

# Young People's Education and Skills Operational Sub-Group

## Policy Update

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**Summary** This paper outlines the key changes affecting 14 to 19 policy since the last Young People's Education and Skills Operational Sub-Group.

**Recommendation** OSG members are asked to note the information in this paper.

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### 1 Local government elections and London Councils

- 1.1 The local government elections on 3 May brought about several changes in political leadership in the London boroughs. London Councils updated its [political map](#) with an at-a-glance London overview and individual borough breakdown.
- 1.2 The London Councils AGM following the elections took place on 5 June 2018. This confirmed Cllr Peter John, Leader of Southwark Council, as the new Chair of London Councils. Cllr Georgia Gould, Leader of Camden Council, has been confirmed as the new Executive Member for Skills and Employment and thus the Chair of the Young People's Education and Skills Board. Cllr Nickie Aiken, Leader of Westminster Council, was confirmed as the new Executive Member for schools and children's services (with responsibility for education, children's social care and safeguarding).
- 1.3 The confirmed list of the London Councils Executive members can be found [here](#).
- 1.4 The full list of councillors in the [London Government Directory](#) has been updated to reflect the results of the London local elections. Council leaderships and executives will be updated following each council's AGM.

### 2 Government response to the consultation on Implementation of T Level Programmes

- 2.1 The government has responded to the consultation on the Implementation of T Level Programmes. The response can be found [here](#).
- 2.2 The government has made a number of changes and commitments in reaction to the responses received. Key developments are:
  - **Minimum entry requirements:** There will be no minimum entry requirement imposed, as the government believes that providers are best placed to decide on whether to admit a student onto a level 3 programme.
  - **Maths and English for students who have not yet achieved level 2:** This will be funded in addition to the hours required for the technical elements.

- **Grading:** There will be an overall Pass grade for the T Level, but it will still include a six point grading scale for the core (A\*-E) and a three point grading scale for each occupational specialism (Distinction, Merit, Pass).
- **Progressing to academic routes:** Progressing to an academic route after completing a T Level would likely require students to undertake some sort of bridging provision to acquire additional knowledge and skills. Once T Level content is finalised, the government will work with Higher Education providers to identify where bridging provision might be needed.
- **UCAS points:** Respondents said that allocating UCAS Tariff points to T Levels would support progression and the government is working with UCAS to explore this option.
- **Reviewing Level 2 and 3 qualifications:** The government will review qualifications that currently attract government funding for post-16 study; more details about this review will be published shortly. There will also be a review of the non-GCSE qualifications available for pupils aged 14 to 16.
- **Support for providers:** The main challenge identified in the consultation was making sure that staff have sufficient expertise, as providers will need to upskill current teaching staff and recruit additional skilled staff. The government will work closely with the sector to develop a programme of support to help providers prepare for the delivery of T Levels. This includes an investment of up to £20million to improve the quality of teaching over the next two years.
- **Pace of roll-out:** There were several responses highlighting the overly ambitious pace of roll out. Therefore the government has decided to extend the full roll-out of T Levels beyond 2022. The first T Levels will still be available from 2020.
- **Funding:** Several responses were received highlighting the funding challenges and high costs of implementing and running T Levels, but the government has committed no further funding other than the £500million announced some time ago. The response highlights that the government expects to fund different T Levels at different rates to reflect the cost of delivery (e.g. for the use of specialist equipment) and for variations in the number of additional taught hours.
- **Support for employers:** Several responses raised concerns over the capacity of some employers and providers to offer industry places. The government is putting in place a programme of support, including investing funding in building the capacity of providers through the Capacity and Delivery Fund; issuing clear guidance; and offering a support and advice service for employers.
- **Format of industry placements:** There is a recognition that the format of industry placements will need to be flexible. While the minimum requirement of 45 days in a placement has been retained, the government will allow providers to work with employers to determine if this is best delivered through day release, a single 3-month placement, or a number of blocks at different times during the programme, potentially with different employers.

2.3 The main conclusions that the government derived from the responses that were received are as follows:

- There is a need for greater clarity relating to the positioning of T Levels in the education system, including their identity and target audience in relation to A levels and apprenticeships.

- T Levels need to be rigorous, and add value for employers, as well as be inclusive of students with additional needs.
- There is support for simplification of the existing qualifications system but only where this is employer-led and does not leave gaps in valuable provision.
- Assessments need to enable progression and demonstrate rigour, whilst being consistent and inclusive.
- There was confusion about what ‘threshold competence’ means. This requires greater clarity (especially as it could mean something different in each pathway) as well as ensuring employers can be confident that a student completing a T Level would be at least as valuable for industry as a learner completing a level 3 apprenticeship.
- T Level industry placements are a vital component of T Levels but will be highly ambitious and challenging to deliver on a national scale, requiring considerable effort to mitigate inequality of opportunity.
- A transition offer will be valuable but, where possible, should be a more open and inclusive proposition as opposed to being specifically linked to T Levels.
- There is general support for an ‘in-year’ funding model.
- T Levels will require a strong supportive infrastructure network, extensive marketing and time for the benefits to be realised, measured and promoted.

