

# The KIRKLEES SCHOOLS FORUM PUBLIC (Schools Funding Consultative Group) meeting held on **Friday 15 October 2021** 10:00am at the Textile Centre of Excellence

**Present:**

Name:	Category of Membership:
	Nursery School Heads (1)
Helen Pearson, Jenny Shore, Diana Wilson, Louise Brown, Karen Colligan	Primary School Heads (5)
	High School Heads (1)
	Special School Heads (1)
	Special Academy Heads (1)
Michelle Lee (Chair)	Academy Heads (4)
	Pupil Referral Units (1)
Hazel Danson (NEU), Paula Wescott (NASUWT) Philippa Firth (Kirklees College – substitute for Julie Aregiga)	Non-school members (5)
	School Governors (1)
Jo-Anne Sanders, David Baxter, Natalie McSheffrey, Chris Jessup, Martin Wilby, Peter Bell (Clerk to the meeting)	Officers in Support
Cllr Carole Pattison (Portfolio Holder Learning, Aspirations & Communities)	Observers

Item	Title	Actions
1	<b>Welcome &amp; Introductions</b>	
1.1	The Chair welcomed everyone to the meeting and introductions were made.	
2	<b>Apologies for Absence</b>	
2.1	Apologies for absence were received from Darren Christian, Paul Evans, Andi Gilroy Sinclair, Catherine Jubbs, David Wadsworth and Martin Vayro.	
3	<b>Minutes of the Schools Forum Briefing meeting held on 25<sup>th</sup> June 2021</b>	
3.1	The minutes of the above meeting were agreed as a correct record.	<b>Clerk</b>
4	<b>Matters arising from 25<sup>th</sup> June 2021 meeting</b>	
4.1	<b>Fair Funding For Schools – National Funding Formula (NFF)</b> Jo-Anne Sanders (JAS) thanked members of the sub-forum NFF working group for their work in preparing a response to the Department for Education's (DfE) approach to completing reforms to the NFF.	
4.2	Members noted that the response was shared with colleagues throughout Kirklees, who were encouraged to compile their own response to the proposals or endorse that drafted by the sub-forum NFF working group.	
4.3	<b>Schools Forum Membership</b> Natalie McSheffrey (NMCS) updated Members on the current membership and it was noted that there was a vacancy for an Academy Member, which Academy Members were asked to publicise on behalf of the Schools Forum. There was also a possibility that there would be a further vacancy for a Secondary Maintained Headteacher Member.	

