

FAMILIES OVERVIEW AND SCRUTINY COMMITTEE AGENDA

Wednesday, 1 November 2017 at 10.00 am in the Bridges Room - Civic Centre

From the Chief Executive, Sheena Ramsey

Item	Business
1	Apologies for absence
2	Permanent Exclusions and the Position of the Pupil Referral Unit (Pages 3 - 16) Report of the Strategic Director, Care Wellbeing and Learning

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TITLE OF REPORT: Briefing – Permanent exclusions and the position of the Pupil Referral Unit

REPORT OF: Caroline O'Neill
Strategic Director - Care, Wellbeing and Learning

Summary

1. This report provides OSC with an analysis of permanent exclusions in Gateshead schools over recent years. In addition, the report details the Council and its partners' response to the ongoing trend of increased permanent exclusion. Finally, an update is provided on the position of the Pupil Referral Unit (Behaviour Support Service).
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Permanent Exclusions

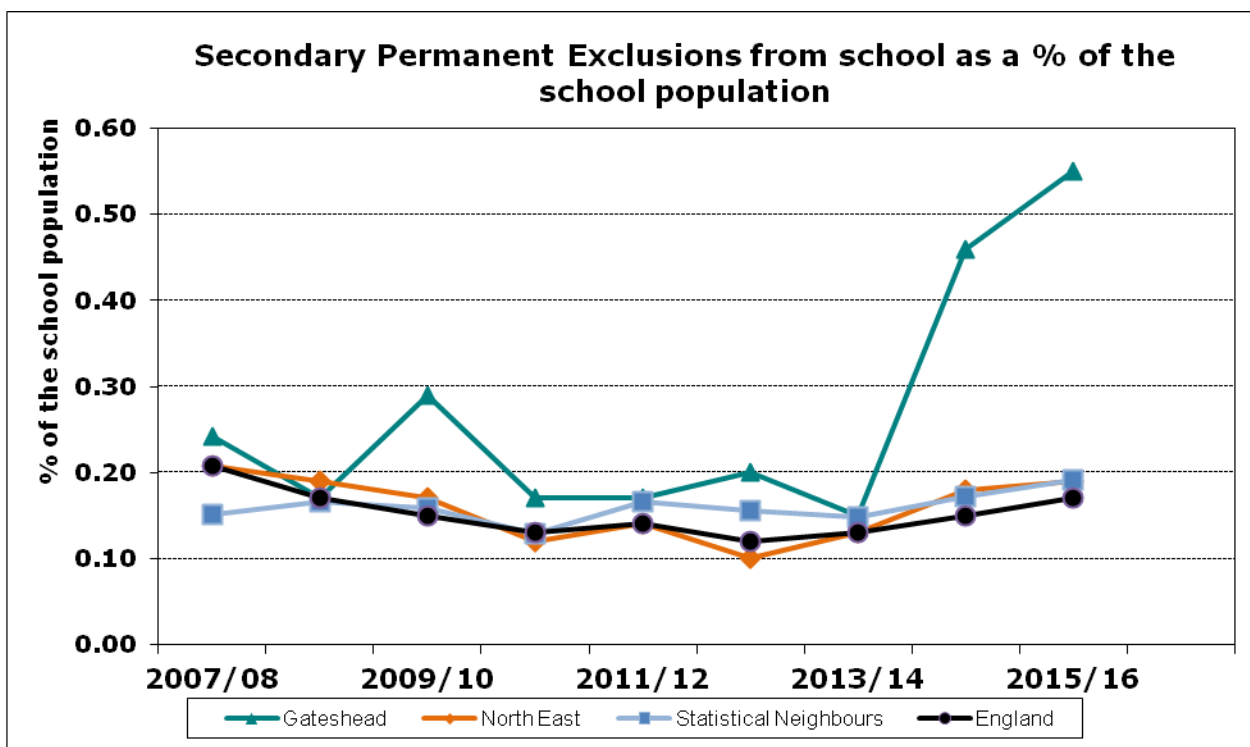
2. Schools have the right to permanently exclude a pupil on disciplinary grounds. Pupils can be excluded for one or more fixed term periods (up to a maximum of 45 days in a single school year and if exceeded a pupil is automatically permanently excluded) or permanently. In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion.
3. It is unlawful to exclude for academic attainment or the actions of a pupil's parent, exclusions are undertaken as a direct result of a disciplinary issue. Behaviour that is disruptive over the lunchtime period may result in lunchtime exclusion and is counted as a half day exclusion to give parents the right to challenge this via the school governors discipline panel.
4. The behaviour of pupils outside of school or attending alternative provision can be considered as ground for exclusion, this will be a matter of judgement on the part of the Headteacher in accordance with the school's published behaviour policy.
5. All exclusions must be made in line with the principles of administrative law in that they are lawful (including the schools wider legal duties as well as guidance on exclusion), rational, reasonable, fair and proportionate. The Headteacher must also apply the civil standard of proof when considering the use of exclusion i.e. the balance of probabilities that a pupil did what they are accused of rather than the criminal standard, beyond reasonable doubt.

