



Report of the Cabinet Member for Education Improvement, Learning and Skills

Cabinet - 19 July 2018

The Future Structure and Delivery of the Ethnic Minority Achievement Unit (EMAU)

Purpose:	To recommend actions following the consultation on significant changes to the structure and delivery of the Ethnic Minority Achievement Unit (EMAU).
Policy Framework:	Strategic Equality Plan 2016 -2020 Children and Young People's Rights Scheme 2014 Corporate Plan 2017 -2022 Swansea Well-being Statement 2017
Consultation:	Access to Services, Finance, Legal, HR, Corporate Management Team (CMT)
Recommendation(s):	It is recommended that: 1) Following the staff and wider stakeholder consultations held between March and May 2018 Cabinet approve option 2 for implementation on 1 January 2019.
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1. Introduction

1.1 EMAU has operated as a central local authority service for many years with the purpose of raising standards and tackling the risk of underachievement for learners from ethnic minority backgrounds, in particular those learning English as an additional language (EAL).

1.2 The EMAU service users and stakeholders (May 2018) are:

- approximately 1,475 'targeted' EAL learners ,aged 3-16 years (Referred EAL learners are Red, Amber, Yellow or Green ('RAYG') rated in order to prioritise support. 'Red' learners are those 'on the cusp' of attaining expected outcomes at the end of their respective key stage and 'amber' learners are those who are at more general risk of underachievement, mainly earlier stages of EAL acquisition. The 'red' and 'amber' pupils form the 'targeted' learners). A further 830 EAL learners 'monitored' in conjunction with schools
- 69 schools
- parents and carers from ethnic minority backgrounds who are not fluent in English or Welsh and
- other education professionals including education welfare officers (EWOs) and educational psychologists (EPs) working with learners, parents and carers who are not fluent in English or Welsh.

1.3 Demand on EMAU has generally grown year-on-year against a backdrop of reducing funding. PLASC (Pupil Level Annual School Census) January 2018 identified 12.1% (4290 learners) of the Swansea school population as having EAL with over 140 languages and dialects spoken. This is a slight increase (0.3%) on 2017 PLASC. 14.8% of the Swansea school population are from a minority ethnic background. Referral numbers remain high with 491 new referrals in 2016/17 academic year. There have been 393 referrals to date this academic year.

2. National Policy Context

2.1 Welsh Government have issued two documents regarding the delivery of services for children and young people from minority ethnic backgrounds:

- Information document 132/2014: *Minority ethnic achievement in education in Wales*, March 2014
- *Evaluation report on capacity building approaches to support the delivery of English as an additional language in Wales*, September 2015

2.2 In the information document (2014), whilst recognising that minority ethnic attainment was improving in general, the Welsh Government felt more could be done to improve outcomes by:

- better targeting funding and support at those who need it;
- building capacity to meet increased demands;

- working collaboratively with all partners; and
 - ensuring services are held to account for delivering improved learner outcomes.
- 2.3 The Welsh Government in particular felt that the capacity of teachers in schools to meet the needs of minority ethnic learners could be improved by aligning the work of services for minority ethnic learners with the National Model for Regional Working and school improvement services.
- 2.4 They also recommended greater collaborative working between Ethnic Minority Achievement Services and Traveller Education Services on a regional footprint as well as greater focus on monitoring and analysing data around outcomes.
- 2.5 The subsequent evaluation report on capacity building approaches (2015) noted that the numbers of different languages spoken by pupils, the range of previous education experience and the variety of entry points into the Welsh education system combine to make the delivery of EAL support by a central service non-viable, therefore the focus of EMAU work has increasingly become focused on capacity building for schools to meet their pupils' EAL needs.
- 2.6 The report's authors suggested that a way forward was to promote a whole school based approach to minority ethnic achievement but recognised that schools may have built up a reliance on central services. The report set out the key requirements for building a whole school approach including commitment from senior leadership, mapping EAL onto school improvement and equality policies, a focus on achievement and a using school data to measure language development.
- 2.7 The services for minority ethnic learners have largely been subject to grant funding and the conditions attached to those grants. The Minority Ethnic Achievement Grant (MEAG) was provided to local authorities to raise the achievement of children and young people from ethnic and minority backgrounds in Wales and had specific requirements that the money should be directed to supporting minority ethnic learners' achievement.
- 2.8 Aligned to the MEAG was a specific grant for the Education of Gypsy Children and Traveller Children. Both these grants were merged with several other education specific grants in April 2015 to form the Education Improvement Grant (EIG). The grant conditions no longer ring fenced funding to either group and instead left this decision to the regional consortia as part of the broader school improvement agenda. This was in line with the policy direction set out in the previous documents above.

