

## **Scrutiny Review Terms of Reference Document**

<b>Scrutiny Review</b>	Scrutiny Review of School Exclusions
<b>Responsible Committee</b>	People Scrutiny Committee
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### **1 Background**

1.1 At its meeting in June 2019 the People Scrutiny Committee agreed to establish an Initial Scoping Board to explore the merits of undertaking a scrutiny review of issues relating to school exclusions. Members heard evidence that East Sussex is an outlier in terms of the proportion of pupils who are excluded from school. This is with regard to both fixed term exclusions (FTE) and Permanent Exclusions (PEX).

1.2 The Scoping Board subsequently meet on 24 February 2020 and based on the written and verbal evidence provided to it by the Children's Services Department, it agreed to recommend that a scrutiny review of issues relating to the rates of school exclusion in East Sussex should proceed. In reaching this conclusion, the Board noted a range of evidence which included:

- that East Sussex has higher than average rates of both FTE and PEX.
- that reducing the number of exclusions is a key target for the County Council.
- the detrimental and long-term impact that exclusion often has on the individual concerned.
- the disproportionate numbers of vulnerable children and young people who are subject to exclusion. Children in this group include those in receipt of free school meals and those who have special educational needs.
- the impact of part-timetables where they are used as a form of unofficial exclusion.

1.3 As with any scoping exercise, the Scoping Board not only has to determine whether there are significant issues which are not being addressed, it also has to carefully consider the likelihood of a potential review delivering realistic recommendations that are within the power of the Council to take forward. With this in mind, the Board carefully considered a number of limiting factors, including that the decision to exclude is a school one and that academies are wholly outside of the remit of the LA.

1.4 However, whilst acknowledging the above limits, the Board were informed that the LA retains important responsibilities, including:

- a duty to ensure a permanently excluded child is provided full-time education within the 6<sup>th</sup> day of the exclusion decision being taken;

- ensuring that children with SEN are identified in a timely manner and have their needs met appropriately, especially if they have Education, Health and Care Plans (EHCPs); and more generally
- as a provider of advice and guidance and a facilitator of partnership working with and between schools;

1.5 In this context the Board concluded that there is scope to develop effective recommendations around the following areas:

- the status and role of the Governing Board with regard to the school's approach to managing poor behaviour issues and the exclusion process.
- the status and role of the SENCO and other specialist support available to schools;
- strategies, such as therapeutic thinking, which help promote a preventative approach.

## **2 Scope of the Review**

2.1 Given the above, and with particular regard to the needs of vulnerable children, the Board agreed to recommend the following lines of enquiry:

- 1) Could the Council do more to develop levels of understanding amongst school leaders of **preventative** strategies, such as therapeutic thinking, to help reduce the likelihood of exclusion?
- 2) Could the Council do more to help develop a better understanding amongst schools of what constitutes an appropriate **response** to a child who is at risk of exclusion? This line of enquiry to include consideration of:
  - the reasons why schools are often not accessing the resources available to them for managing instances of poor behaviour;
  - the role and status of the SENCO and their involvement in developing appropriate responses to a child who is at risk of exclusion.
- 3) Could the Council develop its training and advice for governors around, for example, providing effective **challenge** in the circumstance where a Head teacher has taken a decision to exclude and the Governing Board are required to consider reinstatement. This line of enquiry could also explore the role of Governors in helping to develop best practice at the school.

2.2 The Review will be based on the following **principles**:

- It will be forward looking and exploratory
- It will focus on what can be done locally in East Sussex (as opposed to changes requiring national action)
- It will focus on the specific role of the Council, what is within the Council's sphere of influence and what can be achieved within available resources

2.3 The Review will have a focus on what can be done to help reduce the levels of school exclusion in East Sussex and will have particular regard to vulnerable children and young people (as this group are disproportionately at risk of exclusion).

### **3 Review methods**

3.1 It is anticipated that the Review Board will consider documentary evidence, question witnesses and undertake research in order to gather evidence to inform its recommendations. The review will draw on information already gathered at the scoping stage.

3.2 The following list is not exhaustive and will change and develop as the review progresses. As part of the review the Board members will:

- Speak to a range of witnesses, for example:
  - Head teachers
  - Governing Board members
  - SENCOs and or other professionals who have a role in supporting vulnerable children and young people.
- Review a range of documentary evidence, for example:
  - National and regional evidence with regard to school exclusion and related matters
  - Findings from engagement with representatives of local schools

### **4 Review Organisation and Responsibilities**

#### **4.1 Initial Scoping Board**

The initial scoping for this review was undertaken by Matthew Jones (Chair), Parent Governor Representative, Nicola Boulter, Parent Governor Representative and Councillors Field, Liddiard and Loe.

#### **4.2 Review Board**

- The Review Board is: *to be appointed by the Committee*
- The Chair of the Review Board is: *to be appointed by the Committee*

#### **4.3 The Review Board is responsible for:**

- Making decisions regarding the scope and direction of the review;
- Monitoring and control of the overall progress of the review;
- Agreeing where Board members will undertake evidence gathering activities as required by the review;
- Considering and providing challenge to all evidence presented to it; and
- Developing and agreeing the final report, including the findings and recommendations of the review.

#### 4.4 Scrutiny Review Support

Support for the review will be provided by the Member Services Team to:

- Manage the review process;
- Undertake research as agreed by the Board;
- Draft the final report

The Lead Officer who will support the review from the Member Services Team is Stuart McKeown, Senior Democratic Services Adviser. Their role is to manage the review, ensuring its aims and objectives are met and that the final report is delivered to the People Scrutiny Committee within the agreed timescales.

### **5 Scrutiny Review Completion**

5.1 When the review has been completed the Lead Officer will co-ordinate the production of a final report outlining the findings and recommendations for agreement by the Review Board. Once agreed, the Review Board will present this to the People Scrutiny Committee for it to agree the recommendations.

5.2 The report will then be presented to Cabinet for comment and County Council for approval. Progress updates on how the recommendations are being implemented by the department will be presented to the People Scrutiny Committee in due course (usually six and twelve months after the review has been approved by County Council).

### **6 Review Timetable**

Based on the initial scoping of the review, the Review Board aims to submit the final report to the People Scrutiny Committee at the meeting to be held on 15 September 2020.

An initial timetable of the meetings and activities required to complete the review is outlined below. [*The number of review board meetings is not fixed and there can be more or less depending on the nature of the review. The Review Board will agree the number and content of the meetings and review activity*].

Activity	Timescale/Date
<u>Initial Review Board Meeting</u> <ul style="list-style-type: none"><li>• Consider lines of enquiry/terms of reference</li><li>• Review evidence gathered at scoping stage</li><li>• Agree further evidence gathering requirements</li></ul>	Late March/early April 2020

<u>Review Board Activity/Meeting</u> <ul style="list-style-type: none"> <li>• Evidence gathering</li> </ul>	April 2020
<u>Review Board Activity/Meeting</u> <ul style="list-style-type: none"> <li>• Evidence gathering</li> </ul>	May 2020
Draft scrutiny review report and findings and recommendations of the review	Latter part of June 2020
<b><u>Final Review Board Meeting to agree Report</u></b> Review Board meeting to agree draft report, findings and recommendations with input from key officers.	July 2020
Deadline for Report Dispatch	7 September 2020
<b><u>Report to People Scrutiny Committee for agreement</u></b>	15 September 2020
<b>Report to Cabinet</b>	To be confirmed 2020
<b>Report to Council</b>	To be confirmed 2020