

EDUCATION INCLUSION SCRUTINY INQUIRY PANEL

Date: 16 February 2015

Time: 10.30am (pre meeting for Panel members at 10.00am)

Venue: Meeting Room 3 (2.2.7) Civic Centre

Members of the Panel:

Cheryl Philpott (Convener)	Wendy Fitzgerald
Fiona Gordon	Linda Tyler-Lloyd
Nick Davies	Sarah Joiner (Co-optee)
Hazel Morris	Dave Anderson-Thomas (Co-optee)
Ceinwen Thomas	

Copy of Agendas for information to:

Sharon Davies – Access to Learning Manager
Chris Sivers – Director, People

AGENDA Education Inclusion Inquiry Panel

No.	Item
1.	The Conveners letter and notes from last meeting on 23 October 2014
2.	Independent Review of Education Other Than at School Service (Sharon Davies and Vaughan Clark) a EOTAS Consultation outcomes b EOTAS Restructure proposals (<i>slides</i>) c Full original review report
3.	Next Steps a. The Panel to discuss and make views/comments which will be incorporated in a Conveners letter to the Cabinet Member b. The Panel also to discuss i. Whether the session has covered all the issues you have about the service and that no further work needs to be done by the inquiry panel? <u>or</u> ii. What further scrutiny activity is necessary? Possible options may include for example: ongoing monitoring by the by the schools performance panel or work into an aspect of the service that you feel has not been adequately covered by the external review. (<i>The recommendations for further work will then be reported to the scrutiny programme committee for agreement</i>).

Contact: Michelle Roberts, Scrutiny Officer
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CITY AND COUNTY OF SWANSEA
DINAS A SIR ABERTAWE

To:
Jennifer Raynor
Cabinet Member for Education

Please ask for:
Gofynnwch am:

Michelle Roberts

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Date
Dyddiad:

7 November 2014

Dear Cllr Raynor

Education Inclusion Scrutiny Inquiry Panel 23 October 2014

The Panel met on the 23 October 2014 to look at the Independent Education Consultant report into provision for pupils educated otherwise than at school (EOTAS) in Swansea. Arwyn Thomas and Sharon Davies provided us with a presentation giving a summary of the report and addressed some of the questions we had about the service.

Please find attached a summary of the issues raised and we ask that they are considered when discussing the next steps and when putting together the action plan that will take this service forward.

We will look to arranging a further meeting of the Panel once the Action Plan is available.

Yours sincerely

Cheryl Philpott
Convener of Education Inclusion Scrutiny Inquiry Panel
Cheryl.philpott@swansea.gov.uk

Education Inclusion Scrutiny Inquiry Panel on 23 October 2014

Feedback on EOTAS Independent Report

Purpose of this report

This report gives feedback resulting from discussion had by the Education Inclusion Scrutiny Panel on the Independent Education Consultant Report on the provision for pupils educated other than at school (EOTAS) in the City and County of Swansea which took place on the 23 October.

Action required

The Panel request that the issues contained in this report are considered when developing the action plan for this service.

Panel Membership

Cheryl Philpott (CONVENER)

Nick Davies

Fiona Gordon

Wendy Fitzgerald

Hazel Morris

Ceinwen Thomas

Linda Tyler-Lloyd

David Anderson-Thomas, Parent Governor

Sarah Joiner, Parent Governor

1. Why this topic was chosen for scrutiny?

- We must ensure that we help every child meet their full potential by ensuring that every child can access effective education whilst they are unable to attend school.
- Legislation in the UK prohibits discrimination in education and supports inclusive education. The UK also has obligations under international human rights law to provide inclusive education for all children.
- The need for equality of opportunity and the right of children and young people to receive high quality education, no matter where that education may be delivered – as set out in the United Nations Convention on the Rights of the Child (Article 28) which has been fully adopted by the Welsh Government.
- Young people receiving education outside school are one of the categories most at risk of becoming not in education, employment or training (NEET).
- Recommendation arising from recent Estyn Inspection *‘improve the quality of provision for those pupils who are educated other than at school, particularly to raise standards of achievement and to assist reintegration back into schools’*.

2. The Feedback from the Scrutiny Panel arising from the meeting on 23 October 2014

The Panel have a number of questions and issues they would like to feed into the consultation exercise and for consideration when developing the action plan. These are:

1. The Panel agreed that the first and key question when considering this report and the resulting action plan should be whether it will make a positive difference to vulnerable children and young people and their families...are we putting the vulnerable children and young people first?
2. We must also consider how it will impact on the Councils wider poverty reduction strategy?
3. Home Tuition Services proved to be effective and highly regarded and we must ensure that we do not lose those good aspects when reconfiguring services. Assurances need to be made that Higher Level Teaching Assistants and Teaching Assistants will work alongside qualified teachers to enhance the learning environment and not replace qualified teaching staff. We also agree that there does need to be a clear definition about who is to be home tutored.
4. We must consider EOTAS as part of the whole education service and not in isolation this service is an important part of the jigsaw.
5. We must help develop the capacity of schools to manage behaviour issues better. Consistency in the use of initiatives that work like restorative practice is needed. Schools may not have enough money in their budget to do this individually and more collaboration across schools will be required.
6. We are concerned that all schools are not working to the concept of the revolving door in relation to children using the EOTAS service? Particularly at Key Stage 3 it must be the aim for pupils to return to school, a debate needs to be had with schools about ensuring this is the case.
7. We need to look at why some schools are using the service much more than others and the capacity to deal with behaviour issues in the originating schools.
8. We must ensure school curriculums are suitable for 100% of pupils not just 98%.
9. It will be even more important when more behaviourally challenged pupils are in mainstream education that the Pupil Deprivation Grant allocated to each school is clearly spent on vulnerable children and not on other things. This must be evidenced.
10. The development of more school nurture provision will be important.
11. The education improvement service must challenge and support and advise schools in dealing with behaviour helping ensure that we have a consistent approach to this across the City and County.
12. All schools must become ASD (eg. Autism and other Spectrum Disorders) friendly. Schools must be able to work with the wide spectrum of this condition.
13. Something must be done to address the lack of outdoor space at 'Step Ahead'. Further discussion with Gors Primary about use of the green areas around the centre is needed. Step Ahead as a facility is a single skinned building and the toilet facilities are not adequate. This must be addressed or the centre relocated to more suitable accommodation.
14. Working with parents will be important for successfully returning children to mainstream. It is important to try to ensure that parents are supporting and working with teachers to improve behaviour.

15. When it is necessary to manage the move of a child to a different school which is not elected by the parents consideration should be given to providing funding for the transportation for that child to attend.
16. Training for all school staff in dealing with behaviour issues which should include how to identify issues early on and finding the support available to address the issue/s.
17. We must work with teacher training colleges locally to ensure that the teacher training reflects the needs of schools and children and young people. Particularly in relation to wellbeing, special education needs and challenging behaviour (for example are restorative practice methods being taught?)
18. The Panel wish to highlight the issues around the vulnerable children who use EOTAS and their support into and at post 16 education. The Panel believe that support is often required to assist them to access and importantly stay in further education. There is no reference in the review to 'post 16' education or support. The Panel recognise that the legal obligation is to educate until age 16 but given the council policy in respect of poverty and children's attainment we felt that we should be investing to protect the considerable financial investment that has been made in educating the EOTAS cohort of children to ensure that they do not become NEETs by ensuring that we support independence and their transition.
19. The Panel also had concerns around safeguarding and elective home education. It was felt that the independent review did not adequately look at the issues arising from 'elective home education'. Members recognise that the legislation is very weak in this matter and that because of this we are not always informed if a child is being home schooled (or in fact whether these children have contact with any professionals or are seen by others on a regular basis). We would encourage Cabinet members and officers within the education department to look to use any opportunity that may arise to make representations to Welsh Government to strengthen the legislation in this area.

3. Further issues for consideration as identified by individual panel members

1. Are there pupils in EOTAS provision who are not counted as excluded pupils for statistical purposes?
2. Not addressing the full extent of pupils' special educational needs within mainstream schools at the early stages of the graduated response maybe a significant contributory factor in EOTAS placements. How should this be addressed? It is increasingly difficult to meet the SE needs of individual pupils due to budget cuts etc.
3. The budget for severe and complex needs was delegated... with the aim of enabling schools to meet the needs of more pupils at school action plus, and thereby reducing the demand for statements." My understanding is that the formula used in delegating this budget was flawed, as the size of the school was part of the formula. Thus a small school with a high number of SEN pupils, will lose out.
4. Agree with the review panel that the Chair of the EOTAS Management Committee should be an independent position in the future.

5. Where a pupil is on role at a school where they have never attended and are never likely to: "the legal advice is that these pupils should be singly registered with EOTAS". This advice should be followed and communicated to schools.
 6. "Tuition within Pathways is now delivered in small groups in central locations, instead of 1:1, and at home. This reduces the costs and time associated with travelling and makes more efficient use of the available teaching hours". How will pupil outcomes been affected by this? This development needs to be closely monitored.
 7. "The majority of mainstream schools have little of no involvement with pupils on Pathways, which in turn raises issues about whether they are fulfilling their legal responsibilities towards dual registered pupils". How could this be improved? On the other hand, would it be simpler for all EOTAS pupils to be singly registered - or would this contravene statutory legislation?
 8. "Encourage mainstream schools to replicate the Pathways model in order to widen their 14+ curriculum". How would this be funded?
 9. Brondeg House as a building is not fit for purpose.
 10. Can scrutiny see the consultation responses from all relevant parties?
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EOTAS Consultation

A Proposal to reduce places and reconfigure EOTAS Provision in Swansea for implementation in September 2015

Background

This proposal is part of a wider One Education Budget strategy to secure an effective and efficient Education Service whilst meeting the financial challenges within the Council.

The proposal has two key strands as outlined below:

1. The overall structure of the reconfigured EOTAS provision

Arfryn Education Centre will be retained but will amalgamate with Step Ahead under a new Head of Centre who will also have responsibility for the overall management of the Home Tuition Service

Key Stage 4 Education Centre will close and young people with Social, Emotional and Behavioural Difficulties at Key Stage 4 will have their needs met through EOTAS Pathways

Other efficiency savings across the PRU portfolio will be achieved

The EOTAS review recommended:

- Combining Step Ahead, Teenage Learning Centre (TLC) and the Home Tuition teams as an integrated provision for pupils with medical and/health needs and for young mothers
- Closing the primary provision at Arfryn PRU and developing specialist support and nurture provision for pupils in Foundation Phase, Key Stage 2 in mainstream schools
- Either closing or restructuring Arfryn Key Stage 3 PRU provision and developing specialist support and provision for pupils in mainstream schools
- Closing Key Stage 4 Education Centre and offering all Key Stage 4 SEBD provision through an extended Pathways model

Having considered the feedback from staff, officer views and some limited feedback from schools following informal consultation the Local Authority view is to:

1. Retain the provision in Arfryn as it currently stands whilst ensuring that there is effective reintegration from the centre into mainstream schools
2. Combine Step Ahead, TLC and Home Tuition as recommended in the review, with TLC pupils being educated with the Step Ahead group
3. Take the amalgamation further than the review considered by amalgamating Arfryn with Step Ahead under a new Head of Centre
4. Close Key Stage 4 Education Centre and make provision for Key Stage 4 SEBD pupils through EOTAS Pathways as recommended in the review
5. Keep the number of planned places in the PRU under review as schools will be expected to make provision for pupils with SEBD, reducing wherever possible referrals to EOTAS
6. Make efficiency savings where possible and appropriate.

The structural changes ensure the constituencies of need at Foundation Phase, Key Stage 2, Key Stage 3 and Key Stage 4 continue to be met in support of pupils and schools but the new structure is more cost effective and coherent.