6. The DfE report in their statistical release, July 2017 (Permanent and Fixed Period Exclusions in England 2015 to 2016) that both the number for fixed and for permanent exclusions has increased over the past year (2015/16). Their report states that the rate of permanent exclusions across all state-funded primary, secondary and special schools has increased from 0.07 percent of pupil enrolments to 0.08 percent, which is the equivalent of 8 pupils per 10,000.
7. The report states that 81 percent of permanent exclusions occurred in secondary schools, which increased from 0.15 percent in 2014/15 to 0.17 percent in 2015/16. Interestingly the rate of permanent exclusions stayed the same in primary schools at 0.02 percent and decreased in special schools from 0.09 percent in 2014/15 to 0.08 percent in 2015/16.
8. **It is clear that the proportion of children and young people being excluded is increasing nationally.** Some reports suggest that permanent exclusion has increased by a third in the last two years.

The Gateshead Position

	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Thorp							3		3	2	3	5	7
Emmanuel							1		3	3	2	3	1
Heworth	3	3	nil	3	1	1	3	0	3	1	5	4	8
Hookergate	Nil	2	2	Nil	1	1	1	N/A	N/A	N/A	N/A	N/A	
Joseph Swan	3	4	4	4	2	4	1	4	3	2	5	12	11
Kingsmeadow	2	Nil	Nil	1	5	1	3	7	4	4	2	7	7
Lord Lawson	1	5	6	3	1	3	1	1	1	2	7	11	9
Ryton	Nil	1	2	1	1	2	3	N/A	N/A	N/A	N/A	N/A	
Cardinal Hume	6	8	6	2	1	4	2	Nil	2	2	3	8	8
St Thomas More	3	1	1	1	2	5	Nil	2	3	2	9	2	4
Thomas Hepburn	10	3	6	11	5	6	6	3	3	3	6	11	14
Whickham	3	2	1	1	Nil	2	6	2	1	2	12	7	8
Furrowfield	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil			
PRU	1	Nil	Nil	Nil	Nil	Nil	Nil	2	Nil	1			1
Extra District												1	2
Total	31	30	28	27	19	29	26	24	28	24	54	70	80

9. Gateshead excludes a higher rate of secondary aged pupils than its north east neighbours. The table overleaf shows a comparison with other secondary schools in the northeast, statistical neighbours and the England average, with Gateshead's permanent exclusions numbers in relation to the school population, since the 2007/08 academic year. As shown, the rise in secondary permanent exclusions in 2016/17 continues to be considerably higher than other local authorities in the North East and/or our statistical neighbours.



