

## CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

<b>Date:</b> Monday 12th December, 2022 <b>Time:</b> 10.30 am <b>Venue:</b> Mandela Room
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### AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes - Children and Young People's Learning Scrutiny Panel - 21 November 2022 3 - 8
4. Youth Offending and Partnership Working with Schools - Further Evidence 9 - 12

The Head of South Tees Youth Justice Service (STYJS) will be in attendance to provide the Scrutiny Panel with information on the barriers to young people in the youth justice system engaging in education.

5. 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 16 November 2022.

6. 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 2 December 2022

## MEMBERSHIP

Councillors D McCabe (Chair), M Saunders (Vice-Chair), A Hellaoui, T Higgins, C Hobson, D Jones, M Nugent and G Wilson

### **Assistance in accessing information**

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

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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 21 November 2022.

**PRESENT:** Councillors A Hellaoui, T Higgins, C Hobson, D Jones, M Nugent, G Wilson and D Davison (Substitute) (Substitute for D McCabe)

**ALSO IN ATTENDANCE:** E Craigie (Teesside Live) and Councillor M Smiles (Deputy Mayor and Executive Member for Children's Services)

**OFFICERS:** R Brown, C Cannon, E Cowley, T Dunn, G Moore and K Smith

**APOLOGIES FOR ABSENCE:** Councillors D McCabe and M Saunders

**Appointment of Chair Pro Tem**

In the absence of the Chair and Vice-Chair, nominations were sought for the appointment of a Chair Pro Tem of the Children and Young People's Learning Scrutiny Panel.

Councillor C Hobson was nominated and seconded and, following a vote, appointed as Chair Pro Tem of the Children and Young People's Learning Scrutiny Panel.

**AGREED** that Councillor C Hobson be appointed as Chair Pro Tem of the Children and Young People's Learning Scrutiny Panel for the duration of the meeting.

**22/26 DECLARATIONS OF INTEREST**

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

**22/27 MINUTES - CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL - 10 OCTOBER 2022**

The minutes of the meeting of the Children and Young People's Learning Scrutiny Panel held on 10 October 2022 were submitted and approved as a correct record.

**22/28 SCHOOL EXCLUSION DATA - UPDATE REPORT**

Following the Children and Young People's Learning Scrutiny Panel's 2021 review of Behaviour, Discipline and Bullying in Schools, it had been agreed that a comprehensive report on school exclusions would be submitted to the scrutiny panel on a 6 monthly basis.

The Council's Strategic Lead for Inclusion and Specialist Support Service was in attendance at the meeting to present data and information on permanent exclusions and suspensions during the 2021/22 academic year, figures for the current academic year (2022/23) and historical trends. It was explained that the monitoring of school exclusion data had recently become the responsibility of the Council's Inclusion and Outreach Service.

The scrutiny panel was informed that during 2021/22, Middlesbrough schools had excluded 52 pupils. It highlighted that, initially, a total of 77 permanent exclusions had been issued throughout that academic year. However, 25 of those 77 had been subsequently withdrawn and not upheld.

During 2021/22, in reference to the 52 permanent exclusions:

- Trinity Catholic College had excluded the highest number of pupils (17);
- more males (32) had been excluded than females (20);
- more Year 10 pupils had been excluded than any other year group (21), followed by Year 9 (10) and Year 8 (10);
- the three most common reasons for pupils being excluded were identified as

persistent disruptive behaviour (22), physical assault on a pupil (11) and physical assault on an adult (6).

Middlesbrough's historic exclusion figures were shared with the scrutiny panel. Those figures identified the number of pupils that had been excluded at each of Middlesbrough's schools, over a three year period.

It was highlighted to Members that, in respect of the last academic year (2021/2022), it had not been mandatory for Middlesbrough's schools to report suspensions to the Local Authority. Analysis of the data that had been received had identified that those schools with the highest level of suspensions (previously known as fixed-term exclusions) were Trinity Catholic College, Outwood Academy Ormesby and Outwood Academy Acklam.

