



Derby City Council

**CHILDREN AND YOUNG PEOPLE
OVERVIEW AND SCRUTINY BOARD
9 December 2014**

ITEM 7

Report of the Strategic Director of Children and Young People

Access to education – ensuring all children receive an appropriate education

SUMMARY

- 1.1 The purpose of this report is to provide an overview of which groups of children are currently missing education in Derby and to identify the roles and responsibilities of schools and LA teams in recording and following this up.
- 1.2 Ensuring that all children receive a suitable education is essential if they are to make great progress. Regular and sustained attendance at school helps children to learn effectively, in addition to providing access to a range of enrichment activities.
- 1.3 There can be a variety of reasons why a child's education may become disrupted for both short or longer periods of time. The most common reasons are for illness, however other factors can also impact on attendance.
- 1.4 In November 2013, OfSTED published a report titled 'Pupils missing out on education' (Ofsted Nov 2013), and within it they commented,

'Many thousands of children and young people in England do not attend full-time education. This survey sets out stark findings about the failure of some local authorities to meet their statutory obligation to ensure that children and young people in their area are receiving a suitable education. Too often, children and young people who receive only a part-time education, or who have none at all, can become invisible to the local authority. This can be a safeguarding as well as an educational matter.'
(Page 4, 'Pupils missing out on education' (Ofsted Nov 2013).

- 1.5 The report went further and provided some groups of children and young people who may be at risk of missing out on education.

These groups include children and young people who:

- have been permanently excluded
- have particular social and behavioural difficulties and have personalised learning plans: this means that, by arrangement, they do not attend their usual school full time
- have mental health needs and access Child and Adolescent Mental Health Services (CAMHS), either as an in-patient or through services provided in the community
- have medical needs other than mental health needs
- rarely attend school and have personalised learning plans as part of attempts to reintegrate them into full-time education
- are pregnant or are young mothers of compulsory school age
- have complex needs and no suitable school place is available.
- In addition, small numbers of children and young people do not currently attend school

in the usual way because they:

- are returning from custody and a school place has not been found for them
- are new to the country and are awaiting a school place
- are from a Gypsy, Roma or Traveller background and alternative provision has been made
- have moved from another area and a school place has not been secured; this may include children who are looked after.

1.6 Appendix 2 provides an outline of children in different categories who may be missing from education.

RECOMMENDATION

2.1 To CYP Board to note and support the work of schools and LA Services in trying to ensure children are not missing from education.

REASONS FOR RECOMMENDATION

3.1 Tracking children from missing from education is the first step in ensuring children are safe. Therefore schools and council services must maintain this focus.

SUPPORTING INFORMATION

4.1 Schools are required to be the first universal service to follow up a child who may be missing education. This extends to schools providing work for children if they are absent for sustained periods, following up on absences and also arranging for alternative forms of education if a pupil is no longer thriving in school. The role of the Local Authority is different to that of schools. Derby City Council is the commissioner of alternative education for those children who are permanently excluded from schools. In addition, Derby City Council also becomes involved in tracking children and working with their families when a school's involvement has proved to be unsuccessful and complex problems exist. This is often via the Multi Agency Teams and the Education Welfare Service.

4.2 The Education Welfare Service (EWS) will follow up on referrals when persistent unauthorised absence takes place and/or a child is reported as missing education, either because they have moved address or are experiencing difficulties in attending school (bullying, school refusal etc). EWS will undertake a range of checks – e.g. with wider agencies such as social care and benefits agencies, and will undertake home visits where there is an address. On average, the service receives approximately 150 referrals per academic year where families have moved, or where no forwarding address is given that require an Education Welfare Officer to check on a child's whereabouts. Cases are allocated to Education Welfare Officers via Vulnerable Children's Meetings.

4.3 **Alternative education in Derby**

Alternative education often refers to those children and young people who are excluded from school and are education at a Pupil Referral Unit (PRU).

In Derby this is organised by two PRUs.

