

## **CONSULTATION DOCUMENT**

# **THE DUDLEY WIDER INCLUSION STRATEGY**

### **1. Background**

The Wider Inclusion Strategy, to be launched in September 2019, has the core aim of reducing the level of exclusions and off rolling in Dudley schools. Pupils currently facing exclusion will be supported through effective pathways to remain in mainstream education successfully, access high quality alternative provision or receive better support for their special educational needs or disabilities [SEND]. Success for the strategy will be measured against pupil outcomes including progress, attendance and post 16 destinations.

The main principles behind the strategy were shared at a school conference on February 26<sup>th</sup> and since then there have been preliminary discussions with headteachers, governors, parents, officers and other interested parties.

This document outlines the consultation exercise that will take place with schools, young people, families and other stakeholders in order to agree a draft strategy by the end of July. The strategy needs to work effectively alongside other Council support to develop partnership working between schools, the local authority and local organisations. Other complimentary support activities include special educational needs, early help, the virtual school, services for pupils missing from education, education psychology and youth offending. The Council is also looking to develop a School Readiness Strategy to support children from disadvantaged backgrounds before they move into Year 1.

The consultation will be based on a number of key questions and draft proposals in order for all stakeholders to provide formal feedback. There will also be a second conference on the 26<sup>th</sup> June at Saltwells EDC from 8.30am to 12.30pm to hear the views of headteachers and chairs of governance. The deadline for responses will be Friday 19<sup>th</sup> July. Using this feedback, a draft strategy will be drawn up and shared with headteachers, other partners and stakeholders early in September before it is finalised and launched. However, some elements of the strategy may be introduced earlier where there is a clear need and universal support.

### **2. Levels of Exclusions and “Off Rolling” in Dudley**

Since 2013/14, the level of permanent exclusions in Dudley has been well above the West Midlands and the national averages. Dudley largely follows national patterns for exclusions: boys are more likely to be permanently excluded than girls; pupils with special educational needs or disability [SEND] are more likely to be permanently excluded and more Key Stage 3 pupils are excluded than other age groups.

Off-rolling, also referred to as ‘grey’ exclusions, are where pupils are removed from the school’s register by moving them to alternative provision, home education or other schools. It is obviously very difficult to estimate current levels of off rolling of pupils in Dudley because the data is ambiguous by nature.

### **3. The Pedagogy of Wider Inclusion: Forgotten Children and the Timpson Review**

The pedagogy behind the Wider Inclusion Strategy is based on published research and reports, the 2012 Taylor Report, the 2016 the white paper “Educational Excellence Everywhere”, the Institute for Public Policy Research report “Making the Difference” and the recently published “Creating opportunity for all: Our vision for alternative provision”. However, the key documents are the 2018 House of Commons Education Committee report: “Forgotten Children: alternative provision and the scandal of ever increasing exclusion” and the Timpson Review into Exclusions published in May 2019.

#### **The “Forgotten Children” Report**

This report was published in 2018 called upon local authorities to take greater oversight of exclusions and commissioning alternative provision for pupils. The report makes it clear that off-rolling is unlawful and calls upon the system to be vigilant in looking out for those practices. The report found evidence that suggested that the rise in so called ‘zero-tolerance’ behaviour policies was creating environments where pupils are punished and ultimately excluded for incidents that could and should be managed within the mainstream school environment.

There was also a call to examine whether financial pressures and accountability measures in schools are preventing schools from providing early intervention support and contributing to the exclusion crisis. The report states that the Government and Ofsted should introduce an inclusion measure or criteria that sits within schools to incentivise schools to be more inclusive.

The starting point for the Wider Inclusion Strategy was to examine the four main factors the report identified behind permanent exclusions:

1. A lack of finance and expertise to provide early intervention and pastoral support.
2. Behaviour policies, including zero tolerance policies, creating school environments where pupils are excluded for incidents that should be managed by the school.
3. An increase in mental health needs amongst young people.
4. A focus on Progress 8 and a narrowing curriculum affecting pupil engagement.

#### **The Timpson Review of Exclusions**

The Timpson Review was published on 7<sup>th</sup> May 2019 and identified widespread good practice in support for students and in the use of exclusions. For example, 85% of all mainstream schools did not permanently exclude a single child in 2016/17.

