

	Agenda Item No:
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<i>COMMITTEE</i>	<b>YOUTH AND EDUCATION OVERVIEW AND SCRUTINY COMMITTEE</b>
<i>DATE</i>	<b>THURSDAY 20 FEBRUARY 2003</b>
<i>TITLE OF REPORT</i>	<b>BEHAVIOUR AND SEN TASK GROUP REPORT</b>
<i>RESPONSIBLE OFFICER</i>	<b>Richard Barker Assistant Director, School Services</b>

## **1 Purpose of Report**

- 1.1 This report presents the recommendations of the Member-level task group established to consider inclusion, behaviour and SEN issues.

## **2. Recommendations**

That the Committee be asked to:

- 2.1 Endorse the strategies outlined in this report to reduce permanent exclusions, developed in discussion with headteachers, and in the light of good practice elsewhere in the country.
- 2.2 Recommend that the contract with RPS Rainer for the management of the Will Adams key stage 4 Pupil Referral Unit be extended until March 2004 (subject to review in September 2003) with RPS Rainer assuming responsibility for the full provision of the PRU, and that a management committee be appointed, with LEA representation, to oversee the running of the centre.
- 2.3 Support the re-organisation of the Behaviour Support Service as set out in the report to Committee on 18 December 2002, subject to the Redvers Centre and the Silverbank Centre each having a management committee, and to the line management of the Individual and Group Tuition Service transferring to the head of the Silverbank Centre when the service is transferred to the Silverbank Centre on completion of the Invest to Save proposal.
- 2.4 Endorse the further development of the Invest to Save proposals set out in this report for submission to Cabinet.

## **3. Background**

- 3.1 The Committee on 18 December 2002, on consideration of a detailed report on the interlinked issues of inclusion, behaviour and SEN, agreed to set up a time-limited

task group to consider these issues and to make recommendations.

- 3.2 The task group has met twice and has considered detailed reports on the various issues. Membership of the group included a parent governor representative and three headteachers covering primary, secondary and special schools. The notes of the meetings held on 16 and 31 January 2003 are attached as Appendix 1. This report presents the findings and recommendations of the task group.

#### **4. Permanent exclusions**

- 4.1 Officers reported on strategies being developed to reduce permanent exclusions, in discussion with a group of secondary headteachers, and in the light of good practice by LEAs elsewhere, including Slough. These included:

- a weekly “surgery” at which representatives from agencies including the Educational Psychology Service, Behaviour Support Service and Connexions would be available to provide support to schools about pupils at risk of permanent exclusion
- trial period/managed transfer from one mainstream school to another.
- an additional Government Office-funded Connexions personal adviser to broker and co-ordinate responses in relation to pupils at risk of permanent exclusion
- development of collaborative arrangements with Mid Kent College on 14-19 provision
- the establishment of the Medway Behaviour and Education Support Team (BEST) in the Chatham area through additional DfES funding
- measures to ease transition from primary to secondary school for “at risk” pupils

- 4.2 The task group endorsed these strategies aimed at reducing levels of permanent exclusions. Additional strategies are under consideration.

#### **5. Will Adams Centre**

- 5.1 The task group received a confidential report about the Will Adams Centre, covering the recent Review and Action Plan prepared by RPS Rainer; the track record of RPS Rainer elsewhere in the country, and potential options for the management of the Will Adams Centre.

- 5.2 The task group considered the basis of the Action Plan prepared by RPS Rainer

following the Review commissioned by the LEA of the operation of the centre, and advice from the Medway Advisory Team that the Action Plan was sound, and covered all the major issues identified in the Review. RPS Rainer was assessed by the Advisory Team as having the capacity to implement the Action Plan. In doing this, they would have the Medway offer of advisory and other support equivalent to that of a school causing serious concern.

