

Consultation Report

Proposal to Reorganise the Provision of pupils who receive their education otherwise than at school.

1. Purpose of the consultation report

This report is to inform the outcome of consultation with stakeholders which took place between 9th October 2015 and 9th November 2015. During this time a consultation document was made available on the Council's website under the EOTAS section in addition to being placed on the authority's Consultation Portal. The document was made available to all staff within the Education Other than at School service, all schools and all parents of pupils who currently receive their education otherwise than at school.

2. Consultation Process

The consultation document invited written views and opinions to be submitted in respect of the proposal. The council publishes a consultation report summarising any issues raised by consultees and the Council's response.

If approved, the next stage of the process is to proceed with the proposal, including any agreed amendments from the consultation process.

3. Summary of responses to the consultation

Staff Consultation

A consultation meeting was held with the staff of the service area on October 9th following which written comments were received from staff and officers.

School Consultation

The consultation document was forwarded to all schools on October 9th 2015; schools were requested to bring the proposed document to the attention of staff, governors, parents and pupils. A meeting was held with secondary head teachers on October 23rd and primary head teacher representatives on October 16th.

Parent Consultation

Two consultation meetings were held with parents on November 3rd.

Pupil Consultation

Consultation meetings were held with some pupils currently educated outside of the school setting on November 6th.

Public Consultation

Consultation with the public was held via the authority's website under the EOTAS section and the Consultation Portal.

Summary of Responses Received

A total of 30 responses were received. The category of respondent is as follows:

Staff	8 plus one response from all staff employed within the service area and one response from staff within the Bevin Avenue site.
School	9 including one primary governing body
Parent	6
Pupil	1 individual plus one from the pupils based at Bevin Avenue and Taibach Community Centre
Public	4

A summary of the comments made is as follows:

Agreement

Many of the respondents agreed that there is a case for change to the current arrangements.

Summary of Responses: Consultation period

- There was a request to extend the consultation period
- Staff were concerned that they were not involved in the development of the consultation proposal

Officer Response

The consultation document was discussed with trade unions on Thursday October 8th and staff, October 9th. It was sent electronically to all schools on October 9th with a request that it be shared with school stakeholders, including staff, governors, parents and pupils. The authority placed the document on its website and Consultation Portal thus allowing all relevant stakeholders sufficient time to respond accordingly.

Summary of Responses: Staff

- All staff (25) expressed concern regarding redundancies and lack of opportunity for redeployment within the proposed restructure.
- Redundancy would mean lack of continuity for pupils.

Officer Response

The authority understands that the proposal has an impact on staff and the potential for redundancies. The proposal outlines the creation of five new posts plus increased funding to schools which may present further opportunities for employment. An outcome from the consultation is outlined under 'Appropriate Placement of Pupils' below. This amendment to the original proposal will put in place a provision for some of our most challenging young people and will be staffed appropriately, providing additional opportunities for staff to maintain their employment status. Secondary schools will be provided with additional funding to meet the needs of their Inclusion Provision and this may involve staff recruitment. The authority has an agreement with schools and governing bodies that staff at risk are given prior consideration for relevant posts on a ring fenced basis, however individual schools are able to make appointments as they see appropriate..

Summary of Responses: Primary age pupils

- Staff and schools have asked what will happen to primary aged pupils who currently receive their education outside of the school setting.
- Staff note that there is a lack of early identification and provision at primary level.
- One primary school governing body responded that the proposal represents a positive way forward.

Officer Response

The numbers of pupils educated outside of the school setting at the Foundation Phase and KS2 in 2014/15 was four. The total number is small in comparison to the total number of 92 pupils. Schools will have the flexibility to manage the education of children themselves or request the authority to do so on their behalf with a full cost recovery from the sector budget. The authority will work with schools to ensure that those pupils, for whom mainstream setting is unsuitable, are educated appropriately and receive a curriculum that is flexible meeting their individual needs.

One of the principles that underpin this review is the continued support and training that will be given in the primary sector, particularly at the Foundation Phase. The authority will work with schools and families from entry into school to identify issues that may arise later in schooling thereby reducing the numbers of pupils that become disengaged at a later date.

