

DEVON EDUCATION FORUM

19 October 2016

Present:-

Schools Members

Primary School Head teachers

Mr J Bishop	Broadclyst (<i>Academy Member</i>)
Mr A Dobson	Marwood Primary
Mr J Stone	Denbury Primary
Mrs J Reid	Yeo Valley

Primary School Governors

Mrs A Blewett	Kings Nympton Primary
Mr M Dobbins	Exmouth Marpool Primary
Ms M Wallis	Whimble School (Chairman)
Mr A Walmsley	First Federation (<i>Academy Member</i>)

Secondary School Head teachers

Mr D Chapman	The Dartmoor Federation
Mr R Haring	Ivybridge CC (<i>Academy Member</i>)
Mrs J Phelan	Cullompton CC

Secondary School Governors

Ms J Elson	Exmouth CC (<i>Academy Member</i>)
Mr M Juby	Braunton (<i>Academy Member</i>)

Special School HeadTeacher

Ms B Caschere	Exeter Southbrook School
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Special School Governor

Mrs F Butler	Marland School
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Non-Schools Members

Ms B Alderson	Teachers Consultative Committee
Councillor James McInnes	Cabinet Member – Children, Schools and Skills
Ms G Rolstone	Early Years Private, Voluntary & Independent
Mr W Forster	Substitute EY PVI (<i>observer</i>)
Mrs T de Bernhardt Dunkin	16-19 West England School & College

Apologies

Mrs S Baker	Westexe
Mr M Boxall	Exeter Countess Wear
Ms M Marder	The Ted Wragg Multi Academy Trust
Mr J Searson	Exeter Diocesan Board of Education

14 **Election of Chairman and Vice-Chairman**

DECISION:

That Mrs Maria Wallis be elected Chairman and Mrs Faith Butler be elected Vice-Chairman respectively until the autumn term meeting 2018.

15 **Minutes**

DECISION:

That the minutes of the meeting held on 22 June 2016 be signed as a correct record.

16 **Matters Arising from the Last Meeting and Report back on Issues Raised with Cabinet**

Nil.

17 **Membership**

Casual primary and secondary vacancy elections via DAPH/DASH had taken place 12 October 2016 with appointments as follows:-

Maintained primary - Mr Martyn Boxall
Maintained primary - Mr David Barnett, Mrs Jan Reid
substitute members
Academy primary - Mr Paul Walker
substitute member

Maintained secondary - Mrs Julie Phelan
Academy secondary - Ms Moira Marder
Academy secondary - Mr Paul Cornish, Ms A Mitchell, Mr M Shanks
substitute members.

Other new members were:-

Special School HT - Ms Bronwen Caschere
Special School HT - Mrs Cherie White
substitute member
Exeter Diocesan Board - Mr John Searson
of Education.

18 **Children's Services Priorities**

The Chief Officer for Children's Services presented an Emerging Strategy following her recent appointment resulting from the County Council reorganisation. The strategy recognised the complexity of the landscape, the objective for "all children in Devon to have the best start in life, growing up in loving and supportive families and being happy, healthy and safe..." the compelling case for change for financially sustainable provision and work already underway. The draft strategy was being developed with a more detailed plan out for co-production in the new year, with a view to implementation from April 2017.

Discussion included: delivery on the ground, partnership working, local/central provision and a sustainable whole system for children.

The Chief Officer for Children's Services also announced the appointment of Mrs Dawn Stabb as Head of Education & Learning who would have a key role for children within the Emerging Strategy.

19 **Head of Education & Learning Update**

DISCUSSION:

The Head of Education & Learning presented (in summary):-

92% Devon schools judged Good or Outstanding by Ofsted.
93% Devon pupils attended a Good or better school.

Key Stage results:

Key Stage 1 concerns were raised around the reliability of National comparison in the percentage of pupils for achieving the expected standard. Concerns related to the changes from the best fit to the new secure fit model of teacher assessment and national consistency in approach.

