

DEVON EDUCATION FORUM

17 November 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

Ms K Brimacombe

Whitchurch Primary

Ms E Stubbs

St Peter's CE Primary

Mr A Hines

Rydon Primary (Education SW Trust)(Academy)

Secondary Headteachers

Mrs S Crook

Federation of Tiverton Schools

Ms L Heath

Uffculme Academy Trust (Academy)

Mr G Hill

Ventrus 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

Special Headteacher

Mr K Bennett

Marland School

Special Governor

Mrs F Butler

Marland School **(Chair)**

Alternative Provision

-

Non-Schools Members

Ms S Lockwood

Exeter Diocesan Board of Education

Ms L Wright

Early Years, Private & Voluntary Independent

Observer

Councillor A Leadbetter

Cabinet Member – Children's Services and Skills

Apologies

Mr B Blythe
Mr A Davis
Mr M Gurney

PETROC
Exmouth CC (Academy)
Teachers Consultative Committee (TCC)

11 Minutes

DECISION:

That the minutes of the meeting held on 16 June 2021 be signed as a correct record, subject to adding Ms Brimacombe (Primary maintained governor) to the list of apologies for the meeting.

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

DISCUSSION:

Members received a copy of f40 letter for information, to Prime Minister Boris Johnson, 7 October 2021 ahead of the Comprehensive Spending Review (end of October), urging him to make education and SEND/SEND review a key priority. Following the recent Cabinet reshuffle and the appointment of new education ministers, f40 had also written to Education Secretary Nadhim Zahawi and Schools Minister Robin Walker, regarding these concerns and requesting an opportunity to meet with them to discuss school funding in more detail.

13 Membership

DISCUSSION:

(a) The following membership changes were noted, following elections for ad-hoc vacancies for Autumn 2021:-

Primary Maintained (Governors):-

Ms E Stubbs

(and resignation of Mr L Cottrell, substitute member)

Secondary Academies (HT):-

Mr A Davis and Ms L Heath were now full members (instead of substitute members)

Mr R Gammon (substitute member)

SENtient (special school HT):-

Mr K Bennett

Ms S Pickering (substitute member)

(b) Members were also advised that Early Years PVI representative, Ms L Wright, was also standing down from the Forum following this meeting.

The Chair expressed appreciation on behalf of all Members of Ms Wright's support and contribution to the Forum, to be placed on record.

14 Head of Education & Learning Update

DISCUSSION:

The Head of Education & Learning had circulated the following documents with the agenda:-

(a) Annual Education & Learning Performance Report Autumn 2021 (based on published data to 21 October 2021); and

(b) Update on the SEND (Special Educational Needs & Disability) 100 Project

In relation to school performance, (a) above:-

Members noted that the usual key stage assessment and performance tables data had not been able to be included due to changes resulting from the pandemic. However other key information/data and Devon County Council key stage 4 data was included. The Report's main aim continued to be measuring outcomes that could impact on disadvantaged children and inform decisions on action required.

Department for Education (DfE) year 11 data for the 2019/20 academic year indicated an encouraging 94% take up in and sustained, post 16 education. This put Devon in the top quartile nationally.

In response to questions on the Report's exclusion data, Members noted that this indicated a reduction in permanent exclusions from 60 in 2019/20 to 51 in 2021 with these numbers likely to have been impacted by the pandemic. Devon's exclusion trend was downward (down in primary, slight rise in secondary) and slightly better than the latest available national rate (2019/20).

Fixed period exclusions had risen significantly in Devon secondary schools (often the case when permanent exclusions fell) from 3235 in 2019/20 to 4963 in 2020/21 (and significantly higher than latest national data 2019/20), with an increase in disruptive behaviour as pupils struggled to cope with changes in routine/return to school after pandemic lockdowns.

Secondary school Forum Members would welcome further data analysis on the increased exclusions to determine trends etc and how the Local Authority may further support schools.

The Head of Education & Learning would welcome joint working with secondary school representatives to reduce exclusion rates.

In relation to SEND 100 Project, (b) above, discussion included:-

-that within the two levels of proposed SEND support (including 8 SEND hubs Level 1 and 4 locality teams Level 2) no additional administrative costs were anticipated at this stage due to existing provision. The SEND support and key principle of the project was to provide access to earlier wrap around, holistic, multi-agency support for children and young people and reduce, not increase bureaucracy;

-multi-agency team support would be commissioned through WAVE and hospital schools in relation to pupils with medical/SEN/significant behavioural needs; and

-whether the SEND 100 Project was on target, both financially and due to difficulties in recruitment of some key roles within schools and health. Officers advised that next year's budgets were still yet to be confirmed and that the Council's Cabinet had discussed recruitment difficulties in Devon due to a number of factors, including housing costs and availability (Cabinet, 10 November 2021 meeting). Forum Headteachers were happy to offer support regarding recruitment.

