

# **Devon Personalised Learning Service Task Group – Part 1: Overview Report**

**People's Scrutiny Committee**

**19 June 2012**

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# Preface



**Councillor Sara Randall Johnson**  
**Chair, Devon Personalised Learning Service Task Group**  
**People's Scrutiny Committee**

This report is work in progress, as the Task Group wanted to enable the authority to consider these initial findings prior to next year's budget preparation in the autumn.

We would like to thank all those who have taken part for their valuable contributions. In particular, we were impressed with the work being achieved by the two DPLS centres we visited, Exeter and South and West Devon, and the passionate commitment shown by all those staff we interviewed.

Schools in Devon need to be committed to finding practical solutions and support to our most vulnerable young people. Whilst not underestimating the challenge this brings to many schools, it is important that we find and share solutions that will shift responsibilities. This will be ever more important as the educational landscape becomes more diverse.

Sara Randall Johnson  
Chairman

# Introduction

The Task Group — Councillors Sara Randall Johnson (Chair), Vanessa Newcombe, Philip Sanders, Saxon Spence, Cathy Slow (Church of England) and Liz Wilson (Primary Parent Governor) — would like to place on record its gratitude to the witnesses who contributed to the review. In submitting its recommendations, the Group has sought to ensure that its findings are supported with evidence and information to substantiate its proposals.

At its meeting on 10 January 2012, People's Scrutiny Committee agreed that a DPLS Task Group be formed. The Task Group's terms of reference were:

1. To consider the number of service users and their average length of stay.
2. To assess schools' preventative work and thresholds for exclusion.
3. To examine the planning and admission process of young people to Devon PRUs, to include the communication and information exchange between schools, parents and children.
4. To evaluate the review processes undertaken for young people in PRUs working towards their reintegration to school, and how many pupils are successfully reintegrated.
5. To make detailed recommendations to the People's Scrutiny Committee on the findings of the Task Group.

Time and resources necessitate that this review provides a snapshot approach to highlight significant issues relating to the DPLS. The list of witnesses to the review does not pretend to be exhaustive but hopes to provide insight into some of the central themes currently affecting the DPLS.

Members were mindful of the need to report back to People's Scrutiny in order that the Task Group's findings and recommendations inform the budget setting process for 2012/13.

# Recommendations

- |                         |   |
|-------------------------|---|
| <b>Recommendation 1</b> | That the County Council encourage schools to ensure early diagnosis and intervention to reduce expensive costs in the future.   |
| <b>Recommendation 2</b> | That the County Council commissioning of Local Area Bases (LABs) ensures they are fulfilling their role in helping children and young people at risk of exclusion stay in mainstream school.  |
| <b>Recommendation 3</b> | That additional support and capacity be provided to support vulnerable children including the inclusion and reintegration of excluded pupils. That there is increased investment in preventative work e.g. the development of Behaviour and Attendance Panels.  |
| <b>Recommendation 4</b> | That special school capacity in the County be increased for the rise in the number of children with statements at Key Stages 1 and 2.   |
| <b>Recommendation 5</b> | <ul style="list-style-type: none"><li>(i) That the County Council identify and promote those schools that successfully include children.</li><li>(ii) That work continues with headteacher and governor associations around exclusion thresholds, which would ensure a more targeted approach to alternative provision.</li></ul> |

# Overview of the DPLS

As of April 2012 there were 236 young people using the Devon Personalised Learning Service (DPLS) aged between 5 -16, compared with 92,000 in mainstream schools, and 800 in special schools. There are 3 DPLS centres in the County, as well as some limited satellite units. All 3 centres were inspected by Ofsted in 2010/11 and were given a satisfactory recommendation.

- North Devon at Barnstaple (58 young people)
- Central Devon at Exeter (94 young people)
- South and West Devon at Dartington (76 young people)

DPLS is non-residential, and most of the young people are also registered with a Devon school. They may attend a DPLS setting full-time, although some will spend part of their time educated elsewhere including at a mainstream school. The DPLS principally supports children of secondary phase age (there are currently 33 primary aged) but may provide facilities for older children or, where there is an identified medical need, for younger children. Those young people within the DPLS are there for a variety of different reasons.

## **Total % in the overall DPLS service for:**

### **Medical / Emotional / Physical**

Central = 25.51% / North = 19.04% / South = 35.80%

### **Exceptional Circumstances**

Central = 7.14% / North = 7.94% / South = 14.81%

### **Permanent Exclusions / Managed Transfers**

Central = 67.35% / North = 73.02% / South = 49.38%

The DPLS budget for 2012/13 is £4,277,000 (the same as the previous year). An additional £300,000 was allocated for young people with Special Educational Needs (SEN). In 2010 the DPLS was reorganised from 6 DPLS centres to the existing 3.

