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CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY PANEL 14 MARCH 2018

(7.16 pm - 9.40 pm)

PRESENT: Councillors Dennis Pearce (in the Chair), Linda Taylor OBE, Agatha Mary Akyigyina OBE, Mike Brunt, Pauline Cowper, Charlie Chirico, Edward Foley, Joan Henry, James Holmes and Sally Kenny

Co-opted Members Helen Forbes and Colin Powell

ALSO PRESENT: Councillor Caroline Cooper-Marbiah (Cabinet Member for Education), Katy Neep (Cabinet Member for Children's Services), Elizabeth Fitzpatrick (Head of School Improvement), Jane McSherry (Assistant Director of Education), Keith Shipman (Head of Education Inclusion), Yvette Stanley (Director, Children, Schools & Families Department) and Annette Wiles (Scrutiny Officer)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Cllr Neil with Cllr Kenny substituting.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the previous meeting were accepted as a true and accurate record.

Matter arising

The opportunity was taken at the beginning of the meeting to thank Yvette Stanley, the Director for Children, Schools and Families, for all her hard work and success in leading the Department. This was her last appearance at the Panel before leaving Merton to take up her new role with Ofsted.

4 CABINET MEMBER PRIORITIES (Agenda Item 4)

Cllr Neep, Cabinet Member for Children's Services, provided members with an update highlighting the following:

- Merton Children Safeguarding Board: this has recently held an away day to look at the changes that are forthcoming which will affect the operation of the board and arise from the newly passed Social Care Act. This includes removal of the necessity to have an independent chair, ending statutory voluntary partner participation and whilst police and health services are mandated to be involved this doesn't extend to school participation. There are concerns about these changes;

- Special Educational Need and Disability (SEND): highlighted that there is more to do for pupils with SEND especially around provision of support for emotional, social and mental health needs. Judgements of success based on academic achievement miss these needs and potentially adds additional pressures;
- Home schooling: this remains a concern given the authority doesn't have statutory oversight of the education provision; and
- Family Drug and Alcohol Court (FDAC) and Social Impact Bond (SIM): both these new initiatives have begun receiving referrals. The operation of both reflects the Think Family approach which emphasises keeping the family unit intact to achieve better longer term outcomes.

In response to member questions, the Cabinet Member clarified:

- There is a focus on understanding the issues around primary school exclusions including the role of emotional, social and mental health needs. The Department is working to ensure pupils potentially at risk of exclusion have the support they need which is captured in individual plans; and
- It cannot be assumed that children being home schooled have no contact with their peers as this can be achieved through other opportunities such as Cubs or youth clubs etc.

Cllr Cooper-Marbiah, Cabinet Member for Education, provided members with an update highlighting the following:

- Harris Wimbledon: reported that contracts have been exchanged with the Elim Church and the funding agreement has been signed with the Education Funding Agency which means the development of Harris Wimbledon is now underway to open on the temporary site from September 2018; and
- Secondary admissions: there has been a 13% increase in secondary school applications compared to last year. For the first year Harris Wimbledon was not in co-ordinated admissions so on admissions day there were some pupils who had duplicate offers. These will be reconciled over the coming months and allow more of those without a place to receive an offer.

5 SCHOOLS ANNUAL REPORT (Agenda Item 5)

Jane McSherry, Assistant Director for Education, provided an introduction to the report:

- Sacred Heart has recently received its Ofsted inspection and moved to a good judgement. As a result 93% of Merton's schools are now judged good or outstanding with 95% of Merton's pupils attending good or outstanding schools;
- Merton's schools are now ranked 10th nationally for maths and reading progress at Key Stage 2;
- At Key Stage 4, the results of Merton's schools place it first in the country above both London and national averages;
- There is a focus on post 16 performance and how Merton's success at Key Stage 4 can be sustained for this older age group;

- Numbers of those not in education, employment or training (NEET) are very low with Merton achieving in the first quartile for those in employment, education or training; and
- School attendance is high meaning that Merton has moved from 10th to 8th nationally for its performance.

It was agreed that each section of the report would be detailed individually and members given the opportunity to ask questions.

Ofsted outcomes and school improvement

Elizabeth Fitzpatrick, Head of School Improvement, highlighted that for the period of the report (the last academic year, 2016-2017) there was a slight drop in school performance with 89% of schools judged good or outstanding. However, Merton's schools have been on an upward trajectory during the period following the report with significant amounts of support and challenge provided to the schools that were in the requires improvement category. There are now only four schools that are judged to require improvement.

