Children and Young People Overview & Scrutiny Committee

6 November 2012

Area Behaviour Partnerships

Recommendation

To consider the report and comment on the progress achieved and actions taken to date

1.0 Key Issues

- 1.1 This paper provides an update on progress of the Council's new approach to prevent exclusions and better provide for excluded young people, as requested by the Committee. It will look at the following issues:
 - To consider how the new arrangements for excluded pupils and those at risk of exclusion are working
 - To review specifically progress of the Eastern Area Behaviour Partnership, following the concerns raised in April
 - To review the lessons learned from a recent case of education not provided, which resulted in a payment ordered by the Ombudsman
 - To review how the barriers identified in the Chairs' reports from April are being overcome
 - To review attendance figures for pupils in alternative placements

2.0 New arrangements for excluded pupils and those at risk of exclusion

- 2.1 Since the previous report to the Committee, the new approach to reducing permanent exclusion from school is being fully implemented. In addition to this:
 - The Lead Improvement Manager for Vulnerable Children took up post on 1 September 2012
 - Agreements have been signed with each Area Behaviour Partnership (ABP), devolving a total of £2.4m for the purposes of preventing permanent exclusion and securing provision where exclusion takes place
 - The Framework Agreement for Alternative Education Provision became live on 1 September 2012
 - The Warwickshire Pupil Referral Unit was closed on 31 August 2012
- 2.2 The Committee will be aware that the Council has a statutory duty to provide for excluded pupils, but the new approach seeks to devolve the operational responsibility for managing provision for excluded pupils. As importantly, the devolved responsibility and budget allows ABPs to use those resources

flexibly to prevent exclusion. The principles that underpin the approach are, in summary:

- Devolving funding to partnerships of schools
- Schools working collaboratively to:
 - Fund early intervention support in order to avoid exclusion (e.g., Learning Support Units)
 - o Implement the managed transfer process
 - Purchase packages of education appropriate to the individual child from alternative providers, to ensure the young person's entitlement to fulltime education
- 2.3 The Authority has, however, put strong mechanisms in place to monitor the new approach, as set out in Paragraph 2.10. The new approach has led to the lowest number of permanent exclusions in at least a decade. Only 32 permanent exclusions occurred in 2011/12, compared with 88 in the previous year. It is expected that the number of permanent exclusions will decrease further in 2012/13. There was one permanent exclusion from a secondary school in September 2012 with a further two from EBSD provision. More detailed figures are given in **Appendix B**.
- 2.4 In May 2012, WCC commissioned a report looking into areas of best practice and areas for improvement in the four ABPs. The report made a number of recommendations, all of which have been accepted by the local authority.
- 2.5 Investment in Learning Support Units is key to intervening early where poor behaviour is presented. There are 18 Learning Support Units in Warwickshire schools others are still in development. This provision will be inspected by Ofsted as part of the school inspection framework. Guidance has been issued on best practice in establishing and maintaining Learning Support Units.
- 2.6 Managed moves are an effective way of keeping pupils in full-time education where a fresh start is desirable. The ABPs have responsibility for this. Since September 2012, 14 managed moves have been initiated. This is in addition to 24 managed moves undertaken in the summer term. Again, guidance has been issued on best practice and provision for these pupils will be inspected by Ofsted.
- 2.7 The Framework Agreement for Alternative Education Provision currently consists of 18 'active' part-time providers and five full-time providers. A further nine part-time providers may become 'active' by January.
- 2.8 The range of part-time provision on offer includes courses in the following areas: literacy, numeracy, construction, hair and beauty, ICT, land and environment, performing arts and music, and sport and leisure. Every young person is entitled to and must be given full-time education, i.e., 25 hours; some of which may be in school and some with an alternative provider. Full-time providers are expected to deliver a full-time curriculum (at least 2 hours) as set out in the specification (including English and Maths). Prices for full-time provision average at over £100 per week less expensive than provision at the PRU.

- 2.9 ABPs may only purchase alternative education provision from providers that are on the WCC Framework Agreement for Alternative Education Provision. Placement must be made based upon the needs of the pupil. The contractual arrangements for alternative provision are consistent with the best practice on alternative provision, issued by the DfE in July 2012.
- 2.10 The Authority must be notified of the start and finish dates of every pupil accessing alternative provision and is provided with monthly progress reports for each pupil. As of 8th October 2012, there are 52 pupils placed in part-time alternative provision and 23 pupils placed in full-time provision. The Lead Improvement Manager will be reporting on the effectiveness of this provision to the Preventing Exclusions Steering Group, chaired by Cllr Timms. There will be a particular focus on attendance, behaviour, educational progress and positive destinations following provision.

