

**OVERVIEW AND SCRUTINY BOARD**

A meeting of the Overview and Scrutiny Board was held on Wednesday 27 April 2022.

**PRESENT:** Councillors M Saunders (Chair), A Bell, D Davison, A Hellaoui, C Hobson, B Hubbard, C McIntyre, J Platt, M Storey and S Walker

**PRESENT BY INVITATION:** Councillors

**ALSO IN ATTENDANCE:**

**OFFICERS:** C Breheny, S Butcher, T Parkinson, G Cooper, A Perriman, R Brown, C Cannon, T Dunn and S Blood

**APOLOGIES FOR ABSENCE:** Councillors T Mawston, D McCabe and J Thompson

20/82 **DECLARATIONS OF INTEREST**

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

20/83 **MINUTES - OVERVIEW AND SCRUTINY BOARD - 23 MARCH 2022**

The minutes of the Overview and Scrutiny Board meeting held on 23 March 2022 were submitted and approved as a correct record.

20/84 **EXECUTIVE FORWARD WORK PROGRAMME**

The Chief Executive submitted a report which identified the forthcoming issues to be considered by the Executive, as outlined in Appendix A to the report.

The report provided the Overview and Scrutiny Board with the opportunity to consider whether any item contained within the Executive Forward Work Programme should be considered by the Board, or referred to a Scrutiny Panel.

**NOTED**

20/85 **SCHOOL EXCLUSIONS: DISCUSSION WITH SECONDARY SCHOOLS**

The Chair advised that as Members were aware at the last meeting of OSB information was provided by the Council's Chief Executive in respect of the high number of school exclusions across Middlesbrough in 2021/2022. In response Members of the Board had expressed the view that it would be helpful to hear directly from Head Teachers of secondary schools across the town to understand the issues from their perspective. It was stated that the Board was keen gain absolute assurances that all secondary schools in Middlesbrough were doing everything possible to support children to remain in school and achieve their full potential.

By way of background information it was noted that following the OSB meeting in March 2022 an invite had been sent to the appropriate representative from all secondary schools. In response to that invite the Principal at Unity City Academy, Andrew Rodgers, and the Regional Head Teacher at River Tees Multi Academy Trust, Leanne Chilton, were in attendance at today's meeting.

Unfortunately the Head Teachers at Kings Academy, Acklam Grange, McMillan, Outwood Academies and Trinity Catholic College were unable to attend the meeting and had offered their sincere apologies to the Board. The Chair advised that although the Head Teachers at Acklam Grange, Outwood Academies and Kings Academy had been unable to attend they had invited Members of the Board to visit their schools to discuss school exclusions. It was

hoped that this could be arranged, with the Board's approval, in advance of the next OSB meeting, as scheduled to be held on 11 May 2022. A written statement had also been received from the CEO of Nicolas Postgate Catholic Academy Trust (NPCAT), Hugh Hegarty, to which Trinity Catholic College was a part of and would be presented to the Board at the appropriate time.

In addition the Chair advised that an invitation had been sent to the Regional Schools Commissioner for the Department for Education. The Deputy Commissioner, Kim Mitchell, and her colleague, Paul MacKenley, were also in attendance to give their views on the high number of school exclusions in Middlesbrough and provide an insight into their experiences across the North region. The Chair acknowledged that although it was disappointing that more Head Teachers from secondary schools across the town were not in attendance at today's meeting it would be beneficial for the Board to undertake the school visits. Members of the Board were supportive of this suggestion and the Chair advised that these would be arranged at the earliest opportunity.

The Director of Education and Partnership advised that information in respect of the statistical data and work being undertaken by the Local Authority in partnership with schools on the issue of school exclusions had been provided and the accompanying presentation was presented to the Board. Following the presentation the Deputy Regional Schools Commissioner was invited to add an additional relevant information. It was stated that from the Department of Education's perspective there was no right number of suspensions or permanent exclusions. The Department of Education supports Head Teachers to maintain calm, safe, supportive environments for the benefit of all students and staff in their schools and that includes supporting them to use their powers. The Department of Education was very clear that those powers should only be used as a last resort. It was advised that the number of suspensions and permanent exclusions in Middlesbrough did appear higher compared with other North East local authorities, however, there were a number of contextual issues to take into account.