2.4 Young People’s Education and Skills replied to the original consultation and we are pleased that the government has taken on board most of our comments. However, the government’s response to the consultation has not addressed the central question of for whom are T levels intended and how will they sit with Applied General Qualifications.

### **3 Education Select Committee Inquiry into School and College Funding**

3.1 The Education Select Committee is conducting an [inquiry into school and college funding](#). The deadline for written submissions was 30 May 2018. London Councils submitted a response to the inquiry, which is attached as Appendix A.

3.2 London Councils’ submission to the Education Select Committee’s inquiry focused on the impact of increased costs in schools and colleges in London and how the funding system could be improved to mitigate the impact of constrained budgets. London Councils believes that it is vital that the Treasury invests additional funding in the school system in the next Spending Review to ensure that:

- No school or college loses funding in real terms over the course of this parliament.
- Local authorities have sufficient high needs funding to be able to provide appropriate provision for all pupils with special educational needs and disabilities.
- London boroughs and their partners are able to plan sufficient places to meet the rising demand for school and college places.

3.3 In addition to extra investment in the school system London Councils is also calling for a number of policy changes to ease the pressure facing school and college budgets, including:

- Reverse the policy decision to reduce funding for full-time 18 year old students, in order that colleges and schools can fully support young people to achieve their potential.

- Continue and expand the government's investment in adult retraining, and the scheme should respond flexibly to local circumstances and economies.
- Protect the pupil premium and provide an area cost adjustment, to address the differences in the cost of living for London, in line with other education funding streams.
- Introduce a higher earnings threshold for Free School Meals eligibility to ensure that disadvantaged London school children are not penalised by the new criteria.
- Increase funding for English for Speakers of Other Languages in London and consider flexibility in funding to effectively target support.
- Allow local authorities maximum flexibility to transfer funds between the Dedicated Schools Grant (DSG) blocks to ensure greater accountability between schools and enable local authorities and schools to balance their books.

#### **4 Education Select Committee Inquiry into Special Educational Needs and Disabilities**

- 4.1 The Education Select Committee is also conducting an [inquiry into Special Educational Needs and Disabilities \(SEND\)](#). The deadline for written submissions is Thursday 14 June. London Councils has drafted a response to the inquiry, which will be circulated once it is finalised. The current draft covers the issues highlighted below.
- 4.2 Local authorities have worked hard to meet the deadline for transition of Statements to Education, Health and Care Plans (EHCPs). In order to ensure that local authorities can meet the timescales for assessment and deliver EHCPs that are of a high quality on an ongoing basis, London Councils is calling on the government to:
- Incorporate SEND Grant funding into council funding streams on an ongoing basis.
- 4.3 26 out of 31 London boroughs spent more than the amount allocated through the high needs block of the DSG in 2016/17, creating an aggregate 'funding gap' across these 26 boroughs of £100million. Therefore London Councils is calling on the government to:
- Provide an immediate injection of funding into the high needs budget to compensate for the existing shortfall.
  - Provide real terms funding per pupil for high needs allocations, taking into account future growth in the number of pupils with SEN.
  - Continue to allow local authorities to transfer funding between the schools and high needs blocks of the DSG.
- 4.4 Demand for dedicated SEND places in London is increasing, and creating school places for children with SEND costs an average £69,055 per place (around three times as much as a mainstream school place). Therefore London Councils is calling on the government to:
- Ensure basic need funding and any additional capital funding for SEND takes into account the actual cost of delivering new SEND places and expected demand.
  - Work with local authorities to create new special free schools in areas of high demand for SEND places.
- 4.5 Non-inclusive behaviour in the mainstream schools sector, including refusal to admit children with SEND, and inappropriately off-rolling, is affecting the provision that families are choosing and, in many cases, resulting in further pressure being placed on the high needs budget. Therefore London Councils is calling on the government to:

- Work with Ofsted to ensure that the Ofsted framework appropriately recognises inclusive practice.

## **5 Government review into school exclusions**

- 5.1 The Department for Education has commissioned Edward Timpson to lead a review into school exclusions. The deadline for written submissions to the call for evidence was May 2018. London Councils submitted a response to the call for evidence, which is attached as Appendix B.
- 5.2 London Councils' submission highlighted the need for the review to consider off-rolling and admissions practices alongside formal exclusions, to fully understand the picture for pupils with SEND navigating the school system. Our response emphasised the fact that non-inclusive admissions practices are linked both to school funding pressures and accountability measures. We suggested that Ofsted could play a role in this agenda by taking the inclusivity of a school into account when undertaking school inspections and forming judgements.