- 5.3 Discussions are in progress with RPS Rainer on the financial implications of dealing with the issues raised by the Review. This will include the appointment of a curriculum leader teaching post, and improved IT and accommodation. Subject to the outcome of discussions, the revenue cost is expected to be in the region of £50-75k per annum, which can be contained within the overall Behaviour Support Service funding for 2003-4.
- 5.4 In order to clarify the contractual arrangements, RPS Rainer have agreed to assume responsibility for the full provision of the Pupil Referral Unit, including the provision of core teaching. Consultations with the staff concerned are in hand.
- 5.5 The task group highlighted the importance of the establishment of a management committee to oversee the running of the centre, including appropriate LEA representation.
- 5.6 The committee is recommended to extend the contract with RPS Rainer, on a full provision basis, subject to the completion of discussions on financial arrangements, until March 2004, subject also to review in September 2003. A management committee with LEA representation to be appointed to oversee the running of the centre.

## **6. Behaviour Support Service re-organisation**

- 6.1 Proposals for a revised structure for the Behaviour Support Service were presented to Committee on 18 December 2002. Officers informed the task group that there had been full discussions with staff of the Behaviour Support Service, as well as consultation with a number of stakeholders. Comments by staff and unions on the proposed re-organisation were considered by the task group.
- 6.2 The task group accepted the arguments from the staff response that there should be individual management committees for the Redvers Primary PRU and Silverbank key stage 3 PRU, rather than a joint committee. The group were also informed that if the Invest to Save proposals for Silverbank were agreed, it would be necessary for the line management of the Individual and Group Tuition Service to transfer to the Head of Centre at Silverbank.

6.3 The task group recommended the Committee to support the re-organisation of the Behaviour Support Service with two management committees.

## **7. Invest to Save proposals**

7.1 The task group received papers from officers on proposals for SEN Invest to Save options, and one of these is attached as Appendix 2.

7.2 In summary, the proposals are for:-

- development of the site at the Silverbank Centre, to provide a unit to cater for the needs of approximately 40 pupils with long term emotional and behavioural difficulties, including mental health needs. The unit would provide an extended day, and has provisional support from Social Services and Health. The unit would need to be established in a carefully phased manner. The unit would be suitable for a number of children who would otherwise need to be placed in out-area provision. The current estimated revenue costs in a full year are £430k approximately, which includes an element of Social Services/Health provision, for which funding will be requested from these agencies. There are also potential additional transport costs. However, there will be a phased establishment of the unit commencing in September 2003, and costs can be contained within current budget estimates. In the medium and longer term, the cost of the unit will substitute for independent non-maintained costs. Capital costs are currently being assessed, but can be contained within the capital programme for 2003-04 and 2004-05.
- provision for Individual and Group Tuition Service: it is proposed to provide a permanent base for the Individual and Group Tuition Service also at the Silverbank Centre, so that the site will have the following provision:-
  - pupil referral unit: “revolving door” provision for excluded pupils
  - unit for pupils with long-term emotional and behavioural difficulties
  - base for Individual and Group Tuition Service

The overall provision at the Silverbank site will be managed by the head of centre at Silverbank.

- Meeting the needs of pupils on the autistic continuum in mainstream schools: it is proposed to provide two advisers to help schools in supporting the increasing number of pupils with Autistic Spectrum Disorders. This would be an important part of the overall range of provision for children with autism, and will help to reduce the pressure on the Marlborough and St Werburgh Primary/Secondary Autistic Units, allowing them to cater for those most in need. Approximate revenue cost in a full year would be £70k approximately.

- Post-16 autistic provision at Bradfields School: it is proposed to extend the Fieldview Unit for autistic children with complex learning difficulties within Bradfields School, to meet the needs of 16-19 year olds. Approximate revenue cost would be £17k in 2003-04, rising to £36k in 2004-05 and to £50k for subsequent years. Capital costs are currently being assessed.
- Consideration is being given to proposals in relation to Hearing Impaired provision.

7.3 The Committee is recommended to endorse further work on these options, including costings, for submission to Cabinet.