Key Stage 2 pupil overall achievement was above south west and statistical neighbours and in line with national % except in writing where progress went against other subjects. This again was a teacher assessed element and the same concerns as above applied. KS2 Higher Standard Reading was well above the national average in the top quartile.

Key Stage 4 results were above south west, England all and England state funded, with a small rise 5A*- C including English and mathematics compared to a National decline. Members noted the negative Progress 8 (accountability measure) and suggested that for some year 11s reducing school budgets was counter productive.

Exclusions, permanent and fixed term 2015:

In the academic year ending July 2015 (the latest National statistical release) fixed term exclusions at primary had increased and were above the National Average. Permanent exclusions were below the National Average. In the year 2015/16 however there had been almost an 80% rise in permanent exclusions. Strategies had been put in place to increase tracking and understand timelines, a research project and partnership working through the SEND draft strategy should help to address the needs of pupils at risk of exclusion and their impact on the High Needs funding block. Members' concerns included that new processes for assessment and provision for SEND pupils following recent legislative changes were not yet working as effectively as they could and the draft SEND strategy needed to address early help support available to schools as budget reductions meant schools did not now have capacity for a rapid response.

Members also raised lobbying government and Devon MPs for fair funding and significant budget pressures on the High Needs Block faced by LAs (also discussed under the 2017/18 School Revenue Funding Formula minute below). Notwithstanding the timescale it was hoped to make representations prior to the Chancellor's Autumn Statement 23 November 2016.

DECISION:

That a Task & Finish group be established to consider further lobbying on fair funding and also the national High Needs funding crisis, comprising the Head of Education & Learning (Lead Officer), 1 association representative from DAPH, DASH, DAG and Special Schools and other LA representatives to be determined, with report back to the next DEF meeting.

ACTION:

Head of Education & Learning (Dawn Stabb/Heidi Watson-Jones) T&F group;
County Solicitor (Fiona Rutley) agenda forward plan.

20 **Finance Update**

DISCUSSION:

The Forum considered the joint report of the Chief Officer for Children's Services and County Treasurer (DEF/16/08).

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 6 July and 5 October 2016.

The report covered:-

(a) Month 5 Dedicated Schools Grant monitoring position, highlighting the High Needs budget current forecast, despite management action, to overspend at year end by £2.16m for 2016/17, likely to be carried forward into 2017/18. This matter was considered further in the 2017/18 Schools Revenue Funding Formula minute below.

(b) Schools Finance Group revised terms of reference, including slight amendments including the change in status of the 1 Early Years PVI representative from observer to voting member, to be appointed by DEF. Mrs Gemma Rolstone, DEF Early Years PVI representative had been fulfilling the observer role for some time.

DECISION:

(a) that month 5 DSG monitoring position (section 1 of report DEF/16/08) be noted;

(b) that the Schools Finance Group revised terms of reference (appendix A to the report) be approved;

(c) that Mrs Gemma Rolstone be appointed to serve as the 1 DEF Early Years PVI voting representative on the Schools Finance Group.

ACTION:

Head of Education & Learning (Heidi Watson-Jones)

21 **2017/18 School Revenue Funding Formula**

DISCUSSION:

The Forum considered the joint report of the Chief Officer for Children's Services and County Treasurer (DEF/16/10). Additional consultation responses had been added to the report and a revised report circulated as appended to the minutes.

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 6 July and 5 October 2016.

The report covered:-
2017/18 Schools Revenue Funding Formula
Delegation and De-delegation
Centrally Retained Services
Disapplications.

The LA and Phase Associations consulted schools (ending 12 October 2016) on the Devon proposals for the 2017/18 school revenue funding formula.

