



**CITY AND COUNTY OF SWANSEA**  
**DINAS A SIR ABERTAWE**

**To:**  
**Jennifer Raynor**  
**Cabinet Member for Education**

*Please ask for:*  
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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**  
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**OVERVIEW & SCRUTINY / TROSOLWG A CHRAFFU**

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# 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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