The Chair introduced the Principal at Unity City Academy (UCA) and invited him to advise the Board as to the current situation with regard to suspensions and exclusions at UCA. The Principal advised that UCA was the most challenging school in Middlesbrough by a significant distance. UCA had the highest number of pupil premium pupils, highest number of pupils eligible for free school meals and the highest majority of Czech and Romanian / Roma students when compared with other schools in the town. UCA has improved rapidly over the last 7 years and this had been founded on meeting the pastoral needs of both the students and parents, which were extremely complex in nature.

In terms of figures UCA employed a full time counsellor to work with both students and parents. In addition the school employs four full time mental health first aid workers, who work with students that have social, emotional, mental health needs (SEMH) to undertake interventions. UCA employs two safeguarding members of staff because of the high caseload of vulnerable students who have Social Worker attachment or are on the cusp in terms of early intervention help. In addition UCA's pastoral team includes five members of non-teaching staff that work full time to maintain that calm environment. In total this amounted to approximately £200,000 worth of staffing that did not necessarily exist in other secondary schools that UCA invest in to maintain a high quality of education and ensure the students were engaged in school.

In addition to the above UCA held weekly vulnerable meetings to pre-empt problems, a food bank (eco shop) was available every Friday at the school, UCA had entered into a partnership with Middlesbrough College to deliver adult learning, school staff had been trained in delivering parenting classes, as poor parenting was the major contributory factor to persistent poor behaviour, which ultimately resulted in fixed term exclusions and suspensions. It was acknowledged that although the number of exclusions at UCA were less than many other schools in Middlesbrough they were still higher than the Principal wanted and higher than the pre-pandemic rate. During COVID-19 many children had been allowed to behave in ways that were simply not acceptable within a school environment. Although UCA had managed this situation well some schools had understandably struggled. Designation for a fixed term exclusion can often accelerate from a student being asked to undertake a simple request to the student being verbally abusive towards staff and other students within a very short period of time. It was advised that once a fixed term exclusion had been given there was an obligation for the parent to attend the school the following day to try and come to terms with

what the issues were, what support could be put in place to prevent it from happening again.

The Department for Education and Ofsted tracked the number of students that had been excluded once within a year and the number of students excluded on more than one occasion within a year. It was advised that these maybe figures that the Board would be interested in obtaining for schools in Middlesbrough. If, for example, the figures showed that a pupil had received one fixed term exclusion in the year and had not received any other then it was clearly a very valid and useful intervention. If however, a student had received multiple fixed term exclusions across the year then the inevitable question would be whether the interventions being put in place to support the student out of that cycle of behaviour were effective. UCA had permanently excluded four students in 2021/2022 for persistent bad behaviour and all of those pupils were in year 9 and year 10. In response to a query as to why pupils in these years were more likely to be excluded than those in younger years it was advised that in these cases UCA had tried for three years and there was no further action the school could have taken. It was emphasised that all possible avenues were always explored before any permanent exclusion was given. The Chair thanked the Principal for his honest and detailed presentation.

The Democratic Services Officer advised that the following statement had been received from the CEO of NPACT:-

Please be assured that NPCAT share your concerns and fully understand that this issue like many is one that requires a broad understanding of the complex triggers at an individual and equally significant causes at societal level that adversely impact on the lives of so many young people.

You will of course be aware of the work undertaken by NPCAT in respect of delivering the high level of support for our pupils as having been engaged with the DfE and in particular Mr Tom Bennett over a sustained period we have adopted policies and procedures that are very much in line with best practice. The Trust continue to engage with DfE in respect of our engagement with the behaviour hub programme aimed at school to school support reference to providing appropriate guidance, support and training.

An area which your councillors may wish to consider is whether they are of the view that on occasion exclusion is a necessary step and if so what is then in place post exclusion to address the needs of the child?

I really feel that a light is shone on an extract from Behaviour in schools (published in January 2022)

Paragraph 89 –

'All pupils are entitled to an education where they are protected from disruption and can learn in a calm, orderly, safe and supportive environment. Head Teachers can use suspension and permanent exclusion in response to serious incidents or in response to persistent poor behaviour which has not improved following in school sanctions and interventions.'

Our record of quality interventions and additional support pathways involving multi agency support has been acknowledged by Ofsted in multiple inspections so many of which have been in our Middlesbrough schools. I am aware of this work being recognised by many representatives from the Local Authority who by getting in touch with myself offered support and generous feedback on the sterling work undertaken across our schools in Middlesbrough inclusive of high impact tailored early and ongoing interventions.

