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**SCHOOLS FORUM**

**17th November 2015**

**Behaviour Strategy for Bath and North East Somerset**

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| **Lead Officer** | **Jeannette Veira** |
| **Contact details** | **Jeannette-veira@bathnes.co.uk** |
| **Forum asked to decide / steer / be informed** | **The Forum is asked to consider the emerging proposals from the Behaviour Strategy** |
| **Time Needed** | **15/20 minutes** |

**Introduction**

The purpose of this paper is to outline the emerging findings of the work to develop a Behaviour Strategy. This includes an initial assessment of current arrangements for providing education for children and young people who fall within B&NES Section 19 duty to provide suitable education for those who are out of school including associated costs and budget implications. This paper also includes emerging recommendations for enhancing that capacity and the wider aspects of commissioning and provision of a coherent approach to managing pupil behaviour and to ensure maximum effectiveness and efficiency in the delivery of alternative education provision.

This report brings to the Schools Forum proposals for an enhanced model of alternative education provision for pupils who are excluded from school and also those at risk of exclusion. These proposals will play a critical role in taking forward the Authority`s wider preventative agenda, with a strong focus on early intervention and partnership working with schools.

**Recommendation**

The School Forum is asked to consider how these proposals might be incorporated into its future budget planning arrangements.

**Report**

In May 2015, Bath and North East Somerset (B&NES), commissioned on behalf of the LA and schools a strategic review of behaviour support including the delivery of alternative provision and education otherwise than at school (EOTAS) services, systems and processes. The purpose of the review was to:

1. Better match provision to current and emergent needs and demand
2. Ensure quick and effective systems to support children & young people, families & schools
3. Secure good value for money including evaluation of effectiveness via comparing outcomes to costs and consideration of wider evidence of ‘what works’
4. Address capacity and skills issues within the system
5. Promote consistent in-school behaviour strategies

A key objective of this work is to consider how the existing service, systems, policies and processes could be re-configured to build on existing good practice, respond to local needs and meet the requirement to provide suitable full time educational provision to all pupils needing to be educated otherwise than at school.

This review has taken place against a backdrop of recent changes in National Government policy regarding the funding and commissioning of alternative education provision for children who are out of school. PRUs (which are small schools), were run and administered by local authorities and used as the primary means of providing full time education for children and young people who were permanently excluded from school. Since 1 April 2013, the Regulations governing Pupil Referral Units (PRUs), changed considerably. Historically the Link School fulfilled the role of a PRU in B&NES.

In April 2014, the Local Authority negotiated on behalf of Schools Forum a new contract with the Aspire AP Academy (formally the Link School), to provide alternative education provision for pupils who are excluded from school.

Since April 2013 if a local authority felt a new pupil referral unit needed to be established in their area, they must seek proposals from potential providers for the establishment of an academy, AP academy or AP Free School. The local authority is expected to review AP provider performance at least annually through a locally agreed quality assurance framework. If provision does not meet the agreed criteria, the Council is expected to formally notify the governing body of the areas of concern and the need to improve and will instigate a competition to explore other options for provision in order to achieve desired outcomes and value for money. Existing providers would be eligible to tender and would be expected to offer a costed action plan addressing identified areas of concern as part of their bid.

**Local Context and Current Service Offer**

Data from the B&NES Behaviour and Attendance panels for the 2014/15 academic year shows an increase in the number of children at School Action and School Action Plus who were referred to these panels for behaviour and support interventions. In 2012/13, there were 348 children referred; with 289 in 2013/14 and 487 in 2014/15.

**Permanent Exclusions from B&NES schools by Academic Year**

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| --- | --- | --- | --- | --- | --- | --- |
| **Year** | 2009/10 | 2010/11 | 2011/12 | 2012/13 | 2013/14 | 2014/15 |
| **No. of Pupils** | 5 | 13 | 16 | 21 | 15 | 24 |
| Pri 1 | Pri 0 | Pri 0 | Pri 2 | Pri 3 | Pri 6 |
| Sec 4 | Sec 13 | Sec 16 | Sec 19 | Sec 12 | Sec 18 |

Data for fixed period exclusions, from the DfE First National Statistical Returns for 2013/14 shows , that 89 pupils were excluded for a fixed period from B&NES primary schools collectively, these pupils were out of school for a total of 159 days. During the same period, 694 pupils were excluded for a fixed period of more than one day from B&NES secondary schools, and collectively, these pupils were out of school for a total of 1,248 days.

**B&NES In- Year Fair Access Data for the Academic Year 2011 – 12**

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| --- | --- | --- | --- | --- |
| **Fair Access Panel Area** | **No. of Cases** | **38+Days without placement** | **69+Days without placement** | **100+ Days without placement** |
| Bath Panel | 31 | 16 | 9 | 6 |
| Keynsham and Chew Valley Panel | 8 | 7 | 1 | 0 |
| Norton Radstock Panel | 12 | 6 | 1 | 1 |
| **Total** | **51** | **29** | **11** | **7** |

The above data and information highlights the growing pressure on the Authority`s current alternative education provision. With the steady growth in permanent exclusions from primary and secondary schools and the number of children who are out of school for extended periods, as shown in the Fair Access data; it is clear that there is an urgent need to re-configure the existing arrangements for providing alternative education for those who are out of school. There is a clear mis-match between the number of children and young people needing alternative education support and the existing capacity available within the Authority.

