Legal and Governance

![Middlesbrough moving forward]

CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

Date:	**Monday 26th July, 2021**
Time:	**10.30 am**
Venue:	**Council Chamber**

AGENDA

1. Apologies for Absence

2. Declarations of Interest

3. Minutes - Children and Young People's Learning Scrutiny Panel - 28 June 2021 — 3 - 8

4. Addressing Poverty Issues and the Impact on Learning - An Update — 9 - 22

   In respect of the Scrutiny Panel's 2020 review of Addressing Poverty Issues and the Impact on Learning, the Head of Achievement, Education, Prevention and Partnerships will provide an update on the progress made with the implementation of the agreed recommendations/actions.

5. Draft Final Report - Behaviour, Discipline and Bullying in Schools — 23 - 40

   The Scrutiny Panel will be asked to consider and approve the content of the draft final report and determine recommendations for submission to the Executive.

6. Education and Covid-19 Recovery

   The Executive Director of Children's Services will provide a verbal update.

7. Overview and Scrutiny Board - An Update

   The Chair will present a verbal update on the matters that were considered at the meeting of the Overview and Scrutiny Board held on 29 June 2021.

8.   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 16 July 2021

MEMBERSHIP

Councillors D McCabe (Chair), L Mason (Vice-Chair), A Hellaoui, D Jones, T Mawston,
M Nugent, M Saunders, P Storey 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,
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CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

A meeting of the Children and Young People's Learning Scrutiny Panel was held on Monday 28 June 2021.

PRESENT:	Councillors L Mason (Vice-Chair), A Hellaoui, D Jones, T Mawston, D McCabe, M Nugent, M Saunders, P Storey and G Wilson
ALSO IN ATTENDANCE:	Councillor S Hill (Executive Member for Education)
OFFICERS:	R Brown, C Cannon, G Moore and K Smith

21/1 **APOLOGIES FOR ABSENCE**

No apologies had been received.

21/2 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

21/3 **MINUTES - CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL - 19 APRIL 2021**

The minutes of the meeting of the Children and Young People's Learning Scrutiny Panel held on 19 April 2021 were submitted and approved as a correct record.

21/4 **EDUCATION AND LEARNING - AN OVERVIEW**

The Director of Education, Prevention and Partnerships; the Head of Achievement, Education, Prevention and Partnerships and the Strategic Lead for Inclusion and Specialist Support Services were in attendance to provide the scrutiny panel with an overview of the main service areas within its remit and an outline of priorities, key issues and challenges for the year ahead.

The Director of Education, Prevention and Partnerships advised that in respect of Covid-19, the numbers had previously declined quite significantly, however, over the past three weeks the number of cases had increased once again. It was commented that the Local Authority had been working with Sir Kevan Collins (the Government's Education Recovery Commissioner) and Sir Alan Wood to discuss education recovery and the role of councils in supporting that work.

It was anticipated that if self-isolation requirements were to remain unchanged, the impact of Covid-19 would cause disruption into the new academic year, as children and young people had not been vaccinated. It was anticipated that keeping groups separate (in 'bubbles') and delivery of remote learning would continue throughout the new academic year.

Members were advised that in a recent announcement by the Department for Education (DfE), proposals for a "landmark investment" of £15bn in teachers, tutoring and an extended school day to help children catch up had been watered down to £1.4bn for schools in England. Nationally, there was not currently a clear picture of what recovery looked like for education. However, it was envisaged that recovery would be focused at a school-level and would be bespoke to each local area.

With Covid-19, the home learning environment was vital in supporting education and that was typically defined by child's or young person's social circumstances.

Members heard that there was a need to identify a baseline of performance and determine how schools would deliver a comprehensive programme of catch-up, which would be aimed at

young people who had lost out on learning due to the pandemic.

In terms of elective home education, there had been an increase in the number of children and young people being educated at home and there was a need to determine the drivers behind that. It was also added that there had been an increase in the number of children and young people missing education. It was advised that children and young people from eastern European countries had been migrating in and out of the area and there was a need to understand the reasons for that. There was also a need for the Local Authority to track those families and ensure those children were safe.

The Director commended the work that schools had undertaken in light of the Covid-19 pandemic, schools had coped exceptionally well in ensuring their pupils remained safe and continued to learn.

Members heard that an Achievement Strategy had been developed, which would be sent to schools at the end of term. The strategy focused on key areas of recovery and business as usual and included performance measures. It was planned that schools would be consulted on the strategy in September.

In terms of business as usual, the Local Authority had completed a S175, which was a comprehensive safeguarding audit. Reference was made to a national issue that was currently being addressed of sexual abuse in schools and colleges. It was commented that the audit had been undertaken in respect of schools safeguarding procedures and the prevalence of peer on peer abuse, including the sharing of explicit images. Sexual abuse in schools and colleges was less prevalent in Middlesbrough, however, work was being undertaken to determine the reasons for that and a report on the issue was due to be considered by the Safeguarding Partnership (across South Tees).

Work was being undertaken to ensure that Outwood Academy Riverside was built on time and fit for purpose. The new school would provide 200 places for secondary-aged children. It was also advised that there had been £2.3m capital investment at Kings Academy to create 128 additional places.

Members heard that Children's Services continue to prepare for Ofsted inspections (Children's Services inspection, Local area SEND inspection and Adult Learning). A recent Ofsted monitoring visit had taken place, the findings of which were not currently in the public domain.

A Member raised a query regarding the impact of the Covid-19 on schools and the likelihood of vaccines being offered to 12-17 year olds. The Director of Education, Prevention and Partnerships advised that although vaccinating children could reduce infections across society and keep schools open, as children's risk of severe disease from Covid-19 was very low, it was unlikely that children aged 12-17 would be offered vaccine in UK. Members were advised that any updates on vaccinating children would be reported to the scrutiny panel.

A Member raised a query regarding non-attendance in schools. It was advised that attendance rates had improved, however, unless attendance was at 100% then that still was not good enough. Members were advised that effective tracking and enquiry systems were in place to monitor non-attendance, particularly in respect of vulnerable children (those children with SEND and those open to social care, i.e. Children in Need, Children in Need of Protection and Children in Care). There were valid reasons for the non-attendance of some children and young people, particularly those with SEND, and work was undertaken to offer them a bespoke package of support. It was commented that an Education Welfare Officer had been employed to track, monitor and visit those children who were absent from school.

A Member queried the sufficiency of school places for September 2021. It was advised that actions had been undertaken by the Council to create an additional 128 places at Kings Academy to ensure a sufficient number of school places were available. The Local Authority had been notified of a potential delay in the scheduled completion of Outwood Academy Riverside. The Local Authority was working with the DfE to mitigate any delay to the project timeline and put plans in place incase extra places were required.

A Member expressed concern with regards to those children missing education, particularly those children of migrant families (particularly eastern European). The Director explained that a child's absence was flagged on the first day they were absent. If the Local Authority was

initially unable to locate a child, benefit checks would be undertaken, social worker and police intelligence would be accessed and the border agency would be contacted. In respect of those children who could not be located, each child's case would become a cold case, which would be revisited throughout the academic year and termly checks would be conducted.

In response to a Member's query regarding the impact of the role of the Education Welfare Officer (EWO), the Director advised that the EWO and Welfare Call had played a significant role in driving up attendance and an increase in attendance had been reported. The EWO engaged directly with children, families and schools to build relationships, unpick problems and break down the barriers that prevent attendance. There were effective tracking and enquiry systems in place to monitor non-attendance, including Welfare Call, which provided real time and robust attendance data/information. Schools also had direct contact with social workers. The Strategic Lead for Inclusion and Specialist Support Services advised that, for those children with Special Educational Needs or Disabilities, a lead professional was in place and a robust system had been developed in partnership with schools, health and social care.

Given the recent Ofsted review into sexual abuse in schools and colleges, a Member made reference to the Digital Resilience Group, led by Ralph Jordinson. The Head of Education, Achievement, Prevention and Partnerships advised that schools were engaging with the group, a safeguarding lead network met on a monthly basis and a working party had been established to develop a town-wide response focusing on peer-on-peer abuse.

In response to a Member's query regarding access to free school meals during periods of self-isolation, the Director of Education, Prevention and Partnerships advised that schools had collection points for food parcels/packed lunches and procedures were in place ensure that food was available and was of an appropriate standard.

In response to a Member's query regarding bridging the gap between public and private schools, the Head of Achievement, Education, Prevention and Partnerships advised that the Achievement Strategy would aim to address attainment gaps and support children and young people to catch up on missed learning caused by coronavirus (COVID19). It was advised that there was a need to work with school leaders to ensure delivery of the learning that had not taken place and ensure the delivery of new learning. The Achievement Strategy included local expertise and best practice.

Members heard that four secondary schools had provided additional learning for Year 6 pupils, including, mathematics, science and English. That work had provided pupils with an understanding of the secondary curriculum before they transition from primary school. Work was also being undertaken to ensure secondary schools understood the primary curriculum.