HR Implications of the structural changes

Amalgamation of Step Ahead TLC and Arfryn

On the basis that:

- TLC pupils will have their needs met on the Step Ahead site
- The Step Ahead site provides for a maximum of 28 pupils
- There are currently Heads of Centre (HOC) on both the Arfryn and Step Ahead sites and the existing HOC for Step Ahead is acting HOC for Key Stage 4

The proposed changes will result in:

1. a competitive process for HOC in the newly amalgamated centre
2. retention of Deputy HOCs at
 - Arfryn Foundation Phase and Key Stage 2 (current vacancy)
 - Arfryn Key Stage 3
 - Step Ahead
3. No additional staff needed to allow for the TLC to be assimilated within Step Ahead's existing planned places
4. Retention of existing teacher structures Step Ahead
5. Retention of the teacher structures in Arfryn with efficiencies made in relation to support staff
6. Admin support in Arfryn and Step Ahead will remain with the current admin vacancy allowing for redeployment from Key Stage 4 Education Centre

Closure of Key Stage 4 Education Centre

On the basis that:

- There is an existing vacancy for HOC at Key Stage 4
- There are some vacancies in Arfryn and EOTAS Pathways

These proposals potentially result in:

1. Admin support currently in Key Stage 4 Education Centre being redeployed into the vacant admin post in Arfryn
2. The Deputy Head of Centre and 3.2 FTE Teaching posts being subject to redeployment/potential redundancy from Key Stage 4 Education Centre
3. 6.4 FTE Teaching Assistant posts being subject to redeployment/potential redundancy
(1 at Level 4 and 5.4 [at Level 3](#))
4. All Key Stage 4 Education Centre teaching and support staff being Offered early retirement or voluntary redundancy in order to reduce need for compulsory redundancy
5. Staff being potentially redeployed to existing vacancies in Arfryn and Pathways alongside any staff redeployment necessary as a result of the Home Tuition model change in Proposal 2

Efficiency savings

On the basis that there are currently 3 officers involved in managing exams in Step Ahead , Key Stage 4 Education Centre and Pathways

- 1 This rationalisation proposes the loss of an exams officer post across the PRU portfolio
- 2 3.5 L3 TA posts in Arfryn will be lost to bring staffing in line with other centres

Financial Implications of the restructure

Amalgamation of Step Ahead and Arfryn, Closure of KS4EC and additional efficiency savings

	Full year effect £
Current budget for	
Arfryn (59 planned places)	877,700
Step Ahead (28 planned places)	426,900
KS4 Education Centre (29 KS4 and 7 TLC planned places)	528,900
EOTAS Pathways (caseload up to 100)	1,099,200
Home Tuition	405,100
Total	3,337,800
Projected budget for the new structure	
Arfryn (59 pp)	844,792
Step Ahead (28 pp assimilating TLC)	393,992
EOTAS Pathways (caseload up to 100)	1,099,200
Home Tuition	258,942
Duties transferred to other services (see 2 below)	91,058
Total	2,687,984
Loss of Exams officer across the PRU	20,607
Total efficiency savings	670,423

Notes

Savings arise from

- *reduction of HOC costs resulting from the amalgamation of Arfryn and Step Ahead (although these may not be fully realised if salary protection is necessary)*
- *KS4 budget saving*
- *Removal of Exams officer role*

These changes reduce the overall numbers in EOTAS by 36

Some of these savings will need to be retained to enable a training budget and minor role changes within the new structure in the interests of service improvements as outlined in the review recommendations.

2. Revised service delivery of Home Tuition

The EOTAS review has recommended Home Tuition becoming part of the Step Ahead structure with a change to the model of service delivery suggesting the use of Higher Level Teaching Assistants as part of the new model.

The model suggested in this proposal *does not* include use of Higher Level Teaching Assistants but retains the teacher led model as is currently in place.

The new model seeks to address the significant overspend in the current service and addresses peaks and troughs of demand throughout the year; (generally July and September are very quiet and from October onwards there is a gradual increase usually culminating in very busy months from April to June). The proposal is that:

- The Home Tuition Service remains teacher led
- The Home Tuition Service will only cover statutory duties providing for young people with medical needs (as authorised by the community paediatrician), those awaiting SEN placements and those new to county, awaiting mainstream placements and the small number of pupils where the Local Authority must exercise its duty to provide education.
- Home Tuition will no longer provide for the following pupils
 - those who have ongoing CAMHS issues,
 - those who are awaiting placement in PRUs or Step Ahead
 - those for whom EOTAS panel requires more information.
- 4.1 FTE teaching posts within Home Tuition would remain allowing a core team at low demand points in the year to undertake home tuition duties and monitoring Elective Home Education cases. Relief teachers will be used to meet additional demand at peak times.
- Some duties formerly undertaken by the Home Tuition Service will be transferred to other teams as follows
 - CAMHS and those awaiting placement for Step Ahead will be transferred to Step Ahead.
 - Excluded pupils where further information is required to determine the need for PRU placement will be assessed by the Behaviour Support Team.
- 1 FTE Teaching post will be created within the Behaviour Support Team to enable them to provide information re. excluded pupils and for the team to support re-integration from PRUs.
- Home Tuition will no longer staff the 'groups' at Trehafod and will not support individual pupils within schools; but a 0.5 FTE teaching post within Step Ahead will be created.
- A Full time Higher Level Teaching Assistant post within Step Ahead will be created.
- The Home Tuition Team will continue to work with pupils to enable the Local Authority to exercise its statutory duties to provide education.

HR implications

1. Current team of 13.78 FTE will be reduced to 4.1 FTE teaching posts in home tuition.
2. 1.5 FTE teaching posts will be created in other services as outlined in proposal.
3. 1.44 teaching assistant posts will be subject to redeployment or redundancy
4. Overall 8.18 posts (including manager post) will be subject to redeployment or redundancy.

5. All current staff will be considered for slotting and matching in the new service
6. Any post holders unsuccessful in the slotting and matching process will be able to apply for any vacant or newly created posts in the new EOTAS structure.

Financial Implications

Current budget for the Home Tuition Team

1	Employees including teachers and manager	£481,800*
2	Transport – car allowances	£15,500
3	Supplies and services	£7,500
	Total expenditure	£504,800
	Less internal credits	-£99,700
	Total Budget	£405,100

* this budget is projected to overspend by approximately £200K

Budget - Revised Service Delivery for Home Tuition

1	4.1 x Teachers on UPS3 (Home Tuition)	£189,498
2	TLR 2A	£2,567
3	Fund for casual teachers during peak months	£76,762
4	Estimated Car allowances	£15,000
5	Amount available for Admin on 42 week contract	£22,615
6	Estimated Capitation	£7,500
	Total Expenditure	£313,942
	Less Income from Schools Recharges	-£55,000
	Budget Required	£258,942

Notes;

- Assume teachers are paid on UPS3 (£37,124 plus 24.5% oncosts = **£46,219**)
- HLTA's are based on SCP20 (£18638 + 1% pay award in 2014-15 = £18,824 x 0.888 (39 weeks) =£16,716 plus 30% on costs =**£21,731**
- TLR 2A =**£2,567**

Budget for duties transferred to other services

	1 teacher on UPS3 (BST)	£46,219
-	1 x Higher Level TA (Stepahead)	£21,731
	0.5 FTE Teacher on UPS3 (Stepahead)	£23,108
	Totals	£91,058

The cost therefore of this proposal is:

£258,942 for the new home tuition service

£91,058 for costs of duties transferred to other services

Total cost of the proposal =**£350,000**

Summary of the potential HR impact of the full proposal

Taking into account all elements of the restructure proposal the potential for redeployment or redundancy is as follows.

Note the Service has held vacancies over the last year in order to reduce the need for compulsory redundancies through this process

Roles	Numbers
Senior Leaders	1.2x HOC Step Ahead/Arfryn amalgamation 1. Deputy HOC KS4 Home Tuition Manager
Teachers	215.58 Fte (HT and KS4)
L4 TAs	31 at KS4
L3TAs	410.34 KS4, Arfryn,HT
Admin	51 at KS4
Other	1 Exam Officer, Pathways

1. Some potential for reducing this impact
2. This can be reduced to 7.58 posts by deployment into new posts in HT, other services and existing vacancies (8.0).
3. L4 post in KS4 could consider redeployment into created post in Step Ahead
4. Could be reduced by current vacancies to 7.74.
5. Admin post in KS4 but vacant admin post in Arfryn available.

In relation to the above, the figures could alter if ER/VR/bumped redundancy is considered.

The informal Consultation

In October 2014 staff were consulted regarding the EOTAS review recommendations and given the opportunity to respond to these. (These comments are available on request)

The Local Authority considered the views expressed and formulated the final proposal as outlined above having taken these into consideration. With regard to the substantive structural matters in Recommendation 2 of the EOTAS review the following table shows the impact of the views expressed on the proposals being put forward in the formal consultation process.

Review Recommendation 2	Informal consultation comments	Formal proposals
Combining Step Ahead, TLC and Home Tuition	No substantive comments on these Issues	Step Ahead, TLC and HT will combine
Closing Primary provision in Arfryn	Schools and PRU support for maintenance of PRU at FP, KS1 and KS2	Primary Arfryn retained but proposed amalgamation with Step Ahead under same HOC
Closing or restructuring KS3 Arfryn and developing specialist support in mainstream schools	PRU support for maintenance of KS3 Concerns from Secondary Head Teachers if no PRU available and no new resources in schools to meet needs	Secondary Arfryn retained but amalgamate with Step Ahead and some efficiencies under same HOC.

Closing KS4 and offering all KS4 SEBD through an extended Pathways model	KS4 staff offered alternative model, incorporating KS4 and Pathways. Concerns from Secondary HTs if no PRU available and no new resources in schools to meet needs	KS4 proposed closure and all SEBD at KS4 educated through Pathways.
Home Tuition	Value to HLTAs but HT needs to be teacher led	HT under newly amalgamated Step Ahead and Arfryn but remains teacher led

The Formal Consultation process

Due to the proposals affecting more than 20 employees the Council has a statutory duty under Section 188 (1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended) to consult with TUs to seek to avoid the need for redundancies, to consider alternatives and to seek to reach agreement on the selection process for redundancies.

Formal consultation with Staff, Unions, Schools and Parents/Carers will begin on February 2nd and end on 19th March (45 days)

Following this a decision will be made as to the structure of EOTAS taking into consideration the responses made during the consultation.

Moving forward

Following consultation feedback regarding any alternative proposals or suggestions made will be given collectively to both staff and Trade Unions.

Following consultation if the proposed structure is accepted for implementation in whole or in part then a matching and slotting exercise will be undertaken. Where more than one individual is considered a match to any post on the new structure an agreed selection criteria will be applied. The following selection criteria may be proposed and considered:

- Skills Audit
- Competitive Interviews
- Absence

If individuals are displaced as a result of the above, they will be subject to the Authority's Redeployment & Redundancy Policy.