However, there was also variation in exclusion practice across different schools, local authorities and certain groups of children. 78% of pupils permanently excluded either had SEN, were classed as “in need” or were economically disadvantaged

The review makes it clear that permanent exclusions should only be used as a last resort, that schools will be made accountable for the pupils they exclude and that there will be a clampdown on off-rolling. In total there are 30 recommendations that ministers have agreed to implement in principle.

Some of the key recommendations are:

- Ofsted should “consistently recognise” inclusive schools
- Commitment to update guidance (including a definition of Off-Rolling) to ensure that exclusion is only used as a last resort
- LA should be “advocates for vulnerable children” working with schools to avoid exclusions and reviewing where young people end up
- Additional funding for alternative provision including creating Teaching Schools
- Consultation on revising the 45-day suspension limit

Alongside the new Ofsted Inspection Framework to be launched in September 2019, the Timpson recommendations clearly support the main principles behind the Dudley Wider Inclusion Strategy and will enhance the local authority as the champion for young people at risk of permanent exclusion. Additional funding and sharing of best practice in alternative provision will also be key drivers of our approach.

### **The New Ofsted Inspection Framework – September 2019**

The new Ofsted Framework, to be launched in September 2019, defines off rolling as “the practice of removing a learner from the provider’s roll without a formal, permanent exclusion or by encouraging a parent to remove their child, when the removal is primarily in the interests of the provider rather than in the best interests of the learner”.

Under the new inspection guidance it is made clear that, while it may not always be unlawful, off-rolling is never acceptable. There will be a particular emphasis on strategies to support disadvantaged pupils because those with special educational needs, and prior low attainment are disproportionately removed from the school roll. Whenever off-rolling is found it will be stated in the published inspection report and the school is likely to be judged inadequate for leadership and management. However, where schools can demonstrate good and positive explanations for why pupils have moved, Ofsted will accept this.

#### **4. Review of Permanent Exclusions Since September 2018 From Dudley Schools**

The first stage of the Wider Inclusion Consultation is a review into all permanent exclusions since September 2018 to identify the key behaviour(s) that led to each decision to exclude. This will inform the strategy by identifying trends in exclusion by school type, location and pupil demographics. It will map exclusions against key characteristics (such as age, gender, attendance etc.) to identify patterns including a separate analysis of each township. A key focus will be looking at pupils with SEND to see if their additional needs are linked to their behaviour and whether additional or different support might have avoided the exclusion.

Part of the review will be compiling case studies of pupils permanently excluded to show where interventions could have avoided this outcome and to identify key lessons for schools and the local authority in reducing exclusions. Other case studies will be for pupils that avoided a permanent exclusion because of key interventions by the school or the team.

## **5. Current Support for Permanently Excluded Pupils**

### **The Dudley Disability Service**

The focus of Dudley Disability Service is to ensure pupils with SEND are identified and have access to the right support in the right place. There is a close link between exclusions and SEND; disruptive behaviour is often an indication of unmet needs. Pupils with SEND nationally are almost seven times more likely to be permanently excluded than their peers. 50% of pupils permanently excluded in Dudley in the last three years had been identified as requiring SEN Support and others were subsequently assessed as having additional, unmet needs. Mental health and communication/interaction difficulties were the most common types of unmet need for pupils permanently excluded. This is supported by evidence from Dudley's Pupil Referral Units that showed that the majority of pupils admitted had mental health needs.

### **The Dudley Early Help Model**

The Wider Inclusion Strategy is supported by the Dudley Early Help Model. This ensures a co-ordinated, seamless journey of support for young people and their families across all levels of need. The "Think Family" approach is now embedded in practice and, through early identification, issues such as school attendance are picked up preventing escalation to statutory services or school exclusions. DFE guidance makes it clear that schools should identify if behaviour is linked to any causal factors and intervene early in order to reduce the need for an exclusion. Schools should therefore consider using a multi-agency assessment that goes beyond the pupil's educational needs.

### **The Dudley Pupil Access Team**

The Pupil Access Team provides the main support for pupils permanently excluded, based on a family centred approach using a combination of training, specialist services, advice and support around next steps. This may result in a managed move, an EHCP assessment or return to school with short term support for the school.

