

Open Report on behalf of Debbie Barnes, Executive Director of Children's Services

Report to:	Children and Young People Scrutiny Committee
Date:	24 October 2014
Subject:	School Admissions and Exclusions in Lincolnshire

Summary:

This report provides an update on the content and progress of the original and supplementary action plan, and a progress report on the introduction to schools and implementation of recommendations from the Inclusion Review in December 2013.

Actions Required:

The Children and Young People Scrutiny Committee is invited to

1. receive and comment on the content and progress of both action plans, and the content of the Inclusion Review update report.
2. continue to monitor the actions arising from the recommendations of the Inclusion Review.
3. receive a report in July 2015 detailing the impact of the Inclusion Review action plan on pupil exclusions.
4. continue to monitor the trend in exclusions as a measure of impact of any immediate and long-term proposals that might be agreed.

1. Background

Previous reports brought to the Children and Young People Scrutiny Committee are:

- A. The first monitoring update on the implementation of the School Admissions and Exclusions Action Plan agreed by Children and Young People Scrutiny Committee on 1st March 2013 following the Scrutiny Review in January 2013. Appendix 1 reports on the progress made against the action points.
- B. A synopsis of the findings of '*Always Someone Else's Problem*' – the Office of the Children's Commissioner's Report published in April 2013. Appendix 2 includes the recommendations and the Government's response to these as presented in October 2013.

C. Rising Exclusions and the Supplementary Action Plan. Appendix 3 reports on the progress of the actions identified following consultation with headteachers and governors. The areas identified in Appendix 3b will be addressed in Appendix 4.

Inclusion Review

Appendix 4 reports on the progress made on the recommendations from the Inclusion review. The Inclusion Review was presented at Executive DMT in February 2014. The key areas of work around which the action plan was built were:

- To strengthen the early intervention capacity in both primary and secondary schools.
- To support the further development of an appropriate and meaningful educational offer at Key Stage 4.
- To help schools and academies gain even more impact from working together through locally determined support and outreach.
- To commission outreach support for pupils, and capacity building services for schools at a local level.
- To explore options with regard to bringing new education providers into those parts of Lincolnshire where there is poor coverage, whilst maximising the potential of organisations already delivering within the Local Authority area.

The six principles that underline the direction taken are:

- Collective ownership of all issues i.e. secondary schools will take responsibility of the management of children with challenging behaviour within the schools in their locality through Pupil Placement Panels.
- The prevention of exclusions by addressing issues at point of risk of exclusion.
- All schools are involved in the gatekeeping and referral process.
- Positive practice is encouraged and negative challenged.
- An aspiration for zero exclusions
- A reduction of pressure on the High Needs Funding block caused by exclusions.

Appendix 4 provides an action plan of progress made on the implementation of the recommendations from the Inclusion Review.

2. Conclusion

Exclusions in Lincolnshire remain a concern as the impact of the actions implemented are yet to be evident. Progress has been made to address some of the urgent issues which are inhibiting schools and the local authority to make a difference to the number of exclusions and therefore the lifelong opportunities for our young people in Lincolnshire. Further implementation of actions identified should open up opportunities to provide early intervention for young people with challenging behaviour and thus prevent exclusions being the only available option to manage behaviour effectively.

3. Consultation

a) Policy Proofing Actions Required

No policy proofing is required for this report.

4. Appendices

These are listed below and attached at the back of the report	
Appendix 1	School Admissions and Exclusions Action Plan - Second Monitoring Update
Appendix 2	Government's Response to the recommendations of 'Always Someone Else's Problem'
Appendix 3	Exclusions And Admissions - Supplementary Action Plan
Appendix 4	Update report on introduction and implementation of the recommendations from the Inclusion Review

5. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by John O'Connor, who can be contacted on 01522 553213 or John.O'Connor@lincolnshire.gov.uk.

Appendix 1: RESPONSE TO SCHOOL ADMISSIONS AND EXCLUSIONS IN LINCOLNSHIRE – ACTION PLAN ARISING FROM RECOMMENDATIONS

Recommendation	Recommendation Accepted? Yes/No	Initial Response	Action	Timescale	Who	Progress
<p>1. The mid-term admission process introduced by this Council in 2010 has proven to be a very effective way of bringing children into education during the school year. The requirement for such a centralised system is to be removed from September 2013 and it is recommended that the system should be maintained after this date and for schools to be encouraged to use this process.</p>	<p style="text-align: center;">Yes</p>	<p>Schools must make their own decision around joining in a centralised system however, the current system is found beneficial by most schools and parents.</p>	<p>Admissions teams to write to schools.</p>	<p>June 2013</p>	<p>John O'Connor</p>	<p>Majority of respondents agreed to continue with the Local Authority coordinating mid-year admissions from September 2013.</p> <p style="text-align: center;">Action complete</p>
<p>2. The Task and Finish Group noted the work of the Lincolnshire Parent Partnership Service and recommends that this Service is advertised as widely as possible to ensure that all parents who require assistance are made aware of the support available.</p>	<p style="text-align: center;">Yes</p>	<p>Welcome the recognition of the valuable work of Parent Partnership services.</p>	<p>Parent Partnership to review Communication Strategy.</p>	<p>September 2013</p>	<p>David McWilliams</p>	<p>The Parent Partnership Service (PPS) website has been remodelled and updated making it more accessible to parents. In addition, 5 Parent 'drop ins' have been delivered across the county attended by parents representing 70 children with Special Educational Needs (SEN) to raise awareness of the support service available to them. The Stakeholder Board of PPS have recommended</p>

