

Decision Maker: Education Policy Development and Scrutiny Committee

Date: 11 September 2012

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **FURTHER REVIEW OF THE BEHAVIOUR SERVICE**

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Chief Officer: Assistant Director (Education)

Ward: Boroughwide

1. Reason for report

- 1.1 This report is an update for Members on the options for the future delivery of a local behaviour service following consultation with head teachers. The report includes for Members: a short summary of background information; consultation so far; suggested options; and recommendations for action.

2. **RECOMMENDATION(S)**

- 2.1 **That Members of the Education PDS Committee agree to further discussions between officers and head teachers to consider the future of the Bromley Behaviour Service.**

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People:
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Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Behaviour Support Services
 4. Total current budget for this head: £4,426,810
 5. Source of funding: Dedicated Schools Grant (DSG)
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Staff

1. Number of staff (current and additional): 90 FTE
 2. If from existing staff resources, number of staff hours:
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Legal

1. Legal Requirement: Statutory Requirement: Further Details
 2. Call-in: Applicable: Further Details
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

Background information

- 3.1 Bromley Behaviour Service operates within a budget of £4.4m, the funding is 100% Dedicated Schools Grant (DSG). The Appendix to this report gives further details of funding.
- 3.2 The Behaviour Service includes: the Pupil Referral Service; Respite provision; outreach behaviour support to primary and secondary schools; and provision for children and young people out of school, including home and hospital provision and provision for school-age mothers.
- 3.3 In the autumn of 2011, senior officers in the local authority met as part of the Aligning Policy Review of the Behaviour Service. Following this initial review, discussions were held with the Portfolio Holder for Education and those senior officers. Meetings also took place with officers and head teachers. While it was clear that the status quo for the provision of the Behaviour Service was not an option for the future, the findings of the Aligning Policy Review did not provide sufficient scope for the full development of an alternative service.
- 3.4 It was decided to commission a further review, to be carried out by a former head teacher who had credibility with other head teachers and with the local authority.

Scope of the Review

- 3.5 This further review focused on pupils with 'poor behaviour' and provision for those pupils who were in danger of, or had been, excluded from mainstream education.
- 3.6 The aims of the review were:
- to maintain a high quality service that meets the needs of schools and pupils;
 - to continue to develop a service that would be funded through the DSG;
 - to make proposals that would be sustainable for some years to come.
- 3.7 All options for the future were on the table in terms of organisation and governance.

Consultation

- 3.8 All 92 head teachers of schools and academies in the Borough were contacted. 55 responses were received, of which 44 were from primary schools and 11 were from secondary academies. This represented a response rate of 59 percent primary and 65 percent secondary.
- 3.9 Two targeted meetings were also held and a number of other schools within the Borough were contacted separately to follow up on specific issues raised during the consultation process.

Findings of the Review

- 3.10 The review revealed different perceptions of the Behaviour Service. Responses received from primary schools were overwhelmingly positive. The small number of primary academies that responded displayed a 50 percent split on satisfaction rates. The secondary academies showed a significant lack of satisfaction, with 9 of the 11 secondary respondents either dissatisfied or extremely dissatisfied with the service.

- 3.11 Concerns expressed about the quality of the service frequently referred to clarity, transparency, reliability and consistency. There was also some real concern expressed about the quality of respite provision as a positive educational experience for pupils. The Kingswood PRU, on the other hand, was seen to provide a good quality education for its students, far exceeding national comparators in its outcomes.

Recommendations of the Review

- 3.12 In line with the government's direction of travel, the review proposed a step-by-step approach to a service that would be run by the schools themselves, with head teachers taking responsibility and accountability for the quality and outcomes of the provision.

Next Steps

- 3.13 In the first instance, it was suggested that places at the Key Stage 3 and Key Stage 4 PRU at Kingswood should be charged to schools and that a proportion of the DSG currently retained by the local authority to support its PRU should be delegated to schools and academies in the borough.
- 3.14 However, since the findings of the Review were reported (10 February 2012), the DfE has published the new School Funding Reform Arrangements 2013-14. This includes a requirement for PRUs to have their own delegated budgets from April 2013.
- 3.15 The Review report also suggested that, in the longer term, elements of the Behaviour Service such as Respite provision and outreach behaviour support to primary and secondary schools should take the form of a not-for-profit Trust arrangement led by a Board comprising councillors, officers and head teachers. Some clarification is still needed over the details of this, including plans for home and hospital provision and provision for school-age mothers.
- 3.16 The local authority would also want to ensure that early intervention and preventative work continue to be prioritised by schools in order to limit the risk of a rise in exclusions and the future cost implications to the Council for alternative provision for these pupils.
- 3.17 Therefore, discussions would need to continue with all schools on the long term plans for the Behaviour Service and on the role of head teachers in quality assuring alternative provision for Bromley children and young people.

4. POLICY IMPLICATIONS

- 4.1 There are no immediate policy implications arising from this report.

5. PERSONNEL IMPLICATIONS

- 5.1 There are no staffing implications arising from this report at this time. Should any proposals be considered in the future that do have implications for staff, these would be the subject to consultation with staff and their representatives at the appropriate time.

6. LEGAL IMPLICATIONS

Statutory Responsibilities

- 6.1 Duty to make arrangements for the provision of suitable education at school or otherwise for each child of compulsory age who for reasons of illness, exclusion or otherwise, would not receive it unless such arrangements were made (Education Act 1996).

- 6.2 Duty for the Local Authority to provide full-time education from the sixth day of exclusion for permanently excluded pupils and for pupils who are excluded from a pupil referral unit for a fixed period of more than five days (Education Act 1996 Section 1).
- 6.3 The Education Act 2002 and 2011 prescribes duties of the local authority with regard to an exclusion from school and appeals against exclusions including receiving information from schools and establishing review panels.
- 6.4 Every school must have a behaviour policy Section 89 of the Education and Inspections Act 2006 for maintained schools and the Independent Schools Standards Regulations 2010 for Academies and Free Schools.

Non-Applicable Sections:	Financial Implications
Background Documents: (Access via Contact Officer)	Improving Alternative Provision (The Taylor Report, 2012) Ofsted Inspection Report 2011 Ofsted Inspection Report 2007