

SCHOOLS FORUM – 8 DECEMBER 2016

Title of paper:	Year 11 EAL New Arrivals Provision
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Summary

The Year 11 New Arrivals provision is designed to meet the needs of newly arrived asylum seeker/ refugees, Roma, EU migrants and other young people in Year 11 (and late Year 10) who are new to English and unable to access the mainstream curriculum. The provision is currently funded from the DSG high needs budget at £0.110m. Since September 2014, Nottingham City Council colleagues within the IDEAL service have worked in consultation with Nottingham's secondary schools/academies, NCSEP and the Fair Access Panel to establish a successful full-time provision (up to a maximum of 30 places) that meets the needs of this vulnerable cohort, ensures immediate access to an appropriate education and acquisition of core subject qualifications in preparation for post-16.

The need to secure a permanent base on the site of a mainstream school/academy has been a challenge; the provision was based at Bluecoat Beechdale Academy in the 2014-15 academic year, Djanogly City Academy Sherwood Rise site for the first half of 2015-16 and has since moved to Ellis Guilford, where there is commitment to establish a permanent sustainable future for this much-needed provision. It has become clear that in order for this partnership to be economically viable and not to the detriment of Ellis Guilford's own budget and resources, an increase in funding is necessary to ensure the future stability of the provision; it has also become evident that the extreme vulnerability and significant and complex needs of this cohort of young people require funding appropriately.

Recommendation(s):

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| 1 | <p>For Schools Forum to give a view on the recommended approach to funding this provision from April 2017;</p> <ul style="list-style-type: none"> a) A total of £0.214m annual funding which equates to 30 pupils at the £7,144 (made up of KS4 AWPU + EAL formula rates). b) Where the pupils are on roll at a City school by the October census, the school will cover the annual £7,144 per pupil cost with the high needs budget providing the balance of funding. For example, in 2017/18 this means that only £0.136m of the above figure will be required, |
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1 REASONS FOR RECOMMENDATIONS

- 1.1 Indications are that the numbers of new arrivals to Nottingham with little or no English is set to increase further and therefore this provision will be needed for the foreseeable future in order to ease the pressure on local schools/academies for this crucial year group. We already have 14 Yr11 students attending the provision full-time in November, with 6 further new arrivals awaiting induction (this is double the number at this point in the previous 2 years).
- 1.2 There needs to be appropriate financial recognition of the significant commitment made by Ellis Guilford on behalf of all schools and academies to accommodate this necessary provision (the only viable offer presented to the Local Authority when consulting with all schools/academies in order to seek a school site).
- 1.3 Referral to this full-time provision is free to all City schools/academies unless the pupil is on their roll prior to the October census thereby triggering funding for the school. The majority of the cohort arrive during Year 11 and post-Autumn census, therefore there is no funding available to support their education.
- 1.4 We are developing a unique and important provision within the City which is now attracting referrals from beyond the City border (which would be paid places at £11K per year) as other local authorities are unable to meet the needs of this cohort in the same way; any funding generated in this way would also compensate these additional cost recommendations. We should be proud of this achievement and seek to improve our offer further.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 Aims of the City-wide provision:

- To establish a quality full-time provision for this vulnerable group with its own accommodation within a mainstream school in order to meet the City's statutory requirement that all young people of school age are provided with an appropriate full-time education.
- To ensure the experience of a mainstream school environment and access to services and opportunities available to their peers in keeping with the Equality Act 2010 legislation and recommendations for positive action for those with protected characteristics.
- To provide a nurturing and inclusive educational provision that supports the young people's integration into British society as well as recognising and building upon their diverse experiences and knowledge.
- To secure recognised and age-appropriate qualification pathways that will support further education options.

2.2 Our vulnerable cohort:

We educate a diverse range of EAL students, many with complex needs and experiences, as follows:

201415/201516 academic years

Vulnerable groups within the last 2 Year 11 cohorts (59 students) are disproportionately represented as follows:

21 asylum seekers/refugees, of whom 11 Unaccompanied Asylum Seekers (Looked After Children)

13 Eastern European Roma

3 teenage parents

15 with little/no experience of prior education/literacy

13 with attendance/behavioural issues

A range of SEND, including

- 1 selective mute
- 1 Asperger's Syndrome

There needs to be a formal recognition of this diversity of need and vulnerability and the additional resource/support required to meet this and ensure access to all necessary services. See Appendix 2 which includes some case studies of the progress made by vulnerable students at our provision 2015-16.

- 2.3 We consulted with Head teachers of all City secondary schools and academies in the summer term of 2015 when we were seeking a permanent mainstream base for the provision. Two academies expressed a theoretical interest but were not able to accommodate the needs of the provision. Ellis Guilford was the only viable offer and they stepped up in order to secure the provision to the benefit of all City schools/academies. Ellis Guilford have detailed very clearly their intention to ensure the full integration of the New Arrivals provision into the life of their school, as follows:
- the development of a specialist on-site EAL provision that enhances the current provision in school
 - students from the provision integrated into tutor groups/Houses/pastoral systems
 - students from the provision integrated into behaviour/attendance/rewards and sanctions systems
 - students from the provision accessing teaching for maths and ICT from Ellis Guilford teaching staff
 - students from the provision accessing the full range of Ellis Guilford services e.g. SEND, safeguarding, education welfare
 - Ellis Guilford Student Ambassadors for EAL to support new students to the provision arriving through the year
 - staff from the provision to be integrated into the CPL opportunities and team meetings along with Ellis Guilford staff

This is clearly a whole-school commitment that requires adequate funding in recognition of the resources required.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 If this recommendation is not implemented, the number of student places available at the provision will need to be reduced to 15 (in order to ensure adequate resources to meet their complex needs) and the education of any late-arrival students beyond this number will become the sole responsibility of their base school. There is a concern that this would result in vulnerable young people not

being able to access an appropriate education and us not meeting our statutory duty to provide this.

