

**Report of a remote Member Briefing for Devon Education Forum
Members, held on Monday 10 May 2021**

Attending were:-

Schools Members

Primary Headteachers

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

Primary Governors

Ms K Brimacombe	Whitchurch Primary
Mr M Dobbins	Exmouth Marpool Primary
Mr A Hines	Rydon Primary (Education SW Trust)(Academy)

Secondary Headteachers

Mrs S Crook	Federation of Tiverton Schools
Mr G Hill	Ventrus Multi Academy Trust
Mrs L Heath	Uffculme Academy Trust (Academy)
Ms M Marder	The Ted Wragg Multi Academy Trust (Academy)

Secondary Governors

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

Nursery School

Mrs S Baker	Westexe
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Special Headteacher

Mrs J Warne	Learn to Live Federation
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Special Governor

Mrs F Butler	Marland School (Chair)
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Alternative Provision

Mr R Gasson	WAVE Multi Academy Trust
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Non-Schools Members

Ms S Lockwood	Exeter Diocesan Board of Education
Mr B Blythe	PETROC

Mr P Randall	Exeter, St Peter's CE Aided (substitute member, observing)
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Apologies

Councillor J McInnes	
Ms D Roberts	Early Years PVI

1. Introduction

Members attended a briefing to inform, share and provide feedback on the Dedicated Schools Grant (DSG) Deficit Management Plan (the Local Authority's strategy to balance the DSG and reduce its deficit whilst working in partnership with key stakeholders). The Department for Education (DfE) recognised a requirement for Local Authorities (LAs) to share, in an accessible way, their DSG deficit management plan with schools and school forum. The stakeholder engagement with the LA should identify recommendations for improving service planning or delivery and provide information on how LAs consult with schools

2. The SEND Code of Practice Changes

The revised Special Educational Needs & Disability (SEND) Code of Practice (September 2014) extended the age range considerably of those young people choosing to remain in education to age 25 and brought together Education, Health and Care Plan (EHCP) requirements to provide a holistic view and a requirement to consider parental preference. Funding had not been allocated to the High Needs Block (HNB) at a rate comparable with the exponential growth in demand and costs arising from these statutory changes (some 3,500 requests for SEND assessments in 2015, increasing to 7,500 in 2021).

An Officer briefing paper (as circulated in advance to Members) and presentation detailed the significant impact on the HNB and resulting independent review undertaken of Devon's SEND offer.

As a result a SEND transformation programme was in place. This aimed to transform the lived experience of families by providing an integrated offer across education, health and care to deliver the right support at the right time. Additionally to give both schools and parents the confidence that children's needs could be appropriately met with good provision thus over time reducing demand for new EHCPs for statutory school age pupils or post 18.

The programme explored measures currently being put in place (e.g. significant investment committed to increasing special school places) to bring the HNB spend back to a sustainable position.

3. The HNB Cumulative Deficit

The paper illustrated the current cumulative deficit of £49m (to 31 March 2021, current position and projected growth if unmitigated, as well as detailing the deficit and statutory requirement that all DSG balances were transferred into unusable reserves (Devon's DSG adjustment account). Government proposals for the treatment of any remaining deficit after 31 March 2023 were not yet known.

Although at present this included surplus balances of individual schools and de-delegation it did not mean that schools could not access these funds.

4. Actions

A range of proposed actions (mainly medium term 2022/23 – 2025/26) included:-

- New Specialist Provision (including support centres and additional special school places, potentially securing 471 places when fully open);
- Increase in Resource Bases;
- SEND 100 project (including Outreach projects and better access to information) ;
- Independent sector negotiation of a better core cost rate, bulk booking of placements - and reducing demand on post 18 placements;
- SEND Transformation Programme (prevention of more complex support requirements by meeting needs earlier);
- Reducing escalation of need at transition points; and
- Realignment of Health and Care costs.

