

## CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

<b>Date:</b> Monday, 7th December, 2020
<b>Time:</b> 10.30 am
<b>Venue:</b> Virtual Meeting

### AGENDA

Please note: this is a virtual meeting.
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The meeting will be live-streamed via the Council's <a href="#">Youtube channel</a> at 10.30 am on Monday, 7th December, 2020
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1. Apologies for Absence
2. Declarations of Interest
3. Minutes - Children and Young People's Learning Scrutiny Panel - 9 November 2020 3 - 8
4. Behaviour, Discipline and Bullying in Schools - Further Evidence 9 - 14

Officers will be in attendance to provide:

- Detailed information on the new Inclusion, Assessment and Review Service and the 'Team Around the School' approach.
- Examples of the cases dealt with by the service and the outcomes achieved.
- Information on the feedback received from schools on the new model and preliminary data on its impact (data will also be requested at a later date).

5. Behaviour, Discipline and Bullying in Schools - Terms of Reference 15 - 16

The Scrutiny Panel will be asked to consider, discuss and

agree the terms of reference for the review.

6. Overview and Scrutiny Board - An Update

The Chair will present a verbal update on the matters that were considered at the meetings of the Overview and Scrutiny Board held on 20 November and 3 December 2020.

7. Any other urgent items which in the opinion of the Chair, may be considered

Charlotte Benjamin  
Director of Legal and Governance Services

Town Hall  
Middlesbrough  
Friday, 27 November 2020

MEMBERSHIP

Councillors S Hill (Chair), P Storey (Vice-Chair), L Garvey, A Hellaoui, T Higgins, D Jones, M Nugent, M Saunders and G Wilson

**Assistance in accessing information**

**Should you have any queries on accessing the Agenda and associated information please contact Georgina Moore, 01642 729711, [georgina\\_moore@middlesbrough.gov.uk](mailto:georgina_moore@middlesbrough.gov.uk)**

## CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

A meeting of the Children and Young People's Learning Scrutiny Panel was held on 9 November 2020.

**PRESENT:** Councillors S Hill, A Hellaoui, T Higgins, D Jones, M Nugent, P Storey, G Wilson and B Cooper (As Substitute)

**OFFICERS:** C Breheny, R Brown, S Butcher, C Cannon, J Dixon, T Dunn and G Moore

**APOLOGIES FOR ABSENCE** Councillors L Garvey and M Saunders.

### DECLARATIONS OF INTERESTS

There were no Declarations of Interest made by Members at this point in the meeting.

#### 1 **MINUTES - CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL - 12 OCTOBER 2020**

The minutes of the Children and Young People's Learning Scrutiny Panel meeting, held on 12 October 2020, were submitted and approved as a correct record.

#### 2 **BEHAVIOUR, DISCIPLINE AND BULLYING IN SCHOOLS - AN INTRODUCTION**

At the meeting, the scrutiny panel began investigating its new topic of 'Behaviour, Discipline and Bullying in Schools'.

The Council's Director of Education, Prevention and Partnerships; Head of Access to Education and Alternative Provision and Strategic Lead for Inclusion and Specialist Support Services were in attendance to provide the scrutiny panel with:

- an overview of the powers and duties of schools to manage behaviour and discipline pupils;
- data over recent academic years in respect of the number of fixed-term and permanent exclusions in each Middlesbrough school (both primary and secondary), including the reasons schools report for excluding pupils; and
- an outline of the Local Authority's role in supporting schools with behaviour management.

The Head of Access to Education and Alternative Provision advised that behaviour and discipline in schools was a significant and important area, the approach to which differed in every school.

Members heard that all schools (including Academy Trusts) had their own behaviour policies, which set out their definition and expectation of good behaviour, and how breaches of the policy would be responded to. It was commented that behaviour policies differed quite considerably from school to school. The way in which policies were developed was dependent on the ethos of the school, its beliefs and what was fundamentally important to the school. Whilst in general terms, there were similarities in policies as there was a reasonable and common understanding of what good behaviour looked like, how that was interpreted by each school did differ. Members were advised that, generally, a copy of each school's behaviour policy could be accessed via the school's website. It was commented that, in order to identify common threads, the Local Authority regularly examined school behaviour policies.

