

Committee: **Scrutiny Committee for Children's Services**
Date: **9 September 2005**
By: **Director of Children's Services**
Title: **Behaviour Management and Alternative Provision for Excluded Pupils**
Purpose: **To provide a progress report and overview on the support offered to pupils at risk of exclusion in school and the provision made for excluded pupils across the County.**

RECOMMENDATION - to note the scope and variety of behaviour support provided to schools in supporting those pupils at risk of exclusion and the improvements made in securing provision for permanently excluded pupils within stipulated timeframes

1. Financial Appraisal

1.1 There are no direct financial implications arising from this report.

2. Background

2.1 This report follows earlier interest from the Scrutiny Committee in the performance of the Children's Services Authority (CSA) in relation to the alternative provision made for pupils who have been permanently excluded from school.

2.2 Services aimed at promoting good behaviour in school, provided by the CSA, are outlined in the 'Behaviour Support to Schools' document (currently being updated for the 2005/06 academic year). The document, which has been very well received by schools, sets out how the Local Authority will support schools in improving behaviour in school and support those pupils who are out of school due to exclusion. The support provided is broken down into four main areas of responsibility: (a) that provided by the School Improvement Service (CfBT); (b) that provided by the Psychology and Learning services; (c) that provided by the Access to Education Team; and (d) that devolved to Cuckmere House and New Horizons Schools under Service Level Agreement from the CSA.

2.3 Provision for permanently excluded pupils is made via the Pupil Referral Units operating out of Cuckmere House School (for pupils in the West of the county) and New Horizons School (for pupils in the East). Until April 2005, the requirement for a pupil to be offered full-time provision (as measured by BVPI 159) was the 16th day following the school's governing body's decision to ratify a permanent exclusion. For all pupils permanently excluded after 1 April 2005, the requirement is for them to be offered this provision by the 16th day after the headteacher's decision to exclude. Under the revised regulations, therefore, the CSA has three weeks less to secure full-time provision for permanently excluded pupils than was previously the case.

3. Commentary

3.1 The developments in behaviour support services to schools over the past academic year have resulted from both the local identification of priorities and from the introduction of government initiatives to promote good behaviour and attendance at school. There has been an increased focus on the support for classroom management which has included expanding the capacity for this in mainstream schools through the Primary and Secondary Strategies, and additional support for individual pupils at risk of exclusion from school through the Excellence Cluster and the development of the Behaviour Improvement Programme in the Hastings and St Leonards area.

3.2 Revised DfES guidance on the use of exclusion in school (issued October 2004), the development of protocols for the admission of hard to place pupils and the implementation of the education provisions of the Anti-Social Behaviour Act have placed additional requirements on schools and the CSA to develop and implement policies and procedures aimed at

responding to challenging behaviour in school. As a direct result of these, over the past academic year, the CSA has developed and agreed a revised ESCC Policy on Exclusion From School, procedures for the use of parenting contracts and orders in relation to behaviour at school (due to be piloted in the 2005/06 academic year) and an evaluation and revision of the Admissions Protocol for Hard to Place Pupils.

3.3 In order to coordinate and provide a strategic lead for promoting good behaviour across East Sussex, the CSA has set up a Behaviour Board, now chaired by the Deputy Director, Learning and School Effectiveness, to monitor strategies aimed at improving behaviour in school and to provide a steer to new and emerging initiatives. The Behaviour Board, which has to date met twice, provides a forum for involving members, schools and CSA officers in the monitoring and development of such initiatives across the county. The Behaviour Board will have oversight of all performance data pertaining to behaviour-related issues (eg exclusion statistics) with the aim of regularly monitoring progress towards outcomes of the Children's Services Plan.

3.4 Ensuring that all pupils who are permanently excluded from school receive appropriate provision remains a high priority for the CSA. There are two main aims for pupils who fall into this category: firstly, ensuring that excluded young people receive appropriate alternative education as soon as possible; and secondly, reintegrating all young people into a mainstream school, where this is deemed appropriate.