With regard to services for Syrian refugee families and their children and other vulnerable families from the Middle East, these are currently funded through the Vulnerable Persons Resettlement Scheme (VPRS) and Vulnerable Children's Resettlement Scheme (VCRS) provided by the UK Government, Home Office. The programmes are managed by the

Partnership and Commissioning Team in the Poverty and Prevention Service and are designed to meet the funding instructions issued for 2017 – 2018.

- 2.9 The Programme's primary purpose is to resettle Refugees in a way that secures national security and public protection, has the wellbeing of the vulnerable persons and the welcoming communities at the centre of decision making and delivers value for money for the UK tax payer.
- 2.10 Currently the programme is financing support in Swansea schools from three Arabic speaking bilingual support assistants (BTA) and one part time Turkish BTA. The model of service delivery is based on pupil support to 34 children at this stage in the funding programme.

3. Funding/Budget

- 3.1 For financial year 2018 - 2019, the Welsh Government has removed the 'MEAG' (Minority Ethnic Achievement Grant) element of the EIG (Education Improvement Grant). Local authority leaders have been successful in querying this with Welsh Government ministers who have undertaken to continue funding for the financial year 2018 – 2019 and have indicated provision of funding for 2019-2020:
- £5million for 2018-19 to alleviate the impact for the main urban authorities, Cardiff, Swansea and Newport;
 - £2.5million for 2018-19 to Cardiff, Swansea and Newport, and a proportion of this funding will also be extended to Wrexham as the main demographic hub in North Wales;
 - £1.2million to the remaining 18 local authorities in 2018-19; and £8.7million to all 22 Local Authorities in 2019-20 to support this transition period further. This funding will be conditional on evidence of working progress towards more sustainable models of delivery.
- 3.2 The funding for Swansea in 2018 - 2019 has recently been confirmed as £1,237,900 for minority ethnic achievement and traveller education services. However, any specific terms and conditions for this funding are as yet unclear. Our understanding from a recent meeting with Welsh Government civil servants is that a sustainable model of service delivery is one that can be funded from the revenue support grant allocation from the financial year 2020 – 2021, albeit of course that there is no hypothecated funding within RSG, nor any certainty as to the overall levels of RSG by 2020-21. It will be necessary to review the settlement in 2020-21 to see if there ultimately is a clear fully funded grant transfer to tangibly support the indications from civil servants.

4. Staffing and Costs

4.1 Current Staffing

4.1.1 The current staffing structure is shown in the table below:

Staffing Structure 1 May 2018	Nos	FTE
Head of EMAU	1	1.0
Senior Team Leader (Secondary based)	1	1.0
Specialist teachers (6 Secondary/13 Primary)(incl. 4 Team Leaders)	19	14.8
BTAs/interpreters (incl. 3 Team Leaders) *	15	11.2
Data, administration and organisation officers (A&OA)	3	1.7
Total	39	29.7
<i>* 3 additional BTA posts (3 fte) funded via Vulnerable Persons Resettlement Programme (VPRS) (1 via contract/2 via agency) - funding held by Poverty and Prevention</i>	42	32.7

4.2 Costs

4.2.1 The costs of the current staffing structure are shown in the table below:

Costs	2018 – 19
BTA and A&OA Salaries (plus on-costs)	£298,800
Teacher salaries (plus on-costs)	£863,300
Additional hours	£3,000
Pensions	£9,800
Insurance liability	£5,100
Car allowances	£3,000
Phone charges	£3,000
Total	£1,186,000

4.3 During and after the consultation 17 staff have expressed an interest in ER/VR with six teachers signing to leave on or before the 30 June 2018. One member of staff has resigned to take another post. Therefore, currently it is anticipated that an in year saving of £210k will be made which could be devolved to schools to support minority ethnic achievement (see option 1 below).