In addition:
- The Local Authority met with school leaders on a fortnightly basis.
- The Learning Middlesbrough website had been recently launched. The website provided education resources, advice, and self-help information to support families and professionals. School feedback on the resource had been extremely positive.
- The current Covid-19 regulations and requirements to self-isolate had impacted on the availability of teaching staff, therefore the Local Authority was working alongside schools to create a teaching pool. It was envisaged that the teaching pool would reduce the costs of supply, provide consistency and offer 3 monthly contracts to improve retention rates.
- The Local Authority had developed positive working relationships with schools.
- Through collaboration, a mathematics hub and an English hub had been developed, working across the two key stages, sharing best practice and promoting learning.
- 100% of early years practitioners had participated in the early years reform training.
- The School Readiness Team had employed creative and innovate strategies to achieve 92% contact with families.
- In terms of Education Health and Care Plans (EHCPs), the annual data return demonstrated that 99% of plans had been completed and Middlesbrough had been ranked 9th nationally and 2nd in the north east.
- The Local Authority had been working with the DfE to improve the take-up of private tutoring.

The Director of Education, Prevention and Partnerships advised that work was planned to ensure that all Alternative Provision (AP) placements were within registered settings. It was

also added that there were currently 2 pupils who had access to less than 25 hours education and there was a need to address that issue.

NOTED

21/5   **SETTING THE SCRUTINY PANEL'S WORK PROGRAMME - 2021/22**

The Democratic Services Officer advised that the purpose of the report was to invite the scrutiny panel to consider its work programme for the current municipal year.

It was commented that the report contained a list of topical issues, which were anticipated to be of particular interest to the scrutiny panel, those included:

- the impact of COVID-19 on education and the Council's Recovery Plan;
- post-16 education;
- children missing education;
- sexual abuse in schools and colleges; and
- an update on sufficiency of school places.

Also included within the submitted report were suggestions that had been received from Children's Services, those included:

- recovery;
- Special Educational Needs and Disabilities (SEND); and
- Inspecting Local Authority Children's Services (ILACS) improvement

Reference was made to the aid attached at Appendix 1 of the submitted report, which would enable Members to prioritise issues where scrutiny could make an impact, add value or contribute to policy development.

It was recommended that two topics be selected for the work programme for 2021/22.

A discussion ensued:
- Members commented on the importance of the scrutiny panel investigating the impact of COVID-19 on education and the Council's Recovery Plan.
- A Member suggested the following topics:
  - The changes to the national curriculum, the new curriculum - relationships and sex education (RSE) and the impact on schools.
  - In terms of those with SEND, what support was provided to high achievers.
- A Member recommended that in respect of SEND, there was a need to ensure that children and young people were receiving appropriate provision for their needs.
- A Member commented that it would be advantageous to investigate the reasons for those pupils with SEND missing education.
- A Member commented that Post-16 education was of interest and there was a need to ensure that young people receive the skills and training to find great jobs.
- A Member suggested that sexual abuse in schools and colleges should be investigated to identify the prevalence of the issue in Middlesbrough.
- A Member recommended that the bullying of pupils with SEND should be investigated.

Following discussion, Members were in agreement that SEND, the impact of COVID-19 on education and the Council's Recovery Plan and Post-16 education should be included in the work programme for 2021/22. It was agreed that the comments made by Members throughout the discussion, in respect of SEND, would be taken forward when determining the terms of reference for the SEND review.

AGREED

That the topics listed below be submitted to the Overview and Scrutiny Board for approval and inclusion in the work programme of the Children and Young People's Learning Scrutiny Panel for 2021/2022:

In-depth reviews

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- **Special Educational Needs and Disabilities (SEND)**
- **The Impact of COVID-19 on Education and the Council's Recovery Plan**

Short review/one-off meeting
- **Post-16 Education**

21/6 **EDUCATION AND COVID-19 RECOVERY**

The Director of Education, Prevention and Partnerships commented that in respect of Covid-19, the numbers had previously declined quite significantly, however, over the past three weeks the number of cases had increased once again. As previously stipulated, it was anticipated that if self-isolation requirements were to remain unchanged, the impact of Covid-19 would cause disruption into the new academic year, as children and young people had not been vaccinated. It was anticipated that keeping groups separate (in 'bubbles') and delivery of remote learning would continue throughout the new academic year.

It was commented that due to Covid-19, sports days had not been family events and physical transitioning from Year 6 to Year 7 had stopped.

Members were advised that at a future meeting, the impact that Covid-19 on particular age groups would be reported.

Currently 23 (out of 54) schools currently had pupils self-isolating - 18 bubbles had been affected.

NOTED

21/7 **PROPOSED MEETING SCHEDULE FOR 2021/22**

A proposed meeting schedule, for the Children and Young People's Learning Scrutiny Panel, was submitted for the scrutiny panel's consideration.

AGREED

That the proposed meeting schedule, for 2021/22, be approved.

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CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL
ADDRESSING POVERTY ISSUES AND THE IMPACT ON LEARNING

PURPOSE OF REPORT

1. The purpose of the report is to update the Children and Young People's Learning Scrutiny Panel on the outcomes that have emerged as a result of cross-departmental collaboration to reduce the impact of poverty and the impact these have on learning.

BACKGROUND

2. During 2019/2020, the Children and Young People's Learning Scrutiny Panel investigated the topic of Addressing Poverty Issues and the Impact on Learning.

   The purpose of the scrutiny panel's review was to examine whether effective and successful models of support are in place, in Middlesbrough, to:
   - tackle the root causes of poverty
   - mitigate the effects of disadvantage on education

3. **The recommendations identified aimed to:**
   3.1 Develop a partnership to deliver a more joined-up, collaborative and integrated approach to tackle poverty and promote social mobility, cutting cross employment support, welfare, housing, early years provision, education, public health and family support

   3.2 Develop a coherent strategy be developed to ensure that poverty remains high up on the agenda for every organisation in Middlesbrough and to maximise resources available across all sectors and agencies (including the Voluntary Community Sector).develop a robust action plan to address any weaknesses or areas for development which have been identified

   3.3 Develop a monitoring tool to effectively measure poverty rates and trends in Middlesbrough ensure their self-evaluation accurately reflects the school's safeguarding practice

   3.4 Submit data on an annual basis, to the Children and Young People's Learning Scrutiny Panel, to demonstrate the impact of its work and to highlight the practices, interventions and strategies that have been most successful in tackling poverty

   3.5 Work with the Financial Inclusion Group to ensure there is a greater presence from advisers offering debt advice and benefits support and advice in the community

   3.6 Work with schools to capture an accurate baseline of individual children's attainment as early as possible (on entry to nursery) to inform planning and maximise learning

   3.7 Work with **Children North East** (CNE) to:
   - arrange training for teachers on the barriers to learning that exist because of poverty;
   - identify common threads that exist in schools; and
   - develop a good practice guide that highlights the effective practices used in tackling the root causes of poverty and mitigating the effects of disadvantage

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3.8 Work with schools and catering suppliers to encourage implementation of recommendations proposed by the **Just Change** campaign

3.9 Write to the Secretary of State for Education to request that census data for early years is collected in July instead of January, when numbers are at their highest - as this data determines the Dedicated Schools Grant for the following year

OUTCOMES

4. **The following actions were taken to address each of the recommendations**:

The mapping exercise concluded that partnerships were already established.
It found that collaborative practice was already in place and led by the work Middlesbrough Council's Financial Inclusion Group (FIG). Underpinned by the vision '***All communities in Middlesbrough will have access to appropriate financial services, advice and information that enables them to manage their money on a day to day basis, plan for the future and deal effectively with financial hardship,'*** partners and member organisations provide a range of services in order to mitigate the impact of poverty in order to decrease the likelihood of communities experiencing poor mental health, family breakdown, domestic violence and a limited range of life choices.

In addition to FIG, the Employment Network Group (ENG) and Northern Skills Group led by Middlesbrough College brings together the expertise and experience of the College and NECC Training and focuses on helping people overcome barriers such as sexual orientation, disability, age, gender and faith so that routes to employment are equitable. This ENG also links with school leavers in order to develop sector skills linking to employment.

The Financial Inclusion Group (FIG) already has a strong presence in the community offering debt and benefits support and advice. Middlesbrough Council recently brought the Unclaimed Benefits Campaign & Hub Advice Service under one project. This collaboration was developed by FIG and is led by Welfare Rights Unit. Partner organisations are Citizens Advice Bureau (CAB), Age UK, Cleveland Housing and Advice Centre (CHAC) and Achieving Change Through Enterprising Solutions (ACTES). It is a free service and offers support to residents making sure they receive the correct benefit entitlement. During COVID the team identified families who were not claiming the correct amount of benefit and this has now been rectified.
Hub Advice Service is available from:
- Thorntree Hub
- Hemlington Hub
- Grove Hill
- Newport
- Easterside

Citizens Advice provide services from:
- North Ormesby
- Acklam Green Centre

Bishops Garth (Carmel Research School in Darlington) is currently working with schools in Middlesbrough to develop initiatives which aim to break the link between family income and educational outcomes - improving success and life chances for disadvantaged pupils in particular. Head of Achievement, Karen Smith is a board member for this programme.

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The mapping process has provided reassurance that all multi agency working already takes place. Relevant stakeholders are working together to collectively mitigate the impact of poverty on learning.