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# ▶ Education Select Committee: School and College funding inquiry

- ▶ A response from London Councils and ALDCS and the Association of London Directors of Children's Services (ALDCS)

London Councils and ALDCS represents London's 32 borough councils and the City of London. It is a cross-party organisation that works on behalf of all of its member authorities to make the case for powers, freedoms and resources to best serve the needs of London's residents and businesses. The Association of London Directors of Children's Services (ALDCS) is the London professional network for Directors of Children's Services and the regional branch of the Association of Directors of Children's Services (ADCS).

## 1. Introduction

- London Councils and ALDCS welcome the focus of the Education Select Committee's inquiry into school and college funding. This is an area of significant concern for London local government, given the current pressures facing school and college budgets and the recent introduction of the National Funding Formula.
- London Councils and ALDCS have collated considerable evidence of the scale and impact of funding pressures on schools and colleges, and would be happy to give evidence at the Committee hearings.

**Education Select Committee: School and College funding inquiry****2. Summary**

- London Councils and ALDCS' submission to the Education Select Committee's inquiry into school and college funding focuses on the impact of increased costs in schools and colleges in London and how the funding system could be improved to mitigate the impact of constrained budgets. London Councils and ALDCS believe that it is vital that the Treasury invests additional funding in the school system in the next Spending Review to ensure that:
  - no school or college loses funding in real terms over the course of this parliament
  - local authorities have sufficient high needs funding to be able to provide appropriate provision for all local pupils with Special Educational Needs and Disabilities (SEND)
  - London boroughs and their partners are able to plan sufficient places to meet the rising demand for school and college places
  
- In addition to extra investment in the school system London Councils and ALDCS are also calling for a number of policy changes to ease the pressure facing school and college budgets, including:
  - Reverse the policy decision to remove funding for 18 year olds in level 3 courses in order that colleges can fully support young people to achieve the best qualifications
  - Continue and expand the government's investment in adult retraining, and the scheme should respond flexibly to local circumstances and economies
  - Protect the pupil premium and provide an area cost adjustment, to address the differences in the cost of living for London, in line with other education funding streams.
  - Introduce a higher earnings threshold for Free School Meals (FSM) eligibility to ensure that disadvantaged London school children are not penalised by the new criteria
  - Increase funding for English for Speakers of Other Languages (ESOL) in London and consider flexibility in funding to effectively target support
  - Allow local authorities maximum flexibility to transfer funds between the Dedicated Schools Grant (DSG) blocks to ensure greater accountability between schools and enable local authorities and schools to balance their books

**3. The Department for Education's priorities for the Spending Review****School revenue funding**

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- We welcome the Secretary of State for Education's additional £1.3 billion investment in the schools budget in 2018/19 and 2019/20. The funding will be vital in supporting London's schools to build on their current performance and continue to improve standards.
- However, London's schools will receive the smallest proportion of this funding. 67% of schools in London will receive the minimum (0.5% per pupil) funding increase in 2018-19, compared with just 35% of schools across the rest of England. Fourteen London boroughs will see more than 90% of their schools receive the floor of 0.5% per pupil in 2018-19.
- The National Audit Office (NAO) forecasts costs pressures of 1.6% in 2018-19 taking into account inflation, increased pension contributions and other additional costs. However, only 27% of London schools will receive an uplift of 1.6% from the recently announced allocations, compared to 56% in the rest of England. We estimate that the cost of meeting these budgetary pressures for every school by 2019/20 would be £406m nationally, including £99m for London.
- London Councils and ALDCS recognise that London schools are generally better funded than schools elsewhere in the country, reflecting higher costs in London, but London's school improvement success demonstrates clearly that this investment is well spent. London has the highest percentage (94%) of Ofsted-rated good or outstanding schools in the country as well as the best results at key stage 2 (67% received the expected standard) and GCSE (48.9% at attainment 8). The government needs to invest similar levels of funding in schools elsewhere in the country, along with support and leadership, to replicate this improvement journey nationwide.
- London Councils and ALDCS have serious concerns that the shortfall in real terms funding risks halting the excellent progress in school improvement that London's schools have made over the past twenty years. London Councils and ALDCS surveyed 400 head teachers across London for our *Talking Heads*<sup>1</sup> report. Many have already had to take drastic measures to balance their budgets: 47% of secondary schools have reduced the breadth of the curriculum, 70% of primary schools have cut the number of Teaching Assistants and 63% of all schools have reduced spending on learning resources.

