

CHILDREN AND LEARNING OVERVIEW & SCRUTINY COMMITTEE

Subject Heading:**Title Attendance and Exclusions Report****CMT Lead:**Isobel Cattermole
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Email: paul.tinsley@haverling.gov.uk**Policy context:****Attendance and Exclusion Data**

SUMMARY

Good school attendance is important because poor attendance is linked to poorer educational outcomes and also presents a safeguarding concern where a child is not in school during term time.

The issue of taking children out of school for holidays in term time continues to be a concern and latest data available show that our schools are still authorising more absence than London and England averages. However, unauthorised absence has fallen, as has persistent absence (PA) over the past few years. This is reflected in a higher figure for penalty notices/fines over the past two years and shows the importance of keeping focussed on reducing these two factors in particular. The Government has changed the threshold for PA from below 85% to below 90% attendance from September 2015, which will mean a rise in the numbers/percentage of pupils falling within the definition of PA from this academic year.

In relation to exclusions, head teachers do have the power to exclude pupils for breaches of the school behaviour policy. Again there are concerns around educational outcomes and safeguarding for pupils who are excluded often and the local authority has a legal duty to provide alternative education for pupils who are permanently excluded. As well as being expensive, permanent exclusion from a school community can have a long lasting (sometime lifelong) impact on a young person. The rate of permanent exclusion in Havering in previous years has been higher than the London and England average in secondary schools and there have been increasing pressures on primary schools which have led to concerns that primary schools may start to use permanent exclusion as a way to deal with challenging behaviour. An additional concern is the fact that the Havering Pupil Referral Service is currently in Special Measures.

Work over the past year has focussed on improving support, challenge and protocols with our schools. This has included improving our alternative provision offer for schools, strengthening the IYFAP (In Year Fair Access Panel) for young people at risk of exclusion or without a school place, and supporting the Havering Pupil Referral Service towards academisation and improving the quality of the education offering in the interim.

CURRENT PRIORITIES

Exclusions

- Review primary IYFAP process
- Agree thresholds and protocols around the use of permanent exclusion with head teachers
- Further extend the Alternative Provision offer in Havering to support schools identify alternatives to exclusion
- Continue to assist schools with reviewing their behaviour/inclusion policies
- Develop use of Social Inclusion Fund and behaviour support traded service.
- Develop the new Vulnerable Children's Officer role

Attendance

- Focus on schools with high levels of PA and unauthorised absence.
- Seek to address authorised absence levels across the Borough as they remain higher than national averages
- Seek to extend traded offer for attendance work in schools not currently buying back
- Continue to support/challenge schools that are not working in line with guidance regarding 'holidays in term time' so that there is a consistent approach in all schools.
- Continue to develop links with Children's Services, especially in relation to Children Missing from Education (CME) work
- Closely monitor parents electing to home educate, especially where there are concerns around the reasons why this decision has been taken.

REPORT DETAIL

1. Attendance

Parents are responsible for making sure that their children of compulsory school age receive a suitable full-time education (section 7 of the Education Act 1996.). This can be by regular attendance at school, at alternative provision, or otherwise (e.g. the parent can choose to educate their child at home). The following is an extract from the DfE statutory

guidance 'School attendance Departmental advice for maintained schools, academies, independent schools and local authorities' (Oct, 2014)

'The government expects schools and local authorities to

- promote good attendance and reduce absence, including persistent absence;*
- and to ensure every pupil has access to full-time education to which they are entitled; and,*
- act early to address patterns of absence'*

In Havering there is a team of Attendance and Behaviour Officers that fulfils this responsibility on behalf of the Borough. The Attendance function is part funded through core funding and partly through a traded services agreement with schools. This does necessitate a careful approach with schools whereby the service is required to both challenge and support schools around attendance issues whilst ensuring that schools value the service so that they will continue to buy back.

Officers monitor school attendance and provide support to schools where the attendance of pupils falls below an acceptable level. This involves working closely with parents and pupils and seeking to support families to overcome barriers to school attendance. Whilst there are legal routes open to local authorities where parents do not ensure that their children receive a suitable education, these legal sanctions are generally a last resort at the end of a long process around supporting pupils and parents and working to reduce/remove any barriers to good school attendance. There are some cases where a penalty notice should be automatically applied, for example where a parent takes a child out of school during term time for an unauthorised holiday. Penalty notices may also be issued where parents allow their child to be present in a public place during school hours without reasonable justification during the first five days of a fixed period or permanent exclusion.

