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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 January 2023

Contact: Fiona Rutley 01392 382305

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### **DEVON EDUCATION FORUM**

Wednesday, 18th January, 2023

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

Jan Spicer  
Interim Chief Executive

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

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

1 Apologies for absence

2 Minutes (Pages 1 - 12)

Minutes of the meeting held on 23 November 2022, attached.

3 Items Requiring Urgent Attention

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

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

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.

5     Membership

6     Children and Young People's Futures Update  
(10.05am)

Interim Director of Children and Young People's Futures to report.

**SPECIFIC AGENDA ITEMS**

**ITEMS FOR DECISION**

7     Education & Learning Update (Pages 13 - 24)  
(10.25am)

Report of the Interim Director of Children and Young People's Futures (DEF/23/01), attached.

8     Finance Update (Pages 25 - 44)  
(10.50am)

(a) Minutes of the Schools Finance Group (SFG), 6 January 2023, attached.  
Also available at  
[Schools Finance Group \(SFG\) – Education and Families \(devon.gov.uk\)](https://www.devon.gov.uk/schools-finance-group-sfg-education-and-families)

(b) Report of the Interim Director of Children and Young People's Futures and Director of Finance and Public Value (DEF/23/02) attached.

9     Dedicated Schools Grant 2023-24: Budget Planning (Pages 45 - 50)  
(11.10am)

Joint report of the Director of Finance & Public Value and Interim Director of Children and Young People's Futures (DEF/23/03), attached.

10    2023-24 Schools Funding Arrangements - Transfer to the High Needs Block  
(Pages 51 - 54)  
(11.30am)

Joint report of the Director of Finance & Public Value and Interim Director of Children and Young People's Futures (DEF/23/04), attached.

**STANDARD AGENDA ITEMS**

**ITEMS FOR DEBATE AND INFORMATION**

11 Standing (and other) Groups (Pages 55 - 62)  
(11.50am)

To review action and receive minutes for the Forum from its standing groups (excepting Schools Finance Group minutes - see Finance Update item above) and to receive summary/minutes from other groups:-

(a) Standing Groups

(i) School Organisation, Capital and Admissions Forum

Minutes of the meeting held on 6 December 2022, attached.

Also available at

[School Organisation, Capital and Admissions Group \(SOCA\) – Education and Families \(devon.gov.uk\)](https://www.devon.gov.uk/school-organisation-capital-and-admissions-group)

(ii) High Needs Funding Sub Group

Chair of Sub Group to report.

(b) Other Groups

12 Review of standard agenda items

Members are asked to review standard DEF agenda business and how they wish this to be reported/presented.

13 Correspondence

14 Dates of Future Meetings

Meetings at 10am. Please check venue/arrangements

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

Wednesday 22 March 2023

Wednesday 21 June 2023

Wednesday 22 November 2023

Wednesday 17 January 2024

Wednesday 20 March 2024.

(12 noon)

CLOSE

*Members are reminded that Part II Reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). They need to be disposed of carefully and should be returned to the Democratic Services Officer at the conclusion of the meeting for disposal.*

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

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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.

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**Induction Loop available**





## DEVON EDUCATION FORUM

23 November 2022

### Present:-

#### Schools Members:

##### Primary Headteachers

Mrs R Saim	Cedar Tree Federation
Mr C Tribble	Honiton Primary, Substitute
Mr G Chown	Ventrus MAT (Academy)
Mr P Walker	First Federation Trust (Academy)

##### Primary Governors

Mr J Clements	Cranbrook, St Martin's CE Primary
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##### Secondary Headteachers

Mrs S Crook	Federation of Tiverton Schools
Ms F Bowler	Braunton Academy
Ms J Fossey	West Exe School, Ted Wragg MAT (Academy)
Mr G Hill	Academy Trust (Academy)

##### Secondary Governors

Ms S Channel	Federation of Tiverton Schools
Ms G Sanders	Athena Learning Trust (Academy)
Mrs J Larcombe	Uffculme Academy Trust (Academy) Substitute
Mr A Walmsley	The Ted Wragg Multi Academy Trust (Academy)

##### Nursery School

Mrs S Baker	Westexe
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##### Special Headteacher

Mr K Bennett	Marland School
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##### Special Governor

Mrs F Butler	Marland School <b>(Chair)</b>
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##### Alternative Provision

Mr R Gasson	WAVE Multi Academy Trust
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##### Non-Schools Members:

Ms H Brown	RC Diocesan Schools, Plymouth (Faith)
Mr B Blythe	16-19 (PETROC)
Mr N Williams	Teachers Consultative Committee Substitute
Ms G Rolstone	Early Years, Private & Voluntary Independent

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## Apologies:

Mrs B Alderson

Ms K Brimacombe

Ms E Stubbs

Councillor A Leadbetter

Teachers Consultative Committee

Whitchurch Primary, First Federation (Academy)

Budleigh Salterton, St Peter's CE Primary

Cabinet Member – Children's Services and Skills

## 61 Election of Chair

### **DECISION:**

That Mrs Faith Butler be elected Chair, for a 2 year term of office - until the autumn term meeting 2024.

## 62 Election of Vice-Chair

### **DECISION:**

That Mr Alex Walmsley be elected Vice-Chair, for a 2 year term of office - until the autumn term meeting 2024.

## 63 Minutes

### **DECISION:**

That the minutes of (a) the ordinary meeting held on 22 June 2022 and (b) the special meeting held on 28 September 2022, be signed as a correct record.

## 64 DCC Children and Young People's Futures Services

### **DISCUSSION:**

The Chair decided that this matter should be considered at the meeting as matters of urgency following recent DCC leadership changes.

Forum Members expressed serious concern regarding DCC stability for services given the current number of interim posts in key leadership positions.

Reassurance was sought regarding measures to address stability and key budget/service factors, to mitigate the impact on schools.

### **DECISION:**

That Phase Association leaders would welcome a meeting with DCC leadership at an appropriate stage.



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

**DISCUSSION:**

The Forum requested a regular update from Cabinet on key issues impacting on the work of this Forum and schools, including the High Needs budget deficit, SEND plan and Children's services plan.

**DECISION:**

That a regular update be provided at Forum meetings.

**ACTION:**

Head of Education (Rachel Shaw)/Cabinet Member

**66**      **Membership**

**DISCUSSION:**

The Chairman welcomed new Members and the following membership changes were noted following Devon School Leadership Services (DSLs) elections for Primary Maintained Headteacher representation (arising from the resignation of Mr Alun Dobson):-

Mr Christopher Tribble, Honiton Primary, full Member (instead of substitute); and Ms Rachel Miller, Kingskerswell CE Primary (substitute Member).

**ACTION:**

Legal & Democratic Services (Fiona Rutley)

**67**      **Head of Education Update (incl Education Annual Performance Report Autumn 2022)**

**DISCUSSION:**

(a) The Head of Education reported on the Education Annual Performance Data Report Autumn 2022 in the context of the whole Devon picture of school and education services, highlighting:-

-challenges for pupil outcomes in most areas compared with nationally and against statistical neighbours (excepting that grade 4+ GCSE was slightly higher than the national average);

-the gap in performance of disadvantaged children had widened. This group was disproportionately affected by a poor start in life. The Early Years team had now extended support to the end of Reception year, including early pre-

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school support e.g. school readiness, children's health, attendance, support for families, speech and language. Early Years lack of funding and settings' financial pressures including the minimum wage, particularly in rural Devon was of concern;

- absence rates were higher than nationally and statistical neighbours;

- Elective Home Education (EHE) continued to increase, with a lack of resources to effectively monitor EHE pupils excepting for safeguarding reasons. Approximately 20% of families were choosing EHE for lifestyle reasons. A significant proportion of the remaining pupils being EHE were due to social, emotional and mental health concerns, risk of exclusion or special educational needs.

- Suspensions and Permanent Exclusions continued to increase, with both "at risk" pupils and schools struggling.

Following discussions with a range of groups, a four part plan had been drawn up to ensure that every child thrived (not survived) in education every day:-

- (i) attendance was everyone's business with early intervention, support for parents and working with health and police colleagues;

- (ii) developing strong relationships in settings with children and young people so that our children wanted to come to school, stay in school and feel a sense of belonging;

- (iii) developing alternative routes through the curriculum, needed at a time when vocational study had reduced;

- (iv) broadening SEND universal provision in the classroom to manage the higher level SEND needs in mainstream settings.

Much of the plan would utilise the sharing of good practice, expertise and networking.

Members welcomed the comprehensive report data whilst recognising Devon's disappointing performance and noted the monitoring being undertaken, to pick up any matters that may require further consideration at the earliest opportunity.

Member's discussion also included:-

- concern around an increase in some school behavioural approaches that impacted on relationships and hindered meeting SEN in mainstream and negatively impacted on exclusions. Further feedback from Headteachers would be welcomed;

- whilst Devon had a large education support service, team leaders were looking at where rational savings could be made as part of the County Council's budget reductions required across the whole Council. The Babcock transfer of staff back in-house had been positive. Effective training both external and internal could be delivered despite budget reductions through using collaborative expertise within the LA and Devon's educational settings;

- consideration of how Education Welfare (EW) Services could support schools and families prior to any breakdown in relationships. As EW

resources were stretched with no statutory funding around EHE, a traded service model was being investigated, together with networking, collaboration, sharing skills in Early Years, SEND, Social Emotional & Mental Health (SEMH), engaging with parents, also involving the Parent Carer Forum, DSLs and teaching schools.

(b) The Head of Education (Delivery) and The Head of Education (Strategy) responded to a Member question regarding the structure of this shared role established in July 2021, alongside both individuals' ongoing part time employment with multi academy trusts, together with measures in place to ensure no conflict of interest.

## **DECISION:**

That the Annual Report be circulated to all schools and governing bodies, subject to revisions to the emphasis and interpretation of Special School performance data.

## **ACTION:**

Head of Education (Rachel Shaw)

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## **Finance Update**

## **DISCUSSION:**

**(a) Schools Finance Group Minutes** - 11 July\*, 14 September and 9 November 2022.

The Forum considered the above minutes, including the respective minutes relating to the Finance Update Report (DEF/22/11).

Also available at

[Schools Finance Group \(SFG\) – Education and Families \(devon.gov.uk\)](https://devon.gov.uk/schools-finance-group-sfg-education-and-families)

\*(**Note:** The Forum had previously considered AWPU recovery (note 4, SFG, 11 July 2022) at its Special Meeting on 28 September 2022) and resolved:-

“(a) that the transfer of AWPU and per pupil funding (e.g. Pupil Premium) for pupils who are removed from a mainstream school roll, for reasons other than permanent exclusion, and are receiving education funded by the local authority other than at a school (EOTAS) be approved wef 1 September 2022;

(b) the transfer the AWPU and per pupil funding for each term that the pupil is in alternative provision funded by the LA be approved wef 1 September 2022; and;

(c) that the Head of Education send a communication to all schools regarding their ongoing responsibility towards these pupils when in/out of school,

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together with information on the EOTA/medical provision placement setting role.)”

## **DECISION:**

that the minutes of the Schools Finance Group (SFG), 11 July, 14 September and 9 November 2022 be received and noting:-

(i) the Forum’s previous consideration at its special meeting (DEF, 28 September 2022, minute 59) of AWPU recovery (SFG, 11 July 2022, note 4); and

(ii) High Needs Place Funding (SFG, 9 November 2022, note 3) i.e. Devon changes in accordance with operational funding Guidance, wef 1 January 2023.

## **(b) Finance Update Report**

## **DISCUSSION:**

The Forum considered the Report of the Director of Finance and Public Value and Director of Children and Young People’s Futures (Interim) (DEF/22/11), which covered:-

- Budget monitoring month 6 (2020/21) Dedicated Schools Grant (DSG);
- Schools Block;
- DSG Deficit Management Plan;
- Early Years and Childcare services £376,000 underspend;
- High Needs;
- Safety Valve Investment;
- Safety Valve Workstream Savings;
- Impact of Cost Reduction on Overall Deficit;
- Capital Investment; and
- Risks.

In summary the report advised that:-

- The month 6 outturn forecast for 2022/23 saw an overspend in the overall Dedicated Schools Grant (DSG) of £36.9 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. This was an adverse change of £2.6 million since month 5 (£2.5 million from month 4);
- The Management Action of £10 million reflected revised savings expected to be delivered in 2022/23 as per the Safety Valve submission to the DfE. To date, £3.4 million of Management Actions had been achieved since the start of the summer term;

-Current forecast indicated that £1.6 million of savings would not be achieved in this financial year due to 44 of the 77 planned 3-5 year placements within the Independent Sector leaving at the end of the summer term and a delay in resource base provision placements being occupied / opened. This was projecting a cumulative DSG deficit to March 2023 of £123.8 million; and

-The increasing DSG deficit 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. All stakeholders need to work in partnership to be able to achieve this.

Forum Members' discussion included that they were committed to working in partnership and sharing good practice with DCC and the whole school community, however they highlighted:-

-Members' deep concern at both the continued substantial DSG deficit and that the DSG Safety Valve Plan submission had still not been agreed by the DfE, noting that senior DCC leadership continued to seek confirmation of this. Members hoped that a further approach could be made as a matter of urgency;

-the risk that the Cumulative DSG Deficit (Table 6 of Report (DEF/22/11) was continuing to rise whilst the DfE outcome was awaited;

-EHCP funding for schools was not being received in a timely manner in many instances, whilst noting the SEND transformation ongoing discussions with schools about how to reduce the number of EHCP requests, which were much higher in Devon than the national average.

