

CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

A meeting of the Children and Young People's Learning Scrutiny Panel was held on Monday 25 April 2022.

PRESENT: Councillors D McCabe (Chair), M Saunders (Vice-Chair), A Hellaoui, C Hobson, M Nugent, P Storey and G Wilson

ALSO IN ATTENDANCE: J Duncan and A Goring

OFFICERS: R Brown, S Butcher, C Cannon, T Dunn, J Kitchen, C Lunn, G Moore and K Smith

APOLOGIES FOR ABSENCE: Councillors D Jones and T Mawston

21/53 DECLARATIONS OF INTEREST

Name of Member	Type of Interest	Item/Nature of Interest
Councillor A Hellaoui	Non-Pecuniary	Item 4, 5 and 6 - member of two governing bodies

21/54 MINUTES - CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL - 21 MARCH 2022

The minutes of the meeting of the Children and Young People's Learning Scrutiny Panel held on 21 March 2022 were submitted and approved as a correct record.

21/55 SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) - FURTHER EVIDENCE

The Headteacher of Discovery Primary Academy and the Deputy Headteacher of Ayresome Primary School were in attendance to provide the scrutiny panel with information on how schools worked with the Local Authority to identify and support children with SEND.

The Headteacher advised that Discovery Primary Academy:

- was a special school for children with severe learning and associated complex needs;
- had an increasing cohort of children who were on the autistic spectrum;
- was part of Tees Valley Education Trust;
- was a free school;
- opened in 2018 with 36 children;
- currently had 89 children on roll;
- had 110 (+) pupils accepted for the September intake;
- provided provision for 3 to 11 year olds;
- had been approved to provide secondary provision from September 2022, which would initially be offered to Year 7 pupils;
- had 55% of pupils in the 10% most deprived decile; and
- had 60% of pupils accessing Free School Meals (FSM).

In terms of accessing provision at Discovery Primary Academy, the following procedure was followed:

- The school received a referral from the Local Authority:
 - once paperwork had been received, a high-level assessment of need would be undertaken;
 - conversations took place between the school and the Local Authority's SEND case officers to ensure delivery of the correct placement;
 - a series of observations and discussions with multi-agency professionals would take place; and
 - visits would be undertaken whereby school staff would visit the child in their

home and the child and his/her parents would have the opportunity to visit the school setting.

- If it was determined that Discovery was best placed to meet the needs of that child, the child would be offered a place at the school. If the parents/carers decided to accept the place, then funding would be explored and agreed with the SEND case officers to ensure delivery of effective support to meet the needs of the child.
- In terms of transition, the school worked with the Local Authority to ensure transport was arranged to enable the child to get to and from the setting. The school had a rapid transition procedure or a staggered approach. The rapid procedure provided access to the placement at the earliest stage and the staggered approach enabled the child to adjust to the new setting gradually. The school worked closely with the family to determine the best approach for a child.
- If a child's needs changed, further assessments were commissioned. The school continued to liaise with other professionals and adapted provision accordingly, ensuring that the school and the Local Authority continued to be responsive to the child's needs.

At Discovery, the primary need of children was severe learning difficulties (and associated needs) and there was an increasing number of pupils on the autistic spectrum, the school therefore offered:

- high staffing ratios;
- a personalised learning approach;
- integrated therapies, delivered alongside the curriculum;
- outdoor play and learning;
- high expectations for all;
- a communication immersion environment;
- staff skilled in working with pupils with Severe Learning Difficulties (SLD) and associated needs;
- an environment that was responsive to need;
- high proportions of enrichment activities in and out of the academy;
- pastoral support for both pupils and parents;
- preparation for adulthood;
- three curriculum pathways: early years, informal and semi-formal;
- academic, social, emotional and life skills; and
- therapeutic support.

In terms of the work undertaken to prepare children for adulthood, the school focussed on four key areas:

- Independence, focusing on feeding, personal hygiene, toileting, dressing, tidying and organisational skills.
- Friends, Relationships and Community, focusing on developing friendship groups, enjoying hobbies/activities and becoming part of the community.
- Good Health, focusing on outdoor play, exercising, sensory therapies, healthy minds and promoting good mental health and well-being.
- Employment, focusing on routines, timetables, responsibilities, communication, resilience and perseverance in addition to numeracy, reading and writing.

