Use of Part-time Timetables in Schools
2017-18

Final Report

**Working in Partnership to Deliver Audit Excellence**

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Executive Summary

This section provides an overview for senior management to understand the main conclusions of this audit review, including the opinion, significant findings and a summary of the corporate risk exposure.

Findings and Outcomes

This section contains the more detailed findings identified during this review for consideration by service managers. It details individual findings together with the potential risk exposure and an action plan for addressing the risk.

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Executive Summary

Overview

As part of the 2017/18 audit plan a review has been undertaken to assess the adequacy of the controls and procedures in place across a sample of schools in Somerset for part-time timetables.

The Department for Education (DfE) 'School Attendance' guidance (November 2016) states that:

> *All pupils of a compulsory school age are entitled to a full-time education. In very few exceptional circumstances there may be a need for a temporary part-time timetable to meet a pupil's individual needs... A part-time timetable must not be treated as a long-term solution. Any pastoral support programme or other agreement must have a time limit by which point the pupil is expected to attend full-time or be provided with alternative provision.*

The use of a part-time timetable for a child of compulsory school age is not technically legal, though the Education Act 1996 states that part-time education is acceptable where this is in their best interests because of their health needs.

Following a consultation, Somerset County Council issued the *Somerset Protocol on the Use of Part-time Timetables* in December 2016. The Protocol outlines the Council's position on part-time timetables and defines the practice that must be followed by all schools in Somerset, including academies and pupil referral units (PRUs).

This review is intended to identify the degree to which schools comply with the requirements of the Somerset Protocol and to assist management in identifying areas where further work is needed to ensure the use of part-time timetables is appropriate.

Objective

To ensure that all children of compulsory school age, within the Authority's area of responsibility, are accessing their full entitlement to education and are safe.

Significant Findings

Finding:	Risk:
During the review the Local Authority developed a new report which can identify children who are likely to be on a part-time timetable, but a procedure for challenging schools is not yet in place. Schools are not required to notify the Education service when a part-time timetable is implemented.	Monitoring and challenge is not sufficient to identify children whom should not be on a part-time timetable, which reduces their educational outcomes.
The required procedure outlined in the Somerset Protocol for part-time timetables is not appropriate in all circumstances, particularly where a child is recognised as having higher support needs.	A lack of guidance for specific circumstances reduces the effectiveness of the Protocol, meaning schools either cannot or may not follow best practice guidelines.
Only 4 of 21 children who were, or had been, on a part-time timetable had a Pastoral Support Plan (PSP) in place. The remaining children	It is not clear whether other forms of support plans are acceptable alternatives for a PSP. This may lead to schools deciding to rely on existing

either did not have a support plan or schools placed reliance on plans created by other agencies. The Protocol does not confirm whether other plans are acceptable substitutes for a PSP.	plans or duplicating the content of existing plans to meet this requirement. Production of a new assessment where others exist may not be an efficient use of time for schools.
We did not observe any instances of schools completing risk assessments or safeguarding agreements with alternative education providers. Only one school were found to be including safeguarding responsibilities in their agreement with parents.	If schools do not have appropriate agreements and risk assessments in place, there is a risk they and by extension the Local Authority may be held responsible if a child were to be harmed during school hours. This could lead to significant reputational damage.
Documented parental agreement to a part-time timetable was only evident in 9 of 17 cases reviewed.	A lack of support for the part-time timetable by parents may lead to reduced educational outcomes and an increased risk of legal challenge.

Audit Opinion:	Partial

We can offer partial assurance in relation to the areas reviewed and the controls found to be in place. Some key risks are not well managed, and systems require the introduction or improvement of internal controls to ensure the achievement of objectives.

A key objective of this audit was to determine the extent to which schools in Somerset are complying with the Somerset Protocol. Our review has established that no schools visited fully complied with the Somerset Protocol for several reasons, most pertinently:

- Schools not being aware of the Somerset Protocol;
- Schools not consistently completing Pastoral Support Plans;
- Schools not obtaining recorded parental agreement from parents;
- Schools not having recorded safeguarding agreements with parents and alternative education providers, or risk assessments in place.

