investigative work to be completed by end of September, in time to be communicated at autumn funding consultation. DAG requested sight of a draft report when available.
- Noted that this project will align with the wider SEND Transformation process which is now beginning to move forward.
- Mindful of the rise in the number of EHCPs in the Primary sector and requested Early Years involvement in the investigations. **ACTION: Lydia Wright and Helen Moltano** to liaise with Helen regarding this.

#### Action

**Lydia Wright and Helen Moltano** to liaise with Helen regarding Early Years involvement in the SEND 100 investigations.

## 6. Any Other Business

### Growth Fund

- Update on situation requested for next SFG.

### Autumn 2020 Schools Funding Consultation

- Noted that the July SFG meeting has historically been used to agree dates and themes for the autumn consultation process. Heads had concerns that their time will be incredibly pressured to consider this in September and hoped for some clarity around intended way forward prior to the end of the academic year.
- Understand DfE guidance has not yet been issued on school funding for 2021/22 which is delaying preparation of proposals by Finance officers.
- **DS and AF** to discuss provisional dates for consultation events.
- Noted SFG planning day will remain in diary for 9<sup>th</sup> September 2020.
- **Items for DEF** to be agreed at next meeting
- Thanks were extended to Daryll Chapman and Matthew Shanks for their significant contribution to the Schools Finance Group and best wishes to Daryll on his anticipated retirement from September. Matthew Shanks will be taking on a Trustee role for the Devon Schools Leadership Services CIO.

#### Action

**Dawn Stabb and Adrian Fox** to discuss potential dates and format for funding consultation events to be circulated prior to end of term if possible.

### Next meetings:

Wednesday 9 September 2020 (9.15 – 4.30pm) – Arrangements tbc - possible Teams Meeting

Wednesday 4 November 2020 (9.15 – 12.45pm) – Teams Meeting

Wednesday 6 January 2021 (9.15 – 12.45pm) – tbc - possibly Larkbeare Knightshayes

Wednesday 3 March 2021 (9.15 – 12.45pm) – tbc – possibly Larkbeare Knightshayes



## **Schools Finance Group: Notes of meeting on Wednesday 9 September 2020**

### **Attendance**

#### **DCC**

Karlien Bond	Senior Accountant (Schools)
Adrian Fox (chair)	Head Accountant (Education & Learning)
Dawn Stabb	Head of Education & Learning
Heidi Watson-Jones (notes)	Service Support Officer (E&L)

#### **Devon Schools Leadership Services**

##### **Primary:**

Alun Dobson	Marwood Primary
Jamie Stone ( <b>apologies</b> )	Denbury Primary
Paul Walker	First Federation MAT
Penny Hammett	FORT Federation

##### **Secondary:**

Sammy Crook	Tiverton Federation
Andrew Davis	Exmouth Community College
Lorraine Heath	Uffculme Academy
Matthew Shanks	Education South West

#### **SENtient Heads**

Keith Bennett	Marland School
Jacqui Warne	Learn to Live Federation

#### **DAG**

Faith Butler	Special School Governors
Malcolm Dobbins	Primary Governors
Alex Walmsley	Secondary Governors

#### **Early Years Providers**

Dianne Roberts	Early Years / PVI providers
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#### **Other DCC Officers**

Julia Foster	Senior Manager SEND
Katrina Harverson	Senior Accountant (Education)
Donna Anstiss	Accountant (Education)
Helen Molteno (part)	Consultant

## Schools Finance Group: Notes of meeting on Wednesday 9 September 2020

### 1. Minutes of Previous Meeting – 15 July 2020

Minutes agreed as an accurate record.
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### 2. DSG Month 4 Report

- |   |
|---|
| <ul style="list-style-type: none"> <li>• Little movement during month 4.</li> <li>• £3.7m shortfall identified in High Needs Block</li> <li>• Noted offset of costs for diabetes support from DSG – ongoing funding to be received from Health.</li> <li>• Noted expected increase in placements in the independent special school sector. A task and finish group is currently reviewing the core offer provided in these schools with a view to improving the commissioning process.</li> <li>• Noted expected increase in cost to the HNB linked to medical and mental health needs post-Covid.</li> <li>• Renewed focus on encouraging eligible families to register for Free School Meals, mindful of increase in benefits take-up during the Covid period.</li> <li>• Noted Autumn term funding for Early Years will be based on the January 2020 census, and not the January 2021 census as would normally be the case.</li> <li>• <b>Nursery Plus</b> – underspend identified. Some concern raised about the process for in-year recoupment. Heads highlighted that this was not planned for in Academy budgets. Understand SLA payments for 20/21 are planned to be reduced. £25k cap has been put in place, Finance assured that no setting will be disadvantaged.</li> <li>• <b>Recovery Plan</b> – currently deficit reserve forecasting £46.8m by March 2021. Discussed the planned process to pull together the information around the recovery plan as result of the SEN 100 Report, Task &amp; Finish Groups and DfE timeframes.</li> </ul> |
|---|

<b>Action</b>	<ul style="list-style-type: none"> <li>• <b>KH</b> to feed back concerns regarding process for in year recoupment of Nursery Plus funding.</li> <li>• <b>AF</b> to share anticipated timeframe of Recovery Plan</li> </ul>
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### 3. SEND / High Needs Update

