

Report of the Education & Children's Services Policy Overview Committee 2012/13

Access to Education for Hillingdon's Vulnerable Children and Young People



Members of the Committee 2012/13

Cllr Catherine Dann (Chairman)
Cllr Judith Cooper (Vice Chairman)
Cllr John Hensley
Cllr John Riley
Cllr David Benson
Cllr Susan O'Brien
Cllr Jazz Dhillon
Cllr Lindsay Bliss
Mr Tony Little

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CHAIRMAN'S FOREWORD



I am delighted to present this important review on Access to Education for Hillingdon's Vulnerable Children and Young People. The educational environment in which the Council operates is changing rapidly and, consequently, the educational services that we provide have also been subject to dramatic change.

The review examined how national reforms to the education system have impacted the relationship between Hillingdon's schools and the Council itself. In particular, the Committee looked at how Academy and Free Schools no longer have to report to the local authority and instead report directly to the Department for Education. The review focused on some of the consequences of this shift and how the Council could still meet its statutory obligation to ensure in-year access to education for pupils within this changing environment.

The Committee also looked at the anticipated growth in primary school-age children and the work that the Council is currently undertaking to accommodate this growth. Hillingdon is one of the first Boroughs in London to have begun to experience 'the bulge' in school numbers and has already allocated £150m to primary schools expansions. The Committee both commended this work and made suggestions for improvements to how the Council does, and will in the future, ensure access to vulnerable children outside of the normal admissions process.

The Committee heard invaluable evidence from expert witnesses on changes to the provision of education both on the local and national levels as well as conducting a site visit to the Brookfield Adult Learning Centre.

I would like to thank external witnesses and officers for participating in the review and ask that Cabinet kindly consider the recommendations contained in the report.

Catherine Dann

**Councillor Catherine Dann
Chairman of the Education & Children's Services Policy Overview
Committee**

RECOMMENDATIONS

Following its review the Education and Children's Services Policy Overview Committee has made the following recommendations to Cabinet:

Recommendation 1: Support the Council's ongoing commitment to addressing future pressures on the education system through the Schools Expansion Programme.

Recommendation 2: Request Cabinet to investigate as part of the service and budget planning process the viability of providing alternative spaces for the interim education of pupils seeking an alternative school place currently being provided at Brookfield Adult Learning Centre.

Recommendation 3: Support the work of officers in renegotiating relationships between schools and the Council in this changing educational environment and endorse ongoing efforts to establish best practice, if possible, through the proposed Education Partnership.

Recommendation 4: Request officers to investigate the viability of using the School Forum, and the proposed new Education Partnership of schools with the local authority to foster new communication channels with Academies and Free Schools in the Borough with a view to monitoring the off-rolling of any pupils.

Recommendation 5: Request officers to investigate the viability of introducing 'parent champions' to offer expert advice and assistance to parents, particularly those seeking to find their child a school place.

Recommendation 6: Request officers to review and refresh the Council's website with up-to-date information for parents on admissions procedures, ensuring that the advice was relevant and accessible for parents not familiar with the British education system.

ABOUT THIS REVIEW

OBJECTIVES

The objective of this review was to look at Hillingdon's current arrangements and future plans for ensuring that access to education for vulnerable pupils¹ is timely and effective. The review focused particularly on the key barriers facing vulnerable children and young people in accessing education outside of the normal admissions processes.

The Committee paid particular attention to the Council's response to some of the primary issues facing access to education for vulnerable children in the Borough. These included:

1. The changing relationship between schools and the Local Authority;
2. The problems caused by the practice of illegally off-rolling children;
3. The forecasted bulge in school numbers; and
4. The provision of interim education for those pupils awaiting a school place.

In so doing the Committee intended to identify areas of the Council's services that could be improved and developed in the future. The review focused particularly on the Council's current provision of interim education at the Brookfield Adult Education Centre, current in-year access arrangements and the support offered to parents of children seeking a school place.

In undertaking this review the Committee also aimed to contribute to the Council's policies by:

- Improving aspiration through education and learning;
- Promoting social inclusion through equality of opportunity and equality of access to educational facilities; and
- Improving access to educational services for all vulnerable children and young people in the Borough.

TERMS OF REFERENCE

To achieve the above objectives, the Committee agreed the following terms of reference:

- To review the process for in-year admissions to schools and learn about the In-Year Fair Access Panel (YFAP) and the Managed Move and Inclusion Panel (MMIP).²
- To review local arrangements for pupils without a school place.

