

Public Document Pack



**Service Director – Legal, Governance and
Commissioning**

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Monday 27 September 2021

Notice of Meeting

Dear Member

Cabinet

The **Cabinet** will meet in the **Council Chamber - Huddersfield Town Hall** at **3.00 pm** on **Tuesday 5 October 2021**.

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read 'Julie Muscroft', on a light-colored background.

Julie Muscroft

Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

Cabinet Members:-

| Member | Responsible For: |
|----------------------------|---|
| Councillor Shabir Pandor | Leader of the Council |
| Councillor Paul Davies | Cabinet Member – Corporate |
| Councillor Eric Firth | Cabinet Member – Town Centres |
| Councillor Viv Kendrick | Cabinet Member - Children (Statutory responsibility for Children) |
| Councillor Musarrat Khan | Cabinet Member - Health and Social Care |
| Councillor Naheed Mather | Cabinet Member – Environment |
| Councillor Peter McBride | Cabinet Member – Regeneration |
| Councillor Carole Pattison | Cabinet Member - Learning, Aspiration and Communities |
| Councillor Cathy Scott | Deputy Leader and Cabinet Member - Housing and Democracy |
| Councillor Will Simpson | Cabinet Member – Culture and Greener Kirklees |

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of Cabinet

To receive any apologies for absence from Cabinet Members.

2: Minutes of Previous Meeting

1 - 6

To approve the Minutes of the Meeting of the Cabinet held on 31 August 2021.

3: Declarations of Interest

7 - 8

Cabinet Members will be asked to advise if there are any items on the Agenda in which they have a Disclosable Pecuniary Interest, which would prevent them from participating in any discussion or a vote upon the item, or any other interests.

4: Admission of the Public

Most agenda items will be considered in public session, however, it shall be advised whether Cabinet will consider any matters in private, by virtue of the reports containing information which falls within a category of exempt information as contained at Schedule 12A of the Local Government Act 1972.

5: Deputations/Petitions

The Cabinet will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

6: Questions by Members of the Public

In accordance with Council Procedure Rule 11(5), the period allowed for the asking and answering of public questions shall not exceed 15 minutes.

7: Questions by Elected Members (Oral Questions)

Cabinet will receive any questions from Elected Members.

In accordance with Executive Procedure Rule 2.3 (2.3.1.6) a period of up to 30 minutes will be allocated.

8: Elective Home Education Policy

9 - 42

To consider the adoption of the Elective Home Education Policy.

Contact: Diane Yates, Education Safeguarding Service

9: Learning Strategy - Our Kirklees Futures

43 - 86

To consider the adoption of the Kirklees Learning Strategy.

Contact: Chris Jessup, Head of Educational Outcomes

10: Special Educational Needs and Disabilities (SEND) Masterplan - Capital Investment and Rebuild of two Special Schools

87 - 112

To consider the delivery of a plan for the provision of special school places that will contribute to the long-term sufficiency of specialist provision as part of the wider SEND Transformation Plan.

Contact: Jo-Anne Sanders – Service Director for Learning and Early Support

11: Exclusion of the Public

To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business, on the grounds that it involves the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

**12. Special Educational Needs and Disabilities (SEND)
Masterplan - Capital Investment and Rebuild of two
Special Schools**

113 -
118

(Exempt information under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

The report contains information regards the financial or business affairs of any person including the Council. It is considered that it would not be in the public interest to disclose the information contained in the private appendix as disclosure could adversely affect overall ability to obtain value for money, compromise the commercial confidentiality of organisations mentioned in the report , which is considered to outweigh the public interest in disclosing information including, greater accountability, transparency in spending public money, and openness in Council decision-making)

Exempt information in relation to Agenda Item 10.

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 31st August 2021

Present: Councillor Shabir Pandor (Chair)
Councillor Viv Kendrick
Councillor Musarrat Khan
Councillor Peter McBride
Councillor Naheed Mather
Councillor Carole Pattison
Councillor Cathy Scott
Councillor Will Simpson

Observers: Councillor Martyn Bolt
Councillor Elizabeth Reynolds
Councillor Mohan Sokhal
Councillor John Taylor

Apologies: Councillor Paul Davies
Councillor Eric Firth

47 Membership of Cabinet

Apologies for absence were received on behalf of Councillor P Davies and E Firth.

48 Minutes of Previous Meetings

RESOLVED – That the Minutes of the Meetings held on 22 June and 27 July 2021 be approved as a correct record.

49 Declarations of Interest

No interests were declared.

50 Admission of the Public

It was noted that all agenda items were considered in public session.

51 Deputations/Petitions

No deputations or petitions were received.

52 Questions by Members of the Public

No questions were received.

53

Questions by Elected Members (Oral Questions)

Cabinet received the following questions in accordance with Executive Procedure Rule 2.3;

Question from Councillor Bolt

“I was contacted by the media today in regards to the Atkins report and visitor economy and transport in the north of England. I was quite surprised and disappointed that there are no visitor attractions listed in Kirklees in the Transport for the North report. Why is this?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor Bolt

“Could we look at what can be done to stimulate the visitor economy, and working with our aspirations for reducing carbon and journeys, the visitor economy for active travel. A cyclist can spend £15 a day and if we can encourage people to spend a night here that increases to £27. If we can attract cycle tourism and active travel, can we look at how we can stimulate this?”

A response was provided by the Cabinet Member for Culture and Greener Kirklees (Councillor Simpson)

Question from Councillor Bolt

All Cabinet Members will be aware of the situation of HGV driver shortages and the conditions for drivers. There is nowhere secure and suitable for overnight HGV parking in Kirklees. The only HGV parking area that I’m aware of is in Dewsbury. Shouldn’t we be looking to make sure that there is somewhere safe and secure to park overnight with goods? The site in Dewsbury has no toilet or wash facilities.”

A response was provided by the Cabinet Member for Regeneration (Councillor McBride)

Question from Councillor J Taylor

“Is road safety around schools a priority for this authority?”

A response was provided by the Cabinet Member for Environment (Councillor Mather)

Question from Councillor J Taylor

“With regards to the number of vacancies across the Council, what are the administration doing about this, and specifically in regard to planning enforcement, as I am aware of enforcement action that is not being carried out as there are not the staff to do the work. In my ward there are outstanding enforcement issues and residents are suffering. What is the administration doing to tackle the issue?”

Cabinet - 31 August 2021

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor Bolt

“Cabinet and Council have previously said that they are in favour of a Tour of Yorkshire but I understand that there has been no commitment to the 2022 event. Could we have an update on that?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor Bolt

“On 27 August 2019 I emailed Councillor McBride and his Cabinet colleagues and raised an issue regarding lack of planning compliance and lack of maintenance on one of our active travel routes within Dalton ward. This greenway hasn't been built according to planning permission and subsequent planning conditions on road safety have not been made. When I raised this Councillor McBride said it wasn't a priority. Is it appropriate for me to raise this now and ask why this isn't a priority?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor Bolt

“Given the failure of the Council to adequately enforce planning conditions on the Mirfield 25 site, what confidence can the people of Cleckheaton have that if and when Amazon is passed, the planning conditions imposed and negotiated will be delivered?”

54 Holme Valley Neighbourhood Development Plan Examiner's Report and Next Steps

Cabinet gave consideration to a report which sought approval to progress the Holme Valley Neighbourhood Development Plan to a local referendum.

The report advised that the Plan had been subject to an independent examination process and that Cabinet were asked to agree that the recommendations as outlined in the independent Examiner's report on the Holme Valley Neighbourhood Development Plan were acceptable and that, subject to the Examiner's recommended modifications, the Plan be subject to referendum. Cabinet were also requested to give approval to (i) the referendum ballot question (ii) decision statement and (iii) statutory recommended documents.

Cabinet were informed that, subject to a successful local referendum in support of the Holme Valley Neighbourhood Development Plan, it would be recommended that Council 'make' the Holme Valley Neighbourhood Development Plan, whereby it would form part of the development plan alongside the Kirklees Local Plan.

Appended to the considered report were (i) a summary of representations submitted to the independent Examiner (ii) the Examiner's report (received 15 June 2021) and (iii) the decision statement.

Cabinet - 31 August 2021

It was noted that, subject to approval, Electoral Services would commence the statutory process for a referendum to be held on 4 November 2021 and that should the referendum not support the plan, no further decision would be required.

RESOLVED –

- 1) That approval be given to the Independent Examiner's recommendations (as at Appendices 2 and 3) to amend the Holme Valley Neighbourhood Development Plan (as at Appendix 4) and for the plan to proceed to referendum in accordance with the requirements as set out in the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Neighbourhood Planning (Referendum) Regulations 2012.
- 2) That approval be given for the following ballot question to be asked at the local referendum, 'Do you want Kirklees Council and the Peak District National Park Authority to use the neighbourhood plan for the Holme Valley Neighbourhood Area to help it decide planning applications in the neighbourhood area?'
- 3) That approval be given to the Decision Statement on the Examiner's recommendations and its publication, as set out at Appendix 3.
- 4) That authority be delegated to the Strategic Director for Growth and Regeneration to make any further modifications to Holme Valley Neighbourhood Development Plan that relate exclusively to factual updates, grammatical and formatting corrections for the purposes of finalising the Neighbourhood Development Plan.
- 5) That, subject to a referendum result which supports the Holme Valley Neighbourhood Development Plan (ie, more than 50% of votes favour the plan), Cabinet recommend that Council 'make' the Holme Valley Neighbourhood Development Plan, at which point it forms part of the development plan for the Holme Valley Neighbourhood Area alongside the Kirklees Local Plan.

55 Food Safety Service Plan 2021

Cabinet received the Food Safety Service Plan 2021, which had been produced in accordance with the expectations of the Food Standards Agency. The plan set out a summary of main actions, issues and outcomes to date from the 2019/20 and 2020/21 Local Authority Returns Data, and provided an outline of future work priorities and direction.

The report advised that the plan provided information regarding services provided, the means by which services are provided, and how performance targets or performance standards will be met. Appendices to the plan included (i) the environmental health budget breakdown (ii) communicable diseases figures and (iii) food hygiene rating scheme compliance.

RESOLVED - That the Food Safety Plan 2021 be approved and adopted.

56 Determination of a mandatory revision to The Kirklees Admission Arrangements for community and controlled schools for 2021/22 and 2022/2023.

(Under the provision of Council Procedure Rule 36(1) Cabinet received a representation from Councillor Reynolds).

Cabinet gave consideration to a report which set out details of statutory revisions required to the previously determined and published admission arrangements for Kirklees community and voluntary controlled schools for 2021/2022 and 2022/2023 following the publication of the new School Admissions Code 2021 which would take effect on 1 September 2021.

The report advised that the main purpose of the revised code was to improve the in-year admission process, particularly for vulnerable children and that the changes included (i) introducing more detail on the process for managing in-year admissions (ii) improving the effectiveness of Fair Access Protocols (iii) giving children adopted from state care outside of England equal admissions priority as children who were previously looked after in England and (iv) clarification of which address to use for the admission of service or crown servant children. The revised arrangements were set out at the appendix to the report.

Cabinet were advised of a duplication error within the report and that bullet 4, page 5, shall be deleted. It was noted that, subject to approval, the revised admission arrangements would be published on the Council's website and that a further report would be submitted to Cabinet in February 2022, pursuant to the next admission consultation.

RESOLVED –

- 1) That the revised Kirklees Admission Arrangements for community and controlled schools for 2021/2022, as set out at Appendix 1, be approved.
- 2) That the revised Kirklees Admission Arrangements for community and controlled schools for 2022/2023, as set out at Appendix 2, be approved.
- 3) That Officers be directed to work with the Education Learning Partnership Board to develop protocols to ensure that families receive a service which, at the very least, complies with the Admissions Code 2021 regardless of the Admission's Authority.

57 Corporate Financial Monitoring Report; Quarter 1 for 2021-22

(Under the provision of Council Procedure Rule 36(1) Cabinet received a representation from Councillor J Taylor).

Cabinet received the Corporate Financial Monitoring report for General Fund Revenue, Housing Revenue Account and Capital Plan, as at Quarter 1, 2021/2022. The report advised that the Council's revised General Fund controllable (net) revenue budget 2021/2022 was £321.0m, which included planned (net) revenue savings in-year of £1.8m.

Cabinet - 31 August 2021

Cabinet were advised that the revised budget was net of a number of planned transfers from reserves during the year, with the most significant being £1.7m from the revenue grants reserve, £0.7m from the strategic investment reserve and £0.4m from the rollover reserve. It was noted that there was a forecast overspend of £1.6m against the £321.0m revised budget at Quarter 1, equivalent to 0.5%. The forecast revenue outturn as at Quarter 1 was summarised at Appendix 1 of the report and the headline variances, including covid impact, were set out at paras. 1.3 to 1.8.

The report provided a summary of quarter 1 monitoring information in regards to service areas, general fund reserves, collection fund, housing revenue account and capital and 2021/2022 budget proposals regarding (i) invest to save, street lighting (ii) day service support for vulnerable adults (iii) Batley Town Hall and (iv) Oakwell Hall.

RESOLVED -

- 1) That, in regards to General Fund, (i) the forecast revenue outturn position at Quarter 1 be noted (ii) the forecast year end position on corporate reserves and balances at Quarter 1 be noted and (iii) it be noted that the regular monitoring and review of corporate reserves in 2021/2022 will be reported to Cabinet as part of the quarterly financial monitoring cycle.
- 2) That the forecast position on the Collection Fund as at Quarter 1 be noted.
- 3) That the Quarter 1 forecast Housing Revenue Account position and forecast year-end reserves position be noted.
- 4) That, in regards to Capital, (i) the Quarter 1 forecast capital monitoring position for 2021/2022 be noted (ii) approval be given to the re-profiling across years of the capital plan as set out in the report and at Appendix 6, and that it be recommended that Council give approval at its meeting of 8 September 2021 (iii) that approval be given to £2.4m additional self-funding for 2021/2022 within the Highways Capital Plan towards the extension of the existing Invest to Save Street Lighting Scheme (iv) that approval be given to the reprofiling of budgets within the Adults Day Care Support for Vulnerable Adults Programme line to manage the £600k increase required for Knowl Park House and Homestead and the reallocation of £629k from Adults Social Care One Off Projects line towards supporting Knowl Park Scheme within Day Services Support for Vulnerable Adults (v) that approval be given to the release of £65k funding from Regeneration and Greening if Smaller Towns and Villages capital programme for Batley Town Hall illuminations, as detailed within the report and (vi) that approval be given to the release of £40k funding from One Venue Development Programme to fund expenditure on the existing Oakwell Hall café, as detailed within the report.

| KIRKLEES COUNCIL | | | |
|---|--|--|---|
| COUNCIL/CABINET/COMMITTEE MEETINGS ETC | | | |
| DECLARATION OF INTERESTS | | | |
| Name of Councillor | | | |
| Item in which you have an interest | Type of interest (eg a disclosable pecuniary interest or an "Other Interest") | Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N] | Brief description of your interest |
| | | | |
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Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



Name of meeting: Cabinet

Date: 5 October 2021

Title of report: New Elective Home Education Policy

Purpose of report: To receive the proposed new Elective Home Education Policy and consider the adoption of the policy.

| | |
|--|--|
| <p>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</p> | <p>Yes</p> <p>If yes give the reason why – affects all wards</p> |
| <p>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?</p> | <p>Key Decision – Yes</p> <p>Private Report/Private Appendix – No</p> |
| <p>The Decision - Is it eligible for call in by Scrutiny?</p> | <p>Yes</p> |
| <p>Date signed off by <u>Strategic Director</u> & name</p> <p>Is it also signed off by the Service Director for Finance?</p> <p>Is it also signed off by the Service Director for Legal Governance and Commissioning?</p> | <p>Jo-Anne Sanders on behalf of Mel Meggs – 16/09/2021</p> <p>Eamonn Croston – 14/09/2021</p> <p>Julie Muscroft – 21/09/2021</p> |
| <p>Cabinet member portfolio</p> | <p>Cllr Carole Pattison - Cabinet lead for Learning, Aspiration and Communities</p> <p>Cllr Viv Kendrick - Cabinet lead for Children (statutory responsibility for Children)</p> |

Electoral wards affected: All

Ward councillors consulted: N/A

Public or private: Public

Has GDPR been considered? There are no GDPR implications.

1. Summary

In November 2017, the Children's Scrutiny Panel considered a report on elective home education. This was submitted against a background of increasing numbers of home educated children in Kirklees; a trend which was replicated in both neighbouring authorities and nationally.

The report provided background information, including an overview of the legislative framework and the current practice in Kirklees, and explained that the rights of parents that had chosen to home educate their children were fully respected. It recognised that there were many excellent examples of home education and acknowledged that learning took place in a wide variety of environments. The report explained that there was a strong commitment within Kirklees to support children, young people and their families who had chosen to home educate.

From the start, Members acknowledged that many families made a positive choice to home educate but some found themselves in that position through circumstance. They were keen to ensure that appropriate support was available to all these children. They, therefore, recommended that an Ad Hoc Scrutiny Panel should be established, to allow the matter to be considered in greater depth.

2. Information Required to take a Decision

In March 2020, following its findings from the Ad Hoc Scrutiny review, the Children's Scrutiny Panel made several recommendations including the need for a new Kirklees Elective Home Education policy, rather than a refresh of the existing policy. It was agreed by Kirklees Council Cabinet that a new policy would be produced and include:

- The Local Authority's responsibilities.
- Parents' rights and obligations.
- How a 'suitable' education is assessed.
- Responsibilities and expectations of parents.
- The process if there are concerns about the education being provided at home.
- Clarity on the support that Kirklees Council can provide.
- Complaints procedure.
- How The EHE team will communicate and seek to engage with parents.
- Position in relation to flexi-schooling.
- A mechanism for regular review of the policy.

The new policy does now cover all points listed above and is compatible with April 2019, Department for Education, (DfE), Elective Home Education guidance for local authorities.

The proposed new policy is attached in Appendix A.

In addition to the new Kirklees EHE policy, an 'Information for Parents' guide' (Appendix B), and 'Flexi-schooling' (Appendix C) guidance has been produced.

Information for Parents guidance is written in an easily accessible style and outlines how Kirklees will engage with parents, how a 'suitable' education is assessed and the process if there are concerns about the education being provided at home. As guidance, this can be kept updated with any local developments including the support Kirklees can provide, for example, access to local provision for taking GCSE examinations.

Flexi-schooling guidance has also been produced to help parents and schools understand the implications of part-time school attendance and part-time elective home education. It recommends a written agreement is drawn up so that arrangements and expectations between parents and school are clear. The guidance also makes suggestions on what the agreement could include.

3. Implications for the Council

3.1 Working with People

This report engaged with families who Electively Home Educate and other stakeholders to gather feedback on the new policy before its introduction and implementation.

3.2 Working with Partners

Children's Scrutiny Panel engaged with partner agencies, an EHE consultant, other local authorities, schools, and families who Electively Home Educate to achieve a policy that supports families whilst meeting the Local Authority's statutory duties.

3.3 Place Based Working

Families who Electively Home Educate live in all communities within Kirklees. The Elective Home Education Team can support individual families based on their needs in line with the policy.

3.4 Climate Change and Air Quality

The policy does not have any negative impact on the Council's commitment to tackle climate change.

3.5 Improving Outcomes for Children

The policy and additional guidance will support children and young people who are Electively Home Educated. It makes clear parents' responsibility to ensure their children are receiving a full-time, efficient, and suitable education. The new policy aims to improve engagement with families who Electively Home Educate and enable us to signpost to other services where appropriate, such as Calderdale + Kirklees Careers/examination centres.

This report has been written having had sight of both the draft Learning Strategy, Kirklees Futures, and the SEND Transformation plan.

3.6 Other (eg. Legal/Financial or Human Resources)

Equalities and Impact Assessment completed.

4. Consultees and Their Opinions

Scrutiny has had extensive engagement with parents and schools. This has helped shape the attached policy.

This policy has now been shared with families who Electively Home Educate and other stakeholders for comment.

We have analysed and considered the comments made and have made amendments to the policy where appropriate.

The parent comments below are an example of some of the feedback received, we have taken the majority of comments on board and revised the policy and the 'Information for Parents' documents accordingly:

- 'Every time safeguarding is mentioned, I think it's important to say, "Home Education is not in itself a safeguarding issue" because there are still many people who think it is. In this document, safeguarding is mentioned twelve times, but it is not until 7.7 that the sentence "Home Education is not in itself a safeguarding issue" appears.'

- “Not everyone will know what Fundamental British Values are, so it would be a good idea to provide a link.”
- “Please consider adjusting the wording to say, ‘If the LA is not satisfied that the child is receiving a suitable education, (insert) ‘and after attempting to support the parent with suggestions and recommendations with no success’, the LA may commence the statutory process for the issue of a School Attendance Order, (SAO), requiring the parent to register the child at a named school.”
- “Thank you for all the work you are doing to improve things in the EHE department and for home educating families in Kirklees. It is, and I’m sure will be, very much appreciated by all.”

Feedback from a Kirklees school:

“I believe the guidance to be very clear. However, I have not experienced any request for EHE in the past, nor have I have suggested it.”

Feedback from Calderdale + Kirklees Careers:

C+K Careers asked that the information relating to C+K Careers, (in the Information for Parents document), also include: “You will be provided with detailed information about post 16 options when your child is year 11 age. Careers Advisers are available to help you understand choices and make applications. Parents can access careers and progression advice at any point during their child’s education by contacting C+K Careers. The service is available to all young people up to the age of 19.” - suggestion accepted, now included.

5. Next Steps and Timelines

To publish the approved policy on the council’s website, to make copies available upon request, to inform the public that the policy has been adopted and to inform all consultees.

6. Officer Recommendations and Reasons

6.1 Cabinet is asked to:

- To adopt the proposed new Elective Home Education Policy.
- To delegate responsibility to the Director of Children’s Services in conjunction with the Portfolio Holder for Children’s Services, to review the policy and guidance annually and make technical amendments where appropriate, allowing engagement to take place with stakeholders.
- Should there be new legislative requirements, then this would require a more fundamental change and would be brought back to Kirklees Cabinet for approval.

7. Cabinet Portfolio Holder’s Recommendations

We are grateful for the valuable work undertaken by Children’s Scrutiny Panel. We would also like to thank the parents, schools and other stakeholders who engaged Scrutiny and provided valuable feedback on a draft policy.

We are happy to recommend cabinet adopts the proposed Elective Home Education Policy and delegates responsibility for maintenance of the policy to the Director of Children’s Services, subject to returning to cabinet for approval of any fundamental changes necessitated by a significant change in legislation.

8. Contact Officer

Diane Yates, EHE Lead, Education Safeguarding Service
diane.yates@kirklees.gov.uk
01484 221919

9. Background Papers and History of Decisions

[Item 11 Final Report to Cabinet.pdf \(kirklees.gov.uk\)](#)

[Elective home education - GOV.UK \(www.gov.uk\)](#)

10. Service Director Responsible

Jo-Anne Sanders, Service Director - Learning and Early Support, Learning and Skills

Children & Young People's Service

Elective Home Education (EHE) Policy

September 2021

Review date:

This policy will be reviewed annually, or as required should legislative amendments be realised.

