

EXECUTIVE MEMBER REPORT TO COUNCIL 26 July 2017

Middlesbrough School Improvement Project

A steering group of Middlesbrough educational school leaders has been developing a project plan to ensure that School Improvement becomes a self-sustaining school led system over the next three years. The funding for the transition project is provided by the Council investment of £2 million pounds over the next three years. The steering group which has representatives from the Local Authority, Middlesbrough Achievement Partnership, Teaching schools, Head teachers and Governors are working to devise a focused plan to meet the agreed aims of the project. The aims are to increase the capacity of leadership, increase the quality of teaching and learning, and engage the community and increase the positive perceptions of the town towards education and learning.

The programme is designed to raise outcomes for all pupils in Middlesbrough through a combined approach to school improvement. The LA will commission planned and agreed work, requiring all parties to raise their ambitions and outcomes for pupils through collaboration and joint responsibility. The programme will require a stronger element of school to school support, with sound research and outcome based evidence being the key to success. The support for vulnerable pupils e.g. EAL pupils and EYFS pupils will be significant within the programme to ensure that the results show the difference for Middlesbrough pupils diminishing against National averages at all Key Stages.

Governance will be key in ensuring strategic direction, challenge and support are focused on delivering the project aims. Steve Munby has agreed to Chair the Governance board and has recently attended meetings with the steering group and LA officers to understand the project and its defined outcomes. Steve is a renowned and respected educationalist who currently works as CEO at Education Development Trust where he has led the organisation since November 2012. He has played a key role in the charity's international presence, with education programmes now delivered in the Middle East, Sub-Saharan Africa, South East Asia and India. Steve will retire from the EDT at the end of the summer and will then have the capacity to support the Middlesbrough project on a formal basis.

Steve was previously chief executive of the National College of School Leadership and director of education in Knowsley, Merseyside. Awarded Commander of the British Empire for services to leadership in schools and children's services, Steve is passionate about unleashing the greatness of school leaders and strongly believes in sector-led reform. With on-the-ground experience in teaching as well as in working at local and national government level, Steve will be a great asset to the future development of education in Middlesbrough.

New Leadership

Two new Head teachers have been appointed this term at Newport Primary School and St Clare's Primary school. Patricia McGill has been appointed to the post at Newport where she is currently acting Head teacher. Liz Eddies will join St Clare's in September, from her current post at Christ the King in Thornaby. Newport have also appointed Stacey Carlisle as Deputy Head teacher. Stacey currently leads the LA Ethnic Minority Achievement Service

SEND LOCAL AREA INSPECTION **Education, Health and Care**

The Children and Families Act 2014 sets out a system for disabled children and young people and those with SEN, so that services consistently support the best outcomes for them. The reforms created a system from birth to 25 through the development of coordinated assessment and single Education, Health and Care Plans; improving cooperation between all services responsible for providing education, health or social care; and giving parents and young people greater choice and control over their support. The Children and Families Act also provided the option of a personal budget for all families with children with a statement of SEN or a new Education, Health and Care Plan

The SEND Code of Practice 2014 promotes the vision for children and young people with SEND achieving well in their early years, at school and in college; finding employment; leading happy and fulfilled lives; and having choice and control over their support.

The majority of statutory duties in relation to SEND rest at a local area level, with local authorities and with Clinical Commissioning Groups (CCGs). The Children and Families Act 2014 strengthens local authorities' key duties in respect of children and young people with SEND across the 0-25 age range, regardless of where they are educated. It places duties on health and education settings to use their best endeavours to meet the needs of children and young people with SEND; and requires local authorities and other listed bodies to have regard to the statutory guidance set out in the SEND Code of Practice: 0-25 years.

To ensure Local Areas are effective in fulfilling their new duties as described within the SEND Code of Practice, Ofsted and CQC started to inspect local areas from May 2016.

MAIN FINDINGS FROM THE LOCAL AREA INSEPTION

The local area inspection letter will report that the inspectors found that the disability and special educational needs reforms have not been implemented effectively across Education, Health and Care in Middlesbrough.

Inspectors also found that children, young people and families are not involved enough in discussion and decision-making about the services and support they need.

Although there has been a lot of work to re develop the Local Offer website in partnership with parents and young people, some parents reported during the inspection that they do not know about Middlesbrough's Local Offer or how to get the essential help and support they need.

Inspectors found that strategic planning across Education, Health and Care is weak and that there is not a secure starting point for jointly commissioning services.

In contrast, inspectors found that front line professionals are committed to working together to improve outcomes for children and young people who have special educational needs and/or disabilities.

It was also found that specialist provision for some children and young people is strong because their needs are identified, assessed and met effectively and, as a result, they achieve good outcomes

Inspectors reported that children and young people in the schools and settings visited by inspectors said that they feel safe and well supported.