Other strategies that address poverty and financial inclusion are co-ordinated, and link with the FIG. These strategies include:

> ➢ Middlesbrough's Food Partnership Food Action Plan, 2020-2022 (MEC). This includes providing Eco Shops within schools providing low cost healthy food for families.
> ➢ South Tees Affordable Warmth Plan, 2020-2022 (MEC). Ensuring no families need to live in fuel poverty through a variety of programmes
> ➢ The Carmel Research programme (mentioned above) will raise the profile of poverty within many Middlesbrough schools – Evidence Leaders in Education (ELE) will provide training to schools and be involved in implementing change for better outcomes for low income families

Monitoring tools which measure poverty rates and trends are already in place. The Financial Inclusion Group already produces a quarterly Welfare Reform monitoring report including data on food bank usage, numbers accessing financial advice and housing support (example attached at Appendix 1).

A range of data is already being collected which measures the societal impact of poverty. Public Health England gather annual data on poverty levels across Local Authority areas: www.fingertips.phe.org.uk/search/Poverty

The Local Authority continues to work positively with schools to capture an accurate baseline of individual children's attainment as early as possible (on entry to nursery) to inform planning and maximise learning. Significant data is also gathered annually by the Achievement Team and is used to help prioritise support in schools aimed at improving the quality of education and outcomes for all. Since January 2021, Private and Voluntary Nursery Settings (PVIs) owner and manager meetings take place monthly. These allow for key messages, issues and best practice to be shared. In addition, a transition document has been successfully piloted during the summer term (full implementation September 2021). The document contains both academic and non-academic capturing children's progress including narrative around what makes them successful learners. This is shared with their next learning setting.

Staff within Education make visits to schools and Private & Voluntary Independent Settings in order to offer advice, support and challenge as well as training. These visits help the Achievement team further understand improvement priorities and capture local intelligence meaning that effective and bespoke support can be offered. The Early Years Development Lead undertakes focused improvement plans and Network meetings for practitioners disseminate key messages.

In preparation for the Early Years reforms statutory as of September 2021, Early Years (EY) Development Lead and the Early Years Quality Lead have delivered briefings to schools, early year's settings and childminders to help them feel prepared for the statutory roll out of the Reforms.

Response, attendance and feedback has been very positive:

> ➢ 90% of PVIs attended – 198 attendees
> ➢ 73% of childminders – 50 attendees
> ➢ 85% of schools – 133 attendees including 25 head teachers, 106 EY Leads, EY Teachers, EY TAs and academy leads

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➢ The briefing has also been shared with the Virtual Schools, School Readiness and Governor Services teams

Children's Centres work with parents providing parenting support in order to develop learning at home. The School Readiness team work to support families and offer range of interventions which support early childhood development.

Children's Centre activities include:
> ➢ Baby play and Stay and Play sessions: usually delivered on a weekly basis in each centre but since March 2020, staff are ringing parents who would attend to check-in with them to discuss baby/child development. We've had some really good feedback on this. Currently looking at piloting a Baby Play virtually.
> ➢ **Healthy child drop-in clinics** (run weekly at all CC's usually but health visitors carrying out as part of their home delivery model at the moment.
> ➢ **HENRY** (Healthy eating and nutrition in the really young) joint virtual delivery at present with health colleagues, groups and 1-1 sessions with parents.
> ➢ **Family Links Early Years Parenting programme:** usually delivered in groups in the centre or one to one in family homes depending on family's needs. Currently being delivered virtually.
> ➢ **Healthy Start Vitamins:** staff are involved in the distribution of these vitamins via the post to eligible parents.
> ➢ **Various book gifting programmes,** as part of the Early Years literacy pathway.

In addition, Middlesbrough's multi-agency children's hub (MACH) now share family information which is used to identify families who are in need of advice and guidance ensuring they have access to relevant to childcare and funding as well as support services. In addition for those children under 5 who are referred to Early Help, School Readiness Team are notified so contact can be made and support made available. We are now being notified of every new birth so again contact can be made and support offered.

The Middlesbrough Best Start Pathway (BSP), developed in partnership by Middlesbrough Council and the Harrogate and District Foundation Trust (HFDT), recognises that some families require additional support, whilst others can safely be supported through the universal Healthy Child Programme (HCP). In line with providing holistic, coordinated packages of support to families in greatest need, the BSP will involve the delivery of integrated support by Health Visitors and the Local Authority (Education School Readiness Team) and other partner organisations where appropriate. For the Local Authority, this will involve **five contacts** with the family. Working in partnership with parents and carers, these Local Authority contacts will primarily focus on improving knowledge, skills and confidence so that they are better able to provide the opportunities needed for their children to develop skills that will enable them to reach their full potential.

Ensuring that every child and young person in Middlesbrough has equal access to high quality education that increases and improves life chances, through achievement of the best possible outcomes at every stage of their learning journey and beyond. So the **Learning and Education Strategy 2021-24** clearly sets out how, through collaboration, we have a real opportunity to solve local issues using local school based solutions.

We recognise there are some factors outside of our remit of influence that impact on young people's ability to make academic progress. However, this work, informed by the actions of the Children and Young People's Partnership, aims to tackle every aspect in our power to improve the lives and outcomes of children and young people in Middlesbrough, and is underpinned by the following core Partnership principles:

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- To improve the lives of children remains at the heart of everything we do and decide
- Focus on the strengths and building resilience
- Prioritise prevention and intervening at the earliest point
- Strive for fairness in outcomes and narrowing the gap of inequality
- Listen to children, young people and families and respond

(Copies of the data gathered and the Learning & Education Strategy can be made available to Scrutiny Panel)

Engagement with Children North East in order to Poverty Proof the school day has taken place previously. Audits have been completed and schools now implement their own mechanism for supporting pupils and their families. For example, many schools across Middlesbrough offer Eco or Fair Share shops offering parents subsidised food and clothing. A uniform pledge has recently been implemented in Middlesbrough. The pledge asks schools to agree to limit the number of personalised items allowing for cheaper alternatives to be purchased and adopt 4 key principles:

1. We will carry out a review of the cost of our school uniform, and publish the outcome on our school website.
2. We will make sure non-branded generic clothing accounts for at least three quarters of all the uniform items a child needs.
3. Where branding is important, we will prescribe iron or sew on badges and logos for at least three quarters of all the items, allowing parents to purchase generic clothing.
4. The total cost of all the required branded clothing for any child will not exceed £40.

Already, many primary schools offer financial support towards the cost of uniforms and PE kits. To ensure all pupils had access to remote and digital learning the Council made a £350k investment helping schools to provide devices and WIFI connectivity during periods of self-isolation or school closure.

Actions:

1. Education representation at the Financial Inclusion Group
2. Support schools to implement recommendations set out in the Just Change Campaign.

5

EXAMPLE of quarterly Welfare Reform Performance Monitoring Data

Homelessness / CAB / Foodbank / General Quarterly Update						
Performance Indicator	**Outturn 2019/20**	**Q1 2020/21**	**Q2 2020/21**	**Q3 2020/21**	**Q4 2020/21**	**Year To Date**
No accepted as homeless	**529**	371	274	154		
No. of households in temporary accommodation	**75**	37	183	228		
Preventing Repossession Fund	**£38,370.03**	£39,399.08	£40,326.55	£40,232.22		
Homeless prevention Fund (available)	**£3,767.16**	£2,896.15	TBC	TBC		
No of families accessing Middlesbrough Foodbank	**3,070**	900	423	301		
Total number of adults / children accessing Middlesbrough Foodbank	**8,577**	4,643	3,179	2,017		
Number of people accessing Middlesbrough FIG Hub Advice Networks	**1,761**	504	290	280		
Information on numbers of clients approaching CAB for advice	**10,080**	1,370	1,633	1,276		
Of the above, number of people approaching CAB for debt advice	**1,766**	136	220	194		
Number of carers seeking benefit advice from Carer's Together	**485**	97	115	112		
Number of new accounts opened within the credit union	**1,261**	84	133*	425**		
Number of people accessing Welfare Rights for assistance	**3,424**	763	702	736		
Number of people receiving assistance through Thirteen groups Money Advice and Universal Credit Support teams	**2,473**	556	533	477		

Quarter 2 Commentary

- *111 new accounts opened with South Tees Community Bank and 22 from Pioneer Credit Union in Q2
- **229 new accounts opened with Pioneer Credit Union and 196 with South Tees Community Bank in Q3
- As you will see, there has been a drop in the number of families accessing foodbank in Q2 and Q3. However, the total number of clients

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within the financial and calendar year is still higher compared to the previous period. To illustrate this, the foodbank have also provided a spreadsheet for the calendar year to give the full picture which is attached

- The number of people accepted as homeless has shown a marked reduction quarter on quarter. However, the number of people in temporary accommodation in the current climate is significantly higher than normal and continues to rise.

