

## SCHOOLS FORUM - 17 OCTOBER 2013

<b>Title of paper:</b>	<b>De-delegation of funding for Ethnic Minority Achievement</b>
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### **Summary**

The EMA team was historically funded through the Ethnic Minority Achievement Grant (EMAG) and, additionally, the Exceptional Circumstances Grant (ECG) for EAL pupils. Following the mainstreaming of Standards Fund Grants into the Dedicated Schools Grant, these funding streams have ceased to be separately identifiable; under the current school funding arrangements, since April 2013 central support for minority ethnic pupils that was previously funded centrally now forms part of the school formula. However, funding can be retained centrally on behalf of maintained schools if “de-delegation” is agreed.

At the September 2012 Schools’ Forum, a report was submitted by Lorna Beedham, Adviser for the Achievement of Vulnerable Groups, and the proposal to de-delegate the EMA team funding was agreed for the financial year 2013/14.

Significant progress has been made towards developing this as a traded service since that date. The new IDEAL (Identity, Diversity and EAL) brand has been developed and marketing of services has been successfully targeted at City schools as well as widened to schools and LAs regionally and nationally. Services have been adapted and tailored to meet the changing needs and demands of our customers and income generation is significantly increased.

As we experience increasing numbers of newly arrived EAL and other ethnic minority pupils in Nottingham City schools (25% and 41% respectively of the overall City school population census) and to enable the service to continue to create a secure market and produce high quality products, it requires underwriting for a further 2 years for the financial years 2014/15 and 2015/16 to allow it to support City schools effectively. During this period, the service will generate further income from a range of sources to allow its services to schools to remain competitive.

### **Recommendations:**

	It is recommended that Schools’ Forum representatives of maintained primary and secondary schools agree:
<b>1</b>	to de-delegate £88.61 per EAL pupil for 2014/15 and 2015/16 to ensure that the IDEAL team has sufficient time to create programmes and products for its fully traded service directory (option 3 below);
<b>2</b>	in principle to consider support for the IDEAL team on an ongoing basis to the extent that costs are not fully covered by income from traded services, to ensure that underachieving ethnic minority groups are supported long term to raise their attainment and the expertise offered by this team is not lost to schools and other services within the LA (option 1 below).

## 1. **BACKGROUND**

- 1.1 The IDEAL team has absorbed the provision made by other services that have been removed in previous City Council reorganisations. This includes the Traveller Education Services and Asylum Seeker Support Team. The team has for over 2 years had 3 consultant vacancies that have not been filled which has meant that the team size and capacity to deliver support to schools has been halved, but the cost of de-delegation is equally reduced to cover team costs in the current structure.
- 1.2 Historically, the team has provided:
- an immediate response to requests for information and support for ethnic minority or EAL pupils;
  - training for specialist teachers and other school staff in the areas of ethnic minorities, EAL, GRT, Black Achievement, Equality and Diversity;
  - support in the assessment of the attainment levels and support requirements of new arrivals with little or no English;
  - support in the analysis of data of minority ethnic groups;
  - resources to assist with the teaching of pupils new to English, those acquiring higher level English skills and themed approaches e.g. Black History Month, GARP;
  - training for governors in school responsibilities for vulnerable groups of pupils and Equalities;
  - school network meetings with a focus on EAL, international links and bilingual learning support staff;
  - a termly newsletter for schools with up to date information, guidance and resources.
- 1.3 For many years the Local Authority has retained an element of EMAG funding which has enabled the EMA central team of consultants to provide a variety of resources and peer training to school staff free of charge. Peer training activities included joint lesson planning and teaching, role modelling, strategic planning and delivery support for EMAG teachers, staff meetings and phase specific network meetings. Whilst schools have been able to use their EMAG allocation for in school provision there was previously no charge for central support which, in some cases, amounted to several days of consultant time.
- 1.4 In 2010-11 additional funding was given through the Exceptional Circumstances Grant (ECG) to all non EMAG funded schools. In 2011-12 the same schools and EMAG schools with an increase of 2.5% in their EAL population and all special schools received ECG funding. The central team provided training and support to all these schools which was completed in July 2012.
- 1.5 Because of the school commitments through ECG and EMAG funding the central team was later than some other LA services in developing its capacity to become a fully traded service. However, last financial year's (2012/13) income generation was £26,679.46 and is expected to be a minimum of £86,000 for 2013/14 based on last year's figure and with the addition of a buy-back agreement of 4 days/week from one City school and a contract with Central College for daily input to the Year 11 EAL provision.
- 1.6 If the service does not generate enough income to sustain itself it is appreciated that staffing will have to be reduced or completely removed from the City Council structure.

## **2. REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)**

### **2.1 Options and implications for schools and learning settings**

There are 4 options open to Schools' Forum regarding the de-delegation of funding for ethnic minority achievement services.

