

THE KIRKLEES SCHOOLS FORUM

meeting held on Friday 23rd October 2015

10:30am at the Tolson Museum

Present:

	Nursery School Heads (1)
Marcus Newby, Diana Wilson	Primary School Heads (6)
Gary Johnson	Middle School Heads (1)
Ian Ellam	High School Heads (2)
	Special School Heads (1)
Mike Cook, Michelle Lee [Chair]	Academy Heads (2)
	Pupil Referral Units (1)
	Kirklees Governors (1)
Jo Bailey-Taylor (NASUWT), Gillian Collins (ATL), Hazel Danson (NUT), Sarah Ellis (Pre-school Learning Alliance)	Non-school members (5)
Angela Farmer (Senior Finance Officer) David Gearing (Financial Delegation Manager); [Minute Clerk] Liz Singleton (Deputy Assistant Director, Learning)	Officers in Support
Paula Westcott (NASUWT)	Observers

1. Apologies for absence

Apologies had been received from Julie Helm (Nursery School Heads), Lynn Hill (Primary school heads), Anton McGrath (Post-16), Martin Ridge (Pupil Referral Units), Nicky Rogers (Special school heads), David Smith (Director of Resources) and Loz Wilson (High school heads).

2. Minutes of the Schools Forum Public meeting held on 10th July

The minutes were agreed to be a true record of the meeting.

3. Matters arising from the Schools Forum meeting 10th July

No matters were raised.

4. Update on rollover issues:

- **High Needs: Key Stage 4 Alternative Provisions and Permanent Exclusions**

The KS4 pupil placements account was underspent by £65,200 at the close of financial year 2014-15. Forum had requested further information about how the revised pupil transfer arrangements were going before making a recommendation about what to do with the rolled-forward balance. Officers were able to provide an update today.

KS4 Alternative Provisions update

Currently, out of 109 local AP places (excluding those at ETHOS PRU) 65 are occupied. There are usually unfilled places at this time of the year – the number tends to rise as the year progresses. This is the first year where the students in question remain on the roll of their secondary school and the school uses the retained funding to commission an AP place for their student and is expected to maintain an ongoing relationship with the provider in meeting the needs of their student. The Inclusion

Team now provides early intervention support in schools for relevant KS4 pupils, mirroring arrangements at Westfields (for KS3) and the Primary Pupil Referral Service.

A Steering Group has been established to develop the model for future KS4 Alternative Provision. The Group is chaired by Gillian Hughes, deputy head at Batley Girls High School and the majority of secondary schools are represented on the group. There is an evaluation panel which quality assures providers and creates a menu of options for schools to access. The use of school clusters to support the new model is also being pursued. The outgoing guaranteed place funding approach has provided a measure of funding security to alternative providers. When existing contracts cease next August some of these providers will encounter financial problems – schools will need to consider this aspect if they wish to retain a broad choice of placement.

Permanent Exclusions

Following a lengthy period of consultation, refreshed Pupil Placement Protocols will take effect from January 2016 although the underpinning financial arrangements actually started to apply from September 2015. Although the rate of exclusion in the secondary sector has remained fairly constant there has recently been a sharp rise in the number of primary exclusions. The secondary exclusion tariff has been brought into line with the EFA-given cost of an AP place (£10,000). A formal exclusion tariff has now been introduced locally for the primary sector. In principle this has been set at £6,000 but budget provision of £60k has been set aside within the high needs block to match fund a £3,000 deduction from the excluding primary to then give £6,000 to the admitting school. This approach is unlikely to be sustainable should the incidence of primary exclusion continue to rise.

- **Early Years**

The promised report from the Early Learning Service about the future usage of the substantial amount of uncommitted funds at closedown 2014-15 is delayed pending receipt of further details as to how the government intends the increase in the free nursery entitlement from 15 hours per week to 30 hours to work. There will clearly be significant cost implications for providers as a result of this development. How appropriately the new arrangements are to be funded by government is very relevant to the decision on what to do with the accumulated reserves.