<sup>1</sup> <https://www.londoncouncils.gov.uk/our-key-themes/children-and-young-people/education-and-school-places/talking-heads>

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- These measures are already having a detrimental impact on teacher recruitment and retention, as more pressure is put on classroom teachers to cover additional work. Over 70% of school leaders in the capital believe that further funding cuts will result in negative outcomes for pupils.
- Budgetary pressures in schools are creating a reduction in the amount of support available for children with SEND in schools, resulting in schools requesting more financial assistance from the local authority to support pupils that they may previously have had the resources to support. Colleges are facing similar financial constraints and subsequent impact on the level of SEND support they are able to provide. We have also seen evidence that funding pressures are resulting in some schools taking a less inclusive approach to supporting children with SEND, including showing resistance or refusing to admit certain pupils, or taking pupils off the school roll informally.
- The decision by the Department for Education's to reduce the funding available to local authorities to spend on schools, through the Education Services Grant (ESG) and now the Central Schools block of the Dedicated Schools Grant (DSG) has put further pressure on schools, as local authorities are having to charge for services to schools that they have traditionally been able to provide for free.
- London Councils and ALDCS will be calling for the government to commit sufficient additional revenue funding in the Spending Review to ensure that no school loses funding in real terms over the course of this parliament.

### **Funding for Special Educational Needs and Disabilities (SEND)**

- The reduction in support for SEND children available in schools is particularly challenging at a time when local authorities in London are already dealing with the triple pressure of managing SEND budgets during a period of rapid growth in the general child population, an exponential increase in the prevalence of SEND rates and significant shifts in types of need. London Councils and ALDCS' analysis reveals that in 2016/17 the amount spent on high needs was greater than the amount allocated through the high needs block of the DSG in 26 out of 31 boroughs creating an aggregate 'funding gap' across these 26 boroughs of £100 million (£3.9 million per borough).
- Between 2013/14 and 2016/17, high needs allocations to boroughs increased by 2 per cent, the number of pupils with Education, Health and Care (EHC) plans increased by 10 per cent, budgets

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increased by 13 per cent and actual spend increased by 16 per cent.<sup>2</sup> This demand is set to increase, particularly as the general child population continues to grow in London.

- Meeting this substantial shortfall had a major impact on the wider schools funding in 2016/17 including around £46 million being diverted from other blocks within the Dedicated Schools Grant (DSG) and boroughs having to draw on £20 million of reserves. However, these mechanisms are not sustainable in the long term. The loss of flexibility introduced with the cap on transfers between the DSG blocks and pressure on reserves and other funds will make it increasingly difficult for local authorities to be able to find ways to balance their high needs budgets. It is vital that the government commits additional funding to enable local authorities to provide appropriate provision to meet the rising demand for SEND places.
- The rising demand for SEND places is also putting significant pressure on demand for SEN transport. London Councils and ALDCS' analysis revealed that in 2016/17 the London boroughs were overspent on their SEN transport budgets by £1m per average.

**School capital funding**

- London Councils and ALDCS estimate that approximately 67,000 additional school places will be needed in London until 2022/23 which will cost an estimated additional £1 billion between 2019/20 and 2022/23, through a combination of expanding existing schools and creating new free schools to meet demand for places. This pressure will be felt particularly for places at secondary and special schools across London.
- London Councils and ALDCS call on the government to ensure that it commits sufficient funding for the London boroughs to meet the rising demand for school places with sufficient provision.

**College funding**

- Similarly, colleges are facing a number of significant financial challenges including: increasing pension contributions (the Department for Education (DfE) increased Teacher Pension Scheme contributions from 14.1% to 16.48% in 2015 and may make further increases to take effect from

<sup>2</sup> Based on 24 boroughs providing full time series data

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April 2019) and increasing inflation without additional funding, and reduced income from apprenticeships since the introduction of the Apprenticeship Levy. London Councils and ALDCS urge the government to invest sufficient additional revenue funding to ensure that no college loses funding in real terms over the course of this parliament, in line with our funding ask for schools.