In terms of multi-agency working, Discovery worked with the Local Authority (including the SEND Team, the Virtual School, the Sensory Teaching, Advisory and Resources Service (STARS) and Social Care), play therapists, speech and language therapists, occupational therapists, physiotherapists, educational psychologists, voluntary sector organisations, the Community Nursing Service and the Learning Disability Child Adolescent Mental Health Service (LD CAMHS).

Members heard that there was a constant dialogue between the school and the Local Authority to ensure the most appropriate agencies were involved with the child. It was explained that working with the Local Authority was extremely important in ensuring appropriate support was in place to enable children to achieve the best possible outcomes. In addition, constant dialogue and discussion ensured that appropriate training was delivered to staff members and it enabled the school to develop its secondary provision and offer outreach support.

To demonstrate the positive impact of partnership working, the following case study was shared:

It had been determined that in order to meet a child's needs, alternative provision was required. The school liaised with case officers and the senior leader of the Local Authority's SEND Team. The school also liaised with the child's social worker to build/develop a relationship with the family. Initial meetings were held at the child's current school to allow parents to attend a familiar environment. Transition opportunities were provided for parents to enable them to meet all those staff members who would work with the child at Discovery. A planned transition took place for the child. The school liaised with the Integrated Transport Unit to arrange home to school transport and the right level of funding was provided to enable the delivery of personalised support for the child.

As a result of the partnership work that had taken place:

- the child was making progress in the setting and had settled in well;
- personalised support with a focus on therapies for social, emotional and academic needs ensured all of the child's needs were met;
- the family felt well supported and able to approach staff;
- continued close working between education and social care enabled the delivery of a holistic approach; and
- the child's attendance was improving.

In general, partnership working enabled the delivery of:

- bespoke packages of support for individual children;
- training and support for all SEND Coordinators to enable them to develop knowledge and confidence; and
- Continuing Professional Development (CPD), which was brokered by Local Authority and designed and delivered by TvED.

It was commented that the school was also involved with:

- the SENDCo network, which shared information and discussed best practice; and
- the SEND Strategic Group, which aimed to develop/improve processes and systems.

It was highlighted that most importantly, partnership working enabled person centred planning to take place.

A Member raised a query in respect of waiting lists. In response, the Head explained that a rigorous place planning process, involving the Local Authority working with all the providers of specialist provision in the area, determined future demand and ensured sufficiency of placements.

A Member raised a query in respect of when the school would be moving to its new building located on the former Nature's World site. In response, the Head explained that it was hoped that the move would take place in time for the start of the new academic year in September (2022). From September, the primary provision would be located at the new build on the former Nature's World site and the secondary provision at the temporary site at Bramble's Farm. The school was currently working with the Local Authority to put plans in place for a new build for the secondary provision.

In response to a Member's query regarding funding, the Head explained that adequate funding was provided to Discovery to ensure it had sufficient staffing levels.

The Deputy Head explained that Ayresome Primary was a mainstream school, located in central Middlesbrough. There were currently 740 pupils on roll, however, due to high levels of mobility that number had fluctuated throughout the year. Although pupils eligible for Pupil Premium funding equated to only 54% of the student population, 90% of pupils lived in the 5% most deprived areas of the UK. Members also heard that 25% of pupils had SEND, with increasing levels of complexity.

In terms of identifying where a pupil may be having difficulty, which may be because of SEN:

- In school, admissions meetings were held for each child, observational assessments and teacher assessments were undertaken and discussions were held with parents.
- The school worked closely with health visitors, speech and language therapists and the School Nursing Service to seek advice and share information.
- The school worked closely with the Ethnic Minority Achievement Team (EMAT) to undertake assessments in home language and to liaise with parents to gain additional information.
- The school also worked closely with the Local Authority's Admissions Team, its Portage Team, inclusion officers, educational psychologists, social workers and the Virtual School to seek advice and share information.

Working with partners ensured a constant exchange of information in respect of each child's needs.

