

DEVON EDUCATION FORUM

16 June 2021

Present:-

Schools Members

Primary Headteachers

Mr A Dobson	Marwood Primary
Mr J Stone	Denbury Primary
Ms R Shaw	Exeter Learning Academy Trust (Academy)
Mr P Walker	First Federation Trust (Academy)

Primary Governors

Mr M Dobbins	Exmouth Marpool Primary
Mr A Hines	Rydon Primary (Education SW Trust)(Academy)

Secondary Headteachers

Mrs S Crook	Federation of Tiverton Schools
Mr A Davis	Exmouth CC (Academy)(substitute member)
Mr G Hill	Ventrus Multi Academy Trust
Ms M Marder	The Ted Wragg Multi Academy Trust (Academy)

Secondary Governors

Ms J Elson	Exmouth CC (Academy)
Mrs J Larcombe	Uffculme Academy Trust (Academy)
Mr A Walmsley	The Ted Wragg Multi Academy Trust (Academy)

Nursery School

Mrs S Baker	Westexe
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Special Headteacher

Mrs J Warne	Learn to Live Federation
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Special Governor

Mrs F Butler	Marland School (Chair)
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Alternative Provision

Mr R Gasson	WAVE Multi Academy Trust
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Non-Schools Members

Mr B Blythe	PETROC
Mr M Gurney	Teachers Consultative Committee

Observer

Councillor A Leadbetter	Cabinet Member – Children’s Services and Schools Services
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Apologies

Ms S Barreto
Ms S Lockwood

RC Diocesan Schools, Plymouth
Exeter Diocesan Board of Education

1 **Minutes**

DECISION:

That the minutes of the meeting held on 17 March 2021 be signed as a correct record.

2 **Standards Committee Monitoring**

The Chair welcomed Mrs Saltmarsh to the meeting, attending in accordance with the County Council's Standards Committee's monitoring of meetings role.

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

(There were no matters raised.)

4 **Membership**

DISCUSSION:

(a) The Chair welcomed Councillor Andrew Leadbetter, recently appointed as Cabinet Member – Children's Services & Schools Services and serving as a Formal Observer on this Forum (replacing Councillor James McInnes);

(b) The Chair thanked on behalf of the Forum, the following members for their service and commitment as they were stepping down from the Forum by 31.8.21. There was particular appreciation of the long service of Mr Dobbins and Mrs Warne:-

(i) Mr Malcolm Dobbins – primary maintained governor

(ii) Mrs Jacqui Warne – special school headteacher

(iii) Ms Moira Marder – secondary academy headteacher

(note: other membership change Mr Jan Stokes – primary maintained governor had resigned (May 2021)).

DECISION:

That the Forum formally place on record their appreciation to retiring members Mr Dobbins, Mrs Warne and Ms Marder.

ACTION:

County Solicitor (Fiona Rutley)

5 **SEND Transformation Update**

DISCUSSION:

The Head of Education & Learning gave a progress update on the SEND Transformation draft proposals for a SEND graduated support offer, following consultation with children and young people with SEND and their families, as well as professionals across education, health and social care, in which there was overwhelming support for the proposed model in which children and young people with SEND and their families are at the centre.

This aimed to provide two levels of SEND support, bringing together education, health, and social care into SEND Support Hubs providing first SEND support (includes non-statutory services); and SEND Locality Partnerships providing further SEND support (includes statutory services).

The draft proposals would be presented to the SEND Improvement Board and the SEND Transformation Steering Group, then through education, children's social care, adult's social care and health leadership teams. After the next phase of implementation final recommendations would be presented to Devon Children and Families Partnership Executive for agreement.

The Forum's 16-19 representative further offered his and FE sector support within the process.

6 **Finance Update**

DISCUSSION:

The Forum considered the report of the Chief Officer for Children's Services and County Treasurer (DEF/21/07) regarding the Dedicated Schools Grant (DSG) and schools funding outturn report 2020/21.

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 26 May 2021.

