

Meeting of:	Learning and Culture Scrutiny Committee
Date of Meeting:	Thursday, 11 January 2024
Relevant Scrutiny Committee:	Learning and Culture
Report Title:	Education Other Than at School (EOTAS) & Pupil Engagement Service
Purpose of Report:	To update members of EOTAS delivery and numbers within the Vale of Glamorgan and recent changes in its delivery.
Report Owner:	Paula Ham, Director of Learning and Skills
Responsible Officer:	Rhys Jones – Pupil Engagement Manager
Elected Member and Officer Consultation:	Councillor Rhiannon Birch, Cabinet Member for Education, Arts and the Welsh Language Morwen Hudson, Head of Standards and Provision Martin Dacey, Lead Officer for Social Inclusion and Wellbeing
Policy Framework:	The recommendations of this report are within existing policy framework and budget.
<p>Executive Summary:</p> <ul style="list-style-type: none"> • The Pupil Engagement Team was established in 2021-22 to support schools with young people who are unable to maintain full time educational provision in a mainstream school setting. The functions relating to the Education other than at School (EOTAS) framework now reside within the remit of the Youth Service. • In 2022 Derw Newydd (formerly the Pupil Referral Unit) became part of Ysgol Y Deri; this meant that the Vale of Glamorgan Local Authority (LA) no longer has a Pupil Referral Unit (PRU), therefore these numbers are no longer included within the EOTAS return and our numbers are more comparable to other local authorities across Wales. • Current EOTAS numbers have risen across the LA due to the Additional Learning Needs Act 2022 (ALN Act), new numbers of students being placed out of county and an increase of preventative provision or those awaiting specialist placement where alternative out of county provisions are unavailable or currently not identified. 	

- The 2023/24 budget for the Pupil Engagement Team continues to support Ysgol Y Deri in relation to the Derw Newydd (DN) provision; this creates its own set of financial challenges with more learners presenting across the LA with Social Emotional and Mental Health (SEMH) Needs.
- In 2023/24 we will see increased challenges in relation to learners who are at risk of exclusion, medical isolation or those needing bespoke 'temporary' provision until specialist or out of county placements can be found. Budget constraints for the service and schools' budgets pose a greater risk for those who are most vulnerable.

Recommendations

- 1.** That Members consider the progression made by the Pupil Engagement service and recognise the on-going developments, opportunities, and risks for EOTAS learners within the LA.
- 2.** That Scrutiny Committee (Learning and Culture) receives a further progress update report regarding updated information (based on the EOTAS return for Welsh Government) and the impact of learning for those in EOTAS settings.

Reasons for Recommendations

- 1.** The LA has a legal responsibility under The Education Act 2002 and the Education and Skills Measure 2009 to monitor EOTAS commissioning of services/provision to meet the needs of complex learners.
- 2.** To ensure that Members of the Scrutiny Committee (Learning and Culture) continue to have oversight of EOTAS provision and services contracted by the Pupil Engagement team to monitor their effectiveness in meeting the needs of learners across the LA.

1. Background

- 1.1** This report seeks to make elected members aware of the progress made by EOTAS learners across the LA.
- 1.2** EOTAS is education provision to meet specific needs of pupils who, for whatever reason, cannot attend a mainstream or special school. By law, LAs are responsible for providing these services.
- 1.3** The existence of EOTAS provision is, in part, a response to exclusion(s) from school. This might include a response to a formal disciplinary exclusion or a placement as an alternative to exclusion. EOTAS may also be used for reasons of health and safety where groups, such as pregnant young women, are not considered suitable for mainstream school education, those suffering with severe mental health concerns and anxiety, and those with emotionally based school avoidance (EBSA) or those awaiting specialist provision or out of county (OOC) placement.
- 1.4** The Education Act 2002 and the Education and Skills Measure 2009 provide governing bodies with the power to commission external services. This power can be extended to services of an educational nature and is intended to enable governing bodies to fulfil their responsibilities regarding 14-19 Learning Pathways. These services should only be used where the school is unable to meet the curricular needs of the learner i.e., by providing vocational or specialist subjects.
- 1.5** A few schools have started commissioning services which are being referred to as 'Alternative Provision'. It is important to note that the term 'Alternative

Provision' is not defined in Welsh law. The use of this term alongside EOTAS has caused confusion within the sector regarding who maintains responsibility for the services being used and its purpose.

