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To: The Chair and Members
of the Devon Education
Forum

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

Date: 13 June 2023

Contact: Fiona Rutley 01392 382305
Email: fiona.rutley@devon.gov.uk

DEVON EDUCATION FORUM

Wednesday, 21st June, 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.

Donna Manson
Chief Executive

A G E N D A

PART I - OPEN COMMITTEE

1 Apologies for absence

2 Minutes (Pages 1 - 10)

Minutes of the meeting held on 22 March 2023, 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 Head of Education Update (Pages 11 - 18)
(10.15am)

Report of the Head of Education (DEF/23/10), attached.

SPECIFIC AGENDA ITEMS

ITEMS FOR DECISION

7 Finance Update (Pages 19 - 36)
(10.40am)

(a) Minutes of the Schools Finance Group (SFG), 7 June 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 Director of Children and Young People's Futures and Director of Finance and Public Value (DEF/23/08) attached.

ITEMS FOR DEBATE AND INFORMATION

8 DEF Proportionality
(11am)

To note that following consultation with DEF Members in May 2023, that in reviewing Forum representation (required to be broadly proportionate, based on pupil census data - projected to September), this remains unchanged excepting for:-

Primary Phase	Maintained	Academy*
HT	2	2
Governor	2 (previously 3)**	2 (previously 1)**

*academy members represent proprietor bodies, not necessarily restricted to HT/Governors.

**primary phase pupil numbers projected 2023/24: Maintained 51.3% and Academy 48.7%.

STANDARD AGENDA ITEMS

ITEMS FOR DEBATE AND INFORMATION

9 Standing (and other) Groups (Pages 37 - 62)
(11.05am)

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

(a) Standing Groups

(i) School Organisation, Capital and Admissions Forum

(A) Minutes of the meeting held on 23 May 2023, attached; and

(B) Report of the Director of Climate Change, Environment and Transport (DEF/23/09) on admissions, attached. (Note: this arises from SOCA meeting 7 March 2023, note 4).

Also available at

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

(ii) High Needs Funding Sub Group

Minutes of the meeting held on 15 May and 5 June 2023, together with Note accompanying HNF minutes, re: SEND, attached.

(b) Other Groups

-

10 Correspondence
(11.35am)

11 Dates of Future Meetings

Meetings at 10am. Please check venue/arrangements

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

Wednesday 22 November 2023

Wednesday 24 January 2024 (revised date)

Wednesday 20 March 2024.

(11.40am) 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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Induction Loop available



DEVON EDUCATION FORUM

22 March 2023

Present:-

Schools Members

Primary Headteachers

Ms R Saim

Mr C Tribble

Mr D Perkins

Mr P Walker

Cedar Tree Federation

Honiton Primary

Honiton Littleton Primary (Academy) Substitute

First Federation Trust (Academy)

Primary Governors

Mr J Clements

Ms K Brimacombe

Cranbrook, St Martin's CE Primary

Whitchurch Primary, First Fed'n (Academy)

Secondary Headteachers

Mrs S Crook

Ms J Fossey

Mr G Hill

Tiverton High, Federation of Tiverton Schools

West Exe School, Ted Wragg MAT (Academy)

Pilton CC, Ventrus MAT (Academy)

Secondary Governors

Ms S Channel

Mr A Hines

Mrs J Larcombe

Mr A Walmsley

Tiverton High, Federation of Tiverton Schools

Education SW Trust (Academy)

Uffculme Academy Trust (Academy) Substitute

The Ted Wragg Multi Academy Trust (Academy)

Nursery School

Mrs S Baker

Westexe

Special Headteacher

-

Special Governor

Mrs F Butler

Marland School (**Chair**)

Alternative Provision

Ms G Boyden

WAVE Multi Academy Trust (observing)

Non-Schools Members

Mr B Blythe

Mrs B Alderson

Ms G Rolstone

PETROC, 16-19

Teachers Consultative Committee (TCC)

Early Years, Private & Voluntary Independent

Observer

Councillor A Leadbetter

Cabinet Member – Children's Services and Skills

Agenda Item 2

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DEVON EDUCATION FORUM

22/03/23

Apologies

Mr K Bennett

Ms F Bowler

Mr G Chown

Ms G Sanders

Ms E Stubbs

Marland School

Braunton Academy

Ventrus MAT (Academy)

Athena Learning Trust (Academy)

Budleigh Salterton, St Peter's CE Primary

84 Minutes

DECISION:

That the minutes of the meeting held on 18 January 2023 be signed as a correct record, subject to changes to the attendance list, i.e.:-

-add secondary governor: "Ms S Channel (Tiverton High)"; and

-delete "Exeter Board of Education (Faith) Sub," realigning Non-Schools Members accordingly.

85 Standards Committee Monitoring

The Chair welcomed Mrs Saltmarsh, Standards Committee Member to the meeting, who was attending in her Standards role to observe the operation of the Forum.

86 Membership

DISCUSSION:

There had been no membership changes since the last meeting.

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

DISCUSSION:

In response to Members' questions to the Cabinet Member and Interim Director of Children and Young People's Futures, regarding the progress with SEND and impact on young people, together with the DfE Safety Valve Intervention Programme progress and demonstration of close monitoring of the impact of these actions:-

- the Cabinet Member advised of the significant work being developed by the recent key strategic leadership appointees. Whilst it was too early to measure

some improvements he considered there was a sea change in approach and the work with other best practice LAs was positive;

-the Interim Director advised of the work of the SEND Improvement Board and whilst SEND resources was a national problem, there was much better engagement across the County Council with a key focus on working with parents and frontline schools, with improved communications to aid parental understanding. However there was much work to be done within the national context;

-the Interim Director explained that the Safety Valve discussions with government spanned across government departments. Devon's challenge included that proportionately it had the highest overspend in the country, noting its number of smaller schools and rurality. Government required evidence that Devon was making progress in addressing its High Needs issues. The County Council had to sign up to and deliver on actions, needing the support of this Forum, schools and parents.

Finally a Member asked about the County Council's position on supporting refugee children to access education while they were temporarily living in holding centres. In response it was noted that Devon received no government funding to support these children but was working closely with one local academy trust to provide education support.

DECISION:

That regular joint SEND/Finance and Public Value update reports be submitted to this Forum, to include service plans, finance and sub group involvement;

ACTION:

Interim SEND Strategic Director (Jackie Ross) and Director of Finance and Public Value (Adrian Fox) - report
and
Legal and Democratic Services (Fiona Rutley) - DEF agenda

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Head of Education Update

DISCUSSION:

The Forum considered the Report (DEF/23/07) regarding:-

-Key Performance Indicators (comparing current performance to same time last year), including Attendance, Exclusions, Elective Home Education (EHE), Children Missing Education (CME);

-2021/22 Devon LA's national ranking;

Agenda Item 2

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DEVON EDUCATION FORUM

22/03/23

- Making Attendance Everyone's Business;
- Children and Young People's Mental Health;
- Ofsted Complaints data; and
- Shaping Children's Services to Schools.

The Head of Education's key issues reported included:-

-that the number of children outside Devon's education system was a significant concern. Data showed that Devon performed very poorly compared to other LAs in 2021-22, particularly with Devon's disadvantaged students;

-there was a concerning higher than previously level of fixed term suspensions and permanent exclusions of pupils. Schools were struggling with and working hard to support pupils with challenging behaviour within the available resources and skills. Schools could also be requested to complete a more detailed Annex G exclusions form for submission to the LA to support better monitoring and understanding. A review of the organisational structure of Devon's attendance, elective home education and inclusion teams was being planned to better support schools and pupils.

The Interim SEND Strategic Director advised that Devon was the fifth highest LA nationally in relation to children with Education Health Care Plans (EHCPs) identifying Social, Emotional and Mental Health (SEMH) needs, with SEMH referrals routinely quickly escalated. The Team Around the School process offered headteacher support and peer challenge to schools.

Members discussion included:-

-concern that there were instances where schools could not access services required for pupils at risk of permanent exclusion prior to the exclusions process. Exclusion as last resort communications and messaging between County Council leadership, staff and schools should be clear and consistent;

-visit to schools to hear the realities of managing children with challenging behaviour would be welcome;

-the completion and submission to the LA of a more detailed Annex G exclusions form could be difficult for schools to achieve within the timescale after exclusion;

-a significant change in culture to a consistent, one approach of inclusive partnership between the County Council and schools was needed. A simple flow chart outlining policy and procedure was also requested to support this;

-there was a potential mismatch between schools' "Good" Ofsted inspection results and the rates of exclusion within Devon;

-the ongoing close working with other LAs on how best to use resources and best practice was welcomed;

-schools should ensure their curriculum met the needs of both SEND children and those with the most challenging behaviour;

-that it was recognised that work was needed to build sufficiency in additional places within schools and workforce and small schools collaboration, so that Devon schools could better support these children and reduce reliance on the independent sector (currently £54m spent on independent provision for challenging children, including residential). Members considered there was significant potential within mainstream schools and colleges and a willingness to include.

DECISION:

(a) that the report be noted, subject to comments and concerns above;

(b) that an annual exclusions report including data and reasons for exclusion be made to the Forum, in addition to any more regular updates as necessary;

(c) that a flow chart detailing policy and process regarding exclusions be prepared and circulated as above;

(d) that the Head of Education would further discuss points raised above in her briefing with DCC children's education and social care staff, be noted.

ACTION:

Head of Education (Rachel Shaw) (b) - (d);

and

Legal and Democratic Services (Fiona Rutley) – (b) DEF agenda

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Finance Update

DISCUSSION:

(a) Finance Update Report

The Forum considered the joint report of the Director of Children and Young People's Futures and Director of Finance and Public Value (DEF/23/05).

The Report (DEF/23/05) covered:-

-Dedicated Schools Grant (DSG) Month 10 monitoring;

-DSG Deficit Management Plan;

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DEVON EDUCATION FORUM

22/03/23

- High Needs Month 10; and
- Risks.

The month 10 outturn forecast for 2022/23 overspend of the DSG of £41.1 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 £204,000 since month 9 (£564,000 from month 8).

Management Action of £10 million reflected revised savings expected in 2022/23, as per the Safety Valve Intervention Programme submission to the DfE. To date, £4.2 million of Management Actions had been achieved since the start of the summer term. Whilst a number of LAs had now been accepted into the DfE Safety Valve Intervention Programme, Devon was still awaiting decision.

£4.6 million of saving was currently identified not to be achieved in this financial year for reasons detailed in the Report. This projected a cumulative DSG deficit to March 2023 of £127.7 million, which was £5.4 million over that included in the DSG Safety Valve.

A SEND Day was held by Devon's Senior Leadership Team on 9 February 2023 to understand and clarify the priorities and strategic response to the current SEND challenges, with a Gold Command team set up with initial weekly reporting.

The increasing DSG deficit could have a considerable impact on future education budgets within the DSG as well as the financial sustainability for Devon County Council. Urgent action was still required to reduce the demand on EHCPs and independent placements, requiring all stakeholders to be working in partnership to achieve this.

Members' discussion included:-

- ongoing concern that despite management actions and savings the deficit continued to grow due to increasing High Needs demands. Members noted that the Safety Valve plan produced showed continual rise in costs until March 2025, but not at the present levels;

- the need for focus on a more radical approach and the immediacy of finance and SEND actions and communications across the LA and schools working collaboratively (noting also that a regular joint SEND/Finance and Public Value report to DEF had been agreed at minute 87 above to include service plans, finance and sub group involvement);

- welcoming the working with other LAs on High Needs best practice;

-concern that the opportunity for acceptance into the DfE's Safety Valve programme must not be lost;

-noting that no further detail had yet been received regarding the Chancellor's budget statement 15 March 2023 on the extension of childcare to families on age and hours, so that the impact on settings already struggling and on Devon's rates could be considered.

DECISION:

That month 10 DSG monitoring position as set out in Report (DEF/23/05) sections 1 – 4 be noted, subject to the Forum's ongoing concerns above.

ACTION:

Director of Finance and Public Value (Adrian Fox)

(b) Schools Finance Group Minutes – 8 March 2023

The Forum considered the minutes, including the respective minutes relating to the Finance Update Report noted at (a) above.

Also available at

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

SFG's recommendation to move the January 2024 Forum meeting date considered at Dates of Future Meetings minute below, due to the timetables for government funding announcements and Devon's budget preparation. SFG's January date would also move by one week to accommodate this.

DECISION:

that the minutes of the Schools Finance Group (SFG), 8 March be received.

ACTION:

Head of Education (Heidi Watson-Jones) – SFG date change

90 2023/24 Advanced Notice of Planned Carry Forwards

DISCUSSION:

The Forum considered the joint Report of the Interim Director of Children & Young People's Futures and Director of Finance and Public Value (DEF/23/06) on estimated carry forward requests to be confirmed during the closedown process.

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DEVON EDUCATION FORUM
22/03/23

The Early Years PVI representative advised that Early Years underspend related to funding (e.g. speech and language) that providers could not access unless parents applied.

DECISION:

That it is **recommended to Cabinet:-** that the surplus budget carry forwards to 2023/24 be agreed in principle, as set out in Table 1 of Report (DEF/23/06).

Table 1: Surplus budget carry forward requests:

Budget Line	Amount £'000	Notes
Growth Fund	2,709	Rolled forward 2022/23 underspend to fund ongoing growth fund
Total Central Provision	2,709	
Schools and DSG Contingency	550	Rolled forward to fund contingency agreements in 2023/24 onwards
	640	Rolled to fund School Effectiveness team in 2023/24
Maternity	150	Rolled forward 2022/23 underspend to fund ongoing maternity fund
Total De-delegated budgets	1,436	
Hospital Education	16	Rolled forward 2022/23 underspend
SEND 100	22	Rolled forward to fund Support of Projects
SEN 100 Projects	877	Rolled forward balance of SEND 100 Projects budgets to 2023/24
Total High Needs	915	
Early Years Pupil Premium	100	Project proposal currently being produced
Total Early Years budget	100	
Total Carry forward requested	5,074	

(Vote: Schools, Academies and PVI)

ACTION:

Director of Finance and Public Value (Adrian Fox)

91 Standing (and other) Groups

DECISION:

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 7 March 2023, noting that SOCA note 4 regarding Secondary School Admissions round 2023 would be brought to the Forum's 21 June 2023 meeting.

