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Notice of a Meeting

OXFORDSHIRE COUNTY COUNCIL

Education Scrutiny Committee
Wednesday, 14 March 2018 at 11.00 am
Meeting Rooms 1&2 County Hall

Membership

Chairman Councillor Michael Waine
Deputy Chairman - Councillor Mrs Anda Fitzgerald-O'Connor

Councillors:	Sobia Afridi	John Howson	Gill Sanders
	Dr Suzanne Bartington	Jeannette Matelot	Alan Thompson
Co-optees:	Richard Brown		
By Invitation:	Ian Jones	Carole Thomson	

Notes: ***Date of next meeting:*** *14 March 2018*

What does this Committee review or scrutinise?

- a focus on the following key areas:
  - work in relation to the education strategy, and including review of an annual report on progress;
  - constructive challenge on performance issues highlighting issues where the Committee can support the improvement dialogue;
  - reviewing the Council's education functions including early years, Special Education Needs and school place planning;
  - reviewing the progress of, and any issues emanating from, the School Organisation Stakeholder Group with regard to admissions patterns and arrangements;
  - reviewing issues raised by the Schools Forum.
- assists the Council in its role of championing good educational outcomes for Oxfordshire's children and young people;
- provides a challenge to schools and academies and to hold them to account for their academic performance;
- promotes jointed up working across organisations in the education sector within Oxfordshire.

How can I have my say?

We welcome the views of the community on any issues in relation to the responsibilities of this Committee. Members of the public may ask to speak on any item on the agenda or may suggest matters which they would like the Committee to look at. **Requests to speak must be submitted to the Committee Officer below no later than 9 am on the working day before the date of the meeting.**

For more information about this Committee please contact:

Chairman	-	*Councillor Michael Waine* *Email: michael.waine@oxfordshire.gov.uk*
Senior Policy Officer	-	*Katie Read, Tel: 07584 909530* *Email: katie.read@oxfordshire.gov.uk*
Policy & Partnership Officer	-	*Lauren Rushen, Tel: 07990 367851* *Email: lauren.rushen@oxfordshire.gov.uk*
Committee Officer	-	*Deborah Miller, Tel: 07920 084239* *deborah.miller@oxfordshire.gov.uk*

PG Clark

Peter G. Clark
Chief Executive

March 2018

About the County Council
The Oxfordshire County Council is made up of 63 councillors who are democratically elected every four years. The Council provides a range of services to Oxfordshire's 678,000 residents. These include:

schools	social & health care	libraries and museums
the fire service	roads	trading standards
land use	transport planning	waste management

Each year the Council manages £0.9 billion of public money in providing these services. Most decisions are taken by a Cabinet of 9 Councillors, which makes decisions about service priorities and spending. Some decisions will now be delegated to individual members of the Cabinet.

About Scrutiny
Scrutiny is about:

- Providing a challenge to the Cabinet
- Examining how well the Cabinet and the Authority are performing
- Influencing the Cabinet on decisions that affect local people
- Helping the Cabinet to develop Council policies
- Representing the community in Council decision making
- Promoting joined up working across the authority's work and with partners

Scrutiny is NOT about:

- Making day to day service decisions
- Investigating individual complaints.

What does this Committee do?
The Committee meets up to 6 times a year or more. It develops a work programme, which lists the issues it plans to investigate. These investigations can include whole committee investigations undertaken during the meeting, or reviews by a panel of members doing research and talking to lots of people outside of the meeting. Once an investigation is completed the Committee provides its advice to the Cabinet, the full Council or other scrutiny committees. Meetings are open to the public and all reports are available to the public unless exempt or confidential, when the items would be considered in closed session.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, giving as much notice as possible before the meeting

A hearing loop is available at County Hall.

recycled paper

AGENDA

1. Introduction and Welcome

2. Apologies for Absence and Temporary Appointments

3. Declarations of Interest - see guidance note of the back page

4. Petitions and Public Address

EXEMPT ITEM

It is RECOMMENDED that the public be excluded for the duration of item ESC5 since it is likely that if they were present during that item there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified below in relation to those items and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

THE ANNEXES TO THE ITEM HAVE NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS 'CONFIDENTIAL' BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.

THIS ALSO MEANS THAT THE CONTENTS SHOULD NOT BE DISCUSSED WITH OTHERS AND NO COPIES SHOULD BE MADE.

5. Educational Attainment (Pages 1 - 20)

11.05

The information contained in the report is exempt in that it falls within the following prescribed category:

1 Information relating to any individual
2 Information which is likely to reveal the identity of an individual

It is considered that in this case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would distort the proper process of free negotiations between the authority with another party for the purposes described and would prejudice the position of the authority in those negotiations and other negotiations of a similar nature in future.

The report provides Members with information on levels of attainment in secondary schools focusing on the areas of inequality and achievement of vulnerable learners in order to provide a steer on the scope for the Attainment deep dive.

Following on from the December meeting where Committee Members were given a

briefing based on predicted levels of attainment at Primary School level. The report updates Members on the actual figures which have now been published.

6. School Exclusions Final Report (Pages 21 - 36)

11.35

The report will outline the recommendations from the Committee's working group which was set up with the aim to help schools reduce fixed term and permanent exclusion rates.

The Committee is asked to consider the final report, ask questions of the working group and agree the recommendations from the final report.

7. Elective Home Educators (Pages 37 - 38)

12.20

Members resolved at the December 2017 meeting to meet with officers and elective home educators to investigate new procedures that have been implemented to support home educators and to identify the reasons for the 21% increase in elective home education.

The Committee is RECOMMENDED to note the report and progress to date.

Declarations of Interest

The duty to declare…..
Under the Localism Act 2011 it is a criminal offence to
(a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
(b) provide false or misleading information on registration, or
(c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?
The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.
The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *"You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself"* or *"You must not place yourself in situations where your honesty and integrity may be questioned…..".*

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:
Employment (includes"*any employment, office, trade, profession or vocation carried on for profit or gain*".), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members' conduct guidelines. http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/ or contact Glenn Watson on **07776 997946** or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

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Division(s): N/A

SCRUTINY EDUCATION COMMITTEE – 14 MARCH 2018

EDUCATION ATTAINMENT

Report by Strategic Lead for Education Quality

Introduction

1. The paper with appendices is produced to provide Members with information on levels of attainment in secondary schools and to update Members of Primary School levels of attainment.

Exempt Information

2. Appendices 2, 3 and 4 of this report contain information which relates to Special Educational Needs data by school level. The public should therefore be excluded during consideration of appendix 2, 3 and 4 because its discussion in public would be likely to lead to the disclosure to members of the public present of information in the following categories prescribed by Part I of Scheduled 12A to the Local Government Act 1972 (as amended):

3. Paragraphs 1 (information relating to any individual) and 2 (information which is likely to reveal the identity of an individual) and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that the disclosure would infringe the rights of the individual to privacy contrary to the general law and the public duty of the authority to respect human rights and to comply with that law.

Oxfordshire Primary Outcomes 2017

Key Stage 1

4. Reading, Writing and Maths 62% of pupils achieved the expected standard in RWM. This is a 5% increase from 2016. The % of pupils achieving greater depth has increased by 2%.

5. Reading 76% achieved the expected standard, 1% above national.

6. Writing 66% achieved the expected standard, 2% below national (this gap has narrowed by 1%).

7. Maths 75% achieved the expected standard, in-line with national (was 1% below in 2016).

8. Outcomes have improved in all subjects. Outcomes in Writing have increased by 4% from 2016. An additional 152 pupils reaching the expected standard would have put outcomes in line with the national average. However, outcomes in Writing are below those for Reading and Maths, a persistent pattern for the LA (and statistical neighbours/nationally)

9. Outcomes for disadvantaged pupils remain below those of non-disadvantaged pupils, although outcomes in all areas have improved.