Middlesbrough Council Quarterly Update – Welfare Reform

Performance Indicator	Outturn 2019/20	Q1 2020/21	Q2 2020/21	Q3 2020/21	Q4 2020/21	Year To Date
Total no of tenants subject to under occupation	1,372	1,324	1,261	1,221		
Of the above, number who are classed as having 1 spare room	1,069	1,031	979	947		
Number who are classed as having 2 or more spare rooms	303	293	282	274		
Of the total number subject to under occupancy, how many are Thirteen group tenants	1,098	1,057	1,013	976		
No tenants subject to Housing Benefit Cap	128	116	102	93		

Quarter 2 Commentary

- The benefit information above is only showing a very slight movement. This could be attributed due to the lockdown and residents not moving / taking on new tenancies

Revenues & Benefits Quarterly Update							
Details	Outturn 2019/20	Q1 2020/21	Q2 2020/21	Q3 2020/21	Q4 2020/21	Year To Date 2020/21	Comments
Discretionary Housing Payment							
- Number of applications	2,213	645	324	382			
- Number awarded	1,880	496	252	286			
- Number not awarded	333	149	72	96			
DHP spent as a % of total budget	105.07%	17.02%	47.90%	55.05%			
Housing Benefit							
Average days for processing a new Housing Benefit claim	18.10	20.28	17.41	18.41			
Average days for processing a Housing Benefit change in circumstances	4.23	3.34	4.45	3.62			
Number of telephone calls answered about Housing Benefit / CTR	18.962	6,875	5,387	5564			
Number of face to face enquiries about Housing Benefit / CTR	15,651	Nil	Nil	Nil			
Council Tax collection rate	91.60%	26.41%	51.75%	77.17%			
Local Welfare Provision (Community Support)							
Number of awards for crisis support	288	59	40	61			
Number of awards for community support	164	15	36	37			
Number not approved	681	378	175	264			
Total amount of payments made	£148,687.57	£17,560.01	£31,420.46	£42510.78			
Quarter 1 Commentary							
Expenditure for discretionary housing payments is low when compared to the funding available. A number of initiatives are currently being undertaken, including the promotion of this to residents who have a spare bedroom for benefit purposes and have not applied for assistance through this scheme. It is anticipated that all of the funding will be spent by the financial year end as a result of increased activities within the service. The performance of the benefit service remains excellent when compared to national averages							

CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

ADDRESSING POVERTY ISSUES AND THE IMPACT ON LEARNING - ACTION PLAN UPDATE

SCRUTINY RECOMMENDATION	PROPOSED ACTION	UPDATE
a) That a partnership be developed to deliver a more joined-up, collaborative and integrated approach to tackle poverty and promote social mobility, cutting cross employment support, welfare, housing, early years provision, education, public health and family support.	Map existing partnerships through which the poverty agenda is currently addressed identifying where progress is already being made A working party consisting of a range of stakeholders work to drive forward identified actions all aimed at reducing childhood poverty.	Existing partnerships mapped and detailed: - Collaborative working party already established. Led by MBC's **Financial Inclusion Group (FIG)** a wide variety of partners work to support families helping to improve financial inclusion for all residents of all ages, and encourages partnership working and signposting between member organisations. - The **Employment Network Group** (ENG) led by Middlesbrough College that focuses on Work readiness and issues around employment supporting school leavers to learn sector skills linking to employment for adults. - Carmel Research School (a network of schools that support the use of evidence to improve teaching practice) is currently developing a program to support disadvantaged pupils. This program is tasked to break the link between family income and educational outcomes, improving success and life chances for disadvantaged pupils in particular. Working party established consisting of a range of stakeholders
b) That a coherent strategy be developed to ensure that poverty remains high up on the agenda for every organisation in Middlesbrough and to maximise resources available across all sectors and agencies (including the Voluntary Community Sector).	Multi- agency working party action plan agreed and signed off	Strategies which maximise resource are being implemented. These strategies include : - Middlesbrough's Food Partnership Food Action Plan, 2020-2022 (MEC). This includes providing Eco Shops within schools providing low cost healthy food for families. - South Tees Affordable Warmth Plan, 2020-2022 (MEC). Ensuring no families need to live in fuel poverty through a variety of programmes

c) That, once established, the partnership: • develops a monitoring tool to effectively measure poverty rates and trends in Middlesbrough; and • submits data on an annual basis, to the Children and Young People's Learning Scrutiny Panel, to demonstrate the impact of its work and to highlight the practices, interventions and strategies that have been most successful in tackling poverty.	Develop joint scorecard for partner for example; Use increased applications of the free school meal (FSM) entitlement in key stage 1 to accurately measure the % of families in receipt of FSM. Use Pupil Premium and disadvantage data to monitor trends. Use Pupil Premium and disadvantaged data trends to determine key areas of immediate support. Work collaboratively with key partners NIL(schools) to measure pupil outcomes The Middlesbrough Research Leads group to evaluate and monitor emerging trends and report to the partnership working party twice a year.	Monitoring tools are in place such as: • Education data monitors pupil premium outcomes as well as % of pupils eligible for free school meals from Early Years to Key Stage 4 • Pupil premium data is monitored and key areas identified where achievement gaps need to close. Challenge discussion with school leadership teams occur. • Welfare reform report (produced by FIG) monitors % access to financial advice including housing support • Public Health England gather annual data on poverty levels across LA's –https://fingertips.phe.org.uk/search/Poverty • Significant data is already gathered by Education including targeted support in schools; monitoring of Pupil Premium and outcomes; literacy; school readiness. • The Council's Learning & Education Strategy also prioritises achievement gaps for disadvantaged pupils looking at their progress and attainment over time, from pre-school through to work readiness. • Middlesbrough Research Leads group no longer exists. However, schools are taking part in Bishopsgarth (Carmel Research School) to develop initiatives that aim to break the link between educational outcomes and low income homes.
d) That, in respect of those areas that have high levels of deprivation, the Local Authority works with the Financial Inclusion Group to ensure there is a greater presence from advisers offering debt advice and benefits support and advice in the community.	The Unclaimed Benefit Campaign and Hub Advice Service is to be evaluated considering if the current is still suitable and this will be linked to the ward based solution for example the level of deprivation will determine the level of support.	Advice and support is available for all residents through: • Unclaimed Benefits Campaign & Hub Advice Service under one project. This collaboration was developed by FIG and is led by Welfare Rights Unit. Partner organisations are CAB, Age UK, CHAC (Cleveland Housing and Advice Centre) and ACTES (Achieving Change through Enterprising Solutions. • COVID grant funds available for eligible families' access during non-school time.

e) That, in respect of those areas that have high levels of deprivation, the Local Authority works with the Financial Inclusion Group and schools to introduce school-based advisers to provide welfare rights advice for parents, to help maximise family income.	Utilise Parent Support Advisors to record emerging issues. Access key local support groups such as Middlesbrough Environment City to educate vulnerable families with money management. The Unclaimed Benefit Campaign continues to provide sessions within school settings to families.	• Parent support advisors work diligently in school to ensure the appropriate information is received by parents • The Learning Middlesbrough website offers advice and support to parents • The Revenue and Benefits team have implemented systems which ensure the correct amount of benefit is received • FIG continues to work collaboratively to sign post correct support agencies.
f) That the Local Authority works with schools to capture an accurate baseline of individual children's attainment as early as possible (on entry to nursery) to inform planning and maximise learning.	LA Data Team to provide census data and annual performance data. LA Achievement Team advisors to scrutinise pupil progress and achievement through monitoring visits. School Readiness team to provide advice and support to the Private Voluntary and Independent (PVIs) nursery setting which addresses parental engagement of helping their child to succeed.	• Education already establish baseline data to inform child development and maximise learning (see cii) above). • Annual census data is collected based on October census providing the number of pupils eligible for free school meals. • Staff within Education make visits to Private & Voluntary Independent Settings (e.g. nurseries), provide advice and support and training in preparation for Ofsted and to gather local intelligence around the capacity of learning • PVI owners and managers now attend monthly LA briefings led by the Achievement team • The Early Years Development Lead completes focused improvement plans and Network meetings for practitioners disseminate key messages. Transition documents are created to capture children's progress including narrative around what makes them successful learners. This is shared with their next learning setting. • Children's Centres work with parents providing parenting support in order to develop learning at home as well as interventions to support families from 0-5 years

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g) That the Local Authority works with Children North East to: • arrange training for teachers on the barriers to learning that exist because of poverty; • identify common threads that exist in schools; and • develop a good practice guide that highlights the effective practices used in tackling the root causes of poverty and mitigating the effects of disadvantage.	As above in section C. Implement Children's North East Poverty Proofing the school day including: ➢ Poverty Proofing COVID response ➢ Implement a delivery partner model of Poverty Proofing the School Day	• Following audits completed by Children North East schools also now have developed additional support mechanisms to mitigate the effects of disadvantages, such as : ➢ Council pledge has been implemented asking schools to commit to reducing the requirement of branded personalised uniforms thus reducing cost of uniforms ➢ Eco shops for food poverty ➢ provision of PE kits ➢ COVID response to addressing device inequality - £350k investment from Council to ensure all pupils have access to virtual remote learning. • The Carmel Research School is developing training programmes to be disseminated in MBC schools to break the link between family income and educational outcomes. This aims to improve the life chances of disadvantaged pupils in particular. (Training expected to be made available after September 2021 when the Training lead is recruited). • Governor Development Service has provided training for all school Governors to develop a schools own policy on Poverty Proofing the School Day.
h) That the Local Authority works with schools and catering suppliers to encourage implementation of the recommendations proposed by the Just Change campaign.	As above (section g)	• Work to promote the Just Change campaign is on-going.
i) That the Children and Young People's Learning Scrutiny Panel writes to the Secretary of State for Education to request that census data for early years is collected in July instead of January, when numbers are at their highest - as this data	A letter will be drafted and sent to the Secretary of State for Education.	An online form was submitted to the DfE on 24 November 2020, a standard response was received on 28 January 2021 stating "*Since the outbreak of COVID-19 in the UK, the department has received unprecedented levels of correspondence and normal levels of service have been disrupted. I would like to take this opportunity to apologise that we have been unable to respond to your query as quickly or as personally as we would have hoped.*"

determines the Dedicated Schools Grant for the following year.		