Contents

1. Introduction
2. The Context for Elective Home Education
3. The Law Relating to Elective Home Education
4. Parental Rights and Responsibilities
5. Children's Rights
6. The Local Authority's Responsibilities
7. School and Academy Responsibilities
8. Elective Home Education and Safeguarding
9. Elective Home Education and Special Educational Needs
10. The Elective Home Education Service
11. Complaints Procedure

1. Introduction

- 1.1 Kirklees Council, the local authority, believes that high-quality education is a fundamental right for every child and aims to work in partnership with parents and carers who electively home educate and respects their right to do so.
- 1.2 Whilst the local authority supports parents who wish to enrol their child at school, it equally supports a parent's right to home educate. The local authority aims to work with parents who home educate to ensure that those children are provided with efficient full-time education, suitable to their age, ability, aptitude and to any special educational needs or disabilities which they might have.
- 1.3 The local authority seeks to build positive relationships with parents who home educate by establishing mutual understanding, trust and respect.
- 1.4 The purpose of this policy is to set out the legislative position, and the roles and responsibilities of the local authority, schools and parents in relation to children who are electively home educated.
- 1.5 Kirklees Council has a dedicated Elective Home Education Team, (EHE Team), as part of the Learning and Early Support Service.

2. The Context for Elective Home Education

- 2.1 Elective Home Education, (EHE), is the term used by the Department for Education, (DfE), to describe the education provided by parents or carers at home, rather than providing education for their children by sending them to school. This is different from the education provided by a local authority otherwise than at a school – for example, tuition for children who are too ill to attend school.
- 2.2 Article 2 of Protocol 1 of the European Convention on Human Rights states: "No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions." ¹
- 2.3 This policy takes account of the DfE Elective Home Education guidance for local authorities, April 2019 and the Elective Home Education guidance for parents, April 2019.²

¹ European Convention on Human Rights: <https://www.equalityhumanrights.com/en/human-rights-act/article-2-first-protocol-right-education>

² DfE Elective Home Education Guidance: <https://www.gov.uk/government/publications/elective-home-education>

- 2.4 Whilst home education is not in itself a safeguarding issue, the policy has been developed in the context of the duty placed on local authorities to make arrangements to safeguard and promote the welfare of all children in Kirklees, (Section 175 of the Education Act 2002)³
- 2.5 The policy aims to achieve an appropriate balance between the rights of home educating parents and the responsibilities of the local authority.

3. The Law relating to Elective Home Education

- 3.1 Education is compulsory in England for children from the start of the term following the child's 5th birthday, until the last Friday in June of the academic year in which the child is 16. From June 2015, the raising of the participation age means young people are required by law to engage in education, employment or training until their 18th birthday, (Education and Skills Act 2008)⁴.
- 3.2 Parents have a legal duty, under Section 7 of the Education Act 1996⁵, to ensure their children receive efficient full-time education suitable to their age, ability and aptitude, and to any special educational needs which they may have, "either by regular attendance at school or otherwise". (The term "or otherwise" can mean 'at home')
- 3.3 The term "efficient" is defined as 'an efficient education, within the meaning of Section 7; one which achieves what it sets out to achieve'. This concept mustn't be confused with suitability. '*A wholly unsuitable education can be efficiently delivered – but would still be unsuitable*'⁶
- 3.4 The term "full-time" has no current legal definition. Children of compulsory school age normally receive around 4.5 – 5.0 hours of education a day, for about 190 days a year. However, when a parent home educates, there is often continual one to one contact; education may take place outside of 'normal school hours' and term time, and the type of educational activity can be varied and flexible.
- 3.5 The term "suitable education" is not defined in law, although it must fulfil the requirements outlined in 3.2. This means that it must be age-appropriate, enable the child to make progress according to his or her level of ability, and should take account of any specific aptitudes. There is an expectation that literacy and numeracy are learned, and the education should enable the child, when grown-up, to function as an independent citizen in the UK - and beyond

³ Section 175 of the Education Act 2002 <https://www.legislation.gov.uk/ukpga/2002/32/section/175>

⁴ Education and Skills Act 2008 <https://www.legislation.gov.uk/ukpga/2008/25/contents>

⁵ Section 7 of the Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/7>

⁶ Elective home education: Departmental guidance for local authorities 9.7 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791527/Elective_home_education_guidance_for_LAv2.0.pdf

the community in which he or she was brought up, if that is the choice made in later life by the child. Home education should not conflict with Fundamental British values. [Promoting fundamental British values through SMSC - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/362222/Promoting_fundamental_British_values_through_SMSC_-_GOV.UK.pdf)

- 3.6 Education at home may not be deemed suitable if it is delivered in circumstances that make it difficult to learn, (for example, in very noisy premises). This may affect its efficiency and whether it is 'received'. The education may also be deemed unsuitable if it leads to excessive isolation which impacts the child's social development, as per DfE guidance.
- 3.7 Local authorities have a legal duty under section 437 of the Education Act 1996 to act "if it appears" that a child of compulsory school age in their area is not receiving a suitable education.
- 3.8 In discharging our responsibilities in relation to home education, the LA bears in mind that it is subject to the Public Sector Equality Duty contained in s.149 of the Equality Act 2010.⁷

4. Parental Rights and Responsibilities

- 4.1 The responsibility for a child's education rests with their parents. In England education is compulsory, school is not.
- 4.2 Parents may decide to exercise their right to home educate their child from a very early age. Therefore, the child may not have been previously enrolled at school. They may also elect to home educate at any other stage up to the end of compulsory school age.
- 4.3 Parents are required to provide an efficient, full-time education suitable to the age, ability and aptitude of the child.
- 4.4 When parents elect to home educate, they assume full financial responsibility for their child's education, including the costs of private tuition, courses and public examinations.
- 4.5 When parents engage a third party, (for example, a tutor), to deliver part of their child's education, they are responsible for ensuring that the person is appropriately qualified and suitable, including Disclosure and Barring Service, (DBS), checks.⁸
- 4.6 Parents who choose to home educate their children may choose how they wish to do this. The type of educational activity can be varied and flexible. There are no legal requirements for parents educating a child at home to do any of the following:
 - teach the National Curriculum,
 - have a timetable,

⁷ Equality Act 2010 <https://www.legislation.gov.uk/ukpga/2010/15/section/149>

⁸ Disclosure and Barring Service <https://www.gov.uk/request-copy-criminal-record>

- have premises equipped to any particular standard,
- set hours during which education will take place,
- have any specific qualifications,
- make detailed plans in advance,
- observe school hours, days or terms,
- give formal lessons,
- mark work completed by the child,
- formally assess progress or set developmental objectives,
- reproduce school type peer group socialisation,
- match school-based, age-specific standards.

However, many home-educating families do many of these. Furthermore, it is likely to be much easier to show that the education provided is suitable if there is a breadth of the learning and content and the concepts of progression and assessment are incorporated into the child's learning. If home educating families do not do these, it should still be possible for a member of The EHE Team to determine that an efficient, full-time education is being provided.

5. Children's Rights

- 5.1 Article 2 of Protocol 1 of the European Convention on Human Rights states: "No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions."
- 5.2 In 2001, the [Committee on the Rights of the Child](#), the body of experts that monitors the implementation of the Convention, published a paper, (called a General Comment), that explains and elaborates on the right to an education.

General Comment 1 - Annex 9 states:

"article 29 (1) underlines the individual and subjective right to a specific quality of education."

Education must include not only literacy and numeracy but also life skills such as the ability to make well-balanced decisions; to resolve conflicts in a non-violent manner and develop a healthy lifestyle, good social relationships and responsibility, critical thinking, creative talents and other abilities which give children the tools needed to pursue their life options.

- 5.3 Electively home educated children are entitled to access all eligible childhood immunisations. In Kirklees, NHS childhood immunisation programmes are delivered by the Locala Immunisation Service. The EHE Team will forward information regarding immunisations on Locala's behalf at the appropriate times.

The Locala Immunisation Service can also be contacted directly: [Locala Immunisation Service](#) Or parents can contact their GP's practice for advice and guidance.

6. The Local Authority's (LA's) Responsibilities

- 6.1 The LA recognises that home educating parents adopt a rich and diverse range of approaches to home education and use a variety of philosophies and methods.
- 6.2 The LA's primary interest lies in the suitability of the provision which home educating parents make, not their decision for choosing to home educate.
- 6.3 If, however, it appears likely or possible that a parent may have chosen to home educate in response to, for example, a one-off incident at school, or as a means of avoiding particular issues - such as attendance or behaviour - this will be explored. The EHE Team will seek to ensure that the parent or carer is choosing to home educate for positive reasons, that they have not felt coerced, and that the decision to home educate is being made in an informed and considered way, and in the best interest of the child.
- 6.4 The LA has a statutory duty under section 436A of the Education Act 1996⁹, inserted by the Education and Inspections Act 2006¹⁰, to make arrangements to enable them to establish the identities, so far as it is possible to do so, of children residing in Kirklees of compulsory school age, who are not on a school roll and are not receiving suitable education otherwise than being at school.
- 6.5 The LA has a responsibility to enquire about what education is being provided, these are referred to as 'informal enquiries'.
- 6.6 Parents are under no duty to respond to such enquiries. But if a parent does not respond or responds without providing any information about the child's education, then it will normally be justifiable for the authority to conclude that the child does not appear to be receiving a suitable education.
- 6.7 A further statutory duty exists, which requires the LA to serve a formal notice under section 437 of the Education Act 1996 if it appears that a child of compulsory school age is not receiving a suitable education. The formal notice requires the parent to satisfy the LA that the child is receiving a suitable education. If the LA is not satisfied that the child is receiving a suitable education, and after attempting to support the parent with suggestions and recommendations with no success, the LA may commence the statutory process for the issue of a School Attendance Order, (SAO), requiring the parent to register the child at a named school. If the SAO is not complied with, the Order will be breached through the Magistrates Court.
- 6.8 Kirklees LA considers that the taking of the above measures shall be the last resort after all reasonable avenues have been explored to bring about a resolution of the situation. At any stage following the issuing of an Order, parents may present evidence to the LA, (or the court), that they are now

⁹ Section 436A of the Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/436A>

¹⁰ Education and Inspections Act 2006 <https://www.legislation.gov.uk/ukpga/2006/40/contents>

providing a suitable and appropriate education and apply to have the Order revoked.

- 6.9 LAs also have a duty under section 175 (1) of the Education Act 2002 to safeguard and promote the welfare of children. This section states: "A local authority shall make arrangements for ensuring that their education functions are exercised with a view to safeguarding and promoting the welfare of children." Home education is not in itself a safeguarding issue.

7. School and Academy Responsibilities

- 7.1 The Education (Pupil Registration) Regulations 2006 as amended in 2016, set out the grounds under which a pupil's name is to be removed from the admissions register of a school. Regulation 8(1)(d) states that a pupil's name is to be deleted if:

"He has ceased to attend the school and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school."

- 7.2 If parents have notified the school of their intention to educate their child at home, they are under no obligation to inform the LA. This responsibility falls on the school, (including independent schools). The school must report the deletion within 5 days of the pupil's name being deleted from the register.

- 7.3 The school must inform the LA by submitting an online EHE notification and attach a copy of the letter/email that parents have written to request deregistration: <https://kirkleesbusinesssolutions.uk/Page/13204>

- 7.4 If a child is registered at a school as a result of a School Attendance Order, the parents must have the order revoked by the LA - on the grounds that the arrangements have been made for the child to receive suitable education otherwise than at school - before the child can be removed from the school roll and educated at home.

- 7.5 Departmental guidance for LAs - April 2019 (10.4) - makes it explicit that:

"Schools should not seek to persuade parents to educate their child at home as a way of avoiding an exclusion or because the child has poor attendance or other known issues. In the case of exclusion, they must follow the statutory guidance. If the pupil has a poor attendance record, the school must seek to address the issues behind the absenteeism and use other remedies available to them."

- 7.6 There is no legal requirement for parents to discuss home education with the school. However, if a parent does approach the school to discuss the possibility of home educating, Kirklees Council expects the school to respond positively and constructively and signpost the family to the Kirklees Council Elective Home Education policy. If parents are considering home education

because of a dispute with the school, the LA expects the school to take all necessary steps to resolve the issue.

The school should signpost the parent to The EHE Team for further advice and guidance to enable them to make an informed choice. A school's response to parent's requests to EHE is likely to be scrutinised by the LA. It will capture data of this nature and share it with education partners including Ofsted as necessary.

- 7.7 The school is responsible for raising any safeguarding concerns relating to a child directly with Kirklees Council Children's Services as soon as possible. Home Education is not, in itself, a safeguarding concern.

8. Elective Home Education and Safeguarding

- 8.1 The welfare and protection of all children, both those who attend school and those who are educated at home, is of paramount concern and the responsibility of parents and the whole community. Section 175 of the Education Act 2002 imposes a duty on the LA to make arrangements for ensuring that the functions conferred on them are exercised to safeguard and promote the welfare of all children residing in Kirklees.
- 8.2 Under Section 175 of the Children Act 2002, the LA has a general duty to safeguard and promote the welfare of all children. The LA has powers to enable it to insist on seeing children to enquire about their welfare where there are grounds for concern. Such powers, however, do not give the LA the right to see and question children who are being home educated to establish whether they are receiving a suitable education.
- 8.3 The EHE Team will follow Kirklees Safeguarding Children Partnership, (KSCP), procedures at all times. The LA will work with parents and relevant partner agencies to proactively safeguard and promote the welfare of children.¹¹
- 8.4 The 2019 Guidance clarifies that "where necessary - because it is evident that a child is simply not receiving a suitable education at home and the use of school attendance powers is not achieving a change in that situation - the local authority should be ready to use its safeguarding powers", (as explained in the 2019 Guidance). The overriding objective in these cases is to ensure that the child's development is protected from significant harm.
- 8.5 Parents may choose to employ other people to educate their child(ren), though they will continue to be responsible for the education provided. They will also be responsible for ensuring that those with who they engage are suitable to have access to children. Parents may therefore wish to satisfy themselves by taking up appropriate references and/or by requesting a potential tutor to consent to a Disclosure and Barring Service, (DBS), check.¹²

¹¹ Kirklees Safeguarding Children Partnership <https://www.kirkleessafeguardingchildren.co.uk/>

¹² Disclosure and Barring Service <https://www.gov.uk/request-copy-criminal-record>

8.6 This policy seeks to build constructive relationships with home educators and provide a means to effectively protect the educational and safeguarding interests of children being electively home educated where vulnerabilities are identified.

9. Elective Home Education and Special Educational Needs

9.1 Parents' right to educate their child(ren) at home applies equally where a child has special educational needs, (SEN). (See Section 319 of the Education Act 1996). This right is irrespective of whether the child has an Educational Health Care Plan, (EHCP)¹³

9.2 If the child attends a special school, the school must inform the LA before the child is deleted from the school roll and the LA will need to consider whether elective home education is suitable before amending the EHCP. The child's name will remain on the school roll until the LA gives consent for the child to be de-registered.

9.3 LA consent for removal from a school roll is not required for children with an EHCP who are registered at a mainstream school. Where parents elect to home educate a child with an EHCP who is registered at a mainstream school, the school will remove the pupil from the roll in the same way as children who do not have an EHCP. Parents should submit a letter to the school indicating their intention to home educate. Following receipt of written confirmation from the parent that educational provision is being made, the school should remove the child from the school roll.

9.4 It remains the LA's duty to maintain an EHCP, to review it annually and ensure that the child's needs are met through elective home education, following procedures set out in the SEN Code of Practice.

9.5 Where the LA is satisfied that the child's parents have made suitable arrangements, it does not have to name a school in the EHCP - though it should state the type of school it considers appropriate and go on to state that "parents have made their own arrangements under section 7 of the Education Act 1996".

9.6 A parent who is educating their child at home may ask the LA to carry out a statutory assessment of their child's special educational needs and the LA must consider the request within the same statutory timescales as for all requests: [Kirklees Local Offer](#)

¹³ Kirklees Local Offer <https://www.kirklees.gov.uk/beta/local-offer/the-local-offer.aspx>

10. The Elective Home Education Service

10.1 Elective home education duties sit within the Children Services Directorate.

10.2 Kirklees Council will ensure that dedicated EHE Officers access relevant training and network opportunities regarding EHE practice, safeguarding, health and safety and other relevant procedures and practices relevant to their EHE duties.

10.3 Kirklees Council embraces diversity and respects individual choice, and recognises parents of all educational, social, racial, religious and ethnic backgrounds successfully educate children outside the school setting.

10.4 The EHE Team provides support in the form of:

- providing advice and guidance to parents considering or are new to EHE.
- signposting to resources and services.
- publishing information about EHE that is clear, accurate and sets out the legal position, roles, and responsibilities of both the LA, schools, and parents.
- seeking to mediate between schools and potential EHE families when the relationship has broken down and parents feel obliged to withdraw their child.
- offering a variety of support options to the family - if needed - from Kirklees Children's Services and their partners, including Early Support Services and C + K Careers.
- promoting positive relationships with elective home educating families based on mutual understanding, respect, and trust to safeguard the educational interest of children.

11. Complaints Procedure

Kirklees Council seeks to work in partnership with parents who choose to home educate their children and to develop good working relationships. However, if a complaint should arise, in the first instance, contact should be made with The EHE Team by telephone, email or in writing to the Service Manager:

Elective Home Education Team
Kirklees Council
Red Doles Lane
Huddersfield
HD2 1YF

Tel 01484 221919

Email: eheteam@kirklees.gov.uk

Kirklees – Elective Home Education

Information for Parents

September 2021

Elective Home Education

Kirklees Council is committed to supporting parents and carers who choose to educate their child(ren) outside the school system and fully respects their right to do so.

This guidance aims to explain your parental responsibility and the Kirklees EHE Team procedures regarding home education, and to offer advice to parents or carers who are, or who are considering, electively home educating their child.

Further information regarding home education can be found on our website.¹⁴

¹⁴ Kirklees website <https://www.kirklees.gov.uk/beta/schools/elective-home-education.aspx>

Key considerations before choosing to Electively Home Educate

Some points to consider before making a decision:

How you can prepare for your child's learning before making a decision.

Research a range of approaches and learning styles. Would you want to involve others to provide additional teaching support? Explore local activities/groups etc. and consider opportunities for social contact with other children.

The potential costs involved.

There is no funding available from the government for home educating families and therefore you must meet the costs of your child's education yourself. For example: providing appropriate resources, opportunities for educational visits, access to activities with other children their age and other adults, and exam fees.

Keeping your options open.

Your child's needs change at different ages and stages. If you decide not to continue with home education and would like your child to attend a school, The EHE team will offer to support you in finding a school place.

If you decide to deregister your child.

If you deregister your child and then change your mind, Kirklees Council is unable to guarantee that your child could return to the same school. Bear in mind the pressure on school places in your area¹⁵; local schools may not have places available¹⁶.

If you have a difficulty or a disagreement with your child's current school.

You may wish to contact a member of the school staff to try and resolve the difficulties before removing your child from the school roll. You may decide to consider other local schools for your child. We would also encourage you to contact The EHE team to discuss the situation where we may be able to offer support to resolve any issues.

¹⁵ Pupil Admissions [Schools and education| Kirklees Council](#)

¹⁶ Primary and Middle Schools Admissions <https://www.kirklees.gov.uk/beta/admissions/apply-primary-school-place.aspx>
Secondary Schools Admissions <https://www.kirklees.gov.uk/beta/admissions/apply-secondary-school-place.aspx>

The responsibility you have for your child's education.

As a parent you have a legal duty, as set out in section 7 of the Education Act 1996, to ensure that your child receives "efficient full-time education suitable to:

- age, ability and aptitude,
- and any special educational needs, either by regular attendance at school or otherwise", (otherwise can mean "at home")

Compulsory full-time education.

The law requires a child to be educated from the start of the school term following their fifth birthday until the last Friday in June in the school year in which a child reaches sixteen¹⁷. From June 2015, the raising of the participation age means that young people are required by law to engage in education, employment or training until their 18th birthday¹⁸. Home education is a legal option post 16 just as it is for under 16s.

Frequently Asked Questions

Do I have to educate within school terms and times?

Education at home can be flexible. You can decide how to organise your child's education across the day, week and month. The length of time a child should be involved in learning each week is not specified in law, but as guidance, children in school spend between 22 and 25 hours per week at school, for 38 weeks a year.

Who do I inform if I decide to educate my child at home?

- If your child is registered at a school, you must inform the Head Teacher in writing.
- If your child has an Education, Health and Care Plan you must inform the Head Teacher in writing. If your child attends a special school the consent of the LA must be obtained before your child's name is removed from the school roll. The school will liaise with the Special Educational Needs and Disability Assessment and Commissioning Team, (SENDACT), to ensure appropriate procedures are followed.
- If your child is not on roll at a school, you are under no specific duty to inform Kirklees Council of your decision to home educate. If you would like to contact The EHE Team, we would welcome hearing from you, so that we can introduce ourselves and discuss any queries you may have.

¹⁷ 8 (2) <https://www.legislation.gov.uk/ukpga/1996/56/part/II/chapter/II/crossheading/compulsory-education>

¹⁸ Education and Skills Act 2008 <https://www.legislation.gov.uk/ukpga/2008/25/contents>

What is the role of Kirklees Council, (the Local Authority), in Elective Home Education?

Local authorities have a statutory duty under section 436A of the Education Act 1996¹⁹, to make arrangements to enable them to establish, so far as it is possible to do so, of children in their area who are not receiving a suitable education at school or otherwise (for example at home, privately or in alternative provision). Therefore, whilst local authorities have no statutory duties to monitor the quality of home education on a routine basis, Kirklees LA will ask parents to provide information to demonstrate their child is receiving an efficient and suitable education.

A further statutory duty exists, which requires Kirklees Council to serve a formal notice under section 437 of the Education Act 1996²⁰ if it appears that a child of compulsory school age is not receiving a suitable education. The formal notice requires a parent to satisfy Kirklees LA that their child is receiving a suitable education within a specified time. If Kirklees LA is not satisfied that a child is receiving a suitable education, then we may commence the statutory process for the issue of a School Attendance Order, (SAO), requiring the parent to register their child at a named School.

What information can I provide to demonstrate a suitable education?

There is no acknowledged 'correct way' to provide an education at home. Below are some examples of the sort of information you may be able to provide to demonstrate that your child is receiving a suitable education. These are not exhaustive and may not be relevant to the style of home education you chose to adopt, and you may wish to provide other information that demonstrates a suitable education. For instance, the aims and objectives of the education you are planning may be:

- based upon an educational belief or philosophy,
- to prepare your child for specific exams,
- to keep up with the National Curriculum, (e.g. while you are seeking a school place)

Although the National Curriculum is optional for home educators, you may choose to cover subject or topic areas such as:

- Literacy (English)
- Numeracy (Maths)
- Science
- ICT (Computers, etc.)
- Design and Technology (including cooking, textiles, etc.)
- Art
- History
- Geography

¹⁹ Section 436A Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/436A>

²⁰ Section 437 Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/437/1999-08-31>

- Religious Education
- Personal, Social and Health Education (including an awareness of Prevent and Child Sexual Exploitation)
- Citizenship
- Music
- Foreign Languages
- Any other subjects or areas of study, including those not included in the National Curriculum

How your child might spend their day, for example:

- The number of hours a day week you are available to help your child
- The resources you will be using
- The sorts of activities your child will be engaged in
- How you will encourage contact with other children
- Any tutors used, or classes your child attends

How you will know that your child is making progress. How your methods and resources are achieving your aims.

- Increased knowledge and ability
- Your child is happy and confident
- Your child is stimulated and engaged in learning

Support available to you:

- A description of any support or advice that will be available to assist you with your programme
- Others who may be able to help, (friends, family etc.)
- If you are aware of any local support groups that may be able to help you

How will Kirklees Council decide if the education I am providing is suitable?

A member of The Elective Home Education Team will contact you to make informal enquiries regarding the education you are providing, or intend to provide, for your child, to offer any advice required, and to try to answer any questions you may have.