At Ayresome Primary, the support that school provided to those students who have or may have SEND included:

- personalised learning plans and provision;
- SEND support plans with targets that were Specific, Measurable, Achievable, Realistic and Timely (SMART), so that progress could be monitored;
- reviews of Education, Health and Care Plans (EHCPs) so they remained relevant;
- small group interventions linked to learning;
- additional support through applications for High Needs Funding (HNF);
- additional adult support in school;
- access to in-school interventions, linked to physical development, including fine motor skills;
- access to in-school support linked to Social, Emotional and Mental Health (SEMH);
- specific/bespoke staff CPD linked to children's needs (delivered by the Local Authority);
- outreach support from specialised staff from the Local Authority;
- parental workshops; and
- access to the Early Help Team through referrals;
- access to the Disability Social Work Team through referrals; and
- access to agencies such as SEND Information and Advice Support Services (SENDIASS), Daisy Chain, etc.

The school worked closely with the Local Authority's inclusion officers, Outreach/Inclusion Team, Virtual School, Sensory Teaching, Advisory and Resources Service (STARS), educational psychologists and SEND case officers.

The Local Authority assisted Ayresome Primary in meeting the needs of pupils with SEND and ensuring appropriate support was in place to enable them to achieve the best possible outcomes. The partnership work had enabled the school to access HNF to provide additional staff and resources to meet the needs of children. There was a constant exchange of information, enabling the school to access advice, guidance, support, interventions and bespoke CPD for staff members.

The Deputy Head shared a case study to demonstrate the positive impact of partnership work:

A child had missed school due to pandemic and struggled with a transition into Reception. The child was displaying challenging behaviour, which included violence towards staff and children. The child was also being destructive to property in the classroom. The school put forward a referral to social care, due to concerns at home. The child's challenging behaviour escalated with increased violence towards staff, which had led to fixed-term exclusions and could have led to a potential permanent exclusion, given the level of concern. The school put forward a request for Alternative Provision (AP). Following consultation with the SEND Team and the child's parents, the school put in place a part-time timetable for the child of 30 minutes per day. With the assistance of the Local Authority, HNF was applied for to enable the school to provide 1:1 support. Advice and guidance was provided to the school by the Inclusion Officer. Specialist teachers and the Outreach/Inclusion Team provided support in school, both

in the classroom and by providing staff CPD.

Given the support provided, AP was not required. The child's time in school increased, as behaviour improved due to strategies put in place. The child was now attending school full-time and the school was able to meet the child's needs. Staff members felt confident to deploy strategies and opportunities to re-set, if behaviour deteriorated. Regular reviews were undertaken and there was open communication with the Inclusion Officer.

A Member commended the partnership work that had been undertaken to support the child, enabling the child to attend full-time education.

A Member raised a query regarding the school's use of fixed-term exclusion. In response, the Deputy Head explained that the child's challenging behaviour escalated very rapidly. For the school, exclusion was very much the last resort. At the time of the fixed-term exclusion, applications had been made to the Local Authority for additional support and those were being processed. The Early Years and Primary Inclusion Lead advised that risk of permanent exclusion needed to be flagged with the Local Authority to demonstrate the level of concern, ensuring action was taken as a matter of urgency.

In response to a Member's question, the Deputy Headteacher advised that although children in Reception and KS1 were entitled to receive universal FSM, some children were not eligible. The school therefore worked with food banks, FareShare and Greggs to ensure that no child went without a meal.

The schools were thanked for attending the meeting and for providing the scrutiny panel with detailed information on how they worked with the Local Authority to identify and support children with SEND.

AGREED

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

21/56

SCHOOL EXCLUSION DATA - UPDATE REPORT

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

The Council's Head of Access to Education and Alternative Provision was in attendance at the meeting to present data on permanent exclusions, fixed-term exclusions, reasons for exclusions and information on how the Council was increasing the level of challenge and support.

Members were advised that the report provided a snapshot of data. It was explained that numbers of exclusions changed on a daily and/or weekly basis.