## **DECISION:**

(a) that month 6 DSG monitoring position as set out in report (DEF/22/11) be noted, subject to Members' concerns above; and

(b) the current Safety Valve / DSG management plan position as set out in report (DEF/22/11) be noted, subject to Members' concerns above.

(c) that the Head of Education follow up school's EHCP funding concerns.

## **ACTION:**

Director of Finance and Public Value (Adrian Fox) – (a) and (b); and  
Head of Education (Rachel Shaw) – (c).

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## **2023-24 Schools Funding Arrangements Consultation Responses**

## **DISCUSSION:**

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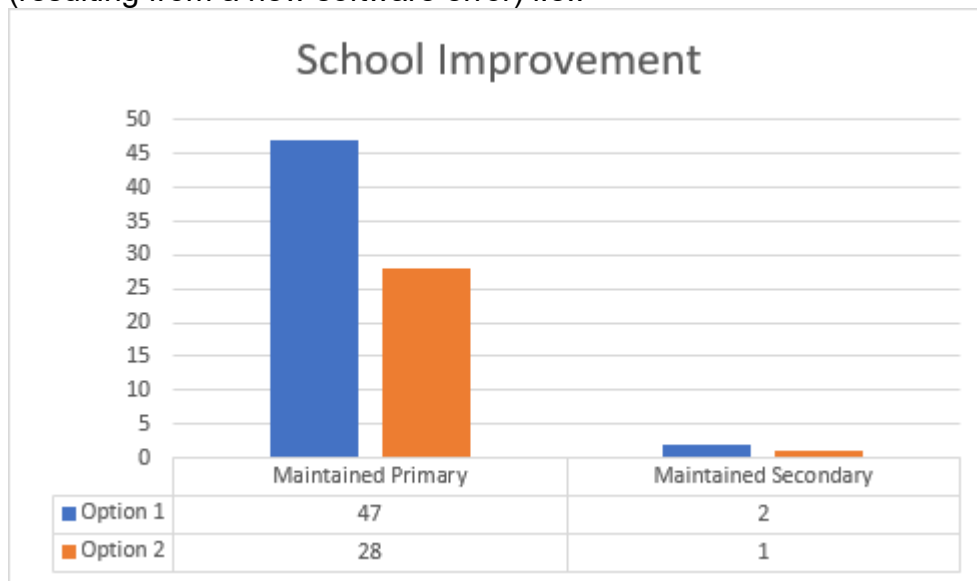
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The Forum considered the Report of the Director of Finance & Public Value and Director of Children and Young People's Futures (Interim) (DEF/22/12), following consultation with schools which aimed to deliver the fairest distribution of funding for the majority of schools, whilst keeping within funding requirements and National Funding Formula guidance. There was a welcomed increase in school responses this year, i.e. 39% of schools representing 38,000 pupils responded (analysis of participation at Appendix 1 of the Report).

The Director of Finance & Public Value provided revised details in relation to the De-delegation School Improvement bar chart, at Appendix 2 of the Report (resulting from a new software error) i.e.:-



In relation to the consultation regarding the movement between blocks and recommendation (b) in the Report, it appeared that schools were not fully appreciative of the one-off treatment to transfer funds and so 56% schools did not agree to moving 0.5% from the Schools Block to the High Needs Block (paragraph 3.11). When presented with 3 options of how the £2.48 m would be funded, 92% schools preferred to fund via a one-off transfer from the growth fund surplus. Members voiced concerns that schools were not willing to make the transfer in the first instance against a background of school budgets volatility and instability.

## DECISION:

(a) that **Cabinet be recommended:-**

that the proposals for the 2023-24 schools revenue funding formula as set out in Report (DEF/22/12) be approved as follows:-

(i) that the Minimum Funding Guarantee (MFG) be set at 0%;

(ii) that the sparsity factor be adjusted should actual funding received be lower than the indicative amount stated in the consultation;

(iii) that any unallocated funds be distributed in the following order prior to using surplus growth fund, (should actual funding received be higher than the indicative amount stated in the consultation):-

(A) Bring the Sparsity factor up to the National Funding Formula rates stated for 2023-24;

(B) Add to the MFG up to a maximum of 0.5% per 2023-24 guidance; and

(C) Go towards the amount being transferred to the high needs block up to a maximum of 0.5% (see Movements into Another Block), subject to either:-

-this only being agreed if Report (DEF/22/12) recommendation (b) was approved (paragraph 3.13 of the Report also refers); OR,  
-the disapplication to the Secretary of State was successful (paragraph 3.14 refers).

(**Note:** the final funding rates may change subject to affordability when the October 2022 pupil data and Schools Block DSG settlement is confirmed in late December 2022).

(**Vote:** Schools, Academies and PVI members)

(b) that **Cabinet be recommended:-**

that should the Secretary of State overrule the Forum's decision\* not to support the transfer 0.5% between blocks for 2023-24 through a one-off transfer of the growth fund surplus and thus allows DCC to apply the 0.5% transfer, this should be funded from the growth fund surplus (as Report recommendation (b) and school responses in paragraphs 3.12-3.13).

\*(**Note:** the recommendation as set out in the Report as (b) relating to specifically approving the proposal to transfer 0.5% between blocks for 2023-24 through a one-off transfer of the growth fund surplus was voted upon but not supported. The Forum were aware this action would cause a disapplication request to the Secretary of State).

(**Vote:** Schools, Academies and PVI members)

(c) (i) that the de-delegation proposals for maintained primary and maintained secondary schools be approved, as set out in paragraphs 3.17-3.18 and Appendix 2 of Report (DEF/22/12), excepting School Improvement (as set out in paragraphs 3.20 and 3.21); and

(c) (ii) that School Improvement be deferred\*\* for further discussion due to concerns raised by schools during the consultation.

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**(Vote: Maintained primary representatives)**

**(Vote: Maintained secondary representatives)**

**(\*\*Note post meeting, (c)(ii) above:** the deferred School Improvement de-delegation proposal should be considered at the next SFG, prior to a decision required at this Forum on 18 January 2023).

(d) that the Central Services funding allocations set out in Report (DEF/22/12) (paragraphs 3.24-3.30 and Appendix 2), be approved as follows:-

(i) to continue 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 Association (Devon SLS and DAG) for one year;

(iii) to retain the funding centrally at the increased £5.99 rate per pupil (£550,000) for Schools Admissions Service; and

(iv) to fund Anycomms+ at a rate of £90 per year for a 3-year period.

**(Vote: Schools, Academies and PVI members)**

(e) that the revised school responses data De-delegation School Improvement bar chart, at Appendix 2 of the Report (as above) be noted.

## **ACTION:**

Director of Finance & Public Value (Adrian Fox) – (a)-(d) including disapplication request; and

Education (Heidi Watson-Jones) - (c)(ii) SFG agenda.

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## **Standing (and other) Groups**

The Forum received the following from its standing and other groups (excepting Schools' Finance Group (SFG) minutes, (considered under Finance Update minute above):-

(a) Standing Groups

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

Minutes of the meeting held on 27 September 2022.

Also available at

[School Organisation, Capital and Admissions Group \(SOCA\) – Education and Families \(devon.gov.uk\)](#)



## (ii) High Needs Funding Sub Group

The Chair summarised the group's progress, including that DEF's newly established standing Sub Group had met several times to consider:-

- the response to the government's SEND Green Paper Consultation (submitted on 22 July 2022), following circulation to all Forum Members for comment;

- Ofsted, SEND improvement plan, High Needs financial situation and progress with the DfE DSG Safety Valve Plan, as supported by data sets to examine trends, sufficiency and capacity; and

- Next academic term it was proposed to look in detail at Devon's independent special school placements; resource bases and EHCP processes.

Further consideration could be given to the Sub-Group's reporting mechanisms which operated mainly as an advisory/sounding board on High Needs issues (no delegated powers).

### **ACTION:**

(a)(ii) - Legal & Democratic Services (Fiona Rutley) and Chair of High Needs Funding Sub Group.

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## **Dates of Future Meetings**

Meetings at 10am. Please check venue/arrangements

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

Wednesday 23 November 2022

Wednesday 18 January 2023

Wednesday 22 March 2023

Wednesday 21 June 2023

Wednesday 22 November 2023

Wednesday 17 January 2024

Wednesday 20 March 2024.

### **NOTES:**

1. *Minutes should always be read in association with any Reports for a complete record.*

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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 10.05 am and finished at 12.40 pm

## EDUCATION & LEARNING

### REPORT OF THE INTERIM DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S FUTURES

**RECOMMENDATION:** DEF agree the following the de-delegation proposal for maintained primary and maintained secondary schools: That School Improvement to be provided by DCC at an estimated cost of £640,000 (£18.82 per pupil) during the 2023-24 financial year, as set out in 4.3.

#### 1. School Attendance

- 1.1. The Working Together to Improve School Attendance guidance was published in May 2022. <https://www.gov.uk/government/publications/working-together-to-improve-school-attendance>
- 1.2. A model policy for schools has been drafted and will be made available to support schools in meeting the requirements of the new guidance.
- 1.3. A charter for other agencies and partners to sign has been created to support the service with “making attendance everyone’s business.” Partner agencies from health and the police have been very supportive.
- 1.4. The DFE has provided all Local Authorities with an Attendance Advisor to support them with the implementation of the guidance and to enable best practice to be shared. Initial meetings have taken place with our advisor and there will be further follow up meetings and visits during the Spring and Summer Term.
- 1.5. Current attendance figures remain low nationally and across Devon. Towards the end of the Autumn Term, schools were seeing high levels of pupil and staff absence due to winter illnesses. Primary Absence for the Autumn Term is 6%, Secondary Absence 11% and combined is 8%.

#### 2. Communication with schools

- 2.1. The Education and Learning Team are going to be running a series of drop-in sessions for school leaders over the Spring and Summer Terms. These will provide the opportunity for school leaders to raise queries, seek answers to questions and receive information about developments within the service.
- 2.2. Each week a School Leadership Update is sent to all schools. These updates include information from a wide range of children’s services, as well as information from the Education and Learning Teams. From the start of the Autumn Term, each newsletter will also show the weekly figures for attendance, suspensions, exclusions, EHE and EHCP requests to enable schools to see how we are performing as a collective. An example of this report is below, although future reports will also include figures for disadvantaged pupils. These reports do not include statistics for pupils in specialist settings or alternative provision.

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Devon Education Forum  
18 January 2022  
DEF/23/01



## Headline Statistics - Academic Year to 18/12/2022

	14/11/2022 20/11/2022	21/11/2022 27/11/2023	28/11/2022 04/12/2023	05/12/2022 11/12/2022	12/12/2022- 18/12/2022 *	5 Week Trend	Academic Year to Date (Devon)
<b>Attendance - Student Absence**</b>							
Student Absence (Total)	7%	9%	9%	12%	17%		8%
Student Absence (Primary)	6%	7%	7%	10%	13%		6%
Student Absence (Secondary)	10%	12%	13%	17%	22%		11%
SEN (K)	11%	13%	13%	16%	21%		11%
SEN (E)	14%	16%	16%	19%	24%		14%
<b>Attendance - Persistent Absence**</b>							
Persistent Absence (Total)***	18%	19%	20%	21%	24%		24%
Persistent Absence (Primary)	15%	15%	16%	16%	19%		19%
Persistent Absence (Secondary)	24%	24%	26%	28%	32%		32%
<b>Exclusions</b>							
Permanent	8	5	2	7	3		87

Suspensions (Students)	318	333	299	235	189		2062
EHE							
Number of Electively Home Registered Students	1836	1866	1866	1883	1896		2146
SEN							
EHCP Assessment Requests Received	51	49	59	53	86		716

\* Previous Week attendance, PEx and Suspension data is subject to change as attendance registers are updated and supplied to the LA

\*\* Data includes state funded, Primary, Secondary and All Through schools for NCY 0-11 (Secondary +All-Through combined for Secondary figures) \*\*\* Persistent Absence = 10% or higher absence for a minimum of 20 sessions in current academic year

### 3. Educational Psychology Service (EPS)

- 3.1. The SEND Improvement Board agreed that the EPS would extend the pause in trading with schools and settings until the 20.02.23. This will enable a further 205 EP statutory assessments to be completed for children who have been waiting for this support.
- 3.2. During this period of paused traded work, as well as completing statutory assessments, the EPS has been reviewing their service and considering how they can best support schools and reach a greater number of children. The team have designed a new service and from April 2023, the EPS will launch their new traded offer called "Psychology Works". This service will move away from conducting lengthy assessments for a small number of children and instead, provide schools and settings with consultations for more children. They will work with schools and settings to find practical solutions to supporting children with special educational needs in mainstream settings. Following this planning session, the school/parent/EP will deliver the interventions and then the EPS will visit once again to review impact and, if necessary, provide further support.

### 4. School Effectiveness Service

- 4.1. The school improvement (SI) monitoring and brokering grant has been allocated to local authorities since September 2017 to allow them to continue to monitor performance of maintained schools, broker school improvement provision, and intervene as appropriate.
- 4.2. On 11 January 2022, the Government announced in their consultation response, [‘Reforming how local authority school improvement functions are funded’](#), that in future these functions will be funded from maintained school budgets, with the grant to be reduced by 50% in 2022 to 2023 ahead of full removal in 2023 to 2024.

- 4.3. In October, the LA consulted maintained schools on the funding of the school effectiveness service from April 2023. Further information about how this service will function has been provided in the paper below:

## **Proposed School Effectiveness Offer from April 2023**

*Report considered at SFG on 6 January 2023*

**Recommendation: DEF to specifically agree the following the de-delegation proposal for maintained primary and maintained secondary schools:** That School Improvement to be provided by DCC at an estimated cost of £640,000 (£18.82 per pupil) during the 2023-24 financial year.