The current policy for pupils, post exclusion, is to offer a place within the Short Stay School that specialises in behaviour support. There is then a process of identifying an alternative mainstream school for re-integration where this is possible. Alternatively, assessment places can be used to provide support for pupils prior to reintegration. However, there is a clear shortage in the number of places available for the current levels of permanent exclusion.

Transition to the new school is through the monthly Primary and Secondary Fair Access Panels [FAP]. The panels consider the context of each case, parental preference and uses a weightings grid to ensure that a fair and transparent process informs the decision making. However, parents have a right to request an immediate return to a mainstream school following the exclusion and such requests are also processed through the FAP.

All children permanently excluded have a lead professional allocated to them to ensure that they are not 'lost' in the system funded as part of the core work for the Pupil Access Team. The team also provides exclusion training with primary and secondary head teachers as well as sessions with governors.

## **Dudley Virtual School and the Attachment Aware Programme**

Preventing the permanent exclusion of children looked after [CLA] is a key target for partnership work with the Virtual School. A CLA exclusions protocol and guidance has been developed with the aim of securing zero exclusions of pupils within this group.

A number of schools have been part of the Attachment Aware programme and other schools use nurture units, play therapists, online counselling and other voluntary services to offer support to their pupils.

## **Health and Wellbeing Initiatives**

One of the key functions of the Wider Inclusion Strategy will be to work with our Health and Wellbeing services to develop an authority wide provision map of what is effective in order to develop this into a directory of the services available to all schools. As well as a programme of support and training, other health initiatives include best practice and guidance for pupil and staff wellbeing available through the Revolution Portal; an event to help school to meet the new PSHE agenda; the Youth Sports Trust supporting pupils from secondary schools in disadvantaged areas with sports and wellbeing with the aim of improving education outcomes; and the Five Ways to Wellbeing Programme to improve health and wellbeing outcomes to be launched in April 2019.

The school nurse and Positive Steps Team can support students to determine appropriate referral to CAMHs support which can make a significant difference to pupils at risk of exclusion. The medical PRU have an embedded CAHMs worker on the staff and this has had a real impact on the pupils as well as helping to develop the school culture towards a better understanding of social and emotional mental health issues. There is a real opportunity, under the integration through Multi-Specialty Community Provider commissioning, to ensure that all health and wellbeing services for children and young people are integrated, personalised and help improve education outcomes.

## **School Readiness**

Dudley is developing a strategy to support all our Early Years providers to ensure disadvantaged and vulnerable children are better prepared to start school. The Social Mobility data for Dudley shows that the gap between disadvantaged young people and their peers is widest up to the end of the Early Years Foundation Stage. Although this gap narrows slightly during the school years, it remains above national levels.

We have already formed a working party to identify key principles and are now identifying a consultant to draw up a strategy whilst carrying out an analysis of all available data (including health & mobility). The strategy will build on existing good practice locally and nationally by schools, health visitors and family centres. There are clear links to the Early Help Strategy in this work.

We are delighted that Dudley is one of five local authorities in the country to successfully bid to join the Early Years Transformation Academy which will provide a strong focus to the School Readiness approach. Dudley is also part of a successful joint Black Country bid to the DfE for funding for a project to improve speech and language outcomes for young children across the Black Country. As a result, several secondment opportunities are available to support this work.

## **Wider Inclusion Strategy Consultation and Partner Engagement**

This document will be shared with key partners in the strategy to gain their views and examine opportunities for spreading best practice. This will include:

- Schools (including special and PRUs)
- Individual school staff / governors
- SENCOs and pastoral support staff
- Dudley School Improvement Alliance
- Young people and their families
- Pupils that have been excluded
- Education Psychology Service
- Family Centres and Early Help
- EYFS School Readiness
- Place Planning and Finance
- SEND Demand Management
- Dudley School Improvement Alliance
- Children Missing From Education
- Specialist Inclusion Services
- Public Health and CCG partners
- Youth Offending Service
- Education Investigation Services
- Charities and Voluntary groups
- Other local authorities, HMI etc.
- Other interested parties

The consultation exercise will be divided into two main parts. Firstly, there are a number of general questions that will be shared in order to ensure that feedback is focused into specific areas. Hopefully, these questions will encourage engagement with the Wider Inclusion Strategy. Secondly, there are a number of proposals that have already been discussed in the early stages of the consultation which we will seek to refine and agree.