Also available at

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

(ii) High Needs Funding Sub Group

The Chair gave a verbal update on the meeting held on 20 March 2023, advising that the group had met twice this term, looking at:-

- the SEND improvement plan
- data sets
- identifying more children to be taught in mainstream schools
- the DfE Safety Valve, finance and movements
- how the needs of children and young people with high cost SEN placements and those within Devon with high cost packages could be better met
- the EHCP funding framework and best practice
- teaching assistants support and resources
- partnership working and Alternative Provision pilots
- transparent criteria for funding framework.

It was recognised that given the Group's increasingly important role (without delegated powers), minutes should be submitted to the Forum on a regular basis for accountability and transparency.

(b) Other Groups:

n/a

DECISION:

That minutes of the High Needs Funding Sub Group be regularly submitted to the Forum.

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DEVON EDUCATION FORUM

22/03/23

ACTION:

SOCA -

Education and Learning (Simon Niles) – report to next DEF
and

Legal and Democratic Services (Fiona Rutley) – DEF agenda

High Needs -

HN group - minutes to DEF;

and

Legal and Democratic Services (Fiona Rutley) – DEF agenda

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Dates of Future Meetings

DECISION:

That the Forum's January 2024 date be changed to Wednesday 24 January 2024 (from 17 January), to accommodate government funding announcement timetables:-

Meetings at 10am. Please check venue/arrangements

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

Wednesday 21 June 2023

Wednesday 22 November 2023

Wednesday 24 January 2024 (moved from 17 January)

Wednesday 20 March 2024.

ACTION: Legal and Democratic Services (Fiona Rutley) - date change

NOTES:

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

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

The Meeting started at 10.00 am and finished at 11.50 am

EDUCATION & LEARNING

REPORT OF THE DCC EDUCATION AND LEARNING SERVICE JUNE 2023



Recommended: that the report be noted.

1. Key Performance Indicators for attendance, exclusions, EHE and CME

Attendance

	2021/22 – Autumn/Spring Terms Combined*	2022/23 – Autumn/Spring (Data until 09/03/2023)**	2022/23 - Autumn/Spring (Data until 26/05/2023)***
Total	91.4% Attendance	92.3% Attendance	92.1% Attendance
	7.1% Authorised Absence	5.9% Authorised Absence	5.7% Authorised Absence
	1.5% Unauthorised Absence	1.8% Unauthorised Absence	1.9% Unauthorised Absence
	26.8% Persistent Absence	22.0% Persistent Absence	20.4% Persistent Absence
Primary	93.2% Attendance	94.1% Attendance	94.2% Attendance
	6.0% Authorised Absence	5.0% Authorised Absence	4.8% Authorised Absence
	0.8% Unauthorised Absence	0.9% Unauthorised Absence	1.0% Unauthorised Absence
	20.2% Persistent Absence	17.0% Persistent Absence	14.7% Persistent Absence
Secondary/AllThrough	89.6% Attendance	89.7% Attendance	89.6% Attendance
	8.3% Authorised Absence	7.2% Authorised Absence	7.0% Authorised Absence
	2.3% Unauthorised Absence	3.1% Unauthorised Absence	3.4% Unauthorised Absence
	34.7% Persistent Absence	29.0% Persistent Absence	28.7% Persistent Absence
SEN (E+ K Combined)	87.1% Attendance	88.2% Attendance	88.1% Attendance
	10.4% Authorised Absence	8.4% Authorised Absence	8.2% Authorised Absence
	2.5% Unauthorised Absence	3.5% Unauthorised Absence	3.7% Unauthorised Absence
	40.8% Persistent Absence	34.0% Persistent Absence	33.2% Persistent Absence

Agenda Item 6

SEN Support (K)	DfE Data Not Available	88.7% Attendance	88.8% Attendance
		8.0% Authorised Absence	7.7% Authorised Absence
		3.2% Unauthorised Absence	3.6% Unauthorised Absence
		33.0% Persistent Absence	32.2% Persistent Absence
SEN (E)	DfE Data Not Available	85.6% Attendance	85.3% Attendance
		10.5% Authorised Absence	10.4% Authorised Absence
		3.9% Unauthorised Absence	4.3% Unauthorised Absence
		37.0% Persistent Absence	37.5% Persistent Absence
FSM	87.5% Attendance	87.3% Attendance	87.4% Attendance
	9.1% Authorised Absence	8.5% Authorised Absence	8.2% Authorised Absence
	3.4% Unauthorised Absence	4.2% Unauthorised Absence	4.5% Unauthorised Absence
	43.8% Persistent Absence	41.0% Persistent Absence	40.4% Persistent Absence
CiN	DfE Data Not Available	79.4% Attendance	78.6% Attendance
		11.7% Authorised Absence	11.5% Authorised Absence
		9.0% Unauthorised Absence	9.9% Unauthorised Absence
		52.9% Persistent Absence	55.2% Persistent Absence
CP	DfE Data Not Available	76.2% Attendance	76.3% Attendance
		11.9% Authorised Absence	11.4% Authorised Absence
		11.9% Unauthorised Absence	12.3% Unauthorised Absence
		62.0% Persistent Absence	61.9% Persistent Absence
LAC	DfE Data Not Available	85.4% Attendance	85.4% Attendance
		9.3% Authorised Absence	9.4% Authorised Absence
		5.3% Unauthorised Absence	5.2% Unauthorised Absence
		36.4% Persistent Absence	36.9% Persistent Absence
Male	91.3% Attendance	92.4% Attendance	92.6% Attendance
	6.9% Authorised Absence	5.8% Authorised Absence	5.6% Authorised Absence
	1.4% Unauthorised Absence	1.7% Unauthorised Absence	1.9% Unauthorised Absence
	26.0% Persistent Absence	21.0% Persistent Absence	19.8% Persistent Absence
Female	91.3% Attendance	92.2% Attendance	92.2% Attendance
	7.2% Authorised Absence	6.0% Authorised Absence	5.8% Authorised Absence
	1.5% Unauthorised Absence	1.8% Unauthorised Absence	2.0% Unauthorised Absence
	27.6% Persistent Absence	22.0% Persistent Absence	21.0% Persistent Absence

* Data Source - DfE (<https://explore-education-statistics.service.gov.uk/data-tables>)

** Data Source (Devon County Council Local Data supplied from Devon Schools)

Agenda Item 6

Exclusions

Permanent Exclusions*

	2021/22 – Autumn/Spring Terms Combined	2022/23 – Autumn/Spring (Data until 09/03/2023)	2022/23 – Autumn/Spring (Data until 26/05/2023)*	% of total cohort
Total	95	125	150	
Primary	18	13	20	13.3%
Secondary	77	112	130	86.7%
SEN (E+ K Combined)	72	100	121	80.1%
SEN Support (K)	64	83	92	61.3%
SEN (E)	8	17	29	19.3%
CIN	-	46	50	33.3%
CP	-	4	5	3.3%
LAC	-	3	3	2%
Male	63	86	104	69.3%
Female	32	39	46	30.1%

* Data Source (Devon County Council Local Data supplied from Devon Schools)

Exclusions

Suspensions

	2021/22 – Autumn/Spring Terms Combined*	2022/23 – Autumn/Spring (Data until 09/03/2023)*	2022/23 – Autumn/Spring (Data until 26/05/2023)*	% of total cohort
Total	2496	3060	3873	
Primary	320	320	435	11.2%
Secondary	2176	2740	3438	88.8%
SEN (E+ K Combined)	1266	1658	2072	53.4%
SEN Support (K)	911	1258	1556	40.1%
SEN (E)	355	400	516	13.3%
CIN	-	541	584	15%
CP	-	91	94	2.4%
LAC	-	64	68	1.75%
Male	1612	1958	2459	63.4%
Female	884	1102	1414	36.5%

* Data Source (Devon County Council Local Data supplied from Devon Schools), numbers as distinct students

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Elective Home Education (EHE)

	Numbers as 10 th March 2022	Numbers as 10 th March 2023	Numbers as 26 th May 2023	% of total cohort
Total	1752	2001	2214	
Primary	725	695	750	33.9%
Secondary	1027	1306	1464	66.1%
SEN (E+ K Combined)	614	706	889	40.1%
SEN Support (K)	476	539	614	27.7%
SEN (E)	138	167	175	7.1%
CIN	4	11	17	0.7%
CP	6	13	11	0.5%
LAC	1	0	0	0%
Male	847	959	1069	48.2%
Female	905	1042	1145	51.2%

Children Missing Education (CME)

	Numbers as 10 th March 2022	Numbers as 10 th March 2023	Numbers as 26 th May 2023	% of total cohort
Total	61	90	99	
Primary	21	20	30	30.3%
Secondary	40	70	69	69.7%
SEN (E+ K Combined)	30	49	49	49.4%
SEN Support (K)	15	22	27	27.2%
SEN (E)	15	27	22	22.2%
Male	34	50	53	53.5%
Female	27	40	46	46.4%
CIN	2	7	5	5.1%
CP	3	3	5	5.1%
LAC	3	4	4	4%

- 1.1 We have seen a slight increase in attendance as the year has progressed but absence rates remain high, particularly in secondary. 1 in 3 children with SEND are persistently absent from school, 40% of FSM and more than 50% of children with safeguarding concerns.
- 1.2 Our exclusion and suspension rate is not really slowing down and we are particularly concerned that within these figures, children with SEND reflect some of the highest % when they are a small cohort in their own right.

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1.3 EHE and CME provide us with a similar pattern of concern regarding SEND children indicating that there is still work to be done to ensure the needs of SEND pupils are well met in mainstream education and that the Local Authority has systems and services in place to both support and challenge settings.

1.4 As the number of children with additional needs continues to grow both locally and nationally, we will need to ensure that more children with additional needs can be well educated within mainstream settings. The Local Authority are currently reviewing their services to ensure they are best placed to meet the need of vulnerable children.

2. Alternative Provision

2.1 The LA currently commission 280 alternative provision places and there are 264 children accessing these.

	Year 11	Year 10	Year 9	Year 8	Year 3	Total
Number of pupils	123	70	45	29	8	292

2.2 We have seen the most significant increase in medical requests and in addition to our commissioned places, we also provide education for many other children through bespoke Education Other Than At School (EOTAS) packages. In line with the agreement from DEF, we are now ensuring the AWPU funding for the child follows them and this is being used towards the cost of an EOTAS package whilst the child remains on the school roll. As soon as the child returns to school, the funding will follow the child back into the setting.

Children receiving EOTAS packages

	Total	EHCP	VSR	Male	Female
Number of pupils	263	98	16	157	107

Number of pupils receiving EOTAS by year group			
Year 11	60	Year 6	11
Year 10	54	Year 5	13
Year 9	50	Year 4	8
Year 8	34	Year 3	4
Year 7	24	Year 2	1
		Year 1	3
		Year R	2

3. Ofsted

3.1 We have had 142 Ofsted complaints since Sept 2022 of which 46 are currently open and being investigated. The concerns mainly relate to bullying, safeguarding and leadership. The LA investigates all Ofsted complaints. Depending on the nature of the complaint, this may include visits to the school, scrutiny of paperwork, policies and processes. Where an investigation has already been conducted by the school, we may choose to use this as our evidence based to avoid the school having to repeat a process that has already been done. The number of complaints has continued to increase, and this is having a significant impact on our services. We currently use our safeguarding, early years, school effectiveness, SEND and SEMH teams to support with investigating complaints. On top of the Ofsted complaints, we also receive letters from the

Agenda Item 6

ESFA/DFE where they may have concerns about a setting and are seeking assurances from the LA. We also receive numerous complaints direct from families and a large majority of these are about the quality of SEND provision or the lack of access to a suitable education.

3.2 Ofsted outcomes (published)

Date	Secondary School				Primary School			
	O	G	RI	I	O	G	RI	I
Sept 22 – Mar 23	1	3	2	0	1	35	4	0
Sept 22 – May 23	1	7	2	1	1	67	10	0
Current Judgements for all Devon Schools	4	27	5	3	23	242	29	3
Devon %	10.3	69.2	12.8	7.7	7.7	81.5	9.8	1
National %	14.3	66.5	13.2	5.9	10.6	78.6	8.5	2.2

4. Staffing changes

At the end of August, Jen Norris (Head of Safeguarding and Vulnerable Pupils), Marc Kastner (Head of Inclusion) and Jane Williams (Head of the Educational Psychology service) will be leaving DCC. These staff are experienced senior officers who will be missed when they leave us. However, we will not necessarily be appointing like for like replacements for their roles and are currently reviewing our service delivery model with an aim to start transitioning to this from September 2023.

4.1 The permanent Director of Education recruitment will take place in September when the new DCS starts their role.

5. SEND Conference

We were delighted to have over 180 bookings for the SEND conference and it was a privilege to be able to open the conference and see the dedication and commitment from the staff in attendance. We were also grateful to Rachael Sharpe who spoke to the conference about a partnership approach in her schools to supporting children with SEND. We are keen to get many more schools to share their work with us so we can build up a range of case studies.

6. SEMH Partnership Project

We asked schools to submit their bids for the SEMH partnership project by half term. We have had 25 bids and these will be considered by a funding panel involving the CEO, Strategic lead for SEND and Headteacher representatives. Every partnership will be required to submit a termly evaluation of the impact of their work and cost analysis. We will also report to the High Needs Funding Committee and Safety Valve committee twice a year on the progress of the projects. At the end of the year, each partnership will need to produce a case study and we will share these with all schools.

7. School Effectiveness

The team continue to work to support schools across Devon.

Additionally, DCC has now established good relationships with the Department for Education with regard to support for schools qualifying for Trust School Improvement support. Eligibility is as follows. Single schools can get support if your school receives an Ofsted 'requires improvement' judgement during the 2022 to 2023 academic year. This applies to:

- local authority-maintained schools
- single academy trusts (SATs)
- multi-academy trusts (MATs) with only one school

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Trusts with multiple schools can get support if it contains at least 2 schools that have been part of the trust for 3 years or more, and it meets either of the following criteria:

- there has been an overall decline in Ofsted judgements for schools within the trust, taking in account the schools' most recent inspection since joining your trust
- at least 50% of the schools have a current Ofsted 'requires improvement' judgement or worse, which they have received since joining the trust

The ratings for both current and previous Ofsted inspections are based on the [Ofsted management information](#) which is published monthly.

The team continues to work with governors and have escalated concerns where necessary.

Regular meetings continue to take place with the Diocese in order to ensure schools receive support.

