

<b>Cabinet</b>  18 December 2019	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Debbie Jones, Corporate Director- Children and Culture	<b>Classification:</b> Unrestricted
<b>Community Languages Service Review- Options Paper</b>	

<b>Lead Member</b>	<b>Councillor Sabina Akhtar, Cabinet Member for Culture, Arts and Brexit</b>
<b>Originating Officer(s)</b>	Judith St John Divisional Director for Culture Sport and Leisure
<b>Wards affected</b>	All Wards
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	7 October 2019
<b>Reason for Key Decision</b>	Impact on Wards
<b>Strategic Plan Priority / Outcome</b>	[1. People are aspirational, independent and have equal access to opportunities;  2. A borough that our residents are proud of and love to live in;]

### Reasons for Urgency

As the publication date for this report falls within the Pre-Election Period (Purdah) it has been decided to delay publication until after the election has taken place.

If this report were to be delayed to the next scheduled meeting of cabinet there will be a delay in the implementation of the chosen option and the possibility that this means that the full savings within the MTFs will not be realised.

### Executive Summary

Following the Council's budget meeting on 20 February 2019, an undertaking was made by the Mayor for a review of the Community Languages Service (CLS) to be established in order to look at where sustainable alternatives to delivering the service can be put in place to sustain service.

The objective of the review was to continue the provision of community languages in Tower Hamlets with a high-quality and sustainable teaching model delivered in a more cost-effective manner. In addition, the Mayor gave an undertaking that there would not be further savings beyond the £31k saving agreed for 2019/20 from the CLS, until proposals from the review for the future of the service progress to Cabinet for approval later this year. Any significant changes to the CLS, stemming from the

review, would be subject to consultation and an equalities impact assessment.

A number of consultation events have taken place with key stakeholders including parents and representatives of the organisations that host these classes. There is no doubt that these classes are valued by those who use them, however it is also clear that there are significant differences in how this provision is provided across the service.

This report outlines the outcome of this review and presents recommendations for the Mayor in Cabinet to consider.

## **Recommendations:**

The Mayor in Cabinet is recommended to:

1. Approve Option 3 as set out in the report below.
2. Note the Equalities Impact Assessment.

## **1 REASONS FOR THE DECISIONS**

- 1.1 The objective of the review was to continue the provision of community languages in Tower Hamlets with a high-quality and sustainable teaching model delivered in a more cost-effective manner.

## **2 ALTERNATIVE OPTIONS**

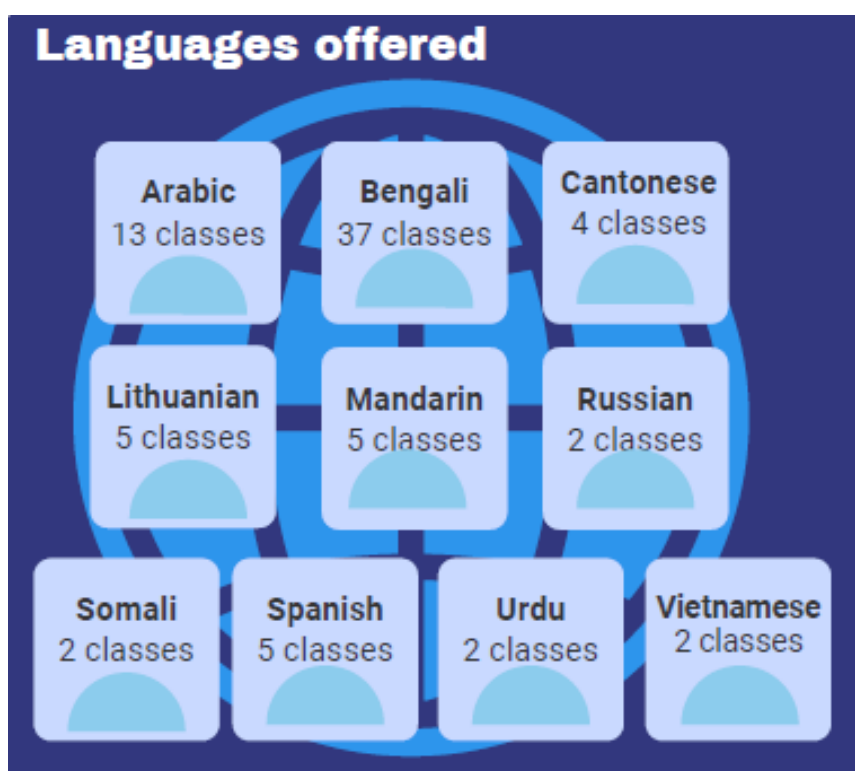
- 2.1 There are four alternative options set out in this paper . The officer recommendation is the adoption of r Option 3 as it fully delivers the savings as outlined in the MTFs. The Mayor in Cabinet may wish to select one of the other options but it is important to note that Options 1 and 2 will not deliver the full savings.
- 2.2 Alternatively, the service could continue as it does currently. Should this decision be taken, the savings targets will not be met.

