

**MINUTES OF THE LA AND EPHA EXECUTIVE COMMITTEE MEETING
THURSDAY 9 MAY 2019 starting at 1.00 pm**

In attendance	Representing	email address
Clare Kershaw CK	Director of Education	clare.kershaw@essex.gov.uk
Alison Fiala	Education and EY Lead Mid	Alison.fiala@essex.gov.uk
Shamsun Noor	Head of Statutory and Regulated Services	shamsun.noor@essex.gov.uk
Julie Keating	Education Access Manager	Julie.Keating@essex.gov.uk
Lois Ashforth	EPHA Dengie	Head@coldnorton.essex.sch.uk
George Athanasiou	EPHA West Vice-Chair	head@greatsampford.essex.sch.uk
Dawn Baker	EPHA Mid Treasurer	headteacher@lawfordmead.essex.sch.uk
Sue Bardetti	EPHA Tendring South	admin@hollandhaven.essex.sch.uk
Liz Benjeddi	EPHA Billericay	head@southgreen-jun.essex.sch.uk
Heidi Blakeley	EPHA Wickford	Head@abacus.essex.sch.uk
Amanda Buckland Garnett	EPHA South Woodham Ferrers	abg@collingwood.essex.sch.uk
John Clements	EPHA Uttlesford South	jhclm@hotmail.com
Anna Conley	EPHA Witham	head@howbridge-inf.essex.sch.uk
Dawn Dack	EPHA Maldon	drdack@wentworth.essex.sch.uk
Emma Dawson	EPHA Castlepoint and Rochford	Head@thundersley.essex.sch.uk
Sarah Donnelly	EPHA Halstead	sdonnelly@richarddeclare.essex.sch.uk
Fiona Dorey	EPHA Braintree	Head@greatbradfords-jun.essex.sch.uk
Richard Green	Grove Wood Primary	head@grovewood.essex.sch.uk
Shelagh Harvey	EPHA Brentwood	headteacher@ingatestone.essex.sch.uk
Nick Hutchings	EPHA Vice-Chair/NE Chair	head@hamiltonprimary.com
Chris Jarman	EPHA Epping Forest South	Headteacher@st-johns-buckhursthill.essex.sch.uk
Pam Langmead	EPHA Professional Officer	pam@langmead.me.uk
Kate Mills	EPHA Braintree	head@johnrayinfants.essex.sch.uk
Nicola Morgan-Soane	EPHA Mid Chair	head@trinityroad.essex.sch.uk
Hayley O'Dea	EPHA Rochford	head@greatwaking.essex.sch.uk
Paula Pemberton	EPHA Colchester East	paula.pemberton@hazelmere-jun.essex.sch.uk
Amanda Reid	EPHA Chelmsford North	admin@perryfields-inf.essex.sch.uk
Suzy Ryan	EPHA Colchester South	head@fingringhoe.essex.sch.uk
Karen Tucker	EPHA Canvey Island	head@canvey-jun.essex.sch.uk
Jonathan Tye	EPHA Harlow	head@churchgate.essex.sch.uk

1. APOLOGIES FOR ABSENCE

Apologies were received from:

- Nicky Barrand South Chair
- Isobel Barron West Chair
- Sarah Donnelly Halstead
- Julie Lorkins Epping Forest Rural
- Ian MacDonald Tendring Mid
- Mark Millbourne Harwich
- Donna Parker Tendring North
- Lorna Pigram Rayleigh
- Harriet Phelps Knights EPHA Chair

Action

Clare welcomed everyone to the meeting.

2. **ADMISSIONS ADVICE**

Shamsun Noor was welcomed to the meeting. He gave the following advice and update around admissions.

a) **Mid-year admissions**

Shamsun reminded headteachers that the fair access protocols are in place to ensure where a child moves into an area, a school offer within a “reasonable distance” from the home is made. This is not defined in admissions law, but the legislation on school transport states that an LA must provide transport if there is no available school within;

- 2 miles or more from home, when a child is up to 8 years of age;
- 3 miles or more from home, when a child is over 8 years of age.