Maintaining good standards of behaviour was dependent on the culture of each school. It was advised that there was significant differences in respect of ethos and culture across the schools in Middlesbrough, for example - some schools took a straightforward view of behaviour, therefore a severe breach of the behaviour policy could result in an extremely severe punishment. Whereas another school would take a very different view and may view severe punishment as ineffective and would focus on positive re-enforcement.

It was advised that it was not the prerogative of the Local Authority to instruct schools to develop a particular culture and ethos, however, the Local Authority was able to influence, shape and guide schools.

Members heard that all of Middlesbrough's secondary schools had developed some form of internal behaviour support service, which had been designed to offer additional support for children displaying challenging behaviour. Those services had designated members of staff and offered counselling, advice and guidance etc. However, it was highlighted that the degree of effectiveness of those services varied across schools.

It was commented that good behaviour was almost always linked to high quality teaching, the delivery of interesting and exciting lessons and positive relationships between the staff and the pupils. Good behaviour and high levels of engagement were a factor of many variables, but the quality of teaching and the strength of adult relationships with the children were the most significant. For schools demonstrating those qualities, the risk of poor or challenging behaviour was greatly reduced.

Members were advised that children may misbehave because of a number of factors, such as - being influenced by other children they associated with, because they had unmet needs or had suffered trauma. The reasons associated with poor behaviour were complex, as it was often a combination of factors that caused pupils to misbehave.

The scrutiny panel was advised that schools often used a variety of positive re-enforcement techniques and punitive measures to try and ensure good behaviour. The general belief was that praise and rewards were more effective than punishment, however, punishment still played an important role. Sanctions available to schools included detention, removal of breaks, lines or extra work.

The most severe sanction available to a head teacher was fixed or permanent exclusion. Both of those sanctions were underpinned by a legal framework, which the Local Authority had oversight of. It was clarified that a fixed-term exclusion was an exclusion from school whereby the pupil was not allowed to attend the school for a predetermined period. In general, fixed-term exclusions were very rarely more than 5 days. During that period the child had to stay at home. It was commented that fixed-term exclusion was used a lot in some of Middlesbrough's secondary schools. If a child was displaying persistent disruptive behaviour and school regularly imposed fixed-term exclusions, it would suggest that the sanction was not improving behaviour. It was added that if a school imposed a number of fixed-term exclusions on one pupil that resulted in the pupil missing 45 days (or more) of school, during an academic year, the child would automatically be permanently excluded by law. Permanent exclusion was a more severe sanction whereby the pupil would no longer be a member of that school's community and the pupil would need to be educated elsewhere. Schools would only tend to use permanent exclusion when a pupil had committed a really severe or significant transgression. The child would be effectively removed from the school's roll and the pupil would become the responsibility of the Local Authority. There was a requirement for the Local Authority to provide full-time education for the pupil, to begin no later than the sixth day after the permanent exclusion.

Members were advised that the rates for permanent exclusion were high in Middlesbrough, approximately twice as high as the national average. That presented a challenge for the individual child and for the Local Authority. For pupils who were permanently excluded, the probability that they would enter the criminal justice system, struggle with employment and have significantly reduced life chances, greatly increased. In addition, the chances of the pupil achieving 5 GCSEs and going on to further education was greatly reduced. Permanent exclusion had a significant detrimental impact on a pupil's life and life chances.

In terms of the Local Authority providing education for those who had been permanently excluded, if a pupil was placed in Alternative Provision (AP) that would typically cost the Local Authority approximately £18,000 per year.

It was advised that in respect of supporting schools with behaviour management, the Local Authority could support, advise and guide schools, however, it was very difficult for the Local

Authority to have any significant impact on what happened inside a school as that was the responsibility of the head teacher, the governing body and the academy trust.

The Local Authority had developed a new model of support for schools to help them deal with challenging behaviour at an early stage. That work involved educational psychologists and other professionals assessing the degree to which unmet needs were the underlying cause of poor behaviour.

The Local Authority operated a multi-agency panel, which helped to manage options available to excluded pupils, especially with regards to AP. The panel met regularly and its membership included Middlesbrough's secondary schools, Children's Services and a whole host of multi-agency representatives (Cleveland Police and Child and Adolescent Mental Health Services (CAMHS) etc.). At meetings of the panel, schools advised of pupils who were extremely difficult to manage and the agencies in attendance would share knowledge and intelligence of the pupil and their family in an attempt to develop a package of support.

