

## Schools Finance Group: Notes of meeting on Wednesday 8 September 2021

### Items for DEF to note:

- **Item 1 – SFG Terms of Reference**  
Revised terms of reference were agreed by SFG.
- **Item 4 – SEN Banding Review**  
SFG agreed in principle to proposals to review SEN top up funding and special school core offer funding.

### Attendance

#### DCC

Mat Thorpe (*apologies*)

Adrian Fox (chair)

Dawn Stabb

Heidi Watson-Jones (notes)

Assistant County Treasurer

Head Accountant (Education & Learning)

Head of Education & Learning

Service Support Officer (E&L)

#### Devon Schools Leadership Services

##### Primary:

Alun Dobson

Jamie Stone

Paul Walker

Marwood Primary

Denbury Primary

First Federation MAT

##### Secondary:

Sammy Crook (*apologies*)

Andrew Davis

Lorraine Heath

Tiverton Federation

Exmouth Community College

Uffculme Academy

##### Alternative Provision:

Rob Gasson

Wave Multi Academy Trust

#### SENtient Heads

Keith Bennett

Sarah Pickering (*apologies*)

Marland School

Mill Water School

#### DAG

Faith Butler (*apologies*)

Alex Walmsley

Jill Larcombe

Special School Governors

Secondary Governors

Primary Governors (sub)

#### Early Years Providers

Lydia Wright

Early Years / PVI providers

#### Other DCC Officers

Julia Foster

Katrina Harverson

Senior Manager SEND

Senior Accountant (Education)

### 1. Minutes of Previous Meeting – 14 July 2021

- SFG considered key areas for a headteacher colleague to raise during Schools Funding Select Committee discussion on 8/9:
- Confirmation that labour costs associated with schools will be exempt from social care levy, and any exceptions (e.g. cleaning/catering subsidiary companies not involved with the provision of education.)
- Focus on SEN and inadequate funding – raise awareness of impact of lack of wrap-around services to schools, increasing numbers of children with SEN,

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- slow processes & cost impact of providing support from other areas of school budget and impact for all learners.
- o Challenges for Post 16 funding for smaller rural secondary schools. Important local provision which needs to be protected amidst focus on larger urban FE colleges.
- o Revised draft Terms of Reference circulated to the group.
- o JF and KB had considered accurate Marland numbers related to expansion of provision.
- o Minutes agreed as an accurate record.

### **SFG Terms of Reference**

- o Membership – SFG satisfied with proposal that Special School representation is selected from wider special heads representation rather than SENTient Trust (which is maintained schools only). This would enable representation from special academy and free schools, through the LA/Special Schools Group
- o The group approved the revised terms of reference for the Schools Finance Group.

## **2. Mutual Fund Board**

- SFG noted the current position and forecast for the fund.
- No rebate is expected to be paid this year.
- Four academy schools still to confirm staff FTE figures to enable calculation of premium charges.
- Noted claims relating to long Covid are included in the scheme, and are now beginning to be submitted by schools.
- Reminder to be sent to schools of the additional category **(AF and DSLS)**
- Report noted.

### **ACTION:**

Reminder to be sent to members that claims for long Covid are covered **(AF)**  
DSLs to support with messaging. **(DSLs)**

## **3. DSG Month 4 monitoring**

- £33.1m outturn overspend forecast. This is in the main linked to increased costs within High Needs Block and a cumulative Dedicated Schools Grant deficit projected to rise to £82.1m by end of the financial year.
- SFG noted the impact on reporting of academy recoupment as per July settlement adjustment, and approved school balances from 2020/21 financial year.
- Noted numbers of EHCPs are continuing to rise overall, although number of new Plans in SEN mainstream reducing; impact of management measures not yet being seen.
- SFG heard how Home Education packages are increasingly funding curriculum as well as SEN support through the high needs block. Parents report losing confidence in the mainstream sector, and are removing children from roll while there remains insufficient special school places. Parental preference for an EOTAS package is becoming more frequent, and there are challenges in returning a child to a school-based education after attractive, bespoke arrangements have been made available.
- 195 EHC assessment requests were received during July. It was reiterated that these are very difficult to progress in a timely manner over the summer holiday as advice cannot be obtained.
- SFG requested some analysis of the Summer EHC requests, particularly whether these related to new starters in Reception, with children not

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adequately prepared for school due to isolation during the pandemic – this was not a significant proportion of requests and has been raised with Early Years special needs team. However, it was noted that some early years children have been unable to access specialist support due to breaks or delays in provision throughout Covid, which has impacted on their readiness for school.

- The group were reminded of funding available for short term support linked specifically to Covid. This is available through the Inclusion team. **ACTION: JF** to liaise with Val Smith to ensure Early Years settings are aware.
- Suggested some late EHC requests may be due to delays in schools obtaining advice from EPs and other professionals. The LA requests that SENCOs consider the unintended consequences of late summer requests.
- SFG considered the 'offer' of EOTAS packages which the group understood should only be available where a child is unable to access a school place.
- £509k savings achieved through high needs management action.
- Noted current position on placements in independent specialist settings.
- AP representative requested information on additional plus package funding in special schools. **JF** to liaise.
- **AF** to clarify position around the management plan / operational guidance 'The provisions here also apply to pupils who leave a mainstream school for reasons other than permanent exclusion and are receiving education funded by the local authority other than at a school'.
- Report noted

### **ACTION:**

- **JF** to liaise with Val Smith to ensure Early Years settings are aware of Covid support funding for CYP who would benefit from appropriate short term additional support in the education setting.
- **JF** to liaise with RG regarding plus package funding to special schools.
- **AF** to clarify position around funding transfers for children educated other than at school. (see post meeting note below)

The statutory guidance *Redetermination of budgets where pupils have been excluded 22*. states that:

Where pupils are excluded, funding should flow in-year from the school that has excluded the pupil to the provision that takes responsibility for the pupil. If a school subsequently admits a pupil who has been permanently excluded during that financial year, it should then receive additional funding.