**Vote: Maintained primary representatives**

**Vote: Maintained secondary representatives**

The support schools will be in receipt of is below (Appendix A) and includes the baseline elements (SEND, Safeguarding, leadership and management), and additional support/intervention for those schools where data and analysis indicates that they are at risk of a less than good Ofsted judgement. **There needs to be an understanding by schools that statutory legislation sets out that intervention in schools is in inverse proportion to indicators of success.**

The school effectiveness offer post April 2024 is also attached. This is based upon schools not having money taken from their budgets but purchasing the non-statutory aspects from the DCC School Effectiveness Team. (Appendix B)

*Statutory Functions within the remit of the school effectiveness team (see School's Causing Concern guidance 22)*

## **School Improvement**

- A local authority must exercise its education functions with a view to promoting high standards.
- Local authorities should act as champions of high standards of education across maintained schools in their area, and in doing so should: Understand the performance of maintained schools in their area, using data as a starting point to identify any school that is underperforming, while working with them to explore ways to support progress;
- Work closely with the relevant RD, diocese and other local partners to ensure maintained schools receive the support they need to improve;
- Where underperformance has been recognised in a maintained school, proactively work with the relevant RD, combining local and regional expertise to ensure the right approach, including sending warning notices, and using intervention powers where this will improve leadership and standards; and
- Encourage good and outstanding maintained schools to take responsibility for their own improvement; support other maintained schools; and enable other maintained schools to access the support they need to improve.

## SEND

- Local authorities must keep their educational and training provision and social care provision for children and young people with SEN or disabilities under review
- Where, in fulfilling its statutory duties to keep special educational provision under review or to secure provision in an EHC plan, a local authority identifies concerns over the standards, management or governance, or safety of a maintained school or academy, they should raise them with the maintaining LA or the RD.

## Safeguarding

- Local authorities have overarching responsibility for safeguarding and promoting the welfare of all children and young people in their area, regardless of the types of educational settings they attend.
- Local authorities need to work in partnership with all schools (including independent schools), appropriate religious bodies and further education and sixth form colleges in their area
- Where a local authority has a concern about safeguarding at a maintained school, the authority can use its intervention powers as set out in this guidance

## Key activities currently undertaken by the School Effectiveness Team in order to meet these statutory responsibilities:

- Monitoring and evaluation of the performance of all maintained schools, including leadership and management, quality of education, provision and outcomes for SEND pupils, disadvantaged pupils and other vulnerable groups, safeguarding of all pupils.
- Ensuring effective leadership and sustainable capacity in schools through:
  - Supporting the appointment of effective headteachers, acting headteachers and executive headteachers.
  - Advising, brokering and signing off management partnerships and SLAs with capacity-giving MATs and federations as appropriate
  - Advising and supporting due diligence processes to secure effective conversion into strong Multi Academy Trusts
  - Working with schools and Ofsted inspectors during school inspection support school leaders and inform inspectors.

**JULIAN WOOSTER**

**Interim Director for Children and Young People's Futures**

Please ask for: Rachel Shaw [Rachel.shaw@devon.gov.uk](mailto:Rachel.shaw@devon.gov.uk)

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## Appendix A - School Improvement Offer from April 23 to April 24

- **Section 1** is the baseline statutory monitoring function of the LA
- **Section 2** is additional work to secure improvement in line with the role of the LA in 'promoting high standards of achievement'

Activity	Which Schools	Number of days per school	Total days
School visits to undertake monitoring and evaluation of core statutory functions in line with the Ofsted framework, with full report	All maintained schools	According to current risk analysis:  Schools where risk analysis indicates they are likely to be judged good at next inspection <b>1 visit = 1 day (1 advisor)</b>	64
		Schools at risk of a Requires Improvement at next inspection <b>2 visits = 2 days (1 advisor)</b>	158
		Schools at risk of an inadequate judgement <b>3 visits = 3 days (1 advisor)</b>	32
	All maintained schools	<b>0.75 day per school visit</b>	191
Preparation and written report			
Monitoring and Evaluation of schools' provision and outcomes for SEND pupils, attendance, safeguarding culture and practice – broker further support	All schools (maintained schools (included in work above)	163	50
		224 academies (29 MATs)	



<ul style="list-style-type: none"> <li>Risk analysis of all schools and brokering of school improvement work</li> <li>Analysis of strength and weakness across Devon schools</li> </ul>	All maintained schools	0.5 days per week per school area	146.5
QA of school improvement work delivered	All maintained schools	Unattached advisors to shadow and monitor quality and consistency	52
Securing leadership (headteacher recruitment, acting headships, Management Partnership,	All maintained schools according to need	On average 0.5 days per week per school area advisor	146.5
SLAs and due diligence prior to academisation)			
Ofsted Inspection (liaison with inspector, attendance at feedback)	All maintained schools	1 day of support based on an inspection in every school once in three years	50
Total			890

## Section 2. Additional support to deliver school improvement according to risk analysis and monitoring visits (intervention in proportion to success)

- Schools at risk of inadequate
- Schools with a breakdown in leadership and management or critical capacity

157 additional days above and beyond this core statutory offer will be used to deliver tangible improvements in schools that are identified through risk analysis and monitoring work. This will be delivered through advising, coaching, modelling and supporting leaders to deliver effective strategies which have positive impact on provision and outcomes for all pupils including SEND and disadvantaged pupils. This includes:

- Support to develop SEND leadership and bottom 20%, reading across the school etc.
- Support for improved provision and outcomes for disadvantaged pupils
- Evaluation of quality of education through a 'deep dive' approach, curriculum areas; advice on improvement and signpost to good practice
- Support for SEF and SIP writing
- Coaching for effective leadership - HTs and senior leaders and SENCo
- Coaching and modelling for effective middle leadership – subject and phase leaders
- Support for effective staffing and restructure
- Support to evaluate impact through pupil voice
- Supporting brokerage of appropriate support from other services and schools as appropriate

## Appendix B

### School Improvement offer from April 2024

**The Local Authority will remain responsible for all the activities in Section 1 of the previous offer in line with statutory responsibilities.**

Additional support for improvement in schools in **Section 2** will continue be signposted, brokered or directly provided by the School Effectiveness Team, however schools will decide which improvement services they wish to purchase and from whom, and this will be paid for separately by schools according to need. The impact of the school improvement service obtained by the school will continue to be monitored through the remaining statutory duties and the team will continue to offer a range of relevant and high quality purchased services to schools to support improvement.

### Profile of The School Effectiveness Team

#### Alice McShane

Alice has worked in education for 35 years, as a science specialist and Deputy Principal in the secondary sector. She has held a number of leadership roles, including Head of Sixth Form, Head of careers and Head of Science and the school where she served as Deputy Principal moved to from inadequate to good during her tenure.

She has led the School Effectiveness Team for two and a half years, with expertise in areas including strategic planning, recruitment and performance management, HR, school partnerships and governance, She has also led and delivered leadership training for the National College, which including coaching and mentoring leaders to deliver effective change.

#### Brad Murray

Brad has worked in education for 35 years. He has extensive experience including as a senior leader and headteacher. He started his career working in schools in London and has been the headteacher of two schools, a Church of England primary school and a large junior school.

As the headteacher of both schools he led rapid improvement. He was appointed to improve the junior school as it had previously been judged to be inadequate. Both schools had successful inspections during his headship and in both his leadership and management were judged to be outstanding by Ofsted.

Alongside his role as education adviser in Devon, Brad also works as an Ofsted inspector.

#### Julie Stevens

Julie has a broad experience as an educationalist. She has worked as both a school leader in the primary sector, and as a school improvement leader.

She has worked as a literacy consultant, a school improvement senior manager in Essex County Council leading a team of advisors, and as a successful deputy headteacher of a large primary school. Julie has a proven track record and expertise in early years and PSHE and has had demonstrable impact in leading and developing both English and PE. She is a trained moderator for KS1 and KS2

## **Helen Eversett**

Helen has a variety of leadership experience, including Assistant Headteacher and Headteacher. She is registered as a national expert by the DfE in relation to provision and achievement for disadvantaged pupils, and is also registered as a national expert on small schools. Helen has previous experience as a successful SENCo, leader of mathematics in schools and as a mathematics advisor for Devon County Council. Her subject leadership experience also includes English, Geography, Science, DT and Art. Helen is also a trained moderator for KS1 and KS2 and has led and delivered the ECT induction programme across the county.

## **Jo Dymond**

Jo has taught across all primary ages, leading RE, Collective Worship, English, Phonics. She also worked as an English advisor for DCC as part of the Primary National Literacy Strategy for 9 years. She has also supported the Local Authority as a temporary headteacher and executive headteacher, leading schools in very challenging circumstances and securing rapid improvement, including taking a school from inadequate to good with outstanding in some areas.

Jo also has experience of leading schools through SIAMs including one from inadequate to good within 18 months and is also an accredited moderator for KS2, an expert SATS marker and continues to work for the DfE to develop national tests.

## **Katherine Powell**

Katherine brings a diverse background to the advisor role. Her experience ranges from senior leadership roles in contextually different schools, school improvement and advisory work alongside school inspection.

Katherine's experience has been across schools facing challenging circumstances and she has taken the strategic lead on several different aspects including curriculum, CPD, teaching and learning, appraisal, quality assurance, research and SEND.

Katherine has served as one of Her Majesty's Inspectors and continues to serve as part of the inspection workforce as an Ofsted Inspector. She has worked as an independent advisor with a range of institutions, MATs and organisations, both locally, nationally and overseas.

Whilst she began her career as a secondary specialist, serving as an effective Deputy Principal in a large secondary school, her advisory and inspection work has meant she has worked cross-phase from foundation to post 16.

## **Tina Jackson**

As a headteacher, Tina has led both large urban and small rural schools, including leading and overseeing the amalgamation of an infant and junior school. She has taught pupils from EYFS to year 6 and led English and mathematics and has also held the role of SENCo.

Tina has worked as a school improvement advisor beyond Devon and brings a wealth of experience and skills. As a result of her track record in school improvement as a headteacher, she has been appointed as a temporary headteacher in several schools at the request of local authorities in order to secure rapid change. She has had demonstrable impact in these schools including moving one school from inadequate to good during her temporary role.

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## Feedback on School Effectiveness Team:

*Julie Stevens - I just wanted to say thank you for your support through the inspection. I appreciate your honesty, kindness and clear thinking .... especially once my brain turned to mush!  
All of the staff speak so highly of you and your real passion for our school.*

*Helen Eversett - yesterday has given us renewed focus and helped us realign our short and medium term goals.*

*Once again thank you for your time working with us – we really valued your visit.*

*Amanda Burrows (left the team in June) - I just wanted to say an enormous thank you for the great session. We all agree it helped to ground our thinking about SEND provision in our settings and we have all taken away from the session things that will hopefully have a huge impact on the leadership of SEND within our schools. I look forward to working with you again in the future.*

*Brad Murray - Thank you for your time on Tuesday. I feel the process of reviews is greatly supporting our school leadership at all levels and helping us to continually review our systems and processes.*

*Brad Murray - I would like to send you my personal thanks for all the help you provided to the Governing Board during the difficult task of recruiting a new headteacher for NPPS. It was a very a taxing job, especially with a Board consisting of very new and inexperienced members. None of us had been through a such a process before and your advice etc. was extremely helpful in appointing the person we believe to be the appropriate new headteacher to take the whole school through the next phase of its life.*

*Kath Powell - Just to say a big thank you for today. We can build our action plans for the areas discussed over Xmas and then crack on in January!*

*Helen Eversett - Thank you for your visit yesterday, there has been a really positive buzz amongst the subject leaders about next steps and building on what they are currently doing.*

*Julie Stevens - This term has been very hard for me as you both know. I want to thank you for being there for me and for listening. Not just listening but hearing me and finding a way forward to try and enable me to continue in the role I have.*

*As always so useful to meet with you and gain great support and actions that build on and improve our learning for our children.*

*Kath Powell - Thank you, Katherine. Your observations were much appreciated and have reinforced what we already knew. It has poked a few cages and will potentially help us reset on a few things. It has caused much debate which is positive in itself.*

*Julie Stevens - your curriculum support has been invaluable and I'm so pleased we managed to implement your actions before Ofsted arrived!*

*Jo Dymond - Your support throughout this time has been invaluable and exemplary. The Board, and all those serving on the Panel, have benefited enormously from your experience, expertise and wise words. I would also like to thank you personally for all your extremely prompt responses to my*

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*queries and for guiding me through, which was at times, a complicated and sometimes frustrating process. I am eternally grateful to you for going above and beyond what anyone could reasonably expect of their Advisor - thank you.*

*Jo Dymond - Thank you for all the support you have given me Jo, you have been the inspiration for me considering this role as you tread the balance of support and challenge so well, which I think must not be easy for everyone.*

*Alice McShane - following very difficult leadership/relationship discussions, ..... I just wanted to thank you so much for the support you have given us this term, it is very much appreciated.*

*Brad Murray - Thank you so much for your email and the never ending support you have given us and me over the last four years, it has really helped to drive things forward.*

*Thank you for the visit note and for your time last week - everyone involved found the day hugely useful and supportive.*

*Alice McShane - Now that I can relax a bit I wanted to say thanks to you all for the support, advice, kindness and tolerance you've given us over the past few months. It has made a difficult task much easier and allowed us to run a competent and credible process to a good conclusion.*

*It has been a pleasure to work with you all, in slightly different ways and your professionalism, commitment and attention to detail is very clear.*

*Tina Jackson (new to the team) – thank you for your support and for making this happen, I really appreciate your clarity of thought and steerage.*