The team are working on the offer for next academic year. A survey will be going to heads with the following introduction and questions:

Across the country the local authority role has become more strategic and schools are increasingly expected to take responsibility for their own improvement and to help other schools that are struggling. The current statutory obligations for a county council regarding school improvement work are minimal. A local authority should identify maintained schools causing concern and use powers of intervention accordingly. The statutory duties around school effectiveness remain. In order to help us to plan for post April 2024 we would like you to answer the following questions:

1. Do you currently use the Devon CC school effectiveness team?
2. If yes
 - a. What features of the school effectiveness would you buy into if this service were available from April 2024?
 - b. How much per pupil would you be prepared to pay for a school improvement service?
3. If no, if you do not intend to use DCC school effectiveness where would you access this service?

Rachel Shaw

Interim Head of Education (Delivery)

June 2023

Matthew Shanks

Interim Head of Education (Strategy)

Schools Finance Group: Notes of meeting on Wednesday 7 June 2023

Key Items for DEF to note:

Item 2 – Safety Valve Update

- Devon has been invited to participate in new discussions for Tranche 4 of DfE Safety Valve Intervention Programme. This will provide an opportunity to refresh the workstreams within the service to develop a new 5-year plan.

Item 2 – Dedicated Schools Grant Outturn 2022/23

- Draft outturn position is an overspend of £11.5m. This includes school balances of £20.8m, ringfenced balances of £6.7m and deficit transfer to DSG Adjustment Account of almost £39m.

Item 3 – Carry Forwards from 2022/23

- Early Years service has proposed the allocation of £552k Early Years block underspend to better manage outcomes for children with SEN through provision of specialist support for children transitioning into reception classes and mitigate the trend for EHCP requests. This is intended to complement the SEND Improvement action plan delivery.

Item 5 – Funding for Homes for Ukraine & Afghan Bridging Hotel

- No further government funding will be made available following the 2022/23 financial year to support Afghan pupils or through the Homes for Ukraine scheme.
- There is no government funding scheme to support asylum seeking children in Cranbrook and Ilfracombe. The LA is unable to use ringfenced funding for Afghan children and H4U. DCC Communities team is continually pressing government (Home Office) for support to recognise the increased costs to health and education providers and local communities.

Item 6 – FIPS

- A more robust process will be put in place for dealing with maintained schools with deficit budgets. This will provide clarity and will help to engage governors in the process.

ATTENDANCE

DCC

Mat Thorpe - **Apologies**
Adrian Fox -(chair)
Jackie Ross
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 - **Apologies**

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

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Schools Finance Group: Notes of meeting on Wednesday 7 June 2023

DAG

Faith Butler
Alex Walmsley - **Apologies**
Adrian Hines

Special School Governors
Secondary Governors
Primary Governors

Early Years Providers

Gemma Rolstone - **Apologies**

Puffins Childcare

Other DCC Officers

Karlien Bond
Katrina Harverson
Simon Niles
Sam Chapman
Marie Stone

Senior Accountant (Schools)
Principal Accountant – Education & Learning
Children's Services Strategic Planning
Early Years & Childcare Service Lead
Accountant, Early Years & Childcare

SCHOOLS FINANCE GROUP

1. Minutes of Previous Meeting – 8 March 2023

- Early Years have sourced an online reading resource and £5K has been earmarked (from notional contingency) towards 500 licences. Early Years providers have been asked to trial the software and can request it if they feel it would be beneficial for their EAL children. If there is a high demand the service will prioritise settings that have a higher percentage of English as an Additional Language children.
- Growth Funding for bulge years – have been testing modelling with colleagues – some other LAs are providing ghost funding for bulge years, which Devon does not provide this. Growth Fund currently under financial pressure.
- Discussed SEND QPRM process and agreed to change July SFG date
- All other actions complete.
- Minutes agreed as an accurate record.

ACTION

- **SN** to provide report to next SFG on growth fund allocations to schools experiencing 'bulge year' of admissions.
- **HWJ** - July meeting to be changed to Thursday 13 July am (from 10th)

2. DSG Outturn 2022/23

Safety Valve Update

- Donna Manson and Angie Sinclair have met with Dept for Levelling Up, Housing & Communities which confirmed that no borrowing by any council can take place to cover their element of the deficit within Safety Valve. Devon has been invited to participate in new discussions for Tranche 4 of Safety Valve Intervention Programme. This will provide an opportunity to refresh the projects and workstreams which is being discussed with the service to develop a new Safety Valve plan (up to 5 years).
- Next discussions with DfE expected mid – late June
- £125m cumulative deficit, which was £3m adrift from the management plan.

Outturn

- Draft DSG outturn position is overspend of £11.5m prior to transfers to the DSG Adjustment Account and ringfenced balances

Schools Finance Group: Notes of meeting on Wednesday 7 June 2023

- The net carry forward balances for Individual Schools' Budgets have reduced to £20.8m (compared to £24.4m in 21/22). Finance modelling is taking place to forecast projected position going forward to illustrate whether ongoing financial pressures will be reflected in reducing carry forwards. Of 120 maintained schools 12 maintained have a deficit budget position totalling £750k.
- Noted impact of continued demand on the high needs funding. EHCP numbers were lower than budgeted for, however shortfall funding saw an increased demand and the AEN formula savings for academies not being realised until September 2022. Also interim payments for EHCPs not issued within 20 weeks. Management action had achieved approximately £5m of savings (of a revised projection of £10m).
- A new commissioning group has been convened with Procurement colleagues to review independent special school fees to ensure that the LA receives good value for money. Increased scrutiny through new Placement Panel has reduced the number of placements into independent settings.
- SFG sought assurance that the current budget set is more achievable than has been in previous years. Mindful that there was slippage through the previous financial year however movement has generally been positive and projection of management action savings now better understood. Caution was given due to the budget being set on the old Safety Valve plan and changes may occur in the coming months as the revised plan is drawn up.
Monthly QPRM discussions will also better inform financial projections against regular performance monitoring.
- Considered deficit budget projections.
- SFG felt that there should be further reporting on how stakeholder engagement with schools is being strengthened.
- Report noted.

3. Carry Forwards from 2022/23

Early Years

- Early Years service proposing allocation of £552k Early Years block underspend to better manage outcomes for children with SEN through provision of specialist support for children transitioning into reception classes and mitigate trend for EHCP requests. This is intended to complement the SEND Improvement action plan delivery.
- Concerns were raised about the similarity of proposed support funding level to that of EHCP funding, and it was suggested that language could be amended to reduce reference to EHCPs.
- Will need to build in evaluation of the impact on reducing EHCP requests and increasing universal inclusion, alongside the SEND Improvement Plan.
- Discussed how workforce training and upskilling can be achieved.
- Early Years Nursery Plus and Complex Needs budgets to be reviewed in light of JE changes to practitioners. Will need to be mindful of potential disparity across mainstream resource base specialist staff.
- Early Years Pupil Premium £124k – ongoing underspend proposed to commission Action for Children to support speech and language development.
- Seeking to improve outcomes for all children on EYPP (over 50% of whom are in reception year). Coaching and mentoring for teaching staff in targeted schools.
- Early Learning Goal – funding proposed to be allocated to training
- **SFG recommended to DEF that Early Years carry forward be approved to fund projects outlined.**

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Schools Finance Group:

Notes of meeting on Wednesday 7 June 2023

DSG

- The total DSG is an overspend of £11.5 million. This is made up of ringfenced carry forwards of £6.7 million, Individual school balances of £20.8 million, and the DSG Deficit in year of just over £38.9 million.
- SFG requested a report to DEF to explain shift in carry forward position from that previously reported.
- Noted that DSG contingency (FIPS) is supporting a diminishing number of maintained schools.
- Report noted

ACTION:

- **AF** to report to DEF on shift in schools' carry forward position from previous year.

4. Early Years – Teachers' Pay and Pensions Grant (TPPG)

- TPPG for Early Years has been moved into funding base rate from April 2023, and it is proposed that there is a phased approach to building this into funding to settings with a qualified teacher or equivalent through a quality supplement, eventually being rolled into the hourly rate.
- Communications have been shared with those schools affected by the change.
- Discussed value added by area SENCO roles within the local authority Early Years team.

5. Homes for Ukraine funding - update

Afghan Bridging Hotel

- Previous agreement that Growth Fund would pick up funding pending government grant being received re. Afghan bridging hotels. No further funding will be made available following the 2022/23 financial year.
- Majority of the funding received is to be passported to the 4 schools (£141k) with children on roll, with a centrally held contingency of £30k in the short term, to be reviewed after the 2023 autumn and distributed to the schools if unspent.
- Recognised that schools have worked very hard to support this cohort of children.
- **SFG agreed to the allocation of DfE funding to support Afghan pupils as discussed**

Asylum Seeking children

- SFG noted that there is no government funding scheme to support asylum seeking children in Cranbrook and Ilfracombe. The LA is unable to use ringfenced funding for Afghan children and H4U. Growth fund is ringfenced for Govt initiatives. DCC Communities team is continually pressing government (Home Office) for support to recognise the increased costs to health and education providers and local communities.
- Additional children on roll in local schools have been admitted via Fair Access Protocol rather than through a strategic request to create additional classes.
- Growth Fund Criteria could see the school receive funding based on October 22 – October 23 census. Schools affected could review numbers
- Review of growth fund could consider this scenario but SN highlighted Growth Fund is under pressures

Homes for Ukraine

Schools Finance Group: Notes of meeting on Wednesday 7 June 2023

- SFG noted the current expenditure and commitments against the government H4U grant funding received. No further funding will be made available following the 2022/23 financial year.
- Considered instances where additional provision has been put in place to support children with identified special educational needs.
- Schools have worked very well to ensure that Ukrainian pupils on roll are well supported.
- **SFG agreed that a further half-termly payment is made for 2nd half of summer term with a refresh for the autumn term to review funding allocations, particularly transition to reception and Y7 and associated transport costs until end of 23/24 financial year.**
- Considered that census funding (AWPU) will be paid where children were on roll in October 2022. Some schools may also qualify for growth funding if the exceptional growth was due to incoming Ukrainian pupils.
- There has been a general levelling-off of incoming children. There were some concerns around funding for schools receiving children re-locating during the school year although it was felt this was not common across the county. Full review of numbers planned for September.
- Discussed possibility of continuing to hold a central contingency into 2024/25 financial year; KB to check guidance for any spend deadline.

POST MEETING NOTE

- Funding conditions require all expenditure by the end of 23/24 financial year **ACTION: SN** to seek approval to carry forward post April 2024 and advise SFG at next meeting

ACTIONS:

- **SN** to provide further H4U update to SFG before Christmas
- **KB** to check guidance for deadline for spend of H4U funding by end 23/24 financial year – **complete**
- **POST MEETING: SN** to seek approval to carry forward post April 2024 and advise SFG at next meeting

6. FIPS update and Annual Report

- Schools continue to be challenged financially; falling demographics also affecting budget allocations.
- The number of schools approaching FIPS is reducing as impact of Pandemic diminishes and maintained schools continue to convert academies, however the total spend has increased from the previous year, largely due to increases in redundancy payments.
- It was felt that the LA is not always fully aware of the financial impact of decisions made during Management Partnership arrangements, which can be significant particularly if a school is in a deficit budget position.
- SFG endorsed the FIPS flow chart outlining a more robust process for dealing with schools with deficit budgets. It was felt that the flow chart provided clarity and will help to engage governors in the process. New FIPS templates are being drafted to ensuring that governor sign-off is required at all key points.
- SFG noted the current financial position of the fund.
- Noted the links to educational and financial challenges, which are transferred to MATs where schools are seeking to join an academy trust.
- SFG considered what planning is in place for future models of support and promoting financial resilience. Noted that FIPS processes are being strengthened. Future consideration of linking more closely with school effectiveness support processes.

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Schools Finance Group:

Notes of meeting on Wednesday 7 June 2023

- RS looking to review process of providing support to schools in financial difficulty, and is exploring options alongside other LAs and will report back, hopefully prior to autumn consultation
- Noted that FIPS can fund school effectiveness support, and SFG were reminded of a commitment to provide schools with communication around ongoing funding of this area of support. Understand Matthew Shanks is developing proposals to be communicated to schools, and Rachel Shaw is exploring possible options for future modelling of school effectiveness services alongside Essex CC.

7. Growth Fund

- Surplus of £2.68m at year end.
- Noted that new schools were no longer the largest area of spend during 2022/23.
- The combination of 0.5% transfer to high needs block (agreed by DEF in January), new schools opening during the coming financial year and impact of incoming refugee and asylum seeking children will have a significant impact on the fund this year.
- Report noted

8. Mutual Fund Board – monitoring and appeals

- £846k paid in claims during the 2022/23 financial year
- Ongoing claims relating to Long Covid and significant, previously undiagnosed conditions.
- Noted that the Mutual Fund no longer has a surplus to provide a buffer, and contribution rate increases of 7.5% will help to ensure that payments will not exceed income.
- Report noted.

9. AOB

Financial Planning

- Noted that DSLS colleagues are raising forward financial planning as an area of concern particularly around unfunded pay awards.
- Concerns that ambitious assumptions may be being made particularly for year 2 and year 3 forecasts.
- Noted that School financial consultants now sit within the Education Finance team enabling direct feedback to schools as new funding guidance is released. It was noted that all schools would appreciate quick communication of information, and finance colleagues will endeavour to share any updates as soon as possible.

Resource Provision

- As discussed at High Needs Funding subgroup, expression of interest document is now ready to share with schools around increasing provision to improve inclusion of children with SEN.
- Submissions to be made before end of summer term with decisions made in September
- Jackie requested school leader volunteers to sit on an evaluation panel.

SEMH projects

- 24 bids have been submitted.
- Donna Manson and Jackie Ross to form a panel to evaluate bids alongside school leaders.

Schools Finance Group: Notes of meeting on Wednesday 7 June 2023

- Every successful project will be expected to feedback termly, with a bi-annual funding committee to monitor spend. It was agreed that this will need to be reported to High Needs funding subgroup and the Safety Valve (SEND Gold Finance) governance.