Inspectors also reported that leaders in the local area are alert to the things that make children and young people who have special educational needs and/or disabilities vulnerable. Crucially, those who need help and protection are identified quickly and given effective and well-coordinated multi-agency support.

INSPECTION OUTCOME

There were a number of strengths across the local area, however as a result of the overall findings the local area is required to produce and submit a Written Statement of Action to Ofsted that explains how the local area will tackle:

- Strategic leadership, governance and implementation of the disability and special educational needs reforms in the local area.
- Involvement of children, young people and families around discussion and decision-making about the services and support they need
- How the Local Offer will be further improved to ensure children, young people and families have a clear understanding of the resources and support available in Middlesbrough
- Greater analysis and use information and data to drive improvement in provision and outcomes for children and young people who have special educational needs and/or disabilities in the local area
- The improvement of strategic planning to support jointly commissioning services across Education, Health and Social Care.

LOCAL AREA ACTION SINCE THE INSPECTION

Since the local area inspection work has taken place at strategic level across Education, Health and Care to ensure partnerships are in place to fully implement the SEND reforms. Previous to the inspection there had been no SEND strategic lead in place across Health, however since the inspection Health have restructured internally and have identified a strategic lead for SEND. The lead from Health is Alex Sinclair, Director of Programmes and Primary Care Development. Both the lead from Health and the Director of Children Services now meet on a regular basis.

A SEND implementation group has been set up with membership from Education, Health and Social Care 0-25. This group will replace the previous SEND Commission which was set up to implement the findings from SEND Strategic review.

The SEND implementation group will report to the Children and Young Peoples Delivery Partnership, who in turn will report to the Health and Wellbeing Board.

The SEND implementation group will be responsible for developing and implementing an action plan to address the findings of the local area inspection.

The SEND implementation group will be responsible for developing and monitoring the Local Area SEND Self Evaluation.

All work streams which link to SEND developments across Education, Health and Care 0-25 will report to the SEND implementation group.

There will be ongoing developments regarding the Local Offer to ensure that this is used and understood by children, young people, parents and careers and that gaps in local provision are identified and addressed.

A lead for Inclusive Learning will be appointment within the achievement team to support the improvement of educational outcomes for all vulnerable children and young people which include SEND.

To ensure robust data is available which will inform strategic planning across SEND a functional data information system will be implemented as a priority within the LA.

A detailed training programme has been put in place to deliver SEND Reforms training to all settings across Education, Health and Social Care 0-25. This training will target all staff. The first sessions will be delivered in June 2017. A task group will monitor the delivery and impact of this training to ensure that delegates who attend the training put in place clear changes within their working practice which will support children and young people with SEND.

High Needs Funding – April 2017

Review of High Needs Funding

The Head of SEND and VL commissioned a detailed review of High Needs Funding in April 2016. The proposals developed were consulted on during the late part of the autumn term and the early part of the spring term 2017. Following support from the majority of respondents to the consultation, a small number of changes were made to the original proposals. The revised proposals were then subsequently supported by members of the School Management Forum (SMF) and approved by the Executive Member. The changes will begin to be introduced with effect from April 2017 and will give a more transparent and responsive system for High Needs Funding.

Background Information

The current High Needs (HN) Funding arrangements have been in place since the Department for Education (DfE) introduced changes to both Special Educational Needs (SEN) and Alternative Provision (AP) funding in 2013.

A detailed review of HN SEN and AP Funding was carried out during the summer and the first half of the autumn term 2016 to gain an in-depth knowledge of the current systems and procedures. The opportunity was taken to identify the concerns of stakeholders and LA officers. The current and proposed arrangements were compared with other local authorities, statistical neighbours and ensured they were in line with DfE Guidance. A report setting out the proposed changes was supported by the members of SMF and the Executive Member prior to preparing a Consultation Document which was shared with all Education Providers as well being discussed with them at a range of meetings.

During the review of High Needs Funding it was recognised that the number of children requiring support from Alternative Provision was continuing to grow and in turn placed additional pressures on the High Needs Budget. Additional proposals were developed which if supported by secondary head teachers would address some of the financial pressures on the HN Block Budget.

High Needs Block (HNB) Budget 2016-2017 and 2017-2018

On the 1st March 2017 a report setting out the projected overspending of £731k on the HNB Budget for the 2016-2017 Financial Year was presented to members of the SMF. Due to non-recurring funding being available within the Dedicated Schools Grant, members of the SMF supported this funding being used to meet the projected overspend.

The report then went on to set out the projected position for the 2017-2018 Financial Year, which highlights the increasing budget pressure faced by the Local Authority in providing support for children and young people with SEN or requiring AP support.

Within the report it was also recognised the need to provide support to early years children with SEN and provide additional financial support to secondary schools for one year only following the introduction of the revised AP funding arrangements. To achieve this the following budget virements were supported.

