

MIDDLESBROUGH COUNCIL

Final Report of the People Scrutiny Panel CHILDREN MISSING EDUCATION (CME)

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THE AIMS OF THE SCRUTINY REVIEW

1. The aims of the review are to:
 - Examine and understand the current issues relating to CME in Middlesbrough.
 - Identify suggestions for developing support for applicable children and their families.
2. The review also aims to assist the LA in achieving the following priorities from the Council Plan 2024-2027:
 - **A successful and ambitious town** - Improve attainment in education and skills; and
 - **A healthy place** - Promote inclusivity for all.

TERMS OF REFERENCE

3. The Terms of Reference for the Scrutiny Panel's review, are as follows:
 - A. To understand the current position in terms of Middlesbrough Council's CME; to examine key data and demographics/characteristics in respect of CME in Middlesbrough; and compare with regional and national statistics.
 - B. To examine how the LA works with children, young people and their families, and education providers to identify and support CME (e.g. referrals and proactive identification).
 - C. To investigate what additional resources, if any, could be accessed to assist with CME.
 - D. To consider any potential implications/impact/challenges of CME providers and services.
 - E. To consider the challenges of transient communities and how EMAT track and work with newly arrived families.
 - F. To consider the increasing number of permanently excluded children in respect of CME.

BACKGROUND INFORMATION

4. The Department for Education (DfE) (GOV.UK, 2024a) defines CME as a particular subset of children who are at increased risk and are not attending school. To be classified as a child missing education, children must satisfy all three of the following criteria:
 - Be of compulsory school age.
 - Not be registered at a school.
 - Not be receiving suitable education otherwise than at a school.
5. The various categories of CME are as follows:
 - a) Children who are referred by schools to the Authority as missing.
 - b) Children who are EHE, but the Authority has deemed are not receiving an adequate education.
 - c) Children who have recently arrived in the town and are awaiting a school place.
 - d) Children who have been permanently excluded from school and are not in a full time alternative setting.
 - e) Children in the Authority's care for whom full time education has not yet been secured.

6. According to the Social Care Institute for Excellence (SCIE, 2025), CME may be at significant risk of:
- Not meeting their academic potential and underachieving.
 - Becoming NEET (Not in Employment, Education or Training) in later life.
 - Being victims of harm, abuse or exploitation.
 - Involvement in criminal or gang-related activity.
7. There is also a higher proportion of children recorded as missing education when there is a link to poverty, deprivation or involvement with social services.
8. Guidance for LAs, issued by the DfE (GOV.UK, 2024a) indicates that there should be robust policies and procedures in place to enable them to meet their duties and responsibilities in relation to these children. These include ensuring that there are effective tracking and enquiry systems in place; and appointing a named person to whom schools and other agencies can refer. In Middlesbrough, CME Officers are in post to fulfil this role.
9. Under Section 436A of the Education Act 1996 (GOV.UK, 2025) there is a duty for LAs to make arrangements to establish the identities of CME who reside in the respective area; are not registered pupils at a school; and are not receiving a suitable education. Those applicable children should be returned to full time education either at a school or alternative provision.
10. In addition, LAs also have a range of other duties, powers and expectations, which include:
- Arranging suitable full-time education for permanently excluded pupils from the sixth school day of exclusion.
 - Serving notice on parents requiring them to satisfy the LA that the child is receiving suitable education.
 - Issuing School Attendance Orders (SAOs) to parents who fail to satisfy the LA that their child is receiving suitable education, if the LA deems it appropriate that the child should attend school.
 - Prosecute or issue penalty notices to parents who fail to ensure their school-registered child/ren attend school regularly.
11. Where there is concern for a child's welfare, this should be referred to the LA's Children's Social Care department. If there is reason to suspect a crime has been committed, the police should also be involved. In Middlesbrough, the CME Officer will initiate and pursue appropriate enquiries to trace the pupil and regularly review the case until the pupil is re-engaged in education, or was found to be resident in and known to another LA.

SUMMARY OF EVIDENCE:

Term of Reference A - To understand the current position in terms of Middlesbrough Council's CME; to examine key data and demographics/characteristics in respect of CME in Middlesbrough; and compare with regional and national statistics.

12. CME are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education other than at a school. This includes children who are awaiting a school place and children in receipt of unsuitable education, including those children that LAs are supporting to place into suitable education.

National Picture

13. As per the table below, the DfE's most recent data (census date in Autumn 2024, Thursday 3 October 2024) shows that LAs reported 39,200 children missing education, which was an increase of 6,200 from an estimated 33,000 in the previous Autumn term.
14. The rate of CME was 0.5% of the population of comparable ages for children aged 5 to 16 years. At the same time, Middlesbrough's rate of CME was higher than the national rate at 0.6%.
15. The information in this release is based on the EHE and CME data collection. The collection from LAs started in Autumn 2022 and became mandatory in Autumn 2024. The proportion of LAs providing data reached 100% for the first time in Autumn 2024.