Summary of Responses: Pupils with serious medical issues

- Staff and parents have responded that the proposal does not make reference:
 - to pupils that have serious medical issues
 - to how the education of pupils with social and emotional issues will be addressed
 - to pupils with school anxiety / phobia conditions
 - to pupils with conditions and treatment which affect the immune system cannot be taught out of the home.
- Staff and one parent stated that the local authority will be failing in its responsibility if it withdraws education for children who have specific and serious health needs.
- One parent has stated that the current systems works well, why change it?
- Parents have noted that a child should not suffer because of their complex medical needs
- Staff have noted that pupils who are pregnant are not identified within the proposal.

Officer Response

The authority accepts that the proposal document does not take particular note of pupils that have specific and serious health conditions that prevent their attendance at school.

The authority accepts and works to the statement: " A child or young person who is unable to attend school because of medical needs should have educational needs identified and receive educational support quickly and effectively. The education must be flexible and suitable to meet needs and the demands of what can be a changing medical status. "(Access to Education and Support for Children and Young People with Medical Needs: WAG Circular 3/2010.

We recognize that there are pupils with specific, serious health conditions and pupils who have serious anxiety problems, who are currently being educated by the home education service. Continuity of provision is essential to address the fears and anxieties of pupils and parents. The authority does not propose that these pupils are asked to attend school to receive their education and will work in partnership with schools to ensure that a consistent, flexible education arrangement is in place to meet the needs of each case on an individual basis. Pupils who are currently within the service area will continue to have their education met at home and if possible with the same teacher as at present. The substantive school will manage their education with the teacher, utilizing, if possible, the teacher currently working with that child.

There is currently one pupil who is educated outside of the school setting due to pregnancy; the authority considers that the education of this pupil is best managed

and arranged by the mainstream school. Maintaining these links throughout pregnancy will assist in reintegration when the pupil is ready to return to school.

Summary of Responses: Pupils awaiting placement in receipt of a statement of special education needs

- How will the education of pupils with or awaiting a statement be addressed when mainstream school is deemed inappropriate?

Officer Response

Pupils who are in receipt of Statements of Special Education Needs are placed in an appropriate available provision by a Special Education Needs panel. This placement is agreed by the parent before it is implemented. The proposed new Secondary Education Nurture Centre (SENC) expands the provision for pupils within the authority whilst an assessment is being undertaken, if it is agreed between the mainstream school, parent and the authority that this is an appropriate interim placement. It is noted that the majority of pupils with 'statements' are educated effectively within their mainstream school and the authority provides funding for this within its school funding formula.

Summary of Responses: Pupils permanently excluded from school / the proposed new Secondary Education Nurture Centre (SENC)

- Insufficient staffing identified to effectively manage a SENC and the complex needs of pupils that may be placed there.
- Where and how will permanently excluded pupils, including those from a specialist provision, be educated within the proposed new structure?
- There is no pathway within the proposal to reduce exclusions
- There is a potential that permanent exclusions will rise

Officer Response

Pupils who are excluded from school in accordance with the Welsh Government Guidance document Exclusion from Schools and Pupil Referral Units, Guidance Document Number 171/2015, will be placed on a new school roll. In the case of pupils who have been twice permanently excluded, the authority has identified a need for a provision to educate pupils for whom school is unsuitable and twice excluded pupils will be educated on this site. The development of a specific provision is outlined under the response to 'Appropriate placement of pupils.'

The funding for pupils who are excluded and educated within this provision is addressed in the authority's proposal document, 'Financing of Schools Scheme'. Schools will be recharged on a full cost recovery for pupils who are excluded.

The SENC will be based in a school, with funding provided to the school to manage the provision.

The proposal outlines a clear pathway for schools in how the authority will support them in dealing with challenging pupils, including the development of a Secondary Education Nurture Centre, which will support pupils with behavioural difficulties and the additional provision for pupils with social, emotional and behavioural difficulties. These provisions will deliver in parallel with the Well-being officer and Key Workers a comprehensive support system for schools.