The Local Authority offered advice and guidance to school leadership teams and governing bodies to help ensure that they followed the legal framework correctly and, where applicable, applied the Managed Moves Protocol properly. It was commented that the Local Authority checked the legality of every permanent exclusion.

The Local Authority offered training to support schools. Training sessions had been delivered to schools, free of charge, in respect of Attachment Theory and classroom practice. It was added that the Local Authority was currently running a pilot with two schools (one primary and one secondary) who were in the process of becoming 'attachment friendly'. It was commented that supporting pupils who suffered from attachment disorder and those who had been subject to significant trauma was not currently featured in the teacher training schemes that were available in the north east. That was particularly concerning, as pupils suffering from attachment disorders required a specific package of support to enable them to overcome barriers. Over the last year or so, the Local Authority had been providing input and materials for some future teaching training schemes.

The Local Authority had recently remodelled the way in which it supported pupils who were at risk of permanent exclusion. A new Inclusion, Assessment and Review Service had been established in September 2020. The service offered an improved model of support and challenge. It was added that the new service had seen the introduction of an Inclusion Officer being attached to each school. The service offered support and guidance at the earliest of stages. The new service was working with secondary schools through a 'Team Around the School' approach, which involved multi-agency planning meetings led by educational psychologists.

In summary, Members were advised that:

- managing behaviour and ensuring good discipline in schools was a key responsibility for head teachers and governing bodies;
- what schools could and could not do was regulated by a legal framework; and
- the Local Authority's role was one of providing advice, guidance and support.

In response to a Member's query regarding advocacy for parents, the Head of Access to Education and Alternative Provision advised that parents played a key role in ensuring good behaviour and the Local Authority engaged with parents in a number of ways. Members were advised that if a pupil was part of the 'Team Around the School' approach, Inclusion Officers engaged with parents to ascertain the root causes of poor behaviour whilst providing support and guidance.

For parents of pupils who were permanently excluded, the Local Authority had a dedicated member of staff who offered independent advice/guidance and provided key information. In addition, as some parents found challenging a head teacher a daunting prospect, the member of staff also represented parents when appealing against a permanent exclusion. To ensure that parents were aware of the support available, a letter was written to parents that contained the contact details for the Local Authority's independent officer. In response to a Member's

query, the Head of Access to Education and Alternative Provision advised that signposting to other advocacy organisations was not provided as a matter of course.

The Director of Education, Prevention and Partnerships confirmed that parents did play a pivotal role in managing behaviour. It was added that other Local Authority officers, such as social workers and early help practitioners, also provided effective support to parents.

In response to a Member's query regarding projects and interventions that support pupils and parents, the Strategic Lead for Inclusion and Specialist Support Services advised that the new model of support had been developed in response to feedback received from schools. A proportion of high needs funding had been utilised to increase capacity in the Local Authority's Educational Psychology Service. The multi-agency partnership approach offered a single model of support to assess the needs of each pupil, an action plan would then be developed and closely monitored to ensure that targets were being met. The approach involved engagement with many services, such as HeadStart and CAMHS.

A Member highlighted the importance of providing a multi-agency response at the earliest of stages, to ensure that pupils displaying challenging behaviour received the support they required. The Strategic Lead for Inclusion and Specialist Support Services advised that since implementation of the new model in September 2020, positive feedback had been received from schools regarding the range of support being offered to children, young people and their families.

In response to a Member's query regarding the allocation of funding and the need to intervene early, the Head of Access to Education and Alternative Provision advised that head teachers had a legal right to exclude pupils, therefore, the Local Authority was required to ring-fence funding to provide AP placements when the need arose. It was commented that Children's Services had recently invested additional funding and resources in prevention, by developing the new model. The Strategic Lead for Inclusion and Specialist Support Services commented that funding had been utilised to increase the capacity of the Educational Psychology Service and introduce Inclusion Officers. It was added that since the implementation of the new model, there had been a slight decrease in the number of permanent exclusions, for the September to November period, in comparison to last year. It was added that the impact of the model would be reviewed in February and July 2021.