Newton's Walk Short Stay School

- for 6 to 10 years (Key stages 1 and 2)
- full capacity is 36 places -currently 21 pupils on roll
- full capacity for shared placement is 18 – currently 6 pupils shared. Shared placements are offered for 1 day a week for a 6 week period
- located in the centre of Derby

The Primary Behaviour Panel allocates places to 2 Nurture Groups by referral from mainstream schools. These are based in mainstream schools. The Nurture Group places pupils, who have behaviour, social and mental health difficulties and need nurturing to support Teaching and Learning. There is no cost to schools. The placement is for no longer than 1 academic year.

The two nature groups are at Becket Nurture Group (Key Stage 1 and four places) and at Lakeside Primary School (Key Stage 2 and twelve places).

The Kingsmead Pupil Referral Unit

- For 11-16 yrs (Key stages 3 and 4)
- Full capacity is 120 places -currently 116 on roll
- Currently 34 Shared placements
- Located in the centre of Derby

- 4.4 Only the head teacher of a school can exclude a pupil and this must be on disciplinary grounds. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently.

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. In such cases the legal requirements in relation to exclusion, such as the head teacher's duty to notify parents, still apply. Lunchtime exclusions are counted as half a school day for statistical purposes and in determining whether a governing body meeting is triggered.

Primary and secondary schools continue to use a range of preventative actions to avoid exclusion. These include behaviour mentors and in-school nurture groups. The Secondary Behaviour Panel applies a very robust strategy in preventing exclusions and secondary schools commission some alternative provision to engage pupils, whilst Primary schools access a range of support from the PRU.

Long term fixed exclusions in 2013/14 have increased and exceeded both the 2012/13 result and the target partly due to the strategy used by schools to prevent permanent exclusions, which have fallen in recent years from a high spot in 2011/12.

There is no current policy to fine schools which exclude pupils permanently. Each school, however, is responsible for funding the subsequent educational placement of those who are excluded. Generally this means Kingsmead (£25,000 per annum) or Derby Pride Academy (approx. £11,000 per annum). Some pupils in Key Stage 4 have been placed through Kingsmead's Junction 16 programme, which costs around £12,000 per annum.

Each secondary school has two places allocated at Kingsmead, which are paid for through top slicing from the schools' budget. This effectively means that the first two permanent exclusions could be considered to be "free". Schools do not get two new places each year, however, and once filled they remain so until the pupil leaves school, is reintegrated to another school, or comes onto the Kingsmead Special School roll. Schools are free to use these places in other ways if they wish, and they are not reserved solely for exclusions.

There is no financial penalty for excluding pupils on a fixed term basis, though schools are

expected to provide placements elsewhere when a pupil is excluded for more than 5 days. Fixed term exclusions have risen during the same period, from 4947.5 days in 2011-12 to 5470.5 days in 2013-14.

At the end of 2012/13 Derby's performance in terms of fixed term exclusions was generally strong compared to our comparator authority average and in some instances below national averages as illustrated in the graphs overleaf. The priority area for improvement for the total number of fixed term exclusions is the secondary phase with 1,255 instances in 2012/13, which equates to 7.73% of the school population and sits above the national average of 6.75%. Derby is however below the comparator average of 8.02%. See Appendix 2

It should be noted that for the total number of fixed term exclusions that Derby (2.15%) is above the national average (1.92) for the percentage of pupils with one or more episodes of fixed term exclusions, but below the comparator average (2.25%). The priority phase for improvement again is the secondary where Derby is above both national and comparator averages (Derby 4.47%, comparator average of 4.45% and national average of 3.79%).

In the city there is a Connexions PA allocated to the PRU's PA who works with all of the young people in year 11 at the PRU who have been identified by the Fisher Family Trust Explorer tool as having a high probability of not making a successful EET transition. This PA is linked to young people until the end of the Autumn term after the child leaves school. The PRUs also have an additional resource in transition mentors, who are provided via a contract with Acorn Training for transition mentors. These staff work intensively with up to 44 young people to help them make successful EET transitions. These young people are then tracked on leaving school and picked up if and when they drop out of EET.

4.5 **The In Year Fair Access (INFA) protocols linked to 'managed move' and 'hard to place' referrals**

Where a pupil is identified as Hard to Place through the IYFA protocol, then there are occasions when alternative provision through Kingsmead PRU is offered in the first instance. This can be for the short/medium or long term dependent on the individual circumstances.

