

CHILDREN AND LIFE LONG LEARNING SCRUTINY PANEL

DATE	26 th September 2019
REPORT OF	Roz Danks, Assistant director - Education
SUBJECT	School exclusions, behaviour and attendance collaborative, pupil referral unit and alternative education placements
STATUS	Open

CONTRIBUTION TO THE COUNCIL PLAN / STRATEGIC AIMS

This work contributes to the Council strategic aim to enable children, young people and adults to learn and be ready for work.

EXECUTIVE SUMMARY

This panel has requested regular (termly) reports on the number of exclusions (permanent and fixed period) and managed moves in North East Lincolnshire (NEL) which are facilitated by the primary and secondary Behaviour and Attendance collaborative (BACs). This is the annual report for the 2018-2019 academic year and includes information on pupil referral unit and alternative provision placement arrangements.

MATTER(S) FOR CONSIDERATION

Members are asked to receive this report.

1. BACKGROUND AND ISSUES**Permanent Exclusions:**

- 1.1 During the 2018-2019 school year the local authority had 34 permanent exclusions. With 6 in the primary phase, and 28 in the secondary phase. There were no permanent exclusions from special schools in the area. There were 10 permanent exclusions from FE providers offering 14-16 education. This is a decrease of 18 permanent exclusions when compared with the previous academic year 2017-2018.

Of the 52 permanent exclusions in the academic year 2017-2018, 11 were in the primary phase and 41 in the secondary phase. There were no permanent exclusions from special schools in the area within that academic year.

1.2 Table of Permanent Exclusions 2013-2014 to 2018-2019.

Academic Year	Primary	Secondary	Total
2013-2014	2	21	23
2014-2015	6	41	47
2015-2016	5	59	64
*2016-2017	9	39	48
2017-2018	11	41	52 (66*)
2018-2019	6	28	34 (44*)

though it is to be noted that secondary age permanent exclusions from further education academies that provide KS4 provision sit outside of the local authorities statistical returns that are submitted to the Department for Education due to their FE status.

1.4 Analysis of the correlation between permanent exclusion data for 2018-2019 and pupil premium data shows that 26 out of 34 students (76.47%) permanently excluded from both primary and secondary schools are eligible for pupil premium.

1.5 An analysis of the data has shown that the permanent exclusions have Resulted from a number of serious incidents. The reasons for permanent exclusion from the secondary phase during the 2018-2019 academic years were:

Reason codes for Permanent exclusion	Academic Year 2018 - 2019
Bullying	1
Damage	1
Dangerous behaviour	2
Defiance/disobedience	9
Disruption/misconduct	1
Drug related incident	4
Incident outside school	2
Physical abuse staff	8
Physical abuse peer	4
Racist abuse	0
Sexual misconduct	1
Theft	0
Verbal abuse adult	1
Verbal abuse peer	0
Violence	0
Total	34

Fixed Period Exclusions:

1.6 Based upon the figures available detailed in the table below, the number of fixed period exclusions issued has shown a decrease from previous two academic years. The number of students subject to fixed term exclusion continues to reduce across a 3 year period.

Academic Year	Total number of fixed exclusions issued	Total number of pupils receiving a fixed exclusion	Total number of school days lost
2018-2019	1 318	625	2 694.5
2017-2018	1 372	728	2 666.5
2016-2017	1 886	825	3 489.5
2015-2016	1 706	760	3 768.5
2014-2015	1 035	518	2 400

Academic Year	Number of primary pupils who received FPE	Number of secondary pupils who received FPE	Total	Number of days lost
2018-2019	97	528	625	2 694.5
2017-2018	103	586	689	2 578
2016-2017	105	720	825	3 489.5
2015-2016	108	652	760	3 768.5
2014-2015	93	425	518	2 400

Behaviour and Attendance Collaboratives (BACs)

Secondary BAC:

- 1.7 During the 2018-2019 academic year there have been 313 referrals to the secondary BAC; 109 of which benefitted from a managed move between 2 mainstream academies. These figures are a decrease from 2017-2018 with 317 referrals; 128 of which resulted in a managed move.

