

The KIRKLEES SCHOOLS FORUM PUBLIC (Schools Funding Consultative Group) meeting held on **Friday 13th October 2023** at 10:0am at **Cathedral House, Huddersfield**

Present:

Name:	Category of Membership:
	Nursery School Head (0)
Helen Pearson, Jenny Shore, Diana Wilson	Primary School Head (3)
Andrew Fell	High School Head (1)
Paul Evans	Special School Head (1)
	Special Academy Head (0)
Darren Christian (Chair), Dave Wadsworth	Academy Head (2)
Rebecca Smith	Pupil Referral Unit (1)
Hazel Danson, Vicky Morris	Non-school Member (2)
Matthew Pinder	School Governor (1)
David Baxter, Peter Keeley (Minute Clerk), Kieran Lord, Jo-Anne Sanders, Martin Wilby	Officers in Support (5)
	Observers (0)
	Others (0)

1 **Welcome, Introductions and Apologies for absence** **Apologies for Absence**

The Chair welcomed all attendees to the meeting and around the table set of introductions was made.

Andi Gilroy-Sinclair Nursery School Head
 Louise Brown Maintained Primary
 Laura Willmott Maintained Primary
 Paul Evans Maintained Special
 Kath Duffy EY PVI Setting
 Ian Rimmer Secondary Academy
 Cllr Elizabeth Reynolds Cabinet Member for Learning, Aspiration and Communities
 Tom Brailsford Service Director, Children and Families
 Isabel Brittain Service Director, Finance
 John Bartlett Officer in Support

2 **Minutes of the Schools Forum Briefing held on 23rd June 2023** **Minutes of the Schools Forum Briefing meeting held on 24 June 2023**

The Chair led the Group through the minutes page by page to ensure accuracy.

The minutes were confirmed as an accurate record of the last meeting.

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3 **Matters arising from the meeting held on 23rd June 2023** **Matters arising from meeting held on 24 Jun 2023**

There were no matters arising

4 **Kirklees Education & Learning Partnership Board (standing item)** **Kirklees Education and Learning Partnership Board (KELPB)**

Jo-Anne Sanders updated the meeting.

A meeting had taken place on September 27th and key areas were discussed, as follows:

- The latest information was added into the year's work programme and would be included in a later Cabinet report.
- Updates on exclusions, on NCHP, and on the high needs block were also included.
- A presentation had been shared illustrating the journey to this point.
- Board agreed a focus to be made on the areas of exclusions, attendance, and sharing best practice.
- Work was to be done on places, access and inclusion in preparation for the next admission round.
- A consultation was to be held around the reducing PAN in Primary schools.
- An update on the transformation plan was shared with the Board.
- The work programme focus areas going forward, would be in transitions, the over-provision in primary schools, levels of Government support, and staff well-being.
- We are expecting an ILAX inspection soon but we are well-prepared for this when it comes.
- We are planning three days of support from a DfE Attendance Advisor into diaries, the first one is on Monday 16th October.

Q: We have some level of frustration surrounding attendance, with fines for term time absence but we can do nothing for sporadic absence where no GP note is required. Schools would like to threaten fines when this happens more frequently so are we missing something not being able to do this?

A: The point was genuine, and legal advice is currently being sought to see if this can be done. This seems to have become more of an issue since the pandemic.

Q: An additional frustration is that the application of penalties is inconsistent from one school to another.

A: We are aware that some fine and some not with an apparently similar set of circumstances. An added complication is that maintained schools work under one set of policy and procedures, whereas a MAT would have its own often different set of rules to follow.

Q: So do we think that LA maintained schools should have one single policy?

A: We are aware that some deviate from the rules, and there is a line for Head teacher discretion in some cases to make exceptions. However, the schools should have an effective toolkit to confront parents with, should there be issues with poor attendance. It is true that if all schools use one policy and applied the rules consistently, then consistency can more easily be achieved.