3.0 Progress of the Eastern Area Behaviour Partnership

- 3.1 At the previous meeting of the Overview & Scrutiny Committee, concerns were expressed about progress being made in the Eastern Area. While exclusions reduced from 21 to 13, this area had the highest number of exclusions in 2011/12.
- 3.2 The Eastern ABP is establishing new arrangements in light of the new approach. The ABP has increased capacity by recruiting a new coordinator 2.5 days per week. The managed moves process is being revived as an alternative to permanent exclusion. The ABP is now seeking to engage with alternative providers to provide for some of their most challenging pupils. The local authority will continue to monitor that alternative provision is used appropriately.

4.0 Lessons learned from a recent case of education not provided

- 4.1 The Committee should be aware that the Local Government Ombudsman has investigated two cases of education not being provided to a pupil.
- 4.2 The first case was a failing in the In-Year Fair Access Protocol arrangements, unrelated to the new approach to exclusions. A separate lesson learned report has been compiled, and the recommendations implemented.
- 4.3 In the second case, a pupil was excluded from an ABP, but a placement back into education provision was not made for over six months. This is clearly unacceptable. ABPs had been issued with a provisional list of alternative providers and advised that if they could not secure a placement, then pupils could still access provision in the PRU. This advice was not taken.
- 4.4 As a result of this case, a staffing restructure has taken place in the relevant ABP and protocols have been revised. The Authority now has five full-time providers in place contracted to admit pupils within 6 days of exclusion. Short-

- stay assessment places are also available. As noted earlier in the report, each pupil placed in alternative provision is now recorded by the Authority and this information will be cross-referenced with permanent exclusions from school.
- 4.5 It is the role of the Lead Improvement Manager to keep reviewing the new approach to ensure cases such as these do not happen again.

5.0 Barriers identified in the Chair reports

- 5.1 The termly progress reports from ABP Chairs raised a number of issues. Progress against these issues is noted below.
- 5.2 <u>Payment process</u> the adoption of the new approach has coincided with the roll-out of a new finance system across the Authority. Problems with this system have led to delays in payment to alternative providers. As the system embeds within the Council, the number of delayed payments should be minimal.
- 5.3 Range of providers the list of approved providers is available to view at www.warwickshire.gov.uk/alternativeeducationprovision and is also given as Appendix A. It is considered that there are enough suitable alternatives in each area. However, the range of provision on offer in the north and south of the County is increased by the provision made by the further education colleges.
- 5.4 <u>Substance misuse</u> concern has been expressed about young people using drugs and alcohol. The Council commissions 'Compass' to provide a 1-to-1 support service for young people with problematic alcohol and drug use. During the period January to June 2012, the service received 56 referrals from schools (all accepted with appointments within 2 weeks). All closed cases have resulted in a reduction in alcohol and drug use.
- 5.5 <u>Links with other services and strategies</u> those at risk of permanent exclusion often require support from a range of agencies. It will depend on the individual circumstances of each case which agencies need to be involved (e.g., Education Social Work, Youth Justice, Virtual School, SEN). The recommended framework for organising such support is the Common Assessment Framework (CAF).
- Pupils being placed in school at risk of permanent exclusion in 2011/12, over 200 pupils were placed in schools under the In-Year Fair Access Protocol (IYFAP). This agreement seeks to share in-year admissions between schools where the pupils are expected to require additional input to settle in a school. One of the criteria for an IYFAP placement is a previous permanent exclusion (e.g., in another local authority). The local authority view is that all pupils should be placed in a school, and where there are associated issues of behaviour, ABPs now have funding to purchase alternative provision if appropriate. However, it is not in the interests of the pupil, the school or the local authority to direct a school placement that is likely to fail. The local authority is reviewing the support it can provide in these cases.

5.7 <u>Transport costs</u> – costs of transporting pupils to alternative provision are the responsibility of ABPs.

6.0 Attendance figures for pupils in alternative placements

- 6.1 Attendance figures are recorded for each session on a county database (Collaborative Learning Manager). Due to technical issues, the database has not been operational during September 2012. As a result, attendance figures will be tabled at the meeting.
- 6.2 Interim Progress Reports from each of the ABPs are given as **Appendix C** to this report.

7.0 Options and Proposal

7.1 It is proposed that the Lead Improvement Manager provides further reports on the effectiveness of the new approach in January 2013 and June 2013.

