

DEVON EDUCATION FORUM

20 November 2024

Present:-

Schools Members

Primary Headteachers

Mr N Alford	Shebbear Primary
Mr C Tribble	Honiton Primary
Mr P Walker	First Federation Trust (Academy)
Mr I Thomas	TEAM Multi Academy Trust (Substitute)

Primary Governors

Dr N Frost	Crediton, Hayward's
Mrs N Gleu	Newton Abbot, Decoy

Secondary Headteachers

Mr J Buchanan	Tavistock Dartmoor MAT (Academy)
Ms J Fossey	West Exe School, Ted Wragg MAT (Academy)
Mr G Hill	Pilton CC, Ventrus MAT (Academy)

Secondary Governors

Mrs J Larcombe	Blackdown Education Partnership
Mr A Hines	Education SW Trust (Academy)
Mr A Walmsley	The Ted Wragg Multi Academy Trust (Academy)

Nursery School

Mrs S Baker	Westexe
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Special Headteacher

Ms S Pickering	Mill Water School
Ms N Burroughs	Learn to Live Federation, Substitute (observing)

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 M White	PETROC, 16-19
Mrs B Alderson	Teachers Consultative Committee (TCC)
Ms G Rolstone	Early Years, Private & Voluntary Independent

Observer

Councillor A Leadbetter	Cabinet Member – Children’s Services and Skills
Councillor L Samuel	Cabinet Member – SEND Improvement Services

Apologies

Ms K Brimacombe	Whitchurch Primary, First Fed’n (Academy)
Ms H Brown	RC Diocesan Schools, Plymouth (Faith)
Mr B Blythe	PETROC, 16-19
Ms S Crook	Tiverton High, Federation of Tiverton Schools

141 **Election of Chair**

DECISION:

That Mrs Faith Butler be elected Chair (for a 2 year term - until the autumn term meeting 2026).

142 **Election of Vice-Chair**

DECISION:

That Mr Alex Walmsley be elected Vice-Chair (for a 2 year term - until the autumn term meeting 2026).

143 **Minutes**

DECISION:

That the minutes of the meeting held on 19 June 2024 be signed as a correct record.

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

DISCUSSION:

(a) Arising on Minute 135(b), Devon's Approach to Pupil Premium

Members expressed disappointment that an outstanding action as raised at DEF meetings had not yet received detailed consideration to enable Pupil Premium money to be automatically paid to schools, potentially achieving significantly more funding. Whilst noting that a number of LAs had found a solution, it was recognised that this was an easier process for single tier LAs, than for two tier LAs such as Devon.

Officers advised that they were continuing to explore the pooling of housing benefit and income data from across Devon's eight District Councils and explore whether f40 or other two tier LAs had been successful and undertook to bring a full update report back to DEF.

DECISION: that a full update report on Devon's Approach to Pupil Premium be brought to the next meeting.

ACTION: Deputy Director and Head of Education (Jack Newton)

(b) Cabinet Member Reports

The Cabinet Member - SEND Improvement had circulated to Members, f40's written evidence to the Public Accounts Committee inquiry [Support for children and young people with special educational needs - Committees - UK Parliament](#), being held on 18 November 2024. The inquiry followed the publication of the National Audit Office report on SEND. F40 submission supported its concerns around the SEND crisis across the country, looking at the unfairness of funding, insufficient funding, EHCPs, the statutory override, independent provision, accountability, tribunals, attendance, free school meals and investment, together with the disparity of High Needs funding. This was available on the f40 [website](#).

The Cabinet Member - Children, Schools & Skills added that he would welcome any comments Members may have on education and SEND that may inform discussions with the new government.

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Membership

DISCUSSION:

The Chair welcomed new Members and the following changes were noted following Schools (maintained) and Academies elections:-

Headteachers:

Mr Nick Alford - Primary maintained, Schools member

Ms Anne Billington - Primary maintained, Schools member (Substitute)

Mr James Buchanan - Secondary, Academies member

Mr Ian Thomas - Primary, Academies member (Substitute)

Ms Nikki Burroughs - Special maintained, Schools member (Substitute)

Governor:

Dr Nicola Frost - Primary maintained, Schools member.