- |  |
|--|
| <ul style="list-style-type: none"> <li>• <i>Declaration of interest noted from Andrew Davis, pertaining to discussion around DCC commissioning of placements in independent sector provision.</i></li> <li>• Still seeing some growth in independent sector placements due to lack of capacity in maintained special schools.</li> <li>• ASD and SEMH remain most prevalent needs.</li> <li>• Looking particularly at quality of provision and progression of children attending independent settings. There are concerns around the number of children becoming NEET after attending these schools.</li> <li>• Some issues particularly around two mainstream independent schools. One is seeking specialist designation and another is aggressively targeting the LA for specialist placements, with significant increases in fees. DfE have undertaken to investigate issues raised by the LA.</li> <li>• Noted proportion of children moving to independent specialist sector in years 8,9 and 10 which seems late in their education to have a specialist need identified. Felt this could be due to the change of environment from primary school to a larger secondary which can be difficult for a child to adapt to. Funding differential between maintained and independent special schools exacerbates the situation. Noted Tribunals consider fee level as a final part of the process.</li> <li>• F40 has written to the Secretary of State to highlight the inequity of the funding situation and the proportion of HNB that is spent on private independent provision.</li> </ul> |
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**Schools Finance Group:  
Notes of meeting on Wednesday 9 September 2020**

- Considered how Devon is a statistical outlier due to significantly higher number of EHCPs issued compared to other LAs. Noted planned analysis exercise to compare situation with other statistically similar authorities.

**High Needs Block Funding Policy**

- Draft policy document outlines the LA funding allocation processes for a range of SEN provisions.
- The group considered the reference to costs of adult supervision. Noted that schools have aimed to disaggregate EHCP funding being allocated to specific methods of delivery (e.g. 1:1 TA support). It was explained that the reference to staffing costs has been required through Tribunal to enable comparison of costs in maintained and independent sector.
- The policy will be available in the public domain for reference.

**ASD and SEMH Resource Bases**

- Schools will be asked to submit expressions of interest to develop further resource bases from next academic year at the latest. Confirmed that no capital will be available for this, but places in the resource bases would be funded.
- This will help to meet the additional need identified across the county.

**4. Growth fund**

- The group was reminded that predicted growth is normally calculated using October census data.
- SFG noted predicted position. Noted approximately 50% of spend is expected to be on new schools. £1.5m surplus currently identified.
- Discussed ringfencing of the growth fund. Noted that an underspend in growth fund may be used to offset any DSG deficit. Awaiting guidance from ESFA on expectations around recovery plan, and deployment of outstanding DSG surpluses.
- Heads requested that the growth fund is discussed at November DEF to consider whether it would be prudent to deploy surplus towards the High Needs Block deficit.

**Falling rolls**

- Noted that current criteria refer to 'Substantial disruption' – The group discussed how this should be quantified according to the growth fund criteria in terms of reduction of numbers of primary (5% or 10 pupils) and secondary pupils (10% or 20 pupils).
- Confirmed that the reduction would be across the whole school cohort rather than a specific class or year group.
- Agreed to model using October 2020 census in time for implementation from 2021/22 financial year. This would be helpful to highlight any unintended consequences, particularly for very small or rural schools.
- 

**Action**

- **AF** to request that DEF consider future use of growth fund surplus at November meeting.
- **KB** to model options for falling rolls funding criteria.

**5. Mutual Board and Appeals**

- SFG noted the substantial reduction in claims due to Covid position.
- Currently forecasting using the average of last 2 years' positions, but will await claims following the September return to school.

## Schools Finance Group: Notes of meeting on Wednesday 9 September 2020

- Agreed will need to consider appropriate options for addressing current fund surplus position, but agreed to continue to monitor situation for the time being.

### 6. SEND 100 Project

- Initial draft of the report had been shared with the group. 43 people were interviewed by Helen Molteno.
- The work was commissioned as a result of the current HNB shortfall, with funding agreed at January DEF to investigate proposals. DEF had rejected a request to transfer funding from Schools' Block to High Needs block without proposals for specific pieces of work aimed at mitigating the situation.
- The aim was to investigate how confidence can be increased in mainstream schools and families to enable SEN needs to be met without a request for statutory assessment.
- Key areas have been identified that could have a significant impact; including improved support for families, upskilling mainstream school staff and enabling increased specialist outreach support for schools, particularly for children with SEMH, ASC and attachment issues.
- Mindful that reduced funding and raised thresholds to other services have led to the expectation that an EHCP is key to accessing additional resources.
- A range of potential solutions were presented which could help mainstream schools to more effectively meet individual SEN needs and direct the focus away from seeking an EHC Assessment at an early stage.
- Noted links to other transformation and review programmes currently taking place within Devon.
- DCC has raised concerns about the continuing exponential rise in requests for assessment. Devon had at least double the number of requests for assessment during Covid period compared to other South West LAs. 158 requests were received during July, with 62 refused during August as inappropriate and lacking sufficient evidence.
- SFG considered the benefits of providing support for families at an earlier stage. It was noted that Covid arrangements had enabled many families to have access to more direct support and involvement with services.
- Understand that there is no direct correlation between the ceasing of funded non-statutory plans and the significant and continuing increase in new requests for assessment.
- Mindful of the long-term financial commitment of each EHCP issued, which can be in place until the learner is 25 years old.
- SFG agreed that clarity will be needed within the autumn funding consultation proposal for schools to agree 0.5% funding transfer towards these targeted solutions for the benefit of the wider school community and easing pressure on the HNB.
- The group agreed that the fundamental need is to reduce the number of EHC plans being issued, which then have knock-on implications for increased demand for specialist and independent provision. Helping schools to understand the cyclical nature of the challenge will be crucial to changing the culture of requesting EHC assessment to access additional funding within schools. It is hoped that confidence to meet needs in the mainstream school sector can be increased and will result in more effective management of the high needs funding shortfall.