### **Consultation Questions**

- 1. What do you think is the best way to identify pupils likely to be excluded or off rolled as early as possible?**
- 2. What do you think are the most effective interventions to reduce the risk of exclusion?**
- 3. How do you think we can improve the current system for supporting excluded students?**
- 4. How can you help us to understand the relationship between exclusions and SEND?**
- 5. What do you think would be the most effective ways to support pupils with mental health needs?**
- 6. What actions do you think makes the leadership of a school inclusive?**
- 7. What do you think good governance for inclusion looks like in a school?**
- 8. What would you like to see in an inclusive school behaviour policy?**
- 9. What curriculum changes do you think would have the most positive impact on pupils' engagement with learning across all subjects?**
- 10. How do you think schools can work more closely with early help and other support for families to reduce the likelihood of poor attendance or exclusions?**

## Wider Inclusion Proposals

### **Proposal 1 To agree in principle that the majority of interventions are aimed at preventing exclusions not support following a permanent exclusion.**

In line with the principle of intervening as early as possible, the majority of support will now be provided to prevent a permanent exclusion rather than following it. This does not mean that a school must not permanently exclude, only that they will work earlier with the local authority, or other support to try to avoid it. Where a student is not coping with mainstream classes, they may still access alternative provision but, because they have not been excluded, will remain dual registered with their current school. This makes transition back into mainstream, where possible, more straight forward.

From a financial point of view, once a pupil is permanently excluded, the central funding to the school known as the AWPU [Age Weighted Pupil Unit] ceases. If we intervene before the exclusion, the young person remains on the school roll and so this funding is available to support them. There may also be educational placements, such as alternative provision, that would not be available to a permanently excluded pupil which can be used for our pupils if we avoid the exclusion.

There is a clear link between youth offending, being NEET [Not in Education, Employment or Training] and permanent exclusion. By avoiding a permanent exclusion, it is hoped that we improve the outcomes for those pupils. We also avoid the stigma of a permanent exclusion for more of our young people.

### **Proposal 2 To agree that, where a student remains on the school register, the funding directly allocated to them will be used for their education if they receive additional support pro rata to the split in their timetable.**

At the moment any pupil moving to alternative provision, including our short stay provision, is funded by the local authority. It is proposed that, under the Wider Inclusion Strategy, funding will be used to support the pupil's education so the AWPU and other funding directly attached to that young person will be passed to the educational establishment. For example, if a pupil spends half the time in each setting, funding would be shared equally.

There are no plans to move any additional funding from the Dedicated Schools Grant (including the High Needs Block) and therefore the Wider Inclusion Strategy will have to be cost neutral. Currently Dudley has a total budget for the 2019/20 academic year of £229,000 through Fair Access Protocols to support pupils that are permanently excluded. Clearly this limits the number of young people that can receive support. If Proposal 1 becomes common practice and we begin to engage with more pupils that have not been permanently excluded, we can use their AWPU (as well as other funding linked directly to the student) to fund additional support and the FAP budget can be used to top this up. This additional support will include the Assessment Centre (Proposal 6), expanding PRU provision (Proposal 8), increasing outreach support for schools (Proposal 9), providing preventative placements for pupils (Proposal 10) creating an additional Key Stage 4 class

at Cherry Tree Medical PRU (Proposal 11) and, potentially, additional alternative provision placements (Proposal 13).

If this proposal is not agreed, the number of young people that can be supported by the strategy as a whole will be reduced. Once the revised budget is known, there will be further consultation with schools about how this funding will be broken down into additional provision, training and other support.

**Proposal 3 To agree in principle that pupils should not be off rolled in Y6 or KS4.**

There is a particular issue around pupils being permanently excluded or off rolled in Year 6 or in Key Stage 4 because of the impact on their examination results and the impact on other students so close to exams. Therefore, it is proposed that we will try to ensure that no pupils are removed from the roll of a school in these key years. As above for Proposal 2, this has the added advantage of maintaining the pupil on a mainstream school register which allows the funding to be used to help fund the support.