Of particular concern was the pressure on the High Needs budget continuing to increase as the number of complex, high cost placements continued to grow with no comparable

additional funding from central government and additional costs to be managed from existing resources. Many LAs nationally and particularly those relatively poorly funded were experiencing significant difficulties in funding increased High Needs pressures and members had now re-established a Task & Finish group to lobby government regarding fair funding and High Needs. The Devon consultation asked schools to agree in principle to the transfer of funds up to £4.5m to the High Needs Block from the Schools Block with 24% responses agreeing (and 76% disagreeing) to the proposal. This would equate to £55 per pupil reduction but it was also suggested an equal % reduction rather than an equal absolute amount per pupil may be considered. The LA had been working with schools to see what action could be taken to reduce budgets but a significant gap still remained. Within the proposed funding for 2017/18 the EFA had advised they would be applying an uplift for High needs but this would not be known until at least the end of November 2016 and it was not anticipated this would bridge the gap.

With regard to the growth demand the diseconomies of scale when a new school opens and the gap in getting funding for pupils and incurring costs, the f40 LAs group, prompted in part by Devon, had lobbied government but despite the unfairness of the current system hitting other existing hard stretched schools, it was not thought that this was likely to be addressed in the new national funding formula when it was announced. The proposal in the report related to funding in principle in the 2018/19 financial year, with no change proposed for 2017/18. As such whether supported or not it would not result in a budgetary decision by Cabinet.

In considering the consultation responses relating to increasing the top-slice from 2018/19 to meet growth demand, 33% responses agreed (with 67% disagreeing) and members felt unable to support this in part due to the consultation responses and pending budget clarity for 2018/19.

Member comments also included that:-

-Asking all schools to bear the brunt of high needs could be deemed unjust (for a situation beyond their control) as the DSG funded to 18 year old pupils historically with no additional funding for 19 - 25 year age range and as the Devon SEND strategy had not yet been formalised with measures to reduce the need to place SEN pupils in high cost out of county placements (amounting to £12m). Consequently further high needs increases were ongoing into the future until in county provision was increased to reduce this bill and mitigate the £4.5m overspend;

-A £55 reduction per pupil would equate to over £100k for two schools and would be on top of existing real 8 - 12 % school reductions, potentially further impacting on schools' ability to meet the needs of all children (and could result in further exclusions in turn creating further pressure on the SEN budget);

-Transferring funding from the Schools Block did not address the real problem of funding pressures within mainstream schools including assistance they would be able to give to SEN pupils. Parents were unaware that a significant number of Devon schools were now at risk of budget deficits;

-Concern that bids for a new SEN free school had not been supported;

-Members were not yet assured by the historic strategy or that there was yet enough clarity on current/future strategy;

-Desire to work more closely with the 16-19 Forum representative and 16-19 providers for SEN pupils.

The Chief Officer for Children's Services and Head of Education & Learning explained progress with formulating the joint Education, Health and Social Care SEND strategy and ongoing measures being taken to increase in county and reduce out of county SEN provision, involving the phase associations. There had been significant increases in maintained special school places and strategic shifts in expenditure however even with this increased capacity,

need (some of which was complex) had been even greater so both maintained and independent special school places had grown. The SEND code of practice and the extended age range had had a significant impact and created pressures within the High Needs Block which was reflected across the country.

DEF members (all phases maintained and academy, PVI) were unanimous in their concern and in resolutions (a)(ii) and (iii) below.

DECISION:

(a) that Cabinet be recommended:-

(i) that the 2017/18 schools revenue funding formula factors for distributing the funding to schools as set out in section 1 of report DEF/16/10 be approved;
(note: that the final funding rates may change subject to affordability when the October 2016 pupil data and Schools Block DSG settlement are confirmed late December 2016)
***(Vote: all phases maintained and academy, PVI)**

(ii) that the transfer of funding from Schools Block to High Needs Block in principle be not supported; ***(Vote: all phases maintained and academy, PVI)**

(iii) that the increase of top-slice from 2018/19 to meet growth demand in principle be not supported; ***(Vote: all phases maintained and academy, PVI)**

(b) that Cabinet be advised:-

that the Forum remains committed to continuing to work together with the LA around the budget pressures of the High Needs Block;

(c) that the de-delegation proposals for maintained primary and maintained secondary schools respectively as set out in section 2 and appendix A of the report be approved;
***(Vote 1 : maintained primary)**
***(Vote 2 : maintained secondary)**

(d) that the centrally retained services budget allocation as set out in section 3 and appendix A of the report be approved;
***(Vote: all phases maintained and academy, PVI)**

(e) that the local authority's disapplication requests that have been applied for and awaiting approval be noted;

(f) that a report on SEND strategy progress be brought to the next DEF meeting.

