



Northumberland

County Council

Families and Children's Services Scrutiny Committee

Date: 4 March 2021

Schools Exclusions

Report of the Executive Director of Adults and Children's Services, Cath McEvoy-Carr

Cabinet Member for Children's Services: Councillor Guy Renner-Thompson

Purpose of report

The purpose of this report is to provide an update on the number of permanent and fixed term exclusions within Northumberland schools and academies, and to provide an update on the actions taken to reduce the numbers in light of the recommendations of the FACS Task and Finish Group.

Recommendations

It is recommended that:

- 1) The content of the report be noted paying particular attention to the impact the work undertaken within Children's Services and Schools has had on the lives of Northumberland children.**
- 2) Note the actions taken to reduce the number of fixed and permanently excluded children and young people and the next steps being taken to improve the support to keep children in education.**
- 3) Identify any further areas for scrutiny**

Links to Corporate Plan

This report is relevant to the Council's Corporate Plan 2018-2021, "We want you to achieve and realise your potential".

Key issues

1. A report on the findings and recommendations of the exclusion task and finish group were presented to FACS at the end of November 2019. Since this time officers have developed an action plan and are now looking to establish a multi-agency working group and governance structure to develop the Northumberland

Strategic Inclusion Plan. A draft copy of the action plan is shown at **APPENDIX 1**. Due to the COVID pandemic, work hasn't progressed as quickly as we would have liked on a formally adopted strategic plan for inclusion; however, as is demonstrated throughout the report there has been a great deal of work undertaken to reduce and prevent exclusions across Northumberland.

2. The table below shows that Permanent and Fixed Term Exclusions reached their highest ever total in July 2018. Despite a significant reduction of 28% in PEx and 26% in FTEx by July 2019, and a reduction of 43% in permanent exclusion and 49% in fixed for 2019/20, some of the reduction can be accounted for due to schools only being open to limited number of pupils during the summer term of 2020. However early indications are that this downward trend has continued into the Autumn term of 2020 when schools were fully open to all pupils with a reduction of over 33% in PEX and 20% reduction in fixed exclusions compared to the same period in 2019. The breakdown of exclusions by school for 2018/19 and 2019/20 are shown at **APPENDIX 2**.

	Permanent Exclusions				Fixed Term Exclusions		
	Total	EHCP	SEN Support	Pupil population	Total	EHCP	SEN Support
2014/15	44	4	16	45,557	1599	143	355
2015/16	41	0	26	39,349	1270	221	704
2016/17	75	3	39	39,609	1967	133	767
2017/18	115	6	53	39,827	4514	291	1347
2018/19	83	4	23	40,439	3490	180	769
2019/20	50	0	12	39766	1696	112	391
2020/21 to date	21	0	7	39947	854	66	244

3. The issues and challenges that need to be resolved became clear through the work of the Task and Finish Group and are shown below as reported in November 2019. An update on the progress made to date for each issue is also shown below:

- a. *There are currently over 150 PEx pupils (Nov 19) who have been in Alternative Education (AP) for significant periods of time and, given the current rates of reintegration in Northumberland, these pupils are unlikely to return to mainstream education. A number of these pupils are likely to have undiagnosed special educational needs that may be better met in specialist provision rather than alternative provision.*

During the academic year 2019/20, the number of pupils in Alternative Provision for more than a year fell to 153 from 176 in 2018/19. The number reintegrated into school was 19; although this number is low this is largely due to the national lockdown. In addition, the team worked with 104 learners on a preventative basis, this work included 1:1 intervention, group work, AP referrals and signposting to other agencies and councils support services.

- b. *There is a need to re-articulate the roles and responsibilities of schools and academies, the local authority and alternative provision providers. Confusion currently exists as to each partner's role in the exclusions process.*

It has been proposed as part of the development of the 5-year inclusive strategy for Northumberland that a multi-agency working group is established to develop a framework of services that will include the roles and responsibilities for each agency available to support those children and young people at risk of exclusion.

- c. *There remains in the county a concern that some pupils are being 'off-rolled' in order to improve a school's examination or OFSTED outcomes.*

As identified by the task and finish group pupil mobility and off rolling also needed to be addressed as PEX only gives part of the detail and those academies in

Northumberland that encourages parents to remove their children from the roll of a schools to avoid a PEX is more difficult to quantify. We have looked at the information we hold in NCC to understand the level of pupil movement in more detail. The data for 2018/19 showed us that we had 338 pupil movements within Northumberland schools with most of these movements happening in 7 high/secondary schools who also have the highest fixed and permanent exclusions.

