

 <b>Brent</b>	<p style="text-align: center;"><b>Schools Forum</b> 26 February 2014</p> <p style="text-align: center;"><b>Report from the Acting Director of Children &amp; Families</b></p>
For Consultation	
<b>Update on Restructure of the of Alternative Education, Attendance and Behaviour Services – New Service Design and Financial Implications</b>	

## CONSULTATION AND DECISION MAKING POINTS

On 19<sup>th</sup> June 2013 the Schools Forum considered a report on proposals to restructure Alternative Education, Attendance and Behaviour Services. This report now updates the Forum on the new service model and the related financial implications.

The Forum is asked to give views on options to attach funding to support more complex pupils placed in schools under the Fair Access Protocol and note the decision to introduce local arrangements for the claw back of AWPU funding for permanently excluded pupils from all schools. It also seeks views on the establishment of a Brent Schools Partnership to oversee a devolved budget to support cross-phase behaviour projects between secondary and primary schools and/or fund other behaviour projects developed by schools.

### 1. SUMMARY AND REPORT STRUCTURE

- 1.1. This report provides the Schools Forum with an overview of the new Inclusion and Alternative Education Service and related financial implications. The report also highlights a number of financial options which could give increased budget control to schools and /or create a stronger link between a decision to permanently exclude pupils and the related costs. The Schools Forum is asked whether it supports the introduction of the proposals outlined.
- 1.2. The report is structured as follows:
  - **Section 2** provides some background on the service review;
  - **Section 3** gives an overview of the new service model;
  - **Section 4** sets out the financial implications of the new model and potential future funding pressures; and

- **Section 5** sets out some new funding options for the service designed to offset the costs of supporting and /or reintegrating permanently excluded pupils and fund new schools led attendance and behaviour initiatives.

## 2. BACKGROUND

- 2.1. Over the past year the Children and Families Department has carried out a fundamental review of its alternative education, behaviour and attendance services. The review has sought to reshape the services to meet a complex range of policy, financial and operational challenges, including changes to the funding framework for alternative education, new service and demographic trends, and a need to develop a service model more closely focussed on prevention and support to children in school.
- 2.2. The new structure for the new Inclusion and Alternative Education Service is broadly designed to achieve:
- A more cost efficient and focused model of service delivery thereby reducing the planned place costs of Pupil Referral Units and freeing up resources to invest in preventative and exclusion services.
  - A greater focus on preventative work in primary schools and transition work between primary and secondary schools, with access to a wider range of support to address behavioural, social and mental health issues.
  - An extended remit for the Pupil Referral Unit which includes a strong core offer of commissioned services and dual registration.
  - Further reductions in the number of fixed term and permanent exclusions.
  - Strong links between the newly amalgamated Inclusion and Alternative Education Service, the Special Educational Needs/Disability Service and Early Help Family Support Service through either hub and spoke arrangements or co-location of staff/services.
  - Much closer partnership working on behaviour and attendance between schools, supported by the development of a clear Behaviour and Attendance Strategy.
  - Improved specialist assessment and support for particular group of vulnerable pupils and those newly arrived in order to prevent an escalation of difficulties and to avoid high-cost Borough specialist placements.
  - A more co-ordinated approach to the commissioning and quality assurance of alternative providers from the private and voluntary sectors on behalf of schools and the Local Authority.
  - An increased focus on working with designated teachers, school governors and the Council's Corporate Parenting Group to raise the profile of looked after children education issues.
- 2.3. The vision for the new service is that it should be co-owned with the schools and schools have been involved in shaping the new service as far as possible. Schools' views on current behaviour, attendance and inclusion support and their support needs have influenced the service design, both through an independent review of behaviour management in twelve Brent secondary schools and six primary schools, and via feedback from schools' forums. Key issues for schools included: a need for more short-term preventative work in schools; improved support for primary pupils at

risk of exclusion; and clear leadership on behavioural issues to benefit all schools. More support for behaviour work in early years provision, and at transition between primary and secondary were also flagged as priorities.

- 2.4. A new, single Management Committee has been set up to oversee the KS 3 and KS 4 PRU and the Health Needs Education Service (see service details below), with delegated financial and HR arrangements in line with new DfE regulations. School representation on the Committee has been strengthened; it now includes ten community places designated for school representatives and includes several Head Teachers and a Deputy Head as current members. This will help to ensure that the reshaped provision will continue to meet schools' current and emerging needs effectively.