**Schools Finance Group:  
Notes of meeting on Wednesday 9 September 2020**

<ul style="list-style-type: none"><li>SFG discussed whether to select specific proposal to consult on, or whether to canvas schools on their preferred solutions to take forward, which may be more time consuming in delivery of a positive outcome.</li></ul>	
<b>Action</b>	<b>AF</b> to establish a working group to agree the statement of the cyclical nature of the challenge, and shape specific proposal for the consultation paper. ADobson, JWarne, ADavis volunteered.

**7. Proposed Schedule of Future meetings**

<ul style="list-style-type: none"><li>Proposed schedule of meeting agreed as outlined below.</li><li>Noted July meeting to be retained to enable consistency of monitoring.</li></ul>
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**8. Any Other Business**

<p><b>Items for November DEF:</b></p> <ul style="list-style-type: none"><li>Growth Fund / falling rolls criteria</li><li>Mth 4/6 DSG position</li></ul>
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**Next meetings:**

Wednesday 4 November 2020 (9.15 – 12.45pm) – Teams Meeting  
Wednesday 6 January 2021 (9.15 – 12.45pm) – tbc - possibly Larkbeare Knightshayes  
Wednesday 3 March 2021 (9.15 – 12.45pm) – tbc – possibly Larkbeare Knightshayes  
Wednesday 26 May 2021 (09.15 – 12.00 – venue TBC)  
Wednesday 14 July 2021 (09.15 – 12.00 – venue TBC)  
Wednesday 8 September 2021 (09.15 – 16.00 – venue TBC)  
Wednesday 3 November 2021 (09.15 – 12.00 – venue TBC)  
Wednesday 5 January 2022 (09.15 – 12.00 – venue TBC)  
Wednesday 2 March 2022 (09.15 – 12.00 – venue TBC)



## **Schools Finance Group: Notes of meeting on Wednesday 4 November 2020**

### **Attendance**

#### **DCC**

Karlien Bond ( <b>apologies</b> )	Senior Accountant (Schools)
Adrian Fox (chair)	Head Accountant (Education & Learning)
Dawn Stabb	Head of Education & Learning
Heidi Watson-Jones (notes)	Service Support Officer (E&L)

#### **Devon Schools Leadership Services**

##### **Primary:**

Alun Dobson	Marwood Primary
Jamie Stone	Denbury Primary
Paul Walker	First Federation MAT

##### **Secondary:**

Sammy Crook	Tiverton Federation
Andrew Davis ( <b>apologies</b> )	Exmouth Community College
Lorraine Heath	Uffculme Academy
Rachel Shaw	Exeter Learning Academy Trust

#### **SENtient Heads**

Keith Bennett ( <b>apologies</b> )	Marland School
Sarah Pickering	Mill Water School

#### **DAG**

Faith Butler ( <b>apologies</b> )	Special School Governors
Malcolm Dobbins	Primary Governors
Alex Walmsley	Secondary Governors

#### **Early Years Providers**

Dianne Roberts ( <b>part</b> )	Early Years / PVI providers
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#### **Other DCC Officers**

Julia Foster	Senior Manager SEND
Katrina Harverson	Senior Accountant (Education)
Ancilla McKenna	Accountant (Education & Learning)
Matthew Thorpe	Finance Manager - Children's Services

## Schools Finance Group: Notes of meeting on Wednesday 4 November 2020

### 1. Minutes of Previous Meeting – 9 September 2020

- Nursery Plus funding – KH has discussed concerns around timing of recoupment in specific academies with Val Smith and Sam Chapman.
- **AF** to share anticipated timeframe of Recovery Plan.
- **AF/ KB** to provide modelled options for falling rolls funding criteria. (to be brought to January SFG)
- Minutes agreed as an accurate record.