## **8. Financial and legal implications**

8.1 The financial implications are set out in the body of the report. In relation to the “Invest to Save” proposals, more detailed financial assessment is necessary, and a package of proposals submitted to Cabinet that can be contained within the Revenue and Capital Budget estimates for 2003-04 and subsequent years.

8.2 There are no specific legal implications other than those in relation to the contract with RPS Rainer for the management of the Will Adams Centre. This is an annual contract, with a six month notice period on either side.

## **Background documents**

Reports submitted to the Member Task Group

## Appendix 1

### Notes from a meeting of the Behaviour and SEN Task Group held on Thursday 16 January 2003

In attendance: Councillors Cooper, Etheridge, Sylvia Griffin and Rutter

Officers: Richard Barker, Teresa Bretman, Lyn Coyle, Keith Morrison, Bjorn Simpole and Kath Waters

Others: Ian Chappell (parent governor rep) and Gwen Thomas (primary school rep)

Richard Barker outlined the remit for the group and explained that it had been formed to consider the following: -

- Levels of permanent exclusions and the resource and human implications of this
- Re-organisation of the Behaviour Support Service and the future of the Will Adams Centre
- Invest to save proposals to alleviate independent/non-maintained placement costs

#### Will Adams Centre

The Will Adams Centre caters for permanently excluded Key Stage 4 pupils and is run by the educational charity RPS Rainer. It provides support for 60 young people but the level of need is currently well in excess of this figure with 104 pupils requiring such support. A review of the centre in October 2002 had highlighted a number of areas that required improvement. Officers have been working with RPS Rainer to address the criticisms raised during the review and they are shortly due to present to the LEA an action plan to address the problems identified. The opportunity was taken to consider changes to current management arrangements, as currently the curriculum is delivered by the Behaviour Support Services through teachers employed by Medway Council, which can lead to a lack of clarity in terms of contractual arrangements. It was explained that if they were not able to deliver what was considered to be a good action plan, then the LEA would have to consider changes to the current arrangements.

Potential options other than management by RPS Rainer are to either: -

- Bring the Will Adams Centre into LEA management
- Tender it out to alternative providers

Ceasing provision of the centre is not considered to be a viable option.

Members expressed some concerns regarding the performance of the current provider and sought assurances that if RPS Rainer are to continue to run the Will Adams Centre, considerable improvements would be sought in terms of management arrangements. In response to questions, members were informed that RPS Rainer had considerable experience in running projects for children with behavioural difficulties and had been recommended by colleagues in social services who had experience of working with this charity. They were also recognised by the DfES as being providers of best practice for such programmes.

- 1. It was agreed that Officers would provide an assessment of the viability of the action plan produced by RPS Rainer and of their capacity to implement the action plan at the next meeting – for discussion.**
- 2. Research would also be carried out to identify examples of work carried out elsewhere in the country by RPS Rainer.**
- 3. Consideration would be given to potential alternative options for the management and running of the centre.**

#### Permanent Exclusions

Richard Barker outlined that in line with national trends, the number of permanent exclusions in Medway had increased. For 2002/03 the projections are that exclusions would be at a similar level than in 2001/02 when 111 pupils were excluded. Possible reasons for this rise were discussed with a range of reasons being cited: -

- Feedback from schools indicate their view that overall standards of behaviour are deteriorating
- A proportion of the exclusions are of Looked After Children placed in Medway by London LEA's
- Schools are being asked to include more challenging pupils
- It is a national phenomenon and there is felt to be a lack of consistent and clear DfES guidance about approaches to exclusion. Previously schools had been urged to embrace inclusion, whereas now there were mixed messages
- Schools have realised how to use the process properly by which pupils are excluded
- The primary headteacher representative highlighted that exclusion was not a kneejerk reaction to a child's behaviour and is only considered following extensive efforts to keep the child in school

- The largest proportion of excluded pupils are at Key Stages 3 and 4, which reflects that at an earlier age it is far easier to reintegrate children into school whereas at this age it is often too late to avert the need to exclude

It was highlighted that some local authorities were better at addressing exclusion than others and there may be lessons that could be learnt from their approaches. A recommendation of the December 2001 Ofsted report was that the number of permanent exclusions should be reduced.