Where a place cannot be offered at a preference or a school within these distance limits, the LA will ask a nearer school to admit even if the school is full. Key Stage 1 class sizes are limited to 30, but can increase to 31 for such cases (without needing to take on an additional teacher). The same applies for children with an EHCP. The protocol is not about parental preferences, but about making sure children have a place in their general local area. Children considered for admission under the Fair Access Protocol will take precedence over children on a waiting list who are attending another school.

b) **Summer born children and admission into Reception**

In the case of summer born children (born between 1st April and 31st August) parents have the right to request a delay their child starting school until the September following their fifth birthday. Shamsun noted that the current process places much responsibility on the Local Authority and schools, and too little emphasis on parents to engage with schools about their reasons for a request.

The Local Authority (or Admissions Authority) must take into account the views of the Headteacher of the school. He suggested that the current Primary Admissions booklet should be changed to advise parents to contact the school to seek the view of the headteacher, before making a request to the LA with the Headteacher’s views submitted with the request.

Shamsun noted that schools must be careful not to “collude” as a recent case has ruled that each admissions authority must make an independent decision in each case.

The EPHA Executive agreed that the change in advice would be sensible, and that EPHA will help communicate this to schools.

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PL

3. MATTERS ARISING FROM THE EPHA EXECUTIVE MEETING

a) TRADED DATA PACKAGE

It was noted that one headteacher, who wanted to confirm that the Nova data package was suitable for infant schools, had accessed the free trial as directed by the article in Education Essex. However, she reported that the site was inaccessible and a notice on the site stated that it was shut down to upload reports. Alison Fiala **AGREED** to investigate this as a matter of urgency.

AF

There was some discussion around the cost of the package, and the discounts that may be available if a number of schools sign up. Alison **AGREED** to follow this up and to circulate clear information to schools.

AF

Other questions that arose during the Executive meeting were considered under the following agenda items.

4. LOCAL AUTHORITY PEER REVIEW FOCUSING ON SCHOOL EXCLUSIONS

Essex LA recently took part in a peer review carried out by the East of England Education Network Group, which focused on the rising number of exclusions in the county. Clare explained that peer reviews are similar to those carried out by schools, contributing to self-assessment and improvement. The report of the review was recently published (and was circulated to the Executive in advance of the meeting). The Local Authorities have agreed that the outcomes of all of the peer reviews will be collated, giving valuable comparative data across the region.

Clare noted that, in Essex, secondary exclusions have continued to increase, while primary-phase exclusions have stabilised in the last couple of years. The LA has initiated discussions with ASHE and secondary headteachers, including considering the use of Behaviour and Attendance Partnerships. These were successful at the outset (particularly when they were mandatory and funded) but the BAPs are now inconsistent in their approach and effectiveness. The introduction of a system of BAPs at primary-phase would be too onerous, but it is accepted that schools need support.

The review of the system will focus on three areas:

- the responsibility of providers and stakeholders, including PRUs, schools, governors, parents
- the effectiveness of the Behaviour and Attendance Partnerships
- a review of Alternative Provision and the support it offers to different phases.

Clare noted that some primary aged children are in Pupil Referral Units, but there is limited access and the PRUs may not be a suitable environment; there needs to be a mix and range of support on offer. It is also important to strengthen the re-integration from PRUs back into mainstream schools.

Clare noted the publication of the Edward Timpson review into school exclusions, commissioned by the DfE. This makes 30 recommendations (which will be subject to consultation) including the proposal to hold schools to account for the outcomes

of pupils that they permanently exclude.

Julie Keating, Education Access Manager, stressed that her team is aware of the pressure on schools and they are working with schools to manage challenging behaviour. She reminded headteachers of the importance of contacting her team as early as possible if there is a risk of permanent exclusion.

One headteacher stressed the importance of recognising the vulnerability of children with mental health issues, and in particular those who do not reach the threshold of support from Social Care or EWHMS. It was agreed that there is insufficient capacity within Tier 3 support, and that late Tier 1 and 2 support for mental health and emotional well-being is inconsistent, unavailable or un-coordinated.

