

SCRUTINY FOR POLICIES, CHILDREN AND FAMILIES COMMITTEE (VIRTUAL MEETINGS FROM MAY 2020 DUE TO CORONAVIRUS)



Wednesday 6 May 2020

1.00 pm Virtual Committee Meeting

To: The members of the Scrutiny for Policies, Children and Families Committee (virtual meetings from May 2020 due to Coronavirus)

Cllr L Redman (Chair), Cllr R Williams (Vice-Chair), Cllr M Dimery, Cllr N Hewitt-Cooper, Cllr James Hunt, Cllr J Lock, Cllr W Wallace, Cllr J Williams.

Mr P Elliott, Ms Helen Fenn, Mrs Ruth Hobbs and Mrs Eilleen Tipper.

All Somerset County Council Members are invited to attend.

Issued By Scott Wooldridge, Strategic Manager - Governance and Democratic Services - 28 April 2020

For further information about the meeting, please contact Neil Milne on 01823 359045 or ndmilne@somerset.gov.uk or Jamie Jackson on 01823 369040 or jajackson@somerset.gov.uk

Guidance about procedures at the meeting follows the printed agenda and is available at [\(LINK\)](#)

This meeting will be open to the public and press, subject to the passing of any resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on www.somerset.gov.uk/agendasandpapers

Are you considering how your conversation today and the actions you propose to take contribute towards making Somerset Carbon Neutral by 2030?



RNID typetalk

AGENDA

Item Scrutiny for Policies, Children and Families Committee (virtual meetings from May 2020 due to Coronavirus) - 1.00 pm Wednesday 6 May 2020

**** Public Guidance notes contained in agenda annexe ****

1 Apologies for Absence

to receive Members' apologies

2 Declarations of Interest

Details of all Members' interests in District, Town and Parish Councils will be displayed in the meeting room. The Statutory Register of Member's Interests can be inspected via the Democratic Service team.

3 Virtual Committee Meetings Procedure and Guidance (Pages 7 - 18)

To consider this report on Virtual meetings procedure and guidance.

4 Public Question Time

The Chair will allow members of the public to ask a question or make a statement about any matter on the agenda for this meeting. **These questions may be taken during the meeting, when the relevant agenda item is considered, at the Chair's discretion.**

5 Scrutiny Work Programme (Pages 19 - 32)

To discuss any items for the forthcoming work programme. To assist the discussion, the following documents are attached:

- a) – The Cabinet's latest published forward plan;
- b) – Current Work Programme for the Committee.

6 Council response to Covid-19 - Children's Services Update (Pages 33 - 46)

7 School Exclusions - Task and Finish Group report (Pages 47 - 100)

To consider the final report from the School Exclusions Task and Finish Group.

8 Any other urgent items of business

The Chair may raise any items of urgent business.

Agenda Annexe

Guidance notes for the meeting

1. **Council Public Meetings**

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 have given local authorities new powers to hold public meetings virtually by using video or telephone conferencing technology.

2. **Inspection of Papers**

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at democraticservices@somerset.gov.uk or telephone 07790577336/ 07811 313837/ 07790577232

They can also be accessed via the council's website on www.somerset.gov.uk/agendasandpapers.

Printed copies will not be available for inspection at the Council's offices and this requirement was removed by the Regulations.

3. **Members' Code of Conduct requirements**

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: [Code of Conduct](#)

4. **Minutes of the Meeting**

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

5. **Public Question Time**

If you wish to speak, please contact Democratic Services by 5pm 3 clear working days before the meeting. Email democraticservices@somerset.gov.uk or telephone 07790577336/ 07811 313837/ 07790577232.

At the Chair's invitation you may ask questions and/or make statements or comments about any matter on the Committee's agenda – providing you have given the required notice. You may also present a petition on any matter within the Committee's remit. The length of public question time will be no more than 30 minutes in total.

A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. However,

questions or statements about any matter on the agenda for this meeting may be taken at the time when each matter is considered.

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish.

If there are many people present at the meeting for one particular item, the Chair may adjourn the meeting to allow views to be expressed more freely. If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

An issue will not be deferred just because you cannot be present for the meeting. Remember that the amount of time you speak will be restricted, to three minutes only.

In line with the council's procedural rules, if any member of the public interrupts a meeting the Chair will warn them accordingly.

If that person continues to interrupt or disrupt proceedings the Chair can ask the Democratic Services Officer to remove them as a participant from the meeting.

6. **Meeting Etiquette**

- Mute your microphone when you are not talking.
- Switch off video if you are not speaking.
- Only speak when invited to do so by the Chair.
- Speak clearly (if you are not using video then please state your name)
- If you're referring to a specific page, mention the page number.
- Switch off your video and microphone after you have spoken.

7. **Exclusion of Press & Public**

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, remove the participant from the meeting.

8. **Recording of meetings**

The Council supports the principles of openness and transparency. It allows filming, recording and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting. As a matter of courtesy to the public, anyone wishing to film or record proceedings is asked to provide reasonable notice to the Committee Administrator so that the relevant Chair can inform those present at the start of the meeting.

We would ask that, as far as possible, members of the public aren't filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

A copy of the Council's Recording of Meetings Protocol is available from the Committee Administrator for the meeting.

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Virtual Committee Meetings procedure and guidance

Author: Julia Jones, Governance Specialist – Democratic Services

Contact Details: jjones@somerset.gov.uk

1. Summary

- 1.1.** This report looks at the procedure and guidance for new virtual committee meetings starting in May and for the foreseeable future. It outlines the new regulations that came into force on 4 April 2020 and the various considerations emerging from these and notes there are likely to be further updates and issues during this transition period.

2. Issues for consideration

- 2.1.** The Committee is asked to consider the information contained in this report.

3. Background

- 3.1.** The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 have given local authorities new powers to hold public meetings virtually by using video or telephone conferencing technology.

Remote attendance is permitted as long as certain conditions are satisfied. These include that the Member is able to hear and be heard by the other Members in attendance. Also, being able to hear and be heard by any members of the public entitled to attend the meeting (in line with the public participation scheme). To ensure reliability an audio conferencing solution is preferred, but video conferencing can be achieved in some circumstances.

The regulations are clear that a meeting is not limited to those present in the same place, but includes electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).

A precis of the Regulations is contained in Appendix 1 of this report.

4. Guidance

- 4.1.** This guidance is an immediate response to the above regulations and is based on the information available at the time. Therefore, we will update the guidance, if necessary as we receive further information.

4.2. Accessing meetings

Microsoft Teams is the virtual meetings solution recommended for hosting remote / virtual meetings by Somerset County Council. It has functionality for audio, video, and screen sharing and you do not need to be a member of an organisation (or have a Teams account) to join a Teams meeting.

For external users, they can also use the Teams app, by downloading it to their laptop, smartphone or tablet.

External participants can be sent the meeting request via email and if a participant is included in this way, they can use all the functions of Teams (video / chat) in the meeting. This might be useful for external presenters at Committee meetings, for example NHS / CCG Officers.

Alternatively, someone can be added to a meeting as a voice call. This can be done at the appropriate time in the meeting by the Democratic Services Officer.

There is also provision for a conference call number and ID to be given to external people who are calling in, which is another mechanism for them to join the meeting. Again, this will be coordinated by the Democratic Services Officer as part of the meeting administration.

4.3. Accessing agendas and reports

Democratic Services will continue to publish the agenda and reports for committee meetings ahead of these taking place on the Council's website and will notify councillors by email in line with usual practice.

Because of the Covid19 social distancing requirements, printed copies will no longer be available for inspection at the Council's offices and this requirement was removed by the Regulations.

4.4. Meeting procedures

At the start of the virtual meeting, the Democratic Services Officer will check all required attendees are present (viewing the participant list).

The Democratic Services Officer will also have details of any Members of the public attending and / or press. The public and press will be notified via the meeting information on the website that they will need to contact the Democratic Services Officer to obtain the link or code for the meeting.

The Chair will ask all Members and Officers to **turn off all unnecessary microphones**, unless they are speaking. This prevents background noise, coughing etc which is intrusive and disruptive during the meeting. Members would then need to turn their microphones back on when they wish to speak.

The Chair, who will use video when speaking will ask all participants to **turn off their video cameras**. It cannot be stressed enough how important it is to turn off the video (unless you are the Chair or speaking). This helps with call quality. There is no facility for the Democratic Services Officer to turn off other participants video (like you can with microphones) or even see who has their video turned on, so it is even more important that participants are aware of this.

Some of the virtual meetings will be recorded by the Council in line with the current audio recording protocol. Participants will be asked to only turn on their microphones **when they are invited to speak and keep their video functions turned off**. This is good practice for all meetings, but especially important because the meeting is recorded. The recording is not like a webcast, because what is being recorded can be different to what you see on screen, even as a meeting organiser. So, participants could be being filmed, even if they are not speaking, simply by virtue of having their video switched on. It might be helpful to think in terms of switching the mic on and off at the appropriate times, just like it would be in the committee room.

For members of the Committee who wish to speak in the debate, they should click on the meeting chat facility and simply write their question or state they wish to ask a question so that the Chair and meeting administrator are aware. When the Chair invites someone to speak at the meeting, the speaker should say whom they are for the benefit of everyone listening to the meeting so it is clear who is speaking at any point.

It is important that the chat function is used solely for this purpose or to raise a point of order, otherwise it is very distracting if other questions/conversations are happening within the chat, simultaneous to the meeting.

When referring to reports or making specific comments, Councillors should refer to the report and page number so that all Members of the Committee have a clear understanding of what is being discussed at all times.

4.5. Minutes of the meeting

Following consent from the committee, the Chair will sign the minutes of the meeting as a correct record at the next scheduled virtual meeting of the committee remotely using an electronic signature.

4.6. Public Participation

Participation by members of the public will continue in line with the current public participation scheme.

This can include speaking and / or asking formal questions and / or making representations at various Committee in line with the scheme.

Members of the public can listen to or observe the proceedings of a committee. They are asked to contact the Democratic Services Officer to obtain a conference ID which will allow them to dial into the meeting.

When a member of the public is addressing a meeting, in line with the public participation scheme, they will be invited to speak at the appropriate time by the Chair.

Both they and the Democratic Services Officer will need to ensure their microphone is enabled so the meeting can hear them.

It must be switched off again after they have made their statement or asked their question.

4.7. Voting

Within the Team facility, there is a straight-forward mechanism to deal with voting.

The chat function should be used to ask the Committee to take a vote. When it comes to taking formal votes, the Democratic Services Officer will type in the chat 'All those in favour'. Those in favour of the proposal should type in 'yes' and those against should type 'no'. Members wishing to abstain from voting should type 'abstain' or alternatively no response will represent an abstention.

If a Chair does not wish to use this mechanism, they may choose to ask each Member (of the Committee) to vote in turn. If this is the case, Councillors should express their vote verbally and the Democratic Services Officer will record the outcome of votes and announce these to the meeting.

4.8. Confidential or exempt issues

There are times when part of a council meeting is not open to the public, when confidential, or "exempt" issues – as defined in Schedule 12A of the Local Government Act 1972 – are under consideration. It is important to ensure that there are no members of the public at remote locations able to hear or see the proceedings during such periods of a meeting.

Any Councillor in remote attendance needs to ensure that only they are able to hear the debate or consider any exempt information else they could be in breach of the Council's Code of Conduct.

If there are members of the public and press that attempt to listen to the private / closed session part of the meeting, then the Democratic Services Officer will ask them to leave or if necessary then to virtually remove the participant from the meeting.

4.9. Disturbance from Members of the Public

In line with the council's procedural rules, if any member of the public disrupts a meeting the Chair will ask them to stop and if necessary advise them that they may be asked to leave the virtual meeting.

If that person continues to interrupt or disrupt proceedings the Chair can ask the Democratic Services Officer to remove them as a participant from the meeting.

4.10. Technical issues

In the event that the Chair or Democratic Services Officer identifies a failure of the remote participation facility, the Chair should declare an adjournment while the fault is addressed.

If it is not possible to address the fault or if the meeting becomes inquorate at any point, the meeting can only continue with information items only and decision items will have to be postponed to the next virtual meeting.

5. Implications

5.1. General principles

There are some general principles to guide how remote formal meetings to which the public will have access, will operate. These include:

- People being clear about their respective roles.
- Recognising that meeting remotely requires a different approach to the agenda and to behaviour than a meeting in person;
- The need to think carefully about – and plan for – how everyone involved in the meeting will be able to actively contribute;
- Having a clear focus on the actual outcome of the meeting.

Remote meetings will not be able to run in the same way as meetings are run in person as participants will not be able to pick up on physical and verbal cues from others such as nods or shakes of heads. The focusing of attention on a speaker (or others in the room) all play an important role.

In light of the uncertainty of the Covid19 pandemic and with councils focusing resources on delivering essential services, getting remote meetings "right" will be a challenge. Virtual meetings are new ways of working for councils and it should be recognised that there may be occasions where despite planning things can go wrong.

5.2. Expectations

People's physical presence in the same space has a significant impact on behaviour. Behaviour which might seem normal when everyone is in the council chamber – heckling, applause, the raising of points of order, all part of the cut

and thrust of political debate – are likely to feel alien and possibly slightly absurd when participants are sitting at tables in their homes. It's necessary to emphasise the cognitive dissonance that may result, and the way that we will need to shift our expectations of how "normal" meeting activity will need to change.

- Plan to do less. Committees are likely to transacting less work; agendas and work programmes may need to change at short notice. Planning to do less in committee than would be usual will provide flexibility when things don't go as planned;
- Take more time to prepare. Chairs and committee members will need to put more time into thinking about a meeting's outcomes;
- Take more time in the meeting. There will be a need to pause discussion, remind people of the process and the meeting's outcomes, and work to ensure that everyone is able to contribute.

5.3. Supporting members

The amount of work to effectively Chair these meetings is likely to increase and report authors and presenting officers will need to be mindful of how they can support the Chair and committee in these new arrangements. This includes producing reports timely for publication, providing clear and easy to read information in presentations or slides that are viewable on small screens and being clear what is expected of them at formal meetings.

6. Background papers

- 6.1.** Appendix 1 - A precis of the Regulations for local authorities to hold virtual meetings.



GUIDANCE DOCUMENT

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392

This guidance is produced by the Association of Democratic Services Officers (ADSO); Lawyers in Local Government (LLG) and the National Association of Local Councils (NALC) for the purpose of highlighting the changes brought in by the above regulations for the benefit of its members. It does not constitute legal advice and should not be relied upon in that capacity.

The effect of these regulations is to provide as much flexibility as possible to local authorities in organising their meetings going forward. They apply to all types of local authorities plus fire and rescue authorities and combined authorities.

The guidance is an immediate response to the above regulations and is based on the information available at the time. We are conscious that there are still a number of questions to be answered and we are in dialogue with relevant civil servants to seek more explanation and clarity around certain issues. Therefore, we will update the guidance when we have further information.

Part 1 - General

(Secs 1 & 2) - The regulations came into force on 4 April. They apply to local authority meetings in England (and in part to Wales) held before 7th May 2021.

Parts 1 and 4 apply to England & Wales
Parts 2 and 3 apply to England Only

Part 2 – Remote attendance at Local Authority meetings

r.3 – The regulations apply to all classes of local authorities including parish/town councils, the Greater London Assembly, Combined Authorities and National Park authorities. It also covers joint committees and sub committees. They do not refer to School Appeal Panels, but we understand that the Government is currently working on emergency regulations and guidance to establish flexible alternative arrangements, including remote panels together with an extension of timescales currently prescribed. The DfE also advises it will retain the need for a formal clerk during the proceedings.



r.4(1) – Local Authorities have flexibility to hold meetings at a time, day and frequency to suit their own needs, without the requirement for further notice. We are advised by MHCLG that this permits authorities to make changes to their meeting arrangements with immediate effect.

It should be noted however that the regulations do not contain additional provision in regard to the publication of an agenda and reports which means that a meeting can be called, but the same advance publication of reports is still required. Whilst the 5-day notice requirement can be circumvented by urgency provisions with consent of the Chair of Scrutiny, this would lengthen the process and place an additional hurdle into a provision the government's intent was to provide maximum flexibility on.

We are seeking clarity from MHCLG as to the exact meaning of this rule regarding the notice required for meetings. Until this is clarified, we recommend that the usual 5 working days' notice is given (3 days in parish/town councils). If this is not possible, use your normal urgency procedures for calling meetings at less notice.

r.4(2) – this allows appointments normally made at an annual meeting to be continued until the next annual meeting or until such time as the authority determines. This appears to cover the Mayor as well as committee appointments etc. Councils therefore have the option to hold annual meetings remotely or in person when the restrictions are lifted or to go through to the next meeting in 2021. If an Annual Meeting is delayed, then all positions remain as they are today.

Remote access is defined at regulation 5(6)(c) (see below)

Remote attendance is defined in accordance with regulation 5(2) and 5(3) (see below)

This is the main regulation that covers the holding of meetings without all, or indeed any, of the members physically present in a room. In effect, it replaces all legislation and standing orders with these provisions, allowing individual authorities to create subservient standing orders to fine tune the procedures for local circumstances and particular technologies.

r.5(1) – This regulation allows for remote meetings through “electronic, digital, virtual locations and telephone conferencing”. It defines ‘place’ broadly so as to remove it from the council building to more than one virtual location, but it leaves the option of meeting in person (“present in the same place”) once the restrictions are lifted if so desired. The ‘place’ at which the meeting is held may be a Council building or may be where the organiser of the meeting is located or an electronic or a digital or virtual location, a web address or a conference call telephone number. We have been advised by MHCLG that remote attendance by members counts for the purpose of the six-month rule on attendance, and for allowances. Where there is absence for illness the Council can continue to deal as now and pass the necessary resolution to approve the absence.



r.5(2) – To be classified as a ‘member in attendance’ and attend a meeting remotely, all conditions in regulation 5(3) below must be satisfied.

r.5(3)(a) - Members must be able to hear and (where practicable) see and be heard and (where practicable) be seen by other members in attendance at the meeting. This full requirement also extends to members of the public attending to exercise a right to speak at the meeting (b). All other members of the public must as a minimum be able to hear (but if practicable be seen as well) (c). In practice this means that if members and speaking members of the public can be heard and hear each other and other members of the public not speaking can hear, this would fulfil the minimum criteria.

r.5.4 - This clarifies that any reference to a member or the public attending a meeting includes remote access.

r.5(5) - The regulations contained in rule 5 override any existing procedure rules/standing orders or other rules authorities may have relating to the governance of meetings. In effect, they cease to have effect.

r5(6) – This gives local authorities the flexibility to make other procedure rules/standing orders relating to remote attendance in relation to voting, member and public access to meeting documents and the remote access of the public and press to meetings by electronic means, including by telephone conference, video conference, live webcasts and live interactive streaming. This has been drafted widely so as enable authorities to hold meetings regardless of existing restrictions and to match facilities to suit their circumstances.

Part 3 – Modification of meeting and public access requirements

Frequency of meetings

r6(a) & (b) - Schedule 12 of the Local Government Act 1972 now applies to remote meetings with any reference to “being present” to include remote attendance (as defined above). Reference to where a meeting “is held” includes different virtual locations.

r6(c) - This disapplies paragraphs 1 and 7 of Schedule 12 which removes the requirement to have an annual meeting this year. This means that the council can still have an annual meeting if it wishes, just that it doesn’t have to, giving flexibility to simply keep the status quo until next year or review the situation as the national position changes.

r6(d) removes the requirement for ten meetings of the Assembly to take place in each calendar year; this is substituted by a requirement to hold such Assembly meetings ‘on up to ten occasions in each calendar year as the Assembly may determine following consultation with the Mayor’



r6(e) changes notices required for meetings under the 1972 Act to include publication on the council's website.

r7 to r12. – These sections relate to the Greater London Assembly (GLA), National Park Authorities and Areas of Outstanding Beauty (Conservation Boards). They remove the requirement to have the GLA annual State of London debate. The GLA Peoples' Question Time can be cancelled where the Head of the Authority's Paid

Service feels it is not reasonably practicable to hold it in the event of a serious imminent threat to public health posed by the incidence and spread of coronavirus.

Under the Greater London Authority Act 1999, the GLA was required to meet 10 times in each calendar year. That has now been changed to allow that authority to meet "...on such occasions in each calendar year as it may determine following consultation with the Mayor."

Public and Press – Access to meetings and documents

r.13 - The Local Government Act 1960 applies to meetings of parish and town councils. This changes the requirements for community and parish and town councils. It replaces the duty to post notices of meetings with a definition to allow for the publication of details on websites. It was the intention of parliament to enable publication of said notices on principal council websites but not that it would be mandatory to do so if the community, parish or town council could publish on their own websites.

It also states that meetings being "open to the public" now mean remote meetings as set out in r.3 above. It also confirms that the term "being present" at a meeting and "open to the public" includes access by remote means (this is also particularly important for members voting).

The regulations are silent in respect of the requirement for members to attend at least one meeting in every 6 months under section 85 of the 1972 Act. Remote attendance could satisfy this requirement, as could the local authority granting dispensation as already exists. Members can, however, still be disqualified under the 6-month rule and we are expecting regulations soon in regard to by-elections. If (as expected) they are formally suspended, such seats will remain vacant.

r.14 - This relates to meetings of Executives (or their committees) and access to information relating to those meetings as set out in Sec 9G of the Local Government Act 2000. It supplements section 9G with the explanation that references to the executive meetings being "open to the public" includes access through remote means.

r.15(1) & (2) - This section refers to Part VA of the Local Government Act 1972 (Access to meetings and documents of certain authorities, committees and sub-committees) and adds a new clause to that section (known as 100L) to provide that:



- meetings being open to the public include access by remote means. Such access includes through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person. For clarity, a meeting recorded and then posted online after the event would not satisfy this requirement.
- being present at a meeting includes access to that meeting by remote means
- documents being open for inspection includes them being posted on the Council's website
- publication, posting or making available a document at offices of the Council include publication on the Council's website.

r.16 1) to (3) – The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (the “2012 regulations”) require Executive Meetings to be held in public. Regulations (2) & (3) provides for meetings to be open to the public through remote means (see r15 above for definition of remote access).

r16(4) - Regulation allows meeting notices, agendas and reports to be available on the authority's website in addition to the council offices

r16(5) - sets out the elements of the 2012 regulations which apply to regulation 4 above.

r.17 - provides for compliance with the Openness of Local Government Bodies Regulations 2014(1) (decisions and background papers to be made available to the public) by making the written record and background papers available for inspection through either:

- (a) publishing on the authority's website or
- (b) by such other means that the authority considers appropriate.

r18 - amends the Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012 to insert the 'The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations.

