

Challenging and Vulnerable Children Sub Committee

Wednesday, 16th February, 2011

PRESENT: Councillor Mrs S Knights in the Chair

Mr P Forbes, Ms A Moorehouse,
Ms S Norfolk

In Attendance:

Mrs R Phillips – Education Leeds
Miss J Andrew – Education Leeds
Mrs A Oldroyd – Legal Services
Mr J Grieve – Governance Services

39 CHAIR'S OPENING REMARKS

The Chair welcomed everyone in attendance and extended a special welcome to Sally Norfolk representing the Leeds Primary Care Trust who was attending her first meeting of the Sub Committee

40 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr J Daulby, Mr R Hamilton and Councillor P Gruen

41 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on 2nd November 2010 were submitted for comment and approval

RESOLVED – That the minutes of the meeting held on 2nd November 2010 be accepted as a true and correct record

42 MATTERS ARISING FROM THE MINUTES

There were no issues raised under Matters Arising from the Minutes

43 UPDATE ON FAIR ACCESS PROTOCOLS

The Sub Committee considered a report by the Director of Children's Services which provided an update on the operation of the Fair Access Panels and the admission of children during the academic year 2010/11

Addressing the report Mrs R Phillips, Fair Access Manager, Education Leeds reported that the operation of Fair Access Panels was working well, Secondary Panels continued to sit on a monthly basis to consider parental preferences. There had not been any directions to schools so far this academic year and all young

people who had been discussed at Panel, who did not have a school place, had been offered one.

Commenting on Fair Access Panels for Primary schools, Mrs Phillips said the Panels continued to sit as and when required. Occasionally the Fair Access Officer was called upon to procure resolution without a Panel. However, it was important for the cluster to meet to find the most appropriate placement for a young person.

Schools continue to develop stronger relationships both within and outside of their own Wedges. This had enabled more schools to offer 'managed moves' for young people, for a variety of reasons who may benefit from a 'fresh start' or because they believed that a change of school was the answer to an issue they were experiencing.

Commenting on the Fair Access process overall, Mrs Phillips suggested that there could be many changes that may effect how Fair Access Panels work or are funded in the future. Firstly, the Education Bill which proposes that Behaviour and Attendance Partnerships are no longer statutory. In Leeds these partnerships are enshrined within the Area Inclusion Partnership (AIP) and it remains to be seen how this will affect the AIP's and their current funding stream. This funding stream is used by the Fair Access Panels to support the inclusion of young people into educational provision, for many this means costly alternative provision.

Another major change that may impact on the Panels is the inclusion of Education Leeds into Children's Services and the proposed changes to increase locality working from a five wedge model to a three wedge model . Whilst it is not envisaged that this will have any immediate impact officers will continue to reflect and work with each Panel and consult on any changes that they may feel are appropriate and of benefit to the process.

Finally, the Government are currently reviewing the School Admissions Code and it is possible that this may also impact on the Fair Access Protocols and possibly the Fair Access Panels but this remains to be seen.

RESOLVED – That the update on the Fair Access Protocols be noted

44 ADMISSIONS OF "HOMELESS" CHILDREN

The Sub Committee considered a report by the Director of Children's Services which set out the admission arrangements of "homeless" children.

Addressing the report Mrs Phillips, referring to the School Admissions Code 2008, said the Code lists the compulsory categories that the Local Authority must include in their agreed Protocol. One of these categories was 'Homeless children'. The Code does not give any guidance as to who may qualify under this category or what they judge 'homeless' to mean, therefore it was difficult to define when a young person may be 'homeless' and it was rare to have a family who were living on the streets applying for a school place.

Referring to how Leeds apply the homeless category, Mrs Phillips said the category had been broadened to Children in Vulnerable Accommodation or Homeless. This

ensures that a wider range of vulnerable children and their families were included within the Fair Access Protocols.

The category includes but is not limited to those families who were facing eviction, have been placed in a safe house are fleeing domestic violence or living in a hostel. It was important that each case was assessed individually as there were many ways in which a family or young person may be categorised as living in vulnerable accommodation or as homeless.

On the issue of school places Mrs Phillips said the offering of a school place for children under this category could be complex. In many instances a family would be living temporarily in one area of the City whilst preferencing schools in other areas of the City due to their belief that they may move there permanently. Families could be resident in temporary accommodation of this type for varying lengths of time from a few weeks to over 6 months. Within the Protocols the Wedge that contains the young person's nearest school was responsible for offering a school place if parental preference was not met.