In summary:-

-the draft outturn position for the Dedicated Schools Grant (DSG) was an overspend of £22.5m (comprising individual school balances of £21.1m, ringfenced balances of £5.4m and cumulative DSG Deficit of just under £49m;

-although this was an improvement of £740,000 from month 11 position the continued demand on High Needs and the growing demand on SEN placements within the independent sector continued to drive the pressure which remained extremely concerning;

-the overspend on the High Needs Block was expected to be £22.8m at the start of the year but had worsened by £6.8m in year to an overspend of £29.6m; and

-in line with government requirements the DSG Deficit balance of £49m would be transferred to a DSG adjustment account.

Members comments included:-

-in respect of the report summary (above) and table 2 (High Needs 2020/21 summary), a simplified way to assist Members to quickly identify, track and understand changes in the deficit and funding gap, with a separate accounting line was requested;

-that Members wanted to be alerted to any savings in key areas where they would not necessarily wish to see savings/change to service (eg paragraph 5.11 of the Report: SEN Therapies – Multi-Sensory Impairment (MSI) where the contract 2020/21 had temporarily come back in house to DCC and support commissioned from Babcock had seen a genuine saving rather than any reduction in service; and paragraph 6.1 of the Report: the Early Years Disability Access Fund;

-clarification of figures and how they were presented re: paragraphs 5.22 and 5.23, independent special schools £2.5m overspend;

-a detailed breakdown of the Alternative Provision (AP) £533,000 underspend was requested by the AP representative;

-two academy Members expressed their dissatisfaction at a recent letter sent by the County Council to its staff directly employed within maintained schools advising that a token honorarium would be made in recognition of their work carried out during the pandemic. They suggested that this was divisive as it did not include all the Devon schools family. They had written to the Council's Chief Executive and now sought an assurance (a) that this was to be funded directly by the County Council and not from any education/DSG budget and (b) that the LA did not appreciate maintained staff over academy staff. The Head of Education & Learning stated that the Chief Executive would be sending a formal response, however she confirmed that this token was being

made as the employer of maintained school staff from its own funds. She personally absolutely appreciated the phenomenal response of all the Devon schools family during the pandemic which had been recognised nationally also.

DECISION:

(a) that the DSG Draft Outturn position (subject to Statement of Accounts sign off) as set out in sections 1-6 of Report (DEF/21/07);

(b) that the surplus budget carry forwards for Schools, de-delegated, central school services and High needs as set out in Section 7, table 3 be noted;

(c) that the Early Years surplus carry forwards as set out in Section 7, table 3 be approved; **(Vote: Schools, Academies and PVI members)**

Table 3: Surplus budget carry forward requests

Budget Line	Amount £'000	Notes
Growth Fund	182	Rolled forward 2020/21 underspend to fund ongoing growth fund
	1,544	Rolled forward to fund SEND 100 projects (DEF/21/04 minute 183, 20 Jan 2021)
Total Schools	1,726	
Maternity	556	Rolled forward 2020/21 underspend to fund ongoing maternity cover
Schools and DSG Contingency	2,300	Rolled forward to fund contingency agreements in 2020/21 onwards
Invest to save projects	78	Rolled forward for payments linked to projects in 2020/21
Facilitation and representation	(7)	Rolled forward overspend to be funded from 2021/22
Total School De-delegated	2,927	
Phase Associations – Devon SLS	55	Rolled forward to fund phase association agreements in 2021/22 onwards
Phase Associations – Schools Forum	5	Rolled forward to fund Schools Forum arrangements in 2021/22
Other DSG Services	28	Money Following Excluded Pupil (MFEP) rolled forward to 2021/22
Total Central School Services	88	
SEND 100	70	Project support funding for SEN 100 in 2021/22 (DEF/21/06 minute 194, 17 Mar 2021)
Total High Needs	70	
Early Years	300	Disability Access Fund
Early Years	116	Rolled forward 2019/20 underspend to review one-off Summer Term financial support

Early Years Other Early Years Grants	215	PVI Pupil Premium and Teachers Pay Grant arrangements in 2020/21
Total Early Years	631	
Total Carry forward requested	5,442	

(d) that the Individual School Balances carry forwards as set out in Section 7, table 4 be noted;

(e) that the DSG Deficit Reserve transfer as set out in Section 7, table 5 be noted;

(f) that a detailed breakdown of the Alternative Provision (AP) £533,000 underspend be provided to the AP representative; and

(g) that Officers follow up on other Members comments raised above.