Penalty notices data for past 3 years are as follows:

2012 – 2013	Total 644
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2013 – 2014	Total 1098
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2014 to 2015	Total 1583
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In relation to prosecutions (for irregular attendance under section 441 or 441(a) of the Education Act) the data are:

2012-2013	Total 32
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2013-2014	Total 47
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2014 to 2015	Total 66
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The key measures around attendance are set out by the following indicators:

- Persistent Absence (for the purpose of this data, defined as attendance below 85%)

- Unauthorised absence
- Authorised Absence
- Overall Absence

The previous Government lowered the definition/thresholds around Persistent Absence (PA) from below 80% attendance to below 85%. In September 2015, the current Government further reduced the threshold for definition of PA to any student with an attendance below 90%. This means that the PA figure will increase for the 2015/16 data.

Data for the past three years are as follows

School Attendance Data 2011/12 – Primary Schools

	Havering	Outer London	England
Overall Absence	4.6%	4.3%	4.4%
Authorised Absence	4.0%	3.5%	3.7%
Unauthorised Absence	0.6%	0.8%	0.7%
Persistent Absence	3.6%	2.8%	3.1%

School Attendance Data 2011/12 – Secondary Schools

	Havering	Outer London	England
Overall Absence	5.6%	5.3%	5.9%
Authorised Absence	4.5%	4.1%	4.6%
Unauthorised Absence	1.1%	1.3%	1.3%
Persistent Absence	6.1%	6.0%	7.4%

School Attendance Data 2012/13 – Primary Schools

	Havering	Outer London	England
Overall Absence	4.9%	4.5%	4.7%
Authorised Absence	4.1%	3.5%	3.9%
Unauthorised Absence	0.8%	0.9%	0.8%
Persistent Absence	3.2%	2.5%	2.7%

School Attendance Data 2012/13 – Secondary Schools

	Havering	Outer London	England
Overall Absence	5.8%	5.2%	5.9%
Authorised Absence	4.7%	4.0%	4.5%
Unauthorised Absence	1.1%	1.3%	1.4%
Persistent Absence	6.5%	5.0%	6.5%

School Attendance Data 2013/14 – Primary Schools

	Havering	Outer London	England
Overall Absence	4.1%	3.9%	3.8%
Authorised Absence	3.4%	3.0%	3.1%
Unauthorised Absence	0.7%	0.8%	0.7%
Persistent Absence	2.6%	2.1%	2.1%

School Attendance Data 2013/14 – Secondary Schools

	Havering	Outer London	England
Overall Absence	5.3%	4.7%	5.1%
Authorised Absence	4.4%	3.6%	3.9%
Unauthorised Absence	0.9%	1.1%	1.2%
Persistent Absence	5.3%	4.2%	5.2%

Four Year Trend

Primary School Attendance in Havering (Summary Past 4 years):

	2014/15	2013/14	2012/13	2011/12
Overall Absence	4.2%	4.1%	4.9%	4.6%
Authorised Absence	3.6%	3.4%	4.1%	4.0%
Unauthorised Absence	0.6%	0.7%	0.8%	0.6%
Persistent Absence	2.5%	2.6%	3.2%	3.6%

Secondary School Attendance in Havering (Summary Past 4 years):

	2014/15	2013/14	2012/13	2011/12
Overall Absence	5.5%	5.3%	5.8%	5.6%
Authorised Absence	4.4%	4.4%	4.7%	4.5%
Unauthorised Absence	1.1%	0.9%	1.1%	1.1%
Persistent Absence	5.3%	5.3%	6.5%	6.1%

Levels of overall absence and PA (persistent absence) have fallen significantly in Havering from their four year peak in 2012/13 but are likely to remain higher than London and national averages. However unauthorised absence was below London average in 2013/14 in both primary and secondary schools. This indicates that PA rates and authorised absence rates are pulling overall attendance rates down.

2 Exclusions

The current statutory guidance in relation to exclusion from school was published in 2012. The guidance states that:

‘Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports head teachers in using exclusion as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, in response to a serious breach, or persistent breaches, of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.’

In terms of behaviour, the Attendance and Behaviour Team provide a behaviour advisory service to schools on a fully traded basis. Officers work with schools to seek to support them with alternative strategies to excluding pupils. In Havering, schools are encouraged and supported to explore alternative strategies in addition to exclusion. Havering Education Inclusion and Support Service includes officers who can provide advice and support in relation to pupils with challenging behaviour. The service also employs a Vulnerable Children's Officer and Alternative Provision Commissioner who can work with schools to explore alternatives to exclusion, including managed moves and access to alternative education provision. Officers provide support and guidance to parents where pupils receive a fixed term or permanent exclusion.