In terms of permanent exclusions, from September 2021 to March 2022:

- no primary-aged pupils had been permanently excluded;
- in Year 7, 8 pupils had been permanently excluded;
- in Year 8, 10 pupils had been permanently excluded (13 permanent exclusions had initially been instigated and then 3 were subsequently withdrawn);
- in Year 9, 8 pupils had been permanently excluded (13 permanent exclusions had initially been instigated and then 5 were subsequently withdrawn);
- in Year 10, 16 pupils had been permanently excluded (17 permanent exclusions had initially been instigated and then 1 was subsequently withdrawn); and
- in Year 11, 6 pupils had been permanently excluded (7 permanent exclusions had initially been instigated and then 1 was subsequently withdrawn).

The reasons for a permanent exclusions being instigated and then subsequently withdraw included a change in circumstances, an alternate solution being identified and/or enhanced support being offered to the school.

Historically, the majority of exclusions took place in the Year 10 cohort. However, it was commented that it was unusual to have such high levels of permanent exclusions in Year 7 and Year 8 cohorts. It was advised that the high rates in those two year groups could be due to the impact of the pandemic on the transition into secondary education.

In terms of the schools imposing permanent exclusions, the following information was outlined:

- at Outwood Ormesby, 7 pupils had been permanently excluded (13 permanent exclusions had initially been instigated and then 6 were subsequently withdrawn);
- at Outwood Riverside, 4 pupils had been permanently excluded;
- at Outwood Acklam, 9 pupils had been permanently excluded (11 permanent exclusions had initially been instigated and then 2 were subsequently withdrawn);
- at Trinity Catholic College, 13 pupils had been permanently excluded;
- at Unity City Academy, 4 pupils had been permanently excluded (5 permanent exclusions had initially been instigated and then 1 was subsequently withdrawn);
- at Kings Academy, 4 pupils had been permanently excluded;
- at Acklam Grange, 4 pupils had been permanently excluded; and
- at Macmillan Academy, 3 pupils had been permanently excluded (4 permanent exclusions had initially been instigated and then 1 was subsequently withdrawn).

It was commented that the data for the period of September 2021 to March 2022 demonstrated that Trinity Catholic College had the highest rate of permanent exclusions, and Macmillan Academy had the lowest rate.

In terms of the reasons for the 48 permanent exclusions, the following information was outlined:

- 4 pupils were excluded for damaging school property;
- 7 pupils were excluded for a physical assault on an adult;
- 9 pupils were excluded for a physical assault on a pupil;
- 20 pupils were excluded for persistent disruptive behaviour;
- 3 pupils were excluded for verbal abuse/threats to an adult;
- 1 pupils were excluded for verbal abuse/threats to a pupil; and
- 4 pupils were excluded for other reasons, which had not been categorised.

The highest rate of exclusions had occurred due to persistent disruptive behaviour.

To provide some context, permanent exclusion rates had been compared with those of a neighbouring authority.

2021/22 Neighbouring Authority		
	PEX	PEX Rate
Primary	1	0.01
Secondary	38	0.46
Special	0	0.00
All schools	39	0.18

2021/22 Middlesbrough		
	PEX	PEX Rate
Primary	0	0
Secondary	48	0.53
Special	0	0
All schools	48	0.19

The tables demonstrated that the neighbouring authority had a smaller number of permanent exclusions (39 in comparison to Middlesbrough's 48). However, as Middlesbrough was a larger local authority area, its rate of permanent exclusions was very similar to that of the neighbouring authority.

It was advised that the increase in rates of permanent exclusion was not unique to Middlesbrough and rates had increased for other local authorities, both regionally and nationally.

In terms of fixed-term exclusions, the following points were made:

- the majority of fixed-term exclusion occurred in two of Middlesbrough's secondary schools;
- the submitted report did not contain accurate data for Trinity Catholic Academy;
- by far the most common reason for a fixed-term exclusion was 'persistent disruptive behaviour'; and
- primary schools very rarely used fixed-term exclusion as a sanction.