Officers agreed to provide the group with a breakdown of reasons for permanent exclusions in Medway, so that this matter could be explored further by the group.

### Special Educational Needs Independent Non-Maintained

It was explained that for children with extreme special educational needs, placements often had to be found in the non-maintained independent sector. There are currently 31 pupils placed in residential accommodation outside of Kent and Medway. The cost of these placements is £1,412,726 with one student having a placement in Preston, Lancs at a cost of £157,418. This was a huge financial burden on the LEA, as Medway has never had any specific provision for such extreme cases. Officers were considering potential investment to save proposals to establish a centre in Medway, one possibility being at the Silverbank centre. A summary of the key points and discussion was as follows: -

- It had only been possible to bring one child back into a Medway school from independent/non-maintained provision – a child doing well at Bradfields
- Officers were working with social services on joined up approaches in targeting these children's needs
- The new LIFT company being established was highlighted as a potential source of funding
- A proposed new centre at Silverbank would involve new buildings separate from the current facilities there. There is some flexibility in the current capital programme to provide this, and was viewed as the best option due to the large site
- The former Meredale school was highlighted as a possible alternative – but this is likely to be difficult to convert
- Ideally the LEA would want to identify a school happy to host an EBD unit, but finding a school willing to accept such a proposal would be extremely difficult
- Increasingly the council has been adopting a multi-agency approach to address pupils' needs, looking at providing an extended day curriculum to those in need. Providing structured free time to potential excludees was highlighted as an important measure in improving behaviour. Breakfast clubs being highlighted as a good way of ensuring that pupils started the day off in the best possible way.



At the next meeting the group will be provided with further details regarding proposals for a new unit at the Silverbank Centre.

### Secondary Hearing Impaired

Officers explained that when Medway became a unitary authority the area lost immediate access to secondary special units for those with impaired hearing at Sittingbourne Community College and Maplesden Noakes school. Whilst an agreement had been in place for Medway children to attend units at these schools, recently places have been largely filled by Kent children with the result that Medway has had to look further afield to find suitable placements. This has meant that seven pupils are currently placed at a school in Margate and two in Brighton. The LEA does not have its own local provision at secondary level (primary school students are catered for at St Mary's, Strood) and the group may wish to explore the viability of such a facility is required in Medway. The number of pupils that fall into this area of need is approximately two or three per year.

### Date of next meeting

The next meeting of the group will be held on Friday 31 January 2003 at 5pm in Room 4, Civic Centre.

BS – 20.1.03

**Notes from a meeting of the Behaviour and SEN Task Group held on Friday  
31 January 2003**

In attendance: Councillors Cooper, Etheridge, Hewett, Purdy and Rutter

Officers: Richard Barker, Teresa Bretman, Lyn Coyle, Keith Morrison, Bjorn Simpole and Kath Waters

Others: Peter Harris (special school rep), Neil McAree (secondary school rep) and Gwen Thomas (primary school rep)

Apologies: Ian Chappell (parent governor representative)

**Notes of the meeting held on 16 January 2003**

The notes of the last meeting were agreed

**Permanent Exclusions**

A breakdown of the current caseload's reasons for permanent exclusion was circulated for information. This was based on the DfES categories and showed 'refusal to accept discipline' as the main reason for the majority of exclusions. Richard Barker highlighted that the reason represented the final misdemeanour but in all cases there is likely to have been a number of incidents which have led to the exclusion of a child.