Children missing education at census date, autumn 2022/23 to autumn 2024/25							
	2022/23 Autumn term	2022/23 Spring term	2022/23 Summer term	2023/24 Autumn term	2023/24 Spring term	2023/24 Summer term	2024/25 Autumn term
Number of CME on census date	24,700	24,700	28,100	33,000	36,700	36,600	39,200
Rate of CME on census day by population	0.3%	0.3%	0.3%	0.4%	0.4%	0.4%	0.5%

(SOURCE: GOV.UK, 2024a)

Local Picture

16. When comparing LAs, the following statistics indicate that Middlesbrough has the highest rate of CME in the Tees Valley area:

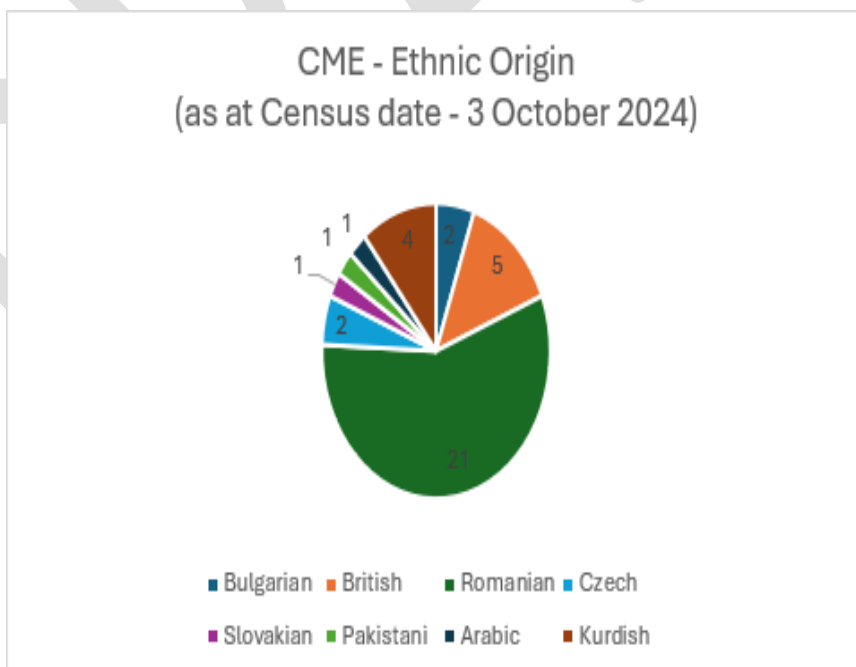
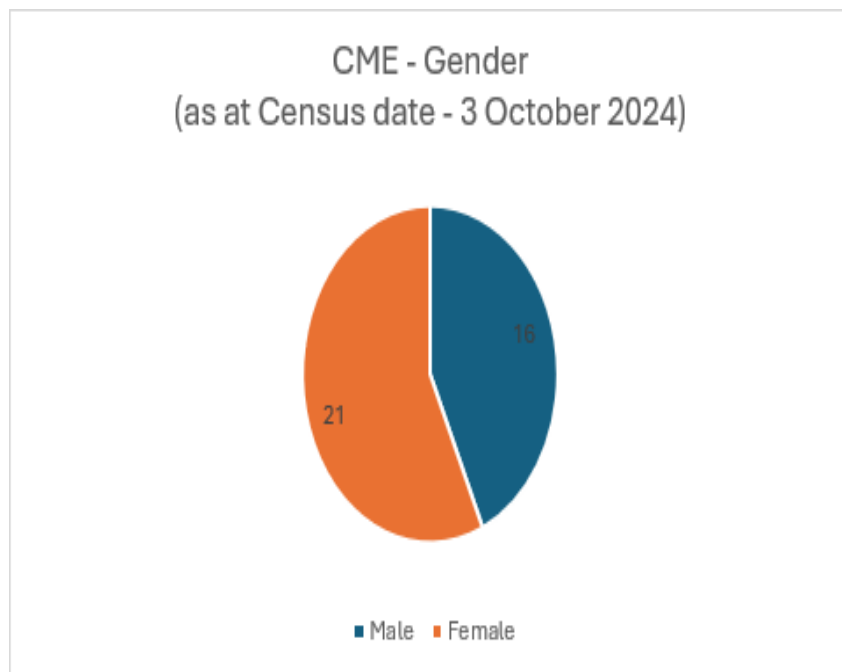
Rate of CME on census day by population (2024/25 Autumn term)

Local Authority	Rate of CME by population
Darlington	0.1%
Hartlepool	0.2%
Middlesbrough	0.6%
Redcar and Cleveland	0.4%
Stockton	0.1%

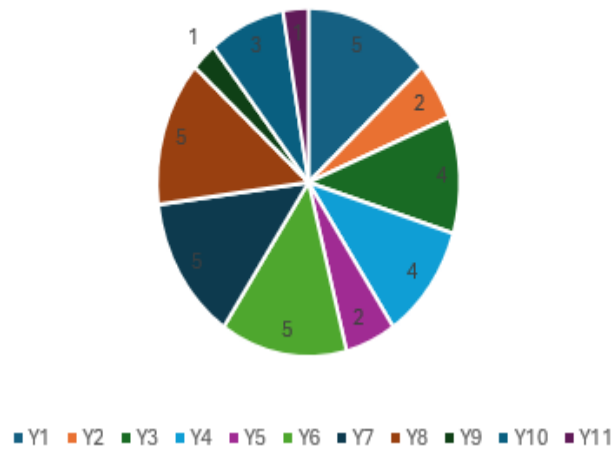
(SOURCE: GOV.UK, 2024a)

Middlesbrough

17. As at 3rd October 2024 (census date), Middlesbrough had 37 children missing from education
The demographics were as follows:



CME - Year Group
(as at Census date - 3 October 2024)