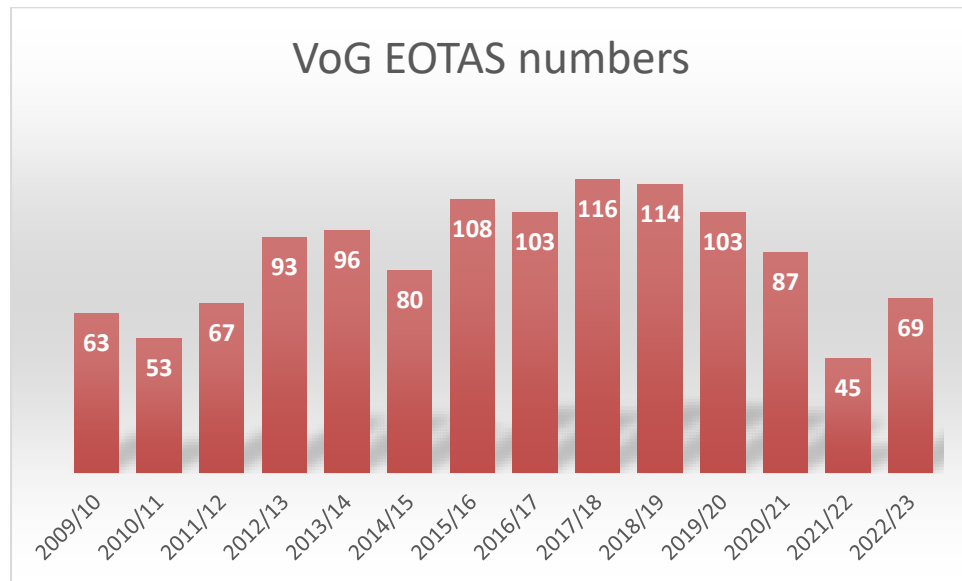
- 1.6** Welsh Government does not consider it appropriate for schools to commission external provision for the purposes of addressing behavioural issues, for example, home tuition for school refusers. This is set out in Welsh Government's statutory guidance *Exclusions from School and Pupil Referral Units*. The addition of social, emotional, and mental health panel (SEMHP) has been introduced as a gatekeeper to identify students needing support and consider what additions can be added to maintain the learner within mainstream school.
- 1.7** ALN teams have introduced new panels to coincide with the rollout of the new ALN Act which will embed new practices in measuring the impact of interventions and schools based alternate learning provision. These panels will identify where needs cannot be met by school or LA and will determine if out of county specialist provision is required.
- 1.8** The Pupil Engagement Team contracts a range of services from providers for learners within the LA which meet the relevant criteria. This includes providers such as Grow at the Amelia Trust Farm, Cardiff City preventative programmes in secondary schools, Empire Fighting Chance within secondary schools, Dojo training in Barry, Associated Community Training Independent school (ACT Cardiff), Smooth Starts Plus occupational therapist one to one sessions, Inspired Learners group tuition or wellbeing provision and additional provision with private tutors from Cardiff & Vale College Tutor service. Online providers such as Academy 21 are also commissioned, these processes are undertaken annually based on needs, numbers of pupils and emerging needs.
- 1.9** The table below indicates the range of providers utilised by the LA when contracting bespoke EOTAS support based on individual needs and interests of learners. It outlines the number of student spaces purchased and the length of delivery for the 2022-2023 academic year. It should be noted that although a provider may indicate 15 spaces a week, learners may change so the number of learners accessing these interventions are higher in real terms.

