

## **Committee: Children & Young People Overview & Scrutiny Panel**

**Date: 26<sup>th</sup> March 2014**

Agenda item: 5

Wards: NA

### **Subject: Education Inclusion Update**

Lead officer: Keith Shipman

Lead member: Councillor Martin Whelton and Councillor Maxi Martin

Forward Plan reference number: NA

Contact officer: Jan Martin

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#### **Recommendations:**

- A. Scrutiny notes the items in the Update
  - B.
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#### **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. Scrutiny has requested an update on the Raising of the Participation Age (RPA), the arrangements for Alternative Education and the Preparation for Adulthood aspect of the Children and Families Bill.
- 1.2. **Raising of the Participation Age**
- 1.3. From September 2013 all 16 year olds are required to be in education, training or employed with training until the end of the year in which they turn 17. This will rise to include everyone until they are 18 for students currently in year 11 and below
- 1.4. Local Authorities have duties to:
  - secure sufficient provision;
  - support young people to encourage, enable or assist them to participate;
  - track young people in order to identify who may need support.
- 1.5. To ensure that we meet these duties the Local Authority has set up an executive group to ensure that the new duties are understood and implemented across CSF and partners. In addition the 14 – 19 education group has evolved into the RPA partnership group.
- 1.6. **Alternative Education**
- 1.7. In 2012/3 a review of provision for vulnerable pupils was undertaken. This led to the proposal of a partnership being set up to lead and manage Melrose Special School, The SMART centre and the Alternative Education collectively.
- 1.8. Melbury College has been set up as the overarching partnership. The Single Governance arrangement has been established and the Head-teacher

appointed. Teachers in Charges of Melrose and SMART have also been appointed and in post since September 2013.

## 1.9. **Preparation for Adulthood**

- 1.10. The Children and Families Bill aims to put young people more in control of decisions relating to their preparation for adulthood.
- 1.11. It aims to remove “cliff-edges” by extending EHC plans up to 25 (as long as the young person is in education or training), and by increasing obligations on children’s social care and health to continue services whilst transition to adult health and social care services takes place.
- 1.12. The Bill encourages services to focus, from year 9 onwards, on real life outcomes and achieving a smooth transition to adulthood. This includes the expectation that FE Colleges will offer full time, 5 day programmes and that as many young people as possible will achieve substantive qualifications and aim for paid work. Work experience and supported internships, such as Project Search, are expected to become more widely available and contribute to these improved outcomes for SEN young people.
- 1.13. The Bill and Code of Practice require agencies to work in partnership including those who have not previously been involved in the SEN system such as Further Education Providers.

## **2 DETAILS**

### 2.1. **Raising of the Participation Age (RPA)**

#### 2.2. **Sufficient provision:**

A new commissioner who will lead on the commissioning of RPA and Alternative Education Provision has been recruited and will start in April 2014. The post holder will undertake a needs analysis of provision mapped to the needs of young people in Merton and stimulate the market to develop suitable provision.

#### 2.3. **Tracking:**

The Children, Schools and Families (CSF) restructure in 2013 brought in house the tracking function that had formally been commissioned from Kingston in line with our partners across South London. Additionally we restructured a data post to ensure that there was sufficient capacity to track young people as they move from school to college, training or employment..

#### 2.4. **Support:**

The restructure of the Youth Service in 2013 moved the targeted service away from universal youth and created a dedicated My Futures Team. This team included the INSIGHT advice and guidance centre and embedded SEN posts. These teams work with young people who are identified as Not in Education Employment or Training (NEET) and support them back into the system if they can. They also try to track young people when there is no known information on what they are doing Not Known/NK) and support them into provision where possible. This team will also refer to the Youth Contract

which is a nationally commissioned service to support young people into provision.

2.5. Schools and Colleges have duties to provide Independent Careers Information Advice and Guidance (ICIAG) and to cooperate with the Local Authority to enable it to undertake its functions and duties.

2.6. **Impact to date:**

2.7. The “September Guarantee” measures how many young people in year 11 and 12 had offers of a place for the following year. An offer of a place helps young people to be clear what they are aiming for. They may not get the grades required or may choose to take up an alternative offer. However it does show us how the system is working

- In 2013 Merton achieved 93% (London 91.1, England 92.1) which was a significant increase on the previous years (87.4% 2012, 82% 2011)

2.8. The RPA duties are measured based on June data. Thus the most current data is pre the new duties.

- In June 2013 91.1% of 16 and 17 year olds were accessing provisions. This was well above national at 88.4% and just below London 91.3%. Merton’s position had also improved across that year by 5.5% which was the 3<sup>rd</sup> most improved in London.
- This was much higher for 16 year olds (93.6%) against 17 year olds (89.2%).
- Girls were more likely to remain in provision than boys
- White young people were the least likely to be in provision (87.1%)

2.9. 16 to 18 years olds that are Not in Training, Education or Employment (NEET) data is also published by the DfE. This is tracked locally on a weekly basis and has a cycle of rising and falling across the year. The DfE measure the 3 monthly average NEET and Not Known data from November to January.