Q: Can we put something in place to cover off those parents 'playing the game'?

A: I am sure something could be developed. We will ask the DfE Advisor on Monday for their advice.

RESOLVED: That the DfE advice shall be used to review and potentially strengthen the procedures for absence from school to make them more robust and consistent.

5 **2024 - 2025 Funding Update**
2024-2025 Funding Update

Copies of the Draft DSG funding allocations document were circulated prior to the meeting.

David Baxter updated the meeting on the 2024/25 Dedicated Schools Grant (DSG) and circulated a copy of Draft A which looked at the potential impact of the recent announcement by DfE, of a funding miscalculation.

It was reported that the DfE miscalculation amounts to 0.62 percent of budget, equivalent to £370m nationally. It was reported that the Kirklees share of this error amounted to £2.95m.

It was confirmed that £2.6m had been made as a block transfer and some items under discussion in draft form are still likely to apply. The final position and therefore mitigation of these would be known by December/January.

It was also confirmed that Authority Proforma Tool (APT) had been balanced for all schools for this year.

ACTION: Revised version D to be circulated to the group.

It was confirmed that the growth fund notionally valued around £1.2m used to balance funding, is now closer to £1.0m in value. It was confirmed that funding for the teacher pay award was outside of this fund.

The next stage of the work is to understand the impact of this school by school.

(KL joined the meeting at 9.05am)

Q: Trying to understand the spreadsheet, there is one column talking about £2.1m and the other £2.6m?

A: Last year the pot was £2.1m and this year £2.6m so we were trying to illustrate the difference between the two.

Q: So does this mean the same figure will apply to all schools?

A: The minimum funding guarantee (MFG) means this is not straightforward. Some schools, because of MFG, will not see any adverse impact.

Q: So why is the impact not proportional to pupil numbers instead of a flat rate?

A: Because this is at illustration stage only, we have used existing parameters and colleagues need to be aware this is not the final version. It may well be unfair to apply the same impact to a large High School as to a tiny Primary.

Q: Is this really the best way to apply it?

A: It may well be the most effective, least complex way.

Q: What is option 2 on this sheet?

A: This is trying to illustrate the impact of bringing the growth fund back to £1.2m.

Q: Does this mean that schools that benefit from the growth fund will lose out?

A: No, we will be likely to overspend this year on growth fund. Next year there are likely to be lower bulge places so it could reduce next year without compromising existing commitments. The series of bulges we will encounter are visible so we have certainty on funding in this aspect.

Q: So are you proposing option 2 as the way forward?

A: No, compilation 1 will be based on achieving the £2.6m figure and on last year's census. The final version will also factor in other decisions. Compilation 1 is based on that figure being £2.1m instead of £2.6m. It assumes £2.1 then uses the growth fund to balance it back to the £2.6m figure.

Q: Does compilation 1 achieve the £2.6m then?

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A: Yes it does.

Q: So, is this saying that the reduction in funding per school if applied as in this model, to balance back to the £2.6m figure, would be no worse than £3k to £4k next year per school?

A: Not necessarily. It might be more once any reduction in pupil number from the census are factored in. Please remember this is for illustration purposes, until we have the certainty of the census outcome. However, using this as a guide, individual schools will know whether their census is higher or lower versus last year.

Q: Does the calculation take the DfE error into account?

A: Yes it does.

Q: There seems to be a small number of schools that will have a greater impact, why is this?

A: This is because of a reduction in growth fund applying to those schools.

Q: So will a reduced size of growth fund be enough for Kirklees?

A: There is a known risk within these figures, but it's calculated and worth taking in this form. It's a relatively small risk in comparison to the total funding we are talking about. So we are using comparator 1 as the baseline to work with, with the aim of achieving overall, a balanced position. Bear in mind also, the £3m error and impact is basically money we never had anyway.

The Chair remarked that there was nothing to gain by large-scale engagement on this issue but it could be addressed with a relatively simple explanation via e-mail to all schools explaining the final position was not fully worked through, but the overall impact on each school worst-case was likely to be no worse than £4k per school next year.