ACTION:

County Treasurer (Julian Dinnicombe)
Education & Learning (Dawn Stabb) (f)
County Solicitor (Fiona Rutley) agenda forward plan

22 Elective Home Education (EHE)

DISCUSSION:

The Forum considered the report of the Chief Officer for Children's Services (DEF/16/09) regarding the increasing numbers of:- home educated students which included "highly vulnerable" students and key stage 4 students, the difficulty in engaging some vulnerable families which potentially put children at risk of harm and of not receiving a suitable education, the increasing number of short term registrations and the lack of funding for home educated students.

Devon had seen a 100% increase in Elective Home Education (EHE) students over the last 5 years, with a 33% increase over the last 12 months and a 40% increase over the last two quarters. Devon was not alone; other LAs across the south west were indicating significant increases.

Previously EHE was due to parental lifestyle/philosophical reasons, but more recently EHE was due increasingly to parental dissatisfaction with the school environment and the belief schools were not able to meet the needs of their child. There were now large numbers in key stage 4, with 15 new Year 11 EHE students coming off roll so far this term (across a number of schools) who were at risk of becoming NEET (Not in Education, Employment or Training) at year 12. Ofsted was to take a greater interest in EHE students requiring data from schools.

Members felt that some highly vulnerable students may not be appropriately assessed in an acceptable timeframe due to resource constraints.

Any future legislation around EHE and NEETs may help to improve vulnerable students' outcomes as LA/school powers were limited.

23 Apprenticeships and Apprenticeship Levy

DISCUSSION:

The Chairman had decided the Forum should consider this as a matter of urgency to appraise members of levy developments and the impact on the schools budget, with details anticipated from government imminently.

The Forum considered the report of the Chief Officer for Children's Services and Head of Economy, Enterprise and Skills on:-

Apprenticeship Levy introduction April 2017
DfE Apprenticeship Funding Reform May 2017
Equalities
Issues for schools and students.

Although the details from government had been delayed, task & finish groups were working through the impact on maintained schools. Larger/chain academies would also be affected. Schools on DCC payroll were likely to see a levy of 0.5% payroll.

Members were keen to know the financial impact as soon as possible to forward plan school budgets given other budget pressures and constraints.

DECISION:

That clarification be sought on the impact of the Apprenticeship Levy proposals, with communications to schools as soon as possible.

ACTION:

Head of Education & Learning (John Peart)

24 Standing (and other) Groups

The Forum received the following minutes of its standing groups:-

(i) School Finance Group (SFG)

Minutes of the meetings held on 6 July and 5 October 2016 (considered under Finance Update and 2017/18 Schools Revenue Funding Formula minutes 20 and 21 above).

DECISION:

That given the greater potential number of schools at risk of budget deficits a FIPS (Financial Intervention Panel for Schools) update report on schools at risk and other strategic budgetary demands anticipated be made to the next DEF meeting.

ACTION:

County Treasurer (Julian Dinnicombe)/Education & Learning (Dawn Stabb)
County Solicitor (Fiona Rutley) agenda forward plan

(ii) **Schools Organisation, Capital and Admissions (SOCA)**

Minutes of the meeting held on 27 September 2016 were noted.

25 **Dates of Future Meetings**

Monday 16 January 2017
Wed 15 March 2017

Further dates now confirmed:

Wed 21 June 2017
Wed 18 October 2017
Monday 15 January 2018
Wed 21 March 2018.

The Meeting started at 10.00 am and finished at 12.30 pm

The Schools Forum web is www.devon.gov.uk/schoolsforum