Background papers

<u>Cabinet: Project to reduce exclusions and remodel provision for excluded pupils - 19 July 2012</u>

Cabinet: Proposal to close Warwickshire PRU - 19 April 2012

<u>Cabinet:</u> Authorisation to Establish a Framework for Alternative Education Provision – 15 March 2012

<u>Cabinet: Meeting the Needs of Young People Excluded or at Risk of Exclusion from School - Proposal to close Warwickshire Pupil Referral Unit – 15 December 2011</u>

<u>Children and Young People's Overview and Scrutiny Committee: Area Behaviour Partnerships – 14 December 2011</u>

Ofsted: Annual Assessment of Children's Services – Warwickshire – 11 November 2011

Children and Young People's Overview and Scrutiny Committee: Meeting the Needs of Pupils Excluded or at Risk of Exclusion from School – Report to Children and Young People's Overview and Scrutiny Committee – 1 September 2011

<u>Cabinet: Meeting the Needs of Pupils Excluded or at Risk of Exclusion from School – 14 July 2011</u>

<u>Children and Young People's Overview and Scrutiny Committee: PRU –Interim Report – 6</u> April 2011

Cabinet: Strategic Plan and Business Case to meet the needs of excluded pupils or those at high risk of exclusion including primary schools – 17 February 2011

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Framework agreement for alternative education provision – providers