- Demand for college provision is expected to rise in the next few years as the increase in London's child population works its way through the education system. This is particularly significant in light of Raising the Participation Age, which legislates that all young people must remain in education or training until the age of 18, resulting in more young people remaining in the education system. London Councils and ALDCS are calling on the government to provide more capital funding to ensure enough places are created to meet this rising demand for college places.
- From 2014/15, the government decided to cut the funding rate for full-time 18 year olds in schools and colleges. Many of these students spend their first year catching up on learning in order that they can achieve a good level 3 qualification over the following two years. The reduction in funding therefore disincentivises schools and colleges (the impact on colleges is more than seven times greater than the impact on school sixth forms, confirmed in the DfE's Impact Assessment) from providing this extra support to more vulnerable learners who are more likely to be in need of three years to secure their qualification. Students who are not supported in this way are likely to only achieve a Level 2 qualification, thereby reducing their long-term employment prospects. If colleges decide to continue to offer a third year of education for students who are struggling, this puts additional pressure on their budgets.
- The government's T Level proposals include a 'transition year' for young learners who need extra support before they start their two year T Level programme. This shows that the government acknowledges the importance of flexibility in further education courses – if they are supporting this flexibility then they should fully fund it.
- London Councils and ALDCS are calling on the government to reverse the policy decision to remove funding for 18 year olds in level 3 courses in order that colleges can fully support young people to achieve the best qualifications and enhance their employment options.

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- There continues to be a high and unmet need for ESOL in London. 210,000 working-age adults in London cannot speak English well and around 25,000 cannot speak English at all<sup>3</sup>. Public spending on ESOL has been reduced by 60 per cent since 2009. Funding changes have most affected people in low paid work, women with childcare responsibilities and those with low-level English literacy and language skills<sup>4</sup>. Over half of providers - rising to two thirds of colleges - report that they struggle to meet demand for ESOL at all levels<sup>5</sup>. The government should increase funding for ESOL in London and consider flexibility in funding to effectively target support.
- Adult retraining will be vital if London is to meet its future training needs once the UK has left the EU and in order for Londoners to effectively deal with the impact of future automation and disruptive technologies on skill demands. London Councils and ALDCS welcome the announcement of the National Retraining Scheme, with initial funding of £64m. This investment needs to continue and expand, and the scheme should respond flexibly to local circumstances and economies.

### 4. The Spending Review cycle

- London Councils and ALDCS do not have a view on whether the Spending Review is the best mechanism for determining overall expenditure for schools and colleges. However, it is important that whatever mechanism is used with whatever timeframe, funding keeps up with real terms costs. For example any increases in pay awards need to be covered in funding allocations. Allocations also need to be announced with enough time for schools and local authorities to plan their own budgets.

### 5. Targeted funding

- London Councils and ALDCS support the allocation of pupil premium funding as an additional means for schools to support disadvantaged pupils. It is important that this additional funding is retained to help narrow the gap in outcomes between pupils.

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<sup>3</sup> 2011 Census

<sup>4</sup> Department for Business, Innovation & Skills (2011) 'English for speakers of other languages: equality impact scheme'

<sup>5</sup> GLA (2017) 'London Adult Community Learning Review Report'

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- However, there is an inconsistency between deprivation funding within the National Funding Formula and deprivation funding channelled through the pupil premium outside of the formula. Whilst deprivation factors based on free school meals (FSM) within the National Funding Formula will be area cost adjusted, the pupil premium grant based on the same criteria is currently distributed through a flat per pupil rate. A pupil premium without an Area Cost Adjustment for London means that it will have less of an impact for disadvantaged children in London. London has some of the most deprived areas of the country and it is important that pupils in these areas get a fair allocation of the pupil premium to enhance their educational attainment. London Councils and ALDCS believe that the pupil premium should be protected and adjusted for area costs, to address the differences in the cost of living, in line with other education funding streams.
- Free school meals eligibility is used to determine additional funding for schools through the pupil premium. The flat threshold for free school meals eligibility introduced recently as part of changes relating to the roll out of Universal Credit does not take into account the higher levels of earnings in London. Earnings in London are markedly higher than other areas of the country due to the disproportionately high cost of living in the capital. The 2016 Annual Survey Hours and Earnings (ASHE) data shows median earnings in London are 24% higher than the national average<sup>6</sup>. Therefore, children in London households where parents have similar occupations, work a similar number of hours and have proportionately similar levels of disposable income, are less likely to be eligible for free school meals under the new criteria compared with children in the rest of the country. This will in turn affect pupil premium allocations for London schools, with less disadvantaged pupils being eligible than previously, and London Councils and ALDCS are concerned about the impact this will have on the attainment of disadvantaged pupils. London Councils and ALDCS have called for a higher earnings threshold to be introduced for FSM eligibility to ensure that disadvantaged London school children are not penalised by the new criteria.