Recommendation	Recommendation Accepted? Yes/No	Initial Response	Action	Timescale	Who	Progress
						<p>that all paper based information products are 'put on hold' for updating until legislative changes on SEND presented in the Children and Families Act 2014 are clear.</p> <p>Action complete</p>
<p>3. The Task and Finish Group noted the work of the Choice Advisers in supporting parents with the admission process to school and recommend that this service is promoted to the parents who require the service.</p>	<p>Yes</p>	<p>Welcome the recognition of the value of the Choice Advisors.</p>	<p>The promotion of Choice Advisors reviewed.</p>	<p>Formal merger September 2013</p> <p>End of Transition Phase April 2014</p>	<p>John O'Connor</p>	<p>The Choice Advice Service and the Parent Partnership Service were merged after a formal consultation during the summer 2013. The new, 'integrated' Service took effect from the 1st September. However, we have agreed a phased approach to the transition and will continue to support parents up until April 2014. This will allow time to resolve existing issues and to ensure both parents and staff are fully conversant in the new approach to providing support.</p> <p>Choice Advisors now part of the Information Advice</p>

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						<p>and Support They support parents who of children with Special Educational Needs or Disability. The admissions team, CSC and EMTET are now responsible for supporting parents who do not understand the admissions process.</p> <p>Action complete</p>
<p>4.Lincolnshire County Council should write to the Secretary of State for Education enclosing a copy of this report and raising the following issues:</p> <p>a) to highlight the pressures that schools are placed under to meet national floor targets, and that the pupil profile of a particular school should be taken into account when setting these targets.</p> <p>b) to request that a letter is sent to all local authorities in the country reminding them of their legal obligations in respect of informing receiving local authorities when they place children and young people within</p>	Yes	The Executive Councillor welcomes this recommendation by the task group.	The report along with a letter highlighting key points will be sent by the Executive Councillor to the Secretary of State.	Originally April 2013 - deferred to October 2013 in the light of the publication of "Always Someone Else's Problem and the Government Response to it (published late August 2013)	Cllr Bradwell	The Children & Young People Scrutiny report was submitted to the National Review conducted by the Office of the Children's Commissioner. The letter to the Secretary of State was deferred until the outcome of "Always Someone Else's Problem and the Government Response was known (August). To some extent the issues originally identified have been partially addressed in the Government's response. The letter will focus on those that have not.

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<p>their electoral boundaries. This will allow the receiving local authority to monitor the impact on school admissions and the availability of school places.</p> <p>c) to request clear and unequivocal guidance relating to unofficial exclusions from academies. This should include clear mechanisms around notification to the local authority of such exclusions and a formalised mechanism around recharging for educational provision for these pupils.</p> <p>d) to highlight the costs implications on the local authority and the impact of informal exclusion and slow admission on the learner in the absence of clear and unequivocal guidance around implementation of fair access protocols including clear timescales for the admission of learners.</p> <p>e) to request that the previous policy to reintegrate children who have been temporarily excluded from school is reintroduced with reference to the readmission meeting held by the school.</p>						<p>Letter was sent to the Education Secretary</p> <p>Action complete</p>

Recommendation	Recommendation Accepted? Yes/No	Initial Response	Action	Timescale	Who	Progress
<p>5.Lincolnshire County Council should write to the District Councils in Lincolnshire to request that the County Council is included as a statutory consultee when they consider planning applications for new residential developments or where there is a proposed change of use application in respect of independent children's homes. This will allow the County Council to highlight to the District Councils whether there will be any major impacts on school admissions and places in that area and for the County Council to be made aware that further school provision may be required to cope with additional pupils from outside of Lincolnshire.</p>	Yes	Welcome the support of District Councils.	A letter will be sent to District Councils from the Director of Children's Services.	April 2013	Debbie Barnes	<p>Completed. Letter sent (copy available on request)</p> <p>Action complete</p>
<p>6.The Task and Finish Group was keen to ensure that the Local Authority continues to have in place effective monitoring and accountability protocols to ensure that wherever possible and in accordance with parental preference and the legislative requirements that pupils are admitted into their local school</p>	Yes	The processes and protocols have been reviewed during the life of the task group and are robust.	An annual report will be brought in the autumn term for the previous academic year.	December 2013	John O'Connor / Gary Nixon / David McWilliams	<p>Annual Report will be ready by due date.</p> <p>There are currently the following reports produced indicating the monitoring of admissions and exclusions</p> <ul style="list-style-type: none"> - Annual report to the Office of Schools Adjudicator