DECISION:

(a) that the Head of Education & Learning provide further secondary exclusions data analysis and details of LA support, to all secondary school Headteachers; and

(b) that an update be made to the next DEF meeting on the SEND 100 Project, progress, together with any Devon recruitment difficulties.

ACTION:

Head of Education & Learning (Dawn Stabb)

15 **Finance Update**

DISCUSSION:

The Forum considered the joint Report of the Chief Officer for Children's Services and Director of Finance (Designate) (DEF/21/08) on Dedicated Schools Grant (DSG) budget monitoring, month 6 (2020/21).

The Forum also received the minutes of the Schools Finance Group (SFG) of 8 September and 3 November 2021, noting the respective minutes impacting

on Forum business today. (Note: SFG minutes to be considered prior to the main finance business on future agendas).

The Report (DEF/21/08) covered:-

-The month 6 outturn forecast for 2021/22 showed a significant overspend in the overall Dedicated Schools Grant (DSG) of £36.0 million, associated with the continued demand on High Needs and the growing demand on Special Educational Needs (SEN) placements within the Independent Sector despite creating more places within Devon's Special Schools;

-The High Needs Block had a saving of £371,000, due to savings within independent special school fees following credit notes received and year end adjustments not required;

-The Management Action of £2.7 million reflected savings expected to be delivered in 2021/22. This projected a cumulative DSG deficit to March 2022 of £85.0 million;

-This could have a considerable impact on future education budgets within the DSG as well as impacting on the financial sustainability for Devon County Council. An urgent action was still required to reduce the demand on Education Health & Care Plans (EHCPs) and Independent placements.

Discussion included:-

Members recognised the significant ongoing challenges of the High Needs Block and would be further considering what they could do next to assist the continued drive forward towards an improved position.

DECISION:

That month 6 (2020/21) DSG monitoring position as set out in Report (DEF/22/08) be noted, including the significant ongoing challenges of the High Needs Block and overall budget position.

ACTION:

Director of Finance (Designate) (Adrian Fox)

16 Dedicated Schools Grant (DSG) Deficit Management Plan

DISCUSSION:

The Forum considered the joint Report of the Chief Officer for Children's Services and Director of Finance (Designate) (DEF/21/09) on proposals to address the cumulative deficit of £85m to March 2022 and discussions with Department of Education on the management plan.

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 8 September and 3 November 2021.

The Report (DEF/21/09) covered:-

An overview
Management actions
The medium term
Impact of cost reduction on overall deficit
Risks.

Members' discussions included:-

-what aspects of the plan remained on target, together with reasons and proposals for any slippage of the various actions (eg resource bases, paragraph 2.3 and continued demand for new Education Health & Care Plan (EHCP) requests, paragraph 2.6 of the Report);

-that a detailed discussion at the next meeting on the Council's position on managing the deficit and role of the Forum would then enable Forum members to give a holistic resume to schools;

-that the Forum was looking for more certainty and clarity at the January 2022 meeting (e.g. including medium term plan, paragraph 3.1 of the Report);

-that the Department for Education (DfE) expert panel had confirmed the plan covered all necessary steps but recognised that the detailed plan was ambitious (as previously stated by the LA), work was actively in progress between the DfE and LA, with DfE challenge and support planned for the new year. Some Members were concerned at how realistic various aspects of this complex plan were to achieve within target;

-clarity sought on who (e.g. LA or Forum) and when would a decision be made on whether the work of the SEND (Special Educational Needs & Disability) 100 Projects would continue permanently after their initial year of running and their initial year of funding, given the projects' successful progress but in view of some timeline slippage?

In response to the above, Officers advised that although there were some delayed starts, there were positive indications that the work was starting to see an impact in supporting children to remain in their mainstream school. This would be monitored to see whether the cost of the project could be self-sustaining and if the Budget preparation for 2022/23 would require review for the new financial year in regard to any carry forwards. Whilst the High Needs Block (HNB) budget allocation was ultimately an LA decision, a school view via this Forum would be sought. A Safety Valve mechanism was also to be considered.

The success of SEND transformation however required a whole system approach including the direct support of individual schools. Discussions with

the School Leadership Service (headteachers' association) and peer challenge on engaging schools would be welcomed.

DECISION:

(a) that the current position of the DSG Deficit Management Plan as set out in Report (DEF/21/09) be noted, whilst recognising this was ambitious due to obstacles, that there was a reduction in the amount that could be achieved this year, together with progress of the DfE's involvement in the Plan.

(b) that a detailed report be made to the next Forum meeting on the County Council's position on the substantial and sustained deficit and how this was to be managed and reduced;

(c) that guidance notes regarding the HNB being an LA process, together with details of DfE agreed management plans with other LAs be circulated to Forum members for information.

ACTION:

Chief Officer for Children's Services (Melissa Caslake) – (b)
Director of Finance (Designate) (Adrian Fox) – (c)

17 2022-23 Schools Funding Arrangements Consultation Responses

DISCUSSION:

The Forum considered the joint Report of the Chief Officer for Children's Services and Director of Finance (Designate) (DEF/21/10) on Devon's Schools Funding Arrangements 2022-23 consultation with schools (closed 17 October 2021) which informed the Report's proposals. Only 19% of all schools responded (consultation engagement would be considered for future consultations).

