

DEVON EDUCATION FORUM

17 June 2020

Present:-

Schools Members

Primary School Head teachers

Mr C Butler

Mr A Dobson

Mr J Stone

Mr P Walker

Exeter Children's Federation

Denbury

Otter Valley Federation (*Substitute Member*)

Marwood Primary

Primary School Governors

Mrs A Blewett

Mr M Dobbins

Ms M Wallis

Mr A Hines

Kings Nympton Primary

Exmouth Marpool Primary

Whimble School (**Chair**)

Rydon Primary (Education SW Trust) (*Academy Member*)

Secondary School Head teachers

Mr R Haring

Ms L Heath

Ms A Marder

Mrs J Phelan

Ivybridge CC (*Academy Member*)

Uffculme Academy Trust (*Academy Substitute Member*)

The Ted Wragg Multi Academy Trust (*Academy Member*)

Cullompton CC

Secondary School Governors

Mrs J Larcombe

Mrs T Sturtivant

Mr A Walmsley

Uffculme Academy Trust (*Academy Member*)

Tiverton High

The Ted Wragg Multi Academy Trust (*Academy Member*)

Nursery School

Mrs S Baker

Westexe

Special School HeadTeacher

Ms S Pickering

Millwater School

Special School Governor

Mrs F Butler

Marland School

Alternative Provision

Mr R Gasson

WAVE Multi Academy Trust (*Academy Member*)

Non-Schools Members

Mr M Gurney

Mr J Searson

Mrs L Wright

Mr B Blythe

Teachers Consultative Committee

Exeter Diocesan Board of Education (*Substitute Member*)

Early Years Private, Voluntary & Independent

PETROC

Observer

Councillor J McInnes

Ms C Muffett

Cabinet Member – Children's Services and Skills

Education & Skills Funding Agency

Other Forum Members

Mrs S Crook

Ms R Shaw

Federation for Tiverton High Schools – *Substitute observing*

South Dartmoor (*Academy Member*) – *Substitute observing*

Apologies

Mr M Boxall

Ms J Elson

Ms M Mitchell

First Federation Trust

Exmouth CC (*Academy Member*)

Ted Wragg Multi Academy Trust (*Academy Member*)

149 Meeting Procedures - Briefing and Etiquette

The Forum and attendees received a presentation from the Clerk to the Forum on the process and etiquette for remote meetings.

150 Minutes

DECISION:

That the minutes of the meeting held on 18 March 2020 be signed as a correct record.

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

DISCUSSION:

The Cabinet Member - Children, Schools & Skills expressed his thanks to schools for their response to the Coronavirus (COVID-19) pandemic in supporting Devon's pupils as much as possible at this time. He also updated on national f40 issues.

152 Membership

DISCUSSION:

There had been no interim membership changes (see also DEF proportionality autumn term 2020 minute below).

153 Head of Education & Learning Update and Coronavirus (COVID-19) - Communications and Advice to Schools

DISCUSSION:

The Head of Education & Learning reported on the LA's work with schools in response to the Coronavirus (COVID-19) pandemic, together with data indicating:-

- that Devon's school attendance and wider opening during the pandemic to 15 June 2020 was above the national average;
- the level of direct support for SEND pupils who were currently out of school;
- that EHCP timeliness was above the national average;
- future considerations (e.g. school and transport capacity; plans for the summer and national plans for September 2020).

Discussion included:-

- work done by Devon's COVID Education Strategy Group (at pandemic height meeting daily);
- targeted support/EH4MH - for anxiety, mental health and wider needs of young people and families resulting from Coronavirus (COVID-19);
- prioritised support for the most vulnerable pupils;
- role of the Corporate Recovery Group in health & wellbeing and mental health (including for school staff who had worked through school holidays);
- Devon LA website to expand on school opening updates etc for parents;
- the good collaborative working between the LA and schools;
- commitment in Devon to rebalance and ensure that resources were made available for disadvantaged children to catch up;
- planning next stages and local outbreak management plans;
- free school meals/food parcels – challenges in rural areas; and

-SAGE review of COVID-19 bubble size arrangements to potentially increase school capacity.

The Chief Officer for Children's Services expressed gratitude on behalf of Devon LA to schools for their response to the pandemic, noting that Devon had a significantly higher percentage of vulnerable pupils in school than in the rest of England

DECISION: that the Head of Education & Learning request the DfE to review pupil COVID-19 bubble size.

ACTION:

Head of Education & Learning (Dawn Stabb)

154

Finance Update

DISCUSSION:

The Forum considered the report of the Chief Officer for Children's Services and County Treasurer (DEF/20/04).

NB: the last two pages of report (DEF/20/04) (pages 15 and 16 of the published agenda) should be discounted as they had been included in error.

