

**Report to :** EDUCATION ATTAINMENT IMPROVEMENT BOARD

**Date :** 28 July 2016

**Reporting Officer:** Bob Berry, Interim Assistant Executive Director, Learning

**Subject :** ACCESS AND INCLUSION SERVICE UNIT

**Report Summary :** This report details the work of the Access and Inclusion Service Unit in 2015/16.

**Recommendations :** That members note the contents of the report and receive further updates as appropriate.

**Links to Sustainable Community Strategy :** The report supports three elements of the Community Strategy - Prosperous, Learning and Supportive Tameside.

**Policy Implications :** There are none arising from this report.

**Financial Implications :** There are no direct financial implications arising from this report.  
**(Authorised by the Section 151 Officer)**

**Legal Implications :** As set out in the report.  
**(Authorised by the Borough Solicitor)**

**Risk Management :** There are significant reputational risks to the Council if it does not meet its statutory responsibilities.

**Access to Information :** The background papers relating to this report can be inspected by contacting Catherine Moseley, Head of Access and Inclusion.



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## **1. INTRODUCTION**

1.1 The Access and Inclusion Service was created in September 2014 following a service redesign. The intention was to bring the majority of the Council's statutory education services into one service area. The redesign created three service streams: Access; Inclusion and the Virtual School.

1.2 The Access Service includes:

- Education Welfare Services including attendance monitoring and penalty notices
- Children Missing Education
- Child Entertainment and Employment, chaperone licences
- Elective Home Education
- Gateway, gypsy, Roma, travellers service
- School Admissions Service
- Early Education Funding
- Exclusions

1.3 The Inclusion Service includes:

- Educational Psychology
- Special Educational Needs

1.4 Additionally, the service has the Virtual School for Looked After Children and responsibility for school transport and school place planning

## **2. THE ACCESS SERVICE**

2.1 The Council has a statutory duty to monitor attendance across schools in the borough and one way to do this is through the Education Welfare Service. Attendance is monitored through the Business to Business (B2B) Capita interface which pulls data from schools on a daily basis but not all schools participate so an annual register check is also carried out. The service does trade with over 40 schools.

2.2 The service is responsible for issuing penalty notices for non attendance in school either for holidays in term time or irregular school attendance. A penalty notice is only ever issued when requested by the Headteacher of the school. Penalty notices have increased from 683 in 2012/13 to 1292 to the end of June in 2015/16 although the busiest period for holidays in term time is the last half term. The non payment of a penalty notice results in a prosecution and the number of cases prepared and presented at magistrates court by officers in the Access Service has increased from 128 in 14/15 to 198 in 2015/16. The service prepare and present all initial cases and input from Legal Services is sought if a parent pleads not guilty and the case goes to trial.

2.3 The recent Isle of Wight court case has had an impact on the number of penalty notices issued and court cases pursued by the Council but clarity from the Department for Education is expected in the new school year.

2.4 The Council has a legal duty to identify, as far as it is possible to do so, children missing education (CME) and get them back into education. This is children that have disappeared from schools and their whereabouts are unknown. This includes fortnightly meetings with Greater Manchester Police and the Council has approximately 50 cases at any one time. Table 1 shows how the number of cases has increased over the last 4 years from 250 in 2012/13 to 336 in 2015/16.