Supplementary Evidence

18. Following presentation of the CME statistics to the Panel during the formal meetings, Members were keen to understand whether the statistics had changed or remained static. To this end, officers sought to obtain more recent data. The following table shows the demographics (i.e. gender, age/year group and ethnicity) of CME in Middlesbrough the course of the scrutiny review:

	Total CME	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25
		37	26	29	38	29
GENDER	Male	16	11	12	18	12
	Female	21	15	17	20	17
	Total	37	26	29	38	29

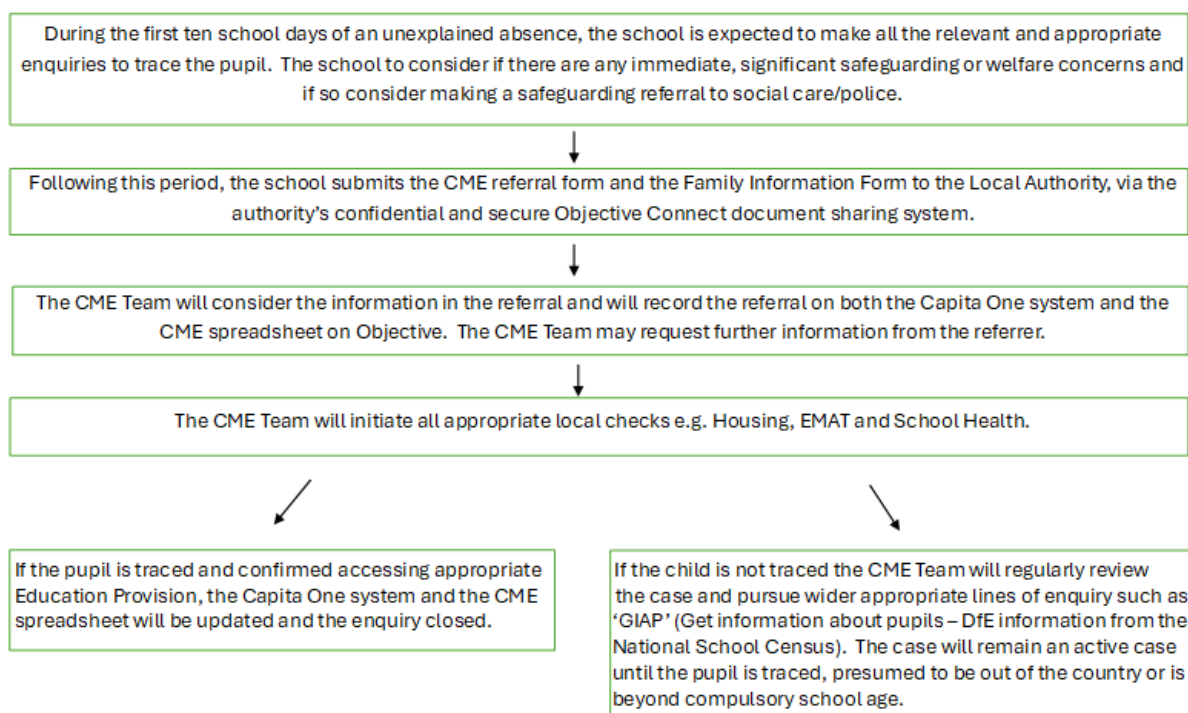
YEAR GROUP	Reception & Nursery	0	0	0	1	1
	Year 1	5	6	5	5	5
	Year 2	2	3	3	5	4
	Year 3	4	3	4	4	4
	Year 4	4	1	1	1	0
	Year 5	2	1	2	3	2
	Year 6	5	2	3	3	1
	Year 7	5	4	4	6	5
	Year 8	5	0	2	2	1
	Year 9	1	1	1	4	3
	Year 10	3	3	4	3	2
	Year 11	1	2	0	1	1
	Total	37	26	29	38	29

ETHNICITY	Bulgarian	2	0	0	0	0
	British	5	3	4	4	3
	Romanian	21	22	21	25	21
	Czech	2	1	3	4	2
	Slovakian	1	0	0	0	0
	Pakistani	1	0	0	0	0
	Arabic	1	0	0	0	0
	Kurdish	4	0	0	0	0
	Nigerian	0	0	0	1	1
	Afghan	0	0	1	1	0
	Iranian	0	0	0	1	0
	Kuwaiti	0	0	0	2	02
	Total	37	26	29	38	29

Term of Reference B – To examine how the LA works with children, young people and their families, and education providers to identify and support CME (e.g. referrals and proactive identification).

19. Guidance issued by the DfE advises that the Education and Inspections Act 2006, Part 1, Section 4 places a statutory duty on all LAs to arrange to identify all children of compulsory school age missing from education in their area (DfE August 2024b).
20. The Education (Pupil Registration) (Amendment) (England) Regulations 2016 (GOV.UK, 2023) placed new statutory duties on all schools from the 1 September 2016 requiring them to inform the LA whenever they were about to remove a pupil from their registers.
21. Circumstances around individual cases can be complex and are not the same for every child. There are a variety of reasons why children miss education, which may include:
 - Children not entering the educational system at the appropriate time.
 - Children being removed from school by their parents due to poor attendance and/or issues at school, which may include bullying, illness and attendance issues/exclusion.
 - The availability of suitable school places when moving to a new area.
 - Children/families having difficult personal circumstances, for example, homelessness/living in temporary accommodation or refuge, or experiencing long-term medical/mental health problems.
 - Children with SEND who may not receive the necessary support in mainstream schooling.
22. In Middlesbrough, the Access to Education service is responsible for children who are missing from education. The team uses a proactive system for finding information about CME, to trace and ensure the return of children to education.
23. The CME Officer monitors information given to the Council by parents, schools, and other agencies (e.g. Child Health Information Service, Child Benefits Agency and Border Force) about children missing from education. For example, excluded pupils, children whose families are seeking a school place, and pupils not enrolled at a school for other reasons.
24. The following diagram illustrates the referrals process currently in place at Middlesbrough Council:

CME Referral Process



Children Looked After – CME

25. The reasons why LAC may not be in school varies, but they usually fit one of the following criteria:

- They have special needs and are awaiting a suitable specialist provision to become available.
- They have recently come into care and have had no school place prior to this. Therefore, a suitable school is in the process of being identified.
- They have moved to an out-of-town location for safeguarding reasons.

26. The most recent statistics released by the Children's Commissioner showed that, in March 2022, across the UK there were approximately 1,363 Looked After Children (LAC) (2.7%) who were not in school. This included children who were not registered at any school and were not receiving suitable education otherwise. By LA, this varied from 0% to 13.4% (Children's Commissioner, 2023a).

27. Data collected from 149 of the 152 local authorities in England showed that, of the 50,846 school-age children who had been in care for at least four weeks in March 2022, 1,363 (2.7%) were missing from school. Of these children:

- 541 were not enrolled with any school or education provider at all;
- 673 were in unregistered settings, such as private tuition, home education or a patchwork of other provision that is not inspected; and
- 149 were enrolled in a school but missing without authorisation 100% of the time.

28. At the 20 January 2025 meeting, Members heard that there were 14 LAC missing from education, which equated to 3.5% of the overall CME cohort. Further to this, 10 (71%) had an Education, Health and Care Plan and 4 (29%) received SEND support.
29. As per the table below, a trend analysis showed that LAC missing from education had risen from 4 (1.2% of the cohort) in September 2023 to 14 (4.2%) in December 2024. Further figures were received upon the drafting of the final report, to include January and February 2025.

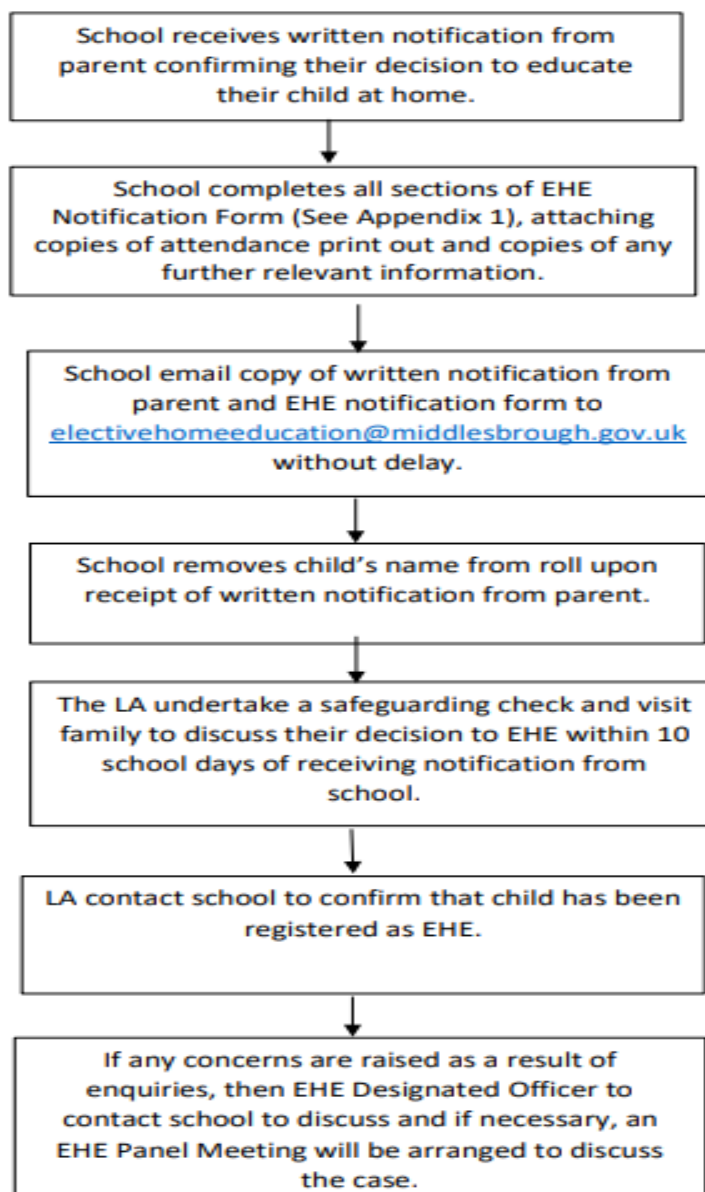
Trend	
September 2023	4 (1.2%)
October 2023	4 (1.2%)
November 2023	5 (1.5%)
December 2023	6 (1.7%)
January 2024	8 (2.3%)
February 2024	11 (3.1%)
March 2024	7 (1.9%)
April 2024	7 (1.9%)
May 2024	7 (1.9%)
June 2024	7 (2.0%)
July 2024	8 (2.3%)
September 2024	15 (4.4%)
October 2024	13 (3.8%)
November 2024	14 (4.1%)
December 2024	14 (4.2%)
January 2025	10 (2.9%)
February 2025	11 (3.2%)

30. Virtual Schools were established by the Children and Families Act 2014. The role of the Virtual School Middlesbrough (VSM) is to promote the educational achievement of LAC and children previously in care. This includes children with a Social Worker and from September 2024, children in kinship care. The Head of Virtual School works closely with Schools, Social Workers and other professionals to share information and ensure that all parties are aware of the child's educational needs and progress.
31. The VSM plays a crucial role in tracking and monitoring the educational progress of children in care and assists with attendance monitoring, and Personal Education Plans (PEPs).