EHE staff recognise and understand the range of approaches and philosophies which home educating families may use and that there are many approaches to educational provision. The information you provide will vary depending upon the style of education, and may include:

- your education philosophy,
- resources you are providing or how you intend for your child to access resources, suitable to their age, ability and aptitude and to any special needs which they may have,
- how you will assess your child's progress,

- how you intend to integrate the core subjects of English, (Literacy), Mathematics, (Numeracy), and IT into your arrangement,
- any arrangements for public examinations where appropriate,
- how you will meet any special educational needs your child may have,
- recognition of your child's aptitudes and aspirations,
- how you will provide social experiences to help your child develop,
- how your home is suitable for undertaking learning, in terms of noise, space and general environment.

When home education provision appears to be suitable, we will keep our involvement in your home education to a minimum and contact you annually for an update, unless we have agreed to contact you sooner. Or you can also contact The EHE team at any point.

If The EHE Team believes the education does not appear to be full-time, efficient and/or suitable, they will talk this through with you and offer suggestions and recommendations. Follow-up contact will be arranged to discuss the progress.

If following attempts to make improvements, it appears your child's education is unsuitable; formal steps will be taken to ensure your child receives a suitable education, this could be through the use of a School Attendance Order²¹.

Please see Appendix A - 'School Attendance Order flowchart'.

If we do not receive a response to our informal enquiries regarding the home education provision, we will conclude from the absence of any response that it appears your child is not receiving a suitable education.

What if my child has an Education, Health and Care Plan?

All parents, including the parents of children with special educational needs, have an equal right to educate their child at home. However, if a child has an Education, Health and Care Plan (EHCP), Kirklees Council continues to have a duty to ensure that the child's special educational needs are met.

Kirklees Council will work in partnership with parents to ensure that suitable arrangements are in place to meet the child's special educational needs. However, parents should be aware that they have a duty to provide their child with an efficient, full-time education suitable to the age, ability and aptitude and to any special educational needs the child may have, in line with section 7 of the Education Act 1996²², whilst Kirklees Council has a duty:

- to maintain the child's plan,
- to review the plan annually,
- To decide whether the plan's contents are appropriate or whether the plan should remain in place.

²¹ School Attendance Orders [Education Act 1996 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

²² Section 7 Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/7>

At the annual review of a child's EHCP, the Special Education Needs and Disability Assessment and Commissioning Team, (SENDACT)²³, on behalf of Kirklees Council will consider the child's progress and whether any changes are needed to the plan. Parents are always invited to attend the annual review meeting to ensure that the Local Authority can develop as full a picture as possible of the child's progress and to help identify any changes that may be needed²⁴.

In addition, a parent who is educating a child at home may ask Kirklees LA to carry out a statutory assessment of their child's special educational needs. The LA must consider the request within the same timescales as the requests that it receives from any other parent.

When the parents of a child with an Education, Health and Care Plan decide to withdraw them from a mainstream school to educate them at home, the LA will ask the parents how they intend to meet the child's special educational needs outside the school setting. If Kirklees LA is satisfied that the educational provision is suitable, it will amend the EHCP to specify the type of school it considers appropriate for the child and add that "the parents have made their own arrangements under section 7 of the Education Act 1996"²⁵.

Can I educate my child part-time at home and part-time at school?

This is known as flexi-schooling. Parents can ask a school to consider a flexi-schooling arrangement. The agreement is at the discretion of the Head Teacher. There is no duty on a school to provide flexi-schooling. For further information, please refer to the flexi-schooling guidance.

Can my child still take GCSEs and other examinations?

Yes, exams can be taken as a private candidate. As the parent, you will need to find a registered centre at which your child may take the examinations. It would be advisable for you to also contact individual examination boards to discuss the arrangements for private candidates. You will have to pay for any examination registration fees, examination centre fees and assessment of coursework by an accredited person/body.

A range of apprenticeships and work-based learning programmes are available to young people with GCSE qualifications. They are also required for many college courses. Alongside qualifications like 'A' levels and National Diplomas, universities often require GCSEs, particularly in English and Mathematics, (Grade 4 and above). Once a pupil is 16 years of age, they can enrol in a wide range of adult courses

²³ SENDACT <https://www.kirklees.gov.uk/beta/special-education/about-special-educational-needs.aspx>

²⁴ Kirklees Local Offer <https://www.kirklees.gov.uk/beta/local-offer/the-local-offer.aspx>

²⁵ Section 7 Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/7>

including A/AS level examinations. The Open University is a good source for a range of study²⁶.

Will my child be entitled to careers advice?

Yes, impartial advice is offered to all young people through C+K Careers²⁷. You will be provided with detailed information about post 16 options when your child is year 11 age. Careers Advisers are available to help you understand choices and make applications. Parents can access careers and progression advice at any point during their child's education by contacting C+K Careers. The service is available to all young people up to the age of 19.

Can I use private tutors or send my child to an out of school setting to supplement my child's education?

Yes, you can but Kirklees Council urges you to consider the importance of ensuring your child is effectively safeguarded. The current guidance document, 'Elective Home Education – Guidance for Local Authorities', states:

“Parents may choose to employ other people to educate their child, though they themselves will continue to be responsible for the education provided. They will also be responsible for ensuring that those whom they engage are suitable to have access to children. Parents will therefore wish to satisfy themselves by taking up appropriate references such as an appropriate Disclosure and Barring Service, (DBS)²⁸, check and local authorities should encourage them to do this”

Similarly, if you wish to use another educational setting, you should check that it meets all required health and safety standards. If the setting your child attends is providing full-time education to five or more students of statutory school age, or one pupil with an Education Health and Care Plan, or to one pupil who is Looked After, (in the care of the Local Authority), they should be registered as an Independent School²⁹. If they are not registered they may be operating illegally and we would advise you to inform us immediately.

²⁶ Apprenticeships <https://www.gov.uk/topic/further-education-skills/apprenticeships>

²⁷ C+K Careers <https://ckcareersonline.org.uk/>

²⁸ Disclosure and Barring Service <https://www.gov.uk/government/organisations/disclosure-and-barring-service>

²⁹ Independent Schools https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690495/La_Guidance_March_2018.pdf

Useful contacts

Kirklees EHE Team
EHEteam@kirklees.gov.uk
01484 221919, (Ask for the EHE team)

C+K Careers
High Street, Huddersfield, HD1 2LR
01484 213856
Website <https://ckcareersonline.org.uk/>

Qualifications and exam boards
JCQ (Joint Council for Qualifications)
Ground Floor, 4 Millbank,
London SW1P 3JA
Tel 020 7638 4132
Website www.jcq.org.uk
E-mail info@jqc.org.uk

AQA (North)
Address Devas Street, Manchester M15 6EX
Tel 0161 953 1180
Website www.aqa.org.uk

City & Guilds
Address 1 Giltspur Street, London EC1A 9DD
Tel 020 7294 2800
Website www.cityandguilds.com

Edexcel
Address 190 High Holborn, London WC1V 7BH
Website www.edexcel.com

OCR
Address Syndicate Buildings, 1 Hills Road, Cambridge CB1 2EU
Tel 01223 553 998
Website www.ocr.org.uk

Education advice

Advisory Centre for Education - independent advice for parents on education issues:
<http://www.ace-ed.org.uk/>

Department of Education - responsible for education and children's services in England:
[Department for Education - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Education Otherwise - a UK charity offering information and support to families providing home education:
<https://www.educationotherwise.org/>

Home Education Advisory Service - advice and practical support for families who wish to educate their children at home:

<https://www.heas.org.uk/>

National Curriculum - sets out the programmes of study and attainment targets for all subjects at all 4 key stages:

[National curriculum - GOV.UK \(www.gov.uk\)](https://www.gov.uk/national-curriculum)

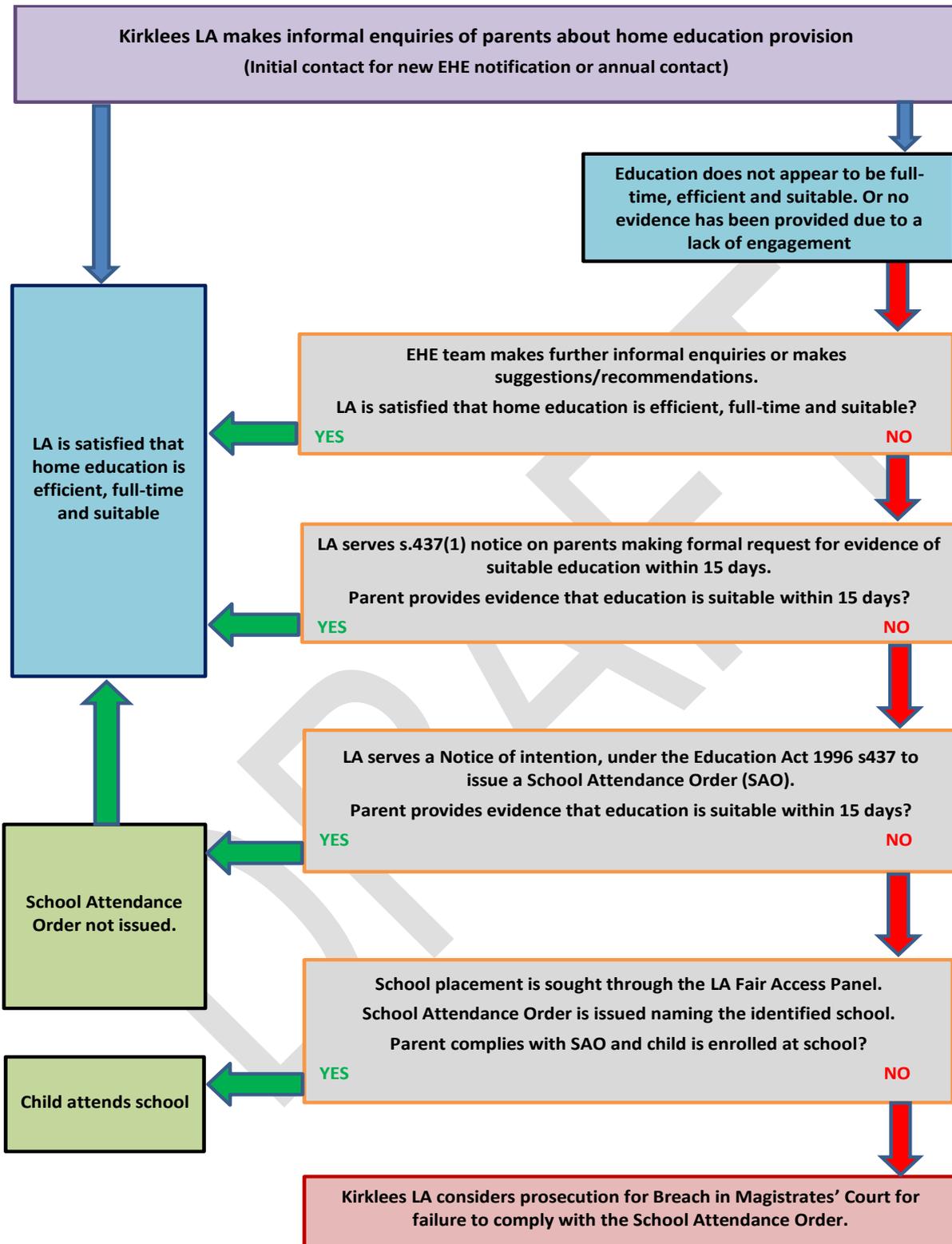
IPSEA – Independent provider of special education advice:

<https://www.ipsea.org.uk/>

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Appendix A

Flow Chart of Local Authority Actions in Home Education Cases



Flexi-schooling

Guidance for Schools and Parents

September 2021

DRAFT

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1. Flexi-schooling

What is flexi-schooling?

Flexi-schooling describes an arrangement between the parent and school where children are registered at the school in the usual way but attend school part-time. For the rest of the time, the child is home educated.

Unlike full-time home education, any agreement between parents and a school for the child to be flexi-schooled is at the Head Teacher's discretion. Flexi-schooling can be a long-term arrangement or a short-term measure for a particular reason. The child will be required to follow the National Curriculum whilst at school, but not whilst they are being educated at home.

There may be many reasons why parents may want to arrange flexi-schooling for their children, for example:

- illness,
- a desire to home educate while making use of the school for some subjects,
- school phobia/refusal,
- allowing time for a special ability, such as music, sport etc.,
- a phased return to school after an absence for some reason.

Flexi-schooling is also different from a temporary reduced timetable. Reduced timetables are put in place on an exceptional basis for a time-limited period for circumstances such as medical intervention or to meet a pupil's individual needs. For more details on this please see Kirklees Reduced Timetables Guidance for Schools: <http://kirkleesbusinesssolutions.uk/Page/13204>

The responsibility for setting up and monitoring the suitability of the flexi-schooling agreement lies with the school and not the Local Authority.

The decision to undertake flexi-schooling should only be considered if there are positive reasons for doing so and where all parties agree that such an arrangement is in the best interests of the child.

2. Government Guidance

There is no legislation or case law that either forbids or authorises flexi-schooling. Parents are under a legal duty to ensure that any child of compulsory school age receives full-time education which is suitable to their age, ability, aptitude and any special educational needs that they may have, either by regular attendance at school or otherwise.

3. How a Request for Flexi-schooling Should be Made

Arrangements for flexi-schooling can only be made at the request of a parent or carer with parental responsibility.

If a parent/carer is interested in making a flexi-schooling request, the Head Teacher of the child's actual or prospective school should be contacted so that the proposal may be considered.

Parents do not have a legal right to have a flexi-schooling arrangement. Flexi-schooling is an arrangement between the school and the parent of a registered pupil and is entered into at the complete discretion of the Head Teacher.

The Governing Body may be involved in agreeing and reviewing a general approach to requests for flexi-schooling, but this does not exempt the Head Teacher from the need to consider each request individually. The whole Governing Body should not become involved in individual cases and cannot overturn a Head Teacher's decision.

There is no right of appeal against the decision of a Head Teacher not to agree to a flexi-schooling request.

4. Recording Flexi-schooling on Attendance Registers

Schools must mark the register code C, (authorised absence), where pupils are home educated during school hours. It is not appropriate to mark this time as 'approved off-site activity' as the school has no supervisory role in the child's education at such times and has no responsibility for the welfare of the child while he or she is at home.

Some schools have expressed concern that such absence may have a detrimental effect on Ofsted inspections. This is not necessarily the case; some schools with significant flexi-schooling numbers have had good outcomes from Ofsted inspections. <https://hollinsclough.staffs.sch.uk/flexi-schooling/>

Schools which have flexi-schooled pupils should be ready to discuss with Ofsted inspectors the arrangements they have in place to deal with the requirements caused by such pupils. Schools are held to account through inspection for the performance of pupils, and that will include any who attend the school as part of a programme of flexi-schooling.

5. Funding/Admissions

Children who attend part-time under a flexi-schooling arrangement are funded in the same way as pupils attending school full-time.

Children who attend part-time under a flexi-schooling arrangement are subject to the same school admission processes as other children and are counted in the same way as a child who attends full-time.

Flexi-schooled children are included in census count returns as for other children.

6. Flexi-schooling agreement

In all cases where flexi-schooling is agreed upon, it is recommended that the school has a written agreement with the parents/carers so that expectations and arrangements are clear for both parties. Such an agreement is likely to include:

- the normal expected pattern of attendance at school and the initial term of the agreement,
- the rationale for why the flexi-schooling arrangement is in the best interests of the pupil concerned,
- procedures for flexibility around special events which fall outside the normal arrangement,
- that the school will follow up any unexpected or unexplained absence in the same way as it does for other children, following the First Day calling procedures,
- details of what areas or subjects will be studied at home, or away from the school site and what areas or subjects will be taught in school,
- details of how the pupil will be assessed and arrangements for public assessments and examinations,
- an agreement that if the parent/carer chooses to employ other people to educate their child at home, they will be responsible for making sure that those whom they engage are suitable to have access to children, (through DBS checks), and will be responsible for meeting all costs related to this decision,
- details of any special educational needs and associated provision,
- arrangements for regular planning and review meetings between parent/carer and school to ensure the child achieves his/her potential and to promote good home/school relationships,
- how often and under what circumstances full reviews of the flexi-schooling arrangements will be carried out,
- confirmation that the school will notify Kirklees Council of the agreement, and of any concerns it may have about the suitability of the education being provided at home. Kirklees Council will also be informed, in advance, if the flexi-schooling arrangement is to be withdrawn and/or termination of the agreement.
- clarity about the circumstances under which and with what notice either party can withdraw from the arrangement.

If a parent refuses to sign the flexi-schooling agreement, then it must be made clear to the parent that the school will not enter into flexi-schooling arrangements. Similarly, if the parent fails to follow the terms of the agreement, the school must inform the parent that the flexi-schooling arrangement will be discontinued. The child is then required to attend school on a full-time basis - unless the school receives written notification from the child's parent that they have chosen to withdraw the child from school to home educate their child. The school will inform Kirklees Council of this decision to ensure the child is receiving a suitable education.

7. National Curriculum/SATs

The National Curriculum applies to the school-based part but not necessarily the non-school based part. In law, the National Curriculum does not apply to the non-school

based part of the education of a flexi-schooled child unless this was part of the arrangement/agreement between the school and the parent.

SATs are a statutory requirement for schools, so the normal rules apply, and the child will be expected to sit them all.

8. Children with an Education Health Care Plan, (EHCP)

Where a child has an Education Health Care Plan, (EHCP), the decision to flexi-school must be taken in conjunction with the Special Educational Needs and Disability Assessment and Commissioning Team, (SENDACT). Where flexi-schooling is agreed for a child with an EHCP, this should be recorded on the plan and progress monitored through the usual annual review process. It is not necessary to wait for the EHCP amendments to be made before the agreed flexi-school arrangement can commence.

There needs to be a clear agreement of how the Special Educational Needs provision will be provided for a child who is not attending on-site for all school sessions. It is strongly recommended that those children with a flexi-schooling arrangement have their EHCPs reviewed on a more regular basis than for those attending school full-time. This will ensure they are making full and effective progress towards their objectives or outcomes.

9. Safeguarding

The safeguarding of any child should always be of paramount importance. Therefore, any decisions should be taken with any known and existing safeguarding concerns in mind. Where a child attends another setting on those days when not in school, it is incumbent on the parent to ensure the adequacy of the safeguarding arrangements in operation at this setting. The Head Teacher should, however, still act in response to any concerns that arise and follow the schools normal safeguarding procedures.

10. In conclusion

The decision to embark upon a period of flexi-schooling should never be taken lightly. It should only be considered when the reasons for doing so are entirely positive. A parent/carer must be confident that he or she can meet the educational needs of the child fully and a school must understand and accept the fact that, if arrangements are agreed upon, the school will retain the responsibility for the child's progress. It has been shown that such arrangements, kept under review, can work well.



Name of meeting: Cabinet

Date: 5th October 2021

Title of report: Learning Strategy - *Our Kirklees Futures*

Purpose of report: To present *Our Kirklees Futures* - the Kirklees Learning Strategy. To summarise its co-production and development and outline the future strategic approach to learning in Kirklees. The report requests approval for the Council to adopt the strategy and seeks delegated authority to progress with our key strategic partners the implementation and planned delivery of activity in line with proposed timelines and governance.

| | |
|--|--|
| <p>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</p> | <p>Yes</p> <p>If yes give the reason why More than two wards.</p> |
| <p>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u></p> | <p>Key Decision – Yes</p> <p>Private Report/Private Appendix – No</p> |
| <p>The Decision - Is it eligible for call in by Scrutiny?</p> | <p>Yes</p> |
| <p>Date signed off by <u>Strategic Director</u> & name</p> <p>Is it also signed off by the Service Director for Finance?</p> <p>Is it also signed off by the Service Director for Legal Governance and Commissioning?</p> | <p>Jo-Ann Sanders on behalf of Mel Meggs DSC –24/09/21</p> <p>Eamonn Croston – Service Director for Finance – 21/09/21</p> <p>Karl Larrad on behalf of Julie Muscroft – Service Director for Legal, Governance and Commissioning – 24/09/21</p> |
| <p>Cabinet member portfolio</p> | <p>Cllr. Carole Pattison – <i>Portfolio holder for Learning, Aspiration and Communities</i></p> <p>Cllr Viv Kendrick – <i>Portfolio holder for Children's Services</i></p> |

Electoral wards affected: All

Ward councillors consulted: No

Public or private: Public

Has GDPR been considered? Yes – no individuals identified in the report

1. Summary

1.1. *Our Kirklees Futures* outlines the collective vision for the future of learning in Kirklees. It captures the key messages, priorities, and approaches to make that vision a reality and provides a roadmap for all children and young people in Kirklees to achieve their potential and realise their ambitions. The full strategy is attached in Appendix 1.

1.2 We are highly ambitious and aspirational for all our learners. Our collective efforts will mean that by 2030, Kirklees is a place where children and young people have the best start in life and are:

Safe

Children and young people in Kirklees are safe and feel safe from harm, benefitting from nationally recognised exceptional safeguarding practice.

Healthy

Children and young people live healthy lifestyles and maintain these into adulthood.

Achieving

All learners across Kirklees make outstanding progress, access a high performing education system, and achieve well in external examinations. They enjoy a curriculum offer that celebrates cultural, creative, sporting, and social pursuits that are amongst the best in the country.

Gaps in achievement for those deemed disadvantaged or with additional needs are significantly and consistently reduced, with inequalities addressed.

Happy

Children and young people report that they are happy and optimistic for and about their future.

Attending

Attendance across our education system is higher than national average, with all Kirklees learners able to access their local school, setting or college.

And that the system itself is:

Fully inclusive:

There is no need to use permanent exclusion in Kirklees because learners, families and schools are supported in a timely and effective way

Sustainable:

The education, learning and employment infrastructure will work towards being carbon free and actively promotes understanding of the science of climate change.

1.3 *Our Kirklees Futures* seeks to co-create an equitable, highly achieving education system. The firm ambition is that our innovative, system-led approach is unique to our district and will drive better outcomes for all children and young people.

2. Information required to take a decision

- 2.1.** *Our Kirklees Futures* is a system-led, collaborative approach to improving outcomes, inspiring learners, raising, and realising aspirations and ensuring that Kirklees is a centre of teaching and learning excellence across the lifelong learning journey.
- 2.2.** The responsibility for school improvement sits with the individual schools, colleges, settings, and academy trusts. However, collaboration across the wider Kirklees community will further strengthen provision and is linked to the findings of soundly reviewed research nationally and internationally.
- 2.3.** Co-produced with a huge variety of partners and system leaders and reflective of our shared values, *Our Kirklees Futures* will drive a long-term strategy to bring together the entire commonwealth of Kirklees to support all its learners and those that work with them.
- 2.4.** The full appended *Our Kirklees Futures* document sets out the priorities, values and 'obsessions' that will drive forward the learning system
- 2.5.** From engagement, three 'obsessions' emerged that would be our areas of relentless focus. Our agreed obsessions are designed to guide the approach and ensure that all learners are at the heart of *Our Kirklees Futures*.
- **Inclusion** – children, young people and all learners of all backgrounds learn and grow side by side, to the benefit of all
 - **Resilience** – a system where everyone has the ability and support to overcome adversity
 - **Equity** – everyone gets the support they need
- 2.6.** These obsessions represent the focus of system-wide activity over the next decade and will be used to guide and measure the impact of future commissioning and improvement activity.
- 2.7.** *Our Kirklees Futures* is not the end but rather the beginning of our journey. It sets out the direction of travel as to how we will achieve our ambition and the principles that underline the approach. It provides a starting point from which to continue to work collaboratively and to assess impact. It states where we want to be by 2030 and will drive the activity to get us there. We will plan, do, and review at every juncture to ensure our children and young people are receiving what they deserve – the very best our collective system can achieve. Recovery from Covid 19 sits within the document as a necessary beginning to our long term aims.