Lot 1 - Part-time provision: Active Providers

90-ONE Education

Apricot Online Ltd

Brakes Training Ltd

Core Children's Services Ltd

Heart of England Training

Hereward College

Hybrid Arts

Learn2G Ltd

North Warwickshire and Hinckley College

Nuneaton & Bedworth Leisure Trust

Pedestrian Limited

Positive about Young People

R.E.A.L. Education Ltd

Shaftesbury Young People

Stratford Upon Avon College

Warwickshire Association of Youth Clubs

Where Next Association

Wild Earth

Lot 2 - Full-time provision: Successful Providers

North Warwickshire and Hinckley College

Stratford Upon Avon College

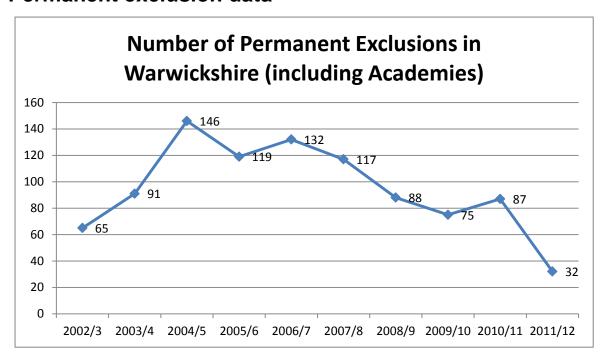
Shaftesbury Young People

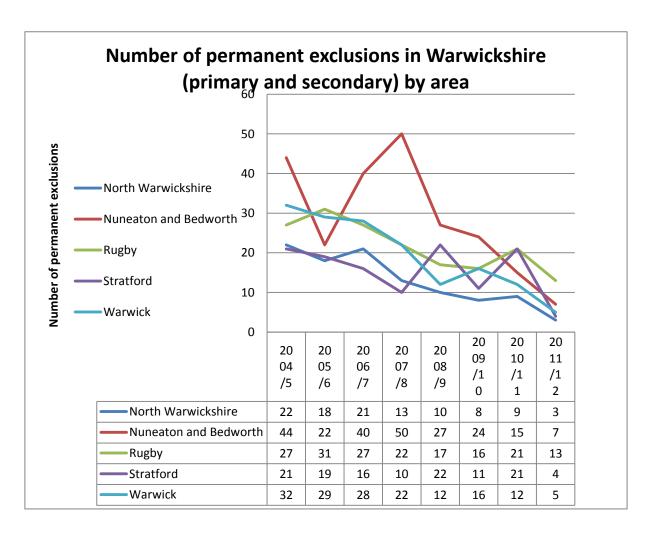
Hereward College

Hybrid Arts

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Permanent exclusion data





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Reason for Exclusions

	2008	-2009	2009-2010		2010	-2011	2011	-2012	
	PERMANENT		PERMANENT		PERMANENT		PERMANENT		
EXCLUSIONS REASON	Number	%	Number	%	Number	%	Number	%	
Physical assault against pupil	16	18.2%	7	9.3%	14	15.9%	4	12.9%	
Physical assault against adult	11	12.5%	13	17.3%	8	9.1%	5	16.1%	
Verbal abuse / threatening behaviour against pupil	5	5.7%	3	4.0%	0	0.0%	2	6.5%	
Verbal abuse / threatening behaviour against adult	7	8.0%	5	6.7%	17	19.3%	0	0.0%	
Bullying	0	0.0%	1	1.3%	0	0.0%	0	0.0%	
Racist abuse	0	0.0%	0	0.0%	0	0.0%	0	0.0%	
Sexual misconduct	0	0.0%	0	0.0%	1	1.1%	0	0.0%	
Drug and alcohol related	8	9.1%	10	13.3%	4	4.5%	4	12.9%	
Damage to school or personal property belonging to any member of the school community	3	3.4%	1	1.3%	1	1.1%	0	0.0%	
Theft	5	5.7%	1	1.3%	2	2.3%	0	0.0%	
Persistent disruptive behaviour	32	36.4%	23	30.7%	38	43.2%	14	45.2%	
Other	1	1.1%	11	14.7%	2	2.3%	2	6.5%	
Unknown	0	0.0%	0	0.0%	1	1.1%	0	0.0%	
Total	88	100.0%	75	100.0%	88	100.0%	31	100.0%	

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Permanent exclusions to date 2011-2012

Count of School	Column											
Row Labels	Sep 2011		Nov 2011					•	-	Jun 2012	Jul 2012	Grand Total
Primary	1			1		1	1	1				5
Primary (LA maintained)	1			1		1	1	1				5
Weddington Primary	1											1
Canon Maggs				1								1
Wellesbourne Primary						1						1
Stockingford Junior							1					1
Coleshill Primary								1				1
Secondary	3	2	5	1	5	2	2	2	2	1	1	26
Academy	2			1	1	1	2		2	1		10
Bilton					1		1		1	1		4
Nuneaton Academy	1											1
Stratford High	1											1
Campion									1			1
Rugby High School				1								1
Alcester Academy						1	1					2
Secondary (LA maintained)	1	1	5		4	1		2			1	15
Bilton	1											1
Harris		1			4			1				6
Campion			1									1
Nicholas Chamberlaine			2									2
Queen Elizabeth			1									1
Etone College			1									1
Kingsbury						1						1
The Avon Valley								1				1
Southam											1	1
Special		1										1
Round Oak		1										1
Grand Total	4	2	5	2	5	3	3	3	2	1	1	31

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Interim Progress Report – Eastern Area ABP, Chair: Don O'Neill, 27/9/12

Meeting the needs of pupils at risk of exclusion or who have been excluded by introducing new approaches

1	Devolved funding has improved the use of early intervention (eg. learning support units) in our area.	Strongly agree	Agree	Disagree	Strongly disagree
	Please describe how funding has been used to improve early intervention and inclusion with pupils at risk As yet, funding has not been devolved to LSU provision in schools, although there are examples of in some schools. All funds are currently held centrally.	of good in-h	ouse inte		
	The partnership has now appointed an Area Coordinator - Ruth Glackin – who has extensive expensive expensive 2012.	erience in th	is type of	f work. App	pointed 1
	Total number of LSUs operating:				
2	Managed transfers are working well in our area.	Strongly agree	Agree	Disagree	Strongly disagree
3	There are currently 6 children involved in managed moves in the East, involving 4 schools. Early these children; all are still under review. The ABP Coordinator is currently producing Procedure as and Alternative Provision – to make the process much clearer as well as cost effective. ABP Coordinator is representatives. Alternative provision is meeting the needs of pupils who cannot be supported in mainstream	nd Policies, dinator met	both for	Managed I	Moves ner Strongly
	Please state which alternative providers you have worked with (if any), how these arrangements have wo of the young people involved. Currently 7 students working with Shaftesbury on the Kersley site. Two of these students are caus placed at North Warwickshire and Hinckley College. One student, at mother's request, is looking for All of the students are in KS4. 2 further students have been placed temporarily in Avon Valley Sch	sing conceri or a place ba	n. 2 furthe	er students ninstream s	s are school.
4	What barriers remain to reducing exclusions and improving provision for those who are excluded Service level Agreement being worked on with Shaftesbury and LA, to transfer students from Kers quickly and could take a couple of months. Need to reinforce Policies and Procedures with all members of the ABP.	?			
5	Please add a case study as an example of how devolved funding has been used to improve outcomes for	r a child in vo			

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Interim Progress Report - Central ABP, Chair: Steve Hall (21.07.12)

Meeting the needs of pupils at risk of exclusion or who have been excluded by introducing new approaches