### 2. DSG Month 6 Report

- DSG overspend of £27.8m forecast at month 6
- Approved deficit for DSG High Needs Block has increased to £47.7m – linked to recognised lack of Devon Special School placements and increasing demand for EHC assessment. DfE looking at national picture, however SFG noted that Devon appears to be an outlier both in terms of size of deficit and as a percentage of total DSG. Mindful of timelag in national data reporting.
- £5.1m in-year overspend currently identified in High Needs Block.
- The group considered the price and demand variances in placements in independent special schools, with an additional 14 placements made since month 5.
- Noted 81 learners are aged over 18 – SEN team is looking to ensure that expectations around delivery of their EHCPs continue to be met.
- **Plus Packages** – SFG noted the increase in use of Plus Packages. The group requested a report at the next meeting to provide context around the use of these packages, which are intended as a cost saving measure. Noted that the newly published SEND High Needs Block Policy will provide some clarity. A moderation process is to be established to ensure the appropriate issue of Plus Packages.
- The group discussed the DSG Deficit Recovery Plan. Noted Devon is in discussion with other local authorities to learn about their successful strategies in managing the HNB. A key finding to their success has been greater confidence in parents and schools that a child's SEN needs can be met earlier with wrap around support from other agencies before it is deemed that an EHCP is necessary.
- Devon SEN is carrying a significant volume of NEETs still registered with EHCPs (10% in compared to 2% nationally). SEN team is reviewing data and ceasing plans where appropriate to ensure a more accurate reflection of the number of active EHCPs.
- **Covid Impact** – Recognised potential additional cost pressures linked to mental health needs.
- SFG wished to highlight the significant additional costs linked to Covid, e.g. cleaning, loss of income from lettings, additional capital costs. It was noted that additional funds were made available by DfE during Summer, but accessing these funds was not straightforward, and to date there has been no notification about additional support for ongoing pressures. Dawn Stabb confirmed that these concerns have been escalated to DfE.
- Noted variance in budget figures particularly for AP – which is reduced due to recoupment of planned places, and for maintained special schools, which has increased following the allocation of year end carry forward balances.

#### Action

- **JF** to provide a report on Plus Packages to January SFG meeting.



## Schools Finance Group: Notes of meeting on Wednesday 4 November 2020

### 3. SEND / High Needs Update

- Noted ongoing work in looking at learners in post-19 provision, with a view to ceasing EHCPs where appropriate and working with Adult Social Care to ensure that there is a suitable handover to adult services.
- Looking at what the post-19 providers offer, and moderating appropriate fee levels are in place.
- SFG noted the increasing movement of SEN learners out of mainstream schools directly to the independent sector.
- Approximately 10 expressions of interest have been received from mainstream schools to establish a specialist resource base from September 2021, particularly in SEMH.
- A new SEMH special school is being planned in Okehampton – to cover key stages 1-4, hopefully for a September 2022 opening.
- Widening use of Plus Packages is being looked at more closely by the SEN team.
- Transparency around allocation of SEN top up funding and Plus Packages has been clarified through the SEN High Needs Block policy – support from DSLS was requested to ensure that school staff understand the context and process.
- High Needs Task Group continues to look at learners placed at each independent provider and is moderating the core offer against the needs specified in each learner's EHCP.
- A number of providers have seen a significant increase in placements over last 12 months – the task group will aim to identify if a maintained special school would have been able to meet those needs, had a place been available.
- The task group will meet with providers to consider cost bandings and other options e.g. Outreach support.
- DCC has liaised with Leicestershire, Cornwall and Cheshire to compare their HNB situation. Overwhelming feedback is that the levels of confidence in parents and schools that needs can be met is supported through timely responses for support by health and social care alongside schools.
- Heads explained that use of notional SEN funding in Universal provision varies widely depending on the needs of the cohort of learners and how their needs are addressed – some schools are seeing much higher numbers of EHCPs, whereas others have very few. This results in a variety of Universal offer from school to school. SFG requested that further analysis is carried out in this issue.

#### Action:

- **DSLS** to assist in the promotion of the High Needs Block policy to aid understanding in schools of the SEN funding methodology.

### 4. Mutual Board and Appeals

- Month 6 position showing year-end balance of £590k. This includes potential rebates of £170k.
- Considered additional claims that may still be submitted re Covid-related absence, but mindful that overall claims seem to have reduced.
- Position to be reviewed at January SFG to agree premium rates for 2021-22.
- Noted issues arising now that Shielding is no longer in place for extremely or critically vulnerable staff.
- Heads suggested there may be a need to explore flexibility to cover the provision of classroom cover for staff working from home while isolating or

## Schools Finance Group: Notes of meeting on Wednesday 4 November 2020

'shielding'. **AF** to review the policy to clarify revised situation during second lockdown.

- Considered the 14-day Covid-isolation period (which outstrips the 10 day buffer for mutual fund claims)
- Considered staff absence due to care for children required to isolate, and links to school-based absence policies.

### Action

- **AF** to review the mutual fund policy to clarify revised situation during second lockdown.

## 5. Schools Funding Consultation responses

- The Local Authority continues to set a local schools funding formula – a 'soft' National Funding Formula (NFF)
- The timing of the introduction of the Hard NFF – nationally determined allocations direct to schools – is still to be determined.
- Noted additional schools funding allocated nationally between 2020 – 2022.

### Increased funding factor values

- Devon has moved to NFF rates to attempt to bring school funding levels in line with the expected hard NFF as soon as possible.
- Additional funding factors in place to cover teacher's pay and pension employer contribution grants previously allocated separately. Additional £19.1m expected based on Oct 2019 census data.

### Consultation 2021-22

- Schools' Funding Consultation ran between 1<sup>st</sup> – 18<sup>th</sup> October with 149 representatives from 114 schools attending consultation events.
- 99 schools submitted a response (27% of all schools). This was down from 116 responses in 2019 and 155 responses in 2018.