The group discussed the data in the Peer Review. Essex is below national in relation to both Permanent Exclusion (PEX) and Fixed Term Exclusion (FTEX). There have been 158 permanent exclusions so far this year; 34 in primary: 3 in Mid, 14 in North East, 5 in West and 11 in South.

Headteachers asked if there could be more information about the characteristics of the children/young people who are permanently excluded, for example whether they have just moved into an area, whether they have SEND and so on. It was agreed it would also be useful to understand the types of schools that have excluded e.g. MATs, academies and/or maintained schools. The Executive would welcome more case studies around the reasons for exclusion, and further consideration for the support needed for children who are vulnerable to exclusion.

The Executive questioned the reference in the report which asked “What is the role of EPHA in challenging primary schools (in relation to exclusion)?” Clare explained that this question had arisen from the initial pre-review research, but was not suggested as an outcome from the report. The Local Authority will continue to engage with primary headteachers around the issue of support for children at risk of exclusion.

5. SEND REDESIGN UPDATE

Clare reminded the Executive that she had put a “special edition” article in Education Essex on Tuesday 7 May to remind schools of the aims and timeline of the strategy and redesign of SEND support in Essex.

The formal consultation with the SEND workforce has begun, with the aim of making the service more fit for purpose and affordable. Clare noted that it has taken time to get to this stage, with extensive consultation and thought about how the provision for SEND children and young people should change. There have, inevitably, been concerns about the size and shape of a future service.

Clare reminded the group that in the future the aim is that the teams work seamlessly together to deliver a co-ordinated service for 0-25 year olds with SEND. There will be an increased focus on earlier intervention and providing appropriate and impactful support without the need for the high level of

dependence on the statutory system.

The proposal is to replace the current SEND services with two teams:
the SEND Inclusion Team; and
the SEND Operations Team

The LA proposes that the SEND Inclusion team will:

- Support schools, academies and education settings to be equally and effectively inclusive, accessing the provision and support the need to meet children/ young people's needs without needing recourse to the statutory system. This will include the provision of high-quality professional advice and support to clusters of schools and education settings, at the earliest possible opportunity, increasing the capacity of those schools and education settings to meet the needs of the children and young people with SEND.
- Enable schools and education settings to create and maintain successful placements within Essex, without the need for children/young people to move throughout their education. This will include supporting schools and settings in planning for and ensuring successful transfer/ transition (deploying targeted support where necessary), contributing to the planning and implementation of plans and working in partnership with schools, education settings and other services to prevent exclusion.
- Enable, support and develop the school-led SEND system, where clusters of schools are supported and empowered to make decisions based on accurate assessment of need. This will include working within multi-professional teams around groups of schools and settings, identifying and responding to needs, both in terms of individual children and young people as well as workforce development and systems work.
- Gather and share evidence on what is working well and use this to raise performance. This will include facilitation of peer-to-peer support and challenge, addressing areas for development and sharing best practice, bringing together expertise that already exists within schools and settings as well as within other professional groups.

The SEND Operations team will:

- Effectively co-ordinate the EHCP process for those children/ young people in need of a statutory plan. This will include administration of the 20-week statutory assessment process, the annual review and arranging provision and placements for pupils with EHCPs.
- Provide targeted support to schools, education settings and families to enable the successful implementation of plans (One Planning or EHCP) for children with SEND. This will include modelling and coaching school and education setting staff and families to implement the evidence based strategies identified through the planning process.
- Deliver targeted support to schools, education settings and families to enable successful transition for children with SEND. This will include developing the

practice to plan for and execute effective transition of pupils with plans; for example, in to preschool, primary or secondary school, post 16 and inward transfers to the county.

- Strengthen the links between education settings, schools, families, social care and health services. This will include working collaboratively with other agencies, such as social care and health, in relation to pupils with SEND and acting as the main link for parents, schools and settings during the EHCP process.

The two teams will no longer work in isolation, but within the quadrant management. Clare confirmed that the SEND Sensory team will remain and work within a county-wide team.

