



## **EDUCATION SCRUTINY COMMITTEE - 20<sup>TH</sup> JUNE 2023**

**SUBJECT: DEVELOPMENT OF A MODEL OF TUITION SUPPORT**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND  
CORPORATE SERVICES**

### **1. PURPOSE OF REPORT**

- 1.1 This report provides information to Members regarding the current model of home tuition and seeks support for proposals for changes to existing delivery.

### **2. SUMMARY**

- 2.1 Current provision for tuition in Caerphilly lies within the education other than at school (EOTAS) portfolio. Where children experience health factors that impact upon their attendance at any setting, the current model facilitates access to a tutor for a time limited period each day facilitated by the LA. Presently this involves LA employed staff and agency staff. This model can also facilitate support being provided to pupils excluded for 15 days or more in line with Welsh Government Guidance.
- 2.2 The proposed changes would enable schools to retain direct control over decision making, funding and provision for pupils on role in their school and therefore ensure a consistent approach to meeting needs. Pupils will not be identified as EOTAS.
- 2.3 Each school will either receive funding to support this model or existing contracted staff will transfer to the school as outlined in sections 8 and 9 below.
- 2.4 This model has already been trialled in several schools and therefore the changes will impact on around half of the existing secondary aged pupils accessing tuition.
- 2.5 Consultation with existing tutors has indicated some concerns regarding change to working arrangements and expectations of the role, transition arrangements for pupils, criteria used by schools, and individual capacity of tutors. Specific examples raised will be considered individually. Each tutor has been offered the opportunity to meet with unions and discussions will be ongoing.
- 2.6 Consultation with the agency sourcing the tutors for the LA resulted in a positive understanding about the proposed changes, potential opportunities to work with schools and an understanding about the need to continue with a very few of the

existing arrangements as they are currently delivered.

2.7 All families of children receiving home tuition were contacted and few requested more detailed information which addressed queries. Follow up discussions resulted in a very few more individualised discussions and consideration of current arrangements remaining in place for those completing formal education in 2023 / 2024 or for exceptional reasons.

2.8 Proposals align with responsibilities linked to The Education Act, The ALN Act, the EOTAS Framework for Action, and Exclusions from Schools and Pupil Referral Units guidance.

### **3. RECOMMENDATIONS**

3.1 Members are asked to note the contents of the report and endorse the proposal to implement a revised model of supporting pupils who have received tuition in order that they can be supported via the school.

### **4. REASONS FOR THE RECOMMENDATIONS**

4.1 Members are asked to offer views and endorse the approach of the LA in order that the duties of schools / education provisions and the LA are effectively met and all children with have their needs identified and met with appropriate provision.

### **5. THE REPORT**

5.1 Whilst mainstream education will fulfil the needs of almost all pupils there are exceptions or specific sets of circumstances when mainstream education is not accessible at a given time. The aim is to identify accurately the presenting needs and appropriate interventions, enable access to the curriculum and facilitate the young person to make progress thus enabling them to return to mainstream / fulltime education.

5.2 The current model of home tuition provides support for pupils who:

- experience an acute or chronic medical condition;
- are unable to safely access school or any other provision despite appropriate and reasonable adjustments to the school curriculum or environment;
- are experiencing significant emotional, psychological, or mental health needs that are proving to be a barrier to attendance and engagement in education / an education setting.

5.3 Presently schools are required to refer to the local authority panel, providing supporting evidence to enable the panel to make a decision regarding any request. If a request is agreed the age weighted pupil unit funding (AWPU) is clawed back from the school.

5.4 The LA employs six tutors who provide the specific function of supporting individual pupils at their homes and in community settings and to reintegrate into school. Given the current model of individual support and the number of requests for support the LA also accesses agency support.

5.5 The overall net cost to the LA of the current tuition model was £978k in 2022-23. 25%

of tuition is provided by LA employed staff and 75% by Agency staff. The LA has a responsibility to ensure effective use of resources to support pupils of which EOTAS provision is part (see section 8 for further detail).

- 5.6 Tutors follow the curriculum set by individual schools as closely as possible. However tutor feedback has indicated a variance in the availability of suitable resources from schools. This has resulted in some students following a path quite different from their contemporaries in school.
- 5.7 There is currently extensive variation in presenting needs and therefore no uniform measure of effectiveness or impact of tuition in terms of engagement, standards, and progress. Anecdotal evidence suggests increased engagement and positive feedback from parents / carers. However, analysis of reintegration rates suggests that students remain at home for long periods.
- 5.8 As at April 2023 there are 126 students who access home tuition linked to all secondary schools although the numbers vary across schools.
- 5.9 Since the pandemic when schools developed an approach to supporting learners remotely, there are opportunities to support pupils differently should access to the school environment be impacted for the reasons outlined above.
- 5.10 The proposal for the new model of tuition, that has been subject of consultation with all secondary Head Teachers, is that the provision remains directly under control of the school, allowing for consistent approach to meeting the needs of the pupils linked to the school, a wider coverage of the curriculum than presently offered, and effective monitoring of provision, standards and progress aligned with the approach taken within and across school. Pupils will remain on role and will not fall within the remit of EOTAS. All secondary head teachers agree with the proposals although have asked for a supporting document (5.18). There will be no change in delivery for around half of the pupils who currently access tuition where this new model has already been trialled. It is recognised that where pupils will complete their formal education in 2023 / 2024 the existing arrangement may remain in place.
- 5.11 All parents of secondary aged pupils accessing tuition have been informed in writing of the proposals and offered opportunities to discuss. A few parents contacted the LA and more detailed discussions were able to facilitate positive responses. In a very few cases existing arrangements may remain in place for those completing formal education in 2023/ 2024 or in specific individual circumstances. Where the model of delivery will change schools will be liaising with each family to explain the approach for their child.
- 5.12 The views of all the secondary aged pupils have been gathered through feedback from parents / carers.
- 5.13 Benefits of the proposed model are perceived to be:
  - enabling pupils to maintain a sense of belonging to their school;
  - effective collaboration with school staff, and potential to join lessons remotely;
  - broader curriculum coverage;
  - more effective planning;
  - maintaining consistency;
  - accessibility to school based and linked services;

