

Children & Young People Select Committee

A meeting of Children & Young People Select Committee was held on Wednesday, 24th January, 2018.

Present: Cllr Carol Clark (Chairman), Cllr Barbara Inman (Vice-Chairman), Cllr Elsi Hampton, Cllr Di Hewitt, Cllr Ross Patterson, Cllr Paul Rowling, Cllr Tony Hampton (sub for Cllr Watson), Cllr Evaline Cunningham, Peter Snowden

Officers: Martin Gray, Dianne McConnell, Sharon Stevens, Joanne Mills, Leanne Chilton, Darren Coulton (CS); Peter Mennear, Annette Sotheby (DCE)

Also in attendance:

Apologies: Cllr Sally Ann Watson, Cllr Mrs Sylvia Walmsley

CYP 53/17 **Evacuation Procedure**

The evacuation procedure was noted.

CYP 54/17 **Declarations of Interest**

Cllr Barbara Inman declared a personal non-prejudicial interest, as a governor of North Shore Academy - Agenda Item 6, Scrutiny Review of Inclusion.

CYP 55/17 **Minutes of the Meeting held on 4th October 2017 - For Signature/Approval**

Consideration was given to the draft minutes of the meeting held on 4th October 2017.

AGREED that the minutes be approved and signed by the Chairman as a correct record.

CYP 56/17 **Monitoring the Impact of Previous Reviews**

Members were presented with the Action Plan, setting out how the agreed recommendations from the Review of Special Educational Needs and Disabilities in Preparation for Adulthood will be implemented, and target dates for completion.

AGREED that the Action Plan be approved.

CYP 57/17 **Scrutiny Review of Inclusion**

Members received information regarding inclusion in schools, which included:

- In-year admissions guidance for parents in Stockton Borough
- Stockton fair access protocol
- Stockton managed moves protocol
- Exclusion from maintained schools, academies and pupil referral units in England – statutory guidance from the Department of Education

The main issues discussed were as follows:

- The policy for in-year transfer request forms from parents and carers had now been refreshed to include more detailed content. There had also been improvements to website information and to scripts in contact service centres. In the year to date, there had been 363 applications at Primary level with 40% due to moving into the Borough, and 25% due to parental preference. 286 had been approved or pending. There had been 206 applications at Secondary, 76 of these were due to moving to the area.
- The Fair Access Protocol had been refreshed and all schools had signed up.
- The Managed Moves protocol had been agreed between schools in a schools-led process. The form had been refreshed so that when school receive a managed move request there would now be more information on the child. This would also include children returning from home education back into the mainstream school they had previously attended.
- Since the beginning of 2017-18, from 107 requested managed moves (11 carried over from the previous year) there were 27 successful and 19 unsuccessful applications, with the remainder ongoing. All requests were discussed at the Pupil Inclusion Panel.

Members comments and questions could be summarised as follows:-

- Were the majority of managed move requests due to behavioural problems? It was noted that some children find it difficult to regulate their behaviour, and this was often linked to poor emotional wellbeing and mental health issues.
- It was worrying that there had been 107 requests for managed moves since September. Were numbers higher in some schools than others? Were there more managed moves in less academic youngsters? Were schools managing the performance of youngsters who were more difficult to teach? It was noted that managed moves were usually carried out to give a child another chance, encompassing all abilities and in all year groups, with most occurring in Year 9 and 10. Schools did not encourage Year 11 moves. Some schools did undertake more than others but there was also an element of two-way flow. Not all schools had space to accommodate moves.
- How long does a managed move take, as this could be concerning for a child? Members noted that managed move timescales differed depending on the circumstances of each child. In-year transfer requests take around two weeks, however this could take longer if a child has behaviour issues or additional needs.
- It was noted that schools try hard to avoid a move but sometimes this was in the interests of the pupil.
- Data on the success rates of managed moves was requested.