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MIDDLESBROUGH COUNCIL

Final Report
Children and Young People's Learning Scrutiny Panel

Behaviour, Discipline and Bullying in Schools

CONTENTS

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THE AIM OF THE SCRUTINY REVIEW

1. The purpose of the review was to examine the key principles to help improve behaviour in schools. The review aims to assist the Local Authority in achieving its strategic priority:

   - ***People - Ensuring Middlesbrough has the very best schools***.

TERMS OF REFERENCE

2. The terms of reference, for the scrutiny panel's review, were as follows:
   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.

BACKGROUND INFORMATION

3. In July 2020, the Government re-published guidance on how school leaders and staff can develop a school behaviour policy, this includes checklists to support full school opening following the coronavirus (COVID-19) outbreak. The guidance provides advice to headteachers and school staff on developing the school behaviour policy and explains the powers members of staff have to discipline pupils. It is for individual schools to develop their own best practice for managing behaviour in their school.

4. In 2019, Ofsted published a new education inspection framework, which introduced a new 'behaviour' judgement to provide parents with reassurance on bullying. Luke Tryl, Ofsted's Director of Corporate Strategy, stated that "disruptive behaviour and bullying is the number one concern for parents when they look through school inspection reports".[1]

5. Inspectors now make a judgement on behaviour and attitudes in schools by evaluating the extent to which:
   - the provider has high expectations for learners' behaviour and conduct and applies these expectations consistently and fairly. This is reflected in learners' behaviour and conduct;
   - learners' attitudes to their education or training are positive. They are committed to their learning, know how to study effectively and do so, are resilient to setbacks and take pride in their achievements;
   - learners have high attendance and are punctual;
   - relationships among learners and staff reflect a positive and respectful culture; and
   - leaders, teachers and learners create an environment where bullying, peer-on-peer abuse or discrimination are not tolerated. If they do occur, staff deal with issues quickly and effectively, and do not allow them to spread.

6. There is sufficient evidence to suggest that there is enough of a problem nationally with behaviour for it to be a matter of concern. The existence of some very good practice should

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[1] https://www.independent.co.uk/news/education/education-news/schools-bullying-behaviour-pupils-classroom-ofsted-inspection-framework-rolling-a8729301.html

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not encourage complacency, but it can also catalyse and encourage our ambitions to raise standards even further, reassured by the existence of living demonstrations that improvement is possible.[2]

SUMMARY OF EVIDENCE

Term of Reference A - To identify the powers and duties of schools to manage behaviour and discipline pupils.

7. In January 2016, the Department for Education (DfE) published guidance entitled 'Behaviour and discipline in schools - Advice for headteachers and school staff'.

8. The key points identified in the guidance include:

    - Teachers have power to discipline pupils for misbehaviour which occurs in school and, in some circumstances, outside of school.
    - The power to discipline also applies to all paid staff (unless the headteacher says otherwise) with responsibility for pupils, such as teaching assistants.
    - Headteachers, proprietors and governing bodies must ensure they have a strong behaviour policy to support staff in managing behaviour, including the use of rewards and sanctions.

9. In respect of the school behaviour policy, for maintained schools, the law states:

    - The headteacher must set out measures in the behaviour policy which aim to:
        - promote good behaviour, self-discipline and respect;
        - prevent bullying;
        - ensure that pupils complete assigned work; and which
        - regulate the conduct of pupils.

    - When deciding what these measures should be, the headteacher must take account of the governing body's statement of behaviour principles. The headteacher must have regard to any guidance or notification provided by the governing body which may include the following:
        - screening and searching pupils;
        - the power to use reasonable force and other physical contact;
        - the power to discipline beyond the school gate;
        - when to work with other local agencies to assess the needs of pupils who display continuous disruptive behaviour; and
        - pastoral care for staff accused of misconduct.

    - The headteacher must decide the standard of behaviour expected of pupils at the school. He or she must also determine the school rules and any disciplinary penalties for breaking the rules.

    - Teachers' powers to discipline include the power to discipline pupils even when they are not at school or in the charge of a member of staff.

    - The headteacher must publicise the school behaviour policy, in writing, to staff, parents and pupils at least once a year.

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[2]Tom Bennett, Independent review of behaviour in schools, Creating a Culture: How school leaders can optimise behaviour (2017)

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- The school's behaviour policy must be published on its website (School Information (England) Regulations 2008). Where they do not have a website the governing body should make arrangements for the behaviour policy to be put on a website and to make the address and details (of the website) known to parents.

10. In respect of academy schools:

- The proprietor of an academy school is required to ensure that a written policy to promote good behaviour among pupils is drawn up and effectively implemented. The policy must set out the disciplinary sanctions to be adopted if a pupil misbehaves. The proprietor is also required to ensure that an effective anti-bullying strategy is drawn up and implemented. Information about the school's behaviour policy must be made available to parents on request.

- While academies are not required by law to publish their behaviour policy on their website, it is good practice to do so.

- Parental engagement. After the Deregulation Act 2015, Schedule 16 paragraph 2 is commenced in January 2016 schools will no longer have a statutory obligation to have in place home school agreements. Home-school relations are important but schools can determine how best to foster these relationships. If schools choose they can have voluntary home school agreements.[3]

11. Further information on the powers and duties of schools to manage behaviour and discipline pupils can be found in the minutes and associated documentation for the meeting of the Children and Young People's Learning Scrutiny Panel, which was held on 9 November 2020.

Term of Reference B - To investigate the Local Authority's role in supporting schools with behaviour management and the impact of its work.

12. To support behaviour management and greater inclusion in schools, the Local Authority has recently developed a new service and model that focuses on early intervention and support at the earliest of stages.

13. In July 2020, the Special Educational Needs and Disabilities (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.

14. The new model had been established to tackle the high number of exclusions, the pressures on local placements in terms of Alternative Provision (AP), the increasing numbers of children and young people with Education Health Care Plans (EHCP), the increasing number of requests for Education Health Care Assessments (EHCA) and significant pressures on the Council's High Needs Budget. The High Needs Budget is funding that the Local Authority receives to support children and young people with SEND.

15. Feedback from schools was used to inform the development of the new model. The model aims 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.

16. There has been additional investment within the service to support the new model. The management of the service is the responsibility of the newly appointed Head of Inclusion,

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[3] Department for Education - Behaviour and discipline in schools - Advice for headteachers and school staff (January 2016).

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Assessment and Review Service and three additional Inclusion Officers have been appointed to provide support and assistance to schools. In addition, the capacity of the Educational Psychology Team has been increased, to provide enhanced support to the secondary school sector.

17. 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 SEND and improve the quality of referrals for education, health and care assessments.

18. 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 model is based on the following approach:
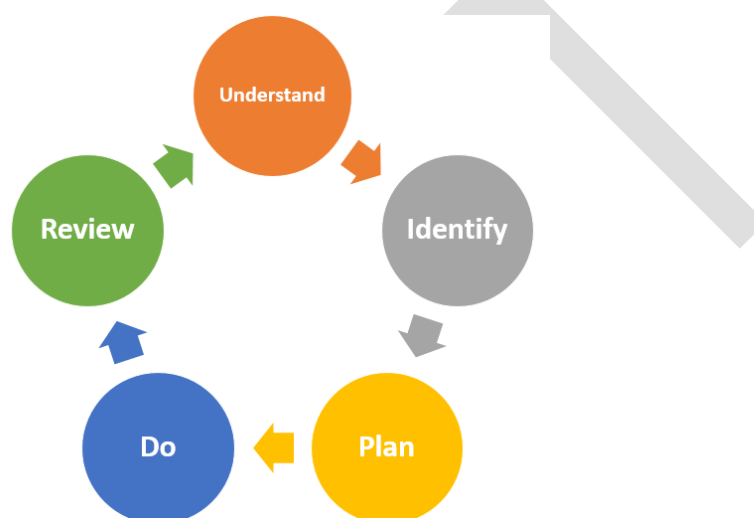
19. The 'Team Around the School' approach involves early identification, curriculum alternatives and Pupil Inclusion Panels. The previous model had a Pupil Inclusion Panel for the secondary sector, however, the new model has a Pupil Inclusion Panel for both primary and secondary sectors. The Pupil Inclusion Panels examine referrals from schools to identify strategies, support and alternative placements that would assist in meeting the needs of pupils at risk of exclusion. The Pupil Inclusion Panel for the primary sector was introduced in November 2020 and has been well received by headteachers.