BACKGROUND

- 2.8.** Kirklees Futures Commission was established to create a long-term strategic plan for education, learning and skills for Kirklees. On Friday 12th March 2021, Kirklees Children's Ambition Board met to develop the brief and agreed several clear recommendations that were subsequently passed forward to the commission by the Director of Children's Services.
- 2.9.** Representatives from the early years, schools, post 16 provision, alternative and specialist provision as well as the wider partnership have been involved at every level of the development of the strategy, and a central element *Our Kirklees Futures* is a commitment for everyone to work together on long-term actions to meet our shared goals. This will inevitably have an impact on how we invest and focus work to meet key outcomes, with all elements of the lifelong learning system working together to address shared challenges.
- 2.10.** Future improvement and action plans for each strand will sit alongside the learning strategy and will be entirely in keeping with its vision, values, and obsessions, and will continue to inform work across the system for the next decade.

OPTIONS

- 2.11.** The appended *Our Kirklees Futures* strategy presents a range of recommendations for the broader system to adopt. The co-produced and collaborative approaches developed throughout the strategy will continue, providing a range of future options for the broader system as well as the Local Authority to assess.

COST BREAKDOWN

- 2.12.** There are no specific costs identified in the learning strategy, however adoption of its principles and goals may mean future investment, particularly in keeping with its commitment to up-stream investment in Early Years to improve outcomes later in the system. The commitment to collaboration within the strategy may also suggest a developing approach to joint commissioning in future. We will actively seek opportunities for external sources of funding wherever possible.

TIMESCALE

- 2.13.** '*Our Kirklees Futures*' sets out clear timescales for implementation and evaluation of the learning strategy. Its core phases are:
- Phase One - Autumn 2021
 - Medium Term - 2022- 2025
 - Long Term - 2025 – 2030
- 2.14.** Phase One involves maintenance and development of working groups and relationship building, as well as clear development of aligned plans and work streams.
- 2.15.** The medium-term phase focuses on system alignment and embedding of modern technologies, data sharing and methods of working. It also involves formalising a 'Kirklees Behaviour Charter' for adoption by all professionals to hold the system and each other to

account. It will place children and young people and their families at its heart with key values of collaboration, respect, and restorative approaches.

- 2.16.** The longer-term phase envisions a learning strategy that is firmly embedded, with co-commissioned activity, clear methods of evaluation and excellent system join-up, leading to larger strategic and ambitious projects – however these will not be known until the medium phase. However, it is important to recognise that the learning strategy is a long-term project with a clear 2030 destination.

EXPECTED IMPACT, BENEFITS and RISKS

- 2.17.** Adoption and development of the *Our Kirklees Futures* strategy will have a significant impact on education and the life chances of children and young people. Some performance indicators are measurable – for example we expect to see improved attainment and progress measures in all schools and settings, increasing attendance, and a declining number of exclusions in the medium and long term. Other measures are more qualitative and will be evaluated through various methods such as learner voice surveys, case studies and partner feedback.

- 2.18.** Given the scope and ambition of the strategy, *Our Kirklees Futures* will impact upon both direct and indirect outcomes. Improving a range of education outcomes is a primary goal. In addition, and possibly of even greater significance, we expect to see improvements in a range of secondary and contextual outcomes, including social, justice, health, and community outcomes and a range of economic indicators.

- 2.19.** The benefits of a long-term learning strategy for Kirklees are potentially great and numerous. Increased collaboration and a relentless focus on equity, inclusion and ambition will not only improve educational achievement for all groups and individuals but will provide social and economic benefits for years to come.

- 2.20.** Numerous national and international commentators have identified a range of potential significant negative impacts following the covid-19 pandemic which has a disproportionate effect on the most vulnerable groups and those facing multiple barriers. The primary risks are therefore significant, should no action be taken to address this in the short, medium, and long term. The collaborative and systematic approach of *Our Kirklees Futures* represents an excellent opportunity to tackle these emerging challenges.

EVALUATION

- 2.21.** *Our Kirklees Futures* sets out several methods and structures for evaluation. Primarily, the Education and Learning Partnership Board will evaluate the initial implementation of the strategy. The Education and Learning Partnership Board is chaired by the Portfolio Holder for Learning, Aspiration and Communities and membership includes school leaders, Governors, Council officers, and education system representatives, including Trade Unions. Future governance and accountability structures will be developed towards the medium term, with a full evaluation of all activity and impact and on the direction and priorities of the strategy in 2024.

SUSTAINABILITY

- 2.22. The strategy will be sustained through the commitment of all partners to collaboration. Improved outcomes and a happier and healthier cohort of learners will support a more sustainable future and reflects the LA's commitment to a clean and green future.

SERVICES and AGENCIES INVOLVED

- 2.23. Co-production of the strategy has involved the work of numerous services and agencies, such as social care, Public Health, and external partners. Adoption of the recommendations in the report and a commitment to the overall vision and goals of the strategy will require continued collaboration with a range of Local Authority and external services and agencies.

3. Implications for the Council

Working with People

- 3.1. *Our Kirklees Futures* builds on the council's collaborative and restorative approach and reflects its shared outcomes. It captures the council's pride in Kirklees and its ambition for the future.
- 3.2. As a local authority we are ambitious for the place and the people who live and work within our district. We understand that working with and alongside our families and strengthening and supporting communities is crucial. This strategy outlines a unified, rather than a uniform approach. We understand that only by working together can the ambitions within this document be realised. As a result, the work of the strategy aligns with the forthcoming SEND Transformation Plan, Families Together and the Children's Social Care Plan.
- 3.3. *Our Kirklees Futures* has been built through collaboration with stakeholders from a range of schools, settings, organisations, and council services who place children and young people at the centre of their work.
- 3.4. The title *Our Kirklees Futures* also captures our approach to stakeholder engagement, building relationships and making a difference for the future generations.

Working with Partners

- 3.5. From its inception, *Our Kirklees Futures* has been co-produced and developed through collaboration and support across the system.
- 3.6. The strategy has been developed through two key groups. **The first:** a senior 'Commissioning Group' chaired by an independent representative of Leeds Learning Alliance and consisting of representatives from senior leadership at the LA, NHS trusts, Huddersfield University, trade unions, schools, and youth services. **The second:** an 'Expert Strategy Group' consisting of experts and system leaders from a range of schools, Colleges, settings, and the local authority. Two interim reports were also produced throughout the process to reflect and re-focus the co-production.

- 3.7. Each group worked together numerous times, exploring key challenges, and recommending workable solutions to the emerging issues within education over the next decade. The obsessions, actions and recommendations in the strategy are the culmination of this work and are drawn from recurring and significant themes within these discussions. Inevitably, not every idea or focus can be present in the strategy and much of the co-production centred upon narrowing and grouping priorities into actionable and most impactful areas.
- 3.8. Across the Local Authority, the learning strategy has been developed to compliment other key long-term strategies, such as the Council Plan, Health and Wellbeing Plan, Kirklees Children and Young People's Partnership Plan, SEND Transformation Plan, and Kirklees Employment and Skills Strategy. These plans and strategies have either informed the development of the strategy and been specifically referenced through partner engagement, and/or are in sight when developing future actions. The aim is for the learning strategy to seamlessly complement existing strategies and plans.

Place Based Working

- 3.9. Where Kirklees' citizens live and learn shapes their experiences and outcomes and has an impact on their personal economic and social circumstances. Schools and settings, alongside places and neighbourhoods, are important and influential to both everyday experience and to longer-term outcomes for individuals including their health, economic footprint, and employability.
- 3.10. Analysis of data, alongside local intelligence, has informed the discussions that shape *Our Kirklees Futures*. Transparent sharing of data will continue to enable all partners to be responsive to the changing demographics and their changing needs within Kirklees, and our internal place-based analysis will shape future interventions. Evidencing unequal outcomes between areas or groups and recommending the need for further deployment of resources are key to the strategy. Our commitment to equity and to the key goals of health and happiness also means that activities to encourage and develop cultural capital will be central.
- 3.11. Equitable access to a superb broad, rich, and deep curriculum will further involve a variety of experiences accessible to all, regardless of where they live or their socio-economic background.
- 3.12. Our understanding of Place will continue to influence the way we work with partners, providing the aspiration and challenge to local people, appropriate to their needs.

Climate Change and Air Quality

- 3.13. The recommendations contained within this cabinet report and the appended learning strategy do not directly impact on the climate and air quality. However, many of the key values and goals contribute towards a cleaner and greener future for the people of Kirklees.
- 3.14. In particular, the drive towards our vision for 2030 means that the environment and the climate are key concerns. For learners to be **safe, healthy, and happy**, their learning environments and the routes to and from those environments must reflect the greatest commitment to clean and green space. For learners to **achieve**, they must have access to exceptional schools, Colleges and family and adult learning centres within walkable or publicly commutable distances. Further, a commitment to Kirklees being a place in which

exclusionary practices are no longer necessary and our focus on equity and inclusion will mean fewer learners travelling out of area to access suitable provision and lower rates of excess travel. The collaborative approach that has been central to the development of the strategy will continue to facilitate increased join-up between services.

Improving outcomes for children

3.15. ‘*Our Kirklees Futures*’ places improved outcomes for all children and young people at the heart of its criteria for success. Statutory attainment and progress measures, regulatory judgements on the quality of education along with benchmarked data on attendance and inclusion are key metrics – but not the only ones. Positive destinations and the voice of the learner are also central to our definition of improved outcomes. The strategy places equity at the heart of its approach and will focus on embedded improvement for all learners – regardless of background or circumstance.

Other (e.g., Legal/Financial or Human Resources)

3.16. Though the *Our Kirklees Futures* learning strategy does not set immediate specific spending commitments, it will form the basis for commissioning and evaluating future activity against its key goals and values. We expect that following phase one, a costed investment plan will be brought forward as part of budget making processes for the Council, as well as seeking funding opportunities elsewhere.

3.17. The inclusive and system-led nature of the strategy will have implications for future co-commissioning and investment opportunities beyond the LA itself.

3.18. There are no direct legal implications in adoption of the strategy. As a co-produced and system-led approach, *Our Kirklees Futures* is not a tool for the LA to use but a commitment from equal partners across Kirklees to collaborative working and shared values. However, the strategy is consistent with SEN legislation and the Council’s statutory duty under section 13A of the Education Act 1996 which applies to all schools and Academies, to promote high standards, ensure fair access to opportunity for education/training and promote fulfilment of learning potential.

3.19. The Council in carrying out its functions must comply with the Public Sector Equality duty under section 149 of the Equality Act 2010, namely it must have due regard to eliminate unlawful discrimination, harassment, victimisation; advance equality of opportunity between persons who share protected characteristics and those who do not and foster good relations between those who share protected characteristics and those who do not.

3.20. We envision that the Learning Strategy will be the yardstick by which future LA, system-wide or co-commissioned investment is implemented and evaluated. Its long-term nature may involve greater commitment to up-stream investment in Early Years, especially in terms of meeting the aspirations of a place in which exclusion is no longer necessary.

Integrated Impact Assessment

An Integrated Impact Assessment has been undertaken. This demonstrated very positive impacts for Kirklees residents in terms of equalities indicating that a whole system approach based on high ambition and system wide working will benefit our communities.

4. Consultees and their opinions

- 4.1. The *Our Kirklees Futures* commission was established to create a long-term strategic plan for Kirklees. It is led by two key groups: a multi-agency, cross-sector, high level Commissioning Group and an Expert Strategy Group comprised of system and organisation leaders from Schools, Colleges, learning settings, partners, and stakeholders within the borough. As education impacts every aspect of life within Kirklees, broader consultation has taken place involving LA services such as Business and Skills, Communities Teams, Social Care and Public Health.
- 4.2. This has taken the form of forum discussions with both the commissioning and strategic groups, feedback to draft versions, formal meetings of the Ambitions board, Education and Learning Partnership Board and associated committees such as Kirklees Learning Progression Board. Early Years involvement has been integral with the reference group providing additional input.
- 4.3. Consultees have been varied and significant, including Schools and Learning Settings, NHS foundation trust, union representatives, Conscious Youth, School Governors, Kirklees LA Business and Skills and Economic Resilience Teams, Cllr Viv Kendrick, Cllr Carole Patterson, Leadership Management Team Learning and the Education and Learning Partnership Board and associated committees, Kirklees Learning Progression Board, Children’s Leadership Team, Leeds Learning Alliance, and Children’s Scrutiny Board. Ongoing review will be key to shaping the implantation phases.

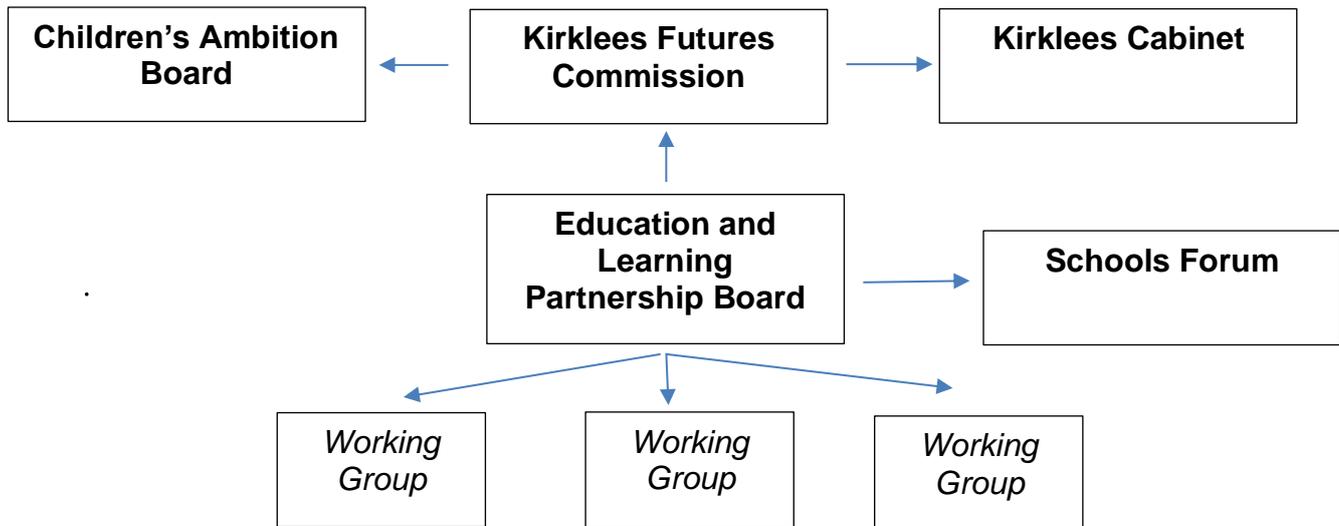
5. Next steps and timelines

- 5.1. The commission recommend the adoption of a phased plan led by the Education and Learning Partnership Board and linked to the ongoing work of the Equalities Commission and with skills and employment work streams. Throughout all phases, we make an explicit commitment to joined up working, linking in opportunities to collaborate across the whole system.

| Phase 1 | Medium Term | Long Term |
|--|--|--|
| Autumn 2021 | 2022 - 2024 | 2025 - 2030 |
| Communication Launch Initiate new work Develop detailed plans Identify finance & resources Implement DfE Covid recovery | Drive cultural change develop and implement detailed action plans Secure wider range of financial investment | Review progress and refresh plans and priorities |

- 5.2. Phase 1 September 2021 - December 2021:** We will develop a detailed and sequenced plan of that will be specific and measurable with key milestones and identify the resources we will need.
- 5.3.** Because the recommendations require leaders to work beyond their own organisations and allocate both time and resources into achievement across Kirklees this will require a cultural shift.
- 5.4.** It will be essential therefore to make sure that at every level (political, governance, professional leadership, and practitioner) there is:
- a clear, shared understanding of our current position, agreement on the variation of the current system, despite the strengths of individual organisations and people
 - agreement on the need for change
 - harness the passion and will to make a collective effort to develop a local culture of collaboration
- 5.5. Plan Phase 2 - Medium term January 2022 - December 2024:** This will see the detailed plans put into place with an emphasis on driving and developing a culture of collaboration. Towards the end of 2024 a detailed evaluation should be undertaken to inform the refresh for phase 3.
- 5.6. Phase 3 - Long term January 2025 - August 2030:** Consideration of this phase is essential in initial thoughts because the recommendations of the commission are about a deep cultural shift and a transformation which will take time.
- 5.7.** Council will be asked to endorse and support *Our Kirklees Futures* as a strategy to direct and evaluate activity over the next decade.
- 5.8.** The implementation of the phases will be monitored by the Education and Learning Partnership Board, with specific priorities being the delegated responsibility of identified partners.
- 5.9.** The Education and Learning Partnership Board will review key indicators and outcomes as a regular part of its work, and formally as part of an annual review. The Commissioning Group will provide additional oversight, receiving reports on the work to address new priorities and the impact on children's outcomes.
- 5.10.** It is anticipated that *Our Kirklees Futures* will result in changes to delivery as this is an explicit intention and to identify where we can improve children's outcomes by responding collectively in a new agreed way. The ways in which this happens will also be shared with partners and reported through governance arrangements.

5.11. A graphic to illustrate Governance and reporting arrangements is included here:



6. Officer recommendations and reasons

That cabinet note the report and formally adopt *Our Kirklees Futures* as our strategy for learning.

That Cabinet delegate authority to the Director for Children's Services and the Service Director for Learning and Early Support, in consultation with the Portfolio Holder for Learning, Aspiration and Communities and the Portfolio Holder for Children's Services to take forward for the Council phase one in collaboration with partners in line with proposed governance arrangements, namely The Education and Learning Partnership Board

That impact is monitored, and progress evaluated through annual monitoring to both the Education and Learning Partnership Board and the Corporate Performance Report to Cabinet and provide an annual report to the Commission Group

As *Our Kirklees Futures* is a system-wide strategy, some of the next steps of key significance for the council include:

- 6.1. Everyone across Kirklees recognises the importance of an equitable, inclusive, and high-performing education system to Kirklees and will prioritise education recovery within their strategies and plans.
- 6.2. Early Support and Help, Early Years and Adult and Community Learning are appropriately prioritised and supported.
- 6.3. Key performance indicators will be developed and agreed that measure progress towards achieving the Kirklees Futures Vision and it's agreed outcomes. They will clearly set out the work to be undertaken and what difference is has made to changing lives.

- 6.4. Inclusive education is a priority for Kirklees. A clear, agreed strategy will be developed that includes high levels of both support and accountability and aligns with the inclusive ambitions of the SEND Transformation Plan.
- 6.5. The factors affecting progression and achievement for children and young people will be considered via data and intelligence. Commissioning and leading on research will be key to this.
- 6.6. Kirklees as a place is to be recognised locally, regionally, and nationally for its exceptional approach to learning and education.

7. Cabinet Portfolio Holder's recommendations

Our Kirklees Futures is a highly ambitious plan for our District. It commits all key stakeholders across our system to collaborate to achieve an exceptional, high achieving and equitable future for our children and young people. In recommending this strategy, it is clear that the ambitions contained within it, along with the strategic approaches outlined, will place our children and communities at the very centre of strategic decision making into the future.

At the heart of all this work sit the children and young people of Kirklees. As portfolio holder, I am clear that they and their communities deserve the very best and I am determined that this is what they will receive. This aspirational strategy, with its ambitious scope and strategic approach, has the capacity to truly make a difference to the lives of learners in our District and to the communities we have the privilege to serve.

8. Contact officer

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9. Background Papers and History of Decisions

First Interim Commission Report (May 2021)
Second Interim Commission Report (June 2021)

10. Service Director responsible

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Our Kirklees Futures

Our Approach to Learning

September 2021

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FOREWORD

The future of Kirklees is in the strong and safe hands of our children and young people. It is our collective responsibility to ensure that their aspirations, rights and talents are acknowledged, nurtured and celebrated. They deserve nothing less than the best.

Our Kirklees Futures believes that families and communities provide the first and best start in life for every child and young person. This strategy builds on those foundations and will deliver a strong, equitable and high achieving system that benefits all learners.

This is a call to action.

Our Kirklees Futures grew out of the long term structural changes facing society and encompasses learning from the Covid pandemic. We believe every challenge presents an opportunity. *Our Kirklees Futures* is a moment in time to build a system wide consensus to improve further the lives of all.

It is ambitious in its scope and optimistic in its approach.

In preparing the strategy, we brought together representatives and system leaders from across Kirklees, listened to learners, evaluated data, and engaged with evidence-based research. We are deeply grateful to the generosity of everyone who contributed to its development.

It is now time for us to work collaboratively to deliver the aspirations outlined in this document. We believe we have a clear understanding of the issues we face and a compelling rationale to act.

Together we can make a difference to the lives of children, young people and families of Kirklees.

Chair & Members

Kirklees Futures Commission Group

EXECUTIVE SUMMARY

Our Kirklees Futures

On Friday 12th March 2021, the Kirklees Children's Ambition Board brought together the *Our Kirklees Futures* Commission, a group of multi-agency senior leaders from across the district, with the aim of creating a long-term strategic plan for education and learning in Kirklees.

The challenges facing education and learning in Kirklees are complex and are rooted in a time of great change. Capturing these challenges and making a realistic and workable proposition was the core task of the commission.

Commission membership:

Paul Brennan: Independent Chair; Leeds Learning Alliance

Hazel Danson: NEU Kirklees District Secretary

Simon Flowers: CEO Leeds Learning Alliance

Mel Meggs: Kirklees Council Director for Children's Services (Chair)

John McNally: CEO SHARE Multi Academy Trust

Prof. Jane Owen Lynch: Pro Vice Chancellor of Huddersfield University

Cllr Carole Pattison : Kirklees, Lead Member for Schools, Aspiration & Communities

Jo-Anne Sanders: Kirklees Council Service Director Learning and Early Support

Sophie Simpson: CEO & Co-founder Conscious Youth

Steve Walker: Chair of Kirklees Children's Ambition Board

Dr. Owen Williams OBE: CEO Calderdale & Huddersfield NHS Foundation Trust

The Commission itself was supported by an Expert Strategy Group. From March to July 2021 a series of engagement and co-production took place, augmented by research, consultation with children and young people and data analysis.

This strategy represents the summary of the work, along with next steps.

Three Key Messages

Three key messages emerged from the initial conversations:

1. The experience of learners in Kirklees varies. This is because of deep inequalities in their lives that impact upon their ability to access and succeed within the education system.
2. Kirklees benefits from so many strong leaders, professionals, schools, colleges, and settings where already strong partnerships can be augmented with families and each other to enable them to make a positive difference to the lives of children and young people.
3. Individual learner success is complex, lies beyond narrow formal assessments and includes a wider set of lifelong skills and attitudes.

To address these messages, the commission agreed that the Kirklees system needs to establish an ambitious long-term vision, determine a way of working and align all partners around a common set of public values.

The time is now right to tackle the challenges that we face collectively. The whole community needs to unite so Kirklees can become a shining example of 21st century education.

OUR VISION

We are highly ambitious and aspirational for our children and young people.

Our collective efforts will mean that by 2030, Kirklees is a place where children and young people have the best start in life and are:

Safe: Children and young people in Kirklees are safe and feel safe from harm, benefitting from nationally recognised, exceptional safeguarding practice.

Healthy: Children and young people live healthy lifestyles and maintain these into adulthood.

Achieving: All learners across Kirklees make outstanding progress, access a high performing education system and achieve well in external examinations. They enjoy a curriculum offer that celebrates cultural, creative, sporting and social pursuits that are amongst the best in the country.