DECISION: that the Forum convey its appreciation to Mr Keith Bennett, Headteacher who had recently stood down after representing special schools on the Forum and its sub groups over a number of years.

ACTION:

County Solicitor (Fiona Rutley)

146 **Deputy Director and Head of Education Update**

DISCUSSION:

The Forum considered the Report of the Children & Young People's Futures (DEF/24/14) based on published data to 25 October 2024 including attainment, Looked After Children outcomes, attendance, absenteeism and exclusion. Whilst the data showed some improvement, this was slow and remained so in closing the gap for Devon's SEND, Looked After Children and vulnerable children.

The SEND Improvement Assistant Director also reported on very recent senior leadership changes to the Children & Young People's Futures Directorate, with an increased focus on wider SEND issues and inclusion.

Discussion included:-

-disappointment that key Officers were not in attendance at today's Forum, a statutory body;

-concern that there should be no delay in education strategy work and key priorities, with the need for clarity, communication and stability in the transition of the service due to the further senior leadership changes;

-concern that Devon's collective underperformance in attainment and achievement was continuing to impact Devon pupils.

DECISION:

(a) that a full report be brought to the next meeting on the Education Strategy; and

(b) that further details be sent to all Forum members regarding directorate personnel/structure changes.

ACTION:

Deputy Director and Head of Education (Jack Newton)

147 **Special Education Needs & Disabilities (SEND) Transformation Programme Update**

DISCUSSION:

The Forum considered the Report of the Director of Children and Young People's Futures (DEF/24/15), updating on all seven strands of the SEND Transformation Programme. This followed the new approach agreed by the local area partnership in September 2023, delivering improvements through the SEND Transformation Programme bringing together post Ofsted/CQC improvement work and Dedicated Schools Grant (DSG) deficit management actions (the Safety Valve).

The Assistant Director for SEND Improvement reported that there was a focus on accelerating progress, whilst to date there had been steady improvement and with some positive successes within the work streams. The EHCP backlog remained a challenge processing around 165 cases per month, whilst considering improvements to the wider statutory duty process involving health and other LAs, as well improved finance systems tracking individual SEND students.

Discussion included:-

-use of risk registers to support the SEND Transformation Programme and DfE Safety Valve requirements;

-noting that discussions with the DfE had been productive in recognising the acute High Needs pressures in Devon and across the country with the complexity of SEND pupil cohorts. However Devon needed to do more to meet its performance targets and improve outcomes for SEND students;

-noting the concern of the Early Years representatives that there had been no consultation or agreement with them regarding £1.3m budget reduction from Early Years for Safety Valve savings, together with the fact that this was a requirement of the Safety Valve and was not money that was lost.

-the Forum wished to continue to receive a detailed SEND Transformation Programme Update report at each meeting to give a comprehensive overview and enable sharing of information with a wider audience.

DECISION:

- (a) that the progress of the SEND Transformation Programme be noted; and
- (b) that the Forum continue to receive a general progress update on the SEND Transformation Programme as a standing agenda item, given its key role in the High Needs Block deficit and its high priority of both the Forum and the County Council.

ACTION:

SEND Improvement Director (Kellie Knott).

148 **Finance**

a **Schools Finance Group (SFG) Minutes**

DISCUSSION:

Minutes of the SFG were considered as part of the overall Finance Update.

Item 4 – Financial Management of the Dedicated Schools Grant and Top Up arrangements

SFG requested DEF to re-endorse the principle around top up funding and section 19.

DECISION:

(a) DEF are asked to re-endorse: the principle that Top Up funding for students with EHCPs needs to follow students who are either permanently excluded or on Alternative Education Packages through Section 19. Affected schools will be approached to retrieve overpayments made in error; and

(b) that the remaining minutes of the SFG meetings held on 8 July, 9 September and 11 November 2024 be received.

b **Finance Update**

DISCUSSION:

The Forum considered the joint Report of the Director of Children and Young People's Futures and Director of Finance and Public Value (DEF/24/14), which included:-

- the Dedicated Schools Grant (DSG) budget monitoring month 6 (2024/35) including executive summary;
- DSG Schools funding
- DSG Central budgets;

- High Needs Block continued significant pressure;
- 0.25% (£1.3m) block transfer to the High Needs Block;
- Workstream savings;
- Mitigations in-year;
- DSG Deficit Management Plan;
- Data dashboards developed to support the SEND Transformation and Safety Valve Programmes; and
- Risks, requiring mitigations through the implementation of the SEND Transformation Programme with support from schools and other providers, to take action on the growing demand and reduce call on independent placements.