10. The disadvantaged gap (2016) varied from 23%pts in reading (16%pts nationally) to 29%pts in writing (17%pts nationally).

11. The disadvantaged gap between Oxfordshire and other Las in 2017 varied from 21%pts in reading to 25%pts in writing. Gaps in Reading and Writing have remained constant at 24% but the gap in Maths has narrowed by 1%.

Key Stage 2

12. KS2 outcomes 61% of Oxfordshire pupils at the end of key stage 2 reached the expected standard in reading, writing and maths compared to 62% nationally. This represents a 9% rise in the LA's results. Oxfordshire has moved up into the 2nd quartile nationally for both this measure and for pupils achieving the higher standard. The LA's results are also in-line with statistical neighbours with Oxfordshire now ranked 5th compared with 9th in 2016 for the % of pupils achieving at least the expected in reading, writing and maths.

13. In reading, 74% of Oxfordshire pupils reached the expected standard in reading this is above the national average of 71% and in-line with the statistical neighbour average. This places Oxfordshire in the top quartile nationally.

14. Although writing is still below the national result, this represents an 8%pt increase in the proportion of pupils achieving at least the expected standard, and shows a slightly greater increase than nationally. However, this result does place Oxfordshire in the bottom quartile nationally. The proportion of pupils working at greater depth in writing is in-line with the national figure at 9%. The gap between outcomes in Writing in Oxfordshire and those nationally is narrowing (5% in 2016, 3% in 2017)

15. The attainment of pupils with SEN support in reading, writing and maths (RWM) has increased significantly on 2016. Pupils with SEN in Oxfordshire also attained better than pupils with SEN nationally. Disadvantaged learners have also attained better in 2017 but the gap between them and their peers has not diminished. Those with a statement or an EHCP attained in line with national average.

16. Writing remains the weakest area for all children. Appendix 1 details the Local Authority response to these observations.

Oxfordshire Secondary Outcomes

17. Attainment 8 for Oxfordshire pupils is 1.2% above that nationally. It is important to note that this measure has been revised so cannot be compared with previous years. Appendix 4 explains this in more detail.

18. A new performance indicator in 2017 is the proportion of pupils with a strong pass (grade 5+) in English and maths.

19. Almost half of the pupils in Oxfordshire (48%) achieve a "strong" pass at grade 5 or above in English and maths, compared with 43% nationally. This places Oxfordshire in the top quartile nationally for this measure.

20. Over two thirds of Oxfordshire pupils (68%) achieved a standard pass at grade 4 or above in both English and maths, this compares with 64% nationally. Again, placing Oxfordshire in the top quartile nationally.

21. Oxfordshire performs strongly in maths this year, with 54% of pupils achieving a strong pass (grade 5+). Oxfordshire is ranked the 30th highest local authority (out of 151) for this measure.

22. Progress 8 in Oxfordshire is above that reported nationally. Oxfordshire is placed in the second quartile nationally for this measure.

23. Attainment 8 for Oxfordshire learners with SEN and disadvantaged is lower than national and in the 3rd or lowest quartile.

24. Confidential Appendix 2 provides Attainment 8 data for each secondary school in Oxfordshire as well as the breakdown for each of the pupil groups. This paper is confidential because the SEN data is not yet in the public domain.

25. To improve Attainment 8 learners, need to make as much progress as possible. Confidential appendix 4 lists the schools where disadvantaged learners and learners with SEN make the most and least progress. It is important to note the numbers of pupils in each cohort in these examples.

26. It may be interesting to look at the curriculum offer in schools. Attainment 8 consists of a very precise list of 5 subjects plus 3 subjects in what is described as the open element of the measure. The performance of Oxfordshire's pupils generally in the open element is not strong. More detail can be found in confidential appendix 4.

SANDRA HIGGS
Strategic Lead for Education Quality

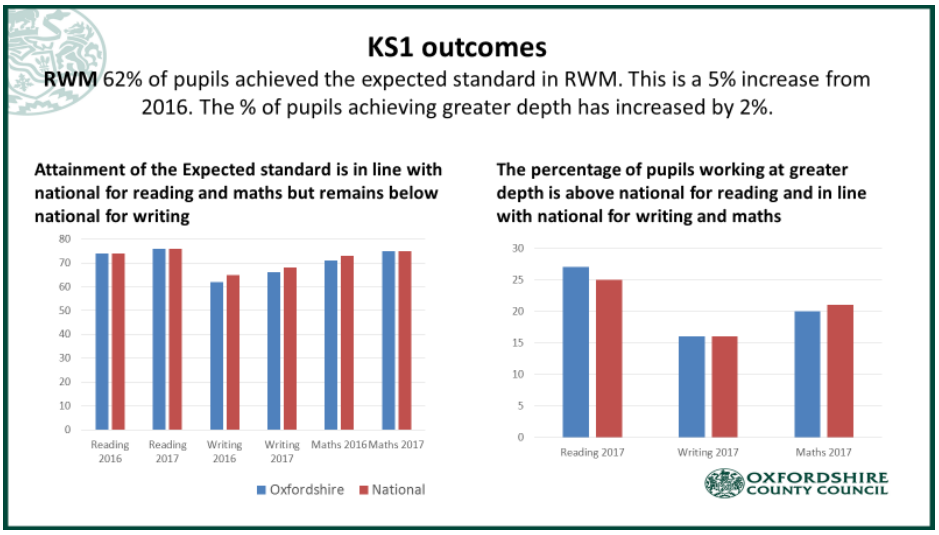
Background papers:
Appendix 1: Oxfordshire Primary Outcomes 2017
Appendix 2: Secondary School Level List CONFIDENTIAL
Appendix 3: KS4 Validated Summary CONFIDENTIAL

Appendix 4: Progress of Vulnerable Learners at KS4 CONFIDENTIAL
Locality Summaries (Data unvalidated)