Comparison data-permanent exclusions (Data taken from the Local Authority Interactive Tool- LAIT)

The Response to Increasing Permanent Exclusion

10. Each year a report on permanent exclusions is produced and it has become evident that there is an emerging and worrying trend of increasing permanent exclusion. This situation led to the LSCB commissioning a multi disciplinary group being drawn together in 2016 to begin to try to understand the reasons behind the increased permanent exclusions and more significantly to identify practical actions that would reduce exclusion.
11. The report was presented to the LSCB in Spring 2017 and suggested that the reasons for the increase in permanent exclusions were complex. A number of key causal factors were identified. Schools in particular were able to demonstrate that changes to the Ofsted Inspection framework and the DfE's curriculum requirements had put them under significant and increased pressure. A consequence of this pressure was an increase in permanent exclusions. Examples of poor behaviour, low attendance or weak achievement identified by Ofsted could lead to unfavourable inspection reports or enforced academisation. Schools that were prepared to keep on roll and work with those complex and challenging pupils with poor attendance and poor achievement were generally not praised for their inclusive practice but punished for "poor data". Issues of reducing youth work and a lack of support for young people with mental health problems were also identified.
12. In discussion with the independent Chair of the LSCB it was decided to organise an "exclusions conference" where a range of professionals (schools, education, health, social care and early help) would be brought together to agree an action plan. The conference took place on July 11th, the action plan has been shared with partners and the new Strategic Director of Care, Wellbeing and Learning has

appointed a Senior Officer to lead on and monitor the impact of the 14 point action plan.

The Pupil Referral Unit (Behaviour Support Service)

13. The Council has a statutory duty to provide suitable education at school, or elsewhere for children of compulsory school age who for some reason would not receive suitable education unless arrangements were made for them.
14. In 2016 the Service was assessed as inadequate by Ofsted and, as a result, the Secretary of State approved an Academy Order in respect of the Behaviour Support Service in July 2017. An Academy Sponsor has been identified and conversion to academy status is expected to be completed by January 1st 2018.
15. The Academy Sponsor is the River Tees Multi-Academy Trust (MAT) which currently operates across Teesside; however, as the legal obligation to provide education sits with the Local Authority, the role of the Academy will be that of service delivery on behalf of the Authority.
16. The Academy will be governed by the Department for Education's model form funding agreement for an alternative provision academy, which will ensure that the Academy meets the specific requirements of the Academies Act 2010.
17. The Council will still be able to make referrals to the Academy as it currently does with the PRU pursuant to s19 of the Education Act 1996.

What happens when the PRU is full due to the increasing numbers of permanent exclusions?

18. This situation occurred relatively early in 2017. The PRU was physically unable to accommodate the numbers of excluded pupils and did not have the capacity to ensure alternative providers were of sufficient quality.
19. The Council responded by creating an off school roll which in practical terms resulted, by Summer 2017, in a group of approximately 40 young people receiving a minimal tutoring offer with little chance of academic success.
20. This situation wasn't acceptable and the schools capital team began to try to identify suitable accommodation to ensure there was no future requirements for an off roll register. Corporate Assets were tasked with identifying the most suitable accommodation. The schools capital team proposed a range of options but identified the use of the "old" Ravensworth Terrace Primary site as the most appropriate temporary solution. Reports were taken to Strategy Group, Portfolio and Leader's Meeting before a final report was taken to Cabinet in September 2017.

Recommendations

OSC is asked to consider the content of the briefing report.

Contact Steve Horne extension 8604

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Gateshead local safeguarding children board

FULL REPORT TO GATESHEAD LOCAL SAFEGUARDING CHILDREN BOARD

REPORT TITLE: LSCB Report on Permanent Exclusions

DATE: March 2017

FROM: Jeanne Pratt, Service Manager, Education Support Services

EXECUTIVE SUMMARY

Any child or young person who is out of school for any period of time is vulnerable; we know that they are at risk of exploitation, reduced life chances due to poor attainment, low self-esteem, drug and alcohol misuse and mental health issues.