ACTION:

County Treasurer (Adrian Fox)

7 DSG Management Action Plan Meeting with DfE

DISCUSSION:

Members were advised of the DSG Management Action Plan meeting with the DfE held on 9 June 2021, between senior DCC Officers, Education and Skills Funding Agency (ESFA) and a DfE SEND adviser. Following meetings ESFA had held with other LAs they had now changed their process for meeting with LAs and submission of the management plan.

The meeting on 9 June was informal covering a wide range of challenging and searching scrutiny. Devon was required to submit its management plan within 6-8 weeks, to be followed up by formal meetings. This was a separate process to any discussion with DfE regarding a 'safety valve' agreement (additional central government funding).

The 9 June meeting covered information and figures that DEF members had previously received. DCC Officers also raised issues around equitability, funding deprivation factors, increase in number and complexity of EHCPs and the outstanding review of HNB consultation.

At this stage ESFA had not challenged Devon's draft plan, monitoring or its timescales but this could come within the formal meeting process.

In response to Members questions:-

-the plan was required to be in place before there could be any discussion regarding a safety valve; and

- it was noted that Officers were analysing individual EHCP cases in relation to need within the maintained/independent sector, but that this could be further refined to help predict trajectories.

ACTION:

Head of Education & Learning (Dawn Stabb – EHCP further analysis)

8 Standing (and other) Groups

The Forum received the following from its standing and other groups:-

(a) Standing Groups

(i) Schools' Finance Group (SFG)

Minutes of the meeting held on 26 May 2021 (considered under Finance Update minute above)

DISCUSSION:

In light of earlier discussions at today's Forum meeting regarding monitoring and scrutiny of the DSG Management Action Plan, Members wished to review SFG's terms of reference, noting that Forum groups were advisory without delegated powers with decisions to be taken by the whole Forum. One aim was to limit any unnecessary duplication, whilst balancing the need for, information and debate at both SFG and Forum meetings.*

Members also queried an action point within the SFG minutes (note 4, bullet 3) which stated: "DEF to consider need for a named accountable person for the SEND 100 project outcomes." The Head of Education & Learning and Alternative Provision Member advised that the project lead was now in post, who was accountable for the progress of the SEND 100 project. However accountability for the financial performance of the DSG management plan would be set out within the governance tab of the plan when finalised.

*(note: ESFA Schools Forum guide (March 2021) Paragraph 64 refers:- "The groups can also include wider representation...to consider detail...The reference group would then be able to give its considered view on the local authority's proposals to the schools forum. The schools forum should not delegate actual decisions or the finalisation of advice to a working group, as this may have the effect of excluding legitimate points of view)."

DECISION:

That SFG review its terms of reference and reporting style in light of the above and report back to the next meeting of this Forum for consideration.

ACTION:

County Treasurer (Adrian Fox)/Education & Learning (Heidi Watson-Jones)

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

Minutes of the meeting held on 25 May 2021

(b) Other Groups:

(i) SEND Transformation

See SEND Transformation Update minute above.

(ii) Briefing for Devon Education Forum Members

Report of the meeting held on 10 May 2021.

9 Devon Education Forum Proportionality, Autumn Term 2021

DISCUSSION:-

The Forum noted that pupil census data predicted to the autumn term (as previously circulated to members) indicated that no change to the proportionality of Forum seats was required for autumn 2021. Elections would be held over the summer to fill any vacancies.

ACTION:-

County Solicitor (Fiona Rutley) and Phase association election officers.

10 Dates of Future Meetings

Meetings usually held at County Hall, Exeter, at 10am. However please check venue/arrangements during the current situation.

Wednesday 17 November 2021

Wednesday 19 January 2022

Wednesday 16 March 2022.

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

NOTES:

1. Minutes should always be read in association with any Reports for a complete record.
2. If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting

The Meeting started at 10.00 am and finished at 12.15 pm