20. In terms of the secondary sector, a start of year joint planning meeting takes place. The aim of the meeting is to develop a shared understanding of the school context, identify school priorities (whole school, smaller group and individual pupil level) and devise a multi-agency plan to address needs/concerns. The main objectives of the meeting are to understand, identify and plan.

21. A number of key representatives are involved in the start of year joint planning meeting, including key school staff, the Educational Psychologist, the Inclusion Officer and the Head of the Inclusion, Assessment and Review Service. Each school has been assigned an Educational Psychologist and Inclusion Officer to ensure continuous support. Staff who deliver learning and language support, wellbeing services (such as Headstart, CAMHS etc.) and other support services, relevant to the needs of the school, may also provide input at the meeting.

22. Each meeting is facilitated (and recorded) by the Educational Psychologist using information from school staff and information shared within the meeting. Members of the 'Team Around

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the School' devise an action plan, which can include actions for the whole school, small groups/cohorts and individual pupils. Follow-up meetings are held following the initial planning meeting to ensure that actions are monitored and remain on track. Solutions to address any barriers or delays encountered, in respect of implementation, will also be discussed.

23. In terms of strategic outcomes, the new model is promoting collaborative and partnership working across Middlesbrough, ensuring the effective delivery of services, delivering a co-ordinated approach to support, developing inclusive practices, promoting the social and educational inclusion of children and young people, assisting with ensuring that children and young people are on the appropriate pathways, providing better planning for AP places and reducing exclusions.

24. Since the implementation of the new model, positive feedback has been received from schools. To enable the development of the 'Team Around the School' approach, regular meetings have been held to review and improve the model and remove any barriers encountered with its implementation in schools. In an attempt to assess the impact of the new model, data from the current academic year has been compared to the previous academic year.

25. In terms of permanent exclusion figures:

   - in November 2019, 15 pupils had been excluded; and
   - in November 2020, 9 pupils were excluded.

26. In terms of fixed-term exclusion figures:

   - in November 2019, there had been 1023 days of fixed-term exclusions; and
   - in November 2020, there had been 583 days.

27. In terms requests for EHCPs, from September 2019 to November 2019, there had been 49 and for the same period during the current academic year, 38 requests had been received.

28. Preliminary data demonstrates the positive impact of the new model on exclusion rates and requests for EHCPs, however, there is a need to be mindful of the possible impact of COVID-19 on the figures.

29. It was planned that the staffing structure of the model would be reviewed in January 2021 and a full review of the service would take place in July 2021. The full review would involve gaining feedback from children, young people, families and schools to ensure a full and comprehensive evaluation of the model.

30. In addition to the new model:

   - The Local Authority offers advice and guidance to school leadership teams and governing bodies to help ensure that they follow the exclusion legal framework correctly and, where applicable, apply the Managed Moves Protocol properly. The Local Authority checks the legality of every permanent exclusion.

   - The Local Authority offers training to support schools, for example, training sessions have been delivered to schools, free of charge, in respect of Attachment Theory and classroom practice.

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- For parents of pupils who are permanently excluded, the Local Authority has a dedicated member of staff who offers independent advice/guidance and provides key information. In addition, as some parents find challenging a headteacher a daunting prospect, the member of staff also represents parents when appealing against a permanent exclusion. To ensure that parents are aware of the support available, a letter is written to parents that contains the contact details for the Local Authority's independent officer.

- Work is being undertaken to reshape the role of the Ethnic Minority Achievement Team (EMAT) Manager to become an interfacing role with schools. With this change, it is envisaged that the EMAT will visit schools to actively work with classroom practitioners to develop the level of support offered to pupils with English as an Additional Language (EAL). The service level agreement will remain, enabling schools to buy-in bespoke packages of teaching support for their pupils. The role of the Ethnic Minority Achievement Team (EMAT) Manager will be more focused on upskilling and reviewing and monitoring the impact of training.

- The Local Authority is looking to recruit a SEND Advisor, who will work within schools to address any attainment gaps across primary and secondary sectors. In 2019, 21% of the student population had SEND. Further work will be undertaken to track the attainment of SEND pupils and record information and data in respect of SEND pupils with EHCPs and those without. The SEND Advisor will also look at the quality of education for the SEND cohort.

31. Further information on the Local Authority's role in supporting schools with behaviour management can be found in the minutes and associated documentation for the meetings of the Children and Young People's Learning Scrutiny Panel, which were held on 9 November and 7 December 2020.

Term of Reference C - To examine the causes of pupil behaviour problems e.g. unmet educational or other needs

Term of Reference 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.

32. Term of Reference C and Term of Reference D will be considered collectively in this section, as they are both closely linked.

33. The nature of the influences on behaviour are both complex and interactional. A range of characteristics may interact with other factors, resulting in the permanent exclusion of a child or young person. The child characteristics that appear to impact on permanent exclusions include being a boy, having SEN, being looked after by the Local Authority and being involved with social services. However, those characteristics, in isolation, do not mean that a child or young person will be at risk of exclusion, exclusion occurs when those characteristics interact with other factors.

34. Other factors include:
- **Family** - family circumstances e.g. living in poverty, levels of deprivation, conflict within the family.
- **Peers** - peer groups being poor role models and becoming more influential e.g. displaying antisocial behaviour, drug-taking or criminality.
- **School** - the child or young person's relationship with their school e.g. the philosophy of the school and its leadership style.

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- **Community/wider systems** - high levels of poverty and unemployment within a population and how communities perceive education.

35. All of the above factors can interact with each other increasing the likelihood of exclusion for the child or young person.

36. In terms of developmental experiences, for a child with SEN, difficulty with learning can impact over time and school can be perceived as a place where they experience failure. That can then lead to disaffection and poor behaviour, impacting on the child's relationship with their school and ultimately resulting in exclusion.

37. In terms of secondary schools, the common themes identified when considering the challenges faced in dealing with poor behaviour and bullying include:
- deprivation;
- diverse communities (religion, race, culture);
- SEND;
- looked after children; and
- 'hard to reach' parents.

38. The challenges identified do not provide justification for poor behaviour, however, they can be perceived to be contributory factors. The more variable factors that a school has in its community and cohorts, the greater the need for the school to focus on strong management and delivery of engaging and effective teaching and learning.

39. Children may misbehave because of a number of factors, such as - being influenced by other children they associate with, because they have unmet needs or have suffered trauma. The reasons associated with poor behaviour is complex, as it is often a combination of factors that cause pupils to misbehave.

40. One particular school in Middlesbrough has been responsible for approximately 90% of the fixed-term exclusions of Looked After Children. The Local Authority is working with the school to address the issue, however, there is a need for the Local Authority to hold schools to account more transparently for their exclusion rates.

41. In respect of Outwood Academy Acklam, there had been a number of pupils with unidentified SEND. The school had recently been inspected by Ofsted who reported "*Over time, exclusions have been too high, particularly for pupils with SEND. As a result of the new behaviour policy, exclusions have reduced considerably compared to the same point last year. The exclusion of pupils with SEND has reduced to less than a quarter of what it was. The number of pupils being repeatedly excluded has also reduced. However, there are still too many pupils who experience difficulty in moderating their behaviour and, as a consequence, are excluded for a fixed period.*"

42. In terms of the reasons for excluding pupils, categories have been identified for reporting, by the Department for Education. For the period September 2019 to December 2020, data demonstrated that the main reason for permanent exclusion was disruptive behaviour. For that period, 45 pupils had been excluded. In terms of the characteristics of those pupils, 10 were registered as having SEN and 8 pupils were open to social care services.

43. In terms of determining whether exclusion rates are highest for those schools located in the most deprived areas of Middlesbrough, a lot of Middlesbrough's schools have a catchment area that includes children and young people from deprived areas of Middlesbrough. However, without doing an in-depth analysis of data, the Local Authority is unable to predict which postcode areas result in higher exclusion rates. It is acknowledged, however, that the

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schools located in the most deprived areas do experience higher rates of exclusion. Unity City Academy has been successful over the past year/18 months in significantly reducing the number of fixed-term exclusions, as the school has adopted a different approach to behaviour management. That suggests that the management and leadership approaches adopted by schools do impact on exclusion rates. Recently, schools have been exploring the possibility of using alternative strategies and methods to exclusion.

44. Further information on causes of pupil behaviour problems and the challenges faced by schools can be found in the minutes and associated documentation for the meetings of the Children and Young People's Learning Scrutiny Panel, which were held on 18 January and 22 March 2021.

Term of Reference E - To investigate the types of sanctions used by schools that can impact on a pupil's educational outcomes and life chances.