The new structure will be in place for the beginning of the new academic year 15 - 16

APPENDIX 1
EOTAS Structure as of January 2015

Access to Learning Manager				
Arfryn Education Centre	Step-Ahead Education Centre	Home Tuition Service	EOTAS Pathways	Key Stage 4 Education Centre Including TLC
SEBD FP KS1,2,3	Anxiety, Mental Health, KS3,4	Medical etc	SEBD KS4	SEBD KS4
HOC Leigh Worth	HOC Simon Evans	Manager Susie Johnston	Manager Sara Faye	Acting HOC Simon Evans
2 x Deputy HOCs 6 x Teachers	Deputy HOC 3xTeachers	12.78 Tutors	Senior Support Worker 5 x Support Workers	Deputy HOC 3.6 x Teachers
2 L4 TAs 12.5 L3 TA 2x BSYW Admin	2x L4 TAs 4xL3 TAs Admin	1.44 L3TAs Admin	7 Tutors With (current vacancies) 1xTransport/admin 1x Exams /attendance	1xL4 TA 5.4 L3 TAs Admin
Capacity 59	Capacity 28	As referred	Capacity 100	Capacity 36

Proposed Structure as at September 2015

Access to Learning Manager				
Arfryn/Step-Ahead/Home Tuition			EOTAS Pathways	
HOC			Pathways Manager	
Deputy HOC Primary (26)	Deputy HOC	Home Tuition Administrator	Senior Support Worker 5 x Support Workers	
DHOC KS3 (33) 3 x Teachers Primary 3 x Teachers KS3 1xL4 (Pri 1x L4 KS3) 4 x L3 Prim 5x L3 KS3 2x BSYW KS3 Admin Capacity 59	StepAhead incl TLC 3.5 Teachers 3 x L4 TAs 4x L3 TAs Admin Capacity28	4.1 Tutors	7 Tutors	
		As referred	1 x Transport /admin Capacity 100	

Original Review Report

Provision for pupils educated otherwise than at school (EOTAS) in the City and County of Swansea

Sue Willan - Independent Education Consultant
Final report: 25 July 2014

1. Introduction

This report details the findings of an external review of provision for pupils educated otherwise than at school (EOTAS) in the City and County of Swansea.

The driver for the review is that the Executive Board is concerned about the number of pupils educated outside mainstream schools, and how well they achieve. It wishes to investigate the services and options available to them, as well as the impact of these arrangements on the achievement and attainment of all children.

The Board's concerns about the effectiveness of current EOTAS provision are that:

- too many pupils are receiving provision outside mainstream school across the key stages;
- Estyn identified improving quality of provision for pupils educated other than at school and raising standards of achievement as a key recommendation in the local authority inspection in 2013;
- there is a perception that all excluded young people are treated in the same way, regardless of the reasons for their exclusion;
- the KS4 PRU is in special measures;
- the KS3 PRU is at risk of special measures;
- Level 1 performance is weaker than other indicators suggesting that pupils are having provision but with limited recognised qualifications; and
- attendance is too low and exclusions too high.

The Board specified that the review should take a whole-system approach, address cross-cutting issues and recognise that changes to EOTAS will be one part of wider changes within the whole education system.

2. Review process

The review was carried out during May and June 2014, by a team comprised of the following members:

- Sue Willan – Independent Education Consultant (Lead)
- Alec Clark – Head of PRU, RCT
- Margaret Davies – Head of Behaviour Support, Ceredigion
- Glyn Griffiths – Independent Estyn inspector
- Leyton Jones – School Effectiveness System Leader, Swansea
- Nigel Jones – Head Teacher, Pentrehafod School, Swansea
- Sharon Davies – Access to Learning Manager, Swansea (Nominee)

The evidence base included:

- national and local statistical data;
- documents provided by the authority;
- national publications;
- team visits to EOTAS provision and mainstream schools;
- discussion with officers responsible for liaison with families in elective home education (EHE);
- interviews with local authority senior managers, EOTAS team leaders and staff, elected members and head teachers;
- discussion with parents and representatives of SNAP Cymru;
- responses to the recent consultation on home tuition, including those from parents, pupils and staff;
- discussion with professionals in other agencies, including CAMHS and Social Services; and
- the views of pupils receiving EOTAS provision.

3 Summary

The proportion of pupils in EOTAS provision in the City and County of Swansea is higher than it is in areas of Wales with a similar socio-economic profile.

As is the case nationally, the majority of EOTAS pupils have special educational needs. Correspondingly, EOTAS provision is part of the authority's graduated response for SEN provision.

The authority's EOTAS service offers a wide range of provision, according to pupils' age and needs. Within the service, the quality and value for money of provision is variable.

Step Ahead and Pathways have a positive impact on pupils' standards and well being, and give good value for money.

The Home Tuition service is effective and well regarded, but not cost-effective.

Provision at Arfryn and the Key Stage 4 Education Centre gives cause for concern, and represents poor value for money.

The relatively high demand for EOTAS places indicates that provision in mainstream schools at the earlier stages of the graduated response is not effective enough.

The authority has allocated a good level of funding to support pupils with SEN, including those attending schools and those in EOTAS provision.

However, it does not have a coherent strategy for inclusion and behaviour support, and school improvement and inclusion teams do not routinely work together to support and challenge schools to develop more inclusive provision for pupils. Hence, the impact of funding is limited.

EOTAS provision is essential for some pupils. However, there are many more who would be better served by remaining in mainstream school with appropriate support and provision. Accordingly, the authority is recommended to:

- increase the number of pupils receiving effective support in mainstream schools and reduce the demand for EOTAS;

- reduce places and reconfigure EOTAS provision; and
- improve the standards and quality of remaining EOTAS provision.

4. EOTAS: the national context

4.1 Legislation and guidance: EOTAS

Local authorities are legally required to provide education to children outside school in specific circumstances. The primary legislation is contained in Section 19 of the Education Act 1996, amended and strengthened by Section 47 of the Education Act 1997.

Section 19(1) states:

Each local education authority shall make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless arrangements are made for them”.

“Suitable education” is defined as “efficient education suitable to the age, ability, aptitude, and to any special educational needs the child (or young person) may have.

When making EOTAS provision, local authorities are expected to have regard to the following Welsh Government guidance:

- *Inclusion and Pupil Support* (Circular 47/2006), Section 5;
- *Access to Education and Support for Children and young people with Medical Needs* (Circular 003/2010); and
- the *SEN Code of Practice for Wales 2002*, sections 8.91 to 8.96 (meeting the special educational needs of pupils educated otherwise than at school).

4.2 Legislation and guidance: elective home education (EHE)

Although pupils in EHE are also educated outside the school system, their educational provision is not governed by the general EOTAS legislation and guidance, and authorities have a different role in relation to these pupils.

Parents have the right to educate their children at home providing that they fulfil the requirements of Section 7 of the Education Act, 1996, which places a duty on the parents of every child of compulsory school age to cause him or her to receive efficient full-time education suitable to their age, ability and aptitude, and to any special educational needs that they may have, either by regular attendance at school or otherwise.

Circular 47/2006, section 6, includes guidance for authorities in respect of pupils on EHE. The guidance notes that there is no requirement for parents to tell the local authority that they have elected to home educate, and no express requirement in the 1996 Act for LEAs to investigate actively whether parents are complying with their duties under Section 7. Any involvement between the authority and children on EHE is subject to parental consent.

4.3 EOTAS and SEN

Analysis of annual rates of exclusion from schools across Wales consistently shows that pupils with SEN are disproportionately excluded from mainstream schools and that a high proportion of pupils in EOTAS have SEN, with or without a statement.

The most recent Welsh Government statistical data (SDR 121/2013) shows that, in the academic year 2012/13, about 85% of pupils in EOTAS had special educational needs. Of these pupils:

- 36.3% had a statement of SEN;
- 45.3% were at school action plus; and
- 3% were at school action.

The profile for the previous four years shows little variation.

4.4 Quality of EOTAS provision

Published reports over the past 10 years, including the outcomes of Estyn surveys and of the National Behaviour and Attendance Review (NBAR), have consistently raised concerns about the effectiveness of EOTAS provision across Wales.

Three recent publications summarise the current position and make recommendations for improvement in the quality and consistency of EOTAS provision nationally.

a. The *'Review of EOTAS and Action Plan'* (Welsh Government, 2011)¹ highlighted ongoing concerns about:

- the consistency and quality of provision across Wales;
- reintegration of pupils into mainstream provision;
- issues arising from dual registration and funding of EOTAS pupils;
- the appropriateness of EOTAS placements for pupils with SEN;
- lack of access to full-time provision for all excluded pupils; and
- isolation of staff and pupils in PRUs from the mainstream system.

b. The research report *'Evaluation of Education Provision for Children and Young People Educated Outside the School Setting'* (Welsh Government/University of Edinburgh 2013)² drew attention to serious issues of social exclusion and inequality, noting in particular the disproportionate rate of exclusion from mainstream schools and subsequent EOTAS placements for pupils with SEN, for boys and for pupils entitled to free school meals.

Overall, the report concluded that many of the concerns expressed in the NBAR report, the Estyn reports and the Welsh Government Review were well founded. However, it also found evidence that some authorities were responding very positively to these concerns, with substantial change and attention to improving the quality of EOTAS.

c. Most recently, the Children's Commissioner for Wales published his report entitled *'The right to learn: supporting children and young people at pupil referral units to reach their potential'*³. The report is based on first-hand evidence from learners in pupil referral units and includes case studies that illustrate the effects of both excellent and poor practice on outcomes for learners.

¹ <http://dera.ioe.ac.uk/15815/1/110815reviewandplanen.pdf>

² http://www.docs.hss.ed.ac.uk/education/creid/Reports/31_WAG_EOTAS_FinalRpt.pdf

³ <http://www.childcom.org.uk/uploads/publications/456.pdf>

5. EOTAS: the Swansea context

To understand the significance of the number of pupils in EOTAS in Swansea, it is important to consider the authority's overall socio-economic context and to make comparisons with authorities in similar circumstances.

Swansea is a major city that includes areas of considerable affluence and others with high levels of deprivation, and therefore comparable in many respects to Newport and Cardiff.

Of the 147 areas within the City and County of Swansea, 12% are within the 10% most deprived areas in Wales (Welsh Index of Multiple Deprivation). In 2012, the percentage of pupils who were eligible for free school meals was 16th highest in Wales.

5.1 Pupil numbers

In 2012/13, Swansea educated 251 pupils other than at school, representing a rate of 3.9 per 1000, which was the fourth highest in Wales, and higher than the rates for Newport (3.2 per 1000) and Cardiff (2.9 per 1000) in the same year.

Data for the past four years shows a gradual reduction in EOTAS use in Swansea, which is against the trend of rising use in Newport, Cardiff and Wales as a whole.

Numbers in Swansea EOTAS peaked in 2011/12, following the closure of Daniel James School, when the authority enrolled a significant number of former pupils in EOTAS provision instead of in an alternative mainstream school.

	2009-10	2010-11	2011-12	2012-13
Swansea	4.4/1000	4.0/1000	4.3/1000	3.9/1000
Newport	2.4/1000	3.3/1000	2.8/1000	3.2/1000
Cardiff	1.7/1000	2.3/1000	2.9/1000	2.9/1000
Wales	2.1/1000	2.2/1000	2.2/1000	2.6/1000
Swansea rank	2/22	2/22 (joint)	1/22	4/22

Source: Welsh Government SDR 121/2013

The overall proportion of pupils in EOTAS in Swansea is higher than it is in authorities in similar circumstances. However, unlike comparator authorities and against the national trend, Swansea is starting to reduce EOTAS usage.

5.2 Exclusions

The authority has made significant progress over the past 7 years in reducing permanent and fixed term exclusions from both primary and secondary schools. In 2006/7, 17 pupils were permanently excluded from secondary schools, but only 2 pupils in 2012/13. The rate of fixed term exclusions from both primary and secondary schools has halved over the same period of time.

In June 2013, Estyn reported that 'the rate of permanent exclusions is among the lowest in Wales. The rate of shorter fixed-term exclusions is better than the Wales average although the rate of fixed-term exclusions of six days or more is not as good as the Wales average. The average number of days lost for all fixed-term exclusions is slightly higher than the Wales average.'

However, as is the case nationally, the published data on exclusions tells only part of the story about pupils educated outside the mainstream system. There are many pupils in EOTAS provision who are not counted as excluded pupils for statistical purposes, but who for a wide range of reasons are no longer included in mainstream schools.

5.3 Provision: graduated response

The authority states that EOTAS forms a key part of its graduated response to meeting the needs of pupils with social, emotional and behavioural difficulties (SEBD) for whom mainstream school provision is no longer possible or appropriate. Correspondingly, it expects mainstream schools to identify and meet pupils' needs at school action and school action plus in accordance with the SEN Code of Practice.