¹ Vulnerable was defined for the Committee as: "Children and young people who, because of their additional needs, disability or personal circumstances are at risk of disadvantage and barriers in securing a place of their choice in a local school."

² These are panels which meet regularly to ensure that, amongst other things, challenging pupils and those without a school place are allocated a place within the appropriate timeframe, that schools are not overburdened with challenging pupils and allocating places to pupils.

- To understand the local implications of statutory guidance relating to children's access to education.
- To understand pupil place planning in Hillingdon.
- To review the practice around pupils who are not admitted to a school within 20 school days.
- After due consideration of the above, to bring forward positive and practical policy recommendations (if needed), in relation to the Council's in-year admissions processes for vulnerable children.

WITNESSES

Witness sessions for the review were held on the 20 February and 20 March 2013. The Committee heard from the following expert witnesses:

- The Council's Senior Manager for Access and Inclusion
- The Council's Service Manager for Behaviour, Attendance and SEN
- The Council's Performance and Intelligence Manager
- The Chairman of the Hillingdon In-Year Fair Access Panel who also presented evidence as the Head Teacher of Douay Martyrs Roman Catholic School (Academy)
- The Chairman of the Managed Move and Inclusion Panel who also presented evidence as the Head Teacher of Harlington Community School

In addition to the witness sessions, a number of Committee Members visited the Brookfield Adult Education Centre at which the Council temporarily provides interim education for pupils seeking places within the Borough's secondary schools. Members met with staff and students at the Centre to gather information which was relayed back to the full Committee through notes and oral reports. These sessions provided Members with the background information and evidence required to formulate their findings and recommendations for improving access to education for Hillingdon's vulnerable children and young people.

The information, evidence and findings of the review are set out in the next sections under the following headings:

1. Background Information
2. Ensuring Access

BACKGROUND INFORMATION

Prior to going into detail on the challenges faced by the Council in providing education to vulnerable children and young people, it is important to note that education in the Borough is a successful and improving service. As of 2012, the gap between the attainment of girls and boys in Hillingdon was narrowing and there was a general improvement in attainment across the board. Additionally, based on inspection results, the Borough's schools were ranked in the 2nd quintile nationally and were moving towards the 1st quintile. 91 of 92 schools had been deemed by Ofsted as at least satisfactory, with 70 being judged as "good" or better.

However, despite the overall positive and improving performance of the service, the Council does face a number of significant challenges in continuing to ensure access to education. The School Admissions Code stipulates that local authorities are responsible for ensuring that every child of statutory school age (currently ages 5-16) receives full-time education. Yet, due to national reforms to the education system and the anticipation of a significant increase in the number of pupils attending Hillingdon's schools, the context in which this responsibility is undertaken has recently been subject to dramatic change. These changes have begun to have an impact on number of pupils who are seeking a school place in-year and have increased pressure on the Council to ensure that they are provided with a good-quality education in a timely fashion.

These changes and the Council's responses to them are outlined in detail below.

ACADEMY SCHOOLS AND OFF-ROLLING

The recent local and national proliferation in Academy Schools has contributed significantly to the changing scene of education provision in the Borough. Although there are 18 secondary schools in Hillingdon, the Council now has only 3 of them under its direct control. The majority of secondary schools have become Academies and Free Schools which means that they are funded directly by, and report to, the Department for Education rather than the local authority. This means that the Council no longer monitors education to the same degree that it did previously as it is at the discretion of individual Academies as to whether to report information to the local authority.

Mirroring a national trend, it is thought that changes to the reporting structure between schools and the local authority have contributed to the growth in the illegal practice of off-rolling pupils in Hillingdon. Off rolling is the practice of schools encouraging parents to take their children off a school's role voluntarily in order to avoid having a permanent exclusion on their record. Because Academies are not required to report such off rolling to the Council, it is possible that children will be left without an education until the local authority becomes aware of this through a Police incident, a medical report or an application for another school place.

Members of the Policy Overview Committee were informed by witnesses that it was not possible to give an exact number for the amount of pupils who were being off rolled but noted that, anecdotally, there was a rise in this practice. While the Chairs of both the In-Year Fair Access and the Managed Move and Inclusion panels advised that this practice was not a major problem in the Borough, it is the cross-Borough experience of the Authority that there are sufficient instances of questionable off rolling and in-year admission refusals to make the problem of significant concern. The problem will continue to be challenged as such.