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 3 June 2020.

The report (DEF/20/04) covered:-

- Dedicated Schools Grant (DSG) and Schools Funding Outturn Report (2019/20);
- Allocation of Carry Forward from 2019/20; and
- Mutual Fund.

Members' discussion included:-

-£19.8m High Needs Block deficit and the effect of SEN tribunal decisions outside of Local Authorities' control on this. The Cabinet member confirmed that f40 was continuing to lobby government regarding this and other HNB national issues.

-In considering the proposed HNB deficit reserve carry forward (Section 2 (Table 4 (2.8)) of report (DEF/20/04), members noted this followed current DfE advice pending a recovery plan. Members acknowledged that that DfE Guidance was awaited to form the DSG recovery plan and the current situation was unsatisfactory.

DECISION:

(a) that the DSG Draft Outturn position (subject to Statement of Accounts sign off) as set out in section 1 of report (DEF/20/04) be noted.

(b) that the allocation of the carry forwards from 2019/20 as set out in Section 2 (Table 4) of report (DEF/20/04) be noted/approved as indicated below:-

Table 4: Carry Forward from 2019/20

Budget Line	Amount £'000	Notes	DEF Decision*
Mainstream School balances	13,492	Automatically carried forward in Individual School budgets	2.2 noted
Growth Fund	632	Rolled forward 2019/20 underspend to fund ongoing growth fund	2.2 noted
Total Schools	14,124		

Maternity	743	Rolled forward 2019/20 underspend to fund ongoing maternity cover	2.3 noted
Schools and DSG Contingency	1,403	Rolled forward to fund contingency agreements in 2020/21 onwards	2.3 noted
Invest to save projects	96	Rolled forward for payments linked to projects in 2020/21	2.3 noted
Total De-delegated	2,242		
Phase Associations	42	Rolled forward to fund phase association agreements in 2020/21 onwards	2.3 noted
Other DSG Services	(28)	Rolled forward to be offset by MFEP arrangements in 2020/21	2.3 noted
Total Central Provision (Schools)	14		
Special School Balances	2,488	Automatically carried forward as Individual School budgets	2.4 noted
Hospital Education	151	Automatically carried forward as Individual School budgets	2.4 noted
Total High Needs	2,639		
Early Years Other Early Years Grants	236	PVI Pupil Premium and Teachers Pay Grant arrangements in 2020/21	2.5 approved
Early Years	191	Disability Access Fund	2.6 approved
Early Years	313	Rolled forward 2019/20 underspend to review one-off Summer Term financial support	2.7 approved
Total Early Years	740		
Total Carry forward requested	19,760		
HNB Deficit Reserve	(19,772)	Deficit Balance of HNB funding pressure to be allocated to Deficit Reserve per Government guidance	2.8 approved
Total High Needs Deficit Reserve	(19,772)		

(*Vote: Schools, Academies and PVI members - Table 4 (2.2-2.7)

(*Vote: Schools, Academies and PVI members – Table 4 (2.8).

(c) that the year-end Mutual Fund position as set out in Section 3 of report (DEF/20/04) be noted.

ACTION:

County Treasurer (Adrian Fox/Matthew Thorpe)

155

Dedicated Schools Grant - Month 1 2020/21

DISCUSSION:

The Forum considered the report of the Chief Officer for Children's Services and County Treasurer (DEF/20/05) regarding Month 1 forecast with a funding shortfall of £23.2m, with focus on High Needs Block area of the budget. Additionally the DfE had provided numerous documents on financial support and expectations for schools in relation to the Coronavirus (COVID-19) pandemic.

Members' discussion included:-

-DfE guidance would be welcomed as soon as possible regarding additional support the DfE had put in place to help schools meet COVID-19 additional costs during March to July 2020 (including the furloughing of contractors e.g. for school meals), as it was understood that this was to be a narrow criteria (paragraph 1.21 of the report);

-concern expressed that whilst the LA was currently working on the recovery plan for the DSG deficit, Guidance for 2020/21 have not yet been received from the DfE, or a deadline for this to be submitted. Whilst the total DSG deficit was projected to be £43m by end 2020/21 this level of deficit was unlikely to be resolved on current levels of funding (paragraph 1.22 of the report);

-in relation to consultancy work for specialist SEND support in mainstream settings to reduce HNB costly intervention from independent providers this had unfortunately had some delay due to the pandemic but was now proceeding again (paragraph 1.25 of the report).

DECISION:

that month 1 DSG monitoring position as set out in section 1 of report (DEF/20/05) be noted, subject to members' reservations expressed above.

ACTION:

County Treasurer (Adrian Fox/Matthew Thorpe).