**6. Practical implementation of the National Funding Formula**

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<sup>6</sup> Source:

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/datasets/placeofresidencebylocalauthorityashet/able8>

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- London Councils and ALDCS do not support the cap on transfers between the blocks of the Dedicated Schools Grant, which came into effect in April 2018 as part of the introduction of the National Funding Formula. Local authorities and schools forums use this flexibility to move funding to where it is needed most locally. For example, in 2016/17 26 out of 31 London boroughs were overspent on the High Needs Block collectively by approximately £100m due to increased demand and rising costs; almost half of this overspend was balanced through transfers from other blocks of the DSG. London Councils and ALDCS are calling on the government to continue to allow local authorities maximum flexibility to transfer funds between the DSG blocks to ensure greater accountability between schools and enable local authorities to balance their books.
- London Councils and ALDCS believe that the schools forum is the best mechanism through which to distribute all school revenue funding to schools as it allows for local flexibility to address any emerging issues swiftly and effectively. Therefore, we welcome the continued use of the schools forum to distribute school funding through the National Funding Formula.

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## **A Review of School Exclusion: Call for evidence**

London Councils welcomes the announcement of Edward Timpson's review into exclusions and the opportunity to submit evidence on this important area. The number of permanent exclusions in London has reduced since 2007 but fixed term exclusions have increased over the past three years, equating to over 25,000 young people a year. In the context of these numbers and London's growing child population the London boroughs have significant concerns about exclusions and the impact that they have on their outcomes.

The likelihood of a child or young person with Special Educational Needs and Disabilities (SEND) being excluded from school is seven times higher than that of a child without SEND. This is a particular concern for the London boroughs which are facing the dual challenge of rising numbers of SEND pupils at the same time as shortfalls in SEND budgets. Therefore, this submission will focus predominantly on the impact of exclusions on this cohort of children.

**Unlawful exclusions / off-rolling** (the removal by one means or another, of students from a school's roll)

While analysing formal exclusion trends is important, we would urge the review to also consider the use of unlawful exclusions by schools – or off-rolling. Many London boroughs have reported that the practice of off-rolling pupils with SEND and/or behavioural issues is becoming more prevalent. This has also been highlighted by representatives from parent carer forums in London with whom we have engaged as part of our research. In the 2017 version of *Do The Maths*, London Councils' annual school places planning report, over half of London boroughs (14 out of 23 respondents) reported that they had experienced at least one academy in their local area inappropriately off-rolling pupils with SEND.<sup>1</sup>

The practice of off-rolling was also picked up in research that the Department for Education commissioned the ISOS Partnership to undertake in 2015. The findings highlighted in the research report reflect the experience of London boroughs: "During our fieldwork we heard about instances of "back-door" exclusion in which parents of children with SEN would be told by a headteacher that a school "wasn't right" for their child or that another nearby mainstream school would be "much better at meeting the needs of a child like yours".<sup>2</sup>

The informal nature of this practice, and the fact that parents do not tend to report such interactions, makes it extremely hard to pick up vulnerable children that are being passed around different parts of the education system without being able to access the support they need, or being pushed out of formal education altogether. It also restricts national and local government's ability to understand the scale and true impact of non-inclusive practices.

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<sup>1</sup> <https://www.londoncouncils.gov.uk/node/32443>

<sup>2</sup> Research on funding for children with special educational needs, July 2015, ISOS Partnership, Natalie Parish and Ben Bryant, p.58

Looking solely at formal exclusions masks the true extent of the challenge in dealing with exclusions, therefore we would encourage the exclusions review team to include informal exclusions in the scope of their work. We would also suggest that the exclusions review identifies a mechanism for collecting and analysing data on off-rolling in a robust way to ensure that they can fully understand the scale of off-rolling practice across the country. London Councils would be happy to speak to the team about the work we are doing in this area, including how we plan to collate data from the boroughs in a systematic way. .

### **The link with admissions practices**

London Councils recommends that the review of exclusions also considers the trends in admissions practices and the impact these have on the journey of vulnerable children and young people who have been permanently excluded from school or off-rolled.

Many boroughs have experienced schools refusing to admit children with SEND and/or a history of poor behaviour. *Do The Maths 2017* found that 19 out of 24 London boroughs had experienced at least one academy resisting or refusing to admit a child with SEND. 14 boroughs reported that they had come across this situation on more than four occasions. While local authorities can experience resistance from maintained schools as well as academies, the challenge is particularly great in relation to academies because councils do not have the power to direct an academy to change their approach, as they would a maintained school. Furthermore, the fact that academies (as well as a growing number of maintained schools) now act as their own admissions authorities means that councils are not systematically made aware of instances where a school has encouraged the parent to look elsewhere, or refused to admit a certain child, and therefore do not always have the full picture.

Local authorities report instances of having worked successfully with individual schools and governors to change their approach, but in many cases councils have had to support pupils and parents to find appropriate alternative provision.

### **Barriers to inclusive practice in schools**

Schools need to be encouraged and supported to develop inclusive policies and practices. There are currently two key areas which make it more difficult for schools to act in an inclusive manner: funding and accountability measures. These are areas that the ISOS Partnership report, *Research on funding for children with Special Educational Needs*, highlights as impacting on the approach taken by schools.