It also states in 224 that:

The provisions here also apply to pupils who leave a mainstream school for reasons other than permanent exclusion and are receiving education funded by the local authority other than at a school. 225. The provisions also act independently of whether a particular pupil has been on the census in the first place, and whether the school has received funding for them.

## 4. DSG Management Plan

### **Feedback from discussions with DfE**

- Devon has not fallen within the band eligible to receive a high needs 'safety valve' agreement. It is possible that Devon would fall into the band if a further phase is released.
- DfE agreed Devon's plan was ambitious but were satisfied that it was an appropriate starting point and will discuss further in 6 months.

### **HNB management action plan**

- Noted plans and progress for the establishment of new special school and resource base provision.

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#### **SEND 100 Project delivery reports update**

- *Outreach support through special schools* to be launched in new year with an impact on timeframe to achieve savings.
- *SEN Support Service* workstream – Steering Group to consider appropriate way forward as will now not be possible for DCC to recruit a centrally managed team to provide this support. Babcock looking to take on running this element of the project and delivery plan and costings being developed. Slippage in projected savings into 2022-23 financial year.

#### **SEN Banding Review**

- JF outlined a proposed review of top up funding banding levels and the funding of plus packages to ensure they remain fit for purpose.
- Considering a proposal for a zero banded EHCP to address Tribunal concerns that provision may not be secured in a school without a Plan, but which could be funded within the notional SEN funding allocation. Noted that some other LAs have introduced this and impact is being assessed.
- Core offers in special schools to be reviewed with a proposed increase to ensure stability, grow the sector and prevent need for placements in the independent sector.
- Modelling to be undertaken to illustrate the impact of proposals on the high needs block.
- SFG requested reassurance that a change to the banding levels will result in a favourable impact on the high needs block and the outcomes for children, preventing them escalating through the system.
- The group considered the factors preventing children remaining in mainstream education settings. SEND100 and SEND Transformation will both be key to this objective.
- SFG queried the proportion of band 3 learners who are escalated to receiving top up funding, as this may indicate inadequate funding.
- It was noted that the special school sector is seeing an increase in the complexity of needs of children coming in who would previously have been considered for a placement in the independent sector.
- Noted that over 60% of children in AP have EHCPs and remain in that provision long term.
- JF reiterated that mainstream schools should contact the SEN 0-25 team if it becomes apparent that the agreed top up funding is insufficient to meet need and work together with the LA to continue to avoid an independent placement.
- SFG considered the current links within funding bands linked to TA salary levels and 1:1 support. The group felt it would be helpful to develop messaging to schools and parents about different ways to approach requests for funded SEN support.
- SFG agreed in principle that the review of banding levels is appropriate.
- SFG agreed that a wider consultation with schools on the agreed options would need to take place, but would not necessarily be part of the autumn consultation process.

## **5. Any Other Business**

#### **Future meeting dates**

- Noted that some future SFG meetings clash with Cabinet so alternative dates for SFG have been proposed as below. (N.B. post meeting note: understand some schools will be taking 6.6.2022 as additional bank holiday **ACTION: HWJ** to review)
- January 2023 meeting proposed to move to Friday 6 January.

#### **Disclosure of Interest form for school staff**

## **Schools Finance Group:**

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- Further advice and guidance requested following information circulated in school finance blog. This appears to be a new requirement for school staff.
- Considered that most will be a nil return; likely to be for senior leaders only, and those staff with exceptions.
- **ACTION: AF** to seek clarity – Blog update to go out

#### **Recovery Plans for 23-24**

- Some schools have been asked to provide recovery plans for very small, longer term projected deficits. Expected increased school budgets are likely to offset this and a more pragmatic approach could avoid significant staff time to prepare a recovery plan. DS and AF agreed this could be an unnecessary requirement.
- **ACTION: AF** to look into this – Schools affected to be emailed direct. Team advised that this should fall in line with the Scheme for Finance Schools as updated in January 2021

#### **Levy on National Insurance**

- Requested clarification on the expectation for schools and inclusion of assumptions in budget preparation.
- **ACTION: AF** to look into this. (DS has raised the question on NI levy to get confirmation schools exempt at regional DfE meeting and also re the subsidiary companies exemption.)

#### **Next meetings:**

- **Wednesday 3 November 2021** (09.15 – 12.00 – venue TBC)
- **Wednesday 5 January 2022** (09.15 – 12.00 – venue TBC)
- **Wednesday 2 March 2022** (09.15 – 12.00 – venue TBC)
- **Monday 6 June 2022** (14.00 – 16.50 – venue TBC)
- **Monday 11 July 2022** (15.00 – 17.50 – venue TBC)
- **Wednesday 14 September 2022** (09.15 – 12.00 – venue TBC)
- **Wednesday 9 November 2022** (09.15 – 12.00 – venue TBC)
- **Friday 6 January 2023** (09.15 – 12.00 – venue TBC)
- **Wednesday 8 March 2023** (09.15 – 12.00 – venue TBC)