Elective Home Education (EHE)

32. The King's Speech in July 2024 set out plans to require LAs to maintain a register of CME children and EHE children.
33. Parents and carers have a legal responsibility to ensure that every child of compulsory school age receives an efficient full-time education. This must be suitable to the age, ability and aptitude of the child and to any SEN the child may have.

34. EHE is a term used to describe a choice by parents to provide education for their children at home, or at home and in some other way which they choose - instead of sending them to school full time.
35. Once schools receive notification from parents on their intentions to 'home school' their child(ren), the school has a duty to notify the LA without delay that the child is to be removed from their school roll.
36. The school should then follow the procedure below:



37. The EHE team reviews the quality of education that parents are providing for their children. Where this is deemed to be inadequate, the team will make arrangements for the child to return to school. This may involve the use of statutory powers by way of a School Attendance Order (SAO)
38. At the 20 January 2025 meeting, the Panel was advised that there were around 272 EHE children in Middlesbrough. This represents a significant upward trend in comparison to the figure of 120, two years ago. The Panel recognises that schools are encouraged to take attendance issues seriously, however that there is a concern that the more pressure placed on

parents, the more likely they are to remove children from school to commence EHE. The Panel acknowledges that this is particularly apparent for children with significant attendance issues and where SAOs were in progress.

Term of Reference C – To investigate what additional resources, if any, could be accessed to assist with CME.

39. During the evidence-gathering process, a number of Middlesbrough's Primary and Secondary Schools were approached and invited to participate in the review. A copy of the correspondence sent to school Headteachers is shown at Appendix A. Representatives were asked for their views on how CME affected their schools and if there were any specific support/improvements that could be identified. The Panel was particularly interested in matters relating to suspensions/permanent exclusion and transient communities.
40. Overall, two Secondary Schools and one Primary School indicated that they wished to participate:
- A representative from Secondary School A attended the Panel meeting on 20 January 2025 to provide information and respond to Members' queries.
 - A representative from Secondary School B had agreed to attend the 17 February 2025 meeting of the Panel, but unfortunately needed to submit late apologies due to unforeseen circumstances.
 - A representative from Primary School A provided a written statement to the Panel, which facilitated discussion at the 17 February 2025 meeting.

Secondary School A

41. At the 20 January 2025 meeting, the representative of Secondary School A, expressed their views that CME was a national problem but felt that Middlesbrough's deep-entrenched issue of poverty simply magnified the issues.
42. The representative advised that an increase in the number of family support workers would be beneficial and felt that the Early Help model in Middlesbrough could be improved. In addition, the representative was of the view that Middlesbrough does have issues with permanent exclusion, however the LA has limited resources to assist schools with this.
43. The representative also felt that the level of resource within the existing SEND provision was insufficient and may influence the number of CME. It was envisaged that although Middlesbrough has SEN facilities rated as outstanding, waiting lists could be significant. These views were echoed by the Head of Virtual School as a contributory factor of the increase in LAC missing from education. Members note that there is difficulty in finding school places for SEN; and therefore, an instability in places and insufficiency nationally has driven the increase in the number of CME.
44. Members are of the view that these issues could be examined further by the service area.

Primary School A

45. Primary School A, submitted the following information in writing, which was considered by the Panel at the 17 February 2025 meeting:

"At our school, we have a lot of families that move between authorities and as a school, we sometimes struggle to get an update on the child/ren and their wellbeing from parents."

We sometimes can't provide support to families that need to get their child in to school due to language barriers and when they have left the area abruptly, not giving school the opportunity to discuss their options with them.

We feel like 20 days is a long time and a lot can change in family circumstances during this time and when the child is in a different authority there is no way of ensuring that they are safe."

46. As the school's statement refers to issues of CME and transient communities, this is further discussed within Term of Reference E: 'To consider the challenges of transient communities and how the EMAT track and work with newly arrived families.'

Term of Reference D – To consider any potential implications/impact/challenges of CME on providers and services

47. Over the course of the investigation, it became apparent that service providers face a number of potential barriers. Equally, however, similar barriers can also be faced by service users (e.g. parents, carers, children and their wider families). The issues are particularly relevant to children with SEN.

48. In terms of national challenges, the Children's Commissioner found the following to be pertinent (Children's Commissioner, 2023b):

- Delays in transferring EHCPs when children are placed out of area.
- Schools often lack capacity or expertise to support children with SEN.
- Some children receive education from unregistered settings, posing risks to their education and safety.
- Placement type, stability, and location of care placement affects school attendance.

49. The Representative of Secondary School A suggested that there were challenges on schools and can be summarised as follows:

- Local demographics and the impact of poverty.
- Middlesbrough's Early Help model.
- Attendance issues / permanent exclusions and lack of resource to assist with this.
- Parents choosing EHE when challenged by service providers on attendance/behavioural issues. Schools chase non-attendance rigorously and are monitored by Ofsted on their attendance figures; schools tend to have their own Attendance Officers and Safeguarding Officers in place.
- Lack of SEN places / resource.