Since September 2014 there has been a sharp increase in the number of secondary permanent exclusions in Gateshead. As a result of this sharp increase the LSCB requested a task and finish group to look at the issue of permanent exclusions; exploring the reasons behind the increase in permanent exclusions and identifying strategies which might reduce the number of secondary permanent exclusions.

This report looks at Gateshead in context including a comparison with our statistical neighbours and the systems they have in place to address permanent exclusions. The report also looks in depth at 12 young people, analysing the reason behind their permanent exclusions in order to draw down trends and patterns as to why young people are permanently excluded in Gateshead. Finally the report offers some recommendations to support young people 'at risk' of permanent exclusion.

PURPOSE OF THE REPORT

The purpose of this report is to explore the complexities around why a young person is permanently excluded from school and what support is needed to help those young people who are 'at risk' of being permanently excluded.

RECOMMENDATIONS

Board members are asked to consider the contents and recommendations on pages 6 & 7 of this report and agree how these should be monitored in the future.

BACKGROUND

The consequences of being permanently excluded from school are extremely serious. The 2012 report by the Office of the Children's Commissioner on exclusions, 'Always someone else's problem', states that unless high quality support is put into place for excluded children, their life chances are likely to be substantially affected in both the short and longer term.

Although nationally permanent exclusions are on the rise, in Gateshead the number of permanent exclusions at a secondary level has been well above the national average. In 2013/14 there were 24 secondary permanent exclusions in Gateshead; last year (2015/16) there were 70 secondary permanent exclusions.

In order to explore the increasing number of permanent exclusions the LSCB requested a task and finish group be set up.

The aim of the group was:

- To undertake a piece of work for the LSCB in relation to the increase in permanent exclusions

The objectives were:

- To identify the reasons for this increase in permanent exclusions
- To identify areas for development which are required to reduce the number of permanent exclusions
- To identify future strategies to support both those at risk of and/or those permanently excluded

The working group consisted of staff from health, social care, family support services, special educational needs, education including education in Gateshead and schools. The working group met on a number of occasions over the 2016/17 financial year; this report (Appendix 1) is a result of the work of the group.

This report explores a number of issues relating to permanent exclusions including;

- Gateshead's contextual information and that of its statistical neighbours in relation to services and support for permanent exclusions

- School contextual information including regulatory frameworks, curriculum and financial information
- School support systems
- Funding for permanently excluded pupils
- Data on fixed term exclusions
- Data on permanent exclusions
- Individual pupil level data (in depth audit of 12 permanently excluded pupils)
- Early Help Model
- Mental Health Services
- Fair Access Process

Key messages

Gateshead's permanent exclusions are at a considerably increased rate than that of its statistical neighbours; although it needs to be noted that local authorities record permanent exclusions differently; some may have a 'no permanent exclusion' policy, others might use 'assessment' places to avoid permanent exclusion. This potentially then has implications for how we interpret their data in relation to our data.

Although on the rise, other local authority's permanent exclusions are not increasing at the same rate as those in Gateshead.

Local authorities used a range of different strategies to address this increase in permanent exclusions. Most local authorities agreed they were facing similar issues including the:

- capacity of PRU's to cope with the increased demand
 - For permanently excluded pupils
 - For assessment of pupils' needs
- cost of provision
- reintegration of pupils following a permanent exclusion
- use of alternative provision
 - Quality assurance
 - Lack of the availability of suitable alternative provision

Schools are under increased pressure from Ofsted, changes to the curriculum and finances.

Gateshead council has reduced its workforce by 2200 people, and this number will increase further with the additional savings to be made. The impact of these cuts and the reduction in workforce has impacted on all services resulting in reduced resources for support services which schools are able to access.

The reduction in resources has put more pressure on schools to either provide these services internally where they are able, buy in the service or make the difficult decision to reduce or no longer provide these functions. This then may have had a bearing on the rise in permanent exclusions.