Once a family has moved into permanent accommodation or know where their permanent accommodation will be then a new application under the same category with the parents new preferences could be considered.

There had been cases where a change of school had been almost seamless as the first school would have the opportunity to obtain all the relevant background and assess levels and in many cases attendance had improved so the second school had a clearer picture of the young person and their background. There had also been cases where a change of school had not been required for 6 -12 months and to have expected a young person to commute across the City to a school which may have been parental preference and a drain on financial resources would not have been in the young person or the family's best interest. There had also been cases where a change of school had not been necessary as the family had settled in the local area, allowing for continuity for the young person as well as the family.

In 2009/10 there were 19 young people who were placed under this category, 8 secondary (East 2, North East 3, North West 3) and 11 primary (South 1, East 2, North West 4, West 4)

In passing comment the Chair said that it was often the case that asylum seekers were placed in accommodation for short periods of time

RESOLVED – That the contents of the report be noted

45 ADMISSION OF CHILDREN WITH A FORM OF CHALLENGING BEHAVIOUR

The Sub Committee considered a report by the Director of Children's Services which set out the admission arrangements of children with a form of challenging behaviour.

Addressing the report Mrs Phillips said that this particular category was the most difficult category of children to place. However the School Admissions Code 2008

does list the compulsory categories that the Local Authority must include in their agreed Protocol as a minimum.

In the Leeds Fair Access Protocol a category of 'children whose behaviour was causing concern or who were at risk of permanent exclusion' had been included. This ensured that a wider range of vulnerable children and their families were included within the Fair Access Protocols and that the main objectives of the Fair Access Protocols as laid down in the Code, were fulfilled:-

Fair Access Protocols exist to ensure that access to education was secured quickly for children who had no school place at a mainstream school or alternative provision was appropriate, and to ensure that all schools in an area admit their fair share of children with challenging behaviour, including children excluded from other schools.

Mrs Phillips said the Code does not include a specific category around challenging behaviour but there were several categories that include a behaviour element within them, such as children withdrawn from school by their parents following fixed term exclusions, in limited circumstances, where challenging behaviour is exhibited and guidelines that should be followed when considering the admission of children with challenging behaviour.

Schools have different thresholds of what they consider to be challenging behaviour and different behaviour policies and systems to respond to those behaviours. It was very important that officers consider the information and data behind each case to decide if an admission or refusal was appropriate and whether behaviour was challenging or a cause for concern.

As many schools also have alternative options to permanent and fixed term exclusions it was important to understand when a case fits the criteria without the usual indicators that you might be expected.

By identifying behaviour issues of all levels helps new schools to put into place practices and plans to help support a student before those behaviours are witnessed in their new environment for example, Individual Behaviour Plans, personalised timetables, alternative provision.

Referring to the Admission Code Mrs Phillips said that in section 3.41 of the code it specifies that Local Authorities must ensure that schools for which they are the admissions authority are not asked to take a greater proportion of children with challenging behaviour than other schools in the area. By including the category in its current form within the Leeds protocol the Local Authority can ensure that this is true across all types of school.

In 2009/10 there were 63 young people who were categorised as behaviour causing concern or at risk of permanent exclusion. Of the 63 cases 40 were secondary (South 12, East 9, North East 8, North West 7, West 4) and 23 were primary (South 4, East 12, North East 2, North West 2 and West 3)

In summary Mrs Phillips said that it should be remembered that young people often fulfil more than one category but are only recorded under one, therefore there will be

young people who are accounted for under a different category but who would also fit other categories.

In seeking clarification Mr Forbes asked if using data obtained from the records of children with challenging behaviour, could an analysis be prepared on the potential impact on communities and how Council Services could be delivered to those communities?

In responding the Secretary to the Sub Committee said that the scope of such an investigation was not within the remit of the Challenging and Vulnerable Children's Sub Committee

RESOLVED – That the contents of the report be noted

46 FORWARD WORK PROGRAMME

Members received and considered the Sub Committee's Work Programme for the period 2011/ 12

RESOLVED –

- (i) To note the scheduled Work Programme for 2011/12
- (ii) To update the Work Programme to reflect the decision's made at today's meeting

47 DATE AND TIME OF NEXT MEETING

RESOLVED – That the next meeting of the Sub Committee be arranged for Tuesday 24th May 2011 at 4.00pm in the Civic Hall, Leeds