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<p>speedily particularly in the context of increased academisation in Lincolnshire. The Local Authority should continue to monitor and challenge this and will provide appropriate information to the Children and Young People Scrutiny Committee on an annual basis.</p>						<ul style="list-style-type: none"> - An 'in and out' spreadsheet updated termly indicating number of children admitted into schools and number out (including excluded, EHE). This is shared with schools. - A monthly DMT report on permanent and fixed term exclusions <p>An annual report will look at combining this information to present to DMT and CYPSC July 15.</p> <p>Work in progress</p>
<p>7.Lincolnshire County Council should forward the final report to the Children's Commissioner for inclusion in the call for evidence for the Year 2 School Exclusions Inquiry looking at inequalities and unofficial exclusions.</p>	Yes	Completed	Completed	Completed		Action complete
<p>8.The Task and Finish Group acknowledged that there is extensive helpful information provided to parents and carers around admissions and</p>	Yes	Information on admissions and exclusions includes information for parents.	As and when information is revised, a review of parent information will be included in the	April 2014	Head of Service	Letter drafted and information will be sent out to schools in November 2013 with updated legislation.

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exclusions but agreed that the County Council needs to ensure that the information provided clearly sets out parental responsibilities and rights.			process.			Action complete
<p>9.The Education Out of School Team should advise and support maintained schools and academies by:</p> <p>a) redistributing the Exclusions Policy to all maintained schools and academies as a reminder of their legal responsibilities and statutory duties when considering or implementing an exclusion;</p> <p>b) writing to all maintained schools and academies in Lincolnshire to advise them of their responsibility to ensure that the Local Authority was informed should a young person on their roll not be in education; and</p> <p>c) writing to all the existing academies in Lincolnshire and any new academy once it has opened, so that they are aware of their legal obligation to ensure that the new independent review panels for exclusions are independent.</p>	Yes	Welcome task groups recommendation to continue to highlight the work of the Education Out of School Team and guidance on exclusions to all schools in Lincolnshire.	The Education Out of School Team will ensure that schools receive the information as outlined in the recommendation.	September 2013 onwards	Gary Nixon / Phil Whitworth	<p>All schools will have received the relevant letters and information by the end of November 2013</p> <p>Exclusion Policy was redistributed to all maintained and academy school in September 2013</p> <p>Reminders to schools on policy and legal requirements around exclusion are sent regularly to school through the e-courier or service area bulletin</p> <p>Action complete</p>

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<p>10.The Task and Finish Group fully supports and values the work undertaken by the Education Out of School Team who provide valuable support to maintained schools and academies to ensure that they fully understand their legal obligations in respect of exclusions, and monitor exclusions at maintained schools during their transition into academy status. The Task and Finish Group recommends that the resource to this Team is maintained.</p>	<p>Yes</p>	<p>The work of Education Out of School Team is valued.</p>	<p>The views of the task group are noted.</p>	<p>Completed.</p>		<p>Action complete</p>
<p>11.The Task and Finish Group recognised the value that the Lincolnshire Parent Partnership Service provides to parents and carers in Lincolnshire and that they are often made aware of specific issues around admissions and exclusions relating to SEN pupils. A process should be established for officers to obtain information and data from the Lincolnshire Parent Partnership Service on</p>	<p>Yes</p>	<p>The value of the Parent Partnership is recognised and the suggestion of information from the service on an annual basis welcomed.</p>	<p>Information from the Parent Partnership service to be included in an annual report on Exclusions and Admissions to Scrutiny as with in Action 6.</p>	<p>December 2013</p>	<p>John O'Connor / Gary Nixon / David McWilliams</p>	<p>6 Weekly Meetings now take place and In relation to the issues of sharing data, these issues have been resolved and processes for sharing data in a safe and timely manner are currently being developed.</p> <p>To be included in the annual report for July 2015.</p>

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admissions and exclusions for children and young people with special educational needs so that any issues arising from the information can be addressed. This should be an annual report that is sent to the Children's Services Departmental Management Team and to the Children and Young People Scrutiny Committee.						Work in progress
12.The Task and Finish Group recognises the importance of the work undertaken by the Lincolnshire Teaching and Learning Centre and recommends that resources allocated for this service are maintained.	Yes	The value of the Teaching and Learning Centre is noted.	The recommendation is noted subject to legislative changes.	Completed.		Action complete see Appendix 4 for further progress
13. The Task and Finish Group has been mindful of the United Nations Convention on the Rights of the Child as this Review has progressed. In particular, every child's right to an education to develop each child's personality, talents and abilities to the fullest and to encourage each child to reach the highest level of education that they are capable of. The Group recommends that this	Yes	The Council is mindful of the United Nations Convention on the Rights of the Child and will continue to be so.	Staff reminded of the United Nations Convention on the Rights of the Child at meetings and when drafting policies.	December 2013	David McWilliams	The local authority and the wider Children's Partnership have a Children, Young People and Families Participation Strategy. This is underpinned by the principles and Values of the United Nations Convention on the Rights of the Child and in particular Article 12. The LCC Participation Team

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Council remains mindful of this Convention in all strategies and policies it develops in relation to admissions and exclusions, and ensures that it reminds all schools in the County of these expectations as necessary.						<p>champion the strategy and this work is also carried forward through the Lincolnshire Participation Action Group (LPAG).</p> <p>Action complete</p>

Appendix 2: Government's Response to the recommendations of 'Always Someone Else's Problem'

Recommendation 1

We recommend that the DfE should work together with the Government Equalities Office and Equality and Human Rights Commission to produce statutory guidance for schools and other public educational bodies in interpreting the Public Sector Equality Duties with regard to exclusions.