**Proposal 4 To agree in principle, no pupils are excluded for behaviours directly linked to their SEND needs or during the EHCP assessment process.**

Young people with SEND nationally are seven times more likely to be permanently excluded than their peers and around 50% of Dudley students permanently excluded over the last three years had SEND. DFE guidance makes it clear that schools should identify if a pupil's behaviour is linked to unmet needs and that a more holistic approach to meeting this need is required than exclusion. There is evidence that a school's failure to identify additional needs quickly and the local authority not responding quickly enough to agree an Educational Health and Care Plan [EHCP] in order to get support in place, has been a contributing factor in a number of exclusions. Where a school is in the process of carrying out an EHCP assessment for a pupil, it should be possible to complete this before a permanent exclusion takes place using alternative support or provision. Whilst I know that schools will want to support this principle, in practice this will only be possible if there is an effective range of alternative support and provision to meet the needs identified in the EHCP.

**Proposal 5 To widen the remit of the DSIA Behaviour and Attendance Group to allow some oversight of assessment and alternative provision places and to support schools in reducing exclusions and off rolling.**

The new strategy will provide support for reducing exclusions and improving attendance. It is hoped that headteachers, with local authority support, will be able to hold each other to account more effectively than is the case currently through the Behaviour and Attendance Group. The group will also hold some responsibility for allocating resources such as assessment places and alternative provision.



**Proposal 6 To widen the remit of the Pupil Access Team to support the Wider Inclusion Strategy, add expertise to the Behaviour and Attendance Group and to provide quality assurance activities to measure the impact of the additional support being provided to young people including alternative provision.**

This is a relatively straight forward proposal. If the main aim of the strategy is to shift support from pupils that have been permanently excluded to preventing this happening, then the Pupil Access team will need to adjust their working practices in line with this. Currently the team do manage to help schools to avoid an exclusion but often are not able to get involved in a case until very close to the point of the exclusion. This restricts the type of support that can be offered. It is clear that the team have the skills and knowledge to support young people in a range of ways and it will be important for them to work alongside the short stay and alternative provision to ensure a fully integrated approach for our young people. The team will maintain their role for periodically quality assuring the effectiveness of alternative settings and ensuring that the settings maintain effective communication with schools about attendance, attainment, progress and social, emotional and personal development for each student.

**Proposal 7 To create Curriculum Hubs for Wider Inclusion and School Readiness.**

Three curriculum hubs for English, mathematics and science will form part of the Dudley School Improvement Alliance school support offer to schools. These hubs will be managed by three secondary schools with support from the local authority. It is further proposed to create two additional hubs to support the new strategies for Wider Inclusion and School Readiness from September 2019. These hubs would be led by local authority teams with support from schools.

**Proposal 8 To ensure that early help support is provided where a pupil's behaviour is directly linked to issues at home. This will include a discussion with our partners in health to identify the best CAMHs approach.**

A high percentage of pupils permanently excluded have problems at home and the majority of students attending our short stay school provision have been diagnosed as having social, emotional or mental health issues. Part of the Wider Inclusion Strategy will be to identify the best support for these young people and to ensure that their needs are met. Dudley has maintained a strong CAMHs offer for young people but there needs to be a discussion about how this can fit most effectively within the new Wider Inclusion Strategy particularly by helping to inform the training and outreach support offer being provided to schools. The option of linking a dedicated CAMHs worker to Sycamore Short Stay School (as is the case at Cherry Tree) will be explored.

**Proposal 9 To develop additional assessment places for pupils in Dudley. The consultation will focus on the number and type of places required.**

It has already been agreed to increase the number and range of assessment places for young people to help ensure that they are appropriately placed. This means that some students are being placed in another mainstream school following a permanent exclusion without any assessment of their needs and no clear transition plan. The Behaviour and Attendance Group will be able to place pupils at the assessment centre to gather information about the best placement and to ensure that the right support is given to help the new school or alternative provision placement support the student.