Summary of Responses: Appropriate placement of pupils

- Staff have stated that:
 - there have been 23 pupils placed within the service since September 2015
 - there will be a negative impact on attendance and attainment if all pupils are educated within their mainstream school.
 - there will be an impact of the proposal increase the number of parents who choose to electively home educate their children
 - placing all pupils in schools may increase the number of young people classed as NEET.
 - there is a need for an off school setting for the pupils with complex needs
 - schools cannot offer the broad curriculum that some pupils require.
 - there is a need for a bespoke alternative education provider.
- Staff and schools have stated that
 - the placement of challenging pupils in school, will have a detrimental effect on the school, its' staff and pupils.
 - the report recognises that for a small number of pupils, their needs cannot be met at school but does not outline the provision they will receive
 - attendance rates will decrease
 - School attainment data will decrease
- Pupils stated:
 - *"If it had not been for the Cyber cafe, I would still not be able to cope and withstand people my own age that I do not get along with."*
 - most pupils attending the alternative provision felt their educational needs were being met whilst a small number felt there were areas they would like to have covered but were not available.
 - the accommodation and some of the equipment provided is poor
 - almost all young people had aspirations to progress to further education

- some pupils felt there was a lack of support in school for them

Officer Response

The authority has taken on board the responses made by staff and accepts that the proposal does not adequately cover the needs of some of our most difficult and challenging pupils. Whilst schools need to take responsibility for their own pupils there is a need for an additional provision for pupils with high complex needs that cannot be placed on a mainstream roll. The quality of work undertaken by the Home Education Service and the need for such a provision with these pupils is accepted.

These pupils, for whom education at mainstream school is unsuitable, are concentrated mainly at Years 10 and 11, this includes pupils twice excluded, a small number of movers into the authority at Year 11 and pupils who have social, emotional and behavioural difficulties that cannot be addressed at school or at either Secondary Education Nurture Centres.

The provision currently based at Bevin Avenue caters for most of these pupils but in unsuitable premises. The authority will provide a setting that comes under the management of a school but housed separately with entry criteria to be determined. It will replicate the provision currently based at Bevin Avenue linking closely with the two Secondary Education Nurture Centres and the specialist behavioural centres providing a facility for up to 24 pupils, staffed by three teachers and three teaching assistants. The provision will offer pupils an individualised learning programme, developed in conjunction with the pupil, parent and the SENC, offering academic and alternative education experiences.

The proposal outlined the development of a new Secondary Education Nurture Centre (SENC), this will be placed within a secondary school and will cater for 16 pupils with behavioural difficulties, whilst the SENC based at Ysgol Hendrefelin will cater for 16 pupils with school anxiety issues.

These provisions will be further enhanced by the involvement of the Well-being officers and the Key Workers who will provide ongoing support to the pupils and staff.

Summary of Responses: Budget

- There is insufficient money allocated to support the creation of inclusion provisions within schools
- There is no money allocated to support the teaching of excluded pupils

Officer Response

The proposal to fund secondary schools with a further £40K is in addition to delegated funding and grants provided to schools. In the secondary sector circa £34million pounds is delegated to schools for the education of all appropriately

aged pupils (11-16) and circa £2,267,117 is provided in the form of grant support, Education Improvement, Pupil Deprivation and Welsh Education Strategic Plan Grants.

It is widely accepted that schools are best placed to plan for the education provision of their pupils and to ensure all pupils achieve an appropriate education.

The proposed additional funding is not intended as a spending limit but as a supplement to existing funding to assist secondary schools better meet the needs of all their pupils.

Funding for excluded pupils will be met by the additional provision outlined whilst pupils are offered a placement in a new school. On the occasion that a pupil is in receipt of two permanent exclusions within a two year period, that pupil will be educated at the additional provision.

Summary of Responses: Training and Support

- Staff and schools have emphasised the need for training and on-going support for staff
- Schools have stated that the initial training needs will be significant and need to be resourced
- Schools should be looking to share their expertise

Officer Response

Training and support for all school staff is a key element of the proposal. A comprehensive training programme will be provided to help develop capacity within schools enabling school staff to deploy expertise within their own setting effectively, further developing skills and knowledge, accessing staff expertise in other settings and specialist services. The proposal outlines 5 new roles within the authority that will be involved in delivery of training and providing ongoing support.

Support will be maintained, with all schools asked to identify a named teacher as the behaviour co-ordinator. The authority will provide a bespoke training package for these teachers in order to maintain their expertise in school, replicating the current practice that exists for Additional Learning Needs Co-ordinators and Designated Child Protection teachers.