### Minimum Funding Guarantee

- **Proposal: Set the Minimum Funding Guarantee to plus 2% with the option to review in December**
- MFG factors and proposed rate to be reviewed at January SFG to confirm affordability following notification of December funding settlement. **75% of responses agreed to proposal**
- SFG noted that an increase in entitlement to Free School Meals is anticipated to lead to a shift in funding level.

### Top slice funding for Phase Associations

- **Proposal: Top slice funding for the Phase Associations (Devon SLS and DAG)**
- Central Schools Service Block, which included Phase Association funding, has been reduced year on year, in line with DfE policy. Termination of Employment costs continue to be covered, however the DfE no longer recognises other historic commitments.
- £223k will need to be topsliced to ensure that maintained and academy schools fund and benefit from this function. **79% of responses agreed to proposal.**

### One-year adjustment to Basic Entitlement (AWPU)

- **Proposal: One-year adjustment to the Basic Entitlement (AWPU) if funding received above that of NFF allocation.**

## Schools Finance Group: Notes of meeting on Wednesday 4 November 2020

- £1.4m remains unallocated following allocation of funding to all schools through NFF factors. One-year adjustment is proposed to basic entitlement (AWPU) where schools are receiving funding above the NFF allocation. **78% of responses agreed to proposal.**
- Noted that a number of schools had voted against all of the above proposals.

### **Movement between Blocks**

- One-year 0.5% transfer was proposed from the Schools Block to the High Needs Block to support SEND outreach interventions to alleviate pressure in High Needs Block, as identified in 'SEND 100' report, commissioned by DEF.
- £10.2m additional high needs funding was allocated for Devon (£1.2m relating to teachers pay and pensions grants). However, this remains insufficient to meet demand in Devon.

### **Consultation Questions:**

1. **Do you agree to the unallocated £1.4 million funding part fund the movement between blocks;**
  2. **That the balance of £740,000 come from an AWPU contribution or by capping and scaling the large increases some had seen;**
  3. **If they disagreed to either or both the above, should the funding remain or go to schools (and explain)**
- **59% responses rejected proposal to £1.4m movement between blocks,**
  - **Consultation Question: How to fund 0.5% transfer balance (£740k) from Schools Block to High Needs Block**
    - **Option 1** – contribution from basic entitlement (AWPU)
    - **Option 2** – Capping at 2% and Scaling of 23.48%
    - **Option 3** – Capping at 3.74% and Scaling at 100%
  - **43% of schools responding wished to transfer funds with the preferred option being to cap increases to 3.74%. Whilst the remaining 57 schools did not want to see their NFF allocation reduced or capped.**
  - SEND 100 report findings were shared with schools during the consultation.
  - SFG discussed the possible transfer of surplus growth funding; it was confirmed that this arrangement would need to be administered as an adjustment during the year end process, and not a transfer.
  - SFG acknowledged that the transfer of funding between blocks remains a Schools Forum decision, but the LA would be permitted to disapply a decision to sec of state should a transfer not be approved. SFG acknowledged that disapplication would be an LA decision but cautioned against such action.

### **SEND 100**

- As the SEND 100 project was originally commissioned by DEF, SFG requested that a further discussion takes place at next DEF meeting to include the report findings. **DS** undertook to provide additional clarity on the intended outcomes and the costed proposals of the SEND 100 project.
- Concerns were raised about the cost saving potential of some elements within the SEND 100 financial model, but it was acknowledged that some options presented potential for very good value for money.
- The group discussed concerns that had been raised around the inclusion of the SEND100 report in the consultation process which it was felt could have been interpreted as an endorsement of the report findings, rather than sharing proposed options as a possible future course of action.
- SFG were concerned that recommendations made in the paper were not in line with the majority of consultation responses from schools. The group

## Schools Finance Group: Notes of meeting on Wednesday 4 November 2020

was reminded that only 27% of schools did respond, the decision would rest with Schools Forum on how to proceed, and that DEF and the LA must attempt to proceed in the most appropriate way to ameliorate the wider high needs funding situation as part of the DSG.

- Heads and Governors remained resolute that schools representation in this discussion should mirror the responses given during consultation.
- SFG discussed the requirement to submit school level (rather than MAT level) responses to the consultation, and felt this may have affected the response rate. AF explained that the requirement for each school to respond separately was in response to previous school feedback indicating that the individual school voice could be suppressed when a single MAT response is submitted on behalf of a number of schools.
- PW explained that ten identical responses had been submitted on behalf of First Federation schools, which was time consuming and unhelpful. This did not change the level of responses as in previous years a MAT could respond in totality on one form resulting in the LA having to undertake lengthy process of splitting out the data. Responses only down 17 schools from last year.
- Considered the impact on different types of schools on the different options presented in the consultation.
- SFG noted that approximately £30k has been spent to date on the SEND 100 research project. Up to £100k had been approved for completion of the work.
- **Growth Fund** – Heads requested a separate discussion at SFG or DEF to consider options for allocation of the growth fund surplus, possibly towards intervention projects as outlined in SEND 100 report. AF clarified that this was not part of the consultation process; this would be a Schools' Forum decision, linked to the consideration of wider funding issues.
- The current financial year's growth allocations have not yet been made and adjustments will be made prior to the year end.
- Any agreed re-allocation of Growth fund would need to be actioned as a year-end adjustment and not a movement of funds across blocks.