3.5 The Local Authority's performance in this area is measured via BVPI 159 which has, in previous years, highlighted some causes for concern. The local target outturn for the 2004/05 financial year was that 35% of permanently excluded pupils were in receipt of 20, or more, hours of alternative provision by the 16th day following the governing body's ratification of the head's decision to exclude. The final outturn in this area was 50%, exceeding the agreed target in the Performance Plan (see Appendix A).

3.6 Historically, the Local Authority's ability to make alternative provision for those excluded pupils for whom it is deemed necessary relies, to some degree, on reintegrating a significant number of permanently excluded pupils into mainstream schools within the stipulated timeframe, thus avoiding the need to make unnecessary provision for pupils in a Pupil Referral Unit (PRU). Over 30% of all permanently excluded pupils in 2004/05 were reintegrated into a mainstream school within the pre-April 2005 timeframe without accessing provision at a PRU. Where there have been significant delays in pupils being admitted to an identified school, this has impacted upon the BVPI measurements. Despite some hurdles in securing admission for pupils into certain schools, 70 pupils (54%) were reintegrated into mainstream schools, across the county, following permanent exclusion in 2004/05 (the remaining pupils were either attending a PRU or awaiting admission to a mainstream school at the end of the year).

3.7 2004/05 saw a 47% increase in the number of permanent exclusions, the largest increase since the major overhaul of exclusion legislation in September 1999 (see Appendix B). Furthermore, changes in the legislation have meant that after April 2005, all permanently excluded pupils have had to be offered full time provision by day fifteen following the head teacher's decision to issue an exclusion. These two factors combined have significantly impacted upon the CSA's ability to comply with DfES regulations.

3.8 Despite these additional pressures, there have been some significant improvements made in making provision for excluded pupils over the academic year (see Appendix C). In 2003/04, 31% of pupils were either admitted to a mainstream school or to a PRU within the required timeframe (16th day following Governors Discipline Committee); in 2004/05, this went up to 52% (under the same timeframe). This has been due to the development of clearer processes and procedures in signposting pupils towards provision following exclusion as well as the implementation of the Admissions Protocol for Hard to Place Pupils, which has generated a more transparent and equitable system for the distribution of permanently excluded pupils across schools.

3.9 The reduction in the amount of time the CSA has available to make provision has meant that, since April 2005, the number of pupils who need to be referred for PRU provision

has increased. This is due to the fact that, in the majority of cases, it is not possible to reintegrate a pupil into a new mainstream school within 15 days. Whereas plans were developed to accommodate an increase in number of pupils, the extent of the increase in levels of permanent exclusion could not have been predicted. This has, again, hindered the CSA's ability to make full time PRU provision for all permanently excluded pupils by day 16 of exclusion. Since April, the CSA has secured provision for 17% of pupils within the designated time.

3.10 In response to the increased volume of pupils, the CSA has made some changes to existing provision to maximise capacity in PRUs. Processes are now in place to ensure that all permanently excluded pupils are referred for interim PRU provision immediately following receipt of notification of permanent exclusion from school. Additionally, the CSA has explored the option of commissioning provision for excluded pupils from external providers, again to relieve pressure on PRUs. In September 2004, Hastings College of Arts and Technology ran a pilot group for eight excluded or disaffected young people who would otherwise have been placed in the New Horizons PRU. The success of this project in engaging with these young people has led to the project being run again in 2005/06.

3.11 In addition to working with schools to increase capacity for managing challenging behaviour, and commissioning external providers to make provision for excluded young people, the CSA is exploring other methods in conjunction with schools of reducing the number of permanent exclusions. One method which has been tried successfully in certain areas of the county is that of managed transfers. The concept, here, is that pupils who fit the criteria for permanent exclusion transfer between educational establishments using a mechanism other than permanent exclusion. In the Eastbourne area, in 2004/05, 12 pupils, who otherwise would have been permanently excluded, moved school as a result of a managed transfer. Such transfers have not only alleviated some of the pressure on Pupil Referral Units in terms of making provision for pupils who would, under other circumstances, have been permanently excluded, but have also meant that pupils at risk of exclusion have not spent an extended amount of time without provision. It is hoped to expand the concept and process of managed moves throughout the forthcoming academic year.

