

	<p align="center">Key Decision for the Director of Children and Young People</p> <p align="center">24 June 2021</p>
	<p align="center">Key Decision Report from the Operational Director, Safeguarding, Partnerships and Strategy</p>
<p align="center">Agreement to commission Choice, Advice and Fair Access Provisions for academic year 2021/22</p>	

Wards Affected:	ALL
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	n/a
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	<p>Shirley Parks Head of Forward Planning, Performance and Partnerships Shirley.parks@brent.gov.uk</p> <p>Brian Grady Operational Director, Safeguarding, Partnerships and Strategy Brian.grady@brent.gov.uk</p>

1.0 Purpose of the Report

1.1 This report seeks approval from the Strategic Director, Children and Young People, to commission Choice and Fair Access Service provisions run by Brent secondary schools for the academic year 2021/22.

2. Recommendation(s)

That the Strategic Director for Children and Young People:

2.1 Approves the award of grants for the Choice, Advice and Fair Access provisions for the academic year 2021/22 to the schools listed in Table 1 of this report.

2.2 Notes that the costs of the proposed grants referred to in Recommendation 2.1 are met from the DSG.

3. Background

- 3.1 The Council has a statutory duty to provide full time education for all children and young people between the ages of 5 and 16. The Council currently commissions specialist targeted support, known as Choice and Fair Access Provisions to meet the needs of Year 10 and Year 11 new arrivals who do not have the language skills to attend mainstream provision or who would benefit from targeted support to achieve qualifications. The Choice, Advice and Fair Access Interview process is used to assess the needs of Year 10 and Year 11 new arrivals (200-250 a year) to ascertain the best placements for individual students to achieve positive outcomes. The aim of the CAFAI provisions is to ensure that these young people do not become NEET (in Year 12).
- 3.1 In 2020/21 students were referred to one of five educational provisions delivered by Queens Park Community School (QPCS), Claremont High School and Newman Catholic College that are funded through centralised DSG (known as the Pupil Growth Fund). Three of the provisions provide intensive English Language teaching and two provide reduced GCSE programmes. There were 117 young people in the provisions in 2020/21, 109 new referrals and 8 attending the second year of a two year reduced GCSE programme at QPCS. Other children assessed through the CAFAI process in 2020/21 were placed directly into mainstream provision.
- 3.2 A review of demand for the provision took place in May 2021 to determine commissioning intentions for 2021/22. The number of young people newly allocated to the projects has declined over the past few years from over 160 in 2016/17 to 134 in 2019/20 and 109 in 2020/21. The number of young people allocated to the EAL provisions at Queens Park Community School and Claremont High School in 2020/21 indicates sustained demand for this provision, but intakes into the Reduced GCSE provisions have been low. It is therefore proposed that only the EAL provisions are commissioned for academic year 2021/22 as set out in Table 1. In future all new arrivals into Years 10 and 11 with sufficient English to study for GCSEs would be placed directly into mainstream provision. The decommissioning of the two Reduced GCSE provisions will require some transitional arrangements to be made with the affected schools.

Table 1: CAFAI and EAL Provisions in Brent secondary schools

School	Need	No of Places	Funding per place DSG	Total Contract Funding from DSG
Queens Park Community School	EAL	30	£5,200	£156,000
Claremont High School	EAL	30	£5,200	£156,000
Newman Catholic College	EAL	30	£5,200	£156,000

- 3.3 The Inclusion Service reviews the quality of the CAFAI provisions each year. The CAFAI provisions achieve good outcomes for pupils, because they provide specialised support where needed. Pupils are transferred to other schools from the EAL provisions when they have reached a suitable level of English language competency.
- 3.4 In previous years, the CAFAI provisions have been commissioned through a direct award contract, with permission granted by Cabinet to waive Contract Standing Orders that require a tender process to be followed. Legal Services have advised that an alternative approach would be to award conditional grants for the provisions. It is our intention to move to this approach which would streamline processes. Conditional

grants from the DSG can be agreed by the Strategic Director for Children and Young People as set out in Section 6.

4.0 Financial Updates

- 4.1 The budget for the CAFAI and EAL contracts sits within the Forward Planning, Performance and Partnerships Service. As the provisions are for new entrants to the school system, they are funded by the Pupil Growth fund, which is part of the Schools Block of the DSG. DSG budgets are set annually for the financial year, whilst these contracts relate to the academic year.

6.0 Legal Implications

- 6.1 The general power of competence in Section 1 of the Localism Act 2011 may be utilised to give grants to external bodies including schools where there is good reason to do so.
- 6.2 In accordance with Section 9(b) of the table at paragraph 9.5 of Part 3 of the Council's Constitution, Chief Officers have delegated authority to make grants provided that where the grant involves the distributions of funds received from a third party, the grant complies with the conditions under which the funds have been received by the Council.
- 6.3 Officers have recommended the award of conditional grants to schools. Schools would be required to provide specified places for students and provide appropriate support. Should a school fail to observe these requirements, the Council would be able to terminate the grant agreement and seek repayment of any sums not distributed.
- 6.4 In accordance with Standing Order 71(d), agreements should be in writing and signed in accordance with the Financial Regulations and therefore, a conditional grant agreement will be entered into and signed by both parties. The Strategic Director of Children and Young People has delegated authority to award and enter into the proposed grant agreements.

8.0 Equality Implications

- 8.1 The proposals in this report have been subject to screening and officers believe that there are no equality implications.

9.0 Consultation with Ward Members and Stakeholders

- 9.1 The Cabinet Member for Education, Skills & Employment has been briefed about the recommissioning of only the three EAL provisions in 2021/22.

10.0 Human Resources/Property Implications (if appropriate)

- 10.1 These services are currently provided by schools on their premises and there are no human resources implications for Council staff or property implications for the Council.

Report sign off:

BRIAN GRADY

Operational Director, Safeguarding,
Partnerships and Strategy