Gaps in achievement for those deemed disadvantaged or with additional needs are significantly and consistently reduced, with inequalities addressed.

Happy: Children and young people report being happy and optimistic for their future.

Attending: Attendance across our education system is higher than national average, with all Kirklees learners able to access their local school, setting or college.

And our system is:

Inclusive: There is no need to use permanent exclusion in Kirklees because learners, families and schools are supported in a timely and effective way.

Sustainable: The education and learning infrastructure will work towards being carbon free and actively promotes understanding of the science of climate change.

Our Obsessions

From engagement, three 'obsessions' emerged that would be our areas of relentless focus:

Inclusion: Children, young people and learners of all backgrounds learn and grow side by side, to the benefit of all.

Resilience: The ability and support to overcome adversity.

Equity: Everyone gets the support they need.

OUR ACTIONS

To achieve the vision and ensure that the district focuses upon the three obsessions, ten priority actions of equal bearing for Kirklees emerged:

Listen to learners: to hear their hopes, ambitions, aspirations, and concerns so they shape their future and are engaged every step of the way.

Collaboration: to work with communities and each other to make best use of available resources and ensure a joined-up approach to improving lives.

Schools at the heart of communities: to enable them to support and represent the whole of their community and in return be trusted and supported by that community.

Prioritise our Early Years: to focus resources and support so children and their families have the best start in life.

Safeguard Early Support and Help: to ensure sufficient resources and focus so that home provides the first and best start in life.

Smooth transitions: to ensure children and young people benefit from a clear and appropriate transition at every phase of education, and into adulthood.

Tackle inequalities: to remove barriers, have a clear focus on Special Educational Needs, disability, disadvantage, and vulnerabilities and actively promote anti discriminatory behaviours.

Harness digital technologies: to champion methods of accessing learning that improve life chances and embed skills for future employment.

Value our people: to support and develop all those who work with children and young people.

Promote wellbeing: to champion social, emotional, mental, and physical health.

OUR NEXT STEPS

The *Our Kirklees Futures* Commission has agreed the following next steps to take forward and drive the strategy on behalf of the district.

1. Everyone across Kirklees acknowledges and recognises the importance of an equitable, inclusive, and high-performing education system and will prioritise education recovery within their strategies and plans.
2. A holistic plan to enable engagement and communication will be developed by the end of 2021 to elicit commitment and a shared understanding with our families, learners, schools, settings and partners.
3. Early Support and Help, Early Years and Adult and Community Learning to be appropriately prioritised and supported.
4. The Education and Learning Partnership Board will lead the development of an ambitious sector led approach to address challenges faced by learners and their communities. This will complement and align with the SEND transformation agenda, to ensure inclusion, resilience and equity as key obsessions.
5. Key performance indicators will be developed and agreed that measure progress towards achieving *Our Kirklees Futures* vision. They will clearly set out the work to be undertaken and indicate what difference is being made to changing lives.
6. Inclusive education is a priority for Kirklees as a district. A clear, agreed strategy will be developed that includes high levels of both support and accountability and aligns with the inclusive ambitions of the SEND Transformation Plan.
7. The factors affecting the progress and achievement for learners will be thoroughly evaluated via data and intelligence. Commissioning and leading on research will be a key element to this.
8. The Commission recommends the adoption of Public Value and Adaptive Leadership as principles to drive forward this strategy, underpinned by Restorative practice.
9. *Our Kirklees Futures* will align with the identified 10 priority actions from national and international research into what works across systems. Kirklees is to be recognised as a place locally, regionally, and nationally for its exceptional approach to learning and education.
10. Create the conditions for the best sector led improvement by enabling and championing collaboration across the education system, linked to the findings of soundly reviewed education research nationally and internationally.
11. Develop a Kirklees Behaviour's Charter for adoption by all professionals to hold the system and each other to account. It will place children, young people and their families at its heart with key values of collaboration, respect, and restorative approaches.

OUR IMPLEMENTATION PLAN

The commission recommend the adoption of a phased plan led by the Education and Learning Partnership Board.

Phase 1: Short term

September 2021 - December 2021

We will develop a detailed and sequenced plan of what we will do. It will be specific and measurable with key milestones and identify the resources we will need.

Because the recommendations require leaders to work beyond their own organisations and allocate both time and resources into achievement across Kirklees this will require a cultural shift. It will be essential to make sure there is:

- a clear, shared understanding of our current position, agreement on the variation of the current system, despite the strengths of individual organisations and people.
- agreement on the need for change.
- a will to make a collective effort to develop a local culture of collaboration.

Phase 2: Medium term

January 2022 - December 2024

This will see detailed plans put into place with an emphasis on driving and developing a culture of collaboration. Towards the end of 2024 a detailed evaluation should be undertaken to inform the refresh for phase 3.

Phase 3: Long term

January 2025 - August 2030

Consideration of this phase is essential in initial thoughts because the recommendations of the commission are about a deep cultural shift and a transformation which will take time.

OUR WORK

Why we need this plan now

There is much strength in Kirklees. So many leaders are inspiring and the people working with them are committed and passionate.

Nevertheless, children from poorer families in Kirklees – in common with those elsewhere – continue to perform less well than those from homes with more obvious advantages.

In 2019, a report from the Education Policy Institute¹ found that, on current trends, it would take 560 years to close the gap between children from poorer homes and their peers. The recent Covid crisis has not only illuminated the width of that gap, but it has also significantly widened it.

The nature and scale of the pandemic will be long lasting and profound in impact.

Everyone has played their part to wrap around our learners and their families during this time.

Communities have been supported with intense energy and dedication. Over the past 18 months much focus has rightly been on managing immediate problems and planning for a return to a form of pre-pandemic ‘normality’.

Whatever the current demands, thinking about the future must be a priority because waiting for solutions is a luxury our children cannot afford.

That is why the *Our Kirklees Futures* Commission group was convened across our partnership, to co-produce and develop a strategy for our communities across Kirklees.

How we worked

Our Kirklees Futures commissions was led by a multi-agency, cross sector group of leaders that came together to drive the development of a holistic vision for education and learning. Its aim is ‘to build back better’².

On Friday 12th March 2021, Kirklees Children's Ambition Board met to develop the brief for the work of the commission and agreed several clear recommendations that were subsequently passed forward to the commission by the Director of Children's Services.

They agreed that *Our Kirklees Futures* is an opportunity to establish an ambitious, inclusive vision to bring together the entire commonwealth of Kirklees.

It is highly unlikely that schools³ will return to the way they were pre-pandemic. Much has been learned⁴. The government has allocated around £1.4 billion to aid education recovery, with the funding split into a range of initiatives including the National Tutoring Programme, a Covid recovery premium and funding for summer schools.

¹ Education Policy Institute (EPI) in partnership with the Fair Education Alliance (FEA), 2019, Education in England: Annual Report 2019, www.epi.org.uk

² World Bank Group, 2020, The Covid-19 Pandemic: Shocks to Education and Policy Responses, www.worldbank.org

³ Schools will be used as shorthand for all places of learning such as: Early Years settings, Colleges, Academies, work place learning settings, the university and informal learning venues.

⁴ LGA: BETTER CONNECTED: HOW LOCAL EDUCATION AND Children's SERVICES IN ENGLAND HAVE RESPONDED TO THE CORONAVIRUS PANDEMIC. https://www.isospartnership.com/s/LGA_CV19_final-report.pdf

LOCKDOWN LESSONS FROM LOCAL SYSTEMS:

https://parentinfantfoundation.org.uk/wp-content/uploads/2021/01/210121-F1001D_Working_for_Babies_v1.2-FINAL-compressed_2.pdf
UNESCO: Education in a post-COVID world: Nine ideas for public action: <https://unesdoc.unesco.org/ark:/48223/pf0000373717/PDF/373717eng.pdf.multi>

National Audit Office: Support for Children's education during the early stages of the Covid-19 pandemic:

<https://www.nao.org.uk/wp-content/uploads/2021/03/Support-for-learnerss-education-during-the-early-stages-of-the-Covid-19-pandemic.pdf>

The commission, which is led by two key groups; a multi-agency policy commissioning group and an expert strategy group have now both met three times and considered:

- the challenges and opportunities facing Kirklees learners now
- the key values, priorities, and actions
- the importance of investing in learners in the medium to long term
- Engagement and buy-in with and by key organisations, professionals, and communities

In addition, the Kirklees Education and Learning Partnership Board has also met three times and considered the initial proposals and outcomes from these groups.

Two Interim Reports have been produced.

This document builds upon those reports, summarising the work to date. It is the beginning of a journey – not the final destination.



A MOMENT IN TIME

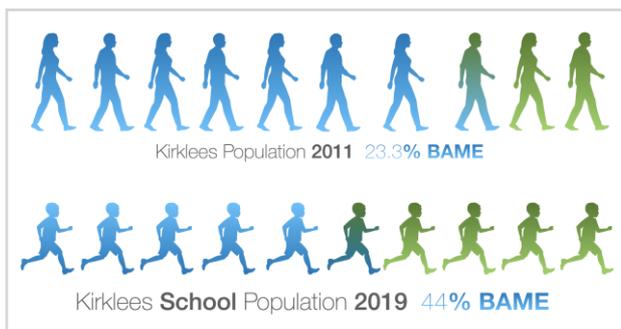
As we now re-open society we are conscious that decisions made today in the context of COVID-19 will have long-term consequences for the future of our learners and their education. Children and young people have told us that they do not like the negativity of the labels attached to them as a lost and missing-out generation.

They have asked that we be much more optimistic in our language and our actions. This is a generation of children with energy, enthusiasm, talent, vitality, creativity, passion, ethics, values, ambitions, and ideals. They require that we celebrate their strengths and their qualities and build upon them.

We believe that we should build on their drive and on existing work by agreeing an ambitious, optimistic vision with shared principles to bring about a desirable future for all our learners.

OUR KIRKLEES:

There are 100,100 children aged 0-19 across Kirklees. They are broadly more diverse than the adult population. They are also more diverse than is the case nationally.



Kirklees Primary school population compared to the overall population

Kirklees children are more likely to suffer higher levels of poverty and disadvantage than is the case nationally. This means that they are more likely to live shorter lives than is the case for their peers across the country as a whole.

| | Males | Females |
|----------|-------|---------|
| England | 79.6 | 83.1 |
| Kirklees | 78.6 | 82.5 |

Life expectancy in Kirklees by gender compared to national

On average many of our children have a life expectancy that will see them living into the next century.

There are 40,100 children attending 142 primary schools and academies in Kirklees.

There are 28,500 learners attending 28 secondary schools and academies in Kirklees.

The social profile of Kirklees children is quite different from the profile of children nationally. Many more children in Kirklees have an ethnic minority background, live in poverty and/or for whom English is a second language. The percentage of children that have an Education, Health and Care Plan (EHCP) is broadly in-line with the national picture.

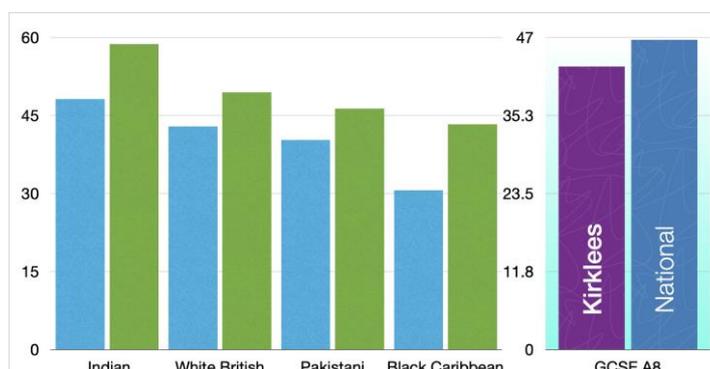
School meals

The number of children living in poverty in Kirklees has deteriorated significantly since the onset of the pandemic. Now⁵ a total of 16,000 learners (an increase of 2,000) in Kirklees have become eligible for free school meals bringing the overall total to 24% (from 22%) of the school population, compared to 17% nationally (2020).

Kirklees is diverse geographically and the lives of learners across the borough can be quite different.

| FSM Eligibility by Locality 2021 | |
|----------------------------------|--------------------------------|
| 31% | Huddersfield South |
| 27% | Huddersfield North |
| 26% | Dewsbury & Mirfield |
| 23% | Spen |
| 23% | Batley Birstall and Birkenshaw |
| 19% | The Valleys |
| 10% | Denby Dale and Kirkburton |

The achievement of children across Kirklees is below that of children nationally from Early Years to Key stage 4. It is recognised that to some extent this reflects the impact of deprivation⁶ across the borough as the following chart illustrates. There is also a gender variation with girls achieving more highly than boys and some significant variations between different ethnic groups.



Kirklees children and their achievement

⁵ March 2021

⁶ Learner poverty and education outcomes by ethnicity. HM Govt: Office National Statistics (ONS)

<https://www.ons.gov.uk/economy/nationalaccounts/uksector/accounts/compendium/economicreview/february2020/learnerpovertyandeducationoutcomesbyethnicity>

In the **Early Years Foundation Stage**, (5 years old) in 2019, 69.7% of Kirklees pupils achieved a good level of development overall which is **below** the National figure of 71.8%

Phonics Check Year 1, (6 years old) results showed 79% of pupils passed the check in 2019 which is **below** the National figure of 82%.

At the end of **Key Stage 1** (7 years old), in reading, writing and mathematics teacher assessment results Kirklees perform **below** 2019 National standards. Just under two thirds of pupils achieved the expected standard in all three subjects.

At the end of **Key Stage 2** (11 years old), results indicate that in Kirklees 62% of learners are working **at or above** the expected standard in reading, writing, and mathematics (combined), compared to the national average of 65% in 2019.

At **Key Stage 4** (16 years old) in 2019, there are two key indicators: Progress 8 and Attainment 8. Progress results, as measured by these indicators suggest that Kirklees students made **less** progress than pupils nationally from similar academic attainment starting points. The proportion of pupils achieving the average Attainment 8 score was **below** the rate for all state funded schools in England.

At **Key Stage 5** (18 years old), results in 2019 indicate that the Average Point Score (APS) for the Kirklees 'A' level cohort was 35.53 compared to 34.0 nationally. This indicates a number of points of interest: first, A levels are taken by the higher attaining students, and we have already seen (at Key Stage 2) that across Kirklees this group achieve **broadly in-line** with their counterparts nationally, it also indicates that Kirklees benefits from **strong** post 16 provision overall.

RESEARCH

The role of the LA (statutory, moral and discretionary)

Local authorities (LAs) have a legal responsibility to champion the needs of the most vulnerable learners, to promote educational excellence and ensure fair access to school places for all learners.

These duties are clearly set out in the Department for Education's (DfE) statutory guidance on the role of the director of Children's services (DCS).

The DCS acts as a clear and unambiguous line of professional accountability for children's wellbeing in a local area and is tasked with working in partnership with headteachers, governors, academy sponsors and principals to promote educational excellence, take rapid and decisive action in relation to poor performance and promote high standards.

Local Authorities have undergone significant change over the course of the past twenty years (and more) with their remit as an education authority being reduced by successive central governments.

Over this time many LAs have questioned their actual role in this regard, as there has been and there currently exists much confusion. Thus, the roles and remits that LAs have taken on for themselves regarding education and skills varies as widely as LA's populations or geography. Some have retained many of the functions, systems, and structures of a traditional LEA, whilst some have moved to that of a facilitator and commissioner of local partnerships of providers with much outsourced service provision.

Some have stealthily removed most of their education functions as budget challenges have exacerbated successive central government policy drives and local schools 'increased autonomy allowing schools to 'fend for themselves' whilst retaining a small set of core functions relating to admissions, SEND and transport.

Kirklees is one of the LAs that has attempted to maintain many of the functions of an LEA especially in relation to its maintained schools.

Many parents, carers and politicians continue to look towards the LA to address concerns or complaints regarding their learner's education. This is understandable as LAs offer a single point of contact and are democratically accountable to local communities.

Additionally, despite what appears to have been DfE practice, (if not actually published policy) and thus the beliefs of many professionals in the sector, LAs continue to hold specific, statutory duties and powers. These include;

- school sufficiency and planning,
- early years provision,
- home to school transport,
- school standards,
- special educational needs,
- safeguarding, and
- learners in care.

These duties apply to all learners, in all schools yet the freedoms offered under the academies programme present some practical barriers for LAs.

Legal Framework

“The DCS and LMCS are appointed for the purposes of discharging the education and Children’s social services functions of the local authority. The functions for which they are responsible are set out in section 18(2) of the Learners Act 2004. This includes (but is not limited to) responsibility for learners receiving education...”⁷”

The functions and roles of the Local Education Authority

Many Chief Executives and Council Leaders have been asking the question about what the specific role of a Local Authority is regarding Education. In some instances, they would like to know the specific duties that they are required to fulfil to ensure full compliance, to minimise duplication within the emergent regional and national frameworks for education (such as RSC’s, Ofsted, Diocesan and Multi Academy Trusts) and to meet the budget pressures that they face across the council. The reality is that there is no clearly defined role.

“It is for individual local authorities to determine their own organisational structures in the light of their local circumstances.

The DCS and LMCS should each have an integrated Children’s services brief, ensuring that the safety and the educational, social and emotional needs of learners are central to the local vision.”⁸

The role of the Local Authority in Education has become increasingly ill-defined and with as many interpretations abounding as there are local authorities.

Local Authorities as an education authority were brought about by parliament which may refashion or disband them over time. The functions of the LA are all the duties and powers of a local council and the sum of all the activities that parliament has entrusted to it. It is worth noting that the functions of an L(E)A “include” its powers and duties, they do not “comprise” of its powers and duties. This

⁷ Statutory guidance on the roles and responsibilities of the Director of Children’s Services and the Lead Member for Children’s Services. DfE. April 2013

distinction is important because many of the LA’s duties are discretionary and potentially greater than purely the sum of its powers and duties.

Ultra Vires

Acts of Parliament can also determine what an LA should not do, this has become important in terms of the LA responsibilities linked to the governance and leadership of Academy schools. This was tested most recently in December 2020 where some LAs proposed closing schools against the DfE’s policy.

However, the LA can not only carry out its explicit functions, but it can also do anything which is calculated to facilitate or is conducive or incidental to the discharge of those functions. This is important because the LA can only do what is expressly or impliedly authorised by statute. If it acts outside these powers, it would be deemed to be ultra vires, its acts are unlawful and may be challenged in the courts as was the case in December 2020. In short, sometimes individuals expect the LA to act, but such action may be unlawful.

Powers

LAs do have a number of ‘powers’ relating to education. These ‘powers’ are the discretion given to any public body to do something or not to do something. In legislation they are often identified using the verb ‘may’. However, it should be noted that it is highly unlikely that the LA has unfettered choice over whether to use its powers, its decision making will often be determined by the conditions and qualifications applying. The LA may be challenged if it has not used those powers that it has and be deemed to have acted unreasonably.

Duties

Duties are mandatory requirements placed on LAs. Legislation often signals a duty using the verbs ‘shall’ or ‘must’. The LA must fulfil these duties even if it claims to have insufficient resources to do so.

⁸ Statutory guidance on the roles and responsibilities of the Director of Children’s Services and the Lead Member for Children’s Services. DfE. April 2013

Discretionary powers

Somewhere between powers and duties lie discretionary powers. These are duties that the LA may or may not choose to use but as with powers, its decision making in terms of discretionary powers must be demonstrated to be reasonable in the conditions of the case in which the discretionary power was applied or used.

Roles

The roles of the LA are principally the way that it conducts its business. Often the roles of the LA are determined at a local level by the LA itself but in some circumstances, they are prescribed by an act of Parliament or by statutory guidance. The statute book is not sufficient in helping an LA draw-up a full and workable job description for itself in its own context. It is recommended that there are broad approaches that should be considered when an individual LA seeks to define its role.

Legal: as stated above. This is essential as a first step because the LA has some very clearly defined duties and many, less clearly defined, powers.

Ethical and moral: It is important to restate that the local authority operates within clear moral and ethical parameters.

Visionary: every local authority has a clear vision for future improvements to life, work, and leisure in its district. Any consideration of this is likely to inform its role as an education authority because: so many of its citizens have close engagements with educational institutions daily (for example as students, as members of a workforce, as parents and carers, as local members of the community the institution serves, as neighbours, as traders with the institution etc). This links directly to the supply of good schools for house builders and developers, to the provision of good schools for inward investors and their employees through to the development of a workforce that is employable and supports economic development.

Pragmatic: no matter how visionary the LA might be, pragmatism will always kick-in with a rationale of 'the possible'.

Budgetary: economic factors and the availability of funding both capital and revenue will greatly inform the role of the LA.

Political and policy: clearly the political philosophy underpinning the council from its elected members.

Theory of change leadership

In the process of consulting against emerging priorities it became clear that there are some significant tensions within the system. Largely these relate to issues subsumed within ensuring inclusion and equity and in particular relate to the tensions created by issues such as the perception of a high-stake accountability culture, the so called "standards agenda" or a perceived dichotomy between "zero tolerance" behaviour strategies and restorative practices.

Exclusionary practices have emerged as one such contentious area of concern. The commission note the pressures placed upon schools and wider children's services some of which are challenging to reconcile.

Public Value

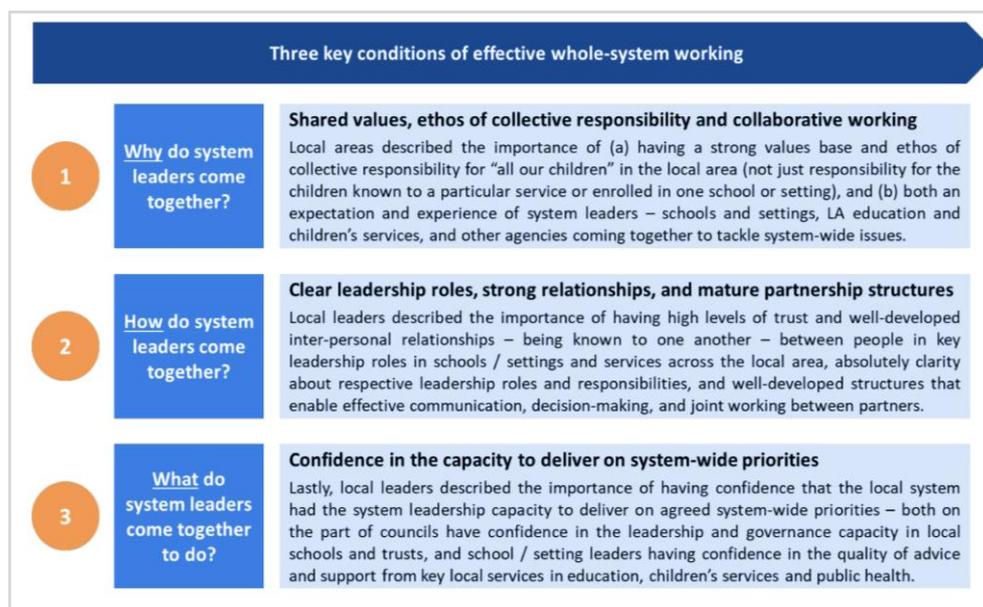
Requires leaders to address and to align three key questions:

- What precisely is the value that we plan to add to the public realm in this situation, and how will we recognise those public value outcomes?
- How do we generate the necessary authorisation and negotiate a coalition of sufficient support among both internal and external stakeholders, to achieve these public value outcomes?
- What operational capability (e.g., finance, technology, people, skills) is necessary to achieve these public value outcomes, and where, how, and when does it need to be deployed?