- 3.2 An alternative is for no specialised provision to be made and individual schools/academies to make their own provision in-house for these Year 11 students on their roll. However, schools/academies have welcomed this specialist provision as they have not felt able to provide and resource the level of intensive English teaching required for new arrivals at that stage in their education; the expertise required to secure good outcomes for what is often a small group or even just one student would be difficult and costly to provide in an individual school. Even schools with specialist EAL teaching staff roles do not have the capacity to provide full-time input to Year 11 beginners as they have to support across the whole school.

4 OUTCOMES/DELIVERABLES

- 4.1 Student outcomes in summer 2015 and 2016 have been overwhelmingly positive with an impressive improvement in results in the second year of the provision:

Level Attained	E1	E2	E3	Level 1	GCSE
Number of students 2015	4	6	8	7	4
Number of students 2016	1	2	11	13	8

Number of qualifications attained	1	2	3	4	5
Number of qualifications attained 2015					
No. of students 2015	1	1	19	4	-
No. of students 2016	1	-	18	6	2

- 4.2 The range of subjects offered as a qualification in 2016-17 has been further increased, to include science and PSE.
- 4.3 27 students completed the course to examination in 2015-16 (the largest cohort to date since 2009 when the provision was college-based), compared to 25 students in 2014-15.

5 FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 5.1 The historic £0.110m budget covered the cost of direct staffing for a class of up to 30 plus a small budget for resources.
- 5.2 Under the new approach at Ellis Guilford, the students are being integrated into the life of the school and will access support from a whole range of staff as described in paragraph 2.3. A new approach to funding is now required appropriate to the new model of delivery.

- 5.3 Using the value of the KS4 AWPU and new entrant EAL rates in the current local funding formula seems a fair and reasonable basis to use to fund Ellis Guilford for these pupils. Total funding on this basis will cover the costs anticipated by Ellis Guilford under the new model of provision.
- 5.4 The £0.214m is based upon 30 pupils at £7,144. However, as the provision is not full from the start of the academic year the true cost per place is nearer to £10k per place. This is in line with the standard per place cost for high needs/AP places nationally and significantly below the average external AP provider cost of £15k.
- 5.5 The proposed charge for Out of City pupils at £11k covers estimated full annual place cost.
- 5.6 The proposed charge to City schools for pupils on their roll in time for the October census reflects the funding that will be received into the school's budget in the following financial year as a result. Ellis Guilford will invoice other schools £7,144 for pupils on roll by the October census date. Where pupils are on roll at Ellis Guilford in time for the October census, the funding provided from the high needs budget will be reduced accordingly.
- 5.7 **The maximum high needs budget requirement for the 2017/18 financial year is £0.136m.** This is calculated as the annual funding total of **£0.214m** less **£0.078m** to be met by schools (11 pupils on roll by October 2016 census at £7,144). This will be reduced further if any places are commissioned for Out of City pupils. The high needs budget requirement for future years will vary according to the places taken up by October.
- 5.8 Detailed arrangements for this provision will be agreed and specified in a service level agreement.
- 5.9 The estimated 2017/18 high needs budget requirement is **an increase of £0.026m**. The LA's 2017/18 high needs budget allocation has not yet been issued by the EFA and it is not yet clear if this will be increased from the 2016/17 level. If this is not the case, the £0.026m increase will need to be met from the DSG reserve.

6 LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 6.1 This provision will ensure positive outcomes for vulnerable EAL new arrivals in KS4 who are unable to access mainstream provision; it will ensure that they receive their entitlement to a quality full-time education whilst of statutory school age regardless of ethnic, linguistic, national or faith background. 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-listed protected characteristics.
- 6.2 The cohort includes those with an asylum seeker/refugee experience (including unaccompanied asylum seekers who are LAC), Eastern European Roma (as a particularly vulnerable group educationally), teenage parents and other newly arrived young people. The provision supports them to continue into further education, make a positive contribution and achieve economic wellbeing in the new host society.

7 HR ISSUES

- 7.1 The agreement for Ellis Guilford to accommodate the Year 11 New Arrivals provision includes the transfer to the School of the 3 staff employed by Nottingham City Council to deliver the current provision. Although the LA remains the employer in law for staff employed in Community Schools, if the staff become part of the School's establishment they will come under the delegated powers of the School Governing Body.
- 7.2 The staff team comprises 1 x 0.6 FTE teacher, 1 FTE Level 3 TA, and 1 x 0.6 FTE Level 3 TA.
- 7.3 There will be a duty to inform and consult with staff in relation to the proposed transfer, including any changes in terms and conditions of employment. Timelines for transfer will need to take into account timelines for consultation with staff.
- 7.4 If the school converts to an academy in the future, staff would then be consulted over the transfer of their employment to the academy under TUPE; transferring staff would transfer to the employment of the academy with the T&C from their school roles.
- 7.5 For the school, HR implications include the transfer of certain liabilities to the School.
- 7.6 Pension entitlements would not be affected by the transfers.
- 7.7 All recognised Trade Unions will need to be informed of the proposals, and involved in the individual consultations with staff as relevant.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:
(Please explain why an EIA is not necessary)

Yes

Attached as Appendix 3, and due regard will be given to any implications identified in it.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

9.1

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1