## Schools Finance Group: Notes of meeting on Friday 6 January 2023

### Items for DEF to note:

- **Item 2 – DSG month 8 monitoring**
- Projected DSG deficit now forecast at £127m, with adverse change of £458k from month 7.
- Still awaiting confirmation from DfE regarding involvement in Safety Valve Intervention Programme.
- **Item 3 – School Effectiveness funding**
- Previous DEF discussion sought clarification that schools understood the 23-24 offer and the proposed funding of the provision before an agreement to the de-delegation could be secured. Additional information from the service was considered at SFG and brought to DEF for decision.
- **Item 4 – Financial Planning 23/24**
- SFG discussed issues pertaining to 23/24 including management of national non domestic rates payments, proposed changes to sparsity funding linked to MFG payments in line with National Funding Formula, DfE disapplication request linked to central school services grant and renewed request to transfer 0.5% funding from Schools Block to High Needs Block.
- **Item 5 – Growth Fund**
- SFG endorsed proposals for updated funding rates, and exceptional in-year Growth Fund criteria to ensure support is made immediately available to schools managing the additional needs of incoming pupils coming into the county via non-funded government schemes.
- **Item 6 – Mutual Fund**
- Mutual Fund Board approved increase in premium fees of 7.5% to mitigate ongoing impact of increased level of claims

### ATTENDANCE

#### DCC

Mat Thorpe -(chair)  
Adrian Fox - **apologies**  
Jackie Ross - **apologies**  
Heidi Watson-Jones

Deputy Director of Finance and Public Value  
Head Accountant (Education & Learning)  
Interim Deputy and SEND Strategic Director  
Safety Valve Project Officer

### Devon Schools Leadership Services

#### Primary:

Jamie Stone  
Paul Walker  
Penny Hammett  
Christopher Tribble

Denbury Primary  
First Federation Trust  
FORT Federation  
Honiton Primary

#### Secondary:

Sammy Crook  
Alan Blackburn  
Fay Bowler

Tiverton Federation  
Uffculme School  
Braunton Academy

#### Alternative Provision:

Rob Gasson

Wave Multi Academy Trust

### Special Schools

Keith Bennett  
Sarah Pickering - **apologies**

Marland School  
Mill Water School

### DAG

Faith Butler  
Alex Walmsley

Special School Governors  
Secondary Governors

# Agenda Item 8

## Schools Finance Group: Notes of meeting on Friday 6 January 2023

Adrian Hines

Primary Governors

### Early Years Providers

Gemma Rolstone

Puffins Childcare

### Other DCC Officers

Karlien Bond

Katrina Harverson

Damien Jones

Senior Accountant (Schools)

Principal Accountant – Education & Learning

Deputy Director, Transport Operations,

Environment and Waste

Interim Head of Education (strategy)

Matthew Shanks (part)

## SCHOOLS FINANCE GROUP

### 1. Minutes of Previous Meeting – 9 November 2022

- Mat Thorpe updated the group on the appointment of Julian Wooster, Interim Director of Children's Services and Donna Manson who will be joining the authority as CEO in February. Jassi Broadmeadow will be joining the authority as Interim Head of Children's Social Care.
- **Simon Niles/ Sam Chapman** to be asked to clarify support funding available for Ukrainian pupils in Early Years settings.
- Noted that planned place funding for pupils above total agreed places for Resource provision bases was discussed at the previous meeting, but issues around the inclusion of special schools in that proposal was not picked up during the conversation. Finance colleagues confirmed that the information was included in the report submitted. **Action: MT** to follow up with Jackie Ross to clarify position.
- All other actions complete.
- Minutes agreed as an accurate record.

#### ACTION

- **MT** to follow up with Jackie Ross to clarify position on negotiation of planned place funding for pupils placed above total agreed places in special schools

### 2. DSG Monitoring – month 8

- Projected deficit now forecast at £127m, with adverse change of £458k from month 7 and £3.7m from mth 6
- Of the £10m management action savings, £6.3m is expected to be delivered by March 2023 of which £3.9m has been achieved since the start of the Summer term. Since month 6, projections had indicated an additional £2.1m savings have not been achieved which are predominantly linked to the reduction of Post 16 independent placements. Workstream leads are now more fully engaged in the monitoring progress against projected targets.
- SFG noted the areas of the DSG management plan which will not be achieved in this financial year or have been delayed and relate to the following areas
  - 55 of the 73 planned 3-5 year placements within the Independent Special Schools sector leaving at the end of the Summer term
  - Delay in resource base provision placements being occupied/opened
  - Delay in the commencement of Post 16 independent placements review



## Schools Finance Group: Notes of meeting on Friday 6 January 2023

- Reduction in expected number of children being supported for the SEN100 Special Schools project.
- Still awaiting update from DfE around the Safety Valve Intervention programme.
- SFG had previously highlighted concerns about how achievable the savings projections had been, and further queried whether the targets which have not been achieved this year would realistically be realised during the next financial year. The service are reviewing the management actions to realign with expected forecasts.
- SFG queried the levels of investment in recruitment into the projects which is currently being funded through DCC Reserves, to enable the actions to take place.
- DJ confirmed that the SEND improvement and financial situation is the highest priority for DCC and the incoming CEO. Damien is providing additional leadership capacity, and the Heads of Education are working closely with elected members.
- Schools confirmed that they are committed to working with the LA to improve the financial situation, but further clarity around the expectations on school leaders is needed, with clearer communication to schools about how they should be working differently to effect change.
- MT suggested that communication be a key focus for the High Needs Funding Sub-group – **ACTION: PW** - Noted SEND Improvement Board also currently has a strong focus on communications.
- Noted there are ongoing concerns around the inclusion of children with SEN in mainstream schools, which is a key focus for the Heads of Education. Further communications will be targeted to SENDCos with encouragement to attend SEND Forums to enhance development of practice - **ACTION: RS**
- SFG discussed parental expectations around EHCPs and reduced confidence that schools can meet additional needs; the LA is working closely with the Parent Carer Forum to improve clarity of messaging across Parent Carer Forum and schools, reiterating that the 0-25 SEN Team is responsible for managing the placement process, and not schools themselves or other parties.
- Noted particular pressures in SEN Mainstream (pre-16), EOTAS and Alternative Provision.
- High Needs Block in-year deficit of £8.4m projected. It appears that the number of EHCP requests is beginning to reduce, but the ongoing increasing pressures around volume and price in the independent sector is masking progress. SFG considered how schools can be supported where parental preference is for their child not to be educated in the mainstream sector.
- Noted that Safety Valve workstreams are working directly in schools to provide support in the classroom and alongside schools' leadership. Negotiations with independent providers are taking place around percentage increases in fees and appropriate monitoring of pupil attendance and outcomes to ensure value for money. The LA is also seeking to look more closely at contract management with the independent sector.

### ACTIONS:

- **PW / HWJ** – High Needs Funding Sub-group to consider communication of key messages to School leaders
- **RS** to share targeted communications to SENDCos re. engagement in SEND forums to enhance practice

## 3. School Effectiveness funding

# Agenda Item 8

## Schools Finance Group:

### Notes of meeting on Friday 6 January 2023

- DEF had asked for further information regarding the school effectiveness offer before it could agree de-delegation of £640k for 2023-24. The proposed offer is planned to be in place until March 2024, with further consideration of the offer by schools at that time.
- From the consultation responses, it was felt that schools were keen to continue to support such a service, however there had been concerns around the basis of a per-pupil charge, as schools of different sizes receive the same service. It was felt that a flat fee would not be sustainable where additional support is required in a larger school.
- As maintained schools would be purchasing a service from the LA, Heads queried whether there would be more flexibility around schools requesting specific support and advisers from the team. It was understood that schools may have more focus on the quality of the support they are receiving when they are funding the provision from their budget which may impact on feedback and requests for support.
- SFG agreed that a post 2024 School Effectiveness offer will need to be considered soon to successfully build a sustainable longer-term service with buy-in from schools. This will need to take account of the impact of support available from other providers (e.g. MATs)
- During the review of longer-term support, schools requested clarity on the process around judgement of school performance and schools requiring intervention.
- Noted that the previous DEF discussion had sought clarification that schools understood the offer and the proposed funding of the provision before an agreement to the de-delegation could be secured. Schools had not been consulted further on this subject, and there were concerns that some schools would not have budgeted for this additional cost. MS reminded the group of the role and remit of FIPS where there are financial sustainability concerns in maintained schools.
- **ACTION: RS/MS** to communicate key messages with maintained schools prior to DEF, and finance consultants will have an important role in explaining the changed funding arrangement for this service. Maintained schools to be reminded of the collective funding approach to a service that will be available to all schools.

#### **ACTION:**

- **RS/MS** to communicate key messages around the proposed school effectiveness offer and funding arrangements with maintained schools prior to DEF.

## **4. Financial Planning 2023/24**

### **DSG**

- National Non Domestic Rates will continue to be paid directly by schools as not all billing authorities have implemented necessarily procedures to revise the payment process to a direct arrangement with the DfE. All the billing authorities except Teignbridge DC were happy to implement the change.
- Modelling has been completed on Minimum Funding Guarantee identifying a £2m shortfall from the fully funded NFF model, this is largely as a result of increases in deprivation factor thresholds being met and therefore changes to the funding flowing out to schools through different factors to ensure ongoing movement towards full national funding formula.
- In mitigation, sparsity factor could be reduced to £47,300 for primary and to £72,900 for secondary to balance the effect – 146 schools would be affected with a maximum £9k funding reduction. A shortfall of £970k would remain – which could be met by reducing the Growth Fund in line with 23-24 spend forecast. SFG discussed that using the current surplus would mean

## Schools Finance Group: Notes of meeting on Friday 6 January 2023

that funding would not be available to fund any future funding transfer, but concluded that it would be best to use the funding now to mitigate the position.

- SFG requested clear communications to schools receiving less sparsity funding this year and reassurance that they will continue to be entitled to sparsity funding in future years as this element is built into base funding. **ACTION KB**
- F40 are considering the difficulties that LAs are facing in meeting the requirements of NFF.
- DfE expectation is that Central School Services Block is reduced by a further 20% for 23-24; a disapplication has been requested to remove this reduction.
- One-year Mainstream Additional Schools Grant of £17m for Devon Schools was announced in December, intended to offset pay awards and rise in utilities costs. This will be built into baseline from 2024-25.
- Cumulative DSG deficit projected at £127m by March 2023 this could impact on the financial stability of the county council. Management Actions for 23-24 currently total £20.6m.
- SFG considered whether the additional places being created in maintained and academy special schools are being filled with children from the independent sector. Noted that these placements are being allocated primarily at transition points. Where Independent placements end, new placements in that provision are expected to reduce moving into year 7.

### High Needs

- DEF rejected request to transfer 0.5% funding to High Needs Block at 23 Nov meeting, following which a disapplication was made to the Secretary of State to overrule the decision and allow the transfer.
- The DfE have since indicated to DCC that it wishes the DEF to reconsider its position in light of £17m Additional Grant, that it does not expect DEF to rely on the outcomes of the funding consultation, nor does it expect a new consultation to take place.
- SFG noted the reasons for the funding transfer request.
- It is proposed that 0.5% (£2.48m) is transferred between blocks for 2023-24 using the growth fund surplus which would not impact on individual school budgets.
- SFG noted that the consultation outcome was unanimously against the transfer, but also in favour of the use of growth fund surplus, so additional funding would not be a factor. It is strongly felt that schools do not recognise the difference that could be made by additional funding being transferred to the HNB, due to the ineffectiveness of the measures already put in place.
- Schools were given the indication that Management Action Plan measures would be put in place and funded regardless of any transfer to the HNB, and felt that no new information has been presented and therefore schools' representatives have no reason to vote against the consultation outcomes.
- SFG sought confirmation that the DfE had shared written notice that DEF not approving a transfer to HNB might impact negatively on Devon's participation in the Safety Valve Intervention Programme. SFG members confirmed that they did not seek to de-rail any Safety Valve application.
- SFG members felt that funding continues to be transferred with little effect – the high needs deficit has continued to grow regardless of measures in place and the principle of any transfer is in question. Schools feel there is an erosion of confidence in the processes and lack of progress, and that this is linked to reduced engagement with DEF by interim strategic leadership within the LA and elected members.

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## Schools Finance Group:

### Notes of meeting on Friday 6 January 2023

- Heads requested further information about the DSG action plan that is in place and the positive impact that is being seen as a result of the measures.
- RG confirmed his support for the proposal, and called for collective trust in moving forward together in this matter, which is routinely considered and approved in other LAs nationally. There are concerns about the potential reputational damage to Devon if a collaborative approach is not taken.
- School Heads reiterated that they are accountable to the DSLS members who have given a particular steer through the consultation. Should DEF vote for the transfer there will need to be clarity for schools about the change of approach – a commitment from the LA is needed about how things will be done differently in the future which will not result in a further escalation of deficit.
- Feel that there is a particular disconnect between the LA and the academy sector who are not working as closely with DCC.
- JS called for analytical modelling on the movement in the key budget lines impacting on the growing deficit, and improvement in the trajectory over the last few years. **ACTION: - DJ / High Needs Funding SubGroup** to look more closely at the trend of these budget lines to provide key messages for schools to improve understanding and identifying where improvements have been made through the investment into the HNB DSG management actions.
- Will need to be able to demonstrate that, based on that evidence available there is a commitment to do things differently through a changed approach, based on what schools have fed back.
- **DEF to be asked to reconsider the proposal at the January meeting. DfE have requested clarity through minutes outlining any reason for further refusal of the proposal.**
- Requested that High Needs Sub-group has a standing agenda item to consider preparation for funding consultation and communications. Earlier than normal consideration and planning of the autumn consultation needs to be scheduled.