3.12 Over the past twelve months there have been particular difficulties reintegrating permanently excluded pupils into mainstream schools in the Hastings area. A meeting was held involving Children's Services Senior Management Team (SMT) and the headteachers in July and there is to be a further meeting between the deputy directors and headteachers in September. The purpose of these meetings, and further ones, will be to establish policy and procedures to ensure effective information sharing and management of transition at individual pupil level which will then facilitate more rapid admission by the receiving school.

4. Conclusion and Reason for Recommendation

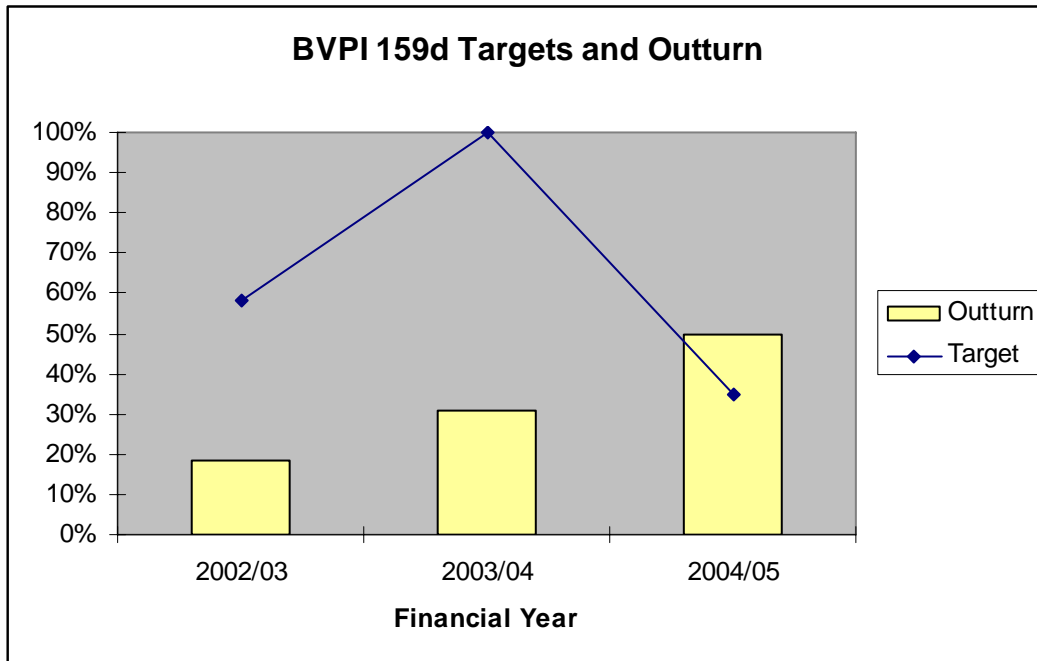
4.1 The Scrutiny Committee is asked to note the measures that have been put in place over the last twelve months and the progress that has been made in supporting pupils who have been excluded from school, and those who are at risk of exclusion. Additional measures are planned for implementation over the next twelve months to further increase the support for excluded pupils and support schools in reducing the number of permanent exclusions from East Sussex schools. It will be important to establish a baseline of data for the revised definition of the BVPI over the current financial year.