Summary of Responses: Role of the Wellbeing Officers in relation to social / emotional needs

- The proposal does not identify enough well-being staff to meet the needs across all schools

Officer Response

The Well-being officers will work as a team to support schools and their pupils, in addition to the current support services available to schools they will deliver training to all schools and work collaboratively with the two Key Workers and staff within the SENCs and the additional centre provision being developed. The authority will develop and enhance the expertise that currently exists within schools, replicating the current process that exists for Additional Learning Needs Co-ordinators and Designated Safeguarding Staff.

Summary of Responses: Academic qualifications

- Schools and staff have commented that:
 - success is not based on examination results
 - the report references Level 2 GCSE qualifications and has no reference to the progress and success made by pupils within the service.
 - the report doesn't recognise the achievement of pupils with Engage.
 - Engage did not have sufficient resources to meet the needs of pupils
 - Bevin Avenue provides a bespoke, highly differentiated curriculum to pupils with educational, emotional, behavioural and social difficulties, how will schools manage to range of difficulties these children possess.

Officer Response

The proposal indicated the level of qualification achieved by pupils who receive their education outside of school in relation to GCSE level 2 achievements. All pupils achieve a variety of recognised qualifications whilst receiving their education via the EOTAS service however the range of subjects that can be offered is limited when compared to schools. Not all pupils are academic but the authority believes that schools are best placed to plan and arrange an education provision for each pupil. This may be provided within the mainstream school or involve an alternative provision either as a full time option or developed to complement areas taught with schools.

Summary of Responses: Reintegration

- Staff have:
 - asked if the Secondary Education Nurture Centres be used to assist in reintegration
 - concern over the reintegration process of pupils from the current provision, including Year 11's.

Officer Response

The Secondary Education Nurture Centres will be part of a process in supporting pupils with specific and challenging behavioural issues which will include those with school anxiety issues. Support for these pupils will involve a reintegration plan where appropriate. If, following an assessment within the SENC it is determined that mainstream or special school provision is inappropriate, the pupil will be placed in the new alternative provision.

Pupils who are currently taught outside of the school setting will be reintegrated into mainstream school over a period of time of one term. Each pupil's needs will be looked at on an individual basis and where reintegration is appropriate, they will be supported during the term by their current home education teacher. Year 11 pupils currently on home education will not be subject to this reintegration and their education will be maintained by the authority throughout the remainder of the academic year.

The reintegration of pupils currently accessing the Home Education Service will be managed in the Spring Term 2016, with each pupil identified as returning to school, being supported, as far as possible, by the teacher they currently work with.

Summary of Responses: Inclusion Provision in secondary schools

- Schools have stated:
 - The use of Inclusion Centres is not always the most suitable placement for a pupil, especially those whose behaviour cannot be managed within the mainstream setting
 - Inclusion Centres need the correct staff, appropriately trained and cannot be set up overnight.
 - Not all schools have available accommodation to develop an Inclusion Centre.

Officer Response

There are currently four inclusion centres within our secondary schools, one of which works with its catchment primary schools. The proposal does not outline the setting up of Inclusion Centres in each secondary school but rather looks to explore the

process and provision the school makes for inclusion. This will be for each school to determine with the authority providing initial and on-going training and support. It is for the individual school to determine whether they wish to develop an Inclusion Centre within the school and this will be determined by individual school factors including available accommodation and appropriately trained staff being available.

Summary of Responses: Monitoring quality

- Staff are unsure how the appropriateness of education provided to pupils placed in a mainstream school rather than being educated outside of the school setting will be monitored..
- One head teacher questioned whether the use of Person Centred Planning is best use of staff time.

Officer Response

The authority monitors the quality of provision within all of its schools using a categorisation process that is uniform across the region. The authority employs Challenge Advisors to undertake this. Where it is determined that the provision for pupils with specific social, emotional and behavioural difficulties need additional monitoring the authority will determine the appropriate officer to undertake this.

The statutory reform of Additional Learning Needs, which is currently in its consultation process, includes the development of Person Centred Planning (PCP). The authority considers that PCP involves the pupil in their learning provision and is supportive of this process.