<p>5.</p> <p>5.1</p> <p>5.2</p> <p>5.3</p> <p>5.4</p> <p>5.5</p> <p>5.6</p> <p>5.7</p> <p>5.8</p> <p>5.9</p>	<p><b>Kirklees Education Learning Partnership Board (Standing Item)</b></p> <p>NMcS informed Members that the Education and Learning Partnership Board had met on 22<sup>nd</sup> September 2021 and 13<sup>th</sup> October 2021 respectively.</p> <p><b>22<sup>nd</sup> September 2021</b></p> <p>NMcS stated that an update on SEND had been given at the meeting by Paul Harris (Children's Improvement and Corporate Relationship Manager) and Tom Brailsford (Service Director – Resources, Improvement and Partnerships), in connection with the imminent Ofsted inspection. The update focused on the SEND SEF and the Kirklees SEND Transformation Plan, which NMcS agreed to share with Members.</p> <p><b>Action 11: <i>That NMcS circulate copies of the SEND SEF and the Kirklees SEND Transformation Plan to Members.</i></b></p> <p><b>13<sup>th</sup> October 2021</b></p> <p>NMcS reported that the meeting on 13<sup>th</sup> October had focused on the Kirklees Families Together, Youth Places to Go initiative, Teaching Hub and Virtual School.</p> <p><u>Kirklees Families Together</u></p> <p>Members were informed that a report had been signed off by Cabinet on 5<sup>th</sup> October and that work streams had been set up, along with a place based offer. In order to meet requirements, the Council had divided the provision across four geographical areas, which were:</p> <ul style="list-style-type: none"> <li>• Huddersfield (Chestnut Children's Centre)</li> <li>• Dewsbury &amp; Mirfield (Dewsbury Moore Children's Centre)</li> <li>• Batley &amp; Spenborough (Birstall Children's Centre)</li> <li>• Kirklees Rural (Colne &amp; Holme Valleys, Denby Dale &amp; Kirkburton – Slaithwaite Town Hall)</li> </ul> <p><u>Youth Places to Go</u></p> <p>NMcS informed the meeting that the 'Youth Places to Go' was an initiative identified by the Youth Development Programme Board.</p> <p>The proposed vision was that all children and young people in Kirklees would be able to access a range of fun, enjoyable and interesting activities and informal learning opportunities. Youth Places to Go services would provide a place where children and young people could talk to people, feel safe and part of an inclusive and supportive environment that supported and encouraged children and young people to be their best. In order for the initiative to come to light, the following would be needed:</p> <ul style="list-style-type: none"> <li>• Establishment of a Youth Places to Go brand and criteria for a broad range of children and young people's services.</li> <li>• Establishment of a capital grant scheme for third sector voluntary community service providers.</li> <li>• Creation of two Youth Places to Go in Huddersfield and North Kirklees.</li> <li>• Exploration of the need for a mobile Youth Places to Go scheme for children and young people living in Kirklees most rural areas.</li> </ul> <p><u>Teaching Hub</u></p> <p>John McNally (CEO/Executive Headteacher – SHARE MAT) had given an update to the ELPB on how the Teaching Hubs were working. Members noted that things were very positive, with 500 plus applicants and mentors signed up over Kirklees and Calderdale areas, which included a good distribution between school sectors.</p> <p><u>Virtual School</u></p> <p>Janet Tolley (Virtual School Head teacher) had given an update to the ELPB about new non statutory guidance she was involved with. This covered all children aged 0 – 18 who were assessed as needing a social worker at any time. Members noted that this cohort had been identified as a group of children who faced significant barriers to education as a result of their experiences. NMcS explained that Virtual Head teachers were increasingly being asked to make visible the disadvantages these children faced, and to promote practice that would support their engagement and help narrow the attainment gap between disadvantaged and non-disadvantaged children.</p>	<p>NMcS</p>
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5.10	<p><b>Kirklees Futures</b> Chris Jessup (CJ) thanked Members for inviting him to the meeting and for giving him the opportunity to speak to them about the 'Our Kirklees Futures' strategy.</p>	
5.11	<p>CJ informed Members that 'Our Kirklees Futures' was a long-term strategic ambition. It was not a school improvement plan, or a Local Authority Document. It would be delivered via a collective approach, co-created by many stakeholders in order to improve the lives of learners during their education journey and learning experiences within Kirklees.</p>	
5.12	<p>The purpose of 'Our Kirklees Futures' was that by 2030, Kirklees would be a place where all learners had the best start in life. In order for this to be achieved, they would be:</p> <ul style="list-style-type: none"> <li>• Safe.</li> <li>• Healthy.</li> <li>• Achieving.</li> <li>• Happy.</li> <li>• Achieving.</li> </ul>	
5.13	<p>The Kirklees system would be:</p> <ul style="list-style-type: none"> <li>• Inclusive.</li> <li>• Sustainable.</li> </ul>	
5.14	<p>With a key focus on:</p> <ul style="list-style-type: none"> <li>• Inclusion.</li> <li>• Resilience.</li> <li>• Equity.</li> </ul>	
5.15	<p>In order for this to be achieved, CJ stressed that engagement with all stakeholders was absolutely essential. He added that Cabinet support was also crucial to this, in order to show across the board commitment towards and support for the approach. Following support from Cabinet, a clear timeline and costed plan of next steps would be produced which would set out the short-term priorities. Within the plan both reporting and governance would be clearly identified to ensure that key stakeholders responsible for delivering the strategy recognised their role within it and were held accountable for their actions.</p>	
5.16	<p>CJ was thanked for his interesting and informative presentation and the Chair invited comments and questions.</p>	
5.17	<p>Hazel Danson (HD – NEU) praised the partnership approach that Kirklees had taken, which was very strong and demonstrated the strengths of collaborative working across key stakeholders. She added that this vision did not just represent the education of children and young people, but how they their lives could be supported and enhanced within Kirklees. Cllr Pattison (Cllr CP) thanked HD for her comments and reinforced them, stating that Kirklees Council was committed towards working in collaboration with all key stakeholders to improve the outcomes and life chances for children and young people both learning and living within Kirklees.</p>	
5.18	<p>Members shared the view that the 'Our Kirklees Futures' vision was an exciting one which would be beneficial to Kirklees. However, in order for it to succeed it was essential that all key stakeholders bought into the vision, supported it and got behind it. JAS shared this view and stated that in order for this to work, governance would be crucial. All key stakeholders would need to come together and be clear on the objectives to be delivered, along with their role in delivering them. This could only be achieved via strong communications and a robust action plan, which set out clear objectives, actions required to achieve them and timescales/deadlines for their completion.</p>	
5.19	<p>Members agreed with JAS's and felt that the involvement of groups such as the Kirklees Primary Heads, Kirklees Secondary Heads, Kirklees Special Heads and hubs could help drive 'Our Kirklees Futures' agenda and keep communication channels flowing in relation to progress to date against the aims of the project, along with next steps.</p>	