Providers utilised	Number of Students accessing the service	Timeframe of intervention
Grow (Amelia Trust Farm) – Wellbeing & Nurture	15 learners a week	1 day
Dojo Training – Wellbeing & Fitness	7 learners a week	1 day
ACT Yr7/8 mixed	5 learners a week (possible 8 students)	FULL TIME
ACT Yr 9	8 learners a week	FULL TIME
ACT yr10 – Independent School	2 learners a week (significant ALN needs)	FULL TIME
ACT Hadfield – A mixture of Vocational curriculum	12 learners a week	1 day courses
Smooth Starts plus (SS+)– occupational health approach	21 learners per week currently	1 hour a day to 10 hours per week
Inspired learners Wellbeing Hub – Wellbeing & Nurture	18 learners per week	1 – 3 days
Cardiff & Vale Tutors – 1 to 1 face to face or online tuition	2 learners per week	1 – 4 hours per day (depending on required tuition)

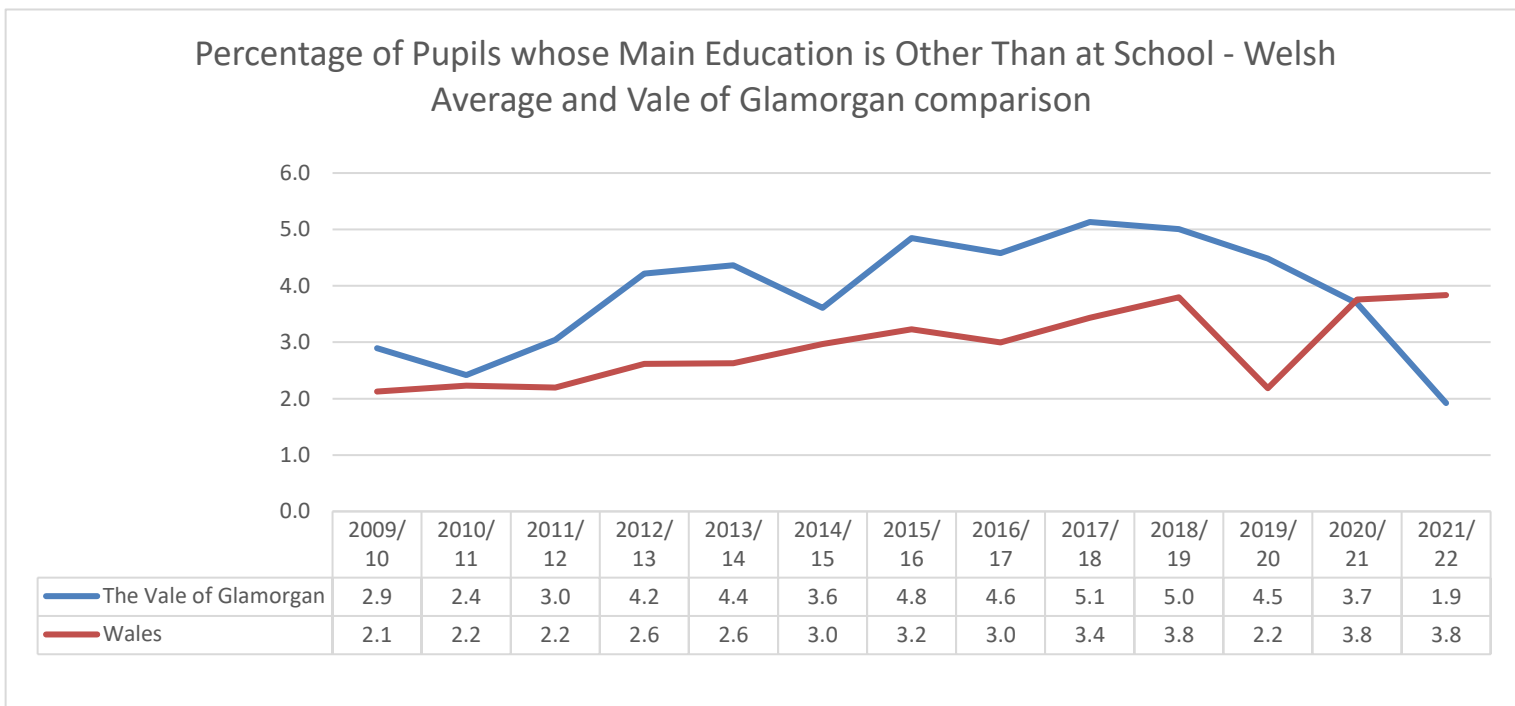
Academy 21 online education – online tuition	7 students	1 – 4 hours per day (depending on lessons taken)
Let Me Play - Vocational learning via sport	20 learners per week	1 day
Cardiff Harbour Authority – a mixture of vocational curriculum	26 learners per week	1 – 2 days
Inspired learners Rhose Hub – vocational offer for learners accessing Derw Newydd	25 learners per week	1 – 2 days
Av1 Robots – remote education	7 learners per week	Up to full time
Empire Fighting Chance – school prevention utilising boxing & therapy	37 learners during Autumn term / 58 learners during Summer term	½ - 1 day at the school (10/12 week project)
School of Hard Knocks – school prevention utilising rugby	40 learners per week	1 day at the school
Cardiff City Kicks – school prevention utilising football.	249 learners..	1 day at the school