Dated: 5th April 2020



Association of
Democratic Services
Officers



To raise comments or questions please contact:

ADSO – John Austin, Chair, John.Austin@adso.co.uk and LLG – Helen McGrath, Head of Public Affairs, Helen@llg.org.uk

For more information visit:

ADSO <https://www.adso.co.uk>

LLG https://www.lawyersinlocalgovernment.org.uk/news_articles

NALC <https://www.nalc.gov.uk>

LGA <https://www.local.gov.uk>

Somerset County Council Forward Plan of proposed Key Decisions

The County Council is required to set out details of planned key decisions at least 28 calendar days before they are due to be taken. This forward plan sets out key decisions to be taken at Cabinet meetings as well as individual key decisions to be taken by either the Leader, a Cabinet Member or an Officer. The very latest details can always be found on our website at:

<http://democracy.somerset.gov.uk/mgListPlans.aspx?RPId=134&RD=0&FD=1&bcr=1>

Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 defines a key decision as an executive decision which is likely:

- (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.

The Council has decided that the relevant threshold at or above which the decision is significant will be £500,000 for capital / revenue expenditure or savings. Money delegated to schools as part of the Scheme of Financial Management of Schools exercise is exempt from these thresholds once it is delegated to the school.

Cabinet meetings are held in public at County Hall unless Cabinet resolve for all or part of the meeting to be held in private in order to consider exempt information/confidential business. The Forward Plan will show where this is intended. Agendas and reports for Cabinet meetings are also published on the Council's website at least five clear working days before the meeting date.

Individual key decisions that are shown in the plan as being proposed to be taken "not before" a date will be taken within a month of that date, with the requirement that a report setting out the proposed decision will be published on the Council's website at least five working days before the date of decision. Any representations received will be considered by the decision maker at the decision meeting.

In addition to key decisions, the forward plan shown below lists other business that is scheduled to be considered at a Cabinet meeting during the period of the Plan, which will also include reports for information. The monthly printed plan is updated on an ad hoc basis during each month. *Where possible the County Council will attempt to keep to the dates shown in the Plan. It is quite likely, however, that some items will need to be rescheduled and new items added as new circumstances come to light.* Please ensure therefore that you refer to the most up to date plan.

For general enquiries about the Forward Plan:

- You can view it on the County Council web site at <http://democracy.somerset.gov.uk/mgListPlans.aspx?RPId=134&RD=0&FD=1&bcr=1>
- You can arrange to inspect it at County Hall (in Taunton).
- Alternatively, copies can be obtained from Scott Wooldridge or Michael Bryant in the Democratic Services Team by telephoning (01823) 357628 or 359500.

To view the Forward Plan on the website you will need a copy of Adobe Acrobat Reader available free from www.adobe.com
Please note that it could take up to 2 minutes to download this PDF document depending on your Internet connection speed.

To make representations about proposed decisions:

Please contact the officer identified against the relevant decision in the Forward Plan to find out more information or about how your representations can be made and considered by the decision maker.

The Agenda and Papers for Cabinet meetings can be found on the County Council's website at:
<http://democracy.somerset.gov.uk/ieListMeetings.aspx?CId=134&Year=0>

Weekly version of plan published on 1 April 2020

FP Refs	Decision Date/Maker	Details of the proposed decision	Documents and background papers to be available to decision maker	Does the decision contain any exempt information requiring it to be considered in private?	Contact Officer for any representations to be made ahead of the proposed decision
FP/20/02/03 First published: 10 February 2020	Before 18 May 2020 Cabinet Member for Education and Council Transformation	Issue: Uplift Contract Values - Somerton Primary School Decision: Approval to increase the contract value for delivery of the new primary school in Somerton, due to extensive archaeology, ground conditions and highways works.	Somerton Primary Cabinet Member Key Decision Project Value Uplift		Mike Keal, Programme Manager - Schools and Early Years Tel: 01823356812
FP/19/12/04 First published: 23 December 2019	Not before 18th May 2020 ECI Operations Director	Issue: Extension of Traffic Signals and Ancillary Equipment - Maintenance Contract Decision: A decision to extent the existing Traffic Signals and Ancillary Equipment – Maintenance Contract			Bev Norman, Service Manager - Traffic Management, Traffic & Transport Development Tel: 01823358089
FP/20/02/06 First published: 18 February 2020	Not before 18th May 2020 Cabinet Member for Adult Social Care, Cabinet Member for Public Health and Wellbeing, Cabinet Member for Children and Families	Issue: Securing Adult Focused support for Family Safeguarding and Family Drug and Alcohol Courts Decision: Decision to extend the existing contracts via direct award			helen Price, Assistant Director Commissioning & Perf CPE Commissioning & Performance
FP/19/09/08 First published: 10 September 2019	Not before 18th May 2020 Cabinet Member for Economic Development, Planning and Community Infrastructure	Issue: Heart of the South West Local Industrial Strategy and SCC innovation centres Decision: Agreement to endorse the Heart of the South West (HotSW) Local Industrial Strategy (LIS) which			Paul Hickson, Strategic Manager - Economy and Planning Tel: 07977 400838

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FP/19/11/06 First published: 25 November 2019	Not before 18th May 2020 Director for Economic and Community Infrastructure Commissioning	Issue: Contract for the provision of Fuel Cards and Associated Services to SCC Decision: Award of contract to successful supplier following a further competition under the Crown Commercial Services Framework	Fuel Card - Key Decision - FINAL Appendix 1 - NKD to commence the Fuel Card procurement		John Perrett, Service Manager, Transporting Somerset ECI Tel: 01823 356968
FP/20/01/01 First published: 8 January 2020	Not before 18th May 2020 Cabinet Member for Children and Families	Issue: Early Years Single Funding Formula Decision: to consider this report			Alison Jeffery
FP/19/12/04 First published: 20 December 2019	Not before 18th May 2020 Cabinet Member for Education and Council Transformation, Cabinet Member for Children and Families	Issue: Approval of the final formula allocations at individual school level for 2020/21 Decision: Devolve approval of the final formula allocations at individual school level			Sian Kenny
FP/20/02/04 First published: 11 February 2020	18 May 2020 Cabinet Member for Adult Social Care	Issue: ASC Fees and Charges Decision: To set the ASC Fees and Charges for 2020-21	Adult Social Care Fees and Charges 2020-21 Appendix A Appendix B Fees and Charges 20-21 Appendix A Benefits updated		Tim Baverstock, Strategic Commissioning Manager - Strategic Commissioning

FP Refs	Decision Date/Maker	Details of the proposed decision	Documents and background papers to be available to decision maker	Does the decision contain any exempt information requiring it to be considered in private?	Contact Officer for any representations to be made ahead of the proposed decision
<p>FP/20/03/01 First published: 2 March 2020</p>	<p>Not before 18th May 2020 Cabinet Member for Economic Development, Planning and Community Infrastructure</p>	<p>Issue: HotSW LEP Growing Place Fund - Single Accountable Body Decision: Becomes the accountable body of the Growing Place Fund, to align with Government requirements, Transfers funding from the existing accountable body, Devon County Council, to Somerset County Council. Transfers ownership of existing funding agreements from Devon County Council to Somerset County Council.</p>	<p>GPF Key Decision Report - FINAL</p>		<p>Melanie Roberts, Service Manager - Economic Policy Tel: 01823359209</p>
<p>FP19/09/05 First published: 3 September 2019</p>	<p>Not before 18th May 2020 Cabinet Member for Economic Development, Planning and Community Infrastructure</p>	<p>Issue: SCC Endorsement of the Heart of the South West Local Industrial Strategy Decision: SCC endorsement of the Heart of the South West (HotSW) Local Industrial Strategy (LIS). The HotSW LIS has been developed by the Local Enterprise Partnership in coordination with local partners and stakeholders, including SCC, and in partnership with Government.</p>			<p>James Gilgrist</p>

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FP/19/03/03 First published: 26 March 2019	Not before 18th May 2020 Interim Finance Director, Director for Economic and Community Infrastructure Commissioning	Issue: Somerset Energy Innovation Centre (Phase 3) - acceptance of Growth Deal 3 Funding Decision: Approves acceptance of Heart of the South West Growth Deal 3 funding £2,542,755 for the development of phase 3 of the Somerset Energy Innovation Centre and approve the decision to proceed with the construction of SEIC 3			Samantha Seddon, Service Manager-Economy
FP/20/01/04 First published: 23 January 2020	Not before 18th May 2020 Cabinet Member for Adult Social Care	Issue: Contract Amendment - Somerset Advocacy Service Decision: To extend the current contract for advocacy services for adults for up to two years from its current end date of 30th April 2020. New Government regulations / codes of practice associated with the Mental Capacity (Amendment) Act 2019 are expected in 2020 / 2021 and will determine the nature of the future service.			Dave Williams, Senior Commissioning Officer Tel: 01823 359103;
FP19/11/04 First published: 18 November 2019	Not before 18th May 2020 Director for Economic and Community Infrastructure Commissioning	Issue: Award of contract for management operator services for Somerset Energy Innovation Centre Buildings 2 and 3 Decision: Approval to award a contract for the provision of management operator services for Somerset Energy Innovation Centre Buildings 2 and 3			Samantha Seddon, Service Manager-Economy

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<p>FP19/07/07 First published: 23 July 2019</p>	<p>Not before 18th May 2020 Cabinet Member for Resources</p>	<p>Issue: Sale of The Court and Popham House property, Wellington Decision: Authority to proceed to sale of the surplus SCC Property, previously known as the Popham Court Care Home, comprising of The Court and Popham House in Wellington.</p>			<p>Charlie Field, Estates Manager, Corporate Property Tel: 01823355325</p>
<p>FP19/07/14 First published: 31 July 2019</p>	<p>Not before 18th May 2020 Cabinet Member for Resources</p>	<p>Issue: Sale of Morgan House site, Bridgwater, including former library office. Decision: Authority to proceed to sale of the surplus SCC Property, namely the Morgan House Site, Bridgwater, including Bridgwater library offices</p>			<p>Charlie Field, Estates Manager, Corporate Property Tel: 01823355325</p>
<p>FP/20/02/07 First published: 24 February 2020</p>	<p>Not before 18th May 2020 Cabinet Member for Children and Families, Cabinet Member for Education and Council Transformation</p>	<p>Issue: School Building Condition Programme 2020/21 Decision: That approval is given for the necessary delegation to appropriate officers to deliver the capital projects for School's Condition within the allocation of capital funds for 2020/21 as approved by Full Council on the 19th February 2020.</p>	<p>Key Decision - school condition programme 20_21 - FINAL</p>		<p>Darren Puckett, Client Lead Officer - Corporate Property Tel: 01823 355712</p>

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<p>FP/19/12/03 First published: 19 December 2019</p>	<p>Not before 18th May 2020 Director of Commissioning and Lead Commissioner for Economic Community Infrastructure</p>	<p>Issue: Acceptance of European Social Funding, under Priority Axis 2 - Skills for Growth (2.1) Decision: To accept the grant (if awarded)</p>			<p>Melanie Roberts, Service Manager - Economic Policy Tel: 01823359209</p>
<p>FP/19/04/13 First published: 29 April 2019</p>	<p>Not before 18th May 2020 Cabinet Member for Economic Development, Planning and Community Infrastructure</p>	<p>Issue: Decision to appoint a contractor from a framework for the delivery of the Bruton Enterprise Centre Decision: To agree to appoint a supplier for the delivery of the Bruton Enterprise Centre</p>			<p>Katriona Lovelock, Economic Development Officer Tel: 01823 359873</p>
<p>FP/19/06/02 First published: 14 June 2019</p>	<p>Not before 18th May 2020 Director of Children's Services, ECI Commissioning Director</p>	<p>Issue: Approval to accept European Social Funding, under Priority Axis 1 - Inclusive Labour Markets (1.2) Decision: to confirm appentance of European Social Funding</p>			<p>Melanie Roberts, Service Manager - Economic Policy Tel: 01823359209</p>

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<p>FP19/11/02 First published: 11 November 2019</p>	<p>Not before 18th May 2020 Director for Economic and Community Infrastructure Commissioning</p>	<p>Issue: To approve the extension of the existing HPC Supply Chain & Nuclear South West Inward Investment Expertise Cross LEP Contract for which SCC is the accountable body Decision: Decision report seeks:</p> <ol style="list-style-type: none"> 1. Approval to notify the Supplier of the intention to extend the Contract, and; 2. Subject to formal confirmation of the funding package approval to extend the Contract 			<p>Samantha Seddon, Service Manager-Economy</p>
<p>FP19/11/04 First published: 14 November 2019</p>	<p>Not before 18th May 2020 Cabinet Member for Highways and Transport</p>	<p>Issue: Decision to commence consultation on Local Cycling and Walking Infrastructure Plans Decision: To agree the consultation plan and commence the consultation activities</p>			
<p>FP/19/09/11 First published: 17 September 2019</p>	<p>Not before 18th May 2020 Cabinet (Virtual meetings being held from May 2020 due to Coronavirus)</p>	<p>Issue: SCC Endorsement of the Heart of the South West Local Industrial Strategy Decision: Agreement to endorse the Heart of the South West (HotSW) Local Industrial Strategy (LIS) which</p>			<p>Paul Hickson, Strategic Manager - Economy and Planning Tel: 07977 400838</p>

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FP/20/04/01 First published:	Not before 22nd May 2020 Cabinet Member for Resources	Issue: Accommodation for partners at County Hall Decision: This Key Decision formally approves the basis on which the Council have agreed terms of occupation for a local partner to take accommodation at County Hall, including the business case and impacts of the decision			Oliver Woodhams, Strategic Manager, Community and Traded Services Tel: 07977400667
FP/20/04/02 First published:	17 Jun 2020 Cabinet (Virtual meetings being held from May 2020 due to Coronavirus)	Issue: Connecting Devon and Somerset (CDS) Superfast Extension Programme (SEP) Phase 3 Procurement: Delegation of future decision making Decision: Delegate to the Director Economic and Community Infrastructure Commissioning, in consultation with the Cabinet Member for Economic Development, Planning and Community Infrastructure, and the s 151 officer authority to:			Katriona Lovelock, Economic Development Officer Tel: 01823 359873
FP19/11/03 First published: 14 November 2019	Not before 22nd Jun 2020 Director for Economic and Community Infrastructure Commissioning	Issue: Award of contract for management operator services for iAero Centre, Yeovil Decision: Approval to award a contract for the provision of management operator services for iAero Centre, Yeovil			Samantha Seddon, Service Manager-Economy

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<p>FP/19/12/02 First published: 19 December 2019</p>	<p>Not before 1st Dec 2020 Cabinet (Virtual meetings being held from May 2020 due to Coronavirus)</p>	<p>Issue: Decision to conclude the establishment of a Dynamic Purchasing System (DPS) for Passenger Transport contracts Decision: Agreement to conclude the establishment of the Passenger Transport DPS framework. All contracts for Home to School Transport, Public Transport and Health & Social Care transport are let through this framework.</p>			<p>Natasha Bates</p>

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Scrutiny for Policies Children and Families Committee Work Programme

Committee meeting dates & agenda items	Lead Officer/Item lead
6 May – virtual meeting	
3 June – items from 1 April meeting	
Elective Home Education Update	Phil Curd
School Performance 2019	Dave Farrow
Children’s Services Performance report	James Hadley
9 July	
Youth Offending Service update	Lise Bird
Initial MTFP Children’s services budget update	Julian Wooster
Regional Adoption Agency 6-month review	Claire Winter
Early Help Strategic Commissioning Board Update – (possible visit)	Louise Palmer
9 September	
Q1-Q2 MTFP analysis Children’s services budget	Julian Wooster
SENDIAS Update	Fiona Phur
Children’s Services Performance report	James Hadley
7 October – informal meeting	
12 November	
Update on Safeguarding arrangements	Julian Wooster
2 December – informal meeting	
27 January 2021	
Children’s Services performance report	James Hadley
3 March 2021- last meeting before SCC elections	

(What impact does that have on Children in Somerset?)

Scrutiny for Policies Children and Families Committee Work Programme

Note: Members of the Scrutiny Committee and all other Members of Somerset County Council are invited to contribute items for inclusion in the work programme. Please contact Democratic Services (01823) 359500 & democraticservices@somerset.gov.uk who will assist you in submitting your item.

Suggested agenda items for joint meeting with Adults & Health Scrutiny Committee:

- CAHMS service;
- Immunisations;
- Adoption Medicals;
- Oral health;
- Transitions Plans for LD service users (18-25) going into Adult Services;
- The impact on Children and Families of the next stage of migration/roll out of Universal Credit.

(What impact does that have on Children in Somerset?)

Somerset County Council Scrutiny for Policies, Children and Families Committee 6 May 2020	Paper Item No.
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Summary of COVID-19 Arrangements

Lead Officer:	Julian Wooster, Director of Children's Services
Author:	Julian Wooster, Director of Children's Services
Contact Details:	jwooster@somerset.gov.uk
Cabinet Member:	Cllr Frances Nicholson and Cllr Faye Purbrick
Division and Local Member:	All

This report sets out Children Services response to Covid-19 and key issues the service is attempting to address with partners, families and children.

1. Safeguarding Children

A new operating model has been put into place to both secure the welfare of children and also ensuring that staff and families are protected from potential spreading of Covid-19. Where appropriate virtual contact arrangements are in place with families and physical visits taking place following risk assessments.

Of significant sound concern is the almost 50% decline in referrals to Children's Social Care. This is across all age groups and all levels of need which means that some children at risk of significant harm are not being referred for multi-agency child protection support and others aren't getting the early help they need. This is a pattern being seen across the country and is not unique to Somerset.

Members will be aware that the vast majority of referrals to Children Social Care come from Schools, District Councils, SCC Public Health services, the Police and the NHS. Critical to the protection of children are schools.

There has been an increase in referrals since the end of the Easter period with referrals now at 17% below where it was last year at the same time. There is also a noticeable increase in domestic abuse related referrals, which has not been seen prior to this point in COvid19.

2. Schools (see Appendix 1 local guidance)

There was initial confusion following government announcements about the closure of schools which was shortly followed by advice that schools should continue to provide provision for children of critical workers and vulnerable children.

Both locally and nationally there has been concern about the low numbers of vulnerable children attending school. Unfortunately, the government guidance in relation to vulnerable children introduced new concepts such as 'safely' which understandably schools and frontline staff initially interpreted as the immediate health and safety of children excluding 'safeguarding' guidance. In addition, the messaging to parents about keeping children at home and closing schools has not assisted with maintaining pupil numbers. It is also clear that some families and young people are concerned about stigma about attending school as being seen as different from others.

A school's' hub model is in place across Somerset to ensure that schools are supported to continue to provide schools places. There are many examples of excellent practice in schools with a number of schools being open over the Easter holidays including on Good Friday and Easter Monday, and others with extended hours to support vulnerable and critical workers children.

In relation to vulnerable children, schools and social care staff are working hard to increase the number of vulnerable children attending school, and there has been significant progress since Easter. We have been recently advised by the office of the Regional Schools Commissioner that our attendance rates for vulnerable children are now amongst the best in the region.

3. Special Educational Needs

Children with Education Health and Care plans are classed as vulnerable by the government guidance and subject to parental wishes are able to attend school. However, there has been a low take up of places partly for the reasons identified above but also concerns about children's health and well-being as a number of children have significant health issues. The shielding guidance has not addressed significantly ongoing anxieties from parents about the risks to their children.

4. Early Years Sector

Following the introduction of the furlough scheme some providers closed as they tend to cross subsidise costs from fee-paying parents. Providers are continuing to receive their early years funding irrespective of whether they are open or closed. This is an important measure to ensure the future viability of the early years sector in Somerset and to avoid the risk of insufficiency of places following the pandemic.

To address the cost differential Somerset uniquely introduced a payment scheme to support early years providers to provide places for critical workers children and children of vulnerable families. This has been successful in maintaining approximately 50% of early years providers operating where many other areas have less than a third of the early years' places available. An early years hub model is in

place across Somerset to ensure that settings are supported to continue to provide places. A LA link worker is assigned to each area and is responsible for supporting settings and ensuring that parents can access childcare where their normal provision is closed.

The LA link worker is also responsible for ensuring that every setting is meeting their responsibilities in terms of supporting vulnerable children. Effective liaison with the area SENCO team, Health Visiting Team and Children's Social Care is also in place.

5. Personal Protection Equipment (PPE)

Demand for PPE supplies has been high across Somerset with competing demands from a wide range of services across the health and social care system. Guidance from Public Health England and the DfE has set out minimum requirements for schools and social care staff, this indicates that PPE is not required for most situations, unless a covid-19 case is suspected or confirmed within the establishment or household. Guidance has been issued to staff. Stock levels in the last 2 weeks have enabled services with the most pressing needs to receive supplies in accordance with guidelines. Joint work with the Clinical Commissioning Group (CCG) is ongoing to try to secure a more strategic approach to supply and management. Supply chains are fragile, and demand is likely to grow in the coming months, this is an area that will remain under close review as restrictions are relaxed.

6. Restoring Services during COVID-19

As highlighted above research indicates that we could expect a significant increase in demand for services as the 'lockdown' is eased.

In relation to the long-term Appendix 2 sets out some of the likely impact on children of the COVID-19 period. Nationally there are increasing concerns that the impact of Covid-19 measures on children (with the exception of those medically at risk) are more detrimental than the disease itself. Considerations are being given to how to assess the impact on children in Somerset.

In relation to the wider community the importance of connectivity via the internet is clearly important and enhancing the digital strategy to ensure that vulnerable children are able to undertake schoolwork has to be a key priority. Discussions are taking place with Schools and other Council Departments about this pressing priority.

