

# Children's Services Committee

<b>Report title:</b>	<b>Permanent Exclusions: Action Plan Update</b>
<b>Date of meeting:</b>	<b>26 June 2017</b>
<b>Responsible Chief Officer:</b>	<b>Matt Dunkley, Interim Executive Director of Children's Services</b>

## Strategic impact

At the January 2017 Children's Services Committee meeting the outcome of a Members' Task and Finish Group, into the issue of the high rate of permanent exclusions in Norfolk, was presented. A number of recommendations were agreed and this report provides an update on the current rate of exclusions, actions taken to date in line with Members' recommendations and ongoing plans to address this issue into the new academic year.

## Executive summary

This is the second year that Norfolk has experienced some of the highest rates of permanent exclusions across the country.

Schools have sole responsibility for decisions regarding permanent exclusions. The Local Authority has sole responsibility to arrange full time educational provision on the 6<sup>th</sup> day following a permanent exclusion, and from day one for children looked after children (LAC).

The high rates of permanent exclusions in Norfolk, just under 300 per year, prompted Members from the Children's Services Committee to convene a Task and Finish Group in the autumn term 2016. The work of the group was reported to the Children's Services Committee in January 2017 and the following recommendations and actions were agreed.

- *Reducing the number of permanent exclusions in Norfolk through an enhanced offer of alternatives to exclusion*
- *Reducing the costs associated with exclusion, both within the High Needs Block and the NCC Transport budget, and for savings to be used, in part, to support schools' endeavours to be inclusive*
- *Improving outcomes for pupils at risk of exclusions and for pupils following exclusion, ensuring that swift access to expert support, advice, guidance and provision is available across the county*
- *These aims should be delivered through the development and implementation of a joint Local Authority and Headteacher / Governor Association Improvement Plan, to include for example:*
  - *managed move / re-integration protocol (with explicit prioritisation for Looked After Children)*
  - *publication via the Local Offer of guidance for schools and local authority teams on respective responsibilities for exclusions and sign-posting to information, advice, guidance and specialist support/provision services*
  - *ensuring that different funding and support arrangements are aligned to maximise impact, for example,*
  - *aligning Special Education Needs and Disability and Social, Emotional & Mental Health support together with Early Help/Child Adolescent Mental Health Services*
  - *ensuring that funding available within the schools block and high needs block is targeted appropriately*

The Local Authority has led the implementation of these recommendations, however, many of these have required the support of schools to take them forward. Therefore, we have continued to work closely with Norfolk's Headteacher Associations and Schools' Forum.

This report provides an update on the issue of permanent exclusions in Norfolk with reference to both school and Local Authority responsibilities and respective actions.

# 1. Update on the current rate of exclusions

1.1 The total number of permanent exclusions in Norfolk for the past three years are:

- 2013/14 = 170
- 2014/15 = 195
- 2015/16 = 290

1.2 In the current academic year (2016/17), figures for the autumn and spring term illustrate that, we are likely to again have approximately 290 permanent exclusions by the end of the year.

Permanent Exclusions per term in Norfolk					
Academic Year 2015/16			Academic Year 2016/17		
Autumn	Spring	Summer	Autumn	Spring	Summer
114	90	86	132	63	TBC

Note: A full breakdown of exclusion figures are shown in the Children's Services Finance & Performance Report earlier on this agenda

1.3 Previously, Members' concerns regarding these high rates of exclusion covered four main elements:

- Concern that Norfolk schools were not using permanent exclusion as a last resort but instead were using it as a mechanism for fairly low level behavioural issues
- Questioning whether Norfolk schools were routinely seeking out alternatives to exclusion and utilising specialist support services in advance
- Concern that the Local Authority were not able to provide full time education for all pupils at the point of exclusion, due to capacity issues within our specialist provider (Short Stay School for Norfolk)
- Questioning whether the Local Authority were assisting schools to access alternative provision to avoid permanent exclusion

1.4 Within Section 2 of this report there is information regarding progress to address these concerns. However, it is also worth noting the ongoing impact of these high rates of exclusions on the local authorities commissioned specialist provision, which provides full time education on the 6<sup>th</sup> Day following permanent exclusion.