- 1.10** Following statutory consultation, the LA’s pupil referral unit (Derw Newydd) closed in 2022 and became a specialist resource base within Ysgol y Deri for children with more complex social, emotional, and mental health needs. This means that the Vale of Glamorgan no longer has a pupil referral unit (PRU) and has resulted in a large reduction in numbers of students accessing EOTAS provision as those on school roll with the PRU would previously have been EOTAS learners. Annually, this added an additional 60 learners to the Vale of Glamorgan’s number of EOTAS students.
- 1.11** Welsh Government Statistics indicate that EOTAS figures have increased by 82.3% over the past 10 years. In 2017/18, the LA was in line with that trend and our figures had risen by 84% (slightly above the trend across Wales). However, with current changes, statistics now show that the Vale of Glamorgan EOTAS figures have decreased by 28.5% over the same 10-year period.
- 1.12** The LA had 116 students in 2017/2018 before numbers reduced over the past few years; this was in part due to the 60 students from PRU not being included in the data. An additional factor was also the impact of the pandemic and several learners not securing out of county specialist placements.

1.13 The chart below highlights the number of Vale students who were EOTAS since 2009.



1.14 The chart below compares the percentage of students across Wales who were in receipt of EOTAS compared to the Vale. The Vale of Glamorgan has only recently dropped below the Welsh average. In 2022 the Vale of Glamorgan was ranked 8th in Wales. Compared to 2009-2017 when we ranked between 15th- 18th.