The way in which students are presented to the BAC and how their continued educational needs were met is shown in the table below.

Secondary BAC movement	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Mainstream – Mainstream	70	71	80	128	109
Mainstream – PRUs & Alternative Provision	134	91	64	88	69
Alternative Provision – Mainstream	2	11	22	11	18
Alternative Provision – Alternative Provision	15	1		0	0
New to Area – Alternative Provision	5	8	17	4	4
Mainstream – Home Tuition	1	0	1	0	0
Cases retained after BAC	24	33	48	48	57
Mainstream – Out of area	2	2	2	2	9
New to Area – Mainstream	2	1	2	2	2
EHE - Alternative Provision	1	0		2	1
Mainstream – EHE	1	0	2	1	5
FE provider- Wellspring			2	7	4
Mainstream – FE provider			2	0	1
FE provider - Mainstream			1	6	1
Cases awaiting resolution	0	13		18	33
Total	257	231	243	317	313

Primary BAC:

- 1.8 During 2018-2019 there have been 69 referrals to the primary BAC; 7 of which benefitted from a managed move between mainstream schools/academies. This is a decrease when compared to 2017-2018 with 82 referrals; 11 of which resulted in a managed move. We have also seen an increase in the number of students returning to mainstream from alternative provision with 10 students in 2018-2019 against 5 in the previous academic year.

The way in which students are presented to the BAC and their continued Educational needs were met is shown in the table below.

Primary BAC movement	2014-2015	2015-2016	2016-2017	2017-18	2018-19
Mainstream – Mainstream	1	2	2	11	7
Mainstream – PRUs & Alternative Provision	21	24	43	45	27
Alternative Provision – Mainstream	3	9	2	5	10
Alternative Provision – Alternative Provision	4	2	1		0
New to Area – Alternative Provision	1	0	0		0
EHE – Unresolved Outcome	0	0	0		0
Cases retained after BAC	18	16	15	20	19
Cases awaiting resolution	0	5	2		6
Mainstream – Home Tuition	0	0	0	1	0
Total	48	58	65	82	69

Emerging issues:

Primary and Secondary Behaviour and Attendance Collaborative (BAC)

- 1.9 The primary and secondary BACs are a mechanism that enables schools and academies to work collaboratively in a mutually supportive environment to manage a collective responsibility for children and young people who are challenged in responding appropriately to the school environment.

The BACs are a voluntary non-statutory arrangement which involves all primary and secondary schools/academies in North East Lincolnshire and are designed to promote 'sector-led' improvement in relation to children and young people who are the responsibility of participating schools/academies. Referrals to the BAC process can only be made in cases where the child or young person is registered on the roll of a school/academy.

There are separate weekly BAC panel meetings for the primary and secondary phase to reflect the different needs of the children and young people and the establishments in these phases. The core of each BAC's activity is a weekly panel meeting where school/academy representatives come together to consider referrals and propose

appropriate outcomes for children and young people referred to the BAC.

The local authority's Behaviour Service facilitates and chairs the BAC meetings which in addition to their respective primary and secondary school/academy representatives includes representation from the Wellspring Academy Trust, education psychology, special advisory teacher for social emotional mental health (SEMH) and a range of early intervention and prevention services i.e. families first practitioners. All referrals are supported against a clear model of intervention which aligns to schools/academies working to clear guidelines that underpin the process in order that all schools/academies adhere to the model.

Secondary Phase:

- 1.10 As previously noted, the local authority has experienced a rise in all types of school exclusions across both phases of education across a sustained period of time although this did decrease within the 2016-17 academic year and has again reduced in 2018-19. This rise had been in apparent in both the permanent and fixed period exclusion data across a period up to 2016-17, within the fixed term data there is a distinct evidence base to suggest that reductions within this data set are becoming sustained with a level of stabilisation. Permanent exclusions have reduced significantly from the previous academic year in both phases of education. Referrals to the BAC decreased on the previous academic year 2017-2018 in both phases although it is also evident that a number of BAC referrals that are facilitated into managed moves across schools and academies have also decreased in this academic year. At the highest point of occupancy this academic year, 193 students were educated outside mainstream education in the secondary phase of education (summer term).