## **3 DETAILS OF THE REPORT**

- 3.1 The Community Languages Service (CLS) began as the “Mother Tongue & Study Support” Service back in 1979. While information in relation to the rationale for establishing the service is limited, it appears that there are two main reasons. Firstly, to support children who spoke only English to learn their mother tongue. Secondly, as the time that the service was launched, languages were not being routinely being taught as part of the national

curriculum and there is compelling research which outlines the benefits to educational development of being bilingual.

- 3.2 Since 2013, Modern Foreign Languages have been a part of the National Curriculum for primary school children (2004 for Secondary School); however the service has continued to deliver these classes, without very much change.
- 3.3 The CLS used to deliver a range of language based services including some that were funded through Service Level Agreements with schools, however for the past 3 years the service has been focused around providing after school languages classes. These are provided in a number of community venues and a small number of schools. These classes are free at the point of access to families, although there is obviously a cost to the LA to provide these.
- 3.4 While a number of children do go on to take GCSE's in their mother tongue languages and this is something that parents see as a benefit, this is not the purpose of the service and is not something that the LA should be subsidising.
- 3.5 While the venues and associated costs are not borne by the local authority, the cost of employing the teachers is. There is also a small team of staff who manage and facilitate the service. The overall budget for 2018/19 was £684,400, with the vast majority of this being spent on paying for the teachers.
- 3.6 The aim of the review is to design a service model that
  - Provides an inclusive offer for all children
  - Has high quality teaching
  - Operates on the basis of standard hours
  - Is accessible in a variety of locations across the borough
  - Is efficient and provides values for money.
- 3.7 Currently the following languages are offered:




3.8 These are delivered in 44 venues by 85 teachers. Currently there are, 1465 children were enrolled in classes which equates to a cost of around £460 per child although there is a significant range based on a number of factors particularly the number of children per class and the number of hours provided. In a review undertaken in 2016, the average cost was £335 per child per year but at its highest the cost per child was over £700. It is important to note that these are based on the number of children enrolled in classes; the figures for actual attendance are likely to be much lower.

See Appendix 1- map of provision

3.9 Each class is observed at least once a year by the Community Language Service Team to assess the quality of teaching and learning. This is undertaken by staff members from within the CLS who are qualified teachers. The breakdown of ratings are as follows:

**Grading - observation of teaching and learning (OTL) at each venue**

Grade	No. of venues
Excellent	2
Good / Excellent	6
Good	10
Satisfactory	23
Inadequate	3



3.10 This table indicates that only 41% of the venues are providing classes that are graded as good or excellent.

3.11 There is a significant level of inconsistency in respect to the offer. 45% of children receive around two to three hours per week, with a further 44% receiving 4 hours. Recent academic research suggests that while there are clear benefits to extra-curricular and supplementary education, these must be balanced against the need for family time, a good night's sleep and the opportunity to play. This is particularly relevant for primary school children who form the majority of the cohort who attend CLS classes. Children should also undertake a wide range of activities and the amount of hours that some children spend in classes provided by the CLS will limit other extra-curricular opportunities.

3.12 Currently 75% of children who attend classes are of primary school age with 24% of children being at secondary school. There are also a small number of under 5's recorded as attending which should not be the case.

3.13 The CLS is a service that appears to be unique to Tower Hamlets, particularly in the way that it is delivered; making direct comparisons with other local authorities difficult. The National Resource Centre for Supplementary Education (NRCSE) suggest that providers of supplementary education

should be charging a regular fee to parents as this will support them to provide additional activities. There is also a strong argument that such a parental contribution supports engagement and commitment.