<p>5.20</p> <p>5.21</p> <p>5.22</p>	<p>A Member felt that some stakeholders, who were firmly behind the proposal, would need convincing that their involvement in the initial launch of the 'Our Kirklees Futures' vision would be beneficial to them. The Member clarified what they meant by this by stating that few stakeholders would disagree with the key messages and desired outcomes of the vision, but in order to fully buy into it they would need to be convinced that there was something they could gain from it, which would fit in with what they do and that they could take back to their school.</p> <p>The Member was thanked for raising a very pertinent and relevant point. Members agreed that stakeholders had to feel that they were making a positive contribution towards the 'Our Kirklees Futures' vision and that it would be beneficial to them being a part of it. It was felt that, initially, a working group could be formed to discuss areas around stakeholder involvement, collaborative working, the sharing of good practice, identifying common themes and future priorities, with ideas from the working group being disseminated and communicated to other stakeholder groups within Kirklees for comment.</p> <p>The Chair thanked Members for their comments and the high quality discussion which had taken place.</p>																
<p><b>6</b></p> <p>6.1</p> <p>6.2</p> <p>6.3</p> <p>6.4</p> <p>6.5</p> <p>6.6</p> <p>6.7</p>	<p><b>Maintained School Excess Balances Including Working Group Feedback (Standing Item)</b></p> <p>Members received a paper prior to the meeting entitled 'School Balances Working Group Feedback', which David Baxter (DB) spoke about.</p> <p>Members noted that a working group, consisting of Natalie McSheffrey, David Baxter, Hazel Danson, Darren Christian and Michelle Lee had met on 17<sup>th</sup> September to look at and discuss excess balances within Kirklees Primary and Secondary Maintained Schools.</p> <p>DB reported that the 2020/21 balances of all maintained schools were first reported to Schools Forum on 25<sup>th</sup> June 2021 and again on 10<sup>th</sup> September 2021, highlighting excess balances. Nineteen maintained schools (14 Primary and 5 Secondary) had an excess surplus balance as at 31 March 2021.</p> <p>DB reminded Members that a report to Schools Forum in September 2021 listed those schools which had exceeded the 8% and 10% tolerance of their total budget for the 2020/2021 financial year. The working group stated above had met on 17<sup>th</sup> September to look at these schools balances, in order to gain a greater understanding of the reasons behind their excess budgets.</p> <p>Members were provided with a table which showed the combined balances of the excess balances in maintained primary and secondary schools.</p> <table border="1" data-bbox="416 1514 1177 1704"> <thead> <tr> <th>Area</th> <th>Number of Establishments</th> <th>Combined Balance</th> </tr> </thead> <tbody> <tr> <td>Primary Schools</td> <td>109</td> <td>£8.4 million</td> </tr> <tr> <td>Special Schools</td> <td>4</td> <td>£0.4 million</td> </tr> <tr> <td>Secondary Schools</td> <td>7</td> <td>£4.8 million</td> </tr> <tr> <td><b>Total</b></td> <td><b>120</b></td> <td><b>£13.6 million</b></td> </tr> </tbody> </table> <p><u>Findings</u></p> <p>DB reported that all schools with excess balances submitted a detailed return to the Schools Finance team, which outlined and explained how they planned to use the build-up of excess balances. He added that a selection of these schools was reviewed by the working group to evaluate the reasons for maintaining their excess balance and not utilising it.</p> <p>Members noted that reasons for reporting increased balances were mainly attributable to the impact of COVID 19. This had a cumulative impact in some schools as savings were generated during the year because of the inability to spend resources as planned, due to the lockdown period.</p>	Area	Number of Establishments	Combined Balance	Primary Schools	109	£8.4 million	Special Schools	4	£0.4 million	Secondary Schools	7	£4.8 million	<b>Total</b>	<b>120</b>	<b>£13.6 million</b>	
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<p>6.8</p> <p>6.9</p> <p>6.10</p> <p>6.11</p>	<p>DB explained that the Schools Forum had challenged excess balances in the past. As balances across maintained schools stood at £13.6 million, he informed Members that a control on surplus balances might need to be considered in line with guidance, which states that <i>'where some level of redistribution would support improved provision across a local area'</i>.</p> <p>Following on from the meeting on the 17<sup>th</sup> September, DB reported that ML had suggested that a year on year comparison would help when considering how schools had managed their balances from 31<sup>st</sup> March 2020 to 31<sup>st</sup> March 2021. This information was shared with Members, which highlighted that of the nineteen schools with excess balances, only two of them had reported a reduced surplus. The five secondary schools had reported a combined increase in balances of just over £1.1 million in the period reviewed.</p> <p>ML stated that the Schools Forum had received information relating to excess school balances over a 3 year period in the past, which prompted questions and challenge from members of the group. She asked if this information could be provided at a future meeting of the Schools Forum.</p> <p><b>Action 12: That DB be asked to provide this information to a future meeting of the Schools Forum</b></p> <p>DB was thanked, as were members of the Schools Forum Working Group, for their work on this.</p>	<p>DB</p>
<p><b>7</b></p> <p>7.1</p> <p>7.2</p> <p>7.3</p> <p>7.4</p> <p>7.5</p> <p>7.6</p>	<p><b>School Revenue Funding</b></p> <p>DB informed the meeting that he and his team were undertaking a lot of work in the background to plan the local implementation of the funding system for the 2022-2023 financial year (based on indicatory allocations in July 2021). He expected to be in a better position to report on what this might look like in December 2021, when final allocation figures would be in situ (based upon October 2021 census figures).</p> <p>DB stated that there had been several updates made to the <i>Schools revenue funding 2022 to 2023 Operational guide – July 2021 Publication</i>, details of which could be accessed via the following website link: <a href="https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1002222/schools-revenue-funding-2022-to-2023.pdf">Schools revenue funding 2022 to 2023.pdf (publishing.service.gov.uk)</a></p> <p>DB highlighted one big update within the guide, which was in relation to the payment process of schools business rates. Members noted that schools business rates would be paid by the ESFA to billing authorities directly on behalf of all state funded schools from 2022 to 2023 onwards.</p> <p>Diana Wilson (DW) stated that in the past Head Teachers had been able to go to the LA to apply for 'falling rolls funding' and the LA had also worked closely with schools experiencing financial difficulties on a 'debt recovery plan'.</p> <p>JAS replied that the LA worked strategically to look at pupil numbers in its schools over several years and was able to predict when issues may arise through data it held on child birth rates. Where there was an expected drop in pupil numbers within a school(s), the LA worked with the school on this and offer support where it could. She added that whilst it was important to maintain this way of working with individual schools when and where required, the LA needed to be more pro-active in its strategic ways of working with key stakeholders.</p> <p>Martin Wilby (MW) agreed with JAS's comments. For example, the falling roll numbers currently being experienced in primary schools would soon hit secondary schools. Therefore, where secondary schools were carrying excess balances, these might be needed when their pupil numbers begin to fall. So rather than consider putting in measures to claw back excess balances from some schools, it might be necessary for them to remain in situ so that they can overcome future problems such as falling pupil numbers.</p>	