#### Funding

School funding pressures are restricting schools' abilities to adequately support vulnerable children. The National Audit Office has identified that all schools will face additional per pupil cost pressures of 1.6 per cent in both 2018/19 and 2019/20<sup>1</sup>. The Department for Education announced an additional £1.3bn for 2018/19 and 2019/20. However, 70 per cent of London's schools are set to only receive an 0.5 per cent uplift, the minimum increase, which means that they will face a reduction in real terms per pupil funding when factoring in the expected

rise in costs, as forecast by the National Audit Office. London's schools will receive substantially less of this additional funding than the other regions in the country.

This funding pressure is taking its toll on London schools. London Councils' 2017 *Talking Heads* survey found that 70 per cent of London schools had experienced budget cuts over the last two years. In particular, the report highlighted that 74 per cent of schools in London are expecting budgetary cuts to result in negative outcomes for pupils with SEND, and headteachers interviewed as part of the research reported that resource pressures on schools had affected children with SEND in particular. The most common reasons for this were the reduction in staff numbers (for example, teaching assistants, inclusion team staff, class teachers, mental health counsellors, speech and language therapists); increases in overall class sizes; and reductions in the number of small group and one-to-one sessions on offer.

Funding pressures are making it harder for schools to support children with additional needs. This is partly due to appropriately qualified staff or the right infrastructure to offer sufficient support for children with SEND not being in place. It is also due to the fact that budgetary pressures are making it harder for schools to fund the first £6,000 of a child's support needs, which they are currently required to do before the council can step in with additional funding. The ISOS Partnership report highlighted that "some headteachers or SENCOs used the £6,000 threshold as an argument for not admitting a child with SEN as it would necessitate displacing funding from the education of other children in the school."<sup>3</sup>

### Accountability

The second factor affecting schools' willingness to act inclusively is accountability measures. The ISOS Partnership report highlights, "Many heads argued that the current accountability system does not incentivise inclusive behaviours and those who go beyond the norm in creating an inclusive school environment do so on the basis of a strong moral conviction and in spite of a number of countervailing system pressures."<sup>4</sup>

The Ofsted schools inspection framework does not take account of the inclusivity of a school when awarding judgements, and does not appear to investigate instances of non-compliance with the SEND reforms.

The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2016/17 highlights this issue, noting that of the schools that have not been good or outstanding at any point since 2005: "Many had higher-than-average proportions of pupils who have special educational needs and/or disabilities."

If the Ofsted framework were to appropriately recognise inclusive practice –this could encourage more schools to prioritise inclusion and regard it as integral to improving the quality of education on offer to all children.

### **Impact of non-inclusive practice in schools**

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<sup>3</sup> ISOS Partnership, p. 60

<sup>4</sup> ISOS Partnership, p. 58

The approach taken by some mainstream schools to exclusions, off-rolling and admissions of some of the most vulnerable children is driving more children towards specialist and alternative provision places. For some children and young people specialist and alternative provision is the right option to support their needs and help them to achieve positive outcomes. However, others may be driven towards these types of provision as a result of experiencing non-inclusive practices in mainstream settings, which may be detrimental in terms of their overall long term outcomes.

Furthermore, this trend is placing significant pressure on specialist and alternative provision places in many London boroughs, which is resulting in a further strain on high needs block funding. In 2016/17, 26 out of 31 London boroughs spent more than the amount allocated through the high needs block of the Dedicated Schools Grant (DSG), creating an aggregate 'funding gap' across these 26 boroughs of £100 million. Boroughs have reported that a significant factor impacting on high needs block overspends is the overreliance on specialist places, particularly those in independent special schools or out-of-borough settings. These types of provision tend to be significantly more expensive than local maintained provision. London has a higher proportion of children with SEND educated in independent provision than the rest of England, which accounts for 9.2 per cent of all SEND places in London in compared to 6.6 per cent nationally (2017).<sup>5</sup>

Considering the growing demand on specialist and alternative places, more capital funding is required for local authorities to be able to expand provision locally. The DfE recently approved plans for 20 special free schools across the country, including five in London, but demand still persists across the capital. 14 out of 16 London boroughs said that they would be likely to put in an application for a special free school if the DfE were to run another round of applications.<sup>6</sup> Boroughs are also waiting on the announcement of the next wave of free schools, which in many cases will be used to provide new specialist or alternative provision to meet demand. This extra provision within the borough would help reduce the reliance on expensive out of borough placements.