### Delegation and De-Delegation

- Most maintained schools responding to the consultation agreed to continue to de-delegate funding to commission services.
- Noted that ongoing mechanism for de-delegation following the introduction of the hard national funding formula is unclear.

### Centrally Retained Services

- **School Admissions** – 89% of schools responding agreed to maintain funding for this service at £5.28 per pupil.
- **Emotional, Psychological and Social Wellbeing Services** – 81% of school responses were in favour of continuing to contribute £60k to this programme.
- **Phase Associations** – 83% of school responses were in favour of continued funding of the phase associations, with 52% wishing to continue with a one-year agreement.

### Recommendations to DEF:

Following discussion, SFG endorsed the proposals for Schools Forum consideration:

- i. Set the MFG at plus 2% reducing to plus 0.5% depending on affordability
- ii. Top slice Phase Association funding prior to individual school budget allocation
- iii. One-year adjustment to Basic Entitlement (AWPU) for all pupils if funding permits.

## Schools Finance Group: Notes of meeting on Wednesday 4 November 2020

*Note that the final funding rates may change subject to affordability when the October 2020 pupil data and Schools Block DSG settlement is confirmed in late December 2020.*

### **In line with consultation responses, SFG recommended:**

- iv. that the £1.4m unallocated DSG funding, is not transferred for 2021-22 to the High Needs Block to undertake actions identified by the SEND 100 Report Findings.  
**SFG did however recommend that DEF consider the proposals of the SEND 100 project and consider possible funding options, prior to any vote.**
- v. Not to transfer the additional funding through one of the options proposed in the consultation.
- vi. consideration of the allocation of growth funding as part of the 2020-21 year end process.
- vii. SFG to advise the Maintained schools representatives of Schools Forum to decide, phase by phase, the delegation or de-delegation of the services listed in Section 3.4 and APPENDIX C.
- viii. to retain the funding centrally at the same level per pupil as 2019-20 for Schools Admissions Service.
- ix. to continue to give £60,000 for the Emotional, Psychological and Social Wellbeing Service.
- x. to top slice £223,000 from the Schools Block to fund the Phase Association (Devon SLS and DAG) for one year.

### **Action:**

- SEND 100 discussion report, to include costed proposals, to be considered at DEF. **DS**

## **6. Any Other Business**

- Noted that Public Consultation for the recommissioning of the Learner Services to Schools contract has been launched on 4 November.

### **Items for November DEF:**

- SEND 100 Project
- Month 6 DSG report
- Schools Funding Consultation 2021-2022 responses
- Action taken by DCC to support additional Covid costs funding for schools – requested by DAG.

### **Next meetings:**

Wednesday 6 January 2021 (9.15 – 12.45pm) – tbc  
Wednesday 3 March 2021 (9.15 – 12.45pm) – tbc  
Wednesday 26 May 2021 (09.15 – 12.00 – venue TBC)  
Wednesday 14 July 2021 (09.15 – 12.00 – venue TBC)  
Wednesday 8 September 2021 (09.15 – 16.00 – venue TBC)  
Wednesday 3 November 2021 (09.15 – 12.00 – venue TBC)  
Wednesday 5 January 2022 (09.15 – 12.00 – venue TBC)  
Wednesday 2 March 2022 (09.15 – 12.00 – venue TBC)



## Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 22 September 2020

### Attendance

#### DCC

Neil Pateman (chair)	Built Environments Capital Programme Manager
Andrew Brent	Policy Officer
Fran Butler ( <b>Apologies</b> )	Early Years – Childcare Sufficiency Lead
Christine McNeil ( <b>Apologies</b> )	School Organisation Policy Manager
Heidi Watson-Jones (notes)	Service Support Officer (E&L)

#### Devon Schools Leadership Support Services

##### Primary

Colin Butler	Otter Valley Federation
Penny Hammett	FORT Federation

##### Secondary

Daryll Chapman	Dartmoor Multi Academy Trust
Rob Haring ( <b>Apologies</b> )	Ivybridge Community College

##### SENTient Heads

Sam Barham ( <b>Apologies</b> )	Lampard Community School
Cherie White ( <b>Apologies</b> )	Pathfield School

##### DAG

Ian Rogers

##### Diocesan Representatives

Tbc	Plymouth CAST
Christina Mabin	Exeter Anglican Diocese (Admissions)
Richard Power	Exeter Anglican Diocese (Capital)

##### Union Representative

Nigel Williams	Corporate Forum (Education) NASUWT
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##### In Attendance

Simon Niles	Schools Planning and Admissions Managers
Nigel Coleman ( <b>part</b> )	NPS

## Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 22 September 2020

### 1. Minutes of Previous Meeting – 3 March 2020

- **Early Years Pupil Premium (EYPP)** in settings and impact on outcomes – **FB** to provide update for group.
- NC confirmed that there are difficulties in providing trend data on maintenance checks due to changes in DAMA which does not require academies to report on the checks that they are undertaking. DCC holds no responsibility.
- Minutes agreed as an accurate version.

