

**Children's Services Scrutiny Committee - Thursday, 18 October 2018**

Minutes of the meeting of the Children's Services Scrutiny Committee held at Committee Room 1, Town Hall, Upper Street, N1 2UD on Thursday, 18 October 2018 at 7.00 pm.

**Present:**               **Councillors:**               Debono (Chair), Cutler (Vice-Chair), Bell-Bradford, Ismail, Ngongo and Woolf

**Co-opted Member:** Mary Clement, Roman Catholic Diocese

**Councillor Theresa Debono in the Chair**

**34        APOLOGIES FOR ABSENCE (ITEM NO. A1)**

Apologies for absence were received from Councillor Woodbyrne.

Councillor Ismail submitted apologies for lateness.

**35        DECLARATION OF SUBSTITUTE MEMBERS (ITEM NO. A2)**

None.

**36        DECLARATIONS OF INTEREST (ITEM NO. A3)**

None.

**37        MINUTES OF THE PREVIOUS MEETING (ITEM NO. A4)**

It was agreed to delete the words 'if they did not receive appropriate support' at Minute 31(a).

**RESOLVED:**

That the minutes of the meeting held on 13 September 2018 be agreed as a correct record and the Chair be authorised to sign them, subject to an amendment to delete the words '*if they did not receive appropriate support*' at Minute 31(a).

**38        CHAIR'S REPORT (ITEM NO. A5)**

The Chair commented that the focus group with parents of excluded pupils had been very informative and the points raised by parents would inform the review of permanent and fixed period exclusion from school.

39 **ITEMS FOR CALL IN (IF ANY) (ITEM NO. A6)**

None.

40 **PUBLIC QUESTIONS (ITEM NO. A7)**

None.

41 **PERMANENT AND FIXED-PERIOD EXCLUSION FROM SCHOOL - WITNESS EVIDENCE (ITEM NO. B1)**

(a) Peter Gray, Independent Expert and Government Adviser

The Committee received a presentation from Peter Gray, Independent Expert and Government Adviser, on the national context of the exclusions review.

The following main points were noted in the discussion:

- Nationwide, a total of 7,700 pupils were permanently excluded in 2016/17. This was an increase of 1,000 over the previous year.
- Nationwide, 382,000 pupils had received a fixed term exclusion in 2016/17, an increase of 40,000 on the previous year.
- The number of exclusions had reduced since 2006/07, however had steadily increased since 2010/11. The government had commissioned the Timpson Review to review school exclusion practices. This was expected to conclude in late 2018.
- The Committee considered the reasons for the initial decrease in exclusions over the previous decade. It was advised that between 2006 and 2010 schools had greater capacity and resources to support children inside of school. There was also a broader range of subject choices at Key Stage 4 which appealed to children with non-academic interests. There was an increase in the supply of alternative provision which could be accessed without exclusion. The government also encouraged the creation of 'behaviour and attendance partnerships' in which schools took collective responsibility for coordinating and commissioning services for young people at risk of exclusion. These had since been disbanded or had been incorporated into other forums.
- Although the needs of young people had increased in recent years, the rise in exclusions could not be attributed solely to an increase in need. Cuts to school budgets had resulted in reduced staffing levels and increased workloads.
- It was advised that some schools and academies, and in particular some large multi-academy trusts, had introduced 'zero tolerance' behaviour policies and these schools and academies tended to have higher rates of exclusion than other schools.
- Although Islington had retained a School Improvement function, other local authorities had not, and it was thought that this, coupled with an increase in the number of academies, had reduced partnership working between schools in some areas. Officers advised that they had

developed close relationships with academies in Islington and, in general, it was thought that they were supportive of the council's priorities for young people.