Further to the Report, the County Council had now received an initial indication from government regarding next year's funding, this would not show a real increase, being identified as spend and not new funding. Details were not expected until the end of December 2024.

Members' comments and concerns included:-

-concern that before any contributions from the DfE and Devon, the increase in the accumulated Dedicated Schools Grant (DSG) deficit was forecast to be £45.8 million, compared to the DfE Safety Valve planned position of £31.2 million. This was an increase of £14.6 million. Additionally SEND Mainstream (3.9 of the Report) reported £2.4million overspend , within the forecast there was £3.8million Safety Valve savings but currently £2.2 million would not be achieved this financial year. This was a significant challenge and Members sought reassurance that significant movements/slippages did not reduce the DfE's confidence in Devon to meet Safety Valve targets;

-concern that the High Needs deficit had consistently got worse over years, with monitoring and actions not ending risks;

-realistic forecasting of projected spend on EHCP processing was required, with improved multi agency communications to reduce waiting lists and backlogs;

-the proposed shift of 0.5% out of Schools budgets to High Needs was likely to impact the same group of pupils, with a less targeted resource in school settings;

-the Early Years representatives reiterated their concern that the Report stated (paragraph 2.4) that £1.3m movement had been agreed from Early Years to the High Needs Block, but there had been no consultation or agreement with them or the Forum (irrespective of noting this was a requirement of the Safety Valve).

In response to Members' issues raised, Officers further advised:-

-on the County Council's regular discussions with the DfE who recognised the reasons for the current actual and forecasted positions, including factors beyond Devon's control and details awaited from the DfE and the changing nature of the Safety Valve;

-Further Education capital support have provided an additional 350 SEND places, bring some mainstream benefits;

-daily leadership meetings to review High Needs placements;

-peer challenge and practice of other LAs across the entire sector;

-implications of the DfE requirement for the EHCP processing backlog to be cleared sooner;

-that the treatment of the Early Years underspend identified and the Statutory Override regulations made by the Ministry of Housing, Communities & Local Government required that an in-year deficit on DSG must be calculated using all blocks. It was not permissible for an LA to retain a surplus on some blocks if there was an overall deficit. This rule was not optional, the Schools Forum did not need to consult and played no part in the decision.

-modelling indicated this was not an exponential curve. Nationally SEND pupils presented with more complex needs and had resulted in an increased number of plus packages in recent years;

-a two week consultation with schools on funding next year was commencing 25 November 2024, prior to consideration at the January 2025 Forum meeting. This had been delayed due to delayed government funding announcement;

-Section 19 working with others to support learners, would be discussed with the Alternative Provision representative;

-charging for outreach work would be discussed with the Special Schools (maintained) Headteacher representative.

DECISION:

That with the caveat that whilst recognising members' concerns set out above and the ongoing serious High Needs funding situation:-

(a) that the month 6 DSG monitoring position be noted, and

(b) the current Safety Valve / DSG deficit position be noted.

(Vote: Schools, Academies and PVI Members)

ACTION:

-Deputy Director and Head of Education (Simon Niles) - Section 19 discussion with Alternative Provision representative; and

-Director of Finance and Public Value (Adrian Fox) – outreach charging discussion with Special Schools (maintained) Headteacher representative.

149 Standing (and other) Groups

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

Standing Groups

- School Organisation, Capital and Admissions (SOCA)

Minutes of the meeting held on 24 September 2024.

Also available at

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

150 Correspondence

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151 Dates of Future Meetings

Meetings at 10am. Please check venue/arrangements

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

Wednesday 22 Jan 2025

Wednesday 19 March 2025

Wednesday 18 June 2025

Wednesday 19 Nov 2025

Wednesday 21 Jan 2026

Wednesday 18 March 2026.

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 12.00 noon.