In response to member questions, the Assistant Director and Head of Service clarified:

- The inspection of Benedict Primary School, included in the report, is its first inspection since it became an academy. Whilst the overall judgement was requires improvement the inspection report noted some good features. The sponsor is keen to work with the authority to achieve improvement. This is a service for which the authority is making a charge;
- The support provided by the authority for schools that require improvement is bespoke and based on a strong understanding of the improvement needed (provided by Ofsted and other sources). This is guided and overseen by a designated Merton Education Partner. Additionally, Merton is implementing Support and Challenge Groups for each school with a requires improvement designation. The groups meet half termly to provide further oversight of improvement work and the progress of pupils in year is tracked amongst other indicators. Accurate data is key with support provided to ensure this is adequate;
- Highlighted that whilst there is a focus on those that have been identified through the Ofsted inspection process to require improvement, the Department also focuses on those schools that might be at risk of slipping; and
- School improvement includes working with the governors. Officers will attend governor meetings as required. The work of the Governor Support Service was also highlighted. Where required, there can be a review of governance with external support for this process.

Achievement

Early Years Foundation Stage (EYFS)

The Head of Service highlighted that there has been an increase in those achieving a good level of progress during the EYFS. Merton has therefore achieved a strong

three year upward trajectory well above the national average and in line with outer London.

Priorities for EYFS are:

- To continue to embed the baseline assessment which has been identified as an area requiring further work. These are of high importance as they provide the benchmark for all further tracking;
- Focusing on the achievement of pupils in receipt of SEN support. There is currently a bid for external funding to support this work; and
- Embedding the 30 hour free childcare offer. This has gone well in the first year of the offer with successful school engagement particularly noted.

In response to member questions, the head of service clarified:

- The 30 hour free childcare offer is focused on those in work. There is awareness that some of the most disadvantaged families are therefore unable to take-up this offer;
- There is a basket of strategies available to provide support for those with SEN including social, emotional and mental health provision. Noted that the criteria for the identification of SEN were introduced at a time of raised academic expectations through the new national curriculum. This is at a time when levels have been removed causing additional challenges for tracking the progress of those with SEN. The Department is working to help identify those with SEN and be able to measure progress even if this isn't within the national curriculum framework;
- Bids for external SEN funding are strong given an evidence based approach and working to secure this funding through the Merton Special Teaching Alliance. Bidding in partnership with other South West London boroughs also provides strength;
- The emphasis is now on the self-improving school system which promotes understanding of best practice and ensuring that this is systematically shared. The Department is putting in place systems and policies to ensure this happens, spearheaded by the new Merton Strategic School Effectiveness Partnership. Additionally, there is an emphasis on peer review. The commitment from schools to these strategies was emphasised;
- It was noted that an external funding bid has been made to assist in the improvement of teacher recruitment and retention;
- There was acknowledgement of the fact that as achievement improves at KS2, it will be harder to maintain such high levels of progress across Key Stages 3 and 4. Rather the objective is on a smooth trajectory of improvement with good achievement at each stage;
- It was acknowledged that requirements to access A Level courses differ from school to school with a higher level ability being needed to access the new A Levels. This is a national issue. It was highlighted that there are alternative post 16 study routes available (such as BTechs) in which Merton's performance is strong and which still offers access to University. It was suggested that there is a need to talk more positively about these alternative pathways;

- The performance of white, working class boys is a national issue. Schools are using the Pupil Premium to offer targeted support with Ofsted scrutinising this offer (its findings will be published); and
- Merton's schools do undertake trips for disadvantaged pupils to Russell Group universities with support offered to provide clarity on the opportunities available.

Key Stage 1: phonics and KS1 assessments

The Head of Service highlighted that there has been a 4% increase in the number of those passing the Key Stage 1 phonics screening this year. This means that there has been a 7% increase in the pass rate over the last three years. Merton being in the top 10 authorities for greatest improvement in the Key Stage 1 phonics screening has been recognised by the Minister. Improvements in Key Stage 1 assessments is steeper than national and outer London and above national achievement.

Key Stage 2

The Head of Service highlighted that Key Stage 2 reading and maths is good with Merton's schools being ranked 10th nationally. Writing remains a focus although it was noted that teacher assessments are robust. During school inspections in Merton, Ofsted has noted that writing in books is good.