SEND Report to DEF

- JR and AF to consider content

Future meeting dates:

- **NOTE CHANGE OF DATE - Thursday 13 July 2023** (09.00 – 12.00 – Face to Face – County Hall, Lucombe House 1st floor large meeting room) – **from Mon 10 July – to discuss: Autumn Funding consultation | School Effectiveness funding**
- **Wednesday 13 September** (09.15 – 15.30 – face to face – Venue tbc)
- **Monday 6 November 2023** (14.00 – 17.30) – Teams
- **Friday 12 January 2024** (09.15 – 12.30 – Teams)
- **Wednesday 6 March 2024** (09.15 – 12.30 – Teams)

21 June 2023

FINANCE UPDATE

Report of the Director of Finance & Public Value and Interim Chief Officer of Children's Services

Recommendations

It is recommended that Schools Forum:

- a) Note the DSG Draft Outturn position (subject to Statement of Accounts sign off) as set out in this report.
- b) Note the surplus budget carry forwards for Schools, de-delegated, central school services and High needs as set out in Section 5, table 6
- c) Approve Early Years surplus carry forwards as set out in Section 4 and Section 5, table 6
- d) Note the Individual School Balances carry forwards as set out in Section 5, table 7
- e) Note the DSG Deficit Reserve transfer as set out in Section 5, table 8

Dedicated Schools Grant and Schools Funding Outturn Report (2022/23)

Executive Summary

- The draft outturn position for the Dedicated Schools Grant (DSG) is an overspend of £11.5 million prior to transfers to the DSG Adjustment Account and ringfenced balances.
- This is made up of Individual School Balances (ISB) of £20.8 million, ringfenced balances of £6.7 million and deficit transfer to the DSG Adjustment Account of just under £39 million.
- Although an improvement of £1.7 million from month 11 position the continued demand on SEN placements within the independent sector and the delays in implementing management actions identified within the Safety Valve / Improvement Plan.
- Of the revised £10 million management action expected to be delivered in 2022/23 just under £5 million of the actions have been achieved. This is projecting a cumulative DSG deficit to March 2023 of £125.4 million which is £3.2 million over what has been included in the Safety Valve
- The Authority has been invited to join the next tranche of the Safety Valve Intervention Programme. The current management plan is being refreshed ready for submission to the DfE in July 2023.
- A SEND refresh was held during May where Senior Officers of the Local Authority as well as Education staff looked at the current safety valve plan and projects to review what is working well, not so well and what needs to change. Business cases will be developed, and project aligned with the SEND Improvement plan and improve outcomes for Devon's children.
- 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.

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 Outturn forecast position and significant variations

Budget projections as at Outturn	Revised Budget for year £'000	Underlying outturn forecast £'000	Management Action pending		Net Outturn forecast £'000	Forecast outturn variance £'000	Carry Forwards requested £'000	Transfer to/(from) deficit reserves £'000	Forecast Adjusted variance £'000	Analysis of outturn variance		Change from month 11	
			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
Education and Inclusion Services													
Core Services	13,953	11,778	0	0	11,778	(2,175)	729	0	(1,446)	(752)	(694)	0	(278)
School Transport	34,340	42,608	0	0	42,608	8,268	0	0	8,268	0	8,268	0	(33)
Traded Services	0	(1)	0	0	(1)	(1)	33	0	32	(9)	41	0	6
Total General Fund	48,293	54,385	0	0	54,385	6,092	762	0	6,854	(761)	7,615	0	(305)
DSG Funding	(118,250)	(138,387)	0	0	(138,387)	(20,137)	17,478	2,680	21		21	0	1
De-delegated budgets	6,029	3,790	0	0	3,790	(2,239)	0	2,239	0	0	0	0	2
Central School Services Block	4,183	4,084	0	0	4,084	(99)	0	130	31	0	31	0	16
Early Years & Childcare Services	41,138	40,423	0	0	40,423	(715)	0	676	(39)	0	(39)	0	(39)
Total DSG central budgets	51,350	48,297	0	0	48,297	(3,053)	0	3,045	(8)	0	(8)	0	(21)
High Needs Budget	128,920	131,337	0	0	131,337	2,417	3,302	950	6,670	0	6,670	0	(1,696)
DSG High Needs 22/23 deficit budget prep	(32,225)	0	0	0	0	32,225	0	(38,908)	(6,683)	0	(6,683)	0	(38,908)
Total High Needs budget	96,695	131,337	0	0	131,337	34,642	3,302	(37,957)	(13)	0	(13)	0	(40,604)
Total Dedicated Schools Grant	29,795	41,247	0	0	41,247	11,452	20,780	(32,233)	(0)	0	(0)	0	(40,624)
Total Education and Inclusion Services	78,088	95,632	0	0	95,632	17,544	21,542	(32,233)	6,854	(761)	7,615	0	(40,929)
Total											6,854		

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

1.3. Carry forward balances for Individual Schools Balances totals £20.8 million. This is allocated in the Schools Block for maintained mainstream schools of £17.5 million and the High Needs Block for maintained special schools and hospital school of £3.3 million. Table 2 provides a comparison to the previous financial year balances and Table 3 provides a like for like on the carry forwards for schools remaining maintained.

Table 2: Schools carry forward adjusted for comparison to 2021/22 (excluding Hospital school)

	2022/23		2021/22	
		£		£
B/fwd Balances		24,426,481		21,003,560
Schools converted to Academies	10	(1,325,765)	5	(401,533)
Schools that have closed / merged	3	(170,012)	3	(200,287)
Schools with Decreasing Balances	71	(4,784,666)	50	(1,832,999)
	59.2%		37.6%	
Schools with Increasing Balances	49	2,370,748	83	5,857,739
	40.8%		62.4%	
Carry Forward Balances		20,516,786		24,426,481

Table 3: Carry forward comparison for schools remaining maintained.

	No of Schools	2021/22 Balances	2022/23 Balances	Movement
Nursery	2.00	7,313	(36,355)	(43,668)
Primary	106.00	(18,068,487)	(16,162,873)	1,905,613
Secondary	4.00	(1,795,690)	(1,278,210)	517,480
Special	8.00	(3,073,841)	(3,039,348)	34,492
Hospital School	1.00	(253,000)	(263,000)	(10,000)
	120.00	(23,183,704)	(20,779,786)	2,403,918

2. DSG Deficit Management Plan

Table 4: DSG Adjustment Account

	£'000
DSG Adjustment Account	86,529
DSG High Needs 22/23 deficit	38,908
Total DSG Deficit Reserve	125,437

- 2.1. The DSG Adjustment Account, which shows the cumulative DSG Deficit as per government guidance, has risen to £125.4 million at the end of 2022/23. This is due to the funding pressure identified of £38.9 million and after management actions of just under £5 million.
- 2.2. As of 19 May the DfE have confirmed that no capital redirection will be given to any authority and have invited Devon to enter into discussions with them for tranche 4 of the Safety Valve Intervention Programme.
- 2.3. This gives the authority the opportunity to update the management plan to reflect the current in year pressures and revisit workstreams in line with the SEND Improvement Plan. The outcomes of the week long event are to be discussed with Senior Leadership Team (SLT) and Gold Command to progress the actions further.

3. High Needs

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

	Final Approved Budget £'000	Net Spend £'000	Variations (under)/over £'000	Grants c/fwds in 2022/23 £'000	DSG Adjustment Account £'000	Final Outturn variance £'000
Alternative Provision	3,659	3,994	335	0	0	335
Children in Care and Exclusions	1,758	1,757	(1)	0	0	(1)
Improved Outcomes Disadvantaged Children	1,614	1,411	(203)	0	0	(203)
Inclusion	211	211	0	0	0	0
Nursery Plus	1,164	1,203	39	0	0	39
Safeguarding Every Learner	203	213	10	0	0	10
SEN Mainstream	22,688	24,511	1,823	0	27	1,850
FE Colleges	3,410	3,399	(11)	0	0	(11)
SEN Services	933	921	(12)	0	0	(12)
SEN 100 Project	969	46	(923)	0	923	0
Maintained & Academy Special Schools	39,745	38,017	(1,728)	3,039	0	1,311
Hospital Education Services	827	564	(263)	263	0	0
Recoupment	1,877	1,241	(636)	0	0	(636)
Other Special School Fees	47,625	52,100	4,475	0	0	4,475
Support Centre Funding	2,237	1,750	(487)	0	0	(487)
Total High Needs Funding	128,920	131,338	2,418	3,302	950	6,670
DSG High Needs 22/23 deficit budget prep	(32,225)	0	32,225		(38,908)	(6,683)
Total High Needs budget	96,695	131,338	34,643	3,302	(37,958)	(13)

3.1. Cost and volume variances are shown in Appendix A

SEN Mainstream

- 3.2. Mainstream EHCPs (pre-16) are reporting an overspend of £1.6 million after achieving Management Action savings of £260,000 compared to a budgeted £467,000. Overall EHCP numbers were 165 lower than the budgeted average at 3,307.
- 3.3. Children Educated Other than at School is reporting a combined overspend of £576,000 and includes Home Educated Personalised budgets and Tutoring Specialist provision. The Tutoring Specialist Provision has seen the number of pupils now being supported at 186 compared to 105 budgeted whilst the average cost has reduced by £154 per placement.
- 3.4. SEN Therapy is reporting an underspend of £339,000; this is in relation to reduced forecast for direct therapy support costs of £252,000 and the Multi-Sensory Impairment (MSI) contract net saving of £86,000 due to the number of hours children have been supported in this financial year.

Maintained and Academy Special Schools

- 3.5. The average numbers on roll including Plus Packages and Exceeded places are forecast at 1,665 (vs 1,637 budgeted). Plus Packages and Exceeded places are 31 above budget resulting in an overspend of £398,000, however this has been offset by a reduction in top up of 13 places and a saving of £152,000.
- 3.6. Place funding has been reduced by 14 due to capacity limitations at Southbrook and ACE Tiverton resulting in savings of £157,000. A review of residential funding has resulted in a reduction at Orchard Manor, whilst there is a rise at Marland residential school for additional staffing, seeing a net saving of £190,000.

- 3.7. A further overspend of £1.3 million is a result of the management actions not being achievable. £830,000 due to the reduced number of children being supported within the SEN 100 special schools project; £353,000 from not enabling more complex support requirements within mainstream or special settings and £184,000 from the delay in appointing the education key workers posts.
- 3.8. This has been partly offset by an overachievement of the Outreach Support of nearly £100,000.

Recoupment

- 3.9. There has been a reduction in costs of £636,000 due to the net movement in Other Local Authority recoupment and correction to Other Special Schools Fees for Somerset Independent exports.

Other Special Schools Fees

- 3.10. The Other Special Schools budget included Safety Valve Management Action of £8.1 million of which £3.9 million has been achieved in this financial year. £4.2 million has not been achieved in this financial year and relates to;
- £1.4 million current hold on additional resource bases which were due to open in Sept.
 - £133,000 Post 16 cessation of 3–5-year placements in the summer term, management action assumed 73 placements would end in July 2022 of which 58 have been identified.
 - £1.6 million Transition to Adulthood savings will not be realised in this financial year.
 - £630,000 Outreach Support – Special Schools, reduction in the number of children being supported
 - £359,000 Special School capacity – slippage in places planned at Lampard and ACE Tiverton.
 - This has been partly offset by an overachievement of the Outreach Support of (£113,000).
- 3.11. A commissioning group is currently being set up with officers across the authority who have expertise in commissioning contracts to review the independent special school fees to ensure we are receiving value for money and that fees are in line with the EHCP of the young person placed at the school.
- 3.12. All spend is currently being reviewed within Other Special Schools to mitigate the growing demand in this sector with forward planning of placements for the academic year 2023/24.

4. Early Years

- 4.1. The Early Years Block has an underspend of £552,000 after funding the small Nursery Plus overspend (High Needs Block) and recognising £124,000 for the ring-fenced Early Years Pupil Premium grant.
- 4.2. The underspend is because of lower than budgeted % of take up and after adjusting for the anticipated reduction to funding for the period September – March, based on January 2023 census and which will be adjusted for in the July settlement.
- 4.3. In recognition of the particular pressures that are likely at point of transition and due to national outcomes a carry forward is requested to focus on supporting schools with transition and improving outcomes for children who are in receipt of Early Years Pupil Premium.
- 4.4. A request to allow carry forward of Early Years block underspend £552,000 to support the SEND improvement plan through targeted funding as set out above. Outcomes expected would be:
- reduced demand for EHCP
 - Improved transition outcomes for pupils with EHCPs/SEN support.
 - Support and invest in Early Years Complex Needs and Nursery Plus services

- 4.5. A request to carry forward Early Years Pupil Premium of £124,000 to support traded capacity to create a Champion role for specific schools with an identified need. Also, to extend the Speech and Language support delivered by Action for Children further whilst the children’s centre offer is reviewed and the roll of family hubs in Devon is agreed.

5. Carry Forwards

- 5.1. The total DSG is an overspend of £11.5 million. This is made up of ringfenced carry forwards of £6.7 million, Individual school balances of £20.8 million, and the DSG Deficit in year of just over £38.9 million. The tables below set out each of these elements.
- 5.2. The carry forward requests have been identified as part of the year end process and confirm the balances that were agreed, in principle, previously at Schools Forum.

Table 6: Surplus budget carry forward requests

Budget Line	Amount £'000	Notes
Growth Fund	2,480	Rolled forward as 0.5% contribution to HNB (DEF/23/04 minute 79, 18 Jan 2023)
	200	Rolled forward to fund ongoing growth fund demand
Total Schools Block Provision	2,680	
Schools and DSG Contingency	1,125	Rolled forward to fund contingency agreements in 2022/23 onwards
	640	Rolled to fund School Effectiveness Team (DEF/23/01 minute 76, 18 Jan 2023)
Maternity	144	Rolled forward to fund ongoing maternity fund
De-delegated	330	Rolled forward balances on de-delegated budgets
Total De-delegated budgets	2,239	
MFEP and Mental Health	130	Ringfenced carry forwards to 2023/24
Total Central School Services	130	
SEN 100 Projects	950	Rolled forward to fund SEND 100 projects
Total High Needs	950	
Early Years – Pupil Premium	124	Ringfenced grant
Early Years	552	Rolled forward to 2023/24 as set out in Section 4
Total Early Years	676	
Total Carry forward requested	6,675	

- 5.3. Changes from the initial requests in March are as follows:
- Schools and DSG Contingency saw a further £575,000 request as funding not released within the 2022/23 financial year through FIPS.
 - De-delegated budgets saw additional requests of £330,000 relating to Copyrights and Licences, Trade Unions and Specialist Services
 - Central School Services saw requests of £130,000 for MFEP and Mental Health.
 - Early Years saw an additional £576,000 - £24,000 Pupil Premium and £552,000 because of lower than budgeted % of take up and after adjusting for the anticipated reduction to funding for the period September – March, based on January 2023 census.
- 5.4. The maintained nursery, primary, secondary and special school balances along with the Hospital Education will be automatically carried forward to 2022/23 in individual budgets. The balances have been set out in the table below.

