

Appendix 5

YPSS and Primary Behaviour Support: Discussion of Options

Some Key Principles for Local Authority

- Maintaining the current system is not an option
- Tweaking the system will not make the significant differences required
- The LA's statutory responsibilities must be delivered and protected
- The use of public money must be properly accounted for and must be used in line with the principles of best value
- The interests of vulnerable learners must be protected
- Fixed and permanent exclusions need to be reduced
- School ownership is a cornerstone of developments (OfSTED new framework)
-

Other relevant Issues for Targeted School and Learner Support Development (Schools and Learning)

- The approach to behaviour will be cross phase
- It needs to involve working with other services and therefore needs to have integrated within it the role of the Acute Needs Panel and Multi Agency forums
- Special schools have a role to play in this and a strategic development of special education in Wiltshire needs to be part of this provision. Such a development is not simple but unless it happens the reorganisation of YPSS will fail.
- There needs to be a transparent and robust allocation of funding that is adequate to meet the need.

Table A Models of Operating YPSS

Model	Approach	Governance	Quality assurance	Staff	Buildings	Funding	Comment Advantages/Disadvantages
1.	Single special school provider	School based with enhanced membership of the Governing	Internal processes of the provider. Performance against agreed	Employment rests with school/provider	School based/ current building arrangements remain with some	Direct transfer to provider against targets and	An external provider might gain greater efficiency but will they be any more responsive to local need than current system. Would

		Body – Prim/Sec Head Teacher representation and LA senior office	targets via LA agreed Service Level Agreement. Monitoring by GB processes		development of on-site additional provision	presentation of annual accounts	any provider take this on a contract
2	Outsourced provider as a single provider	Unknown but within SLA	Own processes Performance against targets agreed in SLA external monitoring by LA	Employed by provider	Transfer ownership or lease or use own premises(unlikely to be sufficient)	Direct transfer WC external audit of accounts	Does an outside provider have the capacity to run the whole service? Is there a danger of a universal approach that will again not be responsive to local need?
3	Federations take responsibility	Learning Futures via Board of directors North & Wessex would need to create legal entity something akin to an SLA and be accountable and liable.	Own processes established in Learning Futures (West Wilts Fed) through Standards Group nonexistent elsewhere Performance against targets agreed in SLA WC external monitoring. This would need to be stronger	Employed by Learning Futures ? elsewhere	Transfer use for duration of SLA	Direct transfer WC external audit of accounts	Whereas LFL has capacity to do this others do not. Would funding be sufficient to create capacity

4	Mixed delegation to Federations i.e. LFL most Wessex least	Varies with degree of delegation	Varies but WC retains a key monitoring and evaluation role	Depends on capacity	Depends on capacity	Depends on degree of delegation	Allows local solutions. Recognises different capacities but stops all having to move at the pace of the slowest. Aim- all to have the capacity. But could be a lack of consistency
5	Mixed approach between the different areas e.g. LFL runs the West, Springfields the North, external provider the South	Will vary	Will vary but WC monitor and evaluate progress of all pilots	Employed buy each arrangement	Lease or transfer use	Direct grant based on audited accounts	Makes it possible to pilot different approaches to see which is most effective. Could lead to inconsistencies and not in keeping with LA policies of equality of opportunity or YPSS as a whole.

Key Questions

1. The status of Springfields being an Academy? This will increase the submission to the DfE and require consideration by them. Is the Governing Body (including enhanced provision) able to take this on?
2. We could go to tender which may be costly and take time. Who would be likely to bid?
3. Closure of YPSS and then transfer of YPSS would be an option. What would this mean for the new provider?
4. Could a staged approach be more feasible? How would this work in practice?
5. What would constitute for Wiltshire Council adequate protection for its statutory duties?
6. Would the governance be an issue with an external provider of any type?
7. Is the issue rather that in order to sign an SLA there must be a legal entity that can enter into an agreement and be both accountable and liable. A special school can do this, LFL as a limited company can but individual lead schools cannot do this on behalf of a Federation because they have no power to enforce accountability. Either each school would have to do this individually or there would have to be a legally constituted local board set up or the other partnerships will need to develop

some kind of legal entity. Interestingly the Trowbridge cluster of schools is doing this and the BANES primary cluster is thinking about it.

8. Is it worth TUPEing staff?
9. What is the most effective way to deal with the ownership of the buildings?
10. Will there be enough money in e funding to provide some leadership and, management as well as make provision. The experience of LFL is that it is not realistic for headteachers to do this in addition to existing commitments without some additional capacity at some level.
11. What actually does delegation to the Federations mean?