Contact Officer: Lauren Rushen

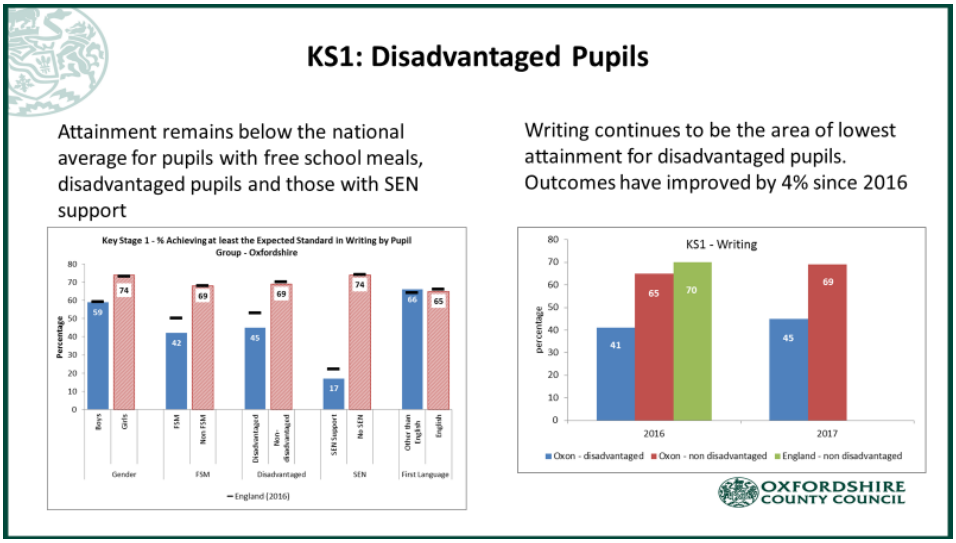
March 2018

Oxfordshire Primary Outcomes 2017



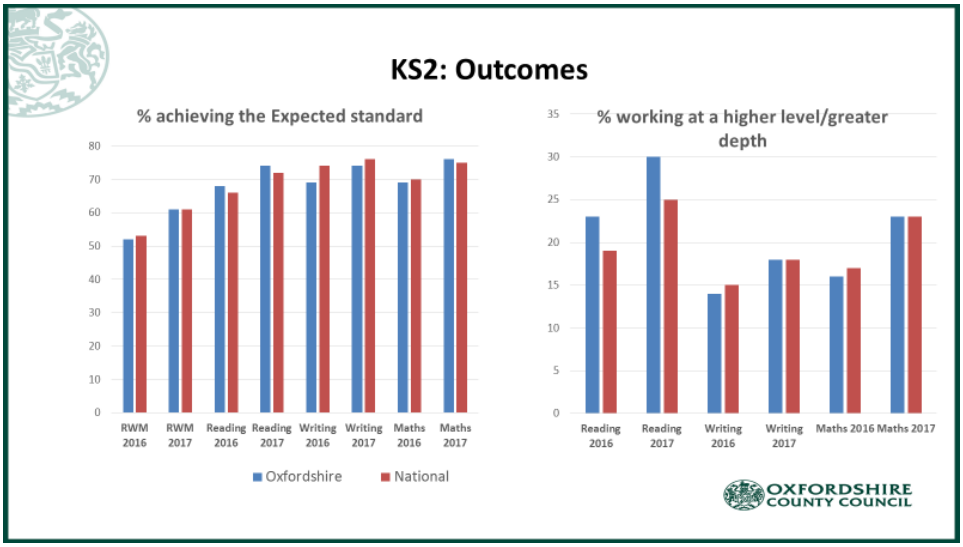
Reading, Writing and Maths 62% of pupils achieved the expected standard in RWM. This is a 5% increase from 2016. The % of pupils achieving greater depth has increased by 2%.
Reading 76% achieved the expected standard, 1% above national.
Writing 66% achieved the expected standard, 2% below national (this gap has narrowed by 1%).
Maths 75% achieved the expected standard, in-line with national (was 1% below in 2016).

Outcomes have improved in all subjects. Outcomes in Writing have increased by 4% from 2016. An additional 152 pupils reaching the expected standard would have put outcomes in line with the national average. However, outcomes in Writing are below those for Reading and Maths, a persistent pattern for the LA (and statistical neighbours/nationally)



Disadvantaged pupils
Outcomes for disadvantaged pupils remain below those of non-disadvantaged pupils. Outcomes in all areas have improved). The disadvantaged gap (2016) varied from 23%pts in reading (16%pts nationally) to 29%pts in writing (17%pts nationally).

The disadvantaged gap between Oxfordshire and other Las in 2017 varied from 21%pts in reading to 25%pts in writing. Gaps in Reading and Writing have remained constant at 24% but the gap in Maths has narrowed by 1%

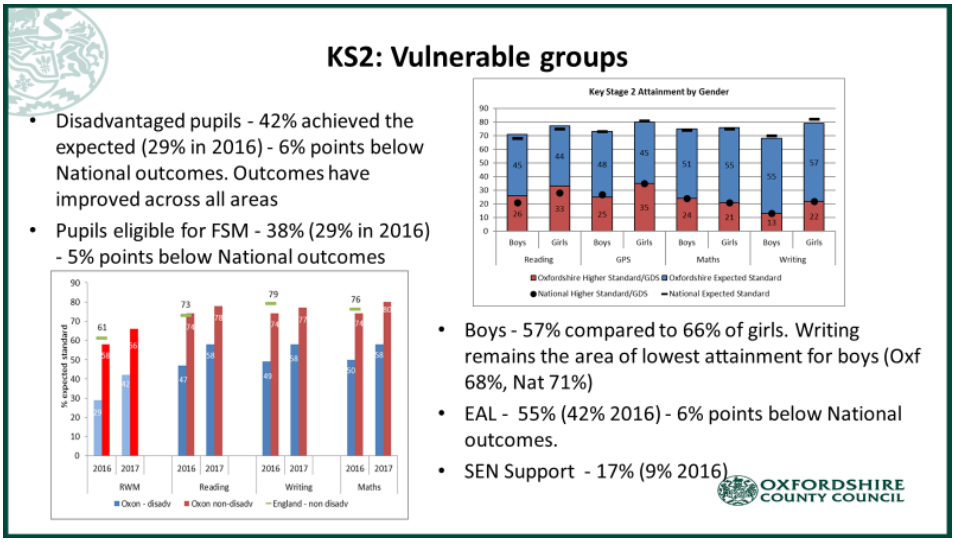


KS2 outcomes 61% of Oxfordshire pupils at the end of key stage 2 reached the expected standard in **reading, writing and maths** compared to 62% nationally. This represents a 9% rise in the LA's results. Oxfordshire has moved up into the 2nd quartile nationally for both this measure and for pupils achieving the higher standard. The LA's results are also in-line with statistical neighbours with Oxfordshire now ranked 5th compared with 9th in 2016 for the % of pupils achieving at least the expected in reading, writing and maths.

Reading: In Oxfordshire 74% of pupils reached the expected standard in reading this is above the national average of 71% and in-line with the statistical neighbour average. This places Oxfordshire in the top quartile nationally

Writing
Although still below the national result, this represents an 8%pt increase in the proportion of pupils achieving at least the expected standard in writing, and shows a slightly greater increase than nationally. However, this result does place Oxfordshire in the bottom quartile nationally. The proportion of pupils working at greater depth in writing is in-line with the national figure at 9%.
The gap between outcomes in Writing in Oxfordshire and those nationally is narrowing (5% in 2016, 3% in 2017)

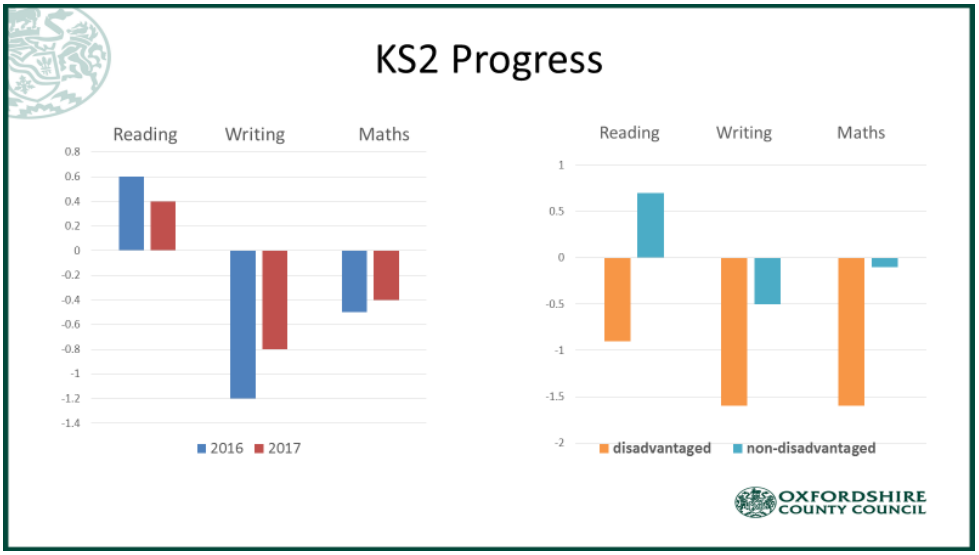
There is a distinct gender gap in writing for Oxfordshire at 11%pts. 79% of girls achieved the expected standard compared to 68% of boys. The gap is also seen for those pupils working at greater depth.