As explained under Findings and Outcomes, most of these weaknesses relate to a lack of awareness of the Somerset Protocol and the procedures described in the Protocol not being appropriate for all circumstances which can lead to a part-time timetable. Our discussions with school representatives did not identify any clear instances where a part-time timetable had been used inappropriately, however the Somerset Protocol requires revision and supporting templates to assist schools in conforming with its requirements.

Well Controlled Areas of the Service

- Schools explained and were able to demonstrate that they would work closely with other agencies to achieve the best outcomes for the child. This includes Local Authority departments such as the Education Welfare Service, Children's Social Care and the Virtual School, as well as CAMHS, GPs, hospitals and alternative education providers.
- All schools were able to identify a member of staff with overall responsibility for attendance monitoring as well as monitoring of part-time timetables.
- Though some minor errors were identified, we found that attendance was being coded correctly in most instances.

Corporate Risk Assessment		
Risks	Inherent Risk Assessment	Auditor's Assessment
1. Children of compulsory school age in the Local Authority's area who are not accessing their full entitlement to education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (Not in Education, Employment, or Training) in later life.	High	Medium

Findings and Outcomes

Method and Scope

This audit has been undertaken using an agreed risk-based approach. This means that:

- the objectives and risks are discussed and agreed with management at the outset of the audit;
- the controls established to manage risks are discussed with key staff and relevant documentation reviewed;
- these controls are evaluated to assess whether they are proportionate to the risks and evidence sought to confirm controls are operating effectively;
- at the end of the audit, findings are discussed at a close-out meeting with the main contact and suggestions for improvement are agreed.

A sample of seven schools, including academies, PRUs and primaries, was selected. As Somerset County Council did not have any data to identify children on part-time timetables, sample selection was determined based on attendance data, with focus being placed on schools with significant use of attendance codes B (off-site educational activity) and C (authorised absence). The Somerset Protocol requires all absences for sessions authorised through a part-time timetable to be coded C.

We visited each of the seven schools, with visits taking place between 7th December 2017 and 21st February 2018. Though each school has been provided with feedback regarding areas for improvement, we recommend that Somerset County Council share the findings of this report with all schools in Somerset. The total sample comprised 58 children, though only 24 children were found to have or have had a part-time timetable. Not all children selected were fully assessed as in some instances they were no longer on the roll of the school and paperwork was no longer available, or they had moved into home education.

As the focus of this audit was overall compliance with the Somerset Protocol and accurate coding of attendance, we have not provided an assessment on whether part-timetables found to be in place at the schools visited were justifiable or suitable to improve outcomes.

1.	Children of compulsory school age in the Local Authority's area who are not accessing their full entitlement to education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (Not in Education, Employment, or Training) in later life.	**Medium**

1.1   Central monitoring of part-time timetables

At the onset of the review the Local Authority did not have a method for central identification of children on part-time timetables. Though a report to identify children who had attended less than 90% of sessions in the previous twelve weeks was available, and this provided a breakdown number of sessions in that period assigned to particular attendance codes, our review identified that because the authorised absence code can be used legitimately in other circumstances, the available data cannot be reliably used to identify where part-time timetables are in place.

Since the final audit visit was completed in February 2018, the Local Authority has developed a new report which identifies all children who have had at least one session B- or C-coded in the preceding six weeks. The report includes a breakdown by school with a graphical display of each child's attendance coding, so trends can be identified. This more targeted report should allow the Local Authority to identify children with significant levels of authorised absence, though a procedure to challenge schools based on this report has not yet been agreed.

The Somerset Protocol requires schools to engage with both the Team Around the School and Early Help Assessment process before a part-time timetable can be agreed, and in some cases, agreement must be sought from the Virtual School and SEN teams before this can go ahead. The Protocol does not currently stipulate that the Education service should be notified when a part-time timetable commences or contribute to the decision.

A notification requirement and a documented system for challenging schools would further improve the Local Authority's ability to maintain oversight on the use of part-time timetables. Without this, there is a risk that children could be put onto part-time timetables inappropriately and this could negatively impact their educational outcomes.

1.1a	Proposed Outcome:	Priority 4

We recommend that the Head of Educational Outcomes establishes a procedure for monitoring and challenging schools identified as having children with significant levels of authorised absence. This could include monitoring of part-time timetables against referrals to Team Around the School and for Early Help Assessment. The Somerset Protocol should be amended to include a requirement for schools to notify the Education service of part-time timetables and provide a justification for these as they are agreed.

