Meeting to be held on 5 November 2013

Electoral Division affected: All

Children and Young People not participating in a school setting

(Appendix 'A' refers to the Audit Scope Document on "Missing Children Themed Audit")

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Executive Summary

This report aims to update the Education Scrutiny Committee on the performance and progress around four of the teams working closely with groups of children and young people who are currently not participating in education in a school setting.

Sections of the report will refer to:

- 1. Work done to support children and young people who are "Persistently Absent" (PA) from school.
- 2. Work done to support children and young people who are "Permanently Excluded" from school.
- 3. Work done to support Gypsy Roma Traveller (GRT) children and young people who are not educated in school or electively home educated.
- 4. Work done to support children and young people who are "missing from education. (CME)

The report will also include information in Appendix 'A' on the themed audit that Directorate for Children and Young People (DCYP) is carrying out across this year around "missing children" and the connectivity of Local Authority and other partner services around supporting this broader group. It is envisaged that the findings of this themed audit will be reported back to various groups including the Lancashire Safeguarding Children Board and Education Scrutiny

Recommendations

The Education Scrutiny Committee is requested to note and comment on the report. The Committee is requested to receive a further report on the themed audit around "missing children".

Background and Advice

1. Persistent Absence (PA)

The use of Persistent Absence as a measure was introduced in 2006 and at that time related to pupils who had an overall absence rate of around 20 per cent or

more. This measure was reduced during the 2010-11 academic year to identify pupils who had an overall absence rate of around 15 per cent or more. This is measured as pupils having 38 or more sessions of absence (both authorised and unauthorised) across the Autumn and Spring Terms combined, or 46 or more sessions of absence over the whole school year (measured up to the summer half term break).

The local authority works to ensure that schools have a clear understanding of those pupils who are Persistent Absentees or are on track to become PA if their attendance does not improve. The Behaviour and Attendance Consultants (secondary phase) and School Attendance Consultants (primary phase and cross-phase special) offer advice to schools on whole school strategies to improve overall levels of attendance across the school profile, with a particular reference to vulnerable groups. They also advise schools on the use of the reporting options within the Schools Information Management System (SIMS) attendance module which allows schools to identify young people in those vulnerable groups whose attendance is becoming a cause for concern.

Funding has been devolved to secondary schools along with the responsibility for undertaking attendance related casework in order to support young people who are not attending – identifying barriers to education, implementing packages of support to overcome those barriers and facilitate engagement back into education, and where appropriate working in partnership with the School Attendance Service to challenge parents who are not fulfilling their responsibility to ensure their children receive an appropriate education.

For primary and special schools, the School Attendance Consultants offer case specific advice at an early stage to assist schools in managing low level attendance issues and the Pupil Attendance Support Team are also available to help schools who are experiencing more challenging cases of non-attendance on an individual casework basis.

The attendance service's legal team issues education related penalty notices on behalf of schools – both for low level truancy and in respect of unauthorised leave of absence (usually for family holidays), and also conducts legal proceedings (parental prosecutions in the Magistrates' Court, applications for Education Supervision Orders in the Family Proceedings Courts, etc).

In addition, the attendance service offers input to governor training to ensure governing bodies understand their responsibilities in respect of attendance and undertake register inspections as required to ensure schools are complying with the relevant legislation and regulations relating to attendance.

Although most PA pupils are out of school as a result of authorised absence, the child refusing to attend or a parent colluding with absences, there are also instances where children are found to be out of school as a result of unofficial exclusion. In many instances such unofficial exclusions are as a result of schools attempting to be supportive of children, young people and their families in often complex and challenging cases but where they are preventing children from attending school other than through the formal exclusion procedures, this is unlawful.

In April 2013 the Office of the Children's Commissioner (OCC) published a report on illegal exclusions from school ("Always Someone Else's Problem"). Although there are no formal statistics on unofficial exclusions, the OCC estimated that several hundred schools in England may be excluding children illegally.