A matter of concern to the group was the delay between the exclusion of the child and the commencement of alternative education provision. Once a child has been permanently excluded, there is a period of up to 45 days during which governors' disciplinary hearings and statutory appeal committees are held. During this period, it is the school's responsibility to set and mark homework. Once the final appeal has been heard, it then becomes the responsibility of the LEA to put in place alternative education provision. There is a concern that at this time the child could be causing trouble within their local community and falling further behind with their education.

The secondary head representative explained that if the school had parental support in attempting to resolve problems there was usually no need to exclude. In practice exclusion often happened when the school had run out of ways of resolving a child's behaviour and the parents were not interested. There was no package of measures to deal with causes of exclusion, but the facilities at Fairbridge/Arctura/Mid Kent College etc all helped.

Other matters raised in relation to exclusion included: -

- The need to be careful that programmes to reduce the likelihood of permanent exclusion are not perceived to be rewarding bad behaviour
- There should be an agreed criteria across all schools for exclusion – although it was appreciated that this would be hard to achieve
- Good practice from other LEAs (including Slough) has been taken into account in discussions on how to reduce the number of permanent exclusions.
- The transfer from Key Stage 2 to 3 was highlighted as an important area to focus on. Often children given support at Key Stage 2 were placed in a mainstream school at Key Stage 3, which resulted in increased behavioural problems. Also problems were not often picked up in the paperwork passed on to the secondary school – it was important that the hard work done by primary schools to address behaviour problems were not reversed due to the very different environment of a secondary school
- The primary head representative felt that it was worth involving KS2 head teachers in working groups addressing exclusion

**It was agreed that good practice from other LEAs should be taken into account in strategies to reduce numbers of exclusions, which would be included in the report back to the committee.**

### **Will Adams Centre**

A report had been circulated which outlined feedback on the action plan submitted by RPS Rainer to address issues identified in the review of the operation of the Will Adams Centre. The action plan had been assessed by officers as appropriately constructed and it was felt that RPS Rainer had the capacity to implement the plan. The LEA would provide support to them equivalent to that given to a school in special measures and there was determination that problems in communication would not be repeated.

It was highlighted that the Medway Inclusion Project was unique in that it dealt with behaviour in an innovative way and was not a standard Pupil Referral Unit. RPS Rainer were providers of key stage 4 provision for a variety of LEA's.

A management board would oversee the running of the centre and it was queried whether the board could include an elected member and to ensure that a board would be compatible with RPS Rainer's charitable status. There was potential to tap into further external funding sources for the project

### **Recommendation**

**That the Youth and Education Overview and Scrutiny Committee be requested to recommend that the contract with RPS Rainer be extended until March 2004 on the revised basis set out in the report, subject to review in September 2003 and that a management committee be appointed to oversee the running of the centre**

### **Invest to Save Proposals**

Teresa Bretman had circulated for discussion a number of draft Invest to Save Proposals for various groups.

### **Emotional/Difficulties – Silverbank and Gillingham College site**

The large site at Silverbank made this the most appropriate place to construct facilities for pupils with longer-term emotional and behavioural difficulties. In addition, the Individual and Group Tuition Service currently located on a temporary basis at the Gillingham Community College site would be re-located to Silverbank site.

The group had some concerns regarding the use of temporary accommodation, it was emphasised that this was a special case and such an approach would not normally be considered in other circumstances.

### **Autistic needs**

Increasing numbers of children are being assessed with having autistic needs and there was a need to increase support arrangements for these pupils. Two advisers would be appointed to deliver a visiting service. It was highlighted that if Medway was unable to provide for such needs, then alternative arrangements would need to be established which would place further pressure on the budget.

The lack of post 16 provision was being addressed through arrangements due to commence in September 2003 at Bradfields school.

### Complex and severe needs

Further to the discussions at the last meeting on complex and severe needs, it was highlighted that a number of Independent/non-maintained providers were also raising their fees and the LEA often had no alternative facility to switch the child to. Work was progressing with LEA colleagues as well as with the Health and Community Directorate, to find long term solutions which will meet the needs of these pupils.