<p><b>8</b> 8.1</p>	<p><b>High Needs</b> <b>SEND Transformation Plan</b> JAS reported that a report had been presented to Cabinet to rebuild two special schools within Kirklees (Joseph Norton Academy and Woodley School &amp; College). The report could be accessed via the following website link: <a href="https://www.kirklees.gov.uk/210924-Special-Schools-Cabinet-Report.pdf">210924 Special Schools - Cabinet Report.pdf (kirklees.gov.uk)</a></p> <p>8.2 JAS stated that Eamon Croston (Service Director – Finance) and Mel Meggs (Director for Children's Services) would be invited to the Schools Forum Briefing meeting on 12<sup>th</sup> November 2021 to speak further about High Needs. <b>Action 13: That Eamon Croston and Mel Meggs be invited to the Schools Forum Briefing meeting on 12<sup>th</sup> November 2021.</b></p> <p>8.3 JAS added that there was still work to be undertaken in relation to special school access to children and young people whose special educational needs required it, along with future funding of the provision, in order to ensure that that current and future educational needs were met. High Needs was part of the 'Our Kirklees Futures' vision and would remain a key area within it.</p>	<p><b>Clerk</b></p>
<p>9.</p>	<p><b>Ratification of Terms of Reference</b> Members received a copy of the revised Schools Forum Terms of Reference prior to the meeting, which they were asked to formally adopt. <b>Action 14: That the revised Schools Forum Terms of Reference be approved and adopted with immediate effect (Appendix A).</b></p>	<p><b>Clerk</b></p>
<p><b>10</b> 10.1</p>	<p><b>Any Other Business</b> There were no further items of business to discuss.</p>	
<p><b>11.</b> 11.1</p>	<p><b>Dates and times of next meeting – all from 9:00 am – 11:30 am</b></p> <ul style="list-style-type: none"> <li>• Friday, 12<sup>th</sup> November 2021 – Briefing Meeting (venue – Cathedral House)</li> <li>• Friday, 26<sup>th</sup> November 2021 – Briefing / Public Meeting</li> <li>• Friday, 10<sup>th</sup> December 2021 – Reserve Meeting</li> </ul>	<p><b>DB/ NMCS</b></p>

