

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 17th January 2023

Present: Councillor Shabir Pandor (Chair)
Councillor Paul Davies
Councillor Viv Kendrick
Councillor Naheed Mather
Councillor Carole Pattison
Councillor Cathy Scott
Councillor Will Simpson
Councillor Graham Turner

In attendance: Councillor Bill Armer

Apologies: Councillor Eric Firth
Councillor Musarrat Khan

131 Membership of Cabinet

Apologies for absence were received from Councillors E Firth and Khan.

132 Declarations of Interest

No interests were declared.

133 Admission of the Public

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

134 Deputations/Petitions

No deputations or petitions were received.

135 Questions by Members of the Public

No questions were asked.

136 Questions by Elected Members (Oral Questions)

No questions were asked.

137 Fraud Prevention, Anti Bribery and Anti Corruption Policy

Cabinet gave consideration to a report which introduced an updated and revised Fraud Prevention, and Anti-Bribery and Anti Corruption Policy. The report advised that the revised report included sections on preventing and mitigating the risk of fraud with a key message that any fraud, bribery or corruption would not be tolerated, and that action would be taken in response to any such activity.

The report advised that the revised policy, based upon national advice, placed greater emphasis on the areas of culture, governance and prevention and that the

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Cabinet Member for Corporate Services would take responsibility to act as a champion for the objectives of the updated documents. Cabinet noted that the Council faced a continuous threat of bribery and corruption and that it was vital for arrangements to be in place to prevent and mitigate attempted fraud or corrupt actions.

RESOLVED –

- 1) That approval be given to the Fraud Prevention and Anti Bribery and Anti Corruption Policy.
- 2) That the responsibilities of the Cabinet Member for Corporate Services, in their capacity as Anti-Fraud (Bribery and Corruption) Champion, be noted.
- 3) That authority be delegated to Officers to make any amendments to the overall policy, and other information associated with the implementation of this policy, subject to consultation with the Cabinet Member for Corporate Services.

138 Domestic Abuse Strategy 2022 - 2027

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

Cabinet received the Domestic Abuse Strategy 2022-2027 along with a report which set out an overview of the policy, including information relating to new approaches to delivery and commissioning arrangements to deliver the strategy.

Cabinet were advised that the strategy set out a commitment to (i) provide domestic abuse training to support employees to respond appropriately to people who report domestic abuse, including arrangements for routine and/or targeted enquiries and (ii) implement a domestic abuse policy and guidance for how the Council will respond to employees who are victims, survivors or perpetrators of domestic abuse. It was noted that the Domestic Abuse Strategic Partnership would monitor compliance with the commitments and was currently working to develop guidance as to how employees can be supported.

RESOLVED - That the Domestic Abuse Policy be adopted.

139 2022-23 Mid-Year Corporate Performance and Impact Report

Cabinet received the 2022-2023 Mid Year Corporate Performance and Impact Report, which provided an overview of performance in relation to the 2021-2023 Council Plan deliverables, and highlighted significant issues and challenges facing the Council and its partners.

The report set out an overview of progress made on each of the deliverables and provided information on activities undertaken, including the quality and impact of activities where data was available. It was noted that an update of headline indicators for the Council's shared outcomes was provided, along with updates on the impact of the pandemic and inequalities.

The report, which was appended to the report, demonstrated progress in relation to 95 deliverables and provided a high level overview of the impact that was being

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made in the areas of (i) working with people (ii) working with partners (iii) place based working (iv) climate change and air quality (v) improving outcomes for children and (vi) financial implications for people living or working in Kirklees.

RESOLVED - That the 2022-2023 Mid Year Corporate Performance and Impact Report be noted.

140 Kirklees School Funding Arrangements for Financial Year 2023-24

Cabinet gave consideration to a report which set out the Kirklees schools funding arrangements for 2023-2024 in regards to (i) specific funding factors to be used and the relative weightings and value of the funding factors (ii) exceptions applications to the Education and Skills Funding Agency and approvals given (iii) central budget provision within the Dedicated Schools Grant Schools Block of funding, the Central School Services Block, and the Early Years Block and (iv) de-delegation arrangements for mainstream maintained schools. It was noted that consultation on the arrangements had taken place with the School Forum and constituent groups for the funding of local schools and academies for the 2023-2024 funding year.

The report advised that, based upon the ESFA funding timeline, it was expected that maintained schools would be informed of their budget shares by 28 February 2023 and that academies would be advised of their allocations by 31 March 2023.

RESOLVED –

- 1) That approval be given to the recommendations of the Schools Forum, following the consultative process undertaken, to determine the ongoing local approach to the distribution of DSG Schools Block funding 2023-2024.
- 2) That the exceptions application made to the ESFA, and subsequently approved, be noted.
- 3) That approval be given to the submission of the schools funding formula to the ESFA for 2023-2024.
- 4) That approval be given to proposals for central budgets and de-delegated budgets 2023-2024, as set out in the report.

141 Making Changes to Provision for Pupils with Special Educational Needs

Cabinet gave consideration to a report which sought approval on changes to SEN provision through the establishment of additionally resourced provision at three maintained schools on the Netherhall Learning Campus, and the removal of two other registered provisions which had not been operational for two years due to an alternative localised delivery model.