4.4 Staff have until 22 June 2018 to sign letters of acceptance which may lead to further in year savings.

5. Consultation

- 5.1 The proposed structure that was the subject of the consultation that commenced on 28 March 2018 is detailed in the Cabinet Report dated 22 March 2018: <https://tinyurl.com/ydxg7lce>.
- 5.2 The wider stakeholder consultation commenced on 28 March 2018 and concluded on 11 May 2018. Translated consultation documents were provided in the top 11 languages with the greatest interpreting and translating need. The consultation information was included in the Swansea Schools Newsletter for dissemination to school staff and parents/carers on a weekly basis. Information was sent to individuals and organisations from/with links to minority ethnic communities. Two face-to-face drop-in meetings were organised for parents/carers with interpreters made available on 23 April 2018 in Bishop Gore School and on 8 May 2018 in Bishop Vaughan School. The proposals were discussed in the Pupil Voice Forum of 9 May 2018 where pupils and the school staff accompanying them were able to participate. In addition, the proposals were presented and discussed in the cross-phase head teachers' meeting of 10 May 2018.
- 5.3 There were a large number of respondents to the wider stakeholder consultation, including pupils, parents/carers, head teachers, school staff. There were responses from stakeholders from a number of ethnic backgrounds and from speakers of languages other than English/Welsh. The overall numbers are summarised below. More detailed information on the responses and comments are provided in the relevant sections of Appendix A.

	No. of Individuals Represented	No. of Written Comments/ Responses
Online Questionnaire (includes a range of stakeholders)	280	102
Pupils	16	16
Pupil Voice Forum	38	1 (Evaluation Report)
School Staff	24	24
Parents/Carers	146	146
Headteachers	4	4
Headteacher Meeting	67	1 (Record of Comments)
Chinese Association in Wales - Collective Response	86	1
EYST (Ethnic Youth Support Team)	1	1
Poverty and Prevention Officers	2	2
TOTAL	664	298

- 5.4 A separate EMAU staff and Trade Union consultation ran concurrently to the wider stakeholder consultation. The staff consultation commenced on 16 April 2018 and ended on 16 May 2018, in line with the legal requirement of a 30-day consultation.
- 5.5 In total 24 responses to the EMAU Staff and Trade Union Consultation were received representing 55 views. There were five collective responses and 19 individual responses. Some staff submitted an individual response as well as being part of a collective response. Further detail on the responses can be found in the relevant section of Appendix A. No EMAU staff or Unions agreed with the original proposal.
- 5.6 The majority of respondents in the wider stakeholder consultation were also against the proposal. This can be seen through the figures collected via the online questionnaire (shown below) and from the key comments from groups of stakeholders which are summarised in Appendix A
- 5.7 424 respondents completed the questionnaire either online or on paper although not all respondents answered both questions. The responses to both the paper and online questionnaire are amalgamated below:

	I agree with the proposal	I disagree with the proposal	I neither agree nor disagree with this proposal	Total
Devolve available, additional Welsh Government funding to schools, for minority ethnic learners, via a formula	34 (8%)	376 (88.7%)	14 (3.3%)	424
Move to a model of a small central advisory service that supports all schools to ensure that minority ethnic learners are included and achieve to their potential	27 (6.5%)	373 (90.6%)	12 (2.9%)	412

- 5.8 There were many strong and sometimes conflicting comments across responses in both consultations. Comments from all groups of respondents have been summarised and recorded. See Appendix A.