5. De-delegated Budgets 2016-17 (for decision) NB De-delegation applies to maintained schools only (although academies can buy into some of the arrangements described below).

- **Schools Contingency**

The maintained schools Contingency has a number of areas of responsibility – one-off interventions in schools in financial difficulty to help them secure necessary savings; help in cases of emergency; help with costs that it would be unfair to ask schools to pick up (eg rates revaluations, empty property council tax bills re caretaker accommodation); correction of errors etc. Forum was reminded that, for 2015-16, the base contingency was reduced from £700k to £500k. It was asked whether this new level of funding is sufficient to cover the calls against it. £500k was more or less the level of expenditure charged to the contingency in 2014-15 and there is no reason, at this stage, to be concerned about the budget being inadequate in 2015-16. It was felt that there would be little point in cutting the provision further only to create a budget pressure.

Recommendation: no change to the de-delegation level is proposed. Decision referred to the maintained school constituencies.

- **Free School Meals Eligibility Checks**

The vast majority of schools (and academies via direct buy-in) use the information produced by the Council's Customer & Exchequer Services to ensure that as many children who are entitled to a free school meal for benefits-related reasons are properly identified as such in pupil census returns. The work is important in helping schools to maximise their Pupil Premium income.

Recommendation: decision referred to the maintained school constituencies.

- **Maternity / paternity leave**

The pooled funding for maternity, paternity and adoptive leave meets the cost of the payments made to staff during these periods of leave. The school then becomes responsible for the costs of covering the leave period. The account has a tendency to overspend – by £320k in 2013-14 and by £193k in 2014-15 – largely due to enhancements to leave arrangements made under employment legislation. It is not proposed to increase the de-delegation unit value to attempt to cover the shortfall but this shifts the problem to the year-end closedown process which would need to identify other underspends to cover the additional cost. It was rightly pointed out that any overspend issue within a de-delegated account should only be covered from other de-delegated arrangements or from the maintained schools sector by some other means (because de-delegation only applies to the maintained primary and secondary sectors).

Recommendation: decision referred to the maintained school constituencies.

- **Trade Union Duties**

[This is currently the only de-delegation arrangement where there is a difference of approach between the two sectors. Primary have hitherto de-delegated the TU Duties whereas Secondary have chosen not to, preferring instead to leave the decision to individual schools as to whether they will purchase the offered 'service'. Many of the secondary schools do purchase and a number of primary and secondary academies do also].

During the course of the last year Schools Forum has received regular updates about an ongoing review of the local trade union facilities time arrangements. Progress has been made with the teacher associations in beginning to put the arrangements on a more consistent footing. Attention is now focussed upon the support staff unions and, in particular, the council's central recharge to the overall schools account for the schools sector share of the wider council activity. Forum is keen to examine the outcome of the review discussions as soon as possible. The prime purpose of the review is to ensure that future expenditure can be accommodated within the funds generated by a combination of the de-delegation process and the 'trading' outside this with individual schools and academies.

Recommendation: decision referred to the maintained school constituencies.

- **Public Duties**

A small amount of de-delegated funding covers schools for the cost of 'public' duties of members of staff. The types of relief costs supported include jury service, being called as a witness in court proceedings, time off for serving magistrates, the cost of release for members of staff serving on another school's governing body.

Recommendation: decision referred to the maintained school constituencies.

- **International New Arrivals**

In Kirklees, international new arrival children are supported by a team of three peripatetic classroom support assistants and one family liaison worker. Amongst the team are Polish and Albanian speakers. The family liaison worker works mainly in the Birkby / Fartown area but will respond to requests for support across the authority as well. The team is deployed based upon a combination of previously identified need, analysis of available information and via direction from the single point of referrals panel. Since February 2013, when referral records started to be kept, there has been a steady rise in the number of children referred for INA support.