The report advised that statutory proposals had been published on 31 October 2022 to (i) establish new additionally resourced provision for complex communication and interaction needs at Netherhall St James CE (VC) Infant and Nursery School, Netherhall Learning Campus Junior School and Netherhall Learning Campus High School and (ii) remove the additionally resourced provision for five transitional places associated with physical impairment at Netherhall St James CE (VC) Infant and Nursery School and Netherhall Learning Campus Junior School. The report set out the statutory process that had been undertaken by the proposer, the rationale for the proposals and the outcome of the formal representation period. It advised

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that, subject to approval of the recommendations, support would be given to finalise the arrangements for pupils, parents, staff and stakeholders in order to ensure effective plans are put in place to implement the proposals.

RESOLVED –

- 1) That it be noted that (i) the advice of Kirklees SOAG in regards to the proposals for Netherhall St James CE (VC) Infant and Nursery School and Netherhall Learning Campus Junior School to remove the provision of five transitional places for children with physical impairment and for newly additionally resourced provision to be established at Netherhall St James CE (VC) Infant and Nursery School, Netherhall Learning Campus Junior School and Netherhall Learning Campus High School for children with complex communication and interaction needs is valid and (ii) the required statutory processes have been carried out.
- 2) That it be agreed that the decision regarding the proposals will be taken within the statutory timeframe.
- 3) That the outcomes and recommendations of the meeting of Kirklees SOAG, held on 9 December 2022, and associated officers recommendations, be noted.
- 4) That the financial implications of approving the proposals be noted.
- 5) That it be confirmed that, in meeting the obligations of the Equality Act 2010 and Public Sector Equality Duty 2011, full regard has been given to the Equalities Impact Assessment throughout the statutory process for the proposal.
- 6) That approval be given to the establishment of a new additionally resources provision for complex communication and interaction needs at Netherhall St James CE (VC) Infant and Nursery School, Netherhall Learning Campus Junior School and Netherhall Learning Campus High School; (i) Netherhall St James CE (VC) Infant and Nursey School – up to 12 places from 17 April 2023 (ii) Netherhall Learning Campus Junior School – up to 12 places from 1 September 2023 and (iii) Netherhall Learning Campus High School – up to 20 places from 17 April 2023.
- 7) That approval be given to the removal of additionally resourced provision for five transitional places associated with physical impairment at Netherhall St James CE (VC) Infant and Nursery School, and Netherhall Learning Campus Junior School, from 31 January 2023.

142 Calculation of council tax base 2023-24 (Reference to Council)

(Cabinet were reminded of, and noted, the requirements of the Local Government and Finance Act 1992, Section 106, in relation to voting upon this matter).

Cabinet gave consideration to a report seeking approval for the various taxbases, which would apply to the Kirklees area in the financial year 2023-2024, in relation to council tax. The report provided an explanation of the council tax calculation and the need to calculate a taxbase for both the whole of Kirklees, and each town and parish council area. Paragraph 2 of the report set out the factors which were applied to the valuation bandings and the council tax calculation.

The report recommended that, in order to meet the requirements of Section 67(2) of the Local Government Finance Act 1992, Cabinet approve the council taxbase as

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set out in the report. The report also proposed that, from 2024-2025 onwards, the council taxbase calculation be delegated to the Council's S151 Officer, in consultation with the relevant Cabinet Member.

RESOLVED –

- 1) That approval be given to the 2023/2024 taxbase for the whole Kirklees area, and the Council taxbases for the five Parish and Town Council areas as follows;
Whole of Kirklees £123,215.79
Denby Dale £6,093.41
Holme Valley £10,482.86
Kirkburton £9,229.12
Meltham £2,997.86
Mirfield £6,904.95
- 2) That the calculation of the Council taxbase for 2024/2025 onwards be delegated to the Section 151 Officer, in consultation with the relevant Cabinet Member.

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Adults and Health's Commission for External Consultancy to support a Comprehensive Diagnostic and subsequent Change Programme

Cabinet received a report which set out a proposed approach to understanding demand and financial pressures, and opportunities to mitigate such pressures through transformative activity. The report advised that the Council was seeking to better understand the overall financial pressures facing Adult Social Care from future demand over the next five years, which presented a uncertain and volatile landscape for local authorities.

The report explained that an initial piece of research had been undertaken to learn from other local authorities undertaking similar transformation activities and an initial market testing exercise had been undertaken to test out interest in a tender opportunity and explore aspects of tender, including the appetite for a risk and reward type approach. The report provided an overview of the procurement exercise approach, which would set out a four phase approach. Cabinet were advised that, given the uncertainties around both cost pressures and the scale of the adult social care budget, it was important that the modelling phase identified future pressures, a clearly quantified set of saving opportunities and an upfront analysis of the cost of securing savings in order to enable future budgets to be set at an appropriate level and contribute to the savings programme over future years.

RESOLVED –

- 1) That the activity undertaken to date, and the proposed approach with four phases and two decision points, be noted.
- 2) That the decision to evaluate and award a call off contract following a mini competition using Lot 7 of the Crown Commercial Service Management Framework Agreement be delegated to the Strategic Director of Adults and Health, in consultation with the Strategic Director of Corporate Strategy, Commissioning and Public Health, the Section 151 Officer and Cabinet

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Members for Health and Social Care, and Corporate Services, in order to implement Phases 1 to 3 at pace.

- 3) That, pursuant to (ii) above, the delegation shall include decisions relating to Phase 1 (modelling exercise), Phase 2 (presentation of findings) and Phase 3 (production of change programme plan).
- 4) That it be noted that a further report outlining progress will be submitted at the end of Phase 3.