1.5 In recent years the Local Authority has commissioned the Short Stay School for Norfolk (SSSfN) to provide full time education to pupils following permanent exclusion. The SSSfN operates within the Engage Multi Academy Trust and was previously the Local Authority's maintained Pupil Referral Unit (PRU).

1.6 The SSSfN is commissioned to provide 290 places per year. However, the combination of high exclusion rates and the significant number of current pupils not being able to move onto other specialist or mainstream schools, following assessment, has led to an acute capacity issue. The table below illustrates the impact of this situation and how we have been addressing this:

Issues	Start of Autumn Term 2016	Start of Summer Term 2017	Start of Autumn Term 2017 (forecast *)
No. of funded places at SSSfN	290	290	290

No. of pupils awaiting SSSfN placement following exclusion	13	118	20 *
No. of pupils receiving home tuition & e learning	0	104	20 *
No. of pupils moved into SSSfN on roll for full time provision	0	45	98 *
No. of additional funded places commissioned with other specialist providers	0	44	108

Note: The figures for these cohorts change on a daily basis and this information is provided to illustrate the approximate / average situation each term and across the past year

- 1.7 The additional support and provision that we have commissioned, via the Engage Multi-Academy Trust, is designed to cover two key aspects of the capacity issues. Firstly, we have commissioned Engage Educational Services to oversee the provision of home tuition and 'e' learning for pupils whilst they await full time placement. Secondly, we have commissioned them to provide 60 additional places within a new education base in Norwich. This will ensure that, alongside other provision developments, that we can address the majority of the capacity issues by the start of the spring term 2018.

## 2. Actions taken to date in line with Members' recommendations

- 2.1 The table below summarises the recommendations / actions that were confirmed within the Members' Task & Finish Group report to the January Children's Services Committee along with a commentary on progress to date:

Recommendation / Action	Progress to Date	Planned Next Steps
Reducing the number of permanent exclusions in Norfolk through an enhanced offer of alternatives to exclusion.  managed move / re-integration protocol (with explicit prioritisation for Looked After Children)	A new managed move scheme is currently being piloted. This has been developed jointly by the Head of Admissions and the Headteacher Associations. 150 schools are signed up to be part of the pilot, however, to date only 1 school has submitted a request.	Schools are to be reminded of this pilot scheme, to increase the number of schools actively involved, and we plan a county-wide roll out of this during the new academic year.
Reducing the costs associated with exclusion, both within the High Needs Block and the NCC Transport budget, and for savings to be used, in part, to support schools' endeavours to be inclusive.  Ensuring that funding available within the schools block and high needs block is targeted appropriately	We are consulting all schools regarding a new charging mechanism for schools who do exclude pupils. If implemented, from September, the income generated will be used to offset the current additional costs within the High Needs Block and also to assist with managed moves.	Part of the admission arrangements for the new specialist provision that has been commissioned will take account of travel options. Reducing travel time will reduce travel costs but we are also implementing a new independent travel training scheme to reduce reliance on high cost travel such as use of taxi's.

Ensuring that different funding and support arrangements are aligned to maximise impact, for example, aligning Special Education Needs and Disability and Social, Emotional & Mental Health (SEND/SEMH) support together with Early Help/Child Adolescent Mental Health Services (CAMHS)	There is an ongoing review of all funding within the High Needs Block which is designed to ensure that forecast overspend pressures are mitigated but also to ensure that funding is re-aligned to current and forecast priorities.	The outcomes of the ongoing High Needs Block review will continue to be reported to Schools' Forum and onto subsequent Children's Services Committee.
Improving outcomes for pupils at risk of exclusions and for pupils following exclusion, ensuring that swift access to expert support, advice, guidance and provision is available across the county.	The Education Services Review, subject of staff consultation during June / July, contains a number of proposals to ensure that the local authority can provide greater support and challenge to schools and commissioned provision to improve outcomes.	To be confirmed following the outcome of the current Education Service Review staff consultation.
Publication via the Local Offer of guidance for schools and local authority teams on respective responsibilities for exclusions and sign-posting to information, advice, guidance and specialist support/provision services	The current survey to all Norfolk schools regarding a new charging scheme for permanent exclusions includes information regarding exclusions guidance. This summarises the content of a recent government consultation on exclusions guidance.	Any future changes to national exclusions guidance will be provided to schools directly and posted on our Local Offer website.