50. The Representative of Primary School A suggested that the following situations prove challenging to schools:

- Transience: Families moving in and out of the local area, sometimes abruptly with no communication from parents/carers.
- Language barriers affecting support given from schools.
- The 20-day period of children being absent from school, before referrals can be made to the LA/children can be removed from the school roll ('off-rolling').

51. Throughout the evidence-gathering process, challenges highlighted by the LA included:

- Local demographics.

- The high rate of permanent exclusion and suspension from Middlesbrough secondary schools and no nationally recognised definition of persistent disruptive behaviour.
- Ensuring that all relevant partners are aware of CME and are appropriately trained to identify potential cases effectively and efficiently.
- Difficulty in sourcing SEN/Alternative Provision (AP) places (a national issue).
- Reasons behind parental choice in EHE.
- Shortage of Primary School places in central Middlesbrough due to the transient nature of this area.

Term of Reference E - To consider the challenges of transient communities and how the Ethnic Minority Achievement Team (EMAT) track and work with newly arrived families

52. According to a report by the Children's Commissioner (2024), families moving into the local area may experience issues that would result in CME, for example:

- ***Families moving into the Local Authority area from another country.*** LAs reported that in some areas there was a growing immigrant community and they had been unable to plan for their arrival, which meant that they were suffering from a shortage of suitable school places. LAs also advised of refugees arriving and not being given the support needed to navigate the education system and enrol in school. LAs said that they did not get information on children who arrived in their area and therefore children arriving from abroad sometimes 'fell below the radar' and consequently did not receive a suitable education.
- ***Families moving from one Local Authority area to another.*** LAs said that this was becoming a bigger problem as some schools, such as secondaries, were increasingly at capacity. It was noted that this could be a problem in cases where children were moved into temporary accommodation. In this scenario, sometimes children were not enrolled in school because parents thought their move would be short term. When children move from one LA to another at non-standard transition points, their families sometimes have trouble applying to schools. LAs said that children who arrived new to an area would have limited choice about which school to go to. Sometimes a suitable school could not be found, which was especially likely in instances where a child had SEN and required extra support.

53. The town centre is the main area of residence for transient communities in Middlesbrough and, as such, there is a shortage of Primary School places in this location which could result in newly arrived children waiting for a suitable place to become available. However, the Panel notes that there are sufficient school places available for all of the children in Middlesbrough, but sometimes families find it difficult to travel longer distances to attend school in other parts of the town. Members were provided with the most recent Middlesbrough data in respect of this matter which showed that in the Summer of 2024, 11 primary-aged children had been waiting for a school place for over one month (but none had been waiting over three months). At the same time, there were around 45 secondary-aged children awaiting places, (the majority of these children had received offers of school places before the end of term).

Ethnic Minority Achievement Team (EMAT)

54. At the 11 November 2024 meeting, the Panel heard of the challenges of transient communities in Middlesbrough and how EMAT track and work with newly arrived families.

55. EMAT comprises of a variety of professionals including teachers, teaching assistants, and family support workers. EMAT works with schools to support pupils who speak English as an

additional language (EAL), and traveller, fair and circus pupils, to access education. The team also works with families who speak English as an additional language to help them to apply for school places for children.

56. EMAT provides the following support to schools and families:

- Supports and promotes the educational achievement of Black, Asian and Minority Ethnic (BAME) students.
- Welcomes International New Arrivals (INA) and supports them in accessing school and educational opportunities.
- In partnership with schools, offers targeted in-school support to promote EAL across the curriculum and support EAL learners to achieve.
- Acts as an important link between school and home; attending admissions meetings and providing translation and interpreting services to help with communication between school and home.
- Provides and promotes cultural awareness.
- Delivers training, including bespoke training packages in schools.
- Assesses students' language upon first arrival to accurately identify need and provide a focus on pupil progression.
- Attends meetings and networks with other professionals working with EAL learners and their families to ensure a co-ordinated approach.
- Provides in-school support to traveller, fair and circus students and family liaison to improve attendance and educational opportunities.

57. EMAT is a buyback service and therefore in-school support is limited to partner schools and LAs that have signed a Service Level Agreement (SLA). In November 2024, the position of EMAT was:

- 22 schools had signed up to the EMAT SLA and been invited to attend support training.
- 1 Local Authority had signed up to the EMAT SLA for Traveller Education Services (TES).
- 5 Specialist/Bilingual Teaching Assistants had been deployed in schools.
- 4 Family Support Workers provided daily liaison between EMAT and schools to provide support in matters such as behavioural issues, attendance support and school transport applications, etc.
- 30 children from the traveller community supported in Middlesbrough Council.
- 40 children from the traveller community supported in Redcar and Cleveland.

58. Currently an overwhelming majority of CME referrals in Middlesbrough are children from the families of migrant workers from central Europe. The families will often return to their home countries either permanently or for extended periods or move to other areas of the UK but fail to declare accurately their intentions to schools at the time the pupils cease attending, which then causes issues for the education providers.

59. Should the family return to the UK they may well return to a different LA area dependant on work and housing availability. In the main, the families do not usually present with significant welfare or safeguarding concerns. The impact on Middlesbrough's central cluster Primary Schools is significant with schools carrying high levels of absence whilst enquiries are made to trace such pupils before the schools can remove them from roll. There is a similar burden placed on the LA in recording these cases and conducting enquiries to try to trace families who are no longer in the UK.

