

1 Background

1.1 From April 2014, funding arrangements for centrally held Behaviour Support Services (BSS) and services for pupils with English as an Additional Language (EALS) were placed under the jurisdiction of Schools' Forum to decide whether or not the historic budgets could be pooled by the Local Authority or distributed to maintained schools by formula.

1.2 The framework for de-delegated budgets is set within the principles of shared responsibility between schools for all pupils and mutual support across all schools. The model allows for all schools who de-delegate funding to have certainty of access to support at the point of need from services that continue to operate and provide support in the most cost-effective way.

1.3 ESBAS provides support to all maintained primary schools delivering a range of interventions to support pupils with social, emotional and mental health needs, including those who are at risk of permanent exclusion. Support from ESBAS is bespoke to the needs of the school and pupil and, as well as 1:1 support for children, includes training and expert advice for schools on whole school approaches. As pupils who are at risk of exclusion often present with attendance difficulties, the BSS offer is integrated with the attendance support offer.

1.4 Schools have a statutory duty to provide for pupils with EAL on their roll and funding is delegated within their individual budgets for this purpose. EAL is not a special educational need and pupils with EAL are able to achieve very well if effective support is in place for them. This includes support from staff who have a good understanding of their mother tongue and are able to build links with families who do not speak English as a first language. The EAL service offers a range of support for pupils and schools (1:1 support and training) as well as a translation service and support for pupils to take examinations in their mother tongue.

2 Behaviour Support Services

2.1 Resources for primary maintained schools are managed according to a published formula. Appendix A outlines the agreed allocation of support to schools and what proportion of the budget is retained for high-level behaviour referrals through the ISEND Front Door. The central tenet of this proposal is securing a balance between ensuring support is available for schools at a time they need it and an allocation of resource to all schools, thereby allowing for a more equitable distribution of support and options for schools to have greater flexibility and control over the support they receive.

2.2 This system for allocating support was originally implemented at the beginning of term 6, 2013 and has been in operation since then. This system ensures that resources are available for small schools who do not have high levels of deprivation but occasionally require access to specialist support for behaviour.

2.3 *Implications for Cessation of De-Delegated Primary Behaviour Support Services:*

- ESBAS capacity would be significantly reduced and the service could only focus on statutory work (i.e. permanently excluded pupils). ESBAS provision could not be reinstated at a later stage.

- No early intervention service would be provided; this would include the attendance offer as well as the behaviour offer. The Local Authority would lower the threshold for core attendance support, and this would continue to reduce over time.
- The number of pupils requiring support in the secondary phase could increase as their barriers to learning support may not have been addressed in a timely and robust manner in the primary phase.
- A potential increase in the demand for special school provision in both primary and secondary phases.
- A potential increase in permanent exclusions, breakdown of placements of pupils with EHCPs, and a related increase in the number of pupils that schools have to reintegrate mid-year from other schools.
- A potential deterioration of attendance.
- Further pressure on High Needs Block funding and in turn funding available for schools.

2.4 The overall impact would increase the challenge for schools, potentially creating additional budget pressures to fund more specialist provision. Outcomes for pupils in East Sussex could decline.

3 English as an Additional Language Service

3.1 From April 2014 until 2019, units were allocated to schools based on the number of EAL pupils who have been in the education system in the UK for less than 3 years. This system weighted support towards newly arrived pupils who generally have lower levels of English and the greatest need for support.

3.2 Following extensive consultation with schools in 2019, the service made a new offer of EAL support based on schools/academies contributing either 25% or 100% of their de-delegated amount. This provided two levels of access to the service and was the preferred model for the majority of schools, academies, as well as unions and staff.

3.3 Schools' Forum agreed at the meeting in May 2021 that model ('Model 2') would be adopted for all future buy in to the EALS service. This model enables schools/academies to contribute either 25% or 100% of their de-delegation amount (the options from the model which has run successfully for the last two years), but there is now also a subscription option.