The Director of Education, Prevention and Partnerships advised that as demand for AP provision was still in existence and the Local Authority had a responsibility to fund those placements, the Local Authority was currently unable to re-allocate any further additional funding from reactive services to prevention services.

A discussion ensued and Members expressed concerns in respect of:

- the high rates of fixed-term exclusions and permanent exclusions in Middlesbrough; and
- the schools that were using permanent exclusions more than others.

The Head of Access to Education and Alternative Provision advised that the Local Authority had a responsibility to hold schools to account and query the reasons for high exclusion rates. It was commented that the Local Authority had recently undertaken work in respect of the number of fixed-term exclusions of Looked After Children. It had been identified that there was one particular school in Middlesbrough that was responsible for approximately 90% of the fixed-term exclusions of Looked After Children. The Local Authority was working with the school to address that issue, however, there was a need for the Local Authority to hold schools to account more transparently for their exclusion rates. The Director of Children's Services advised that as corporate parents, elected members may wish to ascertain the reasons for those high fixed-term exclusion rates.

#### **AGREED**

**That the information presented at the meeting be considered in the context of the scrutiny panel's investigation.**

**3 OVERVIEW AND SCRUTINY BOARD - AN UPDATE**

The Chair advised that on 5 November 2020, the Overview and Scrutiny Board considered the following items:

- the Executive Forward Work Programme;
- an update on Middlesbrough Council's Response to COVID-19;
- an Executive Member update from the Deputy Mayor and Lead Member for Children's Social Care;
- an update on the Overview and Scrutiny Board Membership;
- the Final Report from the Adult Social Care and Services Scrutiny Panel on Physical Activity for Older People (Aged 65-Plus);
- the Final Report from this panel on Addressing Poverty Issues and the Impact on Learning;
- the Final Report from the Economic Development, Environment and Infrastructure Scrutiny Panel on Teesside Crematorium; and
- updates from the Scrutiny Chairs.

**NOTED****4 ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.****Terms of Reference - Behaviour, Discipline and Bullying in Schools**

The Democratic Services Officer asked Members to consider and discuss the terms of reference for the new topic of 'Behaviour, Discipline and Bullying in Schools'.

A discussion ensued and Members commented on the importance of receiving information on the reasons some schools had higher rates of fixed-term and permanent exclusions. Members expressed concern in respect of the school that was responsible for 90% of the fixed-term exclusions for Looked After Children and were in agreement that there was a need to ascertain the reasons for that.

A Member commented on the importance of receiving data in respect of the new model and its impact on exclusions rates.

It was also commented that it would be beneficial to find out what sanctions were used by schools, particularly isolation. The Director of Education, Prevention and Partnerships commented that work would be undertaken to determine how many secondary schools used isolation as a sanction.

**AGREED**

**That the draft terms of reference be circulated to panel members for comment and be brought back to the scrutiny panel's next meeting, on 7 December 2020, for endorsement.**

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## MIDDLESBROUGH COUNCIL

### SCRUTINY REPORT

#### Children and Young People's Learning Scrutiny Panel

7 DECEMBER 2020

#### Inclusion, Assessment and Review Service: The Team around the School model

**HEAD OF SERVICE: Caroline Cannon: Strategic Lead for Inclusion and Specialist Support Service**

#### Summary

The purpose of this report is to provide information on the new 'Team Around the School' approach developed by the Inclusion and Specialist Support Service and how this new model supports behaviour management and greater inclusion in schools.

#### Introduction

In July 2020, the SEND Assessment Team and Alternative Provision Team were restructured to create one single Inclusion, Assessment and Review service which is located in the wider Inclusion and Specialist Support Service. Feedback from schools was used to inform the development of the new model. School leaders highlighted the need for early intervention and support at the earliest of stages.

The purpose of the service restructure was to increase the capacity and resources available to support early intervention work in schools, further develop the quality and range of alternative provision options and identify special educational needs and support at the earliest point. There has been additional investment within the service to support the new model. This has been through increasing the number of Inclusion Officers from 2 to 5, and to provide additional educational psychology resource.

Schools have been enthusiastic about the changes to the service. It is anticipated that the new model will help reduce the level of exclusions in schools, ensure optimal utilisation of the 'high needs funding' available to schools for children with special educational needs and or disabilities and improve the quality of referrals for education, health and care assessments.