During the summer term 2018-19 a regional Yorkshire and Humber school exclusions network conference was held in North East Lincolnshire in order that local authorities could work together to overcome challenges in relation to school exclusions. Data shared through this network consistently shows that a number of local authorities are facing a significant challenge in relation to the number of permanent exclusions. North East Lincolnshire Council are also active participants in work undertaken across the region to support vulnerable groups including those at risk of permanent exclusion or who are electively home educated and lead officers attended a regional workshop in Leeds aimed at reducing the numbers across the region in March 2019. This meeting had a clear focus on the off-rolling of vulnerable students and taking a regional standardised Local Authority approach to addressing these concerns. Those local authorities with similar characteristics as North East Lincolnshire display trends that align with the challenges faced in this local authority. This work has continued across the spring term and into the summer term with ongoing work with a number of regional partners including Doncaster; North Lincolnshire; and Lincolnshire Local Authorities to look at peer support in collating information and practice to support processes

linked to school exclusion. North East Lincolnshire remains an active participant in the regional exclusions group in order to share best and innovative practice, the next regional exclusions event will be held in autumn term 2019 in Wakefield to look at a regional response to the proposed consultation in relation the recent Department of Education, Edward Timpson review of School exclusions and off – rolling.

Primary Phase:

- 1.11 The reduction in referrals to the primary BAC has led to commissioned alternative provision being not been full across the 2018-2019 academic year. The level of maximum occupancy peaked at 34 pupils outside of mainstream in the summer term 2019. This pressure was reduced due to 6 x year 6 students who moved forward into the mainstream secondary phase and a number of students have successful returns to mainstream settings across this academic year. Prior to moving forward into the secondary phase a significant proportion of these pupils were able to have successful transitions into primary schools/academies post completion of their Key Stage 2 (KS2) Statutory Assessment Tests (SATs) in order to support their transition.
- 1.12 Within the primary phase a Pre- BAC mechanism of support is in place for schools/academies with a dedicated and experienced member of the senior leadership from each primary resource base supporting schools/academies with both pre-BAC measures to support and manage children with increased levels of challenge and support for schools/academies to transition their children back into mainstream settings. These measures have impacted on referral levels due to all pre-BAC referrals being allocated through the primary BAC meeting.

Pupil Referral Unit (PRU) and Alternative Provision arrangements:

- 1.13 The two former local authority pupil referral units both converted to academy status with the Wellspring Academy Trust on 01 December 2014. At the time of the conversion the majority of alternative provision commissioned by the local authority was with unregistered providers. In 2014 the local authority commissioned Serco the local authority's former strategic partner to develop a task group to explore an appropriate solution to ensure that all children and young people would be on the roll of registered provision; receive a core curriculum; have access to appropriate alternative provision; and with recognition that local authorities are not able to establish new registered provision in that any new provision would be via an academy or free school route.
- 1.14 It was subsequently decided by School's Forum to approach the Wellspring Academy Trust to increase the number of commissioned PRU places and establish a funding framework to commission places within the current funding arrangements to ensure that:
- All children and young people will be on the roll of a PRU provision which would be subject to Ofsted inspection.

- All children and young people will be able to access their full curriculum entitlement.
- In managing the children and young people's individual needs the trust could choose to directly commission a range of alternative providers.

1.15 From September 2015 the Wellspring Academy Trust expanded its PRU provision and now directly commissions any alternative provision required by the local authority.

Arrangements are in place to monitor the Wellspring Academy Trust's PRU places availability and commissioned alternative provision which includes:

- Data is shared on a weekly basis between the trust and the local authority to track movement of the children and young people across the PRUs and the alternative provision commissioned by the trust.
- Weekly two-way communications is facilitated through both the primary and secondary BAC models to support any emerging issues and ensure the provision of personalised support for their educational needs.
- Termly update and evaluation meetings are held between the trust and the local authority to: plan towards future need and demand; monitor any developing issues across the Wellspring provision and continued compliance with statutory obligations in relation to children and young people excluded from and/or educated outside of mainstream education.
- Evaluation of key indicators including: academic attainment; value added achievement; school attendance; and Ofsted reports are monitored strategically by the local authority to ensure quality of provision is consistent and continues to offer the best possible educational outcomes for those children and young people placed in the trust's commissioned provision.
- All decisions around increments and/or changes in the level of provision provided by the trust and any strategic changes within the commissioning model are presented for discussion, consideration and decision by a range of relevant forums i.e. primary and secondary head teacher meetings; behaviour and attendance collaborative (BAC) working parties; SEN high needs funding block working parties and Schools Forum

1.16 In addition to the trust's provision the local authority directly commissions two primary resource based provisions at both Western Primary School and Eastfield Primary Academy and monitors these two provisions under their respective service level and contract arrangements.

1.17 Across the 2018-2019 academic year all children and young people outside of mainstream educational settings have had the majority of their educational time within settings that are close in nature to mainstream educational settings. This has supported the increased

emphasis for children and young people to return to mainstream educational settings and significantly reduced placements in alternative education provision. Wellspring Academy Trust now place the significant majority of all children and young people on education packages that are primarily based in the PRU settings with small proportion having their education supplemented by placement in alternative provision settings that enhance educational outcomes

- 1.18 The cost of alternative provision at Wellspring Academy Trust is charged at £17.9k per year per pupil/student based on £10k base funding paid by Education Funding Agency (EFA) with £7.9k top up paid by the local authority from the High Needs funding block. The role of the High Needs funding block is currently under consultation as part of legislative changes from central government and funding arrangements linked to this are subject to change. The secondary BAC commissions all provision through Wellspring Academy Trust with students placed at Sevenhills Academy, Phoenix Park Academy and a small number of students have their education supplemented by part time placements at The Orchard Independent School.
- 1.19 The Ofsted ratings for all provisions where students are placed through the Behaviour and Attendance Collaborative are listed below:

Provision	Ofsted rating
Eastfield Primary academy 'Myspace'	Outstanding
Western Primary school	Good
Phoenix Park academy	Good
Sevenhills academy	Good
The Orchard independent school	Good

- 1.20 The evidence both locally, regionally and nationally is clear that there is direct link between students who are placed outside mainstream settings for their education and increased vulnerability. Within North East Lincolnshire the level of school exclusion and students placed outside mainstream means that we have a significant number of students with a profile of vulnerability are educated together, this in turn gives opportunities for enhanced social networks to grow and wider exposure to negative peer influences within a cohort with a distinct SEMH (Social, Emotional, Mental Health needs). Whilst school exclusion can align to a distinct antecedent that may lead to this cohort being exposed to an increased level of vulnerability there are also a number of other factors that are clear within the profile of students in educational settings outside mainstream. These include traumatic incidents within their backgrounds, exposure to neglect, and exposure to mental health issues, substance misuse and domestic violence. Through the maelstrom of issues that lead to disengagement with the education systems available we see school exclusion become a symptom which can lead to further vulnerability through placement in education settings outside mainstream.

2. RISKS AND OPPORTUNITIES

2.1 Any actions which the council may undertake as a result of recommendations made by scrutiny will be the subject of further reports, which will include risk assessment(s) by the author(s) concerned.

3. OTHER OPTIONS CONSIDERED

3.1 Not applicable to this report.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

4.1 The panel's regular report on exclusions demonstrates that the panel monitors progress on key issues, recommendations and required actions. This report further demonstrates the breadth of matters considered by scrutiny.

5. FINANCIAL CONSIDERATIONS

5.1 There are no financial considerations included within this report.

6. MONITORING OFFICER COMMENTS

6.1 In the opinion of the author, this report does not contain recommended changes to policy or resources (people, finance or physical assets). As a result, no monitoring comments have been sought from the Council's Monitoring Officer, Section 151 Officer or the Head of Governance and Business Support (including HR), as per guidance received from the then Executive Director of Business Services (May 2010).

7. WARD IMPLICATIONS

7.1 Pupil exclusions affect all wards.

8. BACKGROUND PAPERS

8.1 Not applicable.

9. CONTACT OFFICERS

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