Signature (Chair) .....

Date.....

## Kirklees Schools Forum

### CONSTITUTION AND TERMS OF REFERENCE – SEPTEMBER 2021

#### BACKGROUND, PURPOSE AND PRINCIPLES

The Kirklees Schools Forum is operated in accordance with the Department for Education and Skills 'Schools Forums (England) Regulations 2012' which lays down the statutory instruments in respect of the establishment of the forum, membership, and constitutional, procedural and administrative matters. The regulations were updated in 2020 to allow remote meetings to take place.

The purpose of the Kirklees Schools Forum is to provide unambiguous professional advice and strategic direction from Headteachers to education decision-makers regarding the funding of schools. The forum is a representative group of service providers who are required to use the variety of funding streams to ensure coherent educational provision for children and young people to maximise the positive impact of funding on the quality of teaching & learning and standards.

#### TERMS OF REFERENCE

- 1.1. The Kirklees Schools Forum provides a formal channel of communication between Kirklees LA and schools and serves as the principal mechanism for consultation and decision making relating to the funding of schools.
- 1.2. The Forum consults on any proposed changes to the school funding formula, and specifically any changes in relation to the factors and criteria, methods, principles and rules used to calculate schools budgets and the financial effects of any proposed changes.
- 1.3 The Forum acts as a consultative body on issues relating to:
  - Changes to the local funding formula
  - Proposed changes to the operation of the minimum funding guarantee
  - Changes to new contracts affecting schools
  - Arrangements for the education of pupils with special educational needs, in pupil referral units and in early years provision.
- 1.4 The Forum is responsible for decisions on:
  - The amount of funding to be centrally retained within the Dedicated Schools Grant
  - Proposed carry forward of deficits on central spend from one year to the next
  - Proposals for de-delegation of funding from maintained primary and secondary schools
  - Changes to the scheme of financial management

#### MEMBERSHIP

2. There is no maximum or minimum size of a schools forum. However, the forum will be kept to a reasonable size in order to ensure that it does not become too unwieldy. The

membership shall be divided into school and non-school members, ensuring fair representation across all phases including early learning providers and the Pupil Referral Units, and including representation from local academies. The mechanisms for nominations of members, and their terms of office, are outlined in the Forum Protocols.