During the current academic year (2022/23), for the period September to October half term, there had been 9 pupils excluded from Middlesbrough's schools. It highlighted that, initially for that period, 11 permanent exclusions had been issued and 2 had been subsequently withdrawn and not upheld. Members heard that, when compared with the data collected over the same period in 2021/22, there had been a 34% reduction in permanent exclusions.

During 2022/23, in reference to the 9 pupils that had been permanently excluded over the period September to October:

- more males (8) had been excluded than females (1);
- more Year 9 pupils had been excluded than any other year group (5), followed by Year 10 (2) and Year 8 (2); and
- the two most common reasons for pupils being excluded were verbal abuse and threats to an adult (4) and physical assault on an adult (2).

For the period September to October half term (2022), Trinity Catholic College, Outwood Academy Ormesby and Outwood Academy Acklam had continued to report the highest level of suspensions. It was confirmed that the Local Authority would continue to collect, monitor and analyse data throughout the current academic year.

The Strategic Lead for Inclusion and Specialist Support Service outlined the measures and strategies that had been implemented by the Local Authority to increase the level of support and challenge:

1. The new Inclusion and Outreach Model was introduced in January 2022. The model provided support for children, young people, schools and settings. The model was now fully embedded and, following a review in July 2022 and the feedback subsequently received, changes had been made to speed up and streamline how schools accessed support.
2. A new full-time Exclusion Manager had been appointed, with an exclusion/suspension remit to increase the level of challenge to schools. The role had also been relocated within the structure and integrated into the Inclusion and Outreach Model.
3. An additional resource now provided guidance to parents about the process of challenging an exclusion.
4. All secondary schools were taking part in a SEND Peer Review, which planned to cover all aspects of inclusion/exclusion. In respect of the primary sector, a SEND Peer Review was planned for early 2023.
5. More robust reporting tools had been developed to improve senior manager oversight.
6. At an individual child level, there were regular multi-agency discussions to avoid exclusion.
7. Two schools had been identified as having higher than average levels of exclusions and suspensions, those were Trinity Catholic College and Outwood Academy Ormesby. Solution focused meetings had been put in place with head teachers and trust leads, at those schools, to deep dive into the data and focus on the vulnerable pupil cohort. It was advised that progress would be monitored throughout the year.
8. Ongoing discussions took place with the Department for Education (DfE) in respect of permanent exclusion and suspension levels.

A Member raised a query in respect of the proportion of SEND pupils who had been permanently excluded. The Head of Inclusion, Assessment and Review commented that approximately 30-40% of pupils excluded had SEND.

It was commented that further data, in respect of those pupils with SEND who had been permanently excluded, would be circulated to the scrutiny panel. Data pertaining to the proportion of excluded pupils known to social care and accessing Free School Meals (FSM) was also requested by Members.

A Member made an observation that a catholic secondary school had the highest level of suspensions and two catholic primary schools had also reported 10 or more suspensions in 2021-22. In response, the Strategic Lead for Inclusion and Specialist Support Service advised that the Local Authority had not yet received suspension data from all primary schools.

A discussion ensued and Members expressed great concern in respect of the high levels of permanent exclusions and suspensions reported by Trinity Catholic College. The Strategic Lead for Inclusion and Specialist Support Service advised that the Inclusion and Outreach Model and the Educational Psychology Service was delivering targeted support and interventions to improve outcomes for young people. The Head of Inclusion, Assessment and Review commented that monthly meetings were held with senior leaders and the Inclusion and Outreach Team visited the school on a weekly basis to provide support.

The Director of Education and Partnerships commented that there had been a positive reduction of 34% in the number of permanent exclusions, when comparing current figures with those of last year. It was commented that the reduction clearly demonstrated that targeted support and delivery of interventions were impacting positively on exclusion rates. However, it was highlighted that further work was required to actively challenge head teachers to reduce the number of suspensions.