Response to recommendation 1

Revised statutory guidance on exclusion now makes clear that schools' duties under the Equality Act 2010 apply in relation to their use of exclusion and the Government has issued additional advice on how schools can meet their duties under the Act. Since this response, the Equality and Human Rights Commission has published its own advice to schools on the Equality Act. Officials in the Department commented on this advice, which includes a specific focus on equality in the use of exclusion. The Government does not believe that further guidance is needed on this matter.

Recommendation 2

We recommend that governors be empowered to provide a more robust challenge to schools which exclude. Repeatedly, witnesses to the Inquiry have stated that governing bodies are neither equipped nor willing to provide effective challenge to head teachers when it comes to exclusions, either formal or informal.

Recommendation 3

We recommend that governing bodies be required to nominate a Member to have overall responsibility for behaviour and exclusions, in the same way that they do for LAC, SEN and other issues. This governor should have a specific remit to examine the school's policy and practice on behaviour management, including exclusions, and should receive mandatory training to support them on this. Governing bodies should have a responsibility to review the school's behaviour policy on an annual basis, as they do with numerous other school policies, and a responsibility to ensure that it complies with the law.

Response to recommendations 2 and 3

The Government recognises the vital role that governing bodies play in school accountability and ensuring that every child receives the best possible education. We have high expectations of governing bodies and want to see them focusing their efforts on their three core strategic functions of: setting vision; holding headteachers to account; and making sure school budgets are well spent. In line with these functions, governing bodies have a specific responsibility for performance management of the headteacher. Our role is not to micromanage this process but to put in place a framework that enables effective governance. We are cutting red tape by removing and simplifying duties on

governing bodies, enabling peer-support through the National Leaders of Governance Programme, increasing the availability of leadership development training for chairs, and equipping governors with better performance data. Within this context, it is for individual governing bodies to identify the specific training they need to perform their functions.

Since September 2012, the School Inspection Framework has placed a strong focus on the quality of school governance. It has a specific focus on the effectiveness of governance as a central part of the overall judgement on the quality of a school's leadership and management. This will help to promote high quality governance and improve weak governance arrangements. Ofsted has set out nine criteria for judging the effectiveness of governing bodies. These criteria reflect governing bodies' three core strategic functions and include the extent to which governing bodies hold headteachers to account for teaching, achievement, behaviour and safety, and challenge and strengthen their leadership. Every inspection report will contain an explicit comment on the quality of a school's governance in light of these criteria. Where governance is weak in a school that 'requires improvement', inspectors may recommend an external review of governance arrangements.

The Government has also clarified our expectations and the legal duties on governing bodies in a new plain English, *Governors' Handbook*. This replaced the *Governors' Guide to the Law* and, for the first time, covers both maintained school and academy governing bodies. The Handbook makes clear that governing bodies must comply with their legal responsibilities for administering the exclusion process, as set out in the statutory exclusion guidance, and reinforces the wider role that governors have in holding headteachers to account for the lawful use of exclusion.

Recommendation 4

We recommend that all school-based professionals should have a clear route of accountability which enables them to draw problems to the attention of the relevant external body without fear of reprisals if they consider that a school is informally excluding pupils.

Response to recommendation 4

There is already a clear route for employees to raise concerns that individuals or schools are acting in a discriminatory or unlawful manner. In the majority of cases concerns are best resolved at a local level and the employers of school-based professionals should have established procedures for dealing with whistleblowing and handling grievances. If an employee felt unable to tell their employer that a school was acting unlawfully they could raise their concerns with the Department. Employees that raise concerns are protected from discrimination and unfair dismissal by Employment Tribunals, which have the power to direct reinstatement and require compensation to be paid.

Recommendation 5

We recommend that all schools should, as a matter of course, publish their behaviour policies prominently on their website. Where they do not already contain information on exclusions, they should be amended to do so. This information should include information on the rights of children and their parents, as set out elsewhere in this report. These rights should also be issued to all parents alongside home-school agreements.

Response to recommendation 5

Maintained schools are already required to publish their behaviour policy on the school website. Where schools do not have a website the governing body must make arrangements for the behaviour policy to be put on another website and to make the address and details of the website known to parents. In setting the school's behaviour policy headteachers must determine the standard of behaviour the school expects of its pupils and the sanctions that will be imposed if a pupil's behaviour falls short of those principles.

Academies are also required to have a behaviour policy. The governing body must ensure that there is a written policy to promote good behaviour which sets out the sanctions to be adopted if pupils misbehave. An academy's behaviour policy must be made available to parents and prospective parents. Whilst academies are not required to publish their behaviour policy on their website, in practice many do so.

The Department funds a number of organisations to provide free and impartial advice to parents on matters relevant to exclusion. This includes the Coram Children's Legal Centre, a link to which is included on the Government's new information website, www.GOV.UK. Statutory exclusion guidance makes clear that headteachers and governing bodies should draw parent's attention to relevant sources of advice when notifying parents about an exclusion.

Recommendation 8

The gap regarding accountability for identifying and addressing informal exclusions should be closed. We consider that the legal position is, in many ways, already clear, but that the responsible bodies do not give due regard to their duties in this area.