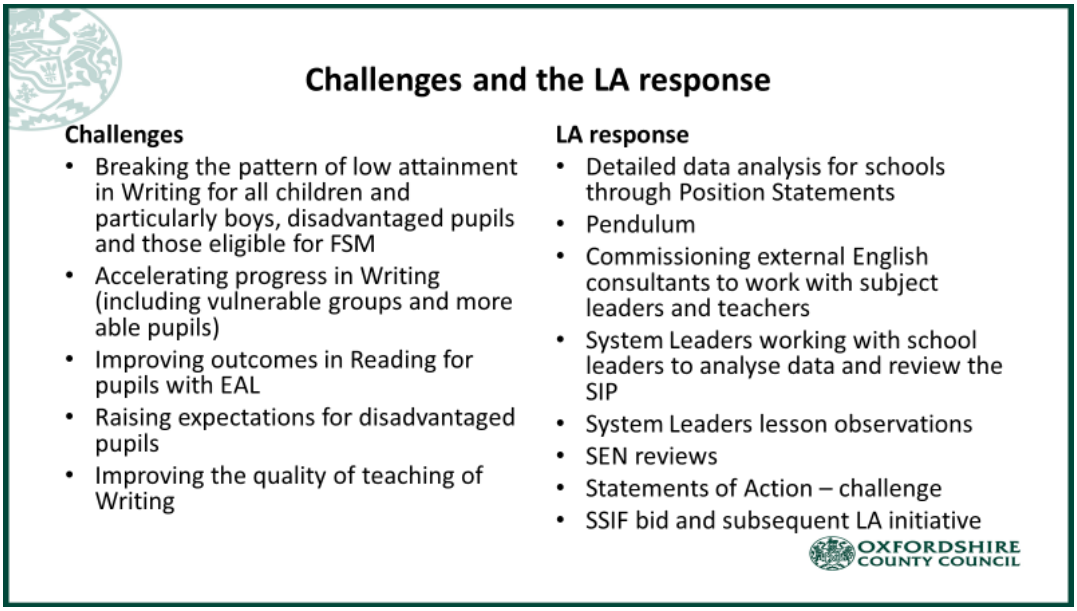
The attainment of pupils at SEN support in reading, writing and maths (RWM) has increased significantly and they have diminished the difference with their peers. 8% improvement compared with 9% improvement for all pupils. Pupils with SEN in Oxfordshire also attained better than pupils with SEN nationally. Disadvantaged learners have also attained better in 2017 but the gap between them and their peers has not diminished. Those with a statement or an EHCP attained in line with national average. Writing remains the weakest area for all children.

There has been a strong focus on improving systems, structures and provision for pupils with SEN support through the Oxford Brookes National Award for SENCOs which is jointly taught be OXSIT. SENCOs are now well equipped to assess need and to plan provision which overcomes barriers. There is a good knowledge of additional interventions to support progress. An increasing number of primary headteachers have completed the NASENCO thus developing more inclusive schools. There is still much more to be done in ensuring teaching and learning includes all learners and that there is a focus in primary schools improving the outcomes of those at SEN support.

The addition of progress measures in Position Statements will support schools and system leaders to evaluate impact of actions to improve the outcomes for pupils with SEN.



Progress in reading is significantly above national but progress in writing and in maths is significantly below that nationally. Disadvantaged pupils make less progress than non-disadvantaged pupils in Reading, Writing and Maths, with the largest gap being in Maths.



LA response

The LA provides schools with analysis of data through annual Position Statements. These give school leaders a clear picture of outcomes for all pupils at EYFSP, KS1, Yr1 and 2 Phonics, Ks 1 and 2 and KS1 to 2 progress for all children and disadvantaged pupils. These are RAG rated and give an instant picture of areas of weakness.

Schools have access to pendulum which gives them data for all key stages for 2 years and comparisons with outcomes at an LA and National level.

Schools with the lowest outcomes in Writing (and Maths) are allocated support from external consultants (Primary Support Team) who work with subject leaders to analyse data, identify weaknesses in teaching and learning and provide training for teachers and TAs. (add impact).

System Leaders are heads from Good/Outstanding schools (some also Ofsted inspectors) support all schools – Good/Outstanding schools have one visit to look at data and SIPs; targeted schools of concern (incl leadership, outcomes) receive 3 visits; RI schools receive 5 visits. SLs work closely with HTs to review the effectiveness of the SIP and the quality of teaching and learning. Focus on outcomes and progress. Analysis with HTs focus on outcomes and progress for vulnerable groups and subjects of underachievement.

Schools with significant concerns or where leaders (including governors) don't have a clear view of outcomes and quality of provision have a funded school review to identify these and identify areas for improvement.

Statements of Action are written for, and agreed with, leaders in schools of concern to the LA. These respond to areas of weakness and set clear actions for the LA and includes clear outcomes and monitoring points. These focus on leaders' (including governors) analysis of data, improving the quality of teaching (consistency), developing middle/subject leaders, holding senior and middle leaders and teachers to account for outcomes and progress. The LA funds support from SLs, subject and leadership consultants.

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Division(s): N/A

EDUCATION SCRUTINY COMMITTEE – 14 MARCH 2018

SCHOOL EXCLUSIONS WORKING GROUP REPORT

Report by Councillor Gill Sanders, Chairman of the Exclusions Working Group

Introduction

1. On 27 September 2017 the Education Scrutiny Committee established a working group to investigate the increased use of fixed term and permanent exclusions across Oxfordshire. The group's aim was to identify the underlying reasons for the increase, understand how schools and the Local Authority are addressing this, and to make clear recommendations to help reduce the number of fixed term and permanent exclusions in the future.

2. The working group was led by Cllr Gill Sanders and consisted of Education Scrutiny members Cllr Anda Fitzgerald-O'Connor, Cllr Jeannette Matelot and Carole Thomson. In addition, Cllr John Howson supported a number of working group activities. Officer support was provided by the Strategic Lead for Education Sufficiency; the Education Inclusion Manager; and a Senior Policy Officer.

3. This report presents the working group's findings and recommendations for review by the Education Scrutiny Committee.

Context

4. All children have a right to benefit from the opportunities provided by education. One of the Council's core priorities is to ensure every child in Oxfordshire has a good start in life. It does this by working with schools, families and partners to support increased school attendance, which in turn leads to improved attainment levels.

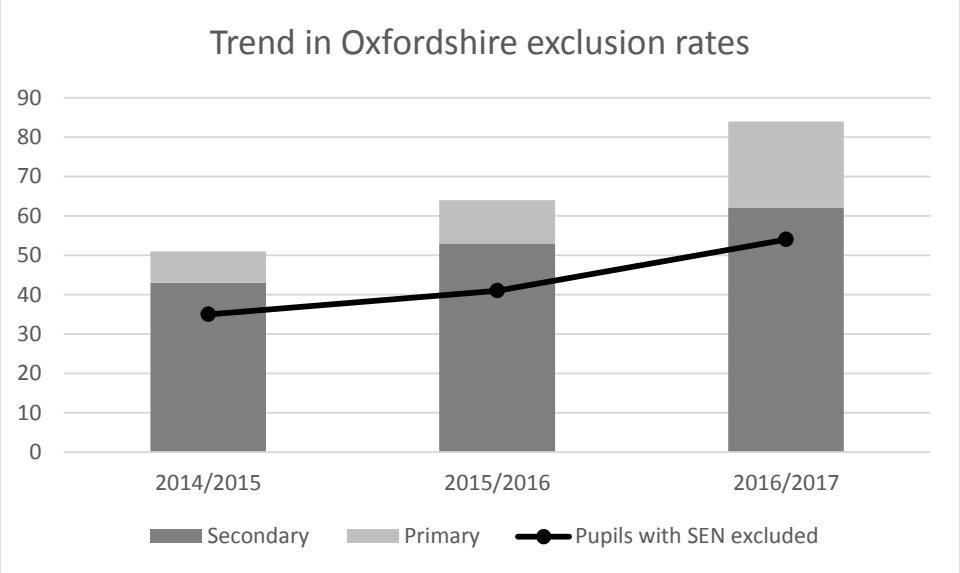
5. It is clear that fixed term and permanent exclusion disrupts a child's education and can negatively impact on their achievement.

