

REVIEW OF THE BEHAVIOUR, ATTENDANCE AND IMPROVEMENT PARTNERSHIP (BAIP) SERVICE LEVEL AGREEMENT AND THE DEVOLVED FUNDING FORMULA FOR ALTERNATIVE EDUCATION PROVISION

To: **Children and Young People Committee**

Meeting Date: **9th January 2018**

From: **Executive Director, People and Communities**

Electoral division(s): **All**

Forward Plan ref: **n/a** *Key decision:* **No**

Purpose: **For information – The Review of the BAIP Service Level Agreement and Devolved Funding Formula for Alternative Education Provision.**

Recommendation: **Members are asked to note the content of the report and to comment on the county’s approach to secondary school alternative provisions, and the review of the funding formula.**

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1.0 BACKGROUND

- 1.1 Since 2009 Cambridgeshire has had in place a devolved approach to the provision of alternative education for secondary aged children. Local authority funding for alternative education is allocated to Cambridgeshire schools who have responsibility for arranging or commissioning suitable alternative education for children who cannot succeed in full-time mainstream lessons (due to behavioural or medical needs). The model means that children remain on the roll of their school and school leaders retain responsibility for their attendance, attainment and outcomes. In 2018-19 the amount of devolved funding will be £4.994 million.
- 1.2 The schools manage their devolved funding by being part of one of four Behaviour, Attendance and Improvement Partnerships (BAIPs). Each BAIP nominates a lead Headteacher who organises BAIP meetings and liaises with the local authority. The County Alternative Education Provision Manager is the key link officer with the BAIPs, with a principal role to quality assure the provision organised by the BAIPs.
- 1.3 This system of devolved funding has brought about many improvements. For example, there has been a significant reduction in permanent exclusions; schools have developed in-house provision that is better meeting pupils' needs; and the local authority has been able to develop a rigorous quality assurance role without the encumbrance of being a provider. Cambridgeshire's approach is the government's preferred way forward for Alternative Provision nationally, and Officers are contributing to the Education Select Committee's recently announced review of Alternative Provision.
- 1.4 The current funding formula has been in place since April 2012. The intention was that this formula would be in place for three years, to match the original three year commissioning of Pupil Referral Unit places.
- 1.5 Initial attempts to agree a new formula with schools were unsuccessful. With no new money in the system but changing pupil numbers and levels of demand it is inevitable that any change to the formula creates winners and losers and the BAIPs were unable to agree a way forward.
- 1.6 However, at the start of the financial year 2017-18 it was agreed to look again at revising the formula because of a number of pressures in the school funding system:
 - i. the lack of any immediate uplift in the High Needs Block
 - ii. the growth in pupil numbers
 - iii. the opening of new schools since the formula was originally agreed (Cambourne Village College)
 - iv. the complexity of demand
 - v. the academisation of The County School Pupil Referral Units in Cambridge City and Wisbech and the decommissioning of The County School's Huntingdon Learning Base

2.0 MAIN ISSUES

- 2.1 Discussions have been held with the BAIP leads. These have been facilitated by the County's Alternative Education Provision Manager and outcomes have been reported to the Service Director for Learning.
- 2.2 The aim has been to agree a revised BAIP funding formula and Service Level Agreement (SLA) for alternative provision that supports schools to remain accountable for the education of pupils in alternative provision. Schools will remain responsible for commissioning expert provision for pupils with needs and behaviour that have become unmanageable within the mainstream setting, retain accountability for their educational outcomes and take the lead role in commissioning their provision, including when they have permanently excluded the pupil but a pupil has not subsequently enrolled at a different mainstream school. They will continue to be responsible for the budgets from which alternative provision is funded and to achieve value for money when identifying the best and most suitable alternative provision.
- 2.3 **The review has been underpinned by the following agreed key principles:**
- 2.3.1 **The revised funding formula will reflect local demographic changes to Cambridgeshire's population and will allocate funding to new or expanding schools.** The funding formula will be informed by census data. The school data feeding in to the funding formula will be refreshed annually in line with the main schools funding formula, accounting for changes in demography on an annual basis.
- 2.3.2 **Changes implemented will be in line with likely changes to future national policy for Alternative Provision.** It is anticipated that nationally, schools will be responsible for the budgets from which alternative provision is funded. The DfE proposed this on the basis it would provide schools with stronger incentives to take preventative approaches and to achieve value for money when identifying the best and most suitable alternative provision for any child that needs it. By maintaining devolved funding arrangements in Cambridgeshire, this is in line with expected changes to funding methodology nationally.
- 2.3.3 **Schools will be asked to report on how their devolved funding is spent** - to be considered alongside outcomes data.
- 2.3.4 **There will be a Service Level Agreement (SLA) with each school in order to receive their devolved funding.** It is proposed that an agreement for the funding is held between each school and the local authority. The agreement will be signed by the respective Headteacher, Chair of Governors and Accounting Officer of the Academy Trust.
- 2.3.5 **There will be updated and robust escalation processes within the Service Level Agreement.** The proposed revised BAIP SLA sets out the consequences for a school that does not sign the SLA or does not adhere to it.
- 2.4 Draft proposals were discussed with Cambridgeshire Secondary Headteachers (CSH) on 11th October 2017. Final proposals were taken to CSH on 14th December with the recommendation of BAIP leads.

2.5 Inevitably, there are winners and losers. Overall, the impact on funding of the changes is:

- City: increase of 0.64%
- Fenland: increase of 0.12%
- Huntingdonshire: -1.33%
- East and South Cambridgeshire: - 0.58%

2.6 Full implementation will be in September 2018, when the Academies' financial year begins. A transitional funding period between January 2018 and September 2018 to support schools to manage the changes of decrease/increase of allocations is proposed.

3.0 ALIGNMENT WITH CORPORATE PRIORITIES

3.1 Developing the local economy for the benefit of all

3.1.1 An appropriately skilled workforce is essential to Cambridgeshire's economic prosperity. High quality alternative provision means that fewer young people are at risk of becoming NEET (Not in Education, Employment or Training).

3.2. Helping people live healthy and independent lives

3.2.1 The life chances of young people who are permanently excluded from school are significantly poorer. High quality alternative provision reduces the risk of this happening.

3.3 Supporting and protecting vulnerable people

3.3.1 This review of Alternative Education Provision in Cambridgeshire will help to:

- Ensure that vulnerable children and young people at risk of failing to achieve full participation in learning have access to a relevant curriculum that is appropriate for their needs and meets statutory and legal requirements
- Support schools to maximise their capacity to be able to fully engage their most vulnerable students in learning to promote inclusion, maintain placements and reduce exclusions
- Ensure that the necessary support arrangements required to stabilise a young person's educational placement are identified and plans are put in place which are then regularly reviewed to make sure that the needs are addressed and do not escalate

4.0 SIGNIFICANT IMPLICATIONS

4.1 Resource Implications

4.1.1 There is no significant pressure on the local authority budget because the proposals fall within the limits of available resource in the High Needs Block element of the dedicated schools grant.

4.2 **Statutory, Legal and Risk Implications**

4.2.1 The recommended proposals meet all statutory requirements.

4.3 **Equality and Diversity Implications**

4.3.1 There are no significant implications.

4.4 **Engagement and Communications Implications**

4.4.1 There has been extensive consultation with secondary schools, which is described in the main body of the report.

4.5 **Localism and Local Member Involvement**

4.5.1 There are no significant implications within this category.

4.6 **Public Health Implications**

4.6.1 There are no public health implications.

Source Documents	Location
n/a	