The following table shows the continuum of provision available.

Mainstream School		EOTAS Provision	Out of Area placement
School Action	<ul style="list-style-type: none"> - Pastoral/ALN/SEN support - School in-house provision (e.g. Nurture groups/ Learning Support/Inclusion/on site group) - School commissioned external provider (e.g. Educating Learners in Swansea (ELiS) and/or other external provision) 	Home tuition (5 – 16) Education Otherwise Pathways (14-16) Key Stage 4 Education Centre (including Teenage Learning Centre) (14-16) Arfryn Centre (3-14) Step Ahead (11-16)	A small number of pupils with highly complex needs who cannot be retained in County.
School Action Plus	<ul style="list-style-type: none"> - Behaviour Support - Education Psychology 		
Statements	<ul style="list-style-type: none"> - 1:1 support in mainstream classes <p>(The authority also maintains 33 specialist teaching facilities in 29 schools for pupils with moderate, severe and complex needs.)</p>		

5.4 Provision: EOTAS

5.4.1 Home tuition

Home tuition is offered to pupils with medical needs and those with emotional and behavioural difficulties if they are not able to access education in a mainstream school. It is largely carried out in the pupil's home but can be arranged in a variety of venues.

Home tutors support children and young people who are in-patients in hospital for more than five days.

The home tuition service offers part-time provision of around 5 hours per week. The caseload varies from term to term, and is currently 62.

The service also monitors the education for 64 children whose parents choose to educate their children at home.

5.4.2 Education Otherwise Pathways

Packages of educational activity are organised for pupils at KS4 who are not able to attend the KS4 Education Centre and therefore require an alternative learning pathway.

The Education Otherwise Pathways Co-ordinator is responsible for organising packages and co-ordinating the caseload with a team of Project Workers. The team adopts youth work principles to engage students and offer them a range of educational choices for their pathway.

The number of pupils on EO Pathways has varied from year to year, but is currently about 90. All pupils are offered a full timetable of 25 hours per week, with the option to build up from part-time to full-time provision.

5.4.3 Key Stage 4 Education Centre, including Teenage Learning Centre: Pupil Referral Unit

The Key Stage 4 Education Centre (KS4EC) offers 29 full-time places for pupils in KS4 who are unlikely to reintegrate back into mainstream school.

In addition, the Centre offers 7 places for pregnant young women, young mothers and vulnerable young women in its Teenage Learning Centre (TLC).

5.4.4 The Arfryn Education Centre: Pupil Referral Unit

Arfryn has 26 full time places for pupils in Foundation Phase and Key Stage 2, and 33 places for Key Stage 3 pupils.

The Centre offers placements of varying duration, with the aim of achieving re-integration into mainstream school.

It was formed by amalgamation of the Primary Education Centre and the KS3 Education Centre in September 2012.

5.4.5 Step Ahead Centre: Pupil Referral Unit

The Step Ahead Centre has 28 full time places for pupils in key stages 3 and 4.

Step Ahead offers provision for pupils who are unable to attend school on account of emotional difficulties including anxiety. A number of these pupils have significant mental health difficulties and/or recognised social and communication difficulties.

Where possible, the Centre aims for re-integration back into mainstream school, or transition to College at the end of Y11.

5.5 Pupils with SEN in EOTAS

5.5.1 Pupils with statements

The overall proportion of pupils with statements in Swansea is 4.3 %, which is now the highest in Wales and well above the national average of 2.9%. There has been a steady increase from the 2006 figure of 3.3% (Wales 3.2%), which goes against the national trend for reduction in statements.

Swansea maintains statements for a relatively high percentage of pupils whose provision is in a mainstream class (Swansea 52%, Wales 46%) or special unit in a mainstream school (Swansea 30%, Wales 20%). (Welsh Government SDR 100/2013).

In the current term, there are 63 pupils with statements of SEN in EOTAS, as follows:

	Pupils with statements (Summer 2014)
Home tuition	17
EOTAS Pathways	19
KS4 Ed Centre	7
Arfryn	13
Step Ahead Centre	7
Total	63

Data for the current and previous years indicates that about 25% of pupils in EOTAS have statements of SEN, which is lower than the all-Wales rate of 36.3%, and much lower than might be expected given the overall high rate of statements in the authority.

In a minority of cases, pupils' statements identify their primary need as social, emotional and behavioural difficulties (SEBD). The majority of these pupils - at least two thirds – have statements where learning and/or developmental needs, such as moderate learning difficulties, autistic spectrum disorder, speech, language and communication and/or attention deficit hyperactivity disorder are identified as either the primary or secondary need.

The authority complies with statutory requirements for pupils in EOTAS in respect of the wording of statements and conduct of annual reviews.

5.5.2 Pupils at school action plus

As is the case nationally, a majority of non-statemented pupils who come into Swansea EOTAS are found to have SEN that requires provision at school action plus.

As expected, this group includes pupils previously on their school's SEN register. However, it also includes a few pupils with previously 'undiscovered' learning and/or developmental needs that would have made it difficult for them to succeed in a mainstream school without additional support.

Overall, the EOTAS/SEN pupil profile suggests that failure to address, and occasionally failure to recognise, the full extent of pupils' special educational needs within mainstream schools at the early stages of the graduated response may be a significant contributory factor in EOTAS placements.

5.6 Costs of EOTAS provision

The budget for EOTAS provision in 2013/14, and the expenditure over the previous three years is as follows.

	2010/11 (expenditure)	2011/12 (expenditure)	2012/13 (expenditure)	2013/14 (budget)
Home tuition	£590,528	£557,475	£733,936	£500,000
EOTAS Pathways	£734,292	£1,046,722	£966,534	£1,091,000

KS4 Ed Centre	£589,731	£500,928	£572,119	£517,000
KS3 Ed Centre	£468,356	£611,579	£419,623	£857,900 (Arfryn)
Primary Ed Centre	£347,924	£369,992	£372,913	
Step Ahead Centre	£378,331	£349,734	£379,367	£417,400
Total	£3,109,162	£3,436,430	£3,444,492	£3,383,300

EOTAS costs peaked in the financial years 2011/12 and 2012/13, as a result of the planned increase in pupil numbers within EOTAS following the closure of Daniel James School and the cost of the greater uptake of provision in EOTAS Pathways.

5.7 Costs of SEN provision

The authority's total budget for expenditure on SEN in 2013/14 is £30,448,000. This represents £908/pupil, which is higher than the national average of £796/pupil and sixth highest in Wales. This level of funding is consistent with the overall context of the authority.

The authority delegates 64% of the SEN budget to schools, which is just below the national average of 69%. (Welsh Government SDR 98/2013)

The amount delegated to mainstream schools includes £6.2 million for provision for pupils with severe and complex needs and £5 million for provision for pupils with mild to moderate difficulties, which is allocated according to the annual SEN survey.

The budget for severe and complex needs was delegated to schools in April 2012, with the aim of enabling schools to meet the needs of more pupils at school action plus, and thereby reducing the demand for statements.

The cost of EOTAS provision (£3.4 million) accounts for 11% of the total SEN expenditure, and 33% of the centrally held SEN budget.

6. Evaluation of EOTAS provision

6.1 Leadership and management

6.1.1 Management

The EOTAS service is part of the broader Access to Learning (AtL) Service, which also includes the Behaviour Support Team (BST). The AtL service is led and managed by the Access to Learning Manager.

The AtL Service is one element within the authority's Inclusion Service, and is under the overall responsibility of the Head of Education Inclusion.

The BST comes under the day-to-day management of the Senior Educational Psychologist with a specialist role for EOTAS.

The Education Effectiveness team includes a performance specialist for additional learning needs (formerly the Teacher Advisor for SEN) who works closely with the Access to Learning Service and has a specific training role in relation to behaviour.

The service is very strongly committed to ensuring equality of opportunity for pupils who are vulnerable by reason of social disadvantage, health or disability. Senior managers and service staff work very hard to ensure that provision is as good as possible, and to enable vulnerable pupils to return to mainstream learning as soon as they can.

6.1.2 Governance

The authority exercises its responsibility for governance of EOTAS provision through the Education Otherwise Management Committee (EOMC).

The EOMC is chaired by the Access to Learning Manager, and has good representation from elected members, the parent partnership, schools and officers with responsibility for school effectiveness, governance, LAC and SEN. Heads of each of the EOTAS teams are invited to attend to for part of each meeting to present reports.

Over the past 12 months, the group has given careful attention to issues of standards, well-being and quality of provision, including monitoring:

- data on attainment, attendance and exclusions in each provision;
- incidents of physical intervention;
- progress in respect of the post-inspection action plan for the KS4 PRU; and
- progress in respect of the authority's intervention with the KS3 PRU.

However the EOMC's work needs to be strengthened by:

- greater emphasis on evaluation of the impact of provision to inform strategy and improvement planning;
- closer involvement of its members with EOTAS provision, including visits to gain first-hand information about standards and provision and to meet staff;
- inviting CAMHS to nominate a representative on the group; and
- ensuring that the role of Chair is fulfilled by an independent person, rather than by the EOTAS service manager as at present.

6.1.3 Registration: provision

Step Ahead, Arfryn and the KS4 Education Centre have all been registered with the Welsh Government as Pupil Referral Units, and are subject to external inspection by Estyn.

Home tuition provision as currently organised is not registered as a PRU, and there is no requirement to do so as it is assumed that mainstream schools are responsible for these pupils.

At the start of this review, EO Pathways was not a registered PRU, as all pupils were on roll in a mainstream school and considered to be receiving an alternative curriculum within the 14-19 arrangements. However, in response to issues raised by the review team about the overall locus of responsibility for these pupils, the authority took advice from its legal department, and has recently registered Pathways as part of its PRU provision.

6.1.4 Registration: pupils

Almost all pupils in EOTAS provision, except those on home tuition, are dually registered, being on roll in both a mainstream school and a PRU. A few pupils, including those

moving into the area and not previously having attended a mainstream school, are singly registered to EOTAS.

National legislation and guidance allows for dual registration at a school and another provider, with the aim of preserving the links with a pupil's school and maximising the chance of reintegration.

Although there can be very sound educational reasons for dual registration, the practice raises a number of issues to do with overall locus of responsibility for a pupil's standards and well-being.

Guidance is clear that in such cases, the mainstream school has overall responsibility for monitoring the impact of provision on pupils' standards and well-being. Schools must include the end of key stage outcomes for these pupils within their data sets, and must record pupils' actual attendance in EOTAS provision on their registers. They also retain overall responsibility for pupils' well being, including raising potential safeguarding issues if a pupil is not attending the alternative provision.

The EOTAS service routinely provides mainstream schools with pupil-level data, including attainments and actual attendance at provision. All EOTAS teams have appropriate policies and procedures for safeguarding, including close monitoring of attendance and immediate follow up of pupils who are not where they are expected to be.

However, to comply fully with legislation and guidance in respect of dual registration, the authority needs stronger assurance that mainstream schools are:

- fulfilling their monitoring responsibilities; and
- complying with legal requirements in respect of recording attendance at EOTAS provision.

A key issue for the authority is that there are a few pupils in EOTAS, particularly in Pathways, who are on roll in a mainstream school, but who have never been, and are never likely to be, a pupil in that school. In this case, the legal advice is that these pupils should be singly registered with EOTAS.

6.1.5 EOTAS panel

The EOTAS panel is the authority's key mechanism for controlling admissions to EOTAS provision and for agreeing to changes of placement for pupils already in EOTAS. The panel is chaired by the AtL service manager, and includes representatives from mainstream schools, social services and SNAP Cymru.

The authority has a separate SEN panel that performs similar functions in respect of pupils referred for statutory assessment and specialist placements.

The work of the EOTAS panel is a focal point for tension between officers and schools.

