



Leicester  
City Council

**WARDS AFFECTED**  
All Wards

## **FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:**

**Cabinet**

**14 July 2008**

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### **Secondary Behaviour Support Service**

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#### **Report of the Corporate Director, Children & Young People's Service**

##### **1. Purpose of the Report**

- 1.1 To inform Cabinet of the planned re-modelling of the Secondary Behaviour Support Service, in order to meet the aims and objectives of the Local Authority Behaviour Strategy, address the issues arising from its recent OfSTED inspection and deliver on the aspiration of Leicester City becoming a 'zero' permanently excluding authority.
- 1.2 To inform Cabinet of the key actions being addressed within the statutory 'LA Statement of Action' which was submitted to OfSTED on 9 May 2008, following the Secondary Federated Pupil Referral Unit (PRU) being placed in a category 'Notice to Improve'.
- 1.3 To inform Cabinet of the key issues contained within the Government White Paper 'Back on Track' (May 2008)
- 1.4 To obtain Cabinet sanction to the proposed changes to the Secondary Behaviour Support Service (SBSS) provision.

##### **2. Summary**

- 2.1 A new Behaviour Strategy for Leicester City was finalised by the Behaviour Strategy Group in September 2007. The Strategy Group is leading the work to improve pupil behaviour in our schools and secure reductions in the level of both fixed term and permanent exclusions from our schools.
- 2.2 The Secondary Federated PRU within the Secondary Behaviour Support Service was inspected on 4 – 5<sup>th</sup> March 2008 and despite the fact some strengths were identified, the overall judgement reached was that the provision was unsatisfactory and placed it in the category 'Notice to Improve'. Formal notification of this judgement was made on 8 April 2008 and the LA subsequently prepared and submitted on 9 May 2008, the required LA Statement of Action.

- 2.3 In the light of the recent OfSTED inspection, the professional judgement of both the PRU headteacher and the School Improvement Partner (SIP), supported by the PRU Management committee, a number of changes are now deemed essential in order to address the concerns raised within the inspection and to ensure delivery of the required objectives within the Leicester City Behaviour Strategy.
- 2.4 Central to these changes is the need to stem the flow of permanent exclusions. This will enable the PRU to operate within its physical capacity of approximately 50 places, as opposed to trying to extend the work undertaken to meet the average number of 120 permanently excluded pupils it has on roll. In order to limit these numbers, it is proposed to develop an 'Assessment and Intervention Centre', which will provide a continuum of provision to pupils who are at very high risk of permanent exclusion.
- 2.5 The number of permanently excluded pupils at the start of the new academic year is expected to fall to between 40 and 50, as the current year 11 pupils leave compulsory education at the end of this academic year. This will enable the staffing requirement at the PRU to be significantly reduced, providing the opportunity to increase the staffing by a corresponding amount in pre-exclusion work.
- 2.6 The Government has just published its White Paper 'Back on Track' (May 2008) that outlines the Government's vision for the future delivery of alternative provision. The Government's vision is completely in line with what we are already seeking to achieve in Leicester, as outlined in our Behaviour Strategy. We propose to make a submission to become one of 10 pilot programmes, which if successful would make additional funding available.

## **Recommendations**

- 3.1 Cabinet is recommended to:
- a) Note the contents of this report.
  - b) Note the proposed re-modelling of the Secondary Behaviour Support Service
  - c) Note the intention to submit a bid for DCSF funding for the operation of a pilot project of alternative education provision, in line with one of the proposed options for delivery in the Government's White Paper – Back on Track (May 2008)
  - d) Approve the use of the former Cherryleas site by the Secondary Behaviour Support Service, to create an Assessment and Intervention Centre and approve the necessary expenditure for conversion work to the building, as outlined in section five of the report.
  - e) Subject to approval of (d), approve the addition of the scheme to the CYPs Capital Programme at an estimated cost of £600,000, to be funded at this stage from Basic Need Pupil Places allocation which is a service resource.