	DSG - Early Years Block Budget	DSG – Schools Block Budget	DSG – High Needs Block Budget
Transfer to support EY pupils with SEN	- £502k		£502k
Transitional support for secondary pupils requiring AP support		-£250k	£250k
TOTAL	-£502k	-£250k	£752k

This does not however address all the financial pressures faced by the HNB Budget as there is:-

- An increasing number of young people with SEN accessing Post 16 Provision
- An increasing number of children in mainstream provision being identified with SEN who require additional and different support in addition to the financial support provided from the schools delegated budget;
- An increasing number of children accessing specialist provision with complex needs that will need to be addressed
- The implications on the AP Budget if secondary schools and AP Providers do not work with the local authority in taking forward the agreed developments

The changes agreed through the consultation will begin to be introduced with effect from April 2017 and will give a more transparent and responsive system for High Needs funding.

Phase two of the developments will see the introduction of HN SEN contracts, an update of the guidance available to stakeholders, training for stakeholders, a review of specialist provision in mainstream schools and a review of the moderation arrangements. Phase two will be carried out over the next few months.

Work will also begin to ensure that the increasing numbers of young people accessing Post 16 provision are accessing the appropriate pathways and that they are achieving their outcomes as identified within their Education, Health and Care Plan.

Unauthorised Leave – Supreme Court Judgement

On the 6th of April 2017 the Supreme Court delivered its judgment in the case of *Isle of Wight Council v Platt*. The case was in relation to a father who had taken his child out of school during term time for a holiday. He had asked the school to authorise the absence but they did not do so. Mr Platt proceeded to take his child on holiday without an authorised leave of absence and was served a fixed penalty notice for failing to ensure his child's regular attendance under s444(1) Education Act 1996. Having failed to pay the notice Mr Platt was prosecuted for the offence. The Magistrates held that because attendance was 90.3% following the holiday it was deemed that the child had attended regularly and thus no offence had been committed. The decision was eventually appealed to the Supreme Court to determine what constituted 'fails to attend regularly' under the act.

Prior to the judgment of the Supreme Court Middlesbrough Council Legal services advised against issuing any fixed penalty notices or bringing any prosecutions against a parent for taking their child out of school for a holiday without an authorised leave of absence on the grounds that the law was unclear. The judgment of the Supreme Court is that 'regularly' means 'in accordance with the rules prescribed by the school'. In effect stating that if a school requires a child to attend school every day then failure to do so without an authorised leave of absence would constitute an offence under section 444(1) Education Act 1996.

The effect of the decision of the Supreme Court is that it is possible to restart issuing fixed penalty notices and/or bringing prosecutions against parents for their children failing to attend school without an authorised leave of absence, including cases where a child fails to attend school as a result of going on holiday without authorisation from the school to do so.

Middlesbrough Council will therefore be issuing a penalty notice to those parents whose child has had an unauthorised leave of absence returning on or after 6th April 2017.

Key Stage 2 Writing Moderation

The standards and testing agency (STA) have changed their approach to ensuring that local moderators are sufficiently qualified to effectively carry out statutory moderation in our schools. We have two teachers who attended training and received accreditation to train a local team. The trainers trained a group of teachers and leaders who then undertook an online exercise to receive the necessary accreditation. We have twenty accredited KS2 moderators in Middlesbrough who will form the moderation team.

All our primary academies have indicated that they wish to be part of the LA moderation plan. Our statutory duty requires us to moderate 25% of our primary schools and academies. The moderation sample includes schools which are part of the rolling 3 year cycle and also any schools or academies which had a spike or dip in their data in 2016 which was not in line with other English outcomes. STA have not identified any schools who they require to be part of the cycle.

We also offer schools who would not fall into the statutory moderation cycle the opportunity to either request a moderation or to attend moderation events to work with other schools to compare their judgements. Schools who will be moderated in 2017 will be notified by the moderation manager on 19th May.

Three New Teaching Schools

Three Middlesbrough Secondary schools have been awarded Teaching School status by the DfE this month. Acklam Grange School, Outwood Acklam and Macmillan Academy have all been granted the status with the support of the LA in their applications. This means that the town now has 6 Teaching schools- MSTa, TVEd and the MSCP are our current primary teaching schools.

This is a huge accolade for the strength of the secondary education in these three schools who will now be tasked with delivering initial teacher training, continuing professional development for teachers and leaders and offering school to school support for instance through the work of Specialist Leaders in Education. The ability to recruit and retain secondary teachers will be significantly increased through the training on offer and the support for Secondary schools in the town to adopt best teaching practice will benefit from the additional school to school support.

In addition the Head teacher of Acklam Grange School, Andrea Crawshaw, has been credited with the designation of National leader in Education, a status she held in a previous school.

Councillor Janice Brunton

Executive Member for Education & Skills