5. Summary of Costs

The paper illustrated the year on year anticipated funding, impact and risks of the proposed actions, levelling off of demand for new EHCPs and then with the deficit starting to reduce in 2024/25.

6. Governance and Monitoring

The DSG management plan also identified governance and monitoring through a variety of routes, including lead persons and overall monitoring by the Chief Officer for Children's Services, Head of Education & Learning, County Treasurer and Head Accountant for Education & Learning. Regular monitoring reports would be included at SEND Improvement Board, Devon Education Forum, Leadership Group and Member meetings.

An informal meeting between the DfE and Devon's Officers would take place on 9 June 2021. Further clarification would be sought by Devon at the meeting on:-

- the role of key stakeholders within the plan;
- the growth of any funding; and
- DfE expectations and support.

The LA was required to submit a completed plan to the DfE within two weeks of the meeting and the DfE would arrange further meetings over the coming year. The DfE template enabled future benchmarking against other LAs.

The outcome of this meeting would be reported verbally to the Devon Education Forum on 16 June 2021

In summary the report was clear that the DSG management plan required all stakeholders to support the actions in order to mitigate the pressures within the DSG overall. The plans had been informed by research and were achievable, with the SEND transformation programme designed to help support schools and partners to make the necessary changes to practice. Additional suggestions were welcome provided they could be achieved at no detriment to individual need.

7. Members' Comments at the Briefing

These included:-

-Multi-agency assessments had been delayed for the youngest children (age 2-3 years) not within the educational system due to the pandemic.

-Members sought clarification on a number of calculations and projections within the report to try to ascertain achievability.

-Members questioned how this challenging plan would be achievable compared to earlier management action and how it would be implemented, monitoring to keep it on track with early intervention to tweak any changes required.

-The transformation of SEND provision to an achievable and sustainable position was a significant workload, noting additional staff in place to support this.

-There was concern at the inequity of treatment between maintained schools and academies of their surplus budgets and unusable reserves (referred to at 3 above). LAs continued to raise their concerns of equitability of offsetting the deficits with the surplus balances of schools with the DfE and this would be further discussed at the 9 June 2021 DCC/DfE meeting. A written assurance from the DfE that there would be equitable treatment was desired. Devon was following CIPFA current guidance and the directive did not state that the maintained surpluses would be used to offset deficits.

-The 16-19 representative advised that FE colleges expected to be able to positively support the transformation.

-Gatekeeping arrangements and criteria were required to ensure special school places were used wisely and not filled up where mainstream provision was appropriate.

-Monitoring should include longer term management actions and actions already taken.

-A recognition that the majority of actions would be a partnership between stakeholders. School leaders recognised that developing and embedding a change in culture would be critical to the effectiveness of the proposed plan and were committed to working in partnership with the LA to meeting additional needs of pupils in a more cost efficient and sustainable way within mainstream settings whilst maintaining the quality of provision. The Schools Finance Group (SFG) should provide a monitoring role.

8. Conclusions and key messages of the Members' Briefing

- (a) To do nothing was not sustainable, the proposals required a culture change across all SEND professionals. Devon was committed to providing sustainable quality support and provision;
- (b) Earlier intervention to meet individual needs would reduce the need to escalate SEND provision. This together with the significant investment and expansion of special school places would reduce demand for expensive independent sector placements (when not appropriate);
- (c) In addition to practitioners' and parents' roadshows currently being held, information and communications with the same consistent message were paramount between all SEND professionals/ stakeholders. The success of this shared transition and the confidence (and managed expectations) of parents depended upon support from all;
- (d) An Officer summary based on this briefing should be sent to all schools; and
- (e) SFG's next meeting (26 May 2021) could look at the proposed actions costings, modelling and sustainability (4.1 - 4.7 of the paper), tracking task sub-components in more detail. A traffic light rating system against each action was suggested. Proposed actions preventing further deficit growth against reductions should be easily identifiable. (Note: County Treasurer providing the Plan's governance tab to SFG).

(The briefing started at 2.15pm and ended at 4.45pm).