60. Primary School A, based in central Middlesbrough with a large transient population, responded to the Panel's request for their views on how CME impacts their school offer. The response included;

“We sometimes can’t provide support to families that need to get their child in to school due to language barriers and when they have left the area abruptly, not giving school the opportunity to discuss their options with them.

We feel like 20 days is a long time and a lot can change in family circumstances during this time and when the child is in a different authority there is no way of ensuring that they are safe.”

61. In response to this statement, the Head of Access to Education and Alternative Provision explained that the 20-day timescale referred to in the school’s statement is the timescale that children need to be continually absent from school before schools can refer the issue to the LA. In addition, schools must ensure that children remain on their school roll until the 20-days have expired.
62. After 20 days, LAs could use resources to trace CME including health agencies, housing benefit services and other LAs. LAs will continue to search for CME until they are found in another LA or if evidence suggests that they had left the country.
63. All schools (including academies and independent schools) must notify their LA when they are about to remove a pupil’s name from the school admission register under any of the 15 grounds listed in the regulations (Appendix B)
64. Where the pupil’s name is to be removed from the register under grounds 8(1)(f) - failure to return to school following a granted period of leave – or 8(1)(h) following a period of 20 days unauthorised absence, the school and the LA must show they have jointly made reasonable enquiries to establish the whereabouts of the pupil. In order to manage the volume of removals from roll and not impede or delay the freeing up of school places, the pragmatic decision has been made within Middlesbrough to allow schools to remove pupils from roll and inform the LA weekly of the necessary details and grounds for removal via the secure Objective Connect Shared Workspaces.
65. The regulations Reg 8(1)(f) relating to families taking extended unauthorised holidays and Regulation 8(1)(h) relating to ‘lost pupils’ are often not a good fit and require the school to keep the pupils on roll for up to 20 days absence before they can be removed from the roll. Provided the school is satisfied that the family has returned to a known address in their home country, either permanently or indefinitely, the pupil can be removed from roll in compliance with regulation 8(1)(e) and without the need to make a CME referral. To facilitate this process, a Family Information Form has been produced to:
 - Support schools to remove pupils from roll in compliance with the regulations.
 - Minimise the negative impact on school attendance.
 - Support and direct the reasonable enquiries that must be jointly undertaken with the LA for confirmed CME cases
66. The concerns raised by Primary School A are noted by the Panel, who also appreciate that this particular school has a large transient community, with an above average movement of children on and off the school roll. It was suggested that the school may appreciate discussions with the LA ahead of the 20-day period of absence to ensure school places were utilised effectively. Members are of the view that this could be explored further with the service area.

Term of Reference F - To consider the increasing number of permanently excluded children in respect of Children Missing Education

67. A permanent exclusion is when a pupil is no longer allowed to attend a school, unless the pupil is reinstated. The decision to exclude a pupil permanently should only be taken:

- in response to a serious breach or persistent breaches of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

68. Only the Headteacher of a school can suspend or permanently exclude a pupil on disciplinary grounds. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.

69. The Government trusts Headteachers to use their professional judgement based on the individual circumstances of the case when considering whether to exclude a pupil. The following reasons are examples of the types of circumstances that may warrant a suspension or permanent exclusion:

- Physical assault against a pupil.
- Physical assault against an adult.
- Verbal abuse or threatening behaviour against a pupil.
- Verbal abuse or threatening behaviour against an adult.
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy.
- Bullying.
- Racist abuse.
- Abuse against sexual orientation or gender reassignment.
- Abuse relating to disability.

(Source: DfE, 2024c)

70. This list is not exhaustive and is intended to offer examples rather than be complete or definitive.

71. Nationally, the rate of permanently excluded children is increasing. Data published by the DfE showed the permanent exclusion rate across England had increased from 0.04 in autumn 2022/23 to 0.05 autumn 2023/24 - an increase of 25%. The number of permanent exclusions had increased from 3,104 to 4,168. (DfE, 2024d).

72. In a local context, data for the 2023/24 academic year identified that 111 pupils were permanently excluded from Middlesbrough schools. The reasons for the permanent exclusions were as follows:

Reason for school exclusion:	Number of children excluded:
Persistent Disruptive Behaviour	66
Physical Assault on an Adult	14
Physical Assault on a Pupil	10
Damage to Property	9
Verbal Abuse / Threatening Behaviour towards an Adult	5

Verbal Abuse / Threatening Behaviour towards a Pupil	3
Other	3
Use / Threat of an Offensive Weapon	1