NPCAT must ensure the safety of all children and staff in its care and will continue to do so and has the previously referenced policies and protocol to draw on when any behaviour is a source of concern.

We are spending in excess of £500,000 this academic year on alternative provision to further support pupils in crisis or who are finding life in school a challenge beyond our capacity to support. This figure in tandem with the vast and sustained range of interventions in support of our pupils demonstrates our commitment to have an inclusive offer for every child.

We set the highest standards of behaviour and anticipate that pupils and parents support this

as agreed when applying for admission into one of our schools. We will not and do not accept abusive behaviour, bullying or violence in any of our schools. It is imperative that we have a community where children and staff's mental health is accounted for in the day to day life of the school. Any scenario where a sense of fear or anxiety may manifest as a consequence of inappropriate behaviour will be met with sanctions as per our policies and protocol.

Once again please accept my apology and be assured that our commitment to our students is relentless and I wish you and all the councillors well as you discharge your statutory duties in the very best interest of the entire community.

The Chair thanked the CEO of NPACT for his submission and advised that it was very much appreciated by all Members of the Board.

The Chair introduced the Regional Head Teacher at River Tees Multi Academy Trust, an alternative provision academy and invited her to advise the Board as to role undertaken by River Tees Multi Academy Trust to support young people once they had been excluded from school. The Regional Head Teacher explained that once a young person had been permanently excluded from school or was at risk of being permanently excluded from school the Trust would be one of the providers the local authority would consider for the future education of those young people. The Trust was commissioned by the local authority to provide education to 96 young people, 40 young people aged 14-16, 40 young people aged 11-13 and 16 in primary. When a young person had been excluded from school the local authority's inclusion team would send over a referral and the Trust would consider whether it felt able to address the needs of the young person. The young person would then undergo a period of assessment, which would consider the young person's academic needs, as well as their wellbeing and therapeutic needs. After 6 weeks of the child attending the Trust a formulation meeting would be held where all of the information was brought together. A personal development plan would then be prepared, which would contain a number of targets for the child to work on. The cost of a place at Tees Valley Multi Academy Trust was much higher than an ordinary school place, which did provide the Trust with the ability to undertake a substantial amount of personal development work with the child.

It was advised that during the period a child was at Tees Valley Mutli Academy Trust consideration was given to what was their pathway out. If a child was still on role with the school consideration would be given as to whether that child needed an Education Health Care Plan assessment to be undertaken, whether the child needed another opportunity to attend a different mainstream school, a managed move, or did the child need to remain to work through the child's behaviour. The point was made that often the behaviour of a child within Tees Valley Mutli Academy Trust was extremely good. The Trust therefore needed to determine whether this was because the type of education being offered differed substantially to mainstream provision. For example, at Tees Valley Mutli Academy children were in class sizes of 8-10 children with two staff with each class. In key stage 3 it operated in a similar fashion to a primary model, whereby most of the children stayed with the same teacher for all lessons and this was what that child needed longer term.

In terms of academic performance the Trust was very big on aspirations and outcomes and there were very high expectations on young people. Reference was made to the importance of a child being able to read and often the risk of a child reaching crisis point when being asked to undertake tasks because of their inability to undertake the work. In response the Trust worked hard to address gaps and help support the young person catch up to bring them up to a level where they were able to manage in mainstream provision. The Trust also undertook a significant amount of work with young people around their personal development. The curriculum was underpinned by three factors currency (the academic side), character and community. Who are they and who did they want to be in preparation for adulthood. Young people were advised that they needed to be able to get back on track so that they would be able to be alongside and in line with their peers' post 16.

In terms of staffing the Trust employs a wellbeing lead who was a CAMHS Nurse and if there were concerns around Mental Health she would liaise with external stakeholders should a formal referral need to be made. A number of staff were trained using THRIVE, a therapeutic intervention which looked at unpicking where in the child's early childhood did they have gaps. It was quite a play based intervention but having conversations about behaviour and emotions to make those links in their brain again to ensure those connections are all working.