#### **ACTION:**

- **KB** – to draft communications to schools receiving reduced sparsity funding during 2023/24 with reassurance of continued entitlement to sparsity funding in future years as this is built into base funding.
- **DJ / High Needs Funding Sub Group** to look more closely at the trend of key high needs budget lines to provide clear messages for schools to improve understanding and identify where improvements have been made through the investment into HNB management actions.

#### **5. Growth Fund**

- SFG endorsed proposals for updated funding rates.
- SFG endorsed proposals for of exceptional Growth Fund criteria to ensure support is made immediately available to schools managing the additional needs of incoming pupils coming into the county via non-funded government schemes.
- Requested next SFG receive a monitoring report on the government refugee funding.

#### **ACTION:**

- **K Bond / HWJ** - Next SFG to include a monitoring report on the government refugee funding

## Schools Finance Group: Notes of meeting on Friday 6 January 2023

### 6. Mutual Fund Board – monitoring and appeals

- Noted proposed revision of Mutual Fund premium costs to increase by 7.5% to mitigate expected impact of persistently increased level of claims and possible impact of increased pressures within NHS.
- Schools noted that staff absence continues to be very high with schools struggling to cope.
- Noted that funds can be repaid to schools if a surplus results.
- Mutual Fund Board approved the proposed changes

#### **ACTION:**

- **Finance Team** to action changes.

### Future meeting dates:

- **Wednesday 8 March 2023** (09.15 – 12.30 – Teams)
- **Wednesday 7 June 2023**
- **Monday 10 July 2023** (12.30 – 15.45 – Teams)
- **Wednesday 13 September** (09.15 – 15.30 – face to face – Venue tbc)
- **Monday 6 November 2023** (14.00 – 17.30) – Teams
- **Friday 5 January 2024** (09.15 – 12.30 – Teams)
- **Wednesday 6 March 2024** (09.15 – 12.30 – Teams)



## FINANCE UPDATE

### REPORT OF THE DIRECTOR OF FINANCE & PUBLIC VALUE AND INTERIM DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S FUTURES

#### RECOMMENDATIONS

It is recommended that DEF:

- a) Note month 8 DSG monitoring position as set out in this report
- b) Note current Safety Valve / DSG management plan position as set out in the report

#### Budget Monitoring Report – Month 8 (2022/23) – Dedicated Schools Grant

##### Executive Summary

- The month 8 outturn forecast for 2022/23 sees an overspend in the overall Dedicated Schools Grant (DSG) of £40.6 million which is 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. This is an adverse change of £458,000 since month 7 (£3.7 million from month 6).
- The Management Action of £10 million reflects the revised savings expected to be delivered in 2022/23 and are as per the Safety Valve submission to the DfE. To date, £3.9 million of Management Actions have been achieved since the start of the summer term, with a further £2.4 million expected to be achieved totalling £6.3 million in this financial year.
- £3.7 million of savings is currently identified not to be achieved in this financial year due to 55 of the 77 planned 3-5 year placements within the Independent Sector leaving at the end of the summer term, delay in resource base provision placements being occupied / opened, delay in the commencement of the Post 16 and reduction in the expected number of children being supported through the SEN100 Special Schools project. This is projecting a cumulative DSG deficit to March 2023 of £127.2 million increasing to just under £144 million by 2024/25 which is £4.9 million over what has been included in the Safety Valve.
- The Service are looking at projects to escalate or seeking alternative solutions to meet the £3.7 million that is currently deemed unachievable and reviewing all spend to mitigate the in year overspend.
- The increasing DSG deficit could have a considerable impact on future education budgets within the DSG as well as impacting on the financial sustainability for Devon County Council. Action is required now by all stakeholders to reduce the demand on Education Health Care Plans (EHCPs) and independent placements. We need all stakeholders to be working in partnership to be able to achieve this.

## 1. Schools

1.1. In March the revised DSG settlement allocation stands at £307.6 million (after recoupment for academies and direct funded places) based upon pupil numbers as at the October 2021 Schools census and January 2022 Early Years census.

**Table 1: Summary of Month 8 forecast position and significant variations**

Budget projections as at Month 08	Revised Budget for year £'000	Underlying outturn forecast £'000	Management Action pending		Net Outturn forecast £'000	Forecast outturn variance £'000	Analysis of outturn variance		Change from month 7		Change from month 6	
			FSP savings o/s £'000	Non FSP action o/s £'000			Total forecast FSP savings £'000	Underlying forecast outturn variance £'000	Total Forecast FSP savings £'000	Forecast outturn variance £'000	Total Forecast FSP savings £'000	Forecast outturn variance £'000
Schools delegated budgets	225,530	225,530			225,530	0	0	0		0	0	(90)
Academy Grants	4,064	4,064			4,064	0	0	0		0	0	57
DSG and School Funding	(349,044)	(349,044)			(349,044)	0	0	0		0	0	(470)
<b>Total DSG Funding</b>	<b>(119,450)</b>	<b>(119,450)</b>	<b>0</b>	<b>0</b>	<b>(119,450)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(503)</b>
De-delegated budgets	6,090	6,090	0	0	6,090	0	0	0	0	0	0	0
Central School Services Block	4,183	4,184	0	0	4,184	1	0	1	0	21	0	20
Early Years & Childcare Services	41,664	41,605	0	0	41,605	(59)	0	(59)	0	316	0	432
<b>Total DSG central budgets</b>	<b>51,937</b>	<b>51,879</b>	<b>0</b>	<b>0</b>	<b>51,879</b>	<b>(58)</b>	<b>0</b>	<b>(58)</b>	<b>0</b>	<b>337</b>	<b>0</b>	<b>452</b>
High Needs Budget	129,533	140,346	0	(2,403)	137,943	8,410	0	8,410	0	121	0	3,735
DSG High Needs 22/23 deficit budget prep	(32,225)	0	0	0	0	32,225	0	32,225	0	0	0	0
<b>Total High Needs budget</b>	<b>97,308</b>	<b>140,346</b>	<b>0</b>	<b>(2,403)</b>	<b>70,372</b>	<b>40,635</b>	<b>0</b>	<b>40,635</b>	<b>0</b>	<b>121</b>	<b>0</b>	<b>3,735</b>
<b>Total Dedicated Schools Grant</b>	<b>29,795</b>	<b>72,775</b>	<b>0</b>	<b>(2,403)</b>	<b>70,372</b>	<b>40,577</b>	<b>0</b>	<b>40,577</b>	<b>0</b>	<b>458</b>	<b>0</b>	<b>3,683</b>
<b>Total</b>							<b>40,577</b>					

1.2. The working budget is inclusive of other schools grants of £41.4 million.

1.3. Reporting a slight overspend, this budget heading includes Termination of Employment Costs, Admissions, Schools Forum, Devon SLS (Phase associations), Insurances and Surplus Properties.



## 2. DSG Deficit Management Plan

**Table 2: DSG Adjustment Account**

	£'000
DSG Adjustment Account	86,529
DSG High Needs 22/23 deficit	40,635
<b>Total DSG Deficit Reserve</b>	<b>127,164</b>

2.1. The DSG Adjustment Account, which shows the cumulative DSG Deficit as per government guidance, is projected to rise to £127.2 million by the end of 2022/23. This is due to the funding pressure identified of £40.6 million and after management actions of £6.3 million.

## 3. Early Years & Childcare services

- 3.1. The DSG allocation for Early Years' Summer term is based on January 2022 census (5/12ths) and was received in the July settlement. The actuals spent against the finalised saw little variation.
- 3.2. Funding for the period September 2022 to March 2023 (7/12ths) will be finalised in March 2023 and based on the January 2023 census. Payments for Autumn and Spring terms will be based on future headcounts and therefore we can only estimate variances as both funding (budget) and actuals (eligible children/take up) will change. Estimates are based on either summer term expenditure or budgeted demand as appropriate. In previous years there has been a favourable variance for the early part of the academic year as take up in the Autumn is often at its lowest.
- 3.3. Individual SEN payments for the summer term were £413,000, up 11% on the Summer 21 term. Autumn headcount payments have been made but the budget/settlement will change so only reporting £20,000 as offset by the net surplus between the autumn trajectory (contingency) and SEN overspend.
- 3.4. Ringfenced carry forwards from 2021/22 underspends of Pupil Premium and Disability Access Fund are included in the budgets and are being managed to ensure that all funds are utilised in this current financial year.
- 3.5. Since month 7 an adverse change of £316,000 as underspend identified previously should not have been assumed. Forecasts are still at risk to change at outturn however as income and take up will not be confirmed for these remaining 7 months until early April.

## 4. High Needs

- 4.1. The High Needs Block continues to remain under significant pressure and is forecasting to overspend by £40.6 million, which is an adverse change of £121,000 since month 7.
- 4.2. Table 3 sets out the high-level view within the High Needs Block.

**Table 3: Summary of High Needs budgets and forecast position as at Month 8**

	Budget £'000	Mth 8 Forecast £'000	Deficit / (Surplus) Balance £'000	Variance £'000	Movement Previous Mth £'000
Alternative Provision	3,650	4,205	555	555	130
Children in Care and Exclusions	1,832	1,832	0	0	0
Improved Outcomes Disadvantaged Children	1,685	1,546	(139)	(139)	(2)
Inclusion	211	211	0	0	0
Nursery Plus	1,164	1,200	36	36	(1)
Safeguarding Every Learner	203	229	26	26	8
SEN Mainstream	22,700	24,469	1,769	1,769	577
FE Colleges	3,410	3,590	180	180	122
SEN Services	933	890	(43)	(43)	(12)
SEN 100 Project	969	969	0	0	0
Maintained & Academy Special Schools	39,727	39,912	185	185	221
Hospital Education Services	827	827	0	0	0
Recoupment	2,231	2,341	110	110	110
Other Special School Fees	47,754	53,968	6,214	6,214	(714)
Support Centre Funding	2,237	1,755	(482)	(482)	(318)
<b>Total High Needs Funding</b>	<b>129,533</b>	<b>137,944</b>	<b>8,411</b>	<b>8,411</b>	<b>121</b>
DSG High Needs 22/23 deficit budget prep	(32,225)	0	32,225	32,225	0
<b>Total High Needs budget</b>	<b>97,308</b>	<b>137,944</b>	<b>40,636</b>	<b>40,636</b>	<b>121</b>

### Alternative Provision

- 4.3. Alternative Provision (AP) is currently showing an overspend of £555,000 due to AP Other provision pressure of £550,000 which is mainly due to an increase in EHCP refusals leading to medical referrals.
- 4.4. The main commissioning contract is overspending by £85,000 due to an increase in the number of special commissioned places totalling £191,000 this is in part is being offset by 144 pupils on roll compared to the 150 budgeted.
- 4.5. Additional 39 AP Medical commissioning placements were built into the 2022/23 budget (129 in total); however, pupil numbers are currently at 123 and will remain at this level. This is resulting in a combined contract underspend of £111,000.
- 4.6. Diabetes funding is reporting £30,000 overspend due to additional 4 children requiring support. Health contributions need to be explored to support this cost to the High Needs Block.

4.7. £130,000 adverse change due to increase in special commission places and AP Medical places within WAVE.

### **Improving Outcomes Disadvantaged Children**

4.8. Improving outcomes for disadvantaged children are reporting an underspend of £139,000 due to staff vacancies within the SEND teams that have TUPE'd from Babcock.

### **Nursery Plus**

4.9. Nursery Plus are reporting an overspend of £36,000 which is mainly in relation to increase in staffing costs across all settings.

4.10. Nursery Plus statistics have been requested for each setting to compare the running costs of each setting with the number of children being supported, this data is currently being reviewed and analysed.

### **SEN Mainstream**

4.11. This covers personalised education packages and EHCPs as well as the central SLAs which support them.

4.12. Mainstream EHCPs (pre-16) are reporting an overspend of £1.3 million and assumes remaining Management Action of £265,000 will be achieved in this financial year. Overall EHCP numbers are currently below the budgeted average 3,300 (vs 3,472 budgeted), resulting in a saving of £234,000 (after allowing for Management Action achieved), however there is a backlog of funding requests which are currently being dealt with which may result in an increase in funding after allowing for growth within the budget.

4.13. Shortfall funding is reporting an overspend of £725,000 due to increased demand and the change in the 2022/23 AEN funding formula in School Budget Share for Academies not being realised until September 2022.

4.14. £598,000 overspend for interim payments where an EHCP has not been issued within 20 weeks and £236,000 other funding pressures for prior year funding.

4.15. SEN Therapy is reporting an underspend of £121,000; this is in relation to reduced forecast for direct therapy support costs of £146,000 offset by the Multi-Sensory Impairment (MSI) quarter 4 accrual for 2021/22 being lower than the actual invoice received.

4.16. Children Educated Other than at School is reporting a combined overspend of £558,000 and includes Home Educated Personalised budgets and Tutoring Specialist provision. The Tutoring Specialist Provision is reporting a £507,000 overspend due to the number of pupils now being supported (141 V's 105 budgeted) and the average cost has risen by £1,478.

### **FE Colleges**

4.17. FE Colleges is reporting a overspend of £180,000. The majority of FE Colleges have now submitted their new academic year placements, number of pupils are 14 above budgeted (799 V's 785 budgeted) average top up is £146 above the budgeted value resulting a volume variance of £60,000 and price variance of £116,000.