Work is being undertaken with schools to understand the issues they will face and the support they will need to start taking in more pupils in the coming months. It is recognised that this will be a challenging period with just under a third of the schools' workforce being over 50 which presents a number of challenges for school leaders.

Along with other Somerset County Council services, Children Services is considering action to be taken to enable effective delivery of services which include the uses of PPE, changes to physical office arrangements, importance of maintaining IT infrastructure for staff, and changes in team arrangements.

The Important Role of Schools in relation to Vulnerable Children

Dear Colleagues

Thank you to you and your staff for all that you are doing to ensure that children of critical workers and vulnerable children have access to education provision at your school and for your continuing feedback on how we can improve arrangements in Somerset. These are challenging times for all of us, both professionally and personally, and I appreciate how difficult the last few weeks have been.

As you may be aware, national guidance in relation to vulnerable children has been strengthened and re-iterated over the last few days ([Coronavirus \(COVID-19\): guidance on vulnerable children and young people](#)) making it clear that the expectation is that vulnerable children should be in school to meet their education, health and care needs unless they have an underlying health problem which means it would not be safe for them to do so.

As the 'lockdown' continues the pressures on families will increase and already vulnerable children will find themselves at greater risk of poorer education, health and care outcomes. In common with other areas of the country, we currently have low numbers of vulnerable children attending school, so this is a challenge for all of us. I am therefore writing to set out how it is proposed to implement more effectively the revised guidance in Somerset in relation to vulnerable children and their attendance at school.

You will be aware that it is important to distinguish between a child's vulnerability because of **Safeguarding** concerns relating to their care and those children who are vulnerable from a health perspective i.e. needs to be **Shielded** (due to risk of serious illness as a result of Covid-19 infection).

It is important to emphasise that the government's reference to 'safely' in its guidance includes safeguarding. Safeguarding includes the promotion of a child's welfare and should not be seen as just protecting children from maltreatment. It is critical that an assessment of a child's safeguarding vulnerability considers how best to ensure that their development is prioritised and that they are supported to achieve their potential. This approach is set out in government guidance.

In the government guidance children are defined as vulnerable during Covid-19 and should be offered a school place if:

- They have a social worker
- They have an EHCP

- Children and young people who are otherwise vulnerable (new term). This might include children on the edge of care, in alternative provision or young carers, or others, at the education provider and/or local authority's discretion.

Managing Vulnerable Children in School

For children who have a social worker

Children who have a social worker and those who a school assesses as vulnerable (see below) are, in the main, children who are vulnerable due to safeguarding concerns i.e. that they would be safer at school than at home. Schools should:

- Meet the expectation that children who have a social worker will attend their school, so long as they do not have underlying health conditions that put them at significant risk
- Continue to share information in relation to child protection issues about individual children with Children's Social Care the same day they identify it
- Follow up unexpected non-school attendance the same day with the child's parent / carer and report it to the social worker
- Attend, all Child Protection Conferences, Core Groups, Children looked After Reviews, PEP meetings and planning meetings the school is invited to (These are operating virtually where possible).

Social workers will contact schools directly to discuss the provision of school place for individual children and how this can best be facilitated. This could include a joint package of provision and support for individual children delivered jointly by social care and the school and also with support from specialist education support services.

For Children who have an EHCP

Children with an EHCP have complex education, health and care needs, some of which may be difficult for families to manage without support from education provision. For a few children with EHCPs, there are also safeguarding concerns, which need to be factored in as part of the decision about whether they should be in school or not.

SENCOs in Mainstream Schools, Special Schools, Independent Non-Maintained Special Schools, Autism Resource Bases and Pupil Referral Units should work with families to understand and agree with the categorisation as set out below and share their assessment with the LA:

- **Category A** – Children and young people who would be at significant risk if their education, health and care provision and placement did not continue, namely those who could not safely be supported at home
- **Category B** – Children and young people whose needs can be met at home
- Engage in LA led Multi-Disciplinary Team meetings to assess whether children in **Category A:**

- Need to continue to be offered a school or college place in order to meet their needs, or whether they can safely have their needs met at home.
- Reporting of the categorisation relating to children with EHC plans is already underway with guidance available for settings. We know that the needs of children and families may change and therefore must be reviewed monthly as a minimum.

Children and young people who are otherwise vulnerable

These are children and young people who have been assessed as otherwise vulnerable by education providers or local authorities (including children's social care services), and who are therefore in need of continued education provision. This includes children at Tier 2, as defined in the multi-agency Effective Support for Children and Families in Somerset document [Effective Support Document](#).

This category includes children who are supported by:

- Youth Offending Team
- Early Help Services – e.g. SCC's Family Intervention Service
- School Based Staff
 - A PFSA
 - A Team Around the Child (TAC) early help arrangement of which the school is part
 - A Team Around the School (TAS) process

Schools were sent a list of children on 23rd or 24th March – known as the "vulnerable list".

This list has been updated and is being provided to individual schools alongside this letter.

There may be other children who are assessed by the school as vulnerable and are receiving tier 2 school support, who should be added to the vulnerable list.

The expectation is that schools:

- Identify, led by the DSL, who their potentially vulnerable children are, using school information and the vulnerable children list.
- Once identified, provide these children with a school place so long as they do not have an underlying health problem
- Risk assess each child to identify individual requirements, including type and frequency of support needed, during the Covid-19 pandemic
- Review this regularly to ensure this remains appropriate to meet the child and family's needs
- Add your school's tier 2 vulnerable children to the vulnerable children list and return to the SSE inbox – SSE@somerset.gov.uk – by Friday of the week

that a revised vulnerable children's list is sent to you. Also use this inbox to notify us that a child is no longer vulnerable. It is planned that this list will be sent out on a monthly basis.

- Escalate using statutory processes as set out in the [Effective Support Document](#) where you assess this is required.

Social care guidance and support for DSLs can be accessed through the early help consultation line - 01823 355803 - to provide an opportunity for school DSLs or their representative, to reflect on how best to support tier 2 vulnerable children in schools.

Shielding

Shielded children - Shielded children (as defined by the NHS – families will have received a letter) will have significant underlying health issues which mean it is not safe for them to be in school, whether or not their parents are critical workers, they have a social worker, an EHCP or are assessed as otherwise vulnerable at Tier 2. However, these children, due to shielding, are likely to be very isolated for a lengthy period and would benefit from regular keeping in touch virtual contact from the school as well as work being set.

Vulnerable children living in a household with a shielded adult - children who have a social worker or are assessed as vulnerable at tier 2 and are living with a shielded adult, should be in school in order to promote their safety and wellbeing. For children with an EHCP please refer to the guidance above. Government guidance is clear that anyone living with a shielded adult does not require shielding themselves although they should exercise social distancing guidelines and other practices when visiting. <https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19>

Guidance for Early Years Settings

Supporting Vulnerable Children

The most important principle is **every child who can be safely cared for at home should remain at home**. The government has asked parents to ***keep their children at home, wherever possible, and asked settings to remain open only for those children who absolutely need to attend.***

Where parents can care for their vulnerable children safely at home the following good practice should be adopted:

- All children and families have telephone contact from the setting at least once a week.

- There is clear guidance about learning from home available to parents and young people, e.g. website links, digital packages and apps.
- Staff still have oversight of progress of children
- Oversight of those vulnerable children with whom they work.

In the event of a full or partial setting closure, providers should be taking steps to ensure that vulnerable children and young people are still receiving support as detailed above. Vulnerable learner categories include:

- Children in Need
- Children Looked After
- Children on Child Protection Plans
- Children with Education Health and Care Plans
- Those open to the Family Intervention Service
- Children with Disabilities
- Children from households experiencing domestic abuse
- Children from households who have been worked with by the drug and alcohol partnership

Supporting children that have a safeguarding of child protection concern or are known to be vulnerable

When children are not attending a setting, providers will be expected to contact children about whom they have safeguarding, or child protection concerns or are known to be vulnerable in some other category. This should include telephone calls and doorstep visits where appropriate.

For children and families who have a social care input, it is vital that multi-agency arrangements continue to ensure a co-ordinated joined up approach. Settings play a vital role in that. We recommend:

- Settings continue to share information about individual children with social care colleagues.
- If children are expected to be in setting, non-attendance should be followed up.
- Settings are expected to feedback to a point of contact in the LA to share information about vulnerable children when asked
- Child Protection conferences, Children looked After reviews, PEP meetings and planning meetings are still taking place (virtually). Settings will continue to be invited as a key partner agency in the child's plan.

Families experiencing financial hardship should be made aware of:

- signposting to food banks
- contact details at the setting for telephone contact if needed

If you think that a family is in financial hardship and unable to access food from a food bank, then please contact your health visitor or LA link worker for further information.

Supporting children and young people with Education Health and Care Plans.

The government recommendation is that **every child with an EHCP who would be safer at home should remain at home.**

In line with government guidance, Early Years settings and local authorities will need to consider the needs of all children with an EHC plan, alongside the views of their parents, and make a risk assessment for each child or young person. They will need to consider a number of different risks to each individual, including:

- the potential health risks to the child from COVID-19, bearing in mind any underlying health conditions. This must be on an individual basis with advice from an appropriate health professional where required
- the risk to the child if some or all elements of their EHC plan cannot be delivered at all, and the risk if they cannot be delivered in the normal manner or in the usual setting
- the ability of the child's parents or home to ensure their health and care needs can be met safely
- the potential impact to the child's wellbeing if changes to routine or the way in which provision is delivered

Where the risk assessment determines a child or young person with an EHC plan will be as safe or safer at an educational setting, it may be more appropriate for them to attend the educational setting.

The Statutory SEND team has guidance for supporting this process and your Area SENCo can also advise on making appropriate provision for EY children with EHCPs and other vulnerable children.

Department for Education guidance [Supporting vulnerable children and young people during COVID-19 outbreak](#)

Appendix 2

How Children and Families are losing out through the COVID-19 measures.	
Negative impacts – to be safeguarded / protected against	Potential positive outcomes – to be promoted and sustained
1. Closure of education settings, including early years and childcare	
<ul style="list-style-type: none"> • Decline in educational outcomes (associated with poor outcomes in other areas) • Lack of access to early years provision – impact on development and school readiness • Cancellation of formal assessments • Decline in mental health and wellbeing • Disruption to safeguarding • Additional negative impacts for children with EHCPs, CWD etc • Developmental delay • Undermining of previous school attendance initiatives • Longer term growth in home education without the positive outcomes • Disadvantaged families with limited resources struggling more thus widening the social mobility gap 	<ul style="list-style-type: none"> • Greater appreciation / understanding from parents about how to create an effective home learning environment • Reduced stress of young people as a result of not needing to undertake exams • Expedition of the development of online learning platforms, encouragement of movement of companies into the 'ed tech' market • Some children may benefit from home education • New ways of parents to engage with communities through online provision
2. Social distancing and requirements to stay at home	
<ul style="list-style-type: none"> • Detrimental impact on social, emotional and physical wellbeing (increased mental health problems, self-harm, substance abuse etc) • Increases in family tensions, parental conflict, domestic violence, child to parent violence • Increases in missing / runaway young people • Increases in online bullying 	<ul style="list-style-type: none"> • Opportunities for families to spend time together • Reduction in stress / routine • Opportunities for children to pursue / develop new interests • Potential longer-term rebalancing of home / work life

<ul style="list-style-type: none"> • Confusion and association of physical touch • Impact on family networks broader than the household lived in • Impact on contact regimes between separated parents 	
3. Emotional health and wellbeing	
<ul style="list-style-type: none"> • Worsening impact on existing conditions • Loss of routines, access to support and coping strategies • Concern about future • Disproportionate impact on those without access to technology 	<ul style="list-style-type: none"> • Development of new ways to access support
4. Poverty	
<ul style="list-style-type: none"> • Growth in levels of poverty – situation of those already in poverty becomes worse, families who are just about managing tip into poverty • Access to support decreases • Families forced onto Universal Credit (with its existing issues) • Rise in unemployment, decline in availability of workplace training 	<ul style="list-style-type: none"> • Impetus to resolve long standing issues with Universal Credit system • Potential positive impact on employment prospects for both adults and young people (opening up of opportunities)
5. Physical health	
<ul style="list-style-type: none"> • Delays in seeking medical help / lack of access to front line services such as GPs resulting in illness or death (non-COVID related) • Lack of access to food causing malnutrition / increase in eating disorders • Decline in opportunities for physical activity, • Decline in access to fresh air and sunlight • NB: young people can contract and be ill / die from coronavirus • The lack of outdoor play for children who live in accommodation without gardens 	Protecting families who are especially at risk from COVID-19
6. The children's system	

<ul style="list-style-type: none"> • Disruption to current provision, staffing and services retreating • Increased costs associated with provision • Increased and pent up demand – short and long term • Savings targets unachieved • Communication and information sharing difficulties • Failure / withdrawal / closure of charities, providers etc • Rush to introduce new methods of delivery – not sufficiently planned or supported • Staff shortages • Closure of preventative services • That furlough option incentive to pursue closure rather than remaining partially open • That some parts of the system have completely paused / frozen e.g. housing provision from housing providers therefore making it very hard for families to move to escape violence and abuse etc • Retreat of the NHS from Children • The actions taken to promote early discharge from prison may mean that families reunite inappropriately / unexpectedly with offenders 	<ul style="list-style-type: none"> • Uncovering of hidden vulnerability, re-targeting of system to meet greatest need • Increase in capacity across system through introduction of new methods of delivery • Decrease in pressure on statutory services through strengthening of civic society, volunteering etc • Development of new partnerships; greater impetus for longer term strategic planning / coordination • Impetus for growth and change, to unblock blockages, remove barriers • Bringing back staff into system, encouraging people into professions
<p>7. Safeguarding</p>	
<ul style="list-style-type: none"> • Less day-to-day oversight of children and young people • Increased opportunity to exploit children living outside of families • Increase opportunity for online grooming • Less sight of who is in households and household composition • Domestic abuse impact • Harder for adults to take action within family setting to exit abuse and violence 	<ul style="list-style-type: none"> • Heightened awareness of online safety • Potential greater visibility of criminal activity
<p>8. Criminal exploitation</p>	

<ul style="list-style-type: none"> • Increase due to loss of safeguarding mechanisms / opportunities • Increased incentives to become involved due to worsening economic conditions • Increased opportunities for grooming via increased use of internet 	<ul style="list-style-type: none"> • Potential greater visibility of criminal activity in communities
9. Vulnerable groups	
<ul style="list-style-type: none"> • Impact likely to be greater on groups with initial low resilience – no recourse to public funds, asylum seeking young people, children in care, children with disabilities, etc • Coronavirus Act enables LAs to disapply certain aspects of legislation which, if applied, may result in negative impacts for children and young people 	<ul style="list-style-type: none"> • May result in increased identification and targeted provision • Specific requirements placed on LAs with homeless people – may bring improvements for homeless young people
10. Other considerations	
<ul style="list-style-type: none"> • Pregnant women – impact unknown, high risk, lack of access to antenatal and postnatal care, increased social isolation • Young carers – could encourage identification but suspension of some duties in Care Act to provide support • Parenting – potential for both positive and negative impact on individuals’ perceptions of their own parenting abilities • Separated / blended families – potential for increased tensions, disruptions to child contact arrangements • Civic society – potential for both strengthening of civic society and young people’s engagement in this but also for a growth in dissatisfaction and disengagement - renewed emphasis on generational differences/interests 	

School Exclusions – Task and Finish Group report

Author: Leigh Redman – Task and Finish Group Chair

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1. Summary

- 1.1.** This report sets out the work and final recommendations of the Task and Finish Group since its creation last November. We have made recommendations that seek to increase communication across the whole education environment, encourage cooperation across all schools (regardless of status), give all staff the tools to act appropriately, provide a resource that can in good time support users. Our final report is attached as an appendix as is the Data report.
- 1.2.** Our hope is that each of these recommendations should help ensure that permanent exclusions are used consistently and appropriately but as the last resort, so that Somerset schools can continue their work to create the best possible conditions for every child to thrive and progress. This is what teachers, parents and children themselves have told us they want too.

2. Issues for consideration

- 2.1.** Members of the Committee are asked to support our recommendations to the Director for Children's Services, the Cabinet Member for Children and Families / Cabinet Member for Education and Council Transformation.

We are all in this together: A clear pathway needs to be developed for all children in Somerset Schools that ensures continued support where necessary, particularly during transition between schools/stages, meaning children are appropriately supported across education.

If the local authority can facilitate a protocol that centres on the child first and develop better coordination and cooperation between Head teachers who can agree measures and protocols to try avoiding exclusions, for example through negotiated transfers, this will be a great start. This could develop into a forum where representations are made by all schools, and children who are at risk of exclusion are discussed and if a pupil is agreed by all heads are "hard to place" then they have the ability to place pupils at provision that is appropriate for that child at that time.

Joint working: Agree a simple, transparent 'Somerset code of responsibilities and rights' that schools, parents and children would benefit from knowing that can be applied firmly and consistently by Somerset Head Teachers. Our proposed

Code is included later in the report.

Get in early: It was clear that the lack of early help support has had an impact on the exclusion rates. SCC needs to ensure that all early help practitioners and resources can be accessed in a timely manner, an up to date register, open to everyone would increase supply.

Power for Heads to decide: We suggest that the local authority could coordinate a dedicated team of specialist support staff, time managed by the local heads network, that will allow each school to have appropriate access to Educational psychologist, Occupational Therapist, Speech Assisted Learning, Early Help so schools and children can benefit from improved certainty and continuity of support resources.

Ability to act: The SENCO is key to a solution, but often they are not given the profile or priority within a school to get their job done. We recommend Heads give SENCO the time and support to lead and the LA/academies encourage and value SENCO's to enable them to meet and share best practice. Another useful resource would be a phone helpline to offer support or answer questions.

You get back what you put in: The funds available from all partners need to be managed in meaningful manner that will offer opportunities. We heard how for example non-school provision would work for some children. Consideration needs to be given for the development of vocational centres that offer a completely different curriculum, which are not left to the free market to provide; and to allow for development of and support for schools to set up specialist units that can support the whole school population- not simply isolation spaces, with highly trained relational workers that understand elements of trauma and anxiety within schools. It would be helpful if the Local Authority could commission a pilot?

Give Heads the tools to succeed: Schools & Academies should ensure there is well-evidenced, meaningful and accessible training and support for new and existing schoolteachers & leaders to develop, embed and maintain, positive behaviour cultures.

Inclusion not Exclusion. Children first, Change the outlook: Recognition that the impact on the young person and their family of being excluded is huge and a support mechanism should be set up to reintegrate the child back into school at the earliest opportunity. Although PRU capacity is currently inadequate, care needs to be taken to ensure that an enhanced PRU capacity and availability does not make schools more ready to Exclude into a PRU. Part of the solution will be ore schools to create innovative types of intervention that obviate the need for Exclusion.

Education, Health & Care Plans (EHCP's): The process for applying for a

statutory assessment needs to be reviewed with SENCO's and families to ensure this is easily accessible. The supporting documentation for the EHC process needs to be reviewed and redesigned to improve its effectiveness in supporting positive outcomes for the child or young person.

What makes a good policy: We have seen and heard about excellent examples of good practice in Somerset where schools work hard to create environments that are inclusive for pupils and have flexibility to make small adjustments. We also wish to highlight how Bristol Schools are encouraged work collaboratively as they pay a fine (with money going into a secured fund) when they exclude each pupil. That money is then used make the child's future schooling possible by other means, the benefits were multiple, schools are encouraged to work closer together to prevent exclusion, and good practice would be more readily shared. It would also mean the exclusion would not remove a child from education.

3. Background

- 3.1.** Before going into the detail of what the task group discovered through its work, it is important to place permanent exclusions in a wider context. We recognise that only a Head teacher can decide to exclude a pupil permanently and the reasons for that exclusion will be individual and specific to each child and setting therefore it would be too simplistic to conclude if the exclusions process was being used appropriately, or whether some schools were using exclusions as a means to remove disruptive and underperforming young people from their roll.
- 3.2.** We are aware that the timescale allotted for our review has precluded our ability to go into as much detail on some issues as they would have wished. These other issues are addressed at section 6 of this report and we suggest that these issues are picked up through the Children and Families Scrutiny Committee workplan. The regulations are clear that a meeting is not limited to those present in the same place, but includes electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).
- 3.3.** We feel that it is important to recognise that exclusion – both fixed period and permanent – can be part of an effective approach for head teachers to manage behaviour in schools. However, our review has shown that in some cases we need to support schools to understand and respond to individual children more effectively– particularly children with Special Educational Needs (SEN), Children in Need of additional help and protection as well as children who are disadvantaged – who may need additional support, and who might otherwise find themselves at risk of exclusion. Also, across various settings in Somerset it will be crucial to ensure that improvements are made so that exclusion from school does not mean exclusion from education, so that all children are able to access the education they deserve.
- 3.4.** We noted that every Head teacher we spoke with stated they excluded a child

with great reluctance, and that some only took that decision as they saw it as being the only way of obtaining the support the pupil needed. This in itself seems to be a perverse incentive to exclude. Our review highlighted that many of the problems that children presented in schools, resulting in permanent exclusions, were not specific to the process and the school itself but also included local community, wider societal factors as well as immediate and extended family behaviours. We heard that the number of children in Somerset with intersecting vulnerabilities was increasing.

- 3.5.** We have seen and heard about excellent examples of good practice in Somerset where schools work hard to create environments that are inclusive for pupils and have flexibility to make small adjustments. We also wish to highlight how Bristol Schools are encouraged work collaboratively as they pay a fine (with money going into a secured fund) when they exclude each pupil. That money is then used to make the child's future schooling possible by other means, the benefits were multiple, schools are encouraged to work closer together to prevent exclusion, and good practice would be more readily shared. It would also mean the exclusion would not remove a child from education.