- In 2013/4 the NEET figure was 4.6%. This is a rise from 4% in 2012/13 and worse than London which has fallen from 4.7% to 3.8%
- The Not Known figure is 12.4% for 2013/14 which is a rise from 9.8% in 2012/3 and just below the London figure of 12.7% a rise from 11.6%.

2.10. Although these figures may appear disappointing overall it is important to note that the high figures in November came down significantly in December and January. The current January figures are 4.8% NEET and 5.3% NK. The NEET is still higher as we have improved the identification particularly of out of borough educated young people some of whom are actually NEET. This improved data means that we can now target those young people to get them into provision. The majority of this group however are older than the RPA duty currently. (Note the figures in the Standards Report (Celebrating Success) are for 2012/3 and the report preceded the publication of this new data)

2.11. Detailed analysis of students is undertaken and are available in Appendix 1

- 2.12. **Alternative Education**
- 2.13. Melbury College is run by its Governing body and is a school not a Local Authority service. However due to the complexities of the pupils it serves it works very closely with Local Authority services.
- 2.14. Historically the Local Authority Youth Service ran an Alternative Education project. Schools or school admissions could choose to buy a service to educate a pupil away from the main school site. The service supported the students, parents and the provision. In addition SMART and Melrose also brokered Alternative Education provision. It was identified in the review that we needed to improve the quality of outcomes and the value for money of Alternative Education provision
- 2.15. Melbury College provides the leadership across partnership for all Alternative Education provision.
- 2.16. The safeguarding regulatory requirements are that the Local Authority holds a single list of all pupils on alternative provision and the hours that they attend. Melbury College holds that list and reports to Melbury Governors termly.
- 2.17. The Alternative Education Commissioner who has been appointed will work to establish the improvements in provision and provide improved value for money. This will move us from a spot purchasing model to a contracting model and enable us to work more closely with a range of providers to improve student outcomes.
- 2.18. All providers are regularly quality assured using a framework based on Ofsted criteria. This work is undertaken between Merton School Improvement Team and Melbury College. Providers are increasingly deciding to register as small independent schools which bring them under OFSTED inspection framework.
- 2.19. **Preparation for Adulthood (PFA)**
- 2.20. The Preparation for Adulthood work-stream is one of 5 strands of work in Merton planning the implementation of the Children and Families Bill and its associated regulations and new Code of Practice in Merton.
- 2.21. The Code of Practice is in draft form currently. A new version is expected to be published in June or July and we expect there to be some substantial changes and amendments which will need to be accommodated over the summer.
- 2.22. The work-stream has 5 basic strands:
- 2.23. Engaging with young people, parents/carers and other stakeholders to establish what post 16 services they require or would value.
- 2.24. Outlining joint working arrangements with organisations who may be engaged in statutory assessment and provision for the first time e.g. further education colleges, adult health and adult social care.
- 2.25. Defining pathways that will enable young people to prepare for a successful adulthood, building in the key elements of the new Code of Practice

- 2.26. Engaging with Merton's pilot project to test Merton's EHC plan layout and assessment processes as well as recommending an efficient way to transfer young people from statements or 139a learning difficulty assessments to new EHC Plans over the next 2 – 3 years. This could include testing the new pathway models and other tools.
- 2.27. Defining the content of the Local Offer for post 16 services to point families to sources of information on benefits, higher education disability advice, employment services, housing providers, voluntary sector youth services, post 16 transport and so on, along with guidance on eligibility and access criteria, where appropriate.

### **3 ALTERNATIVE OPTIONS**

NA

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. The Melbury College model involved consultation with all stakeholders and built on ideas discussed in the Alternative Education Scrutiny and the Council's Targeted Operating Model processes.
- 4.2. Extension consultation is underway and will continue as the requirements of the legal changes set out in the Children and Families Bill are implemented

### **5 TIMETABLE**

- 5.1. The Children and Families Bill and new SEN Code of Conduct are provisionally expected to become law by September 2014

### **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1. The Council has received additional Government funding to support the pilot projects and develop the capacity to meet the new legal requirements. It is not yet clear how the expected provision from 19 – 25 for some students will be funded.

### **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. RPA and the provision of education for pupils permanently excluded, ill or not in school are statutory duties on the Local Authority

### **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

EQIA COMPLETED ON MELBURY COLLEGE AND WILL BE UNDERTAKEN DURING THE CHILDREN AND FAMILIES BILL PROJECT

### **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. n/a

### **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. n/a

### **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