### 3. **NEW SERVICE STRUCTURE**

#### **The Pre- Review Service Structure**

- 3.1. Pre-review the in-scope services had a total of 97 posts, with a combined gross budget of £5.464 million in 2013/14 (£4.975 million net). 85 per cent of overall service expenditure is met by the Dedicated Schools Grant (DSG). In-scope services included the following services: the three pupil referral units, consisting of Brent Education Tuition Service (BETs); Poplar Grove (Key Stage 4) and Stag Lane (Key Stage 3); the Day 6 (Kingsbury) Assessment Centre; the Alternative Education Central Management Team; the Education Welfare Service; the Behaviour Support Team; the Pre-Exclusion Team; and the Looked After Children Education Team.

#### **The New Service Structure**

- 3.2. The new structure for the new Inclusion and Alternative Education Service is set out in **Appendix One** with key feature set out below:
- 3.3. **An amalgamated Key Stage 3 / 4 PRU** – the Key stage 3 and 4 PRUs are being amalgamated under a single Head Teacher, with teaching staff expected to work across both settings. The model will ensure more effective use of staffing resources, with professional expertise and leadership shared across the service. There will be 36 places at the KS 4 PRU and 20 places at the KS 3 PRU, with numbers based on demand for places over the past three years. A key role for the PRU will be to strengthen the vocational offer for pupils and develop dual placements and short-term (six to ten week) programmes for pupils at risk of permanent exclusion which schools can refer pupils to. There are now 27 permanent posts in the PRU, including leadership, teaching and support roles. A number of teaching and leadership posts within the PRU are currently out to advert, with the aim of having all posts filled on a permanent basis by April/May 2014.
- 3.4. **A Health Needs Education Service** – this service, which is still registered as a PRU, has replaced the Brent Education Tuition Service and now has a specific focus on pupils absent from schools for more than 15 days due to physical or mental health

problems. Unlike BETs, the new service will focus on short-term placements, with pupils remaining on their school roll. The service will provide up to 20 places and be developed in partnership with a special school, ensuring that both pupils and teachers have better access to specialist resources. Placements at the service will be made in line with a new Health Needs Education Policy that has been circulated to all Brent schools. The service will have 10 permanent posts, including leadership, teaching and support staff.

- 3.5. **A new multi-agency Inclusion Support Team** – this new team will focus on providing specialist support to pupils with emotional and behavioural difficulties within the KS 3 / KS 4 pupil referral unit, the health needs education service, and in Brent schools and early years settings. The team will include 11 directly employed staff, including behaviour support teachers/workers, parent support advisors, inclusion support officers and a SEBD caseworker (who will be responsible for developing more specialist provision for pupils with SEBD, including those at primary phase). The role of the two pre-exclusion officers has been incorporated into a new Inclusion Support Officer role, with the number of posts increased to four. This will ensure that the post holders can continue to give parents and schools advice and support on the exclusion process and increase their capacity to provide pre-exclusion and reintegration support.
- 3.6. Clinical input into the team has been commissioned separately, with the Anna Freud Centre recently awarded a one-year contract beginning in April 2014. This will provide a range of specialist support - from qualified educational psychotherapists, clinical psychologists and play therapists. These resources will be directed at both one-to-one support for vulnerable pupils and targeted whole school support for Brent schools, helping to further develop the wider teaching workforce in evidence-based high impact strategies and interventions for managing behaviour.
- 3.7. The Inclusion Support Team is integral to the preventative approach and will ensure that vulnerable children get the specialist support they need and increase the likelihood that they will stay in (or be reintegrated back into) mainstream provision. Although referral and working arrangements for the new team are still in development, it is likely that its support will focus on:
- Pupils who hold a statement of behavioural, emotional and social difficulties.
  - Pupils who are Looked After Children and are presenting with social, emotional or mental health difficulties.
  - Pupils at very serious risk of permanent exclusion who require a pastoral support plan.
  - Pupils who are reintegrating to school from specialist provision or who have recently arrived in Brent and there are serious concerns about behaviour.
  - Pupils with mental health issues that are having an impact on the life of the school.
- 3.8. **The Looked After Children (LAC) Education team** – the team has been reshaped to put an increased focus on reporting LAC education issues to the Corporate Parenting Group, providing training and guidance to designated teachers and social workers, and ensuring more effective data management and quality assurance of the

education planning process for looked after children. The overall Head of the new service will be formally recognised as the Head of the Virtual School, helping to promote effective challenge and leadership on LAC education issues. The reshaped team will have 5 posts, including leadership, advisory teacher and information management roles.