**Option 1:** to de-delegate funding for EMA indefinitely. Some ethnic minority groups are vulnerable to underachievement locally and nationally and will be scrutinised closely in school Ofsted inspections. The team of specialist consultants would be able to target support to schools to improve outcomes for those pupils and ensure at least good progress. They would also be able to provide specialist support to all schools with both their newly arrived EAL and established communities of pupils.

**Option 2:** to de-delegate EMA funding for 1 further year (2014/15) to underwrite the team provision whilst traded services are further expanded. This will enable the IDEAL team to create additional tailored programmes, resources and products. It will also allow the team to continue to create an extended customer base beyond the Local Authority (LA) to ensure the team is maintained to support City schools as required in the future.

**Option 3:** to agree Option 2 above and also to agree in principle to de-delegate EMA funding for a further year (2015/16) assuming that the Department of Education do not change their guidance on de-delegating funding. This timeframe will enable the service to become fully traded in the financial year 2016/17.

**Option 4:** to not de-delegate funds, resulting in the IDEAL team becoming totally dependent upon income generation with immediate effect. This will result in some team members (3 consultants and the administrative assistant) being made redundant as income is currently insufficient to maintain all 4 posts. This would:

- result in the achievement of vulnerable groups team no longer existing;
- leave the LA vulnerable to no central provision to support schools to raise the achievement of ethnic minority pupils which is a growing percentage of the school population and a focus in terms of the achievement of different groups in the Ofsted inspection framework;
- leave no central resource to assist schools and panel with the language and cognitive assessment of new arrivals with little or no English;
- require Schools' Forum to undertake its own negotiations with Central College for the Year 11 pre-16 EAL new arrivals provision. It would also need to monitor the provision or arrange for secondary schools to organise this provision independently;
- result in no Gypsy Roma and Traveller or Asylum Seeker/Refugee support as this service was absorbed into the Achievement of Vulnerable Groups service area in 2009.

If de-delegation for 2014/15 is not agreed there would be a loss of local expertise and schools would have to manage all EMA/EAL requirements independently of LA support; there is no similar expertise available within the LA. The team has expertise that is recognised nationally and internationally eg

- English as an Additional Language (Steve Cooke, former Regional Adviser for the National Strategies, national and international CPD, tutor for the Birmingham University M. Ed Bilingualism in Education course and associate lecturer at Leicester University. He has also recently become a National Centre for Excellence in the Teaching of Mathematics (NCETM) Professional Development Accredited Lead;

- NALDIC – National Association for the Development of Language in the Curriculum (Steve Cooke, co-opted Executive Committee member and author of Collaborative Learning Activities in the Classroom: Designing Inclusive Materials for Learning and Language Development);
- Global and Anti-Racist Perspectives within the curriculum – GARP (co-author Jane Daffé, provision of resources and training nationally and internationally including the Council of Europe);
- Black Achievement and Dual/Mixed Heritage Achievement initiatives (Jane Daffé, Nottingham City recognised best practice by the National Strategies).

This expertise would not be easy to replace if the service was lost; provision in neighbouring authorities is limited and the NCC team’s reputation is good.

In the last academic year 2012-13, and the first year of trading their services, the 3 consultants sold services to 46 maintained City schools (approx. 70% of total) and 6 academies (63% of total) on a range of initiatives – EAL, Black/Mixed Heritage Achievement, Gypsy Roma and Travellers, diversity in the curriculum, Equality Act, racism, international dimensions – in the form of staff CPD, in-class partnership work, teaching resources and strategies.

The most recent language and ethnicity results for the City show the effectiveness of support for our schools to meet the needs and ensure progress for EAL and ethnic minority learners, as follows:

#### KS2 Level 4 Eng/Maths 2012

- Asian pupils - 77% (2% above City average and 1% increase since 2011)
- Black pupils - 76% (1%    5%    )
- Mixed pupils - 75% ( in line with City                    and 4%    )
- EAL pupils - 74% (1% below City average but 1%    )

#### KS4 (5A\*-C GCSE Eng/Maths) 2012

There was significant progress in outcomes for Black pupils in 2012, with a 7% increase to 50% of pupils achieving the standard for the first time. There is a need for further improvements, however, for the Mixed Heritage cohort who remain below their peers in the City at 45.5%. All ethnic groups remain below their peers nationally.

EAL learners’ results showed a slight dip to 49% (which is, however, still less than 1% below their English first language peers).

The IDEAL team has been responsive to emerging local needs and continued to provide some core support to Nottingham City schools at no cost as agreed at Schools’ Forum in September 2012 following the agreement to de-delegate, as follows:

Primary and secondary schools have an entitlement to:

- a named consultant for bespoke advice;
- access to phase-based EAL network meetings to share good practice with other school staff;
- 1 day consultant support in school (could include planning, staff training, data analysis).