45. When poor behaviour is identified, sanctions should be implemented consistently and fairly in line with the behaviour policy. Good schools will have a range of disciplinary measures clearly communicated to school staff, pupils and parents. These can include:

- a verbal reprimand;
- extra work or repeating unsatisfactory work until it meets the required standard;
- the setting of written tasks as punishments, such as writing lines or an essay;
- loss of privileges - for instance the loss of a prized responsibility or not being able to participate in a non-uniform day (sometimes referred to as 'mufti' days);
- missing break time;
- detention including during lunch-time, after school and at weekends;
- school based community service or imposition of a task - such as picking up litter or weeding school grounds; tidying a classroom; helping clear up the dining hall after meal times; or removing graffiti; and
- regular reporting including early morning reporting; scheduled uniform and other behaviour checks; or being placed "on report" for behaviour monitoring.[4]

46. In more extreme cases schools may use temporary or permanent exclusion, which are the most severe sanctions available to a headteacher. Both sanctions are underpinned by a legal framework, which the Local Authority has oversight of:

- A fixed-term exclusion is an exclusion from school whereby the pupil is not allowed to attend the school for a predetermined period. In general, fixed-term exclusions are very rarely more than 5 days. During that period the child has to stay at home. Fixed-term exclusion is used a lot in some of Middlesbrough's secondary schools. If a child is displaying persistent disruptive behaviour and school regularly imposed fixed-term exclusions, it suggests that the sanction is not improving behaviour. If a school imposes a number of fixed-term exclusions on one pupil that results in the pupil missing 45 days (or more) of school, during an academic year, the child will automatically be permanently excluded by law.

- Permanent exclusion is the most severe sanction whereby the pupil will no longer be a member of that school's community and the pupil will need to be educated elsewhere. Schools will only tend to use permanent exclusion when a pupil has committed a really severe or significant transgression. The child will be effectively removed from the school's roll and the pupil will become the responsibility of the Local Authority. There is a

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[4] Department for Education - Behaviour and discipline in schools - Advice for headteachers and school staff (January 2016).

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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.

47. Excluded children can develop a range of mental disorders, such as depression and anxiety as well as behavioural disturbance. The impact of excluding a child from school on their education and progress is often long term, and their mental health may also deteriorate. For children who really struggle at school, exclusion can be a relief as it removes them from an unbearable situation with the result that on their return to school they will behave even more badly to escape again. As such, it becomes an entirely counterproductive disciplinary tool as for these children it encourages the very behaviour that it intends to punish. By avoiding exclusion and finding other solutions to poor behaviour, schools can help children's mental health in the future as well as their education.[5]

48. Rates for permanent exclusion are high in Middlesbrough, approximately twice as high as the national average. That presents a challenge for the individual child and for the Local Authority. For pupils who are permanently excluded, the probability that they will enter the criminal justice system, struggle with employment and have significantly reduced life chances, greatly increases. In addition, the chances of the pupil achieving 5 GCSEs and going on to further education is greatly reduced. Permanent exclusion has a significant detrimental impact on a pupil's life and life chances.

49. Feedback from children and young people demonstrates how exclusion impacts on their social, emotional and mental health. Children often feel like they have failed and are unable to succeed in education. Feedback also suggests that children do not fully understand the reasons for being excluded and the process that follows a permanent exclusion. In an attempt to address these issues, the feedback has been conveyed to schools via the meetings of the Pupil Inclusion Panels.

Term of Reference 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.

Clear policies and practices

50. In respect of policy, schools that demonstrate best practice have clear policies on behaviour expectations with detail of procedures to ensure this, or respond to poor behaviour. The key features are that policies are clearly articulated and simple to implement, understand and follow; often collaboratively developed and delivered across the school to foster buy-in and have clear red lines that are well understood and consistently applied.

51. In terms of developing clear policies written on behaviour, Unity City Academy has taken a proactive approach. During the school's most recent inspection, Ofsted identified that the Leadership Team had "*taken action to reduce the use of exclusion. The rate of permanent exclusion fell substantially during the previous academic year, compared with the year before. The rates of fixed-term exclusion and repeat fixed-term exclusion have also reduced since the previous inspection. The effective implementation of the behaviour policy has been instrumental in bringing about this improvemen*t".

52. During the most recent inspection of The King's Academy, Ofsted reported that "*As a result of the high expectations you have, and the work to ensure that staff carry out the school's behaviour policy consistently, pupils' behaviour and attitudes to learning in lessons are usually good. Actions taken to help pupils take responsibility for their own behaviour as part*

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[5] https://www.exeter.ac.uk/news/featurednews/title_595920_en.html

of the school's 'character' work to develop their readiness for their future lives, contribute successfully to the improvement in behaviour."

53. Schools have clear behaviour policies (included on the school website) that provide details of the school ethos, why good behaviour is important and the rewards and sanctions used. These make it very clear what the steps in the process will be, and who will be involved at each point.

Structures

54. Several schools have introduced structural changes to better manage behaviour.

55. Several schools have specific staff with non-teaching time to allow them to take the lead on monitoring and supporting behaviour, to focus on relationship development and building rapport with students, and to oversee or enact early intervention. Many have brought in a layer of staff at senior level who have 'pastoral' roles.

56. The development of AP opportunities is seen as extremely positive and assists in ensuring the delivery of a varied curriculum to meet the needs of pupils.

57. Acklam Grange School has its own off-site provision, which is managed by the school and provides pupils (at risk of exclusion) with the opportunity to work in a different place and in a smaller group on key skills, for a short period of time. The provision has a positive roadmap to ensure reintegration of the pupil back into the mainstream setting. During the most recent inspection, Ofsted commented that "*Initiatives such as the school's own alternative education provision and integrated pupil support services are meeting the individual needs of pupils and helping them to achieve better outcomes while reinforcing good behaviour.*"

Behaviour management practices and approaches

58. In terms of general behaviour management practices and approaches, there is a wide range of different general practices for behaviour management. All of these have been introduced as a way of keeping behaviour in classrooms positive, preventing escalation of issues and maintaining structures within which the school can operate most beneficially for all. These include school or classroom rules; school motto or ethos statement; pupils given positions of responsibility; classroom seating allocations/learning environment; curriculum; personal, social, health and economic education (PSHE)/tutor time; teachers being prepared and having well-planned, innovative, engaging and differentiated lessons.

59. Good behaviour is 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 are a factor of many variables, but the quality of teaching and the strength of adult relationships with the children are the most significant. For schools demonstrating these qualities, the risk of poor or challenging behaviour is greatly reduced.

60. During the most recent inspection of Outwood Academy Acklam, Ofsted reported that "*Pupils usually behave well. Their behaviour continues to get better. This has been helped by teachers' more personal approach this academic year. There is a strong emphasis on developing positive relationships in school.*" Reference was also made to "*strong teacher–pupil relationships*".

61. Schools generally have a school motto, code of conduct, approach or ethos statement that is well-known, documented and visible across the school.

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<u>Positive praise and rewards</u>

62. Schools are clear that creating a positive approach to behaviour management is at the centre of their approach. Positive practice, praise and rewards are used to encourage good behaviour much more than fear of sanctions or threat of response if behaviour is not good.

63. The key strategies adopted by schools include:
   - **praise** - starting everyday "as a new day" and praising the good behaviours and achievements rather than focussing on the negative;
   - **role models (virtual and actual)** - several schools have varying systems for creating role models in school;
   - **reward systems** - schools have documented rewards systems and strategies for celebrating achievement. These also focus on praise.

64. North Ormesby Primary Academy has a virtual school mascot called Tim. Tim represents the school, sets an example as the school's star pupil and encourages the children to make their best, even better. Tim is a star pupil because he is always on time; he looks after others, himself and the school; he always listens to and respects others opinions; he loves a new challenge; he always does his homework and he always tries his best, no matter what. Children are intrinsically motivated to be like the school mascot, Tim, who demonstrates all the traits required to prepare young people for the wider world. During the school's most recent inspection, Ofsted had reported that "*There is no reliance on reward systems; instead pupils are expected to develop an intrinsic desire to behave and learn well. They do this by looking up to the academy mascot 'TIM', who is the perfect pupil. Pupils constantly try to copy his positive attitudes, resilience and determination. This imaginative approach to behaviour management is extremely successful*".

<u>Managing disruptive behaviour and sanctions</u>

65. Schools have clear, documented processes for dealing with disruptive behaviour. These are known to all members of the school and parents. Teaching staff feel confident to implement them and pupils and parents have to be sure that these processes will be followed fairly and with the express intention to keep all of the school working together for achievement.

66. Strategies employed by schools to manage disruptive behaviour include effective classroom practice; sanctions; de-escalation strategies; restorative practices; targeted interventions; strategies for dealing with challenging behaviour and exclusion.

67. Consequence systems provide a staggered response when dealing with poor behaviour in the classroom. Each level within the system carries with it a more severe sanction. These systems aim to provide pupils with the opportunity to change their behaviour when it is at low level. There is a need, however, to ensure that consequence systems are applied fairly and consistently. Consequence systems appear to be most successful when paired with reward systems. However, if there is disparity in how these systems are applied by teachers, they can be counterproductive.

68. Withdrawal systems involve a pupil being removed from the classroom for a certain period of time, to enable them to reflect on their behaviour, before they are reintegrated. Approaches vary, however, successful withdrawal systems always ensure pupils are treated with dignity and respect.