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<sup>5</sup> <http://lginform.local.gov.uk/reports/view/send-research/local-area-send-report>

<sup>6</sup> This data is taken from a survey undertaken by London Councils in August 2017

# Young People's Education and Skills Operational Sub-Group

Latest participation, NEET and activity 'not known' statistics Item:

Date: 8 June 2018

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## 1 NEET and Not Known Scorecard

1.1 The summary of each borough's position in the Comparative NEET Scorecard for April<sup>1</sup> 2018 is shown below. The RAG Rating relates to boroughs' position in the national league table and is divided into quintiles.

Figure 1: 16 to 17 year-olds academic age NEET and 'not known' (NCCIS, April 2018)

	Academic age 16-17						
	NEET	NEET %	Not known	% not known	NEET and NK	% NEET and NK	Quintile
<b>ENGLAND</b>	<b>32,504</b>	<b>2.9%</b>	<b>32,311</b>	<b>2.9%</b>	<b>64,815</b>	<b>5.7%</b>	
<b>LONDON</b>	<b>3,230</b>	<b>1.9%</b>	<b>4,837</b>	<b>2.8%</b>	<b>8,067</b>	<b>4.7%</b>	
Barking and Dagenham	214	3.8%	35	0.6%	249	4.4%	2
Barnet	129	1.7%	128	1.7%	257	3.4%	1
Bexley	94	1.6%	92	1.5%	186	3.1%	1
Brent	110	1.5%	124	1.7%	234	3.1%	1
Bromley	134	2.0%	69	1.0%	203	3.0%	1
Camden	81	2.6%	44	1.4%	125	4.0%	2
City of London	-	0.0%	-		-	0.0%	
Croydon	220	2.4%	378	4.2%	598	6.6%	4
Ealing	83	1.1%	78	1.1%	161	2.2%	1
Enfield	113	1.4%	513	6.2%	626	7.6%	5
Greenwich	117	2.0%	113	2.0%	230	4.0%	2
Hackney	101	1.9%	105	2.0%	206	4.0%	2
Hammersmith and Fulham	29	1.2%	16	0.7%	45	1.9%	1
Haringey	107	2.0%	430	8.1%	537	10.1%	5
Harrow	62	1.2%	54	1.1%	116	2.3%	1
Havering	105	1.8%	79	1.3%	184	3.1%	1
Hillingdon	166	2.4%	212	3.1%	378	5.5%	3
Hounslow	146	2.6%	151	2.7%	297	5.3%	3
Islington	44	1.3%	84	2.5%	128	3.8%	2
Kensington and Chelsea	30	2.2%	31	2.2%	61	4.4%	2
Kingston upon Thames	50	1.6%	48	1.6%	98	3.2%	1
Lambeth	94	1.7%	484	8.7%	578	10.4%	5
Lewisham	127	2.1%	206	3.4%	333	5.5%	3
Merton	58	1.5%	61	1.6%	119	3.1%	1
Newham	137	1.7%	186	2.3%	323	3.9%	2
Redbridge	132	1.8%	106	1.4%	238	3.2%	1
Richmond upon Thames	55	1.9%	46	1.6%	101	3.5%	1
Southwark	85	1.6%	283	5.4%	368	7.0%	4
Sutton	75	1.7%	80	1.8%	155	3.5%	1
Tower Hamlets	162	2.9%	198	3.6%	360	6.5%	4
Waltham Forest	78	1.3%	87	1.5%	165	2.8%	1
Wandsworth	57	1.4%	282	7.2%	339	8.6%	5
Westminster	35	1.4%	34	1.4%	69	2.8%	1

## 2 Quarterly, Termly and Annual Statistics

- 2.1 The Department for Education has decided to stop publishing quarterly and termly NEET statistics and has yet to publish the annual NEET scorecard for 2017. The Department plans to publish last year's local authority/regional scorecards and September Guarantee data 'very soon', and then publish this year's local authority/regional scorecard and a new amalgamated NEET and Participation publication in September. The new publication will replace the annual and quarterly reports that the Department currently publishes.
- 2.2 The Office for National Statistics will continue to publish quarterly NEET estimates at a national level, but these are not intended to provide breakdowns at local or regional levels.

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<sup>1</sup> The [National Client Caseload Information System](#) (NCCIS) is a gateway for local authorities to access and submit performance data and information to the Department for Education regarding the participation of 16-18 year olds in education, employment and training. Data sourced from NCCIS relates to April 2018. This report is based on recording and reporting requirements that came into effect on 1 September 2016. The most evident impact of these changes is that there are no longer monthly data available through NCCIS on 18 year olds who are NEET or whose activity is not known. It is not possible to compare data upon which earlier reports were based with the data used in this (and subsequent) reports. Comparisons over time shown here are from published data or data that has been recalculated on the basis of the revised guidance and available through NCCIS