## **4. Report**

- 4.1 A new Behaviour Strategy for Leicester City was finalised by the Behaviour Strategy Group in September 2007 (See appendix 1). The Strategy Group has a representative from City Primary Heads (CPH) on behalf of primary schools and a representative from the Education Improvement Partnership (EIP) on behalf of secondary schools. The Strategy Group is leading the work to secure reductions in the level of both fixed term and permanent exclusions from our schools. Overall, current pupil exclusion rates in Leicester are high when compared to both statistical neighbours and the national average, though Leicester City is well below average for permanent exclusions in primary schools, there not having been one during the last two academic years. (See appendix 2 for relevant data)
- 4.2 In addition to targets set for reductions in exclusion rates, the Strategy Group has set an aspirational target that Leicester City will become a 'zero' permanent excluding Authority. In order to achieve these targets, the work of the Strategy Group has been split into 4 priority areas:
- a) Develop Leicester City's Capacity to Promote Good Behaviour and Meet the Needs of Vulnerable Pupils.
  - b) Effective Partnership Working and Co-ordination
  - c) Developing a Continuum of Provision
  - d) Effective Communication, Networking and Data Analysis
- 4.3 Ensuring effective engagement with the EIP is essential, in order to ensure that all secondary headteachers are fully in agreement with the Strategy and working towards achieving the 'zero' permanent exclusion aspiration. Developing a high quality and educationally appropriate 'continuum of provision', which is readily accessible to schools, when a pupil is at risk of permanent exclusion is key to the realisation of this aspiration. The Secondary Behaviour Support Service will be the main vehicle through which this provision is delivered.
- 4.4 The Secondary Federated Pupil Referral Unit (PRU) within the Secondary Behaviour Support Service was inspected on 4 – 5<sup>th</sup> March 2008 and despite the fact some strengths were identified, the overall judgement reached was that the provision was unsatisfactory and placed it in the category 'Notice to Improve'. Formal notification of this judgement was made on 8 April 2008 and the LA subsequently prepared and submitted on 9 May 2008, the required LA Statement of Action.

- 4.5 The areas of concern at the PRU which require improvement, as determined by the OfSTED inspectors, were as follows:
- Evaluate the causes of poor attendance and take effective action to address these.
  - Ensure that all students receive the full education provision to which they are entitled.
  - Improve assessment procedures so that teachers can better match work to students' abilities.
  - Make better use of the information on students' progress to set more challenging targets so that the best possible progress can be made.
- 4.6 The quality of teaching and learning provision at the PRU (Individual Learning Centre) was already known to be fragile, following an earlier OfSTED inspection in 2006. The subsequent implementation of a LA Statement of Action, which involved the implementation of a comprehensive management team plan and extensive support being provided by the LA Learning Services Division, it was thought a 'satisfactory' judgement would be reached by the inspectors in a subsequent inspection.
- 4.7 In the light of the recent OfSTED inspection, the professional judgement of both the PRU headteacher and the School Improvement Partner (SIP), supported by the PRU Management committee, a number of changes are now deemed essential in order to address the concerns raised within the inspection and to ensure delivery of the required objectives within the Leicester City Behaviour Strategy.
- 4.8 Central to these changes is the need to stem the flow of permanent exclusions. This will enable the PRU to operate within its physical capacity of approximately 50 places, as opposed to trying to extend the work undertaken to meet the average number of 120 permanently excluded pupils it has on roll. This results in them being offered a less than satisfactory part-time provision, which does not meeting the legal required level of educational entitlement. The planned reduction in permanently excluded pupil numbers will be achieved by offering high quality behaviour management advice and support to schools and a readily accessible continuum of alternative provision, where required.
- 4.9 Where pupils are at risk of permanent exclusion, schools will continue to hold review meetings as part of the well established Pastoral Support Planning (PSP) process. The Secondary Behaviour Support Service will ensure representation is always present at these meetings in order to be able to offer, short-term, part-time off site behaviour support packages via the pre-exclusion facilities at the Short Stay School and Millgate Lodge and via other external providers where appropriate. The pupils attending such alternative provision will remain on the roll of their school and parental agreement will be secured before the alternative arrangements are set up.

- 4.10 For those pupils who have committed a more serious offence, which would ordinarily have necessitated permanent exclusion in that temporarily remaining in normal school attendance, even in a limited capacity, is not an option, then through the development of a new 'assessment and intervention centre' facility within the Secondary Behaviour Support Service, pupils will be able to swiftly access full-time provision at the centre as an alternative to permanent exclusion. This placement will last for up to 12 weeks, during which time a comprehensive multi-agency support programme is implemented, that provides assessment of individual needs and an appropriate behaviour support package. The pupil would again remain on the roll of their school for the duration of this intervention, and additional support would be provided from the mainstream school to ensure continued engagement, as appropriate. There will be a range of exit strategies including the pupil returning to their school, a managed move to an alternative school or special school placement. In either option, a level of continued access to alternative off-site educational provision will be available.
- 4.11 This new facility will be located at the former Cherryleas site on the west of the City, which is currently available for use by the SBSS. The CYPS Property and Planning team, working in conjunction with the Secondary Behaviour Support Service Management Team have identified necessary building adaptations which are required in order to adapt the building to the needs of the Service. Establishing a SBSS facility at this location addresses one of the concerns raised by the OfSTED inspectors, who observed a lack of suitable provision on the west of the City and believed this contributed to the low level of pupil attendance at the PRU.
- 4.12 The new centre will form part of the existing Secondary Federated PRU and will thus be subject to the existing governance arrangements of the statutory Management Committee. Scrutiny of the work of the centre will be provided by OfSTED as part of its normal inspection arrangements of the whole Secondary Federated PRU. The Government is proposing that in addition, the DCSF will be charged with responsibility for collecting performance data from all LA PRUs and from private providers of alternative provision, in order to both quality assure and benchmark performance.
- 4.13 Pupils who are permanently excluded from school are disproportionately over represented in those young people who go on to commit criminal activity. By stemming the flow of permanently excluded young people, through the establishment of a continuum of provision, which the new Assessment and Intervention Centre is able to provide, this should significantly contribute to crime reduction.
- 4.14 The proposals for the development of this Assessment and Intervention centre have been shared with the Education Improvement Partnership at their meeting on 25 April 2008. These proposals were well received and link in directly with the aims and objectives of the Behaviour Strategy to reduce the level of permanent exclusions.