#### **ACTION:**

- **FB** to provide update for the group on the use of EYPP in Early Years settings

### 2. School Admissions Code Consultation

- Noted DfE consultation on changes to the Code. Proposed changes are not extensive, and some are positive:
- Decisions on in-year admissions would in future need to be made within 10 days and the parent notified. This could be within LA coordinated scheme or direct from the own admissions authority school.
- Fair Access Protocol amended to emphasise its use as a safety net for vulnerable children to access a local school place. Some concern around a requirement that children are out of school for 4-weeks before being included, the LA to consider how this could function through the coordinated scheme or FAP to ensure children are not out of school for that length of time.
- Amendments to provision for children in care, and Forces children.
- Devon template for individual school policies has already been amended to reflect the proposed changes.
- Noted use of nodal points (most useful in urban areas) which acknowledge difficulties in use of straight-line distances (e.g. addresses near a river /estuary)
- LA will prepare a response to the consultation, to be shared in due course.
- Transport policy – no major changes anticipated.
- Report noted.

### 3. Proposed Admission Arrangements

- As a mandatory requirement under the Code, admission arrangements must be published on Own Admission Authority School and Trust websites when determined, and be the same version as confirmed to the LA and then published on the DCC Sharepoint site.
- Faith schools to submit their arrangements for 2022 to the Diocese for consultation by 1 October.
- Noted the timetable for consultation and formal determination (minuted at a formal meeting of the governing body) of admissions arrangements prior to publishing on school and Trust websites.
- Report noted.

#### **ACTION:**

- **DSLS** requested to remind schools of the requirement to publish admission arrangements on websites, and relevant timescales.
- **DSLS** requested to remind schools to check their catchment areas via: [www.devon.gov.uk/schoolareamaps](http://www.devon.gov.uk/schoolareamaps)

### 4. LA Annual Admissions Report 2020

- LA report has been submitted to Schools Adjudicator and is available to view at <http://devon.cc/annualreports>
- Any areas of particular interest to be forwarded to Andrew Brent to include in the next annual report.
- Report noted.



## Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 22 September 2020

### 4. Fair Access Protocol

- Thanks extended to the working group who have considered Devon's Fair Access Protocol.
- Mindful that proposed changes will require a further review by the working group. **AB** to arrange for the group to meet again.
- Will need to consider membership of and facilitation of virtual Fair Access Panels via Teams.
- Discussed concerns that proposed changes indicate potentially having to wait until children have been out of school for 4 weeks before FAP is instigated (for one of the new eligibility criteria). Will need to consider how this could be managed within the In-Year Coordinated Admissions scheme, rather than FAP, however this solution would not have same statutory status. DCC to work with schools for consensus and buy-in from all schools to commit to enabling children to be educated within their local communities, and to welcome additional children into their school through in-year admissions.
- Report noted

#### **ACTION:**

- **AB** to reconvene FAP working group to consider revisions required following proposals in Admissions Code consultation.
- **DSLS and DAG** to separately encourage discussions amongst school leaders and governors around the 4-week timeframe for children being out of school prior to Fair Access Protocol being instigated, and the commitment of schools to sign up to robust commitment to In Year Coordinated Admissions Scheme.

### 5. Covid-19 and Admissions

- Thanks extended by the Admissions team to all schools who supported processes during lockdown period to ensure continuing provision.
- Noted that DCC, through the admissions team, operated a business as usual approach as far as possible, compared to some other LAs; with normal admissions rounds unaffected.
- **Fair Access Protocol policy revision** achieved.
- **School Admissions Appeals** have been restarted with virtual meetings, which has been a positive development for many families. This is expected to continue until at least January 2021 and will look into how this could continue beyond that date in some circumstances.
- **Selective testing** has been affected, with in-year variations requested by grammar schools. Parents have been unable to select their preferences before the test results are known therefore an additional, 4<sup>th</sup> preference option has been available for families to select. Families had been advised to include a non-selective school within their preferences.
- SOCA considered the unforeseen consequences on a secondary school pupil profile where parents are choosing non-selective, local schools quite low down in their preferences. DCC however felt that children who have done well in the delayed selective tests will continue to be admitted to grammar schools, as would normally be the case, with limited impact on the non-selective schools.
- Impact on the 4<sup>th</sup> preference will be monitored and will be reported to SOCA in due course. Expecting increase in appeals for rejected applications for grammar schools this year.

## Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 22 September 2020

- **Faith Priority** based on church attendance has also been affected by lockdown, as churches have been closed. Exeter Diocese have agreed a form of words for a variation request for relevant schools for 2021 intake.
- **All future policies** are to be 'Pandemic-proofed' as far as possible to mitigate ongoing impact of Covid-19 on processes.
- **Children in Care applications** – mindful that there has been an increase in Devon children coming into care, notably due to the response to a negative ILACs inspection and the Covid response to increased number of children moving through the child protection system. Number of applications reduced in March-June but a significant increase towards the end of the summer holidays.
- Report noted.

### 6. Composite Prospectus

- DCC to publish by 12 September.
- Step by Step booklet has been updated.
- Individual school information to be checked and updated online by all schools.
- Report noted.

#### **ACTION:**

- **DSLS** requested to remind schools to check and update their local school information is accurate.