- 2.5 Children who are involved in the entertainment industry may need a performance licence. The move of the BBC to Media City in Salford has increased the number of licence requests. Conversely, the demise of the Tameside Advertiser has resulted in a decline in the number of child employment licences being issued as the need for paper boys and girls in the borough has reduced. The service also issues licences to chaperones. Chaperones are needed where there is a performance or event where children who have a child performance licence are working.
- 2.6 There are currently 99 children in Tameside who are being electively educated at home. This has increased considerably from 50 in 2013/14. Parents are responsible for ensuring that their children receive a suitable education and they can choose to do that by educating them at home. There is no requirement to follow the national curriculum. The service provides an annual visit to check on the welfare of the child and an annual visit to assess the suitability of the education being provided. If the education provision is deemed to be unsatisfactory, a process of support for parents is followed to try and rectify the issue but if there isn't an improvement, this can result in an attendance order being issued.
- 2.7 The service supports families placed in the borough either through the UK Border Agency's Gateway programme or who are asylum seekers or refugees. This includes helping to find a school place, liaising with schools to ensure needs are identified and met and supporting pupils in schools for a period of time whilst they settle.
- 2.8 The School Admissions Service is statutory and deals with approximately 3,000 applications for Reception; 2,500 applications for Year 7 places and almost 3,000 in year transfers. The work of the Service is underpinned by guidance in the School Admissions Code. The admissions process is increasingly difficult due to the shortage of places in Key Stage 1 and has led to significantly longer processing times in 2015/16. More appeals are subsequently being submitted with approximately 260 transfer appeals this year compared with just 56 in 2011. Whilst superficially the increase in the number of academy schools might lead people to think that the workload of the service will reduce, the opposite appears to be happening as parents struggle to find school places and expect the School Admissions Service to act on an advocacy basis.
- 2.9 The Early Education Funding Team processes payments to early years providers for the 2, 3 and 4 year old entitlement. They also process capital applications. The new 2 year old entitlement has been taken on without increased back office capacity with now an additional 1100 funding claims per term. For 3 and 4 year olds, the yearly claims for 2014/15 were 4956 and this has increased to 5437 in 2015-16. This is mainly due to an increase in the number of private and voluntary providers of childcare in Tameside. The service will also need to consider how it can take on the additional workload that the increase to 30 hours entitlement will bring.
- 2.10 The Early Education Funding Team is also responsible for the annual childcare sufficiency assessment through which the Council discharges its duty to secure sufficient childcare so far as is reasonably practicable for working parents or those studying or training for employment with children aged 0-14 (or up to 18 for disabled children). The 2016 assessment is underway and all previous assessments are published on the Council's website.
- 2.11 The Access Service has the responsibility for administering the permanent exclusions process in the borough including providing guidance to governing bodies on the process either by means of a detailed report on individual cases or attendance at the governing body meetings. In 2014/15, Tameside had the second highest rate of permanent exclusions in England and unfortunately, the number has increased from 56 last year to 77 this year.

**Table 1 – Access Service data**

	2012/2013	2013/2014	2014/2015	2015/2016 with July/August to add
Total Penalty Notices issued	683	1147	1544	1292
Numbers of children missing education cases	250	194	246	336
Child employment licences issued	141	108	88	
Number of Permanent Exclusions	30	71	56	77
Number of primary allocation appeals received		387	202	
Number of secondary allocation appeals received		112	205	
Number of Transfer Applications dealt with	679	1710	2052	2139
Number of pupils placed under the Fair Access Protocol	161	253	324	275
Number of pupils being electively home educated		50	76	99

### 3. THE INCLUSION SERVICE

3.1 The work of the SEN Team is all statutory and is focused on implementing the changes needed from the 2014 SEN Code of Practice. This includes transferring all young people over to Education, Health and Care Plans (EHCP) as well as assessing new applications. This is supported by the Department for Education's SEN Implementation Grant. There are currently approximately 700 children and young people with a statement or EHCP as shown in Table 2.

**Table 2 – numbers of pupils with a statement / Education, Health and Care Plan (EHC)**

Year		
2010		705
2011		690
2012		680
2013		700
2014		695
2015	Statement	657
	EHC	7
2016	Statement	464
	EHC	235

3.2 The service has also experienced an increase in demand for new assessments as shown in Table 3 below:

**Table 3 – number of requests for new SEN assessments**

New Statements/EHC requests		
		Tameside
2010		65
2011		55
2012		85
2013		75
2014	Statement	53
	EHC	7
2015	EHC	69

- 3.3 The SEN Service also provides support for schools to identify and meet the needs of pupils who may have additional needs. The service does this through SENCO surgeries and providing training for all staff from classroom based to leaders. The number of pupils currently identified as having additional needs in schools is shown in Table 4.

**Table 4 – pupils with identified SEN needs supported in schools**

SEN Support by Age					
	2015				2016
	School support	School Action	School Action Plus	Total	School Support
Age 0-4	177	80	41	298	198
Age 5-10	1357	730	444	2531	2428
Age 11-15	1114	234	139	1487	1431
Age 16+	81	6	15	102	84

- 3.4 One huge area of work for the SEN Team this year has been the transition of Post 16 learners from Learning Disability Assessments over to EHC plans. The 2014 SEN Code of Practice increased entitlement for 19 – 25 learners with SEN to further learning opportunities. Over 200 16 – 25 learners were attending courses in colleges in 2015/16 and over those around 70 are being transferred over to EHC.
- 3.5 Other major developments in the service include the publishing of the local offer which is a requirement of local authorities. Tameside's local offer is an online source of information on services, support and guidance for parents and carers and children or young people with Special Educational Needs and Disabilities (SEND). The information is not just about education but a whole range of topics that families and professionals may find useful. The site has recently been praised by the Department for Education who said *"I found the site very easy to use and very intuitive!!"* The local offer can be found here <http://www.tameside.gov.uk/localoffer>
- 3.6 The Educational Psychology Service now only has one permanent member of staff who supports associate Educational Psychologists who are commissioned for individual cases to carry out statutory assessments. The lead Educational Psychologist supports critical incidents in schools such as the death of a member of staff or a pupil and also assists in the SEN statutory decision making process. The traded work is brokered by the lead Educational Psychologist. The service is self-financing.