Adaptive Leadership

Once public value has been identified there are seven principles for adaptive leadership which create a clear route-way to tackle even intractable problems. These are:

- Identify the adaptive challenge – the changes in thinking and behaviour (including one’s own) required to grapple with difficult issues.
- Give the work back to the people faced by the problem – avoid the temptation to solve people’s problems for them and instead engage them in the adaptive work and in taking responsibility for the change process.
- Monitor & regulate the distress and conflict inherent in adaptive work.
- Create a ‘safe environments’ in which the more painful adaptive work can be done effectively; this can be a physical and/or a psychological space, providing both safety and also stretch and challenge.
- Maintain disciplined attention – recognise the seductions of work avoidance and other displacement activity (e.g., dependency, projection, fight/flight), and relentlessly bring the focus back on to the primary task.
- Protect the voices from below or outside – ensure that all perspectives and interests are considered that minority viewpoints are considered, and that dominant views are questioned and challenged.
- Move continuously between the “balcony” and the “dance floor” – combine a helicopter overview of the whole situation



and strategy, with an understanding of the changing situation at the front-line.

Models in other LAs and systems

Across England a wide range of systems are emerging for realising improved educational outcomes. A recent report commissioned by the Local Government Association (LGA) entitled: “Better connected: How local education and Children’s services in England have responded to the coronavirus pandemic⁹”, identified several key factors that underpinned local areas successful response to the pandemic. What they describe built on the research that they had undertaken for the DfE in 2012.

Local Authority areas in England are vastly divergent in their: scale, processes, and underpinning policies. Nevertheless, the authors looked at several LAs, many of which were notable for at least some areas of success. These included: the London Borough of Camden, Essex County Council, Hampshire, Sheffield, Liverpool, Hertfordshire, Trafford, Wigan, Leeds, City of York and Glasgow. In addition to other Local Authority areas, LA officers developing *Our Kirklees Futures* also looked at the government’s Opportunity Area framework to analyse effective practice that might inform the *Our Kirklees Futures* programme.

⁹ LGA Report commissioned from ISOS Partnership: <https://static1.squarespace.com/static/5ce55a5ad4c5c>

500016855ee/t/605b8c7c001c534b1a223885/1616612479198/LGA_CV19_final+report.pdf

Summary of LGA ISOS Report

In short, whilst many LA systems look very different reflecting local politics, geography, demography, economy, and society there were a small number of key traits that are common across all successful systems. Three key conditions of effective whole system working were identified:

- Shared values and an ethos of collective responsibility and collaborative working
- Clear leadership roles, strong relationships, and mature partnerships
- Confidence in the capacity to deliver on system wide priorities

Kirklees undoubtedly enjoys some of the key conditions for effective whole system working. *Our Kirklees Futures* should prioritise strengthening those that exist and build the rest.

The London and other City Challenges

In constructing the *Our Kirklees Futures* report, officers also looked at the London Challenge and the work of the other two subsequent city challenges (Greater Manchester Challenge and Black Country Challenge). The London Challenge (2003 - 2011) is often used as an example of: get the right strategy and poverty-related underachievement can be removed. It is worth looking in some detail at London Boroughs to see what can be learned for Kirklees because whilst there are many factors not present in Kirklees there are some examples of superb collaborative activity across large numbers of schools that have and are making significant impacts.

Attainment outcomes for the London region are now higher than the rest of England and certainly the North - a major turn-around. Key factors identified by research, though with different weightings, are:

- **Funding:** London received very high levels of enhanced capital and revenue funding on top of already higher budgets. At its height an additional £40 million a year was invested into inner London schools to support improvement. London benefited from the first phase of Building Schools for the Future (BSF), resulting

in a rebuild and restructure of the capital's school system. In addition, and still in place today, the mean funding level for pupils in Inner London boroughs is almost 50% per pupil higher than in areas such as Kirklees.

- **Strengthened Leadership:** Secondly the London Challenge brought with it a set of processes that enabled the education leaders both in HM Government and across the boroughs of the capital to strengthen; leadership development, deployment of headteachers, accountability mechanisms, challenge and intervention, school governance and control, recruitment, retention, and remuneration of teachers. In short, the system leaders report being able to "hire the best and fire the worst". However, the leadership from Tim Brighouse and his team was built on respect and encouragement, rather than blame.
- **Population change:** The third was the demographic shift within the capital. Previously deprived Inner London boroughs have subsequently become gentrified and even those London boroughs with high poverty levels are, it is argued, populated by recent migrant workers who, whilst on temporarily low incomes, often have higher levels of education from their home countries.
- **Long-term Improvement:** Some research such as the Joseph Rowntree Foundation identified the impact of national strategies such as the National Literacy Strategy, but critics of this argument ask why this national strategy did not have the same impact in other parts of the country. It remains the case, however, that improvement in London secondary schools during the London Challenge years appears less sudden when we take into account the foundation of earlier improvements in primary and secondary schools due to Excellence in Cities and similar projects.

Governments subsequently embarked upon two further city challenges, Greater Manchester and the Black Country. Despite learning from the London Challenge, their impact has been far less convincing (see for example the data for Greater Manchester boroughs such as Oldham, Bolton, Salford or indeed Manchester). Furthermore, several other LAs have initiated "Challenges" and

these have not realised the same impacts as seen in London.

A key factor which the various evaluations of London Challenge did not seriously consider is that this took place in the context of a vibrant local economy, where young people could easily be persuaded of the opportunities which educational success could bring. The opposite dynamic occurs in northern locations where young people at school know of older siblings and friends who have gained qualifications but failed to obtain the employment they hoped for.

Notwithstanding these problems in evaluation, it is clear from the research that a change of attitude was fundamental, such that teachers could no longer write-off disadvantaged students as lacking ability and potential. The London Challenge was coordinated across all partners, it was ambitious, long term and it built upon preceding projects. It was effective in motivating and mobilising higher expectations and a more optimistic mindset.

Other Local Initiatives

Alongside improvements in local education systems, several local communities, towns or boroughs have come together to improve their local communities in other ways and lessons can also be learnt from some of these models. Preston10 in Lancashire is one such model itself based upon the Mondragón model in Spain which places co-operative principles at the heart of its decision making.

Other Systems Research

The expert group were presented with a summary of research into area systems that have been impactful during the recent pandemic.

University College London

Christine Gilbert, the ex-Chief Inspector of Schools (HMCI) identified the following five factors:

1. *Root schools at the heart of their communities*

Schools become anchors for their local communities and families.

Schools at the forefront of local initiatives to build community self-help and both cultural and social capital. Young people developing agency through school support and the community then enabled to support the school.

2. *Tackle growing inequalities*

Targeting resources at the poorest learners.

3. *Harness the power of technology*

A digital world but a widening digital divide. Schools have changed the way they work, so have parents, increased skills and confidence should be built on to prepare learners for a future of universal digital access.

How do we build on the last year in developing children's independent learning skills, critical thinking and metacognition, whilst being clear that teachers and the quality of teaching remain as important as ever.

4. *Prepare learners better for life and learning*

"We have an all-consuming focus on external exams. Exams are neither the core purpose of schools nor the chief reason for success in later life"

Create a consensus for what a good education looks like. What knowledge skills and understanding are essential?

How do we re-imagine a system where learners thrive, achieve, love school and leave better prepared for life and future learning?

5. *Strengthen capacity through collaboration*

Importance of connecting within and across schools and the wider community.

Value teachers.

Collaborative professional learning for teachers.

Involve young people in leading change.

¹⁰ Brown M & Jones R E: Paint your town Red How Preston took back control and your council can too. Pepeater Books 2021

UNESCO¹¹ 9 Ideas

Unesco has identified 9 ideas that should be considered by education systems as they respond to the aftermath of the global pandemic. Whilst some of the ideas are clearly aimed at very large systems and in a global context there is much that aligns with UK based thinking.

The report was created by the International Commission on the Futures of Education—established by UNESCO in 2019 and composed of thought leaders from the worlds of academia, science, government, business, and education—presented nine ideas for concrete actions today that will advance education tomorrow.

1. Commit to strengthen education as a common good. Education is a bulwark against inequalities. **In education as in health, we are safe when everybody is safe; we flourish when everybody flourishes.**
2. Expand the definition of the right to education so that it addresses the importance of connectivity and access to knowledge and information. The Commission calls for a global public discussion—that includes, among others, learners of all ages—on ways the right to education needs to be expanded.
3. Value the teaching profession and teacher collaboration. There has been remarkable innovation in the responses of educators to the COVID-19 crisis, with those systems most engaged with families and communities showing the most resilience. We must encourage conditions that give frontline educators autonomy and flexibility to act collaboratively.
4. Promote student, youth and children's participation and rights. Intergenerational justice and democratic principles should compel us to prioritise the participation of students broadly in the co-construction of desirable change.
5. Protect the social spaces provided by schools as we transform education. The school as a physical space is indispensable. Traditional classroom organisation must give way to a variety of ways of 'doing school' but the school as a separate space-time of collective living, specific and different from other spaces of learning must be preserved.
6. Make free and open-source technologies available to teachers and students. Open educational resources and open access digital tools must be supported. Education cannot thrive with ready-made content built outside of the pedagogical space and outside of human relationships between teachers and students. Nor can education be dependent on digital platforms controlled by private companies.
7. Ensure scientific literacy within the curriculum. This is the right time for deep reflection on curriculum, particularly as we struggle against the denial of scientific knowledge and actively fight misinformation.
8. Protect domestic and international financing of public education. The pandemic has the power to undermine several decades of advances. National governments, international organisations, and all education and development partners must recognise the need to strengthen public health and social services but simultaneously mobilise around the protection of public education and its financing.
9. Advance global solidarity to end current levels of inequality. COVID-19 has shown us the extent to which our societies exploit power imbalances and our global system exploits inequalities. The Commission calls for renewed commitments to international cooperation and multilateralism, together with a revitalised global solidarity that has empathy and an appreciation of our common humanity at its core. UNESCO suggests that COVID-19 presents us with a real challenge and a real responsibility. These ideas invite debate, engagement and action organisations, civil society, educational professionals, as well as learners and stakeholders at all levels.

¹¹ International Commission on the Futures of Education. 2020. Education in a post-COVID world: Nine ideas for public action. Paris, UNESCO

Systems Research Common Threads

Looking across the work from the LGA, University College London, UNESCO or indeed the work of the earlier city challenges several common threads have emerged. These include:

1. **Collaboration:** to strengthen capacity and make best use of limited resources
2. **Schools at the heart of communities:** to enable them to support the whole of their community and in return be trusted and supported by that community
3. **Shared Vision & agreed plan:** Agree a long term, optimistic but realistic shared & prioritised strategy
4. **Tackle growing inequalities:** by focusing particularly on Special Educational Needs, disability, disadvantaged & vulnerable learners and actively promoting anti discriminatory practice in terms of; race, ethnicity, gender, religion, sexual orientation etc
5. **Harness digital technologies:** for methods of accessing learning and to support the local economy, improve life chances and improve employability
6. **Value our people (teachers and professionals):** supporting and developing teaching and other professionals
7. **Listen to learners:** to their concerns and engage them in decision making & their learning
8. **Prioritise Early Years Education:** focusing resources to support children and their families access the best start in life
9. **Safeguard early help:** ensure sufficient resources and focus
10. **Promote well-being:** Promote social, emotional, mental and physical health

Research into school improvement

The expert group and the commission were very keen that some of the best research into what works within schools should inform the work of *Our Kirklees Futures*.

“Time, Tutoring and Teaching”

Prior to resigning following the publication of £1.4Billion to tackle education recovery, the DfE’s Education Recovery Commissioner, Sir Kevan Collins had identified several ways that he felt schools should respond to the growing need and growing inequality faced by some students. In the first instance he was clear that the recovery should be multi agency and that accords with all the other evidence, but he then went on to look specifically at what schools and colleges should do.

He identified: “three Ts – time, tutoring and teaching” These “three pillars” will involve extending “the school experience”, driving forward tutoring for struggling pupils and raising teacher quality through continuing professional development.

While Sir Kevan’s review was likely to recommend that school sites should remain open for longer during the day, much of the focus was to be on providing pupils with more opportunities for extracurricular activities and play.

“It’s not about ‘make them work even harder’, it’s actually ‘let them play even longer’;”

Community groups were to be invited into schools to help support this provision, so the responsibility will not fall squarely on the shoulders of school staff.

In addition to the work of Sir Kevan Collins the following key documents were specifically referenced:

Cambridge Primary Review: Learners, their World, their Education¹²

Central to the proposals of the Cambridge Primary Review is a set of twelve aims for primary education. The aims were grounded in extensive evidence from parents, teachers, learners, community leaders, international research, and a wide range of official, professional, and voluntary stakeholders. The aims were intended to shape curriculum, pedagogy, and school life.

The aims are in three groups that echo the title of the Cambridge Primary Review final report – Learners, their World, their Education. The first group identifies those individual qualities and capacities which schools should foster and build upon in every learner, in whatever they do, and the personal needs to which schools should attend. The second group includes four critically important orientations to people and the wider world, reflecting discussion of the opportunities and challenges of life in the 21st century. The third group focuses on the content, processes, and outcomes of learning itself.

Group 1: The individual

Well-being. To attend to children's capabilities, needs, hopes and anxieties here and now, and promote their mental, emotional, and physical well-being and welfare. Happiness, a strong sense of self and a positive outlook on life are not only desirable in themselves: they are also conducive to engagement and learning. But well-being goes much further than this, and 'happiness' on its own looks merely self-indulgent. Caring for children's well-being is about attending to their physical and emotional welfare. It is about inducting them into a life where they will be wholeheartedly engaged in all kinds of worthwhile activities and relationships, defined generously rather than narrowly.

It is about maximising children's learning potential through good teaching and the proper application of evidence about how learners develop and learn and how teachers most effectively teach. Fostering children's well-being requires us to attend to their future fulfilment as well as their present needs and capabilities. Well-being thus defined is both a precondition and an outcome of successful primary education.

Engagement. To secure children's active, willing, and enthusiastic engagement in their learning. This too is a precondition for learning. It is also a manifestation of successful teaching.

Empowerment. To excite, promote and sustain children's agency, empowering them through knowledge, understanding, skill and personal qualities to profit from their present and later learning, to discover and lead rewarding lives, and to manage life and find new meaning in a changing world.

Autonomy. To foster children's autonomy and sense of self through a growing understanding of the world present and past, and through productive relationships with others. Autonomy enables individuals to establish who they are and to what they might aspire; it enables the learner to translate knowledge into meaning; it encourages that critical independence of thought which is essential both to the growth of knowledge and to citizenship; it enables learners to discriminate in their choice of activities and relationships; and it helps them to see beyond the surface appeal of appearance, fashion, and celebrity to what is of abiding value.

Group 2: Self, others, and the wider world

Encouraging respect and reciprocity. To promote respect for self, for peers and adults, for other generations, for diversity and difference, for language, culture and custom, for ideas and values, and for those habits of willing courtesy between persons on which civilised relations depend. To ensure that respect is mutual: between adult and learner as well as between learner and adult. To understand the essential reciprocity of learning and human relations.

¹² Alexander, R.J. (ed) (2010) Learners, their World, their Education: final report and recommendations of the Cambridge Primary Review

Promoting interdependence and sustainability. To develop children's understanding of humanity's dependence for well-being and survival on equitable relationships between individuals, groups, communities, and nations, and on a sustainable relationship with the natural world, and help learners to move from understanding to positive action in order that they can make a difference and know that they have the power to do so.

Empowering local, national, and global citizenship. To help learners to become active citizens by encouraging their full participation in decision-making within the classroom and school, especially where their own learning is concerned, and to advance their understanding of human rights, democratic engagement, diversity, conflict resolution and social justice. To develop a sense that human interdependence and the fragility of the world order require a concept of citizenship which is global as well as local and national.

Celebrating culture and community. To establish the school as a cultural site, a focal point of community life and thought. To enact within the school the behaviours and relationships on which community most directly depends, and in so doing to counter the loss of community outside the school. To appreciate that 'education is an embodiment of a culture's way of life, not just as a preparation for it.' Establishing itself as a thriving cultural and communal site should be a principal aim of every school.

Group 3: Learning, knowing, and doing

Exploring, knowing, understanding, and making sense. To enable learners to encounter and begin to explore the wealth of human experience through induction into, and active engagement in, the different ways through which humans make sense of their world and act upon it: intellectual, moral, spiritual, aesthetic, social, emotional, and physical; through language, mathematics, science, the humanities, the arts, religion and other ways of knowing and understanding.

Induction acknowledges and respects our membership of a culture with its own deeply embedded ways of thinking and acting which can make sense of complexity and through which human understanding constantly changes and advances.

Education is necessarily a process of acculturation. Exploration is grounded in that distinctive mixture of amazement, perplexity and curiosity which constitutes childhood wonder; a commitment to discovery, invention, experiment, speculation, fantasy, play and growing linguistic agility which are the essence of childhood.

Fostering skill. To foster children's skills in those domains on which learning, employment and a rewarding life most critically depend: in oracy and literacy, in mathematics, science, information technology, the creative and performing arts, the humanities and financial management; but also, and no less in practical activities, communication, creativity, invention, problem-solving, critical practice and human relations. To ally skills to knowledge and a sense of purpose in order that they do not become empty formulae devoid of significance.

Exciting the imagination. To excite children's imagination in order that they can advance beyond present understanding, extend the boundaries of their lives, contemplate worlds possible as well as actual, understand cause and consequence, develop the capacity for empathy, and reflect on and regulate their behaviour; to explore and test language, ideas and arguments in every activity and form of thought. There is a need to emphasise the intrinsic value of exciting children's imagination. To experience the delights – and pains – of imagining, and of entering the imaginative worlds of others, is to become a more rounded and capable person.

Enacting dialogue. To help learners grasp that learning is an interactive process and that understanding builds through joint activity between teacher and pupil and among pupils in collaboration, and thereby to develop pupils' increasing sense of responsibility for what and how they learn. To help learners recognise that knowledge is not only transmitted but also negotiated and re-created; and that each of us in the end makes our own sense out of the meeting of knowledge both personal and collective. To advance a pedagogy in which dialogue is central: between self and others, between personal and collective knowledge, between present and past, between different ways of making sense.

Education Endowment Foundation (EEF):

The Education Endowment Foundation (EEF) is an independent charity established in 2011 to improve the educational attainment of the poorest pupils in English schools.

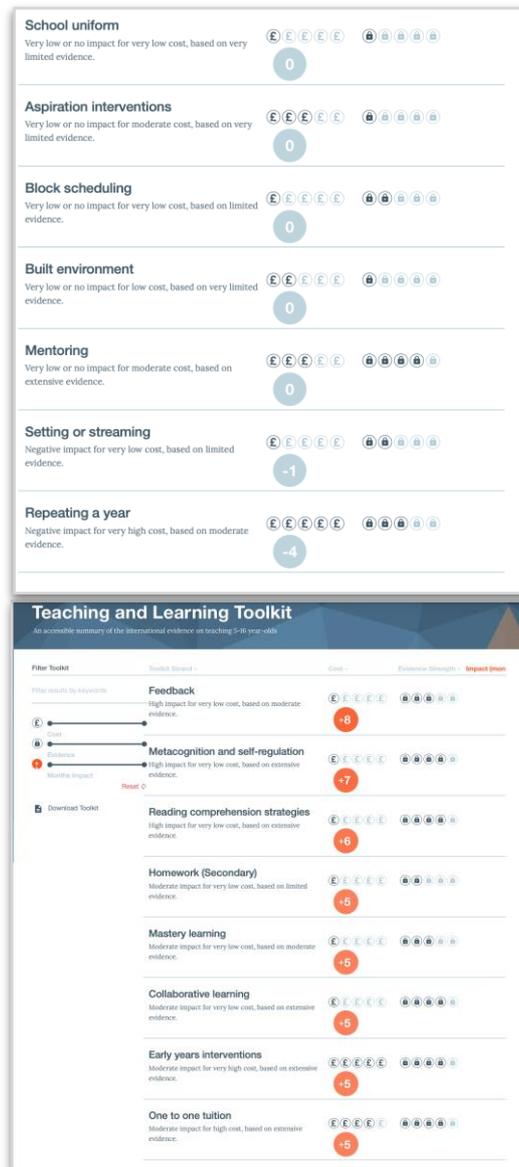
The EEF aims to support teachers and senior leaders by providing evidence-based resources designed to improve practice and boost learning. On its creation, the EEF became the biggest funder of school research in England.

Teaching and Learning Toolkit

The Sutton Trust-EEF Teaching and Learning Toolkit was developed from the 'Pupil Premium Toolkit' commissioned by the Sutton Trust and produced by Durham University in May 2011. The Toolkit summarises the findings of more than 13,000 trials from around the world and is similar in concept to the work of Prof. John Hattie whose work analyses the findings of thousands of educational research projects.

Many contributors to *Our Kirklees Futures* are extremely concerned that policy and strategy is evidence based. The Toolkit supports schools in developing those initiatives that have the greatest impact at least cost.

The toolkit also identifies those initiatives that are least effective and most expensive.



Views of learners, young people and communities

In the past year several pieces of work have been undertaken to illicit the views of learners. The outcomes from this survey can be seen below:

Another piece of work with young people looked at how their lives changed because of Covid and lockdown:

There are clear alignments between what children and young people say they feel are important with the ambitions that senior leaders across Kirklees feel are important.

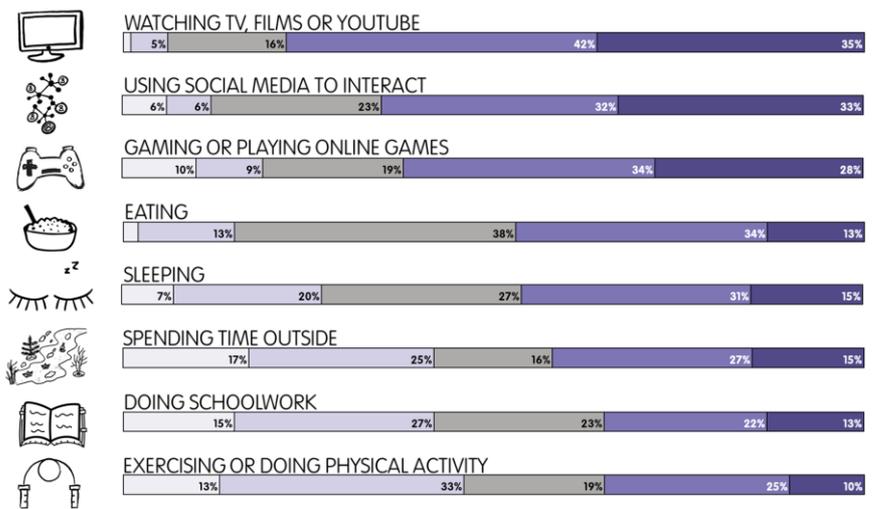
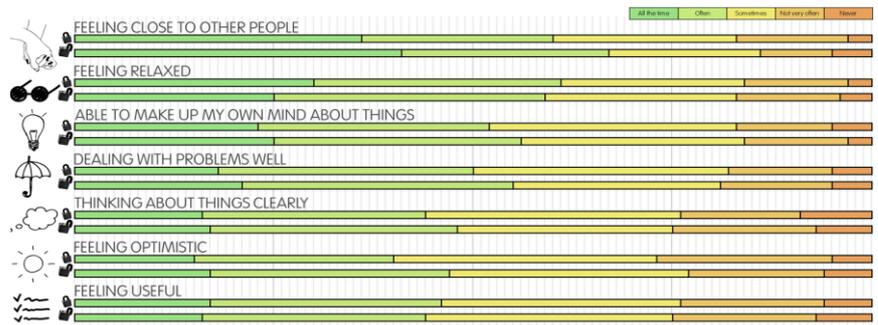
Optimism

Children and young people were particularly concerned about the negative way in which they were referred to because of the Covid Pandemic. Phrases such as “lost generation”, “missing-out” and even “catch-up’ all have negative connotations.