69. Report systems are used to enable teachers to comment on the behaviour of certain pupils throughout the school day. These comments are then often shown to the Head of Year and/or parent/s. Report systems, which are delivered in a positive way, can be effective.

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70. Schools have strong processes for capturing and using data to manage behaviour. Whilst the mechanisms used to record and capture data varies across schools, it is used to monitor and, importantly, to address and manage behaviour.

Parents and other agencies

71. There is an identified need to have parents on board, not only to support decisions and follow up at home, but also because the home circumstances of pupils affects their behaviour in school. Parents need to understand the benefits of strategies used to manage behaviour and the school approach.

72. Some schools feel a greater need to model acceptable behaviour as this is not always being instilled at home. Likewise, there are instances of needing to involve other agencies to best support pupils in their school and home-life.

73. Strategies to engage parents include: usual - open door; parent inductions; parent sessions (phonics, maths); parents being given access to behaviour monitoring information; traditional and innovative methods to communicate with parents; collaborative activities and external programmes.

74. Park End Primary School positively engages with parents. The school's engagement with parents has been referenced in its most recent Ofsted inspection report, which states that "*an overwhelming majority of parents have commented positively about the care that the school gives to their children. Parents are positive about the information they receive about their child's learning and appreciate how welcome they feel when visiting the school and talking about any concerns they may have. Parents also commented that the school's emphasis on good behaviour is having a positive effect on their child outside school.*"

Culture and ethos

75. A key aspect is the need for a strong school ethos and culture. In respect of developing a strong culture and ethos, schools focus on knowing and valuing the child; fostering positive learning behaviours, not just behaviour management; nurturing pride, self-respect and self-esteem and encouraging pupils to take ownership of, and responsibility for, their own behaviour; having processes and systems for reflection and development that are embedded in the school approach; being consistent but flexible.

Consistency

76. In terms of consistency, all schools highlighted its importance - in approach to, and application of, behaviour management.

77. A consistent approach across all members of the school facilitates self-regulation by pupils; clear parameters and expectations that can be adhered to by all; teaching boundaries and understanding of consequences.[6]

78. In summary, schools demonstrating best practice provide a welcoming environment and each child/young person is provided with excellent academic and pastoral support. The headteacher and members of school staff provide a positive, safe and happy learning

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[6] Amy Skipp and Dr. Vicky Hopwood - ASK Research, Case studies of behaviour management practices in schools rated Outstanding - Research Report (2017)

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environment in which everyone is inspired and empowered to achieve the highest standard of which they are capable, in all aspects of their life. The school offers a broad, balanced, stimulating curriculum in which all progress is recognised, developed and celebrated.

79. For secondary schools, key aspects of best practice include:
- building effective relationships with parents;
- making good behaviour part of the school's ethos;
- teaching and modelling good behaviour;
- involving external agencies to access support, e.g. CAMHS / SEND Team / Virtual School;
- investing in a high-quality pastoral team;
- investing in staff training - quality of teaching;
- providing extensive mental health and therapeutic support;
- providing bespoke AP opportunities;
- using rewards systems;
- using consequence systems with clear sanctions;
- using withdrawal of students from class and withdrawal areas; and
- using report systems.

80. In addition to the above:
- early engagement and development of relationships with parents, before their child transitions from primary school to secondary school, is seen as extremely positive;
- responsibility is placed on the student body to take ownership of their actions and to overtly think about how their actions affect everyone around them;
- in Middlesbrough there is a number of support systems and networks, which can be accessed by schools to enable them to meet the needs of their pupils;
- the willingness of schools to invest greatly in providing pastoral support seemingly impacts on how successful they are in managing behaviour; and
- providing access to mental health and therapeutic support is key to the promotion of positive mental health and supporting pupils with particular needs.

81. Further information on the successful and proactive strategies and solutions used by schools can be found in the minutes and associated documentation for the meetings of the Children and Young People's Learning Scrutiny Panel, which were held on 22 March 2021 and 19 April 2021.

ADDITIONAL INFORMATION

82. During the course of the scrutiny panel's investigations, information came to light which, while not directly covered by the terms of reference, is relevant to the work of the panel on this topic. This related to:

Use of language

83. Language used by schools is extremely important and stereotypical views/statements pertaining to any cohort or group should be avoided. The use of negative language can cause damage and have a detrimental impact by changing perceptions and attitudes. There is a need for all school staff to be mindful of the language used and how it could be interpreted.

Use of data

84. The Local Authority had recently undertaken work to define a data sharing agreement with schools, which allows for non-statutory levels of information to be shared amongst the

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school community. One of the successes that has been developed is a transition document, which is led by primary schools and feeds into secondary schools. The document provides secondary schools with in-depth knowledge of the pupils they are due to receive in Year 7. The document provides information on what has made the pupil successful in primary school and what support is required to ensure they remain successful in education. This work has now been extended to take place for children transitioning from nursery to primary education. Information sharing between all settings plans to ensure that pupils are successful in their learning and education.

CONCLUSIONS

85. Based on the evidence, given throughout the investigation, the scrutiny panel concluded that:

   a) All schools have their own behaviour policies, which set out their definition and expectation of good behaviour, and how breaches of the policy will be responded to. The way in which policies are developed is dependent on the ethos of the school, its beliefs and what is fundamentally important to it. Whilst in general terms, there are similarities in polices as there is a reasonable and common understanding of what good behaviour looks like, how that is interpreted by each school differs.

   b) Although early indications demonstrate that new Inclusion, Assessment and Review Service and 'Team Around the School' approach is having a positive impact, it is too early to evaluate its full impact. A full and comprehensive evaluation is required, which takes into account the impact of COVID-19 and the risk management controls currently in place within schools. Once complete, there is a need for key findings, outcomes and outputs to be reported to the Children and Young People's Learning Scrutiny Panel. The views of children and young people are of particular interest.

   c) The nature of the influences on behaviour are both complex and interactional. The common themes identified when considering the challenges faced by schools in dealing with poor behaviour include deprivation, diverse communities (religion, race, culture), 'hard to reach' parents and identifying and supporting the needs of pupils with SEND and looked after children. The challenges identified do not provide justification for poor behaviour, however, they can be perceived to be contributory factors. The more variable factors that a school has in its community and cohorts, the greater the need for the school take a proactive approach to behaviour management and focus on the delivery of engaging and effective teaching and learning.

   d) When poor behaviour is identified, there is a need for schools to ensure sanctions are implemented consistently and fairly - in line with the behaviour policy. There are a range of disciplinary measures available to schools, however, temporary or permanent exclusion are the most severe sanctions. Excluded children can develop a range of mental disorders, such as depression and anxiety as well as behavioural disturbance. Permanent exclusion has a significant detrimental impact on a pupil's life and life chances. Exclusion (fixed-term and permanent) should be considered as a last resort. Exclusion should not necessarily be a consequence for persistent bad behaviour but a sanction for when a line has been crossed - typically because pupils or staff are at risk of, or have been subject to, harm or abuse. There is a need for the Local Authority to hold schools to account more transparently for their exclusion rates.

   e) What is common across schools, demonstrating best practice, is the overarching approach to behaviour management - balancing positive reinforcement and modelling of good behaviours for learning with clearly communicated approaches for dealing with poorer behaviour. This is situated within a supportive culture and ethos within the school

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and is underpinned by high-quality teaching and a curriculum tailored to the needs of the school context. In order to identify common threads, the Local Authority regularly examines school behaviour policies. However, further work is required to identify and share good practice examples with schools. It would also be beneficial for a guidance document to be developed and circulated to schools on the importance of language and its influence on changing perceptions and attitudes.

RECOMMENDATIONS

86. The Children and Young People's Learning Scrutiny Panel recommends to the Executive:

THE SCRUTINY PANEL WILL CONSIDER ITS RECOMMENDATIONS AT THE MEETING SCHEDULED TO BE HELD ON 26 JULY 2021

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- David Collingwood, Specialist Senior Educational Psychologist, Middlesbrough Council;
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- Andrew Rodgers, Headteacher/Principal, Unity City Academy
- Julia Rodwell, Headteacher/Principal, Park End Primary
- Karen Smith, Head of Achievement, Education, Prevention and Partnerships, Middlesbrough Council; and
- Michelle Stelling, Assessment and Quality Assurance Manager, Middlesbrough Council.

ACRONYMS

88. A-Z listing of common acronyms used in the report:

- AP - Alternative Provision
- CAMHS - Child, Adolescent and Mental Health Services
- DfE - Department for Education
- EAL - English as an Additional Language
- EHCP - Education Health Care Plans
- EHCA - Education Health Care Assessments
- EMAT - Ethnic Minority Achievement Team
- EWO - Education Welfare Officer
- SEN - Special Educational Needs
- SEND - Special Educational Needs and Disabilities

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BACKGROUND PAPERS

89. The following sources were consulted or referred to in preparing this report:

- Reports to, and minutes of, the Children and Young People's Learning Scrutiny Panel meetings held on 9 November 2020, 7 December 2020, 18 January 2021, 22 March 2021 and 19 April 2021.

COUNCILLOR DENNIS MCCABE

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