Very often, this tension arises from a fundamental difference between the panel's view, and the school's view, about what provision is best for a pupil, and/or whether there is enough information to enable the panel to make a considered decision.

Where the panel decides that more could be done in mainstream school, and that escalation to EOTAS is unnecessary, it will refuse the referral and advise the school accordingly. This can also happen where a school does not provide enough information,

or makes a referral for EOTAS without providing enough evidence to show how the graduated response has been implemented.

Officers point out that the authority has a duty to comply with statutory requirements, to ensure that an EOTAS placement is in the pupil's best interests, and also to spend public money wisely. In order to fulfil these duties and to be sure that as much as possible has been done at earlier stages of the graduated response, the panel must have full details of a pupil's needs, and of how the referring school has tried to meet those needs. Information is not shared in advance, or electronically, for reasons of confidentiality.

Unsurprisingly, schools do not like having referrals refused, and object to being asked to do more for pupils for whom they believe they have done as much as they can. They perceive the panel as a barrier to gaining alternative educational provision for pupils in a timely manner, and often disagree with panel decisions. They find the process slow and frustrating, particularly when the authority asks them to provide more information and/or refuses EOTAS placement. They say that, because the panel does not send out information in advance, school representatives are at a disadvantage in meetings.

To a lesser extent, tensions are also underpinned by an imbalance between the availability of EOTAS places and the flow of referrals from schools. At present, this is particularly problematic in respect of the primary PRU, which has a 'pending list' of 18 pupils who may require placement. The problem is compounded by the poor rate of reintegration back into mainstream school, which means that pupils have to wait longer for a place to become available. In the meantime, these pupils can experience additional stress and anxiety, and fall further behind academically. Once a place does become available, they are likely to remain for long period of time.

The EOTAS panel has a legitimate purpose, and puts pupils' interests at the heart of its decisions. However, there are significant tensions surrounding its work that need to be resolved by:

- systemic action to strengthen mainstream provision; and
- sustained dialogue between the authority and its schools to achieve a shared understanding of their respective roles, responsibilities and expectations in respect of EOTAS provision.

6.1.6 Self-evaluation and improvement planning

There is ongoing work to improve the standards, quality and value for money of EOTAS provision in a number of ways. Key drivers for this work include:

- concerns about standards and quality in specific areas of EOTAS, including those arising from recommendations from Estyn inspections of the Local Authority and of individual PRUs;
- continued pressure of numbers, and therefore of costs, within the EOTAS service; and
- a requirement to make significant savings in all education expenditure over the next 3 years.

The key priorities arising from Estyn inspections are to improve reintegration from the KS3 PRU, and to improve provision in the KS4 PRU.

The broader strategy to promote positive behaviour aims to:

- build capacity in schools to better manage difficult behaviour and promote positive behaviours in children and young people;
- educate most children and young people in mainstream schools;
- retain high quality EOTAS provision for a reduced number of children and young people;
- reduce the need for young people to be educated out of area; and
- develop a holistic multi-agency approach to prevention and early intervention for children and families with SEBD.

Prior to this review, an officer-led Task and Finish Group considered options for re-modelling EOTAS provision. The group appropriately identified the need to:

- improve reintegration rates from PRUs at FP, KS2 and KS3;
- cap or reduce the number of places available within EOTAS; and
- ensure greater involvement of schools in decision making regarding the standards and availability of EOTAS places.

By January 2014, the group had produced a detailed analysis of options for re-organisation of PRUs and Pathways, with further work deferred pending the outcome of the present review.

Also, senior managers have convened a working group to support the Home Tuition service manager in the task of considering ways of improving cost-effectiveness. The remit for the current review includes a request for an external view on the merits of the options generated by this working group when it met in March 2014.

6.2 Home tuition

The home tuition service has a current caseload of 62 pupils (Summer Term 2014). This figure is very variable, however, since pupils enter and exit the service through the year, and remain with the service until they are able to move back to their mainstream school or on to a PRU placement. The allocation of teaching time averages 4.3/week, with variation between 0.5 and 9.5 hours per week. All tuition is provided by qualified teachers.

In the academic year 2012-13, numbers were much higher, with a total of 224 pupils receiving home tuition. Of these pupils, 96 were on EO Pathways, which had an arrangement to buy in hours from the home tuition service. This arrangement was not cost-effective, and was discontinued at the end of the last academic year.

The service teaches pupils with a range of needs, and for different reasons, including pupils:

- with medical needs who are in hospital or at home but unfit to attend school;
- some of whom are known to CAMHS, and some who are potentially candidates for Step Ahead, including those who find it difficult to leave the house;
- awaiting placement in a mainstream school or a PRU;
- excluded from school for behavioural reasons for whom there is no other provision; and
- referred for assessment by the SEN and/or the EOTAS panel.

Pupils with medical needs and those known to CAMHS normally account for about half the annual caseload.

6.2.1 Outcomes

The home tuition service is very well-regarded by parents and pupils, who consistently praise the high quality of teaching and support that tutors provide.

The service has a good record of enabling pupils to achieve GCSE qualifications, and does not exclude pupils. The rate of attendance of pupils receiving home tuition in 2012-13 (not including those on Pathways) was 73.8%, with most absences being authorised for medical reasons.

There are many examples of the positive impact of the service on pupils' standards and well-being, of which the following are typical:

- enabling pupils to keep up with their school work whilst recovering from hospital treatment, including liaising with mainstream schools;
- helping pupils to progress in specific subjects that they had previously found difficult in school;
- encouraging pupils to regain confidence in learning, following negative experiences in school; and
- supporting pupils with mental health needs back into learning in a small group.

However, in almost all cases, positive comments about the quality and impact of home tuition are contrasted with examples of earlier difficulties in mainstream schools.

Examples include:

- a 13 year old girl with ADHD and low ability, who had struggled socially and academically after transfer to secondary school, and had received no education for a term prior to starting home tuition, due to consecutive fixed term exclusions; and
- a number of socially anxious pupils, many with additional learning and/or communication needs, who found the mainstream school environment too stressful and who felt that their schools did not do enough to help them in class or socially.

6.2.2 Provision

There are many positive features of provision. The service:

- has well qualified and experienced teachers who are able to offer a very good range of subjects to GCSE standard;
- is experienced in teaching pupils with a wide range of learning, emotional, behavioural and developmental needs;
- brokers good links with pupils' mainstream schools to ensure continuity of learning;
- is mindful that pupils taught at home are socially isolated, and need to be encouraged back into learning within their peer group as soon as possible;
- has good access to specialist support and advice when required, including from the Educational Psychology and Education Welfare Services; and
- has strong arrangements for safeguarding, both in respect of pupils and of staff.

There is some good co-working between the home tuition service and CAMHS, for example through input to therapeutic groups for young people with ASD and ADHD.

However, the service would welcome stronger links with CAMHS, and more access to direct therapy for pupils.

6.2.3 Improvement planning

Senior managers in the authority recognise that the home tuition service is highly valued by pupils and parents and that the quality of teaching is good. However, they are concerned about the costs and overall efficiency of the service, and have started to take action to improve cost-effectiveness.

The budget for the current year is £500,000, but is currently projected to over-spend by £150,000 to £200,000. If, as in previous years, the service teaches between 100 and 120 pupils over the full year, with each receiving an average of 4.3 hours/week of 1:1 teaching, unit costs appear exceptionally high, and managers are right to be taking action to improve efficiency.

The authority has already achieved some success in this respect by changing the commissioning arrangements for tuition for Pathways pupils. In the previous financial year, managers took the decision to separate the budgets and staffing for Pathways and home tuition. Tuition within Pathways is now delivered in small groups in central locations, instead of 1:1 and at home. This reduces the costs and time associated with travelling, and makes more efficient use of the available teaching hours.

In response to representations from schools, earlier this year the authority put forward a proposal to delegate the management responsibility and funding for the home tuition service to schools. However, this proposal met with very strong opposition, including from schools, when put to formal consultation. As a result, the authority has decided to await the outcome of this review before proceeding further.

6.2.4 Evaluation

Home tuition is a well regarded service whose teaching and support is highly valued by pupils, many of whom have had great difficulties in mainstream education.

However, as currently configured, the service is not cost effective and does not give good value for money.

In making changes to the home tuition service as part of wider EOTAS provision, the authority should consider:

- reserving home tuition in its present form for pupils who are medically unfit, including those with significant mental health needs, who are in hospital or at home but unable to go out to school or a PRU (about 60 pupils per year);
- making more efficient use of the skills and expertise of home tutors by incorporating the service within provision for pupils with other medical/health needs ie. Step Ahead and the Teenage Learning Centre;
- transfer the functions of assessment and tuition pending PRU placement, to the Behaviour Support Team and Educational Psychology; and
- cease to provide home tuition for pupils awaiting mainstream placements, and work with schools and the admissions team to eliminate the need for any such 'interim' provision as far as possible.

This model is a variation on Option 3 of the working group's suggestions for a re-modelled home tuition service in which:

- Home Tuition will focus only on medical cases, and those pupils awaiting a mainstream school placement; CAMHS cases will be picked up by Outreach link workers, working out of Step Ahead; and
- EOTAS / EBD assessments likely to transfer to EOTAS will be supported by Behaviour Support Team. Assessments will be expected to be short term and result in EOTAS placements.

The proposed variations are that:

- the service would no longer teach pupils awaiting a mainstream placement; and
- the authority should consider including HLTAs and TAs to work alongside teachers as part of a re-configured home tuition/outreach service

It is common practice in schools for HLTAs and TAs to deliver elements of learning and support, both in mainstream classes and in small group work with pupils with SEN and behavioural needs. These arrangements are cost-effective and beneficial to pupils as long as:

- a qualified teacher exercises responsibility for planning and monitoring each pupil's progress;
- HLTAs and TAs have appropriate qualifications, experience and training; and
- there is good team work between teachers, HLTAs and TAs.

If the home tuition service adopted this model, it would be essential to differentiate the balance of delivery for each pupil, according to their age, expected time in home tuition and their curricular needs. It is also important to remember that overall responsibility for planning and monitoring the progress of pupils on home tuition lies with teachers in pupils' mainstream schools, and not within the EOTAS service.

As part of a longer-term strategy, the authority will need to tackle the root cause of the demand for home tuition by strengthening mainstream provision at all key stages for anxious and vulnerable pupils, including those with learning and developmental needs.

6.3 EO Pathways

The Education Otherwise Pathways provision was first introduced into the authority in 2007, in response to external challenge to reduce the high rate of exclusion from schools. Essentially, Pathways is a variation of the 14-19 curriculum, but with significant differentiation of approach and provision to suit learners who are unable or unwilling to engage with provision offered by mainstream schools.

The Pathways team consists of a coordinator together with a team of support workers and qualified teachers. All other elements of provision are commissioned from external providers.

Pathways offers a full time programme of educational activities, with provision delivered in a variety of out of school settings. Pupils are encouraged to take up the full offer of 25 hours per week, with the option to build up their timetable gradually. This year, a majority of pupils have accessed full time provision. However, this proportion varies from year to year.

There are currently about 90 pupils on Pathways, each with an individual learning programme made up of a combination of:

- individual or small group tuition;
- vocational training;
- outdoor activities;
- sessional attendance at FE College; and
- work experience.

The distinctive features of Pathways provision are that:

- it uses youth work approaches to encourage reluctant learners to re-engage in learning;
- every learner has a key worker, whose role is to coordinate provision, provide personal support and monitor progress; and
- learners are offered a considerable degree of choice about which programmes they wish to follow.

6.3.1 Outcomes

When judging outcomes for learners on Pathways, it is important to remember that these are pupils with a history of poor attendance, limited attainment and loss of interest in learning.

In this context, many learners make very good progress in a relatively short period of time, particularly in respect of well-being, attitude to learning and progression. Learners appreciate the high degree of personal support and choice on Pathways, and report that they have started to enjoy learning and want to continue their education. The University of Edinburgh research report features Pathways provision as a case study of good practice.