- 4.15 Subsequent to presenting these proposals to the EIP, further scoping work has been undertaken, including discussions to assess to what extent expertise and support can be drawn from the two EBD special schools. The headteacher at Keyham Lodge School, which has recently received a 'good' judgement following its recent OfSTED inspection, is keen to support this work and is already a member of the PRU Management Committee.
- 4.16 The quality of staffing within the teaching team at the PRU (Individual Learning Centre) remains a concern in some areas and it has not been possible for the PRU to recruit suitable quality mathematics and English specialists. This has led to long-term engagement of supply cover, which is not appropriate in order to properly meet the needs of this group of vulnerable pupils. In order to address both of these issues, it is proposed to appoint Advanced Skills Teachers at the secondary specialist hub-schools and deploy them at the PRU. Funding will be transferred from the SBSS budget to enable the hub schools to finance these appointments. In order to provide an opportunity for staff that are not currently able to consistently deliver 'satisfactory or better' lessons, there is a proposal for them to be able to undertake a short-term exchange arrangement with Keyham Lodge School. This would have a two-fold benefit, in that their level of expertise in effectively managing pupils who are at times behaviourally challenging will be enhanced at the same time as well experienced quality staff from the special school can immediately deliver good quality lessons with sound behaviour management, thereby hopefully securing effective teaching and learning. This could be in place at the time of the OfSTED monitoring visit.
- 4.17 The number of permanently excluded pupils at the start of the new academic year is expected to fall to between 40 and 50, as the current year 11 pupils leave compulsory education at the end of this academic year. This will enable the staffing requirement at the PRU to be significantly reduced, providing the opportunity to increase the staffing by a corresponding amount in the pre-exclusion centres of the SBSS.
- 4.18 The proposed changes to the SBSS provision will not require any increase in staffing levels, though through more flexible deployment of staff at the centres, more intervention work can be undertaken. Additional financial costs arising from the operation of the new centre will be covered from the existing SBSS budget.
- 4.19 The overall number of pupils which the SBSS is able to work with at any one time will increase from approximately 100 to 300 pupils at the pre-exclusion centres (i.e. Short Stay School and Millgate Lodge) with non excluded pupils, as the number of permanently excluded provision at the PRU (i.e. Individual Learning Centre) reduces from approximately 120 to 50 pupils. Temporary additional staffing capacity will be provided via the TLL plan, which provides for 5 Behaviour and Attendance Mentors to work for one year from 1/9/08, deployed via the Student Placement Panel to the SBSS. Further additional capacity will come from the 2 Exclusions Officers, who now due to reduced exclusion numbers are working alongside the SBSS on this pre-exclusion preventative work.

- 4.20 Since all of the above local planning and intervention work has been undertaken, the Government has published its White Paper 'Back on Track' (May 2008) that outlines the Government's vision for the future delivery of alternative provision to young people who are excluded from school or otherwise without provision.
- 4.21 The Children's Plan set out the next steps of the Government's strategy to bring about a transformation in the quality of alternative provision. The White Paper emphasises the key role for schools in identifying children with challenging behaviour early on, and being able to access the right support before they reach the point of permanent exclusion.
- 4.22 The central aim of this strategy is that alternative provision should enable young people to get back on track. Schools should be able to make more use of high quality alternative provision as an early intervention for their pupils who are at risk of permanent exclusion.
- 4.23 The main drivers for change stated in the White Paper are as follows:
- The publication of performance data which will improve the accountability at local authority and provider level, and improve the focus on outcomes. We intend to monitor delivery by tracking closely the outcomes for young people in alternative provision, benchmarking the performance of individual authorities in similar circumstances and challenging those where performance is inadequate in relation to their peers.
  - The introduction of personalised education plans for the young people in Pupil Referral Units and alternative provision, with clear targets for progression including reintegration to the mainstream where appropriate. A sharper focus on outcomes will incentivise local authorities and alternative provision providers to develop personal education plans.
  - The introduction of a core educational entitlement for alternative provision, subject to consultation, covering the curriculum offer, the right to full-time education and an information passport.
  - OfSTED inspections of local authorities and of individual alternative education providers. The availability of performance data will improve the evidence available to OfSTED in its inspections. We will also ask OfSTED to take account of the number of failing Pupil Referral Units in a local authority in its Comprehensive Area Assessments.
  - The new national provider database will help to drive more informed commissioning by providing local authorities with comprehensive information about the range of providers in the market place, what they offer and what they cost. This will encourage local authorities and schools to consider using a wide range of providers.
  - The new national powers for the Secretary of State will help to drive up standards by increasing competition for existing Pupil Referral Units from other alternative provision providers. We intend to strengthen the powers to intervene when Pupil Referral Units fail, and will take powers to require a local authority to find the best provider and replace a failing Pupil Referral Unit with a specified alternative.