Action Plan:

Person Responsible:	Head of Outcomes and Sufficiency	Target Date:	31 August 2018
Management Response:	We are currently developing a mechanism for feeding a range of additional information in to our Schools Causing Concern Process (SCCP) and this will one element of that information. EWS will be using this information in its conversations with schools from June onwards and the SCCP will begin to monitor from September.		

1.2	Use of the Protocol

All schools and academies in Somerset are expected to follow the Somerset Protocol on the use of part-time, reduced timetables, which was made available to schools in December 2016.

Each of the seven schools visited had at least one child on a part-time timetable. Officers from three of these schools reported that they were not aware of the Somerset Protocol, while another reported that they were aware of the Protocol but only used it for guidance purposes. One school visited has used the Protocol as the basis for its own protocol, which includes all the Somerset Protocol requirements as well as a documented internal procedure.

The Protocol outlines the following requirements for a part-time timetable to be permissible:
- The school must have explored all other options to allow the child to attend on a full-time basis, including referral to Team Around the School, discussion with specialist support services and/or referral to the Panel for Excluded and Vulnerable Pupils (PEVP);
- There has been a Team Around the Child (TAC) meeting and it is agreed by all parties, including the parent or carer, that a part-time timetable is appropriate for the child concerned and this is recorded. For Children Looked After (CLA) or children with an Education Health and Care Plan (EHCP), the part-time timetable must also be agreed with the Virtual School or SEN Casework team, respectively;
- A Pastoral Support Plan (PSP) in put into place and is regularly reviewed;
- The school completes a written safeguarding agreement with the parent or carer and, if applicable, the alternative education provider, to confirm the responsibility for safeguarding lies with them when the child is not expected to attend school. A risk assessment should also be completed.

Though the SCC Protocol has been in place for over a year, we did not identify any instances where each of the requirements had been met based upon the guidance currently given. Detailed findings about key areas of non-compliance follow this section.

One potential issue identified through discussion with school officers is that the Protocol does not provide any information about the steps schools should take where a child's support arrangements exceed the Early Help mechanisms referred to in the Protocol. For instance, if Children's Social Care is already supporting a child who is about to be put on a part-time timetable, the Protocol indicates an Early Help Assessment and Team Around the Child meeting should be completed even though these tools are intended to support children with lower identified needs. We have noted through online research that there are examples of other local authorities, such as Swindon Borough Council, who have clarified steps that should be taken in specific circumstances, such as children with Child Protection plans.

If the Protocol does not provide sufficient guidance to cover children in different circumstances, there is a risk that schools will not follow best practice, and this will impact on educational outcomes for affected children.

1.2a	Proposed Outcome:	Priority 4

We recommend that the Head of Educational Outcomes revises the Somerset Protocol to provide further guidance on expectations for children whose support needs exceed Early Help procedures. The Somerset Protocol should be then reissued to all Somerset schools and promoted through a mixture of methods, including direct email, iPost, governor newsletters, Education Welfare Officers and designated teacher meetings.

Action Plan:			
Person Responsible:	Head of Outcomes and Sufficiency	Target Date:	31 August 2018
Management Response:	The protocol will be redrafted and presented to the Somerset Education Partnership Board at its July meeting for implementation from September 2018		

1.2b	Proposed Outcome:	Priority 3

We recommend that the Head of Education Outcomes creates a Protocol Checklist which encompasses the main requirements of the Protocol and allows schools to record evidence of compliance at each stage of the process. This form could also form part of the notification process recommended under 1.1a.

Action Plan:			
Person Responsible:	Head of Outcomes and Sufficiency	Target Date:	31 August 2018
Management Response:	Agreed. Will be produced alongside re-drafted protocol		

1.3	Pastoral Support Plans

The Somerset Protocol confirms that for all children on a part-time timetable there must be a Pastoral Support Plan (PSP) in place which includes:
- how work will be provided to the pupil whilst they are not on the school site;
- how progress will be monitored and reported;
- how the pupil's safety will be assured when they are not on the school site (see 4.2.4 below); and
- a time limit by which point the pupil is expected to attend full-time, with appropriate targets to gradually increase attendance during the period agreed, which must not exceed six school weeks.