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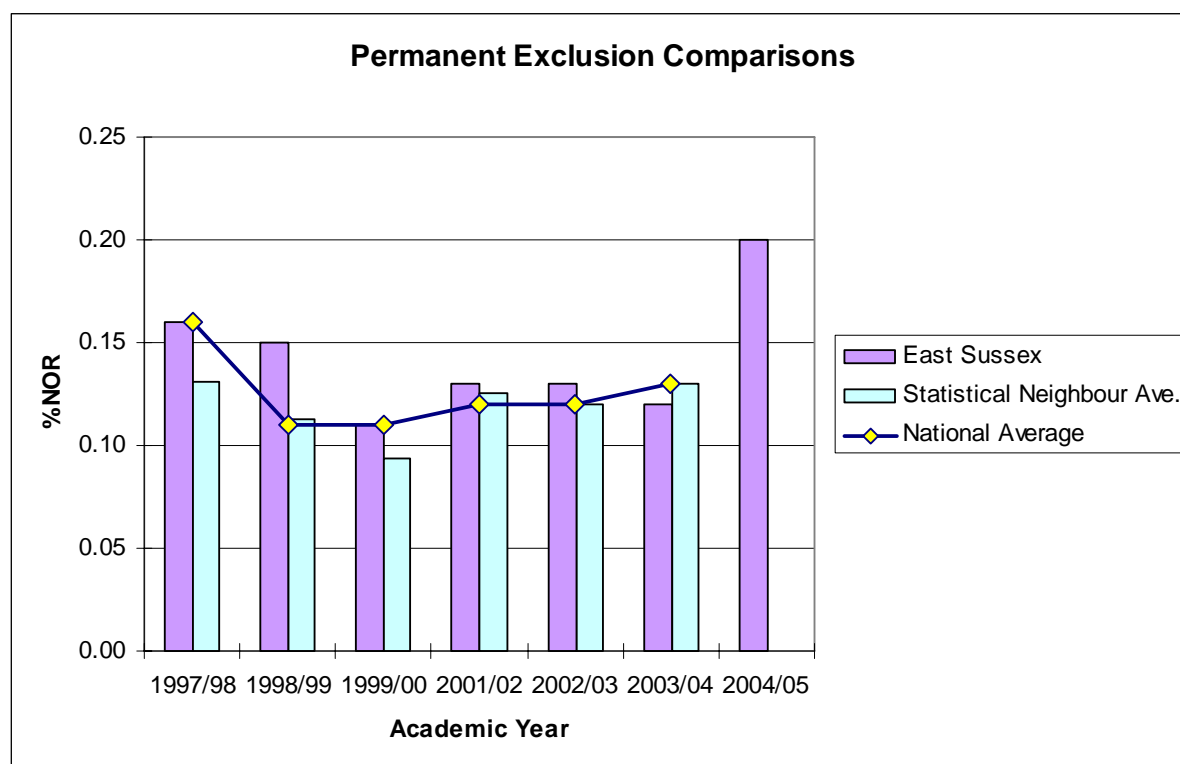
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Local member(s): All

BACKGROUND DOCUMENTS

East Sussex Behaviour Support for Schools document 2004/05
BVPI 159a-d report 2004/05



The above chart shows the performance of ESCC as measured by BVPI 159d set against the targets for the last three financial years.



The above chart shows the total number of permanent exclusions, as a percentage of number on roll, in each of the stipulated academic years. Comparative data is provided from statistical neighbours and the national average in each year. There is no comparative data available for the academic year 2000/01. Comparative data for 2004/05 will be published in summer 2006.

Number of Permanent Exclusions by Phase

	2003/04	2004/05
Primary	9	12
Secondary	78	114
Special	1	3
TOTAL	88	129

Independent Appeal Outcomes 2004/05

No of IAPs lodged in the academic year	9
No of IAPs heard in the academic year	11*
No of appeals won and the pupil was reinstated	1
No of appeals won, but where the pupil was not reinstated	2

*2 Appeals heard in 04/05 were lodged at the end of the previous academic year

Provision Offered to Excluded Pupils Within Specified Timeframe

Timeframe	No of permanent exclusions	Provision required by day 16 after GDC (Pre-April 2005)			Provision required by day 16 after exclusion (April 2005 Onwards)		
		No of pupils who were in mainstream school by deadline	No of pupils who were offered provision by PRU by deadline	Total no of pupils who were offered provision by deadline (PRU and school)	No of pupils who were in school by deadline	No of pupils who were offered provision by PRU by deadline	Total no of pupils who were offered provision by deadline (PRU and school)
Academic Year 2003/04	88	14 (16%)	13 (15%)	27 (31%)	N/A	N/A	N/A
Academic Year 2004/05	116*	35 (30%)	25 (22%)	60 (52%)	N/A	N/A	N/A
Summer 2005	36*	N/A	N/A	N/A	2 (6%)	4 (11%)	6 (17%)

*This figure refers to the total number of permanent exclusions which have been processed throughout the academic year. A total of 129 permanent exclusions were issued over the course of the academic year (49 in the summer term), 13 were incomplete at the time of writing.