Examples of unofficial exclusions identified in the report included:

- Pupils excluded without proper procedures being followed; exclusions are usually for short periods, but may be frequently repeated for the same chid, meaning that this child misses substantial amounts of education (this includes pupils being sent home or told to remain at home for "cooling off", or whilst awaiting a reintegration interview)
- Pupils placed on extended study leave or part-time timetables, or on inappropriate alternative provision, so as to remove them from school (even where parents "agree")
- Pupils persuaded to leave their current school, either to move to another school or to be educated at home under threat of formal permanent exclusion should this course not be followed
- Schools failing to have due regard to their legal responsibilities regarding the exclusion of children with statements of special educational needs or looked after children
- Schools failing to fulfil their legal responsibility to provide alternative education for those excluded on fixed term exclusions of more than five days

Due to their nature no official data exist for unofficial exclusions but the attendance service works with colleagues from Pupil Access and the Children Missing Education teams to challenge such cases when they are brought to our attention.

Lancashire's attendance figures compare favourably with the national figures – over the last three years Lancashire has generally outperformed national figures for both Overall Absence and Persistent Absence in all phases and consistently reflect well compared to our statistical neighbours.

School Year	LCC OA%	England OA%	LCC PA%	England PA%
2009-10	4.9%	5.2%	N/A*	N/A
2010-11	4.7%	5.0%	3.6%	3.9%
2011-12	3.9%	4.4%	2.6%	3.1%

Primary (Whole Year Data (Half Terms 1-5)

*N/A – as PA data based on different threshold in subsequent years

School Year	LCC OA%	England OA%	LCC PA%	England PA%	
2010-11	4.7%	5.1%	4.6%	5.2%	
2011-12	3.9%	4.4%	2.8%	3.4%	
2012-13	4.4%	4.8%	2.9%	3.6%	

Primary (Autumn and Spring Terms combined Half Terms 1-4)

Secondary (Whole Year Data (Half Terms 1-5)

School Year	LCC OA%	England OA%	LCC PA%	England PA%
2009-10	6.7%	6.9%	N/A	N/A
2010-11	6.0%	6.5%	7.4%	8.4%
2011-12	5.3%	5.9%	6.0%	7.4%

Secondary (Autumn and Spring Terms combined Half Terms 1-4)

School Year	LCC OA%	England OA%	LCC PA%	England PA%
2010-11	5.9%	6.5%	8.3%	9.5%
2011-12	5.1%	5.7%	5.4%	6.8%
2012-13	5.3%	5.8%	5.5%	6.5%

Special Schools (Whole Year Data (Half Terms 1-5)**

School Year	LCC OA%	England OA%	LCC PA%	England PA%
2009-10	9.2%	10.3%	N/A	N/A
2010-11	9.4%	10.0%	15.7%	16.7%
2011-12	9.0%	9.6%	15.1%	16.3%

**Special school data is only available annually

Pro-active work with other teams

School Attendance Orders

The attendance service also works in partnership with the Children Missing Education (CME) team where the local authority believes children should attend school but parents are not making the necessary arrangements to ensure their children become registered. The attendance service's legal team will initiate School Attendance Order procedures to support the work being undertaken by CME to encourage parents to access provision and where necessary will issue School Attendance Orders and undertake proceedings in respect of non-compliance with any such orders.

Admission to Primary Schools

It has been recognised that increases in birth rates are currently putting pressure on local authorities in terms of managing admissions to primary schools. Although Lancashire has a good track record of meeting parental preferences, there are always a small but significant number of children who do not arrive at their allocated school at the start of the new school year. The School Attendance Service has worked with Pupil Access and the Children Missing Education Team to agree a protocol for managing such cases effectively. This protocol was introduced in September 2012 and has been further refined in September 2013. It ensures consistent advice is offered to schools by all relevant teams within the local authority

and allows us to support schools in managing admissions effectively and ensuring children do not go missing as a result of failing to take up the place offered at school even though they are not at that time of compulsory school age. This focussed approach also reduces the number of children who would meet the definition of PA even though they are not formally included in the official statistics.

For the first time, overall absence data was collected in respect of four year olds for the Autumn and Spring Terms 2012/13. For England as a whole, overall absence for four year olds in the Autumn and Spring Terms 2012/13 was 6.4% compared to a Lancashire figure of 5.3%. Lancashire was ranked first amongst its statistical neighbours and had the sixth lowest overall absence figure of all local authorities in England which is a very positive position as it is vital that children establish a regular pattern of attendance at school from an early age.