Pupils who are placed at Kingsmead through IYFA come into an 'LA' place. The current structure makes provision 22 'LA PRU' places. This was recently increased by transferring the unsold turnaround places into LA places to react to the ongoing pressure on the LA places. Examples of pupils who might take up an 'LA' place include pupils new to the city who were being educated in alternative provision in their previous authority; complex LAC pupils coming into the city; pupils returning from custody who are unable to return to mainstream for health & safety reasons; EHE pupils returning to the system, etc.

Kingsmead pupils who are ready for reintegration to mainstream are placed through the IYFA process.

4.6 **Other referrals for Alternative Provision (AP) – Junction 16**

On occasions schools opt to use their 'allocated places' to direct a pupil to AP, or as a positive alternative for a pupil who is struggling to maintain their mainstream placement.

The Kingsmead School is also responsible for the '**Junction 16**' programme. This has been developed to offer young people personalised educational programmes to match individual need. Full and part-time placements are available for schools to purchase, all quality assured and commissioned through an established procurement framework. Training is offered to providers, some of which is delivered as a compulsory element of the contractual process. Currently schools are charged £11,500 (or 12,650 for a school outside the city) for a full-time

J16 programme.

There are 20 Full-time places available. Up to 100 part-time places can be catered for under current arrangements but in theory this can easily be extended at minimal cost to provide for additional mentoring and monitoring/QA should the demand increase.

4.7 Hospital/Medical referrals

Managed as part of The Kingsmead School, the hospital/medical element provides short-term medical tuition or access to our hospital schoolroom for pupils from KS1-4 unable to attend their usual educational provision due to medical reasons.

4.8 Enhanced Care Programme Support (ECP)

ECP is a partnership between social care and education (provided through The Kingsmead School) providing a range of support to LAC pupils resident in Derby City Children's homes. The support provided depends on the specific needs of the individual and may be focused on delivery of education provision, or may be allocation of time to provide more emotional support to enable the child/school to maintain the placement. Pupils might receive in-school support, or could have provision made on site at Moorfield or another appropriate venue, or at one of the Kingsmead sites.

4.9 Other information:

Until April 2014 'KS3 Turnaround' places were available to schools as a sold service, but these were not sustainable as schools did not commit to buy these placements and so these were reallocated as Complex PRU places to support the pressure on Hard to Place referrals. Schools always ask for turnaround provision but do not want to pay for this service. Bespoke turnaround provision is made available where this is appropriate for pupils who are referred as 'Hard to Place', to ensure that they return to mainstream school as quickly as possible.

Appendix 2 shows the Permanent Exclusion totals for the past 4 years, broken down by month, the number of Permanent Exclusions issued and the numbers upheld by governors.

This report has been approved by the following officers:

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For more information contact: Background papers: List of appendices:	Appendix 1 Implications Appendix 2 Permanent Exclusion Summary

IMPLICATIONS

Financial and Value for Money

1.1 None

Legal

2.1 Local Authorities have a statutory duty to ensure that children and young people in their area are receiving a suitable education.

Personnel

3.1 None

IT

4.1 None

Equalities Impact

5.1 None

Health and Safety

6.1 None

Environmental Sustainability

7.1 None

Property and Asset Management

8.1 None

Risk Management

9.1 None

Corporate objectives and priorities for change

- 10.1 Achieving their learning potential.
Good quality services that meet local needs

Appendix 2 Permanent Exclusion Summary

	2010-11		2011-12		2012-13		2013-14		2014-15	
	PX issued	PX upheld	PX issued	PX upheld	PX issued	PX upheld	PX issued	PX upheld	PX issued	PX upheld
August	0	0	0	0	0	0	0	0	0	0
September	7	2	5	3	4	2	3	2	7	6
October	13	0	6	2	9	8	4	2	7	1
November	13	5	5	3	4	4	10	7		
December	15	8	5	3	8	6	7	4		
January	26	6	14	13	4	3	8	5		
February	20	2	7	5	2	2	4	2		
March	22	4	20	20	6	4	9	5		
April	14	2	2	2	4	3	4	3		
May	14	10	12	8	7	6	4	3		
June	22	14	4	3	6	6	9	4		
July	6	5	6	5	4	2	10	7		
Total	172	58	86	67	58	46	72	44	14	7

Summary of Fixed Term Exclusions (2012/13) by phase