Without further de-delegation, schools would have to make provision for underachieving ethnic minority and EAL pupils independently and fund all necessary activities; schools would have to either train their own staff or seek external providers to support them with the specific skills required to effectively teach these groups of pupils; they would have to monitor statutory developments independently to ensure they were meeting legal requirements and translate them for the school context e.g. Equality Act changes and would need to create their own, or source independently, resources for annual events which celebrate the diversity of children in City schools.

As a City Council there is a focus on newly arrived and emerging communities across the City and the services that should be provided to support their integration into local communities. It would be a regressive step to ensure that families and individuals arriving in the City are supported to find school places alongside other services but have no central services available to schools to support the specific needs, language acquisition and attainment of these pupils.

## 2.2 Proposals

It is proposed that representatives of maintained primary and maintained secondary schools separately agree to the de-delegation of £88.61 per EAL pupil (based on the revised 3 year new entrant EAL indicator) for the financial years 2014/15 and 2015/16.

If de-delegation is approved the offer to schools would be the same for primary and secondary schools and would continue to include:

- a named consultant for bespoke advice;
- access to phase based EAL network meetings to share good practice with other school staff;
- phase based NQT training (additional 2 x 0.5 days to the NQT induction programme);
- 1 day consultant support in school (could include planning, staff training, data analysis).

De-delegation for 2014/15 and 2015/16 will also provide the IDEAL team with sufficient time to fully develop a traded services offer that can replace de-delegation. Representatives of maintained schools are asked to indicate if there is support for ongoing de-delegation.

## 3. **OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS**

If de-delegation is not agreed, all schools (maintained schools and academies) will receive £88.61 of additional funding per EAL pupil via the funding formula. However, schools may then have to manage all EMA requirements independently of LA support as discussed above.

## 4. **OUTCOMES/DELIVERABLES**

4.1 The outcomes for vulnerable EM groups are measured annually through end of Key Stage and GCSE records. These are analysed by the Insight team as well as the IDEAL team and trends are identified. Central CPD provision and packages of support are adjusted in light of these findings.

4.2 The progress and attainment within individual schools of EM groups are analysed with school staff to identify vulnerable groups, promote best practice and provision and determine support to be offered to the school.

4.3 Ofsted inspections will report on the progress of groups within schools. The team will monitor these reports and identify LA trends which will be addressed in future central CPD provision and individual programmes created for schools identified with underachieving groups.

## **5. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)**

5.1 Based on the latest available DfE indicator data and known academy conversions, the proposal would result in maintained primary schools de-delegating £0.205m and maintained secondary schools £0.005m. Therefore an estimated £0.211m would be available to cover the existing cost of the EMA service.

5.2 The request for an underwrite up to the amount of £0.211m for 2014/15 and 2015/15 will give the team sufficient time to progress to fully traded position.

5.3 The proposal would result in the delegation of an estimated £0.140m to academy schools.

5.4 If only the primary phase approve de-delegation, the team is still viable but a funding shortfall would need to be made up by either increasing traded services income or achieving staffing savings.

5.5 Primary and secondary maintained school representatives are required to vote separately on behalf of schools in their phase.

Should the de-delegation proposal be rejected the funding will be allocated directly to all schools for them to choose how to spend it, the service may become unviable and therefore no longer available for maintained schools or academies to purchase.

Financial recommendation is that this service should develop into a sold service funded on a short to medium term basis from a **DSG under-write** whilst the traded service is being developed and income recovers costs. This is consistent with the approach that has been taken in other areas where DSG funded services have been moved onto a traded basis.

Dee Fretwell, Finance Analyst, Children & Families

## **6. RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)**

This continued service will support positive outcomes for vulnerable EAL and other ethnic minority groups, enhancing their entitlement and access to a quality education. In line with the Equality Act 2010, this provision would be seen as an example of Nottingham City schools' positive action for young people with the above protected characteristics.

The target groups include those with an asylum seeker/refugee experience, European migrant families (including Roma as a particularly vulnerable group educationally) and other newly arrived young people. See also Recommendations and Reasons for Recommendations sections above.

## **7. OBSERVATIONS OF THE DIRECTOR OF SCHOOLS AND LEARNING**

The recommendations above are fully supported and endorsed.

Nick Lee, Acting Head of School Improvement.

**8. HR ISSUES**

In the event that Schools Forum do not support/agree the continuation of funding arrangements as outlined in this report, there would be significant workforce implications that would need to be detailed in separate Chief Officer and DMT reports which would include potential employment / contractual obligations, costs and risks to the authority, taking into account appropriate timelines. Management need to consider potential exit payments of the affected post holders.

Nichola Gell, Service Re-design Consultant

**9. EQUALITY IMPACT ASSESSMENT**

Not needed – no changes to the service are proposed.

**10. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

None.

**11. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

None.