RESOLVED: That there will not be any face to face engagement on this matter at this time, an e-mail will be the agreed route of communication at this stage.

ACTION: Suitable email to be drafted and circulated to the forum group for comment/approval.

The copies of the compilation 1 and 2 illustrations were collected at the end of the meeting to be destroyed by the Finance team.

Q: I am still struggling with the information and what it is telling me?

A: Finance team will have a chat with you off-line to help.

6

High Needs Block

High Needs Block

6.1 Safety Valve

Jo-Anne Sanders updated the meeting as follows.

- The enhanced monitoring deadline of 30th September was met. An updated management plan has been submitted.
- We have had several conversations with DfE Advisors and have built a positive relationship. We have been advised to tell the whole story on slides within our presentations.

The main point and key messages being portrayed are:

- Our programme is realistic, deliverable, and financially sustainable.
- It includes elements such as block transfers and firm Council commitments which are looked on favourably by DfE.
- It includes systematic approaches with key partners.
- It includes firm evidence of long-term commitment going back to 2018.
- It demonstrates confidence in our consistency and capacity.
- The modelling demonstrates a zero in-budget deficit in year 4, one year ahead of schedule.

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- To date £28m has been committed or spent in major capital investment - for the next version of the Council Plan this will be higher still.
- We have not changed the commitment to a £10.75m contribution included in the plan, but the profile has changed to be more back-loaded.
- Importantly - we are not asking for additional funding from DfE, at this time.
- We have included a number of internal and external factors and risks to make it even more robust.
- If we are successful in applying for an AP Free School this will realise even higher benefits than the basic plan.
- The plan is highly deliverable and we have explained how delivery will be achieved.
- It includes both EY and Post-16 benefits being achieved by 2024/25.

Details of the Plan can be viewed within the Cabinet reports within the Kirklees site.

Next steps include a discussion with schools not in the block fund. DfE will be carrying out meetings during w/c 9th and w/c 16th October, and following this a review submission will take place.

Q: When will we hear the decision on the Free School?

A: We are expecting an autumn decision but the decision could be as soon as later this month.

Q: Would DfE be more challenging if we were asking for more money?

A: No question. Other LA's who have safety valves in place have asked for more money. Strong feedback we have had from connected people is that they will disadvantage their position by doing so. Our levers have always been the Free School and the outcomes. There is also the potential for more capital funding for SEND.

Q: You said we aim to be balanced by year 4 where are we on this journey at present?

A: The current year is year 2 so in 2025/26.

Q: Can we expect another three years of funding at £2.6m?

A: Yes. This year funding is at £2.1m, and confirmed for the next three at £2.6m per year. DfE funding in those three years is to be £7.8m, the Council's commitment £10.75m but back loaded.

Q: Does that make the total funding commitment £33.5m including these two?

A: Yes, correct.

Q: Are decisions imminent?

A: Yes final decisions should be confirmed soon.

Q: Does it impact whether we remain in the safety valve or not?

A: Yes it does, if we are pushed out of the safety valve it will probably warrant an emergency meeting to discuss. We have to assume from what we know that we will stay in.

Q: What impact would there be if there is a change of Government?

A: It could change but current planning is based on a legal document so whilst the situation is potentially fluid, a change of Government would not result in any quick changes taking place.

Q: If decisions on this are imminent should we wait for a few weeks rather than rush out the memo on the possible £4k?

RESOLVED: That the email should include reference to it being subject to the decision on safety valve, and an emphasis that the decision is not known yet.

6.2 Mainstream Funding Top-up Review (Peter Gray)

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Jo-Anne Sanders updated the meeting.

- Five HT activities have taken place.
- Outcomes have been fed back to Councillors and Portfolio Holders.
- SENDCO and School Governors have also been consulted.
- A task and finish meeting is to take place on October 24th.
- Comms will be published shortly after completion of the task and finish.
- The whole process is expected to be completed by the end of February 2024.
- We were delighted to receive over 40 expressions of interest to get involved in the task and finish group.