There are those young people who are in the DPLS as statutory provision, as part of the core offer funded entirely by the Dedicated Schools Grant, and there is another group which is part of a traded offer where schools contribute funding for personalised packages if they are at risk of exclusion, depending on the individual's needs. The traded offer has been introduced, but does not yet provide a total recovery of the costs of these young people; it is still underpinned by the Dedicated Schools Grant. The principle of money following pupils has also been agreed.

When a young person is excluded in Year 10 or 11 some remain in the DPLS for the remainder of Key Stage 4. A package will be provided for each young person to include exams, college placements, work experience etc. The DPLS is able to provide a wider range of opportunities to a young person, and more flexibility than mainstream schools. These individual programmes are expected to offer the statutory requirement of 25 hours per week to meet a very diverse set of needs and to ensure all students make significant gains. Sometimes a young person will be given one-to-one tuition/support which although expensive may be necessary and valuable to their future. The young person is always treated as an individual and they are respected for who they are, and within this framework they are able to feel safe. Often it may be the first time they have had a more individualised approach to their learning.

# Key Issues

## Bottleneck in the System

Special Heads Association of Devon (SHAD), Devon Association of Primary Headteachers (DAPH) and Devon Association of Secondary Headteachers (DASH) expressed similar concerns about the role and function of the DPLS. Frustrations were conveyed to the Task Group that the DPLS is not able to do preventative work with schools, as their capacity is taken up with children who should not be there. This is not however the fault of the DPLS, but the system within which it finds itself. The DPLS model cannot work without the resource provision to meet the young people's needs who are on the edge of the mainstream. There need to be fully functioning Local Area Bases (LABs) or something similar to act as a buffer before the DPLS. LABs are designed to help keep children and young people in the mainstream in order to filter those young people moving into the DPLS. Schools have a range of strategies to support children and young people at risk of exclusion. LABs are one of these but there is a range of other provision to support schools as well. National direction of travel is that schools will commission alternative provision and it will not be the direct responsibility of the County Council to provide that support.

The idea was that the DPLS would be a predominantly commissioning service with packages created around an individual child. DPLS is often not able to provide what it should be doing as an interim service, to stabilise a young person before they move back into the mainstream; DPLS is instead forced into becoming a permanent school placement. This is because special schools are at capacity, coupled with reluctance from some mainstream schools to take young people back, which further contribute to a bottleneck in the system. It is therefore vital that schools work in partnership with the DPLS, rather than blocking pupils returning.

## Provision for Key Stage 1 and 2

There is an increasing number of children coming into the DPLS at KS1 and KS2 but numbers are remaining low in comparison to other age groups. At the moment the DPLS has limited provision for those very young children with extremely challenging behaviour. These children need specific facilities and resourcing, and this is a problem across the County.

## Thresholds for Permanent Exclusions

The number of permanent exclusions across the County appears to be rising. There were 108 last year, and this year to April 2012 there have already been 96. A cause for concern is the rise in permanent exclusions of primary aged children.

Persistent disruptive behaviour is the main cause of exclusion. Schools will get to a stage where they feel they have exhausted all other possible strategies. However, schools, have different thresholds in terms of permanent exclusions. Some schools are working hard to be inclusive, while others are not. There are young people in the DPLS who would not be there if they had been in another school. Some schools for instance have a zero tolerance on drugs policy, while other schools will only permanently exclude for drug dealing and not possession. These thresholds are set by the headteacher and the governing body and vary across the County.

Officers reported that a considerable amount of work has been undertaken with headteachers about school's ownership of young people. This work has included DASH, DAPH and SHAD. A protocol was subsequently negotiated with secondary schools to try to keep as many of these Year 11 young people in school as possible.

Year 11 mobility and admissions data is reported back to headteacher representatives at a bi-monthly meeting.

## **Early Intervention**

Early intervention allows children the opportunity to be given the skills to cope. Older young people have much less chance of being able to get back on track; it is never too late but it is difficult for post-adolescent young people. In the best practice primary schools are alert to identifying children's needs at an early stage. Where there is less good practice children are not identified early enough as having SEN. There are primary schools who have been able to safely contain young people with SEN but may not have been able to do anything in terms of moving them on.