A Member raised a concern that young people were well aware of those actions that would result in a suspension. The Member commented that some pupils misbehaved deliberately to ensure they could have a period of absence from school.

A Member queried whether schools were doing enough to support pupils with SEND. In response, the Strategic Lead for Inclusion and Specialist Support Service advised that the aim of the SEND Peer Review was to identify strengths and areas of development for each setting. It was added that the good practice identified by the SEND Peer Review would be shared across all schools.

In terms of the reasons for exclusions, a Member queried whether there were standard descriptors in respect of each reason category. In response, the Head of Inclusion, Assessment and Review explained that descriptors were open to interpretation and the Local Authority was responsible for challenging schools, to ensure consistency.

A Member expressed concern in respect of the physical assaults that had been reported. The Strategic Lead for Inclusion and Specialist Support Service advised that further detail would be provided in respect of the assaults and the behaviours reported. The Head of Inclusion, Assessment and Review added that if there was a risk that a pupil could get into trouble with the law, a referral could be made to the South Tees Youth Offending Service (STYOS) to enable the young person to access preventative support.

In respect of the permanent exclusion process, the Head of Inclusion, Assessment and Review explained that once a pupil had been excluded, the head teacher had a responsibility to notify the Local Authority. The Local Authority would then work with the family and relevant services to understand the procedural legitimacy of the decision-making, taking into account the context in which the decision was made and other contributory factors. It was added that the appeal process needed to be family led and a Parent Choice Advisor was available to offer support in challenging schools.

**That the information and data presented to the scrutiny panel be noted.**

22/29

## **OUTWOOD ACADEMY ORMESBY - RESPONSE TO OFSTED'S FINDINGS**

Following a recent inspection, Outwood Academy Ormesby had been judged inadequate by Ofsted. The Trust's response to Ofsted's findings had been circulated with the agenda pack for the meeting and the response outlined actions planned to improve the academy's performance.

The Director of Education and Partnerships advised that when an academy was judged as inadequate, it was standard procedure that the DfE would write to the academy providing a warning that the academy's funding agreement could be terminated. The document circulated with the agenda pack was the Academy Trust's response to that letter, which stated that the Trust's preferred option was to bring about the rapid change needed to remove the academy from its inadequate judgement. It was commented that the Trust had conveyed a preference to submit written evidence to today's meeting, to illustrate the improvement work that was planned, rather than provide a verbal report.

It was explained that Outwood Academy Ormesby was working closely with the Local Authority and the DfE to improve the academy's performance. It was added that the Council's Head of Achievement had been appointed as a member of the Academy Improvement Board.

Members queried whether the school would subsidise the Local Authority for the support it was receiving from officers. The Director of Education and Partnerships advised that the Local Authority was unable to charge for the services and support provided. The Strategic Lead for Inclusion and Specialist Support Service advised, however, that given the high levels of permanent exclusions, the Local Authority had approached the School Management Forum to request additional funding. Subsequently, the forum had agreed to transfer £600,000 from schools to the High Needs Budget to enable the effective delivery of support to those pupils who were at risk of exclusion. In response to a Member's query, it was explained that the all schools had contributed an equal amount to the High Needs Budget, regardless of their exclusion rates.

A Member made reference to the two parents meetings, which had been held by the Trust, to present the Ofsted inspection outcome and discuss the Action Plan. The Member challenged the comment made by the Trust in the submitted letter, which stated that positive responses had been received. The Member had attended one of those meetings and conveyed that positive feedback had not been received from parents.

The Head of Access to Education and Alternative Provision advised that as Outwood Academy Ormesby had been judged as inadequate, a HMI Inspector would now be attached to the academy to monitor performance. The academy would also be subject to a series of Ofsted monitoring visits, whereby the academy would be required to demonstrate/illustrate that significant improvements had been made to the academy's standards and performance.

A Member commented that the academy had been visited by several Members during the last academic year and staff members and pupils had been polite and respectful. Therefore, the Ofsted judgement was somewhat unexpected. It was commented that the way in which the Ofsted report had been written was particularly challenging.