Children and young people wanted us to be optimistic and upbeat about the future and about the actions we will take to support them working from a situation whereby they have supported their community through a very challenging time, they have continued to grow and learn and develop but perhaps in ways that previous generations were not able to.

Global warming and Climate Change

Children and young people are understandably very concerned about the future of the planet and the implications of addressing the issues of detrimental environmental change caused by human activity. They feel that we should move to ensure that our strategy addresses this issue in two ways. First, that we make our work carbon neutral as quickly as possible and secondly that we educate people about the science that underpins global warming and the direct causal link between human activity and environmental damage.



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Name of meeting: Cabinet
Date: 5th October 2021
Title of report: **Special Educational Needs and Disabilities (SEND) – Capital investment and rebuild of 2 Special Schools**

Purpose of report:

This report outlines the work that has been undertaken to develop and deliver a plan for the provision of special school places that will contribute to the long-term sufficiency of specialist provision as part of the wider SEND Transformation Plan. It proposes sites for rebuilding and replacing two of our existing special schools with the aim of enhancing and extending already good quality provision. The report requests approval to undertake detailed planning, engagement and technical studies and seeks delegated authority to progress in line with projected timescales.

| | |
|--|--|
| Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? | Yes – this will have significant capital and revenue implications as outlined in the report. |
| Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u> | Key Decision – Yes Private Report/Private Appendix – Yes |
| The Decision - Is it eligible for call in by Scrutiny? | Yes |
| Date signed off by <u>Strategic Director</u> & name. Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning? | Jo-Anne Sanders for Mel Meggs – Director of Children’s Services – 24/09/21 Eamonn Croston – Service Director for Finance – 24/09/21 Karl Larrad for Julie Muscroft – Service Director for Legal, Governance and Commissioning – 24/09/21 |
| Cabinet member <u>portfolio</u> | Cllr Carole Pattison – Learning, Aspiration and Communities Cllr Viv Kendrick – Children’s Services Cllr Paul Davies - Corporate |

Electoral wards affected: All

Ward councillors consulted: Special Schools serve children from across the district, the Ward Councillors where both the current school and the proposed school locations are situated have been briefed.

Public or private: Public (with private appendix)

The report contains an Appendix 2 that is recommended to be taken in Private because the information contained is considered to be exempt information under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

It contains information regards the financial or business affairs of any person including the Council. It is considered that it would not be in the public interest to disclose the information contained in the private appendix as disclosure could adversely affect overall ability to obtain value for money, compromise the commercial confidentiality of organisations mentioned in the report, which is considered to outweigh the public interest in disclosing information including, greater accountability, transparency in spending public money, and openness in Council decision-making

Has GDPR been considered? Yes, no individuals are identified in this report.

1. Summary

1.1 Improving the outcomes for our children with special educational and additional needs is at the heart of our agreed 'Inclusive Ambitions' (see Appendix 1) to tackle key inequality issues in Kirklees. By investing in and working with our children and young people and their families at the earliest opportunity, this will support us to help them in achieving their best possible outcomes

We want:

- All our children and young people to have the best start in life
- Our children and young people to be proud to come from Kirklees
- Our children and young people with Special Educational Needs and Disabilities (SEND) to live and be educated in Kirklees
- Our children and young people with Special Educational Needs and Disabilities to make good educational progress, have high aspirations and good life opportunities.

1.2 As part of a planned strategy of enabling more children and young people to secure places and thrive in local educational settings, the purpose of this report is to seek approval to replace and rebuild two of our schools for children with an Education Health and Care Plan (EHCP) in Kirklees, as part of our wider SEND transformation programme which is currently underway.

- 1.3** Securing the right number of special school places is a fundamental part of our overall sufficiency strategy. This report focuses on a once in a lifetime opportunity, that proposes to secure and build on the capacity and expertise which exists in local state-funded special schools to continue to support children and young people’s needs by ensuring we have high quality, fit for purpose facilities that can support a wide range of need within a sustainable delivery model.
- 1.4** Our vision for the rebuild of two of our existing schools, Joseph Norton Academy, and Woodley School and College is incredibly ambitious. We aim to co-design and co-produce, true multi-agency partnerships, created through our SEND Commissioning strategy, offering Family Support, Mental Health support, Physiotherapy, Speech & Language Therapy and Occupational Therapy in house within the settings, enabling children, young people, and their families to access the services they need, where they need them.
- 1.5** There are six special schools within Kirklees, all currently judged by OFSTED as Good or Outstanding, serving learners with a range of needs as follows:

| | |
|--------------------------|---|
| Castle Hill School | Profound & Multiple Learning Difficulties (PMLD) |
| Fairfield School | Profound & Multiple Learning Difficulties PMLD |
| Joseph Norton Academy | Social, Emotional & Mental Health (SEMH) Difficulties |
| Ravenshall School | Complex Needs (C&L / CCI / SEMH) |
| Southgate School | Complex Needs (C&L / CCI / SEMH) |
| Woodley School & College | Autism Spectrum Conditions (ASC) |

- 1.6** There are two main reasons underpinning the proposals in the report. Firstly, is the analysis of demand for future special school places as part of the overall sufficiency for meeting the educational needs of children and young people with an Education Health and Care Plan.

Applications for places in special schools are increasing year on year, particularly for Complex Communication & Interaction (CCI) needs (including Autism Spectrum Condition) and for Social Emotional and Mental Health (SEMH) needs.

*NB - this is a national challenge, with EHCPs now issued for 3.3% (and rising) of the schools’ population compared with 2.8% between the years 2007-2017. The table below shows the estimated number of places for

children and young people with SEMH / CCI needs required by 2023, based upon current trajectories:

| | Number of current places 2021 | Estimated places required 2023 |
|---|--|---|
| SEMH (Joseph Norton Academy) | 63 | 132 |
| CCI – Autism (Woodley School and College) | 122 | 179 |

The table above outlines the need to increase our places available for students with SEMH needs by over 50%. We currently have 179 Children / Young People educated outside of Kirklees or in independent settings, and 75% of these have SEMH needs.

Alongside the rebuild of the two special schools we also plan to increase the amount of Specialist Provision attached to mainstream schools in Kirklees – this will include provision for learners with SEMH and ASD. This would ensure a continuum of provision to meet a wide range of need and will contribute to the overall sufficiency of places required going forward. Plans in relation to this will be subject to a further report later in the Autumn term.

- 1.7** Secondly, the buildings for Woodley School and College and Joseph Norton Academy both currently require significant modernisation. Woodley has been developed, partially within a Grade 2 listed building with limited further adaptability and significant on-going maintenance costs. Joseph Norton Academy has buildings which do not maximise the most suitable environment for learners with SEMH needs, which result in smaller class sizes and increased revenue staffing costs.
- 1.8** This means that there are opportunities for investment in physical accommodation that will secure the right number of places for Kirklees children, now and in the future as well as provide facilities and spaces that our children and young people deserve, matching the quality of education they currently receive.

2 Information required to take a decision

Background

- 2.1** Fundamental changes were introduced nationally as part of legislative reforms under the Children and Families Act 2014, and the Special Educational Needs and Disability code of practice: 0-25 years 2015. Since that time, and like other local areas, Kirklees has experienced an increased demand for Education, Health and Care Plans and subsequent rises in costs. Like many other authorities, over recent years Kirklees Council has seen rising numbers of children with SEND who need additional support.

2.2 Current trajectories in terms of annual revenue expenditure from the High Needs Block, the ringfenced government funding for the education of children with SEND are unsustainable in the medium to longer term. As part of our wider transformation plans, securing sufficient and suitable places for our learners is a key element to enable us to address this. Pressures in Kirklees include:

- 44% rise in children with an EHCP since 2015;

Total number of EHCPs in Kirklees



| 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
|------|------|------|------|------|------|------|
| 1907 | 2080 | 2372 | 2455 | 2741 | 3329 | 4212 |

- 47% rise in requests for Kirklees special school placements since 2020.

Total numbers of new requests for Kirklees Special School Places 2019-2021

| School | Area of Need | 2019 | 2020 | 2021 |
|--------------------------|----------------------------------|-----------|-----------|---------------|
| Castle Hill School | PMLD | 7 | 6 | 10 |
| Fairfield School | PMLD | 5 | 9 | 8 |
| Joseph Norton Academy | SEMH | 8 | 7 | 9 |
| Ravenshall School | Complex Needs (C&I / C&L / SEMH) | 33 | 30 | 38 |
| Southgate School | Complex Needs (C&I / C&L / SEMH) | 21 | 23 | 45 |
| Woodley School & College | C&I (ASD) | 14 | 13 | 20 |
| Total: | | 88 | 88 | 130 |
| Increase: | | | 0% | 47.73% |

- Currently we have 179 children and young people being educated outside of Kirklees/in independent settings, with an average placement cost of £58,000, at a forecast annual cost of £8million per year. If we were able to educate more children and young people within Kirklees this cost could reduce significantly. Average placement costs at Woodley College are £35,000, at Joseph Norton are £25,000. Clearly, there are opportunities to make a significant difference by investing in our provision locally.
- Fixed period and permanent exclusions in the SEND cohort have risen and are above national trends.

SEN (Support & EHCP) Rates



- The reasons for the rise in exclusions is complex and there is no one single factor, but unmet needs for many young people is a significant issue, this factor particularly affects our requirement for SEMH places. Reducing exclusions for all children and young people in Kirklees is a priority outlined in both the “Our Kirklees Futures” Learning Strategy and the SEND Transformation Plan and projects are underway to impact upon this.
- The buildings and sites of both schools present organisational and curriculum challenges which leads to increased revenue costs.

2.3 The transformation of the Special Educational Needs and Disabilities (SEND) system and securing the financial sustainability of the High Needs Block are corporate priorities for Kirklees. There is currently significant strategic level work being undertaken to improve all areas of Inclusion within Kirklees to create a system of earlier identification and assessment of need. This is articulated within the SEND Transformation Plan and includes further development of:

- Working with, not ‘doing to’ our children, young people and families - ensuring voices are heard and valued and views are used to shape provision and support. We want to create a truly person-centred approach to supporting children and young people and their families with a commitment of: “No decision about me is made without me.”

- Refining our inclusive offer available to all pupils in mainstream schools through a Graduated Approach. This includes work on ethos and culture around inclusion, reviewing Behaviour and Engagement policies, Teaching & Learning strategies and 'Ordinarily available provision' – our non-negotiables around Inclusion which we would expect to see in every setting.
- Building capacity within our Outreach team of Specialist Teachers and Practitioners who will be available for training, consultancy and advice with primarily schools but also families, to develop expertise and capacity within mainstream settings in order to improve early identification and assessment of SEND and improve provision, in order to better meet need.
- Enabling and supporting our mainstream settings to build upon existing expertise to enhance and develop creative inclusive specialist and targeted support for pupils.
- The breadth and depth of our Specialist Provision and Alternative Provision offer across Kirklees, ensuring sufficient places are commissioned, meeting the needs of learners with a range of SEND. We plan to increase capacity for specialist and alternative provision following an external review, which will be brought forward for decision making in a separate report in due course.
- EHCP processes and pathways; championing and coproducing our person-centred approach to all decision making and communication.
- Our SEND commissioning strategy to ensure pupils have access to all the services they require, as far as possible within their local community.

2.4 Proposals for change – Site selection process

Having established the projected number of places required, working together, Children's Services and Capital Development undertook a 'desk top' exercise, supported by in person visits where needed, to identify potential sites within the Council's ownership that may fit the search criteria in terms of the size of the site area required as determined by reference to the 'Department for Education Building Bulletin 104 – Area Guidelines for SEND and Alternative Provision' and the geographical location – central to Kirklees so that the schools could be accessible from all part of the district. In addition, local knowledge and Google Earth was also used to identify potential sites that could potentially accommodate a new school building but which were not in Council ownership.

2.5 Around 20 sites were considered and reviewed, with officers taking a considered and balanced view in relation to a range of factors – these

included the potential alternative strategic uses for each site; Local Plan status; size in comparison with BB104; geographical location; accessibility by road and pedestrian means; impact on the highways network and road safety; planning constraints and overall deliverability. Initial informal consultations were held with Kirklees Planning and Highways Departments where relevant.

2.6 In addition to the existing Woodley School and College site and the existing Joseph Norton Academy site, the outcome of the review identified two further existing Council owned sites that best met the search criteria. These were:

- Deighton site – former Deighton Centre site (now demolished)
- Almondbury site – former Almondbury Community School secondary site which is expected to become available in 2022 (currently being used on a temporary basis by King James’s School while building work is undertaken on their main site)

2.7 Following this initial review, Bond Bryan Architects were appointed, following a tender process involving architectural companies with experience of designing new special schools, to undertake an exercise in relation to the identified potential new sites and the existing special school sites at Woodley School and College and Joseph Norton Academy. Bond Bryan were tasked to review each site to demonstrate whether the existing buildings / sites or new sites could deliver the expansion of places identified in paragraph 1.6 above whilst providing high quality provision in modern, state of the art buildings that would meet the needs and aspirations of the schools and Children’s Services.

2.8 In considering their report, Bond Bryan Architects worked up a number of options for each site, engaging with the Leadership teams at Woodley School and College and Joseph Norton Academy as well as Kirklees representatives. This included reviewing existing sites - their constraints and opportunities - and the potential offered by the two new sites identified in the site review. The outcome of this exercise provided a detailed option appraisal including:

- A high-level schedule of accommodation to establish the gross internal floor area and external areas required to meet the increased capacity for each of the SEND provisions in accordance with Building Bulletin 104 (BB104);
- An overview of building type and design best suited to deliver SEND provision, developed in conjunction with the end-users;
- A technical review of both the existing and additional sites to assess suitability of existing accommodation and facilities on site and its potential for accommodating increased capacity to meet future needs of our communities;
- An options study to establish the most viable option/s for each of the Special Schools for SEMH and C&I / Autism for taking forward as a building project;

- The deliverability opportunities for each site
- A high- level budget appraisal for each of the viable options.

- 2.9** The Bond Bryan study concluded that whilst the current site for Joseph Norton Academy could technically accommodate a new build school, it noted that geographically the school could be more centrally located to deliver transportation and environmental savings and there would be operational and Health and Safety challenges with delivering a new school on an existing special school site. It was accepted that the existing buildings would be uneconomical to extend and refurbish to create modern state of the art facilities, as well as being logistically challenging to realise on a 'live' school site.
- 2.10** In relation to Woodley School and College, the existing school site was deemed incapable of supporting a significant expansion of provision due to the constraints of the site, the proportion of listed buildings and the woodland setting. The existing buildings were also not suitable for conversion due to the physical constraints and challenges presented by the Longley New Hall and the associated stable blocks.
- 2.11** Bond Bryan identified that it would be viable to develop an expanded provision for Joseph Norton Academy on the Deighton site as this was a former school site of sufficient size for the increased provision required with immediate developable capacity that could deliver a new school building., subject to addressing the site's Local Plan status as a potential housing site, as well as obtaining appropriate planning consent.
- 2.12** The study also concluded that a new, expanded provision for Woodley School could be developed on the Almondbury site, by either reutilising the former KS2/secondary school footprint (not the buildings, with the potential exception of the swimming pool and sports hall) or developing a new build school on the surrounding grounds. It was noted that issues arising from the Public Private Partnership 1 (PPP1) contract in place in relation to the Almondbury site would need to be addressed.
- 2.13** Following a subsequent review of the report and the challenges and opportunities presented by the existing school sites and the potential new sites, officers at Children's Service Capital Board supported the Deighton site and the Almondbury site as the two preferred locations for provision of two new Special School buildings.
- 2.14** In October 2020, Senior Officers approved further exploratory work be undertaken in relation to both the Deighton site and the Almondbury site. This is because of the Deighton site's allocation as a housing site in the approved Local Plan and the Almondbury site being part of the PP1 contract.

2.15 During late 2020 and early 2021 officers from Corporate Landlord and Capital Services undertook further feasibility work in relation the Deighton and Almondbury sites. This included understanding a range of issues including:

- Planning and highways implications;
- Ease of construction;
- High level cost review of individual options;
- Ability to meet the educational, operational and strategic brief from Children’s Services;
- Financial and contractual implications on the PPP1 contract;
- Opportunities to link the proposals to other Council strategic needs.

This has led to a preferred option for the Deighton site and the Almondbury site, which are detailed within this report and recommended for approval by Cabinet.

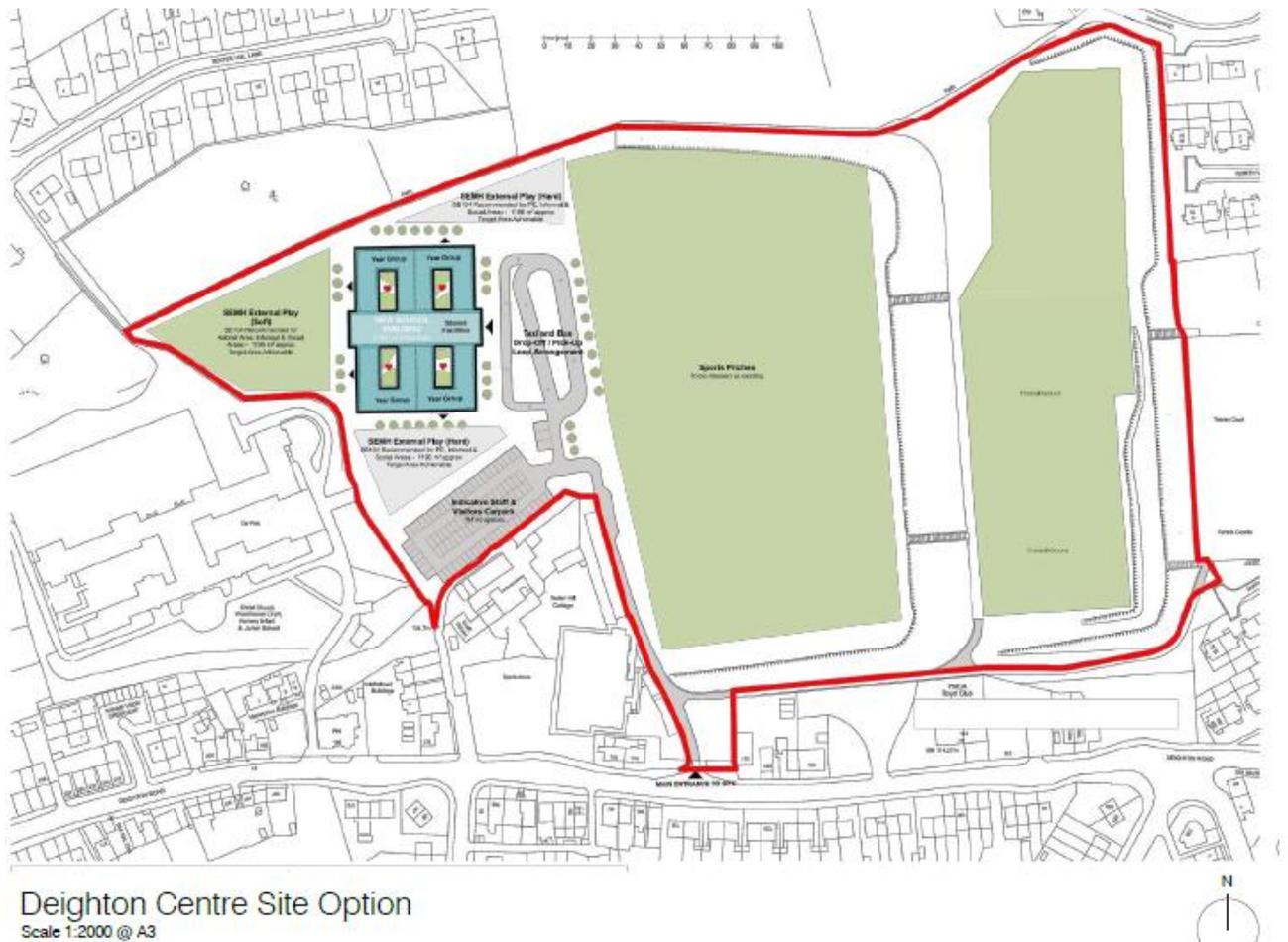
3. The Proposals

3.1 The recommended Deighton site option

It is recommended that a new special school building providing up to 132 places for Children and Young people with SEMH needs be built on the footprint of the Deighton site. The school would cater for boys and girls aged 5 to 16 with the option of exploring Post 16 provision. This would mean that Joseph Norton Academy would relocate from its existing site, and that the number of planned places would increase, and there would need to be a change to the age range of the academy.

The 132 place school would be part of a continuum of provision for pupils with SEMH needs, as outlined in section 2.5 above. Alongside the new school will be a number of “Additionally Resourced Provisions” (ARPs) attached to mainstream schools and a robust “Alternative Provision” offer.

An indicative plan showing how a new build SEMH special school could be located on the Deighton site is shown below:



3.1.1 The Deighton site has a number of characteristics that make it the preferred solution for a new SEMH School building:

- It is an excellent location to serve all parts of the district;
- The Deighton site was a former High School site and is therefore likely to benefit from minimal planning and highways constraints;
- There is good access and frontage to the school with an opportunity for locating the school building in an excellent position on the overall site;
- There is sufficient space for providing an efficient and fit-for-purpose pick up / drop-off for students and parking for staff as well as good transport links for independent travel;
- Sheltered outlook towards the north/north west, which would be ideal for re-providing excellent outdoor facilities that already exist at Joseph Norton Academy that provide positive opportunities for SEMH pupils;
- The site is clear and therefore the existing footprint is readily available for building works;
- Excellent access to surrounding urban greenspace, woods and space for outdoor learning opportunities;
- Vacant site which means that construction of the new build school can occur whilst the existing school remains in operation at its current site.
- No impact on Deighton Sports Centre or playing fields, thus limiting risk of objections from Sport England.

At this stage the layout shown above is indicative only, with no design work being undertaken on the school buildings. Assuming approval of the new build at this cabinet, and subject to planning consent, it is anticipated that the new school could be ready by the end of 2024 (subject to several influencing factors being addressed). Although endeavours would be made to achieve an earlier completion date if feasible.

- 3.1.2** The Deighton site is currently shown as a housing allocation with the Council's approved Local Plan. Discussions with Planning Policy have indicated that, whilst the potential loss of housing is not preferable, the impact on the five year housing supply could be outweighed by the urgent strategic need for expanded specialist school provision to serve the district. It was felt that a suitable and strong argument could be presented with valid justification for removing the site from the housing supply. As a proposal for this site would need to be fully tested through a formal planning application process, it remains a risk that a new build school would not be approved but officers believe that this risk is not substantial. To further assist with the decision the Capital Team have confirmed that there is an officer working group established to review the Council's land portfolio in order to identify potential replacement housing sites where others fall short. This should assist with any potential issues at the Deighton site.
- 3.1.3** This report seeks authorisation to appoint consultants with specialist knowledge of the design of special schools to undertake surveys on site, develop the design, apply for and obtain formal planning permission, and move towards tender and construction of the new SEMH School on the Deighton site.

3.2 The recommended Almondbury site preferred option

- 3.2.1** It is recommended that a new special school building providing up to 179 places for Children and Young People with Autism be built on the footprint of the Almondbury site. The school would cater for boys and girls aged 5 to 18. This would mean that Woodley School and College would relocate from its existing site, and that the number of planned places would increase.