## **Inclusion and Reintegration Service**

The Inclusion & Reintegration Officers (IROs) provide a statutory service available to advise schools, parents and colleagues before they make a permanent exclusion and working with all partners who are involved with vulnerable young people, focussing on trying to maintain school placements. All representations to the Task Group relating to the role and function of the Inclusion and Reintegration Service flagged up the excellent work of the 2 officers concerned. Additional pressure of work means that the reduction of the 3 IROs to 2 posts needs to be reviewed and reassessed, as well as increased investment prioritised for preventative work.

## **Transport**

Transport for schools is a significant challenge in a County as large and rural as Devon. Over the last 5 years the transport budget has had to make savings of almost £5 million. The reductions in cost base do not sit easily with the development of more personalised learning, the two are diametrically opposed. Officers reported that where possible public transport is used, but where taxis are needed then Transport will look at the most cost effective way of doing this, which might involve mixed age groups (6-16 year olds) sharing. In certain parts of the County there is limited scope for Managed Moves as there are few schools to move a pupil to and so many moves involve travelling significant distances.

## **Admissions Policy**

In September 2013 a change to the School Admissions Code will mean that the County Council is no longer required to coordinate in year admissions. Parents will instead approach schools direct. Local authorities will not be able to instruct an academy to accept a pupil, which could increase the number of young people who cannot find a school place. The only recourse open to the local authority would be to request an instruction from the Secretary of State. This could result in additional pressures to the DPLS. It is going to be a difficult and challenging position for local authorities, which is why the County Council is working together with schools and academies to share responsibility for the most vulnerable young people.

## **Ofsted and the Department for Education**

There were some contributors to the review that felt Ofsted and the Department for Education (DfE) are in opposition to each other in terms of the pressures they are exerting on schools. There are schools in Devon that are highly inclusive with low levels of exclusion, but there is a perception that some schools do not think they can



meet the new standards without resorting to exclusion. Some headteachers may feel that certain young people in a class are too great a risk at causing disruption, and are therefore excluded. This is a national issue, and a massive source of frustration. There is an absence of joined up thinking from Ofsted and DfE.

## Role of the Local Authority

In the 2010 schools White Paper, The Importance of Teaching, the Government announced its commitment to ensuring that all pupils in alternative provision should receive suitable full-time education. At the time the White Paper was published, only pupils who had been excluded from school were guaranteed full-time provision, although many local authorities arranged full-time education for all pupils for whom it was suitable.

Section 3 of the Children, Schools and Families Act 2010 extends the duty in section 19 of the Education Act 1996 ("the 1996 Act"), so that local authorities are under a duty to arrange full-time education for all children who, for reasons which relate to illness, exclusion or otherwise, would not receive suitable education unless arrangements are made for them.

At the time of the White Paper, the provisions in section 3 had not been commenced. The Department has now made a Commencement Order (SI 2011, No 1100) which brought this duty into force with effect from 1 September 2011. Local authorities must now ensure that all children who fall within the scope of section 19 of the 1996 Act receive suitable full-time education unless reasons that relate to their medical condition mean that this would not be in their best interests.

Even with the increasing number of academies there is still an important role for the local authority to provide in terms of moral leadership on school exclusions. However schools must recognise their own responsibilities for those excluded and at risk young people.

Councillors Sara Randall Johnson (Chair)  
 Vanessa Newcombe  
 Philip Sanders  
 Saxon Spence  
 Cathy Slow (Church of England)  
 Liz Wilson (Primary Parent Governor)

Electoral Divisions: All

<b>Local Government Act 1972 List of Background Papers</b>		
Report originated by:	Dan Looker	
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Background Paper	Date	File Reference
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## Appendix 1:

### Case Histories

#### Case History 1 – Hollie\*

There had been lots of problems at school initially with Hollie being bullied, and as a consequence she became very disruptive in class. There was discussion about Hollie being permanently excluded, so she was given a managed move to the DPLS. Hollie changed almost overnight as soon as she started with the DPLS, her anger issues disappeared, and she is now blossoming. Staff have worked brilliantly with Hollie. She now cares about what she is doing and knows what she wants to achieve. Hollie wants to go on into FE to do hairdressing. Hollie's parents felt extremely let down by the system and their daughter's secondary school. The DPLS however has been so good that they know other parents who want their children to also attend the unit.

#### Case History 2 – Sally\*

Sally was moved to her current foster care placement so she could attend the DPLS. Sally has had a very difficult life, which has included a period living on the streets. She initially did not want to move from home and found it difficult to settle. Everything now however has stabilised, and Sally is doing so well. Sally has 86% attendance, is sitting her GCSEs and wants to move into FE with the ambition of becoming a Child Protection Officer with the Police.