Secondary schools have used a range of provision to address the needs of their vulnerable pupils. These range from bespoke staff in schools that provide additional support, the use of external services, alternative providers and in-house provision.

Gateshead's fixed term exclusions are also increasing but are lower than our statistical neighbours.

Over half of all of Gateshead's permanent exclusions are for persistent disruptive behaviour; 68% compared to the national statistic of just under 33%. Of those permanently excluded 34 had no history of fixed term exclusion and of the 49 pupils permanently excluded for persistent disruptive behaviour 20 had no fixed term exclusion prior to their permanent exclusion.

The year group with the highest number of permanent exclusion is Y10 (21), followed by Y8 (19) and Y9 (19). More boys (48) than girls (24) are permanently excluded and only 4% of pupils with special educational needs are permanently excluded which is well below the national average of more than 50%, although this figure could be challenged on a number of levels.

Of the 72 pupils permanently excluded 39 had a CAF/TAF, 27 were known to social care as a Child in Need (CiN) or had a Child Protection (CP) Plan. 20 children are known to have had both CAF/TAF involvement and CP/CIN involvement.

It appears, therefore, that 66 children out of a total of 72 (92%) permanently excluded pupils were deemed to be facing social adversity, having welfare, family or safeguarding needs.

Following an in depth analysis of 12 young people, individual pupil level data indicated that:

- 3 of the 12 young people were in receipt of free school meals (FSM)
- None of the young people were previously known to the Primary Behaviour Support team while in primary school for behavioural issues
- 6 of the 12 were known to Families Gateshead; 2 were phase 2, 1 was open, 2 were closed and claimed for and 1 was suspended due to non-engagement-if we extrapolate this data to the larger group it would suggest that over half of our permanent exclusions have complex issues including; employment, welfare, health and other issues

- 1 of the 12 had previously been Looked After
- 1 young person was known to MSET; the young person who was permanently excluded for drugs, who had 5 FTE and was subject to a CP plan
- 6 of the 12 pupils were known to YOT; 1 (youth caution) was completed successfully, 1 was being withdrawn as parent said wasn't helping; 1 triage for drunk and disorderly was completed successfully, 1 was on and off the youth rehabilitation programme and 2 were ongoing- if we extrapolate this data to the larger group it would suggest that over half of our permanent exclusions have issues with offending
- 4 of the 12 were either on a CP or CiN and 2 of the 12 had CAF/TAF
- 4 of the 12 had been managed moved schools via the Fair Access Process; 1 pupil had refused to move to another school, one move had failed due to truancy issues; 1 move failed due to unacceptable behaviour and 1 pupil's managed move was a success and they went on the roll of the new school
- 2 of the 12 had SEN but a follow up with the PRU indicated that a further 2 had unidentified SEN, which was identified when they underwent an assessment prior to entry to the PRU.
- 2 of the 12 were known to the educational psychology service; information provided suggest they were not the 2 pupils above who were identified with SEN
- Using the data from the previous 2 bullet points) we can extrapolate to the overall data on permanent exclusions which indicates then that 1/2 of pupils (not the 4% that our data tells us) have special educational needs; unidentified, identified at an early point of time or current.

Information was also provided in the report on the Early Help model, mental health and the fair access process.

In conclusion

Permanent exclusions in Gateshead are steadily rising and are currently well above national and local trends. It is apparent from this report that the issues leading to the rise in permanent exclusions are complex and varied and includes increased accountability measures faced by schools; reduced funding at both local authority level and school level; increasingly unidentified special educational needs and complex family situations.

Pupils shouldn't have to fail e.g. be permanently excluded before they are picked up by a welfare service e.g. TAF/CAF, CiN, CP. It appears that 66 children out of

a total of 72 (92%) who were permanently excluded were already known to be facing social adversity, having welfare, family or safeguarding needs.