Recommendation 9

For the sake of clarity, we consider that, for maintained schools, local authorities have responsibility for identifying and addressing informal exclusions. For the increasing number of Academies (including free schools) this responsibility rests with the EFA. We recommend that, as part of its response to this report, the DfE makes a clear statement that it agrees with this assessment, and expects these statutory bodies to give due regard to this issue. This includes an expectation of improvements to the timely and

thorough investigation of any complaints made regarding informal exclusions, and the imposition of appropriate sanctions where schools are acting informally.

Response to recommendations 8 and 9

Wherever possible, complaints about schools are best resolved at the local level. Initially this would be through a school's own complaints procedure. The local authority might also help to resolve complaints about maintained schools.

Where the local complaints process has been exhausted, or there is a need for urgent action, then the Department will consider a complaint that a school has acted unlawfully. The Education Funding Agency is the Department's delivery agency for funding and compliance, with a specific responsibility for considering complaints about academies, including free schools.

The Department has recently reformed and aligned its processes for considering complaints about maintained schools and academies to ensure that complaints are handled promptly, fairly and proportionately. This includes introducing a single online portal for the public to register complaints about schools. The Department has issued guidance to support complainants with clear information about its role in handling complaints.

In considering a complaint the Department takes seriously any evidence that a school has acted unlawfully. It is not the role of the Department to impose sanctions against schools, but if it was identified that a pupil had been informally excluded we would act urgently to ensure that the pupil was receiving suitable, full time education. Where appropriate, this would include taking steps to ensure the pupil was readmitted to the excluding school. Evidence of any unlawful activity would be passed to Ofsted to consider and, if relevant, drawn to the attention of an individual's employer.

Recommendation 10

We recommend that the following measures be considered so as to remove the potential incentive on schools to exclude informally:

- *Any informal exclusions which are found to have taken place should immediately be reported to Ofsted. Ofsted should record this information as part of its monitoring data on schools.*
- *Informal exclusions identified by the EFA (in the case of Academies) or the local authority (in the case of maintained schools) should be reported to, and recorded by, the school's governing body. They should then form part of the evidence provided to the head teacher's annual performance review. This should also be dealt with as a disciplinary matter for the head teacher.*
- *Where a school is found to have falsified registers in order to hide an informal exclusion, this is a criminal offence and should be dealt with accordingly. The*

head teacher should be referred to the National College for Teaching and Leadership for professional misconduct.

- *Where a child has been identified to have been informally excluded for a period of one month (either in a continuous period or as a result of repeated short-term informal exclusions), the school should have a financial penalty imposed equal to the amount of funding it receives for that child annually.*

Response to recommendation 10

The Government's view is that the revised school inspection system and individuals' accountability to their employer provide a robust mechanism of accountability.

As set out above, school inspection has been refocused to reinforce accountability for behaviour and governance. Where the Department identifies information that would be relevant to school inspection then it is reported to Ofsted. This would include evidence that a school had acted informally in excluding a pupil. Ofsted has indicated that evidence of informal exclusion would be taken very seriously and would inform the judgements made about a school. The Department and Ofsted have committed to keeping their process for sharing information under-review to ensure that it is sufficiently robust.

Part two of the new Teachers' Standards sets the benchmark for the conduct and behaviour expected of all teachers in England at all times, including those teachers who work in academies and independent schools. This includes the expectation that teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities.

Where a school considers a teacher to have breached the Standards, they may decide that it is necessary to take disciplinary action against the teacher. If a teacher is found to have committed gross misconduct and is subsequently dismissed from their post, or would have been dismissed had they not already resigned, the teacher's employer must consider whether it is appropriate to make a referral about the teacher to the Secretary of State. Members of the public may also refer an allegation of serious misconduct by a teacher. The National College of Teaching and Leadership is responsible for acting on behalf of the Secretary of State in considering these matters. In serious cases, this can lead to the Secretary of State prohibiting the teacher from teaching.

Appendix 3: EXCLUSIONS AND ADMISSIONS- Supplementary Action Plan

Appendix 3 a: ACTIONS CURRENTLY BEING ACTIONED FOLLOWING INITIAL CONSULTATION

Action	Priority	By When	Progress
Ensure a closer scrutiny of mid-year admissions to check the validity of such admissions.	High	2 nd September 2013	Schools are challenged on any refusal to admit through mid year admissions. Mid year admissions forms are being reviewed to reduce the information provided in order to limit the number of refusals based on selection. Action complete
Refocus the Out of School Team (EOOST) on re-integration	High	2 nd September 2013	In progress , see Appendix 4
Continue to monitor the length of stay and interventions of Teaching and Learning Centre registered pupils. Including reappraisal of readiness of re-integration and refocusing of TLC outreach on prevention and re-integration.	High	2 nd September 2013	In April 2013, TLC converted to maintained school. A monthly report is presented to DMT Exec which includes information on length of stay, interventions. This is discussed at the Programme board, an interface between LCC and the TLC. See Appendix 4 for more information Action complete
Explore integrated support for families – TAC, Families Working Together, Youth Offending Service, Child in Need (CIN), Police and other agencies before permanent exclusion.	High	2 nd September 2013	This is being achieved by 1. the direction through the pupil placement panels where schools will be encourage to address needs of children at risk