6. Whilst Department for Education guidance supports headteachers to use exclusion as a sanction where it is warranted, it emphasises that permanent exclusion should be used as a last resort. It should only be in response to serious or persistent breaches of a school's behaviour policy, and if the education or welfare of others in the school would otherwise be harmed by the pupil remaining[1].

[1] DfE Guidance, 'Exclusion from maintained schools, academies and pupil referral units in England', September 2017

7. The expectation is that schools will have tried a range of interventions to address a pupil's disruptive behaviour before exclusion is considered. In some cases a fixed-term exclusion may be used in the first instance to allow sufficient time to consider the alternatives to permanent exclusion. Where further evidence comes to light, a further period of fixed term exclusion may begin immediately or a permanent exclusion may be issued.

8. In Oxfordshire there has been a 28% increase in the overall exclusion rate since 2016/17 and a 62% increase since 2014/15. 82 pupils were permanently excluded in 2016/17 and there was a steep increase in fixed term exclusions, although lower than the national average.



9. More than half the permanent exclusions from secondary schools in 2016/17 were pupils receiving some level of Special Educational Needs (SEN) support. All pupils permanently excluded from Oxfordshire primary schools had SEN support.

Background

10. When reviewing the trends in exclusion from Oxfordshire schools, the Committee raised concerns about the high number of pupils with SEN being excluded. Members wanted to investigate whether delays in the assessment of SEN and disabilities, and access to support through an Education, Health and Care Plan, are key contributory factors to the rise in exclusion.

11. The Committee was also interested to learn whether exclusion rates are linked to areas of deprivation and if the location, catchment area, or type of school affects this. There was particular concern about the rise in primary school exclusions, those at the point of transition to secondary school and in the first year of GCSE.

12. Members queried the reasons for a growing use of fixed term exclusions; whether this is due to more rigorous reporting or is in response to a lack of support to keep pupils in school. They were keen to explore how 'managed moves' and fair access protocols are used to reduce the risk of exclusion.

13. The role of governors in upholding and challenging decisions to exclude was also queried, including whether there is sufficient training to ensure that the statutory process is followed.

Terms of reference

14. Based on the Committee's discussion in September a working group of members was tasked to:

    - Develop a greater understanding about the underlying reasons for both fixed term and permanent exclusions in primary and secondary schools.
    - Understand what support is available for schools in managing pupils who are at risk of exclusion and where there are gaps in this support.
    - Identify which aspects of the exclusion process are working well and which are not.
    - Identify good practice in schools where rates of exclusions are low or are reducing significantly.

15. To ensure the working group's recommendations have the greatest impact, the members agreed their key lines of inquiry would focus on areas where exclusion rates have continued to be high and are increasing:

    - Among primary aged children,
    - At the point of transition from primary school to secondary, and
    - School Years 10 and 11

16. The group also agreed not to review rates of attendance or levels of attainment, as these are planned to be the focus of subsequent Education Scrutiny working groups.

Method of investigation

17. Between November 2017 and January 2018, the working group gathered evidence and intelligence via the following methods:

    a. *Meetings with County Council lead officers* to understand the Oxfordshire context, including the Authority's statutory duties in relation to fixed term and permanent exclusions, an overview of available support services and current data on exclusions across Oxfordshire schools.

    b. *Review of key guidance, policies and data in relation to school exclusions,* e.g. Department for Education School Exclusion guidance, Oxfordshire's In Year Fair Access protocol.

    c. *Visits to primary schools and secondary schools* in similar socio-economic locations where the rates of exclusion are either high or decreasing/low for children identified in the specific areas of focus. The aim of these meetings was to identify areas of good practice and the key barriers to reducing exclusion.

The visits included a discussion with the headteacher, a Governor and the SEN Co-ordinator or behaviour lead and were usually attended by two or more working group members, a member of the Education team and a Senior Policy Officer. Appendix A lists the key questions covered in these discussions.

In preparation for these visits the following information was requested for members' review:

i. School behaviour policy
ii. Approach to staff training / training records on behavioural support
iii. Numbers of children on reduced timetables and how these are used
iv. SEN Information Report

d. *Facilitated workshop with the Children in Care Council* to understand more about the experience of Looked After Children who have been excluded. The discussion focused on how well children in care are supported at school when they are experiencing difficulties, the help they receive to reintegrate with school or at transition to secondary school, the impact of exclusion at home, and the links with children placed outside the county or moving into Oxfordshire.

e. *Meeting the headteacher of Meadowbrook College* to understand what alternative educational provision is commissioned by the Council for pupils who have been excluded or are at risk of exclusion.

f. *Meeting the headteacher of the Virtual School for Looked After Children and Care Leavers* to understand how the Council supports schools not to permanently exclude a child in care.

g. *Observation of two 'In Year Fair Access Panel' meetings* to further understand how school work collaboratively to support pupils at risk of exclusion, the process for placing permanently excluded pupils and how places at Meadowbrook College (alternative provision) are allocated.

h. *Meeting with inclusion and special educational needs officers* to explore whether children with SEN, disabilities and social, emotional and mental health needs are being sufficiently supported, to reduce the risk of their exclusion. Officers also provided an overview of progress and learning from the Oxfordshire School Inclusion Team project with year 8 boys in two high excluding schools.

Findings

Leadership

18. A key theme that emerged from discussions with headteachers and Local Authority officers was the importance of a leadership focus on inclusion. School leaders set the climate and culture of a school and are key to promoting an inclusive ethos.

19. With the autonomy of schools growing, innovative approaches to inclusion and behaviour management are being developed. The working group heard good examples of school leaders establishing inclusive practices, involving parents and developing robust processes to challenge exclusions. However, it was also clear to the group that a system-wide agreement on an approach to preventing exclusion would be helpful.

20. The use of voluntary financial penalties for schools that exclude was presented as a potential model. This would involve schools voluntarily entering into a binding agreement that would see them pay an agreed penalty for permanently excluding pupils. A model used in Bristol was also shared as good practice. There, schools and the Local Authority agree that alternative provision can be accessed at much lower cost, if a school does not permanently exclude a pupil. The working group felt that such models would be worth exploring further with schools across Oxfordshire.

21. The leadership role of governors was also highlighted as important. A governing body that is well equipped to scrutinise a headteacher's decision to permanently exclude a pupil can encourage the school to improve its preventative work with pupils before such a decision is taken.

22. The Council offers training for governors, but feedback suggested that this is expensive and some schools have sourced training elsewhere. Support from the Exclusions and Reintegration Team to inform the process of exclusion is also not taken up in every case. To ensure a consistent level of challenge to headteachers on their strategies for reducing exclusion, there may be a need to further develop the training offer for governors on building an inclusive school.

23. The group were also made aware of how important it is to have an experienced and fully trained clerk to governors to help navigate the exclusion process. The Council can provide a clerking service for schools where the clerk has no previous experience of exclusions. Due to the short time between a headteacher's decision to exclude and governors convening a disciplinary panel, access to an online training module could be extremely valuable. The working group is keen for this to be actively explored.

24. It was also thought that the Council could be doing more to celebrate and highlight good practice across the county. Although Ofsted now considers inclusion in its inspection framework, a 'good' inspection rating may not provide adequate recognition for a school that has made significant effort to support challenging pupils, who may have otherwise been excluded.

Alternative provision

25. The Council funds 106 places of alternative provision at Meadowbrook College to provide education for students aged 5-16 who either are excluded from mainstream schools, or are finding it difficult to fully access education. An overview of provision at Meadowbrook College is in Appendix B.

26. Headteachers and the College itself highlighted the need for more alternative provision at primary school age. This is supported by the fact that there were 22

permanent exclusions from primary schools in 2016/17, but only eight places commissioned by the Council for primary aged pupils at the College.