5.9 Key Themes

5.9.1 From the summary of key comments from all stakeholders, in both the wider stakeholder and EMAU staff consultation, a number of key themes stranding through the responses have been identified (see table below):

- The support is invaluable/the service should stay as it is and should not be cut/support is specialist
- There will be a negative impact on the progression/attainment/achievement of EAL learners
- There will be increased workload for class teachers/school staff
- BTA support is particularly valued for beginners in English/new arrivals/home school links
- There is a significant need for interpreting and translating services
- There will be an impact on the achievements/attainment of all pupils
- Equality of access to the curriculum will be impacted upon for EAL learners
- There will be a negative impact on the inclusion of learners and families/wellbeing of EAL learners
- Devolving of funding should be based on numbers of EAL learners
- Schools and school staff are not ready to take this on – three central staff will not be enough

5.9.2 These key themes are discussed in detail in Appendix A but some points are worth summarising. Firstly although many respondents suggested that there would be a negative impact on attainment there was no evidence presented that this was the case. However, the evidence base from local authority benchmarking, Welsh and UK Government data and research concludes that different models of support do not significantly impact learner attainment. The evidence base for the impact on all learners also shows that in fact high numbers of EAL learners can have a positive impact on the attainment of all learners.

5.9.3 The same evidence as well as the proportion of time offered in schools under the current model suggests that there is little evidence that there would be a significant increase in the workload of teachers or impact on the inclusion of minority ethnic learners. Both these issues would also be mitigated by devolving funds to schools with high numbers of EAL learners.

5.9.4 Although there was considerable support for the service to stay as it is very few respondents were able to address how such a service could be funded in the current budgetary context. Secondly, there was no suggestion as to how the current funding requirement of moving to a sustainable model of service delivery in line with the policy direction of Welsh Government would be met by retaining the current staffing structure.

5.10 Alternative Proposals/Models

5.10.1 Most stakeholders did not put forward alternative proposals, although many expressed the opinion that they wanted the central service to remain but did not address where future funding may come from. Where alternative proposals were put forward these varied vastly, from keeping one person centrally to maintaining the current central service and many options in between, including only teachers and only BTAs. Alternative proposals put forward by EMAU staff can be seen in the relevant section of Appendix A. Details on suggestions from other stakeholders are also contained in Appendix A.

5.11 Consultation Conclusions

5.11.1 Taking into account the main themes and alternative models put forward the following points need to be considered:

- The original model that was proposed needs to be amended with a range of options considered to reflect the differing views evidenced in the consultation
- Minority ethnic and EAL learner attainment needs to continue to be monitored at local authority level to ensure there is no future detrimental impact
- Access to bilingual support for learners needs to be factored in, along with developing a wider range of strategies to build capacity within the system such as the use of volunteers/parents and implementing the Young Interpreter Scheme.
- Interpreting and translating services for parents/carers needs to be available. Wider strategies for communicating with parents/carers need to be built up such as more linkage with communities themselves. Work needs to be done with the Welsh Interpretation and Translation Service (WITS) to build the number of more locally based interpreters in order to make these services more cost-effective
- Capacity does need to continue to be built and best practice shared within the current school improvement mechanisms, as per the original proposal
- The formula for devolving any funds to schools needs to be altered to be based on EAL learner numbers, although the assessing of stages of EAL for PLASC will still require moderation as recommended by the Welsh Government
- Any devolving of funding to schools needs to try to ensure that adequate monies are made available to schools with larger numbers of EAL learners in order that they have the potential to employ current EMAU staff. Thereby reducing the numbers of potential redundancies, retaining the specialism and ensuring minority ethnic role models in schools
- The future model needs to be transitional and sustainable in the context of reducing funding in order to meet with the terms and

conditions of the funding that Welsh Government has put forward for this year

6. Options for service delivery

- 6.1 All costings are based on a budget of £1.2 million in the current financial year and take into account staff known to be leaving via ER/VR, resignation. Additional information with regard to devolved funding formulas is in **the relevant section of Appendix A.**
- 6.2 Each option also suggests a possible model of management for those learners who are supported through the VPRS. Currently the VPRS is used to provide pupil support to a small group of learners over a limited period of five years to aid re-settlement. This model of service delivery is not in line with Welsh Government policy on minority ethnic achievement or options 2 or 3 below which are based on a capacity building model. It is, therefore, suggested that funding, day to day and line management is transferred to or retained by the Poverty and Prevention service except for option 1.
- 6.3 Option 1: Retain the central service until 31 March 2019, devolving any savings to all schools