- 3.9. **The Education Welfare Team** – this team (9 posts) is largely funded through the general fund, will remain relatively unchanged. However, a new Education Welfare Officer (EWO) Exclusions post will be created to ensure more effective links between attendance and exclusion work. The new post will act as the designated EWO for the PRUs and other non school based provisions, advise schools on policy and practice relating to exclusions, and liaise with families of excluded pupils. A separate review of the service will take place in 2014/15 to identify further potential for efficiencies and new ways of working.
- 3.10. A small number of staff (3) will provide specialist support to the new service, including commissioning and quality assuring alternative education provision, developing traded services, and delivering improvement projects, such as the development of the virtual learning environment. The new service will also be responsible for the management of projects set up for those children who are ‘educated other than at school’ (EOTAS) and funded by the ‘out of schools’ budget. This will help to streamline management arrangements and ensure that there are clear pathways between the full range of Council ‘other than at school’ provision.
- 3.11. As a result of the review, the specialist provision for excluded KS 1 and KS 2 pupils within the BETs service will be replaced with a commissioned placements model from September 2014 allowing support to be more closely tailored to a child’s (usually complex) needs. The Kingsbury Assessment Centre closed in January 2014, with assessment of permanently excluded pupils planned to take place within the pupil’s home and PRU settings.
- 3.12. Over the next six months, the service will be developing a service offer to schools that sets out referral pathways and the full range of support available from the Inclusion Support Team and at the PRUs from September 2014 onwards. Schools will be consulted on a draft service offer in April/May 2014, with a new exclusions policy also due to be circulated to all Brent schools in April 2014.

#### **4. FINANCIAL IMPLICATIONS OF THE NEW SERVICE MODEL**

- 4.1. The proposed budget for the service in 2014/15 is currently estimated at £4.787 million - a reduction of £188k on the in-year budget, with the difference used to offset the historic deficit on the school’s budget. Planned reviews of non-staffing costs across the service in the last quarter of 2013/15 are likely to lead to further savings.
- 4.2. Within the overall budget, expenditure on the three pupil referral units will fall from £3.488 million in 2013/14 to £2.375 million in 2014/15 (estimated) – a reduction of a third. This is largely due to the refocusing of the BETs service to the new HNES

model, with staffing numbers in the service falling from 28 FTE to 10 FTE. This reduction means that overall expenditure on pupil referral units will have fallen by 45 per cent from 2012/13 to 2014/15, taking into account the earlier closure of Church Lane PRU.

- 4.3. Forty-one voluntary redundancies were agreed as part of the restructuring process, leading to one-off redundancy and severance costs of £866,468 and related capital costs of £61,760. One compulsory redundancy has also been approved, with total redundancy and severance costs of approximately £30,000. All redundancy related costs have been met from within the 2013/14 service budgets included in the scope of the review, meaning that there will not be any longer-term costs for the Council to meet through either the DSG or General Fund.
- 4.4. The new service model contains 68 posts, compared to 97 posts in the old structure – a reduction of 29 posts, with overall staffing costs falling by £695k. This has allowed more planned investment in commissioned services and school focussed support, with £500,000 planned for redirection to meet identified needs in 2014/15 as follows:

**Table One – Inclusion and Alternative Education Commissioned Services**

Commissioned Services	Description	£ 000's
Clinical input to the inclusion support team	The Anna Freud Centre has been commissioned to provide a range of skills and expertise to at risk pupils in schools settings, including clinical psychology, educational psychotherapy and play therapy, and support schools to develop evidence based behaviour work.	135k
FAIR access payments to schools	To provide schools with additional support to meet costs associated with Fair Access Placements. E.g. teaching assistant time or other specialist support (see Section 5 below)	35k
Development of virtual learning platform	To allow children to be taught at home and where necessary, be provided with full time education in line with statutory requirements.	30k
KS 1 / KS 2 placements	The new service model does not have an in-house provision for excluded KS 1/2 pupils but has retained resources to purchase specialist support best suited to the needs of an individual child - current market rates at approximately £30-40k per placement	200k
Schools commissioning budget	To support the development of joint school or cross phases initiatives to promote positive behaviour (see Section 5 below)	100k
	<b>TOTAL</b>	<b>500k</b>

- 4.5. In the short-term the new service model may be affected by the rising rates of permanent exclusions and the related costs of ensuring provision for this group. Place numbers within the KS 4/KS 3 PRU were based on an analysis of three-year trends in roll numbers. This found that number on roll at the KS 3 PRU had rarely risen above 20 pupils while the highest number on roll at the KS4 PRU was 36. However there has recently been an emerging upward trend in permanent exclusions of pupils resident in Brent:

**Table Two: Number of Brent resident pupils permanently excluded from school, by year**

Academic Year	2008/9	2009/10	2010/11	2011/12	2012/13	2013/14
Number of Brent resident pupils permanently excluded from school	72	60	49	30	42	31*

\* The 2013/14 figure includes PEx referrals up to the end of January 2014.

