

REPORT TO: Executive Board Sub-Committee

DATE: 20th March 2008

REPORTING OFFICER: Strategic Director for Children and Young People

SUBJECT: Waiver of Procurement Standing Order 3.1:
English as an Additional Language (EAL)
Support for Pupils in Halton Schools

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

1.1 To seek a waiver of procurement standing order 3.1

2.0 RECOMMENDATION:

2.1 **It is RECOMMENDED THAT the OD (Preventative Services) be authorised to award the contract for English as an Additional Language (EAL) Support for Pupils in Halton Schools and that in the light of the exceptional circumstances namely that compliance with standing orders would result in a clear financial detriment to the Council (1.6 (c)) and because compliance with standing orders is not possible (1.6 (a))**

3.0 SUPPORTING INFORMATION

3.1 Support for pupils with EAL needs in Halton historically has been based on practices that were in place in Cheshire prior to unitary status which had not been reviewed since Halton became a unitary authority in 1998.

This system for supporting pupils with EAL needs in Halton was set up when pupils with EAL were rare and dealt with from within the existing additional tuition budget. Given the growing number of EAL pupils requiring support, this approach is not sustainable or capable of meeting the needs of EAL Learners.

Since September 2004 there has been a significant increase in the number of children residing in Halton with English as an Additional Language Needs referred for additional support:-

Academic Year
2004/5

23

2005/6	34
2006/7	76
2007/8 (to Feb 22)	80

- 3.2 In reviewing this issue we looked at the practice in several of our neighbouring authorities that have had to respond to an increase in EAL Learners. Having looked at the provision in St Helen's, Knowsley, Wigan, Sefton and Cheshire, a broadly similar model appears to have emerged. These models have the authority supporting schools via a team, usually an EAL Consultant/Team Leader and typically a number of higher-level teacher assistants or bi-lingual assistants.
- 3.3 The key issue for Halton is the need to develop a core of knowledge and skills around working with EAL Learners in our schools. Building schools capacity in this area will be vital as the rate of increase in the number of EAL Learners indicates that any approach that looks to provide support to individual learners will not be able to meet demand.
- 3.4 In order to address these issues we approached Schools forum in the spring of 2007 to seek to fund an EAL service from the Designated Schools Grant. Schools Forum agreed to make available £146828, which was our estimate of the cost of a small service.
- 3.5 During 2007 we funded an EAL specialist teacher to begin baseline assessments of all existing and new EAL pupils within the authority whilst continuing to provide support through the existing mechanism.
- 3.6 One of our High Schools (St Chad's Language Specialist College) has offered to provide an EAL Support Service to other schools in the borough. There would be many advantages to doing this through a school and particularly a school that has a language specialism, in terms of reducing the management costs, the availability of a range of foreign language expertise and integration into the boroughs systems for supporting schools and pupils.
- 3.8 Setting up such a service within the Children and Young People's Directorate would prove more expensive as it would be necessary to appoint a manager which would absorb a significant part of the budget and reduce front line delivery. Delivering from within a school all of the management and support systems are already in place. There is no commercial market for borough wide English as an Additional Language Services, as this is something that is delivered by Local Authorities across the country.
- 3.9 Any external commercial contractor would require naturally seek to return a profit whereas a partnership with St Chad's Language Specialist College would mean that all of the funding allocated to EAL would be used to

support Halton learners, as the school would see this as an element of the community dimension of their specialist college status.

3.10 We are in the final stages of developing a specification for such a service. The key aspects of the specification will be:-

- a) Offering support and advice to school staff on issues relating to working with EAL pupils.
- b) Providing support and advice to staff on programmes best suited for developing language skills.
- c) Advising school staff on appropriate resources, teaching materials and learning strategies.
- d) Supporting and advising school staff on the development of teaching and learning strategies to differentiate and modify the curriculum for pupils with EAL.
- e) Supporting families and schools on the appropriate induction of pupils with EAL needs into school.
- d) Carrying out an initial assessment of the pupils' language development needs
- e) Providing, where appropriate, some time limited additional support to meet specific needs by providing school based in service training relating to work with ethnic minority pupils and those with EAL needs.
- f) Providing support to individual pupils by:
 - (i) helping to plan implement and monitor individual learning programmes in collaboration with school staff.
 - (ii) maintaining detailed records
 - (iii) contribute to target (goal) setting, monitoring and evaluating progress made.
 - (iv) liaising with other professions to improve outcomes as appropriate
 - (v) undertaking individual teaching where appropriate
- g) To maintain records relating to the progress and achievement of EAL Learners across Halton schools.

4.0 BUSINESS CASE FOR WAIVING TENDERING STANDING ORDERS

4.1 Value for Money and Competition - A partnership with St Chad's Specialist Language College would meet the councils requirements at a lower cost than creating a team within the Children and Young People's Directorate or through a contract with a commercial organisation. No market exists for the provision of borough wide English as an Additional Language Services as this is something which exists within Local Authorities.

4.2 Transparency – These arrangements will be subject to our internal and external audit and be available under the Freedom of Information Act

- 4.3 Propriety and Security – St Chad’s is a Halton School and operate to the borough council standards.
- 4.4 Accountability – The Operational Director (Preventative Services) would remain accountable for this contract and the contract would be monitored via an EAL monitoring group containing representatives of both the school and Children and Young Peoples Directorate.
- 4.5 Position of the Contract under the Public Contracts Regulations 2006 -
Exempt

5.0 POLICY IMPLICATIONS

- 5.1 The effectiveness of EAL provision links directly to Halton’s approach to equality, diversity and inclusion.

6.0 OTHER IMPLICATIONS

- 6.1 Halton’s ability to meet the needs of all young people living in the borough is central to the Joint Area Review process.

7.0 RISK ANALYSIS

- 7.1 The current model represents an open ended LA spending commitment and may well be seen as poor practice in the JAR.

8.0 EQUALITY AND DIVERSITY ISSUES

- 8.1 The provision for pupils whose first language is not English is central to ensuring equal access to education for all Halton residents.