Key Stage 4

Merton's progress at Key Stage 4 and Attainment 8 scores are above both London and national averages. Those on SEN support are also achieving more strongly at this stage. Those on Education, Health and Care Plans (EHCPs) remain a focus.

In response to a member question, the Head of Service clarified that those on EHCPs in Merton are still performing better than the same group nationally. The need for continued focus is caused by relative performance and raised expectations. Whilst these students might be making good progress this isn't possible to track or identify within national outcomes.

16 – 18

Elizabeth Fitzpatrick, Head of School Improvement, and Keith Shipman, Head of Inclusion, provided an introduction:

- All assessments at Level 3 are achieving just above the national average;
- The focus is now on improving academic outcomes for A Levels where performance is not so strong;
- Highlighted that outcomes for Applied General programmes of study are good;
- Work has been ongoing to find and identify members of the NEET population. This year has seen the lowest ever level of NEETs achieved in Merton, with an 8th ranking nationally. This has required lots of data sharing between educational providers;

- There has been a slight increase in the *Raising Participation Age* figure reflecting that more and more students are staying on in Merton's 6th forms and colleges;
- The number of apprenticeships is more static reflecting the numbers that stay on within education in Merton or move into training. Merton is ranked fifth out of outer London comparative Boroughs for apprenticeship participation. Noted that other boroughs are facing similar issues;
- There has been a further rise achieved under the September Guarantee (the duty on local authorities to offer an education or training place for all 16 – 17 year olds).

In response to member questions, the Heads of Service clarified:

- Those who remain without an education or training offer get support from a key worker. Often there are issues that will preclude a young person from being in education or training. Veolia's work experience to apprenticeship programme for young offenders was cited as an example of the type of opportunity that is provided;
- Clarion and other housing providers were highlighted as providing a range of training opportunities for Merton's young people;
- It was acknowledged that it would be helpful if all Merton's contractors could provide training opportunities for young people;
- Whilst Ursuline's performance at Key Stage 5 has dipped, this is still above national average and demonstrates that there is some plateauing after a high level of progress at Key Stage 4;
- Young Offenders (including those on order to the Youth Offending Service) and Ex Offenders make up the biggest NEET cohort. They all have key workers and receive additional support. As an example of the good outcomes being achieved a young offender who has recently completed work experience in a barrister's office was cited;
- The cohort of NEETs that also have SEND was acknowledged.
- It was agreed that there is benefit in provision of work experience to assist in preparing young people for opportunities such as apprenticeships. These can be hard for the Children, Schools and Families Department to provide (because of access to confidential information about schools and looked after children). Therefore this needs to be a crossing cutting objective for the Council supported by all other Departments. It was suggested that this be considered at the June 2018 meeting with the support of Kim Brown, Head of Organisational Development and HR Strategy.

Inclusion

Attendance

The Head of Service highlighted that attendance has risen again for the third year running and is better than national and London averages. Performance on persistence absence remains strong. Any student with attendance below 90% is a concern. There is a focus on those on EHCPs and whether the assumption about a correlation with medical needs is correct.

Exclusions

The Head of Service highlighted that there has been a primary permanent exclusion for the first time in over a decade. However, this was seen as the only route available for this particular child who was from another borough. The increase in secondary exclusions is all at sixth form level whilst the number of exclusions for the rest of Merton's secondary provision remains about the same.

There has been a slight rise in the number of fixed term exclusions. It was noted that at primary, just five pupils account for 17% of all fixed terms exclusions. A link with social, emotional and mental health needs has been identified for which support is being offered through the SENCO and is inclusive of parents.

In response to member questions, the Head of Service clarified:

- The David Nicholas Centre has five places for assessment of Special Education Needs related to Social, Emotional and Mental Health needs. Currently the Department is working with primary heads to look at the entry criteria for this provision. This remains flexible to allow it to respond to changing needs. This is the right volume for this type of provision which is only for use during assessment of needs in effect making it respite provision. Where needed, schools access support for behaviour management from the behaviour service.
- All pupils that are permanently excluded have to be offered new learning provision after six days. Assessment of needs happens through the Smart Centre. Take up of this new provision, where parents are continuing to challenge the initial permanent exclusion decision, can delay access ; and
- It was explained that there are reciprocal arrangements in place between Merton and other boroughs around the permanent exclusion of children from Merton in schools out of borough and children from out of borough in Merton schools. This is to ensure that their home authority is notified when the exclusion happens and to ensure learning provision is put in place.