3.4 To deliver this model, which can be seen in Appendix B, the Local Authority requires a commitment from schools equating to a total of £407,447 a year for two years, from 1 April 2022. This is the absolute minimum required to retain enough staff to cover the full range of interventions within the offer and meet the needs of all schools across all locations in the county. If schools and academies decide not to provide the required level of funding, the EAL service will cease on 31 March 2022. In these circumstances from 1st April 2022 schools/academies would need to make their own arrangements for discharging their duties for pupils with EAL on their roll.

3.5 The table below shows the implications for different levels of buy-in by schools/academies in terms of overall income for the service. You will note that should all schools opt for a 25% contribution, or for a subscription, then the income will not meet the required minimum of £407,447 and the service will cease.

Model 2:

Funding Level	25%	100%
Maintained Primary	984,009	393,599
Maintained Secondary	26,201	104,803
Academy Primary	85,076	340,303
Academy Secondary	75,445	301,782
Total	285,122	1,140,487

3.6 Schools' Forum representatives are asked to vote on the option to de-delegate EAL funding from all maintained schools, collectively, at 100%. If both primary and secondary maintained schools vote to de-delegate 100% of the de-delegated amount, then there will be sufficient resources to guarantee the service until 31 March 2024.

3.7 In the event that either primary or secondary schools do not agree to de-delegate funding collectively at Schools' Forum, then schools and academies will be asked if they wish to make a commitment from their de-delegated amount from the 1 April 2022 (for a period of 2 years). The decision as to whether the service is maintained or ceased would be based on these returns.

3.8 Due to the complexity of the consultation process, the decision to fund will be on a two-year cycle. An EAL service will only be available to schools/academies who make an up-front commitment to the service; there will be no in-year opportunities to buy in support at a later date.

3.9 *Implications for Cessation of De-Delegated English as an Additional Language Service*

- EALS would not be financially viable and would close. This decision will not be reversible at a later stage.
- Schools would not be able to access the full range of services currently provided by EALS in the private sector; there are some translation services available but they are more expensive than EALS.
- Schools who currently receive a high level of support would experience a significant reduction in support.
- Support for unaccompanied asylum-seekers who are placed at schools near to available foster placements would cease.
- Mother tongue examinations would not be supported and would be the sole responsibility of schools.
- A likely impact includes a significant rise in the numbers of pupils requiring support in the secondary phase as their barriers to learning will not have been addressed in a timely and robust manner in the primary phase.
- The KS2 and GCSE outcomes for EAL pupils are highly likely to be detrimentally impacted.

4 Conclusions

4.1 Improved attendance and high standards of behaviours are key to improving standards. While there is some evidence of progress, East Sussex continues to under-perform when compared to national and statistical neighbours in relation to both attendance and exclusions. Developing and sustaining consistent, effective inclusive practice across all schools must be a priority.

4.2 There is evidence that where schools have assumed financial responsibility for behaviour support there has been no correlating improvement in pupil behaviour or school performance. Indeed, the evidence suggests that schools delay early intervention because appropriate support is more costly or difficult to access and later remedies to address the problems are less effective and much more costly for pupils and schools. Where pupils are permanently excluded, the burden falls on all schools to fund and provide ongoing support and places for pupils in special schools or Independent Non-Maintained Schools (INMS).

4.3 In light of the rising demand for high-cost provision for pupils who are permanently excluded in secondary schools, consideration should be given to re-establishing a de-delegation of funding for Behaviour Support Services across this sector and other approaches to ensuring consistent effective inclusive practice.

4.4 The continued use of the model for EALS is a fair and transparent model, representative of schools and academies who responded to the consultation in 2019. This model allows for the continuation of support whilst increasing the flexibility of the offer.

5 Recommendations

5.1 This paper sets out the rationale for continued de-delegation of primary behaviour support service and EALS, and for restoring de-delegated budgets from secondary schools for those services. The implications of any cessation of provision should be considered carefully in light of the likely impact across all schools.