There is a growing need for the INA service to build capacity in schools to help them deal with children new to English via the EALIP (English as an Additional Language Intensive Programme) structured learning approach for children and via tailored CPD sessions for staff in schools admitting children from diverse backgrounds. The service is also planning ahead to deal with rising demands for their support, in particular the expected influx of Syrian and other refugees into Kirklees. There may need to be some prioritisation of the support offered to target those schools, children and families most in need. For example, there may be a reduced focus upon early years settings in times of high demand. Judgements may need to be taken about just how experienced a school is in dealing with EAL learners – have staff received recent CPD in meeting the needs of INA pupils or are they familiar with EALIP? More effective signposting to relevant resources and available guidance will also be needed. The team is also doing some research into the various linguistic features of the Syrian people to improve their readiness for dealing with the expected influx in the near future.

Recommendation: decision referred to the maintained school constituencies.

Officers will be attending forthcoming meetings of Kirklees Primary Heads and Kirklees High School Heads to help them consider their de-delegation decisions for 2016-17.

6. Centrally-retained Budgets 2016-17 (for decision) NB These retained budgets can be accessed by both maintained schools and academies.

- **Pupil Growth Fund**

The Pupil Growth Fund is used to support schools experiencing financial problems linked to either a basic need-related mid-year increase in pupil numbers which is sufficient to trigger the creation of an additional class arrangement or linked to meeting the Infant Class Size legislation. PGF would only support if the school in question could not afford the costs concerned from resources already available to it. Increasing demand for school places within the authority is causing pressure for the Fund. In 2013-14 the Fund underspent by around £90k but the following year it overspent by

approximately £6k. The pressure is expected to increase if anything over the next few years, partly as a result of international arrivals. The Fund is expected to be fully committed in the current year and next year will bring an added burden as the EFA expect the Fund to meet start-up costs for brand new schools (the new Huddersfield South West Primary will open from 1/9/16). The Growth Fund is one of the few areas of the central DSG budget where the budget provision made can be increased where it is felt to be necessary.

Agreed: to transfer in £100k from the Falling Rolls Fund in 2016-17 to support the additional pressure of the PGF having to provide start-up funding to the new Huddersfield South West primary school. (See Falling Rolls Fund below).

- **Falling Rolls Fund**

The Falling Rolls Fund is intended to help 'Good' or 'Outstanding' schools retain good teachers during a temporary but significant dip in number on roll. A decision was taken last year to reduce the fund to £200k from its inaugural level of £366k because no eligible cases for support had been identified. It is now expected that there will be no calls against the Fund again this year. This is largely because the Fund will not be used to protect staffing if a school can afford to do so from its own resources. Also schools often prefer to make reductions anyway in response to a drop in numbers.

Agreed - to reduce the Falling Rolls Fund by £100k and transfer this to the Pupil Growth Fund in acknowledgement of the pressure expected in 2016-17 in that account. The Falling Rolls Fund would still have sufficient provision to protect two to three teaching posts should an eligible case for support be determined.

- **Servicing of Schools Forum**

This provision supports the running of the Schools Forum in terms of the cost of the Forum Clerk and of holding the public and briefing meetings during the year. Current provision is £31,000. Usually the outturn position on the account has shown an uncommitted surplus each year. A recent development is that this budget can now be used to support primary sector representatives where their school has a teaching deputy head and there is a need to release them from class to cover for the head teacher whilst attending Forum. One of the three current primary reps has begun to claim back relief cover costs. There is sufficient budget provision for two to three of the primary reps to claim back costs on a regular basis. Attempts are being stepped up to recruit primary heads to the three vacancies on the Forum. Until this has happened it is not really possible to make a judgement about the appropriate level of provision going forward.

Agreed:- Maintain the budget provision at its current level for 2016-17 but keep the budget under review to be able to reduce it in future if circumstances permit.

- **School Admissions / Organisation & Planning**

School Organisation and Planning has just three full-time equivalent posts paid for by retained DSG and working to Jo-Anne Sanders, Deputy Assistant Director for LA Statutory Services. The team deals, inter alia, with the planning and supply of school places across the authority, manages statutory consultation processes on a range of school issues and provides a single point of contact for schools considering / carrying

out a change of category (eg becoming trust schools or academies). The team's workload is consistently heavy.