## Evidence / Discussion

To support the implementation of the new service structure, the Inclusion, Assessment and Review service has introduced a 'Team Around the School' approach which has been in place since September 2020.

The team around the school model is based on the following approach:



The aim of the model is to develop a shared understanding of the context in each school, identify school priorities for inclusion at whole school, smaller group and individual pupil level and devise a multi-agency plan to take forward key actions.

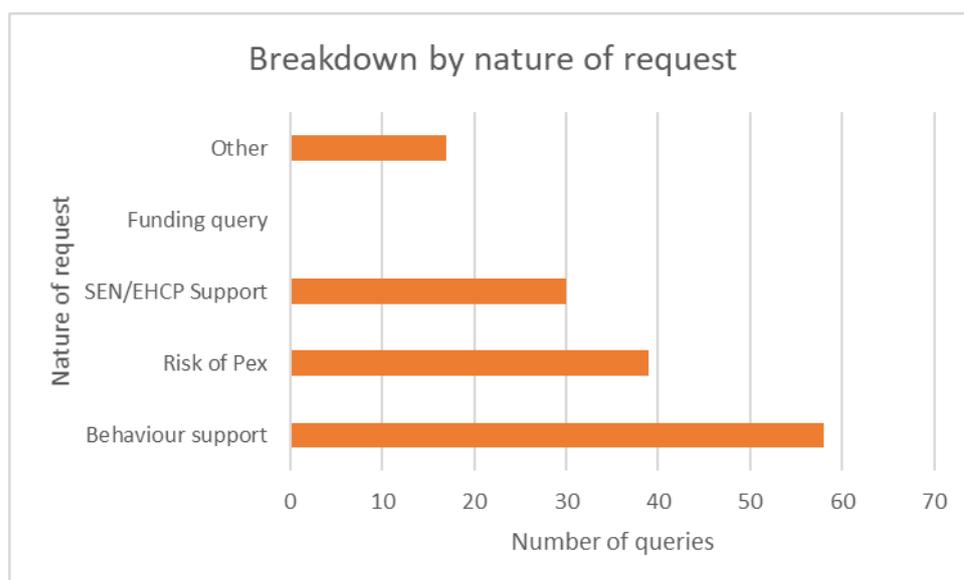
All schools are allocated a Local Authority Inclusion Officer who provides support and guidance to overcome any barriers in meeting agreed actions. There are opportunities for regular review within the model, which allows for greater learning and reflective practice.

Alongside the introduction of the Team Around the School model, there has also been a review of associated processes and panels to streamline the experience for schools. This led to the introduction of a new Primary Inclusion Panel in early November 2020 which mirrors the Secondary Inclusion Panel. This was well received by primary Head Teachers.

Since the launch of the Team Around the School approach in September 2020, the Inclusion Officers have had **144** requests from schools for support and guidance.

Breakdown of requests by type of school	
Primary	64
Secondary	80

Analysis of the data shows the breakdown of requests by the nature of the request:



Although the Inclusion, Assessment and Review Service and the Team Around the School approach is still relatively new, initial feedback from schools has been positive.

There are a number case study examples available to demonstrate early impact.

### **Case study 1**

An Inclusion Officer provided support to a primary school regarding a child who was at risk of permanent exclusion as a result of extremely challenging behaviour.

The Inclusion Officer worked with staff in school to review the provision and the support in place for the child, advising and guiding on the resources available and providing guidance to access them.

The child is now settled in an alternative placement which will allow for further assessment of identified special educational needs and ensure a robust longer term plan is in place for the child. Had the new model not been in place, it is likely this case would have resulted in a permanent exclusion

**Case study 2**

A secondary school contacted the service to request additional support managing a child who was displaying challenging behaviours, including refusal to follow Covid-19 safety procedures.

Taking the Team around the School Approach, the Inclusion Officer worked with school and the family to secure a short-term alternative placement to help prevent further escalation within school and to support with effective behaviour management.

The child engaged with the alternative placement well and has since been successfully re-integrated back to the mainstream secondary setting. Without the support, it is likely that the child's behaviour would have escalated resulting in fixed term and possibly permanent exclusion.

