

Appendix B

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 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 Following the restructure within the Education Division, behaviour support will now sit within the Team Around the School and Setting (TASS) and will be delivered through a broader agenda of inclusion support. The new TASS will provide support to all maintained primary schools delivering a range of interventions to support schools and settings around social, emotional and mental health needs, cohort work around emerging needs and including developing programmes for those groups of children who are at risk of permanent exclusion.

1.4 The Inclusion and Alternative Provision team will provide support for secondary and primary aged child is at risk of Permanent Exclusion through the Inclusion Partnership or Behaviour Support Network. A team of Inclusion Partnership Advisers will be available to support with children at risk of PEX. Although this support is funded outside of the de-delegated BSS budget, the capacity of this work will be impacted by the financial commitment of individual schools.

1.5 Support from the TASS team will be bespoke to the needs of the school and will include whole school expert advice, guidance, training, and support, as well as targeted group work alongside whole school approaches to behaviour and inclusion. As pupils who are at risk of exclusion often present with attendance difficulties, the behaviour offer will be supported by the new core attendance offer and termly attendance meetings. Schools at both phases will be offered a core behaviour meeting prior to the implementation of targeted work.

1.6 Schools and academies 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 can 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: (Team Around the School and Setting - Inclusion)

2.1 Currently, resources for primary maintained schools are managed according to a published formula. Appendix A outlines the agreed allocation of support to schools. The restructure has provided an opportunity to reshape the behaviour offer

to support emerging needs in schools and to enhance the developing inclusion agenda. The central tenet of this proposal is to ensure there is a clarity and equity around distribution of resource for all schools and a targeted whole school support.

2.2 This new system aims to support whole school developments around behaviour and inclusion and to provide schools with access to specialist support for behaviour and guidance around inclusion.

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

- Behaviour and inclusion capacity would be significantly reduced, and the service could only focus on statutory work (i.e. permanently excluded pupils). Behaviour and inclusion provision could not be reinstated at a later stage.
- No early intervention would be provided, except for statutory duties.
- 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 of a reduction in funding in this area would increase the challenge for schools, potentially creating additional budget pressures or demands on already stretched alternative and specialist provision. Outcomes for pupils in East Sussex could further 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 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 most schools, academies, as well as unions and staff. Open cases to EALS at the time of the last consultation was 268 whereas it is currently 471 (a 55% increase). In April 2023, EALS were supporting 149 Ukrainian pupils and this has since increased to 179 showing the upward trend.

3.3 Schools' Forum in May 2021 agreed that schools/academies could opt to contribute either 25% or 100% of their de-delegation amount or sign up to a subscription option; this decision was made separately to the decision of maintained schools to de-delegate. Contact will be made with all academies following the decision at Schools' Forum to secure buy-in on the same basis from April 2024.

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 £468,564 a year for two years, from 1 April 2024. 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 2024. In these circumstances, from 1st April 2024, 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 £468,564 and the service will cease.

Funding Level	25%	100%
Maintained Primary	89,440	357,759
Maintained Secondary	28,855	115,419
Academy Primary	76,586	306,343
Academy Secondary	81,472	325,889
Total	285,122	1,105,41

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 2026.

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 individually if they wish to make a commitment from their de-delegated amount from the 1 April 2024 (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 complexities with securing staff who speak the range of languages present in ES schools, the decision to fund will be on a two-year cycle. An EAL service will only be available to schools/academies who make an upfront commitment to the service; there will be no in-year opportunities to buy in support later.

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:

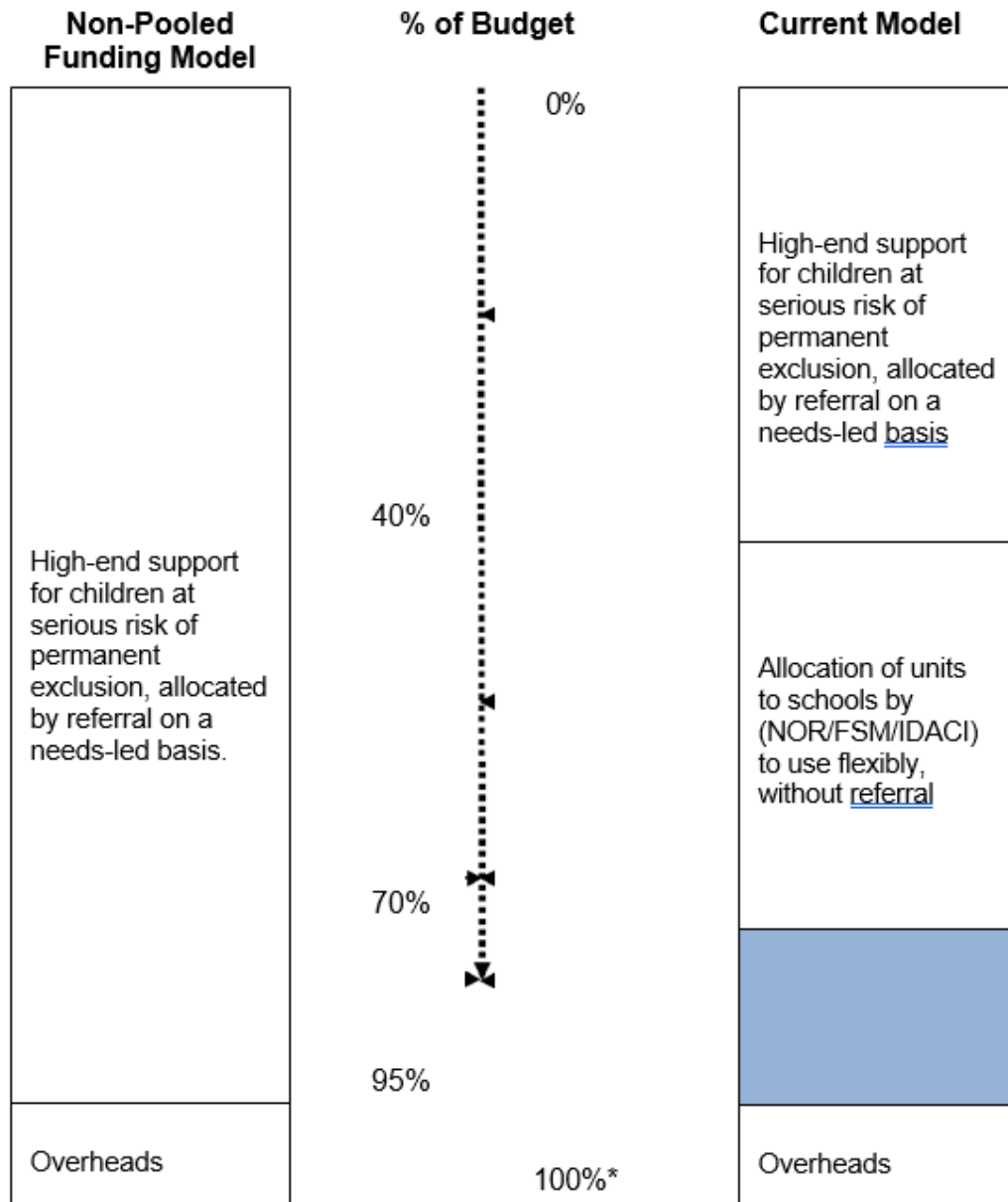
5.2.1 Continue de-delegated budgets for primary Behaviour Support for 2023/24