- 3.14 Where supplementary education classes are financially supported by local authorities this is usually “in kind” with for example venues provided at no, or reduced cost. This is the opposite model to the one that we have in Tower Hamlets, where community organisations provide venues and the local authority is responsible for providing teachers. Importantly, some of the language classes are supported by parental contributions.
- 3.15 A number of consultation events have taken place over two separate days. Two sessions were held for the organisations that provide these classes one at Whitechapel Idea Store and one at Bow Idea Store. These sessions were attended by a total of 15 different organisations, 14 who represented Bengali classes and one who represented a Lithuanian class. A presentation was delivered which outlined the current way that the classes operate as well as the principles that were being used to develop a model going forward. All providers were written to and those who were unable to attend were sent the presentation and invited to ask any questions or provide comments.
- 3.16 The offer should be based around the following principles:

	<b>Inclusive offer - provision that focuses on what works best for children and young people in all ways including age, where they live and other equality considerations</b>
	<b>High quality teaching - supporting the best possible outcomes</b>
	<b>Standard hours for every child - 2 hours a week to ensure all children receive an appropriate level of supplementary education</b>
	<b>Well placed venues - service is accessible in variety of locations across the borough</b>
	<b>An efficient, value for money service</b>

- 3.17 Participants were given an opportunity to share some of their thoughts on these principles and made a number of observations
- These classes are clearly valued and those who provide them wish for them to continue as currently.
  - There was an understanding that the location of classes was not currently correct and hadn't changed as demographics of the borough did. There are lower attendances in the west of the borough whereas some classes in the east have waiting lists<sup>1</sup>.
  - Those who provide these classes see them as a way of ensuring the children who attend are safe and engaging in appropriate activities. The variability in the quality of teaching was discussed but this did not present as a significant priority.
  - There was some support for the idea of a standardised offer, however the view was that this should be set at four hours not two.

3.18 Three similar sessions were run with parents and the Parent and Carer Forum. Well over 80 parents attended across the sessions. The sessions took the same approach as those for providers with a presentation delivered and the opportunity for attendees to ask questions and offer their thoughts.

- Those parents who attended clearly valued the classes. The primary reason was the connection that these afford with their culture and heritage. Many parents also commented on the fact that these classes supported their children to communicate with older members of the family who did not speak English. There was some discussion of the positive benefits of language acquisition and bilingualism but this did not seem to be a primary motivation for most parents.
- Some parents did seem to place emphasis on the quality of the provision although many accepted that variability was to be expected.
- There was an understanding for the need to consider the location of the classes, particularly to ensure their viability however most would not be keen to travel very far to attend.
- There are different funding models in place with some classes charging for classes. Parents who did pay towards these classes were surprised that many of the classes were provided for free. Unsurprisingly, parents who did pay felt that this was appropriate and did not influence their attendance, whereas those who did not felt that if a parental contribution was to be introduced it would put many off of attending.

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<sup>1</sup> The classes advising that they had waiting lists are as follows (and have been asked to provide a copy of their waiting list to the CLS):

1. Poplar Community Language School based at Chrisp St IS (advised 12 in waiting list)
2. Whitechapel IS (advised 15-20 in waiting list)
3. Bow Bengali Forum (advised 5 in waiting list)
4. Redcoat Community Centre (advised 15 in waiting list)
5. Wapping Women's Centre (advised 10 in waiting list)
6. CISTH (advised 30 – 40 in waiting list)

- 3.19 We also wrote to all head teachers at schools that host CLS classes. While not all responded the responses from those who did were largely consistent. They understood that these classes were valued by parents, however they questioned the quality of teaching and how engaged the children were in the learning.

### **Proposals**

- 3.20 We are now considering three proposals

#### **Option 1 – Standard Offer by LBTH**

- All children receiving the same amount per week (suggest 1.5 - 2 hours), delivered by LBTH tutors.
- Standard class size of min. 15 children
- Offer aimed at primary school children only
- We would support providers to obtain a quality mark from the NRCSE (or equivalent) (national body for supplementary education)

This would aim to deliver £350k in savings in 2020/21 and also require funding of costs associated with the staffing implications that result from the reduction in the number of tutor hours. There would also be consideration of parental contribution and whether this is an expectation or used to enhance the offer.