The rates of fixed-term exclusion were reported as follows:

- at Outwood Ormesby, there had been 1428 fixed-term exclusions;
- at Outwood Acklam there had been 957 fixed-term exclusions
- at Macmillan Academy, there had been 170 fixed-term exclusions
- at Kings Academy, there had been 139 fixed-term exclusions;
- at Acklam Grange, there had been 64 fixed-term exclusions;
- at Unity City Academy, there had been 61 fixed-term exclusions
- at Outwood Riverside there had been 54 fixed-term exclusions
- at Trinity Catholic College, there had been 12 fixed-term exclusions; and
- at Pennyman Primary Academy, there had been 11 fixed-term exclusions.

It was highlighted that the submitted data demonstrated high rates of fixed-term exclusions at Outwood Ormesby and Outwood Acklam. Work was being undertaken with the Outwood Academy Trust to understand the reasons for the high rates and to test whether the sanction was effective in improving the standard of behaviour.

Members were advised that the Local Authority had encountered issues with obtaining data from Trinity Catholic College, therefore, the data provided in respect of that particular school was inaccurate. Work was being undertaken with the school to improve that data flow and it was hoped that issues would be resolved shortly.

The three main reasons for fixed-term exclusions were persistent disruptive behaviour (1037), verbal/threatening behaviour towards an adult (186) and the assault of a pupil (82). The data demonstrates that persistent disruptive behaviour was a major factor in deciding whether a pupil should be excluded on a fixed-term basis.

Information on how the Local Authority was working to increase the level of challenge and support was outlined. Members were informed that:

- an additional 0.5 fte officer had been appointed to allow more time to be spent on the case audit when a school submitted paperwork;
- a temporary member of staff would be appointed to work with Headteachers and academy trusts to ensure that exclusion was the most appropriate course of action for every identified child;
- additional staffing had been assigned to provide more parental guidance, as that was crucial if cases were to be taken to the Independent Review Panel (IRP);
- oversight of the process was being increased via improved and more robust reporting tools;
- regular meetings were taking place with Headteachers;
- the issues reported had been raised with the Department for Education (DfE);
- work would continue to raise awareness of the Council's new Inclusion Model; and
- work would be undertaken with all schools to undertake a SEN and Inclusion Peer Review (May - Dec 22).

A Member raised a query regarding comparisons with previous years. The Head of Access to Education and Alternative Provision advised that data to reflect a 3 year comparison was being prepared for submission to a future meeting of the Overview and Scrutiny Board. It was confirmed that future submissions of the report would contain historical comparisons to provide some context.

It was clarified that the high rates of exclusion were being investigated further by the Overview and Scrutiny Board and the appropriate representatives from secondary schools (across the

town) had been invited to a future meeting to discuss the issue. The board's aim was to help challenge and support schools in finding a way forward to reduce the number of children and young people being excluded (both temporarily or permanently). A Member conveyed that there was a reluctance from Headteachers to attend the meeting. The importance of school leaders engaging with Scrutiny was highlighted.

A Member commented on the importance of receiving historical comparison data, to enable the scrutiny panel to determine trends. It was also commented that, given many of Middlesbrough's young people attend Nunthorpe Academy, data from that particular school would also prove valuable. The Head of Access to Education and Alternative Provision explained that as Nunthorpe Academy was not located in Middlesbrough's boundary, the school did not report its exclusion data to the Local Authority. However, data on those pupils from Middlesbrough attending Nunthorpe Academy, who had been excluded, would be included in future submissions to the scrutiny panel.

NOTED

21/57

EDUCATION AND COVID-19 RECOVERY

The Executive Director of Children's Services advised that, for schools, the period of Covid-19 recovery had ended and it was very much business as usual.

A discussion ensued regarding the need for future reporting. Members were in agreement that it would be beneficial for the scrutiny panel to receive information on staffing levels and pupil absences up until the end of the current academic year.

NOTED

21/58

OVERVIEW AND SCRUTINY BOARD - AN UPDATE

The Chair advised that at the last meeting of the Overview and Scrutiny Board, held on 23 March 2022, the Board had considered:

- the Executive Forward Work Programme;
- an update from the Executive Member for Environment, Finance and Governance;
- an update from the Chief Executive;
- updates from the Scrutiny Chairs; and
- an update on town centre developments.

NOTED