There is a challenge to reduce exclusions not just because they interrupt the learning of pupils but because they also disproportionately affect disadvantaged and vulnerable groups of pupils. For example:

- Pupils with special educational needs (with and without statements) account for 7 in 10 of all permanent exclusions. Pupils with SEN without statements are around ten times more likely to receive a permanent exclusion than pupils with no SEN.
- Pupils known to be eligible for and claiming free school meals (FSM) are four times more likely to receive a permanent exclusion and three times more likely to receive a fixed period exclusion

Havering is seeing a rise in more vulnerable families, including large sibling groups and families with very complex needs moving into the borough. We are also experiencing a rise in child protection cases as the demography of the borough changes. In the face of these challenges the Learning and Achievement Service restructured its support for vulnerable groups at risk of exclusion and introduced new support systems including:

- Instituting an 'In Year Fair Access Panel' (IYFAP) for both primary and secondary aged pupils with the support of our schools. A pre-IYFAP meeting includes multi-agency support and considers the holistic needs of pupils to be discussed.
- Creating a post of Vulnerable Children's Coordinator post and more recently a new Vulnerable Children's Officer post to facilitate the IYFAP process and liaise with parents, pupils and other key LA professionals and external agencies in respect of excluded pupils and those at risk of exclusion.
- Attending governor appeal meetings where pupils are permanently excluded
- Much closer/joined up working both within our own teams and with colleagues across health and children's services

The key measures here are in relation to fixed term and permanent exclusions. The data for the past three years are as follows:

Permanent Exclusions (percentage of school population) 2011/12

	Havering	Outer London	England
Primary	0%	0.01%	0.02%
Secondary	0.20%	0.17%	0.14%
Special Schools	0%	0.17%	0.09%
Overall	0.09%	0.08%	0.07%

Fixed Term Exclusions (percentage of school population) 2011/12

	Havering	Outer London	England
Primary	0.44%	0.61%	0.90%
Secondary	5.82%	7.12%	7.85%
Special Schools	0%	15.11%	15.39%
Overall	2.89%	3.47%	4.05%

Permanent Exclusions (percentage of school population) 2012/13

	Havering	Outer London	England
Primary	0%	0.01%	0.02%
Secondary	0.17%	0.14%	0.12%
Special Schools	0%	0.07%	0.07%
Overall	0.08%	0.07%	0.06%

Fixed Term Exclusions (percentage of school population) 2012/13

	Havering	Outer London	England
Primary	0.26%	0.34%	0.45%
Secondary	3.93%	3.92%	3.79%
Special Schools	0%	5.28%	5.87%
Overall	1.91%	1.87%	1.92%

Permanent Exclusions (percentage of school population) 2013/14

	Havering	Outer London	England
Primary	0%	0.01%	0.02%

Secondary	0.15%	0.13%	0.13%
Special Schools	0%	x	0.07%
Overall	0.07%	0.06%	0.06%

Fixed Term Exclusions (percentage of school population) 2013/14

	Havering	Outer London	England
Primary	0.37%	0.33%	0.49%
Secondary	3.50%	3.66%	3.64%
Special Schools		4.37%	5.51%
Overall	1.75%	1.73%	1.86%

Permanent Exclusions by School – Past two Years

2014/15

2015/16 to date

School	Numbers Perm Excluded	Numbers Perm Excluded
Abbs Cross	3	0
Albany	0	2
Bower Park	4	2
Brittons	6	2
Chafford	6	1
Coopers	3	0
Drapers	1	1
Elutec	7	0
Emerson Park	1	0
Gaynes	5	2
Hall Mead	1	1
Marshalls Park	2	0
Royal Liberty	1	0
Sanders	1	1
St Edwards	2	1
TOTAL	43	13

Commentary

Primary

- Whilst there was a slight increase last year in the number of primary pupils receiving a fixed term exclusion, this still only represents 76 pupils out of an overall population of over 21,000 primary aged pupils in the borough, or 0.37% of the total population of primary pupils. This compares to an England average of 0.49%.
- The average number of exclusions per excluded pupil was only 1.47, compared with a national average of 2.08, showing that exclusion was used to greater effect in Havering than was the case nationally. .
- Fewer days were lost through exclusion compared to the national average, with the average number of days per excluded pupil at 3.15 compared with a national figure of 4.08 days.
- There were no permanent exclusions of primary aged pupils in the borough, whereas the national average was 0.02%.