			<p>of exclusion</p> <p>2. the introduction of Early Help assessments as a tool to early identification of need.</p> <p>Action complete</p>
Re-appraisal of readiness for re-integration and refocusing of TLC outreach on prevention and re-integration.	High	September 2013	<p>Close monitoring and challenge of readiness to re-integrate. Plan of integration for each child has been introduced which will allow continuity of support from TLC into school. Success in reintegration has been seen particularly in primary. TLC currently reviewing capacity to offer preventative work through the Lincoln Pathway Plan.</p> <p>Work in progress (see Appendix 4)</p>
Review how many pupils in the Teaching and Learning Centres and Solutions 4 are recorded as having a TAC and how many pupils are involved in other aspects of Children's Services	Medium	1 st October 2013	<p>Monthly report sent to DMT Exec includes TLC tracker which identifies if children are LAC, have SEN. or are in TAC, CiN/CP. CS monthly summary of exclusions indicates if open to social care. Systems in place for tracking.</p> <p>Action complete</p>
Liaise with the LSCB with regard to any links to their action plan and act on those findings.	Medium	1 st October 2013	<p>LSCB has identified work around Drug and Alcohol abuse as one of their priorities. Education out of school team routinely send information on exclusions through to Addaction</p>

			and Smoke Free Lincs. Alliance. TLC is now a member of the Child Sexual Exploitation panel and EOOST officers are to be represented at MARAC. Action complete
Review the use of “negative language” – ensuring that children are not labelled as “SEN”	Medium	1 st October 2013	Review of information as part of the SEN reform. Action complete
Review the use of fixed term exclusions as a disciplinary tool	Medium	1 st October 2013	Data on fixed term exclusions is forwarded to Cfbt Advisors who challenge the impact of using fixed term exclusions as a disciplinary tool Data on repeat fixed term exclusions is analysed. Work in progress
Verify the number and nature of SEN statements for pupils accessing the Teaching and Learning Centres	Medium	1 st October 2013	Number and nature of pupils entering TLC with SEN statements/ Education and Health Plans will be verified and challenged regularly through the Programme Board Action complete
Liaise with the Governor Support Service with regard to training for SEN Governors to raise awareness of the remit of the SEN Governor.	Low	18 th October 2013	SEN Governor training is offered to all schools x3 per year. There is also consultancy available to support this area of work Action complete
Ensure schools receive relevant information on outreach support, autism and SEN training modules and support available for adopted children.	High	October 2013	Information received by schools through the Children's Services and Cfbt Education Services CPD handbook

			Action complete
Develop a business model by which schools can purchase places in the Teaching and Learning Centres at KS4 without recourse to permanent exclusion (To be presented DMT once legalities are verified – see Annex 3 of Exec DMT Report)	High	October 2013	Work in progress – see Appendix 4
Review the reasons for permanent exclusions and to identify immediate and longer term measures	High	October 2013	Reasons for permanent exclusions are recorded and presented in DMT Exec report monthly. This is shared with appropriate service areas e.g. Cfbt, Addaction and Smoke Free Lincs. Plan to reduce exclusions through pupil placement panels is being implemented (see Appendix 4)

Appendix 3b : The following sections will provide the focus for the commissioned consultation and options appraisal:

Delegation <ul style="list-style-type: none">• To investigate the possibilities for delegation or partial delegation of funding to schools.• To explore the possibility of developing different approaches within each key stage.• To explore the possibilities of creating a range of options available to schools and encourage them to share expertise, with the ability to “grow their own” expertise.• To explore possibility of promoting a culture change to encourage schools to offer provision to the best of their abilities that meets the needs of the child.
Scope of Review
Review the impact on the High Needs Block
Consider the deployment of school underspends
Continue to challenge headteachers and SEN governors with regard to accountability, gatekeeping and collective responsibility
Explore strategies for increasing the accountability and collective responsibility of headteachers
Review blockages for SEND cohort
Produce a costed implementation plan and long term strategy for TLCs, exclusions and admissions

Behaviour Partnerships

- To explore the possibility of creating collaborative partnerships which match “areas” of need. If collaborative partnerships are a way forward to explore ways of the sharing of information and good practice within those partnerships.
- To explore possibility of promoting a culture change to encourage schools to offer provision to the best of their abilities that meets the needs of the child.
- To explore the possibility of schools being further encouraged to access support, including outreach support.
- To explore the possibility of establishing a “Reward and Accreditation” scheme.

Scope of Review

Explore the possibility of establishing behaviour partnerships, nurture groups and peer mentoring between schools.

Review school exclusion policies

Explore the need to develop strategies to address informal exclusions

Explore how schools and parents can be encouraged to address the SEN of pupils before it occurs

Explore ways to address the threshold for exclusions and work with schools to enable them to manage behaviour

Explore the possibility of managed move protocols.