- 1.15** During census week (16-24th January 2023) within the Vale of Glamorgan the provisional number of students recorded as EOTAS was 69; this breaks down to 23 primary, 32 secondary and 14 post 16 learners for whom we pay private arrangements under their Individual Development Plan (IDP) or statement.
- 1.16** Census data this year presents an increase in numbers across the Vale of Glamorgan. However, the changes within the new ALN Act require the Local Authority rather than Careers Wales to lead on post 16 provision and therefore, post 16 students are now included in our census return.
- 1.17** Many secondary schools in the Vale of Glamorgan choose to utilise a range of 14-19 learning pathways for students who require a more varied curriculum. These pathways include vocational skills, training providers, Cardiff and Vale College Junior Apprenticeship Programme, or via Motivational Preparation College, all of which are used as a method of broadening horizons but also as a means of engaging young people in vocational skills and opportunities. These provisions are contracted direct by schools, and they are responsible for quality assurance to ensure robust procedures are in place to monitor learners' attendance, attainment, and progress.
- 1.18** The arrangements allow students to experience other forms of education on a part time basis while still preparing for GCSE subjects at their school. Schools also use these pathways to offer more variety for students who find a full-time school-based curriculum and timetable challenging as a means of an alternative learning pathway; this is often supported via Pupil Engagement contracted provision.
- 1.19** Costs have increased in recent years for all provisions and providers. There are several reasons for this including cost of living, staff wages, inflation, and cost of travel. The biggest factor however is the significant increase in demand for services and specialist support for learners whose needs schools are finding increasingly difficult to meet within their own curriculum.
- 1.20** During 2022-23 the Pupil Engagement Team benefitted from additional covid recovery grant funding to support preventative measures of disengagement within a school context. This has supported a range of additional in-school activity and has assisted schools with on-site activities that support the wider context of the 14-19 curriculum. Activities have included School of Hard Knocks, Empire Fighting Chance, and Cardiff City Football, all of which contribute to supporting the wider informal education and wellbeing of students who are currently disengaging. These activities are due to end at the end of the summer term 2023.
- 1.21** Throughout the year the Pupil Engagement Team continues to develop its reach; we have recently linked to a regional investment fund for those students most at risk of being hospitalised due to risk of self-harm and suicide and their reintegration to education.

2. Key Issues for Consideration

- 2.1** The numbers of pupils receiving EOTAS in the LA is increasing post the pandemic. This presents a higher financial commitment to those learners with an IDP or of whom are statemented, and of which will need to be in specialist provision, including those moving to post16. This may result in an increased spend for Out of County budget and higher numbers receiving this intervention. Members need to be aware of the risk in being able to achieve this due to the current budget pressures and those needing preventative measures.
- 2.2** The Pupil Engagement Team has developed a brochure for schools which includes alternative education providers who are able to work directly with those most vulnerable students for a bespoke 14-19 learning pathway, or, of which require alternate learning provision from the school. These students may require a bespoke offer of education if their needs are not able to be met within the mainstream setting and schools will need to consider this under the new ALN Act and a two-term timeframe on alternative learning provision. These provisions are not contracted at the start of term by schools which may result in greater risks moving forward as those spaces or companies may fill the spaces with other students, or those companies may not have funding to employ the necessary staff, reducing their capacity to provide.
- 2.3** The current 2023-24 budget is on target for full spend with the realignment of expenditure with the new Derw Newydd build opening in September 2023.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** To become a more resilient Wales preventative programmes are completed, such as Cardiff City, GROW, and Empire Fighting Chance, all of which support the development of health programmes that reduce the need for longer term placements. This reduces the need and impact on transport and air pollution by promoting social inclusion within the school. The therapeutic intervention and champions programmes also focus on health, self-care, and self-awareness, looking at social impact and environment as part of their module.
- 3.2** In monitoring, tracking, and reducing longer term specialist interventions, we also contribute to the percentage of young people prevented from becoming NEET, which is set out in the Youth Engagement and Progression Framework and the Welsh Government Child Poverty Strategy. It helps support the national and local indicator of percentage of young people in education, employment, or training, under the Wellbeing of Future Generations Act 2015 for post 16 learners.
- 3.3** In the latest Estyn inspection of the PRU it stated; At key stage 4, in addition to the on-site core curriculum, all pupils choose from a suite of over 35 different accredited vocational courses with external providers. This extensive range of courses helps pupils to develop their interests, skills, and qualifications across a wide variety of subjects and areas of learning including animal care, construction,

catering, public services and hair and beauty. We are pleased to be offering a wide range of subject pathways through our partners that will help inspire young people to fulfil their potential, this helps to create a more equal Wales, a prosperous Wales, and a resilient Wales. 100% of learners achieved the Level 1 threshold (equivalent to 5 x GCSE's grades D-G).