## Maintained and Academy Special Schools

- 4.18. The average numbers on roll including Plus Packages and Exceeded places are forecast at 1,652 (vs 1,637 budgeted). Plus Packages and Exceeded places are 25.5 above budget resulting in an overspend of £313,000, however this has been offset by a reduction in top up of 10 places and a saving of £113,000.
- 4.19. Place funding has been reduced by 14 due to capacity limitations at Southbrook and ACE Tiverton resulting in savings of £157,000.
- 4.20. An uplift of 2.75% in the top up funding rate has been budgeted for and has been agreed by SENTient.
- 4.21. A review of residential funding has been completed which has resulted in the number of placements reducing at Orchard Manor due to not being required and an increase in funding for Marland residential school for additional staffing, this has resulted in a net saving of £190,000.
- 4.22. Forecast assumes an increase in joint funding income of £24,000 and £1.1 million of Management Action will be achieved in this financial year. £332,000 of the SEN 100 Special Schools project will not be realised due to the reduced number of pupils being supported.
- 4.23. Adverse change of £221,000 since month 7 is due to a reduction Management Action savings of £332,000 offset by savings in top up funding and increase joint funding contribution.

## Other Special Schools Fees

- 4.24. The Other Special Schools budget includes Safety Valve Management Action of £8.1 million of which £4.6 million is forecast to be achieved in this financial year (£3.7 million achieved to date). £3.5 million will not be achieved in this financial year and relates to;
- £1.4 million current hold on additional resource bases which were due to open in Sept.
  - £347,000 Post 16 cessation of 3–5-year placements in the summer term, management action assumed 73 placements would end in July 2022 of which 55 have been identified.
  - £1.6 million Transition to Adulthood savings will not be realised in this financial year.
  - £268,000 Outreach Support – Special Schools, reduction in the number of children being supported
- 4.24.1.1. (£65,000) over achievement of Outreach Support - Babcock
- 4.25. The current placements forecast to March 2023 is 1,162 (after Management Action) which is 10 above budgeted for the year resulting in an adverse volume variance of £26,000, we are continuing to see rises in the average placement cost within SOLE funded placements resulting in an adverse price variance of £2.9 million.
- 4.26. There have been 220 new starters in this academic year compared 165 budgeted and the number of leavers are lower than budgeted (including those through Management action) resulting in continued growth in this sector. Of the new starters, 52% have come from mainstream settings and predominantly are within transitional years (Yr. 7 & Y 12).
- 4.27. £300,000 pressure for Miscellaneous costs which is in relation to one off additional cost for placements.

- 4.28. The forecast includes Teacher Pay & Pension Grant of £285,000, which will not be distributed to settings as these costs are already included in the core offer and reflected in placement costs, resulting in a saving to the independent budget.
- 4.29. We are continuing to see increasing requests from providers for inflationary rise to their current placement costs, each of these are reviewed and where fee increases are over and above 2.75%, a letter has been sent to these providers explaining this will be the offer from the Local Authority. The forecast has allowed for an inflationary increase and forms part of the above price variance.
- 4.30. All spend is currently being reviewed within Other Special Schools to mitigate the growing demand in this sector.

## Support Centres

- 4.31. Support centres are forecasting to underspend by £482,000 which is due to the additional centres planned from September 2022 not opening in this financial year. This cost reduction to the budget is offset in part by the increased top-up values from £7,000 to £9,000 per place. A review of how support centres will operate in the future is currently being undertaken which may result in a redirection of support centre funding.

## 5. Investment

**Table 4: Safety Valve staffing investment**

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Workstream Team	No of Staff	22/23 Staffing Investment £'000	Appointments to date	Further Planned Appointments	22/23 forecast £'000	Current RAG rating
<b>4.5 Prevention of more Complex Support</b>						
Team Around the School	7	385	0	7	173	●
Special Teachers - Curriculum	21	1,228	0	21	549	●
Education Key Workers	9	281	4	5	123	●
SEN Caseworkers	12	495	7	4	538	●
<b>4.6 Transition to Adulthood</b>						
Transition to Adulthood	6	263	3	3	156	●
	<b>55</b>	<b>2,652</b>	<b>14</b>	<b>40</b>	<b>1,540</b>	

- 5.1. Forecasting to spend £1.5 million of the £2.7 million allocated, there have been issues with recruiting staff into some of these roles and there could be further risks in appointments with the current recruitment freeze in place. Forecast costs include one-off ICT costs.

- 5.2. Team Around the School and Special Teachers have commenced with existing staff who have transferred in from Babcock being utilised, meetings have been held during November to progress these projects. The costs reflect the part year affect.
- 5.3. Education Key Workers posts have been approved with funding identified, currently 4 posts have been appointed to with one starting in January, there have been difficulties filling the remaining 5 roles with one of reason being the grade of the posts, it's not expected that these will be filled in this financial year.
- 5.4. SEN caseworkers are being recruited by external agency companies, currently there are 7 caseworkers in post, there are caseworkers which have been appointed to support the backlog team however, due to recruitment issues within the main 0-25 team they are being transferred to backfill vacant roles. Costs have increased due to a combination of day rates increasing and realignment of level of staff required to manage teams and caseloads.
- 5.5. There is a risk of slippage of Management Action savings being achieved in this financial year if there are further delays in workstream teams being set up and posts recruited too.

## 6. Workstream Savings

Table 5: Management savings / Cost reductions

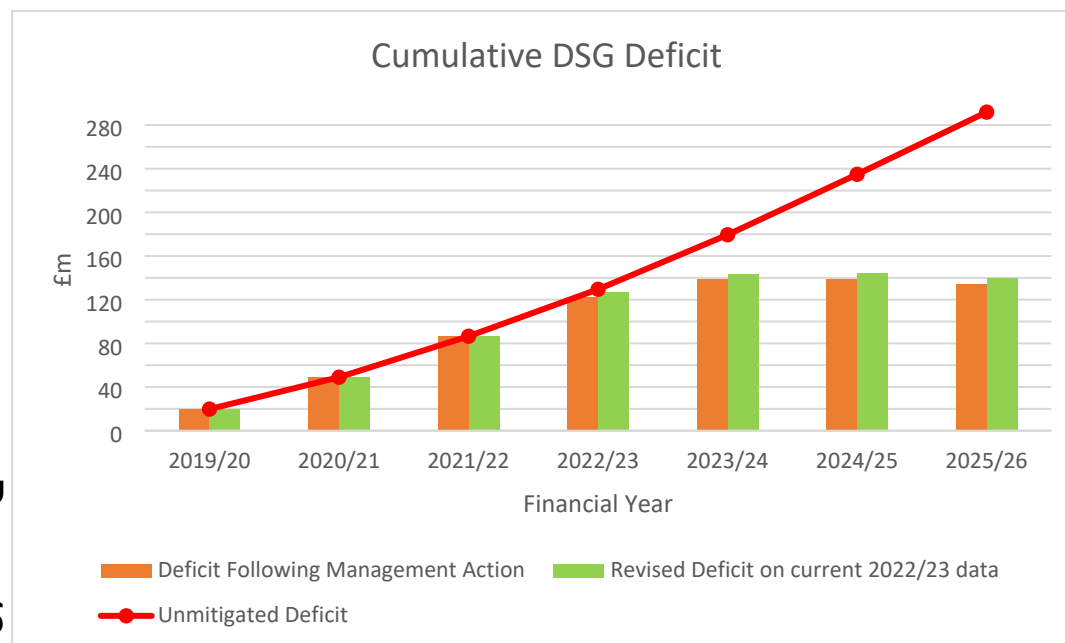
DSG Management Plan savings / Cost reductions Workstream / Management Action	profile of savings						22/23 Targeted Savings	22/23 Forecast Non Deliverable amount	22/23 Forecast Deliverable amount	Actual savings Achieved	Previous Delivery	Current Delivery
	Summer term Planned	Summer term Actuals	Autumn Term Planned	Autumn Term Actuals	Spring Term Planned	Spring term Actuals	£'000	£'000	£'000	£'000	RAG	RAG
1. New Specialist Provision	0	0	(1,132)	(968)	(160)	0	(1,292)	0	(1,292)	(968)	●	●
4.2 Support Centre Expansion	(720)	(150)	(1,120)	(228)	0	0	(1,840)	1,360	(480)	(378)	●	●
4.3 SEN 100 Project	(1,153)	0	0	(390)	(489)	0	(1,642)	364	(1,278)	(390)	●	●
4.4 Independent Sector	(1,849)	(1,502)	0	0	0	0	(1,849)	347	(1,502)	(1,502)	●	●
4.5 Prevention of more Complex Support requirements	0	0	(409)	0	(630)	0	(1,039)	0	(1,039)	0	●	●
4.6 Transition to Adulthood	0	0	(1,607)	0	0	0	(1,607)	1,607	0	0	●	●
4.7 Other	0	0	(750)	(700)	0	0	(750)	0	(750)	(700)	●	●
<b>Total Management Plan Savings</b>	<b>(3,722)</b>	<b>(1,652)</b>	<b>(5,018)</b>	<b>(2,286)</b>	<b>(1,279)</b>	<b>0</b>	<b>(10,019)</b>	<b>3,678</b>	<b>(6,341)</b>	<b>(3,938)</b>		

- 6.1. Pupil data has been provided by workstream leads to evidence those who have been supported either during the summer term or taken up a placement within the expanded Maintained and Academy special school places, this has achieved to date, £3.9 million of savings. We have received limited data from SEN 100 Special Schools workstream which suggests fewer children are being supported than originally planned, therefore a reduction in the anticipated savings is being reported against this project.

- 6.2. Of the £10 million savings budgeted, we are currently forecasting that £3.7 million of Management Action will not be achieved in this financial year which predominately impacts on Other Special Schools budget. There has been a delay in the additional 8 resources bases due to open in September 2022 creating additional 64 places. This whole workstream is currently being reviewed to determine the strategic direction of these bases. There has been a cost reduction to the Support Centre budget of £635,000. Post 16 ceasing of 3–5-year placements at the end of the summer term, 55 placements have been identified as leaving compared to 73 built into management savings.
- 6.3. The number of children supported within the SEN 100 Specialist Support Assistants project have been higher than originally forecast resulting in additional savings in the Summer and Autumn term of £236,000, consideration should be given to escalating this project at a faster pace than original profiled.
- 6.4. Work is taken place within the Post 16 workstreams, however savings will not be realised in this financial year for the Transition to Adulthood.
- 6.5. There is a risk of slippage within the New Specialist Provision and Maintained and Academy Special Schools additional capacity not being available as originally planned, this is due to delays in building works due to supply and demand of materials.
- 6.6. Savings are yet to be identified for both the Prevention of more Complex Support requirements, it is expected that savings will be realised in the Autumn and Spring term.
- 6.7. Finance meetings are being held monthly with the Interim Special Educational Needs and Disabilities (SEND) Strategic Director to review and discuss the progress of each of these workstreams and whether deep dive of any of the projects are required. It has also been agreed that monthly meetings will be held between the Interim SEND Strategic Director and each of the workstream leads. A project officer has now been appointed to provide support in monitoring the management plan.

## 7. Impact of cost reduction on overall Deficit

**Table 6: Cumulative DSG Deficit**



7.1. The graph above shows in red the overall deficit as set out if no action is taken and the budget remains unmitigated. The orange columns show the mitigated position at budget prep and the green columns based on the month 8 position.

7.2. The revised deficit is now forecasting to be at £143.9 million by 2024/25 which is £4.9 million over that stated in the Safety Valve Programme.

## 8. Capital Investment

**Table 6: SEN Capital investment – DfE funding**

SEN Capital Programme	No of additional places	Investment £'000	22/23 Actual Spend £'000	22/23 Forecast spend £'000	Comments
Ace Tiverton Special School	30	810	653	765	pending approval request, needs budget uplift
Lampard School	60	4,200	787	2207	Roof shown separately under Strategic Schools
Marland Day	40	1,700	3	10	
Okehampton Special School	100	11,400	5202	6281	Bid includes DCC land contribution circa £450k value
Orchard Manor Special School, expansion	54	3,100	1107	1296	
South West Devon Special School	120	2,300	26	2296	
	<b>404</b>	<b>23,510</b>	<b>7,778</b>	<b>12,855</b>	



- 8.1 Total investment requirement is £23.5 million with £17 million being funded by the DfE and the remaining contributions being funded by LA contribution and High Needs Provision Capital Allocation. This will create additional 404 places over the next 3 years and is expected to see £6.7 million saving to the High Needs Block.

## 9. Risks

- 9.1. Changes in Senior Leadership - both within the Service and wider authority could see delays, advances or change in direction to current plans identified.
- 9.2. SEN placements continue to cause increase in the demand on the High Needs Block. Support from schools to take action to mitigate the growing demand and reduce the call on independent placements is necessary to ensure that we remain within the funding envelope received.
- 9.3. Recruitment and Retention - SEN 0-25 team have 31 posts been agreed since 2021/22, however it has been difficult to recruit and retain these staff. Currently some of these vacancies are being met by agency staff, but this is insufficient for the demands being seen by the service.
- 9.4. Rising costs in fuel and energy may well result in additional charges being passported onto the local authority through higher independent placement costs.
- 9.5. Management actions delayed through increased volumes of requests and placements; new high-cost placements moving into the area; continuation of pandemic impact.
- 9.6. Mitigation of the above risks can be achieved through support from schools and other providers to take action on the growing demand and reduce the call on independent placements.
- 9.7. Quality data being held by the service needs to be made readily available to enable trend analysis and tracking of those placements that have an impact on the Management Plan.
- 9.8. Stakeholder Involvement is key. There is a need to get engagement from the schools and other providers to ensure the mitigation of the identified workstream / projects being achieved. In doing so the levels of EHCPs supported in mainstream settings will increase and therefore reduce the demand currently being seen within the independent sector.