Table 7: Individual School Balances carry forward

Budget Line	Amount £'000	Notes
Mainstream School balances	17,478	Automatically carried forward as Individual School budgets
Special School Balances	3,039	
Hospital Education	263	
Total Individual School Balances	20,780	

- 5.5. In line with DfE guidance set out within the statutory instrument the DSG Deficit Reserve will see a further £38.9 million added for 2022/23 bringing the cumulative DSG Deficit Reserve to just over £125.4 million to the 31 March 2022.

Table 8: DSG Deficit Reserve transfer

Budget Line	Amount £'000	Notes
DSG Deficit Reserve as at 31 March 2021	(86,529)	Deficit Balance of DSG funding pressure to be allocated to DSG Adjustment Account
HNB Deficit in 2022/23	(38,908)	
Total DSG Deficit Reserve	(125,437)	

6. Risks

- 6.1. Changes in Senior Leadership - both within the Service and wider authority could see delays, advances or change in direction to current plans identified.
- 6.2. 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.
- 6.3. Recruitment and Retention - SEN 0-25 team have had 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.
- 6.4. Rising costs in fuel and energy may well result in additional charges being passported onto the local authority through higher independent placement costs.
- 6.5. Management actions delayed through increased volumes of requests and placements; new high-cost placements moving into the area.
- 6.6. Inclusion in the Safety Valve programme delayed raising uncertainty on ability to achieve outcomes for the children and reduce the overall pressure on the council budget should the deficit form part of the accounts in March 2026.
- 6.7. 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.
- 6.8. Continued stakeholder involvement is key. There is a need to ensure engagement from other directorates of the authority, Members, Health, Schools and the other providers to ensure the mitigation of the identified workstream / projects being achieved. In doing so will increase the children and young people being supported within mainstream settings, whilst reducing the demand currently being seen within the independent sector and stemming the number of EHCPs being required.

7. Recommendations

Schools Forum to

- a. Note the DSG Outturn position (subject to Statement of Accounts sign off) as set out in this paper.
All to Note
- b. Note the surplus budget carry forwards for Schools, de-delegated, central school services and High needs as set out in Section 5, table 6
All to Note
- c. Approve Early Years surplus carry forwards as set out in Section 4 and Section 5, table 6
All to Vote
- d. Note the Individual School Balances carry forwards as set out in Section 5, table 7
All to Note
- e. Note the DSG Deficit Reserve transfer as set out in Section 5, table 8
All to Note

Angie Sinclair
Director of Finance & Public Value

Julian Wooster
Interim Chief Officer for Children's Services

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

Education & Health Care Plans – Cost and Volume Analysis

High Needs EHCP Analysis	No of FYE Pupils				Budget 22/23	Forecast outturn	Variation		Budgeted Unit cost	Forecast Unit cost	Variation	Month 12			Month 11		Change to Mth 11		Month 11 No of FTE Pupils	Change to Mth 11 Pupils
	Budgeted 22/23	Month 12	Variation	%			£'000	£'000				£'000	%	£	£	£	Price Var £'000	Vol Var £'000		
Top ups	150	138	(12)	(8.7%)	1,943	1,841	(102)	(5.2%)	12,953	12,956	3	0	(155)	(155)	197	(78)	(196)	(78)	144	(6)
Medical Planned Places	90	90	0	0.0%	1,620	1,620	0	0.0%	18,000	18,000	0	0	0	0	0	0	0	0	90	0
Medical Planned Additional	39	33	(6)	(18.2%)	721	582	(139)	(19.3%)	18,487	17,636	(851)	(28)	(111)	(139)	(0)	(111)	(28)	0	33	0
AP WAVE Special Commission	13	30	17	56.7%	75	274	199	265.3%	5,761	9,133	3,372	101	98	199	75	75	26	23	26	4
AP Other [Non-WAVE]	92	151	59	39.1%	268	1,367	1,099	410.1%	2,913	9,053	6,140	927	172	1,099	601	151	327	20	144	7
Alternative Provision	384	442	58	13.1%	4,627	5,684	1,057	22.8%	58,115	66,779	8,664	1,001	3	1,004	872	38	128	(34)	437	5
Personalised Packages	91	89	(2)	(2.1%)	1,324	1,244	(80)	(6.0%)	14,577	13,978	(599)	(53)	(27)	(80)	60	(27)	(113)	0	89	0
Home Tutoring	105	186	81	43.5%	868	1,509	641	73.8%	8,267	8,113	(154)	(29)	670	641	(78)	752	50	(83)	196	(10)
Educated Other than at School	196	275	79	28.8%	2,192	2,753	561	25.6%	22,843	22,090	(753)	(82)	643	561	(19)	726	(63)	(83)	285	(10)
Mainstream Provision (pre 16)	2,593	2,425	(168)	(6.9%)	8,862	8,337	(525)	(5.9%)	3,418	3,438	20	49	(574)	(525)	41	(608)	8	34	2,415	10
Mainstream Provision (pre 16) Plus Packages	879	882	3	0.3%	9,342	9,474	132	1.4%	10,628	10,744	116	102	32	134	94	11	8	21	880	2
Mainstream	3,472	3,307	(165)	(5.0%)	18,204	17,811	(393)	(2.2%)	14,046	14,182	136	151	(542)	(391)	136	(598)	16	55	3,295	12
Further Education	785	784	(1)	(0.1%)	3,338	3,399	61	1.8%	4,252	4,335	83	65	(4)	61	60	0	5	(4)	785	(1)
Top Ups	1,611	1,598	(13)	(0.8%)	20,676	20,524	(152)	(0.7%)	12,838	12,843	5	8	(160)	(152)	11	(145)	(3)	(15)	1,599	(1)
Exceeded Places	0	12	12	100.0%	0	123	123	100.0%	10,000	10,000	0	0	123	123	0	122	0	1	12	0
Plus Packages	26	44	18	41.2%	372	648	276	74.1%	14,308	14,636	328	15	261	276	10	249	5	12	43	1
Maintained & Academy Special Schools	1,637	1,655	18	1.1%	21,048	21,294	246	1.2%	37,145	37,479	334	23	223	246	21	225	2	(2)	1,655	(0)
Sole Funded	1,115	1,125	10	0.9%	52,326	53,851	1,525	2.9%	46,413	49,153	2,740	3,083	472	3,555	3,025	499	58	(27)	1,126	(1)
Joint Funded	23	19	(4)	(21.6%)	2,736	1,879	(857)	(31.3%)	131,109	121,909	(9,200)	(174)	(535)	(709)	(368)	(547)	193	12	19	0
Adults	12	5	(7)	(143.9%)	633	297	(336)	(53.1%)	63,406	118,687	55,281	272	(449)	(177)	198	(449)	74	0	5	0
Virtual School	2	0	(2)	(100.0%)	20	0	(20)	(100.0%)	10,000	10,000	0	0	(20)	(20)	0	(18)	0	(2)	0	(0)
Independent Special Schools	1,152	1,149	(3)	(0.3%)	55,715	56,027	312	(5.9%)	250,928	299,749	48,821	3,181	(532)	2,649	2,856	(515)	325	(17)	1,150	(1)
Resource Bases (Topup)	133	77	(56)	(72.2%)	933	813	(120)	(12.9%)	6,998	10,502	3,504	271	(391)	(120)	271	(387)	0	(4)	78	(1)
Reported Forecast Outturn 2022/23	7,625	7,612	(14)	(0.2%)	105,124	106,968	1,844	1.8%				4,339	(209)	4,130	3,926	(124)			7,607	5

Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 23 May 2023

Key Issues for DEF to Note:

Admissions:

2. Term dates and Non pupil days

- Schools reminded to ensure that parents and staff are informed as soon as term dates and non-pupil days are agreed or amended, and the school information database is updated accordingly.

4. Numbers on roll and organisation

- Admissions team have asked all schools to respond to the information request regarding numbers on roll when it is received from the Admissions team.
- Schools are reminded that it is not lawful to insist on a parent / pupil meeting, or reports or references from the current school before agreeing an in-year admission.
- Fair Access Panel to reconvene to consider children returning to school from Alternative Provision, exclusion or referred to the LA on challenging behaviour grounds.

5. Delayed Admission Guidance

- DfE has refreshed its guidance for parents of summer born children.

7. Report of the Office of the Schools Adjudicator

- Five catchment area amendments due to closure of Chittlehampton Primary have now been agreed.

9. School Organisation:

- Bid for new Special Free School at Cranbrook has been successful
- Proposal to close Mill Water post-16 provision has been withdrawn.

11. Capital Programme:

- DfE Revised School Net Capacity Methodology programme to be relaunched in line with new school building guidance. All Secondary, Special and All through schools to be visited and assessed over the next 2-3 years.

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

Penny Hammett

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

Diocesan Representatives

Christina Mabin
Richard Power

Exeter Anglican Diocese (Admissions)
Exeter Anglican Diocese (Capital)

Agenda Item 9

Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 23 May 2023

Union Representative

Nigel Williams

Corporate Forum (Education) NASUWT

In Attendance

Nick Cook - *part*

South West Norse

1. Minutes of Previous Meeting – 7 March 2023

Outstanding actions:

- SN has ongoing discussions with the Regional Director Office and DfE Policy Unit, these will be completed and reported back to SOCA before DEF. There are currently issues regarding a request to direct an academy which will form a part of that report.
- **NP** to share draft FOI response regarding reinforced concrete.

Post meeting note:

- The FOI response that was sent to schools in January ref. Reinforced Autoclaved Aerated Concrete (RAAC) is now out of date.
- Due to evolving guidance from the DfE we are currently planning further review and due diligence with SW Norse to ensure we have a robust methodology that aligns to the latest guidance published ([Reinforced Autoclaved Aerated Concrete \(RAAC\) estates guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk))
- There is currently still no evidence of RAAC being present in schools DCC are responsible for.
- All other actions complete.
- Minutes agreed as an accurate record.

ACTION:

- **SN** to report back to SOCA around PAN increases to meet demand and latent capacity in Devon's secondary schools before DEF meeting.
-

2. Admissions: Composite Prospectus

- Schools required to ensure school information is kept up to date and accurate on the schools information database.
- Admissions criteria will be rolled forward to ensure up to date for future academic year.
- Report noted.

3. Admissions: Non-Pupil days

- Schools urged to ensure that term dates and non-pupil dates are updated on the schools information database, and that parents and staff are informed as soon as dates are agreed.
- Dates may be changed during the school year, and school transport should be informed if there will be any implications.
- Assumption that Academies will also provide 190 days unless there is a strong reason where this cannot be delivered.
- Regulations expect that days lost to poor weather or exceptional circumstances are made up – any decision to close must be taken by the local governing body or Trust Board.

Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 23 May 2023

4. Admissions: Numbers on roll and organisation

- Emails have been issued to Primary Schools requesting up to date information on numbers on roll prior to half term.
- Secondary schools will be asked to confirm the organisation of pupil numbers across the year groups. This will inform identification of future issues and possible prejudice which the LA needs to understand to support schools through any appeal process.
- Discussed delays where In-year admission is requested due to school insisting on meetings with parents prior to agreement. Schools are asked to note that any 'interview' process is not legal and should not form part of the decision to admit.
- Considered admission under Fair Access Protocol, and need for schools to respond to requests as quickly as possible.
- Additional information may be requested for Fair Access purposes, however this should not delay the process and a refusal on the basis of an identified additional need is not lawful.
- Improvement needed through strong partnership work across the Diocese and the LA support services – mindful of pressures on school resourcing children with identified additional need who will require additional support and resource to meet their needs.
- Considered need for increased clarity around data sharing, to show the situation is comparable for all maintained and academy schools being requested to admit more vulnerable and complex pupils.

ACTIONS:

- **All schools** to discuss with Admissions any changes to Admission Number and organisation
- **Primary schools and Secondary schools** to respond to information requests from Admissions team
- **All schools and trusts** requested to note advice from DfE on in-year admissions and ensure internal processes are compliant.

5. Admissions: Delayed admission guidance

- DfE have updated admission guidance including some slight changes, particularly affecting parents. DfE feels delayed admission works well nationally.
- Parents should apply in their child's normal admission cohort.
- Schools need to be satisfied that children would have access to the appropriate curriculum whether in Reception or Early Years settings.
- Sam Chapman keen to discuss at SOCA issues around Early Years children with SEND.
- LA working hard to ensure that parents and schools are fully informed of the longer-term implications of delayed admission.
- Report noted.

6. Admissions: Notifying parents of normal admissions round process.

- Primary schools have been particularly effective at flagging up need for year 6 families to apply for secondary places
- Considered permission around use of parent contact details to flag any messages regarding the admission process.
- Parents will be invited to give permission to use their information for specific admissions rounds at the same time that expressions of interest are requested. Reminders will continue to be sent by the admissions team.
- Admissions Facebook page increasing in popularity.

Agenda Item 9

Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 23 May 2023

- Report noted.

7. Admissions: Report of the Schools Adjudicator

- Annual report published by Schools Adjudicator, including information provided by LAs. This can highlight areas for future policy change.
- DCC has issued several requests for direction around admissions.
- Noted in-year variations increased during Pandemic linked to church attendance, which were approved.
- Five catchment area amendments due to closure of Chittlehampton have now been agreed.

8. Early Years Update

- Noted expansion of Early Years entitlement, encouraging parents returning to work.
- Noted possibility for providers to amend the staffing ratio for 2-year olds .
- Noted increase in interest in the number of registered childminders
- Noted arrangements for increased funded childcare entitlement to either 15 hours, or 30 hours for parents returning from maternity leave. This will lead to an expansion of places for children aged 9 months +
- Schools will be expected to offer 0800 – 1800 wrap around offers from September 2026, with expansion funded by government. Early Years team to contact schools shortly about this. Unclear of implications for capital funding. This could be through external providers / sports providers.
- Hoping that 2 year old funding rate will be increased which will help providers to retain and recruit staff and offset pressures for childcare for older age ranges. Have noted a particular need for level-3 qualified staff.
- Noted some issues around provider cash flow where LA payments do not seem to be timely – LA looking at how the sector can be better supported with monthly payments and skills in business and financial planning. EY digest provides updates on training opportunities for providers.
- SOCA were reminded that parents have a right to request wrap-around childcare and providers have a right to request the use of school premises. This has not been strongly promoted by DfE.
- Noted childminders may be invited to run wrap around childcare from school site under their own registration, which could be an option particularly for smaller rural schools.
- Survey shared seeking interest in free level 2 in-house EY Practitioner training.
- 20 hour entitlement to wrap around childcare available to service families.
- School leaders are reminded that the offer of a place in Reception is for a full time place from the first day of term. Staggered and part time entry can be difficult for working parents to facilitate.
- Early Years currently looking at how further support can be offered to Reception children with additional needs coming into Reception.