6.3.1 Estimated Costs:

Staff	Cost (including on-costs)
Teachers' Salaries including Head of Unit and Team Leaders	£680,000
BTAs and A&OA Salaries	£290,000
Other costs e.g. phone/travel	£20,000
TOTAL for 2018-2019	£990,000
Funding to devolve to all schools	£210, 000
<i>Retain day to day management of VPRS posts. Funding remains with Poverty and Prevention</i>	
Cost of central staffing 2019-2020	£935,000
Cost of Central Staffing and maintaining devolved funding to schools 2019-2020	£1,145,000

6.3.2 Advantages:

- Retention of specialist posts and minimal redundancy costs in 2018-2019
- Satisfies consultation responses that stipulated continuing the central service

- Some flexibility via devolved funding for schools to develop their own provision

6.3.3 Disadvantages:

- Service provision still needs to be altered as the existing model is not effective/sustainable and staffing will reduce further by 1 July 2018
- Devolved funding is negligible for many schools
- Not sustainable as highly likely to be unaffordable in the future
- Will not meet the terms and conditions of the funding in terms of transitioning to sustainable models
- Highly likely to need further review and consultation by March 2019

6.4 Option 2: Retain small central service for new arrivals and schools with low numbers of EAL learners. Devolve remaining funds to schools with higher numbers of EAL learners using a formula to develop their own provision

6.4.1 Estimated Costs:

Staffing	Cost (including on-costs)
Salaries and other costs of existing staff to 31 December 2018	£760,000
Staffing from 1 January 2019	
Head of Unit (Soulbury EIP scale, range 8 - 11, plus 3 SPA points 3/12 of salary)	£16,500
1 fte Specialist Teacher 3/12 of salary	£12,500
3 fte BTAs – part-time posts main languages	£16,500
1 A&OA – part –time 3/12 of salary	£3,000
Other Costs	£1,500
TOTAL for 2018- 2019	£810,000
Funding to devolve to schools with larger numbers of EAL learners	£390,000
<i>Management of VPRS posts move to Poverty and Prevention – possibility of offering professional supervision</i>	
Cost of Central Staffing 2019-2020	£200,000
Cost of Central Staffing and maintaining level of devolved funding 2019-2020	£590,000

There may be some minor additional costs in relation to protected salaries.

6.4.2 Advantages:

- Ability to fulfil school improvement role for all schools and time limited pupil support/advice role for schools with small numbers of EAL learners with no devolved funding
- Increased funding for schools with larger numbers, therefore greater potential to employ existing EMAU specialist staff and to develop adequate provision
- Retention of some interpreting and translating services centrally for schools with no devolved funding
- Schools with devolved funding could buy services from central team
- Would meet 'transitioning' requirement

6.4.3 Disadvantages:

- Full model with central staffing and devolved funding may not be sustainable beyond 2019-2020
- Some schools may move in and out of the devolved funding pot from one financial year to the next
- More complex to implement in terms of staffing and setting up model of service delivery

6.5 Option 3: Devolve nearly all funding to all schools by formula retaining only one school improvement performance specialist with responsibility for monitoring minority ethnic achievement and providing capacity building support

6.5.1 Estimated Costs:

	Cost (including on-costs)
Salaries and other costs of existing staff to 31 December 2018	£760,000
Staffing from 1 January 2019	
1 School Improvement Officer/Performance Specialist(Soulbury EIP scale, range 8 - 11, plus 3 SPA points) 3/12 salary	£16,500
Other costs	£500
TOTAL for 2018-2019	£777,000
Funding to devolve to all schools	£ 423,000
<i>VPRS posts to be managed and supervised by Poverty and Prevention</i>	