- Local authorities received 'High Needs Funding' which could be spent on support services for vulnerable and challenging pupils, however this was allocated based on population as opposed to need. This meant that any increase in need had to be met from within existing resources.
- It was suggested that the limited funding available to schools may provide a perverse incentive for schools to exclude pupils. Supporting a disengaged child to remain in mainstream education was resource intensive, whereas there was no cost to exclude a pupil.
- It was commented that, due to the limited funding available to schools, support services must be effective and have a measurable high impact.
- Many schools did not prioritise Personal and Social Education. It was thought that PSE provided an opportunity for young people to focus on their behaviour and develop their personal skills.
- It was thought that providing schools with comparative data on exclusions helped to raise standards. It was also useful to share with schools how much funding was allocated to supporting the pupils they had excluded, compared to other schools. Schools did not want to be seen to be out of line with their peers.
- Schools with strong partnership arrangements and that took collective responsibility for pupil engagement tended to have lower rates of exclusion. Some schools opted to share support services, which made them more affordable.
- It was commented that many schools would benefit from greater support for children with special educational needs. Nationwide, services needed to be more effective, more targeted, have an increased capacity, and pupils with special educational needs needed to be identified earlier.
- It was thought that greater monitoring of which pupils were receiving multiple fixed period exclusions could help in targeting resources more effectively.
- A survey had identified that many teachers did not consider 'managing behaviour' as a core part of their role. However, teachers did consider that they were responsible for supporting all children to engage in learning. It was essential to work positively with teachers and the Committee noted the importance of using language that teachers could relate to.
- Some pupils struggled when transitioning from primary to secondary school. Greater support for pupils at this time may be beneficial.
- It was important to listen to the voices of young people and respond to their needs.
- A member asked how alternative provision could be more inclusive. In response, it was advised that exclusion and alternative provision disconnected young people from mainstream education and young people wanted a second chance to engage. It was thought that using alternative provision flexibly as part of a package to meet a young person's needs would be a positive development.

- A member asked how the council could challenge schools on their use of 'zero tolerance' behaviour policies. In response, it was advised that this needed a national solution which sought to address the perverse incentives to exclude. League tables did not reward schools for being inclusive. It was thought that local authorities should share data and the cost consequences of exclusion with schools.
- Although the majority of excluded pupils were boys, the proportion of excluded girls had increased in recent years.
- A member suggested that there should be a financial deterrence to exclude and school exclusions data should be published in a league table. Although this may help to reduce the number of exclusions, it was noted that this would require national policy changes.
- It was noted that some parents supported 'zero tolerance' behaviour policies.
- The Committee asked in what circumstances exclusion was necessary. In response, it was commented that drug and weapon offences were serious and it was generally accepted that exclusion was an appropriate response to such instances; however, the majority of exclusions nationally were for persistent disruptive behaviour.
- The majority of exclusions were not unpredictable. Excluded pupils tended to have unmet needs and schools and support services needed to meet those needs more effectively and at an earlier stage.
- It was suggested that devolving funding for alternative provision to schools would make schools accountable for the quality of provision and may result in the development of more flexible provision. However, this would reduce local authority influence over provision.

The Committee thanked Peter Gray for his attendance.

(b) Gabriella Di-Sciullo, Head of Admissions and Children Out of School

The Committee received a presentation from Gabriella Di-Sciullo, Head of Admissions and Children Out of School, on the exclusion appeals process.

The following main points were noted in the discussion:

- The Committee noted the exclusion and appeals process and how it had developed over time. The government was responsible for providing regulations and guidance on exclusions.
- New regulations introduced in 2012 gave school governors greater responsibility for exclusions. Under the previous arrangements the Independent Appeals Panel was able to overturn a school's decision to exclude. Since 2012, the Independent Review Panel can only quash a decision when public law principles are contravened. The Panel can request that governors reconsider the decision to exclude, but have no power to compel them to do so. Since the change in regulation, the number of successful appeals had reduced from 57% to 21%.
- If a decision was quashed, the school was fined £4,000.
- At appeal stage the Head Teacher had to provide a report explaining why the pupil had been excluded. It was advised that the quality of

these reports varied. The Committee suggested that the council could share best practice on what is expected to be included in exclusion reports.

- It was suggested that an above average number of exclusions may suggest that a school's behaviour policy is not effective.
- Although the council ensured that local schools had behaviour policies which complied with statutory requirements, the council did not review policies for their effectiveness. It was queried if the council could adopt a process in which a set number of exclusions triggered a review of a school's behaviour policy. In response, officers suggested that it would be better for schools to take collective responsibility for behaviour management and develop best practice in partnership with each other.
- It was reported that the Fair Access Protocol had some success in reintegrating pupils into mainstream education.
- In response to a question, it was advised that no school was expected to take sole responsibility for reintegrating pupils into mainstream education. Transparency was key to the effectiveness of the Fair Access Protocol. Data on reintegration was shared with Head Teachers and every school was expected to take their fair share of pupils over time.
- In response to a question, it was advised that governor decisions were not reported back to the Independent Review Panel.
- Schools would convene a committee of governors to consider exclusion matters. Parent governors should not sit on these panels.
- It was suggested that not all governors were confident in dealing with exclusion issues and many would always choose to support a Head Teacher's decision. It was suggested that more could be done to develop the skills of governors.
- It was suggested that governors and parents should have a greater role in developing school behaviour policies.