## 10. Recommendation

- 10.1. It is recommended that DEF:
- a) Note month 8 DSG monitoring position as set out in this report.
  - b) Note current Safety Valve / DSG management plan position as set out in the report.

**All to Note**

**ANGIE SINCLAIR**  
**Director of Finance & Public Value**

**JULIAN WOOSTER**  
**Interim Director for Children and Young People's Futures**

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



## DEDICATED SCHOOLS GRANT 2023-24: BUDGET PLANNING

### REPORT OF THE DIRECTOR OF FINANCE & PUBLIC VALUE AND INTERIM DIRECTOR OF CHILDREN AND YOUNG PEOPLE'S FUTURES

#### RECOMMENDATIONS

It is recommended that DEF:

- a) Specifically approve the reduction of the size of the growth fund from £2.8 million for 2023-24 to £1.8 million in line with the 2023-24 spending forecast.

**All to Vote**

- b) Specifically approve use of the balance from the reduction of size the growth fund for 2023-24 against the shortfall of £970,000 in Schools Funding that remains after reducing the Sparsity Factor to £47,300 for Primary and £72,900 for Secondary.

**All to Vote**

#### For information

This report will cover

1. DSG Settlement 2023-24
2. Schools Block
3. Central School Services Block
4. High Needs Block
5. Early Years Block
6. Other Schools Grants
7. DSG Deficit & Management Plan

#### 1. DSG Settlement 2023-24

- 1.1. On the 16 December 2022 the Education and Skills Funding Agency (ESFA) announced the Dedicated Schools Grant allocations for 2023-24

- 1.2. In addition, it was announced in the 2022 Autumn Statement that the core schools budget will increase over and above totals previously announced at the Spending Review 2021. This funding will be allocated separately to schools in the form of the Mainstream Schools Additional Grant (MSAG).
- 1.3. Note that the final allocations will be adjusted through the year for recoupment academies and the updated Early Year's census. Individual maintained school budget allocations will be confirmed by 28th February 2022 following ratification by the ESFA; Academies will receive their notifications directly from the ESFA.

## 2. Schools Block

- 2.1. The Schools Block allocation for 2023-24 is £500.4 million, which includes £2.8 million for Growth Fund and the rolling in of the £14 million Schools Supplementary Grant announced in the 2021 spending review.
- 2.2. The National Non-Domestic Rates (NNDR) at present will continue to be paid by Schools rather than direct arrangement with the DfE as Teignbridge DC does not want to put procedures in place for April 2023. Guidance states that in 2 tier local authorities all billing authorities need to agree to implement the changes. If mutual consent is not reached it will not be possible for any billing authority to adopt the revised payment process.
- 2.3. As part of the consultation, it was agreed that schools would see funding per the National Funding Formula (NFF) levels for 2023-24 –
  - Minimum Funding Guarantee (MFG) for 2022-23 is set at 0%
  - Increase sparsity values to meet the NFF rates of £56,300 for primary and £81,900 for secondary and all-through schools.
  - 2.4% to the Basic entitlement, Low prior attainment, free school meals (FSM), English as an additional language (EAL), mobility and the lump sum.
  - 4.3% to free school meals at any time in the last 6 years (FSM6), IDACI,
  - 0.5% to the floor and the minimum per pupil levels
- 2.4. Within the consultation we also sought direction that if the funding received in the final settlement was lower than expected that we would adjust the Sparsity factor as the only one that was not currently at the NFF level. In this scenario we had built in a need to reduce the rate to fund a shortfall of £350,000 (assumption based on 2022-23 settlement)
- 2.5. However, the funding settlement received is £2 million below a fully funded model of the NFF and to ensure that the block remains within its funding envelop the following actions need to take place.
- 2.6. The Sparsity factor will need to reduce to £47,300 for Primary and £72,900 for Secondary. This recognises that the LA must move the local formula factor values at least 10% closer to the NFF unless already mirroring.
- 2.7. This still leaves a shortfall of £970,000 which needs to be met from the Schools Block.

2.8. The two options of meeting this shortfall are

- Reduce the size of the Growth Fund to £1.8 million (in line with 2023-24 spending forecast) realising an in year transfer to schools to cover the shortfall. This will see 146 schools affected with a maximum funding reduction of £9,000.
- Reduce the Basic Entitlement factors by 0.36% across Primary and Secondary. This will see 295 schools affected with the top 10 worst affected being secondary schools ranging from £21,000 to £35,000. Those with a budget shift greater than 2% from the fully funded model is predominantly linked to the Sparsity factor change rather than the reduction to Basic Entitlement.

### **Recommendation**

2.9. That Schools Forum approve the reduction the size of the growth fund from £2.8 million for 2023-24 to £1.8 million in line with the spending forecast.

2.10. That Schools Forum endorse the use of the balance from the reduction of the growth fund to maintain the funding levels across the majority of schools. Therefore seeing changes from the indicative values where the sparsity factor has needed to be reduced to meet the funding envelope.

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### **3. Central School Services Block**

3.1. The Central Schools Service Block recognises the Ongoing Responsibilities of Education Services Grant (ESG), Admissions, Copyrights and Schools Forum along with Historic Commitments for Termination of Employment Costs.

3.2. In 2023-24 the DfE have reduced the Historic Commitments by a further 20%, however as with the previous two years Devon has applied for a disapplication to remove this reduction to ensure that the Termination of Employment costs remain funded for the coming year of £873,000. This will be confirmed in the March DSG.

### **4. High Needs Block**

4.1. The High Needs Block settlement is £112.2 million for 2023-24 which includes the additional £4.4 million announced as part of the 2022 autumn statement. High needs though continues to be under considerable budgetary pressure even after receiving this additional funding.

4.2. The budget required to meet current HNB demand and agreed future growth with the service is £160.4 million before management actions of £20.6 million.

4.3. The 3 main areas of funding within the block after management actions are:

- Independent Special Schools (£50 million)
- Maintained & Academy Special Schools (£41.5 million)

- SEN Mainstream (including FE) (£30 million)

#### 4.4. **Independent special schools.**

The budget has been set on 1,240 sole funded placements at an average cost of £49,078, allowing for in year movement and built into this as part of the overall management plan are actions of £12.6 million.

#### 4.5. **Maintained & Academy Special Schools.**

Part of the management plan is to invest in our maintained special schools to increase our own capacity to meet growing demand for placements in this type of provision. Overall, the budgeted places have increased to 1,731 in 2023-24 from 1,610 in 2022-23, with an average cost of £23,606. Management actions of £3.7 million are included within the budget.

#### 4.6. **SEN Mainstream (including FE)**

Pre-16 Mainstream has seen a fall in the number of EHCPs from 2,593 to 2,448 for 2023-24 with Plus Packages increasing from 879 to 1,103 resulting in a £3.8 million increase overall. Whilst, FE Mainstream has seen an increase in the number of EHCPs from 797 to 879 for 2023-24 resulting in a £1.1 million increase. These have been offset by management actions of £4.3 million.

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### 5. **Early Years Block**

5.1. The Early Years Block allocation is £43.5 million for 2023-24.

5.2. The formula allocates funding to local authorities for the existing 15-hour entitlement for all 3- and 4-year olds and the additional 15 hours for 3- and 4- year old children of eligible working parents. The funding rates for both entitlements have seen a rise of 26p per hour, whilst the 2-year old funding has seen an additional 8p.

5.3. From April 2023 Devon will be funded at £4.87 per hour for 3- and 4-year olds (national average of £5.29) and £5.65 for 2-year olds (national average of £6.00).

### 6. **Other Schools Grants**

#### 6.1. **Mainstream Schools Additional Grant**

On 16th December 2022 the DfE published the methodology for allocating this funding. Indicative Local Authority Level initial allocations advise an additional £17 million (3.4%) in Mainstream Schools Additional Grant (MSAG) funding for Devon schools. This will be passed direct to schools and is intended to be used to pay for the increased teacher and staff pay awards and the rise in utilities. This is a one year grant and is expected to be rolled into the baseline for 2024-25.

#### 6.2. **Pupil Premium**

The illustrative budget is £28.8 million. The funding rates for Pupil Premium remain the same as for 2022-23. Allocations for 2023-24 are expected to be announced in the new year.

### 6.3. **Other Grants**

Universal Infant Free School Meals (UIFSM), PE & Sports Premium and Teachers Pay and Pensions Grants are based on the latest available data for 2022-23 and we will be notified of further details by the ESFA in the new year.

## 7. **DSG Deficit & Management Plan**

- 7.1. As part of budget preparation, we are projecting to see the Dedicated Schools Grant (DSG) deficit increase by a further £27 million. The main reasons are the increasing volume of requests still being seen from schools and the continued demand being put on the service for SEN placements.
- 7.2. The current projection to March 2023 is a cumulative DSG deficit of £127 million and when the 2023-24 projected deficit is added to this the cumulative deficit is just under £155 million by March 2024.
- 7.3. The Authority is very concerned over the ability to reduce this pressure and bring this back to a balance budget over the coming years. This could have a considerable impact on future education budgets within the DSG as well as impacting on the financial stability for Devon County Council.
- 7.4. A management plan was submitted in February 2022 to the DfE as part of the 2nd tranche of the Safety Valve Intervention Programme and continued follow ups with them have taken place to progress the decision forward since the delays over the summer and autumn with government changes taking place.
- 7.5. Children's Service and Finance are continuing to work on updating the management plan and it is necessary to engage with the High Needs sub group and oversight groups to make deeper changes to ensure stability of the service long term.
- 7.6. Within the budget for 2023-24 are management actions totalling just over £20.6 million.

## 8. **Recommendations**

**It is recommended that DEF:**

- 8.1. Specifically approve the reduction of the size of the growth fund from £2.8 million for 2023-24 to £1.8 million in line with the 2023-24 spending forecast.

**All to Vote**

- 8.2. Specifically approve use of the balance from the reduction of size the growth fund for 2023-24 against the shortfall of £970,000 in Schools Funding that remains after reducing the Sparsity Factor to £47,300 for Primary and £72,900 for Secondary.

**All to Vote**

**ANGIE SINCLAIR**  
**Director of Finance & Public Value**

**JULIAN WOOSTER**  
**Interim Director for Children and Young People's Futures**

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



## 2023-24 SCHOOLS FUNDING ARRANGEMENTS – TRANSFER TO THE HIGH NEEDS BLOCK

### Report of the Director of Finance & Public Value and Interim Director of Children and Young People's Futures

#### RECOMMENDATIONS

It is recommended that DEF:

- a) Reconsider based on the DfE request and specifically approve to transfer 0.5% between blocks for 2023-24 through a one-off transfer of the growth fund surplus and make recommendation to Cabinet.  
**All to Vote**
- b) If the above transfer is not approved, ensure that the reasons for this decision are fully captured in DEF's minutes and includes a discussion of the statements in "2. Reasons for Transfer"

#### Background

1. At its meeting of 23<sup>rd</sup> November the Devon Education Forum (Schools Forum) refused to allow the transfer of 0.5% funding to the High Needs Block. Following this decision the County Council made a disapplication to the Secretary of State for Education to overrule this decision and allow the transfer in order to support children with Special Educational Needs.
- 1.2. Following this disapplication, and at the request of the DfE, officers from the County Council met with the DfE and the DfE has asked that, following the announcement of the Mainstream Schools Additional Grant (MSAG) funding for schools (where the indicative allocation shows an additional £17 million (3.4%) for Devon mainstream schools), Schools Forum reconsider its decision.
- 1.3. The DfE has stated that it does not expect the Schools Forum to rely on the outcomes of the Consultations on Schools Funding arrangements for 2023-24 to make this decision, because the MSAG puts schools in a much better financial position than at the consultation.
- 1.4. The DfE also stated that it is not expecting a new consultation to be held due to time restrictions.
- 1.5. If the Schools Forum does not agree the transfer, the DfE expects the reasons for this to be minuted. The minutes should include (but not be limited to) a view on each statement made under section 2 - Reasons for the transfer below.

#### 2. Reasons for the transfer

- 2.1. For 2023-24, the block transfer is set at up to 0.5% of the Schools Block into another block, with Schools Forum approval. (DEF 22/12, Minute 69) Devon proposed a transfer from the schools' allocations through the schools national funding formula of 0.5% (£2.48 million) to the High Needs Block to support the demands of the High Needs Block and in particular the work on cost prevention and reduction.
- 2.2. We continue to suggest that for 2023-24 only that this transfer takes place by using the Growth Fund surplus. The surplus has accumulated over several years and provides an opportunity to retain maximum funding to individual schools within the School Budget Share for 2023-24. Individual schools budgets will not be impacted on as a result of this transfer taking place.
- 2.3. Without this transfer the initiatives agreed in conjunction with schools, particularly the proposals to maintain the Team Around the School and develop Specialist Support (Therapists) will be put in jeopardy as focus will remain on reducing the numbers of EHCPs.
- 2.4. Transferring the surplus to individual schools is not an option, as this would move schools further away from the NFF and put at risk not only our ability to make the changes necessary to bring us back to a sustainable system, but also risk the funding and support Devon is trying to access through the Safety Valve Intervention initiative.
- 2.5. The Schools Forum has a High Needs sub group, in part because there is a recognition that the authority and schools have to work together to address the High Needs overspend. This can only be successful if it is done in partnership and part of that is funding the work.
- 2.6. Devon is still an outlier in terms of the amount of EHCP requests the authority receives and while this is not the only reason the High Needs Block is overspent, the cumulative effect over many years has resulted in a significant pressure.
- 2.7. It is proposed that the 0.5% (£2.48 million) transfer between blocks will take place for 2023-24 through a one-off transfer using the growth fund surplus as this does not impact on individual school budgets whilst ensuring continued efforts are made to bring the overall position back within the funding envelope.