#### Case History 3 – Ben\*

Ben has ADHD, dyslexia and Asperger's tendencies. Major problems with Ben started to surface from the age of about 7 when he stopped sleeping well and he shut down to learning. Ben's primary school was brilliant and they tried everything to include him.

Ben's mother felt that Ben was set up to fail when he went from his primary to secondary school, and felt school staff would have known that. Emily advised the she was a Traveller and therefore would spend 4/6 months of the year travelling. Much was blamed on the family's travelling and Emily's refusal to give Ben specific medication. Emily wanted Ben to have the tools to manage his life without a reliance on medication. Emily did not feel at all supported by the secondary school, and after 6 months Ben was permanently excluded for violence. It was upon being permanently excluded that Ben received the support he really needed.

Ben's permanent exclusion changed the family's lives. Since September 2011 Ben has been thriving in the DPLS, as this helped with his issues of socialisation and large groups. Ben has stopped running away, or feeling angry or violent. Ben's reading and writing is improving massively, as his general confidence. He now wants to go to school. He gets a 15 minute taxi ride to the school and this works well. The staff are excellent, and there is a continuity in terms of who Ben can trust. Emily works very closely with the DPLS to try to keep Ben on track.

Ben loves animals and outdoor pursuits, with his courses tailored in such a way as to meet his needs. Ben's Educational Psychologist and other professionals agree that his current placement is working well. Emily feels it is such a shame that her family has had to go to such depths of despair to get the help and support they needed. Emily has stopped travelling for now, as Ben is doing so well with the DPLS she does not want to disrupt this. Emily just wants to maintain the status quo now in terms of Ben's support and provision

\*Names have been changed

## Appendix 2:

### Task Group Activities

- A2.1 The first meeting of the Task Group took place on **18 April 2012**. Members met with the Strategic Lead for the Educational Achievement of Children In Care, People; Inclusion & Reintegration Officers, People. The Task Group then undertook a Site Visit to Central DPLS, where they met with staff, young people, parents and carers.
- A2.2 On **25 April 2012** Members attended the South Devon Headteachers Panel at South Dartmoor Community College, Ashburton. Members then visited the South & West DPLS, Dartington and met with staff, young people, parents and carers.
- A2.3 On **29 May 2012** the Task Group met with the Central Chair, Devon Association of Secondary Headteachers (DASH); Schools Access Services Manager, People; Special Heads Association of Devon (SHAD) representative / Principal, Marland School and the Strategic Lead for the Educational Achievement of Children In Care, People.
- A2.4 On **7 June 2012** the Task Group met to discuss its draft findings and recommendations.

## Appendix 3:

## Contributors / Representations to the Review

Witnesses to the review (in the order that they appeared before the Task Group)

<b>Witness</b>	<b>Position</b>	<b>Organisation</b>
Deborah Booth	Strategic Lead for the Educational Achievement of Children In Care, People	Devon County Council (DCC)
David Archer	Inclusion & Reintegration Officer, People	DCC
Marc Kastner	Inclusion & Reintegration Officer, People	DCC
Nigel Way	Headteacher	Central DPLS
Selection of staff		Central DPLS
3 parent carers		Central DPLS
5 young people		Central DPLS
Sarah Acland	Headteacher	South & West DPLS
Selection of staff		South & West DPLS
1 parent		South & West DPLS
4 young people		South & West DPLS
Andrew Lovett	Central Chair/ Principal	Devon Association of Secondary Headteachers (DASH) / Tiverton High School
Lisa Boon	Schools Access Services Manager, People	Devon County Council (DCC)
Keith Bennett	Principal	Special Heads Association of Devon (SHAD) / Marland School
Martyn Boxall (written representation)	Vice Chair /Headteacher	Devon Association of Primary Headteachers (DAPH) / Montgomery Primary School, Exeter

## Appendix 4:

## **Bibliography**

- Devon Personalised Learning Service (DPLS) Admissions Policy 2011/12 and 2012/13, DCC
- Report on exclusions from Devon Schools and Academies: Academic Year 2010-2011, Inclusion & Reintegration Team, DCC 2012
- Improving Alternative Provision, Charlie Taylor The Government's Expert Adviser on Behaviour, Department for Education, 2012
- "They never give up on you", Office of the Children's Commissioner School Exclusions Inquiry, 2012