Though the Somerset Protocol requires schools to meet several requirements, such as the PSP, the

Local Authority has not produced any materials in the form of suggested templates to assist schools in meeting these requirements. During visits we found that most of the schools had developed or were using their own templates in place of a PSP, however these did not always meet all the requirements of the Protocol considering the points above, and the need for parental and safeguarding agreements. If schools do not use a consistent template there is a risk that necessary information may not be captured in plans, which could lead to issues when children transition between schools.

21 children in our test sample that had or had been on a part-time timetable were tested to verify if there was a PSP in place. Four children were found to have a PSP equivalent plan in place, however the remaining children did not. In most instances, this was because there were other arrangements or plans in place which the schools felt superseded the PSP, such as Education Health and Care Plans, SEN statements, social care involvement, Personal Education Plans, home education and medical care plans. One school visited was a pupil referral unit and it did not have PSPs as higher-level assessments had already been completed, while representatives from two other schools specifically stated a desire not to duplicate assessments already completed. We have found through online research that there are examples of other local authorities, such as Derbyshire County Council, who accept alternative assessments as long as they are multi-agency.

Though the Protocol states that a PSP must be in place for a part-time timetable to go ahead, it does not indicate whether reliance can be placed on existing assessments or plans schools are already aware of. Production of a new assessment where others exist may not be an efficient use of time for schools.

1.3a	Proposed Outcome:			Priority 4

We recommend that the Head of Educational Outcomes reviews the Somerset Protocol to clarify whether schools must produce a PSP in all instances or whether reliance can be placed on existing assessments if they meet the same criteria. If this option is taken, the Somerset Protocol should state that schools must retain a copy of this assessment on the child's file and use it as the basis for regular review.

Action Plan:			
Person Responsible:	Head of Outcomes and Sufficiency	Target Date:	31 August 2018
Management Response:	Agreed		

1.3b	Proposed Outcome:			Priority 3

We recommend that the Head of Educational Outcomes ensures that templates to support schools in using the Somerset Protocol are introduced and promoted to schools. This should include templates for a Pastoral Support Plan, parental agreement form, a part-time timetable risk assessment and a written safeguarding agreement for parents and alternative education providers.

Action Plan:			
Person Responsible:	Head of Outcomes and Sufficiency	Target Date:	30 September 2018
Management Response:	Agreed		

1.4	Parental agreement, safeguarding agreement and risk assessment

The Somerset Protocol states under 4.2.2 that a part-time timetable should not proceed without recorded agreement from a parent or carer.

Our testing identified that three schools visited during the audit that had children on part-time timetables were not obtaining recorded agreement from a parent or carer. If schools do not seek documented permission from parents and carers to place their children on part-time timetables,

there is reduced assurance that such arrangements will be supported at home, which could undermine achievement of outcomes, as well as an increased risk of legal challenge.

Furthermore, clause 4.2.4 of the Protocol states:

Schools must ensure that when a pupil is not expected to attend, there is a written agreement with parents or alternative education providers about who is carrying out the duty of safeguarding for each session. To this end a risk assessment should be carried out prior to implementation of the arrangement which must address:

- *an assessment of the safety and wellbeing of the child*
- *any Child in Need/Child Protection concerns*
- *the risk of the pupil engaging in criminal activity*
- *the risk of substance misuse, child sexual exploitation or other such issue, while not in receipt of education during the day.*

Though we observed that four schools had mechanisms in place to capture parental agreement, this was not evident at other schools and only one school had included safeguarding responsibilities for when the child is not attending school in their procedures. We did not observe any instances in which schools had completed a safeguarding agreement with alternative education providers or a risk assessment as described by the Protocol for the children in our sample, though two schools referred to risk assessments being completed by other agencies such as Children's Social Care. The Protocol indicates schools must complete risk assessments but does not clarify whether reliance can be placed on existing assessments from other agencies.

If schools do not complete safeguarding agreements and risk assessments, there is a risk that schools and potentially the Local Authority may be held responsible in the event a child is harmed during school hours, which could lead to significant reputational damage.

A recommendation to address the lack of a template has been made under 1.3b.

1.4a	Proposed Outcome:	Priority 4

We recommend that the Head of Educational Outcomes introduces a process by which schools are required to provide evidence of parental agreement, risk assessments and safeguarding agreements undertaken for all part-time timetables when requested. This could form part of the notification process recommended under 1.1a.