### 3. Recommendations

#### It is recommended that DEF:

- 3.1. Reconsider based on the DfE request and specifically approve to transfer 0.5% between blocks for 2023-24 through a one-off transfer of the growth fund surplus and make recommendation to Cabinet.  
**All to Vote**
- 3.2. If the above transfer is not approved, ensure that the reasons for this decision are fully captured in the minutes and includes a discussion of the statements in "2. Reasons for Transfer"

**ANGIE SINCLAIR**  
**Director of Finance & Public Value**

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

**JULIAN WOOSTER**  
**Interim Director of Children and Young People's Futures**



## Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 6 December 2022

### Key Issues for DEF to Note:

#### Admissions:

- **Item 2. Delayed Transition to Secondary School** – Admissions team encouraging early conversations between parents, primary and secondary schools about the transition of learners offset from their normal year group.
- **Item 3. Non-pupil days and setting school term dates** - Schools are encouraged to coordinate as closely as possible with the LA agreed term dates and schools in the local area. Different dates can impact heavily on families' holiday and childcare arrangements and school transport costs; schools are encouraged to consider this impact.
- **Item 6. Compliance with School Admissions Code** – concerns around a range of measures and explanations some schools are employing which are unlawful and could lead to appeal which include: lack of resources to meet the needs of a child with some additional needs; course or curriculum requirements; perceived risk of challenging behaviour without appropriate assessment and mitigation.
- **Item 7. Nursery Admissions Policy** - SOCA confirmed agreement for the revised policy document to be published in January.
- **Item 7. Childcare Sufficiency Childcare Sufficiency Report** - concerns around recruitment difficulties, with settings reducing numbers of admissions to maintain child/adult ratios, Increasing fees as providers pass on rising costs; low take up of free school meals in nursery provision; and challenges around managing the needs of very young children with SEND and lack of clarity for settings and parents.
- **Item 8. Proposed Term Dates** - concerns around imbalance in length of summer half terms for 24-25 academic year. Impact on curriculum delivery and a long second half term largely due to late Easter and earlier second May bank holiday. Only 3 Mondays in first half of summer term may impact negatively on curriculum, particularly for options subjects in secondary.
- **Item 9. SW Norse** - concerns around contractor performance which have resulted in compliance issues for regular maintenance checks.

#### Attendance

##### DCC

Neil Pateman (chair)  
Shona Meek  
Andrew Brent  
Fran Butler  
Heidi Watson-Jones (notes)

Built Environments Capital Programme Manager  
Senior School Organisation Officer  
Senior Policy Officer  
Early Years and Childcare Sufficiency Lead  
Service Support Officer (E&L)

##### Devon Schools Leadership Services

###### Primary

Colin Butler  
Penny Hammett

Otter Valley Federation  
FORT Federation

###### Secondary

Phil Randall  
Graham Hill

St Peters C of E VA School  
Pilton Community College

##### Special School Heads

Stuart Allman

Pathfield School

##### DAG

Ian Rogers

# Agenda Item 11

## Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 6 December 2022

### **Diocesan Representatives**

Vacancy  
Christina Mabin  
Richard Power

Diocese of Plymouth  
Exeter Anglican Diocese (Admissions)  
Exeter Anglican Diocese (Capital)

### **Union Representative**

Nigel Williams

Corporate Forum (Education) NASUWT

### **In Attendance**

Nick Cook - *part*

South West Norse

## Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 6 December 2022

### 1. Minutes of Previous Meeting – 27 September 2022

Thanks were given to Colin Butler for his long-standing contributions and support to the SOCA group and to Education in Devon. Thanks in particular for the support and challenge that Colin has provided in shaping the Fair Access Protocol. Best wishes for a long and happy retirement.

#### Outstanding actions:

- **AB** to share details of families providing 3 school preferences but not receiving a place at any of their preferred schools
- Considered hosting admissions arrangement webinars – **PH** to raise with schools whether follow up briefings on admissions arrangements would be helpful. Noted that Christina Mabin also holds similar events for church schools.
- **HWJ** to check future meeting dates
- All other actions complete.
- Minutes agreed as an accurate record.

### 2. Admissions: Delayed Transfer to Secondary School

- SOCA considered follow up to report at September meeting.
- Secondary schools have been advised to consider all children offset from their normal year group on a case by case basis to ensure that measures put in place relating to transfer to the secondary phase are in the child's and the school's best interest.
- **AB** to write to primary schools with year 5 children who are offset to encourage early conversations between parents, primary and secondary schools about delayed transfer.
- There were some concerns that not all secondary schools are discussing delayed transfer arrangements with parents or primary schools. It is a lawful option for parents to seek delayed admission, but schools should engage to ensure that delayed transfer is considered appropriately.
- Noted potential impact on further education which is restricted to 3 years of funded education. Secondary heads were keen that schools should flag this to parents in Year 7.
- Discussed issues around post-18 learner requirements for FE. Noted most would join for a 2-year programme so the learner would be known by the time they were 18. Headteacher discretion to seek DBS checks.

#### ACTION

- **AB** to write to all primary schools with year 5 learners on roll who are year 6 age to encourage early conversations between parents, primary and secondary schools about the transition of offset learners.

### 3. Admissions: Non-Pupil Days – setting school term dates

- Individual Schools set timings of the school day and determine dates of non-pupil days and holidays which they are encouraged to coordinate as closely as possible with the agreed dates and those of schools in the local area. Different dates can impact heavily on families' holiday and childcare arrangements and school transport costs; schools are encouraged to consider this impact.
- Schools are asked to check information at [www.devon.gov.uk/termdates](http://www.devon.gov.uk/termdates), for accuracy and confirm dates for 23/24 via [schoolclosuredates-mailbox@devon.gov.uk](mailto:schoolclosuredates@mailbox@devon.gov.uk).
- Caution is encouraged around parents relying on third party websites publishing term dates, which could then be used for example to book family holidays. Schools may wish to flag this to families.

# Agenda Item 11

## Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 6 December 2022

- **DSLS** to encouraged schools to check information at [www.devon.gov.uk/termdates](http://www.devon.gov.uk/termdates), for accuracy and confirm dates for 23/24 via [schoolclosuredates-mailbox@devon.gov.uk](mailto:schoolclosuredates-mailbox@devon.gov.uk).

### 4. Admissions: LA Annual Report 2022

- Report was submitted by 31 October 2022 covering admissions processes, policies and data.
- A number of points were raised within the report on a number of areas for consideration by the Office of School's Adjudicator including: admissions out of normal year group, 'in-year variation' process for academies, 'direction to admit' process for academies, sixth form admissions and summer-born children and delayed admission.
- Any items to be included in 2023 annual report to be sent to [andrew.brent@devon.gov.uk](mailto:andrew.brent@devon.gov.uk)

### 5. Admissions: Proposed Admission Arrangements 2024-25

- Local Authority and individual schools formal consultation ends 8 January for Cabinet determination of the LA admission arrangements.
- Feedback received largely relates to the change in catchment area proposals. Noted changes have been proposed to ensure boundaries follow features e.g. (roads / hedges) to ensure allocation is as fair and equitable as possible.
- Own Admission Authority Schools were reminded to hold meeting of governing body to determine admission arrangements before end February.

### 6. Admissions: Compliance with School Admissions codes

- Noted areas of non-compliance around lack of resources to meet the needs of a child with some SEN. Noted resourcing challenges in schools, however children should be attending their local school where possible and it is unlawful for schools to refuse on grounds of additional needs.
- Perceived threat of potential admission based on reports of challenging behaviour or popularity are non-compliant. Risks must be assessed and mitigated where appropriate between the LA and school.
- Course requirements – e.g. a match for GCSE options for a child moving into the area, or a cohort of learners has previously followed a different curriculum to that used in the school.
- It is unlawful to set working PANs that do not follow a consistent pattern throughout the school. If this is not applied the school will be vulnerable to appeal.
- Some schools have delayed admission until the school has 'met' the learner which would be determined as an unlawful interview process.
- Heads expressed thanks to Andrew and the Admissions team for the quality and clarity of information and advice that is provided to schools.

### 7. Early Years Update

#### Nursery Admissions Policy

- Considered the Nursery Admission Application Form which should be read alongside the policy. Shared concerns that new parents may not read and understand the policy template and how the entitled hours are offered and applied for.
- Suggested highlighting to parents on the form that an understanding of the policy is important before completing the DCAP application form.



## Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 6 December 2022

- Schools are encouraged to work with parents to support them in completing their applications
- SOCA confirmed agreement for the revised policy document to be published in January.

### Childcare Sufficiency Report

- Childcare provision up to age 18
- Particular concerns around impact of recruitment challenges, with settings closing baby rooms, reducing numbers of admissions to maintain child/adult ratios.
- Attempting to encourage more staff into the sector, but low wages and high levels of responsibility are not attractive.
- Increase in fees expected from January with providers passing on increasing costs. Parents may reduce number of childcare hours being taken up.
- Patterns in demand and take up to be covered in provider and parent childcare survey.
- Noted low take up of free school meals in nursery provision. Early Years team to renew effort to inform parents of their entitlement.
- Noted challenges around managing the needs of children with SEND and lack of clarity for settings and parents.
- Cabinet to consider the report.

### Take up

- High take up of 2 year old places, but not taking up full 15 hours per week. This group is most disadvantaged children and hope is to give this group the best possible start.
- 3 and 4 year old entitlement and extended entitlement take up is increasing
- Concerns around downward trend in take up of 2 year old entitlement which will be monitored and analysed to ascertain reasons for this.
- All parents encouraged to access Citizens Portal so that the LA can check eligibility for childcare and education funding including free school meals and early years pupil premium.
- Secondary schools encouraged to consider establishing childcare provision on site if they have any vacant accommodation.

### ACTION:

- **FB** to highlight nursery policy document on DCAF application form.
- **DSLS** to encourage schools to include nursery application and policy documents on their websites and to provide support to parents completing their application.

## 8. School Organisation Update

- **Significant change proposals** Noted proposals for Axminster primary academy, Braunton College, Marland School, Ashwater Community Primary,
- Stokeinteignhead Primary proposing change of category from Community to Foundation Trust
- Formal consultation planned with all schools, DSLS, Diocese, Union reps and other LAs on proposed term dates.
- **Term Dates** Noted concerns around imbalance in length of summer half terms for 24-25 and 25/26 academic years, with impact on curriculum delivery and a long second half of summer term. Noted impact of late Easter and May half term being linked to the second May bank holiday to avoid clashes with exam timetable. Concerns around only 3 Mondays in first half of summer term may impact negatively on curriculum, particularly for options in secondary.

# Agenda Item 11

## Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 6 December 2022

- Noted that schools have some flexibility around using occasional days available to them.
- Shona undertook to have a further look at possible alternative options to reduce 8-week lead-in to summer.
- **Academisation** Noted schools which have consulted to covert to academy status.
- Noted Government plan for all schools to academise by 2030. Diocese encourages schools to be entering into strong partnership arrangements
- New school Matford Brook Academy planned to open in Sept 2023.
- Swimbridge CofE Primary has returned to its site from Chittlehampton following completion of works. Chittlehampton site now handed over to Trustees
- **Local Plans** Processes have gained momentum,
- Local Learning Community meetings, remotely on Teams, will be set up to discuss local plans and the associated infrastructure arrangements.
- LA will be submitting evidence to the local planning process.

### ACTION

- **SM** undertook to have a further look at possible alternative options to reduce 8-week lead in to summer.

### 9. SW Norse Update

- Noted impact on Devon Maintenance Partnership of schools joining Multi Academy Trusts.
- Noted concerns around contractor performance which have been raised and discussed with individual contractors.
- Action plan in place with Cannings to reduce number of overdue services (electrical testing).
- IT difficulties have impacted on Churchill – regular quality monitoring in place.
- Correspondence has been sent to contractors to remind them of their responsibility to undertake contractual duties within appropriate timeframes.
- Staff recruitment and retention is particularly challenging at this time.
- Noted significant downward trend in compliance and quality of work.
- Working with DCC Procurement team on renewal of contracts which are due to complete in March 2024. Number of corporate and schools sites have varied significantly since contracts were agreed 8 years ago.

### 10. Capital Programme Update

- On target to complete 90% of programmed work this financial year. Some issues around ecological challenges, contractor availability and cost have caused difficulties.
- Noted increase in contractors tendering for jobs
- Capital Maintenance Programme £3.5m work planned to be delivered across 30 projects on 28 sites for 2023/24. Project details to be submitted to Cabinet in February.
- Announcement on School Rebuilding Programme expected before Christmas.
- HSE still visiting schools to check asbestos management plans. NO issues have been raised for Devon schools visited
- DfE now revisiting capacity methodology – DfE will engage in national surveying for special schools and secondary schools. Primary schools will be left to local governing authorities to survey.

## Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 6 December 2022

- Additional capital funding for schools to improve energy efficiency announced; delivery appears to be in a very short timeframe.
- Noted change in split site criteria – concerned that more schools will now meet new criteria and queried who will be looking into the definition. **Neil Pateman** to look into this for an update at next meeting. Noted some schools are also running off-site early years provision which may be eligible.

### Future meeting dates:

- **Tuesday 7 March 2023** (9.30 – 11.30)
- **Tuesday 23 May 2023** (9.30 – 11.30)
- **Tuesday 26 Sept 2023** (9.30 – 11.30)
- **Tuesday 5 December 2023** (9.30 – 11.30)
- **Tuesday 5 March 2024** (9.30 – 11.30)