3. The non-school members will constitute a maximum of one-third of the total membership of the Forum to represent PVI providers of early learning and childcare, teaching unions, and Post 16 providers.
4. The schools members, who are drawn from headteachers/principals of existing schools and academies, must number at least two-thirds of the total membership of the schools forum. The balance between maintained primary, maintained secondary and academies must be broadly proportionate to the pupils in each category (confirmed by an annual review of pupil numbers). There is no requirement for academies members to represent specific primary and secondary phases, but representation in this category will remain broadly proportionate to pupil numbers. Of the total number of places available on the Forum for school members there shall be one representative for governors, special schools, the Pupil Referral Units, middle schools and nursery schools.
5. Kirklees Council elected members, including the Portfolio Holder for Children and Young People, are invited to attend meetings but may not be appointed as a member of the Forum. Other interested parties may be invited to attend meetings, in line with the Forum protocols. A representative from the Education Funding Agency (EFA) may attend as an observer and participate in discussions to support the local process and provide a national perspective.
6. The Local Authority is represented by an officer nominated by the Director of Children and Young People's Service and by the Chief Finance Officer. Additional officers attend, as invited, to contribute to discussion or set agenda items.
7. The composition and membership of the Kirklees Schools Forum is available online on the Kirklees Council Schools Forum website. All representatives or nominatives shall be appointed as members for an initial term of three years, which may subsequently be reviewed through re-election or re-nomination in a subsequent process.

#### **ADMINISTRATION**

8. The clerking and officer support arrangements for Kirklees Schools Forum are provided through the appointed representatives from Council Finance and Children and Young People's Service
9. Forum meeting papers (current and past) are available online on the Schools Forum webpage [Browse meetings - Kirklees Schools Forum | Kirklees Council](#). Agendas and minutes are available 5 working days before each public meeting, and circulated to all members electronically.



## **CONDUCT OF MEETINGS**

### 10. Timing and Frequency of Meetings

Public meetings of the Forum will take place on at least three occasions per year/one occasion per term. However, the volume of business may require meetings to take place more frequently. The dates, times and Venues of public meetings are published on the Schools Forum webpage.

### 11. Quorum

For Schools Forum to be quorate, 40% of members must be present. Inquorate meetings may proceed, but any key decisions may be deferred to a future meeting to ensure full representation of views.

### 12. Substitution

Members of the Forum may nominate appropriate substitutes, representing the same group of providers, to attend meetings in their place in the event that they are unable to attend themselves. Substitutions for school representatives can only be by headteachers from the same constituent group.

### 13. Voting

The decisions and recommendations required of the Kirklees Schools Forum will be agreed at the start of discussion. On items relating to funding formulae, only schools, academy and PVI setting members can vote.

The Forum aims to arrive at such decisions and recommendations by actively building a consensus around a proposed course of action. Details of situations requiring a vote and voting procedures can be found in the protocols.

### 14. Declarations of Interest

Schools Forum members should, for reasons of probity, be aware of circumstances in which they should withdraw from meetings due to a conflict of personal interest.

### 15. Right of Attendance

Kirklees School Forum Public Meetings are open to all. The Forum may also invite, by agreement, individuals to attend a meeting to provide information or reports. Visitors should be asked to leave if confidential items are discussed, unless the Forum have asked them to take part in a specific discussion. Additional briefing meetings may be called to enable discussion on detailed areas of funding in line with the ESFA timetable for the submission of information.

## **ARRANGEMENTS FOR ELECTION OF CHAIR AND VICE CHAIR**

### 16. Election of Chair / Vice Chair

The Forum shall elect a chair and vice chair by a majority of votes cast on an annual basis at the first meeting in the academic year. The term of office of the chair will run until the first meeting in the following academic year

## **WORKING ARRANGEMENTS**

### 17. Sub Groups

The Kirklees Schools Forum may establish sub groups and/or working groups on an adhoc basis for the consideration of specific matters as it deems necessary and shall decide upon

the terms of reference for such groups and on additional individuals to invite as deemed necessary. The Forum shall consider the work of such sub groups or Working Groups and shall make decisions or recommendations to the LA as appropriate.

18. Kirklees Schools Forum budget / members' expenses

Forum determines the annual budget for meeting costs and support, and reimburses all reasonable expenses incurred by members engaged in the work of the Forum.

**ARRANGEMENTS FOR REVIEW AND REVISION**

19. Review of Terms of Reference:

The Terms of Reference, and associated protocols, are reviewed annually at the start of the new academic year, and more frequently as national changes and regulations require.

DRAFT