- 3.4** Through collaboration with internal and external partners, local services, and suppliers, we will work together to improving standards of alternative education provision, we will ensure that provision is quality assured through regular contracts management meetings. The process ensures we monitor the progress of learners. Monitoring is undertaken to ensure both the Council and learners are receiving value for money and that provision has a positive impact on young people's education and wellbeing creating a healthier Wales and supporting a Wales of cohesive communities.
- 3.5** We work collaboratively with internal and external partners to ensure those most vulnerable learners have access to education provision which meets their need, through close working with service areas including the Learning Links Team, Additional Learning Needs team (ALN) and children's services colleagues we work to support education attainment and outcomes and ensure a positive transition to destination for post16.

4. Climate Change and Nature Implications

- 4.1** Prevention and use of local services and providers aim to prevent the need for longer out of county placements where students require additional daily transport. This will reduce the use of vehicles and help reduce carbon emissions, where required we work closely with the school transport team to consider alternate measures or shared travel to reduce impact.
- 4.2** Meetings with partners, stakeholders and internal staff are held over Microsoft Teams to help minimise transport between meeting locations and impact on emissions, also use of digital technology where required in lessons or education rather than a tutor providing only 1-2-1 within homes. An additional example would be the use of the AV1 robot's which enable those more anxious learners or those hospitalised to access lessons via an interactive robot in the classroom to enable learner to keep in touch with learning and friends, thus saving us having to send tutors across local authority for teaching, reducing travel, air pollution.
- 4.3** By using digital management of information systems within the LA, we can move towards a paperless service. To support this work, pupil engagement uses digital methods for referral, weekly mirroring forms and electronic signatures to reduce the carbon footprint further.
- 4.4** Procurement and tendering decisions support the local economy, services, and programmes, reducing the impact on miles travelled by all staff and children, whilst supporting where possible preventative measures within schools rather than increased use of buses.

- 4.5 With the implementation of the wider electric pool car strategies from the Council, it is expected that these will be used, along with carpooling with other staff when available to attend face-to-face meetings or visiting providers out of county.

5. Resources and Legal Considerations

Financial

- 5.1 The pupil engagement budget which is currently a shared budget with Derw Newydd, 2022/23 financial year was a total of £663,500.00.
- 5.2 The current 2023/24 budget includes a transfer of £200,00.00 towards Derw Newydd costs, whilst the Pupil Engagement budget will be £486,976.00; with the current committed spend for April to Aug 2023 £315,038.28 this will create pressure on the budget.
- 5.3 Learning and Skills will need to consider its use of Out of County placements for learners with additional learning needs or those independent schools that can be utilised; with the costs of these placements rising over the years for learners with an Individual Development Plan (IDP) or statement.
- 5.4 The funding for pupil engagement will need to be closely monitored during 2023/24 and will need to prioritise cases under its legal obligation for students not in education on medical grounds, or those who are going through possible permanent exclusion. Current trends across the primary sector, exclusion and via ALN indicate a rise in need over the next fiscal year.
- 5.5 In order for expenditure to be contained we will need to obtain finances from other sources such as grants, schools' recharge for services or possible savings in other areas within learning and skills.
- 5.6 Long term impact on current finances limits our ability to be preventative and provide support for learners to sustain mainstream education. As a result we are largely reactive; the 2024/25 funding allocation will look at more preventative support alongside reactive interventions.

Employment

- 5.7 No changes need to be made to the current structure.

Legal (Including Equalities)

- 5.8 The pupil engagement team work closely with the ONE V4 management information system of which school SIMS data is also stored. We work closely with the ONE team to monitor and evaluate the data and to ensure it is accurate for the Welsh Government EOTAS return including information for equalities.

- 5.9** Additional software via Capita is currently being introduced (ACT – Attendance Collection Toolkit), which will feed into live data within ONE V4 for greater monitoring and safeguarding.

6. Background Papers

None.