4. What we found out

- 4.1. Each child is different**, and even with the best training there will be times when teachers need advice and guidance on how best to support them. PRU's reaching out and supporting schools, the opportunity to have a helpline or network where teachers or support workers can ask for help or just a friendly voice to listen and let them know they are not alone.
- 4.2. The direction of a school is set by the Head & their Senior Leadership Team**, a strong Head with a clear inclusive agenda will result in an inclusive school, asking "what can we do to support the young person?" or "how can we make the young person not feel troubled?" meaning that a school environment is created that will make it less likely that a young person "kicks off" and be excluded.
- 4.3. Intervention Best Practice.** We heard that the number and quality of interventions were key to avoiding Exclusion. Sharing best practice among Somerset schools can be especially valuable and better collaboration between schools should be encouraged by the Local Authority.
- 4.4. We heard that children with SEND or SEMH needs** were often diagnosed late and too often unreliably with early indicators being missed that led to exclusion. We heard that the disruption caused by a minority of children who misbehave imposed a disproportionate cost on school staff and if not adequately addressed could set a damaging example to the other children as the authority of the school and its staff would be reduced. It seemed as if there was a relatively small window of opportunity to identify the causes of poor behaviour and then put in place measures to support misbehaving or disruptive children.

- 4.5. Off rolling is not right.** We feel that the local authority should make it clear that in Somerset the practice regarding 'offrolling' should be absolutely avoided. It should not be confused with exclusion and used as means of removing children from the school. It should remain the school's responsibility to work with the child and get them back to school as soon as practicable.

5. Implications

- 5.1.** Although the result of a permanent exclusion might seem obvious for the school, we wanted to understand what being permanently excluded meant to the child. We had the benefit of speaking with parents and carers of excluded children, and children in Pupil Referral Units (PRU) in Somerset during our review. What particularly struck us was the magnitude the effect of being permanently excluded had, not just on the excluded children, but also their family and how those effects had a long-term impact.
- 5.2.** We also noted that available evidence suggests that excluded children have worse trajectories, than non-excluded children, in the long term. Over one third of children who completed Key Stage 4 in alternative provision, such as a PRU go on to be NEET (not in education, employment or training). Exclusion also appears to be a marker for being at higher risk of becoming a victim or perpetrator of crime, as 23% of young offenders sentenced to less than 12 months in custody had been permanently excluded from school prior to their sentence date.
- 5.3.** However, it would be wrong to suggest that we have found evidence that exclusion of any kind causes crime or that preventing the use of exclusion would prevent crime. There are many factors that may lead a child to becoming involved in criminal activity, and for some children these factors may well have been a part of the cause for them to have been excluded from school.
- 5.4.** We do feel that it is right to recognise exclusion as one indicator, among others, of a higher risk of exposure to and involvement in crime, and we should therefore fully consider the form and content of the education a child receives following exclusion. We therefore feel that Somerset children, particularly those that have been excluded, would benefit from this aspect being further investigated.

6. Background papers

- 6.1.** Report to our 15 November 2019 meeting.

To aid our understanding Officers helpfully compiled a reading list for us. We are including this below so you can see the background information we have read. There were three broad categories of reading: i) What's driving exclusion; ii) The impact of exclusion; and iii) How exclusions might be reduced.

What's driving exclusion?

[DfE \(2019\) School exclusion: a literature review on the continued disproportionate](#)

[exclusion of certain children](#)

[DfE 2016/17 Permanent and Fixed Term Exclusions in England](#)

[Exclusions review: Call for evidence Written evidence from The Children's Society The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2018/19](#)

The impact of exclusion

[Parliament UK \(2018\) Forgotten children: alternative provision and the scandal of ever-increasing exclusions](#)

[Pippa Allen-Kinross \(2020\) Article - Hold schools 'responsible' for excluded pupils who join gangs, says children's commissioner](#)

[IPPR | Making The Difference Breaking the link between school exclusion and social exclusion](#)

[TES Off-rolling: Free school 'pushed home education'](#)

How exclusions might be reduced

[All-Party Parliamentary Group on Knife Crime \(2019\) BACK TO SCHOOL? Breaking the link between school exclusions and knife crime](#)

[Children's Society \(2018b\) Transforming children & young people's mental health provision: The Children's Society's response to the departments of Health and Education's green paper](#)

[Centre for Social Justice \(2018\) Providing the alternative: How to transform school exclusion and the support that exists beyond](#)

Statutory Guidance: [DfE Statutory Guidance School Exclusion](#)



School Exclusions - Task and Finish Group report

Introduction from Group Chair, Cllr Redman.

I would like to begin, as Chair of the Task and Finish Group, by thanking everyone that took time to contribute to this report, we have had more than 100 interactions, whether that was face-to-face or electronic. This information gave us a really great base for us to be able to see and hear about some innovative and in some cases inspiring ways schools are working, to include rather than exclude.

As well as being a Local Councillor, I am a Governor of a Primary School, I recognise the current education environment is challenging, but we can all agree that schools should be calm and safe places. Head teachers when considering exclusion have a tough choice to make, I know that they try to weigh the profound implications that exclusion can have on a young person's life with the interests and needs of pupils and staff in their school community.

To help inform our review we requested a data report to show exclusion rates locally and nationally. It demonstrated just how diverse numbers are for exclusions across our County and it confirmed Somerset as amongst the highest areas for excluding school children in England. Although exclusions rates are rising nationally and Somerset is following this trend, our high numbers must be a concern. We set out to look for reasons why Somerset would sit so high on the list of exclusions nationally. During our review we have seen good practice, we have seen weaker practice, but one of the things we are hoping to do is see how we can all work for the best for our young people. We recognise that in Somerset it is important that no child be left behind.

It would be too easy for us to tell head teachers what to do, we have tried to paint a picture that we hope will help guide staff.

Our report has identified excellent practice across Somerset, however we also found too much variation in exclusion practice, a simple first step would be a clear commitment to ask, as many schools do 'what could we have done differently to prevent this from escalating and to prevent this happening again'. However, the perception of many of the excluded students and their families we spoke with is that this is not the case.

We have made recommendations that seek to increase communication across the whole education environment, encourage cooperation across all schools (regardless of status), give all staff the tools to act appropriately, provide a resource that can in good time support users. The hope is that each of these recommendations should help ensure that permanent exclusions are used consistently and appropriately but as the last resort, so that Somerset schools can continue their work to create

the best possible conditions for every child to thrive and progress. This is what teachers, parents and children themselves have told us they want too.

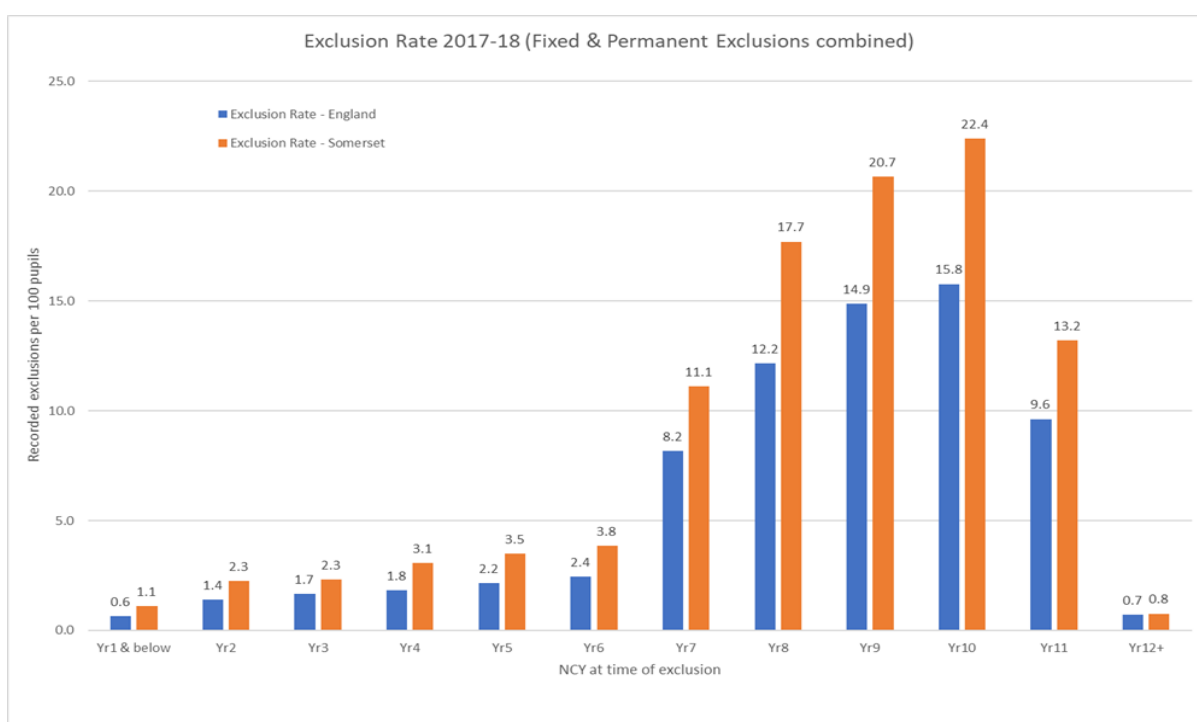
Our review was tightly defined and had a short time period from start to end. We were tasked with examining the reasons, drivers and impact of school exclusions on children, young people and their families including those who may have special educational needs and disabilities in Somerset. We wanted to understand what inclusive best practice looks like and enable that to be shared across Somerset. We have considered a small but carefully selected part of the provision across the county, but would suggest that further work be considered to examine the education that Somerset children receive following exclusion.

Our Task and Finish Group was made up of co-opted Committee member Ruth Hobbs of the Parent Carer Forum, and Councillors Leigh Redman and Rod Williams. David Simons of Sky College joined us to provide specialist education input. Helen Mayne of Special Educational Needs and Disabilities Information Advice and Support Service (SENDIAS) also helped the review by liaising with parents. The group was supported by Officers Samantha Baker, Neil Milne and Penny Johnson.

Overview of our review

Our review was proposed as it was recognised that in Somerset permanent exclusions from mainstream schools were much higher than those in comparable authority areas and appeared to have been increasing steadily. We noted at the outset of our review that the Council has limited powers in this area as only a Head teacher can decide to exclude a pupil permanently and the reasons for that exclusion will be individual and specific to each child and setting. However, we felt it was worth exploring why Somerset was the 24th highest out of 152 local authorities for permanent exclusions.

The graph below shows how Somerset’s secondary exclusion rates compare against the England rate, differentiating by year.



We feel that it is important to recognise that exclusion – both fixed period and permanent – can be part of an effective approach for head teachers to manage behaviour in schools. However, our review has shown that in some cases we need to support schools to understand and respond to individual children more effectively – particularly children with Special Educational Needs (SEN), Children in Need of additional help and protection as well as children who are disadvantaged – who may need additional support, and who might otherwise find themselves at risk of exclusion. Also, across various settings in Somerset it will be crucial to ensure that improvements are made so that exclusion from school does not mean exclusion from education, so that all children are able to access the education they deserve.

We noted that every Head teacher we spoke with stated they excluded a child with great reluctance, and that some only took that decision as they saw it as being the only way of obtaining the support the pupil needed. This in itself seems to be a perverse incentive to exclude. Our review highlighted that many of the problems that children presented in schools, resulting in permanent exclusions, were not specific to the process and the school itself but also included local community, wider societal factors as well as immediate and extended family behaviours. We heard that the number of children in Somerset with intersecting vulnerabilities was increasing.

We wanted to understand what inclusive best practice looks like, as it was clear that there were differences between Somerset schools, and if those examples could be shared across Somerset it would benefit all schools. During our review we were mindful that the local authority's working relationship with the majority of schools in Somerset has changed as many schools are now Academy schools and/or part of Multi Academy Trusts (MAT's) making them similar to standalone businesses and as such the local authority can only try to influence inform and support. This means that whilst this report raises issues and tries to present an alternative perspective, and makes recommendations, if the Cabinet chooses to support these recommendations it cannot enforce them with academy schools in Somerset.

We have found that there is more that can be done to ensure that exclusion is always used consistently and fairly, and that permanent exclusion is always a last resort, used only when all other parts of the graduated response have been exhausted. Much of the evidence we heard from Primary and Secondary schools concerned the impact of a period of reduced funding and the detrimental effect that had on support services available to children requiring additional support that schools could not provide, at all ages and stages. It may therefore seem that some of the information we have gathered during our review and our recommendations may sit outside our original remit. However, as discussed above, task group members feel that the discrepancies in practice within Somerset settings around permanent exclusions are not specific to the process itself but also involved local community and wider societal factors.

Although Somerset is a beautiful rural County in the West of England it contains several areas of high deprivation and Schools told us that support for troubled families was crucial as a successful education was the product of a partnership between child, parents and school. In many cases of children that were excluded, the relationship between the school and family home was poor. Helping to improve a positive parental attitude towards the value and importance of school and help introduce acceptable boundaries and behaviour at home will be a key driver.

On talking with professionals, it was evident that some see challenging behaviour as either a choice or the inevitable consequence of a lack of boundaries and, some who perceive it as the communication of unmet needs. The truth is undoubtedly more complex and specific to each child, however our report also highlights the need for effective behaviour management in schools (to establish and maintain high expectations) and the requirement to understand and respond to individual children (so they are supported to meet those expectations). The result of funding reductions and the changed landscape of support services has meant that increasing numbers of children with intersecting vulnerabilities are being excluded as schools have told us that support previously available to support children is now much harder or impossible to access.

We don't seek to make recommendations that undermine or attempt to second guess the decisions of Somerset Head teachers as they have to balance and consider the best interests of the wider school community. It was clear that Head teachers feel that for some children the school cannot provide all that the child requires and we want the local authority to better enable and support schools to be able to access those crucial additional resources. We expect schools consistently to have the right systems in place and teachers to have the right skills to manage poor behaviour and provide support where children need it, however we recognise the importance of equipping them with the right tools, capability and capacity to deliver against this expectation. We noted that the quality of teaching at all stages appeared to be the single most important factor in reducing exclusions, even though there did not seem to be a correlation a School's Ofsted rating and the number of exclusions.

We also noted that Pupil Referral Units (PRUs) and Special Schools have inadequate capacity although our review showed that they fulfil a vital role in the Somerset educational system. We heard there are too few places in Somerset PRUs, and this might be contributing to the length of time some children had before a return to mainstream education. For example, instead of returning children to mainstream education in 12 weeks, some PRUs have some children for 40 weeks or longer. This seemed to be exacerbated by the lack of a Somerset-wide approach to returning children to mainstream education and whilst we recognise that every child's circumstances will be unique, many PRUs are unable to carry out the role envisaged for them in Somerset.

We heard that the reduction across Somerset of Early Help services e.g. Sure Start has had a much wider detrimental impact on communities and was also cited by Head teachers and SENCO's as effecting exclusion rates. Primary School Head teachers told us that many Somerset children were ill equipped and not ready to start school. Secondary school Head teachers reflected that those underperforming primary school children were now coming through the system into secondary and they warned that Somerset should be prepared for exclusions to continue to increase, particularly amongst primary school age children, over the next few years. All professionals we spoke with noted that children who struggled at Primary School and reached Secondary School as being not 'ready to learn, we were told, unfortunately, were also easily identifiable as being highly likely to struggle when they transition into adulthood and beyond.

Schools also told us that the sustained reduction in support services and their reduced availability from the local authority, such as Educational Psychologist, Occupational Therapist, Speech and Language Therapist, Early Help, Social Care, Health has led to Somerset Schools not being able to

cope and feeling as if they are being regarded by the local authority both as a catch all and cure all for everything. This has contributed to and resulted in an increase over recent years in the number of exclusions as schools and teachers feel they are increasingly being called on to be holistic child development centres and not just places of learning.

Professionals reported to us a growing recognition of mental health being a key factor for children, such as anxiety, and how difficult Somerset Schools find it to access children's mental health service. They told us they have little support or detail and are unable to provide time to pupils because funding reductions have resulted in pastoral teams being much reduced. We also noted that internal exclusions in the school, particularly those that lasted for a lengthy period, had a detrimental effect of mental health. The result of funding reductions and the changed landscape of support services has therefore meant that increasing numbers of children with intersecting vulnerabilities are being excluded.

The fantastic work of School Special Education Needs Co-ordinators (SENCO) in Somerset Schools should be recognised and we heard about several informal working partnerships that existed amongst SENCO's. We think the Local Authority should actively encourage and facilitate greater liaison between Somerset SENCO's. This would help them to attain the profile and priority they deserve within different settings and enable them to collaborate effectively and share successful outcomes. We also acknowledge that SENCO's appear to be most effective in each school/setting when they are part of the Senior Leadership Team, as recommended by the SEND code of practice.

Our review identified that there is no explicit understanding of best practice for intervention shared across Somerset schools or a process to manage extra support to deal with disruptive children.

Schools reported to us the negative impact that had resulted from what they described as a narrowing of the curriculum. The local authority should encourage schools to be brave in their outlook with regard to the curriculum, so that Somerset children are provided with a balanced education that also includes time for social and emotional elements to enable every child to flourish and meet their full potential.

Our Recommendations

Members of the Committee are asked to support our recommendations to the Director for Children's Services, the Cabinet Member for Children and Families / Cabinet Member for Education and Council Transformation.

We are all in this together: A clear pathway needs to be developed for all children in Somerset Schools that ensures continued support where necessary, particularly during transition between schools/stages, meaning children are appropriately supported across education.

If the local authority can facilitate a protocol that centres on the child first and develop better coordination and cooperation between Head teachers who can agree measures and protocols to try avoiding exclusions, for example through negotiated transfers, this will be a great start. This could develop into a forum where representations are made by all schools, and children who are at risk of exclusion are discussed and if a pupil is agreed by all heads are "hard to place" then they have the ability to place pupils at provision that is appropriate for that child at that time.

Joint working: Agree a simple, transparent 'Somerset code of responsibilities and rights' that schools, parents and children would benefit from knowing that can be applied firmly and consistently by Somerset Head Teachers. Our proposed Code is included later in the report.

Get in early: It was clear that the lack of early help support has had an impact on the exclusion rates. SCC needs to ensure that all early help practitioners and resources can be accessed in a timely manner, an up to date register, open to everyone would increase supply.

Power for Heads to decide: We suggest that the local authority could coordinate a dedicated team of specialist support staff, time managed by the local heads network, that will allow each school to have appropriate access to Educational psychologist, Occupational Therapist, Speech Assisted Learning, Early Help so schools and children can benefit from improved certainty and continuity of support resources.

Ability to act: The SENCO is key to a solution, but often they are not given the profile or priority within a school to get their job done. We recommend Heads give SENCO the time and support to lead and the LA/academies encourage and value SENCO's to enable them to meet and share best practice. Another useful resource would be a phone helpline to offer support or answer questions.

You get back what you put in: The funds available from all partners need to be managed in meaningful manner that will offer opportunities. We heard how for example non-school provision would work for some children. Consideration needs to be given for the development of vocational centres that offer a completely different curriculum, which are not left to the free market to provide; and to allow for development of and support for schools to set up specialist units that can support the whole school population- not simply isolation spaces, with highly trained relational workers that understand elements of trauma and anxiety within schools. It would be helpful if the Local Authority could commission a pilot?

Give Heads the tools to succeed: Schools & Academies should ensure there is well-evidenced, meaningful and accessible training and support for new and existing schoolteachers & leaders to develop, embed and maintain, positive behaviour cultures.

Inclusion not Exclusion. Children first, Change the outlook: Recognition that the impact on the young person and their family of being excluded is huge and a support mechanism should be set up to reintegrate the child back into school at the earliest opportunity. Although PRU capacity is currently inadequate, care needs to be taken to ensure that an enhanced PRU capacity and availability does not make schools more ready to Exclude into a PRU. Part of the solution will be ore schools to create innovative types of intervention that obviate the need for Exclusion.

Education, Health & Care Plans (EHCP's): The process for applying for a statutory assessment needs to be reviewed with SENCO's and families to ensure this is easily accessible. The supporting documentation for the EHC process needs to be reviewed and redesigned to improve its effectiveness in supporting positive outcomes for the child or young person.

What makes a good policy: We have seen and heard about excellent examples of good practice in Somerset where schools work hard to create environments that are inclusive for pupils and have flexibility to make small adjustments. We also wish to highlight how Bristol Schools are encouraged work collaboratively as they pay a fine (with money going into a secured fund) when

the exclude each pupil. That money is then used make the child's future schooling possible by other means, the benefits were multiple, schools are encouraged to work closer together to prevent exclusion, and good practice would be more readily shared. It would also mean the exclusion would not remove a child from education.

What we found out

Each child is different, and even with the best training there will be times when teachers need advice and guidance on how best to support them. PRU's reaching out and supporting schools, the opportunity to have a helpline or network where teachers or support workers can ask for help or just a friendly voice to listen and let them know they are not alone.

The direction of a school is set by the Head & their Senior Leadership Team, a strong Head with a clear inclusive agenda will result in an inclusive school, asking "what can we do to support the young person?" or "how can we make the young person not feel troubled?" meaning that a school environment is created that will make it less likely that a young person "kicks off" and be excluded.

The morale of some school staff is low. Although there may be several reasons for low morale, the risk is that temporary low morale becomes normal. Staff with low morale are unlikely to deliver a high-quality education. Possible reasons for low morale include, a history of funding cuts; poor parental engagement; shortage of staff; local concentrations of deprivation; perceived isolation from other elements in the educational system; poor contact with and support from the local authority; and perceived low pay and little recognition for school staff. We also noted there was not a uniform methodology for recognising and rewarding excellent performance in school staff, children or parents beyond arrangements in individual schools to link teacher performance with pay.

Intervention Best Practice. We heard that the number and quality of interventions were key to avoiding Exclusion. Sharing best practice among Somerset schools can be especially valuable and better collaboration between schools should be encouraged by the Local Authority.

The Somerset educational system shows weaknesses. The system is 'process-led not people-led'. Schools, SCC staff and other agencies are dominated by the mechanics of the process rather than the needs of the individual child and we discovered there is no coordinated Exclusion practice across the Somerset educational system and/or liaison between Somerset schools.

Some schools feel isolated from each other meaning, the educational stage before and after their own stage and from the Local Authority. Some Head Teachers gave us the impression of having to 'fight a lone battle.' Every school should feel better connected and Head Teachers should be able to call on faster, more tangible support. The demands on a school of dealing with the problem cohort 'in the present' has an opportunity cost in that it prevents time, thought and action being devoted to improving the future learning environment and the child's future learning experience.