ACTION:

- Early Years update report to be circulated with minutes **(HWJ) - complete**

9. School Organisation Update

- Small schools data shared with SOCA. Noted the net effect of year 6 leavers and incoming starters to forecast numbers on roll going forwards. Meetings with schools, MATs and Local Learning Communities will be offered to discuss future cohorts, Local Plans, housing developments and other issues affecting demographics.

Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 23 May 2023

- Bid for new special free school in Cranbrook has been successful. Potential sponsors may register interest by 16 June. Engagement event planned for 7 June.
- Proposal to close Mill Water post-16 provision has been withdrawn. Increase in registered places from 100 – 112 to be formally consulted on.
- Lowering age range proposals / approvals : Highweek, Denbury, / Bassetts Farm, Stoke Canon.
- Hearing Support Centre at Clyst Vale consulted to close – significant change request to be submitted to RD office.
- Still to hear from RD office on Axminster primary expansion.
- Noted approvals for Trust changes and Academy conversions.
- June Cabinet to consider purchase of site in Ivybridge to deliver a new 120 place special free school. Special Partnership Trust sponsoring.

10. SW Norse Update

- Devon Maintenance Partnership – membership numbers static, awaiting confirmation of academisations.
- Devon Academies Maintenance Agreement – in conversation with Ventrus MAT re. ongoing membership.

Service Provider delays:

- Automatic Doors contract providers behind schedule – understand works have been completed but issues around data transfer
- Lift contract – significant levels of delay. Action plan in place and making good progress.
- Lightning Protection – SW Norse in discussion with provider. Understand administration capacity in using Connect 2 to transfer data.
- Academies using alternative contractors on site continues to confuse the monitoring of performance

11. Capital Programme Update

- Schools capital maintenance schemes being prepared for tender to complete works over summer break. Market has shown improvement in contractor availability and willingness to tender.
- DfE Revised School Net Capacity Methodology programme being relaunched to bring in line with new school building guidance. Every secondary, special and all through school to be visited and assessed over 2-3 years. Primary schools are not included.
- Understand these visits will be a snapshot, but no expectation for LAs to routinely keep that information updated other than for maintained schools.
- Details to be shared with minutes.
- New formula in place for special schools – understand still to be formally adopted – **NP** to share information available.
- No update available on Early Years area guidance for foundation stage accommodation capacity. Mindful that LA retains responsibility for EY and childcare place planning and knowledge of suitable and sustainable accommodation is important.
- Schools Rebuilding Programme – expecting publication in July of timeframe for Devon schools. Mindful of recent flooding at Tipton – evidence has been submitted to DfE to support a prioritisation.

- DfE Revised School Net Capacity Methodology programme – details to be shared with minutes **(HWJ) - complete**
- **NP** to share information available on special school capacity methodology

Agenda Item 9

Schools Organisation, Capital and Admissions Group: Notes of meeting on Tuesday 23 May 2023

SOCA thanked Neil for his chairing of the group over the last few years and wished him well for his next role.

Future meeting dates:

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

SCHOOL ADMISSIONS – SOCA FOLLOW UP

It is recommended that Devon Education Forum:

- Notes the issue accessing physical built capacity as detailed in paragraph 2;
- Notes the potential position of the LA regarding reducing PAN as set out in 2.7;
- Discusses the Y6 to Y7 secondary admission round as highlighted in 1.2 and detailed in paragraph 3.

1. Background

- 1.1 At their meeting in March 2023, School Organisation, Capital and Admissions (SOCA) forum were briefed on the challenging secondary normal admissions round for September 2023 and issues regarding accessing the built capacity in schools to support local children accessing a place. It also raised the issue of 'working PAN' in schools and the impact for in year movement and fair access;
- 1.2 SOCA members also raised concerns regarding the distribution of Children and Young People (CYP) with Education, Health and Care Plans (EHCP) for the secondary normal round.
- 1.3 The relevant actions for DEF were:
- Support the LA in their discussions with the Regional Director's Office over the challenges they are having accessing state funded education capacity;
 - Scrutinise and discuss the 2023/24 Year 6-7 transition round for learners with EHCPs given the level of concerns about the strategy and equity of decisions being made, and implications for those schools seeing large numbers of students being allocated a place.

2. Accessing State Funded Capacity

- 2.1 Schools, in particular own admissions authorities, have taken decisions to reduce their PAN to ensure they are able to deliver a financially sustainable offer and react to local demographics. Generally, the Local Authority has not objected to these decisions at a time of falling rolls, often with an in-principle agreement that local children would not be refused if for example, parental preference increased. Schools have also moved to working PANs in some year groups. All of these decisions effectively reduce the number of places available to the Local Authority to meet their statutory responsibilities despite having built the physical capacity.
- 2.2 With rising numbers moving from primary to secondary, there are a number of instances where children are now being refused their local secondary school, whether it be through normal round or in year, despite there being the physical capacity. In one case, a full year group has been refused with students having to travel past their catchment school funded through the home to school transport budget.

2.3 A review of policy has summarised that the Local Authority has:

- No statutory powers to direct an academy to increase its PAN through their annual consultation;
- No statutory powers to insist an Academy admits over their consulted PAN despite there being physical capacity;
- No statutory power to object to working PANs

It should be noted that the Local Authority does have these powers for Community and VC Schools.

2.4 These issues have been discussed at a Regional Cross Border Network hosted by DCC Officers, which has highlighted a potential system-wide challenge which could have a greater impact in rural authorities where there is often a single catchment school.

2.5 It should be noted that decisions being made by schools are legally compliant with the Admissions Code and their determined policies. DCC Admissions have defended appeals for these schools.

Schools have flagged the following issues when making these decisions:

- The revenue impact of opening up classes at a time of significant financial pressures;
- Numbers do not reflect a full year group with financial challenges and the risk of in year applications;
- The level of students' additional needs in a particular year group;
- Staff recruitment and retention;
- Concerns over the effectiveness of the size of a school as built;
- A desire to support the viability of other schools.

In terms of in year applications, many schools are concerned about the potential 'bumping' of students from other schools.

2.6 Since the SOCA meeting in March, Devon has managed to engage in discussions with colleagues in the DfE and will continue to press for changes in policy that will ensure the Local Authority can access the public sector funded infrastructure. Devon will be writing to all schools where we believe the consulted PAN will not be sufficient to meet need for September 2024. Alongside this work, DCC is continually reviewing its Growth Fund policy, although funding is limited following Schools Forum agreement to a one-year transfer of funds to support the High Needs Block.

2.7 It is clear an unintended consequence of working in partnership with schools, in particular reducing of PAN, has resulted in the Local Authority not being able to access their built capacity. Therefore, in order to reduce the risk of this in the future, the Local Authority should consider not supporting any reductions in PAN from any school, no matter their governance. Clearly a change in national policy would negate the need for this approach.

3. Y6 - Y7 Transfer for Learners with EHCPs

- 3.1 It should be noted that learners with EHCPs have priority in terms of admissions to mainstream schools as highlighted within oversubscription criteria in all schools' determined admissions policies, see extract below:

Oversubscription Criteria

To be used only when there are more applications for places than there are places available.

A child whose Education, Health and Care Plan names the school will be admitted without regard for these criteria.

- 3.2 The parental preference for mainstream places for learners with an EHCP aligns to the general level of preference from the wider admissions round with popular schools being oversubscribed.
- 3.3 The SEN 0-25 team has confirmed that when considering parental preference, the council is under a duty to name unless there are specific exceptions, which are set out in the regulations.

This includes the following, in priority order:

1. If the school is appropriate for SEN of the child – this looks at whether it is most appropriate to meet the needs with the skills and expertise in the school considered;
2. If the placement will affect the efficient education of others at the school – this looks at space and the numbers of children in the class and if the SEN needs are compatible across the group;
3. If the placement is the best use of resources – this looks at the council resources, the high needs block.

An analysis of the secondary admissions round for September 2023 will be distributed to the Forum prior to the meeting for further scrutiny.

Simon Niles

Notes of High Needs Funding Sub Group

Monday 15 May 2023 - 16.30 – 17.30 via Teams

Present: Paul Walker (Chair), Jackie Ross, Gill Loman, Alex Walmsley, Fay Bowler, Gemma Rolstone, Adrian Hines, Penny Hammett, Rob Gasson, Keith Bennett, Jamie Stone

Apologies: Heidi Watson-Jones,

		Actions:
1.	<p>Actions and Matters Arising from last meeting (25 April 2023)</p> <ul style="list-style-type: none"> • AP/Inclusion - Matthew Shanks to be invited to next meeting to discuss the vision and plans shared with schools on 17 March. • Savings not achieved in previous financial year to be restated in 2023/24 totalling £25m • DfE Safety Valve still not agreed – SEND Planning week taking place at County Hall to review the current proposals and re-focus ambitions for SEND. The group felt that it was unfortunate that the High Needs Funding Sub Group members were not invited to be involved. • Safety Valve update to be shared when available – will be helpful to identify the risk to school budgets should the Safety Valve not be agreed. • Sufficiency Strategy – North Devon, South Devon, Tavistock and Post-16 offer will be key areas of consideration. • 2023 Funding Consultation discussion on 0.5% funding transfer. Concerns shared previously that the unintended consequence of a schools-block transfer could result in significant reductions in SEN support and direct resourcing (e.g. TAs) at school level, exacerbating the current position. • Understand Team Around the School visits to South Devon primaries be prioritised – position to be clarified. Concerns shared that progress needs to be achieved as a matter of priority. 	HWJ (complete)
2.	<p>Update from Safety Valve Project Review (SEND Gold Command Finance)</p> <ul style="list-style-type: none"> • SEND Planning involving a range of DCC colleagues. • Looking more closely at plans for wider developments for future safety valve projects. • PW & KB invited to participate in face to face discussion around current safety valve projects. 	
3.	<p>Robust Commissioning of Resourced Provision, AP and Satellite provisions</p> <ul style="list-style-type: none"> • Robust commissioning of resource bases will be based on a specification of: • Wide curriculum 50% of time spent in the resource base and 50% in the mainstream classroom Specialist teachers with proven success • Locality-based needs analysis to inform decision making about location of new provision. (regression analysis by Mime, exclusions and attendance, and EHCP data by Local Learning Community). Data based on needs of children currently in mainstream and EOTAS. • South, Exmouth and Axe Valley identified as particular areas requiring additional provision. • Need to consider areas where children are repeatedly being placed in independent settings due to lack of provision, 	

Notes of High Needs Funding Sub Group

Monday 15 May 2023 - 16.30 – 17.30 via Teams

	<p>and particular year group / cohorts (particular need for secondary provision)</p> <ul style="list-style-type: none"> • ACTION: GL to share data table with the group. • ACTION: GL to overlay data on a map to illustrate clearly the areas of need • Mindful of possible further capacity for expansion of existing special schools. • Considered discussing identified local needs with local Heads to jointly agree how this can best be managed and taken forward across local schools. • Need to develop a process for identifying children who will be best served in a more supportive resource base environment – possibly through annual review process. • Discussed anticipating need – avoiding independent placements / ensuring secondary resource bases in place. • Mindful of need for academy schools to go through significant change processes with RD office. • ACTION: JR / GL to provide paper for next meeting summarising the data and geographical areas of need identified. This would then need to be shared with schools. 	<p>GL GL</p> <p>JR / GL</p>
4.	<p>AOB SEND Board – looking at resource required to strengthen early intervention and EHCP processes Schools Block transfer – requested modelling on the impact of the transfer on individual school budgets.</p>	

Future meetings:

- **Mon 5 June (16.00 – 17.30) via Teams –**
 - Focused discussion on Team Around the School and
 - communications ahead of autumn consultation
- **Mon 26 June (13.00 – 15.00) Face to Face – County Hall – room tbc**

Notes of High Needs Funding Sub Group

Monday 5 June 2023 - 16.30 – 17.30 via Teams

Present: Paul Walker (Chair), Jackie Ross, Gill Loman, Fay Bowler, Gemma Rolstone, Adrian Hines, Rob Gasson, Keith Bennett, Alan Blackburn, Fay Bowler, Jamie Stone, Heidi Watson-Jones (notes)

Apologies: Penny Hammett, Rob Gammon, Sammy Crook, Alex Walmsley

		Act ion s:
1	Actions and Matters Arising from last meeting (15 May 2023) <ul style="list-style-type: none"> No matters arising 	
2	Finance Update <ul style="list-style-type: none"> DfE Safety Valve Intervention – DCC colleagues had spent a focus week in May looking at Safety Valve projects. Donna Manson & Angie Sinclair met with DfE on 19/5 re. Safety Valve – Devon has been invited to participate in discussions for Tranche 4 of the Safety Valve programme. This will give the LA the opportunity to develop a refreshed approach, learning from experiences from other LAs recently entering the intervention programme. As at end 22/23 fin year – DSG £11.5m overspent in total (incl. school carry forwards) £38.9m in year high needs deficit. Overall position £3m over planned budget position at year end which is positive given £5m unachieved management action savings. The group noted the current position and expected savings through existing Safety Valve projects. Some projects will continue to operate going forwards, with other areas which will be developed further. ACTION: AF to share presentation with the group 	AF
3	Resource base and Satellite class provisions <ul style="list-style-type: none"> Aim: to share with the sub-group a transparent, data-evidenced proposal for further development of resourced provision across the county. Draft proposal for expressions of interest was shared with the group which schools will be asked to complete. The document clearly outlines the LA's operational expectations of the schools applying, including curriculum offer and inclusive practice. Considered implications of school performance – particularly those with poor legacy Ofsted judgements. JR suggested that a MAT-supported application could be made in this case, or a satellite class managed by a special school could ensure that all schools have an opportunity to host. ACTION: JR to ensure satellite classroom definition to be included in the document for clarity. The group sought clarity that the RDD has been involved in the strategic planning process, mindful of previous engagement and refusal to agree significant change required. Noted that children in a satellite class would be on the roll of a special school. The group sought assurance that requirements and regional scrutiny of significant change proposals need to be highlighted for any academy schools applying. Simon Niles has undertaken to liaise with the RDD upon receipt of any expressions of interest. See link below: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1057467/Making_significant_changes_to_an_open_academy_January_2022.pdf Noted Local Learning Community (LLC) data sets have been used to identify geographic pockets of SEN need to support rationale for planning the location of resource bases. Will need to be mindful of 'merging' 	JR

Notes of High Needs Funding Sub Group

Monday 5 June 2023 - 16.30 – 17.30 via Teams

	<p>boundaries which may skew assumptions of need where children cross from one area to another in neighbouring LLCs.</p> <ul style="list-style-type: none"> • Mindful that school leaders may wish to know more about the impact of hosting a resource base or satellite classroom prior to bidding. Feel it would be helpful to actively approach the schools in areas of identified unmet need, rather than expecting them to submit an expression of interest. Understand that AECOs have been engaging with schools in their areas to raise awareness of the upcoming opportunity. • Considered how schools would apply if there was only a single school in a particular identified location. • An exemplar would be helpful to illustrate to heads the level of detail that the LA is expecting to see. 	
4	<p>Locality-based Inclusion</p> <ul style="list-style-type: none"> • The group requested that a strategic presentation on the programme is brought to a future meeting of SFG or DEF to share an overview of the strategic direction. ACTION: HWJ • Post-meeting note: <i>Bids have now been submitted – an independent panel will be convened to consider the submissions.</i> • <i>Further clarity has been requested from school leaders around how the proposals will be funded, governance around the consideration of bids, accountability, reporting expectations and to which body, and how this proposal fits alongside the strategic development of resource bases under Jackie Ross.</i> 	HWJ
5	<p>Consultation</p> <ul style="list-style-type: none"> • Schools Finance Group on 10 July scheduled to begin planning of autumn consultation discussions. • Direction on a funding transfer request to be provided through the SEND service lead, which will enable schools to ascertain the impact on individual school budgets of a schools' block transfer. • Noted that a modelling calculator is now available online to illustrate the impact of the 23/24 transfer on school budgets should it have been taken from the schools' block rather than the Growth Fund surplus. • Will be helpful to also explore the impact of the full removal of the school effectiveness grant on schools. • Mindful that Minimum Funding level is likely still to be confirmed by government on 10/7, the outcome of which can have a significant impact on individual school budgets. • Understand that DfE are currently predicting a 3% year on year increase to school budgets. • Will be important to share any relevant information with schools as soon as possible. 	