#### **4. OTHER ELEMENTS OF THE SERVICE**

- 4.1 Virtual school heads (VSHs) are in charge of promoting the educational achievement of all the children looked after by the local authority be that in or out of the borough. The Head is also responsible for managing pupil premium funding for the children they look after and for allocating it to schools and alternative provision settings. Our service does this by ensuring Personal Education Plans (PEPs) for all learners are robust, timely and support our young people to achieve to the best of their abilities.
- 4.2 Virtual School heads are also responsible for managing the early years pupil premium (EYPP). They're in charge of giving the premium to the early years providers that educate looked-after children (children in local-authority care) who are taking up the free early education entitlement for 3- or 4-year-olds.
- 4.3 The Virtual School currently supports up to 400 children and young people.
- 4.4 The team procures school transport for eligible children as defined by the Home to School transport guidance from the Department for Education from the Council's Integrated Transport Unit. This is mostly for children and young people with special educational needs who are attending special schools but it can also be for children with mobility issues that prevent them from travelling to their mainstream school safely. Additionally, pupils may be eligible for a school bus pass if they meet the current eligibility criteria. Consultation has just finished making changes to discretionary provision in the borough.
- 4.5 Lastly, the Service is responsible for ensuring that there are sufficient school places in the borough. All local authorities have a statutory duty to ensure that there are sufficient school places to meet demand in its area. These may be school places available at provision maintained by the local authority, academies, or other non-maintained schools. In order to carry out this statutory duty, Councils need to carry out school place planning and forecasting.
- 4.6 School place planning is a complex process, that takes account a range of factors including the number of births in the borough, in year movement and cohort survival rates as well as parental preference and planned housing development. With rapid shifts in economic conditions for families and changing patterns of migration, planning for basic need requires a proactive approach to best respond to both short and medium term demand for places.
- 4.7 The number of places in both primary and secondary schools has varied immensely over the last few years.
- 4.8 When the birth rate was at its highest in the 1990s, there were 3306 primary school places available in each year group. From this peak, the number of primary places fell to its lowest point of 2734 in September 2009. Two things have had a large impact on the reduction in this number. Firstly, the Infant Class Size legislation effectively wiped out 10% of primary school places. Before the legislation was introduced in September 2001, many primary schools routinely had admission numbers of 32 or 33 pupils. The Infant Class Size legislation limited this to 30 in all but very exceptional circumstances. The second factor was the Department for Education's drive to reduce surplus places to less than 10% within a school. For example, if a school had an admission number of 60 with 420 places overall and 60 surplus places, the DfE required the admission authority to take action to reduce the surplus meaning that admission numbers in many primary school were reduced as the birth rate fell.
- 4.9 Since September 2009, the Council has proactively increased the number of places available in primary schools and for September 2015, there are 3160 places available, a 15% increase since its low in 2009. This includes two new primary academies in Ashton

and Hyde. As the birth rate appears to have stabilised over the last three years, there is no immediate pressure to further increase places in the primary phase in the future.

- 4.10 In secondary schools, the number of places reached a peak of 3203 in September 2000. In 2006, the Council undertook a review of secondary school places in order to secure Building Schools for the Future (BSF) funding. At that time, the ONS was predicting that the fall in birth rates would be sustained and in order to be successful with the BSF funding bid, the Council was required to reduce the number of places available and so from September 2011, 2826 secondary school places were available. This has further reduced as the cohort of pupils going into Year 7 has fallen to its lowest level for 25 years with only 2341 places offered in September 2012.
- 4.11 As the primary numbers move through to secondary school, the focus now has to be on creating places in secondary schools to meet the expected numbers. The Council needs to create an additional 340 new places over the next few years to ensure that all Tameside pupils have access to a secondary school place in the borough.

## **5. CONCLUSION**

- 5.1 As with all areas of the Council, the service has made substantial efficiency savings over the last few years. It has had to make some tough decisions about the services it continues to provide and has been unable to sustain some areas of work. This has been particularly necessary as the workload required to meet statutory responsibilities has increased significantly over the last two years particularly with the introduction of the new SEN Code of Practice that has fundamentally changed how the SEN Team works with families, schools and other agencies; the increase in early entitlement for 2 year olds and an increase for working parents to 30 hours; the tightness of school place availability even with significant investment. However, the challenges continue.

## **6. RECOMMENDATIONS**

- 6.1 As set out on the front of the report.