Secondary

- There has been a fall in the percentage of secondary students receiving a fixed term exclusion. The rate remains below the England and outer London average
- Permanent exclusion rates were broadly in line with England and outer London average rates in 2013/14 but permanent exclusions rose in 2014/15 in Havering from 30 to 43 (no national comparative data yet available). However, as the table above shows, much work has been undertaken through the Secondary IYFAP process to reduce these rates for 2015/16.

Whilst any pupil exclusion is regrettable, overall the situation in relation to exclusions in Havering shows a positive trend. The fact that Havering has maintained a Behaviour Support Service may also be a factor here as the behaviour support team is well regarded by schools and the number of academies buying back into the service through a traded service offer is increasing. The Secondary IYFAP process in particular works very effectively with schools working in a collegiate way to share the responsibility for vulnerable/at risk pupils. The success of the panel has attracted interest from other authorities, with colleagues from Suffolk LA recently visiting to see how Havering IYFAP operates.

IMPLICATIONS AND RISKS

Financial implications and risks:

Attendance

The Attendance and Behaviour Team are part funded through traded services agreements with academies. At present all primary academies buy in the service and around 60% of secondary academies. Where academies do not buy in, the service provides the minimum legal intervention around penalty notices and prosecutions. However it is worth noting that absence is higher in some academies not buying in. For example The Albany school had the second lowest attendance for secondary schools in the Borough on 2014/15 data. Drapers Academy had the lowest attendance for all secondary schools in the Borough and chose to buy back some of the service for 2015/16 academic year. The figure has increased from around 92% to just over 93% so far.

Exclusions

The cost of providing alternative education for excluded pupils falls on the LA and this is a statutory requirement. At present the LA commissions the Havering PRS to provide 134 places for pupils who are excluded or at risk of exclusion. The cost is around £2.5 million per year. The Borough is currently working with head teachers and an Academy Trust to institute a new system for supporting pupils at risk of exclusion which will reduce the financial costs of this work. There is a limited support service which is traded to schools around behaviour support and Alternative Provision. If this support service is not bought back there is a risk that the number of school exclusions will rise.

Legal implications and risks:

Attendance

Section 7 of the Education Act 1996 provides that:

"The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable -

*(a) to his age, ability and aptitude, and
(b) to any special educational needs he may have,
either by regular attendance at school or otherwise."*

In order to secure good school attendance, the LA has a duty to prosecute parents who are in breach of the above terms. It also issues penalty notices as an alternative to prosecuting parents but legal action against parents is generally a last resort following intensive intervention to improve school attendance. Legal action may occasionally need to increase in order to ensure that school attendance is seen, by parents, as an important and essential part of their child's right to an education.

The LA is also experiencing a rise in the number of parents who are electing to 'home educate' and this places an additional resource strain on the LA as there is a requirement to visit such parents to seek to ensure that a suitable education is provided. It is also a potential safeguarding concern that more pupils are being withdrawn from formal education and thus become less visible to professionals.

Exclusions

The current statutory guidance '*Exclusion from maintained schools, academies and pupil referral units in England*' allows for a head teacher to permanently exclude a pupil. The guidance states that a decision to exclude a pupil permanently should only be taken:

- in response to a serious breach, or persistent breaches, of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin no later than the sixth day of the exclusion

Human Resources implications and risks:

Attendance

There are potential risks to the human resource of promoting good school attendance should academies not buy in the traded services element.

Exclusions

There is a limited education staff resource providing support for schools and parents in relation to vulnerable pupils. This is in the face of rising demand and this resource will need to be managed and allocated carefully. Staffing for behaviour support and Alternative Provision is based on a traded model.

Equalities implications and risks:

Attendance

There is a risk of inconsistency in relation to attendance procedures in schools, especially where academies are not buying in. For example leave may be authorised for a pupil in one school that would not be authorised for a pupil in another school in similar circumstances.

Exclusions

As stated above, there are potential inequalities with higher numbers of certain groups experiencing exclusions. The LA has a duty to challenge schools where it would appear that exclusions are being disproportionately applied to particular groups and also to support parents. This may be through the Parents In Partnership Service (PIPs) or through the work of the Vulnerable Children's Coordinator, who attends at exclusion appeals.

- Secondary School Attendance Chart
- Primary School Attendance Chart
- Termly Attendance Chart