BULGE IN SCHOOL NUMBERS AND CHANGING DEMOGRAPHICS

In addition to the changing relationship between the Council and schools in the Borough, another factor threatening access to education for Hillingdon's vulnerable children is the forecasted growth in pupil numbers over the next ten years as set out below:

Primary School Places

It is estimated that the Borough will see 6,600 extra primary school-age pupils in need of school places over this period and it is expected that these will be concentrated in the South and South East of the Borough. The Council has already acknowledged this as a major challenge for the future and committed £150m to the Primary Schools Expansion Programme to begin to address this demand. However, over and above the current investment, it is estimated that there needs to be an additional 3,150 places provided over the next ten years to accommodate expected growth.

Secondary School Places

Predications indicate that the number of secondary school-age pupils will rise to over 19,000 pupils between September 2012 and 2021/22 which amounts to an increase of 25% or 3,900 more pupils. Although there are sufficient secondary school places in the medium term, it is expected that there will begin to be pressure for them in 2016/17 onwards and that the increase will be faster for year 7 students as pupils from the primary school bulge begin to enter secondary school. Consequently, the increase in secondary school pupils is also expected to be concentrated in the South and South East of the Borough. Officers are developing proposals to meet this increasing need for secondary school places alongside work on forecasting for future school places to include early years, primary school-age pupils, post 16 and children with special educational needs.

Members heard that Hillingdon had begun to see this population growth ahead of many other London boroughs and that some areas had seen a population growth of 20% in recent years. This growth had already been felt in areas of the Borough and a significant portion of schools, which previously worked with a 5-10% flex in numbers, are currently either full or close to full.

Witnesses informed the Committee that this bulge in school numbers was also accompanied by an increase in the mobility of pupils in the Borough. Some secondary schools had noted that, where they used to have pupils for 5 years, many were now only within a school for 12 months. This had an impact on the ability of the school to raise attainment of these children given they were only present for short periods of time.

The Committee took this opportunity to commend the Council for its work thus far on beginning to address the need for primary school places in the future.

Recommendation 1: Support the Council's ongoing commitment to addressing future pressures on the education system through the Schools Expansion Programme.

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ENSURING ACCESS

As a consequence of the changing relationship between schools and the Local Authority and a growing pressure on school places, there are already a number of measures in place to ensure that vulnerable children have access to education. These include the interim education provided at the Brookfield Adult Learning Centre and the current arrangements for in-year admissions through the In Year Fair Access Panel and the Managed Move and Inclusion Panel.

INTERIM EDUCATION AT BROOKFIELD ADULT LEARNING CENTRE

Due to the increasing pressure on school places and local government's diminishing power to oversee the in-year re-placement of children into alternative school places, it was identified that a growing number of children were in need of interim education whilst a school place was found for them. The Council is required by law to provide an education to anyone between 5 and 16 years old who has been without a school place for more than 20 school days and so it was essential that the Council provided a means to meet this need in order to meet its statutory obligations. In February 2012 the Council began to provide such an interim education measure at the Brookfield Adult Learning Centre. The intention was for the unit to be in place temporarily to deal with a short-term increase in those students seeking a school place. However, the need for such a unit did not diminish and the decision was taken to keep it in place longer term.

The Committee undertook a site visit to the unit to see first hand the classroom and to discuss education with staff and students. On this visit Members made the following observations:

- The education provision was not a full curricular offering due to the wide variety of ages and student needs.
- The provision was certainly needed in the short term and could need to be expanded in the future.
- The current site was not appropriate to offer a long-term solution to the growing need for such an interim education provision. The large number of adults at the site, the small classroom size and the open nature of the building did not provide an appropriate space for children to be educated.
- The growing numbers of pupils at Brookfield were not due to behavioural problems but to pupils waiting for schools to respond to an admission request.

Based on these findings and on the evidence provided by the expert witnesses, the Committee came to the conclusion that there was a need for the Council to continue providing interim education in the long-term. The increase in school numbers and the lack of cooperation of some schools to take children in year was not expected to diminish; this meant that the number of children needing interim education would increase rather than decrease. However, the Committee was also of the view that the current Brookfield site was not ideal for this purpose.

Members understood that any decision to move the unit to a different space (or spaces) in the Borough could have significant budgetary implications and that any decisions would be subject to the service and budget planning processes. However, officers advised that, subject to Cabinet Member approval, further investigation could be undertaken to assess whether the Council's Youth Centres could be used as more appropriate spaces for the provision.