Fixed term exclusion data was presented to Members, the key points as follows:-

- Since 2014/15 there had been an increase from 3% to 10% of Stockton pupils with fixed-term exclusions. National data was not yet available.
- The number of SEN children with fixed term exclusions was concerning. It was difficult to place young people with EHCPs as special schools are full in the area, and placing them outside of the borough was costly.

Members comments and questions could be summarised as follows:-

- The spike in exclusions following schools becoming academies was concerning – did this settle after a period of time? It was noted that evidence showed some prolonged spikes - further detail including trends and academy conversion dates could be found in the inclusion data provided
- Was there a specific reason for the dramatic increase in exclusions? It was noted that schools and academies have different behaviour management policies and rules which some pupils find more difficult to comply with and therefore suffer more penalties, which may lead to exclusion. Some schools offer pastoral support which can encourage youngsters to succeed.
- Were there best practices in place?
- Had the discipline and strict behaviour policies in some academies caused the increase in exclusions? It was thought that spikes occur for different reasons – for example a new Head Teacher may lay down their expectations, pupils being driven down a more academic route with one exam providing the full mark and no coursework may lead to disaffection, the prevalence of social media in the last 3/4years had led to a significant rise in the number of exclusions from cyber bullying.
- Were the challenges in more disadvantaged areas taken into consideration? It was noted the increasing standardisation of policies meant there was a risk schools did not reflect the needs of their local communities.
- If every secondary school had an inclusion unit, there was potential for more children would be kept in school, although this would have cost implications.

Permanent exclusion data was presented to Members, the key points as follows:-

- There had been a rise in 2016/17 to 34 permanently excluded children.
- 10 young people with SEN support had been permanently excluded in Stockton. Some youngsters would attend special schools rather than be reintegrated back into mainstream school.
- A number of pupil referral units across the country had shared information looking at cohort of excluded children – progress data was explained to Members.
- A year group breakdown of PEx was weighted towards older pupils. It was concerning that Year 10 and 11 pupils were being excluded as this is the GCSE pathway. Some do not reach their expected achievement at the end of Year 11 due to significant gaps in their learning, and leave school with very little.
- A 5-year trend of total exclusions by school was outlined.
- The Pupil Referral Unit is currently full. Whilst in PRU youngsters have limited curriculum. Although some schools reintegrate young people back into mainstream, some do not.
- Once excluded, children become the financial responsibility of the local authority and £200,000 has been spent in this financial year to date:
 - 50 places were commissioned in Bishopton Pupil Referral Unit which is now full, therefore different provisions have to be found for those children and all schools in the Tees Valley are full.
 - Lack of spaces means that home tuition must be provided for some youngsters which also incurs additional transport costs to the local authority.
 - The SEN Team intervenes to ensure that pupils with EHCPs are not permanently excluded. Pupils have been moved in the past to avoid this.
 - Funding for local authority costs came from the High Needs block which meant

less for other services funded via the same route.

Members questions and comments could be summarised as follows:-

- Are all the children at Bishopton Referral Unit from Stockton? It was confirmed that places were taken up by youngsters in the borough.
- Do we charge other authorities for a place at Bishopton? It was noted that spaces were a rarity, with only one pupil last year from Middlesbrough, for which a charge of £25,000 was made.
- Discussion took place around the possibility of recouping costs from schools when a child was excluded, and the results of a trial in Middlesbrough would be examined.
- Could rising costs from PEx locally and nationally be highlighted to the Secretary of State? It was noted that such concerns had been raised to the Regional Schools Commissioner who has authority for the academies in this area. It was hoped that Members would have the opportunity to meet with her and also with Ofsted.
- Behaviour policies varied between schools, with one academy's list of restrictions including no fidgeting, tapping, doodling etc. This could be difficult for youngsters who could not regulate their behaviour in class, so was this setting them up to fail? It was noted that pupils were not usually excluded for a one-off event and that each exclusion had a range of different behaviours.
- Some case studies of FTEEx and PEx were shown at the last meeting, and following a request from Members, further examples were discussed, and the subsequent local authority challenges, support, actions and outcomes were reported.
- Concern was expressed at the outcomes for excluded youngsters – for example the effect on their life chances and future opportunities.
- Members felt this was a local and national challenge, and were worried about the effect of any further funding cuts.