1	Devolved funding has improved the use of early intervention (eg. learning support units) in our area.	Strongly agree YES	Agree	Disagree	Strongly disagree				
	Please describe how funding has been used to improve early intervention and inclusion with pupils at risk of exclusion. A large part of the ABP's funding has been shared equally amongst the 7 schools in order to support the setting up and development of their and to fund the necessary staffing. The remainder of the money has been used to fund alternative provision and the Coordinator's salary (0.4)								
	Total number of LSUs operating: 7								
2	Managed transfers are working well in our area. Strongly agree Disagree Strongly agree YES								
	Please describe how managed transfers are working in your area commenting on where it has worked well and where barriers have beer Managed transfers have worked well in the Central Area owing to the provision of good information about the students transferring and to honest approach of the schools involved. The one exception, involving the return of a Y10 student to his home school and his subsequer permanent exclusion from that school, was entirely the student's own responsibility.								
3	Alternative provision is meeting the needs of pupils who cannot be supported in mainstream school.	Strongly agree	Agree	Disagree	Strongly disagree				
	Please state which alternative providers you have worked with (if any), how these arrangements have wor of the young people involved. CABP has used Hybrid Arts, Arthur Rank Training, Coombe Country Park, Warwickshire College, Academ These partnerships have worked well, but the problem of providing adequately for GCSE English and Mata Furthermore, only 2 of the above 6 Alternative Providers have successfully come through the LA's tenderic concern: the Central Area will be very short of Providers sited at a reasonable distance from the schools.	ny21 and A hs effective	pricot Lea ely remain	rning On-L s a critical	ine. one.				
4	What barriers remain to reducing exclusions and improving provision for those who are excluded? The main barriers remaining are: 1.) The lack of adequate BESD capacity in Warwickshire for students who should not be in mainstream schools; 2.) The failure to diagnose the extent of key students' special needs whilst they are in the Primary Sector; 3.) The lack of coordination and cohesion amongst the various LA and other agencies involved in supporting the most challenging students; 4.) Widespread drug abuse amongst the most challenged and challenging students, particularly KS4 boys.								
5	Challenged and challenging students, particularly KS4 boys. Please add a case study as an example of how devolved funding has been used to improve outcomes for a child in your area. A permanently excluded Y8 boy has been provided with a 6-week short-stay placement with the Early Intervention Service. This has involved him in a variety of learning activities organised by Positive About Young People (PAYP) throughout this period but has also enabled an EIS worker to carry out a full assessment of his needs, creating a Personal Learning and Behaviour Profile. At a cost of £3000, including daily transport to the PAYP site, it is hoped that this facility will enable the CABP to settle the student successfully in a different Central Area school.								

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Interim Progress Report - Northern Area ABP, Chair: David James, October 2012

Meeting the needs of pupils at risk of exclusion or who have been excluded by introducing new approaches

	<u> </u>				
1	Devolved funding has improved the use of early intervention (eg. learning support units) in our	Strongly	Agree	Disagree	Strongly
	area.	agree			disagree
			\checkmark		· I

50% of the total ABP funding allocation has been devolved to schools to facilitate early intervention, especially at KS3.

Only a small number of schools have also established LSU type facilities with some success. EIS provide learning mentors who work with key at risk students. PAYP is also involved in providing intervention services to students at risk of exclusion.

Key challenges:

- Funding in the first year was limited with many schools not having sufficient funds to invest in effective provision. With increased funding this year, it is expected that the number of schools offering LSU provision will increase.
- Establishing and sharing good practice across schools this approach is new to all of the schools, so it will take time for outstanding practice to develop and replicated across the area.
- The behaviour leads meeting is effective at sharing information, but needs to develop further. All schools in the partnership who utilise funding should be expected to attend.

Total number of LSUs operating: 4

2 Managed transfers are working well in our area.

Strongly agree	Agree	Disagree	Strongly disagree
	V		

There has been a significant increase in the number of managed moves in the area, especially at Key Stage 3. A number have been extremely effective and the student have been able to "re-invent" themselves effectively in their new setting. EIS have supported the process effectively through their deployment of their learning mentor team.

A significant number of managed moves have, however, failed, especially with students who have turbulent home lives and often students who are extremely vulnerable. Moving to a new school has not removed the underlying difficulty for the student and as a result a typical school setting fails. With very limited LSU provision across the area, managed moves are often "hit and miss". However, there is significant trust across partner schools and a clear desire for them to continue.