In acknowledging the complex nature of the problem we, therefore, have to acknowledge that there is not a simple or quick solution to the increase in permanent exclusions, rather this is an issue in which all agencies who support children and families need to work together to address.

Next Steps

Gateshead is in the process of realigning services under the Early Help agenda. In order to address a further rise in permanent exclusions, the redesign of services will also need to be realigned with school's needs. In addition health and schools need to consider how best to align their support to meet pupils needs.

Consideration therefore needs to be paid to:

Local Authority

The Council needs to explore ways in which it can work with schools to provide targeted support to avoid exclusions, including but not exclusively:

- Establishing a primary/secondary working group to look at sharing information across schools to aid in the identification of need
- Reviewing the fair access process (primary and secondary) with a view to a reduction in permanent exclusions
- Reviewing the work of the Primary Behaviour Support Team to continue to support the early identification of needs in relation to social, emotional and mental health needs
- Early Help services referral pathways /processes will be made clear for school staff, parents and pupils to access and request support when needed.
- Schools should request the support of Early Help Service to develop CAF/TAF for young people presenting issues that require more than one Service to support.
- The role of the Lead Practitioner needs to be assigned to the most relevant professional based on the balance of issues.
- The TAF/CAF outcomes- will be captured in a Support Plan that is agreed by all parties. The agreed outcomes; which need to be clearly linked with pupils needs with specific and measurable outcomes e.g. improvements in attendance to 90%, a reduction in fixed term exclusions need to be met in order for positive outcome to be reached. The support plan can be reviewed every 6 weeks. Too often in the examples highlighted above

- services were involved with pupils but there was no clear outcomes (at a school level) identified, or no clear indication that services were working 'together' to address issues which lead to permanent exclusion
- Work needs to be undertaken with parents, with clearly specified expectations and outcomes; including support for those parents who are able to engage with services and outcomes for parents who refuse or are unable to engage including prosecution for non-attendance, referrals to social care etc
 - Once needs have been assessed clear pathways of support need to be available e.g. EHCP, alternative provision, special school etc

Health

- There needs to be prompt access to mental health services in order that behaviours do not escalate. This resource needs to be readily available and accessible to all pupils, with a threshold that captures concerns at the earliest possible indication of need
- Health need to consider how best to provide early support in schools for increasing mental health issues e.g. training for school staff and counselling in schools, as well as increased tier 2 support and clear pathways to tier 3 for vulnerable pupils and those at risk of permanent exclusion.
- The school nursing service need to consider how they can better provide support for pupils health needs in school
- Counselling services should be increased so that any child or young person who wants to speak to a qualified counsellor is able to receive timely intervention and support

Schools

- Pupils' needs should be fully assessed at a school level. On a number of occasions it was only after a pupil had been permanently excluded that their special educational needs were identified. Assessments referred to here are universal assessments to better inform the need to undertake further assessments.
- Schools need to consider the use of alternative provision to avoid a permanent exclusion
- Schools who are part of the Student Social Workers in Schools Programme (SSWISP) with Northumbria University may want to consider how to use their student social worker to support pupils at risk of permanent exclusion

RISKS

Any child or young person who is out of school is vulnerable; we know that they are at risk of exploitation, reduced life chances due to poor attainment, low self-esteem, drug and alcohol misuse and mental health issues.

KEY OUTCOMES AND PLANNED EVALUATION

CAPACITY – On going work with schools will continue to explore how to best meet the increased demand for educational places, but as indicated in the report consideration also needs to be paid to links with other systems and services which support vulnerable children and young people.

CAPABILITY - There is a commitment from all services that there is a need to address the issues in order to prevent the continued increase in permanent exclusions, however conflicting agendas can make this a challenge at times.

CONSISTENCY – At times there is a lack of consistency among schools and services which can mean that children and young people receive a less joined up service. However when there is consistency the approach is a beneficial one.

CONNECTIVITY – Regular reports to the LSCB will continue to advise members of the current situation and how these issues are being addressed.