Collaboration Among Local Schools. Collaboration could be improved in two ways: between the Pre-School – Primary – Secondary stages and between mainstream and PRU/Special Secondary Schools. A child's poor transition between educational stages is an indicator that predicts an increased likelihood of exclusion. It was clear from our evidence gathering that, at induction to

Secondary School, a child should be preceded by a transition report on its time at Primary School. Some Secondary School Head Teachers complained that not only was this information not made available at induction at the age of 11 but it was difficult to obtain long after. There was a consensus of opinion that understanding and managing poor behaviour at Secondary School could be helped by a better knowledge of the child's behaviour at Primary School.

Regarding collaboration between mainstream and PRU/Special Secondary Schools, the Head Teachers of the settings we visited agreed that closer and more up-to-date knowledge of nearby mainstream schools would help them to judge the readiness of a child to return to mainstream school and would help them to advise on the most suitable school.

Children's Behaviour at School. A minority cohort of children behave poorly, disrupt and underachieve and we recognise that it is a great skill amongst Somerset's teachers in diagnosing bad or 'distressed' behaviour, and being able to manage it.

We heard that children with SEND or SEMH needs were often diagnosed late and too often unreliably with early indicators being missed that led to exclusion. We heard that the disruption caused by a minority of children who misbehave imposed a disproportionate cost on school staff and if not adequately addressed could set a damaging example to the other children as the authority of the school and its staff would be reduced. It seemed as if there was a relatively small window of opportunity to identify the causes of poor behaviour and then put in place measures to support misbehaving or disruptive children.

Young people's mental health is a key factor in reasons for exclusion. Elements such as anxiety, trauma with no access to children's mental health services and little support or detail or time given to pupils because of pastoral team cuts. We also noted that internal exclusions in the school, particularly those that lasted for a lengthy period, had a detrimental effect of mental health and we thought that this could be supported through better mental health training for teaching staff.

The reduction in services available from the LA such as Educational Psychologist, Occupational Therapist, Speech Assisted Learning, Early Help, Social Care, Health has led to Somerset Schools not being able to cope and being a catch all for everything. A quicker solution for some is to exclude. The result of funding reductions and the changed landscape of support services has meant that increasing numbers of children with intersecting vulnerabilities are being excluded.

Lack of early help services e.g. the loss of Sure Start has had an impact on the exclusion rates, especially as the primary school children were now coming through the system into secondary. We heard that children arrived at schools with vast differences, to hear that some children are arriving at Primary School unable to communicate or in nappies places increased burdens on the school. We heard that although later interventions to help poorly performing children can be effective in general the most effective and cost-effective way to help and support young families is in the earliest pre-school years of a child's life.

A project operating in Bristol, encouraged Schools to work collaboratively as they had to pay a fine (with money going into a secured fund) when exclusion was the only option. That money is then used make the child's schooling possible by other means, the benefits were multiple, schools

are encouraged to work closer together to prevent exclusion, and good practice would be more readily shared. This is captured in our recommendations: we are all in this together.

Independent or Alternative Provision (AP) appeared to be heavily oversubscribed or they were needing to hold on to pupils that could be in mainstream provision. We heard stories of schools being told they had to hold on to pupils, even if there was an EHCP in place that indicated a specific AP and we heard of AP's that could not move mainstream ready children back into schools. Non-school provision works better for some children, a short stay to support a specific need has been shown to help get a child back into mainstream.

Supporting Parents. In some Secondary Schools, about 7% of parents refuse to engage with the school or take an interest in their child's education and this 7% accounts for about 90% of the children at risk of exclusion. Many schools try to reach out to parents living in deprived areas. If this small cohort of parents could be engaged more effectively, exclusions would be radically reduced.

More support, from schools, the local authority and other sources, would greatly help this outreach to parents succeed. At the Pre-School and Primary School stages, parents could be offered enjoyable and attractive school briefings on the opportunities for their children, the importance of them taking those opportunities for their life chances, and how parents can successfully handle difficulties with their children at home. As well as equipping parents better to motivate their children at school, this would directly strengthen the partnership between parents and school. We are hopeful that the new Family Safeguarding policy to be adopted by the local authority would assist in this endeavour.

Boarding. We heard that Boarding or 'away-from-home school time' can benefit some children. One setting we visited explained that Boarding between Monday-Thursday each week is used to great benefit of the children. We think that further consideration could be given to enhancing boarding capacity in Somerset as this could be a means of reducing exclusion and accelerating the return to mainstream education but also of improving educational and social achievement for more Somerset pupils.

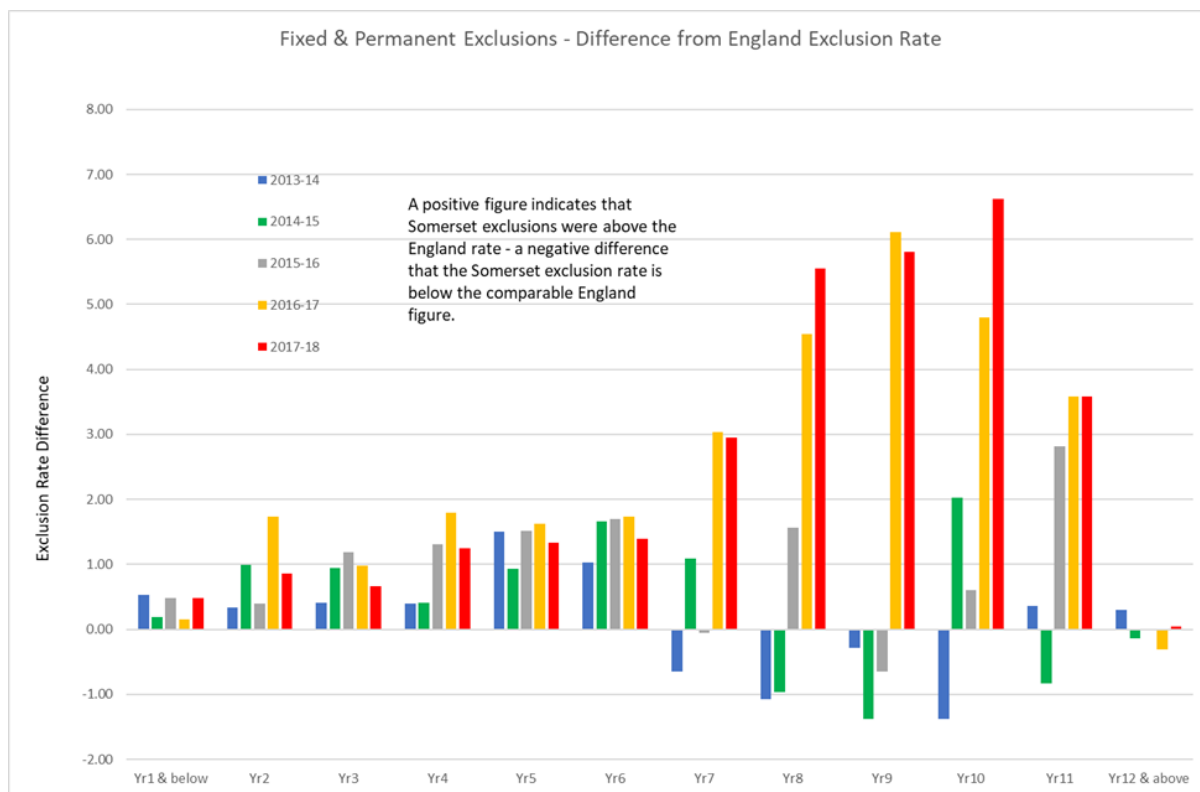
Correlation and Causation Between Behaviour and Deprivation. There is a clear correlation between a lack of parental engagement with schools and those families living in a deprived area. However, being housed in a deprived area does not necessarily cause poor parenting and nor is poor parenting exclusive to deprived areas. Although we recognise that correlation is different from causation, we feel that the local authority and all schools should be encouraged to help engage and support families wherever they live.

Off rolling is not right. We feel that the local authority should make it clear that in Somerset the practice regarding 'offrolling' should be absolutely avoided. It should not be confused with exclusion and used as means of removing children from the school. It should remain the school's responsibility to work with the child and get them back to school as soon as practicable.

Drivers and Reasons for Exclusions

We asked Officers to compile a report capturing exclusion data across Somerset to help inform our review. We carefully considered the information that was presented as we wanted to identify if

there were any connections or links to help us identify the drivers and reasons for exclusions, as there appeared to be some trends that showed exclusion rates varied between pupils with different characteristics.



The graph above shows how Somerset’s exclusion rates compare against the England rate.

The data showed that children in Somerset with some types of SEN, boys, those that had been supported by social services or lived in deprived areas, were all consistently more likely to be excluded from school than those without these characteristics. Exclusion rates also vary by ethnicity. While drawing firm conclusions on why individual characteristics impact the likelihood of exclusion is difficult, the data was clear that there were certain groups of children who may already be facing significant challenges in their lives outside of school, and they were most likely to be excluded.

The evidence gathered for this review indicates that there are a range of interwoven, local factors that give rise to these differences in rates. Some are in-school factors (policy and practice in schools and the wider education system) while others are out-of-school factors, both those related to place such as high levels of poverty or substance abuse in the community, and those related to the child and family’s individual circumstances, such as the effect of trauma in early life. At one meeting with representatives from secondary schools it was noted “that early help only exists on a form in Somerset” and there is a feeling that it is increasingly difficult for schools to help children at risk of exclusion against a background of a much-reduced offer of specialist help that schools can use when required.

Schools told us that they felt the local authority view was that schools alone should help children overcome the wider challenges they may face in their lives. Although it seems as if many schools in Somerset know the children in their schools and the interventions that will prove most effective for them the local authority should be supporting all schools to work with other schools, LAs and local

partners in their area. This would allow them to understand what is driving local trends, and to use that understanding to properly plan and provide the right support for those children at greater risk of exclusion.

We also heard of the importance of good teaching and in particular about a way of teaching, adopted by some schools in Somerset called Quality First Teaching (QFT). This method meant a high-quality inclusive approach to teaching with continuous whole school processes for assessing, planning, implementing, tracking, monitoring and reviewing each child's progress. High-quality teaching, an essential element of QFT, meant an approach that was differentiated for individual pupils, and was the first step in responding to pupils who have or may have SEN. Quality first teaching was best practice teaching where all the needs of the pupils in the class are met through careful planning and support.

Our data report also showed that for Somerset children with SEND there were much higher rates of exclusion and this was increasing so that the gap between Somerset and England SEN exclusion rates continued to increase year on year. The exclusion rates in Somerset for children with an EHCP is almost double that of the England rate. This clearly demonstrated that the current approach in Somerset for SEN children was failing.

Some Somerset Schools had adopted a behaviour management system called "Ready to Learn". This is a system of behaviour management some schools have put in place that shows a zero tolerance to any kind of mis-behaviour- from uniform infringements to talking in class to low level disruption. The child is then internally isolated from the rest of the school for periods of time, until behaviours improve. If the child doesn't improve, the child is excluded as part of a stepped and tariff driven approach to behaviour management. However, this of course does not support the repeat offender and rather than asking the child why they might be behaving in this way, can lead to vulnerable pupils quickly being excluded permanently.

Impacts on children of Exclusion

Although the result of a permanent exclusion might seem obvious for the school, we wanted to understand what being permanently excluded meant to the child. We had the benefit of speaking with parents and carers of excluded children, and children in Pupil Referral Units (PRU) in Somerset during our review. What particularly struck us was the magnitude the effect of being permanently excluded had, not just on the excluded children, but also their family and how those effects had a long-term impact.

Some comments made by excluded children:

"Had many chances at school, but never thought they would be excluded".

"In isolation for weeks and had no "return to learn/reintegration" when coming back from isolation".

"Overwhelming sense of shame at what had happened and the impact that it had on their families".

"Not understood by adults and they felt the adults had given up on them".

“Felt agreements were not always kept because of capacity at school”.

“Did not get consistent support to help deal with emotions”.

“Would do anything to get back in to mainstream”.

It was also clear to us the disruption that a poorly managed exclusion can create for children, i.e. what happens to the child after they have been excluded from a school and it was not just about the excluded children missing the social aspect of school and friendship groups. What was interesting was how well the majority of excluded children settled in to PRU's and those children told us that environment was better suited to their needs and they appreciated less pressure on results at PRU. Although it is the case that there will be lots of different reasons why children are excluded, a common thread appeared to be the schools not being able to address/meet the underlying pupil need. We acknowledge this was mainly due to the schools not being able to access the additional support and resource they recognised the child needed in most cases, not through a lack of understanding by the school.

We also noted that available evidence suggests that excluded children have worse trajectories, than non-excluded children, in the long term. Over one third of children who completed Key Stage 4 in alternative provision, such as a PRU go on to be NEET (not in education, employment or training). Exclusion also appears to be a marker for being at higher risk of becoming a victim or perpetrator of crime, as 23% of young offenders sentenced to less than 12 months in custody had been permanently excluded from school prior to their sentence date.

However, it would be wrong to suggest that we have found evidence that exclusion of any kind causes crime or that preventing the use of exclusion would prevent crime. There are many factors that may lead a child to becoming involved in criminal activity, and for some children these factors may well have been a part of the cause for them to have been excluded from school.

We do feel that it is right to recognise exclusion as one indicator, among others, of a higher risk of exposure to and involvement in crime, and we should therefore fully consider the form and content of the education a child receives following exclusion. We therefore feel that Somerset children, particularly those that have been excluded, would benefit from this aspect being further investigated.

Our proposal for a Somerset Code of Responsibilities and Rights

Responsibilities

- Every parent should be encouraged to be jointly responsible for their child's behaviour at school, and for working in partnership with the school to facilitate their child's education and exercising a positive influence on their child.
- Every child should be encouraged to be responsible for their behaviour in school and behave in line with the school's code of behaviour, cooperate with the school and be ready to learn.
- Every teacher should be encouraged to be responsible for getting to know every child, educating them through well prepared and delivered lessons and activities, and providing leadership to children wherever they have contact with them, to complement existing policies.

- Every Head teacher should be encouraged to be responsible for enabling teaching and non-teaching staff to run successful lessons and activities, for promoting the partnership with parents and children, and for their school playing its part in the Somerset educational system.

Rights

- A parent has the right for their child to be safe at school and given every chance to learn. Encourage parents to positively take responsibility for their child's attitude and behaviour in school and engage with the school in a productive partnership. Parents can play a key part in recognising and rewarding good performance by the child.
- A child has the right to be safe and to be helped to learn in an enjoyable way.
- A teacher has the right to teach in safety, in an environment favourable to learning, and be supported by specialist expertise when necessary.
- A school has the right to support from Governors, parents and SCC.

Consultations undertaken and Fact finding

Evidence gathering

We have held an intensive enquiry period to gather and examine relevant local evidence and this also included an overview of national research and best practice in respect of fixed term and permanent exclusions. We have visited a number of schools (primary, secondary and PRU), across the County and used those opportunities to speak with various staff and pupils. This has provided us with valuable first-hand experience of those that have experiences of exclusion. We have also engaged other stakeholders such as Public Health, Clinical Commissioning Group, Young Somerset and FE providers.

We held a day of a series of evidence gathering meetings with representatives from primary schools, secondary schools, special schools, FE Colleges and parents. We used this opportunity, whilst meeting groups separately, to ask each group a series of agreed questions to try and obtain a point of view from different perspectives. This exercise was arranged as we thought that it was important for us to be able to meet on a face to face basis and have a discussion with a wider group of stakeholders. These open discussions were very interesting and informative and not only helped provide us with more information to support with the writing of this report but also highlighted a commonality between primary and secondary schools regarding the challenges faced.

Our review began with an online questionnaire that was open for responses between 13 January and 25 January. We wrote to the Somerset Association of Secondary Head teachers (SASH) and the Somerset Association of Primary Head teachers (SAPHTO) and the Special Educational Needs Somerset Expertise. (SEN.se) to invite their members to participate. After considering the collated data we decided to visit schools and a pupil referral unit in deprived areas that had low exclusion rates to obtain an oversight of what they did. We also decided to hold a day of round table

meetings with separate sessions with representatives from primary schools and secondary schools and some parents of children that had been excluded.

Visits to Schools and Pupil Referral Units

On 3 February 2020 we visited a Primary School; on 6 February we visited a Pupil Referral Unit; on 7 and 11 February we visited Secondary Schools. The notes from that meeting, anonymised are available as a background paper.

Meeting with Primary Schools Secondary Schools and Parents

On 24 February 2020 we meet with Head teachers, SENCO's and representatives for a variety of Somerset Primary, Secondary school and a Pupil Referral Unit. We also held meetings with parents of excluded children. The notes from these meetings, anonymised are available as a background paper.

Related findings but out of scope of our review

We heard from secondary Head teachers that they felt that what they described as a narrowing of the curriculum had contributed to the increase in fixed term and permanent exclusions. An example provided was that Personal, Social, Health and Economic education (PHSE) was not taught in Somerset schools. The PHSE lessons helped to promote children and young people's personal and economic wellbeing; offer sex and relationships education; prepare pupils for adult life. We were pleased therefore to note the Department of Education has enacted a statutory guidance policy which will assist schools in England with providing PSHE when it becomes compulsory in September 2020.

Aligned with the concerns about the narrowing of the curriculum we heard from primary schools about the negative impact of the pressure arising from standard assessment tests (SATs). Schools reported that the one size fits all approach to education was not suited to an increasing minority and many of the problem's children faced occurred because educational settings were expected to try to get them to fit in to the current rigid process.

Secondary schools told us about their concerns regarding the proposed English Baccalaureate (EBacc) saying the current cohort of Somerset children were ill prepared for its introduction, and that many problems would be encountered placing undue stress on some children. Thus, adding to the poor behaviour levels seen in schools by some pupils. We noted that the EBacc was not a qualification in its own right, rather it being a combination of core GCSE subjects designed to give pupils access to a full range of employment options when they leave secondary school and the broad knowledge that employers are looking for.

Much of the feedback from schools highlighted that there seems to be an increasing expectation now on teachers to be multi-disciplinary experts, and not just educators of specific subjects or class/form tutors' masters. Although outside of the scope of our review we did consider if benefit might result from a meeting of key stakeholders to outline a clear set of expectations and principles outlining a shared approach amongst schools in Somerset, although this would be complicated due to the variety of schools.

There is no coordinated, consistent means of recognising and rewarding excellent performance in school staff, children or parents beyond arrangements in individual schools to link teacher performance with pay, made more complicated by academies. We noted there are Performance management processes in schools but they may have different objectives and expectations.

Our review has highlighted the increased chance that excluded children had of becoming NEET (not in education, employment or training) or becoming involved in criminal activity. We noticed that there were differences in the education received by excluded children, and that being excluded from a school should not mean they are excluded from education. Therefore, we feel that Somerset children, particularly those that have been excluded, would benefit from this aspect, post exclusion education provision, being further investigated.

Many professionals highlighted what they described as the short-sighted nature of reductions to educational support services, and primary care for children in their local areas such as sure start and school. There seems to be a link, such as the social cost in later years, when these NEET pupils continue to be a burden on society as they are not in education employment or training. There is a clear link between excluded pupils and economic inactivity, which will cost society far more in the long term, than providing these services within communities. Part of the solution is a community-based response that supports parents to engage in their child's education, and in the way that they act in the local community.

The establishment of our Task and Finish Group

The formation of our Group was agreed at the Committee's meeting on 15 November 2019 following. The work of the review began with a localised overview of fixed-term and permanent exclusions in the context of National trends with examples of best practice which are being used or could be considered to be adopted locally.

This timeframe meant that task group members could only meet with a small number of Headteachers, and students who have been permanently excluded. Whilst this does mean that this report does not offer a statistically significant view, it does offer a qualitative perspective on permanent exclusions. The witnesses to the task group were assured that their comments would not be attributed, and their anonymity respected.

Before embarking on our review we wanted to understand the wider context of exclusions. We recognise that only a Head teacher can decide to exclude a pupil permanently and the reasons for that exclusion will be individual and specific to each child and setting therefore it would be too simplistic to conclude if the exclusions process was being used appropriately, or whether some schools were using exclusions as a means to remove disruptive and underperforming young people from their roll.

We are aware that the timescale allotted for our review has precluded our ability to go into as much detail on some issues as they would have wished. These other issues are addressed at in our report could be picked up through the Children and Families Scrutiny Committee workplan.

Background papers

To aid our understanding Officers helpfully compiled a reading list for us. We are including this below so you can see the background information we have read. There were three broad categories of reading: i) What's driving exclusion; ii) The impact of exclusion; and iii) How exclusions might be reduced.

What's driving exclusion?