- d. *Alternative Provision in Northumberland is used predominantly after a pupil has been PEX and is rarely used for preventative reasons. Better strategies for the earlier identification of pupils at risk of exclusion are needed, with appropriate intervention, including AP, Early Help, Family Support and SEN support, put in place to maintain these pupils in mainstream education.*

The main focus for the last year has been about prevention and early intervention in the following areas:

- Schools Forum agreed to use some unspent contingency from the Dedicated Schools Grant (DSG) to fund expansion of the Inclusion team. The additional posts have enabled us to fulfil our statutory duties more effectively and has given us the opportunity to work preventatively with schools and academies.
- Each permanently excluded learner now has a dedicated key worker to ensure they are placed in the most appropriate provision and to support them with reintegration back into mainstream schooling where appropriate.
- A free service is now on offer to schools should they wish to refer children and young people at risk of permanent exclusion. Inclusion officers provide support, intervention, advice and guidance to promote

inclusive practice and keep young people in their school placement. Attached at **Appendix 3** are two cases studies that demonstrate the impact of the team's work. The impact of a permanent exclusion is also felt by the families of the young people; below are some quotes from parents regarding the support they have received from the team. The full letters are contained in **Appendix 4** to the report.

- *“Not only have you supported my son, but you have supported me too which I am hugely grateful for”*
- *“All in all, the service I received was second to none. I was put at ease in my first phone call, they followed through on everything they said they would, they provided excellent advice, they really put a personal touch to my son's case, and I ended up with the best possible outcome that I could've possible expected.”*

A study has also been undertaken to establish the use of the early help referral process to support children and young people who are at the risk of being permanently excluded from schools. Findings have shown that the referral process and support offered is not routinely used by schools. The promotion of these services to schools to ensure a greater uptake of this service will be a focus for the multi agency working group moving forward.

In Spring 2020, an Officer Exclusion Scrutiny Group was set up to track and scrutinise permanent and fixed term exclusion. The cumulative data used by the group ensures a picture is developed over time over time and is analysed each month by the group.

The children and young people identified and prioritised are as follows:

1. Learner on Child Protection Plan, Looked After, or with an EHCP with one or more exclusion
2. Learner categorised as Child In Need, with an Early Help Assessment, or on SEN Support with three or more exclusions
3. Any learner with five or more exclusions
4. All others

The appropriate courses of action as determined regarding individual children and young people in categories 1, 2, 3 involve agencies across education and social care. School improvement priorities and whole school interventions regarding SEND and vulnerable learners are also identified where necessary. This reminds schools of local authority services available, and expectations in terms of identifying and meeting special educational needs through a graduated approach.

Northumberland Inclusive Education Services (SEN Support) have been providing SEN support services to schools free of charge since September 2020, with the aim of supporting the learner to maintain placements in a

mainstream school wherever possible and appropriate. Whilst it is clearly too early to draw any conclusions from the work since the beginning of September, initial analysis is provided in the Schools Forum report included in the background papers to this report.

- e. *The current national school accountability structure provides little incentive or scope for schools to offer curriculum options that keep vulnerable pupils engaged in mainstream education. Schools report that sourcing high-quality two-year courses for vulnerable Year 9+ pupils is difficult.*

The COVID pandemic has had an impact on the progress in this area, due to the competing demands on schools and providers, however some early discussions have taken place with some schools who have expressed an interest in developing their curriculum offer at KS3 and 4. Further discussions also need to take place with all Northumberland schools, APs and our own Learning and Skills team to make further progress in this area.

- f. *AP needs to support those pupils at risk of exclusion (i.e inclusion) as well as those already excluded. Agreement is needed as to who takes responsibility for pupils in AP, whilst recognising that the drivers of AP demand (increasing complexity of needs, diminishing preventative capacity, changes in the mainstream curriculum and the accountability framework) are genuine issues for schools.*

The number of schools using alternative provision as a preventative measure has increased during the previous year although numbers remain low of overall. However, it is hoped that this will increase as a result of the retendering exercise undertaken in January 2020 of the Alternative Provision Framework. This exercise has ensured that there is enough high-quality provision throughout the county. There are now eight providers on the framework with at least one in each locality.