2. Permanent Exclusion.

Lancashire County Council Exclusion Trends - Schools and Academies Combined

SECONDARY PERMANENT	2010 – 2011	2011 – 2012	2012 – 2013	Trend
NORTH				
1 LANCASTER	3	4	5	110
2 WYRE	23	11	11	up down
4 FYLDE	23	6	6	down
SOUTH	23	0	0	uown
	20	00		laval
6 PRESTON	29	23	28	level
7 SOUTH RIBBLE	22	15	19	down
8 WEST LANCASHIRE	6	3	nil	down
9 CHORLEY	13	7	4	down
EAST				
11 HYNDBURN –	13	14	13	level
RIBBLE VALLEY				
12 BURNLEY	9	11	21	ир
13 PENDLE	15	18	11*	down
14 ROSSENDALE	4	7	2	down
Totals	160	119	120	down

Secondary

Key Points:

- The trend over the last 3 years has been a reduction in permanent exclusions in the majority of districts with an overall decrease in secondary permanent exclusions across Lancashire of 1% in 2012-13. In 2012-13 Preston remains one of the highest excluding districts with Burnley showing a marked increase in exclusions from previous years.
- There has been a 15% increase in permanent exclusions in academies however this only represents an additional 3 exclusions.
- The decrease in exclusions is related to an increased use of the secondary Pupil Referral Unit (PRU) network in the provision of short term intervention programmes- mainly at Key stage 3 and the provision of full and part time alternative curriculum programmes offered within all PRUs for Key Stage 4

pupils. Some of the intervention programmes are commissioned by district schools and individual programmes for KS4 pupils are supported by funding from their mainstream school. This has resulted in the majority of pupils on roll in most PRUs being dual rolled with a mainstream school. For Key Stage 4 pupils this usually means all of their education is provided by the PRU, therefore they are not excluded but not being educated within mainstream.

- There has been a clear correlation identified between the exclusion of pupils with Special Educational Needs (SEND), assessed and unidentified, and the risk of exclusion. This is reflected in the number of young people within the PRUs who require statutory assessment. This is a national issue reflected in Lancashire at both secondary and primary level. There is a concern that changes within the DFE SEND processes could impact further on this.
- Since April 2013 Pupil referral Units have had delegated funding and responsibilities for staffing and are now longer managed by Local Authorities. However the responsibility for the provision of education for excluded pupils (and those out of mainstream school due to medical issues) remains with the LA. It is unclear at this point if this will have any impact on the education of excluded pupil. However, if the DFE proposal to shift responsibility for excluded pupils to mainstream schools is ratified, there may be a period of increased exclusions prior to the changes.

Strategies:

Lancashire is participating in the 3 year DFE National Exclusion Trial, due to end in July 2014. This is testing a proposal to shift the responsibility for permanently excluded pupils from the Local Authority to school. Five districts within Lancashire are taking part and providing a range of data to the DFE. Each district has agreed a collaborative intervention project for Key Stage 3 pupils, which has been delivered through their local PRU. Each district also has a Fair Access or Behaviour Panel system to manage moves, reintegration and access to intervention. These programmes are currently being evaluated for the Year 2012-13, but initial signs show a reduction in KS3 exclusions in these areas.

The development of Fair Access District panels, both within trial districts and others, has shown to have a generally positive impact on exclusion and rate of reintegration. This may be due in some part to the increased transparency between schools and a degree of 'peer' pressure.

The School Forum High Need Working Group has recently supported the setting up of a Task and Finish group, led by Inclusion Disability and Support Service (IDSS), to look into the relationship between SEND and exclusion in order to more thoroughly analyse the trends and issues within Lancashire and develop strategies to address those issues that are identified.

There are regular meetings of Pupil Access Team officers, Alternative and Complimentary Education and Residential Services (ACERS) Managers and Head Teachers of the PRUs, to discuss related issues across the authority and within areas. Data is analysed, trends discussed and good practice shared.

The Head Teachers of the PRUs are all active members of their district Head Teacher forums. Over recent years this has had a positive impact on raising the profile of exclusion issues and developing more positive working partnership between the PRU and mainstream schools

Primary

Primary	2010-11	2011-12	2012-13	Trend
Permanent				
NORTH	10	6	5	down
SOUTH	23	16	27	up
EAST	1	2	7	up
Totals	34	24	39	up

Key Points:

- The number of primary school exclusions in area south /central has, over the past 3 years been consistently higher than others areas/districts of Lancashire.
- The Social Deprivation Index identifies the East as the most socially deprived area of Lancashire

Strategies:

A research project was commissioned by ACERS in May 2013 around primary exclusions focussing on the South area where the majority of exclusions occur. The research involved interviews and information collections from 12 high and 12 low excluding Lancashire primary schools on the South area.