- Our plans to make behaviour partnerships mandatory will help to integrate Pupil referral Units and other alternative provision into a whole system of support for young people and strengthen collaboration between schools and alternative provision. The National Strategies will support and develop partnerships to work effectively, including in their role to support school commissioning of alternative provision as an early preventative measure.
  - Our pilot programme supported by £26.5m DCSF funding will demonstrate new ways of providing alternative provision and test best practice.
- 4.24 This Government's vision is completely in line with what we are already seeking to achieve in Leicester, as outlined in our Behaviour Strategy. We have a well established EIP which works effectively on behalf of our secondary schools with the LA and are part of the Behaviour Strategy Group. In respect of the DCSF pilot programmes, It is proposed that we submit a bid to become one of the 10 pilots, as this will provide additional funding support and one of their outlined innovative models of provision which they wish to test out, is 'Group of schools, e.g. school partnership running a Pupil Referral Unit jointly with or on behalf of a local authority'. This is precisely what we are already proposing to undertake.
- 4.25 The changes proposed are only the start of a process whereby over time we can become more fully inclusive in terms of provision for our pupils, who exhibit challenging behaviours.



## **5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

- 5.1 There are no direct legal implications arising from this report. (Satish Surani, Solicitor, Legal Services, ext 29 7034)
- 5.2 There are two potential options to fund the works proposed in this report, namely inclusion within the Building Schools for the Future (BSF) programme or use of the Basic Need Pupil Places allocation. The indicative cost is estimated at between £0.5m and £0.6m, although this is subject to detailed design work and in due course the receipt of tenders.

The Department envisages making a case to Partnerships for Schools (PFS) for inclusion of this scheme in the BSF Programme. This would require the submission of a robust business case to PFS. The Council would also need to determine whether the scheme is affordable within the existing BSF resources or whether the Government should be asked to provide additional funding.

The second or reserve option is to utilise uncommitted Basic Need Pupil Places funding, which is provided by the Government primarily to fund additional school places required because of housing developments. In the CYPS Capital Programme approved by Council in March 2008, £2.17m of Basic Need funding was to be carried forward to 2009-10 to support the forthcoming Primary Capital Programme. Subsequently, commitments of £182,000 have been made for schemes under delegated powers and the Council's contribution of £570,000 to another BSF related scheme is also being underwritten. If the works proposed in this report were to be funded or underwritten from Basic Need, then the non-earmarked sum would reduce to £818,000.

The proposed way forward is therefore to initially commit Basic Need funding, with the intention of bringing the scheme into the BSF programme (and thus releasing the Basic Need funding) subject to the various criteria being satisfied.

However, Members are asked to note that the potential inclusion of the scheme within BSF could affect the way in which the building works are procured. If the scheme were to be brought into BSF, then there could be implications for how the site is subsequently managed and maintained and there could be a cost implication. These issues will be investigated as soon as possible.

Other than the BSF aspect, the revenue implications are not significant, in that the service will operate with the same staffing as currently and any minor additional costs such as teaching resources or repairs and maintenance will be contained within the existing service budget.

Colin Sharpe, Head of Finance and Efficiency, ext. 29 7750

## 6. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	No		
Policy	No		
Sustainable and Environmental	No		
Crime and Disorder	Yes	Paragraph 4.13	
Human Rights Act	No		
Elderly Persons/People on Low Income	No		

## 7. Risk Assessment Matrix

Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/appropriate)
PRU fails OFSTED re-inspection (c. March 2009) if new centre not established	H	H	

## 8. Background Papers – Local Government Act 1972

Government White Paper 'Back on Track' (May 2008).

## 9. Consultations

Proposals were presented to Education Improvement Partnership on 25/4/2008 and received a positive response.

## 10. Report Author/Officer to contact:

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<b>Key Decision</b>	No
<b>Reason</b>	N/A
<b>Appeared in Forward Plan</b>	N/A
<b>Executive or Council Decision</b>	Executive (Cabinet)