27. Although the Council meets regularly with the College to ensure the best provision is being made and the turnaround of placements is timely and appropriate, this process is often complicated and lengthy due to the reluctance of some schools to admit children with additional needs after being excluded from a previous setting.

28. Some of the Meadowbrook College places for secondary aged pupils are allocated through the county's four In Year Fair Access Panels (IYFAPs). It was noted that the availability of these places is a significant issue. In one area a Panel had 13 College places to allocate, but more than 50 referrals for pupils at risk of exclusion.

29. For each Panel there was a waiting list to attend one of the College courses. The 'gazumping' of pupils on the waiting list, by permanently excluded pupils or those transitioning from outside the county, was highlighted as a particular issue. Some schools have begun to purchase other forms of bespoke alternative provision because of the limited availability of Meadowbrook College places. The cost of transporting pupils to the College and the quality of Key Stage 4 provision are also contributory factors. Whilst the IYFAP supports schools purchasing bespoke provision, there is no additional funding to contribute to this via the Panel.

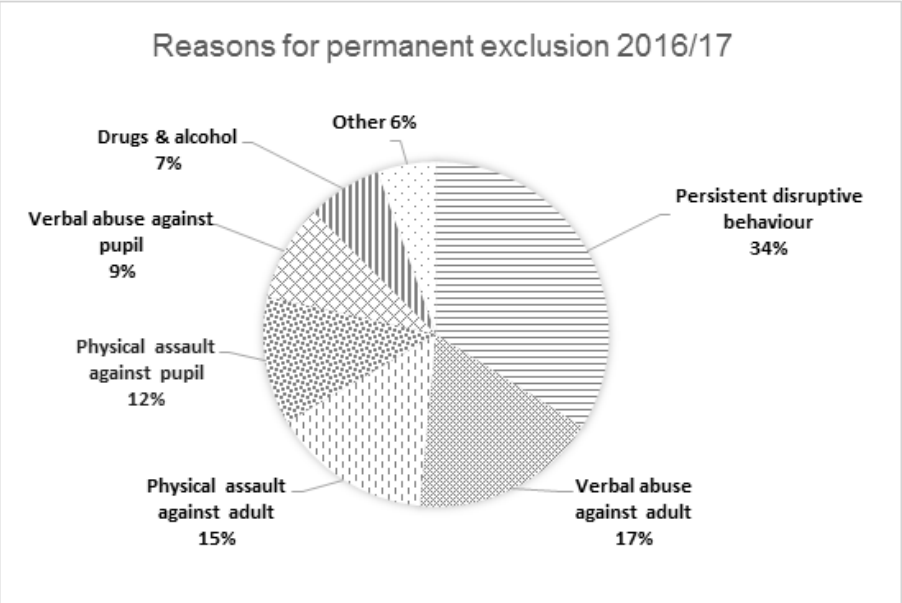
30. The working group noted that IYFAPs provide an effective forum for peer challenge. Through this process schools are successfully holding each other to account for the level of intervention and support provided before exclusion. However, it was clear that some schools are receiving a greater number of excluded pupils than others. There was also a lack of consistency in the information shared between schools, to ensure the right resources are in place before a pupil transfers. Similarly, those involved in the Panel process thought it important for Social Care and SEN professionals to attend IYFAPs regularly, to share up-to-date information about broader work with a pupil and their family.

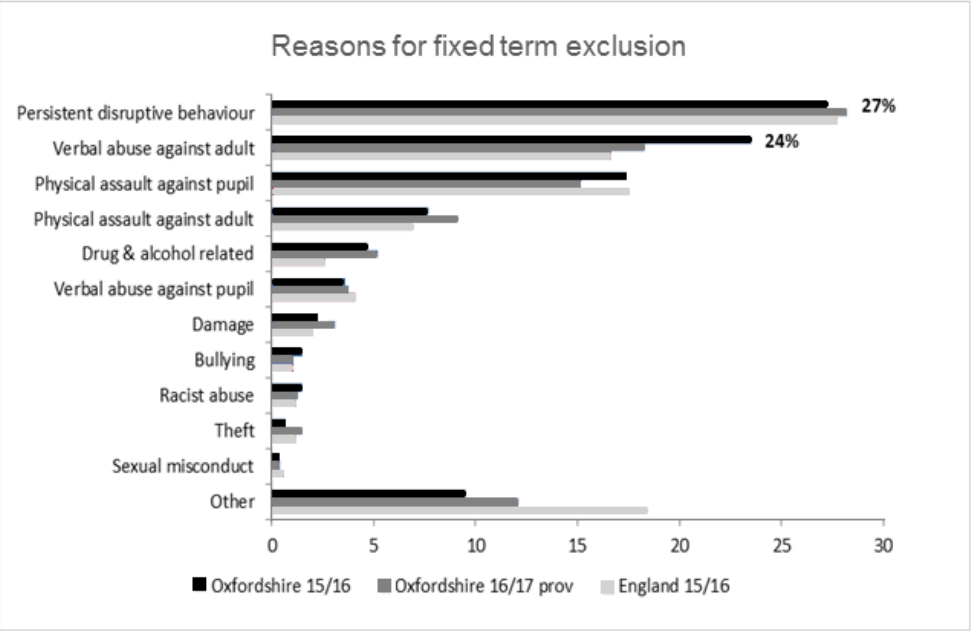
31. Overall it was evident that schools are working in the best interests of the pupils they refer to IYFAPs, recognising that permanent exclusion has a considerable impact on a child's educational outcomes and their future prospects. However, it was noted that some schools are reluctant to offer managed moves, preferring to permanently exclude. This was thought to be the result of other pressures, such as school inspection or performance, rather than the individual needs of pupils.

32. For IYFAPs to be effective, schools need to accept that some will be approached more often than others to take pupils at risk of exclusion or those who have been excluded because of numbers on their school roll. This may become an even more important issue as the pressure on secondary school places grows.

Disruptive behaviour

33. The most common reason for fixed term and permanent exclusion in Oxfordshire is persistent disruptive behaviour. More than a third of permanent exclusions and 27% of fixed term exclusions in 2016/17 were for persistent disruptive behaviour.





34. Managing pupils with challenging behaviour is a resource intensive task. A number of headteachers shared that they feel a disproportionate amount of their school's resource is spent on providing one-to-one support for pupils with challenging behaviour and they do not have the capacity to 'absorb' any more of these cases.

35. Encouragingly, the working group heard about a variety of approaches used by schools to manage these pupils, including:
    - strategies for monitoring and following up on poor behaviour,
    - involving parents and using home-to-school link workers,
    - providing a separate space for pupils to be removed from class,
    - setting high expectations and consistently applying these, and

- introducing a stepped system of consequences which is replicated across primary and secondary schools.

36. Disruptive behaviour can be an indication of unmet need. Where schools have concerns about a pupil's behaviour, they should be identifying the reasons for this and intervening early to reduce the need for an exclusion.

37. In previous years schools had access to the Council's Behaviour Support Service. This service provided bespoke training and liaised between families and schools, suggesting actions and strategies which would help them better understand young people with challenging behaviour and promote access to education. However, when this service was traded, there was insufficient interest from schools to make it viable and it ceased in 2015.

38. Behaviour support is now met in part by the provision of telephone advice from the Exclusion and Re-integration Team. Traded support is also available through the Oxfordshire School Inclusion Team (OXSIT) and the Educational Psychology Service (EPS). Their focus is less on providing ready-made solutions, but on building the capacity and capability of schools to manage challenging behaviour.

39. An example shared with the working group was the current OXSIT and Mulberry Bush School (MBOX) project, funded by the Strategic Schools Partnership Board. OXSIT is working with two high excluding schools, focusing specifically on Year 8, boys to develop strategies and provision for learners with challenging behaviour and social, emotional and mental health needs. The aim is to help teachers and leaders identify risk factors that increase the likelihood of exclusion. The project uses a reflective practice approach and encourages staff to view behaviour as a form of communication. Early findings suggest that school needs assessments do not always consider a pupil's emotional maturity. It is also clear that the consistency and continuity of staff (i.e. low staff turnover) is an important factor, and that more training is needed on strategies for reducing exclusion.