- 2.2 A meeting is scheduled in July between the Assistant Direct for Education and the Head of Education Inclusion Service with the representatives of the Norfolk Secondary Education Leaders to discuss progress on a range of education inclusion issues, including permanent exclusions.
- 2.3 We are confident that there is shared ownership of this issue and we have every intention of ensuring that, during the academic year 2017/18, permanent exclusions will reduce in number and that there will also be a reduction of their impact on our teams and commissioned services who have responsibilities for this cohort of pupils following exclusion.

### 3. Ongoing plans to address issue of high permanent exclusion rates in Norfolk

- 3.1 Our plans continue to reflect the respective responsibilities of schools and the local authority regarding exclusions, which are in summary:
- Headteachers must determine if a permanent exclusion is required in line with national guidance and in line with their individual school policies on behaviour management.

- Governing bodies, of maintained schools, must convene a Governing Body Meeting to consider whether or not to uphold the appeal and must invite the Local Authority exclusions officer to be present. Academies are not required to invite the Local Authority.
  - The Local Authority must commission specialist provision to enable all pupils, on the 6<sup>th</sup> day following permanent exclusion, to be offered full time placement.
  - The Local Authority, within its broad role as a 'champion' for children, must ensure that alternatives to permanent exclusion are available and that schools are aware of specialist support that they can arrange to meet pupil needs at the earliest opportunity.
  - The Local Authority, within its sufficiency duties, must ensure that there is a good range of specialist provision across the county for pupils to move onto having been assessed as requiring such provision.
- 3.2 It is appropriate that, at times, schools use permanent exclusion as the ultimate sanction. Within Children's Services we are concerned for the wellbeing of all children and young people and we share school concerns when the actions of an individual impact significantly on the learning of the majority of pupils. However, it is clear that the high rate of exclusions in Norfolk over the past two years should not be accepted as a new average rate.
- 3.3 Therefore, we will continue to seek to use the full range of our powers and unique influencing role to bring about a reduction in the rate of exclusions during the new academic year (2017/18). To do this we will continue to focus on:
- Promoting a managed move scheme.
  - Implementing a new charging mechanism following permanent exclusions.
  - Supporting schools who seek to reintegrate pupils who have been excluded previously and support schools who want to offer a 'fresh start'.
  - Develop a range of support and provision that can be brokered; taking full advantage of the specialist skills available across mainstream, special and alternative education providers.
  - Commission more specialist places, in the short / medium term, to address the ongoing capacity issues within the Short Stay School for Norfolk.
- 3.4 As part of our regular reporting to Children's Services Committee, within the Finance & Performance report, we will update Members on rates of exclusions and associated commitments within High Needs Block budget.

## **4. Financial Implications**

- 4.1 High rates of permanent exclusion have a direct impact on the High Needs Block and Transport budgets. Information relating to the latest forecasts and mitigation plans in these two budget areas is included in the regular finance and performance report to this Committee.

NB: The High Needs Block is one of three 'blocks' of funding previously described as the Dedicated Schools Grant; Early Years Block, Schools Block and High Needs Block. The High Needs Block, in the current financial year, is approximately £69 million and is used to fund all specialist provision in Norfolk and to fund elements of SEND support within mainstream schools.

## **5. Issues, risks and innovation**

- 5.1 There is currently a review of all functions across education services, within Children's Services; the capacity required to oversee all elements of the Local Authority duties in relation to exclusions will be considered as part of that review including statutory duties, information advice and guidance, commissioning and quality assurance.

- 5.2 The ongoing work with the Schools Forum, in relation to the High Needs Block budget, will ensure that funding is structured to ensure that future budget pressure can be mitigated.

## 6. Background

<http://norfolkcc.cmis.uk.com/norfolkcc/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/466/Committee/8/Default.aspx>

Department for Education – national guidance for exclusions

<https://www.gov.uk/government/publications/school-exclusion>

<https://www.norfolk.gov.uk/children-and-families/send-local-offer/>

Funding for provision of pupils at risk of exclusion and following permanent exclusion in Norfolk

<http://www.schools.norfolk.gov.uk/School-administration/Finance/Fair-funding/index.htm>

### Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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