Three distinct themes were evident for the low excluders:-

- Culture (an inclusive culture set and promoted primarily by the head teacher)
- Communication (excellent with all local services)
- Multi Agency (pro active and collaborative working with all LCC services)

High excluding schools tended to give lists of what they considered the problems to be – largely focussing on external agencies and support. This pointed towards a blame culture and a lack of recognition of their responsibilities. They failed to recognise the opportunity for the school to be the positive focus and the hub of support and a solution.

Research identified possible solutions and alternatives to permanent exclusions; these suggestions came from both the high excluding schools and the lower excluding schools. An ACERS officer disseminated the above information and data to all South Area Head teachers.

ACERS consider that school governors needed to be aware of and to regularly review their discipline and behaviour policies. Overall however the issue was one of mind set rather than written policy.

The following strategies are being considered by the Behaviour Strategy Group as part of Lancashire's Behaviour Policy:-

- Provide emergency contact numbers for support and assistance schools experiencing difficulty with challenging pupils via Educational Psychologists, PRUs and Advisers
- Working together with other services to support the pupil and his/her family.
- Working more closely with Children's Centres
- Working on better pupil transitions from nursery to school
- Setting up Fair Access Panels for the primary schools in each area

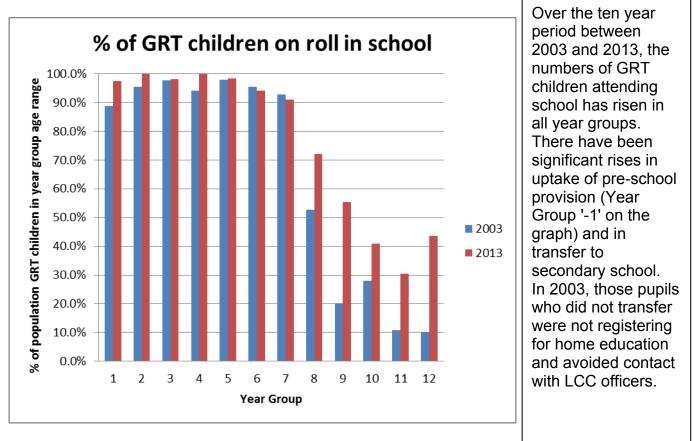
The Ribbleton area FAP (Fair Access Panel) reduced the permanents to nil for the Summer Term.2013. The possibility of applying this approach for other primary school clusters is now being considered e.g. Chorley and part of South Ribble. It was confirmed that head teachers who had participated in successful FAP panel arrangements were used as part of the introduction of these to new areas / clusters. There is much good practice evident in East and North Lancashire primary schools. Using this and drawing on head teacher experience to advise and support other schools is a clear resource, which is being investigated.

- Pupil Access Teams are working with PRUs to encourage all South area head teachers to contact Golden Hill PRU before permanently excluding a primary aged child
- The Behaviour Strategy Group is also working with schools in South Area to prevent exclusions
- IDSS have agreed to prioritise any pupil 'at risk of exclusion' in South Area
- Golden Hill PRU have developed excellent links with schools in south area , and offer support and intervention for pupils at risk of exclusion
- Continuous Improvement Team is working with schools to reduce exclusions via school advise

3. Local Authority support for the education of Gypsy, Roma and Traveller Children

Since the late 1970s, local authorities have had access to additional funding from central government to provide a Gypsy, Roma and Traveller (GRT) Achievement Service - a small team of teachers, teaching assistants and education welfare officers to provide additional support to schools and families to improve enrolment, attendance and achievement of children of Gypsy, Roma and other Traveller families.

Over recent years, funding from central government to local authorities to pay for Traveller Education services has been reduced and the emphasis has moved to focussing on supporting schools to raise attainment in the classroom. This change has been driven by a National Strategies programme that drew on the experiences of schools across the UK who had shown particular success engaging Traveller children and parents. Attainment and attendance at school have risen (see data at end of report) - with Lancashire's results for GRT pupils slightly above the national average. However, around 120 school-age GRT children in the county are currently registered as being educated at home. These are families well-known to staff of the GRT Achievement Team over many years.