Cost of Central Staffing 2019-2020	£67,000
Total cost of central staffing and maintaining devolved funding to schools 2019-2020	£ 490,000

6.5.2 Advantages:

- Increased level of funding for devolving to schools
- Post could move to the Achievement and Partnerships Service thereby meeting the Welsh Government's intention that the work of services for minority ethnic learners is aligned with the National Model for Regional Working and school improvement services
- Greater possibility of sustaining model for 2019-2020
- Cost of central staffing is potentially sustainable into the future
- Flexibility for schools to develop their own provision

6.5.3 Disadvantages:

- As funding is devolved to all schools, many schools will have inadequate funding to develop provision. Schools would need to pool funds. (The funding formula may need to be reconsidered).
- Full model with central staffing and devolved funding may not be sustainable beyond 2019-2020
- Potential for significant number of compulsory redundancies and loss of specialist staff
- No interpreting and translating services

7. HR Implications

7.1 EMAU staff and Trade Unions will need to be formally notified of the Cabinet's decision and the onward process following the Cabinet meeting on 19 July 2018.

7.2 Should compulsory redundancy notices need to be given for 31 December 2018, staff on teachers' terms and conditions will need to be served notice by 31 October 2018. Other staff have an entitlement of up to 12 weeks' notice depending on length of service. Therefore the earliest date at which notice would need to be served is 8 October 2018.

7.3 Any selection of employees for redundancy will take place early in the Autumn term to meet notice periods.

8. Financial Implications

8.1 There should be minor, if any, implications for funding the salaries of the BTAs and all A&OA staff until 31 December 2019 as the number of teachers who have signed or expected to have signed acceptance for leaving on 30 June will offset the difference.

- 8.2 There are potential financial implications if the consultation and move to a new model is not completed by 1 January 2019, as the level of funding from Welsh Government for this service is unclear for 2019-2020. The key implication is around the notice period/exit points for teachers, as there would be potential significant salary costs incurred into the new financial year 2019 – 2020. Currently, teaching unions have tentatively agreed that it may be possible to negotiate an exit date of 31 March 2019, as opposed to 30 April, if needs be. If any further consultation is deemed necessary then notice periods need to be taken into account.
- 8.3 The potentially large number of redundancies or early retirement/voluntary redundancy requests still has a significant implication for the Council in this financial year. These costs will be managed centrally and funded from the restructure reserve, if sufficient sums remain available to do so, otherwise from the retained minimum level of contingency fund determined by the S151 officer.
- 8.4 In considering responses to the consultation, the final model for recommendation and plans for transition need to consider the financial risk to the authority in the medium term and longer term given the potential lack of any Welsh Government funding beyond 2019-2020. The financial risk could be mitigated by reducing numbers of staff employed directly by the authority.
- 8.5 Subject to future final clarification as to the longer-term Welsh Government grant arrangements an ongoing more stable 2019-20 budget provision can be established as part of that, and future, budget setting rounds.

9. Legal Implications

- 9.1 There are a number of employment issues associated with these proposals due to the scale of the proposed redundancies. In relation to teachers the provisions of the Burgundy Book and the School Teachers Pay and Conditions Document (STPCD) need to be fully considered, particularly taking into account the specific notice provisions that apply to teachers. Further HR and legal advice will need to be sought once a decision is made on how to proceed following consultation.
- 9.2 The sensitive nature of the changes and high number of potential redundancies has implications if the process and consultation are found not to have been carried out within the law and in good faith. This would leave the Council open to, claims to the employment tribunal and potential judicial review. Hence, the extended period needed in order to consider all consultation responses.
- 9.3 This population of learners is a specific named group within the Equality Act 2010 requiring a full impact assessment, and careful engagement and consultation (Section 10). The Local Authority has obligations under the Public Sector Equality Duty to fully consider the needs of these learners,

to which it has a duty. Careful consideration needs to be given to the results of the consultation and if funding is devolved to schools, the Local Authority needs to ensure it is still able to fulfil its duty to these learners.