Two years ago schools were asked to review the support provided by the Specialist Teacher Team and that consultation had a mixed response; some specialists and specialisms were regarded as excellent, whilst others were not seen as fit for purpose; the intention is to retain the undoubted talent in the workforce. A new system will mean a different way of working with schools, but the aim is to improve the system as a whole with the whole spectrum of need supported, not simply those children with the highest needs, and strengthening the one-planning process.

The SEND workforce are being consulted directly and Clare asked headteachers to remind their SENCOs not to contact the LA directly. The consultation and public engagement runs for one more month, and then recruitment and selection of staff will take place in the second half of the summer term. The autumn term will be a transition period with, in effect, two systems running in parallel, and a chance to inform and engage heads, governors, SENCOs and parents, so that there is a full understanding of the new structure, which goes live in January 2020.

The restructure of the workforce will result in more strategic working with schools, resulting in less intensive child or classroom support, but with better training and earlier intervention. The inclusion team will continue to work with parents (and schools) when that support is needed.

Clare stressed that the Local Authority has to de-escalate the rise of EHCPs in Essex, as the cost of these is simply not sustainable. The intention is to have a system where there is additional resource and support for children with SEND at an earlier stage, without the need for a Plan.

Clare noted that the Parent Carer Forum is working closely with the LA to understand and inform parents about a new system. It is crucial, for example, that parents are aware the cost of appeals and the pressures on the system.

One headteacher stressed the need to focus on early years support and noted her significant concern about the lack of understanding and identification of additional needs at an early age. This was echoed by many and it was **AGREED** that a group of headteachers would work with the LA on this issue, including considering an “outcomes framework of expectations” for early years. The following Executive members agreed to become involved in this work:

- Heidi Blakeley, Abacus Primary;
- Anna Conley, Howbridge Infants,
- Shelagh Harvey, Ingatestone Infants;
- Kate Mills, John Ray Infants
- Amanda Reid, Perryfields Infants

It was stressed that any outcomes should not be interpreted by pre-school settings as preparation of baseline.

Headteachers noted their experience and concerns around other professionals, including GPs, social workers and, in particular, parent advocacy groups, who strongly advise parents to insist on an Education Health and Care Plan for their child, and put pressure on the school to initiate a plan (even when a school does not feel that this is required). It was agreed that there needs to be more information and understanding of the system by parents, and that any “myth-busting” advice should be shared with CCGs and GPs, as well as with school staff.

6. ELECTIVE HOME EDUCATION AND FLEXI-SCHOOLING

Julie Keating, Education Access Manager, was welcomed to the meeting. She advised the Executive that the DfE new guidance for Local Authorities in relation to Elective Home Education, along with guidance for parents. Both of these are useful for schools and explain the current rules and regulations around elective home education. Julie noted that the DfE and Ofsted currently have a particular focus on off-rolling, and reminded heads that schools should not put pressure on families to remove a child from school. Anita Patel-Lingham is the LA lead on elective home education and can be contacted at ehe@essex.gov.uk

Julie circulated guidance on flexi-schooling that has just been produced by Essex County Council. Parents/carers have a responsibility to ensure that their child receives full time education while they are of statutory school age, but that this may be provided by educating their child at home, or alternatively they can request flexi-attendance at a school.

Flexi-school is not the same as elective home education. Parents who request flexi-attendance are asking for a pattern of provision which will involve both attendance at schools as well as times when the child will receive educational provision at home. Flexi-schools is also different from temporary part-time attendance arrangements which the school or parent may seek to make; such arrangements are monitored and reviewed with the intention that the child returns to full time attendance at school as soon as possible.

Arrangements for flexi-school can only be made at the request of the parent/carer. This is not an arrangement that can be initiated by the school. However, while there is a legal right to a school placement and to elective home education, there is no legal right to flexi-schools. Headteachers can refuse to agree to such requests and there is no right of appeal against the decision of the head not to agree a flexi-schooling request.

The guidance explains how a flexi-school arrangement is recorded in the school register (as “authorised absence” under a C code). This will have a detrimental impact on the overall absence levels of the school.