In 2013, two thirds of the 53 pupils who left Pathways in 2013 continued their education in college, work-based training or returned to school to repeat year 11. Almost all of these pupils achieved one or more Level 1 qualifications, though very few achieved at Level 2.

Attendance data is very variable and difficult to interpret without baseline data. Last year, a majority of learners attended over 80% of sessions, but a sizeable minority had attendance below 40%.

In 2012-2013 a total of 96.5 days were lost due to exclusions, compared with 163.5 days lost in the previous year. The reduction was achieved by working with external providers more closely, and through changes to the commissioning contract.

6.3.2 Provision

There are many positive aspects of provision, including:

- the very good personal support that key workers provide for learners to encourage and, where necessary, persuade them to engage with learning programmes;
- tutors and training providers who are experienced and skilled in working with troubled and troublesome young people;
- careful commissioning and quality assurance of a wide range of interesting and relevant vocational programmes from external providers;

- very good arrangements for safeguarding, including careful tracking of pupils' attendance as they move between different venues;
- good support for looked after children;
- access to specialist advice and training from the Educational Psychology Service; and
- providers offer good quality accommodation and learning resources.

6.3.3 Improvement planning

As part of the internal review of EOTAS provision, the authority's task and finish group identified the need to improve cost effectiveness by limiting the number of Pathways places, and considered two possible options for achieving this:

- Option 1: maintain Pathways alongside other EOTAS provision at KS4, and cap the number of places at 100.
- Option 2: close KS4 EC, making Pathways the sole EOTAS provision for KS4 pupils with SEBD and cap places at 100.

The task and finish group identified that:

- Option 1 maintains a relatively high level of provision for pupils with SEBD at KS4, but does not deliver savings; and
- Option 2 makes provision at a lower overall unit cost, but with a reduction of 22% in places for KS4 pupils.

At the last meeting of the task and finish group, it was agreed that a working group involving Pathways and schools should be convened to discuss these options.

6.3.4 Evaluation

Overall, Pathways offers effective provision and support for some of the most disadvantaged learners in the authority, including many who would otherwise need specialist out of county placements. In this context, Pathways gives good value for money.

There are, however, some areas for further development.

- In common with other EOTAS provisions, many Pathways learners are found to have learning and/or developmental needs, including specific learning difficulties and ASD, which may or may not have been recognised in school. External providers acknowledge that they need more support and training to enable them to understand and meet these types of need.
- It was originally intended that Pathways should be an extension of the normal curriculum offer in schools, with close liaison to plan and evaluate provision for pupils. However, in reality, the majority of mainstream schools have little or no involvement with pupils on Pathways, which in turn raises issues about whether they are fulfilling their legal responsibilities towards dual registered pupils.
- It is important to increase the proportion of Pathways learners who take up the full 25 hours provision.

In making changes to Pathways as part of wider EOTAS provision, the authority could consider the following options, which are not mutually exclusive, in addition to those already put forward by the task and finish group.

- Option 3: make Pathways the sole provision for all KS4 pupils with SEBD and extend the range of academic and vocational options available.
- Option 4: retain Pathways as a central service, possibly merging with ELiS, but locate responsibility for commissioning places for pupils within mainstream schools.
- Option 5: encourage mainstream schools to replicate the Pathways model in order to widen their 14+ curriculum offer for pupils with additional needs.

6.4 Key Stage 4 Education Centre, including the Teenage Learning Centre

The KS4EC is a registered PRU, with 29 full time places for pupils who have a history of challenging behaviour and repeated exclusion from school. The centre is located at Brondeg House, and includes 7 places in the Teenage Learning Centre (TLC) for girls who are vulnerable, pregnant or young mothers.

There are currently 6 spare places in the KS4EC. Demand for TLC places has been low for several years, with an average of 3 girls per year requiring this provision.

Estyn placed the KS4EC in special measures in March 2013.

6.4.1 Outcomes

On the basis of data for summer 2012, Estyn judged outcomes in the KS4EC to be unsatisfactory. Too few pupils achieved qualifications above Entry Level, attendance rates were low and exclusions high.

By summer 2013, outcomes had started to improve, though from a very low baseline. Although there is informal evidence that this trend is continuing, it will not be possible to know for sure until the data for the current year is available.

6.4.2 Provision

At the time of the inspection, provision was judged to be unsatisfactory. Pupils were not receiving full-time education, and there were shortcomings in the quality of the accommodation.

Since that time, the authority has implemented a detailed action plan to improve the curriculum offer, the quality of teaching, support and guidance, and the quality of learning resources. Officers monitor progress closely, and have evidence to show that the centre is now making good progress in all respects.

The learning accommodation at Brondeg is attractive, well maintained and well resourced. However, there are still some shortcomings in the site as a whole. There is no perimeter fence and access to the car park and rear of the building is not controlled.

6.4.3 Improvement planning

The first priority for the authority remains that of securing improvement so that KS4EC is removed from the category of special measures. Officers are working closely with the PRU staff to achieve this aim, and are monitoring progress carefully.

In the longer term, as part of its overall review of EOTAS provision, the authority's Task and Finish group has identified the need to transfer TLC provision to Step Ahead. It is

also considering the following options for retention or closure of the KS4EC provision for pupils with SEBD:

- maintaining the number of places in KS4EC at existing levels, with relocation to a different site;
- closing the KS4EC and relocating provision to Pathways;
- closing the KS4EC and relocating pupils to a special school (also for KS3).

6.4.4 Evaluation

Although standards and quality of provision at the KS4EC appear to have improved over the past year, it will be for Estyn to judge whether it has made enough progress to warrant removal from the category of special measures in due course.

The unsuitable site, the level of spare places and the ongoing need for a high level of authority support and challenge indicate that the KS4EC gives poor value for money.

The authority is wise to consider closing the KS4EC. However, in the current financial circumstances, the option to build a new special school to replace PRU provision at KS3 and KS4 is not likely to be feasible.

The proposal to incorporate the Teenage Learning Centre into provision at Step Ahead is sensible, as it will enable the authority to use its resources flexibly as the need arises.

A more realistic option for securing improved quality and reducing costs of provision for pupils at KS4 with SEBD is to:

- offer all KS4 EOTAS through an extended Pathways model; and
- reduce the demand for KS4 EOTAS by developing effective alternative provision in mainstream schools.

6.5 Arfryn

Arfryn is a registered PRU with 26 places for pupils in Foundation Phase and KS2, and 33 places for KS3 pupils. Four of the current primary pupils are in the Foundation Phase ie Reception, Y1 and Y2.

The centre aims to offer 'revolving door' provision so that pupils can return to mainstream school as soon as possible. However, this aim has not been fully achieved, with consequent problems of access to places for new pupils. There are currently 18 pupils on the pending list for the primary provision.

The centre opened in its present form in September 2012, following closure of the Primary Education Centre and the KS3 Education Centre. It has not yet been inspected by Estyn, but has been identified by the authority, through its Regional Support, Challenge and Intervention (RSCIF) process, as being at risk of going into special measures.

6.5.1 Outcomes

Data on outcomes during the last academic year shows a mixed picture.

Pupils in FP and KS2 do reasonably well in terms of return to mainstream school, attainment of end of key stage targets, attendance and exclusions. Almost all primary pupils spend one day each week in their mainstream schools.

However, outcomes for pupils in the KS3 provision are unsatisfactory, and confirm the authority's assessment that this centre would be categorised as in need of special measures if inspected now.

For example:

- Attendance was 85% in FP/KS2 and 74% in KS3
- There was one instance of exclusion in FP/KS2 and 69 in KS3
- Of the pupils who returned to a mainstream school, 6 were of primary age and 2 of secondary age.
- Sixteen pupils in KS3 moved to other EOTAS provision: 9 to Pathways and 7 to KS4EC.

6.5.2 Provision

The Arfryn centre is well resourced, and housed in good quality accommodation. Classrooms are attractive and well maintained, and have a good range of learning resources.

The centre has access to good quality external support, advice and training, including from school effectiveness officers, the Education Welfare and Educational Psychology services and specialist teachers for literacy, numeracy and SEN.

However, there are some serious staffing issues that present a barrier to progress. Although the authority employs enough teachers and teaching assistants at Arfryn, managers are concerned about the high rate of staff sickness absence, and the impact that this has on continuity of teaching and support for pupils.

When visited as part of this review, provision for pupils in KS3 was observed to be of variable quality. Some pupils were well engaged in an appropriately challenging geography activity. However, another group did not have anything purposeful to do, and could find nothing positive to say about the centre.

Although team members visited the FP/KS2 provision, no pupils were seen, as most were timetabled to be in their mainstream school. However, four pupils were not on roll in any mainstream school had been asked to stay at home for the day. This issue was reported to senior managers, who confirmed that this practice was not authorised and would be challenged immediately.

6.5.3 Improvement planning

Senior managers are giving high priority to work to improve standards and quality of provision at Arfryn. There is a comprehensive intervention plan with appropriate priorities and detailed actions designed to address the issues identified in the RSCIF process.

However, despite regular support from officers, Arfryn is not making fast enough progress, leading managers to question whether issues of staff capability are impeding improvement.

As part of its overall review of EOTAS provision, the authority's Task and Finish group considered the option to:

- cap the number of places at Arfryn at its present level;
- limit placements to 2 terms; and

- implement stronger arrangements for reintegration into mainstream schools.

It has also considered:

- closing the KS3 element and opening a special school (for KS3 and KS4); and
- maintaining provision for FP and KS2, with relocation to a smaller building.

6.5.4 Evaluation

Senior managers are rightly concerned about standards and quality at Arfryn, and about its prospects for improvement because:

- the centre has been identified by the authority as at risk of special measures, and is not improving fast enough;
- there are persistent staffing difficulties that present a barrier to progress; and
- there is a poor track record of reintegration of pupils into mainstream schools, especially at KS3.

In view of these issues, the centre gives poor value for money, and the authority should pursue alternative options for provision for pupils with SEBD at FP, KS2 and KS3.

In this context, the first option i.e. of capping places and limiting placement to 2 terms is unlikely to be the most effective way forward.

The second option, to build a special school for KS3 and relocate FP and KS2 to a different building, would require considerable financial investment, which effectively rules it out of consideration.

Instead, the authority should consider locating some or all provision for pupils in FP, KS2 and KS3 within mainstream schools.

In respect of pupils in FP and KS2, there is a very strong case for all provision to be in mainstream. Although some authorities offer discrete KS2 provision, it is more common to limit this to KS3 and KS4. Although it occasionally happens that authorities place Foundation Phase children in a PRU, this is not good practice.

For primary pupils, this model would involve:

- closure of the FP and KS2 PRU provision;
- providing specialist, multi-agency support for children in FP and KS2 in their local schools;
- developing special classes in specific primary schools, run according to nurture group principles, and operated either as a Specialist Teaching Facility, or as a PRU that is located within a mainstream school; and
- procuring special school places, possibly by regional arrangements, for the very small number of pupils with complex and persistent special needs.

The position in respect of KS3 is less clear-cut. If the authority wished to retain discrete PRU provision for KS3, it would need to restructure Arfryn following closure of the primary element, and continue to work with the staff to ensure that standards and quality are consistent with best practice.

If, however, the authority chose to close the KS3 provision at Arfryn, it would first need to develop equivalent mainstream provision by:

- increasing access to specialist support for pupils, and to advice and training for staff in secondary schools; and
- developing in-house specialist provision for pupils with SEBD within secondary schools.

As with the primary option, the authority should also arrange to procure special school places, possibly by regional arrangements, for the very small number of pupils with complex and persistent special needs.

6.6 Step Ahead

The Step Ahead Education Centre is a registered PRU, with 28 full time places for KS3 and KS4 pupils with emotional and/or mental health needs. Provision is on two sites (West Cross and Gors).