[DfE \(2019\) School exclusion: a literature review on the continued disproportionate exclusion of certain children](#)

[DfE 2016/17 Permanent and Fixed Term Exclusions in England](#)

[Exclusions review: Call for evidence Written evidence from The Children's Society](#)

[The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2018/19](#)

The impact of exclusion

[Parliament UK \(2018\) Forgotten children: alternative provision and the scandal of ever-increasing exclusions](#)

[Pippa Allen-Kinross \(2020\) Article - Hold schools 'responsible' for excluded pupils who join gangs, says children's commissioner](#)

[IPPR | Making The Difference Breaking the link between school exclusion and social exclusion](#)

[TES Off-rolling: Free school 'pushed home education'](#)

How exclusions might be reduced

[All-Party Parliamentary Group on Knife Crime \(2019\) BACK TO SCHOOL? Breaking the link between school exclusions and knife crime](#)

[Children's Society \(2018b\) Transforming children & young people's mental health provision: The Children's Society's response to the departments of Health and Education's green paper](#)

[Centre for Social Justice \(2018\) Providing the alternative: How to transform school exclusion and the support that exists beyond](#)

Statutory Guidance: [DfE Statutory Guidance School Exclusion](#)

The Cost of Exclusions in Somerset

A deep dive analysis of the data

Written by the Children's Business Intelligence Team, Somerset County Council

Penny Johnson

Tony Verrier

Toby Atkins

January 2020

Highlights

- Data for this report was obtained from our in-house Capita system and national Department for Education reports
- Somerset is in the top twenty of poor performing local authorities for school exclusions
- Exclusion rates in Somerset are increasing year on year – 3.24 Somerset, England 2.43 (2017/18)
- Exclusions rates are rising nationally – Somerset is following this trend
- Permanent Exclusion rates have increased from 0.05 (2013/14) to 0.16 (2017/18)
- Fixed-term Exclusion rates have increased from 2.0 (2013/14) to 3.09 (2017/18)
- Permanent exclusion in Somerset is 0.16, England is 0.10 (2017/18)
- The rate of exclusion increases every school year, from 2.1 at Year One to 22.4 at Year 10, this mirrors national data, but with much higher rates in Somerset
- Exclusion data from Capita demonstrates our 2018/19 fixed term exclusions have continued to rise since the publication of 2017/18 national data
- Some secondary schools have more than doubled their number of Fixed Term Exclusion over the past two years
- Somerset has the highest rate of fixed-term exclusion compared to all our statistical neighbours

- The fixed-term exclusion rates for secondary age pupils in Somerset are above the England rate, the South-west rate and our comparative neighbours
- Somerset has highest number of students with one or more fixed term exclusions compared to all our statistical neighbours
- The length of fixed-term school exclusion in Somerset is consistently shorter than the England average of 4.41 days, compared to 4.04 days in Somerset (2017/18)
- The average number of exclusions per pupil in Somerset (2.44) is higher than England (2.18) (2017/18)
- Boys in Somerset schools have a much higher rate of exclusion than the national average
- Girls make-up about a quarter to a third of all exclusion episodes
- There are higher rates of exclusion for schools in Somerset in more deprived areas
- Children with SEND – there are much higher rates of exclusion and this is increasing
- Gap between Somerset and England SEN exclusion rate is increasing year on year
- Most school exclusions are for persistent disruptive behaviour

Introduction

It has been acknowledged over the past few years that Somerset has an increasing rate of young people excluded from school. Exclusion data is monitored regularly through the Phase Strategy Groups and various dashboards and reports are available, but it is now a prime opportunity to look at this area in depth and challenge the poor performance of Somerset schools and look for reasons behind the results.

This report aims to look where we are nationally, within the west-country and against our comparative neighbouring authorities. It looks at sub-sets of data and where there appears to be an increased risk of exclusions for different groups.

When writing this report there is a concern about collating too much data for identifying the real reasons behind Somerset's poor performance. This document aims to be open for discussion, interpretation, amendment and criticism and it will change form, as the review continues, until we identify solid root causes for this complex issue and then our partners can discuss recommendations and actions for our children and schools.

National Context

A literature review commissioned by the Department of Education in 2018² gathered evidence from many studies to examine the continued disproportionate exclusion of certain children, this concluded that

'certain vulnerabilities, individually or combined, increased a child's risk of exclusion. These included: SEND, including social, emotional and mental health (SEMH) needs, poverty, low attainment, being from certain minority ethnic groups, being bullied, poor relationships with teachers, life trauma and challenges in their home lives. The potential drivers of exclusion identified .. could be numerous and layered, which could have a multiplier effect'.

The review further concluded that schools did not operate in a vacuum and that they are microcosms of society, suggesting that the current patterns of exclusions were perpetuating society-wide stereotyping and discrimination, particularly along the lines of class, race, gender and disadvantage.

The school-family dynamic was sometimes described as problematic and in general parent-school communication reduced after primary school. In some small-scale studies, parents felt unfairly blamed for their child's behaviour but unable to discuss matters with schools or to advocate effectively on behalf of their child. Research also found the opposite: that parents blamed schools.

The Children's Commissioner for England commented in March 2019⁴ that when children are excluded from school, they lose their safety net and that when she had talked to any child in prison or in trouble with the police and they will tell you that falling out of school was a trigger point. She further commented, with 100,000 now being excluded or off-rolled each year, there are a lot of children on the outside – and it is being on the outside which makes these children vulnerable. Children should be at school, it gives them structure, access to support, the opportunity to build relationships with trusted adults and other friends. For vulnerable kids on the edge of gangs, it's these basics which are missing from the rest of their lives.

The Children's Commissioner recognised that not all exclusions are avoidable. She felt that schools had a responsibility to all their students. If a child poses a genuine risk to their peers, it is quite right the school takes steps to keep other children safe. She acknowledged that whilst exclusions have risen 67% since 2012/13, there is no evidence that behaviour patterns had changed. And the children they are excluding are highly vulnerable: half of them have mental health problems, a similar number also have special educational needs. All this suggests that schools' tolerance of disruptive behaviour and the underlying causes (including poor mental health and SEND) are reducing.

Further analysis conducted by the Children's Commissioners office shows that it is only a small minority of schools where this is happening. Just **10% of schools in England are responsible for a staggering 88% of all exclusions**. Research they conducted in eleven local authority areas found a similar pattern – 10% of schools were responsible for the majority of off-rolling. The Commissioner concluded that there were no plausible explanations as to why schools serving similar populations can legitimately have such different rates of exclusion.

This is reflective in Somerset, why do we have such different rates of exclusion to our comparative neighbours and why are our exclusion numbers increasing so rapidly?

Definitions and the legal framework for Exclusions in Schools

The key guidelines concerning exclusion are covered within the most recent guidance provided by the Department of Education (DfE) which is available as a hyperlink in the Reference section of this report¹, however, a short summary of the most pertinent points is provided below: -

'Only a Head Teacher can exclude a pupil and this must be on disciplinary grounds. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently. A fixed-period exclusion does not have to be for a continuous period.'

'A fixed-period exclusion can also be for parts of the school day.'

'a fixed-period exclusion cannot be converted into a permanent exclusion. In exceptional cases, ... a further fixed-period exclusion may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period.'

'permanent exclusion should only be used as a last resort, in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.'

'The decision to exclude a pupil must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate against pupils on the basis of protected characteristics, such as disability or race. Schools should give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion.'

'Disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil's behaviour, it should try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion. In this situation, schools should consider whether a multi-agency assessment that goes beyond the pupil's educational needs is required.'

'The behaviour of a pupil outside school can be considered grounds for an exclusion.'

'Under the Equality Act 2010 (the Equality Act), schools must not discriminate against, harass or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices and the provision of auxiliary aids.'

The head teacher and governing board must comply with their statutory duties in relation to SEN when administering the exclusion process. This includes having regard to the SEND Code of Practice⁵.

..it is unlawful to exclude a pupil simply because they have additional needs or a disability that the school feels it is unable to meet, or for a reason such as: academic attainment/ability; the action of a pupil's parents; or the failure of a pupil to meet specific conditions before they are reinstated,

'Informal' or 'unofficial' exclusions, such as sending a pupil home 'to cool off', are unlawful, regardless of whether they occur with the agreement of parents or carers. Any exclusion of a pupil, even for short periods of time, must be formally recorded.

'Maintained schools have the power to direct a pupil off-site for education to improve their behaviour '

Findings

National Picture and Rankings

Data for this report was obtained from our in-house Capita system and national Department for Education reports.

The tables below display Somerset's ranking compared to other local authorities (LAs). Please note a ranking of **1 indicates the highest rate of exclusion** compared to other LAs. As can be seen in the first table, Somerset is in the top twenty of all local authorities in the country for Permanent exclusions, Fixed-rate exclusions and students with one or more fixed period exclusion.

	Somerset's ranking of all LAs (up to 152 LAs)		
	Permanent exclusion Rate - Ranking of LAs	Fixed Period Exclusion Rate - Ranking of LAs	Students with one or more fixed period exclusions rate - Ranking
2013-14	93	45	47
2014-15	88	36	47
2015-16	64	24	25
2016-17	51	17	22
2017-18	24	20	20

When comparing Exclusion data to our statistical neighbours, the comparison is bleak. Somerset has the highest rate of Fixed-term exclusion, and students with one or more fixed exclusions and is third within the ranking for Permanent Exclusions.

Somerset's ranking of Statistical Neighbour LAs (11 LAs)			
	Permanent Exclusion Rate (Ranking)	Fixed Period Exclusion Rate (Ranking)	Students with one or more fixed exclusions (Ranking)
2013-14	8	1	1
2014-15	8	1	1
2015-16	7	1	1
2016-17	4	1	1
2017-18	3	1	1

The next table compares our performance against other south-west LA's. As can be seen the Somerset performance has decreased over the past few years compared to other south-west councils. There are a few South-west councils that are performing well on their exclusion rates – these would be:

For Permanent Exclusions (Somerset – 24 National Ranking 2017/18)

- Isles of Scilly – but ignore for low numbers
- Bristol – a ranking of 143 nationally
- Wiltshire – a ranking of 137 nationally

For Fixed Period Exclusions – (20 National ranking 2017/18)

- Isles of Scilly - again ignore
- Cornwall – a ranking of 114 nationally
- Gloucestershire – a ranking of 77 nationally
- Wiltshire – a ranking of 72 nationally

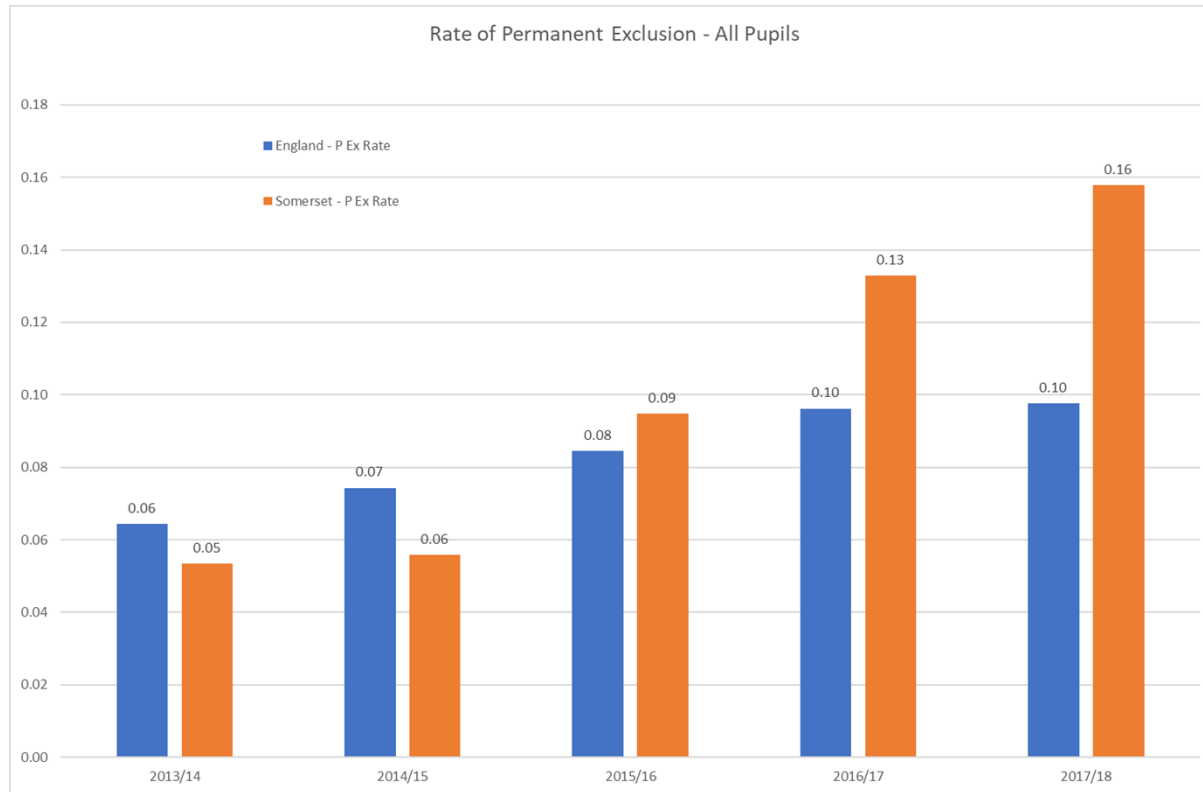
Somerset's ranking of South West LAs (up to 16 LAs)			
	Permanent Exclusion Rate (Ranking)	Fixed Period Exclusion Rate (Ranking)	Students with one or more fixed exclusions (Ranking)
2013-14	11	7	6
2014-15	11	6	6
2015-16	10	4	3
2016-17	7	3	3
2017-18	4	4	3

Exclusion rates are increasing nationally and in Somerset

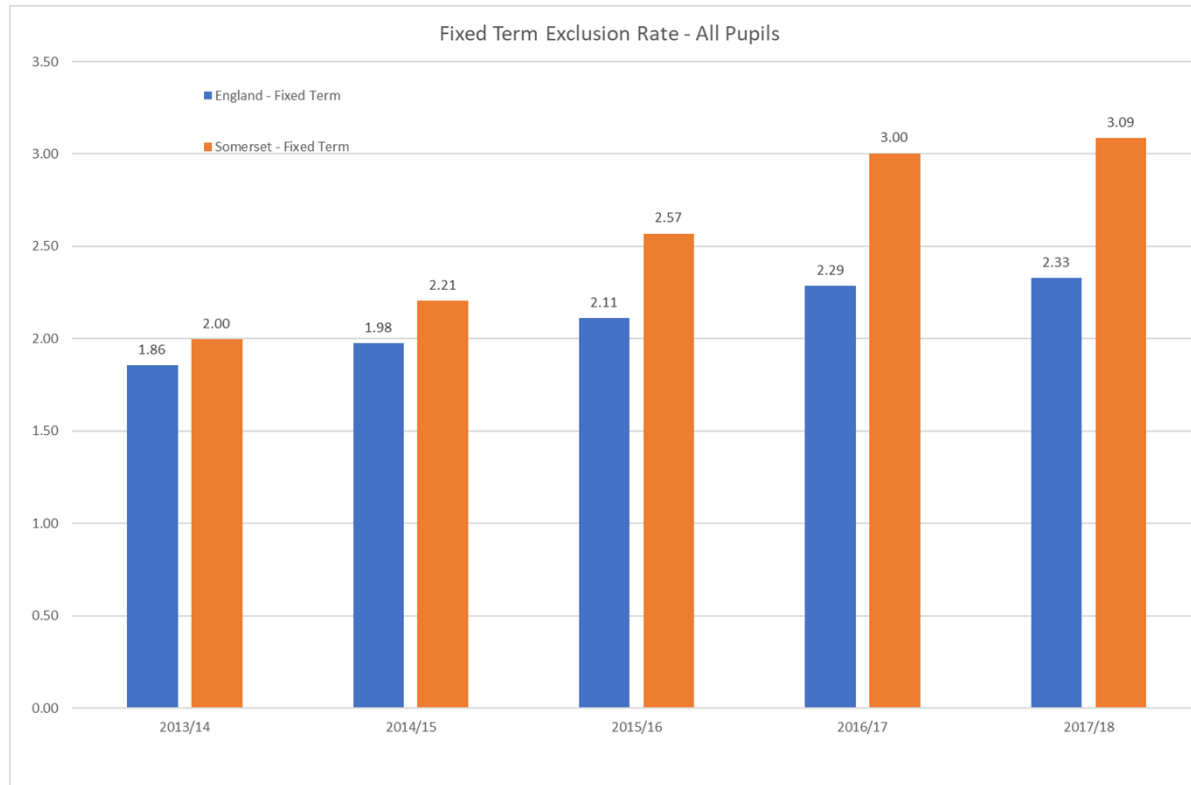
The graphs below demonstrate the rise of the rate of school exclusion in Somerset and in England.

The rate of exclusion as calculated by DfE is the number of exclusions divided by the school roll (at the January Census) multiplied by 100. As some students will trigger multiple exclusions it's not the number/percentage of students excluded.

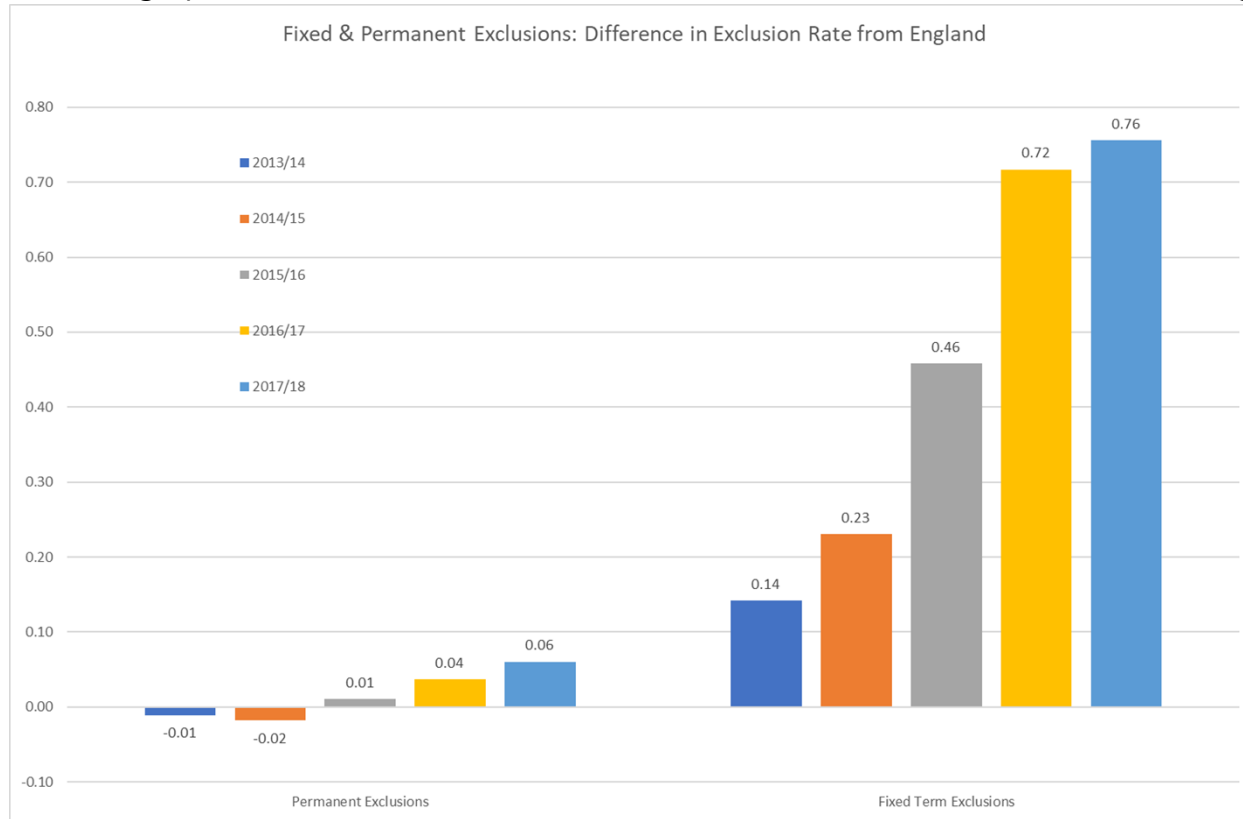
As can be seen from the Permanent Exclusion rate graph below, Somerset was below the national rate in 2013/14 and 2014/15, but since then the rate has risen to significantly over the England rate.



For fixed-term exclusions (see graph below) the rate in Somerset has risen year on year from 2013/14 to 2017/18. The rate for England has also increased but by a much smaller amount.



The next graph shows the difference between the exclusion rates with Somerset and England.



Are there differences in Exclusion rates between Primary and Secondaries?

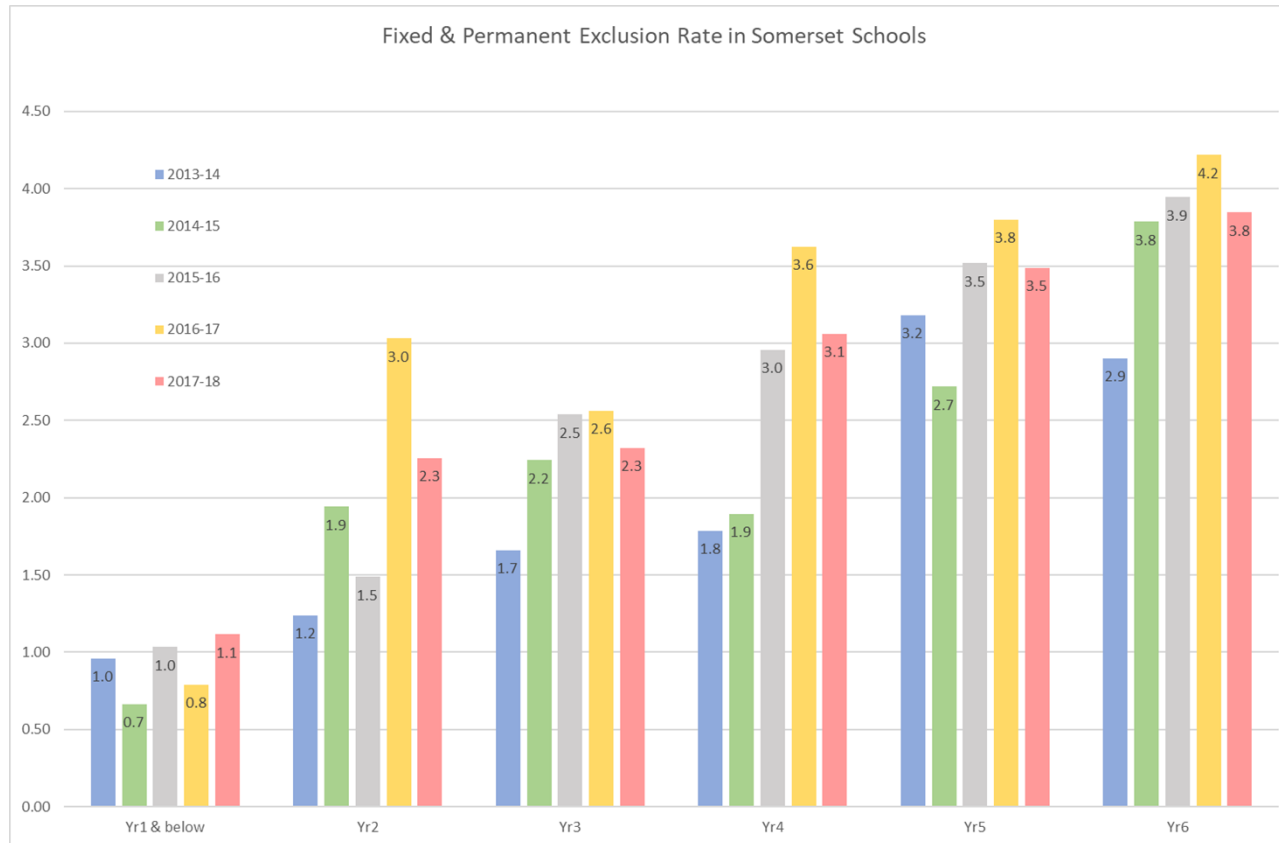
There is a marked difference between exclusion rates from Primaries to Secondaries, as will be explained further on in this report. The data in the table below is DfE information from the 2017-18 Permanent and Fixed Term Exclusion rates split between Primary and Secondary schools, with comparisons to rates for England, the South-west region and our comparative neighbours.