Elective Home Education data was presented to Members following a request for further details, the key points as follows:-

- From September to December 2017, the number of pupils shown as EHE was 117.
- A national survey in September asked local authorities for information on EHE – the reasons given by parents were discussed.
- 8 pupils who had been EHE had now returned to school.
- More proactive work ongoing with parents and schools so that early intervention may prevent pupils from coming out of school.
- Some parents do not understand the time or financial implications of home educating their children
- 9 families (19 pupils) refused local authority monitoring visits to their homes. Current legislation is such that parents have a right to refuse home visits and if their child has never enrolled in a school, parents do not have to inform the local authority which has worrying safeguarding implications.
- The local authority continue to work with 98 EHE pupils who are monitored during home visits.
- Home educated children with an EHCP were monitored regularly and more closely, and the local authority could refuse EHE for these children if it was felt their needs would not be met.
- A change in legislation surrounding EHE is awaited and this may place

more statutory duty on local authorities to monitor EHE pupils in their area.

- Members were directed to the links provided in the report which give further information on example behaviour policies.

Members comments and questions could be summarised as follows:-

- What percentage of home educated secondary pupils return to mainstream school? Members noted that details were included in the report.
- It was hoped that the new legislation would include further funding.
- The higher number of Year 10/11 pupils being educated at home was concerning.
- How did the examination results of the EHE children compare with those in school? Members noted that this was not known as no data was available.
- Were some youngsters electing for home education after exclusion? Members noted that the fair access policy had been amended to try to prevent schools off-rolling children into home education, and if a child was to return to mainstream school they would now have to return to the school from where they came prior to EHE.
- Where evidence had not been provided by parents of EHE work completed, what would be included in the local authority warning letter to parents? It was noted that if parents did not engage in the process, a warning letter followed by a School Attendance Order would be issued and parents would be informed of the school their child had been designated to attend. If the parents still did not comply they could be prosecuted for their child's non-attendance at school. However, most parents complied before the legal process.
- Members expressed concern for those children not known in Education.
- Are parents advised on what is available in the local area for EHE and are they given any guidance on examinations? It was noted that parents are signposted to a range of organisations and websites to support their child. There is a Skills Academy scheme where a number of Key Stage 4 pupils attend and links have been developed with Stockton Sixth Form College who offer taster sessions as a route into their sixth form. Exams are the responsibility of parents once EHE is chosen.
- Was there any value in carrying out impact studies on school policies and their effect on young people? It was felt that without the ability to enforce or effect change and the lack of resources to carry this out, it would perhaps be more beneficial to discuss with schools as their opinions could give a different dimension and encourage positive discussion.
- If a child is facing exclusion does a representative from the local authority attend that panel? It was noted that training had been given to governors to understand their duties, and the local authority could give advice and support to parents in an advocacy role if they wished to appeal the decision. It was queried whether the local authority could fund legal representation at exclusion panels.

The Chair noted that issues around Elective Home Education had raised concerns that would need to be explored in the final report.

The CofE Diocesan Representative reported that although managed moves were on the increase, this was a positive step, as successful moves were preventing exclusions and therefore encouraging inclusion in Stockton schools.

He praised the work of the Pupil Inclusion Panel.

The Assistant Director for SEN and Schools felt that the opportunity for the Committee to engage directly with leaders on the potential commitment from them for young people with SEN and mental health issues was constructive.

AGREED that:

- 1) The information be noted
- 2) The information requested be provided

**CYP
58/17** **Work Programme**

The next meeting on 28th February 2018 at 4.30 p.m. would enable the Committee to hear from Multi-Academy Trusts.

AGREED – that the Work Programme be noted.

**CYP
59/17** **Chair's Update**

The Chair had nothing further to report.