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 8 September and 3 November 2021.

The Report (DEF/21/10) covered proposals for:-
Schools Funding
Movement between Blocks
Delegation and De-delegation
Central School Services Block*

*(clarification in relation to paragraph 3.18 that pooled arrangements for SENTient Headteachers would continue).

DECISION:

(a) that Cabinet be recommended:-

that the proposals for the 2022-23 Schools Revenue Funding Formula be approved, ie:-

(i) as set out in section 3.1 of Report (DEF/21/10);

(ii) that the Minimum Funding Guarantee to be set at plus 2% with the option to review in December 2021 after settlement received; and

(iii) that the surplus funding to the Additional Educational Needs Factors (FSM, FSM Ever 6 and Low Prior Attainment);

(Note: that the final funding rates may change subject to affordability when the October 2021 pupil data and Schools Block Dedicated Schools Grant settlement was confirmed in late December 2021).

(Vote: Schools, Academies and PVI members)

(b) that Cabinet be recommended:-

that no transfer take place between blocks for 2022/23, as set out in section 3.8 of Report (DEF/21/10);

(Vote: Schools, Academies and PVI members)

(c) that the De-Delegation proposals for maintained primary and maintained secondary schools as listed in section 3.9 and appendix 2 of Report (DEF/21/10);

(Vote: Maintained primary representatives)

(Vote: Maintained secondary representatives)

(d) that Central Services funding allocations in sections 3.16 – 3.20 of Report (DEF/21/10); be approved, i.e.:-

(i) to contribute £60,000 for the Emotional, Psychological and Social Wellbeing Service;

(ii) to top slice £223,000 from the Schools Block to fund the Phase Associations (Devon SLS and DAG) for one year; and

(iii) to retain the funding centrally at the increased £5.35 rate per pupil (£490,000) for Schools Admissions Service.

(Vote: Schools, Academies and PVI members)

ACTION:

Director of Finance (Designate) (Adrian Fox)

18 **Maintained Primary and Infant Schools with Lowered Age Ranges - De-delegation**

DISCUSSION:

The Forum considered the joint Report of the Chief Officer for Children's Services and Director of Finance (Designate) (DEF/21/11), following an approach from maintained primary schools applying to the Financial Intervention Panel, Schools (FIPS) to request that they have the opportunity to buy into the contingency fund, to recognise the early years provision being covered should they find themselves in financial difficulties. There were currently 50 maintained schools that had lowered their age range to add a nursery class or a Foundation Stage Unit (FSU)

The Forum also noted any respective minutes of the Schools Finance Group (SFG) of 8 September and 3 November 2021.

It was further noted that the current level of funding within contingency and maternity was sufficient to support these additional demands that could arise. Maternity cover eligibility would apply to all school staff.

DECISION:

That the de-delegation within the Maintained Primary and Infant Schools set out in the proposal from 2022/23 be approved and review annually as per other phases.

(Vote: Maintained Primary representatives).

ACTION:

Director of Finance (Designate) (Adrian Fox)

19 **Standing (and other) Groups**

DISCUSSION:

(a) Standing Groups

(i) Schools' Finance Group (SFG) revised Terms of Reference

Members noted that SFG had reviewed its Terms of Reference as requested by the Forum, to ensure any changes within the group's work were reflected, i.e:- a greater emphasis on the High Needs Block , less emphasis on funding

formula factors and informing decision making on the Dedicated Schools Grant management action plan. SFG membership composition was to reduce to 3 secondary and primary school representatives (previously 4) and the inclusion of 1 Alternative Provision representative.

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

Members received the minutes of the meeting held on 21 September 2021.

(b) Other Groups: SEND Transformation

Nil.

DECISION:

That the Schools Finance Group revised Terms of Reference be approved, subject to revised wording in the penultimate bullet point of section 2, to read as follows:-

“Make operational decisions as delegated by Schools Forum.”

ACTION: Head of Education & Learning (Heidi Watson-Jones)

20 **Correspondence**

Nil.

21 **Dates of Future Meetings**

The Calendar may be viewed at
<https://democracy.devon.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

Please check venue/arrangements (see link) as these are subject to change:-

Meetings held at 10am:

Wednesday 19 January 2022
Wednesday 16 March 2022
Wednesday 22 June 2022
Wednesday 23 November 2022
Wednesday 18 January 2023
Wednesday 22 March 2023.

DECISION:

That in view of the longer time period between the June and November Forum calendared meetings, the Director of Finance (Designate) prepare a finance

summary update to be circulated to Members during early September each year.

ACTION:

Director of Finance (Designate) (Adrian Fox), for circulation by County Solicitor (Fiona Rutley)

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*

* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.00 am and finished at 12.05 pm