5.2.2 Consider restoring de-delegated budgets for secondary Behaviour Support for 2023/24

5.2.3 Continue de-delegated budgets for primary EALS for 2024-26 at 100%

5.2.4 Consider restoring de-delegated budgets for secondary EALS for 2024-26 at 100%

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.

Overview

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

A flat rate subscription which gives the opportunity to trade with the Service.

It is therefore recommended that the LA adopts for non-de delegated access to the EAL Service during the period April 2024-2026. It is requested that school's forum ratify this recommendation. 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.

	Subscription Primary *£1000 Secondary £1500	Advisory service 25%	Full service 100%
Access to a selection of advice and guidance documents on Czone and Services to Schools website and access to a traded service from EALS	✓	✓	✓
Enhanced access to EALS areas on the Services to Schools website		✓	✓
Access to the Good for EAL: Good for All offer of training and teaching resources		✓	✓
EALS newsletter issued three times a year	✓	✓	✓

Appendix B - EALS Model - 100% /25%, with option of subscription.

Advice for school staff, including teaching staff, SENCOs, and Exams Officers		✓	✓
Central or bespoke in-school training for individual schools or clusters		✓	✓
Access to remote training and advice sessions, Q&A drop-ins, delivered on MS Teams		✓	✓
Initial Assessments of pupils, including recommendations and advice and classroom observations as appropriate Home Language assessment and parent interview		✓	✓
The opportunity to take part in EALS events, e.g. The Val Larkin dual language Writing Competition	✓	✓	✓
New Referrals package for all new referrals Following initial assessments: <ul style="list-style-type: none"> - Blocks of bespoke interventions delivered by teachers and/or BSOs - Review of progress and access to further interventions as agreed 			✓
Extended interventions as appropriate and in liaison with school EAL Lead, for example <ul style="list-style-type: none"> ▪ Advanced learners exam preparation booster packages ▪ Focussed support on an area of language, e.g. writing, vocabulary, grammatical accuracy ▪ Remote support sessions as and when appropriate 			✓

Appendix B - EALS Model - 100% /25%, with option of subscription.

<p>Transition interventions</p> <ul style="list-style-type: none"> - EAL friendly Pupil Voice - Additional visits with BSO if appropriate - Parent meetings 			✓
<p>Support with home-school liaison</p> <ul style="list-style-type: none"> - BSOs available for translation and interpreting of short messages and one-off parent meetings 		✓	✓
<p>Enhanced Home-school liaison</p> <ul style="list-style-type: none"> - BSOs available for translation and interpreting, e.g. at review meetings - Regular contact with parents - Postcards home sent to parents/carers 			✓
<p>Home Language exam package</p> <ul style="list-style-type: none"> - Identification of candidates through assessment of speaking, listening, reading, and writing - Mock and feedback - Three sessions for the speaking exam: familiarisation, mock and actual exam - Cross-County remote support sessions for candidates if necessary 			✓
<p>Twice yearly planning and Review meetings with EAL Lead in school</p> <ul style="list-style-type: none"> - Analysis of EAL register - Progress of supported pupils - Requests for CPD - Feedback and evaluation of service 			✓

Appendix B - EALS Model - 100% /25%, with option of subscription.

- Agree priorities			
Pupil Ambassador programme for primary schools - Training for school EAL Lead on setting up package - Guidance on Ambassador-partner sessions			✓
Support for schools with EAL CYP with additional needs - Support with assessing additional needs - Internal referrals to other ISEND services as appropriate		✓	✓
Additional interventions on a traded basis			
Teacher	£300 per half day	£200 per half day	
BSO	£65/hr	£45/hr	

*For smaller primary schools it may be cheaper and better value to select an Advisory Package rather than a flat rate subscription.

* 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.