156 Financial Intervention Panel Schools (FIPS) - Annual Report 2019/20

DISCUSSION:

The Forum considered the report of the Chief Officer for Children's Services and County Treasurer (DEF/20/06) giving the annual picture and analysis of the Officer Panel's support to schools in financial difficulty once satisfied the governing body had taken every action possible. There remained uncertainty around the continued challenging fiscal environment and FIPS continued proactively to early identify and engage with schools with vulnerable budgets.

Forum members highlighted the following:-

-inclusion of more school data within future reporting (eg pupil numbers to help identify the type of school requiring targeted support);

-further consideration of the percentage of maintained secondary schools using FIPS service;

-budget modelling;

-further clarification required on whether any school financial pressures resulting from the Coronavirus (COVID-19) pandemic would be considered by FIPS.

DECISION:

that report (DEF/20/06) be noted and further details on school types/data be provided to Forum members.

ACTION:

County Treasurer (Adrian Fox/Matthew Thorpe)

157 **Maintained Nursery Schools - Buying into de-delegated services**

(Maintained Nursery School representative, Mrs Baker declared an interest in this matter).

DISCUSSION:

The Forum considered the report of the Chief Officer for Children's Services and County Treasurer (DEF/20/07) following an approach by maintained nurseries. However since the publication of this report, further clarity had been received from the Department for Education (ESFA) i.e. that:-

De-delegation does not apply to nursery schools and therefore there is no vote entitlement. However they are able to buy into any de-delegated services if the LA allows. This will be on a traded basis per each individual nursery, not a blank de-delegation.

The Officers' recommendation was therefore amended as follows:- that DEF approves that Maintained Nurseries be permitted to buy into de-delegated services as set out by the DfE.

In discussion Forum members recognised that currently maintained nurseries had no other means of obtaining certain services for which there was an immediate need, whereas there was provision for maintained primary and maintained secondary schools, as well as academies (via a different mechanism). However it was also recognised that a two tier approach might be created when compared with maintained primary and secondary schools if maintained nurseries were able to select only specific services and members felt this particular aspect should be explored further. The Forum wished to therefore assist maintained nurseries in the short term whilst they reviewed best practice for all for the longer term.

DECISION:

that Maintained Nursery Schools be permitted to buy into de-delegated services as set out by the DfE for 2020/21, but that the Schools Finance Group review a longer term solution within the next 12 months.

*(Vote: Maintained Primaries);
(Vote: Maintained Secondaries).*

ACTION:

County Treasurer (Adrian Fox/Matthew Thorpe)

158 **DEF Proportionality Autumn Term 2020**

DISCUSSION:

The Chair and all DEF members had been consulted upon the marginal change to the pupil census data,

DECISION:

that the number of seats on DEF allocated proportionality to reflect pupil numbers would remain the same across phases, apart from the primary phase to be a total of 5 maintained:3 academy members (instead of 6:2), with elections being held accordingly.

ACTION:

County Solicitor (Fiona Rutley) and Phase Associations' elections officers.

159 Standing (and other) Groups

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

(a) Schools' Finance Group (SFG)

Minutes of the meeting held on 3 June 2020 (considered under Finance Update minute above)

(b) School Organisation, Capital and Admissions (SOCA)

(no meeting).

160 Dates of Future Meetings

Meetings at 10am (unless otherwise specified – venue to be confirmed, please check webpage for any update)* :-

Wednesday 18 November 2020

Wednesday 20 January 2021

Wednesday 17 March 2021.

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

(a 10 minute adjournment then followed before the next business).

161 Exclusion of the Press and Public

DISISION: that the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information namely, information relating to the financial or business affairs of a third party and of the County Council (as the authority holding that information) and by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

162 Learner Services to Schools Re-Commissioning Update

(An item taken in the absence of the press and public – see minute 161 above)

(Schools Members: Mrs Blewett, Mrs Pickering and Mrs Sturtivant, declared an interest by virtue of agreement arrangements and withdrew from the meeting).

DISCUSSION:

The Head of Education & Learning updated the Forum on the position with the Learner Services to Schools re-commissioning.

DECISION:

That the Forum supports the Head of Education & Learning's proposed recommendation to Cabinet's next meeting on 8 July 2020 as outlined to Forum members.

163 Retiring Members

(a) The Chair on behalf of the Forum thanked members for their contribution who were retiring/standing down from DEF:-

Mr Martyn Boxall, Mrs Julie Phelan, Mrs Teresa Sturtivant; and

Mrs Lydia Wright (temporary basis only, attendance to be covered by named substitute).

(b) Forum Members and the Chief Officer for Children's Services expressed appreciation to the Chair for her service at her last meeting.

The Meeting started at 10.00 am and finished at 1.00 pm

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