Future meetings:

- **Mon 26 June (13.00 – 15.00) Face to Face – County Hall – Lucombe House, first floor large meeting room - Updates :** Mth 2 financial position, Safety Valve, Resource bases, Team Around the School.
- **2 meetings per half term from Autumn 2023:**
- Monday 18 September 15.00 – 16.30 (Teams)
- Tuesday 17 October 15.30 – 17.00 (Face to Face)
- Thursday 23 November 09.00 – 10.30 (Face to Face)
- Wednesday 13 December 15.00 – 16.30 (Teams)

Notes of High Needs Funding Sub Group

Monday 5 June 2023 - 16.30 – 17.30 via Teams

Note to accompany HNB Sub Group minutes:-
SEND – Outturn (2022/23) – DSG Management Plan

Executive Summary

- Outturn for 2022/23 sees an overspend in the overall Dedicated Schools Grant (DSG) of £38.9 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 a favourable change of £1.7 million since month 11 (£2.3 million from month 10).
- The Management Action of £10 million reflected the revised savings expected to be delivered during 2022/23 and are as per the Safety Valve submission to the DfE. Just under £5 million of Management Actions have been achieved in this financial year.
- There has been £5 million of savings which have not been achieved in this financial year due to 60 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 £125.4 million which is £3.2 million over what has been included in the Safety Valve
- The Authority has been invited to join the next tranche of the Safety Valve Intervention Programme. The current management plan is being refreshed ready for submission to the DfE in July 2023.
- A SEND refresh was held during May where Senior Officers of the Local Authority as well as Education staff looked at the current safety valve plan and projects to review what is working well, not so well and what needs to change. Business cases will be developed and project aligned with the SEND Improvement plan and improve outcomes for Devon's children.
- 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.

1. Investment

Table 1: Safety Valve staffing investment

Workstream Team	No of Staff	22/23 Staffing Investment £'000	Appointments to date	Further Planned Appointments	22/23 forecast £'000	Current RAG rating
Prevention of more Complex Support						
Team Around the School	7	385	0	7	0	●
Special Teachers - Curriculum	21	1,228	0	21	0	●
Education Key Workers	9	281	7	2	97	●
SEN Caseworkers	12	495	10	2	541	●
Tranistion to Adulthood						
Tranistion to Adulthood	6	263	3	3	67	●
	55	2,652	20	35	705	

1.1. £705,000 of the £2.7 million allocated has been spent in 2022/23, 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.

- 1.2. 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 the Autumn and Spring term to progress these projects.
- 1.3. Education Key Workers posts have been approved with funding identified, currently 7 posts have been appointed to. Consideration should be given to reviewing these posts alongside the SSA posts and what the purpose of both of these roles, is there a cross over could they be merged to support both workstreams.
- 1.4. SEN caseworkers are being recruited by external agency companies, currently there are 10 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.
- 1.5. There is a risk of further slippage of Management Action savings being achieved in next financial year if there are further delays in workstream teams being set up and posts recruited too.

2. Workstream Savings

Table 2: 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
New Specialist Provision	0	0	(1,132)	(910)	(160)	0	(1,292)	382	(910)	(910)	●	●
Support Centre Expansion	(720)	(150)	(1,120)	(228)	0	(17)	(1,840)	1,445	(395)	(395)	●	●
SEN 100 Project	(1,153)	0	0	(390)	(489)	(242)	(1,642)	1,010	(632)	(632)	●	●
Independent Sector	(1,849)	(1,502)	0	0	0	(214)	(1,849)	133	(1,716)	(1,716)	●	●
Prevention of more Complex Support requirements	0	0	(409)	0	(630)	(149)	(1,039)	890	(149)	(149)	●	●
Transition to Adulthood	0	0	(1,607)	0	0	0	(1,607)	1,607	0	0	●	●
Other	0	0	(750)	(700)	0	(479)	(750)	(429)	(1,179)	(1,179)	●	●
Total Management Plan Savings	(3,722)	(1,652)	(5,018)	(2,228)	(1,279)	(1,101)	(10,019)	5,038	(4,981)	(4,981)	●	●

- 2.1. Pupil data has been provided by workstream leads to evidence those who have been supported during this financial year or taken up a placement within the expanded Maintained and Academy special school places, this has achieved £5 million of savings. Of the £10 million savings budgeted, £5 million of Management Action has not been achieved and predominately impacts on Other Special Schools budget.
- 2.2. There were 129 new maintained and academy special school places within the original safety valve plan of which 78 have been filled, a further 19 have not been occupied and 32 places at Lampard are still to be set up.
- 2.3. 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, 60 placements have been identified as leaving compared to 73 built into management savings.
- 2.4. The number of children supported within the SEN 100 Specialist Support Assistants project have been higher than originally forecast resulting in additional savings in since the Summer of £567,000, consideration should be given to escalating this project at a faster pace than original profiled.

- 2.5. Some work is taken place within the Post 16 workstreams, however savings will not be realised in this financial year for the Transition to Adulthood.
- 2.6. The £149,000 savings for the Prevention of more Complex Support requirements relates to the 29 children who have been supported by Education Key workers. The £890,000 non deliverable savings is due to the backlog team reviewing EHCP's who are NEET and ceasing plans, there are no costs to the Local Authority for these but it does improve the total EHCP numbers for Devon statistically. Transformation project has never commenced and no longer happening.
- 2.7. 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.
- 2.8. A SEND planning session has been held carrying out some intensive work to focus on what is working well within the Safety Valve and what needs to be changed and what the change will look like in relation to plans, costs, savings and risk.

3. DSG Deficit Management Plan

Table 3: DSG Adjustment Account

	£'000
DSG Adjustment Account	86,529
DSG High Needs 22/23 deficit	38,908
Total DSG Deficit Reserve	125,437

- 3.1. The DSG Adjustment Account, which shows the cumulative DSG Deficit as per government guidance, is at £125.4 million at the end of 2022/23. This is due to the funding pressure identified of £38.9 million and after management actions of £5.0 million.
- 3.2. As of 19 May the DfE have confirmed that no capital redirection will be given to any authority and have invited Devon to enter into discussions with them for tranche 4 of the Safety Valve Intervention Programme.
- 3.3. This gives the authority the opportunity to update the management plan to reflect the current in year pressures and revisit workstreams in line with the SEND Improvement Plan. The outcomes of the week long event are to be discussed with Senior Leadership Team (SLT) and Gold Command to progress the actions further.

4. High Needs

- 4.1. The High Needs Block continues to remain under significant pressure and has overspent £38.9 million, which is a favourable change of £1.7 million since month 11.
- 4.2. Table 4 sets out the high-level view within the High Needs Block.

Table 4: Summary of High Needs budgets and forecast position as at Month 12

	Final Approved Budget £'000	Net Spend £'000	Variations (under)/over £'000	Grants c/fwds in 2022/23 £'000	DSG Adjustment Account £'000	Final Outturn variance £'000
Alternative Provision	3,659	3,994	335	0	0	335
Children in Care and Exclusions	1,758	1,757	(1)	0	0	(1)
Improved Outcomes Disadvantaged Children	1,614	1,411	(203)	0	0	(203)
Inclusion	211	211	0	0	0	0
Nursery Plus	1,164	1,203	39	0	0	39
Safeguarding Every Learner	203	213	10	0	0	10
SEN Mainstream	22,688	24,511	1,823	0	27	1,850
FE Colleges	3,410	3,399	(11)	0	0	(11)
SEN Services	933	921	(12)	0	0	(12)
SEN 100 Project	969	46	(923)	0	923	0
Maintained & Academy Special Schools	39,745	38,017	(1,728)	3,039	0	1,311
Hospital Education Services	827	564	(263)	263	0	0
Recoupment	1,877	1,241	(636)	0	0	(636)
Other Special School Fees	47,625	52,100	4,475	0	0	4,475
Support Centre Funding	2,237	1,750	(487)	0	0	(487)
Total High Needs Funding	128,920	131,338	2,418	3,302	950	6,670
DSG High Needs 22/23 deficit budget prep	(32,225)	0	32,225		(38,908)	(6,683)
Total High Needs budget	96,695	131,338	34,643	3,302	(37,958)	(13)

Alternative Provision

- 4.3. Alternative Provision (AP) overspent by £335,000 due to AP Other provision pressure of £1.1 million which is mainly due to an increase in volume of Section 19 referrals which is linked to EHCP refusals and leading to medical referrals.
- 4.4. The main commissioning contract has underspent by £117,000 due to 138 pupils on roll compared to the 150 budgeted resulting in a £156,000 saving, £128,000 contribution from MFEP (Money Following Excluded Pupils) and £19,000 recoupment, however this has been offset by an increase in the number of special commissioned places for 30 children and £184,000 overspend.
- 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 £139,000.
- 4.6. Diabetes funding is reporting £24,000 overspend due to additional 4 children requiring support. Health contributions are currently being explored to support this cost to the High Needs Block.
- 4.7. £479,000 clawback of AWPU funding for AP Medical and EOTAS pupils who are removed from a mainstream school roll for reason other than permanent exclusion and are receiving education funded by the local authority other than at school (EOTAS). This was agreed by Schools Forum to start from this academic year and to be calculated on a termly basis.

Improving Outcomes Disadvantaged Children

- 4.8. Improving outcomes for disadvantaged children are reporting an underspend of £203,000 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 £39,000 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 £1.6 million after achieving Management Action savings of £260,000 compared to a budgeted £467,000. Overall EHCP numbers are currently below the budgeted average 3,307 (vs 3,472 budgeted), resulting in a saving of £132,000.
- 4.13. Shortfall funding is reporting an overspend of £748,000 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. £698,000 overspend for interim payments where an EHCP has not been issued within 20 weeks and £128,000 other funding pressures for prior year funding.
- 4.15. SEN Therapy is reporting an underspend of £339,000; this is in relation to reduced forecast for direct therapy support costs of £252,000 and the Multi-Sensory Impairment (MSI) contract net saving of £86,000 due to the number of hours children have been supported in this financial year.
- 4.16. Children Educated Other than at School is reporting a combined overspend of £576,000 and includes Home Educated Personalised budgets and Tutoring Specialist provision. The Tutoring Specialist Provision is reporting a £641,000 overspend due to the number of pupils now being supported (186 compared to 105 budgeted) offset by the average cost being £154 lower than budgeted.

FE Colleges

- 4.17. FE Colleges is reporting an underspend of £11,000. FE Colleges have now submitted their academic year placements, number of pupils are 1 below budgeted (784 compared to 785) average top up is £83 above the budgeted value resulting in a favourable volume variance of £4,000 and a price variance of £65,000, this has been offset by £72,000 recoupment budget not required.

Maintained and Academy Special Schools

- 4.18. The average numbers on roll including Plus Packages and Exceeded places are forecast at 1,655 (vs 1,637 budgeted). Plus Packages and Exceeded places are 31 above budget resulting in an overspend of £398,000, however this has been offset by a reduction in top up of 13 places and a saving of £152,000.
- 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. Additional Joint funding income of £15,000 and £165,000 of Management Action has been achieved in this financial year, against a target of £1.461 million. £1.296 million has not been achieved in relation to the following projects:

- £830,000 SEN 100 Special Schools project will not be realised due to the reduced number of pupils being supported.
- £353,000 Prevention of more complex support requirements
- £184,000 Education Key workers
- (£71,000) over achievement of Outreach Support - Babcock

Other Special Schools Fees

4.23. The Other Special Schools budget includes Safety Valve Management Action of £8.1 million of which £3.9 million has been achieved in this financial year. £4.2 million has not been achieved in this financial year and relates to:

- £1.4 million current hold on additional resource bases which were due to open in Sept.
- £133,000 Post 16 cessation of 3–5-year placements in the summer term, management action assumed 73 placements would end in July 2022 of which 60 have been identified.
- £1.6 million Transition to Adulthood savings will not be realised in this financial year.
- £630,000 Outreach Support – Special Schools, reduction in the number of children being supported
- £359,000 Special School capacity – Lampard additional 32 places not available from January 2023 and slippage with ACE Tiverton places not all being filled
- £102,000 Prevention of more complex support requirements
- (£113,000) over achievement of Outreach Support - Babcock

4.24. Placements as at March 2023 is 1,149 (after Management Action) which is 3 below budgeted for the year resulting in a favourable volume variance of £532,000, we are continuing to see rises in the average placement cost within SOLE funded placements resulting in an adverse price variance of £3.2 million.

4.25. £395,000 underspend for Miscellaneous costs due to 21/22 accruals not required and credit notes received from providers in relation to clawback of funding where pupils have not been attending placements full time.