There are 12 pupils on the 'pending' list for Step Ahead. The majority of these pupils are not yet ready to go into the centre, and are provided with home tuition in the interim.

Many pupils have a history of anxiety, distress and consequent poor attendance at school. As is the case with other EOTAS provisions, a high proportion of Step Ahead pupils have additional learning needs, such as ASD.

6.6.1 Outcomes

In relation to their prior achievements, pupils make good progress at Step Ahead. In the year 2012-13:

- all Y11 leavers progressed on to college or to an apprenticeship;
- almost all Y11 pupils sat external examinations, with 33% attaining 5 A* to G, and 8% attaining 5 A* to C;
- overall attendance was 70.5% (compared with average attendance in previous schools of 32%); and
- there was only one fixed term exclusion (2 days).

Parents are clear that Step Ahead makes a positive difference to their children's achievements and personal well-being. However, many are also convinced that the placement was only necessary because the mainstream system, and especially secondary schools, did not do enough to address their child's emotional difficulties.

6.6.2 Provision

Members of the review team who visited the Gors Avenue site found that pupils were engaged in good quality learning activities, and receiving good support from teachers and support staff. Pupils spoke positively about the centre and the work that they did there.

Staff and pupils benefit from specialist support and advice from the Education Welfare Service, the Educational Psychology service, CAMHS and the Careers Service. However, several interviewees expressed the view that a greater level of input from CAMHS and Careers would be beneficial to pupils.

There are still some shortcomings in the accommodation at the Gors Avenue site. The building is not of the same standard as found in the KS4EC and Arfryn. The internal

space is well maintained and attractive to learners, but is cramped. Staff and pupils have to share the same toilets, which is unsatisfactory.

6.6.3 Improvement planning

Estyn last inspected Step Ahead in July 2012. All but one of the quality indicators were judged to be good, with the exception of the learning environment, which was judged adequate on account of shortcomings in the accommodation at the Gors site.

Ongoing monitoring, using the Regional Support, Challenge and Intervention Framework (RSCIF), shows that provision at Step Ahead continues to be good overall. The development plan for the centre is comprehensive, and addresses the key issues identified by Estyn and by this review.

As part of its overall review of EOTAS provision, the authority's Task and Finish group has identified the need to:

- improve accommodation;
- increase capacity for outreach work to secure attendance and support transitions;
- maintain the number of planned places; and
- incorporate TLC within Step Ahead.

6.6.4 Evaluation

Step Ahead fulfils an essential function as part of the authority's overall provision for EOTAS. It offers good quality, specialised support and teaching for pupils whose emotional/mental health needs are a barrier to success in mainstream schools. However, it is currently housed in poor quality accommodation, and the number of places available is only just keeping pace with demand.

This provision gives good value for money, and the authority is right to propose that it should be maintained and further developed.

The proposal to incorporate the Teenage Learning Centre is also sensible, since it will open up opportunities to offer medical, nursing, social and mental health support in a more coordinated way.

The option of bringing the Home Tuition service into a combined Step Ahead/TLC centre would help to increase capacity for outreach work and smooth the transition back into full time education for pupils with medical and/or mental health needs.

6.7 Elective home education

The authority monitors the education provided by parents at home for 73 pupils, who fall into two different groups.

The authority has a register of 64 children and young people whose parents have chosen, for various reasons, to educate them at home and at parental expense. (There are likely to be others, but unknown to the authority, as there is no legal requirement for parents to register for EHE.)

The home tuition service is responsible for liaison with home educating families and for monitoring children's progress wherever possible. Where parents agree to work with the service, it provides helpful support and advice in educating their children.

The service is aware of a wide range of reasons why parents choose EHE, including a significant number where parents had withdrawn their child from school in response to difficult circumstances. Some of these parents do not feel confident about teaching their own children, but see EHE as their only option. Parents and young people in EHE describe a history of difficulties in mainstream schools including:

- a history of complaints about poor behaviour and frequent short-term exclusions;
- distress caused by unresolved problems of social interaction, including bullying; and
- anxiety about meeting academic targets.

The Swansea picture exactly mirrors the findings of recent studies in England⁴ and in Wales⁵, which have found diverse reasons why families choose EHE, ranging from 'in principle' to 'desperation', and where EHE is often a 'forced choice' consequence of mainstream schools' failure to meet pupils' social, learning and/or developmental needs.

The second, and smaller group of children, although classified as EHE, have statements of SEN and are following specialised intervention programmes for ASD, such as Applied Behaviour Analysis (ABA).

Provision is organised by parents and delivered at home, but funded by the authority from the central SEN budget for statemented pupils. Although the authority would prefer these children to be in school, for social and for financial reasons, in these cases, parental preference has taken priority.

The authority mitigates this position well. The Educational Psychology Service carefully monitors these children, and there is full compliance with statutory requirements for annual reviews. Officers encourage early transition into school whenever possible.

Overall, the authority works well with parents to optimise outcomes for pupils educated at home within the current EHE legislation. However, in line with the national picture, a significant number of pupils are educated at home not by choice, but by virtue of 'failure' within the mainstream school system to meet their needs. Further progress will therefore depend on the success of the authority's strategy for improving inclusion in its schools.

6.8 Conclusions

There are many very positive aspects to the work of the EOTAS service. The Home Tuition service, Step Ahead and Pathways make a real difference to the standards and well-being of some of the authority's most vulnerable pupils.

However, the authority has rightly highlighted concerns about provision in two of its PRUs, and especially in the KS3 provision at Arfryn.

As currently configured, Step Ahead and Pathways give good value for money. Although effective and well regarded, the home tuition service is not cost-effective. Arfryn and the KS4EC give poor value for money.

⁴ Report to the Secretary of State on the Review of Elective Home Education in England: Graham Badman, May 2009

⁵ Report and recommendations from initial scoping research for elective home education: Sue Mitchell, for Welsh Government, April 2011.

Senior managers have developed a carefully considered set of options for improving the efficiency and effectiveness of provision. This review includes an analysis of these options, and suggests variations where appropriate.

7. Mainstream provision and support for vulnerable pupils, including those with SEN

EOTAS provision is part of the authority's graduated response to meeting the needs of vulnerable pupils, including those with SEN, outside mainstream school. Therefore, to understand the level of demand for EOTAS, it is necessary to consider the range and effectiveness of support and provision available in mainstream schools.

From analysis of the authority's data, the review team formulated the hypothesis that:

- the high demand for EOTAS places, and the profile of pupils in EOTAS, is indicative of difficulties that originate within the mainstream school system and at earlier stages of the graduated response.

7.1 Support services

The authority maintains a number of centrally funded support teams to provide specialist advice and support to schools at the early stages of the graduated response, and to enable it to meet statutory requirements in relation to SEN and inclusion. These services include:

- Behaviour Support Team;
- Educational Psychology Service;
- Speech and Language Advisory Teachers;
- Attendance and Education Welfare Service; and
- SEN and Inclusion Advisor (training).

The Educational Psychology Service and the Behaviour Support Team operate a time allocation model, which enables schools to set the priorities for use of this time.

The review team heard examples of very good practice and effective intervention from these services, both with individual pupils and to support whole school developments. However, schools also report that the quality of support and advice relating to individual pupils is too variable, and that intervention can be 'too little, too late' to enable them to sustain a pupil's placement in school. In the context of the time allocation model, the latter criticism raises the question of how schools prioritise pupils for referral for external specialist assessment and advice.

7.2 Training

The authority offers a number of training courses designed to increase teachers' skills in meeting additional learning needs and managing challenging behaviour.

The SEN and Inclusion Advisor, the Behaviour Support team and the authority's Prevention Team organise and provide a number of relevant and helpful courses for teachers, including in behaviour management, restorative justice and meeting the needs of pupils with speech, language and communication difficulties, including ASD.

However, the capacity of the authority to deliver such training has diminished in recent years, due to financial constraints. Although schools generally value the available

training, they say they need much more than is currently available, and would like to see it as part of a coordinated and coherent strategy for inclusion and behaviour support.

7.3 Severe and complex needs

Following delegation of the £6.2 million budget for severe and complex needs, schools are able to organise individual support for pupils. Schools are expected to use this budget flexibly to support pupils at school action and school action plus, as well as those who have statements of SEN.

The authority monitors this expenditure carefully to ensure that individual pupils are receiving the provision to which they are entitled, and are beginning to challenge schools to provide evidence of the impact of provision.

The authority is clear that schools should use this budget to support all pupils with SEN, including those with social, emotional and behavioural needs who need support to make the transition back from a PRU. However, despite being challenged by officers to do this, schools are often unwilling to prioritise funding for such pupils.

7.4 Specialist teaching facilities

In addition to its two special schools for pupils with moderate, severe and complex needs, the authority has 33 specialist teaching facilities hosted within 29 schools and catering for a range of disabilities that includes:

- Moderate/severe learning (primary): 179 places in 12 schools
- Moderate/severe learning (secondary): 124 places in 7 schools
- Autistic spectrum (primary): 52 places in 4 schools
- Autistic spectrum (secondary): 34 places in 2 schools
- Speech and Language (primary): 45 places in 2 schools
- Speech and Language (secondary): 62 places in 3 schools (includes provision for outreach to all Welsh Medium schools)
- Hearing impairment (primary): 8 places in 1 school
- Hearing impairment (secondary): 8 places in 1 school
- Profound and multiple difficulties (primary): 10 places in 1 school
- Profound and multiple difficulties (secondary): 10 places in 1 school.

The following issues are of immediate relevance to this review:

- the authority has no mainstream or special school places for pupils whose primary SEN is in the domain of social, emotional and behavioural difficulties and therefore uses EOTAS as specialist provision for these pupils instead;
- there are a number of pupils who have experienced 'failure' in an STF and subsequently moved into EOTAS instead, indicating that the STF model does not always work as well as it should; and
- in relation to current demand, there are too few places for pupils with ASD.

Senior managers are well aware of these issues, and undertaking a review of STF provision.

7.5 Nurture groups

In the past, the authority had a successful strategy, supported by time-limited funding, to enable schools to set up nurture group provision. Where such provision is delivered according to the recommended model, it is highly effective in meeting emotional and

behavioural needs, promoting positive attitudes to learning and preventing escalation of difficulties.

Since the external funding for this development ceased, much of this provision and the underpinning support network has disappeared. Only one secondary and four primary schools have retained the original nurture groups, all of which are funded from the schools' budgets.

7.6. Alternative curriculum at KS4 (ELiS)

Secondary schools are able to commission Educating Learners in Swansea (ELiS) to provide an alternative 14-19 learning pathway for pupils in KS4 who have a history of attendance below 65% and who have become disengaged from school.

Pupils remain on the roll of their mainstream school, but follow a programme that is organised and delivered by ELiS. Provision is grant-funded and free to schools at the point of use.

Schools generally regard ELiS as effective, and appreciate the close liaison between teachers and ELiS staff. In response to challenges from schools to enable pupils to achieve the Level 1 and 2 indicators, ELiS has started to increase its offer of accredited qualifications.

Feedback from parents and employers confirms that the provision makes a key difference to young people's prospects for progression into college, work or training.

The model of provision is similar in some respects to that offered by EO Pathways. For example, both:

- use youth work principles and approaches to motivate and re-engage reluctant learners;
- provide each young person with a key worker/support worker;
- offer academic and vocational learning programmes, with the key aim of reducing the number of young people who are NEET;
- offer choice of activities to young people;
- have a high proportion of young people whose special educational needs have contributed to 'failure' in school; and
- are organised, funded and managed by centrally based services.

Mainstream schools maintain strong links with ELiS to ensure that provision is enabling their pupils to make progress, improve attendance and prepare for transition back to school or on to college. This contrasts with the position in respect of Pathways, where liaison is much weaker, and schools have little or no involvement in tracking the standards and well-being of 'dual registered' pupils.