Action Plan:

Person Responsible:	Head of Outcomes and Sufficiency	Target Date:	31 August 2018
Management Response:	Agreed		

1.5	Absence coding

Our review identified examples at three schools where absence had been coded incorrectly for children with part-time timetables, though all schools reported that they were aware of the DfE School Attendance guidance document. All schools used SIMS to record attendance and attendance records include a summary of the codes available. One school also pointed out that SIMS has a code index which the school used to ensure the correct codes were selected.

During our audit we checked a sample of 51 cases to ensure attendance coding was correct. It should be noted that in some instances the circumstances of the part-time timetable, specifically cases of a very complex nature and cases subject to very frequent review, made this difficult to judge accurately. The sample included 21 children who were or had previously been on a part-time

timetable. We found coding to be correct in 44 cases. Of the seven other cases:

- Three children (all attending the same school) had part-time timetables however the school had coded all expected absences as B. The school was aware of these errors however have not changed the records as the census date has now passed.
- For one child only two days per week of off-site education had been coded B, though three days were being accessed.
- For one child their off-site education sessions had been coded C, though this should have been B.
- For one child absence had been C coded where the family would not allow the child to come to school and did not allow education providers to perform visits. This should have been O coded.
- For one child who was dual registered with a PRU, their school coded the PRU sessions as C however this should have been code D.

While we found that attendance had been coded correctly in most instances and that there was evidence that most of the schools consulted their Education Welfare Officer when needed, if attendance is not correctly recorded there is reduced assurance that the Local Authority submits accurate data to the DfE. As noted under 1.1 the Local Authority does not currently have a method for identifying children on part-time timetables other than using attendance data, so incorrect recording also reduces the ability of the Local Authority to monitor effectively.

1.5a	Proposed Outcome:	Priority 3

We recommend that the Head of Educational Outcomes contacts all Somerset schools to remind them of coding requirements for part-time timetables. This could be achieved by re-issuing a revised Somerset Protocol as recommended under 1.1a.

Action Plan:			
Person Responsible:	Head of Outcomes and Sufficiency	Target Date:	30 September 2018
Management Response:	Agreed		

Audit Framework and Definitions

Assurance Definitions

None	The areas reviewed were found to be inadequately controlled. Risks are not well managed, and systems require the introduction or improvement of internal controls to ensure the achievement of objectives.
Partial	In relation to the areas reviewed and the controls found to be in place, some key risks are not well managed, and systems require the introduction or improvement of internal controls to ensure the achievement of objectives.
Reasonable	Most of the areas reviewed were found to be adequately controlled. Generally, risks are well managed, but some systems require the introduction or improvement of internal controls to ensure the achievement of objectives.
Substantial	The areas reviewed were found to be adequately controlled. Internal controls are in place and operating effectively and risks against the achievement of objectives are well managed.

Definition of Corporate Risks

Risk	Reporting Implications
High	Issues that we consider need to be brought to the attention of both senior management and the Audit Committee.
Medium	Issues which should be addressed by management in their areas of responsibility.
Low	Issues of a minor nature or best practice where some improvement can be made.

Categorisation of Recommendations

When making recommendations to Management it is important that they know how important the recommendation is to their service. There should be a clear distinction between how we evaluate the risks identified for the service but scored at a corporate level and the priority assigned to the recommendation. No timeframes have been applied to each Priority as implementation will depend on several factors, however, the definitions imply the importance.

Priority 5	Findings that are fundamental to the integrity of the unit's business processes and require the immediate attention of management.
Priority 4	Important findings that need to be resolved by management.
Priority 3	The accuracy of records is at risk and requires attention.

Priority 2 and 1 Actions will normally be reported verbally to the Service Manager.

Support and Distribution

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Support

We would like to record our thanks to the following individuals who supported and helped us in the delivery of this audit review:

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Statement of Responsibility

Conformance with Professional Standards

SWAP work is completed to comply with the International Professional Practices Framework of the Institute of Internal Auditors, further guided by interpretation provided by the Public Sector Internal Auditing Standards.

SWAP Responsibility

Please note that this report has been prepared and distributed in accordance with the agreed Audit Charter and procedures. The report has been prepared for the sole use of the Partnership. No responsibility is assumed by us to any other person or organisation.