The Committee thanked Gabriella Di-Sciullo for her attendance.

(c) Update on national exclusions data

Candy Holder, Head of Pupil Services, provided a data update. The following main points were noted in the discussion.

- Although Islington had higher rates of both fixed term and permanent exclusion than its statistical neighbours and the Inner London and England averages, it was noted that one primary school/academy was excluding far more pupils than others and this had a considerable negative effect on the borough's ranking. Officers advised that they had met with the Head and Chair of Governors to seek to address this, and reiterated that it would not be an effective use of resources to develop a new a 'whole-borough' approach.
- It was advised that the council was not able to sanction schools for excluding pupils. A member suggested that it may be possible to incentivise schools to reduce their exclusion rate.

The Committee thanked Candy Holder for her attendance.

**QUARTERLY REVIEW OF CHILDREN'S SERVICES PERFORMANCE (Q1 2018/19) (ITEM NO. B3)**

The report was presented by Carmel Littleton, Corporate Director of Children, Employment and Skills; Finola Culbert, Director of Safeguarding and Family Support; Mark Taylor, Director of Learning and Schools; Anthony Doudle, Head of School Improvement (Primary); and Penny Kenway, Head of Early Years and Childcare.

The following main points were noted in the discussion:

- The number of repeat young offenders had increased. This was attributed to a small but persistent cohort of young offenders. However, it was reported that the number of first time entrants to the youth justice system had decreased.
- The number of children missing from care and missing from home had increased, however the previous figures were unusually low.
- The percentage of children who had become the subject of a Child Protection Plan for a second or subsequent time had increased by 5%, however this figure had been affected by families who had multiple children that were subject to a Child Protection Plan.
- The Committee was pleased that re-referrals to Children's Social Care had decreased. Officers commented that the council's model of motivational social work was having a positive impact.
- The percentage of children who were seen in accordance with a Children in Need Plan had decreased. There was no statutory requirement for how often children were seen. Although the council set a target of every four weeks, Ofsted recommended every six weeks. Officers commented that there was pressure on the Children in Need team due to an increase in the number of children with disabilities.
- The Committee welcomed the progress made in Early Years provision.
- Work on educational equalities was progressing. Officers had met with Head Teachers and had raised issues around the attainment and progress of Black Caribbean pupils at governor briefings. Officers were working to raise the profile of equalities issues and were encouraging schools to address this disparity.
- There was a concern that families from some demographic groups were not regularly accessing Children's Centre provision. The service was working on improving their data to allow promotional messages to be better targeted.
- A member highlighted that she had visited the Packington Hub and was advised that they were fully subscribed for two year olds but were losing pupils aged three and four. Officers advised that they were not aware of this particular issue, however commented three and four year olds were previously eligible for full-time funded places but this could no longer be offered due to reductions in the Dedicated Schools Grant.

- Following a question, it was advised that schools were responsible for how pupil premium funding was spent, however the council did challenge schools when necessary.
- A member noted that pupils eligible for pupil premium were not always the lowest achieving group and commented that it was important to closely monitor the progress of all pupils.

**RESOLVED:**

That the Children's Services performance indicators for Quarter 1 2018/19 be noted.

**43**

**SACRE ANNUAL REPORT (ITEM NO. B2)**

Anthony Doudle, Head of School Improvement (Primary), introduced the report which summarised the annual report of the Standing Advisory Council on Religious Education.

The following main points were noted in the discussion:

- The Committee noted SACRE's work in supporting religious education in the borough.
- SACRE had worked to develop a new RE syllabus which focused on the six major faiths and humanism. Additional information could be added if a particular school had pupils of another faith which was not represented in the syllabus. The syllabus reflected the latest government guidance and officers considered that it provided a rich and diverse religious education.
- All Islington schools had a scheme of work that provided lesson plans for every aspect of the syllabus. This would help teachers in delivering the new syllabus in a safe, respectful and dignified way.
- Faith schools were not required to follow the syllabus, but all schools had access to the syllabus and the associated resources and were encouraged to make use of them.
- Collective Worship could be challenging for non-faith schools. The new syllabus allowed for schools to take part in 'collective reflection' on a Christian value instead.

The Committee noted the Annual Report and thanked Anthony Doudle for his attendance.

**44**

**WORK PROGRAMME (ITEM NO. B4)**

It was agreed that representatives of low-excluding schools would be invited to the next meeting to provide evidence on best practice.

MEETING CLOSED AT 9.05 pm

Chair