The group was concerned that costs for these pupils should be shared with other agencies where appropriate. With a total package being required, it is felt that there should be some form of contribution towards these costs.

### Physical disability/sensory impaired

There was concern at the current cost of the Kent service that is currently bought in and the group fully endorses the previous decision to bring provision in-house.

### Behaviour Support Service

Proposals for a revised structure for the Behaviour Support Service have been mooted since June 2002. Full discussions with staff have taken place as well as consultation with a number of stakeholders. A main point of concern from those responding were the management arrangements in place with two options for either a one or two management board approach.

Officers and members of the group voiced support for having two management boards, as there was a worry that the primary unit's interests might not be fully represented with one board.

**The Committee is recommended to support the reorganisation of the Behaviour Support Service with two management committees.**

BS 7.2.03



## **Appendix 2**

### **Behaviour and SEN Task Group**

#### **SEN Invest to Save Proposals**

##### **Provision for pupils with emotional and behavioural difficulties Development of the Silverbank Centre.**

- At the last meeting a paper was circulated outlining the development of a centre to cater for the needs of pupils with long-term emotional and behavioural difficulties, including mental health needs. The paper included estimated costs for staffing but not building costs.
- After careful consideration, we are of the view that development of the Silverbank Centre would be the most appropriate way to take this forward. There is land available at the Silverbank site for new buildings.
- We are proposing that mobile accommodation should be made available on the Silverbank site by September 2003. The cost for the mobile accommodation and the new buildings is currently being worked on. The costs would be met from capital funds.
- Our colleagues in Health & Community and the PCT have considered the proposal and have given their verbal support to this.
- Setting up any new provision must be approached in a carefully phased manner. Children with emotional and behavioural difficulties require careful preparation and stability to enable positive change. In the meantime, we will need to continue seeking a range of provision for this type of pupil whilst developing our provision at a measured pace.

##### **Provision for pupils with emotional and behavioural difficulties who are currently receiving individual / group tuition at Gillingham College site**

- There are currently 86 pupils who are receiving individual / group tuition at the Gillingham College site and they have to vacate those premises at the end of this academic year.
- It is proposed that for those pupils who have long term needs and who cannot be reintegrated back into school in the near future, that their needs should be met at Silverbank as described above.

- Line management is currently with Teresa Bretman but this will transfer to Deborah Braithwaite, Head of Silverbank Centre, when the pupils transfer.

### **Meeting the needs of pupils on the autistic continuum in mainstream schools.**

- There is an increase in the number of pupils being identified on the autistic continuum and the majority of these pupils are being educated in mainstream schools. There is a need to support our schools in meeting the needs of these pupils. We are proposing to provide two advisers, who have experience and expertise in autism, to advise our schools on strategies that can be used in the classroom to meet the needs of these pupils. It may be the case that staff who are already in post could fulfil this role, e.g. Learning Support Service Team Members.

### **Post 16 autistic provision at the Fieldview Unit – Bradfields School**

- The Fieldview Unit at Bradfields special school is our local provision for pupils who are autistic and who also have complex learning difficulties that can only be met in a special school. There is currently no Post 16 provision available locally for these pupils.
- The Headteacher at Bradfields School is willing to develop the provision for these pupils at Bradfields School but he will need additional mobile accommodation on site in September 2003.

### **Pupils with complex and severe needs**

- There are currently 38 pupils who have complex and severe needs that are placed in Independent / Non-Maintained Schools at a cost of £1,417,504 per annum.
- We have regular monthly meetings with our colleagues in Health & Community and the Medway PCT to consider how we might bring some of these pupils back into local provision. A total package of Social Care, Health and Education would be required in order to meet the complex needs of these children.

### **Pupils with a physical disability or sensory impairment**

- We currently buy into Kent's PD and Sensory Impaired Service at a current cost of £168,200 per annum (which rises with inflation each year). The Best Value Review of SEN recommended that we bring this service in-house.
- We aim to achieve this by September this year.



31/1/03