Q: Will you split the 40 plus group into two sub groups?

A: Doing so would be very difficult to service properly on top of the other activities being undertaken. Much more likely that there will be a reference group and possibly several task and finish groups reporting into it.

The groups will need very clear briefs, targets, and timescales to meet. I expect to provide regular updates for the group between now and the end of February.

RESOLVED: That progress to become a standing item on subsequent agendas.

Thanks were expressed to those who had volunteered their time to become involved in this important activity.

7

Excess Balances

Excess Balances

A discussion took place regarding excess balances. David Baxter updated on the current position across Kirklees.

It was confirmed that the Council has the power to claw back, there are specific rules on any surplus individual schools are allowed to retain.

Schools in general are in a very difficult financial position. Most schools have staffing costs of 70-80% of their overall spend, operational costs such as energy and services are also having sharp increases year on year.

To give a snapshot of the current landscape, of 110 Kirklees schools, 38 of those schools have staffing costs over 80% of their total spend and 7 of those that figure is over 85%.

22 Kirklees schools are currently in deficit and they are all Primary schools. Of those 22, 8 have relatively new Head teachers. 14 of these schools already have mixed age classes. Some are suffering from high staff absence. Many have had instability of Governors or have had an instability of Governance. Head teachers should feel they are able to ask for help and support especially in the area of targeting additional funding.

It was confirmed that strategies should be geared towards prevention and pre-empting where potential problems exist. It was suggested that KLP resources should be more focused towards help and support for struggling schools, for both schools and Governors. A suggestion was also made that alongside such a programme, funding could be channelled towards supporting where there are deficit budgets.

ACTION: Financial audits to be prioritised towards schools with relatively new Head teachers, also looking at the level of challenge posed by Governor Questions in their Governor meetings.

ACTION: Programme of long-term financial planning to be developed with training prioritised for new Headteachers and School Business Managers.

Q: Do deficit budgets have existing recovery plans in place?

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A: When assessments are carried out financial performance is only one factor taken into account. They are dealt with on a case by case basis.

Q: In worst case scenarios schools face the possibility of restructures is this where the support should be targeted?

A: As you say - worst case scenario. If KLP are aware they can intervene and support. There are conflicting issues, on the one hand TU's could be involved and support staff at an earlier stage, but on the other hand the best staff who schools need to keep, might react to the instability by leaving for other posts.

Q: How did this situation first arise, surely there is not enough funding for deficits to be covered from others?

A: There is a strong argument that well managed schools should not have to give up their funds to prop up poorly led or managed schools.

Q: How would you reach any decisions on offering such financial support?

A: The first action would be to carry out a deep dive into the history and financial performance over a period of time. It would need more careful consideration. There would be no point just injecting more money after losses.

It was stated that unsustainable schools are a cost to the system and one the system cannot afford. A subgroup may need to carefully consider the right approach to take, as part of the planned work.

RESOLVED: That an increased focus needs to fall on supporting and challenging schools that are in deficit.

RESOLVED: That the LA will need to generate a deficit reduction plan for these schools.

RESOLVED: That information is shared as early as possible with all parties when a restructure is to be progressed, and that all parties then work together as one system to maximise positive impact.

Q: Of the 22 Primary schools, do some of them already have debt recovery plans? Also some may have an inevitability about them so how many are on the brink of unsustainability?

A: We presently have one school who have contacted the LA with concerns about their long-term future.

8 **Any other business**

N/A

9 **Confirm minutes**

Confirm Minutes

The minutes of the previous meeting were confirmed above.

10 **Date and time of next meeting**

Dates and times of next meeting

Friday, 1st December 2023, 10.00 am – 11.00 am Chestnut Room, Cathedral House

The Chair thanked everyone for attending the meeting.