- 4.6. The new service model promotes a preventative approach and is expected to have a positive impact on the rate of permanent exclusions in the longer-term. However, in the short-term, rising rates of permanent exclusions will increase the need for commissioned alternative placements. While there is budget provision held to cover the costs of some commissioned places, pressures on the DSG will arise if numbers of permanent exclusions at KS 3 and KS 4 continue to rise. In the worst case scenario, this may impact on the resources available for non-PRU based services funded by DSG.

## **5. NEW FUNDING OPTIONS**

- 5.1. A number of authorities have introduced funding initiatives which are broadly designed to support schools in managing pupils with behavioural, emotional and social difficulties, increase schools' control of the alternative education budget, and/or create a clear links between decisions to permanently exclude pupils and the impact on the budget. With resources now freed up as a result of the restructure, the Schools Forum is asked to consider the introduction of the following options in 2014/15.

### **Option One – Support for Fair Access placements**

- 5.2. The Council is proposing to set aside £35k within the Inclusion and Alternative Education budget to support schools accepting a pupil previously permanently excluded from school. Payments will range from £500 to £1500, depending on the pupil's additional support needs. The financial payment may also be supplemented by on-going support from the Inclusion Support Team. The objective of the payment will be to ensure effective reintegration in to the school setting, with the support required being determined by the Head of the PRU and Fair Access Panel. The Council will shortly be consulting with schools on revised Fair Access Protocol that will place greater emphasis on school representation on the Fair Access Panel.

### **Option Two – Financial claw back for permanently excluded pupils**

- 5.3. Under the current financial regulations, the Council can claw back the AWPU funding for permanently excluded pupils from maintained schools, but has to invite Academies to participate in such arrangements. Once an invitation has been issued, Academies are required to comply with the request, in the same way as maintained schools do<sup>1</sup>. Clawing back a sum from schools can serve to create a clearer link between the cost of alternative provision and its use by schools by ensuring that those schools that are permanently excluding higher number of pupils bear more of the costs. It can also create an incentive for schools to consider other alternatives to permanent exclusion, such as managed moves or dual registration with the PRU, both of which may lead to better pupil outcomes in the longer-term.
- 5.4. With the numbers of excluded pupils beginning to rise, the Council will require all schools to pay a sum equivalent to the in-year AWPU back to the Council when a pupil is permanently excluded from **any** Brent school. The payment will be pro-rated and will be used to offset the costs of any additional commissioned alternative places. If numbers of permanently excluded pupils can be supported through in house provision, the additional funds claw backed could be added to the devolved budget of £100k for school-led behaviour initiatives outlined below, ensuring that the money is targeted towards school initiatives to support pupils with behaviour and emotional needs.

### **Option Three – Devolved Schools Commissioning Budget**

- 5.5. The Council is proposing to set aside £100k from the Inclusion and Alternative Education budget in 2014/15 to support school-led projects focussed on supporting pupils with behaviour, emotional and social difficulties in school settings. This could include joint school or cross phase projects to support transition at Year 7, teacher coaching programmes, or the roll out of evidence based school projects and

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<sup>1</sup> Model funding agreement for Academies include a standard clause which states that:

*The Academy Trust shall, if invited to do so by an LA, enter into an agreement in respect of the Academy with that LA, which has the effect that where:*

- a) *the Academy Trust admits a pupil to the Academy who has been permanently excluded from a maintained school, the Academy itself or another Academy with whom the LA has a similar agreement; or*
- b) *the Academy Trust permanently excludes a pupil from the Academy*

*payment will flow between the Academy Trust and the LA in the same direction and for the same amount that it would, were the Academy a maintained school, under Regulations made under section 47 of the School Standards and Framework Act 1998 relating to the addition or deduction of a maintained school's budget following a permanent exclusion or the admission of a permanently excluded pupil. At the date of this Agreement, the applicable Regulation is Regulation 23 of the School Finance (England) Regulations 2011.*



programmes, such as nurture group networks, Circle of Friends or the Incredible Years programme. Proposals could be match-funded by schools to increase reach across the borough's schools.

- 5.6. To ensure a strong school led focus, the development of arrangements for considering and agreeing proposals from schools could rest with a sub group of the Brent Schools Partnership, with the final allocation of resources signed off by the Partnership. Support in evaluating schools' proposals could be provided through the Inclusion Support Team/ Anna Freud Centre staff as requested. If this model is agreed by the Forum, the Interim Head of Inclusion and Alternative Education Service will develop some potential terms of reference for the sub group and bidding criteria to support the allocation and decision-making process.

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**APPENDIX ONE: BRENT INCLUSION AND ALTERNATIVE EDUCATION SERVICE - JANUARY 2014**

\*The Head Teacher of KS 3-4 PRU and the Head Teacher of the Health Needs Education Service are accountable to the PRU Management Committee under new delegated arrangements for pupil referral units.