Having a dedicated ESW for ABP students has had a significant impact – as they have provided intervention for students at risk of non-attendance at the new school.

Key Challenges:

• When a KS3 student fails a managed move, finding further placements is extremely difficult. There are an increasing number of vulnerable

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Y9 girls who have failed managed moves with little or no hope of returning them to mainstream school at the moment. With the absence of high quality providers at KS3, sending vulnerable KS3 girls to external providers raises significant safeguarding issues that the ABP and the LA must not shy away from addressing.

- Where a school has spaces, parents can if they wish by-pass the managed move system (and the IYFAP) system and simply apply for a school place, which the school is obliged to take on-roll. Schools with spaces therefore have a regular number of casual admissions from students who are on the verge of permanent exclusion. Without support in the new school, behaviour continues to be an issue and a significant challenge to the school.
- Communication between key agencies is not as robust as it should be with LAC, Social care, ASRS and ESW not always working as well
 together as they could for the benefit of the students.
- 3 Alternative provision is meeting the needs of pupils who cannot be supported in mainstream school.

Strongly agree	Agree	Disagree	Strongly disagree
	V		

Please state which alternative providers you have worked with (if any), how these arrangements have worked and how they are meeting the needs of the young people involved.

North Warwickshire and Hinckley College

A total of sixteen students are attending NWHC through the ABP. Of these, twelve are on a full-time programme. The ABP Co-ordinator attends all initial interviews to discuss the programme for the student and regular meetings are then held thereafter. The college sends weekly reports to the ABP Co-ordinator which are then passed onto the relevant lead within the home school. Attendance is being monitored both in the morning and the afternoon. The college are offering the students GCSE Maths and English where appropriate and level 2 qualifications in other areas.

Positive about Young People

A total of four young people are attending Positive about Young People. This provider has been used for the more challenging students for who an immediate placement at college or other provider is not the right move. PAYP are working with these students on issues such as self-esteem and confidence. Work is supplied by the home school for the student to complete whilst attending. It is only used as a short stay facility to enable us to find the right placement for the students to ensure a successful move.

Coventry Building Workshop

Two students currently attend Coventry Building Workshop on a part-time basis. These students have been attending since 2011-2012. Students placed here have been very successful and are working towards accredited vocational qualifications. The provider is not active at present on the providers list but it is hoped that they will become active in the near future.

EIS Short Assessment programme

We have one student on the short stay assessment programme and a decision will be made in the next week as to where they will be placed long-term. The existing assessment arrangements are currently inadequate as they do not provide the service that is required.

Shaftesbury

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We have one student on a part-time Shaftesbury placement, who is attending NWHC for two days a week. This was a legacy student that the Northern ABP picked up.

4 What barriers remain to reducing exclusions and improving provision for those who are excluded?

- KS3 provision especially for the most vulnerable. Is the establishment of a KS3 PRU free school an option? Especially an issue for vulnerable girls.
- Joined up support for students the vast majority of students working with the ABP have significant need and are supported through a large number of agencies. A single ESW for the ABP has had significant benefits. A single senior named person in each key agency would allow issues to be resolved rapidly through the coordinator to ensure that key protocols established effectively and that vulnerable students are dealt with rapidly.
- I am not confident that everyone is aware of the responsibilities of the ABP and the responsibilities of the LA. A number of LA agencies are not totally aware that the ABP is working to eliminate permanent exclusion and have not adjusted their protocols accordingly. For example a school was recently told by the LAC team that they would only intervene if the student was permanently excluded.
- EIS short stay/assessment arrangements are currently not effective.
- EBD provision in the North is inadequate.
- In the last year there has been at least 1 occasion where important safeguarding information regarding an ABP student was not made available when a student moved school. This put staff and other students at significant risk.
- We have evidence that alternative providers are sending students home for breaches of their behaviour code, which results in an illegal exclusions. Mostly this is done with no notification to the ABP or the school where the student is on roll.
- Improving educational provision in alternative providers the expectation that full time KS4 provision provides high quality teaching of GCSE English and Maths to all students to maximise life chances. GES is working with NWHC to facilitate this, but this needs to be part of future contracts.
- Not all providers are using CLM to register students attendance.

5 Please add a case study as an example of how devolved funding has been used to improve outcomes for a child in your area.

A student who was placed at NWHC is now attending a catering course post-16 at the college.

The student also won Yr 11 student of the year and the Electrical Installation Student of the Year Award.

This was a student who was totally disengaged whilst at school and attendance was very poor.

He attended college every day and there were rarely concerns noted on his reports.

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