

## SCHOOLS FORUM – 17 OCTOBER 2013

<b>Title of paper:</b>	De-delegation of funding for the Behaviour Support Team
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<b>Other colleagues who have provided input:</b>	Finance section HR section
<b>Key points/issues</b>	
<p>Under the new school funding arrangements from April 2013, Behaviour Support Team services that are currently funded centrally, must form part of the school formula. However this funding can continue to be retained centrally on behalf of maintained schools if “de-delegation” is agreed. Last September the Forum agreed to de-delegate funds for one year from April 2013 / March 2014.</p>	
<b>Recommendation(s):</b>	
<b>1</b>	To note the compulsory buy back, for all maintained schools, of the statutory services provided by the Behaviour Support team at a total lump sum of £234,000 from maintained schools and £42,000 lump sum for eligible pupils.
<b>2</b>	To approve Dedicated Schools Grant (DSG) underwrite funding for the financial years 2014/15 and 2015/16 to support the remaining funding at a total lump sum of £63,000 from maintained schools and a total lump sum of £13,000 for eligible pupils. This would enable the team to continue to work towards being a fully traded service by April 2016 around delivery of non statutory work.

### **1. BACKGROUND**

The team currently comprises 6.4 fte teachers and 4.0 fte behaviour learning mentors. Our specialist work is delivered through all key stages in schools across the City and in neighbouring L.A.'s. Recent work has had a particular emphasis in Primary around early intervention in EY/KS1 and for Secondary the transition between KS2 to KS3. We have been able to put together bespoke packages to enable some very challenging children to be included within their school setting.

Prior to 2010 the team was not required to trade services. In subsequent years income targets were set and reached. The income raised through traded services has increased year on year. Throughout this time our budget has reduced.

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

If de-delegation is approved the work undertaken by the team will enable BST to address its legal and statutory responsibilities by working to the following legislation:

- SEN Code of Practice (2001) this includes statutory assessments

- SEND tribunals
- The Equality Act (2010) - access to the curriculum
- The National Award for SEN Coordination (2009)
- Exclusions School Discipline Regulations: Education Act (2012).
- School Attendance (Education Act 1996) and amendments 2010.
- Admissions - Schools Admissions Code 2012. (Education Act 1996)
- Ofsted Framework Sept 2012
- Preparation for new SEN legislation 2013/14

The activities underpinning and supporting the legal framework will include:

- Prioritising children most at risk of exclusion:
  - High need Early Years and Key Stage 1 pupils
  - Pupils where safeguarding is an issue
  - Looked after CYP
  - Pupils presenting significant health and safety risks
  - Key Stage 2 and 3 pupils at high risk of exclusion
  - Pupils with a statement for BESD (Behaviour Emotional and Social Difficulties)
  - Pupils transitioning between key stages
- Personalised support for the children with the most complex needs.
- Providing bespoke training, assessment and advice to strengthen pupil placements
- Multi – agency input around assessments and advice for CYP who have recently moved into the authority and have SEN or disability
- Providing direct support for ‘schools causing concern’.
- Capacity building amongst school staff to meet the needs of CYP with SEN.
- Ensuring all policies are non-discriminatory (e.g. safeguarding, anti-bullying, SEN, and disability access).
- Contribution to the strategic policy and practice supporting the L.A. in meeting the needs of vulnerable CYP and their families
- Allocation of resources for high level needs SEN pupils
- Actions and contribution to the CAF process
- Contribution to all SEN and statutory assessment processes
- Education, Health and Care Provision (EHCP)
- Supporting and advice re risk assessment support for pupils presenting health and safety risks due to behaviour
- Delivering actions from Secondary and Primary Fair Access Panels (FAP)

De-delegation for 2013/14 will also ensure that the behaviour support team can be retained, thereby providing access to additional traded services over and above the statutory responsibilities. These services would include:

- Inset training.
- Pupil support – personalised programmes.
- Play Therapy/special play.
- Targeted small group work – social skills, SEAL etc.
- Teacher coaching.
- T.A. mentoring.
- CAF Lead Professional.
- Learning mentor support.
- Bespoke whole school training.
- Mid-day supervisor training.
- Risk assessment/Individual handling policy training / support.
- De-escalation training/ physical intervention support
- Support for CYP where family is deemed to be in ‘acute stress’

- Emergency telephone consultation and advice.
- Advice and support around safeguarding where behaviour is an issue
- Support to schools in the OFSTED overall effectiveness grade of Behaviour and Safeguarding

An additional benefit is that schools would keep the value and benefit from the BST's long-standing local knowledge, well established and trusting professional relationships and the working practices with the wider communities, including other support agencies. It is recognised that these are key factors when working with CYP and their families. Therefore we offer attendance at and contribution to all 'Team around the School' (T@S) meetings.

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

To delegate funds directly to schools which will result in the team being permanently disbanded (as has already happened to our neighbours in Nottinghamshire where we are currently delivering work). This will have the consequences as outlined below:

- No team to deliver the statutory elements of our work
- Schools and the Local Authority potentially vulnerable as there would be no central provision of specialised support around BESD.
- Potential increased health and safety and safeguarding risks.
- No preventative service available to schools to support the inclusion of CYP with challenging behaviour to remain in school.
- Increased risk of exclusions rising – both fixed term and permanent.
- No BST strategic advice available re handling policies / risk assessments to reduce the risk of harm and limit the likelihood of litigation and claims from either staff or young people.
- No team to deliver (RPI) positive handling training.

### 4. **OUTCOMES/DELIVERABLES**

The BST aims are to support mainstream schools to meet the needs of children and young people experiencing behavioural emotional, social and difficulties through a holistic and multi-agency approach. This support is met through the delivery of a wide and innovative range of services. All our work is delivered in collaboration with the school and monitored / evaluated at every stage. In the academic year 2012/13 of all the work delivered in school 98% was evaluated as 'very good to excellent'.

In the academic year 2012/13, 70 out of 76 of City maintained schools have used and benefited from some aspect of the services available to them from the Behaviour Support Team.

The income from traded work has increased year on year since 2010. In 2010/11 we generated £32,000; this increased to £50,000 in 2011/12 and increased again last year (2012/13) to £83,000. In addition the team generates a further income of approximately £50,000 through delivery of Physical Handling Training.

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

- 5.1 Based on the latest available Department of Education (DfE) indicator data and known academy conversions the proposal relating to the compulsory buy back to ensure **statutory services** are performed would result in maintained primary schools de-delegating £324,000 and maintained secondary schools £55,000 for 2014/15. Therefore an estimated £379,000 would be available.

- 5.2 The request for an underwrite **up to the amount** of £106,000 for 2014/15 and 2015/16 will give the team sufficient time to progress to a fully traded position.
- 5.3 The proposal would result in the delegation of an estimated £379,000 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

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 and Families

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

None.

**7. OBSERVATIONS OF THE DIRECTOR FAMILY COMMUNITY TEAMS**

The recommendations are fully supported and endorsed.

Tim O'Neill, Director for Family Community Teams

**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. This would include potential employment / contractual obligations and costs and risks to the authority, taking into account appropriate timelines. Management need to consider potential exit payments of the affected post holders.

Nicola Gell, Service Redesign Consultant

**9. EQUALITY IMPACT ASSESSMENT**

Has the equality impact been assessed?

Not required as the decision does not involve new or changing policies

**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**

Schools Forum report 20 September 2012