The 179 place school would be part of a continuum of provision for pupils with Communication & Interaction needs, as outlined in section 2.5 above. Alongside the new school building opportunities will be explored to enhance the number of specialist provision places attached to mainstream schools.

- 3.2.2** During late 2020 / early 2021 officers considered three different options for the Almondbury site before settling on a preferred option. The first discarded option related to the potential to build a new school on urban greenspace within the school grounds, with the existing buildings retained for an alternative use, to be determined.

3.2.3 This option presented a number of planning, highways and operational challenges. It was established that building on adjacent fields did not accord with the Council's Urban Greenspace policy and would create significant harm from a policy perspective, especially in an area with an existing deficiency of amenity greenspace. A new build school would also be difficult to justify from a planning perspective without an identified specific use for the former KS2/high school buildings. Existing Public Rights of Way would have needed to be closed or diverted, and a new site entrance for vehicular traffic would need to be created off Eastlands, which would have added significant pressure to the local traffic network. Finally, the topography of the site would have compromised the design of the site layout for the new school and would have added significantly to the build costs, whilst the close proximity to domestic properties may have incurred planning objections.

3.2.4 The second discarded option related to the re-use of the existing former KS2/high school buildings to house to the special school following remodelling and refurbishment. The current buildings were predominately built in the 1950s with a significant proportion of space in a four storey classroom block. Extensive discussions with the Council's Technical team and external consultants highlighted the difficulties and constraints that refurbishing accommodation of this type for special school provision would create. It was identified that the swimming pool and sports hall would be capable of being retained but all other accommodation was of little value if it was to be fit for purpose to meet the needs of pupils. Repurposing existing buildings at the Almondbury site would represent poor value for money, as the accommodation would not be suitable nor fit with the vision of purpose-built accommodation that would;

- Enable the facilities to be bespoke, designed around the needs of the disabled children and young people who currently access an autism specific curriculum including those with associated sensory needs;
- Provide an opportunity to ensure the new facility could be "future proofed" to meet the changing needs of young disabled children with more complex co-occurring conditions;
- Enable the best sensory environment to be designed that offers a stimulating, safe and calming environment to meet a broader range of disabled children's needs;
- Ensure that the building does not limit the ability of the school curriculum being limited by the current environment for pupils with C&I/Autism, enabling the school on its journey from good to outstanding provision.

In summary, there was no support from a technical or educational perspective to retain the existing buildings, with the possible exception of the swimming pool and sports hall which were identified as being complementary to the provision that could be provided at the new special school building.

3.2.5 This preferred option would involve the demolition of the existing KS2/secondary school buildings, with the possible exception of the existing swimming pool building and the sports hall which could be retained and refurbished. The cleared footprint would be used for the construction of the new build school, playgrounds and associated facilities.

3.2.6 This option has a number of positive advantages that support the recommended solution:

- Building a new provision on the existing footprint should not have a detrimental effect on the areas of urban greenspace on this site, and means that it is possible to re-provide and enhance the excellent outdoor facilities that already exist at Woodley School and College that enable positive opportunities for pupils;
- As the site formerly housed a school it is likely to benefit from minimal planning and highways objections;
- The ongoing revenue and capital liabilities of a large empty school site would be removed. This is explained in the financial implications section later in the report.
- It is anticipated that there would be no additional affects on the highway with the proposed plan/layout;
- A new build would deliver accommodation that meets the strategic, organisational, educational and operational aspirations of Children's Services and the school;
- The site also provides an opportunity to co-locate the council run Children with a Disability short breaks service to create complementary services and activities offering, flexible and coherent services for children with disabilities and their families on one familiar site. This option will be explored in depth during the development and design of the special school, if approved.

3.2.7 An indicative plan showing how a new Communication and Interaction/ Autism special school building could be located on the Almondbury site is shown below:



At this stage the layout shown above is indicative only, with no design work being undertaken on the school buildings. This report seeks authorisation to appoint consultants with specialist knowledge of the design of special schools to undertake surveys on site, develop the design and move towards tender and construction of the new school.

3.2.8 There are a number of risks to delivery that should be noted in relation to this proposal.

- the existing Almondbury site remains part of the Council’s PPP1 Group Schools Repairs Contract with the Council contracted to maintain payments to the PPP1 Provider even though the former school is now closed.
- the demolition of the four storey block on the Almondbury site will require the removal of two Telecommunications Masts that are currently located on the roof of the building. However, during this period the design, development and potentially the tender of the demolition and new build contract(s) could occur in order to lessen the impact of the delay.
- the possible loss of the swimming pool having an impact on the school swimming programme in the future.

Details of the above matters are included for consideration within a private appendix.

3.2.9 At this stage the layout shown above is indicative only, with no design work having been undertaken on the school buildings. It is estimated that a budget of £21m will be required to deliver the new school on this site though it should

be noted that this is a high level cost estimate and will be subject to surveys, design development and tendering. Should approval be received by Cabinet to progress, it is anticipated that the new school could be ready by mid 2025.

3.2.10 This report seeks authorisation to appoint consultants with specialist knowledge of the design of special schools to undertake surveys on site, develop the design and move towards tender and construction of the new C&I / Autism on the Almondbury site at an estimated cost of £21m. It also seeks approval to enter into discussions with the PPP1 contract and authority to subsequently engage Legal Services to enter into discussions about the telecommunication leases (as detailed in the private appendix) to enable the demolition of the main school block.

4. Implications for the Council

4.1 Integrated Impact Assessment

An Integrated Impact Assessment has been initiated under the advice of a Corporate Policy Officer. This will be reviewed throughout subject to approval to move forward with next steps, taking into account environmental impact on both sites, should these be taken forward and reviewed as part of engagement and consultation with stakeholders, including service users, employees and local residents.

4.2 Working with People

With a focus on early intervention and supporting co-production and design, the approach we are developing illustrates our organisational commitment to working with families, partners, stakeholders and communities. This is highlighted in the development and agreement of a shared set of 'Inclusive Ambitions' across the Kirklees SEND partnership. In producing change and transformation of outcomes we are seeking to improve the life experiences and chances of a cohort of young people who consistently benchmark below their peers in relation to educational attainment and employment prospects. Should the proposals to rebuild our 2 special schools be approved, we are committed to working with our families as we progress the delivery of the new school buildings.

4.3 Working with Partners

The transformation of the SEND system to deliver better outcomes and on a sustainable financial basis is reliant on a strong partnership approach with Kirklees internal and external partners. This opportunity for significant investment in state of the art facilities for Kirklees children and young people cannot be realised without good relationships and collaboration with our education providers, local elected members and communities. Ensuring that

we maximise opportunities for the next stages to be shaped by partners will be crucial to ensure that services are joined up and well understood.

4.4 Place Based Working

At the heart of our SEND transformation plan is to build provision within Kirklees and to ensure that there is sufficient capacity locally wherever possible. We recognise that some children may need to receive support outside of Kirklees but we want to ensure that is kept to a minimum through better integration of provision and support across partners.

We are passionate about ensuring services are accessible to our Children and Young People and their families and plan to move towards a place based approach of joined up working with services across education, health and care.

4.4 Climate Change and Air Quality

The aspiration for our SEND strategy is that less young people will leave or travel outside of Kirklees. By having services more local and accessible within existing settings to where people live in communities can have a positive impact on their mode of travel. From early assessments we anticipate that provision which is more centrally based, and accessible to youngsters locally could reduce miles travelled by children by around 150,000 miles per annum.

Kirklees Council published its Air Quality Action Plan and declared a Climate Emergency in 2019 with an adopted target of 'net zero carbon emissions by 2038'. To contribute to delivering on our ambitions, the Council recognises that the proposed construction of two brand new special schools within the borough provides us with a unique opportunity to demonstrate our commitment to help address the climate emergency through the built environment. The Council has aspirations to seize this opportunity to create two new flagship schools which should be designed and built to the highest environmental design standards and encompass the latest renewable technologies that will help us achieve our carbon net zero target. The Council is currently piloting the construction of council housing being built to PassivHaus standards, which is the leading international low energy, design standard that could be adopted as the design standard on these two schools. The Council will also consider other appropriately robust and leading building design standards, that may deliver a similar outcome in terms of delivering 'net zero ready' schools.

4.5 Improving outcomes for children

Across the partnership, Kirklees have taken significant action to improve SEND services for children and young people aged 0 to 25. This is now captured as part of a clear Inclusion strategic plan. With the development of our 'Inclusive Ambitions' the direction for us is to work towards shared vision and equal partnership with a clear pathway of improvement across a range of partners, striving for the best outcomes for children and young people with

SEND. In modelling the proposals, meeting the needs of children and young people and their preparation for adulthood has been our key underlying principle in order that this is given appropriate consideration for these two buildings, both now and for years to come.

4.6 Financial – Revenue and Capital

4.6.1 The current capital plan agreed by Council on 10th February 2021 referred to a number of ‘pipeline’ key strategic priority schemes that sit behind the existing headline capital allocations.

4.6.2 The ‘SEND district sufficiency’ proposals was one of these schemes and the initial plan estimated that an investment of £28 million profiled over 5 years, would be required to deliver district sufficiency.

4.6.3 Work undertaken as part of the initial assessments indicate that further costings associated with the development of both school buildings estimate that the costs for the Deighton site could be approximately £15 million and the Almondbury site could be approximately £21 million providing an overall indicative total of £36 million. The investment required at this stage is indicative and requires more detailed work to be undertaken. The current capital plan outline approval for this scheme is £28m. It is proposed at this stage that subject to Cabinet approval, the revised outline £36m allocation requirement is incorporated into updated capital plans to Budget Council in February 2022, and on the assumption of potential for external funding options to be explored as part of this outline uplift, it is then intended that officers would report back to Cabinet as appropriate, costings and funding opportunities become clearer over the next 9-12 months as part of scheme development.

4.6.4 All external funding options will be explored, but, in the absence of these Cabinet would need to consider additional long-term (to that approved in the Capital Plan in February 2021) of £8 million borrowing to finance the schemes.

Assuming an asset life of 40 years, and, based on a rate of 3.88% equates to a revised total borrowing cost for the scheme, (assuming a £36 million pound investment over 40 years) of £55.9 million and would mean annual payments of £1.4 million.

4.6.5 As detailed earlier in the report the development of the new schools will increase both the capacity and specialist support available for children and young people to meet projected and future demand.

Currently there are approximately 138 children being educated outside the Kirklees district in independent settings, plus an additional 41 children being educated outside the Kirklees district in other Local Authority Special schools (see table in 4.6.7 below).

Presently capacity at Woodley School (Maintained) is 122 and Joseph Norton (Academy) is 63 places equating to 185 places in total.

The proposed new schools will have a combined 279 places which is an increase of 94 places equivalent to 53%. This would allow for additional choice for children already supported within the system plus extra availability for estimated further demand for places.

Being able to meet the needs of our children locally not only creates the conditions for supporting improved outcomes, but also represents better value for money. The partnership would be better placed to wrap support and care around children and their families, travel times would be improved and preparation for adulthood could be strengthened.

4.6.6 Looking specifically at the overall High Needs block funding that the district attracts, continues to be a significant and growing pressure for the Council as the overall deficit at 31 March 2021 stands at £25.1m. Doing nothing is not an option. The High Needs spend in 2020/2, in excess of the £43.1m Dedicated School Grant (DSG) funding allocation was £10.7m (equivalent to 24.8%).

4.6.7 There are medium and long term opportunities to achieve revenue savings associated with developing the new school buildings because additional places should allow for economies of scale and eventually reduce the overall need for children to receive their education outside Kirklees. The table below shows the increasing costs that the Council is funding to support children at external facilities:

Cost of External Placements

| Financial Year | Average Placements | Annual Cost | Average Cost per Placement |
|-----------------------|---------------------------|--------------------|-----------------------------------|
| 2021/2022 | 138* | £8.0 million* | £58k |
| 2020/2021 | 134 | £7.1 million | £53k |
| 2019/2020 | 133 | £6.0 million | £45k |
| 2018/2019 | 128 | £5.5 million | £43k |
| 2017/2018 | 119 | £4.8 million | £40k |

* Forecast for 2021/2022

4.6.8 The table above shows that the average cost per placement using external facilities for 2020/2021 is £53k per annum.

The equivalent average cost per placement supported by Woodley School for 2020/2021 is £35k per annum.

Assuming the same financial differentials would be maintained or enhanced in new facilities the revenue savings would be approximately £18k per placement, equivalent to a 31% reduction in revenue costs.

4.6.9 The table below shows the potential savings on a cost per place basis that could be achieved by creating the capacity in Kirklees Schools, thereby reducing the need for children to be educated in external placements.

Revenue Savings

| Reduction in External Places | Reduction in External Placements | Annual Saving (£18k / placement) |
|-------------------------------------|---|--|
| 5% | 7 | £126k |
| 10% | 14 | £252k |
| 20% | 28 | £504k |
| 30% | 42 | £756k |
| 50% | 69 | £1,242k |
| 75% | 104 | £1,872k |
| 100% | 138 | £2,484k |

4.6.10 Summarising the financial position and for the development of the new sites, a revised capital investment of £36 million could be required.

The financing costs associated with this level of investment would be (subject to PWLB rates) £1.4 million per annum for 40 years.

4.6.11 Cabinet will also need to consider the monetary impact of the Public Private Partnership (2001) contract at the Almondbury site. This is contained within the 32-year Public Private Partnership (2001) contract to refurbish 19 schools within Kirklees. As of 2021 there are 13 years remaining on the contract for the Almondbury site, attracting an annual unitary fee of £657k.

4.6.12 The creation of two new school buildings will also mean that the existing sites will become redundant on completion of the new facilities. The cost of managing the sites would be maintained within the Corporate Landlord / Landbank area of the Council with management costs maintained as part of the overall support and additional security & utility costs would be picked up by the Council until such time that the revised uses are found for the assets.

4.6.13 The Almondbury site has some additional ‘leases’ associated with telecommunications. Income attributable to these leases will be lost if these are amended or terminated. However, by securing an improved physical environment, additional planned places and locations for our schools that are easier to get to, means that we will be creating the conditions to support more of our children to be educated locally. Joseph Norton Academy and Woodley School and College are both good schools, and by working in partnership with school leaders these changes will provide schools with a more appropriate environment to support more children in local special provision and help build on the existing relationships we have with our schools to support our children with SEND to achieve good outcomes.

4.7 Legal Implications

4.7.1 Sites

To enable the proposal to move forward, it is likely that the Council will be required to enter into dialogue with Telecom operators in respect of the rooftop mast leases, PPP1 contractor (Kirklees Schools Services Ltd) and secure planning approval with associated access. As detailed above, the Council is contractually bound to pay the full unitary charge in relation to Almondbury High School for the remainder of the duration of the PFI contract unless a deed of Variation to the Project Agreement can be agreed which may also involve lender approval. The Council must also comply with its obligations under section 149 of the Equalities Act and its public sector equality duty. Contracts for works and services will need to comply with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015.

4.7.2 Statutory proposals and Significant Changes to Academies

There are a number of significant school organisation changes to existing schools highlighted within these proposals which will require different decision-making processes. The Department for Education provides guidance on such changes which is detailed below in relation to each school.

Woodley School and College, a Local Authority maintained community school

The appropriate DfE guidance is 'Making significant changes (prescribed alterations) to maintained schools', October 2018.

There is just one prescribed alteration that would trigger the requirement for a statutory process which is associated with the proposal to relocate and expand the size of Woodley School and College, a 'change in number of pupils in a special school'. This is because the proposed number of new places is more than a 10% increase. As the main entrance of the proposed new site is less than 2 miles from the existing site, the proposal to transfer the school to a new site does not trigger a second prescribed alteration.

As Woodley School and College is a community special school, either the LA or the Governing Body could propose a change in the number of pupils in the school. The LA would be the Decision-maker.

The decision-making process would consist of Publication of a statutory proposal, a four-week Representation period (formal consultation), a Decision (made by Kirklees Cabinet) and Implementation. There is a strong expectation from the DfE that a non-statutory consultation is undertaken before the start of the formal statutory process.

Joseph Norton Academy, part of the Wellspring Academy Trust

The appropriate guidance is 'Making significant changes to an open academy and closure by mutual agreement', November 2019.

The proposals for Joseph Norton Academy that trigger a significant change process are:

- Change to the number of pupils in a special school, as the proposed number of new places is more than a 10% increase.
- Age range change, as there are proposals to lower the age range (and potentially increase the age range subject to the development of post 16 provision)
- Transfer to another site, as any transfer of site triggers a significant change

As Joseph Norton is an academy, the Proposer would be Wellspring Academy Trust and the Decision-maker would be the Regional Schools Commissioner or the Secretary of State.

The first step in the significant change process is to undertake a fair and open local consultation for a minimum of 4 weeks. The next stage would be to prepare and submit a business case to the Regional Schools Commissioner.

4.8 Governance and statutory compliance

The SEND Transformation and Commissioning Board and the Children's Capital Delivery Board would oversee and implement the overall SEND Strategic Plan in relation to the context of the rebuild projects.

As the work progresses a project team would be created to include school representatives as well as Council Officers to design, plan and deliver all activity to successfully deliver the buildings.

5. Consultees and their opinions

- 5.1** At this stage, early engagement has taken place with the two affected schools, Joseph Norton Academy and Woodley School and College. All other special schools/academies have also been consulted about the proposed changes and the need for them. Following any decision made by Cabinet, a much more full and formal process of consultation and engagement including all aspects of legal requirements to consult within communities will be undertaken.

6. Next steps and timelines

- 6.1** Should the proposal to invest in 2 new Special School buildings on the Deighton and Almondbury sites be approved by Cabinet, officers would begin a procurement exercise to appoint specialist consultants to undertake the design and delivery of the buildings and obtain planning consents.

Site surveys would need to be commissioned as required to inform the design process.

Necessary legal processes in relation to the PPP1 contract for the Almondbury site and the telecommunication masts leases would begin.

Children Services would begin, in conjunction with the Headteachers and Governors/Multi Academy Trust of the affected schools, detailed work including engagement and required consultation processes with the schools' communities.

7. Officer recommendations and reasons

7.1 Based on the content of this report, Officers make the following recommendations to Cabinet. Members are asked to:

- (a) Note the public report and the Private appendix 2 .
- (b) Approve the development, design, tendering and construction of a new SEMH special school building on the Deighton site as detailed in this report with an indicative budget of £15m;
- (c) Approve the development, design, tendering and construction of a new C&I / Autism special school building on the site of the Almondbury site as detailed in this report with an indicative budget of £21m;
- (d) Approve the proposal to remove the Almondbury site from the PPP1 Contract and delegate authority to the Service Director for Legal, Governance and Commissioning and the Service Director for Development, in conjunction with the Service Director for Finance, to agree to enter into negotiations with Kirklees School Services Limited to agree a Deed of Variation to the Project Agreement and authorise the Service Director Legal ,Governance and Commissioning (or authorised representatives) to enter into and execute on behalf of the Council any appropriate legal agreements ,contracts , instruments and certificates under the Local Government (Contracts) Act 1997 relating to the removal of Almondbury High School from the Grouped Schools PPP1 contract , subject to it remaining within the affordability parameters broadly set out in the public report and private appendix 2.
- (e) Delegate authority to the Service Director for Legal, Governance and Commissioning and the Service Director for Development, in conjunction with the Service Director for Finance, to enter into negotiations to secure the removal of the telecommunications masts in accordance with the lease(s) or by agreement with the mast providers/tenants to agree the appropriate legal and contractual lease termination and enter into and

execute any legal contracts, agreements or instruments on behalf of the Council ;

- (f) Note that the current capital plan outline approval for this scheme is £28m. Approve that the revised outline £36m allocation requirement is incorporated into updated capital plans to Budget Council in February 2022, and on the assumption of potential for external funding options to be explored as part of this outline uplift, request officers to report back to Cabinet as appropriate, costings and funding opportunities become clearer over the next 9-12 months as part of scheme development.
- (g) Authorise Officers, at an appropriate time, to undertake the required non-statutory consultation for the proposed changes to Woodley School and College, working closely with the Governing Body of the school, and prepare a consultation outcomes report to presented back to Cabinet.
- (h) Authorise Officers to work with Wellspring Multi Academy Trust, providing the support required for them to undertake a local consultation on their proposed changes to Joseph Norton Academy.

Officers recommend that two proposed sites and new school builds are approved in order to facilitate the placement of some of our most vulnerable young people in modern, state of the art facilities especially designed for the needs of pupils with disabilities so that they can learn, grow and develop in the right nurturing environment.

8. Cabinet Portfolio Holder's recommendations

This report outlines ambitious plans and very real opportunities to invest in new, state of the art school buildings that will be the new 'homes' for two of our schools that make wonderful provision for our children and young people. We can see the opportunities that brand new school buildings can bring for Joseph Norton Academy and Woodley School and College to meet the needs of some of our most vulnerable learners, and how together we can do that locally within Kirklees.

These proposals represent significant capital investment and illustrate our commitment to removing barriers and addressing inequalities – this is about doing the right thing for children and their families both now, and for years to come. It is for these reasons that we support the officer recommendations and will want to ensure that officers commit their time to working with pupils, parents and carers and partners as the proposed new schools are developed.

9. Contact officer

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10. Background Papers and History of Decisions

- SEND Code of Practice 2015
- 16th March 2021 Kirklees Council Cabinet Report - Proposed changes to top-up funding allocations for children in mainstream schools with an Education Health & Care Plan (EHCP) from 1st April 2021
[210227 Mainstream Funding Top Ups Cabinet report V4.pdf \(kirklees.gov.uk\)](#)
- 16th March 2021 Kirklees Council Cabinet Report - Procuring an External Business Partner - SEND
[Cabinet report SEND Transformation FINAL V2.pdf \(kirklees.gov.uk\)](#)
- 16th July 2019 Report to Kirklees Council Cabinet - Future options for Almondbury Community School – Final Decision Report

11. Service Director responsible

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12. Appendices

Appendix 1 – Our Kirklees Inclusive Ambitions
Appendix 2 – Private appendix to public report

Appendix 1

Kirklees Inclusive Ambitions (Developed in Workshops Autumn/Winter 2020)

1. We will have a renewed focus on responsive and holistic early intervention for children and young people, refocusing resources to produce a varied multi agency offer including the use of the community and assistive technology and building the skills of the workforce to work preventatively.
2. Families and carers feel empowered and supported. They have strong knowledge of the support available and there is a clear culture of trust between professionals and families. This will enable a shared understanding of needs; the joint support required to meet them and a clear focus on aspirations.
3. Children and young people feel included across the community and within education settings. Schools are celebrated and held accountable for their pupil centred inclusive practice, and the contribution of individuals with additional needs is better understood across the system. This will mean that more children are able to be supported in mainstream settings across Kirklees.
4. Children and young people are able to thrive within their education settings and are supported to access an education that is flexible and empathetic to their needs. Needs are addressed in a proactive and individual way. Schools focus on and measure an individual's holistic outcomes, recognising success outside of purely academic achievements.
5. The system works in an integrated way, using its resources to take a holistic and targeted approach to needs whilst creating a seamless journey for children, young people and their families. This means that bureaucracy is reduced, and that children and young people are able to receive the right support at the right time.
6. Professionals are empowered to meet the needs of children and young people and support them to achieve their aspirations. This is achieved through embedding a shared culture of proactivity; holistic skills and knowledge across the workforce; and creating clear pathways for meeting needs.
7. Children and young people are supported to have clear aspirations for the future, with a focus on independence and preparing for adulthood. Throughout a young person's journey, they are supported to achieve their aspirations through the support they receive. Ultimately, this will mean more young people enter education, employment and training as they progress into adulthood.

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