5.2 Schools' Forum is, therefore recommended to:

5.2.1 Continue de-delegated budgets for primary BSS for 2022/23

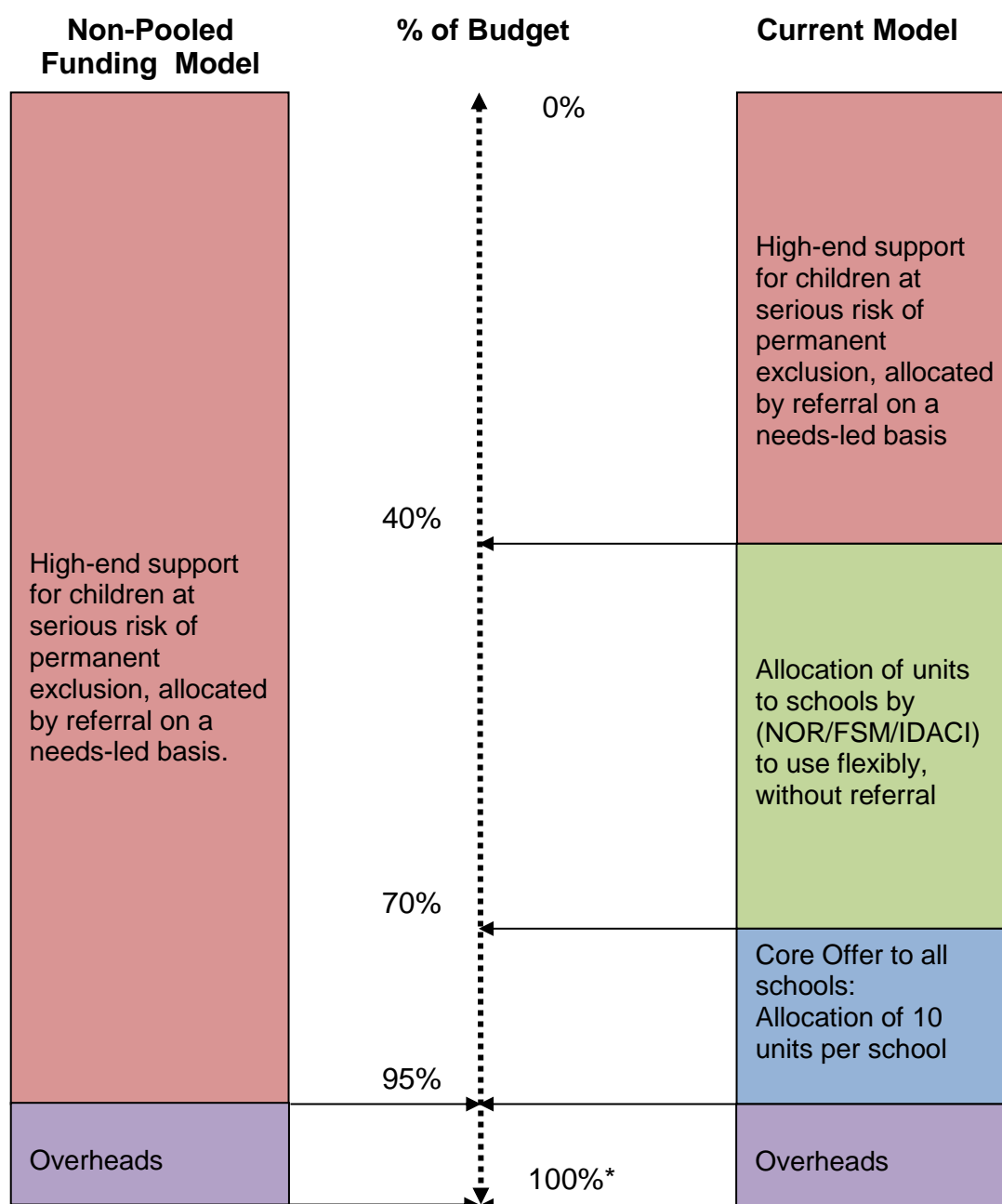
5.2.2 Consider restoring de-delegated budgets for secondary BSS for 2022/23

5.2.3 Continue de-delegated budgets for primary EALS for 2022-24 at 100%

5.2.4 Consider restoring de-delegated budgets for secondary EALS for 2022-24 at 100%

Beth Armstrong
Deputy Head of ISEND

Appendix A
**Behaviour Support to
 Schools:
 Allocation of Pooled Budget**



*This can be 'topped up' by individual schools by purchasing additional units from the Services to Schools offer.