In terms of sanctions, a discussion ensued and Members expressed concern in respect of the high levels of permanent exclusions and suspensions.

A Member commented that it would be beneficial to receive further information and updates on the academy's improvement journey.

As it had been reported that the school community had suffered from a significant amount of Covid-19 related deaths, a Member raised a query in respect of the support provided to those pupils who had suffered bereavements. The Strategic Lead for Inclusion and Specialist Support Service commented that bereavement support had been delivered by the Educational Psychology Service.

**That the information presented to the scrutiny panel be noted and further updates be presented in due course.**

22/30

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

The Chair advised that on 25 October 2022, the Overview and Scrutiny Board had considered:

- the Executive Forward Work Programme;
- an update on ongoing work and current key issues from the Executive Member for

- Adult Social Care, Public Health, Public Protection and Digital Inclusion; and updates from the scrutiny chairs.

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## **MIDDLESBROUGH COUNCIL**

### **SCRUTINY REPORT**

#### **CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL**

**12<sup>th</sup> December 2022**

#### **Youth Offending and Partnership Working with Schools**

#### **Kay Dargue, Head of South Tees Youth Justice Service**

##### **Summary**

The purpose of this report is to provide the panel with information regarding the barriers to young people in the youth justice system engaging in education. This follows on from the first scrutiny panel where information was provided in relation to South Tees Youth Justice Service (STYJS) and partnership working with schools.

##### **Introduction**

The first scrutiny panel in relation to this subject was held on 5<sup>th</sup> September 2022. Members were provided with an overview of South Tees Youth Justice Service (STYJS), it's work with partners including schools and education providers, current key performance indicators along with anonymised information about children who are open to the Youth Justice Service. This report will provide information relating to children in Middlesbrough who are open to STYJS and the issues/challenges/barriers relating to their education.

##### **Evidence/Discussion**

The significant majority of students attend school each year and go on achieve great things. In some circumstances a small but crucial minority may become involved in crime and therefore require support and rehabilitation.

Issues leading to these incidents vary case-by-case but can typically be described as exposure to exploitation such as substance misuse and or the inability to regulate behaviour resulting in violence or persistently disruptive behaviour.

##### **Substance misuse**

With regards to drug and alcohol related issues, STYJS works with Project ADDER to provide substance misuse support. This post was introduced in May 2021 and has been successful in the following ways:

- Introduced additional capacity in STYJS to provide intervention and support for young people with substance use needs. The YJS worker provides intervention, support, advice and guidance and onward referral into tier 3 services.
- The role has improved links with the young person's substance misuse service and redefined pathways to ensure that those young people are referred in a timely way.
- Links have been established with the Substance Misuse Services in the Youth Custody Service and this has supported a better pathway for the resettlement of young people back into the community and opening doors into services locally.
- The role offers a point of contact and support for YJS staff, re-introducing a level of expertise for staff which was previously not available.
- Staff have also benefitted from increased training in substance misuse and how to work with young people in this area.
- Links have been established with the wider ADDER team and this will support pathways into adult provision for those young people who transition to Probation.

All young people open to the service who have identified drug/alcohol issues can be referred to the ADDER worker for specialist support.

## **Youth Violence**

Serious Youth Violence has become an area of significant concern for agencies working with young people, and this includes schools. There are increasing concerns that the most vulnerable young people in society are being drawn into differing forms of organised crime. Exposure to such behaviours and lifestyles can leave young people vulnerable to exploitation. A report produced by the Crest Advisory Group- Violence and Vulnerability published in February 2021 (Appendix 1), highlighted that the number of young people at risk of serious youth violence is unevenly spread across England. The report detailed that the risk to serious violence is heightened by high levels of neighbourhood crime and income deprivation such as areas like Middlesbrough. STYJS are currently working with CREST Advisory Group as part of a strategic needs assessment for the newly developed Cleveland Unit for the Reduction of Violence (CURV). Once published we will work closely with the CURV and partners, including schools, to address the issues identified.