- 3.21 There are a number of ways the savings could be achieved. These include reducing the number of hours, classes or learners (or a combination of these). In addition introducing charging per child per class would help to achieve further savings
- 3.22 A reduction in places could be achieved by
- Withdrawing provision for secondary school children who could access languages at school (235)
  - Withdrawing languages that might not be seen as 'community languages' such as Spanish and Arabic.
- 3.23 By making these reductions, it would be possible to make significant savings in the management costs as the scope of the roles would be much reduced.

### **Charging**

- 3.24 A number of classes already charge. Making this consistent would go a long way towards achieving the savings. While it is clear from the consultation events that some parents would resist this idea, many feel that this is a parental choice and a contribution would be appropriate.

### **Analysis**

- 3.25 Simply reducing the number of hours per student per class will not lead to a reduction in management costs because of the number of classes delivered

will remain the same. It is therefore prudent to consider instead a funding option whereby management cost and teaching hours can be reduced. There will however always be some management costs for any service that the council funds which will require monitoring and support.

- 3.26 If this option is taken, there must also be a plan to ensure that there are robust quality assurance processes in place to address issues that are currently present in relation to the quality are addressed.

### **Option 2 – Close the service but provide grant funding to providers for mother tongue classes**

- 3.27 This option proposes that we cease providing tutors for the classes and support providers to deliver the classes themselves. We would support providers apply for a standard grant based on geography and need. We would support providers to obtain a quality mark from the NRCSE (national body for supplementary education). This would aim to deliver £350k in savings in 2020-21 and also require funding of contract management and funding the staffing implications that result from the reduction in the number of tutor hours
- 3.28 Should this option be pursued, we would look for support from the Voluntary and Community Sector team to ensure that this is delivered in a sustainable way that ensures that the offer continues to meet the needs of the community.

### **Analysis**

- 3.29 Should this option be agreed it is essential that the new offer does not simply replicate what exists currently. There will need to be careful consideration of the location of these classes to ensure that they meet the needs of the community. There will also have to be an ongoing focus on quality assurance to ensure that the level of teaching is as strong as possible.
- 3.30 We will need to work closely with these organisations to ensure that they are fully prepared for the changes and that they understand their role and responsibilities. Changes to the number of tutors that would be required to fund the grants would also create a risk as providers may then be unable to source teaching staff directly. Conversely, where there are established relationships between providers and teachers, this may make it easier for providers to source teachers.

### **Option 3 – Close the service and provide time limited tapered support to the voluntary sector for mother tongue classes**

- 3.31 This option would lead to the local authority no longer directly providing tutors for the classes. We would provide a one-off grant to enable providers to deliver the classes themselves. We would support providers to obtain a quality mark from the NRCSE (national body for supplementary



education). This would aim to deliver £350k in savings in 2020-21 and £250k in 2021-22 and would also require corporate funding for staffing implications.

### **Analysis**

- 3.32 This option would effectively mean that responsibility for the service is handed over to the voluntary sector in its entirety. This option will achieve the full savings as outlined in the MTFs and is therefore the officer's recommendation.
- 3.33 There are a number of ways that this could be achieved. Some organisations may wish to work together to form geographically based hubs. These could potentially operate out of a space that is provided as a grant "in kind" by the Local Authority – for example at an Idea Store. Some organisations that may wish to operate as they do currently could be supported to do so with the offer of transitional funding in the form of a one-off grant. There are some significant advantages for the providers in working within this model including the ability to make decisions for themselves about the best way to structure their offer to meet the needs of their particular users. This would also enable a quality threshold to be implemented, ensuring that the overall level of education provided is improved.

### **Option 4 – Close the service**

- 3.34 This option would be for the service to be closed as quickly as possible. The Community Language Service is non-statutory and while it is highly valued it is accessed by relatively small numbers of users. The council would undertake the necessary processes as quickly as possible in order to wind down the service.

### **Analysis**

- 3.35 This option would be the quickest way of achieving the savings target. However, by not providing any transitional or grant funding the most likely outcome would be that most classes would cease. Organisations would be free to apply for other sources of funding or to increase or commence parental contributions in order to fill the funding shortfall.
- 3.36 This option is clearly the most severe of the four presented but in a climate of continued austerity provides a level of certainty that the other options do not.