4.26. £1.4 million Children Social care contribution towards Independent Special School placements.

4.27. £851,000 of grants not distributed to providers in relation to Pupil Premium, Recovery Premium and Teacher Pay & Pension Grant as these costs are already included in the core offer and reflected in placement costs, resulting in a saving to the independent budget.

4.28. A commissioning group has been set up with officers across the authority who have expertise in commissioning contracts to review the independent special school fees to ensure we are receiving value for money and that fees are in line with the EHCP of the young person placed at the school.

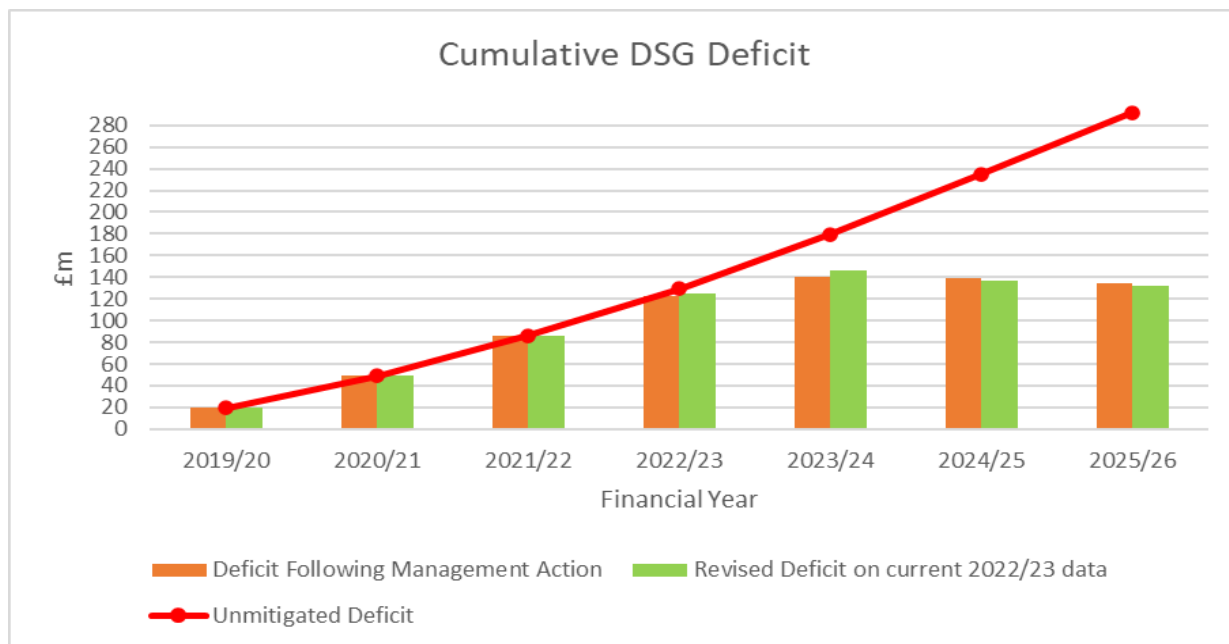
4.29. All spend is currently being reviewed within Other Special Schools to mitigate the growing demand in this sector.

Support Centres

4.30. Support centres are forecasting to underspend by £487,000 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. Impact of cost reduction on overall Deficit

Table 5: Cumulative DSG Deficit



- 5.1. 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 12 position.
- 5.2. The revised deficit is now forecasting to be at £146 million by 2024/25 (after building back £5 million unachieved savings in 2022/23) which is £7.4 million over that stated in the Safety Valve Programme.

6. Capital Investment

Table 6: SEN Capital investment – DfE funding

SEN Capital Programme	No of additional places	Investment £'000	22/23 Actual Spend £'000	Comments
Ace Tiverton Special School	30	810	691	pending approval request, needs budget uplift
Lampard School	60	4,200	1410	Roof shown separately under Strategic Schools
Marland Day	40	1,700	3	
Okehampton Special School	100	11,400	7594	Bid includes DCC land contribution circa £450k value
Orchard Manor Special School, expansion	54	3,100	1231	
South West Devon Special School	120	2,300	34	
	404	23,510	10,963	

- 6.1 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 based on the current safety valve plan.

7. Risks

- 7.1. Changes in Senior Leadership both within the Service and wider authority could see delays, advances or change in direction to current plans identified.

- 7.2. The SEN Placement 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.
- 7.3. Unexpected demand as new high-cost children and young people move into the area.
- 7.4. Service continues to be unable to contain costs within the allocated budget.
- 7.5. Delay in the recruitment of workstream teams to drive projects and deliver savings.
- 7.6. Achievement of the Management Action Plan both within timeframe and volume.
- 7.7. 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.
- 7.8. Rising costs in fuel and energy may well result in additional charges being passported onto the local authority through higher independent placement costs.
- 7.9. Recent Ofsted could result in a change in the prioritisation of the management actions.
- 7.10. Quality data being held by the service and being available to be able to track those placements that have an impact on the Management Plan.

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Principal Accountant - Education and Learning

DSG Management Plan savings / Cost reductions Workstream / Management Action	22/23 Targeted Savings £'000	22/23 Forecast Deliverable amount £'000	22/23 Forecast Non Deliverable amount £'000	Current Delivery RAG	23/24 Targeted Savings £'000	24/25 Targeted Savings £'000	25/26 Targeted Savings £'000	Total Targeted Savings over 5 years £'000	Notes
New Specialist Provision									
The Promise , Okehampton Opening Sept 2022	(467)	(397)	70	●	(800)	(567)	(167)	(1,930)	
Glendinning, expanding Sept 2022	(350)	(362)	(12)	●	(250)	0	0	(612)	
Ace Academy, expanding Sept 2022	(315)	(151)	164	●	(225)	0	0	(376)	
Lampard additional Opening Jan 2023	(160)	0	160	●	(480)	0	0	(480)	
Marland East-the-Water additional Opening Sept 2023	0	0	0	●	(467)	(333)	0	(800)	
Orchard Manor additional Opening Sept 2023	0	0	0	●	(397)	(283)	0	(680)	
South/West Devon school Opening Sept 2023	0	0	0	●	(467)	(800)	(567)	(1,833)	
	(1,292)	(910)	382		(3,085)	(1,983)	(733)	(6,712)	
Support Centre Expansion									
Support Centre Expansion	(1,840)	(395)	1,445	●	(1,360)	(400)	0	(2,155)	1
Support Centre Expansion total	(1,840)	(395)	1,445		(1,360)	(400)	0	(2,155)	
SEN 100 Project									
supporting 80 children (25 successful); Year 2-5 supporting 160 children (50 successful)	(1,488)	(65)	1,423	●	(1,958)	(1,958)	(1,958)	(5,939)	4
Yr 2 - Apr 23 - 48 Children & Sept 23 - 72 Children; Yr 3 forwards Sept intake 72 children	0	0	0	●	(918)	(1,836)	(1,836)	(4,590)	
Reduce need for EHCPs (Year 1-2 : Supporting 80 children; Year 3 supporting 120 children)	(154)	(567)	(413)	●	(709)	(1,064)	(1,064)	(3,404)	
SEN 100 Project total	(1,642)	(632)	1,010		(3,585)	(4,858)	(4,858)	(13,933)	
Independent Sector									
Independent Schools: Ceasing 3-5 yr placements at the end of the summer term	(1,849)	(1,716)	133	●	(672)	(1,742)	(2,776)	(6,906)	2
Independent Sector Total	(1,849)	(1,716)	133		(672)	(1,742)	(2,776)	(6,906)	
Prevention of more Complex Support requirements									
more complex support requirements 5-10 age group and enhanced capacity of 0-25 Team	(793)	0	793	●	(2,252)	(2,295)	(1,038)	(5,585)	5
Team around the School	0	0	0	●	(2,105)	(3,035)	(3,750)	(8,890)	
Special Teachers Curriculum	0	0	0	●	(2,188)	(2,531)	(2,668)	(7,387)	
Education Key Workers	(246)	(149)	97	●	(984)	(984)	(984)	(3,101)	
Prevention of more Complex Support Total	(1,039)	(149)	890		(7,529)	(8,845)	(8,440)	(24,963)	
Transition to Adulthood									
Pre-16 transition NCY10 & 11	(594)	0	594	●	(1,990)	(1,407)	0	(3,397)	3
Post-16 placement	(1,013)	0	1,013	●	(1,964)	(2,718)	0	(4,682)	
Transition phase total	(1,607)	0	1,607		(3,954)	(4,125)	0	(8,079)	
Other									
Education only costs would see savings for DSG (transfer of costs to LA and Health)	(700)	(700)	0	●	0	0	0	(700)	
Mainstream schools if child receiving education other than at a mainstream school (as Exclusions)	(50)	(479)	(429)	●	(50)	(50)	(50)	(629)	
Other total	(750)	(1,179)	(429)		(50)	(50)	(50)	(1,329)	
Total Management Plan Savings	(10,019)	(4,981)	5,038		(20,235)	(22,003)	(16,857)	(64,077)	

1. Delayed opening of 8 resources bases until Jan 2023 (originally budgeted to open in Sept 22) impact on savings to be achieved within the ISP budget
2. 60 leavers identified as placements ending during 22/23, this is compared to 73 built into Management Action savings.
3. Savings not expected within Transition to Adulthood workstreams in this financial, focus on Post 19 and ceasing 3-5 yr placements in the Independent Sector
4. Reduction in the number of children being supported
5. £409k not achieved through the backlog team due to plans with NEETS being ceased with no cost savings and £384,000 for Transformation where project not commenced.

Education & Learning - Education & Health Care Plan (EHCP) Cost & Volume Analysis

High Needs EHCP Analysis	No of FYE Pupils				Budget 22/23	Forecast outturn	Variation		Budgeted Unit cost	Forecast Unit cost	Variation	Month 12			Month 11		Change to Mth 11		Month 11 No of FTE Pupils	Change to Mth 11 Pupils
	Budgeted 22/23	Month 12	Variation	%			£'000	£'000				£'000	%	£	£	£	Price Var £'000	Vol Var £'000		
Top ups	150	138	(12)	(8.7%)	1,943	1,841	(102)	(5.2%)	12,953	12,956	3	0	(155)	(155)	197	(78)	(196)	(78)	144	(6)
Medical Planned Places	90	90	0	0.0%	1,620	1,620	0	0.0%	18,000	18,000	0	0	0	0	0	0	0	0	90	0
Medical Planned Additional	39	33	(6)	(18.2%)	721	582	(139)	(19.3%)	18,487	17,636	(851)	(28)	(111)	(139)	(0)	(111)	(28)	0	33	0
AP WAVE Special Commission	13	30	17	56.7%	75	274	199	265.3%	5,761	9,133	3,372	101	98	199	75	75	26	23	26	4
AP Other [Non-WAVE]	92	151	59	39.1%	268	1,367	1,099	410.1%	2,913	9,053	6,140	927	172	1,099	601	151	327	20	144	7
Alternative Provision	384	442	58	13.1%	4,627	5,684	1,057	22.8%	58,115	66,779	8,664	1,001	3	1,004	872	38	128	(34)	437	5
Personalised Packages	91	89	(2)	(2.1%)	1,324	1,244	(80)	(6.0%)	14,577	13,978	(599)	(53)	(27)	(80)	60	(27)	(113)	0	89	0
Home Tutoring	105	186	81	43.5%	868	1,509	641	73.8%	8,267	8,113	(154)	(29)	670	641	(78)	752	50	(83)	196	(10)
Educated Other than at School	196	275	79	28.8%	2,192	2,753	561	25.6%	22,843	22,090	(753)	(82)	643	561	(19)	726	(63)	(83)	285	(10)
Mainstream Provision (pre 16)	2,593	2,425	(168)	(6.9%)	8,862	8,337	(525)	(5.9%)	3,418	3,438	20	49	(574)	(525)	41	(608)	8	34	2,415	10
Mainstream Provision (pre 16) Plus Packages	879	882	3	0.3%	9,342	9,474	132	1.4%	10,628	10,744	116	102	32	134	94	11	8	21	880	2
Mainstream	3,472	3,307	(165)	(5.0%)	18,204	17,811	(393)	(2.2%)	14,046	14,182	136	151	(542)	(391)	136	(598)	16	55	3,295	12
Further Education	785	784	(1)	(0.1%)	3,338	3,399	61	1.8%	4,252	4,335	83	65	(4)	61	60	0	5	(4)	785	(1)
Top Ups	1,611	1,598	(13)	(0.8%)	20,676	20,524	(152)	(0.7%)	12,838	12,843	5	8	(160)	(152)	11	(145)	(3)	(15)	1,599	(1)
Exceeded Places	0	12	12.25	100.0%	0	123	123	100.0%	10,000	10,000	0	0	123	123	0	122	0	1	12	0
Plus Packages	26	44	18.25	41.2%	372	648	276	74.1%	14,308	14,636	328	15	261	276	10	249	5	12	43	1
Maintained & Academy Special Schools	1,637	1,655	18	1.1%	21,048	21,294	246	1.2%	37,145	37,479	334	23	223	246	21	225	2	(2)	1,655	(0)
Sole Funded	1,115	1,125	10	0.9%	52,326	53,851	1,525	2.9%	46,413	49,153	2,740	3,083	472	3,555	3,025	499	58	(27)	1,126	(1)
Joint Funded	23	19	(4)	(21.6%)	2,736	1,879	(857)	(31.3%)	131,109	121,909	(9,200)	(174)	(535)	(709)	(368)	(547)	193	12	19	0
Adults	12	5	(7)	(143.9%)	633	297	(336)	(53.1%)	63,406	118,687	55,281	272	(449)	(177)	198	(449)	74	0	5	0
Virtual School	2	0	(2)	(100.0%)	20	0	(20)	(100.0%)	10,000	10,000	0	0	(20)	(20)	0	(18)	0	(2)	0	(0)
Independent Special Schools	1,152	1,149	(3)	(0.3%)	55,715	56,027	312	(5.9%)	250,928	299,749	48,821	3,181	(532)	2,649	2,856	(515)	325	(17)	1,150	(1)
Resource Bases (Topup)	133	77	(56)	(72.2%)	933	813	(120)	(12.9%)	6,998	10,502	3,504	271	(391)	(120)	271	(387)	0	(4)	78	(1)
Reported Forecast Outturn 2022/23	7,625	7,612	(14)	(0.2%)	105,124	106,968	1,844	1.8%				4,339	(209)	4,130	3,926	(124)			7,607	5