Recommendation 2: Request Cabinet to investigate as part of the service and budget planning process the viability of providing alternative spaces for the interim education of pupils seeking an alternative school place currently being provided at Brookfield Adult Learning Centre.

ILLEGAL OFF ROLLING / COMMUNICATION WITH SCHOOLS

As mentioned above, illegal off-rolling was not seen by schools to be a major problem in the Borough but, nonetheless, the prospect of any pupils being removed from a school roll without the Council being made aware was of concern to Members. The primary issue was seen to be the lack of communication that took place between those schools not directly overseen by the Council and the Local Authority itself. This led to the possibility of children remaining out of education for far longer than the 20 school days required by law without the Council having sight of the problem.

Further to this, the Committee noted that the issue of schools no longer being required to share certain types of information led to wider issues with the Local Authority no longer having oversight over a range of data, including:

- Fixed Term exclusions
- Attendance figures (except primary non Academy schools)
- Racist incidents
- GCSE results

The Committee acknowledged that national reforms to the education system meant that it would not be possible to force all schools to produce such information on their pupils as they had in the past. Furthermore, they commended officers on their work to foster new, functional and productive relationships with schools in the Borough in this changing environment. In particular, Members thanked officers' for taking the issue of off-rolling extremely seriously and their willingness to take schools that were not compliant in admitting pupils in a timely way to the Secretary of State.

However, it was noted that the relationship between schools and the local authorities was continuing to change and it was suggested that the Schools Forum might be used as a way to foster new communication channels through which to ensure that the Council has oversight of access to education for all children in the Borough.

Recommendation 3: Support the work of officers in renegotiating relationships between schools and the Council in this changing educational environment and endorse ongoing efforts to establish best practice, if possible, through the proposed Education Partnership.

Recommendation 4: Request officers to investigate the viability of using the School Forum, and the proposed new Education Partnership of schools with the local authority to foster new communication channels with Academies and Free Schools in the Borough with a view to monitoring the off-rolling of any pupils.

SUPPORTING PARENTS

The Committee heard that a major factor in pupils not being able to access education in year was due to parents being unclear on admissions procedures and contributing to the problem by voluntarily removing a child from a school's roll before securing an alternative school place. It was noted that this problem particularly affected those families that who were not familiar with the British education system and were more likely to be unaware of the procedures. Although it was not possible to give numbers on the amount of children who were without a school place due to this, it was noted that Brookfield did have pupils who were there for this reason.

Officers informed Members that, in the past, there had been an officer position that had provided parents with support in this area. It was unlikely that this position would be replaced, so the Committee discussed the possibility of creating voluntary positions of 'parent champions' to provide this type of support. These positions would likely be made up of ex-education professionals who could offer expert and impartial advice to parents on relevant procedures.

Members also asked that the information on the admissions procedures on the Council's website be reviewed and refreshed to ensure that it was up-to-date and that it offered accessible information to those parents without English as a first language.

Recommendation 5: Request officers to investigate the viability of introducing 'parent champions' to offer expert advice and assistance to parents, particularly those seeking to find their child a school place.

Recommendation 6: Request officers to review and refresh the Council's website with up-to-date information for parents on admissions procedures, ensuring that the advice was relevant and accessible for parents not familiar with the British education system.

Background Reading

The help Members with their review reference was made to a wide-ranging selection of background information.

- School Admission Code:

<http://media.education.gov.uk/assets/files/pdf/s/school%20admissions%20code%201%20february%202012.pdf>

- In-Year Fair Access Protocol 2012:

<http://www.hillingdon.gov.uk/media.jsp?mediaid=27377&filetype=pdf>

- Centre for Social Justice, “No Excuses: A Review of Educational Exclusion”:

<http://www.centreforsocialjustice.org.uk/publications/no-excuses>

- Children’s Commissioner: “They never give up on you” Office of the Children’s Commissioner School Exclusions Inquiry’:

http://www.childrenscommissioner.gov.uk/content/publications/content_561

- Guardian article by Peter Walker: “Benefit cap will force more children to move schools mid-year, says thinktank”

<http://www.guardian.co.uk/society/2013/feb/28/benefit-cap-children-move-schools>

- Guardian article by John Domokos: “Illegal school exclusions: how pupils are slipping through the net”

<http://www.guardian.co.uk/education/2012/nov/15/illegal-school-exclusions?INTCMP=SRCH>

- National Parent Partnership Network: “Illegal exclusions – a survey of parent partnership services”