### 6. Review of Admissions round 2020

- 92.57% of parents were allocated their highest preference, and 97.41% allocated a place in one of their preferred schools. Only 193 children were not offered a place at any preferred school.
- Children who have not made an application are not offered places in the first admissions round, and will be considered during the second round. Thanks to schools in encouraging families to submit their applications in good time.
- Admissions data noted.
- Considered out of county placements (e.g. grammar school places in Torbay and proximity of Plymouth schools)
- Considered the variety of reasons for increase in number of secondary vacancies. Noted that increased capacity is being facilitated in areas of particular growth. Primary demographic burst is now working through the secondary system, with additional surplus capacity becoming more apparent.
- Noted reluctance of schools to formally reduce school place capacity and PAN.
- Report noted.

### 6. Early Years Update

- Paper had been circulated to the group.
- SOCA members to contact [fran.butler@devon.gov.uk](mailto:fran.butler@devon.gov.uk) if there are any queries.

### 7. School Organisation Update

#### **Covid Update**

- DCC involved in daily calls with Regional Schools Commissioner re. levels of pupil attendance.
- Devon schools have worked well to enable learners to be welcomed back to school – Approximately 89% Devon children back in (normally approx. 96%) which is in line with national picture.

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- Data from DfE currently showing children with a statutory plan – 89% children with Social Worker 86%. Schools encouraged to continue to submit daily attendance data.
- DCC checking in with schools with low attendance, especially for children with EHCPs, and vulnerable children known to social care.
- Ongoing with issues with testing, and attendance of symptomatic children / bubbles isolating. Schools liaising with PHE where appropriate.
- Local Learning Communities have been re-established and are worked well as a communication conduit between schools, DCC central services and DfE messages during Covid.
- DCC keen for the LLC support to continue to be available with named DCC and Babcock officers allocated to each LLC.

### School Organisation

- *Colin Butler declared an interest pertaining to this item.*
- SOCA noted the emerging plan to deliver 300 new Special School places through corporate capital investment.
- New special school is currently being planned in Okehampton. Noted planning process delayed due to statutory objection. Approval for funding to be considered at October Cabinet. Potential opening as early as Sept 22 or Sept 23 at the latest.
- Noted the Okehampton site was available to DCC, and is well positioned to support learners with special needs within an acceptable travelling distance.
- Noted the potential purchase of a site in Bideford to provide additional SEMH provision. Additional capacity in a number of other maintained special schools being developed.
- New Glendinning special school has now opened in temporary accommodation, with move to permanent buildings planned before Christmas.
- Thanks to DCC capital teams for their support in these projects.
- SOCA noted status of new school developments across the county.
- Noted possible issues linked to granting of planning permission for the new Tipton St John build, and wider implications of the withdrawal of District planning authorities from the Greater Exeter Strategic Plan.
- New Planning White Paper to define national infrastructure parameters.

### Viability of Small primary schools (less than 50)

- SOCA discussed. Financially, schools with very small numbers appear sustainable due to level of lump sum funding, which is not apparent in other types of school.
- Monitoring list of all small schools to be discussed at next meeting.

### ACTION:

- **DSLS** asked to reinforce message to schools through newsletter to continue to submit daily attendance data to DfE during ongoing pandemic.
- Small schools monitoring to be considered at next SOCA meeting. **SN**

## 8. NPS Update

- Devon Maintenance Partnership dashboard – June, July & August was a difficult period, but 92.2% compliance was achieved. Expecting October report to reflect a catch up in out-of-tolerance areas which could not be checked earlier due to access issues.
- Noted that there have been issues arising from schools reluctant to provide access to visiting contractors during the school day. HSE has been clear that compliance and statutory maintenance testing continue. Schools are

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encouraged to facilitate access requests to enable this work to be undertaken.

- Noted additional safety measures being put in place by contractors who have committed to giving as much notice as possible.
- Report noted.

### **ACTION:**

- **DSLS** asked to encourage schools to facilitate access to school premises for compliance and statutory testing.

### **4. Capital Programme Update**

- Challenges in delivering capital programme during Covid-19 noted.
- Contractors on the whole were able to continue to work, but some sites were closed resulting in project delay. Most contractors have been locally based.
- 27 schemes (over £3m value) have been completed over the summer.
- Two schemes deferred to Summer 2021 due to risks associated with Pandemic.
- Additional Capital Funding allocation of £2.1m was announced in July for school maintenance, which will enable some schemes to be brought forward in the programme. Approx. £500k has been made available to Exeter Diocese for VA scheme.
- Noted that academy maintenance allocations, through formula, will also have been increased.
- Noted new Priority Schools Building Programme (round 3) expected – details still to be announced. Noted current investigation by DfE on specific school building types.
- DfE currently looking at net capacity methodology with a view to simplifying, and aligning net capacity with building bulletin guidance. Expecting this will involve a national survey programme. Understand there are some issues nationally around lack of data on Academy schools.
- Update noted.

### **Future meeting dates:**

- **Tuesday 1 December 2020** (9.30 – 11.30) – Teams Meeting
- **Tuesday 2 March 2021** (9.30 – 11.30) – venue TBC
- **Tuesday 25 May 2021** (9.30 – 11.30) – venue TBC
- **Tuesday 21 September 2021** (9.30 – 11.30) – venue TBC
- **Tuesday 7 December 2021** (9.30 – 11.30) – venue TBC
- **Tuesday 1 March 2022** (9.30 – 11.30) – venue TBC