Pupil Admissions Service has a larger team of 12 fte staff and administers a co-ordinated admissions process for statutory school age learners within the authority. Their work also includes in-year pupil transfers, Fair Access protocols, admissions appeals processes, consultation and co-ordination of school term dates and collating and publishing information about 'occasional' days.

The meeting welcomed the information as useful background information about the tasks undertaken by each service. However, there are aspects of the work of the Pupil Admissions Service that Forum requested more details about to aid their understanding. Whilst accepting that the service has a crucial co-ordination role to play, Forum would like to understand what effect a school becoming its own admissions authority has upon the work of the team. There was also a fair amount of discussion about the new on-line application system for local school places. Any new system requires intensive support in the early days following its introduction but there should be efficiency savings which accrue sometime beyond that point.

Agreed:- That Jo-Anne Sanders be invited to the next Forum briefing meeting to address the issues raised.

- **Historic DSG pension Commitments**

This budget meets the ongoing annual pension costs of those retired teachers where Dedicated Schools Grant was permitted (for a short period of time) to pick up the consequences of early retirement decisions. This facility was withdrawn from April 2013 but the DSG has to continue to meet the pension commitments previously taken on. The budget amount of £170,400 cannot be increased. Savings against this budget will only accrue in the long term but the budget provision needs to be kept under review to adjust to reductions in cost in a timely fashion.

Agreed: retain a budget of £170,400 in 2016-17 as committed costs have not yet fallen below this level.

- **School Milk – Administration costs**

The DSG retained account holds a budget provision of £26,000 towards the cost of the Council administering the provision of a milk drink to early years and infant children. The current scheme is supported by two European Union grant arrangements. The Nursery Milk Reimbursement Unit grant meets the cost in full of providing a third of a pint carton of milk to children under five who are in day care for two hours or more each day. The Rural Payments Agency provides 3.3p per serving of milk to primary children and 2.55p per serving for secondary-age children. These rates are subject to exchange rate fluctuations. Where Infant children are not entitled to a (benefits-related) free school meal, a charge of £10 per term is made to parents. For a number of reasons – rising costs of milk, unfavourable movement of the Pound versus the Euro, increased numbers of FSM children – the gap between income and cost has been diverging such that the account is expected to post an £80k loss this year.

There is a recent development to take account of which will also affect milk provision in future. It became a legal requirement from January 2015 that schools which provide

food and drink on the premises must ensure that lower fat milk is made available for drinking at least once a day during school hours (does not include breakfast and after-school clubs). This new standard is mandatory for all maintained schools and new academies and free schools created since 2010. Academies created before 2010 are encouraged to adopt the new standard. Whether the standard is being applied will be tested under the new Common Inspection Framework.

The paper proceeded to illustrate some potential costs of the extended requirement to offer a milk choice to pupils. The illustrated figures assumed 50% take-up of the offer from amongst the KS2 FSM cohort and 32% from the KS2 pupils who would have to pay for the milk. In the Secondary sector the equivalent percentages used were 25% and 15%. The figures also assumed that the milk would be provided in cartons containing a third of a pint. The calculations result in an increased loss projection of £175k (from the current £80k), assuming the £26k DSG contribution continues.

Schools in Kirklees need to comply with the new requirement as soon as practicably possible. The paper suggested some options for how this might be delivered: -

- Schools Facilities Management could offer a traded service for primary school milk provision to be charged to schools at an estimated 18p per serving for free school meals pupils. Paid meal pupils would be charged a termly fee including admin overheads. There would be no charge for under-fives. For the Secondary sector, milk would be made available as a drink option during lunchtime service and the school meals SLA price adjusted accordingly.
- Schools could administer the arrangements themselves. They would need to register with the relevant government agencies to be able to claim the EU subsidies.
- Schools could contract with external companies to administer the scheme. Some examples of the unit charges of external providers in the market were given in the report.

Under the new approach there would be no need for the DSG to continue to make provision for school milk admin costs as these would be built into the charging structure for the service (whoever provides it).