Permanent and Fixed-Term exclusion rates – primary and secondary split – 2017/18 DfE Data (pub' July 2019)				
No of incidents/no of pupil on roll as a percentage.				
	Primary		Secondary	
	Permanent	Fixed Term	Permanent	Fixed Term
Somerset	0.05	2.15	0.30	14.30
South-West	0.04	1.77	0.22	11.19
Statistical Neighbours*	Mean Average 0.04 Range 0.01 to 0.07	Mean Average 1.91 Range 1.19 to 2.93	Mean Average 0.23 Range 0.04 to 0.36	Mean Average 9.55 Range 6.77 to 14.30
England	0.03	1.40	0.20	10.13

*we do not have the pupil numbers to calculate this as a percentage

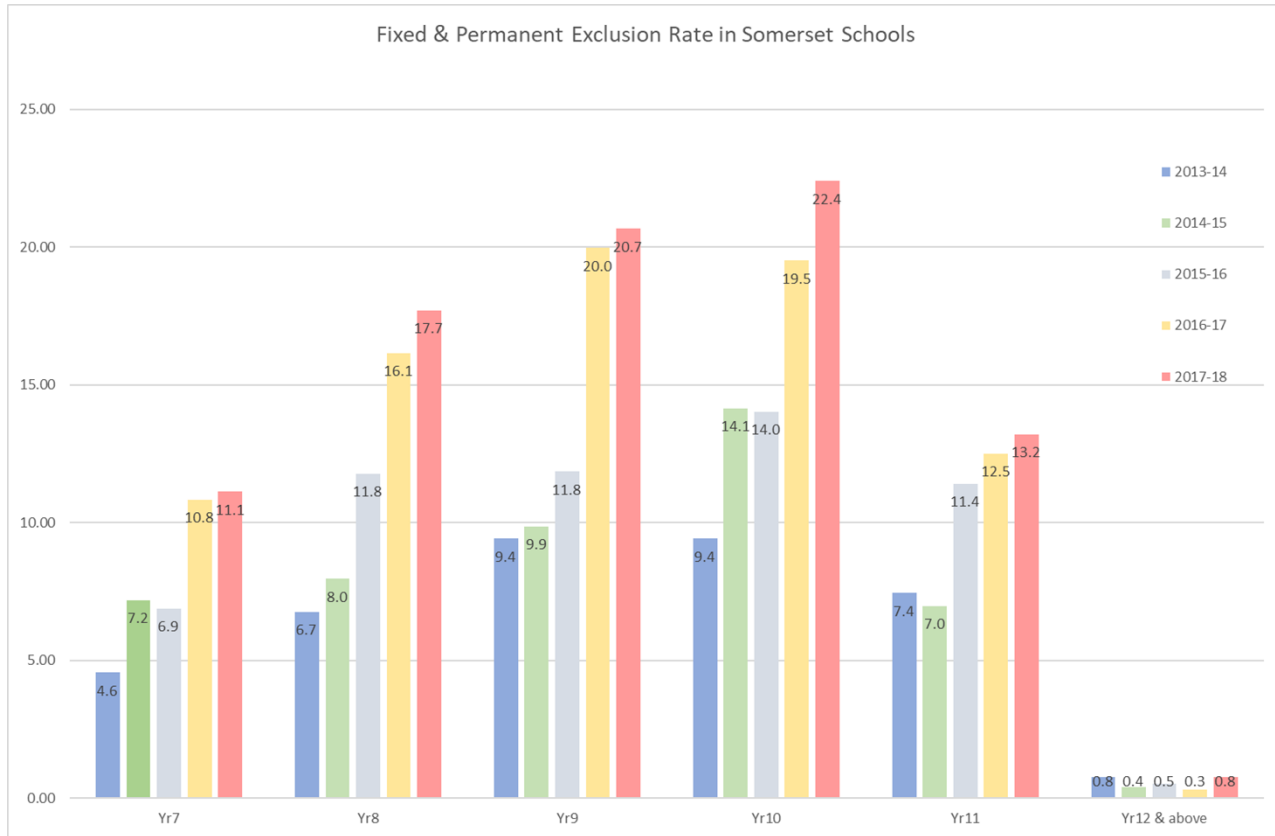
As the table above demonstrates, our fixed-term exclusion rates for secondary age pupils are above the England rate, the South-west rate and our comparative neighbours. The fixed-term secondary exclusion data from this table is interesting to compare against the performance of individual secondary schools in Somerset. Please note we do not have national data for middle schools, so our data could be tempered by our three-tier system in some areas.

The data shown in the following two graphs identifies that the rate of exclusion increases with age, so as the young people move up through the school years. The first graph displays the data for the primary schools in Somerset, the low rate of exclusion in the very early years to a higher rate in Year six. What is encouraging however, is that the rate of exclusion for primary schools has decreased across these primary years from 2016/17 to 2017/18, apart for Year One and below.

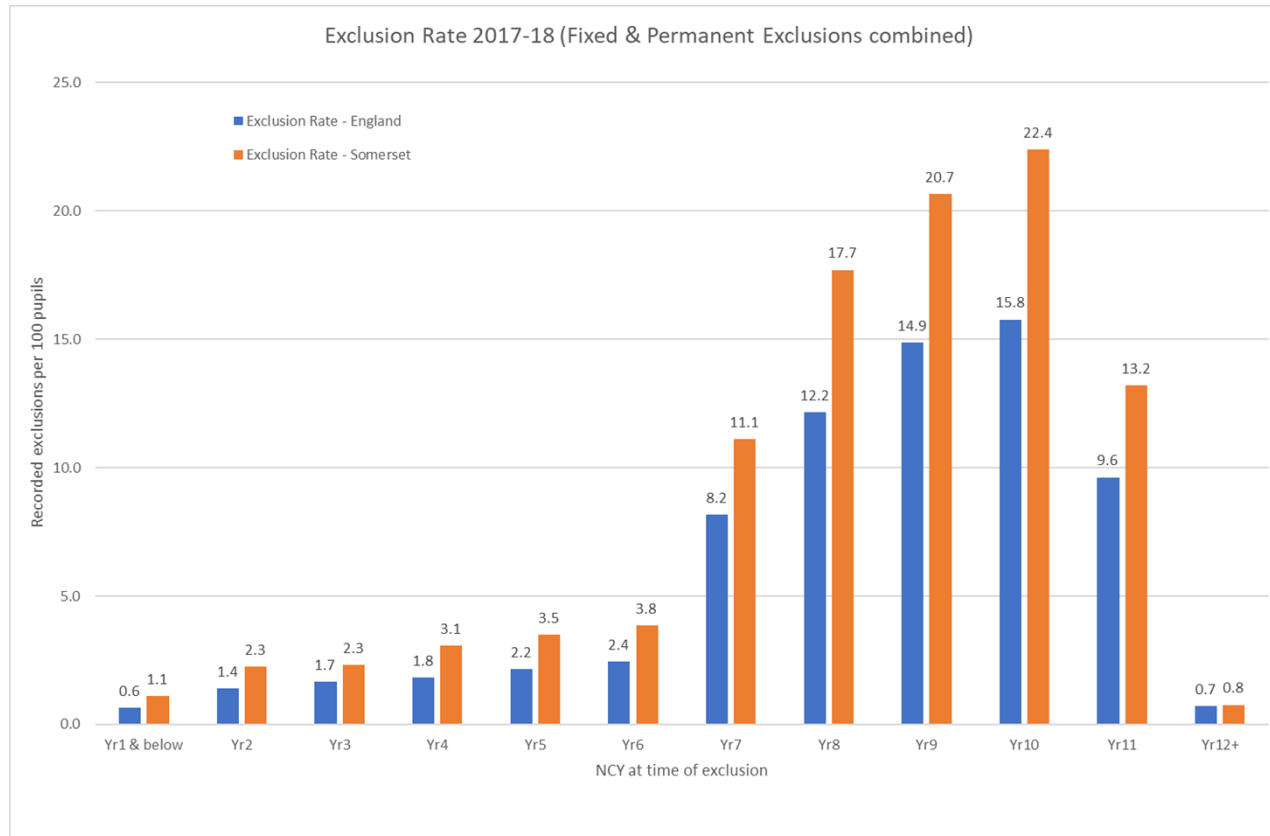


The next graph looks at the fixed and permanent exclusion rate for secondary schools. They demonstrate the rise across the years, but that the highest rate is for Year 10 and it drops significantly for Year 11, perhaps the reasons behind this are: -

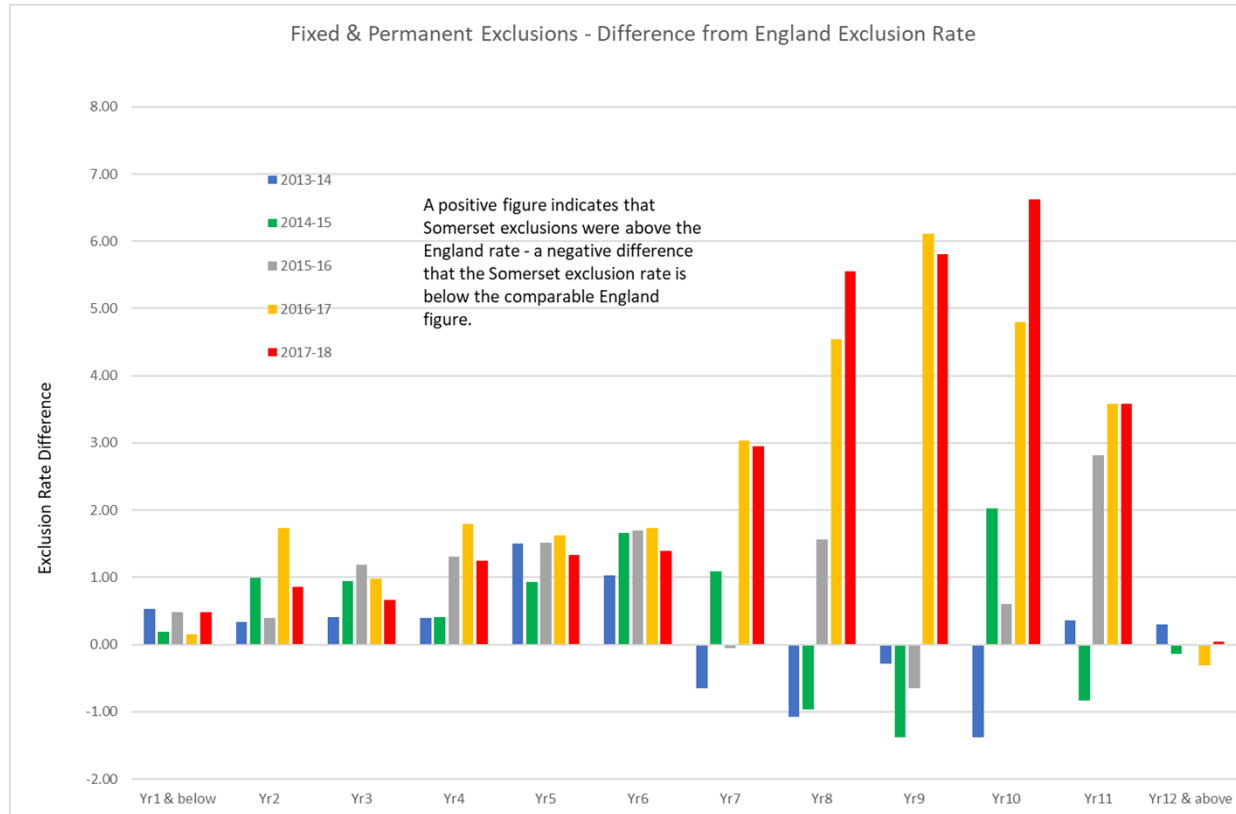
- the Pupil Referral Units (PRU's) have historically held most of the difficult Year 11's,
- it is rare for a school to take a permanent excluded pupil in year 11
- there is little time left for them to be excluded as they are only there for just over two terms



The following graph compares our primary and secondary data to England data for the same school years, they follow a similar pattern, but what is very apparent is our higher exclusion rate in Somerset across all year groups.



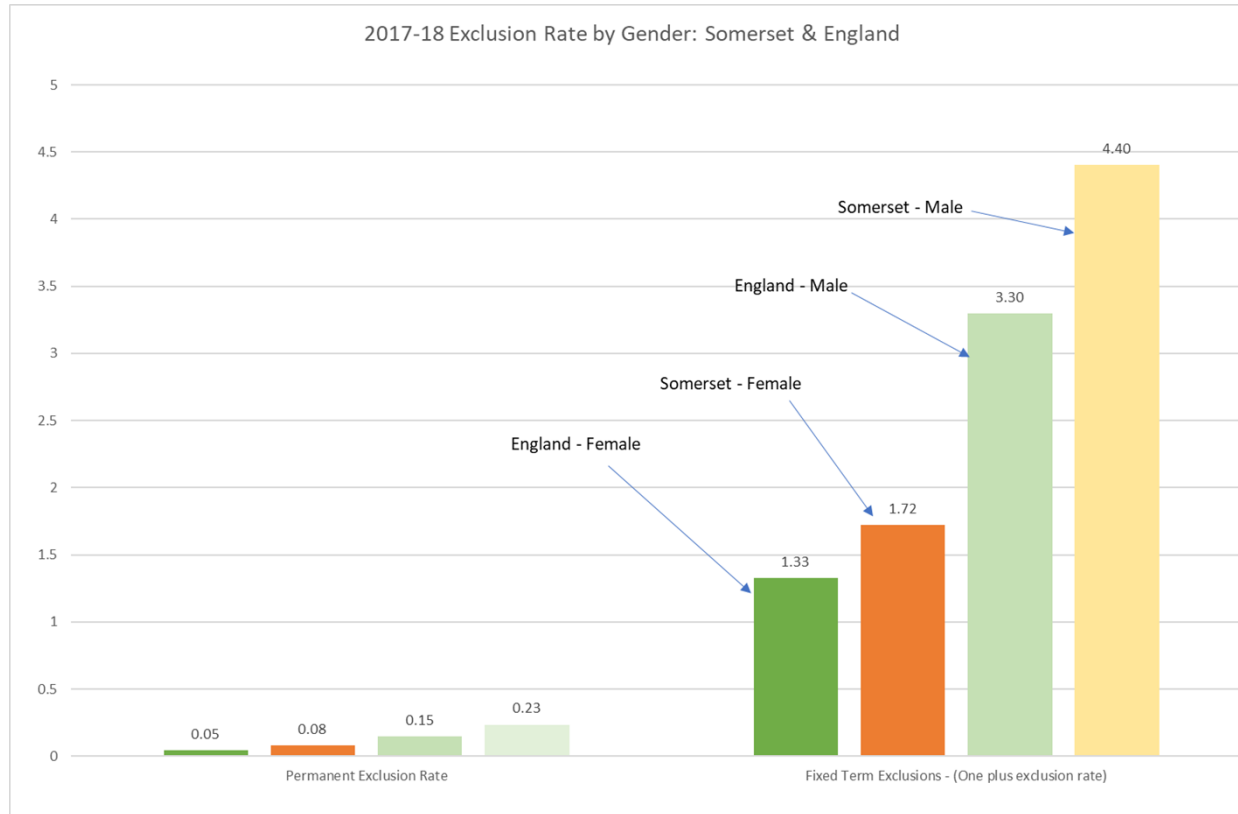
The graph below compares our exclusion rate against the England rate, it again demonstrates our rise in exclusions and our journey from good performance in this area in 2013/14 and 2014/15 to now exceeding the England rate. As the commentary on the graph explains negative performance is good.



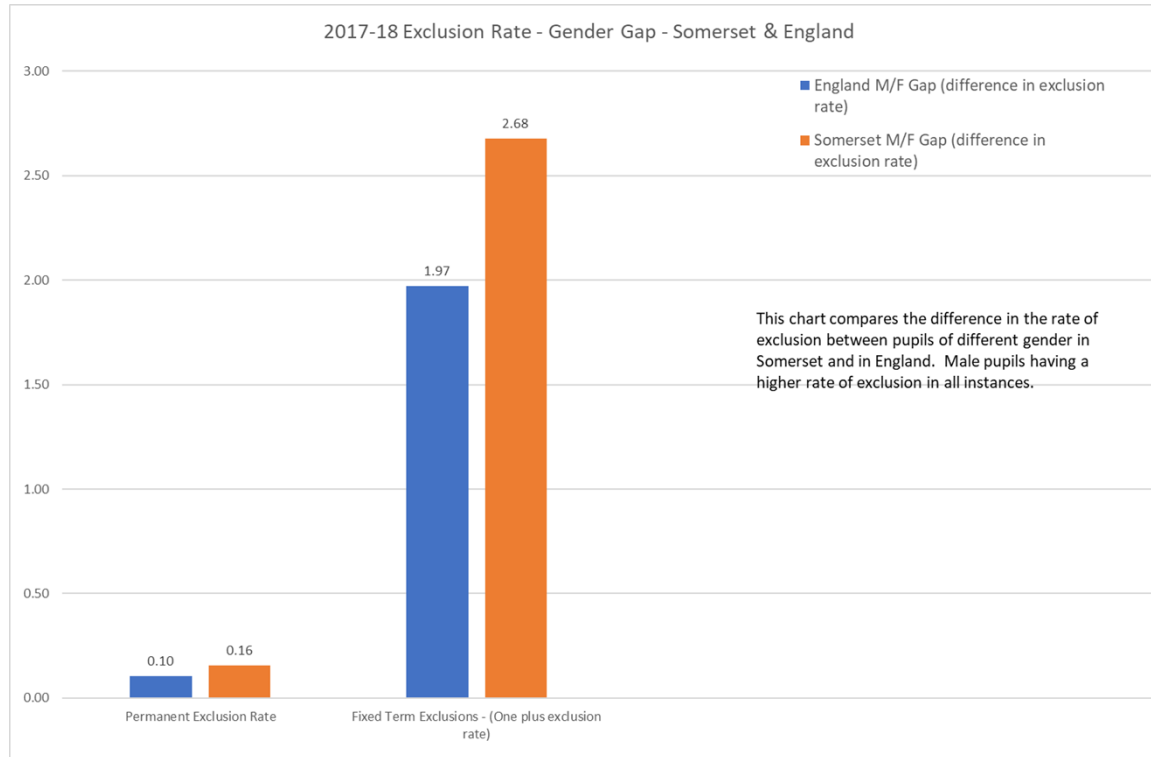
Are there differences between genders in Somerset?

In 2018/19 there were thirteen permanent exclusions for females (23.2%) and 43 for males (76.8%). For fixed term exclusions, there were 935 for females (31.9%) and 1,992 (68.1%) for males. It could be summarised as girls in Somerset make-up a quarter to a third of all exclusion episodes.

The graphs below show our performance compared to the England average, it demonstrates that for both males and females our exclusion rates are higher than the national average. It also shows that Somerset follow the same pattern of boys receiving more exclusion episodes than girls.



The next graph shows the difference between our male/female exclusion rate compared to England male/female rate, concluding that Somerset is excluding a **far higher** rate of boys than the England average, and girls in Somerset still have more exclusions than the national average.



Secondary Schools and Academies across Somerset

This part for the report examines the fixed-term exclusion rates across the twenty-nine secondary schools, not including the middle schools, as it is apparent from the data above that the main area of concern is within this age-range.

Somerset's average mean fixed term exclusion rate for the secondary schools is 20.7. Some of the schools far exceed this, the table below gives details of all schools with a rate of 20 and above.

Fixed Term Exclusion (FTE) incidences by Secondary Schools (Source: Capita One at 16.12.19)				
School	2017/18	2018/19	No on School Roll	Fixed Term Exclusion Rate 2018/19 %
School 1	278	472	855	55.2
School 2	118	152	316	48.1
School 3	324	588	1256	46.8
School 4	279	540	1359	39.7
School 5	120	323	940	34.4
School 6	149	215	687	31.3
School 7	130	298	969	30.8
School 8	209	191	798	23.9
School 9	191	174	730	23.8
School 10	86	161	803	20.0

However, some schools are not excluding as much.

School 11	272	216	1191	18.1
School 12	163	260	1472	17.7
School 13	71	94	577	16.3
School 14	310	203	1275	15.9
School 15	149	166	1061	15.6
School 16	130	119	774	15.4
School 17	85	113	744	15.2
School 18	242	159	1065	14.9
School 19	62	49	333	14.7
School 20	58	132	908	14.5
School 21	51	71	528	13.4
School 22	111	117	906	12.9

School 23	62	54	454	11.9
School 24	185	111	951	11.7
School 25	90	89	1062	8.4
School 26	18	42	600	7.0
School 27	46	20	326	6.1
School 28	96	88	1486	5.9
School 29	10	36	1162	3.1

It becomes obvious that a school with a boarding provision such as Sexey's would not have many fixed-term exclusions, but **why do some schools have such a low exclusion rate?**

The other very concerning issue is the increased rate of fixed term exclusion between 2017/18 and 2018/19, some schools (anonymised) below, have more than doubled their rate over past the two years and this is also illustrated in the data above.