Julie reminded the Executive that the management of reduced timetables also sits within her team, and that there is a guidance document available (which includes an exemplar risk assessment). Meghan Crombie leads on reduced timetables, and she can be contacted at provision@essex.gov.uk

7. ATTENDANCE CONFERENCES

Four conferences will be held in June, focusing on maximising school attendance for children and young people with mental and physical health needs. The events are aimed at primary and secondary schools and are free to attend (places limited to 2 per school).

Information will be sent out to all schools via Education Essex.

8. SUMMER TERM HEADTEACHER MEETINGS

The LA part of the summer term headteacher meetings was discussed, and it was **AGREED** that the following items should be included:

- Flexi-schooling and elective home education (with a focus on attendance) – *this may be included in the safeguarding forum agenda in the afternoon;*
- Safeguarding – lessons learnt from recent Ofsted inspections;
- SEND Strategy update
SENDIASS input
- Headteacher wellbeing and support
- Review and update of Excellence in Essex
- Sale of EES

9. ANY OTHER BUSINESS

a) European elections – impact on schools that are polling stations

Clare noted that if a school is a recognised polling station, it will be required to close on Thursday 23 May 2019 for the European Elections. She noted that she has had emails from headteachers who are asking permission to take an additional non-pupil day as this had not been planned for. Clare noted that schools may be able to identify a separate area of the school that can be used as a polling station whilst still opening (with all the safeguards in place) or they may be able to move the day to a planned INSET day. However, if neither of these options are available, schools should treat this as a forced closure. She **AGREED** to include an article in the next edition of Education Essex to advise schools to this effect.

b) Quadrant team changes

Lyn Wright (formerly the North East EY and Education Lead) left in the spring term. Stephen Chynoweth (a former Essex primary headteacher) has been appointed and will start in September.

Liz Cornish, the Mid Assistant Director, will leave her post at the end of term, to become the headteacher at Glenwood Special School. Clare noted that an advert has been published (closing date next week). It may not be possible to recruit for September, and she will cover the role until a permanent Assistant Director is in post.

Ruth Sturdy, the SEND School Effectiveness Lead, left at the end of the spring term to be the new CEO at Seax Trust (a group of Essex special schools). Her role will be taken into account during the SEND redesign. Ralph Holloway has taken over the responsibility for chairing the SEND Headteacher Roundtable.

c) SATs tests week

Finally, Clare, wished headteachers and their schools the best of luck for the SATs test, which start on 13 May.

10. DATES AND TIMES OF MEETINGS FOR THE 2019/20 SCHOOL YEAR

Executive meetings (Chelmsford City Football Club)

Thursday 10 October 2019 (including Annual General Meeting)

Thursday 23 January 2020

Thursday 7 May 2020

Area Heads Meetings

Summer term 2019

N-EAST	Wednesday 12 June	Colchester Community Stadium
SOUTH	Thursday 13 June	Holiday Inn, Basildon
WEST	Wednesday 19 June	Weston Homes Business Centre, Takeley
MID	Thursday 20 June	Chelmsford City Football Club

Autumn term 2019

N-EAST	Wednesday 13 November	Colchester Community Stadium
SOUTH	Thursday 14 November	Holiday Inn, Basildon
WEST	Wednesday 20 November	Chelmsford City Football Club
MID	Thursday 21 November	Weston Homes Business Centre, Takeley

Spring term 2020

N-EAST	Wednesday 4 March	Colchester Community Stadium
SOUTH	Thursday 5 March	Holiday Inn, Basildon
WEST	Wednesday 11 March	Weston Homes Business Centre, Takeley
MID	Thursday 12 March	Chelmsford City Football Club

Summer term 2020

N-EAST	Wednesday 10 June	Colchester Community Stadium
SOUTH	Thursday 11 June	Holiday Inn, Basildon
WEST	Wednesday 17 June	Weston Homes Business Centre, Takeley
MID	Thursday 18 June	Chelmsford City Football Club

The meeting ended at 3.10 pm
Pam Langmead, EPHA Professional Officer