Summary of Responses: Alternative Curriculum Providers

- One secondary headteacher is concerned that the proposal will increase the use of alternative curriculum providers and difficulty in monitoring the quality of what is delivered.
- One Education Consultancy asked that the authority give serious consideration to commissioning an EOTAS service from a suitably experienced and qualified contractor.

Officer Response

The authority and its schools are aware of the opportunities that may arise from the use of alternative providers. The schools are best placed to determine the appropriate education for the pupil and may wish to utilise the expertise that these provides offer. One respondent, a local education and consulting service asked that the authority give serious consideration to commissioning an EOTAS service from a

suitably experienced and qualified contractor .The authority thanks the consulting service for its response but does not propose to delegate the responsibility of educating pupils who are currently taught outside of school to a third party provider

Summary of Responses: Alternative suggested proposals

Proposal 1

There is a need for a more robust service, which is staffed and resourced sufficiently to improve the outcomes of pupils working in conjunction with schools and other agencies for which a Manager is accountable for. In order to do this the following would need to be put in place:

- A scaled down EOTAS service to ensure schools retain responsibility and work with all of their pupils.
- Bevin Avenue Tuition Centre could play a vital role in the reorganisation it can provide:
 - Closer links with schools
 - To enable pupils to transition back in to mainstream school where appropriate.
 - To ensure that our curriculum runs in line with each child's school.
 - Access to better assessment and monitoring tools.
 - Closer links with CAMHS / Educational psychologist.
 - Access for staff to support, training and development.
- A more joined up approach to working with challenging pupils between the LA and schools.
- A differentiated curriculum.
- Full cost recovery from schools.
- A team of home education teachers, a work experience co-ordinator and assessor, a dedicated Educational Psychologist, a dedicated school counsellor, youth service/support workers, wellbeing officers to work with both schools and pupils.
- A SENC which will sit under the umbrella of a school that has significant experience at managing pupils with challenging behaviour.
- INSET for schools to understand more fully the role of EOTAS.
- Access to a wide range of vocational areas

Officer Response

The response above under Appropriate Placement of Pupils, outlines the authority's agreement to the need for a provision for pupils with needs that are challenging for a mainstream school and its' pupils. The authority will source and resource an appropriate provision. Where the pupil remains on a school role whilst attending the unit, schools will be charged in accordance with the Funding of School's Scheme.

Where pupils are placed on a specific EOTAS roll, funding will be delegated from the education budget, prior to delegation.

The revised proposal would place this provision under a school's management which would provide links on a multi-agency basis with agreed staffing levels. The amended proposal meets the majority of aspects outlined in this amended proposal.

Training is identified within the proposal _which states: *'The LA is currently developing a training menu which will help develop capacity within schools and work with school staff to deploy expertise within their own setting effectively, further develop skills and knowledge and to access staff expertise in other settings and specialist services.*

This training programme will also ensure that schools work in partnership with the LA to prepare for the proposed reform of the statutory framework for SEN by involving children and young people, parents and carers in assessment, planning and review and a pupil centred approach to early identification and planning for individual needs.'

Proposal 2

This proposal involves an additional Rapid Response Education Team in addition to the model already proposed, with a full cost recovery from schools for any pupil that is not educated within the school setting. The Rapid Response Education Team would have two functions would be firstly to re-engage those pupils, reintegrating them into their mainstream school or by offering an alternative curriculum.

For those who would need an alternative curriculum, pupils that exhibit severe behavioural issues and pupils with certain medical conditions. Suitable accommodation would need to be identified and close links maintained with the pupil's school.

Officer Response

The proposal of a Rapid Response Team reflects the principles of the Well-being Officer and Key Workers. In supporting schools we are looking to make schools self-reliant with the authority providing training and ongoing support. An aspect of this support will be a rapid response to school's needs.

Proposal 3

The focus here would be on raising aspirations, resilience and self-efficacy rather than academic results, developing links on a multi-agency level, involving the family with clear early identification and intervention. Utilising the skills of staff and other

agencies e.g. Youth Service, TAF, to create an education appropriate for the individual pupil.

Officer Response

The proposal with it's planned amendments will more than meet this outlined proposal which lacked a practical solution to the document.