National data on exclusion is not released until June 2020, knowing the above, **Somerset will continue to decline in the national performance tables.**

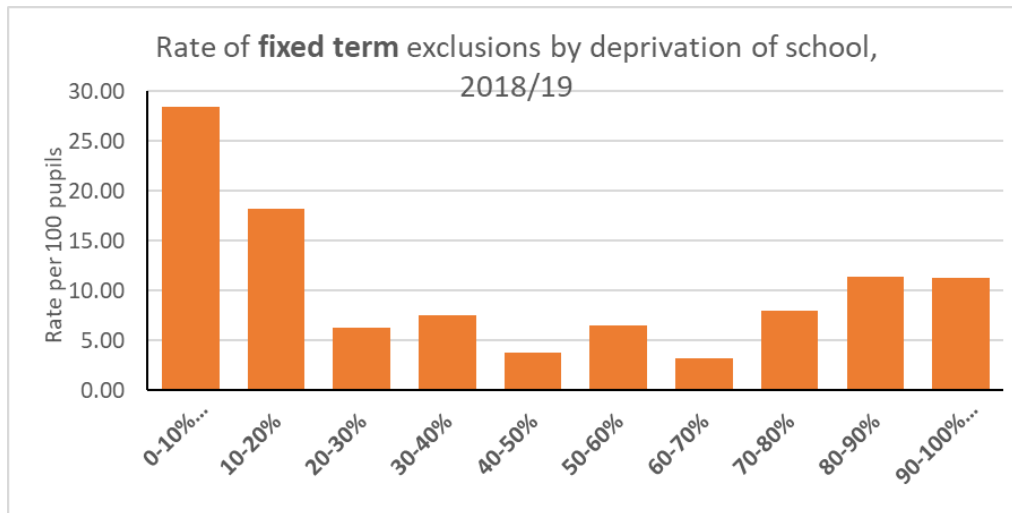
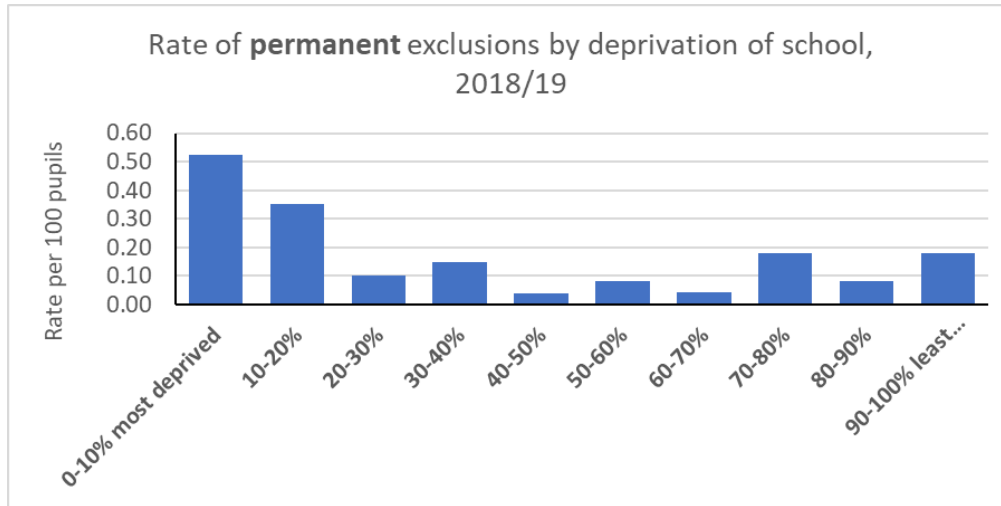
- School 1 – 69.8% increase
- School 3 – 81.5% increase
- School 4 – 93.5% increase
- School 7 – 129.2% increase
- School 10 – 87.2% increase
- School 20 – 127.6% increase

Deprivation and Exclusion in Somerset is there a link?

Within the DfE literature review of school exclusions³ it found that social class shaped the parent-school relationship, with poorer or working-class parents perceived as being the least effective in challenging exclusion decisions. It is apparent within Somerset that there is a link to deprivation, and this is evidenced in the table below, which shows Permanent and Fixed period exclusion by level of deprivation of school for Somerset state-funded primary, secondary and special schools. (It is probably more visible, in the bar-charts below the data table.) According to a blog written by Laura Partridge ⁵ of the Royal Society of the encouragement of Arts, Manufactures and Commerce (RSA), School Exclusions are a social justice issue, she comments that there is a strong correlation between attending a school in an area of high deprivation and being excluded from school and that pupils who are eligible for Free School Meals were four times more likely to be permanently excluded from school than their non-eligible peers and that pupils from schools in the 10% most deprived areas are roughly twice as likely to be excluded as their peers from schools in the 10% least deprived areas. These findings are mirrored in Somerset and demonstrated in the table and graphs below.

IDACI decile	Number of schools	Number on Roll	Number of permanent exclusions	Rate of permanent exclusions (per 100 pupils)	Number of fixed term exclusions	Rate of fixed term exclusions (per 100 pupils)
0-10% most deprived	11	5,140	27	0.53	1,459	28.39
10-20%	11	4,827	17	0.35	878	18.19
20-30%	19	4,896	5	0.10	306	6.25
30-40%	25	6,722	10	0.15	504	7.50
40-50%	24	5,227	2	0.04	199	3.81
50-60%	45	8,457	7	0.08	548	6.48
60-70%	38	9,721	4	0.04	315	3.24
70-80%	40	10,623	19	0.18	850	8.00
80-90%	28	7,209	6	0.08	823	11.42
90-100% least deprived	22	7,756	14	0.18	874	11.27
Total	263	70,578	111	0.16	6,756	9.57

Source: Capita One/2019 Income Deprivation Affecting Children Index (IDACI) at Super Output Area level based on the location of the school



There are several secondary schools in Somerset who are within the top two deprivation areas but have low rates of exclusion, these are School 22 and School 24, both of these schools are based in South Somerset.

Links between Attainment and Exclusion

In the report Making the Difference – Breaking the link between School Exclusions and Social Exclusion, by the Institute of Public Policy Research⁶ it states that poor outcomes for excluded pupils stretch across a range of social dimensions including health, qualifications, employment and criminality. Their researchers found that it blights the educational opportunities or halts altogether the transition from school to further study and the world of work. It comments that only one per cent of excluded young people achieve five good GCSE's including Maths and English and that they have a very low average Attainment 8 score and that the majority of excluded pupils were not even enrolled in the two core English and maths GCSE's.

Exclusion and Not in Education, Employment or Training (NEET) status

Data from Career South West (the company that checks our NEET status) for all young people from Somerset, who are currently classed as not in employment education or training, in National Curriculum Year twelve and thirteen was examined. Of which there was a total of thirteen young people who had received a permanent exclusion.

Of this small group: -

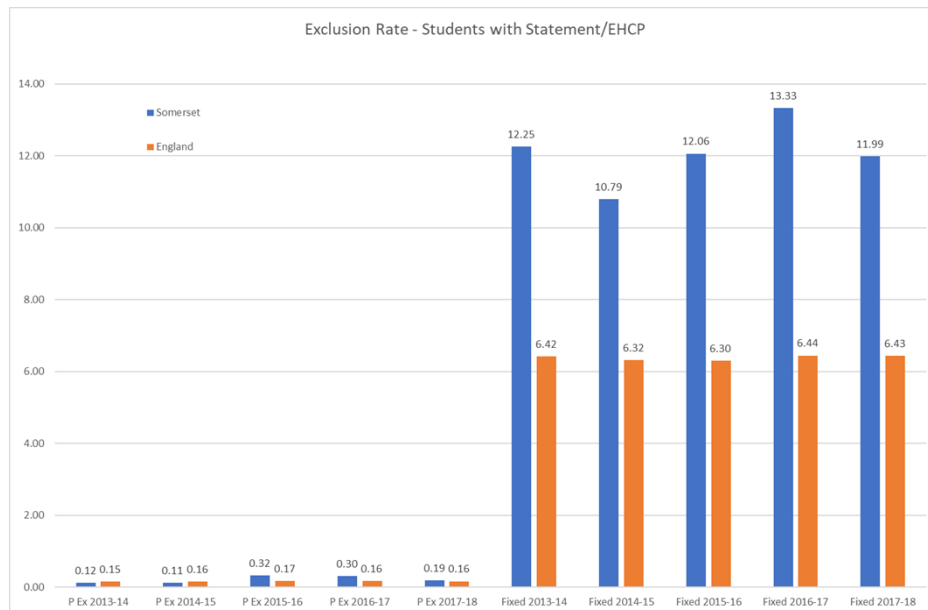
- Eleven are known to the Somerset Youth Offending Service (YOS), (nine had a referral after their exclusion)
- Only one young person had no SEN status
- 2 have an Education, Health and Care Plan
- 10 have a status of SEN Support
- three were previous children looked-after (CLA)
- five had a previous Child in need or Child Protection (CIN/CP) status

Ethnicity

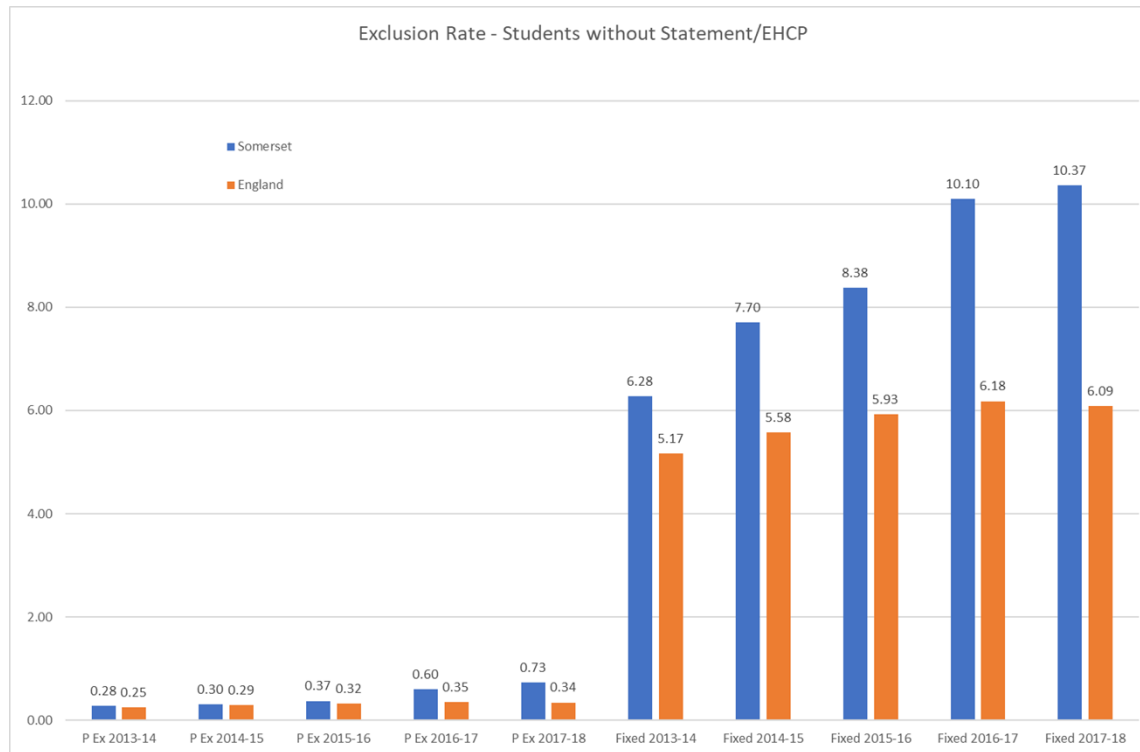
It is not considered that there are links between ethnicity and exclusion in Somerset, but the data is currently being analysed and will be available shortly.

SEN Children

What becomes very apparent when examining the exclusion data for Somerset children, is that there are some groups, that have much higher rates of exclusion than others, one of these is children with special educational needs (SEN) and/or disability. The exclusion rates in Somerset for children with an EHCP is **almost double** that of the England rate.



Again, for those children on SEN Support there are again stark differences between the Somerset rate of exclusion and the England rate.

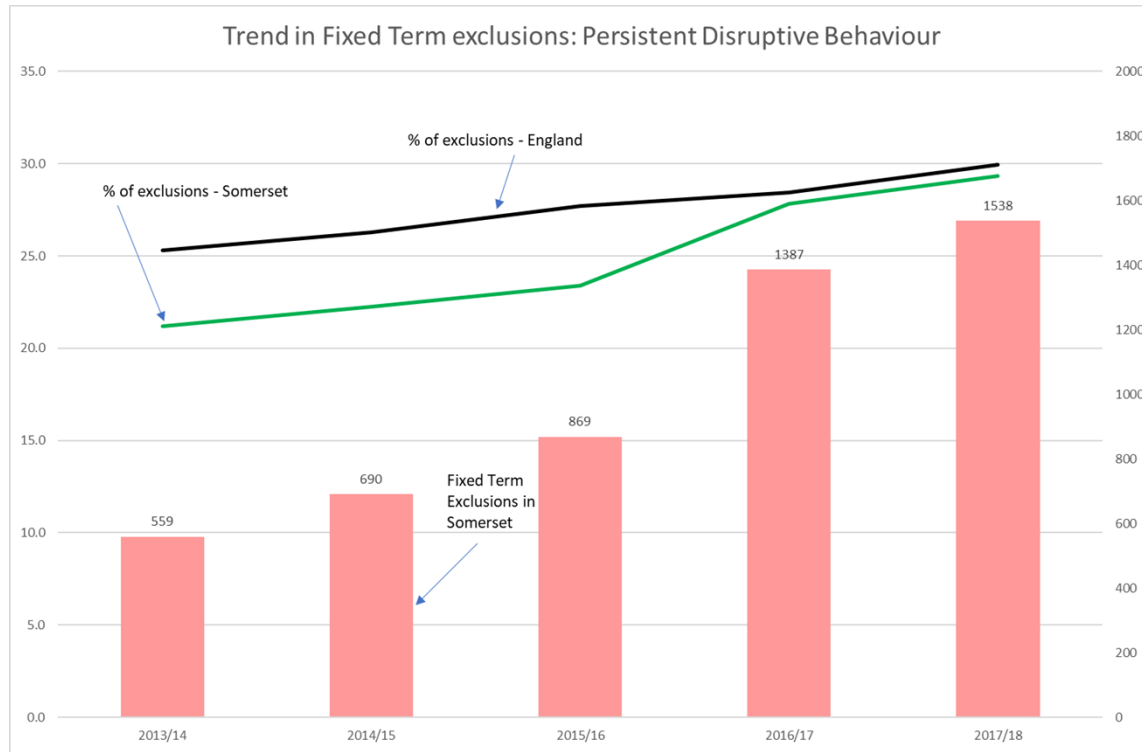


Reasons for exclusion

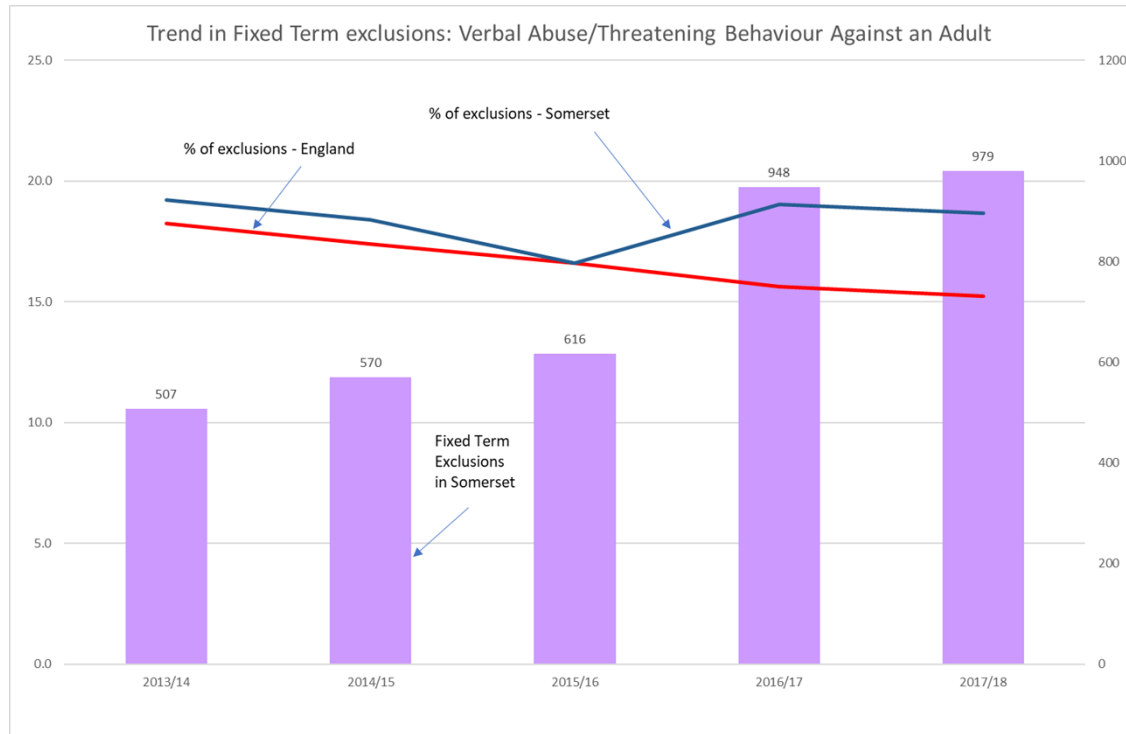
Persistent or disruptive behaviour is the largest reason category for exclusions from Somerset schools. This is both for Permanent and Fixed-term exclusions.

The graphs plot the trend of the reason AND show the percentage of all exclusions thereby demonstrating that Persistent Disruptive Behaviour is going up in number and as a percentage of the number of fixed term exclusions. Yet again, Somerset

follows the national upward trend, but it is concerning that in the last few years there was such a jump in the number for this reason, why is this?



It is also very concerning to see the rise in the number of fixed term exclusions for verbal abuse or threatening behaviour towards an adult and the actual assault of adults (assuming school staff), this is demonstrated in the follow graph. Plus, the rate again is higher than England, why?

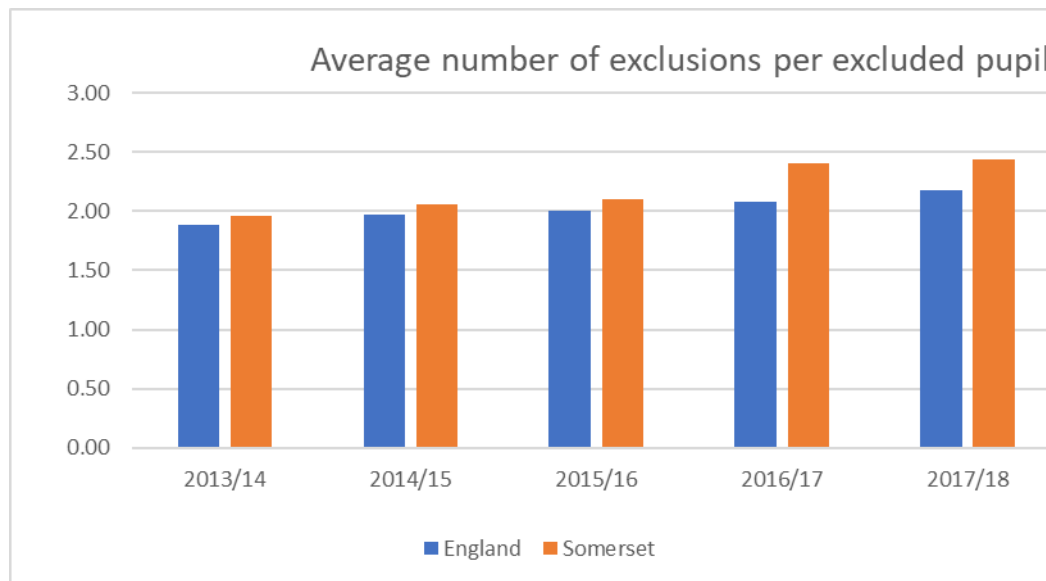


Length of school exclusion

Our average length of exclusion is shorter than the England average. Are we therefore giving pupils shorter temporary exclusions? Should schools be looking to exclude for longer time-periods and therefore bringing down the rate, rather than having so many exclusion episodes?

Number of School Exclusions per Excluded Pupil

In Somerset, not only is the overall exclusion rate higher than England but the number of times each excluded pupil is excluded. The graph below demonstrates that in Somerset in 2017/18 an excluded pupil would have on average 2.44 exclusions compared to England at 2.18. The average number of exclusions has been climbing for both Somerset and all England data since 2013/14. What is slightly better news is that Somerset schools do not exclude for long periods of time, it is an average of 4.04 days per pupil compared to England at 4.41. Somerset has consistently shorter periods of exclusion compared to England data.



Overview of one school in a deprived area

The data in this summary is for a secondary school named School 1 (from previous tables in this report), using data from 2018/19 captured on the Capita system in-house.

For this school in 2018/19 there were 482 exclusion episodes, including ten for permanent exclusions. In summary: -

- 95 young people received an exclusion episode from the school in one year
- 8 of the permanent exclusions were for boys
- 70.8% of all exclusion episodes were for boys
- 16 pupils received 10 or more exclusion episodes in the year
- The highest number of exclusion episodes received by one pupil was 31 in the year (male with EHCP)
- 6 of the young people excluded had an EHCP with 48 episodes in the year
- 39 of the young people excluded were on SEN support with 222 episodes
- 56% of all the exclusion episodes, were for children with SEN
- Persistent disruptive behaviour was the main reason for exclusion in this school, but NOT for SEN support young people, this was for more violent reasons – this will need examining for the whole exclusion cohort – are there differences for SEN young people?

References

1. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf
2. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800028/Timpson_review_of_school_exclusion_literature_review.pdf
3. <https://www.theguardian.com/education/2017/aug/19/school-exclusion-linked-to-long-term-mental-health-problems>
4. <https://www.childrenscommissioner.gov.uk/2019/03/27/excluded-teens-are-often-the-most-vulnerable-and-theyre-falling-through-the-gap/>
5. <https://www.thersa.org/discover/publications-and-articles/rsa-blogs/2019/08/exclusions>
6. <https://www.ippr.org/files/2017-10/making-the-difference-report-october-2017.pdf>

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