Alternative Provision

73. The LA has a duty to arrange suitable full-time education for permanently excluded pupils from the sixth school day of exclusion. School exclusions and CME are dealt with by the Access to Education team. In Middlesbrough, sixth day education provision is delivered by several registered APs.
74. AP offers an adapted or alternative curriculum for children unsuccessful in accessing or engaging with a mainstream education. AP also encompasses provision available for children who are unable to attend school because of their physical and/ or mental health needs. A proportion of children in AP have additional vulnerabilities or characteristics, often because of trauma and adverse childhood experiences. For the children in AP, it offers an opportunity to gain qualifications (both vocational and academic) alongside participating in personal development activities whilst developing transferable skills and knowledge, which support onward progression into post-16 pathways after Year 11.
75. In education, Middlesbrough has witnessed significant increases in children and young people requiring AP; being referred for Education, Health and Care needs assessments; being persistently absent; and being subject to permanent exclusions from educational settings. This data, coupled with increases in children and young people requiring social care intervention; support from mental health services; and the lasting impact of the global pandemic, highlights an ever-growing need to provide environments that are rich in positive and nurturing relationships, and one where children and young people can achieve their potential ('grow and prosper' (Middlesbrough SEND strategy 2020-2024)). Specifically in relation to LAC, Middlesbrough has recently developed the PROCLAIM Project to support children and address their needs.
76. The majority of children accessing AP in Middlesbrough do so as a consequence of Permanent Exclusion. However, access to AP may also be due to other reasons such as children having multiple complexities and vulnerabilities. These children receive support from numerous external agencies and education providers.
77. As at December 2024, 279 children (264 secondary, 15 primary) were accessing education in AP, as follows:
- 188 accessed as result of being permanently excluded from their mainstream school.
 - 108 had identified SEN.
 - 42 had an EHCP for their SEN.
 - 38 were open to Social Care on a Child in Need plan (CIN).
 - 13 were open to Social Care on a Child Protection Plan (CPP).
 - 8 were LAC.
 - 7 were open to the Youth Justice Service.
78. Most pupils in AP receive a full-time education, however, 39% of children access the provision on a reduced timetable basis. These reduced timetables are used to accommodate an

assessment/ transition plan or because it is in the child's best interests to reflect their individual needs.

79. At times when exclusion rates are high or there is a high volume of permanent exclusions over a short period of time, some pupils wait for a place to become available at one of the registered providers. During this period, these children are offered an interim education package which is coordinated by the LA, and they receive regular visits from LA staff. At the 16 December 2024 meeting, Members noted that there were 22 children receiving an interim education package.
80. Due to the high number of permanently excluded children, the cohort of children in AP has grown significantly from 147 in 2021 to 279 in 2024. To ensure there is sufficient capacity in the system to meet sixth-day responsibilities and to allow children to experience their mainstream education entitlement wherever possible, the LA is working with Secondary School partners to prioritise reintegration back into mainstream education. This will allow children who are in AP to move back into mainstream education when they are ready. It also means that an increased number of newly excluded children can be reviewed and reintegrated into another mainstream school quickly to avoid them entering AP.
81. Middlesbrough Council has commissioned a range of good quality AP and specialist assessment provision. A 0-25 Inclusion and Outreach service has been developed in partnership with and is available to all schools.
82. The Panel notes that the 0-25 Inclusion and Outreach model has recently been restructured based on feedback from schools to ensure it meets local needs. Preventative AP pathways are in place, commissioned using high needs funding, to offer opportunity for off-site assessment of children's needs. New preventative AP has been commissioned, e.g. Latitude at Acklam Grange School, to avoid exclusions. A new primary age support base is being built for children with trauma and adverse childhood experiences to support early identification of needs ahead of a transition to secondary school. The LA is delivering project work in other key areas, such as: workforce development; transitions; and support for parent/carers as part of the Delivering Better Value programme with the DfE.

CONCLUSIONS

83. Based on the evidence provided throughout the investigation, the People Scrutiny Panel concluded that:

TO BE CONSIDERED BY THE PEOPLE SCRUTINY PANEL ON 14TH APRIL 2025.

RECOMMENDATIONS

84. The People Scrutiny Panel recommends to the Executive:

TO BE CONSIDERED BY THE PEOPLE SCRUTINY PANEL ON 14TH APRIL 2025

ACKNOWLEDGEMENTS

85. The People Scrutiny Panel would like to thank the following for their assistance with its work:

Dawn Alaszewski, Director of Children's Care, Middlesbrough Council
Victoria Banks, Head of Virtual School, Middlesbrough Council
Caroline Cannon, Head of SEN and Vulnerable Learners, Middlesbrough Council
Emma Cowley, Head of Inclusion, Assessment and Review, Middlesbrough Council

ACRONYMS

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

AP	Alternative Provision
BAME	Black, Asian and Minority Ethnic
CIN	Children in Need
CLA	Children Looked After
CME	Children Missing Education
CPP	Child Protection Plan
DfE	Department for Education
EAL	English as an Additional Language
EHCP	Education, Health & Care Plan
EHE	Electively Home Education /Educated
EMAT	Ethnic Minority Achievement Team
INA	International New Arrival
LA	Local Authority
LAC	Looked After Children
NEET	Not in Education, Employment or Training
PEP	Personal Education Plan
SAO	School Attendance Order
SCIE	Social Care Institute for Excellence
SEN	Special Educational Needs
SLA	Service Level Agreement
VSM	Virtual School Middlesbrough

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APPENDICES

Appendix A	Correspondence to Headteachers/Schools inviting them to participate in the Panel's review.
Appendix B	School Off-Rolling Criteria

**COUNCILLOR EDWARD CLYNCH
CHAIR OF THE PEOPLE SCRUTINY PANEL**

People Scrutiny Panel Membership: Councillors E Clynch (Chair), J Banks (Vice-Chair), L Hurst, D Jackson, M McClintock, T Mohan, M Nugent, S Platt, S Tranter, Z Uddin, G Wilson and L Young.

Contact Officers:

Claire Jones
Democratic Services
Telephone: 01642 729112
Email: claire_jones@middlesbrough.gov.uk

Chris Lunn
Democratic Services
Telephone: 01642 729742
Email: chris_lunn@middlesbrough.gov.uk

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