Change in uptake of school by GRT children between 2003 and 2013

Change in % of GRT children out of school between 2003 and 2013

	2003		2013	
Key Stage	Number of pupils in school	Number of children out of school (%)	Number of pupils in school	Number of children out of school (%)
1	97	0 (0%)	99	2 (2%)
2	149	2 (1.3%)	188	6 (3.1%)
3	48	73 (60%)	77	52 (40.3%)
4	6	57 (90%)	26	60 (69.7%)

Outcomes at end of KS4

Only 22% (7 pupils) of Year 11-age GRT children known to the service are still attending school at the end of KS4. Of these, three disappeared in year before sitting GCSEs, the remaining 4 all achieved 5A*-E.

GRT secondary age pupils arriving in secondary school other than via normal transfer from secondary school sometimes choose to not self-ascribe as GRT - and so may be unknown to us unless a school highlights an issue.

Of the 32 Year 11 pupils not on school rolls at the end of Year 11, 7 had been supported to take up places on vocational courses at college or vocational units attached to secondary schools. Many more had expressed an interest in college attendance despite not having attended school.

There are several reasons why GRT families do not participate in education in a school setting:

1. Elective Home Education

Over the past ten years, considerable numbers of GRT families throughout the UK have chosen to elect to teach their children at home – usually when children reach secondary school age. Some families do this very effectively and their children make good educational progress. However many of these families find it difficult to provide or organise learning at a level appropriate to their children's needs.

2. Mobility

Relatively few GRT families are genuinely mobile for significant portions of the year. Many families who are seen on unauthorised encampments either on the highway or on private land have a permanent home or a pitch on a local authority or private site somewhere. They may be visiting for work or for family occasions. However, this mobility makes it easier to choose not participate in a school education setting. Some families will cite the '200 sessions rule' – a protection in law for families who have genuine reasons for mobility and where access to school cannot be secured.

3. Anonymity

It is relatively easy for a GRT family new to a county to give false information to visiting officers about the educational status of their children and so maintain anonymity and avoid their duties as parents. High mobility and short eviction times can make it difficult to build relationships with a new family and establish their family details.

Strategies:

The core strategy for dealing with avoidance of education by GRT families is close partnership between the services working directly with GRT families, namely:

Children Missing Education
Pupil Attendance Support
Young People's Service

Pupil Access Elective Home Education GRT Achievement Team

Intelligence about GRT children who have disappeared from school rolls or elected for home education is shared between all these teams. Children who or not on home education and not on school roll are then immediately referred to the Children Missing Education team and their cases are reviewed and progressed at regular joint meetings between CME, Pupil Access and GRT Achievement.

Schools and colleges are increasingly taking the lead in developing approaches to engaging GRT young people before they join the roll of a school. Most Lancashire schools with numbers of GRT pupils belong to the Lancashire Schools GRT Achievement Network and have the opportunity to attend network meetings to share good practice. Developing new strategies to engage GRT children not participating in a school setting is a key agenda for the network.

Because of the high quality of trust between the service and GRT families, parents on the whole are happy to sustain engagement with the service, even when they have elected for home education. The GRT Achievement Service attempts to continue to track progress of GRT young people when they are not in school through voluntary engagement of families whose children are registered for Home Education.

Local Authority activity with GRT children not participating in education in a school setting in the last academic year

Activity in Academic Year 2012-13	
Number of Year 7 children who failed to transfer	22
Number of Year 7 children elected for Home Education	21
Number of children Year 7 to 11 referred to Children Missing Education	16
Number of children Year 7 to 11 returned to school rolls	14
Number of children CME or Home Education leaving Lancashire area	8
Number of children Year 7 to 11 referred to EHE team	33
Number referred to Young People's Service for Targetted Youth Support	24
Number of children Year 10 and 11 on Home Education supported to access college placement or training	12

Activity in Academic Year 2012-13

The following services now work together with schools to engage GRT young people in education:

- Children Missing Education
- Pupil Attendance
 Support Team
- Elective Home
 Education Team
- Young People's Service

Through this network, contact is maintained with around 95% of GRT children not participating in a school All GRT children – whether in school or not – are tracked as a 'Virtual School' with the emphasis on providing support to maintain education progress. In practice, this means signposting parents to existing learning opportunities and developing new engagement activities in partnership with schools. School involvement is crucial as it maintains the connection with formal schooling and increases the likelihood of return to school roll.

A number of our key secondary schools are actively interested in this work as it enables them to have dialogue with parents and to display their support for these children even though the parents have not chosen education in a school based setting. Whilst the children are on home education, there are no concerns about impact on school performance and so there is a window of opportunity to engage GRT children in structured learning.

