

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 Schools' Forum decisions on funding for BSS are on an annual cycle; for EALS decisions are taken every 2 years. In September 2022 a decision is required for BSS for the 2023-24 financial year; a decision on EALS is not required until September 2023 for the 2024-25 financial year.

1.4 ESBAS support includes 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.

2 Behaviour Support Services

2.1 Resources for primary maintained schools, who currently de-delegate funds, are managed according to a published formula. 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 in 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 due to increased level of suspension.
- 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 and, thereby, placing additional pressure on the wider DSG budgets.

2.5 With the publication of new DfE guidance on behaviour and exclusions, maintaining a good offer of early intervention is essential. Evidence from other SEN-based targeted support (e.g. EYS and CLASS) is that such services, working alongside schools, do have a significant impact on pressures up-stream and allow for more resources to be retained by mainstream schools.

2.6 With the new responsibilities for attendance, we will be reviewing the offer that is currently made by ESBAS, in particular to take account of feedback from schools around support for behaviour, and this will inform a revised offer to schools from September 2023 onwards. It is essential that the service is appropriately funded so as to be able to plan how to deliver support alongside individual school responsibilities for vulnerable children.

2.7 As part of the Rethinking Exclusions project and the College Central Review, the service offered through ESBAS for the delivery of reintegration support to secondary schools is also under review so as to improve the offer of targeted support through the new model. Consideration of de-delegation of secondary funds could be used to enhance this offer which will be shaped through Inclusion Partnerships in the new academic year.

3 Conclusions

3.1 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.

3.2 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).

3.3 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.

3.4 The LA will work in partnership with school leaders, through existing partnership structures, to review the offer for behaviour support. This process will take account of feedback from schools, changes to national policy and emerging practice in the Inclusion Partnerships.

4 Recommendations

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

4.2 Schools' Forum is, therefore recommended to:

4.2.1 Continue de-delegated budgets for primary BSS for 2023/24

4.2.2 Restore de-delegated budgets for secondary BSS for 2023/24