**Proposal 10 To provide preventative placements at the short stay schools. The consultation will focus on the number and type of placements.**

As well as outreach support, for pupils where a permanent exclusion is more imminent, there will be preventative placements for young people. Some outreach and training support will be aimed at supporting the transition back into mainstream education or into alternative provision where appropriate.

**Proposal 11 To increase the outreach support and training offer for all schools delivered by the short stay schools. The consultation will focus on the type of support and training that would be most effective.**

The short stay schools will provide outreach support and training to schools to help to identify young people on the path towards exclusion and to provide appropriate support.

**Proposal 12 Expanding the behavioural PRU provision to include Key Stage 4 pupils. The consultation will focus on whether this is the right approach and, if so, what type of provision should be provided.**

Currently the behavioural PRU does not admit Key Stage 4 pupils so any Year 9 students move into alternative provision placements at the start of Year 10. Within the new strategy it has been agreed to consult on expanding the support to cover Key Stage 4 pupils as well. This will be with a view to returning students to mainstream schools as well as supporting the transition to alternative provision where available.

**Proposal 13 To create a KS4 class at the medical PRU for Y9 pupils unable to return to mainstream and likely to complete their studies there.**

Pupils at the medical PRU remain on the roll of their mainstream school and so are dual registered. This creates an issue for Year 10 students placed at the PRU at the start of the academic year because they begin their GCSE studies with a narrower range of subjects than would be available at their mainstream school. However, those students that spend the majority of Key Stage 4 there have measurably better outcomes than comparable students within mainstream classes nationally. Therefore, one target will be to return as many students as possible to mainstream education by the end of Year 9. An additional proposal will be to develop a new Key Stage 4 class so that all students beginning their GCSEs there will be able to complete their studies.

**Proposal 14 A new strategy for alternative provision places to be agreed that meets the needs of all young people in Dudley including arrangements for measuring pupil outcomes, communicating effectively with schools, safeguarding and SEND support.**

A new strategy for alternative educational provision is being drawn up to meet the needs of all young people in Dudley. A review of existing provision has identified some strengths but also a number of areas of concern. An alternative provision commissioning plan will ensure that there is an appropriate level of provision to meet need, but will also ensure that the outcomes are effectively measured so that there can be a quick response where there are concerns about a pupil. Communication and quality assurance activities will ensure that where mainstream students are educated off site in this provision on a full time or part time basis, their school will receive accurate and up to date information about their performance. Arrangements will include ensuring that safeguarding and support for SEND needs is effective.

### **Responding to the Wider Inclusion Consultation**

You may respond to this consultation document however you wish. You may respond to every question and proposal or just those that are of particular interest. Alternatively, you may wish to share your views on other aspects of inclusion. Please do not feel restricted by the questions or proposals if you believe there is something else that needs to be considered.

It is hoped that feedback will include a view on the best ways to intervene with a pupil. This might include the types of training for all schools that would help the staff to manage lower level behaviour as well as the threshold for more formal interventions. We hope that schools, young people and their families will be able to give personal examples of the type of support that made a difference to them (or would have made a difference).

Other feedback could include some of the logistical issues this policy might create. For example, when considering alternative provision placements, schools will need to be reassured that safeguarding arrangements are robust and that full information regarding attendance and outcomes is shared effectively with them.

The consultation document is being sent to headteachers, chairs of governance and other key stakeholders. It is hoped that they will share it more widely and respond on behalf of their organisations. The document is designed to be shared fully or just from Page 6 onwards that contains the questions and proposals.

The deadline for responses is 1pm on Friday 19<sup>th</sup> July 2019 so that the draft strategy can be written over the Summer.

Please send all responses to Steve Wilkinson, the Strategic Lead for Inclusion and Access for Dudley at [steve.wilkinson@dudley.gov.uk](mailto:steve.wilkinson@dudley.gov.uk).

# **SECOND WIDER INCLUSION AND EARLY HELP CONFERENCE**

**WEDNESDAY 26<sup>TH</sup> JUNE**

**9.30<sup>AM</sup> – 12.30<sup>PM</sup> AT SALTWELLS EDC**

**OFSTED INSPECTION FRAMEWORK 2019:  
FINDINGS FROM PILOT INSPECTIONS  
SUSAN MORRIS-KING (SENIOR HMI)**