Successful initiatives over the past two years are as follows:

1. Access-2-Learning Groups

Voluntary access, structured learning group run for 2 hours during the school day. Over 30 GRT secondary young people on home education attended and made good progress at the group;

2. e-Distance Learning

Small pilot to extend school Moodle provision to make it accessible to a small number of GRT young people not on school roll;

3. Primary Head/Secondary Head/Parent and pupil meeting

A single meeting involving the head-teachers of the secondary school and feeder primary, the parent and the Year 6 child who were adamant that the child would not attend secondary school. The meeting secured all the reassurance the parent and child needed and allowed a tailored integration package to be constructed between the head-teachers. The parent was convinced by the commitment to meeting the needs of her child that she saw in the meeting;

4. Individual Pupil Plan

A voluntary shared education record is available for all GRT parents who do not chose a school based education setting. The record gives details of prior attainment whilst at school, suggested opportunities and targets and requests consent to share information with Young People's Service.

5. Practitioner Networks

The service has established a number of regular meetings in key areas which bring together practitioners is services working directly with GRT children and young people (including Children's Centres, health, police, Youth Offending Team, Young Peoples' Service, District Council leads on GRT issues and GRT voluntary groups) to share practice and co-ordinate activity.

4. Children Missing Education (CME)

The CME Team based in Chorley is an arm of the Pupil Access Team and has strong links to school admission and admission appeal issues (annual intake processes for primary and secondary schools and academies and appeal outcomes and offered places not being accessed).

There are established referral procedures with Pupil Access (linked to admission, appeal, and fair access protocol processes) and links to tracking and court officers and other teams and agencies (eg the Gypsy, Roma, Traveller Service – GRT).

The Team consists of 5 full time equivalent staff. They cover the whole of Lancashire and the nature of CME requires extensive liaison and partnership working with other agencies and across the County border.

During the school year 2012-13 there were a total of 1,447 referrals to CME. The breakdown by year group was as follows:-

Prima	ary_	Sec	condary
Rec	166	Yr7	104
Yr1	148	Yr8	143
Yr2	118	Yr9	129
Yr3	94	Yr1	0 125
Yr4	85	<u>Yr1</u>	<u>1 179</u>
Yr5	86		680
Yr6	70		
	767		

There are two types of referral (and a split of around 50 / 50 in these over a year):-

- 1) Tracking these are cases where the pupil is on a school or academy roll but their whereabouts is unknown.
- 2) Placement where the pupil requires an educational placement

Tracking Referrals

Initial contact is with the last known address however this is not usually successful as the families have normally relocated. Investigations then include Council Tax checks, Experian, Health, Police and a Unique Pupil Number (UPN) national search. If the pupil is still not located then a joint protocol agreed with the police is followed. This involves calling a multi-agency meeting to move matters forward. The CME team are extremely successful in tracking pupils and only between 6 and 10 multi agency meetings involving the police were called during 2012-13.

Placement Referrals

CME accompany many parents and pupils to school and academy meetings to discuss and negotiate start dates. Without this support the families concerned would not follow up on offered appointments and pupils would remain CME and so require further resource input.

For secondary aged pupils CME identify and broker alternative provision, especially where a long gap in education and / or the pupil's previous record suggests that a mainstream placement is not likely to be successful. During 2012-13 CME arranged 78 alternative placements (76 for Yr11 pupils and 2 for Yr 10 pupils). Of these 19 were placed in Lancashire Short Stay Schools.

The majority of placements are for vocational activities with only the occasional pupil opting for a BTEC option. This is because most of the referred pupils have had long periods out of formal education when they are referred as CME.

College placements are also used as is National Teaching and Advisory Service support (NT&AS). This has been particularly useful in meeting the needs of Traveller pupils who have benefited from the focussed support available whilst being slowly re-integrated to a mainstream placement.

Funding for placements is predominantly re-claimed each February via the Department for Education's alternative education pro forma although some are also funded (usually short term) via a limited Year 11 and Vulnerable budget held by the Pupil Access Team.

Summary

The CME team work extremely well in tracking and placing the many referrals received annually.

The provision of a dedicated database would greatly assist and this will be examined as part of the corporate review of ICT applications which has recently commenced.

Consultations N/A

Implications: N/A

Risk management

There are no implications for risk management arising from this report.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper

Date

Contact/Directorate/Tel

Reason for inclusion in Part II, if appropriate

N/A