Elective home and missing education

The Head of Service highlighted:

- There has been a 174% increase in elective home education over the last decade. This is linked to a variety of causes including parents not being able to secure a place at their favoured school and home educating for a short period, disagreements with school, non attendance issues in schools or feeling that teaching at home may better meet the mental health issues of their children;
- Parents who are providing elective home education are offered a visit from the Department which has been taken-up in 77% of cases during the last academic year. The vast majority are judged to be delivering a satisfactory level of education. Socialisation is a key part of this judgement; and
- Where there are concerns about the quality of the education being provided at home, the Department writes to the parents and suggests a further review. (If it is appropriate we will monitor less often). Parents can opt at this stage to place their

children back into the school system. However, where this doesn't happen and concerns persist, the Department can issue a warning requiring a child to be placed back into the school system. This can be supported through a School Attendance Order. Where there are safeguarding concerns, these would be reported to the MASH.

In response to member questions, the Head of Service and the Director clarified:

- It can be harder to track the progress of children receiving elective home education simply because they are only visited once a year and because they typically aren't working to the same academic levels. Those conducting the visits therefore have to rely on their professional judgement;
- The Council has few powers with which to address the quality of the elective home education being provided. This has been raised as a concern by Ofsted and the Government but it is difficult to know how this can be addressed;
- Noted that elective home education has featured in a number serious case reviews. There has recently been a change in the law so that all children coming off a school roll have to be notified to the authority that has to then track their whereabouts. Currently, Merton is tracking about 500 children all over the UK and internationally with the whereabouts of 96.2% known. Ofsted praised the Department for having set itself the target of knowing the whereabouts of 90% of off-roll children within three months. There has been no additional funding provided for this new duty;
- The reasons for children coming off the school roll will vary and to some degree will be focused in particular areas. For example, this is often linked to parents taking up employment in different locations; and elsewhere it is due to private landlord evictions.
- The Department takes steps to ensure unregistered schools are addressed. Where information about these is received, it is referred to the MASH which will involve Ofsted, triggering an inspection.

6 DEPARTMENT UPDATE REPORT (Agenda Item 6)

Cllr Brunt, in his capacity as performance monitoring lead for the Panel, raised the issue of Education, Health and Care Plans (EHCPs) to seek further clarity on this performance indicator.

Jane McSherry, Assistant Director for Education, highlighted that progress on EHCPs is tracked using two indicators although only one is reported in the basket of measures. The first indicator is the transfer of SEN statements to EHCPs on which there is good progress with the target of transferring all by the end of March 2018 nearly achieved. There are approximately 20 transfers that may not be completed by the 31st March 2018 deadline. This is for a variety of reasons including the child being overseas or in mental health provision (Tier 4). This measure isn't included in the basket of performance indicators.

The second indicator relates the provision of new plans within the 20 week deadline. This measure is included in the basket of indicators. Currently, only 37% of new

plans are being achieved in this target timescale. However, it was highlighted that this compares with only 19% of plans hitting the 20 week target at the same point last year. Additionally, the vast majority are actually achieved within 26 weeks, only just passed the target.

The Assistant Director highlighted that this is against a backdrop of rising demand; the number of EHCPs maintained by Merton is increasing by 250 – 300 additional EHCPs per year. All require support from a variety of professional services (for example speech and language therapists, educational psychologist etc) which have limited capacity and therefore can cause delays. However, whilst the 20 week target isn't being hit in the majority of cases, there have been low levels of requests for mediation and tribunals which is seen as a positive indicator about the quality of the EHCP service.

The transfer to EHCPs has been supported by a small grant that has paid for some additional staffing. It is also intended to consult on utilising a web-based system to start managing EHCP applications. This will allow better tracking and enable parents to be kept informed of progress without having to be in contact with a member of staff, taking pressure out of the system caused by the large volume of telephone calls.

Once the transfer to EHCPs is complete, the team will be reconfigured to focus on new applications for EHCPs and continuity of oversight once the assessment process is completed.

7 SCRUTINY TOPIC SUGGESTIONS (Agenda Item 7)

Panel members were encouraged to be in contact with the scrutiny officer with any topic suggestions.