In terms of safeguarding and attendance there were four full time members of staff who formed part of that team for 96 learners. The Trust was able to provide food packages, attendance could be checked every single day and the children could be transported in every single day. Each key stage also had an assigned non-teaching member of staff to meet and greet them at the door every day, check that they've had breakfast, was able to unpick any issues, liaise with parents and other agencies. The key piece of work undertaken with the children was managing behaviour and alternative providers were experts in managing behaviour. The key, however, was teaching the young people to manage their own behaviour. It was acknowledged that reintegration in mainstream school remained an area for development. Four children were currently being reintegrated into mainstream schools across Middlesbrough.

The Chair thanked the Regional Head Teacher at River Tees Multi Academy Trust for her excellent presentation and contribution to the meeting.

**AGREED** that arrangements be made for Members of the Board to undertake visits to the secondary schools that were unable to attend today's meeting at the earliest opportunity.

20/86

#### **CHIEF EXECUTIVE'S UPDATE**

The Chief Executive was in attendance and provided an update to the Board in respect of the following:-

- March OSB Follow Up
- LMT 'Hot Topics'
- Executive decisions update

Reference was made to a number of issues that had been raised by Board Members at the March meeting and it was advised that responses had been provided to the relevant Councillors directly.

In terms of LMT 'hot topics' it was advised that the key issues for consideration were reoccupation and the move to Fountains Court; values and staff engagement; Strategic Plan delivery; locality working; health and safety; the town centre; school exclusions; closure of accounts and budget planning 2023 and beyond.

In relation to Executive decisions a number of reports were expected to be considered by the Executive in May 2022 and these included; demolition of the former SLAM nightclub; Green Strategy, year 2 action plan; improving our highways; approval for the proposed residential pest control service; the Cultural Investment Prospectus; Tees Advanced Manufacturing Park next phase; tree maintenance and bus lane contraventions.

The Chair thanked the Chief Executive for his briefing and contribution to the meeting.

#### **NOTED**

20/87

#### **THE ECONOMIC DEVELOPMENT, ENVIRONMENT AND INFRASTRUCTURE SCRUTINY PANEL - FINAL REPORT - THE GREEN STRATEGY**

The recommendations to be submitted to the Executive were:

A) That the potential for a permanent structure modelled on the West Bromwich Outdoor Market project that could provide a covered performance area in Captain Cook Square, or stalls for street markets or community events, that would also generate renewable electricity and contribute to Middlesbrough's net carbon neutral targets be explored.

B) That Middlesbrough Council should liaise with Sheffield City Council regarding their Grey to Green Strategy, ensure that the Council's Sustainable Urban Drainage System (SuDS) Guide identifies appropriate plant species that are attractive, low maintenance, improve biodiversity net gain and provide all season coverage for use in SuDs planting schemes and more generally throughout the town.

C) That signage and information boards be reviewed and replaced as necessary on dedicated cycle routes throughout the Town to help cyclists plan their leisure or commute journeys and

use the available network efficiently.

D) That a map or guide to the cycle network be produced either in paper format, or that could be downloaded onto a digital device from the Council's website or made available from the Middlesbrough's Town Hall, Libraries and/or Community Hubs.

E) That through the planning process, Developers be encouraged to include Electric Vehicle Charging Point (EVCPS) in new houses, housing or commercial developments.

F) That Middlesbrough Council should continue to press the Tees Valley Combined Authority (TVCA) to seek further funding to at least maintain the current number of bus services, and increase them wherever possible.

G) That Middlesbrough Council should ask the TVCA to work with Local Authorities to ensure that new bus routes are provided in all new housing developments at the point of delivery, so that greater patronage of services can be encouraged as soon as houses are occupied.

H) That a Wash, Squash and Recycle Campaign be introduced to reduce the level and volume of contaminated items currently collected from domestic recycling bins, and improve current recycling rates.

I) That a pilot scheme be trialled in one or two wards, for sowing more wildflower areas and moving to a monthly grass cutting regime, with more frequent litter picking, and grass cleared from the footpaths immediately after mowing.

J) That Middlesbrough Council continues to build on initiatives such as the Green Month Takeover and Green Action Days to promote and improve membership of established local volunteer groups and encourage greater participation by Elected Members, Council Employees and Middlesbrough Residents to make Middlesbrough greener.

**AGREED** that the findings and recommendations of the Economic Development, Environment and Infrastructure Scrutiny Panel be endorsed and referred to the Executive.

20/88

#### **SCRUTINY CHAIRS UPDATE**

The Scrutiny Chairs/Vice Chairs provided updates in respect of the work undertaken by their respective panels since the last meeting of the Board.

**NOTED**