B&NES discharges it statutory duty for children who are out of school through:

1. A service level agreement with the Aspire Academy to provide 23 fte places for pupils who are excluded from school and provided in a variety of settings
2. The Behaviour and Attendance Panels
3. The Children Outside of School Panel.
4. St Michael`s C of E Junior School Unit Provision

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| --- | --- | --- |
| **Provision** | **No. of fte Places** | **Cost (£)** |
| Aspire AP Academy   * SAFS Team | 23fte (ks1 –ks4) | Alternative Education provision £616,127 |
| Behaviour and Attendance Panels. Day 6 Re-integration |  | £261, 181 |

**Business Case to review the existing arrangements for alternative education provision for children and young people who are out of school, and to develop an AP Commissioning Framework**

The core objective for the work of the alternative provision settings in B&NES is primarily to provide alternative provision for permanently excluded pupils and children unable to attend mainstream school settings for reasons of health, behaviour and/ or other as defined in the section 19 duties for education otherwise than at school. Owing to the changing landscape nationally for the work of PRUs and alternative provision providers, cultural and structural change is required to take account of new national policy directions and provide extended and individualised learning opportunities for some of the most vulnerable pupils within the Authority.

Informed by local needs and preferences as expressed in interviews with Pastoral Head Teachers also responses to the Behaviour Survey Questionnaire, it is proposed that we seek to establish a new model to deliver education to B&NES children under three strands:

* Permanently Excluded
* Pupils at Risk of Exclusion and
* Early Intervention

**The diagram below shows a proposed model of alternative provision:**

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| **Alternative Education Provision** |

**Places commissioned for B&NES children by B&APanels: Schools and the Local Authority**

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| **Behaviour and Attendance Panels x 6** |

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| --- | --- |
| ***Key Stage 1& 2 Provision***  **Delivered in on site provision in B&A Panel areas across the Local Authority.**  **Provision to target permanently excluded children; those at risk of exclusion; prevention and intervention placements.** | ***Key Stage 3 & 4 External Commissioning Approach***  **Onsite and outreach education to provide intervention and transition placements, contracted from a variety of providers in the private and voluntary sectors.** |
| **Primary KS1 & 2 20 Places** | **Secondary KS3 15 Places KS4 15 Places** |
| **FRAMEWORK OF ALTERNATIVE PROVIDERS**  **Quality assured and Ofsted ready available to be commissioned by**  **B & A Panels; Schools and the Local Authority** | |

Leadership and accountability for this area of work would be provided by a Lead Commissioner for AP (or equivalent). KS 1 and 2 support would be delivered in “on-site” provision located in the B&A Panel areas. KS3 and KS4 alternative provision would be commissioned through a framework. A local AP provision map would be developed which would consist of provision from the local AP market that had been subject to LA criteria for commissioning, quality assurance and Ofsted ready criteria.

**Key recommendations**

1. **Increase the number of places** available for children and young people who are out of school **from 23fte to 50fte**. (20fte for primary pupils and 30 places for secondary pupils)**.**
2. Explore with primary Head Teachers a move towards the **delivery of alternative provision for children at Key Stages 1 and 2 in localities**
3. **Appoint a Strategic Lead for behaviour support** to lead the strategic/commissioning work to ensure effective arrangements are in place across the spectrum of educational provison
4. Appoint to an EOTAS role with more operational responsibilities for ensuring that “no child is left behind” with regards to being able to access suitable provision according to their respective age, aptitude and ability.
5. Agree a **Framework** to support local schools and commission local preferred providers who had met the local quality assurance standards for being “inspection ready” and able to provide suitable AP provision. This Framework would enable and empower schools to deploy consortia/ locality approaches to commissioning AP and EOTAS provision.

**Financial Implications.**

1. We are seeking to establish 27 additional places at 15K per place, for children who are out of school. Indicative costs would be 405K
2. Other key costs from these proposals include a strategic lead for behaviour support; indicative costs at this time is 75K

**Options for achieving the new model/additional capacity**

1. **Recommission of AP provision to deliver new model from September 2017**

The current Aspire contract runs to summer 2017 and so in the normal course of events a commissioning process could be run to establish a new contract or contracts to run from September 2017, to meet the new proposed model of delivery. This would require forward commitment of funding for at least 3 years to establish appropriate contracts. The main advantage is that it enables the full model to be commissioned at the earliest date and provides greater future security of the funding/arrangements. The disadvantage would be less time to evolve the new model and develop the market for provision and an earlier decision to commit ongoing funding. It would not preclude the commissioning of some additional capacity/interim services ahead of September 2017 to build towards the new model but makes this more tricky due to the shorter timescale.

**b) Interim arrangements to progressively develop and evaluate new model, with full recommission to create new model from September 2018**

This would be based on the assumption that the Aspire contract is being delivered effectively enough to justify extending the contract by a year to summer 2018, whilst additional capacity is commissioned alongside the existing provision on an interim basis. The main advantage is that the new model can be built up and tested and evaluated through interim provision and potentially using DSG underspend for that period, prior to committing 3 year funding to a set of commissioned services to run from September 2018. It also gives more time for development of the market of potential providers and gives a longer ‘interim’ period making investment in interim provision more worthwhile/better value. The disadvantages include less security of tenure for Aspire

**c) Passive development**

This is effectively the ‘do nothing’ option. Ie do not proactively create additional capacity. This is likely to leave more pressure on both mainstream schools and Aspire, and fail to provide the most effective education provision for these vulnerable young people. The market may address the shortfall over time, for example through Free School proposals etc, but leaving this to chance is not a recommended way forward. Whilst this option might look financially more straightforward, it is likely to be more costly in the long term as it may result in more costly individual and out-of-area placements and a less planned and coherent approach to improving the overall system of provision.

Behind any one of these options, there are issues about sites and buildings for additional AP capacity. Some possible potential sites for limited extra capacity have been identified and work will continue to explore ways these can be brought into delivery and/or other sites found. There remains an option in any of these scenarios for one or more collaborative Free School proposals to create the extra capacity required.