40. In recent years there has been a shift in the complexity of children's needs, particularly an increase in Autism diagnoses and mental health needs, bringing with them more challenging behaviour.

41. Local Authority officers identified that the support available in schools for pupils with social, emotional and mental health needs is not as strong as support for speech, language and literacy needs. headteachers indicated that there may be a need for investment in a service that would support schools in managing challenging behaviour and mental health issues. Similar views were recorded in a recent on-line survey to all schools and settings as part of a review of Central Support Services. Some also felt it would be helpful for Department for Education guidance on behaviour and mental health to be combined.

<u>Support for vulnerable learners</u>

42. Schools are expected to take steps to identify pupils from groups with disproportionately high rates of exclusion. The Department for Education identifies

pupils with Special Educational Needs (SEN) and Looked After Children to be particularly vulnerable to the impact of exclusion.

43. In addition to early intervention, headteachers should be considering what extra support may be needed to identify the specific needs of these pupils to reduce their risk of exclusion. Wherever possible a headteacher should avoid permanently excluding a pupil with an Education, Health and Care Plan (EHCP) or a Looked After Child.

44. Schools receive delegated funding for SEN and Pupil Premium for disadvantaged pupils. It is expected that schools use these funds to make reasonable adjustments to pupils' provision, including the purchase of any specialist support or resources required to meet their needs. A number of schools fed back that this funding is not enough to cover the cost of bespoke provision. Others felt that there could be greater scrutiny of how this funding is spent and this is a role for governors in providing effective challenge and financial accountability.

45. In the working group's visits, schools raised particular concerns about the cost of managing pupils with high needs in mainstream education and the shortage of special school places in Oxfordshire. SEN Coordinators also fed back their frustration at the timeliness of EHCP assessments to access specialist provision. Some even perceived that specialist provision could be accessed sooner if a pupil waiting for an EHCP was permanently excluded.

46. The Didcot Partnership initiative was shared as an example of an innovative response to this gap in special school provision. This school-led Partnership facilitates peer-to-peer support for headteachers and SEN Coordinators in the area. Interventions are delivered from a resource base at a Didcot school and outreach support is available for two days a week. The initiative is funded by schools in the area pooling their resources and through a small amount of capital funding from the Council. The working group was informed that other opportunities to utilise spare school accommodation to establish specialist resource bases are actively being explored across the county.

47. Support from the Virtual School for Looked After Children and Care Leavers was commended by many schools and the Children in Care Council. The Virtual School works alongside schools, social workers, carers and other professionals to ensure they understand their statutory responsibilities and are aware of best practice in relation to children in care. Currently 480 children of school age are supported by the School, which makes a considerable effort to ensure no school excludes a Looked After Child. The working group was pleased to note that there have been no permanent exclusions of Looked After Children from schools in the last eight years. This is despite significant financial cutbacks for the School in the past year and the resulting loss of three members of staff.

48. The School is proactively working with schools that are high fixed term excluders of Looked After Children to develop bespoke packages of support and prevent the use of reduced timetables. Looked After Children are also treated as a priority cohort by Meadowbrook College, and the School has purchased two dedicated places on College courses. An area of development highlighted by the head of the Virtual

School was the link between the School and Child and Adolescent Mental Health services.

School readiness

49. School readiness emerged as another key factor affecting the likelihood of pupils being excluded. This includes the readiness of children entering primary school and the period when pupils are transitioning to secondary education.

50. Some schools felt that not all children are starting school with the appropriate social and cognitive skills and competencies required to achieve; in some cases they may be unable to follow instruction or may not be toilet-trained. It was thought that earlier identification and preventative work via Health Visitors, Primary Child and Adolescent Mental Health services (PCAMHS), and Early Years teams would help to address these issues before a child enters primary school.

51. Access to additional support generally in primary schools was highlighted as an issue. For example, some headteachers shared that demonstrating a sufficient level of need to justify the purchase of educational psychology support can be difficult, and primary schools have different access to services such as school counselling. Previously primary schools would have used their links with Children's Centres to access additional advice and support, but there has been a significant reduction in the number of Children and Family Centres as part of the reconfiguration of Children's Services.

52. Poor transition from primary to secondary school can also affect a pupil's risk of exclusion. Adjusting to the different expectations of a secondary school environment is a daunting experience for any 11-year-old, which is why support for vulnerable learners transitioning to secondary school is particularly important. Some schools suggested intensive work is needed with Years 5 and 6 to ensure they are ready for secondary education. One school visited spoke about its 'Fresh Start Programme' targeted at Year 7 pupils with a reading age of less than 9.6, and proposed that this could be started in primary school.

53. Many examples were shared about strategies for making the transition to secondary education smoother. This included the use of transition link-workers; a bespoke transition programme for vulnerable learners, including additional visits to the receiving school; home-to-school liaison staff; and school events involving pupils from feeder primary schools. Despite this, it was felt that the quality of information shared with secondary schools about vulnerable learners could be improved, and that more training to support vulnerable learners through transition would be helpful.

RECOMMENDATIONS

54. **Based on the working group's findings the Education Scrutiny Committee is RECOMMENDED to:**

    i. Advocate a strong leadership focus on inclusion in schools.

ii. **Ensure that Council training for school governors is fit for purpose and emphasises their role in monitoring school exclusions and challenging headteachers on their strategies for reducing exclusion.**

iii. **Support the development of a system-wide approach to preventing exclusion, (building on the model of a shared commitment to inclusion and financial incentives to support this) and monitor the impact of this.**

iv. **Encourage the Council to develop effective mechanisms for sharing good practice and expertise around inclusion and rewarding schools that successfully manage challenging pupils without the resorting to exclusion.**

v. **Ensure the Council takes steps to improve the timeliness of Education, Health and Care Plan assessments to reduce the risk of pupils with SEN and disabilities being excluded, including revising the funding mechanism to secondary schools.**

vi. **Facilitate the development of more alternative provision for primary-aged pupils, informed by a review of the needs of primary aged pupils who have been permanently excluded.**

vii. **Keep a watching brief on the outcomes of the Oxfordshire School Inclusion Team and Mulberry Bush School project to learn further lessons and share good practice on exclusion.**

viii. **Ask the Council to develop a behaviour strategy that promotes inclusion.**

ix. **Encourage the Oxfordshire Teaching Schools Alliance to give high priority to training staff on behaviour management.**

x. **Review the impact of the change from Children's Centre provision to Children and Family Centres and the Locality and Community Support Service, on children's readiness for school.**

xi. **Ensure the Council and schools give specific attention developing the personal resilience of vulnerable pupils and driving up their educational outcomes at Key Stage 2 to support a smoother transition to secondary school.**

xii. **Encourage the Council to work with the Schools Forum, as a sounding board, to ensure Local Authority funded support services are fit for purpose, promoted and well used.**

xiii. **Commend the Virtual School for Looked After Children and Care Leavers for ensuring that no Looked After Child has been permanently excluded in the last eight years.**

Acknowledgements

The Education Scrutiny working group is grateful to all those who shared and presented information as part of its investigation into the increase in school exclusions across Oxfordshire. In particular, the working group would like to thank the following people for their openness and co-operation:

- The headteachers, behaviour leads and governors at the schools visited by the working group.
- The professionals involved in the Central and South Oxfordshire In Year Fair Access Panels.
- The Children in Care Council.
- Oxfordshire County Council officers from:
    - The Education Inclusion Team
    - The Oxfordshire Social Inclusion Team
    - The Virtual School
    - The Special Educational Needs Team
    - The Locality and Community Support Service
    - The Engagement Team

Councillor Gill Sanders
Chairman of the School Exclusions Working Group

Contact Officer: Katie Read, Senior Policy Officer
March 2018

Appendix A – Questions for school visits

Meeting the needs of pupils at risk of exclusion

1. Do you have a particular cohort of children you would consider more at risk of exclusion and what do you see are the underlying reasons for this? *(N.B. Across Oxfordshire in 2016/17 40% of secondary school pupils and 100% of primary school pupils that were permanently excluded had SEN*)
2. Have you received any support from the Local Authority to manage the risk of exclusion? If so, in what ways has this been valuable and how could this support be improved?
3. What support does your school provide for pupils with additional needs?
4. *For primary schools* – how do you prepare pupils with additional needs in year six for transfer to secondary education?
5. *For secondary schools* – how do you work with feeder primary schools to ensure all necessary support required for a pupil with SEND transfers to their secondary education so that they are effectively supported from Day 1?
6. Do you monitor the progress of your pupils in alternative provision and if so how?
7. Of the children who have been permanently excluded from your school, do you ensure they continue to make educational progress and if so how?