## **4 EQUALITIES IMPLICATIONS**

- 4.1 These classes are not statutory, nor are they generally aimed at the population at large. One consideration of whether parental contribution is required would be to ensure that any charges do not preclude parents with a low income for sending their children.

- 4.2 There is also the potential for any changes to impact on staff. Should this be the case then a full Equalities Analysis will be undertaken to seek to mitigate any impact.

## **5 OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

- 5.2 This report has potential Best Value Implications. The Community Language Service is a non-statutory service which is accessible to a relatively small cohort of the population at significant cost. There are few examples of an equivalent service being provided elsewhere and not funded in the same way.

## **6 COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 The Community Language Scheme has a current budget of £645.1k. This includes previously agreed MTFS savings of £31k for 2019-20. Future agreed MTFS savings are £350k for 2020-21 and £250k for 2021-22.
- 6.2 The service is currently forecasting a balanced budget for 2019-20. There are three options for consideration.
- 6.3 Option 1 – Standard offer by LBTH. This option is likely to achieve the £350k savings for 2020-21. Management costs will continue to be incurred for the service. As detailed in 3.21 above, additional savings could be made towards the £250k savings target for 2021-22.
- 6.4 Option 2 - Grant aided -Supplementary School model. This option may achieve the £350k savings for 2020-21, but is likely to incur additional costs for support to providers. It is unlikely this will achieve the £250k savings target for 2021-22.
- 6.5 Option 3 - Time limited support to voluntary sector. This option would achieve the full savings target of £600k over 2 years, but is likely to result in a reduction of both service and choice of locations.

## **7. COMMENTS OF LEGAL SERVICES**

- 7.1 The Education Act 1996 empowers the council to ensure that young people aged 13-19 (or 25 for young people with a learning disability) have access to positive activities to improve young people's personal and social development. Before doing so, the council must consider whether it is expedient for the proposed action to be taken by another person, and if so, take all reasonable steps to enter into an agreement or make arrangements with such a person for that purpose.
- 7.2 Additionally, the 1996 Act empowers the council to organise activities for children in education, or to defray the expenses of such activities. This includes a duty to have regard to co-operating with any voluntary societies or bodies who provide similar activities.
- 7.3 Consequently, the council is empowered to pursue any of the 3 options discussed in this paper. In taking a decision as to which option to consult on, the council must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness by virtue of section 3 of the Local Government Act 1999. This is known as its *Best Value Duty*

### Duty to Consult

- 7.4 There is no statutory requirement to consult in respect of changes to the Community Language Service specifically, but there is a duty to consult with representative groups of stakeholders when exercising the Council's best value duty to decommission a service. Additionally, the common law duty to consult is usually seen as an aspect of the common law duty to act fairly. In circumstances where a decision may be taken to cease to directly provide a service to individuals, this common law duty to consult will apply.
- 7.5 This should comply with the following criteria: (1) it should be at a time when proposals are still at a formative stage; (2) the Council must give sufficient reasons for any proposal to permit intelligent consideration and response; (3) adequate time must be given for consideration and response; and (4) the product of consultation must be conscientiously taken into account. The duty to act fairly applies and this may require a greater deal of specificity when consulting people who are economically disadvantaged.

### Employment and Equality Considerations

- 7.6 Changes to the staffing structure would require consultation and compliance with the Council's Handling Organisational Change procedure. The Council would need to consult with staff before applying any proposed changes to contracts, staffing implications or redeployment to other services.
- 7.7 When deciding whether or not to proceed with these decisions Cabinet must also have due regard to the need to eliminate unlawful conduct under the

Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristics and those who do not (the public sector duty). An equality analyses have been carried out to consider the impact on service users and staff, and once the proposal as to which option is being taken forward for consultation, the Equality Analyses will be updated to consider the wider consultation responses and the impact on staff.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- List any linked reports
- State NONE if none.

### **Appendices**

- Map of provision
- Table of financial information
- List of providers for CLS
- Equalities Impact Assessment for Children and general population
- Equalities Impact Assessment for Staff (not public)

### **Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**

- None

### **Officer contact details for documents:**

Or state N/A