Appendix B

Model 2 100% /25% model (with option of subscription)

Overview

In this model schools can opt for the full service, contributing 100% of their allocated EAL funding, with a two-year commitment.

All schools have access to the services listed in the offer outlined below and in addition schools experiencing higher levels of need at any time due to large numbers of new arrivals or pupils/families with higher levels of need will be given priority for extra support, within the County need and Service capacity.

For schools opting for the advisory level contribute 25% of school EAL allocation, all schools have access to the advisory services listed below. There is no direct teaching or BSO support included in the 25% model. Schools may request teacher or BSO interventions and the service would endeavour to source teachers and BSOs as required for purchase.

It is therefore recommended that Model 2 is the one the LA adopts for non-dedelegated access to the EAL Service during the period April 2022-2024. It is requested that schools forum ratify this recommendation. 8. The preference remains for schools to commit 100% or 25% of their EAL funding to secure the required level of funding to run the service and provide the opportunity for further trading with schools

The offer

	Advisory service 25%	Full service 100%
Access to a selection of advice, guidance and model policy documents on czone	✓	✓
Termly EALS newsletter	✓	✓
Advisory meetings/email advice for school staff	✓	✓
Central or bespoke in-school training for individual schools or clusters	✓	✓
Initial Assessments of pupils, including recommendations and advice	✓	✓
Classroom observations	✓	✓
New Referrals package for all new referrals (including, as appropriate) <ul style="list-style-type: none">- Initial Assessment including classroom observation- Mother Tongue Assessment and parent interview- Recommendations and advice on strategies- Bespoke 6-8 week intervention delivered by teachers and/or BSOs- Review of progress and Access to a further 6-8 week interventions as agreed- Bilingual support for home school liaison		✓
Transition interventions <ul style="list-style-type: none">- EAL friendly Pupil Voice- Additional visits with BSO if appropriate- Parent meetings- Briefing for transition lead		✓
Parental engagement <ul style="list-style-type: none">- BSOs available for translation and interpreting e.g translation of letters, phone calls home		✓
Mentoring for TAs and EAL Coordinators		✓

BSOs for Translating and interpreting		✓
Training and monitoring for EAL leads Coordinators		✓
Access to EALS programmes, e.g. Pupil and Parent Ambassador programmes, Early Days programmes, Secondary development programme, EAL register		✓
Mother Tongue exam package <ul style="list-style-type: none"> - Identification of candidates through assessment of speaking, listening, reading and writing - Direct teaching up to 6 session informed by gap analysis - Mock and feedback - Three sessions for the speaking exam: familiarisation, mock and actual exam. 		✓
Twice yearly planning and Review meetings with EAL Lead in school <ul style="list-style-type: none"> - Analysis of EAL register - Progress of supported pupils - Requests for CPD - Feedback and evaluation of service - Agree priorities 		✓
Pupil Ambassador programme for primary schools <ul style="list-style-type: none"> - Training for Lead on setting up package - Guidance on Ambassador-partner sessions 		✓
Support for EAL CYP with additional needs <ul style="list-style-type: none"> - Support with assessing additional needs - BSO supporting with safeguarding concerns 		✓
Additional interventions on a traded basis Teacher BSO	£200 per half day £38/hr Where available	£65/hr £25/hr

* There is no direct teaching or BSO input included in the 25% model. The service would endeavour to source teachers and BSOs as required for purchase, however this would be additional to the contract and there would be some risk as to whether this capacity could be sourced. Lack of delivery of teaching or BSO support would not mean that the contract for the other provision outlined above has not been fulfilled.