Consider “Assessment Centre+” Possibilities

Outreach and Support

- To explore the possibility of schools being further encouraged to access support, including outreach support.
- To explore the possibilities of creating a range of options available to schools and encourage them to share expertise, with the ability to “grow their own” expertise.
- To explore the possibility of promoting a culture change to encourage schools to offer provision to the best of their abilities that meets the needs of the child.
- To explore the possibility of developing different approaches within each key stage.
- To investigate the possible need to cultivate an alternative education market that schools can access.

Scope of Review

Create capacity within the Teaching and Learning Centres (TLC) for TLC staff to provide more outreach support by monitoring the use of the TLCs to ensure children and young people are there for shorter periods of time and that only the most serious cases are referred to the TLC

Review TAC, School Action and School Action+ processes with the view of developing one single process, encouraging further agency engagement.

Explore possible links with the Armed Forces to further develop expertise

Produce a directory of support for schools

Development of in-school Expertise

- To explore the possibility of schools being further encouraged to access support, including outreach support.
- To explore the possibilities of creating a range of options available to schools and encourage them to share expertise, with the ability to “grow their own” expertise.
- To explore the possibility of promoting a culture change to encourage schools to offer provision to the best of their abilities that meets the needs of the child.
- To explore the possibility of creating collaborative partnerships which match “areas” of need. If collaborative partnerships are a way forward to explore ways of the sharing of information and good practice within those partnerships.
- To explore the possibility of establishing a “Reward and Accreditation” scheme.
- To explore the possibility of developing different approaches within each key stage.

Scope of Review

Explore the need to develop strategies to address informal exclusions

Explore ways to address the threshold for exclusions and work with schools to enable them to manage behaviour

Encourage greater collaboration with parents/carers, gathering their views, with the help of Parent Support Advisers, on changing “no engagement” to “willing engagement”.

Explore the possibility of establishing behaviour partnerships, nurture groups and peer mentoring between schools.

Appendix 4: Update report on introduction and implementation of the recommendations from the Inclusion Review

Background

In April 2014 the recommendations from the Inclusion Review were presented to all schools at the Head teacher briefing sessions. The ownership of these recommendation were

- Introduction and trialling of locality Pupil placement panels – Education out of School team (EOOST)
- Establishing the Lincolnshire Teaching and Learning Centre (TLC) as a maintained school and developing it as a provider of outreach. (TLC and Commissioning Services)
- Sourcing alternative provision for key stage 4 (Commissioning)

Pupil Placement Panels

The Education out of School (EOOST) team are currently working with a pilot group of secondary schools to explore the introduction of pupil placement panels across the county to:

- support the reintegration of pupils who have experienced a permanent exclusion.
- create forums for partnership working between schools introducing early intervention as a strategy to avoid permanent exclusions.

This is a major piece of work impacting on the established and embedded policies and practices of the local authority. It was essential at the time of introduction, that schools were involved in the shaping of this new approach therefore a task and finish group, consisting of head teachers and local authority education services officers, was set up in order to test approaches and address any concerns on the practical implications of the panel process.

Alongside the formal agenda this process is providing a platform for the promotion and development of collaborative partnerships between schools and the sharing of information and practice within the group. This aspect has been particularly well received by the task and finish group and schools within the pilot group are exhibiting a desire to foster and develop these links further.

There continues to be the need to consult with the pilot group of schools in relation to financial and practical implications of this approach. This meeting will take place in October 2014 with the intention of confirming the trial arrangement at this meeting and at the head teacher's briefing meetings in November 14.

Although the panels are not yet in place, schools are expressing an interest in being able to avoid exclusions by purchasing support or alternative provision places. Their barriers to doing this remain as lack of provision/support available in their area and cost of transport.

Following the consultation, primary schools did not signed up to exploring pupil placement panels preferring that the local authority, through the Education Out of School team to manage the process for exclusions on their behalf. The concept of pupil placement panels will be re-introduced to them once secondary panels are in place as local management of pupil behaviour across all key stages may have an impact on reducing the total number of exclusions. Meanwhile the EOOST monitor allocations of Preventing Exclusions funding to support primary schools to avoid permanent and fixed term exclusions as an approach to challenging behaviour.

The EOOST team continue to work across all settings (maintained and academies) to provide advice, guidance around the appropriate use of fixed and permanent exclusions, including challenging any poor practice in relation to exclusions. This includes encouraging schools to explore alternative options, to work with integrated support services and outreach services where available.

The EOOST Team deliver a high quality training programme to schools and governors to promote good practice, disseminate national guidance and local policies and procedures. The training ensures settings are aware of their roles and responsibilities and are working within the legal framework. To reinforce this all settings have been provided with the current guidance to ensure that any exclusion, fixed or permanent is procedurally correct and lawful. This information is reviewed and recirculated, as a minimum, on an annual basis and is updated as often as is required e.g. when a setting converts to academy or a new school/academy is opened.

The plan below outlines actions completed so far and those pending.

Teaching and Learning Centre

In April 2013 the Lincolnshire Teaching and Learning Centre (TLC) converted into a maintained school. It continues to have 4 sites across Lincolnshire and quality assures the Solution 4 provision for key stage 4. The TLC provides the following services on behalf of the local authority through a memorandum of understanding:

- provision for permanently excluded pupils prior to being reintegrated into maintained or alternative provision
- home tuition for pupils who are permanently excluded or hard to place in mainstream where a place in the TLC is not appropriate.