**Case study 3**

A primary school contacted the service about a child who they believed was presenting with traits of autism spectrum disorder.

The Inclusion Officer worked with the setting to agree a short term transition support package to settle the child at school using play based learning, whilst the school completed further work with parents to explore an assessment for autism.

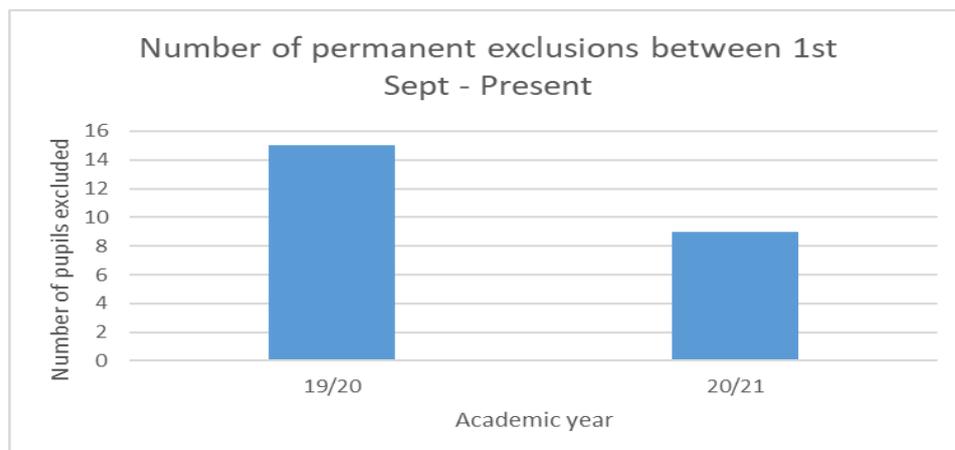
A multi-agency early intervention plan is now in place for the child, outlining the graduated response required to meet the child's needs within school. Without the support to co-ordinate this plan, the child's needs would not have been met which, over time, could have had a negative impact on the child's progress and behaviour.

An indicative measure of success may also be visible by analysing the data for permanent exclusions and fixed term exclusions.

It is however important to note the impact of Covid-19 on school attendance since September, higher numbers of pupils self-isolating, changes to the structure of the school day and the introduction of 'bubbles' to manage groups of children which may also be reducing the opportunity and/or triggers for disruptive behaviour which would usually result in fixed term and permanent exclusions.

Alongside this, the Outwood Academy Trust has invested in developing its own Alternative Provision. This provision was launched in September 2020 and is available to Outwood pupils across Teesside. The opening of this provision may also contribute positively to a reduction in the rate and number of exclusions.

Comparison between the numbers of permanent exclusions for the period September to November 2019 against the same period for this year shows a decrease.



Data analysis of fixed term exclusions for the same period also shows the same pattern. In 2019, between September and November there were 1023 days of fixed term exclusions. In the same period this year, the number is 583 days. It is important to note that not all schools return fixed term exclusion data to the local authority and therefore, these figures are only a representative sample.

## Conclusions

Although it is too early to evaluate the full impact of the model, early indications are that the Team Around the School model is having a positive impact. Further analysis, evaluation and review will be completed throughout the course of the academic year. Any evaluation of the model will also need to take into account the impact of COVID-19 and the risk management controls currently in place within schools.

An interim review of the model will take place by February 2021, with a full further review to be completed in July 2021.

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## TERMS OF REFERENCE

### BEHAVIOUR, DISCIPLINE AND BULLYING IN SCHOOLS

- a) To identify the powers and duties of schools to manage behaviour and discipline pupils.
- b) To investigate the Local Authority's role in supporting schools with behaviour management and the impact of its work.
- c) To examine the causes of pupil behaviour problems e.g. unmet educational or other needs.
- d) To identify the challenges faced by schools in dealing with poor behaviour and bullying and to examine the reasons some schools have higher rates of fixed-term and permanent exclusions.
- e) To investigate the types of sanctions used by schools that can impact on a pupil's educational outcomes and life chances.
- f) To examine the successful and proactive strategies and solutions used by schools to:
  - promote positive behaviour;
  - manage poor behaviour; and
  - prevent and tackle bullying

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