Background

1. There had been a rapid increase in the number of both fixed and permanently excluded pupils in Northumberland, with permanent exclusions increasing by 203% and fixed term exclusions by 209% between 2015/16 and 2017/18. This upward trend continued in the first half term of the academic year 2018-2019. Northumberland is not unique, as this level of increase is also being reported nationally, but the geography of the county makes this a particularly worrying issue.
2. Following the report on Exclusions that was taken to Scrutiny on 8th November 2018, it was agreed that: *'...a Task and Finish Group be created in order to try to address the rising level of exclusions within the County'*. The Task and Finish Group would be set up to investigate the issue further and to make recommendations to Scrutiny to try to improve the current situation. The Exclusions Task and Finish Group met five times between December 2018 and April 2019. It had a core membership of elected members, county council

officers and teacher association representation. In addition, guest speakers were called to each meeting to enable group members to better understand the situation in both Northumberland and across the rest of the country.

3. The LA is responsible for providing full time, suitable education for every permanently excluded pupil within six days of their exclusion. Students are placed either into the Pupil Referral Unit or into quality-assured alternative education providers. In order to join Northumberland's alternative provision framework, providers go through a rigorous tendering and procurement exercise and are visited bi-annually by a School Improvement Partner with an HMI background.
4. The LA is statutorily committed to providing full time education for permanently excluded pupils and is therefore responsible for all associated placements and transport costs. The budget is funded from the high needs block with the current budget allocation being £1,455,000 in 2020/21. As a result of the rise in permanent exclusions, the 2017/2018 budget was overspent by £267k and overspend by £305k for 2018/2019. The deficit increased by £196k in 2019/20 to £501k; Despite the number of "in-year" permanent exclusions reducing, there remains a need to support students previously excluded until they leave education, which is often not until the end of Year 11. Commitments from previous years were a significant factor in the overspend, as well as the fact the pupils funding from his previous school is only available to offset against additional costs arising for up to one year. This payment isn't reoccurring so the full cost of the placements for those pupils that remain in AP for more than a year are fully funded from the high needs block. There was also an increase in transport costs due to having to transport children further due to the lack of available places within alternative provision closer to their own homes. The current year predicted overspend is likely to be in the region of £100k; this is despite the retendering process which resulted in an increase in costs from the alternative providers.

Next Steps

The Development of a five year Inclusion Strategy for Northumberland. "A VISION FOR THE NEW NORTHUMBERLAND APPROACH"

The Strategy will have:

- A clear moral purpose that makes exclusions the responsibility of everyone in Northumberland;
- Financial realism through a shared understanding of the High Needs Block funding;
- A robust core purpose, supported by agreed regulation and fair processes;
- Urgent and driving actions to create a coherent core offer of support that schools subscribe to and drive down exclusions and encourage inclusive practice.

IMPLICATIONS ARISING OUT OF THE REPORT

Policy	The procedures adopted by the council for permanently excluded pupils fulfill its statutory duty under the Education Act 1996 section 19(3A) and (3B).
Finance & value for money	Refer to para of this report.
Legal	N/A
Procurement	N/A
Human Resources:	N/A
Property	N/A
Equalities (Impact Assessment Attached)	No
Risk Assessment	N/A
Crime & Disorder	This report has considered Section 17 (CDA) and the duty it imposes and there are no implications arising from it.
Customer Considerations:	The detail set out in this report are based upon a desire to act in the best educational interests of current and future children and young people in Northumberland.
Carbon Reduction	It is not envisaged that this proposal would have a significant positive or negative impact on carbon reduction.
Consultation	This report has been considered by the Cabinet Member for Children's Services.
Wards	All

CONSULTATION

The Cabinet Member for Children's Services, Cllr Renner Thompson.

FACS Scrutiny 4th March 2021

BACKGROUND PAPERS

Inclusive Education Services SEN Briefing schools forum report

Report sign off.

Finance Officer	CH
Monitoring Officer/Legal	HL
Human Resources	N/A
Procurement	TP
I.T.	N/A
Executive Director of Children's Services	CM
Portfolio Holder(s)	GTR

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Appendices

Appendix one-
Appendix Two-
Appendix Three