The paper elicited a good deal of comment. It was questioned why the milk offer should be delivered via cartons. Wouldn't it be more cost effective to just offer a replenishable jug of milk as part of the lunchtime menu? This would also reduce a lot of waste from empty cartons. Forum also felt that the illustrated percentage take-up assumptions were over-stated – milk would not be a popular choice for most children and would certainly diminish as children get older. The practicalities of distinguishing between free and paid children at lunchtime were also raised as a potential issue.

Agreed: To remove the DSG school milk admin budget from 2016-17 as the new arrangements will need to factor in admin costs. The questions and comments raised by Forum today will be fed back to the Schools Facilities Management Service and their response will be reported to the next briefing meeting.

- **School Safeguarding Officer**

The DSG contains a budget of £48,400 to meet the costs of a Safeguarding officer to work with and support schools with their child safeguarding responsibilities. Schools Forum has had several briefings over the last year about the activities of the school safeguarding officer. The latest of those inputs from Steve Barnes, following his recent appointment to the role, had been warmly received. A further update is due from Steve at the November briefing meeting.

Agreed: Recommend retention of the current budget provision for 2016-17.

- **Primary Sector Commissioning Fund**
- **Secondary Sector Commissioning Fund**

Consideration of these two school improvement commissioning funds was deferred to a future meeting. Simon Taylor, Deputy Assistant Director for Learning & Skills has prepared an update report about usage of the monies but an unavoidable prior commitment had prevented him presenting it to Forum today.

- **Provision for central Looked-after Children / Children not in Education, Employment or Training etc**

The retained budget provision here (£45,100) effectively provides support funding for those children who don't appear on any census return to trigger a specific funding allocation to the authority. The children concerned are often referred to as "missing" education – looked-after children who are between school allocations, children not in education, employment and training (NEET) etc.

Agreed: Recommend retention of the current budget provision for 2016-17.

- **National Copyright Licence**

All copyright licences are now arranged at a national level on behalf of schools and academies. The cost of this arrangement is deducted by the Education Funding Agency from the local authority's Dedicated Schools Grant allocation each year. In 2015-16 there was a very late addition into the arrangement of the licences administered by the Performing Rights Society and Phonographic Performance Ltd. This has meant that the bill for Kirklees in 2015-16 stands at £287,400 against set-aside provision of only £180,000. For 2016-17 the budget will need to reflect the new higher level of charge and build in the effects of additional pupils in the system and inflation.

Agreed: Increase the budget provision to £287k + inflation + volume change.

7. Education Funding Agency: Exceptions Applications Update

The Education Funding Agency has now made decisions on all the exceptions applications that Kirklees submitted before the 30/9 deadline...

Lump Sum transition for amalgamated schools

The proposals for second year additional lump sum support for Almondbury Community School and Royds Hall Community School have been approved. However, the proposal for a third year of transitional support for both Westmoor Primary and Windmill Primary has been rejected. It is understood that the policy section at the EFA were minded to approve the proposal but the Minister vetoed it. The decision means that an additional sum of £26,000 will now be recycled into general funding for schools in 2016-17.

Adjustment to Royds Hall Community School's pupil numbers in respect of their growing primary provision

Permission has been granted to adjust for the anticipated number of pupils in Year R, Year 1 and Year 2 at September 2016 in Royds Hall's new on-site primary provision. In the final 2016-17 submission the adjustment should only need to be in respect of Year 2 as the other pupils will by then be recorded in the October 2015 data set. The approval also gives permission to adjust the minimum funding guarantee calculation for Royds Hall to prevent the mechanism from over-protecting the school's additional primary pupils at (effectively) a secondary rate of funding.

Variation request to build in the new Huddersfield South West Primary School from September 2016

The response to this request is that there did not need to be an exceptions request submitted because the school "has opened within the last seven years" (!) The new school will be declared within the funding pro forma submission as a part-year effect for 2016-17. The funding implications of this are considered in the next agenda item.

8. Any other business

No other business was raised.

Dates and times of next meetings [start times to be confirmed]

Friday 11 th December 2015	Huddersfield Town Hall
Friday 11 th March 2016	Tolson Museum
Friday 24 th June 2016	Tolson Museum