In order for the local authority to reach the desired outcome of reducing permanent exclusions there needs to be a process by which schools can purchase alternative provision or outreach support as an early intervention strategy. The TLC are highly sought after by schools to provide this however there is a need for them to release places and build capacity in order to provide this service. To reach this point the TLC have been working with EOOST, Special Educational Needs and the Commissioning team to:

- monitor the length of stay and readiness of reintegration in order to predict place availability and avoid second exclusions and returns to the TLC.
- ensure assessment processes are in place prior to a pupil entering the TLC or as soon as possible on being admitted.
- source additional alternative education providers to allow schools to purchase places and support as an alternative to exclusion.
- increase the capacity of the outreach service to support young people with challenging behaviour, to remain in their mainstream provision.

The ability and capacity of the TLC to offer support as early intervention together with the capacity of schools to build their own provision with the potential of offering to other schools and the success of the pupil placement panels to manage pupils at risk of exclusion or hard to place pupils, are linked and dependent on each other. Therefore it is important that there is progress in all areas to ensure an overall success.

The plan below outlines actions taken so far and those pending.

Sourcing Alternative Provision for Key Stage 4

Dealing with challenging behaviour of some young people at Key stage 4 can be particularly difficult for schools. In many cases, schools have tried a wide range of interventions but still end at the point of needing to permanently exclude. Schools have a desire not to exclude but with inadequate provision across the county, impacting on transport costs, together with the lack of a process to allow them to purchase a permanent or temporary place off their school site, there are often left with no option. The cost of providing this provision then falls on the local authority. In order to promote early interventions with young people, Commissioning have implemented a positive drive to source and recruit more alternative education providers.

The plan below outlines actions taken so far and those pending.

Actions in relation to the recommendations from the Inclusion Review 2014

	Action	Priority	By When	Progress
1	To form task and finish group comprising of head teachers and LCC staff to explore pupil placement panels as option to exclusions	High	Sept 14	Group set up consisting of secondary head teachers from schools in Lincoln and surrounding areas. 3 meetings held. Further meeting arranged 10 th Oct to discuss financial implications and confirm readiness to move to next stage of implementation
2	Managed moves explored as an option to permanent exclusion	High	Sept 14	Managed Move protocol rewritten and draft shared with task and finish group May 14 and all secondary schools Sept 14. Response from school to increasing use of managed move is positive. Further discussions needed around cost of transport and source of funding needed.
3	Fair Access Protocol to be reviewed to include its implications under the pupil placement panels and allocation of hard to place pupils	High	Sept 14	Fair Access Protocol reviewed and draft shared with task and finish group May 14 and all secondary schools Sept 14.
4	Locality panels determined and terms of reference for group produced	High	July 14	Secondary schools divided into 7 localities based on current working partnerships and transport arrangements. Draft terms of reference and panel arrangements shared with task and finish group July 14 and with all secondary schools Sept 14.
5	Rescinding policy written	High	July 14	Policy sent out to all schools. They are now aware of the conditions in relation to withdrawing an exclusion
6	Input at Head teacher's briefing to provide full information on panel approach	High	Nov 14	
7	Trialling of pupil placement panel	Med	Jan 15	
8	Guidance produced for allocation of hard to place and preventing exclusion funding	Med	Jul 14	Review of how funding is allocated. Moved from set allocation to criteria based. Criteria can be used as part of pupil placement panel process once established.
9	Production of regular reports and analysis of data on exclusions to determine success of changes	High	June 14	Monthly reports to Exec DMT produced including specific information requested. Monthly report includes details of young

				people at TLC/Sol4, support offered and predicted date of reintegration.
10	Admissions criteria/policy for the Teaching and Learning Centre	Med	Oct 14	
11	Engagement session held for alternative education (Solution 4) providers	Med	Oct 2014	Session delivered 1 st Oct. The purpose was to gather views/thoughts of the current service provision and what (if anything) can be improved when the service is put out for competition later this year.
12	Procurement briefing session for Solutions 4 providers to inform them of the process and requirements through the tender process for AP	Med	Dec 14	Initial timetable for the procurement process shared with providers at the Engagement sessions.
13	Closing date for pre tender applications for the alternative provision	High	22 Dec 14	
14	Closing date for tender applications for the alternative provision tender documents	High	11 Feb 15	Service specification is currently being drafted with members of staff from the TLC
15	Contracts for alternative provision (to be delivered from new academic year) to be awarded	High	1 Mar 15	
16	New delivery of alternative provision services	High	Sept 15	
17	Paper to School's Forum: outreach pathways	Med	Oct 14	Report has been drafted, presented to DMT and comments made have been reflected in the report that will be presented to Schools Forum 8 th Oct 14. A number of new delivery models have been considered with the final model being recommended and seeking approval at the forum.
18	Delivery commences of new outreach service model	High	Sept 15	Expressions of interest will be sought from schools who wish to partake in the new model going forward.
19	Paper to school's forum: outreach work from special schools	Med	Oct 14	Outreach from select schools is already in place. Paper to school's forum will recommend continuation of this.
20	Memorandum of understanding for Solutions 4 provision	High	April 15	MoU to be reviewed based on admission criteria/policy (action 10)