- development of bespoke packages of support to meet need;
- effective sharing of curriculum and assessment information;
- effective marking and feedback to inform next steps of learning;
- improved outcomes;
- accountability remaining within schools;
- staff become part of a school team with access to school based professional learning, networking and resources;
- transfer of funding to schools and more effective use of resource (section 8).

5.14 Potential identified risks:

- change in the way support is provided and perception of effectiveness;
- variable approaches across individual schools;
- access to technology;
- demand on schools managing a blended approach

5.15 The approach can also contribute to ensuring that when a pupil is excluded from school, the school is able to ensure that appropriate learning is in place in line with the guidance for schools and LA.

5.16 Further relevant information is identified in the integrated impact assessment (IAA)

5.17 Rather than clawing back AWPU schools will be provided with funding to support this more consistent approach thus making better use of resource. Currently contracted LA staff will transfer to schools and any HR issues supported as outlined in section 9.

5.18 The LA will draw up a protocol outlining how this approach aligns with LA and schools' responsibilities in legislation and guidance, outlining financial responsibilities, expectations regarding a review of the process and end of year monitoring and evaluation reports to the LA.

5.19 The model of support for primary pupils will remain as it is presently since there are currently very few pupils. This will be reconsidered following a review of the implementation of the model in secondary schools.

## **5. 20 CONCLUSIONS**

5.21 The proposal consulted on with Head Teachers is that pupils who require support outside of school for the reasons outlined are supported by their school thus ensuring they remain connected with their school and support is contingent with the curriculum offer of their school.

## **6. ASSUMPTIONS**

6.1 In considering the recommendations assumptions have been made in relation to ensuring that the responsibilities of LAs and schools are met, kept under review, and in ensuring that needs of all pupils are met.

## **7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

- 7.1 The integrated impact assessment (Appendix 1) helps support the Council in making informed and effective decisions whilst ensuring compliance with a range of relevant legislation. This highlights that the proposal seeks to focus on most efficient and effective use of resource to meet the needs of pupils who cannot attend school for health reasons at a given point in time, or where they have been excluded and according to guidance require access to work. The proposal does not identify any negative impacts in relation to the Equality Act and socio-economic duty. The proposal aligns with the Corporate Plan, the Well-being of Future Generations Act, and the Welsh Language Measure. Should any issues arise mitigations will be put in through ongoing engagement between schools, LA, parents, and pupils.

## **8. FINANCIAL IMPLICATIONS**

- 8.1 The proposals will support an allocation of formula funding to schools circa £880k.

## **9. PERSONNEL IMPLICATIONS**

- 9.1 The Council is currently the employer of the contracted staff team. Following transfer, the school will collectively with the Council become the employer.
- 9.2 The Council has relied on agency workers to support the EOTAS provision and the funding that will be allocated to schools reflects this. There are currently 31 active agency workers in place with an expectation to work up to the end of July 2023.
- 9.3 Under regulation 13 of the Agency Worker Regulations (AWR), an agency worker has, during an assignment, the right to be given the same opportunity as a comparable contracted worker to find permanent employment with the hirer. No new employments are being created by the Council in relevance to this transfer, but the funding arrangement offered under this proposal could mean that schools seek to hire additional support. Agencies will be alerted to the change of potential hirer if this proposal is supported.

## **10. CONSULTATIONS**

- 10.1 The report reflects with views of the consultees.

## **11. STATUTORY POWERS**

- 11.1 Additional Learning Needs and Tribunal Act (Wales) 2018  
Well-being of Future Generations (Wales) Act 2015  
Education Act 1996  
Equality Act 2010  
Social Services and Wellbeing Act (2014)

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**Consultees:**

Christina Harrhy, Chief Executive  
Richard Edmunds, Corporate Director, Education and Corporate Services  
Dave Street, Deputy Chief Executive  
Rob Tranter, Head of Legal Services and Monitoring Officer  
Steve Harris, Head of Financial Services and S151 Officer  
Councillor Teresa Parry, Chair Education Scrutiny Committee  
Councillor Jo Rao, Vice Chair Education Scrutiny Committee  
Councillor Carol Andrews, Cabinet Member for Education and Communities  
Keri Cole, Chief Education Officer  
Sue Richards, Head of Transformation and Education Planning and Strategy  
Jane Southcombe, Finance Manager  
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Rebecca Collins, Head Teacher  
Lee Jarvis, Head Teacher  
Stephen Diehl, Head Teacher  
Jamie Oliver, Assistant Head Teacher  
Andrew Thompson, Head Teacher  
Chris Parry, Head Teacher  
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Nerys Davies, Head Teacher  
Jane Wilkie, Head Teacher  
Jason Hicks, Head Teacher  
Richard Owen, Head Teacher  
Matthew Webb, Head Teacher  
Ian Elliot, Head Teacher

Appendix 1: Integrated Impact Assessment.