## **Support for pupils**

There is a range of support available for pupils including the multi-agency pupil inclusion panel, which is part of the new inclusion and outreach model. Alongside this, STYJS have worked in partnership with colleagues in the other Cleveland area Youth Justice Services and TEWV NHS Trust to develop our Trauma Informed Model of working. This continues to be an effective way of working with our young people with the most complex needs and the model supports staff to develop bespoke approaches to meeting needs and also supporting young people into the services they need. If accepted on to the Trauma informed pathway, a formulation meeting is held followed by sessions for up to 15 weeks. A discharge report provides a psychological overview of the mental health symptoms, and informs an onward trauma informed care plan

linking to an individualised intervention plan for the child. For young people who are disengaged from education, have emotional well-being issues, and are presenting a risk to themselves or others, this approach can be beneficial to better understand the barriers to attendance and gain psychological input into formulating a holistic plan.

## **Conclusion**

Young people in the youth justice system have often experienced multiple adverse childhood experiences and consequently there can be numerous and complex reasons contributing to a child not attending school and / or being excluded. STYJS believe that by working in partnership with schools and education providers this can promote inclusion and support children with their identified needs. The development of an 'inclusion pathway' would enable youth justice case managers to refer to the ETE specialist to target support to those young people at risk of poor attendance and/or exclusion and then develop a bespoke action plan. The development of an inclusion pathway would also need to take in to account the young person's views, and parent/carer views to ensure the challenges and barriers to attendance were understood.

In the last year there has been an increase in partnership working between STYJS and schools in Middlesbrough, and a contextual safeguarding approach has been promoted by the STYJS Education, Training Employment Specialist via the Pupil Inclusion Panel. This approach encourages partners to share information and collectively plan to reduce risk in different settings. In addition, the Partnership Information Sharing form (intelligence sharing form that is submitted to the Police) has been shared with schools to enable them to share concerns with Police as they arise. Scrutiny panel may wish to endorse this contextual safeguarding approach in schools to promote the sharing of relevant information and ultimately improve the safeguarding of children.

As noted in the previous panel, there is a clear need for an improvement in the educational experience and outcomes for young people involved in, or at risk of being in, the criminal justice system. Making such improvements will be complex and it will take time to put appropriate systems in place to capture data for analysis and evaluation. From April 2023, Youth Justice Services will be measured upon a new set of KPI's, one of which is

*Education, training and employment (ETE): % of children in the community and being released from custody attending a suitable ETE arrangement.*

This KPI looks at the number and proportion of children in ETE by suitability, provision type and type of order for children of school age and children above school age and how many hours were offered and attended. The Youth Justice Board (YJB) recognise that there are established links between low educational engagement and attainment and the risk of childhood offending. This KPI should highlight where children are not in suitable ETE to help Youth Justice Services to escalate concerns with ETE providers. At a wider level, this data will allow the Ministry of Justice and YJB to understand where the wider system acts as a barrier to a child's desistance and raise these with relevant other Government departments if necessary. Currently, youth justice services are not required to capture this information and as stated at the last

scrutiny panel meeting the key next steps will be to work with colleagues from within MBC education directorate and school leadership teams to ensure data sharing agreements be put in place to capture pupil level data.

The service will now need to work at pace to ensure the aforementioned data can be captured to enable the statutory returns to the YJB. In addition to capturing relevant data, the Panel may wish to endorse the proposed approach of introducing an 'inclusion pathway' with schools to promote inclusion, increase attendance with the aim of improving overall attainment for the child. Schools have highlighted some significant issues and challenges in improving rates of attendance, and reducing exclusions. However, STYJS will continue to be aspirational for young people subject to our supervision and will continue to work in partnership under the direction of this panel to make improvements.

## **Appendix 1**

<https://www.crestadvisory.com/post/report-violence-and-vulnerability>