ELiS and Pathways have different access criteria, and operate at different points of the graduated response continuum. Nevertheless, given the similarities in their models of service delivery, it would be useful for the authority to develop closer working between these teams as part of a wider strategy for supporting pupils with attendance and behavioural difficulties.

7.7 Pastoral support plans

Schools use Pastoral Support Plans (PSPs) as a strategy for managing and supporting pupils at risk of exclusion, and who may need a reduced timetable in the short term.

The authority has provided schools with clear guidance on the appropriate use of PSPs, and with a structure for recording and reviewing arrangements. However, schools do not always adhere to this guidance. The authority is aware of pupils for whom a PSP has been in place for too long and with very few hours of teaching available. It is important for the authority to monitor use of PSPs, to ensure appropriate provision and intervention for pupils, and to prevent escalation into EOTAS.

7.8 Managed moves

The authority has a clear policy and protocol for managed moves, which are defined as: ‘a carefully planned transfer of a pupil from one school into another. It is designed to enable a pupil to move forward and make a fresh start. Where it is in the best interest of a pupil, a managed move can be used as a strategy to support the pupil and/or prevent a permanent exclusion.’ The protocol was introduced following consultation with Head Teachers, and has been in operation since January 2014.

The authority’s school governance team is responsible for coordinating this process and arranging admission to an alternative school. As part of this process, schools are challenged on what strategies they have used to support the pupil to day, and to see if anything more might be done to avoid a move.

Managed moves are an area of contention between head teachers and authority officers, and cause concern to parents and pupils.

There are some examples where managed moves have been effective, particularly when the schools concerned have worked together and shared information at an early stage. However, some schools do not follow the managed moves protocol and procedures, and there is confusion about what constitutes a managed move.

The authority has a duty to find a place for a pupil, and endeavours to follow the agreed protocol, if necessary directing a school to admit. However, schools see managed moves as an administrative process that does not work in pupils’ best interests. They dislike being directed to take pupils and claim that the process has an unequal impact on different schools. Officers also recognise this as a difficulty, but one that is inevitable since the authority can only place a pupil where a vacancy exists.

One aspect of the managed move policy that is considered to be particularly unhelpful is the provision for the first half term of a new placement to be a ‘trial period’, which was included at the request of schools. Parents and pupils find this difficult, for practical reasons including uniform and transport, and because it gives the impression of not being fully accepted in the new school. Schools say that it can delay information transfer, and hinder planning for the pupil.

The transport policy does not enable the authority to fund the costs of transport when a pupil moves from their home school to one further away.

Since all funding is delegated to schools, the authority is not in a position to offer any additional support to improve the chances of successful transfer.

The authority keeps a record of pupils subject to managed moves. However, the evidence from discussion with schools and parents is that many pupils who change schools at the request of parents and in response to difficulties, are not 'on the record'. There is no comprehensive central record of pupils who have changed schools, and therefore no means of monitoring or evaluating outcomes for these pupils.

Overall the managed move process is not effective for pupils, parents or for schools and should be re-examined by the authority as a matter of priority to address the difficulties identified.

In addition, the authority should consider locating responsibility for managed moves within the inclusion service, as part of a coordinated behaviour support strategy, rather than within the governance team as is now the case.

There is also a need for closer tracking and monitoring outcomes for managed move pupils, and for better sharing of this data with school effectiveness and inclusion officers. This will strengthen the authority's ability to support and challenge schools to include pupils more effectively.

7.9 Exclusions

When all else fails, mainstream schools have the option to exclude pupils, either permanently or for a fixed period of time. Permanent exclusions are rare, and the rate of fixed term exclusion has fallen in recent years.

The headline data masks significant differences between schools in rates of officially recorded exclusions. The authority's monitoring data for the academic year 2012-13 shows that exclusions from two of its 14 secondary schools were three to four times higher than the authority average, and rates in three further schools were also relatively high. The data for the current year to date shows a significant improvement, with only one of these schools showing a high rate of exclusion.

In respect of primary schools, the position is similar. In 2012-13, four primary schools recorded levels of exclusion that were well above the authority average. In all four of these schools, exclusions have reduced significantly in the current year.

The review team visited a small sample of mainstream schools, including those with and without a history of high exclusions, to find out what has made a difference to their ability to maintain pupils in school. In all cases, schools had been able to reduce exclusions by enhancing in-school provision and teacher expertise, by:

- establishing 'nurture' groups in primary and in secondary schools, including within an existing STF;
- recruiting teachers with specific expertise in SEBD; and
- offering a more relevant curriculum for pupils in KS4.

Schools reported that staff in the authority's central teams, including the BST, EPS and EWS, had offered helpful and effective support and advice as part of this process, but did not perceive this to be part of a consistent, authority-wide strategy.

The authority has provided schools with clear guidance on exclusion procedures, and on the responsibility of schools to set work for a pupil during the first 15 days of any exclusion period. Officers are concerned that not all schools follow the guidance as they should, and the findings of this review support that concern.

The review team heard many examples, mainly from parents and inclusion officers, but also from other sources, where pupils had spent long periods of time out of school, either 'by agreement' with parents or via repeated fixed term exclusions, and without appropriate work set for them, before starting EOTAS provision.

A well-documented case concerns a parent's complaint to the Public Services Ombudsman for Wales on behalf of her son, who had a history of repeated fixed term exclusions from school, and had received no education over a 3-month period prior to starting EOTAS Pathways in February 2013. Following investigation, the Ombudsman concluded that the Council was not at fault, since the mainstream school was responsible for providing work for the boy whilst excluded, and for making a referral to the authority so that alternative plans could be made.

7.10 Inclusion strategy

The authority has a clear policy for inclusion, including arrangements to support pupils with SEN in mainstream schools through advice, support and training from central services, in STFs and through the delegation of funding to schools. The authority's work to build the capacity of mainstream schools for supporting pupils with SEN was highlighted as good practice in the recent whole-authority Estyn inspection.

There are many examples of effective work from central support teams and external agencies to support pupils, families and schools. However, it was not possible to identify a whole authority behaviour support strategy that is driving a consistent approach to inclusion across all schools. As a result, the impact of investment in potentially valuable approaches, such as whole school training in restorative justice, and the development of nurture groups, has been lessened.

Although the authority has, in the past, given high priority to developing and implementing a behaviour support strategy, the impetus for this work has not been sustained recently, due to loss of capacity and/or competing priorities within central teams.

Although there are some good operational links between inclusion and school effectiveness officers, they are not strong enough at present to support an overall strategy for school effectiveness, inclusion and capacity building in mainstream schools. For example, when inclusion officers challenge schools on matters of inclusion, SEN, attendance and exclusion, they often do so in isolation from school effectiveness services, and therefore with limited impact. There are plans to restructure within the education department in a way that will enable inclusion and school effectiveness officers to offer a more integrated approach.

7.11 Conclusions

The earliest stages of the authority's graduated response to meeting pupils' additional learning needs are not working well enough.

Although there are examples of good practice leading to a reduction in exclusions from specific schools, the overall picture is that many mainstream schools find it difficult to meet the needs of pupils whose special educational needs include social, emotional and behavioural difficulties.

As a result, too many of these pupils experience disruption to their education, by moving from school to school, into EOTAS, or occasionally into EHE.

Difficulties identified include:

- the absence of an effective strategy for behaviour support as part of an overall approach to raising standards in schools;
- too few opportunities for joint working between inclusion and school effectiveness officers to raise standards and promote inclusive practice in schools;
- failure to identify and address pupils' learning and developmental needs early enough leads to the emergence of emotional and behavioural difficulties, especially after transition to secondary school;
- no mainstream specialist provision or special school places for pupils whose main SEN is in the domain of social, emotional and behavioural difficulties;
- too little specialist provision for pupils of mainstream ability with ASD; and
- lack of a coordinated approach to challenging schools to use delegated funding to support pupils with SEBD, including those returning from a PRU.

It would be very difficult to argue that the authority does not spend enough on supporting SEN in mainstream schools. However, the current arrangements do not appear to be delivering best value for money.

The evidence reviewed raises legitimate questions about how effectively schools are using delegated SEN funding to support early identification and make additional provision to prevent exclusion.

8 Conclusions and recommendations

For many years now, the authority has faced a situation of high demand for EOTAS, budget pressures and difficulties in meeting the required standards and quality, especially in the KS3 and KS4 PRUs.

There is overwhelming evidence that the level of demand for EOTAS places, and the profile of pupils in EOTAS, is symptomatic of difficulties that originate within the mainstream school system and at earlier stages of the graduated response.

Although EOTAS provision is essential for some pupils, there are many more who would be better served by remaining in mainstream school with appropriate support and provision. The challenge for the authority is to work with schools to develop an extended continuum of support to meet the needs of pupils with social, emotional and behavioural difficulties, so that more pupils remain in school and fewer enter EOTAS.

In order to rebalance the system and improve the quality and cost-effectiveness of residual EOTAS provision, the authority should implement a coherent strategy with the aims of:

- increasing the number of pupils receiving effective support in mainstream schools and reducing the demand for EOTAS;
- reducing places and reconfiguring EOTAS provision; and
- improving the standards and quality of remaining EOTAS provision.

R1. Increase the number of pupils receiving effective support in mainstream schools and reduce the demand for EOTAS.

Strategies should include:

- developing and implementing a comprehensive inclusion and behaviour support strategy, with the overall aim of promoting inclusive practice in mainstream schools and preventing the need for EOTAS placements;
- ensuring that the inclusion and behaviour support strategy is an integral part of the wider strategy for school effectiveness;
- strengthening systems and capacity for joint working between school effectiveness and inclusion teams to support and challenge schools to promote inclusion for vulnerable pupils;
- strengthening capacity in the Behaviour Support Service to provide early and direct intervention for pupils with SEBD in mainstream schools;
- developing more in-school provision, such as nurture groups, for pupils with learning and behavioural needs in primary and secondary schools;
- reconfiguring mainstream STF provision to make it more effective, especially for pupils with ASD;
- ensuring that schools use their delegated budgets to achieve positive outcomes for pupils with SEN, including those with SEBD;
- monitoring and challenging the use of PSPs as a strategy for behaviour management;
- monitoring and tracking outcomes for pupils subject to managed moves; and
- challenging schools to exercise their responsibilities in respect of all pupils on roll.

R2. Reduce places and reconfigure EOTAS provision

As part of an integrated strategy for behaviour support, the authority should reconfigure EOTAS provision in a way that takes account of the findings of this review.

It would be useful to consider a model that recognises the wide range of reasons for exclusion from school, and that groups and differentiates provision accordingly. Such a model might involve:

- combining Step Ahead, TLC and the home tuition team, as integrated provision for pupils with medical and/or health needs and for young mothers;
- closing the primary provision at Arfryn PRU and developing specialist support and nurture provision for pupils in FP, KS2 in mainstream schools;
- either closing or restructuring the Arfryn KS3 PRU provision, and developing specialist support and provision for pupils in mainstream schools; and
- closing KS4EC and offering all KS4 SEBD provision through an extended Pathways model.

This model includes several features of options considered by the Task and Finish Group.

R3. Improve standards and quality in remaining EOTAS provision

Strategies should include:

- promoting best practice in EOTAS provision by joint working between school effectiveness and inclusion/SEN teams;
- strengthening the role of the EOMC in direct monitoring of quality and standards in EOTAS;
- ensuring that all EOTAS staff have the necessary level of expertise in managing challenging behaviour;

- providing EOTAS staff with training and ongoing support to enable them to meet the needs of pupils with learning and developmental needs, including moderate and specific learning difficulties and ASD;
- negotiating with CAMHS and the Careers Service to secure additional specialist support for EOTAS pupils; and
- introducing a protocol for joint working with mainstream schools to retain links during placement in EOTAS and prepare for early reintegration as appropriate.