Managing challenging behaviour

8. How many permanent exclusions do you think you have prevented during 2016-17 and what did you do to prevent them?
9. What plans do you put in place around a child who is on a reduced timetable? i.e. how do you ensure that child remains safe?
10. How do you ensure that putting a pupil onto a reduced timetable is being effectively used in order to reintegrate the pupil into full-time education?
11. Have you ever accessed any form of Early Help support from the Local Authority and if so, do you feel this was accessed at an appropriate point?
12. What training do you provide to staff in behavioural support?
13. If your school is part of a Multi-Academy Trust, what protocols are in place within the Trust to manage pupils at risk of exclusion?

Exclusion process

14. How do you ensure that your school and its Governors are following the statutory process for exclusion?
15. What training is provided for your Governors and those clerking the panels in relation to decisions about exclusion?
16. What support, if any, do you draw on from the Local Authority Inclusion team during the process of exclusion?

17. Is there anything else you wish to share about your approach to fixed term and permanent exclusions that you believe would be useful for this working group?

Appendix B – Meadowbrook College provision

Meadowbrook College receives £10,000 for each of the 106 planned places directly from the Education & Skills Funding Agency (i.e. £1,060,000). The Council adds c.£1.5 million from the High Needs Block to this funding.

Meadowbrook College programmes include:

- BRIDGES (primary school age 5-11): students who have been permanently excluded from school
- BRIDGES DIRECT (primary school age 5-11): students needing support in their own schools - the support is provided to the student, the teachers who work with the students or the leadership team interested in developing inclusive practice or alternative provision in their own schools
- ON COURSE (secondary age - ideally year 7&8) - 4 week programme, early intervention
- DISCOVERY (secondary age - year 7/8/9): students who have been permanently excluded
- INTERIM KS3 (year 7/8): students who need a little more time before reintegrating back to their mainstream school or on to a new school
- BASE KS3 (year 9): students in year 9 who are not ready to move on to a new school or who have twice been permanently excluded and with Meadowbrook for a longer spell
- BASE KS4 SHORT-TERM (year 10/11): approx. 8 weeks for students who have been permanently excluded and are being reintegrated back into a new school
- BASE KS4 LONG-TERM (year 10/11): 12 weeks+ - students who will be with us until the end of year 11 due to a permanent exclusion or students who are on dual-roll with us and their mainstream school
- FLO (Foundation Learning Opportunities - year 9): students attend 1 or 2 days a week on dual-roll with their mainstream school. Students study Entry Level and Level 1 qualifications either in preparation for vocational study in year 10/11 or as an engagement and skills building opportunity
- SCHOOL ENGAGEMENT PROGRAMME (SEP - year 10/11): students attend 1 or 2 days a week on dual-roll with their mainstream school. Students usually study vocational/technical subjects and remain engaged with their home school.
- NEXT STEPS (year 1-11): a specialist provision for students with an EHCP who have been referred to us from the Special Educational Needs Support Service (SENSS) in Oxfordshire. Schools cannot refer children to this programme.
- LINK WORK: a specialist mentor programme available to schools to support students in years 7-10 who are at risk of exclusion from school. Link Workers on

this programme will provide bespoke support for schools working with students on a 1-1 basis on areas such as: low self-esteem, self-management of behaviour, building resilience, personal learning skills.

- OUTREACH: Support to schools for students or groups of students either in the school setting or in agreed alternative places of education.
- CPD/PROFESSIONAL LEARNING: Professional Development Support to schools in the areas of Restorative Practice; Team Teach; Behaviour Management; running Thinking Circles; internal alternative provision solutions for a school etc.

Glossary

Special Educational Needs (SEN)	The needs of a child who has a difficulty or disability which makes learning harder for them than for other children their age.
Education, Health and Care Plan	The document that describes a child or young person's special educational, health and social care needs. It explains the extra help that will be given to meet those needs and how that help will support the child or young person to achieve what they want to in their life.
Alternative Provision	Education arranged by the local authority for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education; by schools for pupils on fixed term exclusions; and for pupils directed off-site to improve their behaviour.
Pupil Premium	The additional funding for schools to raise the attainment of disadvantaged pupils of all abilities and to close the gaps between them and their peers.

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Division(s): All

Education Scrutiny Committee – 14 March 2018

Elective Home Education Investigation Progress Report

Report by the Chairman of Education Scrutiny Committee

Introduction

1. At the Committee meeting on 13 December 2017, the Committee received the Elective Home Education (EHE) annual report. The report highlighted that there had been a 21% increase in EHE in the past year. The Committee formed a sub-group comprising of Councillor Waine and Councillor Smith to investigate the reasons for the increase, to find out why parents may wish to electively home educate and to find out what role the Council has in supporting parents who electively home educate. This report provides a summary of the work to date and the next steps for the investigation.

Progress to date

2. Councillors met with officers on Thursday 8 February 2018. The meeting included the strategic lead for education sufficiency and access, senior county attendance officer, county attendance officer and an EHE link worker. The meeting discussed information provided to EHE parents, the role of the EHE team, support for SEND and vulnerable learners and existing EHE data.

3. This meeting identified the following:
   (a) A RAG (red/amber/green) rating system has been introduced to prioritise home visits. Any family that had previously been known to social care or were otherwise identified as a vulnerable learner would have a 'red' rating. Home visit invitations are a priority for this group.
   (b) RAG ratings are not fixed and pupils can be recategorised if additional information is received
   (c) The authority does not have the power to undertake a home visit but most parents/carers are receptive to meeting with the Council.
   (d) Some instances of EHE are temporary arrangements for example when a pupil is transitioning from one educational establishment to another.
   (e) In December the Committee noted that the most common reason given for EHE on the school leavers questionnaire was 'unknown'. The questionnaire has since been revised by the Council to remove this option and will give more accurate data about the reasons for EHE in future.
   (f) In 2016-17, Years 5 and 9 were the most common year groups opting for EHE.

Next Steps:

4. The group have requested additional information to identify:
   (a) whether Years 5 and 9 have historically been the most common year groups for EHE and to explore the reasons for this with parents/carers
   (b) whether there is a link between high excluding schools and EHE
   (c) a comparison of EHE data by locality area.
5. Once this information has been received the group will aim to meet with parents who electively home educate. This meeting will aim to find out the experiences of EHE parents/carers and the reasons why they have made the choice to electively home educate.
6. The group intends to bring a report detailing their findings and any recommendations to the next Committee meeting.

Financial and Staff Implications

7. There are no financial or staffing implications associated with this report.

Equalities Implications

8. There are no equalities implications associated with this report.

RECOMMENDATION

9. **The Education Scrutiny Committee is RECOMMENDED to note the report and progress to date.**

Councillor Michael Waine
Chairman of the Education Scrutiny Committee and Chairman of the sub-group

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March 2018