10. Equality and Engagement Implications

10.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

10.2 An Equality Impact Assessment (EIA) was commenced as a background paper to the consultation. The EIA has been revised to take full account of the consultation outcomes and the views of the range of stakeholders that were gathered. This can be found in Appendix B.

10.3 The proposal was found to be relevant to children and young people, disability, race, asylum seekers, refugees, gypsy travellers, religion, sex, poverty/social exclusion, carers and community cohesion.

10.4 The EIA notes that the overall aim of the change to service delivery will be to encourage all schools to self-evaluate and put in an action plan so that they are able to support any minority ethnic learners who attends their school without the reliance on a central service to provide support. Access to support from the central advisory team would be more equitable across schools as opposed to being linked to numbers of EAL learners and the languages they speak. The model should increase the independence of schools to develop their own provision.

10.5 The impacts on learners, schools and staff are set out in Section 3 of the EIA. The impacts on learners and schools are largely neutral but the impacts on staff employed by EMAU are largely negative due to the limited opportunities for alternative employment.

10.6 The achievement of minority ethnic learners and valuing of diversity is the responsibility of individual schools so levels of attainment and inclusion should be maintained.

10.7 Schools will have the independence and flexibility to develop their own provision. Schools will have independence and responsibilities to develop their capacity to support minority ethnic learners and to foster relationships with their families as schools will be given more autonomy.

- 10.8 All schools will have access to training around minority ethnic achievement.
- 10.9 There should be a fairer distribution of resources. There should be reductions in discrimination and feelings of isolation as all schools develop their capacity to value diversity. This should also improve community cohesion.
- 10.10 Schools will be encouraged to share best practice with regard to minority ethnic achievement.
- 10.11 It is important to note that schools are subject to the public sector equality regulation for Wales. The central team will be monitoring all aspects of the delivery of this service to ensure that children and young people continue to achieve.
- 10.12 The report also reviews the impact on opportunities for people to use the Welsh language and treating the Welsh language no less favourably than English.
- 10.13 This is to comply with the Welsh Language Standards, however, the evidence suggests that there will be minimal impact on the Welsh language and potential to improve support for minority ethnic pupils wishing to attend a Welsh language school.
- 10.14 To ensure that we understood how these proposals affected all stakeholders we consulted widely to allow us to shape these proposals and agree the way forward.
- 10.15 As stated in Section 5 of this report, a full consultation was conducted with all interested stakeholders from 28 March 2018 to 11 May 2018. A separate consultation with staff and trade unions was also held between 16 April 2018 and 16 May 2018.
- 10.16 As a result of the comments received the proposal has been amended to take into account the views received.
- 10.17 All initiatives must be designed / planned in the best interests of children and young people.
- 10.18 The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.
- 10.19 The proposal will directly affect minority ethnic learners so that future arrangements will aim to ensure that these children and young people

achieve the best possible outcomes. The proposal relates to the following articles of the United Nations Convention on the Rights of the Child:

Article 3 - All organisations concerned with children should work towards what is best for each child.

Article 12 - Respect for the views of the child

Article 18 - Both parents share responsibility for bringing up their children. We should help parents by providing services to support them.

Article 28 - Children have a right to an education. Discipline in schools should respect children's human dignity.

Article 29 - Education should develop each child's personality and talents to the full.

Article 30 - Children have a right to learn and use the language and customs of their families.

10.20 As part of this process we also considered the Well-being of Future Generations Act. The Act ensures that public bodies think more about the long term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach.

11. Preferred Option

11.1 It is recommended that Cabinet consider adopting option 2 as the model for a transformed minority ethnic achievement service and commit to securing sustainable funding to implement this option. Option 2 provides the best fit to the requirements of Welsh Government policy and transitional funding arrangements as well as addressing the issues raised by the consultation.

Background Papers:

Cabinet Report 22 March 2018

Appendices:

Appendix A: Consultation Summary

Appendix B: Equality Impact Assessment